



Aberdeen Local Development Plan Review

Main Issues Report Response Form 2019

Aberdeen City Council has published a Main Issues Report (MIR) which is part of the process of preparing a new Local Development Plan. It is designed to gather views on specific proposals and sets out options for dealing with the key planning matters facing Aberdeen over the next 20 years such as the location of new housing and employment development, the future of retailing and the City Centre, housing needs and tackling climate change. It also includes a number of potential new policies which would be used in the determination of planning applications.

The MIR has been published alongside a Monitoring Statement and Environmental Report. Copies are available to view at Marischal College, Broad Street, Aberdeen. These, and other supporting documents, are available at: - www.aberdeencity.gov.uk/alp2022

Everyone now has the chance to comment on the report and associated documents. All comments received will be considered and used to inform the preparation of the Proposed Aberdeen City Local Development Plan. There will be a further opportunity to comment on the Proposed Plan when it is published in early 2020.

The consultation runs from 4 March 2019 to 13 May 2019.

Responses to the published documents can be:

- made online at:- <http://consultation.aberdeencity.gov.uk/planning/mir2019>;
- emailed to:- ldp@aberdeencity.gov.uk; or
- by post to:- Local Development Plan Team, Strategic Place Planning, Aberdeen City Council, Business Hub 4, Ground Floor North, Marischal College, Broad Street, Aberdeen, AB10 1AB.

Completed response forms should be with us no later than 13 May 2019.



YOUR DETAILS

Name	Claire Coutts
Organisation (if relevant)	Ryden LLP
On behalf of (if relevant)	Marshall Farms Ltd
Address	
Postcode	
Telephone	
E-mail	

Thank you for taking the time to complete this response form. If you wish to be added to the LDP e-mailing list to be kept informed of our progress in producing the next Local Development Plan, please tick here



If yes, please provide an e-mail address

PRIVACY STATEMENT

As part of the review of the Local Development Plan, Aberdeen City Council (ACC) will offer you several opportunities to submit your views and comments. These opportunities will range from the current consultation stage, the Main Issues Report, where we will ask you to comment on specific proposals and alternatives to the Proposed Plan stage where the set view of ACC has been established.

ACC are legally required to consult at this stage and at Proposed Plan stage. This is set out in the Town and Country Planning (Scotland) Act 1997 (as amended) and supporting regulations. The Environmental Assessment (Scotland) Act 2005 also requires us to consult on a Strategic Environmental Assessment Environmental Report.

By submitting a response to the consultation, you understand that ACC can use the information provided in this form, including personal data, as part of the review of the Aberdeen City Local Development Plan. ACC will not share or disclose any personal data about you to any organization or person unless it is authorized or required to do so by law.

The data controller for this information is ACC. We understand our legal basis for processing this information as Article 6(1)(c) of the General Data Protection Regulation as this is an activity we are legally required to carry out under the Town and Country Planning (Scotland) Act 1997 (as amended) and supporting regulations and The Environmental Assessment (Scotland) Act 2005. The data on the form will be used to inform the preparation of the Proposed Aberdeen City Local Development Plan 2022. At the end of the consultation, where contact details have been provided, the Local Development Plan team will provide you with a respondent number. You may also be contacted about the comments you have made and, as obliged by the Town and Country Planning (Scotland) Act 1997 (as amended) and supporting regulations, the Local Development Plan team will contact you to inform you of the publication of the proposed Aberdeen Local Development Plan in early 2020. If you chose not to provide your contact details, your comments will still be valid but we will not be able to contact you in the future.

Responses will be collated, redacted, summarised and stored electronically or in locked cabinets in Marischal College. All redacted responses will be published, alongside the respondents name (if provided), on the Aberdeen City Local Development Plan website. Contact details will not be made public, but your name and respondent number will be published.

Aberdeen City Council will only keep your personal data for as long as is needed. Data will be kept until the emerging Local Development Plan is itself replaced – this is likely to be around 5 years following its adoption in 2022 – so 2027. Following this, data will be disposed of in a secure manner.

YOUR DATA, YOUR RIGHTS

You've got legal rights about the way ACC handles and uses your data, which include the right to ask for a copy of it, and to ask us to stop doing something with your data. Please contact the Council's Data Protection Officer by e-mailing DataProtectionOfficer@aberdeencity.gov.uk or writing to Data Protection Officer, Aberdeen City Council, Governance, Level 1 South, Marischal College, Broad Street, Aberdeen, AB10 1AB. More information is available at: - <https://www.aberdeencity.gov.uk/your-data>

YOUR COMMENTS

<p>Which document(s) are you commenting on?</p>	<ul style="list-style-type: none">• Main Issues Report• Strategic Environmental Assessment Environmental Report• Monitoring Statement	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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Please indicate the document and the specific Issue, Question, Site, Policy, Map or Table you are commenting on. Please provide your comments below and explain your reason for supporting, opposing or commenting on this specific part of the document.

