

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.

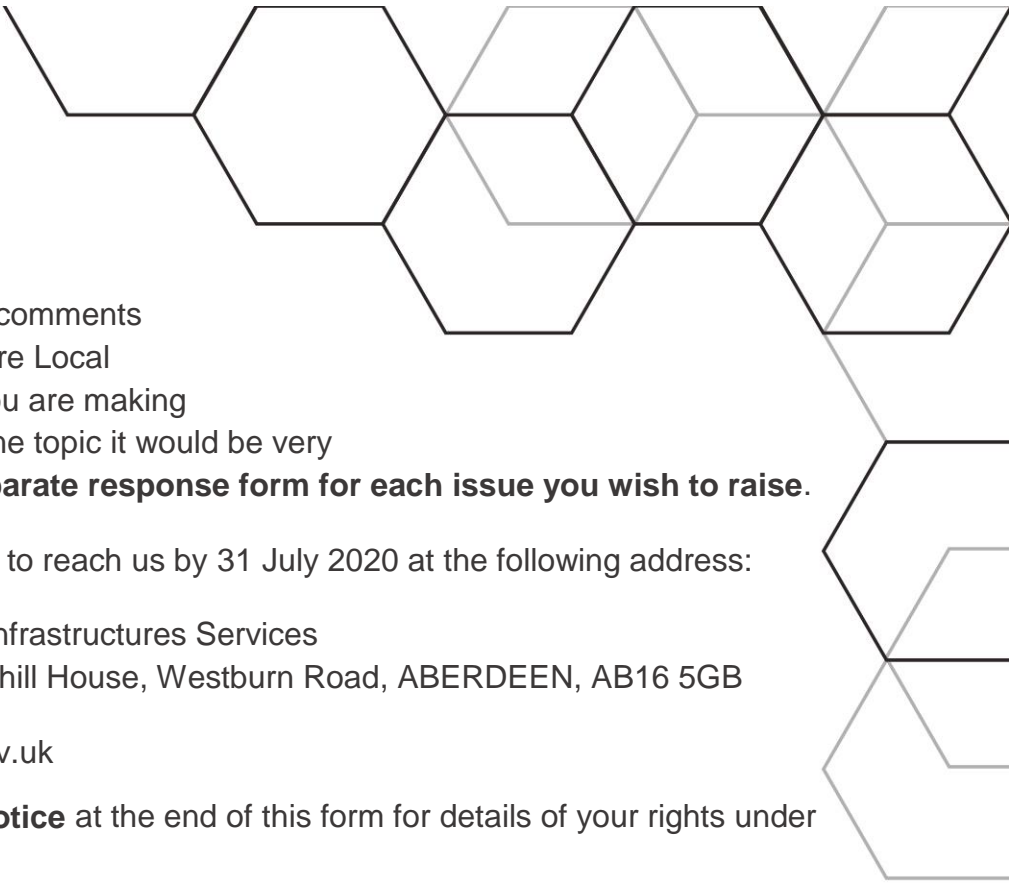
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

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:	Angus
Surname:	Dodds
Date:	31/07/2020
Postal Address:	Savills [REDACTED] [REDACTED]
Postcode:	[REDACTED]
Telephone Number:	[REDACTED]
Email:	[REDACTED]

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: Yes

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):

Modification Section 7D: Settlement Statements: Garioch

Include

Allocate Site GR099 'Land East of Birchmoss Depot, Cullerlie' as Employment Land

Suggested wording:

Cullerlie

OP1: Land East of Birchmoss Depot

Allocation: 4.8 ha Employment Land

This is a newly allocated site that forms a logical extension to the already existing Birchmoss Depot. New and extended planted boundaries will ensure that the development of the site will be sympathetic to the character and setting of the surrounding area. Employment land uses in Classes 4,5 and 6 with supporting ancillary uses are considered to be acceptable here.

Key Supporting Documents

Appendix A – Main Issues Report Form for Site GR099

Appendix B – Call for Sites Development Bid for Site GR099

Appendix C – Location Plan

Appendix D – Representation to site GR098 Proposed Local Development Plan

Reason for change:

Introduction

Cullerlie Estate object to the exclusion of the site MR099 at Land East of Birchmoss Depot, Echt, Westhill (See Appendix C) from the Proposed Plan and seek its inclusion within the Proposed Plan's Garioch Settlement Statement as a Landward site.

We are disappointed to note that the site has not been included within the Proposed Plan despite having continued support from Cullerlie Estate, and despite there being likely demand for space at the site. This representation must be read in conjunction with the initial Development Bid (2018) and Main Issue Report (MIR) submissions.

Vision

Cullerlie Estate are interested in facilitating an easterly extension to the existing employment development land at Birchmoss. It is considered that with the completion of the new AWPR, either through recovery of the oil industry or large-scale diversification into the fabrication of renewables, a location like this would provide an attractive option for research or storage uses for specialist engineering of this type.

We continue to consider that this site could provide opportunities for small or medium sized businesses which are seeking small plots of land to establish or grow their operations on smaller footplates than more established oil and gas operators had latterly grown accustomed before the oil price downturn in 2014-2016.

Cullerlie Estate considers that the site could be marketed as a series of smaller lots, to take account of the market in this area. The Savills Aberdeen Business Space team continue to believe that there may be demand for space at the site, and that the uses evident at the adjacent Birchmoss Depot could also be contained on the proposal site.

Aberdeen City Council is currently promoting an Energy Transition Zone (ETZ) area around the new harbour at Nigg. This concept seeks to support new jobs, and develop and diversify markets for the supply chain in the City and Shire. The ETZ will encourage innovative and entrepreneurial ideas and help start-ups commercialise their technologies - we consider that this site could offer an alternative solution to those start-ups catalysed by the new ETZ, that will be seeking land but who cannot afford to locate to the more established Business Parks.

An allocation in the Local Development Plan would provide an attractive and well-located space within the Shire to accommodate new businesses connected to this regional transition. Such an allocation will also provide Cullerlie Estate the confidence to be able to market the site effectively.

