

ANGUS COUNCIL
COMMUNITIES COMMITTEE
17 NOVEMBER 2015
PROPOSED ABERDEENSHIRE LOCAL DEVELOPMENT PLAN 2015

ABSTRACT

This report provides information to members with regard to the representation made by Angus Council to the Proposed Aberdeenshire Local development Plan 2015.

1. BACKGROUND

At their meeting on 26 May 2015 Angus Council's Development and Enterprise Committee agreed that Angus Council should make a representation on the contents of the Proposed Aberdeenshire Local Development Plan 2015 in relation to the resolution of issues and possible funding of the junction improvements on the A90(T) (Report 222/15 refers).

Because of the dates of Angus Council Committees, it had been agreed with Aberdeenshire Council that any Angus Council representation could be submitted following the period of representations on the Proposed Plan, which ran from 28 March to 8 May 2015. The representation was submitted following the Development and Enterprise Committee meeting on the 26 May 2015.

The representation set out that the Proposed Aberdeenshire Local Development Plan should not rely solely on Developer Contributions to fund junction improvements and / or upgrades to the A90(T) in the Kincardine and Mearns area and sought a change to the Laurencekirk and Edzell Woods and Newesk settlement statements contained in the Proposed Aberdeenshire Local Development Plan to recognise the possibility of a more strategic approach to solutions on the A90(T), including potential funding sources.

As the representation sought a change to the Proposed Plan, it has been classified as an objection. As Aberdeenshire Council has received objections to its proposed plan, it now has three options:

- (i) Where the Council decides to make no significant modifications, they can publish the Plan and submit it to Scottish Ministers for examination. The Council may make Non-Notifiable Modifications to the Plan such as minor wording or typographical changes.
- (ii) Where significant modifications are proposed that add, remove or significantly alter any policy or proposal in the plan, they are to publish the modified Plan undertake a further period of representations.
- (iii) Where modifications that change the underlying aims or strategy of the Plan are proposed, a new Proposed Local Development Plan must be prepared and published.

The option selected will be subject to Council agreement. It is, however, expected that Aberdeenshire Council will proceed with Option (i). As such, Aberdeenshire Council will be able to propose non-notifiable modifications to the Proposed Plan where they consider minor wording changes can address objections.

In relation to the representation submitted by Angus Council, it has become apparent through officer discussions that Aberdeenshire Council will propose a non-notifiable modification to provide greater clarity to the Laurencekirk settlement statement by adding a penultimate sentence which states: "*As the issues with Access to the A90(T) are partly the result of traffic growth un-associated with new development it is likely that a broader range of funding sources will have to be employed beyond developer obligations*". A further non-notifiable modification will also be proposed which would add a last sentence to the Local transport infrastructure section to state: "*A variety of sources of funding will be required to deliver trunk road improvements*".

No modification is proposed to the Edzell Woods and Newesk settlement statement as Aberdeenshire Council consider that any development on the allocated site in this location will contribute to an upgrade to the A90 North Water Bridge. This is one of the planning conditions associated with the application on the site which has been granted subject to the Section 75 agreement. There are considered to be only limited transportation links to Laurencekirk and whilst the representations made by Angus Council are considered to be valid, there is no argument to require development at Edzell Woods and Newesk to contribute to works at the Laurencekirk junction.

The non-notifiable modifications proposed in response to the Angus Council representations will be included in the schedules of unresolved objections that will be submitted to Scottish Ministers for examination (Schedule 4s). On completion of the Examination, the appointed Reporter(s) will present his or her conclusions and recommendations, including endorsement or otherwise of the Council's proposed non-notifiable modifications to the Council and to Scottish Ministers. Unlike previously, the Council must accept the conclusions and recommendations before proceeding to adopt the Plan. Only in very exceptional circumstance can the Council choose not to do this.

2. REPORT AUTHOR

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