See attached Paper Apart

YOUR COMMENTS CONTINUED

PAPER APART

Representations to the Aberdeen City Local Development Plan 2019 Main Issues Report on behalf of Marshall Farms Ltd

Site No. B01/09 Newton Farm

On behalf of Marshall Farms Ltd objection is made to the settlement strategy within the Aberdeen City Main Issues Report.

Paragraph 2.2 deals with employment land allocations and requires at least 60 hectares of marketable land to be available to businesses at all times in a range of locations within Aberdeen City. It further states that there is around 222ha of marketable employment land in Aberdeen, with a good spread around the City. As such, Aberdeen City Council do not consider it necessary to identify any further land in the next LDP.

Objection is made to this strategy. One of the main aims of the Local Development Plan, which is also contained within the Proposed SDP is to promote the need to use resources more efficiently and effectively whilst protecting our assets. The planning system should support sustainable economic growth and regeneration and the creation of well-designed sustainable places. This includes the redevelopment of brownfield sites and as such, objection is taken to the failure to identify bid site B01/09 at Newton Farm, which is partly brownfield.

This representation should be read in conjunction with the original bids submitted on behalf of Marshall Farms Ltd at the pre-MIR stage which demonstrates that this site is suitable for business and industrial development. As such, it should be contained within the Proposed Local Development Plan for business and industrial uses, either for immediate development, or as Strategic Reserve Land.

Aberdeen City Council Officer's assessment of the site raises some issues to which we wish to respond.

Exposure

Aberdeen City Council consider the site to be open with limited shelter from northerly winds, However, it is argued that it does have some shelter from northerly winds in the form of existing development at Kirkhill Industrial Estate. Any issues can be mitigated through any detailed layout proposals for the site and landscaping along the northern boundary could protect development from any northerly winds. This is not an impediment to development.

Flood Risk

Aberdeen City Council accept that there is no risk of flooding on the site and no recorded incidents of flooding on the site, however, score the site down on this issue. They make reference to the burn along the northern boundary of the site and state that hard development would possibly need to avoid this area. This can be investigated fully through any planning application for the site and the layout of development sited accordingly. Again, this is not an impediment to development of the site.

Built/Cultural Elements

The assessment of the site notes that a Standing Structure is present on the site. The land is agricultural and there are no built structures other than the farm buildings. These could be incorporated into the layout, or replacement buildings built as part of any development.

Natural Conservation

Aberdeen City Council state that the eastern boundary falls within an area of potential bat habitat (woodlands), however, the eastern boundary is a road and not a woodland. There are no woodland areas or tree belts on the site and as such, there is considered to be no potential for bat habitat. This could be considered in more detail through any planning application, but would not prevent the development of the site. It is argued that any area of Ancient Woodland mentioned in the assessment falls outwith the site boundary and does not be affected through the development of the site.

In their summary, Aberdeen City Council acknowledge that the site is zoned as green belt in the extant LDP, with Newton Road considered to be a robust boundary. The aim of the green belt is to avoid coalescence and urban sprawl and to focus development into settlements and encourage the development of brownfield sites. The identification of this site for business and industrial uses would not offend this as substantial buildings already exist on part of the site, which can therefore be considered to be party brownfield.

Development of the bid site would not result in coalescence with Brimmond Hill as it would round off development between the AWPR and existing commercial development adjacent. Therefore, the site does not contribute to the aims and objectives of the green belt and now that the AWPR is completed, this site forms an isolated parcel of land which is of no agricultural value, as it severs this land from the main farm holding. Given that there are existing buildings on the site, which cannot be utilised for agricultural purposes due to the construction of the AWPR, they should be identified for business and industrial uses to allow the landowner to diversify their business. This complies with the aim of the Plan to “promote the need to use resources more efficiently and effectively” and “supporting economic growth”, the importance of which is highlighted in the MIR.

It is argued that the AWPR should form the new border of the green belt, rather than the Newton-Kirkhill Road. Aberdeen City Council accept this in their assessment of the site by stating that **“the AWPR lies to the immediate west of the site creating a physical boundary to the site”**. This will provide a clear, easily read, defensible boundary between the developed settlement of Dyce and the countryside. Green Belt land is considered to be more appropriate beyond the AWPR rather than on the bid site, between the AWPR and existing development.

Landscape Features

It is stated in the assessment that the site sits within an area of prime landscaping according to the Aberdeen Landscape Character Assessment. However, this document is dated 1996 and does not take into account the construction of the AWPR on the landscape and the resulting effect on the bid site.