We consider that the land to the east of Birchmoss Depot site corresponds well with the type of development that the Council fundamentally seeks to promote in paragraph 4.5 of the PLDP. This states that the Council are continuing to identify a range of different employment sites in line with the Strategic Development Plan's Strategy, which seek to encourage *employment development in rural areas, and stimulate wider economic growth*.

Issues and Action Paper

Aberdeenshire Council's Issues and Actions Paper informed the PLDP and looked at settlements across the Shire, characterising their special qualities, assessing them for their current levels of service and future needs. In terms of Cullerlie, this noted that:

"Cullerlie... lacks facilities and access to public transport."

"Cullerlie is an unsustainable location and that development should be focused towards existing settlements, as per Scottish Planning Policy...."

"No established need for housing or employment has been demonstrated."

Cullerlie Estate does not agree that these views provide robust justification for the exclusion of site GR099 in the upcoming Local Development Plan. Since publication of the Issues and Actions paper, the site's location has become less peripheral as the completed AWPR has brought it closer to fast connections via trunk roads around the region and beyond. These include Aberdeen airport via the AWPR to the north, and the soon to be completed new Aberdeen South Harbour via the AWPR Fastlink to Altens/Tullos.

More widely, as was previously the Estate's position, we consider that as the region's economy adapts to turbulent economic conditions, this site can provide opportunities to smaller operators who wish to build smaller, bespoke premises for engineering works or use the site for open storage. We feel that this location will be considered favourably by commercial occupiers seeking alternative property solutions.

The existence of both housing land and employment land are essential in demonstrating the ongoing sustainability of both landward areas and existing settlements. On balance, the provision of a generous supply of both types of land in all areas will reduce the need to travel for those that wish to work nearer to home. Recent evidence during the Covid-19 pandemic points to a marked increase in those looking for new residential properties in the countryside. Such demand should also be acknowledged by allowing modest but meaningful allowances of employment land in the countryside.

Strategic Environmental Assessment (SEA) of New Allocated Sites and Alternative Bid Sites (April 2020) – Landward Sites – Alternative Sites – Site GR099

The SEA Assessment identifies that this site would have neutral effects post-mitigation on: air; water; soil; biodiversity; material assets; population; human health; and, cultural heritage. We object to the assessment of the site against Climatic Factors and Landscape that resulted in a negative mark being attributed to the site. (*SEA assessment text in italics*)

Climatic Factors

The development could have a long-term negative impact due to the potential for increased travel requirements (the need to travel long distances to services) and increased emissions. Availability of public transport is lacking in this area and communities are largely car reliant.

There are no mitigation measures available at this time to reduce car dependency at this location.

We agree that the site is not accessible by public transport, however this is the case for many sites which have been developed in rural areas. Housing in rural areas provide homes for people employed locally as well as in larger population centres. Accordingly, those living in such areas may not be commuting significant distances, especially where appropriate employment facilities are nearby.

As noted previously, Birchmoss Depot employs over 200 people likely to include many that live in rural areas surrounding the site. A lack of public transport to the site need not therefore mean that unsustainable travel is a direct result of rural business space. Conversely, this also demonstrates that the site's location has not had a detrimental effect on employment numbers at Birchmoss. If housing development was supported at Floras Restaurant (see site GR098), there would be an increased provision of housing in close proximity.

Evidence from Savills rural residential Team in Scotland indicates that interest in rural properties has increased significantly since the Covid-19 pandemic began. Allied to this, recent announcements by Government across the UK on future acceleration in the delivery of safe cycling infrastructure, mean rural areas in relatively close proximity to population centres should become attractive for those that want to access places of employment by active travel means. In the circumstances, the binary distinction between urban/rural as being sustainable/unsustainable needs to be revisited.

It was disappointing to note the negative post-mitigation assessment of this site despite Savills Energy team having assessed the site at an earlier stage of the LDP's evolution to explore a range of possible renewable energy proposals that could work here. There was shown to be good potential for a small district heating scheme that could be operated by Cullerlie Estate. There were two clear options for this: Cullerlie Estate owns local commercial forestry which could provide fuel for a biomass scheme; or, the land adjacent to the development could potentially be used for a ground source heat pump.

Due to the south facing nature of the site as it falls toward the B9125, a rooftop or small ground-mounted solar PV system could provide part of the development's electricity needs, further enhancing its attractiveness to smaller scale operators. Cullerlie Estate owns the adjoining land which could accommodate the array.

The Birchmoss site also has excellent access to both the electrical grid and mains gas grid, a major barrier to development in much of the county. It would also allow for renewable energy generation to take place onsite, providing low carbon energy to onsite users, as well as export to the electrical and gas grid. The UK government has announced continued support for both through various mechanisms such as the Green Gas Support Scheme, CfD, and Capacity Markets.

Overall, we consider that the site holds renewable energy potential, and the likely future increase in active travel to access the site, could outweigh the temporal issue of current car dependency at this location.

Landscape

The nature of land use in the area will be changed and displaced. The relationship between landforms and land use; field pattern and boundaries as well as buildings and structure will change.

The landscape experience is likely to change - openness, scale, colour, texture, visual diversity, line, pattern, movement, sound, solitude, naturalness, historical and cultural associations. A landscape buffer would be required to screen development and mitigate impact to landscape.

Cullerlie Estate believe that with simple, standard mitigation measures in place, the long-term impact of any such changes will be of no consequence. The site already has established boundaries, with a dry-stane dyke separating it from the B9125 to the south, while a planted boundary exists to the west, where the Birchmoss Depot has a now mature double stand of coniferous trees. These established boundary treatments could be replicated around this site, albeit in an enhanced manner comprising a combination of mixed, broadleaved trees, along with sections of dry-stane dyke. A landscape framework document would ensure that this assimilates well with the local landscape and local built vernacular.

Echoing earlier comments on this site, we believe that biodiversity benefits could be designed into the final landscaping response/solution. Furthermore, in terms of movement and sound, we consider that employment uses are sometimes better situated in areas where there are less residential uses to conflict with.

