

# 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](mailto: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](mailto:ldp@aberdeenshire.gov.uk)  
Web: [www.aberdeenshire.gov.uk/ldp](http://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](mailto: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](mailto: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:	Mr
First Name:	Simon
Surname:	Herriot
Date:	27/07/20
Postal Address:	██
Postcode:	██████
Telephone Number:	██████████████
Email:	████████████████████

Are you happy to receive future correspondence only by email? Yes  No

Are you responding on behalf of another person? Yes  No

If yes who are you representing?

Coriolis Energy Limited

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):

The general approach to sustainable development and specifically the encouragement of further renewable energy development requires a significant change. This comment applies across the entire Proposed LDP and further specific representations are submitted in relation to individual planning policies.

This representation relates to the Regional and Local Visions (page 12), Outcomes 4.1 and 4.3 (page 14).

## Reason for change:

Coriolis Energy Limited (Coriolis) considers that the Proposed LDP should be amended to better reflect the Scottish Government's ambitions with regards to tackling climate change and giving stronger support for the further development of large scale renewable energy developments. There is a concern that much of the Proposed LDP is a 'roll forward' of many aspects of the currently adopted LDP, while key developments and policy ambitions that have been announced by the Scottish Government since the current LDP was adopted do not feature at all in the Proposed LDP. Without change, there is a concern that the new LDP will not set the necessary context or policy ambition required to address climate change over the ten year lifetime of the Plan.

Firstly, Coriolis is surprised to note that the Proposed LDP does not make any mention of the Scottish Government's declared 'climate emergency', nor is there any mention of the Scottish Government's net-zero greenhouse gas emissions target by 2045. These are significant statements and legally binding commitments from the Scottish Government that have wide-ranging land use/planning implications that must be reflected in the Proposed LDP.

The Proposed LDP must reflect these national commitments and provide a supportive local policy context to help achieve these objectives. It is acknowledged that Section 13 describes climate change as 'possibly the greatest challenge facing the world today'. While Coriolis agrees with this statement, it is noted this is a duplication of the same statement in the current LDP. Section 13 of the Proposed LDP makes no reference to the wide range of climate change legislation, policy ambitions and documents that have been published, which set out key measures required to address this challenge, as discussed below.

The Proposed LDP has been published within the context of a changing planning system in Scotland notably the Planning (Scotland) Act 2019, which received Royal Assent in July 2019. In addition, the Climate Change (Emissions Reduction Targets)(Scotland)Act 2019 has been introduced, which amends the Climate Change (Scotland) Act 2009.

In addition, a series of important energy related documents have also been published in the interim period, including the National Infrastructure Assessment (NIA) from July 2018, the Intergovernmental Panel on Climate Change (IPCC) report from October 2018, the Committee on Climate Change (CCC) Net Zero report from May 2019 (which set the net zero recommendations) and the more recent June 2020 CCC Progress Report to Parliament.

In terms of the amended Climate Change (Scotland) Act 2009, this makes provision for the further reduction of greenhouse gas emissions in Scotland, as follows:-

- The establishment of 2045 as a target date for reaching net zero greenhouse gas emissions;
- An interim target of a 90% reduction in emissions (compared to 1990 levels) by 2040; and
- A further interim target of a 70% reduction in emissions (compared to 1990 levels) by 2030.

These targets represent the most stringent statutory, legally binding greenhouse gas reduction targets anywhere in the world and represent a significant step in the Scottish Government's increasing efforts to tackle climate change.

Section 3ZA (1) of the 2019 Planning Act is also of relevance to the Proposed LDP. This states that 'The purpose of planning is to manage the development and use of land in the long term public interest'. Section 3ZA(2) clarifies that 'anything which contributes to sustainable development.....is to be considered as being in the long term public interest'. Furthermore, in bringing about changes to the content of the new National Planning Framework, Section 2(4) of the 2019 Planning Act identifies 'outcomes' for the National Planning Framework, one of which (e) is 'meeting any targets relating to the reduction of emissions of greenhouse gases, within the meaning of the Climate Change (Scotland) Act 2009'.

The Scottish Government's Programme for Scotland 2019-2020 'Protecting Scotland's Future' (the Programme) which was published in September 2019 is of relevance to the Proposed LDP, and reinforces the important role that the planning system has to play in delivering greenhouse gas targets. For example, in the Ministerial Foreword, the First Minister references the 'climate emergency' and notes that the Programme 'raises our ambition in light of the emergency we face. We are leading the world in setting challenging targets, but we must also redouble our efforts to meet them'.

Chapter 1 of the Programme 'Ending Scotland's Contribution to Climate Change' notes that 'adopting a net zero emissions target by 2045 underlines our ambition that Scotland will no longer contribute to global climate change'. The Scottish Government clearly sees the planning system as playing a crucial role in responding to the climate emergency and the Programme notes on page 38 that one of the major commitments in the response to the climate emergency will be the introduction of the fourth National Planning Framework (NPF4) which 'will help to radically accelerate reduction of emissions'. The Programme notes that the climate emergency necessitates a debate on 'more radical planning policy options' and that planning 'is a vital tool in leveraging the changes we need to make to achieve our goals'.

It is clear therefore that at the heart of the changes to the Scottish planning system is a recognition of the vital role the planning system has to play in tackling climate change and reducing greenhouse gases.

It is disappointing to note, therefore, that the Proposed LDP does not reflect these clear policy objectives and national Government announcements in its overarching regional or local vision statements. Many of the planning policies that would be of relevance to considering future renewable energy proposals are in some case duplications of current LDP policies, which do not necessarily reflect the nature of the 'climate emergency' and do not therefore represent 'radical policy options'.

Coriolis would therefore would like to see greater recognition given to these issues in the LDP. This view is supported by the very recent June 2020 CCC Progress Report to Parliament, which notes that 'delivering net zero emissions by 2050 in the UK will require a strong policy framework at all levels of government'. It continues and notes that 'the UK cannot achieve net zero in 2050 without strong policy from its devolved partners across key areas including planning, agriculture, land use, housing regulations and local government' (underlining added).

Unfortunately as currently drafted the Proposed LDP Regional and Local Visions do not adequately reflect the national policy picture and this is also reflected in the detailed wording of some planning policies, which are subject to stand alone representations. There is a feeling that the Proposed LDP does not properly reflect the references in the Onshore Wind Policy Statement (2017) which notes the Scottish Government's expectation that onshore wind will remain '*at the heart of a clean, reliable and low carbon energy future in Scotland*', that '*its contribution must continue to grow*' and that onshore wind is '*crucial in terms of our goals for a decarbonised energy system*' (all page 6 quotes).

Coriolis considers that the Regional and Local Visions of the Proposed Plan should be amended to acknowledge the climate emergency and the net-zero targets and the important role than the Aberdeenshire LDP must play in delivering these targets by supporting the further development of all renewable technologies, including onshore wind.

# 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](mailto: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.