Given the agricultural use of the site, there are no woodland, tree belts, hedges or stone walls within the boundary of the site that would be affected by the proposals. There are a few trees along the boundary of the site, however, these could be retained or replanted provided to mitigate any impact of their removal if required. The site lies close to Tyrebagger Forest and Elrick Hills, however, the site does not form part of it as a result of its detachment by the AWPR. As such, there is considered to be no impact on any landscape features.

Landscape Fit

The Council acknowledge that the adjacent landscape east of the site is employment/industrial use. It is therefore considered that the development of the site would fit well in the landscape, especially since the AWPR has now been constructed to the west, containing any future development within a robust boundary.

When viewed from the south, the site fits well in the landscape and sits adjacent to existing development. The landscape of the surrounding area has altered due to the construction of the AWPR and development at Dyce Drive and the bid site would be contained by this development and be seen as a natural extension of the employment areas. The development of the site would therefore fit well in the surrounding landscape.

Previous assessments of the site by the Council stated that “development on this site would have little impact on the surrounding landscape. No views to the site from the surrounding agricultural fields, or Kirkhill Forest are available”. The Reporter to 2008 Local Plan also concluded that Kirkhill Industrial Estate dominates much of the locality and any suggestion that development on this site would alter the rural character of the area carried little weight. Also that part of the adjacent industrial estate sits at a higher level than the bid site. As such, when viewed from the north, although the site would appear more visible, this is not significant due to the position of Kirkhill Industrial Estate.

The Council's arguments for the retention of the site to provide a green back drop to the industrial land to the east are disputed. Landscaping could be provided on the site as part of the development to provide this green backdrop, with the remainder suitable for development. This should not be a reason to dismiss this site.

Land Use Mix/Balance

The Council, in their assessment state that development of more employment land is not likely to contribute much to a better mix and balance of uses. This suggests that a mix of uses should be provided on the site. However, the location is not appropriate for housing given the dominance of business and industrial uses in the area, which would conflict with residential development. In addition, residential development would be affected by the noise from the AWPR and the gas pipeline.

This is a small, infill site between the AWPR, Kirkhill Industrial Estate and Dyce Drive and it is considered that only employment uses are appropriate. However, it will provide for a mix of employment, comprising Class 4, 5 and 6 uses.

Proximity to Facilities

Dyce benefits from a wide range of facilities, including a shopping centre comprising a range of services. Further facilities include a primary and secondary school and health centre. These are within the residential area of Dyce, approximately 5km from the site, however, as this is an employment development, the proximity to these facilities are not essential.

Recent development at Dyce Drive has provided a number of hotels which have complimentary facilities such as restaurants and leisure facilities which has increased the range of services in the more immediate area, which the development of the bid site can benefit.

Contamination

Aberdeen City Council acknowledge that none of the site is contaminated. Any reference to potential contamination on Kirkhill Industrial Estate is not appropriate to the development of this site.

Land Use Conflict

Reference is made to the BP Forties gas pipeline passing through the site. It is argued that the location of this does not prevent development, it only requires to be referred to PADHI guidance released by the Health and Safety Executive (HSE). The land use proposed also falls within a use (workplaces/parking areas) that also requires to be referred to the HSE.

Assessing this site against the PADHI methodology, the HSE would not advise against office developments which contains less than 100 people over less than 3 storeys around the pipeline and this is accepted by Aberdeen City Council in their assessment of the site. Additional storeys and populations proposed are assessed on a site by site basis and may also be appropriate on the site.

The principle of development over the pipeline consultation zone has previously been accepted through similar commercial development on the land to the north. Therefore, the bid site should be treated no differently and the pipeline is not an impediment to development. This has been accepted by BP who confirmed in a previous representation to the LDP that the presence of the pipeline over the site would not rule out development.

Conclusion

To conclude, the existing buildings on the site lend themselves to business and industrial uses, now that the agricultural use of the site is redundant following the construction of the AWPR. As such, it is argued that this brownfield site should be identified for employment development in the Proposed Aberdeen Local Development Plan, for immediate development, to allow the landowner to diversify their business.

The site is currently contained within the green belt, with the Newton-Kirkhill Road considered to be a robust boundary. However, it is argued that the site contributes little to the green belt and construction of the AWPR to the immediate west of the site is considered to be a more appropriate boundary.

The aim of the green belt is to avoid coalescence and urban sprawl and to focus development into settlements and encourage the development of brownfield sites. The identification of this site for business and industrial uses would not offend this as substantial buildings already exist on part of the site. Bid site B0109 should be identified for business and industrial development which would be well related to the existing Kirkhill Industrial Estate to the north and zoned business and industrial land to the east and contained by the AWPR to the west.

It is therefore respectfully requested that the green belt designation is removed from the site and that bid site B01/09 is identified as an Opportunity Site for business and industrial uses in the Proposed Local Development Plan, either for immediate development or as Strategic Reserve Land. The AWPR should then form the new boundary of the green belt.