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Which document(s) are you commenting 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 (1 of 39)

The following are my detailed comments on the Main Issues Report (MIR) and draft Local Development Plan (LDP). Appropriate evidence and analysis are presented in support of comments made. Comments include recommendations for improving the text. These are identified by “Typo-” in front of such recommendations.

Comments on the MIR are detailed under yellow banner headlines. Comments on the draft LDP are detailed under blue banner headlines. Comments follow the order of sections contained within the MIR. MIR comments are presented first followed by comments on the draft LDP for each section.

Main Issues Report (MIR) – Page 6, Second Bullet point

Petrochemicals are not extracted from the North Sea. Petrochemicals are manufactured in Petrochemical Plants such as those at Mossmorran and in and around the Grangemouth Refinery. The raw materials for Petrochemical manufacture are petroleum products. These are derived from crude oil and natural gas such are extracted from the hydrocarbon reservoirs underneath the North Sea.

This paragraph uses a confusion of language such as; “petrochemical extraction”, “Peak oil”, “oil and gas exploration and extraction”, “global petrochemical support industries” and “oil, gas and energy supply chain”.

A clear and consistent use of language is critical to promote clarity and understanding of what is being said. The use of a variety of terms, some of them technically incorrect, adds confusion to this paragraph.

The use of technically incorrect terms raises questions as to the knowledge, and hence competence, of those writing the text. This in turn leads to questions regarding the competence of the overall report and hence draft Local Development Plan.

This paragraph should be re written to use clear and consistent language. The term “oil and gas” is used by the industry (e.g. Oil and Gas Authority (OGA), International Association of Oil & Gas Producers (IOGP), etc) and is understood by most people in the North East because of its use in the media. This is the term that should be focused on. The wider Petroleum Industry and Petrochemical Industry should only be used where the intent is for local Oil and Gas contractors to diversify into these different, worldwide industries.

MIR – Page 6, Fourth Bullet point

Climate change is a critical global issue. Aberdeenshire must address the issue in order to make its contribution to its management and to respond to any local impacts caused by its consequences.

I am concerned at the apparent concentration on climate change in the MIR at the expense of other, equally important, environmental issues. This can lead to unintended consequences. The concentration on climate change, and the need to reduce CO₂ emissions, led European policy makers and car industry to significantly boost the sale of diesel cars at the expense of petrol cars. This has led to local air quality issues (particulates, NO_x, SO_x) and the reported additional deaths of 10,000s of people in Europe. Concern at these issues has led to the collapse in diesel car sales with resultant increase in petrol car sales. This in turn has led to an increase in expected CO₂ emissions from 2018 new car sales. Recent proposals to ban the sale of petrol and diesel cars appears to be a response to these local air quality problems as much as the need to reduce CO₂ emissions.

A recent report by the Institute for Public Policy Research has highlighted a “deadly combination of factors” which threaten an environmental crisis for the Earth. As well as climate change the report highlights a mass loss of species, topsoil erosion, forest felling and acidifying oceans. (see Harrabin, R., Environment in multiple crises – report, BBC News Website, 12th Feb 2019, available at <https://www.bbc.co.uk/news/science-environment-47203344>, viewed 12th Feb 2019).

Your comments (continued) (2 of 39)

The World Health Organisation (WHO) places air pollution alongside climate change in its top ten global health threats (see Ten threats to global health in 2019, WHO, available at <https://www.who.int/emergencies/ten-threats-to-global-health-in-2019>, viewed 18th Feb 2019).

Whilst there may be a view that air pollution in Aberdeenshire is better than most areas, and possibly below trigger levels, many Aberdeenshire residents commute into Aberdeen City for work and for leisure. Those Aberdeenshire residents are contributing to pollution in Aberdeen City where some streets have been above legal levels. Aberdeenshire Council needs to contribute to reducing the problem, not just for Aberdeen City residents, but also Shire residents. Aberdeenshire needs to take its place in managing these issues, and others, as well as responding to local consequences.

The World Economic Forum includes in its top ten global risks, in terms of likelihood, the occurrence of extreme weather events, failure of climate-change mitigation and adaptation, man-made environmental disasters, large-scale involuntary migration, biodiversity loss and ecosystem collapse, and water crises. (see The Global Risks Report 2019, 14th Edition, World Economic Forum, 2019). All these environmental issues apply to Aberdeenshire to a greater or lesser extent.

Aberdeenshire needs to take a *holistic* approach to environmental issues in order to maintain, and indeed improve, the local quality of life as well as maintain the attractiveness of the area for visitors, a key part of the diversification of the economy.

Draft Proposed Aberdeenshire Local Development Plan 2021 – as at 14th Jan 2019 (Draft LDP) – Page 3, Forward, 4th paragraph

I fully support the proposed change of wording to “*Only in exceptional circumstances and with overriding material considerations will we make decisions that do not follow the policies and land allocations in this Plan.*” This is *critical* to public support for the LDP and the planning process.

Draft LDP – Page 4, Section 1, How to Use This Plan, 4th paragraph

This paragraph is currently confusing as it mentions both Supplementary Guidance and Appendices (the final line deletes “*Supplementary Guidance*” and replaces it with “*an Appendix*”).

The MIR refers to potential change in status of Supplementary Guidance due to the Planning Bill 2018. This LDP paragraph must be modified to be consistent with whatever decision is made with respect to Supplementary Guidance/Appendices. If both Supplementary Guidance and Appendices are to be provided, then this section needs to be edited to ensure that the difference between the two is clearly explained.

MIR – Page 8, Main Issue 1, The Vision of the Plan

This is an extremely confusing section within the draft LDP. The MIR reports the preferred option is “... *to keep the existing vision statement unchanged, but to provide significantly greater guidance on the value of the vision and how it relates to the policies.*” A look at the Draft LDP shows something very different to this option. There are massive changes to the text, and thereby vision. It is very unclear what is “vision” and what is “guidance”. The alternative option is also not reflected in the changed text in the Draft LDP.

It is therefore very unclear what is being proposed here. The problems with the draft Vision for the Plan section of the draft LDP are discussed below.

Draft LDP – Pages 6-9, Section 3, Vision for the Plan

This is now an immensely long winded and confusing section. A Vision needs to be short, clear, consistent and compelling. This section is now anything but. A (relatively) simple vision for the Shire has been transformed into confusion by adding the National and Regional Visions and what appears to be duplication. It is not entirely clear why this tiered approach is required. I would have thought the Shire vision presented bold and up front was all that is required with, perhaps, the National and Regional Vision added as background somewhere else (either an appendix or below the Shire vision as a sort of footnote)

A very, thorough rewrite on a clean piece of paper is required. The following highlights problems with the various sections.

Your comments (continued) (3 of 39)

Draft LDP – Page 6, Section 3, The National Vision

The “National Vision” (SPP paragraph 11?) is very poorly worded. It makes absolutely no sense in the context presented in the draft LDP. It is written in the present tense and is very clearly not an accurate statement of the current situation in the country. It only begins to make some sense if there is a precursor phrase such as “*Our vision for a future Scotland is a country where:*” is included. Even with this type of precursor substantial editing would still be required for it to make sense.

The poor quality wording of the “National Vision” is not the fault of the authors of the draft LDP. However, its inclusion at the very beginning of Section 3 of the draft LDP confuses the reader and turns them off from the rest of the section, long before they reach the critical Shire Vision.

It is recommended that the “National Vision” should be removed from the draft LDP. It should only be referenced (i.e. the Shire Vision meets the ambition of the National Vision see SPP paragraph 11, or some such wording). Alternatively, the “National Vision” could be included as a note or footnote in Section 3 or as an appendix to allow the keen reader to check the critical Shire Vision against the “National Vision”.

The four outcomes below the vision are significantly better written and make sense. The modified wording in the draft LDP below the four outcomes also provides the context for the plan and how it links to the “National Vision” and the four outcomes. As such the paragraph has some purpose and usefulness. Unfortunately, that purpose and usefulness is essentially destroyed by the poorly worded “National Vision”. As such this “The National Vision” section’s usefulness is very debatable.

Draft LDP – Pages 6, Section 3, The Regional Vision

The “National Vision” section mentions a “vision” and “outcomes”. The “Regional Vision” section now mentions the Scottish Government’s “purpose”. There is an inconsistency in use of language here which causes confusion. Does the Scottish Government have a “vision” and desired “outcomes”, or does it have a “purpose”? Be clear and consistent.

Otherwise this section is well written and understandable. Again, there is a question whether it is needed “upfront” or whether it could be included as a note or footnote in Section 3 or as an appendix to allow the keen reader to check the critical Shire Vision against the “Regional Vision”.

Draft LDP – Pages 6-7, Section 3, The Local Vision

The first four paragraphs are a bit disjointed and random. They are not particularly part of a Vision statement and are more of scene setting or explanatory notes. Suggest that they are either removed completely or moved somewhere else.

Typo- Change fourth bullet point from “*Being well connected, where...*” to “*An area which is well connected, where...*”. It is better English and flows with the rest of the bullet points.

Change last bullet point from “*An area where natural and cultural heritage are protected, recognising...*” to “*An area where natural and cultural heritage is protected and enhanced, recognising...*”.

We should be going beyond protecting. This is important for a continuing quality of life and boosting the tourist industry.

Draft LDP – Pages 6-7, Section 3, The Local Vision – Public Safety

There is no mention in the local Vision of Public Safety. *This is a critical missing.*

Within Aberdeenshire we are exposed to several natural hazards such as flooding and rock falls. We are also exposed to a range of man-made hazards. These hazards include;

- Several major hazard sites and major accident hazard pipelines (e.g. St Fergus gas terminal and associated export pipelines, Cruden Bay pumping station, Forties pipeline, St Fergus-Mossmoran NGL pipeline, etc.,)
- Dyce Airport and associated flight paths (both for fixed wing and helicopters)
- Railway lines
- Quarries and forestry sites
- Heavily used town roads and streets
- Tortuous country roads
- Etc.,

Your comments (continued) (4 of 39)

It is not clear that the various planning processes adequately deal with these existing hazards. The crack in the Forties pipeline at Netherley in December 2017 highlights the risks we run from major accident hazards. A 300m exclusion zone had to be instigated resulting in families being moved from homes. If that had happened in, say, Westhill, the businesses located adjacent to the pipeline would likely be out of business due to the business disruption (I suspect few will have adequate business recovery plans). That ignores the scenario that the escaping pipeline contents catch fire with resultant fatalities (see for example the recent pipeline fire in Mexico with around 100 fatalities).

Dame Judith Hackitt, former Chair of the Health and Safety Executive, has published two reports making recommendations on the future of improved safety management of building work in the UK. The reports were commissioned in the wake of the Grenfell Tower disaster.

In her final report Dame Judith presented a personal view in the report's Forward. In it, Dame Judith highlighted several key issues which she believes underpin the failure of the existing regulatory control systems. These include:

- **Ignorance**; Dame Judith noted that regulations and guidance were not always read by those who needed to, and when they are the guidance is misunderstood and misinterpreted.
- **Indifference**; Dame Judith noted that the primary motivation is to do things as quickly and cheaply as possible. She further noted that some of those undertaking building work failed to prioritise safety, using the ambiguity of regulations and guidance to "game the system".
- **Lack of clarity on roles and responsibilities**; Dame Judith highlighted the ambiguity over where responsibility lies, exacerbated by a level of fragmentation within the industry. She saw this as precluding robust ownership of accountability.
- **Inadequate regulatory oversight and enforcement tools**

Dame Judith concluded; ***"The above issues have helped to create a cultural issue across the sector, which can be described as a 'race to the bottom' caused either through ignorance, indifference, or because the system does not facilitate good practice. There is insufficient focus on delivering the best quality building possible, in order to ensure that residents are safe, and feel safe."***

(see Hackitt, J., Building a Safer Future, Independent Review of Building Regulations and Fire Safety: Final Report, Cm9607, Controller of Her Majesty's Stationery Office, May 2018)

Whilst Dame Judith's report deals with design, construction and maintenance of buildings there is, of course, a step before building. This is the choice of location for buildings, and, in particular, their relationship to natural and man-made hazards. Dame Judith's findings are likely to apply equally, and possibly more so, to this phase of the development process.

The North East has been dominated over many decades by the oil and gas industry. This industry has a very strong safety focus, particularly related to managing major accident hazards (fires, explosions, structural collapse, etc.). This focus has been driven by several major disasters. It is incumbent on the local authorities to learn from, and emulate, the culture and practices of its predominant wealth creator.

I strongly believe that public safety needs to be raised higher in the development agenda as part of the culture change sought by Dame Judith and that needs to start by being clearly articulated in the local Vision for the Shire.

It is therefore recommended that a new bullet point addressing public safety of the area is added to the local Vision. I.e. ***"• An area where people can live, work and enjoy their leisure time in a safe and protective environment."***

Draft LDP – Pages 7-9, Section 3, The Purpose of the Plan and its Outcomes

The heading for this section includes "and its Outcomes". "Outcomes" have not been mentioned previously (except for the national planning policy outcomes) so its introduction here is confusing. Suggest section heading is simply ***"The Purpose of the Plan"***.

Draft LDP – Pages 7-9, Section 3, The Purpose of the Plan and its Outcomes – First Paragraph

The first paragraph is not about the purpose of the plan but how the Vision should be used. It doesn't tally with the bullet points that follow. Hence it is confusing in its style and location.

Your comments (continued) (5 of 39)

The first sentence of the first paragraph includes the phrase “*achievement of all these goals*”. The term “*goals*” has not been used previously. The bullet points in the Local Vision are not described as goals. They are the vision. Hence this first sentence is very confusing and needs to be rewritten.

The second sentence of the first paragraph includes the phrases “*potentially conflicting objectives*” and “*to achieve clearly definable outcomes*”. The terms “*objectives*” and “*outcomes*” have not been used previously and hence are very confusing when used in the context of this first paragraph. This sentence needs to be rewritten to remove confusion.

Typo- The final sentence of the first paragraph includes the phrase “*one policy cannot be applied at the expense of another.*” In the context it appears in, it is not clear what is meant by this phrase. Does it mean “*to ensure that one policy is not applied at the expense of another*”? (i.e. all policies are treated equally). This sentence needs to be rewritten to make it absolutely clear what is being meant.

Draft LDP – Pages 7-9, Section 3, The Purpose of the Plan and its Outcomes – Bullet Points

Typo- The bullet points don’t make much sense with the addition of the new first paragraph and without some words of introduction. Suggest a new sentence just before the bullet points which says something like “*The purpose of the plan is; -*”. (It would sound even better if the word “*To*” is removed from each bullet point and the intro sentence is “*The purpose of the plan is to: -*”)

Typo- Second bullet point, final sentence states “*In the identification of development allocations included in the plan this has been a key consideration*”. I would suggest rewording to “*This has been a key consideration in the identification of development allocations included in the plan*”. It is better English and flows better.

Third bullet point. This is an excellent paragraph. It is particularly important that the final sentence, re improvements as well as protection, is retained.

Final bullet point, final sentence states “*Sometimes the need for sustainable transport infrastructure requires that other plan policies can be disregarded in the interests of a wider public benefit*”. This wording is problematic. It jars and doesn’t fit with the writing style used elsewhere. I’m not entirely sure why it is included (to protect the AWPR? To allow dualling of the A96?). Perhaps the following wording could be considered. “*The need for sustainable transport infrastructure may require that other plan policies are reconsidered in the interests of the wider public benefit*”.

Draft LDP – Pages 6-9, Section 3, Vision for the Plan – Confusing Wording

These pages mention, at various locations, the following words; Visions, Outcomes, Purpose, Aims, Goals, Objectives, Strategies.

The words appear to be used interchangeably. Some appear only once with no linkage to anything mentioned elsewhere. There appears to be great confusion on the management framework that is being used, if indeed any actual framework is being used. The impression is that different paragraphs have been written by different people from different cadres of business management courses thereby being taught different management frameworks.

