

PROPOSED ABERDEENSHIRE LOCAL DEVELOPMENT PLAN 2020 RESPONSE FORM

As part of the production of the Local Development Plan, a 'Main Issues Report' was published in January 2019. The responses from these consultations have helped to inform the content of the Proposed Local Development Plan ("the Proposed Plan").

The Aberdeenshire Local Development Plan will direct decision-making on land-use planning issues and planning applications in Aberdeenshire for the 10-year period from 2021 to 2031. The Proposed Plan was agreed by Aberdeenshire Council in March 2020 as the settled view of the Council. However, the Proposed Plan will be subjected to an independent examination and is now open for public comment.

This is your opportunity to tell us if anything should be changed in the Proposed Plan, and why.

When writing a response to the Proposed Plan it is important to specifically state the modification(s) that you would wish to see to the Plan.

This is the only remaining opportunity to comment on the Proposed Plan. The reasons for any requested changes will be analysed and reported to Scottish Ministers. They will then appoint a person known as a Reporter to conduct a public examination of the Proposed Plan, focusing particularly on any unresolved issues and the changes sought.

Ministers expect representations (or responses) to be concise (no more than 2000 words) and accompanied by limited supporting documents. It is important to ensure that all of the information that you wish to be considered is submitted during this consultation period as there is no further opportunity to provide information, unless specifically asked.

Please email comments to ldp@aberdeenshire.gov.uk or send this form to reach us by 31 July 2020*.

We recommend that you keep a copy of your representation for your own records.

**UPDATE 16 June 2020: Consultation period was extended from 17 July 2020 for a further two-week period.*



ACCESSIBILITY

If you need information from this document in an alternative language or in a Large Print, Easy Read, Braille or BSL, please telephone 01467 536230.

Jeigu pageidaujate šio dokumento kita kalba arba atspausdinto stambiu šriftu, supaprastinta kalba, parašyta Brailio raštu arba britų gestų kalba, prašome skambinti 01467 536230.

Dacă aveți nevoie de informații din acest document într-o altă limbă sau într-un format cu scrisul mare, ușor de citit, tipar pentru nevăzători sau în limbajul semnelor, vă rugăm să telefonați la 01467 536230.

Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

Ja jums nepieciešama šai dokumentā sniegtā informācija kādā citā valodā vai lielā drukā, viegli lasāmā tekstā, Braila rakstā vai BSL (britu zīmju valodā), lūdzu, zvaniet uz 01467 536230.

Aberdeenshire Local Development Plan
Woodhill House, Westburn Road, Aberdeen, AB16 5GB