Conclusion

Cullerlie Estate believe that site GR099 should be allocated within the next LDP as an area of employment land (classes 4,5 and 6). It would provide a logical extension to the existing Birchmoss depot, while offering excellent opportunities for local businesses seeking smaller plots and spaces more suited to their operational requirements.

Site GR099 could service a particular type of occupier that is likely to be looking for a particular type of site in this vicinity. In the absence of any large-scale brownfield sites coming forward nearby, the provisions of paragraph 2.18 may not be of much utility to such occupiers as currently worded.

This site is well serviced and connected to the electricity and gas grid and positioned to offer more industrial space either as the North-East oil and gas recovery picks up pace, or when energy transition begins in earnest.

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:

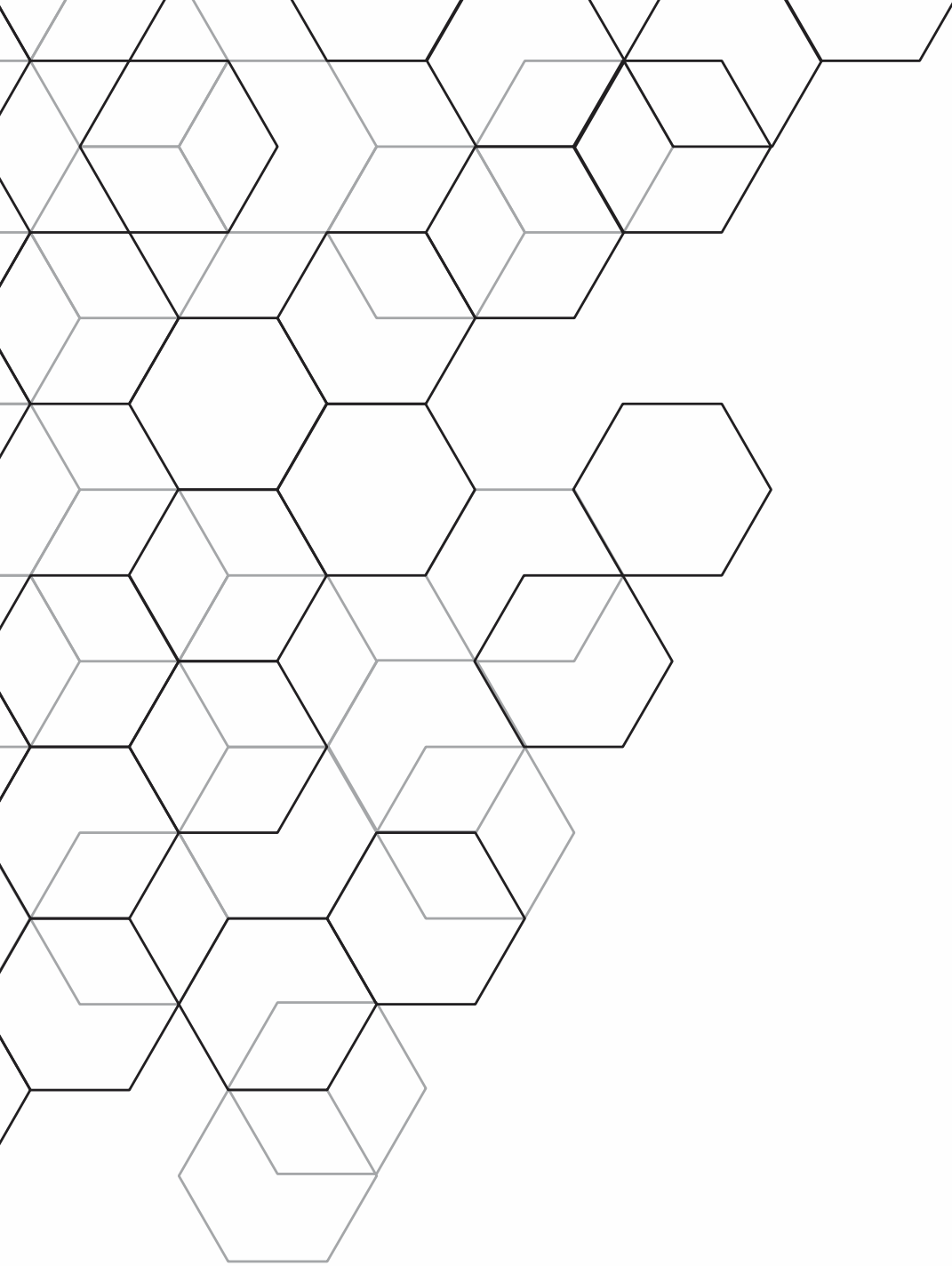
Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue 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.



Supporting Statement: Land adjacent to Birchmoss Depot, Cullerlie

1. Introduction

- 1.1. This supporting statement provides further detail for the proposed employment site adjacent to Birchmoss Depot, Cullerlie. It should be read in conjunction with the Call for Sites form.
- 1.2. Cullerlie Estate are interested in developing a site for employment use which would be an extension to the existing employment development to the west. It is considered that with potential recovery of the oil industry and the relatively remote location that the site would provide an attractive option for storage uses associated with the oil and gas industry.
- 1.3. An allocation in the next Local Development Plan will provide Cullerlie the confidence to be able to market the site effectively. This in turn allows for re-investment in the local economy within which the Estate sits. One example of this is an associated submission that seeks to provide a new rural hub providing housing and live-work space beside an existing business (Land adjacent to Flora's, Cullerlie).

2. Site Context

- 2.1. The site is currently grassland, used for grazing. On the fringes is shrub planting with mature woodland to the north. The B9125 road is located to the south of the site. On the eastern boundary there is shrub planting.
- 2.2. The existing Birchmoss Depot is located to the west of the site. This site has industrial businesses including significant storage capacity, and is screened from the western approach by a belt of mature planting. Beyond the site to the west is the Meikle Tap hill.
- 2.3. The site is located c. 5 miles west of Westhill, and 12 miles west of Aberdeen. It is 5 miles north-east of Banchory. The AWPR will be in close proximity to the east in due course.

