



REPORT TO BUCHAN AREA COMMITTEE – 23 APRIL 2024

ENQ/2023/1335 - MINTLAW (SITE OP1) MASTERPLAN (ADDENDUM)

1 Executive Summary/Recommendations

- 1.1 The preparation of a Masterplan is a requirement under Policy P1 Layout, Siting and Design of the Aberdeenshire Local Development Plan 2023 (ALDP 2023). Policy P1 requires that all major housing developments (over 50 homes) are required to prepare a Masterplan, which has been subject to public consultation, and agreed by the Local Area Committee. The Masterplan requires to be agreed in advance of the submission of a planning application, which should then adhere to the agreed Masterplan. The aim of the masterplanning process is to promote good place-making, and ensure future developments are designed to the highest standard, encompassing social, environmental, and economic requirements to create the sustainable communities of the future. Once agreed a Masterplan shall remain valid for a period of 5 years, unless planning permission for the development has been granted and implemented.
- 1.2 In this case, a Masterplan for the wider site was agreed by the Buchan Area Committee at its meeting on 05 July 2017 (ENQ/2015/1691 refers) following the processes at the time (including public consultation) and works have commenced on site. The agreed site plan is appended to this report as **Appendix 1**.
- 1.3 The general ethos of the agreed Masterplan remains as previous, the sole significant change being the removal of the site reserved for a new primary school now being allocated for employment use. Part of the previous employment land will now be earmarked for a neighbourhood centre.
- 1.4 The Committee is recommended to:**
- 1.4.1 Agree the Masterplan Addendum for Site OP1 Mintlaw as the context for the general layout and approach for subsequent planning applications, and**
- 1.4.2 Agree the Masterplan Addendum for Site OP1 Mintlaw to be used as a material consideration in the determination of any subsequent planning applications.**

2 Decision Making Route

- 2.1 Masterplans are to be considered by the relevant Area Committee under terms of Section B.8.1 of Part 2A List of Committee Powers and Section C.5.3 of Part 2C Planning Delegations of the Scheme of Governance. The

Masterplan is directly linked to the Aberdeenshire Local Development Plan 2023 (ALDP 2023) as a requirement stipulated through the Mintlaw Settlement Statement contained within Appendix 7b Settlement Statements - Buchan.

3 Discussion

Background

- 3.1 This report provides an overview of the amended Masterplan which has been prepared for site OP1 in Mintlaw. The Masterplan site plan is appended to this report as **Appendix 2** and the whole document is appended to this report as **Appendix 3**. The purpose of a Masterplan document is to set out a clear idea for the future, and demonstrate an integrated approach to community participation, site planning, transport, servicing, community facilities, design, ecology and landscaping. The exact content of a Masterplan will vary on a site-by-site basis, but broadly they are intended to be succinct documents to convey key principles that future development will need to incorporate. That is not to say they should not be supported by detailed supporting information, but that information should sit in the background and inform.
- 3.2 The requirement for a Masterplan for site OP1 is outlined within the settlement statement for Mintlaw in the ALDP2023. The form of the Masterplan is guided by the ALDP2023 Planning Advice PA2023-09 'Masterplanning' and the Scottish Government's Planning Advice Note 83: Masterplanning and Designing Streets. NPF4 Policies 14 (Design, quality and place) and 15 (Local living and 20 minute neighbourhoods) are relevant to design, but do not specifically require masterplans to be prepared. Masterplans should be prepared in line with the principles of the six qualities of successful places, and 20 minute neighbourhoods.
- 3.3 Site OP1 is allocated in the ALDP 2023 for 500 homes, business, community, services for the elderly, neighbourhood retail and 5ha of employment land. Construction has started on the site. Planning history is as follows:

ENQ/2015/1691- Masterplan. Agreed September 2015.

APP/2017/2547- Planning Permission in Principle for the Erection of 500 Dwellinghouse, Business, Community, Services for the Elderly, Retail and 5Ha of Employment Land. Granted April 2019.

APP/2019/0769- Matters Specified in Conditions 1 (Site Wide MSC), 2 (Phased MSC), 4 (Toll of Birness (Short Term)), 7 (Water Features Protection), 8 (Construction Environmental Management Plan), 9 (Protection Plan) and 10 (Carbon Neutrality) of Planning Permission Reference APP/2017/2547 for Mixed Use Development - Erection of 500 Dwellinghouse, Business, Community, Services for the Elderly, Retail and 5Ha of Employment Land. Granted October 2019.

APP/2020/1671- Erection of 19 Dwellinghouses (Part Variation to Planning Permission Reference APP/2019/0769). Granted November 2020.

APP/2021/1368 Change of House Types for 10 Plots. Granted August 2021.

APP/2022/2282- Erection of 33 Houses. Granted March 2023.