This Section needs to be strongly edited so that the wording used is consistent and a clear framework and hierarchy for these terms is used. On the basis that “a picture speaks a thousand words” perhaps a graphic can be included to explain the framework and how all the phrases fit and flow together.

MIR – Page 8, Main Issue 2, The Settlement Strategy

I would support the **preferred option** of removing the referencing to the six different areas within the Shire. The issues that shape the spatial strategy are not really linked to what is an arbitrary, historical, geographical, dicing up of the Shire into suitable administrative districts. Issues are more associated to coastal v rural communities, nearness to Aberdeen City and major roads, town v rural village, etc.

Your comments (continued) (6 of 39)

Draft LDP – Page 10, Section 4, The Spatial Strategy, Housing and Employment Land

Typo- The first paragraph, second sentence states “*Allowances for 4,168 additional homes....*” The use of a figure of 4,168 is far too precise given the vagaries of the forecast methodologies (multiple estimates of multiple unknowable factors). It imparts on the reader thoughts of accuracy that simply do not exist. I would suggest the text is changed to “*Allowances for c4,200 additional homes....*”.

The very precise figures in Table 1 probably need to be left as is, unfortunately, as they are taken from other reports.

Draft LDP – Page 11, Section 4, The Spatial Strategy, Housing and Employment Land

The first sentence of the first paragraph at the top of page 11 includes the phrase “*robust and credible*” in relation to the Housing Need and Demand Assessment. Whilst this may be the official stamp of approval provided by the Centre for Housing Market Analysis, for the ordinary reader it comes across as incredibly defensive language. It appears to come straight from the Council Manager’s Communication Playbook; “How to deflect criticism of poor analyses”. For the reader the question is raised “why include these statements” for which the obvious answer is “because the estimates are not credible nor robust”. Why pose the question in the readers mind?

The National Audit Office (NAO) have raised criticism of the housing planning system used in England. This includes considering the method for assessing the number of homes required to be “*flawed*”. (see Government housing delivery plan ‘flawed’, BBC News Website, 8th Feb 2019, available at <https://www.bbc.co.uk/news/business-47157413>, viewed 11th Feb 2019). It is difficult to believe that the Scottish system of assessing housing demand is somehow any more “*robust and credible*” than the “*flawed*” English system, despite the views of the Scottish Government’s Centre for Housing Market Analysis.

The Demand Assessment is simply a forecast which no doubt is based on a large range of factors and variables each of which has enormous uncertainties. Hence any estimate can’t be “*robust and credible*”, it is simply a best estimate.

The first sentence of the first paragraph at the top of page 11 ends with “*as the context for development changes over time.*” This makes no sense and is unnecessary for the first sentence to make its point.

I would suggest that this first sentence is reduced to “*Housing projections for the period of the Plan have been informed by the Aberdeen City and Aberdeenshire Housing Need and Demand Assessment 2017.*” If you must retain the robust and credible terminology, then you could add “*This Demand Assessment has been deemed “robust and credible” by the Scottish Government’s Centre for Housing Market Analysis.*” It is factually correct and deflects any criticism of the LDP language.

Draft LDP – Page 11, Section 4, The Spatial Strategy, Consistency with the Strategic Development Plan

The final paragraph on page 11 speaks to promoting brownfield development first. It then goes on in the final two sentences to highlight perceived issues around the development cost of brownfield v greenfield sites. This is used to justify higher allocation of greenfield sites in the plan to avoid perceived problems with brownfield sites not being developed (because of cost).

It is unclear what the basis for this perceived issue is. The new football stadium at Kingsford is being built on a very brownfield site (albeit in the green belt) precisely because it is so much cheaper than other potential sites in and around Aberdeen City. Aberdeen FC claim they can only afford to build the stadium at Kingsford *because* it is so cheap compared with other potential sites (cost of land + development cost cheaper at Kingsford than other greenfield sites). This is despite very significant remedial work at the former landfill as well as extensive land preparation.

The statement re brownfield site costs is therefore difficult to substantiate given experience with the new football stadium. The draft LDP must provide further justification for the statement or remove it.

Draft LDP – Page 12, Section 4, The Spatial Strategy, Consistency with the Strategic Development Plan

The first sentence on this page states “*Infrastructure requirements from new development will largely be met through appropriate developers’ obligations according to the scale and impact of the development.*”

Your comments (continued) (7 of 39)

We have seen, over several years, developer's ducking and diving to try and get out of their obligations under this policy. The NAO have criticised the contribution of developers to infrastructure costs in England. Amyas Morse, the current Comptroller and Auditor General of the NAO, has highlighted the "*failure to ensure developers contribute fairly for infrastructure*" as an example of the flawed planning system in England. (see Government housing delivery plan 'flawed', BBC News Website, 8th Feb 2019, available at <https://www.bbc.co.uk/news/business-47157413>, viewed 12th Feb 2019). It is difficult to believe that the Scottish system of ensuring developer's contributions is any better than the "flawed" English system.

Is there any research into how successful developers' obligations have been over the years? Are there any other mechanisms that can be used to ensure developments include the necessary infrastructure thus ensuring such infrastructure is not forced onto the tax payer or ignored leaving residents and businesses to suffer?

Draft LDP – Page 13, Section 4, The Spatial Strategy, Other Locations in Aberdeenshire

I would like to see within the final paragraph of this section some mention of "consultation zones" around major hazard sites and major accident hazard pipelines. We should only be allocating land within the consultation zones of such sites and pipelines if no other land is available. This is a basic principle of major accident hazard safety management. Avoidance of the hazard is the most reliable, and hence highest preference, hazard management strategy. This is followed by separation, locating the development as far as possible from the hazard, preferable out with any damaging distance. The consultation zones provide some indication as to what these separation distances are.

Policy HE1 prevents development on nationally or locally important monuments or archaeological sites unless "*there are imperative reasons of overriding public interest, including those of a social or economic nature, and there is no alternative site*" (author's emphasis). If we are applying the "overriding public interest" and "no alternative site" tests to protect historical buildings et al, why are we not applying the exact same tests with existing hazardous sites and pipelines to protect public safety? Are historical buildings more important than people?

If no other land is available, then any allocation/development within consultation zones must meet the requirements of the HSE's Land Planning Use Guidelines. These Guidelines apply *after* consideration of other locations remote from the major hazard sites and major accident hazard pipelines.

Our first priority is to protect people from such hazards and reduce the risk to people "as far as reasonably practicable" (Health and Safety at Work, etc Act 1974, sections 2 & 3). Allocating land in the LDP is the first step in that process and is the clear responsibility of the council. Failure to allocate land properly with respect to major accident hazards is a clear failure to protect people and hence reduce risks. It is also contrary to sections 2 and 3 of the Health and Safety at Work, etc Act 1974.

As noted above, Dame Judith Hackett has reported "*ignorance and indifference*" within the industry with respect to regulations, guidance and safety. She further notes a "*lack of clarity on roles and responsibilities*" and "*inadequate regulatory oversight and enforcement tools*". In order to drive the change in culture the industry requires, the Council *must* step up to the plate and demonstrate leadership in safety issues, particularly related to major accident hazards which have the potential to kill hundreds if not thousands.

MIR – Page 8, Other Issues, Supplementary Guidance

The Supplementary Guidance must not be lost. If the Planning Bill 2018 does change their status, then they *must* be included as appendices.

MIR – Page 10, Main Issue 3, Employment and Business Land and Town Centres and Office Development

The issue being highlighted here is very confusing, particularly when policies B1 and B2 are read in the draft LDP.

The Main Issue being raised *appears* to be that new crèches, schools, museums, public halls, places of worship and the like (all deemed Class 10 developments) and new assembly and leisure uses (Class 11 developments) should be built in town centres, if possible. If this is not possible then they could be built in Industrial Estates and Business Parks (or land designated for Industrial Estates and Business Parks).

Your comments (continued) (8 of 39)

At first sight this does not make any sense. I would *not* expect new schools and creches to be built in town centres due, primarily, to health and safety reasons (air quality, traffic, etc) as well as congestion issues with the morning and afternoon school run by parents, grandparents, carers, etc. I would also *not* expect new schools and creches to be built in industrial estates and business parks for similar reasons.

In my experience state schools tend to be placed in housing estates (or surrounded by housing estates) not town centres. That was my experience at school as well as my current experience with schools in my town. This is the logical location to provide ease of access by pupils and minimise congestion on through roads such as exist in town centres.

State schools, including special needs schools, are a strategic asset. The need for expansion of existing schools and the development of new schools should be known about years in advance (c10 years ahead). Therefore, land allocation for such developments should be clearly established in each revision of the LDP. The “sudden” need to consider land designated for business use (BUS designation) for such schools should never be an issue.

This leaves schools in the independent sector (faith schools, special needs schools, traditional fee paying “public schools”, etc). Pupils attending independent schools deserve the same protections as those in the state sector. Therefore, again, independent schools located in town centres and industrial estates and business parks are unacceptable due to health and safety reasons. Independent schools can be expected to be smaller than state schools so traffic congestion issues may be of less concern.

The meaning of Main Issue 3, and what it is trying to achieve, needs to be fully clarified before any comment on its suitability and relevance can be established.

It may be that we are getting stuck in a policy framework (Town Centre First and Employment and Business Land) that doesn't fit the full framework of development types. Perhaps additional policies are required to address developments such as Class 10 and Class 11. Perhaps Class 10 uses also need to be further divided separating, for example, schools and creches from other public buildings.

If the intent is to allow alternative uses to be built on land designated for Industrial Estates and Business Parks, then I would support the proposal to change the order of Policies B1 and B2 and retitle the first policy to “*Town centre development*” as per the MIR.

Draft LDP – Page 20-21, Section 5, Shaping Business Development, Policy B1 Employment and Business Land

The wording of this policy runs contrary to the discussion set out in in the MIR under Issue 3. Issue 3 concentrates on *allowing* Class 10 and 11 development types to be built on land designated for business and employment use (BUS designation). But this argument doesn't appear anywhere in the new wording of Policy B1.

Policy B1.2 seems to indicate land designated as BUS, and previously used for employment purposes (i.e. a brownfield site), may be changed to another use (i.e. presumably including potential for Class 10 and 11) but only if there is no “reasonable prospect” of it ever being developed for business. This isn't aligned to the meaning of Main Issue 3.

The draft LDP therefore appears to be presenting the “alternative option” of MIR Main Issue 3. Given the confusion with this issue (see above) then this is perhaps the best option to take forward (managed on a case by case basis based on strength of arguments presented).

Draft LDP – Page 20, Section 5, Shaping Business Development, Policy B1 Employment and Business Land, Paragraphs B1.2 & B1.3

Paragraphs B1.2 and B1.3 seem to be saying similar things and therefore can be considered as duplicates. If they are trying to say different things, then this needs to be worded more explicitly.

For example, if paragraph B1.2 is meant to relate to land where there is already some business uses on the land and B1.3 is meant to relate to land designated as BUS, *but currently has no business development on the land*, then this needs to be made a lot clearer in the text.

Your comments (continued) (9 of 39)

Draft LDP – Page 20, Section 5, Shaping Business Development, Policy B1 Employment and Business Land, Paragraphs B1.3

Paragraph B1.3 doesn't explicitly address the MIR Main Issue 3 related to development Classes 10 & 11. Instead it explicitly excludes other development classes (classes 1 to 3 and 7 to 9) thereby implying that development classes 10 & 11 may be considered for BUS designated land.

This is very poor presentation. If classes 10 & 11 are the issue, then they need to be explicitly incorporated in the text to provide a proper level of clarity.

Draft LDP – Page 20, Section 5, Shaping Business Development, Policy B1 Employment and Business Land, Paragraphs B1.3

This paragraph specifically excludes a change of use of land designated for Employment and Business use (designation BUS) to use for shops, financial and other professional services, premises for the sale of food and drink, hotels and hostels, residential institutions and houses. The policy thereby excludes such developments (presumably including change of use of existing facilities) from industrial estates and business parks.

This appears to be counter intuitive.

There are many hotels and hostels throughout the country located in business parks and in some cases industrial estates. They are aimed at business users or users of airports adjacent to the industrial estates and business parks. Are we now specifically excluding this type of development? Where do we expect these hotels and hostels to be built? Will such accommodation be restricted to redevelopment of empty town centre properties? Is that supportive of the tourist traffic?

There are many business parks throughout the country that are filled with financial and professional services firms. In and around Aberdeen the industrial estates and business parks are filled with professional engineering and business services firms. Are we expecting all of them to be located within town centres?

The provision of shops and food and drink retailers within industrial estates and business parks is not unknown and may provide significant benefits. Many industrial estates have on road burger vans to provide snacks and lunches to workers within the estates. This appears to be acceptable (though presumably via a licencing system rather than the planning system). The provision of a small shop, offering food, can also significantly reduce vehicle journeys from the industrial estates/business parks into the town centres and to large supermarkets. Workers can walk to the shop for their tea break snacks and newspapers and for their lunch food and drinks. This significantly improves road safety, reduces congestion and pollution and allows more parking in town and shopping centres for genuine shoppers.

I would agree that residential institutions and houses are not acceptable development types in industrial estates and business parks. The days of the general manager's house being in the middle of the works is long gone.

The principle issue here is the purpose of the proposed development and who it is aimed to serve. If it is aimed at the workers within the industrial estate/business park, then this is beneficial. If it is aimed at the general public, and particularly travelling public, then this is not an appropriate development for the industrial estate/business park. This type of development will distract from the vitality of the town centres, increase across town traffic, increase pollution and congestion and disturb work flow on the industrial estates (goods flow in and out of premises).

My own view is that existing brownfield sites, previously used for business, and, possibly currently partly used for business, should have the potential for alternative uses if business development is not realistic in the near future (2-5 years). However, that new development type must be relevant and suitable for the area. This includes social and economic benefits, improvements to overall safety and environmental performance and reduction in traffic. Better wording throughout Policies B1.1, 1.2 and 1.3 is required to make this clearer.

Your comments (continued) (10 of 39)

Draft LDP – Page 20, Section 5, Shaping Business Development, Policy B1 Employment and Business Land, Paragraphs B1.3

The third sentence in this paragraph talks about a period of 12 months marketing of the site before a change of use could be considered. 12 months is too short a period in the cycle of 5 year LDPs. It is also too short in business cycle terms. Recent planning applications have revealed, for example, that the easterly part of Arnhall Phase 3 in Westhill has been marketed for 12 years with only a single note of interest until the recent planning applications for a café and a fast food restaurant.

I would suggest a minimum of 24 months marketing is more reasonable before consideration is given to alternative uses for a site originally designated for employment and business use.

Draft LDP – Page 21, Section 5, Shaping Business Development, Policy B2 Town Centres and Office Development

Sentence 2 of paragraph B2.1 highlights the potential, “*where appropriate*”, of having education facilities in the town centre. Discussion on the MIR, Main Issue 3 above, highlighted concerns at placing new educational facilities in town centres. Whilst there may be a case for small scale, adult education facilities in town centres I would suggest that the word “education” is removed from this sentence.

MIR – Page 11, Main Issue 4, Tourist Facilities

I would support the *preferred option* of retaining the policy essentially as is and allow unexpected applications as departures to the Plan. Tourist related applications can be expected to be unusual in many cases. If the strategic economic plan is to boost tourism, then we must be flexible enough to consider each application on its unique merits.

MIR – Page 11, Main Issue 4, Tourist Facilities, Airbnb et al

It is unclear how the draft LDP, and the planning system in general, handles the growing development of short term rentals via platforms such as Airbnb. This may include letting of one or more rooms in a family home as well as the letting of whole homes. Concern has been raised elsewhere that homes that traditionally would be available for rent to locals are now being marketed via Airbnb and effectively removed from the local rental market. This greatly impacts home seekers, particularly the young, as they seek to leave the family home to establish their own families or are returning to an area after a period of study or work elsewhere.

Whilst supporting the development of tourism there is a clear need to balance this development with the provision of, and availability of, homes in tourist areas for locals. Are planning polices required to manage this issue in Aberdeenshire?