3. Planning Policy Context

- 3.1. The Strategic Development Plan for Aberdeen City and Shire outlines that the right type of land for business use should be located in the right places.
- 3.2. The 2017 Aberdeenshire LDP places the site in the Garioch area of Aberdeenshire. Garioch is defined by two centres, one of which is Westhill. It is also stated that the area has "very good connections with Aberdeen City by both road and rail".
- 3.3. Westhill is described as "significantly restricted by overstretched infrastructure" as a result of the "rapid growth of companies involved in developing underwater technology for the oil industry". This means that additional business land is required. Rural development opportunities are also noted as being possible.
- 3.4. We note that the LDP promotes a "town centres first" approach to business development, and that the "regeneration area and the Energetica area" will be prioritised for "high-quality, low-impact developments to support the continued growth of energy-related companies in the North East".

Finally, it is stated that the economic benefits of proposed development will be taken into account when decisions on managing developments are taken.

- 3.5. The allocation of the site would not be in line with the current strategic and local planning policy context and so the case has to be made for an exception.
- 3.6. We consider that this statement provides the case for this exception, which in turn should allow an allocation that provides employment land that builds on the existing success of Birchmoss Depot.

4. Site Delivery

- 4.1. Cullerlie Estate consider that the site could be marketed as one site, or in lots. We are aware that in other areas of Scotland there is desire to allocate large business and industrial allocations to cater for inward investment from particular single-users. We have considered that this site could potentially be attractive to such a user.
- 4.2. However, it is also the case that the economy in Aberdeen and the north-east is in recovery mode and so a sale or lease of the whole site may be unlikely. As a result a framework to allow the land to come forward over the plan period would be prudent. We have reflected this approach in our proposed timescales of 6-10 years for site delivery.
- 4.3. The Savills Aberdeen Business Space team believe that there would be demand for space at the site, given the potential sustained recovery of the oil industry through the new LDP period.
- 4.4. It is certainly the case that the uses evident at the adjacent Birchmoss Depot could also be contained at the proposal site. In particular, large storage facilities, plant hire etc. Our proposed floor space considerations have been informed by the floor spaces that are evident at the adjacent site.

5. Natural Heritage and Biodiversity enhancement

- 5.1. We have shown at Section 10 that there are no natural heritage designations that would be impacted by development at the site that we are aware of. However, a Phase 1 Habitat Survey could be undertaken at the planning application stage to confirm this.
- 5.2. Cullerlie Estate have the potential to consider surrounding land for the provision of biodiversity enhancement. In particular, it is considered that a significant screening belt of planting on the eastern and southern boundaries would soften landscape impact in terms of views of the site from the east and to passing traffic. This planting could then connect to the broadleaved planting to the north and/or there could be consideration of biodiversity enhancements for the fringes of the site.

6. Landscape Impact

- 6.1. The site is not within a Special Landscape Area.
- 6.2. As stated, Cullerlie Estate consider that there is potential for the development to be screened, and that this screen planting could also bring biodiversity benefits, given the potential to connect to existing planting.

- 6.3. The adjacent Birchmoss Depot is considered to sit well against the backdrop of the Meikle Tap. However, more mixed planting would bring an enhancement to the biodiversity approach for the proposal site.
- 6.4. In terms of the buildings on the site we believe it would be appropriate for development to retain the elevations evident at the adjacent site. This would mean that the height of buildings on the site should be controlled to ensure that a good landscape fit that is appropriate to the locale is achieved.

7. Infrastructure

- 7.1. Cullerlie Estate have used the Scottish Water asset capacity tool to confirm that there is water capacity to serve the proposed development. However, waste water capacity requires further investigation as the checker tool does not provide a definitive answer. It is considered that a waste water solution can be achieved, given the adjacent Depot.
- 7.2. Savills Energy team have assessed the site in terms of possible renewable energy. Their opinion is that the proposal provides good potential for a small district heating scheme that could be operated by Cullerlie Estate. Cullerlie Estate owns local commercial forestry which could provide fuel for a biomass scheme, or the land adjacent to the development could potentially be used for a ground source heat pump. Also, due to the south facing topography a rooftop or small ground mounted solar PV system could provide part of the development electricity needs. Cullerlie Estate owns the adjoining land which could accommodate the array. Any renewable energy scheme would be subject to the viability of such schemes at the time of development.
- 7.3. It is considered that sustainable urban drainage could be designed so as to promote biodiversity as a part of the wider development of the site. This could be outlined through a site brief or as part of a planning application(s).
- 7.4. The site has a wide frontage onto the B9125 and we are confident that visibility splays can be achieved within the site, or using land that Cullerlie Estate own outwith the site if required.

8. Other Constraints

- 8.1. The ground conditions are unknown at this time, although our clients know of no link to contamination or ground instability. This could be confirmed through appropriate studies in due course.

9. Conclusions

- 9.1. This supporting statement and associated submission form show that an allocation for employment land to serve as an extension to the existing Birchmoss Depot would be a feasible option. An allocation will serve the north-east's economy either in a similar way to the adjacent Depot or through another use; marketing will ultimately determine how site assembly will take place.
- 9.2. It is considered that development can be accompanied by associated planting to ensure that the site has a good fit with the landscape and can provide associated biodiversity benefits.
- 9.3. Overall it is considered that an allocation will provide a good opportunity for employment land provision and for an improved design approach to the existing industrial land in this location.

Aberdeenshire Local Development Plan 2021: Main Issues Report 2019

Main Issues Report Response Form

Important Information: Please Read

The Main Issues Report (MIR) is a key stage in preparing the Aberdeenshire Local Development Plan 2021 (LDP 2021). The MIR sets out options for how the LDP 2021 could be improved both in terms of the policies that Aberdeenshire Council will use to determine planning applications as well as identifying land allocations for development. The MIR has been published along with a Monitoring Report and Interim Environmental Report of the Strategic Environmental Assessment. These, along with other supporting documents are available at: <https://www.aberdeenshire.gov.uk/planning/plans-and-policies/ldp-2021/main-issues-report/>.