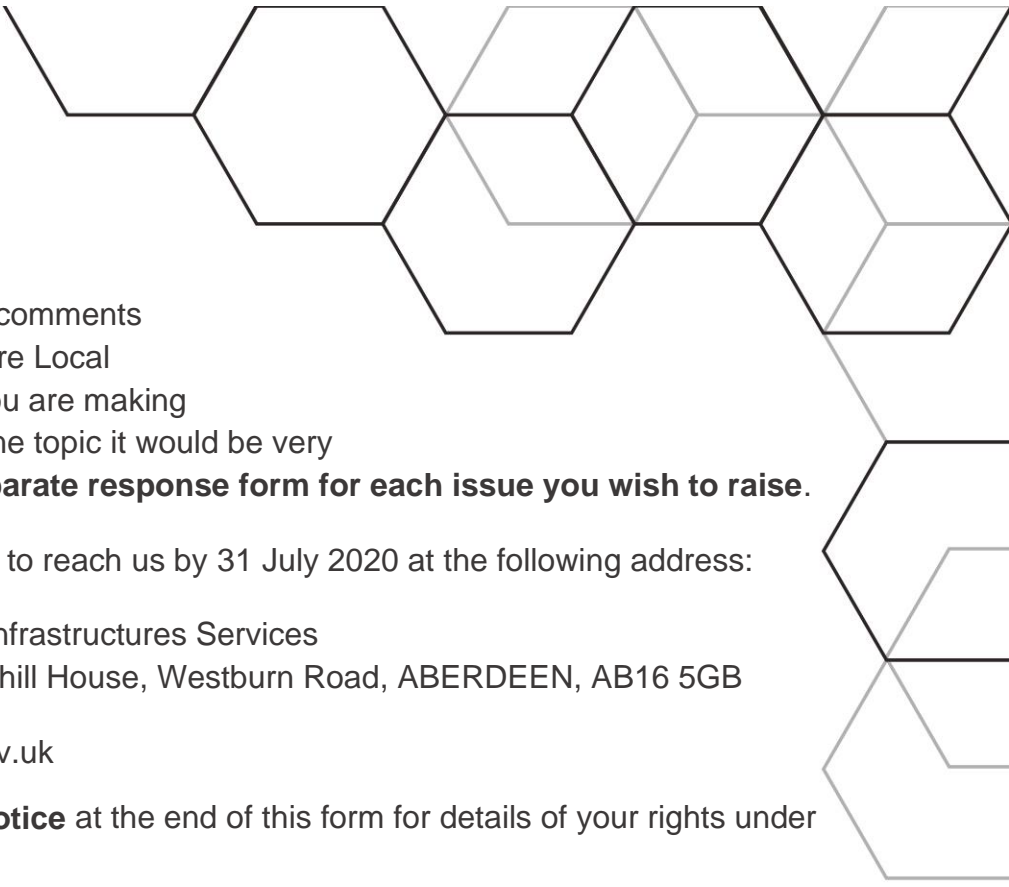
Tel: 01467 536230

Email: ldp@aberdeenshire.gov.uk

Web: www.aberdeenshire.gov.uk/ldp

Follow us on Twitter @ShireLDP

If you wish to contact one of the area planning offices, please call 01467 534333 and ask for the relevant planning office or email planning@aberdeenshire.gov.uk.



Please use this form to make comments on the Proposed Aberdeenshire Local Development Plan 2020. If you are making comments about more than one topic it would be very helpful if you could fill in a **separate response form for each issue you wish to raise**.

Please email or send the form to reach us by 31 July 2020 at the following address:

Post: Planning Policy Team, Infrastructures Services
Aberdeenshire Council, Woodhill House, Westburn Road, ABERDEEN, AB16 5GB

Email: ldp@aberdeenshire.gov.uk

Please refer to our **Privacy Notice** at the end of this form for details of your rights under the Data Protection Act.

YOUR DETAILS

Title:	Miss
First Name:	Gillian
Surname:	Kyle
Date:	13-07-20
Postal Address:	Sportscotland, [REDACTED]
Postcode:	[REDACTED]
Telephone Number:	
Email:	[REDACTED]

Are you happy to receive future correspondence only by email? Yes

Are you responding on behalf of another person? Yes

If yes who are you representing?

Tick the box if you would like to subscribe to the Aberdeenshire LDP eNewsletter:

An acknowledgement will be sent to this address soon after the close of consultation.

YOUR COMMENTS

Please provide us with your comments below. We will summarise comments and in our analysis will consider every point that is made. Once we have done this we will write back to you with Aberdeenshire Council's views on the submissions made. We will publish your name as the author of the comment, but will not make your address public.

Modification that you wish to see (please make specific reference to the section of the Proposed Plan you wish to see modified if possible, for example Section 9, paragraph E1.1):

P2.1 and P2.3 refer to the Proposed Plan Open Space Standards developed from the 2010 Aberdeenshire Parks and Open Spaces Strategy. This is the key resource for planning new open space in development. This standards document then refers to the findings of Aberdeenshire Council Pitches Strategy when considering provision for 'organised sports facilities'. Sportscotland was involved in the development of the pitches strategy in 2018 however this was not formally finalised nor adopted by the Council. It would be useful if reference is made within the policy text or Appendices that these documents need to be up-to-date and adopted.

Reason for change:

Ensure evidence is up to date to inform the planning and design of future development.

Modification that you wish to see (please make specific reference to the section of the Proposed Plan you wish to see modified if possible, for example Section 9, paragraph E1.1):

Existing text:

Open Space PR1.6

Development will not normally be permitted on any area of open space, including outdoor sports facilities and buffer strips along watercourses, unless the new use is ancillary to the use as open space. Important areas of open space are identified as “protected land” within [Appendix 7](#), Settlement Statements. Exceptionally, the development of essential community infrastructure may be allowed if it will not result in a deficit of open space of the type affected within the settlement, as evidenced by the Open Space Audit, or prejudice the continuity of a green-blue network. Where loss of open space occurs as the result of a new development then replacement must be made of an appropriate type, quantity, accessibility and quality within the settlement. Any new development that adversely impacts on the use and/or provision of sports pitches will be required to provide suitable replacement to the satisfaction of the Planning Authority. In such cases Sport Scotland will be consulted.

Suggested modification

Open Space PR1.6

Development will not normally be permitted on any area of open space, including outdoor sports facilities and buffer strips along watercourses, unless the new use is ancillary to the use as open space. Important areas of open space are identified as “protected land” within [Appendix 7](#), Settlement Statements. **Other areas of open space not specifically identified are still protected under this policy.** Exceptionally, the development of essential community infrastructure may be allowed if it will not result in a deficit of open space of the type affected within the settlement, as evidenced by the Open Space Audit, or prejudice the continuity of a green-blue network. Where loss of open space occurs as the result of a new development then replacement must be made of an appropriate type, quantity, accessibility and quality within the settlement. Any new development that adversely impacts on the use and/or provision of **sports pitches outdoor sports facilities** will be required to provide suitable replacement to the satisfaction of the Planning Authority. In such cases Sport Scotland will be consulted.