Draft LDP – Page 21, Section 5, Shaping Business Development, Policy B3 Tourist Facilities

Typo- The 5th sentence of paragraph B3.1 is now redundant given the new replacement sentences that follow it. Sentence 5 should be deleted.

Draft LDP – Page 21, Section 5, Shaping Business Development, Policy B3 Tourist Facilities

Paragraph B1.3 deals with the issue of an application to turn a small bed and breakfast establishment back into a dwelling house. What is not specifically covered is issues of going the other way and removing a dwelling house from the housing market and leasing out via short term rental platforms such as Airbnb (see comments above under MIR Main Issue 4).

Do we require policy wording to address this under policy B3?

MIR – Page 13

I would support not extending the definition of “primary industry” to include certain trades. This will open a can of worms for any person practising a selected trade to build their dream home in a remote location with no linkage to any recognised primary industry or need by the primary industry. They then also have the potential to sell on later to non-trades persons.

I would support the provision, within the LDP policies, of clarification of the term “small scale” with regard to developments.

Your comments (continued) (11 of 39)

MIR – Page 13, Main Issue 5, Green Belt

I would support the *alternative* option for MIR Main Issue 5. If it is impossible to review existing green belt provision for inclusion in the proposed LDP then the LDP should include a commitment to undertake a detailed review in 2022. This review not only needs to include consideration of the AWPR but also the location of Aberdeen FCs new stadium in the Aberdeen City green belt immediately adjacent to Westhill (in effect also within the Westhill “green belt”).

In their submission for planning approval Aberdeen FC claimed that the impact of their very large stadium and training grounds would be small as there would be plenty of green belt remaining to the north and south of their stadium. If this is the case, then that green belt needs substantially protected and reinforced.

I would also fully endorse the wider establishment of a green belt around Westhill to prevent coalescence (reinforcement to the East as well as establishment to the North, West *and South*). Bids for development sites were received which would have extended Westhill especially to the west leading to an ultimate coalescence with Mason Lodge (largely done already), Kirkton of Skene, Garlogie, Cairnie and Gairloch.

Draft LDP – Page 23, Section 6, Shaping Development in the Countryside, Policy R1 Special Rural Areas, Paragraph R1.1

The revised wording for this paragraph *very significantly* weakens the status and protection of the green belt and coastal zone. Examples of the weakening include;

- The statement “*Opportunities for small-scale development will be restricted*” means that opportunities for medium and large-scale developments *will not* be restricted. This is clearly not what is meant.
- The removal of the word “*significantly*” preceding “*restricted*” reduces the strength of the restrictions, both perceived and actual.
- The deletion of the sentence “*We will only allow development if it is essential and cannot be located elsewhere*” significantly weakens the protections on the green belt and coastal zone.

This paragraph needs to be completely re written in order to provide the strength of protection for the green belt and coastal zone. There should be a presumption of no development in the green belt or coastal zone unless on overriding benefit and enhancement of the area can be demonstrated. This should be the policy.

I would suggest the original wording be essentially retained with modified wording as follows;

“R1.1 Development opportunities will be significantly restricted in the green belt and coastal zone to reflect the special nature of these areas. We will only allow development if it is essential and cannot be located elsewhere.”

Draft LDP – Page 23, Section 6, Shaping Development in the Countryside, Policy R1 Special Rural Areas, Paragraph R1.2

In the first sentence the use of the wording “*development is permitted*” again weakens the protection offered for the green belt. The first sentence wording should be changed to “*R1.2 In the green belt the following developments may be permitted:*”

Draft LDP – Page 23, Section 6, Shaping Development in the Countryside, Policy R1 Special Rural Areas, Paragraph R1.2

In the first bullet point what is a “*non-building*”? Is this a formal term? A technical term? Why was it necessary to modify the existing wording (“*building*”) by adding “*non*” in front of it and presumably completely reversing its meaning? By adding the word “*non*” before building are we now excluding the possibility of extensions to existing buildings? The extension of vernacular buildings is dealt with but what about non-vernacular buildings? Are we now saying they can’t be extended?

This first bullet point needs to be clarified by using common usage language to make it absolutely clear what is meant.

Draft LDP – Page 23, Section 6, Shaping Development in the Countryside, Policy R1 Special Rural Areas, Paragraph R1.2

In the second bullet point why are we removing nature conservation and essential public infrastructure from permitted developments? I can’t see that they are covered elsewhere (not covered by policies R3, PR2 or PR3 for example). These development types should be re-instated as permitted developments within the green belt and coastal zone.

Your comments (continued) (12 of 39)

MIR – Page 15, Main Issue 6, Coastal Zone

(Note the error in page numbering. In the MIR there is no Page 14 but two page 15s.)

I would support the *preferred option* of retaining the coastal zone as part of Policy R1 and making minor amendments to the policy wording.

MIR – Page 16, Main Issue 7, Different Types of Rural Areas

I would support the *preferred option* of using the Scottish Government's Urban Rural Classification system to define areas for the application of rural policy. It provides simplification (in a Scottish context), consistency and, as noted in the MIR, is more defensible.

MIR – Page 17, Main Issue 8, Organic Growth

I would support the *preferred option* of retaining the organic growth policy with some amendments.

MIR – Page 17, Main Issue 9, Rural Brownfield Development

I would support the *preferred option* of adding text to deal with larger brownfield sites.

Draft LDP – Pages 24-26, Section 6, Shaping Development in the Countryside, Policy R2 Housing and Employment Development Elsewhere in the Countryside

There is a degree of confusion in this policy. Policy R2.7 states "*proposals for more than three new houses on larger rural brownfield sites will only be permitted in exceptional circumstances*". Policy R2.13 "*A maximum of three additional homes will be permitted during the Plan period.*" These statements seem to be in conflict. R2.7 is clearly related to brownfield sites. What R2.13 is related to is not clear. It is also unclear whether the 3 maximum relates to the whole of Aberdeenshire or some sub division of the Shire.

The proceeding policy (R2.12) is related to "*remote rural areas*" and "*small scale employment proposals*". It also, confusingly, adds in "*extension of existing housing clusters*", a totally different topic to "*small scale employment proposals*".

Perhaps R2.13 is also supposed to relate to "*extension of existing housing clusters*". If this is the case, then this needs to be made clear. Perhaps the second part of R2.12 related to existing housing clusters should be removed from R2.12 and added to the beginning of R2.13.

Draft LDP – Page 24, Section 6, Shaping Development in the Countryside, Policy R2 Housing and Employment Development Elsewhere in the Countryside, Paragraph R2.3

Typo- The first sentence of paragraph R2.3 does not make sense as currently written. Several commas in the sentence may be missing. A comma should be placed between "*minimum*" and "*the*". Is a comma required between "*structure*" and "*must*"?

Draft LDP – Section 6, Shaping Development in the Countryside, Policy R2 Housing and Employment Development Elsewhere in the Countryside

Comments on the MIR, Main Issue 4, above highlighted the issue of short term let systems such as Airbnb impacting on the availability of permanent homes. This issue clearly also applies to housing elsewhere in the countryside. Policy R2 makes no provisions as to why houses are being built and for what purpose. In order to ensure homes are provided in remote rural areas to meet local demand (the MIR mentions demand for houses for trades such as plumbers, electricians, etc) do we need a policy which differentiates between houses built for homes as opposed to houses built for short term lets and therefore supporting the tourist industry? Do we need a policy to provide the balance between the two?

Draft LDP – Page 26, Section 6, Shaping Development in the Countryside, Policy R3 Minerals and Hill Tracks, Paragraph R3.1

Typo- The second sentence should be changed to "*The following information must be provided, as a minimum, to support the application.*"

Your comments (continued) (13 of 39)

Adding “*as a minimum*” is typical contractual wording and highlights that the applicant may supply more information in support of his application. It also provides the Council justification for asking for more information where the minimum information is insufficient to allow analysis in a particular application.

Draft LDP – Page 26, Section 6, Shaping Development in the Countryside, Policy R3 Minerals and Hill Tracks, Paragraph R3.1

Typo- The fourth bullet point “*after use*” lacks clarity. A more specific set of wording is required to properly explain what is required. Perhaps “*Details of proposed use of site after completion of works and after land restoration.*” (If that is what is meant by “*after use*”)

Draft LDP – Page 26, Section 6, Shaping Development in the Countryside, Policy R3 Minerals and Hill Tracks, Paragraph R3.2

Typo- Sentence 3 needs to be modified to provide clarity on the travel area. Is the 50km travel distance applicable to the Strategic Growth Areas as well as to the Aberdeen City boundary? If it is then I would suggest the wording is changed to “*The market area is defined as a 50km travel distance from the Aberdeen City boundary and from the Strategic Growth Area boundaries as defined in the Strategic Development Plan.*”

If the alternative meaning is the correct one then I would suggest switching the areas in the sentence to “*The market area is defined as the Strategic Growth Areas, as defined in the Strategic Development Plan, together with a 50km travel distance from the Aberdeen City boundary.*”

Draft LDP – Page 26-7, Section 6, Shaping Development in the Countryside, Policy R3 Minerals and Hill Tracks, Paragraph R3.3

The bullet points for what is to be covered in the Environmental Statement does not specifically include impacts on flora and fauna other than a reference to impact on habitats. Any competent assessment will need to consider what the impact is on all identified species in the area. This needs to be broader than legally protected species as suggested by Policy E1. There is a concern re loss of biodiversity. This requirement needs to be added as a bullet point.

Draft LDP – Page 26-7, Section 6, Shaping Development in the Countryside, Policy R3 Minerals and Hill Tracks, Paragraph R3.3

The fifth bullet point needs to include artificial light as well as noise, blasting and vibration as a disturbance mechanism.

MIR – Page 20, Main Issue 10, Housing Numbers on Sites

There is clearly a push from Government to build more homes. Land availability seems to be being put forward as an issue hence the drive to increase the number of homes per hectare. The density of homes (i.e. the area of private garden/yard space around a home and hence distance to neighbours) is a critical quality issue in deciding on selection of a home. It can be a powerful selling point. Hence perhaps why some developers have proposed developments of low density.

Housing density is therefore critical to the quality of home, quality of place and hence the quality of life. If we are looking for a high quality of life in Aberdeenshire, then we must resist a push to have higher density of homes in our communities.

As a balance I would support the use of 25 homes per hectare as the basis of determining the capacity of sites identified in the draft LDP.

Draft LDP – Page 28, Section 7 Shaping Homes and Housing, Policy H1 Housing Land

The Health and Safety Executive’s (HSE) Land Use Planning Methodology also includes particular criteria related to number of houses and the density of housing in determining the Sensitivity Levels of housing developments near to major hazard sites and major accident hazard pipelines (see Table 2 Development type: Developments for use by the general public, Development Type DT2.1 – Housing, *in* Land Use Planning Methodology, Health and Safety Executive, 2015).

Different scales of housing developments result in different Sensitivity Levels being determined. Different Sensitivity Levels will result in different decisions for the acceptability of housing in the various consultation zones next to hazardous sites and pipelines (see Decision matrix, paragraph 35, *in* Land Use Planning Methodology, Health and Safety Executive, 2015).

Your comments (continued) (14 of 39)

It would be useful to include a paragraph in Policy H1 which refers to the HSE's guidance for developments proposed near to major hazard sites and major accident hazard pipelines. The paragraph would need to explain that different numbers and density of housing may apply when the development is proposed within the consultation zones of a hazardous site or pipeline in order to meet HSE guidance. This paragraph should simply refer to the guidance as the HSE may adjust their criteria from time to time. Reference to the LDP policy P4 re hazardous developments may also be useful.

MIR – Page 21, Affordable Housing

The level of predicted demand for affordable housing in Aberdeenshire is presented in a confusing manner on this page.

The second paragraph states that "*Aberdeenshire Council has a requirement to deliver 6006 affordable homes, or **35%** of the total Aberdeenshire requirement*" (author's emphasis). The third paragraph then goes on to state "(t)he Housing Need and Demand Assessment highlights that affordable housing need across Aberdeen and Aberdeenshire is likely to be in excess of **48%** of all need" (author's emphasis). No explanation is given as to the difference between the 48% and 35% figures.

Further confusion is caused by inclusion in the third paragraph of the statement "*encouragement needs to be provided to the development industry to build more than **25%** of their sites as affordable homes*" (author's emphasis). Again, no explanation for the difference between the 25%, 35% and 48% figures is provided.

It is recommended that the explanation for the various figures for affordable housing provision should be included in this section of the MIR in order to clarify this critical issue.

Draft LDP – Page 28, Section 7 Shaping Homes and Housing, Policy H2 Affordable Housing, Paragraph H2.1

As with the MIR a better explanation of the various figures presented for affordable housing would be beneficial to the reader of the LDP. Paragraph H2.1 is largely explanatory rather than specifying requirements. Hence it is the logical place for a full and proper explanation to be given.

The Proposed Aberdeen City & Shire Strategic Development Plan; August 2018 (proposed SDP) includes a target "*(f)or new housing to meet the needs of the whole community by providing appropriate levels of affordable housing (generally no more than **25%**) and an appropriate mix of types and sizes of homes*" (author's emphasis) (p27 of proposed SDP).

The proposed SDP then goes on to assign housing supply targets for both authorities (Table 1, p29 of proposed SDP). Simple arithmetic shows the allocations to affordable housing to be **35%**. No explanation is provided in the proposed SDP for the difference between the two figures or how the move from 25% to 35% is to be achieved.

No mention is made in the proposed SDP of the **48%** target detailed in The Housing Need and Demand Assessment 2017 (HNDA) report (Table 42, p77). The proposed SDP (p26) does state "*(t)here is, however, currently a need for significantly more affordable housing in the City Region than there is funding available*". This is based on Scottish Government funding. It is unclear if this funding gap refers to the reduction of the **48%** demand down to the **35%** target assigned by the SDP or down to the **25%** provision figure applied to developers' sites as assigned in the SDP and LDP.

Table 43 in the HDNA (p78) begins to provide some explanation of the needs across the region. This table is partially reproduced below with %s added. It details the output of the tool used within the HDNA to estimate the average additional annual housing units across Aberdeen City and Shire by tenure (only Scenario 1 is presented here for effect).

	Scenario 1	%	%	Type
Social rent	556	26%	48%	Affordable Housing
Below market rent	488	22%		
Private rent	440	20%	52%	Market Housing
Owner occupation	688	32%		
Total	2,171	100%		

Your comments (continued) (15 of 39)

A similar table, or graphic, is needed to explain the 25%, 35% and 48% figures that are banded about in the proposed SDP and draft LDP.

MIR – Page 21, Main Issue 11, Affordable Housing

This appears to be a critical issue and it is not clear that either option will result in a step change in provision of affordable housing. The discussion immediately above has highlighted the confusion that exists between the targets and needs for affordable housing supply. It is unclear if the ambition within the MIR to increase provision of “more than 25%” relates to an ambition to increase provision to the 35% supply target or to the 48% need as mentioned in the draft LDP. Increasing to 35% is a challenge with no clear plan to achieve it. Increasing to 48% is even more challenging. Are we clear what we are trying to achieve? This needs to be made clearer. Graphics would help immensely.

With the preferred option, what are the “encouragements” available to increase provision of “more than 25%”? This is not clear.

With the alternative option, if funds are not available to build affordable housing immediately how are those funds going to appear at some time in the future within the plan timescale? Gaps in the site may make the whole site unviable for the developer as they will be unable to recoup the land costs of the gap in a suitable timescale.

I have no answers to this very thorny issue and therefore am unable to indicate a preference for an option.

MIR – Page 25, Main Issue 12, Layout, Siting and Design

Quality of design is critical to determine quality of place and hence quality of life. This includes not just an external quality of aesthetics and provision of high quality surroundings but also in the design details externally and internally to the proposed buildings. I would therefore fully support the *preferred option* of including an appendix which provides additional design guidance.