Comments are sought on the MIR and Interim Environmental Report, or indeed any other matter that you feel that we need to consider, by 5pm on Monday, 8 April 2019. Responses can be emailed to us at ldp@aberdeenshire.gov.uk or received via post, Planning Policy Team, Infrastructure Services, Aberdeenshire Council, Woodhill House, Westburn Road, Aberdeen, AB16 5GB.

Please note that in order for comments to be considered as valid you must include your contact details.

We will use these details to confirm receipt of your comments and to seek clarification or request further information as required. Should you have any concerns regarding the holding of such information please contact ldp@aberdeenshire.gov.uk. Anonymous comments will not be considered as part of the consultation process. Petitions will only be noted in the name of the person submitting the document.

All comments received will be carefully assessed and will be used to inform the preparation of the Proposed Aberdeenshire Local Development Plan. There will be a further opportunity to comment on the Proposed Plan when it is published in December 2019.

Name	██████████
Organisation (optional)	Savills
On behalf of (if relevant)	Cullerlie Estate
Address	██████████ ██████████
Postcode	██████████
Telephone (optional)	██████████
E-mail (optional)	██████████

Doing things digitally is our preference. Tick the box if you are not happy to receive correspondence via email: ☐

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

Fair processing notice

Please tick to confirm your agreement to the following statements:

☐ X

By submitting a response to the consultation, I agree that Aberdeenshire Council can use the information provided in this form, including my personal data, as part of the review of the Aberdeenshire Local Development Plan. This will include consultation on the Main Issues Report (including any subsequent Proposed Plan).

I also agree that following the end of the consultation, i.e. after 8 April 2019, my name and respondent identification number (provided to you by Aberdeenshire Council on receipt of your submission) can be published alongside a copy of my completed response on the Main Issues Report website (contact details and information that is deemed commercially sensitive will not be made available to the public).

The data controller for this information is Aberdeenshire Council. The data on the form will be used to inform a public debate of the issues and choices presented in the Main Issues Report of the Aberdeenshire Local Development Plan 2021. It will inform the content of the Proposed Aberdeenshire Local Development Plan.

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

Your Data, Your Rights

You have got legal rights about the way Aberdeenshire Council handles and uses your data, which include the right to ask for a copy of it, and to ask us to stop doing something with your data.

If you are unhappy with the way that Aberdeenshire Council or the Joint Data Controllers have processed your personal data then you do have the right to complain to the Information Commissioner's Officer, but you should raise the issue with the Data Protection Officers first. The Data Protection Officers can be contacted by writing to:

- [REDACTED], Data Protection Officer, Aberdeenshire Council, Business Services, Town House, 34 Low Street, Banff, AB45 1AY

If you have difficulty understanding this document and require a translation, or you need help reading this document (for example if you need it in a different format or in another language), please phone us on 01467 536230.

Which document(s) are you committing on?	Main Issues Report	<input checked="" type="checkbox"/>
	Draft Proposed Aberdeenshire Local Development Plan	<input type="checkbox"/>
	Strategic Environmental Assessment Interim Environmental Assessment	<input type="checkbox"/>
	Other	<input type="checkbox"/>

Your comments

Introduction

This supporting statement provides further detail as to why we think the site adjacent to Birchmoss Depot should be a preferred option within the emerging Local Development Plan as an employment land allocation.

Cullerlie Estate are interested in developing a site for employment use which would be an extension to the existing employment development to the west. It is considered that with potential recovery of the oil industry and the relatively remote location, that the site would provide an attractive option for storage uses associated with the oil and gas industry.

An allocation in the next Local Development Plan will provide Cullerlie the confidence to be able to market the site effectively. This in turn allows for re-investment in the local economy within which the Estate sits. The separate submission seeking a residential-led development to create a rural hub on land adjacent to Flora's restaurant nearby is another example of this.

We consider that this site would provide opportunities for small businesses which are seeking small plots of land to establish or grow their operations.

Site Context

As mentioned in the Call for Sites submission, the site is currently grassland, used for grazing and has shrub planting on its fringes, with mature woodland to the north. The B9125 road is located to the south of the site.

The site is located c.5 miles west of Westhill, and 12 miles west of Aberdeen. It is 5 miles north-east of Banchory. The AWPR is a short distance to the east of Westhill.

The existing Birchmoss Depot is located to the west of the site. The site plays host to industrial uses including significant storage capacity, and is screened from the western approach and along the B9125 road by a belt of mature planting. Beyond the site to the west is Meikle Tap Hill.

Main Issues Report Analysis

The Main Issues Report states that the site is relatively well related to an existing industrial area however existing screening acts as a defensible boundary to the east. We consider that this planted boundary will not be an issue when developing the site, as parts can be taken down and replanting undertaken elsewhere. Cullerlie Estate are willing to plant additional boundaries to ensure that the site remains sensitive to its landscape setting. It is considered that a significant screening belt of planting on the eastern and southern boundaries would soften landscape impact in terms of views of the site from the east and to passing traffic, as has been done on the site to the west.

We appreciate that there is a Scheduled Monument to the south-east of the site, however we consider that any impacts on this monument can be mitigated through screen planting of the site.

As established within the Main Issue Report response, the site is not accessible by public transport. This is the case for many sites which have been developed in rural areas. It is worth noting however that many urban areas are not presently adequately serviced by public transport. In addition, housing in rural areas

provides homes for people employed locally, and therefore they are not commuting significant distances. The adjacent Birchmoss Depot currently employs over 200 people likely to include many that live in rural areas surrounding the site. A lack of public transport to the site need not therefore mean that unsustainable travel is a direct result of rural business space. It also demonstrates that the site's location has not had a detrimental effect on employment numbers at Birchmoss.

The location of the site is very well situated for works and business which could take place on this site, as it has very good connections with Aberdeen City by road and is in close proximity to Westhill. It is worth recording that Transport Scotland statistics from 2016 show that cycle use has increased by 3% across Scotland, and this site is well located near to the 'Drum Castle Round' linking Westhill with Drum Castle, near the Deeside settlements of Peterculter and Drumoak.