Background

- 3.4 Site OP3 is located to the south of Mintlaw, bounded to the east by the A952, to the north by residential use and to the south and west by agricultural land. Development has started towards the east of the site. The character of the site consists of agricultural fields, separated by mature tree belts.

Process

- 3.5 In relation to the approach to the amended Masterplan, the applicant engaged early with the Planning Service, and discussion took place with the relevant consultees in relation to the amendments. Education & Children's Services confirmed that there is now no requirement for a new primary school in Mintlaw. All requirements in relation to public engagement were carried out for the original masterplan.
- 3.6 The Masterplanning Advice outlines a suggested content masterplans should follow, which this Masterplan generally adheres to. In this case, the Masterplan document is split into three sections, 1 – Background information, 2 - Masterplan Evolution and 3 - Proposed Masterplan.

Background Information

- 3.7 The document provides a history of the site as stated in Paragraph 3.4 above and the planning context in terms of the Development Plan (National Planning Framework 4 and the Aberdeenshire Local Development Plan 2023).

Masterplan Evolution

- 3.8 The overarching concept of the Masterplan aligns with what was previously agreed:

Retention of the tree belts;
New areas of open space;
A new access from the A952 (completed).

- 3.9 The document provides details of Phases 1A to 1E, establishing that the initial residential grouping is either complete or under construction.

Proposed Masterplan

- 3.10 The document advises that there is no requirement for a school to accommodate the development. This is confirmed by Education & Children's Services who advises that there are no plans to build a school in Mintlaw as there continues to be capacity in both primary schools for the foreseeable future. As a result, there is no requirement for land to be set aside for this purpose. It can be pointed out that the document confirms that there is a trigger at 342 completed housing units for financial contributions towards education in the Legal Agreement for the site.

- 3.11 By removing the school site from the Masterplan, it is now proposed to locate the business/industrial land on the site instead. This will link onto the already agreed business land to the immediate south, to create a large single area of employment land. However, some of the agreed employment land will become the neighbourhood centre (see page 10 of the Masterplan).
- 3.12 The document confirms that there will be no change to the landscape, road/access strategies and that affordable housing provision will remain as previously agreed.
- 3.13 The agreement of this masterplan does not alter the requirements of the Settlement Statement for Mintlaw in the ALDP2023 for a school on the site. Until such time that the Settlement Statement is amended through the Local Plan process, any employment use on the site will be deemed a departure from the Local Plan. Any subsequent application will be assessed against the policies and material considerations applicable at the time.

Summary

- 3.14 In conclusion, the Planning Service is satisfied with the structure, detail and content of the amended Masterplan, acknowledging the similarities to the agreed masterplan and accepting the relatively minor changes proposed. The Masterplan provides a suitable context for the continued progression of site OP1. Masterplans should set the overall context and not go into too much detail. As future planning application(s) come forward, they will be required to comply with the principles set out in the Masterplan, in order to accord with Policy P1 of the ALDP 2023 and all other relevant policies.

4 Council Priorities, Implications and Risk

- 4.1 The Masterplan will help to deliver an allocated site in the Aberdeenshire Local Development Plan 2023, which will ultimately help to deliver the Strategic Priorities 'Our Environment' in contributing to resilient communities, and 'Our Economy' in contributing to Economic Growth.
- 4.2 The table below shows whether risks and implications apply if the recommendation is agreed.

Subject	Yes	No	N/A
Financial		X	
Staffing		X	
Equalities and Fairer Duty Scotland			X
Children and Young People's Rights and Wellbeing		X	
Climate Change and Sustainability			X
Health and Wellbeing			X
Town Centre First			X

- 4.3 The financial and staffing implications in assessing masterplans are covered within the existing Planning and Economy budget. No risks or implications are anticipated as no exceptional cost are anticipated.
- 4.4 An integrated impact assessment has been carried out as part of the development of the proposals set out above. It is included as Appendix 4 and no impact has been identified.
- 4.5 There are no risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers as the Committee is considering the Masterplan as the Planning Authority in a quasi-judicial role as the Masterplan has been identified as a requirement through the Aberdeenshire Local Development Plan 2023.

5 Scheme of Governance

- 5.1 The Monitoring Officer within Business Services has been consulted in the preparation of this report and had no comments to make and is satisfied that the report complies with the Scheme of Governance and relevant legislation.
- 5.2 The Committee is able to consider this item in terms of Section B.8.1 of Part 2A List of Committee Powers and Section C.5.3 of Part 2C Planning Delegations of the Scheme of Governance.

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Report Date: 21 February 2024

List of Appendices

Appendix 1 – Previously Agreed Masterplan Site Plan
Appendix 2 – Masterplan Site Plan
Appendix 3 – Masterplan Report
Appendix 4 – Integrated Impact Assessment