

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:	Mr
First Name:	Ian
Surname:	Smith
Date:	27/07/2020
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?

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 City Council's LDP with regard to 'Royal Devenick Park' (OP46, bid 1308 'Leggart Brae' includes a site which is under the Shire's authority and is green belt land. This is not mentioned in the Shire's LDP and it should be included so that people can comment.

Reason for change:

Reasons for Change - My first objection to the proposed scheme is simply that there is no need for it. There are a number of housing developments in or near Aberdeen which are stalling due to lack of demand. It appears that there are no major stimuli to local job creation on the horizon which may have attracted more people into the area and thus a demand for more housing. Indeed, Covid 19 has had a significant negative impact on employment in the area. The housing market is flat. It would seem foolish to damage the environment and animal habitats without a solid determination of the demand for new housing.

Green Belt Issues - The Shire Council can be commended for adhering to the Planning Officers' recommendation to deem the previous 'Royal Devenick Park' proposal by [REDACTED] (bid 1308, Land at Tollohill Wood) as 'undesirable' (ref. <http://publications.aberdeenshire.gov.uk/dataset/c56b89db-8c53-4144-a768-0d4f7f4179fe/resource/445b48a2-6394-4afb-af6d-e653db478df0/download/final-issues--actions--kincardine-and-mearns.pdf>). Part of the latest [REDACTED] proposal involves an extension into Shire land. Let's hope they can continue to stick to their principles with regard to this latest proposal. It can be difficult to do so. Aberdeen City Council Planning Officers had viewed land at Leggart Brae as 'undesirable' for residential developments but then it was re-zoned from green belt to residential without setting out any clear rationale for doing so. How can you value land as green belt for all sorts of good reasons for humans and for all the benefits to many other species then suddenly decide that these things are not valuable or beneficial any more? If the reasons for the change of perspective are not financial then what are they? They need to be set out clearly in order that counter arguments can be made. Let us hope that the Shire Council stays strong in the face of any financial arguments thrown at them.

Access into and out of site - This may prove difficult without substantial change to the local road system. The site plan for the [REDACTED] PoAN (June 5, 2020) does not indicate how the site will be accessed by vehicles. However, the [REDACTED] 'Development Framework Document' (for bid 1308 'Leggart Brae'), May 13, 2019 - Appendix 1, p 27, shows an access road running west from the site into the Shire (just north of Oakhill dwelling and east of Stonedykes dwelling), and linking to the Causeymouth. This is currently a farm track. This apparent junction with the Causeymouth would make for a dangerous one, as just south of it the road bends and is steep - traffic is usually quite fast.

The fact that the 'Leggart Brae' site is cross boundary has major implications for site access from the Shire. Access to the site for construction would require new roads to be built. The Causeymouth is a 12th century drovers road and Designated Heritage Path -

<http://www.heritagepaths.co.uk/pathdetails.php?path=24>.

This road is popular with walkers (including dog walkers, seniors walking groups), cyclists, runners, and provides access to Tollohill Wood and the wider area of Banchory Devenick. During the Coronavirus pandemic the road has been crucial to both locals and those further afield for exercise and promoting well-being. The Causeymouth is also the main route from the city and shire to/from Banchory Devenick primary school. It is also a designated driving school route.

The Causeymouth is narrow (two HGVs could not pass each other), has no road markings, no lighting, and poor drainage. During the winter it is rarely gritted. This is not a road suitable for major traffic. And it would not be suitable for emergency vehicles who would not be able to attend domestic situations as quickly as they would like. The 'Leggart Braes' proposal is for circa 150 'houses'. At a very conservative estimate probably at least 150 vehicles could be using the access roads, not to mention delivery vehicles, visitors, etc to the site. Not only might there be traffic to/from the site but there could be vehicles (of all shapes and sizes) coming into Aberdeen from the south that might use the site's access roads from the A92 to bypass the Bridge of Dee in order to get to the South Deeside Road. Any additional traffic on the Causeymouth would be unacceptable resulting in the Causeymouth becoming congested and suffering deterioration, contravening Shire LDP policy P2.6 - "Existing and potential public access routes (including core paths and other routes, such as public rights of way) should be protected". In addition, Section 11 *The Historic Environment* could apply to the ancient Causeymouth:

"Protecting and improving the historic environment is important to the distinctiveness and sense of place within Aberdeenshire. Local history helps create a clear identity for the area and strengthens connections between people and places. We recognise the importance of the historic environment to the character of the area and to the quality of life of the people who live here."