The Main Issues Report also considers that a need has not been established for further land to be allocated at Birchmoss. We consider that there is a requirement for this land as it would provide opportunities for small-scale businesses. The recent trend in the Aberdeen/Aberdeenshire oil trade has responded to a drop in the global oil price, which has resulted in a number of zoned development sites with vacant land in both the City and Shire. The majority of these sites are controlled by private developers who, in many cases, purchased the land as the market was on an upward trajectory and paid land values reflecting this.

These developers are not willing to sell off land on their sites for anything less than £300,000 per acre and many are not willing to sell off small plots to occupiers seeking to buy land to self-build or use for open storage. These developers are seeking to build and lease large scale buildings to established occupiers on a long term basis (ie 15 years). The buildings will then be sold off with the benefit of the income to the investors. Selling off smaller plots of land does not form part of such business models so there is a lack of opportunity for small local business seeking small plots of land to establish or grow their operations.

Therefore, we consider that this site would provide opportunities to smaller operators who wish to self-build or use for open storage. We therefore feel that this location will be considered by commercial occupiers seeking alternative property solutions.

Site Delivery

The economy in Aberdeen and the north-east is in recovery mode and so a sale or lease of the whole site may be unlikely. As a result a framework to allow the land to come forward over the plan period would be prudent.

Taking into account the above, Cullerlie Estate considers that the site could be marketed as a series of smaller lots, that takes account of the above and the commentary in the preceding section. The Savills Aberdeen Business Space team believe that there may be demand for space at the site, and that the uses evident at the adjacent Birchmoss Depot could also be contained on the proposal site.

Site Constraints

Natural Heritage and Biodiversity enhancement

Landscape Impact

There are no natural heritage designations that would be impacted by development at the site that we are aware of. However, a Phase 1 Habitat Survey could be undertaken at the planning application stage to confirm this

The site is not within a Special Landscape Area, a Site of Special Scientific Interest, a Special Protection Area or a Ramsar site. As stated, Cullerlie Estate consider that there is potential for the development to be screened, and that this screen planting depending on the planting plan could also bring biodiversity benefits, given the potential to connect to existing planting.

The adjacent Birchmoss Depot is considered to sit well against the backdrop of the Meikle Tap. However, more mixed planting would bring an enhancement to the biodiversity approach for the proposal site.

In terms of the buildings on the site we believe it would be appropriate for development to retain the elevations evident at the adjacent site. This would mean that the height of buildings on the site should be controlled to ensure that a good landscape fit that is appropriate to the locale is achieved. Such details could be agreed if and when a detailed planning application comes forward.

Infrastructure

Cullerlie Estate have used the Scottish Water asset capacity tool to confirm that there is water capacity to serve the proposed development. However, waste water capacity requires further investigation as the checker tool does not provide a definitive answer. It is considered that a waste water solution can be achieved, given the adjacent Depot.

Savills Energy team have assessed the site in terms of possible renewable energy. Their opinion is that the proposal provides good potential for a small district heating scheme that could be operated by Cullerlie Estate. Cullerlie Estate owns local commercial forestry which could provide fuel for a biomass scheme, or the land adjacent to the development could potentially be used for a ground source heat pump. Also, due to the south facing topography a rooftop or small ground mounted solar PV system could provide part of the development's electricity needs, further enhancing its attractiveness to smaller scale operators. Cullerlie Estate owns the adjoining land which could accommodate the array. Any renewable energy scheme would be subject to the viability of such schemes at the time of development.

It is considered that sustainable urban drainage could be designed so as to promote biodiversity as a part of the wider development of the site. This could be outlined through a site brief or as part of a planning application(s).

The site has a wide frontage onto the B9125 and we are confident that visibility splays can be achieved within the site, or using land that Cullerlie Estate own outwith the site if required.

Ground Conditions

The ground conditions are unknown at this time, although our clients know of no link to contamination or ground instability. This could be confirmed through appropriate studies in due course.

Conclusion

This supporting statement provides further detail on why we consider that an allocation for employment land to serve as an extension to the existing Birchmoss Depot would be a feasible option. As highlighted, it would provide excellent opportunities for those smaller local businesses seeking plots and space more suited to their operational requirements.

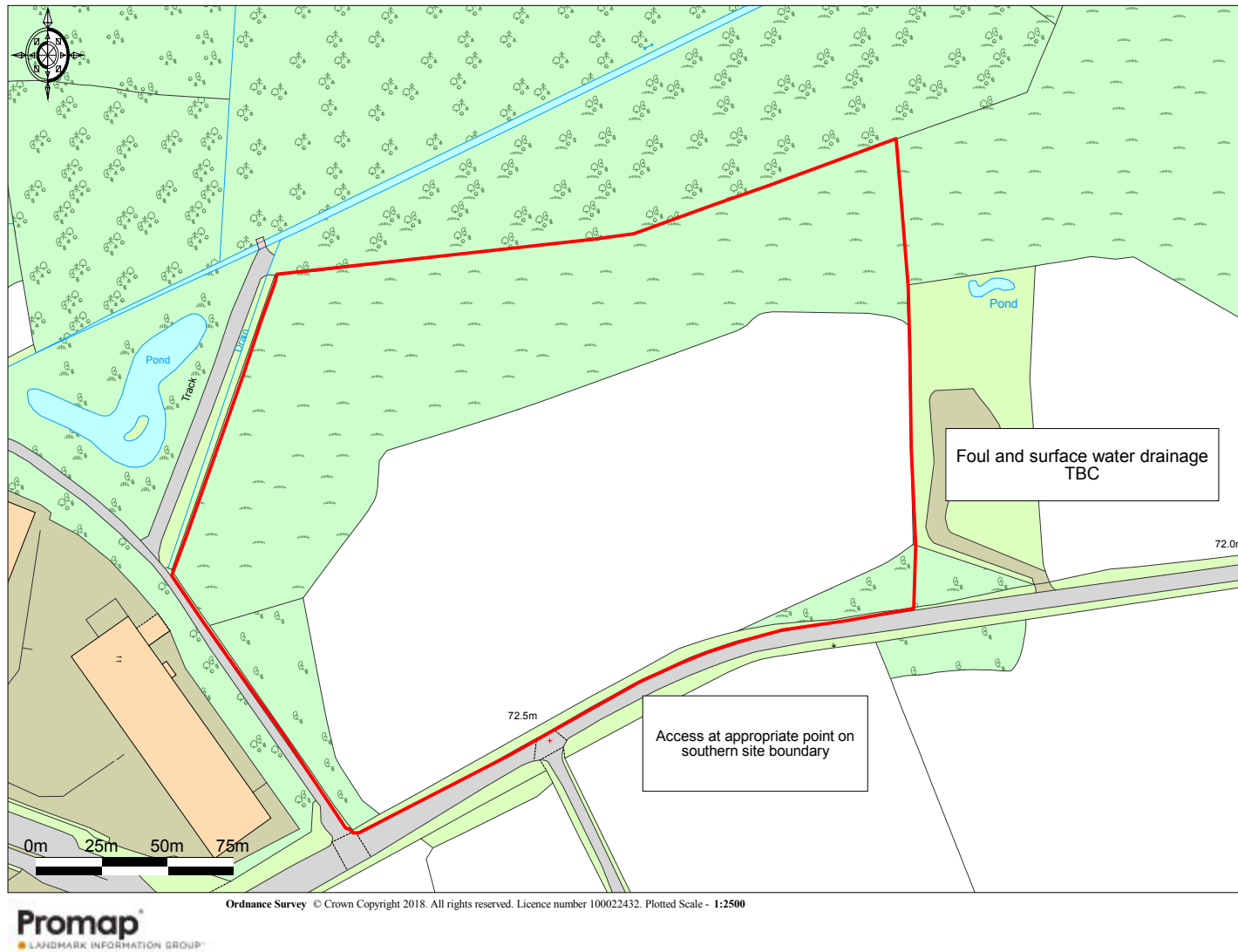
Site GR099 could service this type of occupier by offering a more affordable solution for smaller businesses that reflects the location which, in turn, will serve the north-east's rural economy.