MIR – Page 25, Main Issue 12, Layout, Siting and Design, Gulls

Gulls are a significant pest issue in several towns and communities across the Shire. These include inland communities as well as those on the coast. I do not see this major policy issue being addressed in the draft LDP.

The council has published guidance which appears to be aimed at homeowners and businesses (see A Survivor’s Guide to Living with Urban Gulls, GDT24603, Aberdeenshire Council, September 2017). It provides advice on how to combat gulls on existing buildings.

In terms of the planning system and new builds it is *critical* that there are mandated requirements for “designing for gulls” i.e. incorporating in the building design, suitable and sufficient measures to discourage gulls. This is particularly relevant for commercial new builds which appear to be all flat roof “shoe boxes” with HVAC and other plant equipment on the roofs providing significant attraction to gulls (warmth, protection from wind, etc). Westhill, for example, is blighted by mediocre architecture in the business parks which is ruined by bolted on nets added to the roofs as an afterthought.

Food retailers also introduce significant issues by attracting gulls. I have personally witnessed a very large flock of gulls hovering above the Westhill Shopping Centre at a lunchtime. The gulls hovered above the massed schoolchildren who were eating their lunches bought from the various food retailers in the shopping centre. Although I did not witness any gulls swooping down to grab food from the children’s hands, they did swoop down onto the ground amongst people in the shopping centre. A number of persons, including myself, had to duck and move out of the way as the gulls took off from the ground and flew back up into the flock.

Gulls are a clear and present hazard that needs to be addressed in the design of new buildings. The issue *must* be addressed through design policies in the LDP or through design guidance in the proposed appendix to the LDP This may involve referencing the existing Council document and mandating its application on new designs. In terms of food retailers, further mandated requirements are required which go beyond that included in the current guidance.

MIR – Page 25, Main Issue 12, Layout, Siting and Design, Site Hazards

On a broader issue there is a need for designers to identify and manage all the hazards that may exist in and around the development sites and therefore may impact on persons occupying the development either as residents, visitors or workers.

Your comments (continued) (16 of 39)

Issues with building on contaminated land are well known. A number of historical episodes have occurred with residents feeling ill after moving into their own homes. Subsidence due to old mining workings is also well known. The draft LDP covers the hazards from flooding.

Despite these it is not clear that developers and their consultants are adequately addressing site hazards at the planning and design stages. One example is the proposal for affordable housing in Elrick on the site of a former Block works. Adjacent to the site are industrial buildings which have several vents which exit the building walls and terminate at roof height. Given the diameter of the vents they are probably local extract ventilation from machinery inside the building. During the public consultation event on the proposed development, the developer's representatives were unaware of the existence of the vents. They offered no information on what they had done with regard to investigating the hazards posed by the vents or how their design had taken the vents into consideration.

It is therefore not clear that the industry is undertaking comprehensive hazard identification studies at an early enough stage in the design and planning process. As has been noted previously Dame Judith Hackitt has reported "*ignorance and indifference*" within the industry with respect to regulations, guidance and safety. The Council needs to kick start the culture change Dame Judith seeks by including a policy requirement that a comprehensive hazard identification study is completed for each proposed site and/or development and that the developer prepares a detailed hazard management plan detailing how each identified hazard is to be eliminated or managed.

This is basic safety management in any industry and is a pre-requisite in one which has such a dominant impact on people's lives.

Draft LDP – Pages 31 & 32, Section 8 Shaping Places, Policy P1 Layout, Siting and Design, Paragraph P1.5

It is appreciated that the text used in the 6 bullet points may be taken directly from some other, possibly national, guidance. However, the bullet points do contain some deeply technical and specialist language that is unfamiliar to the common person ("man on the Clapham omnibus" as used in legal contexts). These include "*low embodied Energy*", "*intermodal shifts*" and "*active travel*".

Would it be possible to edit the bullet points to use more common language? Using technical terms keeps it within the planning community with their own language and customs. Using common language opens the document to the wider population for whom the document has been prepared.

MIR – Page 26, Main Issue 13, Open Space and Access in New Development

I am fully supportive of the *preferred option* with the proposed changes to, and additions to, the policy text.

MIR – Page 27, Main Issue 14, Infill and Householder Developments Within Settlements (Including Home and Work Proposals)

I am fully supportive of the *preferred option* of including a new appendix which provides additional design guidance for house extensions and ancillary developments.

Draft LDP – Pages 33-34, Section 8 Shaping Places, Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land

This policy is confusing.

The policy title relates to hazardous and potentially polluting developments i.e. proposals for *new* developments that are, in themselves, hazardous and/or potentially polluting. Yet buried in this policy are policy statements related to new "*ordinary*" developments which are to be placed close to *existing* hazardous sites and pipelines. These are two totally different subjects requiring two different approaches.

I would *strongly* recommend that *two* separate policies are established. A new P4 policy would address developments proposed within the consultation zones of major hazard sites and major accident hazard pipelines. A new P5 policy would be the existing policy related to new hazardous and potentially polluting developments. Existing policies P5 and P6 would need to be renumbered. The various paragraphs within the existing Policy P4 would need to be edited to separate the two different subjects.

Your comments (continued) (17 of 39)

Draft LDP – Page 33-34, Section 8 Shaping Places, Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land

In order to raise the profile of developments near existing major hazard sites and major accident hazard pipelines, it would be beneficial that each policy group related to different development types have a reference to such cases with a reference to policy P4. So, for example, a paragraph could be added to the introductory wording of Sections 5, 6 & 7 of the form “Proposed developments located within the consultation zones of major hazard sites and major accident hazard pipelines will require to comply with Policy P4. The location of the hazardous sites and pipelines, and their consultation zones, can be found at *(add reference location for these maps)*”.

I believe these changes to be *essential* in order to place Aberdeenshire Council at the forefront of the change in culture Dame Judith Hackitt seeks within the industry (see comments above on Draft LDP – Pages 6-7, Section 3, The Local Vision – Public Safety).

Draft LDP – Page 33, Section 8 Shaping Places, Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land, Paragraph P4.1

The second sentence in this paragraph is confusing. The whole policy, together with the first sentence of paragraph P4.1, are clearly related to *new* developments which are hazardous and/or potentially polluting. However, the wording of the second sentence means it is difficult to work out if the sentence applies to *all* developments near facilities the HSE have identified as hazardous, or, given the context of the rest of the policy and paragraph, only to *hazardous* developments proposed near to other *hazardous* sites or pipelines. Clarification should be included. Given the presence of paragraph P4.2, which deals with all developments near to hazardous sites and pipelines, the second sentence of P4.1 may be superficial, depending on its precise meaning. As such it could be removed.

Draft LDP – Page 34, Section 8 Shaping Places, Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land, Paragraph P4.2

Policy HE1 prevents development on nationally or locally important monuments or archaeological sites unless “*there are imperative reasons of overriding public interest, including those of a social or economic nature, and there is no alternative site*” (author’s emphasis). If we are applying the “overriding public interest” and “no alternative site” tests to protect historical buildings et al, why are we not applying the exact same tests with existing major hazard sites and major accident hazard pipelines to protect public safety? Are historical buildings more important than people?

I *strongly* believe that an additional paragraph is required within Policy P4 that stipulates similar “overriding public interest” and “no alternative site” tests for proposed developments within the consultation zones of major hazard sites and major accident hazard pipelines.

The new paragraph could be worded along the lines of; “Development within the consultation zones of major hazard sites and major accident hazard pipelines will only be considered if it is clearly demonstrated there are imperative reasons of overriding public interest, including those of a social or economic nature, and that there are no alternative sites available. Any such proposal will also be subject to assessment by the Health and Safety Executive to ensure risks are tolerable (see P4.2). This policy is required in order to ensure that the risk to public safety is managed to a level as low as reasonably practicable.” Note; I have deliberately used the word “managed” rather than the more usual “reduced” as used in legislation. The term managed includes the act of reducing but has a potentially more comprehensive meaning.

To be logical this new paragraph would need to be placed before the existing paragraph P4.2 which relates to the use of the HSE’s Land Use Planning Methodology. This methodology provides the *second* level of public safety protection after application of the “no alternative site” test. It ensures that developments and locations which result in an *intolerable* level of risk are rejected (“advise against” in the language of the HSE) whereas developments which result in a *tolerable* level of risk (“do not advise against” in the language of the HSE) can be approved, all other things being equal.

This more comprehensive major accident hazard safety management process will help Aberdeenshire Council place itself at the forefront of the industry wide change in culture that Dame Judith Hackitt has called for.

Your comments (continued) (18 of 39)

Draft LDP – Page 34, Section 8 Shaping Places, Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land, Paragraph P4.2

The first sentence of this paragraph contains the phrase “*including oil and gas pipelines*”. Whilst oil and gas pipelines are the clear majority of major accident hazard pipelines running across the Shire there is at least one petroleum product pipeline (natural gas liquid pipeline). There may also exist other chemical pipelines either at present or in the future which the HSE would describe as major accident hazards. To cover all bases, you might want to change the phrase to “including major accident hazard pipelines”.

Draft LDP – Page 34, Section 8 Shaping Places, Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land, Paragraph P4.2

The final part of the first sentence states “*and will seek to ensure that any risk to public safety is not increased*”.

Technically speaking the only way to achieve no increase in public safety risk is to ban all development within the consultation zones. As soon as someone steps into the consultation zone their risk of fatality or serious injury increases due to the risk of failure of the hazardous site/pipeline (technically known as their individual risk). The nearer they get to the site/pipeline the higher the risk due to higher consequences of being nearer to the source of the failure. The more people who enter the consultation zone the greater the public risk (known as societal risk which is the sum of all the individual risks of all the people exposed to the hazard).

Any development within the consultation zones will mean more people working/living near to the site or pipeline and thus exposed to increased risk compared with working/living somewhere else. As such the risk of fatality or injury (i.e. public risk in the LDP language) will increase simply because there are more people exposed to the hazard. Given the approvals over the years for facilities near to major accident hazard pipelines the Council has been in clear breach of Policy P4.2 for many years.

Given paragraph P4.2 makes it implicit that HSE advice, via the HSE’s Land Use Planning Methodology system, will be adhered to the final part of the first sentence is, to some extent, redundant. Hence it could be deleted. This is even more true if the new “overriding public interest” and “no alternative site” tests discussed above are actually included in the policy.

If you want to be very technically precise you could state “*and will seek to ensure that any risk to public safety is managed to a level as low as reasonably practicable in accordance with Health and Safety Executive guidance*”.

Draft LDP – Page 34, Section 8 Shaping Places, Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land, Paragraph P4.4

This paragraph deals with contaminated land and requirements for investigation and remedial works.

What is missing from Policy P4 is all the other existing hazards and nuisances at proposed sites. This would include airborne irritants and pollutants as well as noise and vibration, radiological issues, etc.

For example, there is currently a proposal to build affordable flats on the site of a former blockworks in Elrick. Abutting the site are existing industrial buildings. These buildings have what appears to be corrugated asbestos roofing. In addition, one of the buildings has a number of vent pipes which exit the building wall, turn upwards and terminate at roof level. The building of the flats will place some flats at a similar level as the vent termination. The end flats in the tenement will be close to the industrial building wall and hence the vent pipes. At a consultation meeting two persons representing the developers were unaware of these pipes. Clearly no hazard identification and site investigations had been completed at that stage. Nothing in Council policies would require them to undertake such investigations for airborne hazards. Being an industrial building there is also the potential for high noise levels, and possibly vibration, impacting on residential properties.

I therefore strongly believe that policies be added that cater for airborne hazards and noise and vibration, radiological and biological hazards, etc as well as soil contamination. Clearly any such investigations will need to be suitable and sufficient for the context of the proposed developments site (previous use, surrounding use, nearby uses, etc) and the scale and nature of the proposed development.

Your comments (continued) (19 of 39)

Draft LDP – Page 34, Section 8 Shaping Places, Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land, Paragraph P4.5

As well as being concerned with noise levels we must also be concerned about vibration levels where any development has the potential for vibration impact on adjacent properties. Hence Noise and Vibration Impact Assessments may be required, depending on the proposed development and the ongoing operations within it. The paragraph should be updated to cover vibration.

MIR – Page 28, Main Issue 15, Community Infrastructure

I would fully support the *preferred option* of leaving the policy as is with minor changes. There are existing rural community facilities which must be protected, and any new facilities must be located appropriately for the existing community. We should not be forcing travel into town centres which might be a considerable distance away.

MIR – Page 28, Main Issue 15, Community Infrastructure

Community infrastructure is not explained nor defined in the draft LDP. It is not included in the Glossary for example. The Glossary does include the term “*Infrastructure*”. Within this definition “*community infrastructure*” is stated to include “*education and lifelong learning, health and sports facilities*”.

The exclusion of a detailed definition of “*community infrastructure*” may be deliberate in order to provide a very broad assessment of what constitutes community infrastructure. A definition may not be a significant issue for paragraph P6.1 which relates to building new infrastructure. It is important when considering paragraph P6.2 which is related to redeveloping facilities which are “*surplus to requirements*”.

I think it’s relatively clear to the ordinary person that, in addition to the facilities described in the Glossary, a village hall or scout hut would also be considered as community infrastructure; but would a bank branch come under the definition? A post office? Village shop? Rural shop? Petrol station? Police station? Fire station? Public house? A public convenience? Telephone box? Bus shelter? Football pitch? Play areas? Public art? Etc, etc. These may not be big issues for large towns but for rural communities they can be critical. (Think trees being planted in Logie Durno football pitches).

Social and technological changes may make some of these provisions largely redundant in large towns but in the countryside where there may be little provision of the new technologies (e.g. mobile reception) or the new technologies are less relevant (e.g. electric cars?) then the provision of these older facilities could be essential.

I think it would be useful, particularly when related to paragraph P6.2, that a listing of what is considered to be “*community infrastructure*” is provided. In terms of wording in the draft LDP it may be easier to provide a reference or linkage to a standalone document which lists the type of facilities considered to be “*community infrastructure*”.

Draft LDP – Page 35, Section 8 Shaping Places, Policy P6 Community Infrastructure, Paragraph P6.1

This paragraph is aligned to the *alternative option* of the MIR since it states in the second sentence “*Major footfall generating uses should be directed to town centres*”. A weakening of the word “should” is required in order to comply with the preferred option of the MIR. This will require wording to detail what evidence/reasons are required in order to justify not building in town centres (i.e. something like the sequential tests for retail facilities).

Draft LDP – Page 35, Section 8 Shaping Places, Policy P6 Community Infrastructure, Paragraph P6.2

This paragraph deals with facilities that have become “*surplus to requirements*” i.e. are no longer used. However, it appears to be limiting re-use or redevelopment to cases where “*new or updated facilities (are) being provided elsewhere*”.

What about the cases where facilities are no longer used because people no longer wish to use such facilities? For whatever reason. We are becoming a much less social population (rightly or wrongly). People are staying in, drinking in their own homes rather than in pubs and clubs, watching telly on our devices, surfing the web and playing computer games with contacts around the world (internet and mobile connections allowing). Particular rural communities may be shrinking through natural causes with a drift towards living in towns and cities (depopulation).

If long term social and technological changes result in decline in usage of such facilities should we be letting them sit empty and deteriorate or should we accept proposals for reuse and/or redevelopment?

I would suggest that the restriction of change in use to only the case of new or updated facilities being provided elsewhere is removed. Any change of use must justify the change and justify the reasons why the existing facility is no longer required in the long term. This would need to include community surveys/feedback in support of such proposals.

Your comments (continued) (20 of 39)

Draft LDP – Page 41, Section 11 Protecting Resources, Policy PR1 Protecting Important Resources, Paragraph PR1.1

Typo- In the first sentence the word “air” should be replaced with the term “*the air environment*” in order to be consistent with the following term “*the water environment*” and to make the English flow better.