The Shire LDP includes a policy on Landscape (Section 7 *Shaping Development in the Countryside* - Policy E2.1)

"We will refuse development that causes unacceptable effects through its scale, location or design on key natural landscape elements, historic features or the composition or quality of the landscape character."

The historical environment of the Causey Mounth and the Tollohill Braes cannot be replaced once they are erased. And, of course, the Causey Mounth and Tollohill Woods provide an attractive and enjoyable 'green gym' where people can walk and cycle. The Scottish Government itself used Parkinson's paper on the promotion of mental health in formulating current mental health policy and in this paper she identified the 'green gym' as being a very important factor in maintaining mental health. Indeed, related to this a number of years ago Aberdeen was voted as being one of the best areas in the UK for mental health and the main reason for that was easy and quick access to multiple 'green gym' areas such as Tollohill Woods. Having to negotiate a narrow, busy and dangerous road to access 'green gym' areas may well put people off using these health promoting sites.

Effect on Protected Species and Habitats - If these objections are not sufficient then perhaps we all need to consider more widely and seriously what humans are doing to the 'green belt areas' of the natural world. It has been well documented that the 6th mass extinction is well under way and the cause of this is human encroachment into the space of other species and human environmental damage through construction and other activities (National Academy of the Sciences of the United States of America, 2017). Lest you think this is a problem which only occurs elsewhere in the world can I point out that the WWF state that in Scotland one in 11 species is at risk of extinction and many others are declining in numbers (<https://www.wwf.org.uk/Scotland>).

The biggest argument of all is related to insects. They are a major part of the food chain and most people are familiar with the recent report (Sanchez-Bayo and Wyckhuys, in Biological Conservation, 2019) which showed that if insect loss continues to occur at current rates then all insects will be gone in 100 years, and, of course, so will all large species including ourselves. Urbanisation is a significant factor in this loss. You may think that this is irrelevant to the proposed project but it isn't. For it is the cumulation of countless thousands of projects such as this, *all in isolation from each other*, that have slowly and insidiously led to our current situation i.e. a 'drip, drip' situation of a myriad planning departments in hundreds of countries throughout the world over the centuries mindlessly rubberstamping damaging building projects without giving sufficient emphasis to the environment and other species. We have put ourselves first at the expense of other species but forget that when they all die then we die.

More specifically the proposed site at Banchory Devenick is home to species such as bats, badgers, red squirrels, pine martens, otters, hedgehogs and 30 other larger species, (Notable Species Search, 2018) and also many rarer birds such as osprey, kingfisher, kestrel and barn owls. It would be wrong to lose these species from this area. Also, there are family groups of roe deer that travel frequently between the Den of Leggart woodland, crossing the Causeymouth to Tollohill Braes and Wood. These families would be at great risk with the increased volume of traffic following development.

In terms of development we need to move to a model where new housing is based on renovating existing buildings to reduce resource usage or rebuilding on already developed space (by using space/resources creatively), and that there should only be new housing developments in the countryside if without them humans would die or become ill, and that would be a rare situation indeed.

So change needs to happen and fast. We need to make the criteria for building projects on untouched land much tighter with much more emphasis on the protection of species and their habitats. And until that gets enacted we need to apply existing criteria as thoroughly and protectively as we can and not let them be sidelined by those whose agenda is based on self interest and [REDACTED].

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.