Reason for change:

1. Inclusion of “Other areas of open space not specifically identified are still protected under this policy”

There are a number of open spaces which are not identified in the settlement maps, including:

Deveron Vale FC - 2 pitches

Banff Bowling Club - green

Banff Primary School - pitch

Tarlair Golf Course

Paragraph 226 of the SPP states that all outdoor sports facilities should be identified in the local development plan and sets out the context for the safeguarding of such facilities. In the majority of cases the LDP has successfully highlighted these facilities. But there are sites that are not included. SportsScotland is a statutory consultee in the planning process where an outdoor sports facility is proposed for development. While efforts have been made to cross check all land allocations of 'open space' to ensure

there is no loss of outdoor sports facilities, some omissions are possible. In this respect, if any changes are proposed to outdoor sports facilities (as defined in the Development Management Regulations 2013) to another designation, sportscotland would wish to ensure that we are consulted during the planning process and the provisions of SPP paragraph 226 would still apply.

It is requested that either a review of the settlement maps is undertaken to ensure that these sites, as well as a cross-check of all remaining sites are included. Or the inclusion of the suggested text will go some way to require any developer of such sites to consider the requirements of SPP and LDP Policy PR1.6 as necessary.

2. Reference to “outdoor sports facilities”

Consistency with wording of Scottish Planning Policy and Development Management Planning Regulations (2013) and to ensure protections to all facilities covered by national policy provisions. Sportscotland’s statutory role in planning application consultations extends to the range of outdoor sports facilities defined in the Regulations as:

- a) An outdoor playing field extending to not less than 0.2ha used for any sport played on a pitch;
- b) An outdoor athletics track;
- c) A golf course;
- d) An outdoor tennis court, other than those within a private dwelling, hotel or other tourist accommodation; and
- e) An outdoor bowling green.

PRIVACY NOTICE

LOCAL DEVELOPMENT PLAN PUBLIC COMMENT

The Data Controller of the information being collected is Aberdeenshire Council.

The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AY.

Email: dataprotection@aberdeenshire.gov.uk

Your information is being collected to use for the following purposes:

- To provide public comment on the Aberdeenshire Local Development Plan. The data on the form will be used to inform Scottish Ministers and individual(s) appointed to examine the Proposed Local Development Plan 2020. It will inform the content of the Aberdeenshire Local Development Plan 2021.

Your information is:

Being collected by Aberdeenshire Council	X
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The Legal Basis for collecting the information is:

Personal Data	
Legal Obligations	X

Where the Legal Basis for processing is either Performance of a Contract or Legal Obligation, please note the following consequences of failure to provide the information:

It is a Statutory Obligation under Section 18 of the Town and Country (Scotland) Act 1997, as amended, for Aberdeenshire Council to prepare and publish a Proposed Local Development plan on which representations must be made to the planning authority within a prescribed period of time. Failure to provide details requested in the 'Your Details' section of this form will result in Aberdeenshire Council being unable to accept your representation.

Your information will be shared with the following recipients or categories of recipient:

Members of the public are being given this final opportunity to comment on the Proposed Aberdeenshire Local Development Plan. The reasons for any changes that the Council receives will be analysed and reported to Scottish Ministers. They will then appoint a person to conduct a public examination of the Proposed Plan, focusing particularly on the unresolved issues raised and the changes sought.

Your name and respondent identification number (provided to you by Aberdeenshire Council on receipt of your

submission) will be published alongside a copy of your completed response on the Proposed Local Development Plan website (contact details and information that is deemed commercially sensitive will not be made available to the public).

In accordance with Regulation 22 of the Town and Country (Development Planning) (Scotland) Regulations 2008 where the appointed person determines that further representations should be made or further information should be provided by any person in connection with the examination of the Proposed Plan the appointed person may by notice request that person to make such further representations or to provide such further information.

Your information will be transferred to or stored in the following countries and the following safeguards are in place:

Not applicable.

The retention period for the data is:

Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue to retain your information for a longer period. A redacted copy of your submission will be retained for 5 years beyond the life of the Local Development Plan 2021, possibly until 2037.

The following automated decision-making, including profiling, will be undertaken:

Not applicable.

Please note that you have the following rights:

- to withdraw consent at any time, where the Legal Basis specified above is Consent;
- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- to data portability, where the legal basis specified above is:
 - (i) Consent; or
 - (ii) Performance of a Contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.