Draft LDP – Page 41, Section 11 Protecting Resources, Policy PR1 Protecting Important Resources, Paragraph PR1.4

This paragraph refers to the “*Water Framework Directive*” which is an EU Directive. Given this is an LDP for 2021 and beyond, we will have left the EU by then unless something remarkable happens. The draft LDP may refer elsewhere to EU Directives and other EU documentation and requirements. It may not be clear at this precise time what UK (or Scottish) legislation will replace these directives. It may be that these EU Directives are already implemented by UK/Scottish legislation and the EU Directive title is being used as a commonly used shorthand term.

Whatever the status, there is a requirement to go through the whole document and change all references to EU Directives, and similar, to whatever the post Brexit, collectively agreed, terminology for the legislation is going to be.

Draft LDP – Page 41, Section 11 Protecting Resources, Policy PR1 Protecting Important Resources, Paragraph PR1.5

Typo- The first usage of the word “as” in the first sentence needs to be changed to “is” for the first sentence to make sense.

MIR – Page 36, Main Issue 16, Using Resources in Buildings

I fully support the **preferred option** of making text changes to provide certainty that climate change mitigation actions are compulsory.

I fully support the **preferred option** of making text changes to reflect the higher Platinum standard as a requirement.

I fully support the **preferred option** of making text changes to reflect that a “fabric first” approach may be suitable.

Draft LDP – Page 44, Section 12 Climate Change, Policy C1 Using Resources in Buildings, Paragraph C1.1

This paragraph includes the statement that “*all proposals must at least meet the standards established through the current building regulations.*” Ordinarily this should be a perfectly acceptable statement and is very clear on what is required.

Unfortunately, over recent years the building regulations, and perhaps more importantly their implementation, have proven themselves to be **not fit for purpose**. The failure of building regulations, and their implementation, is evidenced by numerous country wide failures including;

1. **Grenfell Tower disaster** – 72 persons killed after a fire, which started in a kitchen of a fourth floor flat, spread and engulfed the majority of the 23 storey tower block on the 14th June 2017. (see Grenfell Tower: What happened, BBC News Website, 18th June 2018, available at <https://www.bbc.co.uk/news/uk-40301289>, viewed 28th January 2019, see also Inquiry website at <https://www.grenfelltowerinquiry.org.uk/>, viewed 28th January 2019)
2. **Failure of cladding tests post Grenfell Tower disaster** – 200+ buildings around the country fitted with cladding that may require replacement or modification. This follows failure of cladding systems to pass basic fire tests commissioned after the Grenfell Tower disaster. (see Cook, C, Grenfell: Test results show scale of building regulations problem, BBC News Website, 21st August 2017, available at <https://www.bbc.co.uk/news/uk-41005748>, viewed 28th January 2019)
3. **DG One Complex in Dumfries** - An independent review of the design and construction of the leisure centre identified so many defects that “*questions must be asked of the construction industry’s “professionalism and competence”*”. The number of defects were seen to point to a lack of skills. “*Searching questions*” had to be asked “*as to the professionalism, practices, training and levels of competence of senior managers, site managers, supervisory staff and individual tradesmen*” employed within the construction industry. (see Gerrard, N., Report slams Kier over defect-riddled leisure centre, Construction Manager website, 2nd May 2018, available at <http://www.constructionmanagermagazine.com/news/council-report-slams-kier-over-defect-riddled-leis/>, viewed 28th January 2018)

Your comments (continued) (21 of 39)

4. **Edinburgh schools' structural defects** – Following the wall collapse at Oxgangs Primary in Edinburgh an independent report identified 17 schools in Edinburgh with defects in the building of walls (including Oxgangs Primary). Defects which led to the Oxgangs Primary wall collapse included; not enough wall ties, the wrong type of ties and wall cavities were not uniform. Aspects of poor quality control/assurance included; the direct laying of the bricks and the positioning of the wall ties, the direct supervision of the laying of the bricks and the positioning of the wall ties and the quality assurance processes used to confirm the build quality of the walls. The work was completed by multiple companies and bricklaying squads. The report author also questioned whether the “*drive for faster, lower-cost construction is to the detriment of quality and safety*” echoing the words of Dame Judith Hackitt. (see Edinburgh school wall collapse report highlights 'lack of scrutiny', BBC News Website, 9th February 2017, available at <https://www.bbc.co.uk/news/uk-scotland-edinburgh-east-fife-38907714> , viewed 28th January 2019)
5. **At least 88 schools in Scotland with structural defects** – Following the wall collapse at Oxgangs Primary in Edinburgh, councils throughout Scotland were asked by BBC Scotland if repair work involving wall ties or “*significant structural issues*” had been done at PPP schools, or others built under schemes such as non-profit distributing or “*design and build*” contracts. Based on the responses the BBC concluded that at least 88 of such schools had required repairs. (see Defects found at 72 more Scottish school buildings, BBC News Website, 13th April 2017, available at <https://www.bbc.co.uk/news/uk-scotland-scotland-politics-39580308>, viewed 28th January 2019)
6. **North West Community Campus in Dumfries** – School closed within a month of opening after several incidents of pupils and staff being injured due to building and outfitting defects. (see Dumfries' North West Campus pupil return dates set, BBC News Website, 31st January 2019, available at <https://www.bbc.co.uk/news/uk-scotland-south-scotland-47057061>, viewed 31st January 2019)
7. **Queen Elizabeth University hospital, Glasgow** – Concern with instances of the fabric of the hospital being less than satisfactory. The Scottish cabinet secretary for health and sport has launched a review into whether the design, construction, commissioning, handover and maintenance is “*fit for purpose*”. (see Marshall, J., Scottish government launches review of Multiplex's Glasgow hospital, Building.co.uk website, 23rd January 2019, available at <https://www.building.co.uk/news/scottish-government-launches-review-of-multiplex-glasgow-hospital/5097494.article>, viewed 28th January 2019)
8. **100s of homes built with weak mortar** - Hundreds of new properties built using substandard mortar in at least 13 housing estates across the UK. (see Reed, J., New homes 'crumbling due to weak mortar', BBC News Website, 6th December 2018, available at <https://www.bbc.co.uk/news/business-46454844>, viewed 28th January 2019)

The views of Dame Judith Hackitt, former Chair of the Health and Safety Executive, on building safety have been discussed earlier (see comments under Draft LDP – Pages 6-7, Section 3, The Local Vision – Public Safety above).

If we cannot trust the building industry to build safe homes, hospitals and schools can we trust them to apply the same building regulations to achieve the required environmental standards?

It may be that stronger policy statements are required to emphasis requirements. It may also require more forceful inspection of what is being done with powers to stop construction and fine developers who fail to meet planning requirements including planning conditions. Powers may also be required to prevent developers, including company directors, submitting planning applications for a number of years dependant on the seriousness of the breach of regulations and planning conditions.

Draft LDP – Page 44, Section 12 Climate Change, Policy C1 Using Resources in Buildings, Paragraph C1.2

Typo- Should the final word in the sentence be “*developments*” rather than the singular “*development*”?

Draft LDP – Page 44, Section 12 Climate Change, Policy C1 Using Resources in Buildings, Paragraph C1.3

Typo- Should the eighth word in the first sentence be “*developments*” rather than the singular “*development*”?

MIR – Page 37, Main Issue 17, Renewable Energy

I fully support the *preferred option* of adding text related to repowering of wind turbines in perpetuity.

Your comments (continued) (22 of 39)

I would also support the **alternative option** of providing policy text to cover the issue of on-farm biomass schemes. This may need to be expanded further to cover such installation on estates with large houses and/or multiple buildings.

Draft LDP – Page 45, Section 12 Climate Change, Policy C2 Renewable Energy, Paragraph C2.1

This paragraph states “*These may be hazardous developments through their impact on air quality.*” This is slightly vague due to the use of the phrase “*may be*”. It leaves the question for each proposed installation as to who will make this judgement, when will it be made (pre post planning application), how will the judgement be determined and what are the consequences in terms of making a planning application if the proposed installation is deemed hazardous (reference to the relevant policy requirements presumably) or if deemed non-hazardous.

Additional wording is required to clarify what is required in terms of planning applications including level of information and analysis re the possible hazards and impacts on surrounding receptors.

Draft LDP – Page 46, Section 12 Climate Change, Policy C2 Renewable Energy

The final sentence in this policy has been deleted. The sentence states “*In all cases, conditions, bonds, or other legal agreements may be imposed to remove visible renewable energy structures whenever the consent expires or the project ceases to operate for a specified period.*” It is not clear why this critical financial protection is being removed. This requirement is essential for most, if not all, renewable energy schemes in order to return the site to its pre-development condition. We do not want derelict windfarms et al spoiling the area if companies go bankrupt or simply walk away from the energy project.

Draft LDP – Page 46, Section 12 Climate Change, Policy C4 Flooding, Paragraph C4.1

The third bullet point appears to suggest it is acceptable to place car parks in areas of medium and high risk of flooding. I would disagree with this statement. During floods life goes on. People will still need to work and do shopping. If car parks are flooded, because of their location, then this will force people arriving by car to park elsewhere. This could cause chaos particularly where access is required by emergency services and repair services. Badly parked cars, because of flooded car parks, could very well hamper access to required areas and facilities.

The recent planning application for Aberdeen FCs new stadium included a car park area that was expected to flood around every 5 years or so. This will mean even more cars seeking to find parking options within Westhill and surrounding area purely through bad design.

Car parks should be removed from the third bullet point.

MIR – Page 39, Main Issue 18, Providing Suitable Services

I would generally support the **preferred option** with respect to including requirements for electric charging and hydrogen refuelling facilities. However, provision at workplaces should be mandatory, not discretionary (and whose discretion?).

The UK Government is aiming to end the sale of new conventional petrol and diesel cars and vans by 2040. Critics have called for the ban to be introduced earlier and the Scottish Government aim to phase out the need for new petrol and diesel cars and vans by 2032.

Sales of Electric and Hybrid cars have increased significantly since these announcements. The Society of Motor Manufacturers & Traders (SMMT) reported strong growth in alternative-fuelled vehicles in 2018. Plug-in hybrid sales increased 24.9% compared with 2017 whilst battery electric sales increased 13.8% compared with the previous year. These increases compare with a decrease of 6.8% in the overall new car market. (see Fall in new car market wake up call to policy makers as environmental goals at risk, Society of Motor Manufacturers and Traders (SMMT), 7th January 2019, available at <https://www.smmt.co.uk/2019/01/fall-in-new-car-market-wake-up-call-to-policy-makers-as-environmental-goals-at-risk/>, viewed 8th January 2019).

The Nestrans Strategic Policy Framework identifies a policy to work with the councils and the Scottish Government to facilitate and encourage the expansion of charging points across the region. Such points will be essential to meet the demands of users and the targets of both UK and Scottish Governments.

Your comments (continued) (23 of 39)

The Business, Energy and Industrial Strategy Committee of the UK Parliament has identified the “(p)oor provision of charging infrastructure is one of the greatest barriers to growth of the UK EV market”. The committee’s report further states “The existing charging network is lacking in size and geographic coverage, with substantial disparities in the provision of public charge points across the country”. (see Electric vehicles: driving the transition, Business, Energy and Industrial Strategy Committee, UK Parliament, 19th October 2018, available at <https://publications.parliament.uk/pa/cm201719/cmselect/cmbeis/383/38301.htm>, viewed 26th February 2019)

The Councils proposals for the LDP are therefore a very welcome step on the road to meeting these targets. However, the policy is restricting such provision to homes and workplaces. What about retail centres, shops with their own parking provision, professional services offices with their own parking, restaurants, cafés, drive thru restaurants, takeaways, public houses, hotels, guest houses, hostels, care and nursing homes, sheltered housing, schools, museums and galleries, religious establishments, village halls, scout huts, leisure and sport facilities, etc? How are blocks of flats to be dealt with? Would the one per home mean one per flat?

The LDP needs to be much more comprehensive in addressing the provision of electric vehicle charging points infrastructure throughout the Shire’s built environment. It may be that the correct way of dealing with it is to be general in the policy statements and then refer to the council’s parking standard where the detail can be included (see below re Car Parking Standards).

MIR – Page 39, Main Issue 18, Providing Suitable Services

The other issue not addressed in the policy is whether such charging points for homes should be on-street (where on-street parking is the norm) or whether it should be restricted to off-street driveways and garages (can you charge an electric vehicle while it is parked in a garage? Is that safe?). This will be a significant issue for terraced housing and blocks of flats. Rows of charging equipment along pavements is a challenge visually as well as to those who use the pavements (wheelchair users, prams, mobility scooters, etc). It will also present problems to the legions of drivers who insist on parking half on the road and half on the pavement. Does the provision of on-street charging units require a widening of streets within new developments?

MIR – Page 39, Main Issue 18, Providing Suitable Services

The MIR refers to “hydrogen refuelling facilities”, but these facilities are not mentioned in the draft LDP. This needs to be addressed. What are the policy requirements for such facilities?

Draft LDP – Page 48, Section 13 The Responsibilities of Developers, Policy RD1 Providing Suitable Services, Paragraph RD1.1

Typo- Suggest the phrase “vehicle charging” is replaced by “electric vehicle charging”. This is to avoid any potential confusion with financial schemes to charge for parking or to use particular roads.

Draft LDP – Page 48, Section 13 The Responsibilities of Developers, Policy RD1 Providing Suitable Services, Paragraph RD1.2

See comments above under MIR – Page 39, Main Issue 18, Providing Suitable Services, about the restriction to homes and workplaces only and the need to cover all types of potential developments.

Draft LDP – Page 49, Section 13 The Responsibilities of Developers, Policy RD1 Providing Suitable Services, Paragraph RD1.7

This paragraph deals with “Roads Construction Consent” and “Transport Assessments”. These are two very different things with no real connection. This paragraph should be spilt into two separate paragraphs. The new paragraph dealing with “Transport Assessment” should also be placed higher up the order; somewhere near the paragraph dealing with “Designing Streets”.

Draft LDP – Page 49, Section 13 The Responsibilities of Developers, Policy RD1 Providing Suitable Services, Paragraph RD1.8

This is a critical new paragraph which must be retained in the final version. We have problems in the Shire with individual new homes being built along private roads over many years. This results in very significant deterioration due to steadily increasing traffic along roads which are not fit for purpose. The road owners are not interested in paying for the upgrades and existing homeowners are often split on whether to share costs or not. This new paragraph could go some way to helping with the situation where the developers pay.

Your comments (continued) (24 of 39)

Draft LDP – Page 50, Section 13 The Responsibilities of Developers, Policy RD2 Developers' Obligations, Paragraph RD2.1

Typo- It would be better “report writing” to replace “Circular 3/2012” by the more descriptive “Scottish Government Planning Circular 3/2012”. It is a far more complete reference. The shortened form will only be recognised by the planning specialists. The longer form opens the document to the non-specialist.

MIR – Missing Issues

The following items I consider to be missings from the MIR and the draft LDP and need to be addressed.

Risk Assessment

The MIR and draft LDP mention a number of risks, and, to a lesser extent, opportunities, that Aberdeenshire will face over the coming years. What I cannot see is evidence that a systematic, comprehensive risk assessment has been completed which identifies and ranks, for example, the Political, Economic, Social, Technological and Ecological risks and opportunities relevant to planning issues (PESTE Analysis - other risk assessment frameworks are available).

The north of Scotland has a community risk register. This seems to be “held” by the Scottish Fire & Rescue Service on behalf of the Regional Resilience Partnership. The risk register appears focused on risks requiring an emergency response. As such it is of limited use in a planning context. (see Community Risk Register, Version 1, North of Scotland Regional Resilience Partnership, April 2016, available at https://www.firescotland.gov.uk/media/864538/north_crr_version_1.2.pdf, viewed 21st February 2019)

The Community Risk Register does not address the issues relevant to the changes and uncertainties in the political, economic, social, technological and ecological environment of Aberdeenshire. It does not address the full range of changes and uncertainties facing the planning landscape.

If such a Risk Assessment has been completed, then it must be referenced in both the MIR and the LDP. The main output of such an assessment, typically a risk matrix, should be included in the MIR and LDP as well as explanations of the top ten risks.