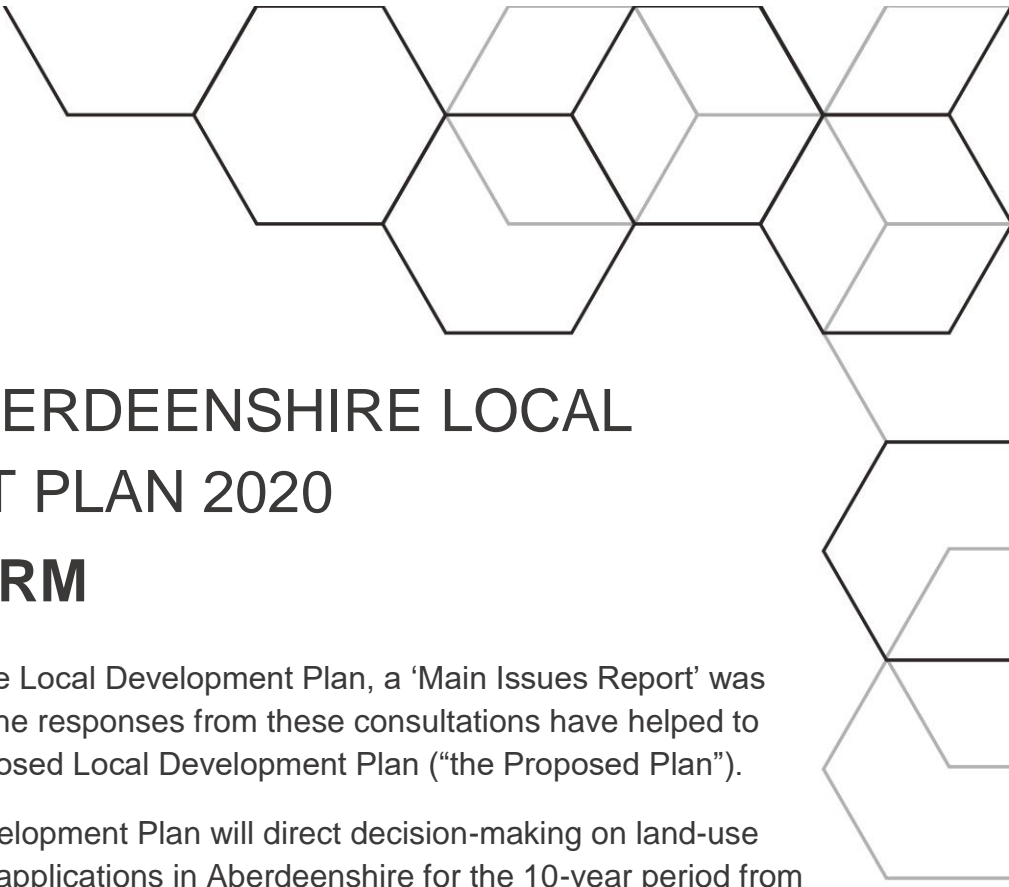
We appreciate that the allocation of the site would not be in line with the current strategic and local planning policy context, however we consider that in light of all of the foregoing, there should be a case for exception, which in turn should allow an allocation that provides employment land that builds on the existing success of Birchmoss depot.

Your comments (continued)



Land Adjacent to Birchmoss Depot Cullerlie





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.