If such a Risk Assessment has *not* been completed, then I suspect it is too late now for the 2021 LDP. However, for all future revisions of the LDP a systematic, comprehensive risk assessment *must* be completed. All competent businesses and organisations have such assessments. It is basic business management. This will allow planning policies and land allocations to be better aligned to the many risks and opportunities the Shire faces.

Grenfell Tower Response

There is no clear response to the Grenfell Tower disaster included in the MIR nor the draft LDP. *This is a critical missing.* The LDP should;

1. Highlight and include all relevant lessons learnt from reports already in the public domain (see for example Dame Judith Hackitt’s report on Building a Safer Future, Independent Review of Building Regulations and Fire Safety: Final Report, Cm9607, Controller of Her Majesty’s Stationery Office, May 2018)
2. Include a clear and unequivocal commitment to incorporate *all* relevant recommendations from Sir Martin Moore-Bick’s Grenfell Tower Inquiry report when published. This should include updating the LDP and policies, if required, mid plan period in order to meet the schedule for the report publication.

Pedestrian safety

A number of planning applications over recent years have failed to adequately address pedestrian safety in their Transport Assessments and in their proposals.

The Transport Assessments for applications related to a drive thru fast food restaurant and a café in Westhill simply described the footpaths in the vicinity. No attempt was made to determine the increased pedestrian traffic they would attract. No attempt was made to identify and assess the likely routes people would take and where from. No attempt was made to demonstrate that the existing safety provision was adequate or what improvements would be needed to cope with the change in routes and increased volumes.

Your comments (continued) (25 of 39)

The recent application for the new football stadium for Aberdeen FC also had significant issues with regard to pedestrian safety. The initial submission had no improvements to the protection of the vastly increased number of pedestrians using the local footpaths and crossings. After toing and froing with planning authorities the current, post planning approval, situation is that a footbridge is required, located in Aberdeenshire. No application has been received yet by Aberdeenshire council for the bridge. A footbridge is contrary to best practice described in the Scottish Governments Designing Streets document. This issue still has some way to go to final resolution.

There are other examples where both the applicant and their consultants and the relevant council departments are paying lip service to pedestrian safety. This again highlights the “*ignorance and indifference*” noted by Dame Judith Hackitt and the confusion she noted over roles and responsibilities. The developers start from zero and will only provide the absolute minimum in order to get planning approval. Overworked council officials appear to be missing the issue, concentrating instead on traffic flows from their computer models (“playing with the Xbox while Rome burns”). We then end up with the classic “*stable door legislation*”; measures are only introduced *after* some disaster when someone gets killed or seriously injured. Proactive safety management is non-existent.

The Scottish Government's Designing Streets document states “*Street user hierarchy should consider pedestrians first and private motor vehicles last*”. The street design hierarchy places pedestrians and cyclists first. The document talks about “(a) *return to the prioritisation of pedestrian movement*”. This prioritisation of pedestrians does not appear to be happening with recent planning applications in Aberdeenshire.

I *strongly* believe that pedestrian safety requires a much higher profile within the LDP. I particularly believe that new builds in existing areas need to be making developer contributions for the provision of pedestrian safety measures, such as barriers and pedestrian crossings, appropriate to the additional risk posed by the new development. Transport Assessments will need to significantly increase in quality to provide the appropriate level of analyses to determine the required improvements.

Retail Decline

The news over the past 10 years has regularly included stories about the decline of the High Street. Current stories highlight the long-term shift in shoppers' habits to online shopping and increased business rates. The problem affects big national stores (Woolworths, BHS, House of Fraser, etc) and restaurant chains (Byron Burger, Jamie's Italian, Carluccio's, Prezzo, Zizzi, etc) through to small, local, independent traders. Concerns are raised at the colonisation of the high street by charity shops, betting shops, mobile phone shops (less so now) and e-cigarette shops.

In the north east this trend has been most obvious in the decline of Union Street in Aberdeen City. Although nationwide trends have no doubt had a part to play, the planning decisions to build large retail centres, particularly Union Square, have also been a significant factor.

In the Shire the situation is less clear. My personal experience is limited to Westhill and Inverurie. Both town centres appear to be remarkably resilient compared with the nationwide coverage of the demise of the High Street. This may be due the continuing impact of high wages in the Oil Industry.

One recent trend that is noticeable, particularly in Westhill, is the replacement of small, local, independent traders with down market national chains (Home Bargains, Greggs, Domino Pizza, Betfred, The Card Factory). This may represent a national trend. It may be the result of the marketing strategy of the shopping centre owners/operators. Large national chains presumably offer less risk with more reliable lease payments.

The key question, in terms of the LDP, is whether current planning policies provide planning officers with suitable and sufficient tools to manage the risk of a decline in retail activity in our town centres, retail centres and parks and village and rural shops? Can the policies help ensure a balance of shop types in town centres and retail parks? Can the policies deal with applications for change in use to, perhaps, more leisure and even employment opportunities?

Tall buildings

Aberdeen City council have a policy in their LDP dealing with Tall Buildings. Aberdeenshire Council do not.

By tall buildings we naturally think of skyscrapers, be they residential or commercial. Such buildings are found in most UK cities. They have become a prevalent part of the cityscape worldwide. It is logical that city authorities consider it important to have planning policies that deal with tall buildings.

Your comments (continued) (26 of 39)

Aberdeenshire, as a rural and coastal area, has very limited examples of what might be considered a tall building (the traditional skyscraper). However, everything is relative.

Elrick has recently had a new hotel built in it which is 4 storeys. Elrick is what might be described as a traditional rural village which has been swamped by Westhill to the east, north and west, and by industrial estates to the south.

The original intent was for a 5 storey hotel. Council officials considered this excessive given the locality. The plans were reduced to 4 storeys.

Now it has been built it does look out of place. Both the scale (height and linear dimensions) and colour scheme (predominantly battle ship grey with garish orange, yellow, brown and white blocks) make it look alien. The significant offset from the road reduces the effect to some extent. The planted trees may reduce it further, but it will take 20-30 years for the trees to mature to a useful camouflage scale. By that time the hotel will be redundant. The surrounding commercial buildings (offices and industrial) are no more than 3 storeys. The houses opposite are single- and two-storey dwellings.

There is now a proposal for affordable housing on the larger site around the hotel (ENQ/2018/2005). This includes two tenement blocks of 4 storeys. 4 storey housing and commercial buildings are extremely unusual for Westhill (if any actually exist) and probably for all towns in Aberdeenshire. The tenements are being justified on the basis that the hotel is 4 storeys.

The question is therefore raised about whether existing policies around design are suitable and sufficient for planning authorities to reject (or request re design) of "tall" buildings; in the Aberdeenshire context say over 3 storeys or equivalent linear dimension. Clearly planners were successful in reducing the height of the hotel in Elrick even if the 4 storeys have led to unintended consequences.

I would therefore request that planning officials consider whether existing policies are suitable and sufficient to deal with proposals for buildings of over 3 storeys. This would include issues about the siting of such buildings (town centres only?).

Car Parking Standard

A number of planning applications over recent years have highlighted problems with the visibility and application of the council's "*Car Parking Standards for Development Control in Aberdeenshire*" document. Several office developments have proposed parking spaces which are contrary to those included in the standard. The Transport Assessments blithely state parking provision met the council's car parking standards when simple calculations showed they very clearly didn't.

The Parking Standard has very recently been updated (January 2019). On the council's website a link to the document can be found via the following webpages Home => Roads and travel => Roads => New Road Developments. This page includes links to a host of construction consent standards and construction consent application forms. At the bottom of the page is a section dealing with parking standards and surveys. The link to the Car Parking Standard is located here.

A search on the Council's website using the term "Car Parking Standards" returns a large number of results with the actual car parking standards at result no 11. Using the term "parking standard" produces only one result, the correct one.

In previous years finding the standard on the council's website has been problematic. The document didn't appear in search results (not in the first 5 or so pages of results at least). Before the latest update the document was located on pages related to car parks and charges if my memory serves me correctly.

The recent update to the standard and its new location on the website will hopefully improve the visibility and accessibility of the document. This in turn will hopefully improve its correct application within the Shire.

Notwithstanding the above, given past experience, I would suggest that reference to the standard, including travel plans and travel surveys, are given much greater visibility in the LDP itself. For example, why isn't the Car Parking Standard an Appendix in the LDP? This would raise its visibility even further. If not an Appendix, then I would consider a reference in the relevant policies to be essential.

Your comments (continued) (27 of 39)

Public Art

There is no clear reference to Public Art in the LDP and policies. Public Art refers to monuments, statues, art installations, wall murals, etc., located outdoors. It can cover everything in scale from Greyfriars Bobby in Edinburgh to The Kelpies near Falkirk.

Policy HE1 appears to provide some protection to certain types of Public Art. HE1 mentions “*scheduled monuments*” and states “(a)*ll development affecting monuments must be justified through a design statement*”. Given earlier in the paragraph the reference is to “*scheduled monuments*” only, it is unclear if the reference in this second sentence is also to scheduled monuments or to all monuments (scheduled or otherwise). Policy HE1 also offers some protection to “*locally important monuments*”. What about Public Art other than monuments?

Policy P6 may also provide some protection if Public Art falls under the definition of Community Infrastructure.

It is therefore unclear that suitable and sufficient policies are available that would cover all types of Public Art i.e. those not considered as monuments, those not scheduled and those not somehow registered as locally important monuments. (How is this determined? Who determines what is locally important?)

Public Art policies must cover two issues. The first refers to new pieces of Public Art. Policy requirements for such art may include;

- Installation is suitable and relevant to the location and its surrounding and context.
- The scale of the installation is appropriate to the location and surrounding area.
- The installation is not offensive (quality is a matter of artistic taste and public acceptance not planning policy).
- The installation is visible by the public from appropriate viewing locations relevant to the scale and context of the installation.
- Access to the installation is available, maintained and accessible by all at all times.

In terms of existing pieces of Public Art, the policy issues are;

- Proposed developments in the area must be respectful to the existing piece of public art in terms of scale and style and not block any light (natural or artificial) critical to the Public Art installation.
- Proposed developments must not block access to viewing locations for the piece of Public Art.
- Proposed developments must ensure that access to the Public Art installation remains available, maintained and accessible by all.

Planning officials should review existing policies to ensure that they have suitable and sufficient policy levers to meet the above requirements for all types of Public Art.

MIR - Settlement Statements, General Comments

General comments

It would be useful to provide numerical data for each settlement. This would allow not only a better understanding of scale of individual settlements but also allow a comparison between similar settlements across the Shire. The data would be most useful for the larger towns.

As a minimum data should include the population estimate for the settlement and estimate of the number of homes in the settlement. A further improvement would be to include data at the beginning of the plan period (current situation) and expected data at the end of the plan period. This would allow readers to understand what growth within plan would look like. It would also allow easier tracking of plan progress.

Second order data that might be considered include the area of the settlements (acres or hectares) with again refinement to include pre and post plan figures. Data should be included for housing land and employment land. This would allow residents to understand how “industrialised” their town is in comparison with similar towns. It would also allow planners to better allocate employment land so that towns are more equally “industrialised”.

Second order data might also include more refined homes data in terms of tenure (for example social rent, below market rent, private rent and owner occupation) if such information is readily available. A refinement could include pre and post plan figures. More affordable housing appears to be a demand by many communities. Supply of such data would allow comparison with other settlements and allow a fact-based calculation as to whether any one settlement is under or over provided with such housing.

Your comments (continued) (28 of 39)

Since smaller homes are also a demand of many settlements, data on home sizes would also be useful for communities to understand whether their settlements are under or over supplied with such homes in comparison with other settlements. Provision of data for 1 bedroom, 2 bedroom, 3 bedroom, etc homes is excessive for the LDP and is a level of detail that may not be available for each settlement. Rather numbers for smaller homes (1 & 2 bedroom homes) and larger homes (3 and more bedrooms) could be given.

MIR - Settlement Statements, Garioch Settlements, Kirkton of Skene

I fully support and endorse the planning official's conclusion that Kirkton of Skene is not an appropriate location for further expansion. The reasons for this are well reasoned within the MIR. Prevention of coalescence with Westhill is particularly important.

I would fully endorse the planning's official's overview and conclusions with respect to bids GR116 and GR117.

MIR - Settlement Statements, Garioch Settlements, Westhill

Aberdeen FC Stadium

The description of Westhill makes no reference to the new Aberdeen FC stadium which is being built on the eastern edge of town.

The new stadium is the single biggest impact on the town in the 50 years of its existence. The stadium will dominate life in the town, particularly the eastern half of the town, for the next 100 years; assuming Scottish professional football lasts that long. The presence of the stadium will pose a range of threats and opportunities to life in the town and hence on planning issues.

Threats include essentially a doubling of the town population roughly every fortnight; parking of cars throughout the town; disruption to shopping at retail facilities in the town; blockage of travel between Aberdeen and Westhill pre and post matches and a substantial change to the crime profile in the area (according to Police Scotland's comments on Aberdeen FC's planning application).

Opportunities include potentially easy access to sport and community facilities within the stadium and the associated training facilities and possible business opportunities for local businesses who do not mind the long-term negative impact on local trade. There may also be job opportunities for local residents in some areas of hospitality depending on how these are contracted by the club.

Planning conditions imposed by Aberdeen City Council are also a cause for concern as they include for building of a footbridge across the A944 within Aberdeenshire Council jurisdiction and the implementation of controlled parking zones on match days in much of Westhill.

It is incomprehensible that the MIR for the 2021 LDP development does not recognise this development and its very significant impact on the town. The town description *must* be rewritten to reflect the presence of the new stadium on the edge of the town. The planning issues for Westhill caused by this stadium need to be addressed explicitly.

Global Subsea Centre of Excellence

The description of Westhill emphasises that "*Arnhall Business Park, is a focus for specialist subsea engineering businesses and is central to Westhill's status as a global subsea centre of excellence*". I believe this sentiment to be not supported by the facts and is potentially misleading marketing hype.

The vast majority of companies in the Arnhall Business Park, and in the wider Westhill business parks and industrial estates, *are not* related to subsea engineering and contracting. There are companies involved in the drilling industry, oil and gas facilities maintenance and engineering, equipment suppliers, house builders, insurance companies, office space renters, shops, water companies, caterers, etc, etc.

There are three major subsea contractors (Subsea 7, TechnipFMC, and Bibby Offshore). There are also at least three oil companies (Total, TAQA, Fairfield Energy). So why isn't Westhill the Oil Company capital of Aberdeen?

Your comments (continued) (29 of 39)

The appearance of the subsea companies in Westhill is due to happenstance. All of the companies appeared after years of mergers and acquisitions. The 7 in Subsea 7 relates to the number of founder companies that came together through a number of different mergers. These mergers left the companies with offices throughout Aberdeen City and Aberdeenshire (including Westhill). A preference to co-locate their different businesses and projects together with the availability of land and buildings in Westhill led to their appearance in Westhill. There is nothing magical about Westhill and its attraction to Subsea companies. This was highlighted in a Council report a number of years ago which highlighted the potential for these firms to move to wherever in the World the demand was.

The subsea sector has undergone challenges over the past few years. Subsea 7 have given up half their campus in Westhill and this has been taken over by Total, a major oil company. Technip has seen fit to merge with FMC, an oilfield equipment manufacturer, to better serve their clients in the oil industry. Subsea 7 and Schlumberger have formed the Subsea Integration Alliance to better compete. Rumours of a full merger abound. The subsea industry boundaries are clearly changing, and this has threats and opportunities for a continued location of these companies in Westhill.

Providing such a focus on the subsea sector is *dangerous* for Westhill. It aims to put all the eggs in one basket. Council priorities include support for a strong, sustainable, diverse and successful economy. Focusing on the subsea sector for Westhill is not sustainable nor adds to diversity. It also runs counter to the diversification strategy in the SDP and the aim to build on energy, biopharmaceuticals, tourism, food and drink, fishing and the primary industries opportunities. Whilst Westhill is unlikely to be relevant to tourism, fishing, farming and primary industries (assuming oil and gas is classed as energy), there are opportunities in the other sectors if it doesn't get stuck in the subsea quagmire.

I would strongly suggest a toning down of the focus on the subsea sector in the MIR and in the LDP. We should be boosting diversification opportunities.

Community Wishes

The text uses phrases such as something *"is an issue for the local community"* or, *"it has been suggested"* without providing an explicit reference to the source of these wishes/wants/needs/desires. The process for collating these wishes is not clear (this doesn't just apply to the Westhill settlement statement but to all statements).

To provide a robust process, and for the sake of openness and transparency, it would be better if the sources for these issues were made more explicit. This would also aid an understanding of the credibility of the statements, some of which are not entirely obvious missings from the town. Examples might include;

- The Community Council have highlighted that.....
- Sports groups in the community have stated a requirement for.....
- Groups of residents have indicated a need for.....
- Individuals within the town have advised the council of a wish for.....
- Etc

There is a critical issue in that campaigning individuals or groups tend to have their voice heard, and perhaps heeded to, compared with the silent majority. The recent campaigns for the new football stadium on the edge of the town have highlighted diverse opinions. It has also raised concerns about how representative the Community Council and Councillors are of the whole community. I don't believe this to be a criticism of the individuals concerned but simply a reflection of the level of engagement with local politics and community issues.

As an example of that level of engagement we can consider Facebook data. Facebook has 32 million users in the UK (2018 figures) out of a total population of 66 million (mid 2017 figures). This represents a 48% level of usage of the overall population. The Westhill and Elrick Community Council (WECC) Facebook page has 1,043 "Likes" and 1,056 followers (as of 26th Feb 2019). This is out of a population of 12,290 (2017 figures) of which approximately 5900 can be expected to be Facebook users based on UK wide data. The WECC Facebook page is only reaching around 18% of its potential audience (this ignores potential Likes and Followers from outside Westhill). This emphasises the level of engagement in Westhill. Whether other communities are more, or even less engaged, would require much more analysis. It is also worth noting that the WECC Facebook page also appears to ban public posts although followers can comment on official posts. Private messaging through the site is also possible.

Your comments (continued) (30 of 39)

These engagement issues highlight the care the Council should place on the wish lists presented to it. The LDP and facilities that come out of it, must be based on facts and evidence and not opinions and personal wishes. It is to be hoped that the Council planning officials have received suitable facts, evidence and analysis to support these community wishes. If not then such facts and evidence must be sought, and suitable and sufficient analysis completed before any investment decisions are made.

Smaller and Affordable Homes

The term "*smaller and affordable housing*" appears in several of the Settlement Statements (see for example Kintore, Stonehaven and Alford). It is a somewhat generic phrase that lacks specificity and could be open to misinterpretation. Does it mean smaller, more affordable housing (i.e. housing that is both smaller and more affordable) or does it mean more smaller homes, of various tenure types, and more affordable housing of various tenure types. Banff, for example, highlights a "*lack of new small scale, affordable housing*" which is more precise.

Some other Settlement Statements are more precise in their wishes. Banchory, for example, highlights the "*need for sheltered and accessible housing, affordable housing and opportunities for downsizing*". Laurencekirk highlights the "*lack of affordable housing and rental accommodation*". Fraserburgh highlights "*a desire for a broader, more diversified spread of funding beyond Council owned properties*" which offers precision on tenure type.

The Westhill statement appears to link the wish for smaller and affordable homes to a requirement to meet the needs of an ageing population. This would suggest the phrase used in the Banchory statement "*need for sheltered and accessible housing, affordable housing and opportunities for downsizing*" is more applicable. If the issue is older people wishing to move out of their larger homes then the solution is likely to include consideration of sheltered housing (public and private supplied), private retirement homes and apartments, as well as smaller houses (1 or 2 bedrooms v 3/4/5 bedrooms). There is also a question if such people have a particular desire to remain in Westhill or are looking to, or willing to, move elsewhere; to be nearer relatives for example, to get away from the new football stadium, etc.

It is recommended that planning officials seek clarity from whoever suggested a requirement for smaller and affordable housing and obtain a more precise definition of what the issue is or what the desired solutions are. These solutions need to be tested against facts and evidence and be subject to proper analysis before irreversible decisions are made.

Outdoor Play and Recreation Facilities

Westhill currently has a range of outdoor play and recreation facilities particularly in the eastern half of the town. It may be that the newer housing estates built in the western half of the town are not so well provided. If so then this is an issue of master planning and needs to be considered for future master planning exercises.

If the existing outdoor facilities are seen by some as not meeting the needs of the community then this needs further explanation and justification. The existing and potential users of the facilities (young children, primary school children, secondary school children, adults, etc) also needs to be explained.

The new football stadium for Aberdeen FC on the eastern edge of the town offers the opportunity for outdoor football pitches with artificial, all weather surfaces. Aberdeen FC have previously indicated their keenness to offer use of the facilities to the local community. Perhaps the desire for improved outdoor facilities has something to do with the appearance of the stadium and training pitches.

The new training pitches next to the stadium will be principally used by the club's teams and the various cadres of its Academy. The availability for community use is not clear at the present time. Also, it is difficult to see how Aberdeen FC could provide the Westhill and Kingswells communities special access privileges compared with other communities in the City and Shire.

An audit of the existing facilities, together with their usage, is required before assessing the demand for new facilities both in terms of type of facilities and quantity, size and location. This analysis would also need to include consideration of what facilities are being offered by Aberdeen FC at their new facilities.

Your comments (continued) (31 of 39)

Roads Improvements

The Westhill Settlement Statement highlights that “(s)ignificant traffic congestion also remains an issue” for Westhill. The statement makes no reference to any proposals to improve matters. There is no mention in the section detailing the communities wishes of improvements to any area of roads leading into Westhill or around Westhill. Other Settlement Statements mention road improvements (see for example Ellon, Inverurie, Laurencekirk, Huntly, Turriff, Peterhead)

There is no mention of any work ongoing or planned to investigate and resolve traffic congestion issues. The lack of any work may be due to a “wait and see” approach to assess the impact of the AWPR and any knock-on effects on traffic in and around Westhill (positive or negative impacts). If this is so it should be explained in the settlement statement.

In February 2015 David N. Gordon, a Reporter appointed by Scottish Ministers, allowed an appeal against Aberdeenshire Council and granted planning permission to carry out a development in land to the east of Arnhall Business Park. The grant of planning permission was for application APP/2014/1356, dated 3 April 2014, without compliance with condition 14 (re-numbered condition 13). In his report on the appeal Mr Gordon highlighted that the council was looking at options to divert the A944 around Westhill, “in association with its longer term aspiration to expand the town”. (see Gordon, D.N., Appeal Decision Notice; Planning appeal reference: PPA-110-2253, Directorate for Planning and Environmental Appeals, The Scottish Government, Feb 2015).

There is no reference in the MIR as to what has happened to these studies nor the long-term thoughts on this re routing of the road (Westhill bypass). This needs to be specifically addressed in the LDP.

As one of the planning objectives I would like to see some mention of reduction in traffic congestion. Whether this is actual commitments to congestion reduction or to specific investigations or studies are less of a concern.

Planning Objectives

The first bullet point should be revised to “To maintain existing opportunities for employment”. This highlights that no further expansion of employment opportunities beyond the 2017 LDP is required or countenanced.

The second bullet point runs counter to the communities stated wish for improvements to outdoor play and recreation facilities (existing facilities don’t meet community needs) and the provision of a skatepark and allotments. The word “sustain” implies keeping what is there and maintaining it. The wording should be changed to “To sustain and improve community facilities and services”.

The third bullet point identifies as a planning objective “(t)o identify an appropriate site for a community sports facility”. No such site is identified in the rest of the text for the Westhill Settlement. This is a critical missing and needs to be addressed.

Existing Development Sites

The existing site designated R1 in the 2017 LDP is not mentioned in this section. Its status going forward into the 2021 LDP is therefore unclear. As an existing reserved development site will it continue as such into 2021 LDP? If so, it needs to be mentioned in this section.

The development bid site ref GR106 is stated as including part of site R1 i.e. not the whole of it. If the intention is that GR106 will effectively replace R1 and therefore R1 is removed from the 2021 LDP then this needs to be made much clearer.

Development Bid Sites, Officers’ preference

GR106 - Land South of Arnhall Business Park (Phase 4), Westhill

I strongly object to the inclusion of this site as a reserved site. The reasons for my objection are;

- Westhill is not part of a Strategic Growth Area.
- The Employment Land Audit 2015/16 identified 558 hectares allocated in Aberdeenshire. The proposed SDP target of 60 ha available at all times in the Strategic Growth Areas will be maintained well after the lifespan of the 2021 LDP. Hence land out with the Strategic Growth Areas is not required as a backup.

Your comments (continued) (32 of 39)

- Westhill is already overdeveloped. This is evidenced by;
 - Traffic congestion in, through and out of Westhill during rush hour.
 - Very significant traffic flow on main routes through Westhill out with rush hours; this increases, significantly, risks to pedestrians trying to cross these roads.
 - Difficulty in parking in the shopping centre around lunchtimes due to workers (both tradesmen and office) parking up for their lunch.
 - Significant litter problems, particularly food wrappers, on routes between food retailers and existing employment areas.
- Site R1 was not needed in the current plan timescale and there is no sign it will be needed in the near future.
- There is no demand in Westhill for such provision.
 - Site OP2 has lain fallow for 12 years with only one enquiry. Now being considered for a fast food restaurant and a café.
 - Site OP2 has been for sale for several years without apparent interest.
 - In recent planning applications for a fast food restaurant and a café on site OP2, Westhill Developers (Brodiach) Limited have stated that there is *“a significant oversupply of accommodation of all sizes, use and specification locally with little in the way of occupational demand”*.
 - For the same planning applications, a Savills report stated *“in an Aberdeen commercial property context, there remains a glut of available commercial property of all size, use and specification. Many of these buildings are unlikely to ever be reoccupied, are now functionally or locationally obsolete, and will to require to be re-appropriated or perhaps even demolished”*.
 - In the same report Savills further stated *“(t)he supply / demand equation still remains extremely heavily weighted in favour of the occupier and many companies still have “grey space” which they lease or own and do not physically occupy. Even with a short/medium term improvement in the oil and gas market, occupiers are likely to backfill such space prior to going to the wider market with any new space requirements”*.
 - Site now designated as GR125 has been available for employment land opportunities for a number of years. Plans for offices and light industrial units have fallen through due to non-existent demand. Land now being considered for alternative uses.
 - Site OP2 and GR125 offer plenty of current opportunities and supply for years to come given current take up rates in Westhill.
 - Buildings are available for rent and lease throughout Westhill including new builds in Arnhall Business Park (see comments by Westhill Developers (Brodiach) Limited and Savills).
 - A small number of change of use planning applications have been approved to change away from industrial/office use in Westhill highlighting lack of demand for industrial/office uses.
- This is the 21st Century and the ready availability of digital communications (teleconferencing, videoconferencing, web conferencing, etc) means there is no need for companies to be co-located with their principal clients and competitors. Businesses can locate to all the extensive, already built, offices in and around Aberdeen or indeed worldwide.
- The latest workforce estimates by OPITO show a decline in employment in the oil and gas sector from a 2017 baseline of 170,000 to 130,000 in 2035. This is on the basis that the industry can achieve its goals around its Vision 2035 and a broader energy diversification. If goals are not met, if broader energy diversification is not met in the UK, numbers will be smaller. Less people means less workspace means less demand for offices and industrial units.
- The move away from use of hydrocarbon fuels in the transport and electrical generation sectors will reduce demand for oil and gas. Continuing demand for oil and gas will move to Asia. Shale oil and gas production, particularly in the US, will replace expensive regions such as the North Sea.
- The National Decommissioning Centre of Excellence has been established in Newburgh not Westhill. Subsea engineering is an important component of offshore decommissioning (decommissioning is split three ways between wells plug and abandonment, topsides removal, and platform and subsea structure removal). If the Global Subsea Centre of Excellence can't win the location of this significant strategic investment in decommissioning, what does it say about the subsea industry future in Westhill?
- There are current congestion problems with traffic entering Westhill from the AWPR and Aberdeen City and in the opposite directions in the evening. The South Kingswells junction of the AWPR has particular problems. These problems are caused by people living in Aberdeen City and to the north and south of the city who work in Westhill. No solutions have been identified to any of these problems. Development at site GR106 will simply exacerbate the problem.

Your comments (continued) (33 of 39)

- Level of traffic into Westhill in the mornings suggest a majority of employees are from out with Westhill. Level of traffic out of Westhill also supports the view that Westhill residents seek employment throughout the Aberdeen area to best suit their talents and expertise. Businesses do not seem to be required to support employment of Westhill residents.
- This would be the first area of development to the south of the B9119 and as such sets a dangerous precedent for further expansion of Westhill to the south. This is wholly unnecessary for the reasons stated here and the area should be left as undeveloped land to be enjoyed by the community and those traveling along the B9119.
- Land adjacent to the B9119 needs to be reserved for potential future upgrade of the road to A road standard, if not dual carriageway. This is required to provide an alternative route with safer access to the west of Westhill (including future developments) and to Banchory and beyond. This would reduce the burden on the A944 through Westhill.

The proposal from the planning officials is for this site to be “reserved” for mixed use including employment land and a hotel. *This is also unacceptable*. Westhill already has three large hotels (Holiday Inn, Premier Inn and Hampton by Hilton). Another large hotel, Village Hotel, is located nearby in Kingswells. Westhill *does not need* another hotel. Walking past the Hampton by Hilton at night time shows very few lights on in the bedrooms suggesting low utilisation.

Westhill is not a tourist destination. Westhill is too far out of Aberdeen City to be considered useful for city visitors. It is also too remote from tourist destinations in the countryside to be of any use to such tourists. This leaves the business market. As noted earlier demand for the Hampton by Hilton appears to be low suggesting a low demand from business customers as well. There therefore appears to be no demand, and therefore no requirement, for yet another hotel in Westhill.

There is also confusion with placing a “reserved” designation on this site. Policy PR2 in the draft LDP deals with reserving important development sites. This policy states “(w)e will protect and not allow alternative development on sites that may reasonably be needed in the future for:

- *delivering improvements to transportation including projects identified in the settlement statements, 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.*
- *generating and providing energy;*
- *waste management facilities;*
- *education facilities;*
- *other community infrastructure; and*
- *sites to support the national developments identified in National Planning Framework”*

Further the draft LDP defines reserved land sites as “(s)ites that are safeguarded for a specific use e.g. reserved for transportation, energy or waste management projects, or for education, recreation or community uses”.

There is no indication in the policy, nor the definition, that employment use sites can be “reserved”. Clarification of this confusion is required.

GR125 - Land at former Blockworks Site, Straik Road, Elrick, Westhill

The status of this site is currently confusing. The site has a BUS designation under the 2017 LDP. A planning application process has been initiated (ENQ/2018/2005) on behalf of Robertson Partnership Homes seeking permission to build affordable housing on the site. Consultation sessions have been held with the public at the Tesco superstore in Westhill (6th February 2019) and with the Community Council (14th February 2019).

At the Community Council meeting the developers used the details within the MIR for the 2021 LDP as justification/support for their proposals. They expected a planning application to be made in spring 2019 with building on site to commence winter 2019/20.

Clearly this proposal by Robertson Partnership Homes will have to be assessed against the 2017 LDP. Justification for deviating from the BUS designation will need to be provided and be compelling to Planning Officials.

It is not certain that this proposal will progress to completed homes. The developer may choose to not progress to planning application (problems with traffic flow, pedestrian safety and safety of the site were raised at both consultation sessions), the planning application may be refused (noncompliance with 2017 LDP, traffic, pedestrian and safety concerns), attached planning conditions may be considered too onerous by the developer. The developer may run into financing problems, etc, etc.

Your comments (continued) (34 of 39)

The draft 2021 LDP must progress on the basis that nothing has happened on the site and nothing will happen before 2021. This may have to change before 2021 depending on progress of the current planning application.

The officials view is that the site “offers a prime opportunity to deliver affordable housing”. It also notes the site would “have potential to deliver a mixed use development offering commercial and retail opportunities alongside housing”. The conclusion is that the site should be designated as a reserved site. Under “Proposa” there is a statement of 33 homes. This suggests the site is being reserved for 33 homes. However, this is not precisely clear. Is the reservation for 33 affordable homes or is it still open to a proposal for mixed use and housing?

Confusing the matter further, planning objectives for Westhill within the MIR include “(t)o identify an appropriate site for a community sports facility”. No other site has been identified in the MIR for this facility. Could the Elrick site fit the bill? Should this be added to potential uses for the site?

The MIR needs to be much clearer in what the site is being reserved for. My own personnel view is that the widest possible usage should be considered for the site. The current proposal (ENQ/2018/2005) may not progress and the 2021 LDP must cater for that potential. I would therefore support reserving for mixed use and housing. This would still allow future, different affordable housing proposals to come forward. It would also allow smaller housing proposals and housing proposals for the elderly to come forward (retirement homes, retirement flats, sheltered homes/flats). These seem to be the wishes of the community (see above).

There is also confusion with placing a “reserved” designation on this site. Policy PR2 in the draft LDP deals with reserving important development sites. This policy states “(w)e will protect and not allow alternative development on sites that may reasonably be needed in the future for:

- delivering improvements to transportation including projects identified in the settlement statements, 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.
- generating and providing energy;
- waste management facilities;
- education facilities;
- other community infrastructure; and
- sites to support the national developments identified in National Planning Framework”

Further the draft LDP defines reserved land sites as “(s)ites that are safeguarded for a specific use e.g. reserved for transportation, energy or waste management projects, or for education, recreation or community uses”

There is no indication in the policy, nor the definition, that mixed use nor housing sites can be “reserved”. Clarification of this confusion is required.

Development Bid Sites, Other options

Sites to the east of Westhill – Bids GR025, GR042, GR043, GR063, GR066

I fully support the planning officials’ decisions not to include these sites within the LDP. Reasons for my support are;

- presence of a major accident hazard pipeline
- destruction of green belt/green spaces
- prevention of future coalescence with Kingswells/Prime Four/AWPR developments
- Westhill is not part of a Strategic Growth Area
- Westhill is already overdeveloped
- existing traffic congestion in, through and out of Westhill,
- existing traffic volume along Westhill Drive
- for site GR063 – Noise and light pollution from the new Aberdeen FC stadium
- for site GR066 – First housing development south of A944/B9119 at the east of Westhill. Constrains upgrade of B9119 for future route around Westhill

Your comments (continued) (35 of 39)

The protection, and indeed expansion, of the green belt between Westhill and the western boundary of Aberdeen City is absolutely critical given the location of Aberdeen FCs new stadium in the Aberdeen City green belt. In their submission for planning approval Aberdeen FC claimed that the impact of their very large stadium and training grounds would be small as there would be plenty of green belt remaining to the north and south of their stadium. If this is the case, then that green belt needs substantially protected and reinforced. Building housing to the north and south of the stadium destroys Aberdeen FCs arguments and further destroys the green belt preventing coalescence of Westhill and Kingswells.

In their planning application for their new stadium Aberdeen FC produced a noise assessment for the stadium and training facilities. The results of the noise assessment were included in the Environmental Statement supplied with the planning application. This identified "major adverse" noise level impacts to households near to the Stadium. This included houses in Kinmundy which are further away from the stadium than the proposed site GR063.

These impacts were predicted to occur both during construction of the facilities as well as during operation of the facilities. The impacts were deemed to be at "major adverse" level even after mitigation measures are in place.

Sites comprising bid GR066 would be the first areas of development to the south of the B9119 and as such sets a dangerous precedent for further expansion of Westhill to the south. This is wholly unnecessary for the reasons stated here and the area should be left as undeveloped land to be enjoyed by the community and those traveling along the B9119.

Land adjacent to the B9119, and particularly the 6 mile junction, needs to be reserved for potential future upgrade of the road to A road standard, if not dual carriageway. This is required to provide an alternative route with safer access to the west of Westhill (including future developments) and to Banchory and beyond. This would reduce the burden on the A944 through Westhill.

Sites to the north east of Westhill – Bids GR120, GR121, GR123, GR133

I fully support the planning officials' decisions not to include these sites within the LDP. Reasons for my support are;

- presence of a major accident hazard pipeline
- destruction of green belt/green spaces
- Westhill is not part of a Strategic Growth Area
- Westhill is already overdeveloped
- existing traffic congestion in, through and out of Westhill
- existing traffic volume on Westhill Drive

Sites to the north west of Westhill – Bids GR064, GR070, GR100, GR132

Typo- Note the double negative in the overview section of bid no GR132. The second sentence states "It is **not** considered that the western part of the bid is **unsuitable** for development in order to avoid coalescence with Kirkton of Skene" (author's emphasis). This should be corrected.

I fully support the planning officials' decisions not to include these sites within the LDP. Reasons for my support are;

- presence of a major accident hazard pipeline (GR064, GR132)
- prevention of coalescence with Kirkton of Skene (GR132)
- Westhill is not part of a Strategic Growth Area
- Westhill is already overdeveloped
- existing traffic congestion in, through and out of Westhill
- existing traffic volume along Old Skene Road following developments to the north west of Westhill (Broadshades, et al.)

Your comments (continued) (36 of 39)

Sites to the west of Westhill- Bids GR032, GR119

I fully support the planning officials' decisions not to include these sites within the LDP. Reasons for my support are;

- presence of a major accident hazard pipeline
- prevention of coalescence with Kirkton of Skene
- Westhill is not part of a Strategic Growth Area
- Westhill is already overdeveloped
- existing traffic congestion in, through and out of Westhill
- existing traffic volume along Old Skene Road following developments to the north west of Westhill (Broadshades, et al.)

Sites to far west of Westhill – Bids GR039, GR040, GR041

I fully support the planning officials' decisions not to include these sites within the LDP. Reasons for my support are;

- presence of a major accident hazard pipeline
- prevention of coalescence with Kirkton of Skene, Gairloch, Carnie, Garlogie
- prevention of engulfment of Mason Lodge
- impact on Loch of Skene
- Westhill is not part of a Strategic Growth Area
- Westhill is already overdeveloped
- existing traffic congestion in, through and out of Westhill,
- existing traffic volume along A944 Straik Road following developments to the west of Westhill
- no adequate roads system to support this level of development

Conclusion

As noted above I disagree with the proposal to reserve land for affordable housing. The reservation should be for a wider suite of opportunities.

I also strongly object to reserving land “to allow for the future expansion of the sub-sea industries”. This is wholly unnecessary for the reasons given earlier and is in noncompliance with employment strategy and requirements for the region and Westhill.

Draft LDP – Settlement Statements

General Comment re HSE Guidance

Typo- Various paragraphs throughout the Settlement Statements refer to “HSE “*Planning Advice for Developments near Hazardous Installations*”” (known by the shorthand PADHI). This HSE document has been replaced by HSE’s Land Use Planning Methodology.

The term typically appears under the “*Oil and Gas Pipelines*” sections of the Settlement Statements as well as under “*Settlement Features*” in some settlements.

A thorough review and edit of all Settlement Statements should be completed to ensure the correct, current HSE document is referenced throughout.

General Comment re Oil and Gas Pipelines

Typo- Many of the Settlement Statements include a section headed “*Oil and Gas Pipelines*”. As has been noted above not all the pipelines running across Aberdeenshire are, strictly speaking, oil and gas pipelines. The pipeline running from St Fergus to Mossmorran is, for example, a natural gas liquids (NGL) pipeline. The NGL is derived in the St Fergus Terminal from the incoming natural gas. NGL would be more correctly termed a petroleum product.

The NGL differentiation subtlety is unlikely to be of relevance to the ordinary person and therefore may not be important enough to change the current Settlement Statements. However, there may be other pipelines in Aberdeenshire, either existing or in the future, that are definitely not oil and gas pipelines (chemicals for example). A review should be undertaken to ensure that the term “*oil and gas pipelines*” is a correct, technical description for all existing pipelines in the Shire. Perhaps “*Hazardous Pipelines*” is more all-encompassing.

Your comments (continued) (37 of 39)

General Comment re Hazardous Sites/Developments

As well as hazardous pipelines there are also hazardous sites located across Aberdeenshire. These appear to be called "Hazardous Developments" in the consultation zone maps provided along with Aberdeenshire Council's "Planning Advice 1/2017 Pipeline and hazardous development consultation zones". These hazardous sites/developments include St Fergus Gas Terminal, Cruden Bay pumping station, much of Peterhead, and a host of distilleries, quarries and other industrial sites.

Whilst sections within the Settlement Statements are provided for "Oil and Gas Pipelines", no equivalent sections are provided for hazardous sites/developments. This is a *critical* missing from the relevant Settlement Statements. Reference to such sites/developments *must* be included. This could be achieved by expanding the Oil and Gas Pipelines sections to cover all Hazardous Sites and Pipelines or to include new, separate sections covering Hazardous Sites/Developments.

Draft LDP – Settlement Statements, Garioch – Keithhall to Lyne of Skene

Kirkton of Skene - Settlement Features

I am *fully supportive* of the identification, as Protected Land, of areas P1, P2 and P3.

Kirkton of Skene - Oil and Gas Pipelines

Typo- This paragraph refers to HSE "Planning Advice for Developments near Hazardous Installations". This HSE document has been replaced by "HSE's Land Use Planning Methodology". The paragraph should be updated to reflect the latest guidance.

Draft LDP – Settlement Statements, Garioch – Meikle Wartle to Whiteford

Westhill – Vision

Aberdeen FC Stadium

The absence of a reference to Aberdeen FC's Football Stadium on the eastern edge of the town has been discussed under the comments on the MIR above. The settlement "Vision" must be updated to incorporate reference to the stadium and discuss the positive and negative impacts on the town.

Global Subsea Centre of Excellence

The wording within the settlement Vision re Westhill being a global subsea centre of excellence has been discussed under the comments on the MIR above. It is recommended that the wording in the Vision is revised to recognise that the Arnhall Business Park has a *wide range* of businesses from *a number of sectors* including the subsea sector. We should be supporting diversity not specialism.

Community Wishes

The requirement to provide clarity on the source of community wishes has been discussed under the comments on the MIR above. The text should be updated to provide that clarity.

Smaller and Affordable Homes

As discussed above under comments on the MIR, further clarity is required on what is meant by "smaller and affordable housing". This may mean broadening the definitions used to more accurately reflect what the real issue is.

Community Sports Facility

The MIR settlement statement included, as a final sentence, "A new community sports facility or improvements to existing sports facilities would also be welcomed". The MIR also had a planning objective of "(t)o identify an appropriate site for a community sports facility". The draft LDP states "A gym or improved sports facilities would also be welcomed". These are *very* different things. Clarity is required as to what the community council/ sports hub/ community groups et al are *actually* seeking including detailed justification for the requests.

The impact of facilities being supplied in the adjacent Aberdeen FC stadium and training facilities needs to be clarified and stated in the Vision.

The Vision statement needs to be updated once this clarity is established.

Your comments (continued) (38 of 39)

Roads Improvements

The Vision statement needs to be updated to include known and expected road improvements over the plan period as well as identifying any requests for improvements from the various community groups. Reference to the AWPR and post AWPR opening analysis of traffic conditions may be required. Further text is required as to what might happen with that analysis and the timescales for the various studies and actions from those studies.

Westhill - Settlement Features, Protected Land

I am *fully supportive* of the identification, as Protected Land, of the areas P1 to P11.

Westhill - Settlement Features, Protected Land, P2

This area of protected land extends considerably further than Arnhall Moss. The other significant parts of P2, Denman Park and Lawsonsedale Playing Fields should also be included in the description.

It may also be worthwhile splitting P2 into two separate protected areas. The areas to the west of Westhill Drive (Arnhall Moss and Denman Park) would be one area. Land to the east of Westhill Drive, primarily Lawsonsedale Playing Field and access areas to it, would be a second separate protected area. Part of the logic is that following completion of the Aberdeen FC stadium and training facilities and building of any new Westhill community sports facility the requirement for Lawsonsedale Playing Fields may disappear. As a different protected area its removal from protected status at that point in time may be easier.

Westhill - Settlement Features, Protected Land, Missing Areas

The following areas are missed off the Protected Land list. These areas should be considered for adding to the list. They are equally important green spaces for the community as existing areas P7, P8, P9 and P11.

- Area of green on Map 1 to the west of Broadstrak Road (immediately north of area OP1).
- Area of green on Map 1, north of Old Skene Road and sandwiched between Broadshade Road and Dawson Drive.
- Area of green on Map 1, north of Old Skene Road, to the east of Dawson Drive and west of Crombie Acres and Lea Rig.
- Pond and area of greenery to the north of Carnie Crescent and south of Burnland Place.

I would also suggest that the area of land at the eastern entrance of Westhill, to the north of the A944 and south of the Recreation Ground (Lawsonsedale Playing Fields) also needs protection. With the building of the new stadium immediately to the east of this area of land, and the industrial land (designated BUS) to the south, this green space is the only bit of calm at the entrance of Westhill. Expansion into this area by the stadium (car parks, bus park, associated retail or food and drink, etc) or industrial or housing developments would be the final nail in the coffin of Westhill as a separate, independent, standalone town.

Is there a need to provide protected land status to the site of the caravan park in Elrick to ensure its continued existence as a caravan park?

Westhill – Settlement Features, Reserved Land, R1

Typo- This paragraph refers to HSE “Planning Advice for Developments near Hazardous Installations”. This HSE document has been replaced by “HSE’s Land Use Planning Methodology”. The paragraph should be updated to reflect the latest guidance.

Westhill – Settlement Features, Other Designations, BUS

Typo- This paragraph refers to HSE “Planning Advice for Developments near Hazardous Installations”. This HSE document has been replaced by “HSE’s Land Use Planning Methodology”. The paragraph should be updated to reflect the latest guidance.

Westhill – Settlement Features, Other Designations, FOP1

Typo- On the maps FOP1 refers to the site on the former site of the blockworks in Elrick. In the table this is referred to as FOP2. This error requires to be resolved.

Your comments (continued) (39 of 39)

Westhill – Settlement Features, Other Designations, FOP2

Typo- On the maps FOP2 refers to the site south of the B9119 and to the south of Arnhall Business Park. In the table this is referred to as FOP1. This error requires to be resolved.

Westhill – Settlement Features, Other Designations, FOP1 (FOP2 on map)

My objections to this future opportunity site for the expansion of subsea industries has been fully discussed in comments on the MIR above as well as in comments on the draft LDP Vision for Westhill above. I *strongly object* to the inclusion of this future opportunity site and request that it be removed from the list and from the map.

Westhill – Settlement Features, Other Designations, FOP2 (FOP1 on map)

The description in the list has this site as a future opportunity site for housing. My comments on the MIR - Settlement Statements, Garioch Settlements, Westhill; Development Bid Sites, Officers' preference; GR125 - Land at former Blockworks Site, Straik Road, Elrick, Westhill, highlighted the confusion as to what this site could be used for in the future. The draft LDP states simply "*housing*" which of course is much broader than "affordable housing". As such the wording in the draft LDP is to be preferred as it retains more options for the site. However, as discussed earlier in my comments on the MIR, it misses out opportunities for mixed use, retail and, possibly community uses.

I believe the description provided in the LDP for this site should be broader than simply housing. We should be retaining a wider suite of opportunities for this site.

Westhill – Oil and Gas Pipelines

Typo- This paragraph refers to HSE "Planning Advice for Developments near Hazardous Installations". This HSE document has been replaced by "HSE's Land Use Planning Methodology". The paragraph should be updated to reflect the latest guidance.

Westhill – Allocated Sites

I have no comments on the proposed allocated sites OP1 and OP2.