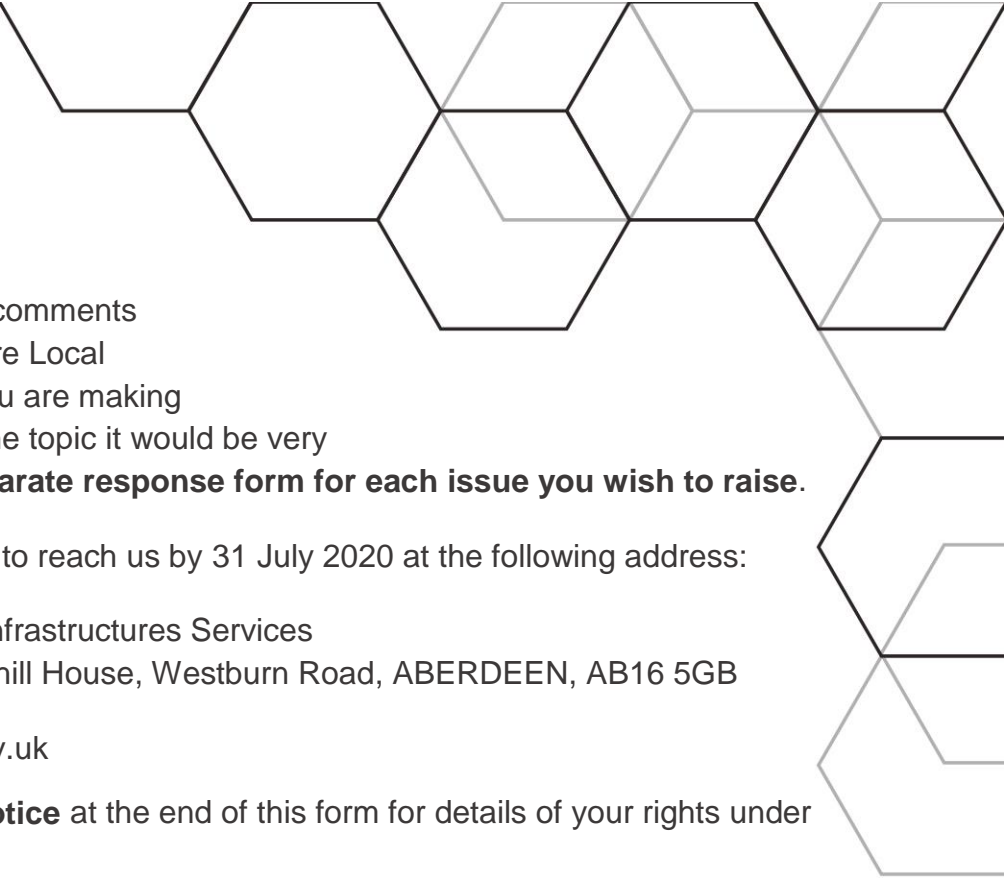
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

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:	Angus
Surname:	Dodds
Date:	31/07/20
Postal Address:	Savills [REDACTED] [REDACTED]
Postcode:	[REDACTED]
Telephone Number:	[REDACTED]
Email:	[REDACTED]

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: Yes

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):

Modification

**Section 07: 'Shaping Development in the Countryside', Paragraphs 2.11 – 2.14
and
Planning Advice: 'Organic Growth of Settlements'**

Include

Cullerlie Smithy, Cullerlie, as an identified settlement in the Garioch area where organic growth is permissible under the terms of policy R2 (sections R2.11 to R2.14).

Suggested Text

New Identified Settlement to be called: Cullerlie Smithy

Key Supporting Documents

Appendix A – Main Issues Report Form for Site GR098
Appendix B – Call for Sites Development Bid for Site GR098
Appendix C – Location Plan
Appendix D – Representation to site GR099 Proposed Local Development Plan 2020

Reason for change:

Introduction

Cullerlie Estate seeks the inclusion of site GR098 alongside land to the east, south and south-west of the site as an identified settlement where organic growth is permissible under the terms of Policy R2.

This representation must be read in conjunction with, the initial Development Bid and Main Issue Report (MIR) submissions submitted in support of site GR098, and representations put forward by Cullerlie Estate for site GR099 on Land East of Birchmoss Depot.

We are disappointed to note that GR098 has not been included within the Proposed Plan, as the site has had continued support from Cullerlie Estate, and we consider that there is demand for countryside plots at this location which provide important variety within the local housing market.

Vision

As described in the original Main Issues Report Form, Cullerlie Estate are interested in facilitating a small mixed-use development to help sustain the site around Flora's Restaurant, Cullerlie. The concept behind the suggested development would be primarily to provide self-build housing plots (potentially live-work units) with small-scale retail/employment uses ancillary to this. Such provision could build on the existing service that Flora's restaurant provides, thus helping to maintain an important rural business, and offering an underprovided opportunity for living and working.

Including the area at Flora's and the land to the east, south and south-west of site GR098 as an acknowledged small settlement would allow the creation of a rural hub in an area where there is already established employment and residential uses. We consider that Cullerlie already has the characteristics of a small settlement due to the housing and in particular the services that Flora provides.

The Birchmoss Depot provides a significant level of employment in the local area, and the separate representation put forward by Cullerlie Estate (Site GR099) for an extension to this employment land area, could if supported, further enhance the concept promoting Cullerlie more generally as a place to live and work. This would allow the Estate to reinvest any associated revenue within the Estate, boosting the rural economy of Aberdeenshire.

Issues and Actions Paper

Aberdeenshire Council's Issues and Action Paper that informs the PLDP notes that:

"Cullerlie ... lacks facilities and access to public transport."

And

"Cullerlie is an unsustainable location and that development should be focused towards existing settlements, as per Scottish Planning Policy...."

Cullerlie Estate does not agree that this analysis provides sufficient rationale to exclude the site at Cullerlie Smithy. Many potential house purchasers would like to occupy semi-rural and rural locations where they can enjoy more outdoor living and larger gardens. The benefits of space and the amenity this provides can be valued more highly than any competing amenity provided by a higher number of nearby services. In addition, Floras

itself provides services that would reduce the distance and time spent leaving the area to buy essential products.

Aberdeenshire Council has already permitted the development of single plots in other identified settlements as part of its 'Organic Growth' policy under policy R2 of the currently Adopted LDP. This policy fundamentally accepts that car-use is an inevitable consequence if smaller rural communities are to be sustained. In the case of Cullerlie Smithy, the presence of Flora's ensures that the already existing cluster of houses enjoy local services.

Self-build properties or small scale developments on larger than normal plots, allow home-working facilities to be integrated into house designs. One of the likely effects of the current COVID-19 pandemic is that larger rural properties with greater private amenity space will continue to be desirable to the market. Savills Rural residential team has seen an uplift in interest in these types of properties throughout summer 2020.

Savills Development colleagues provide commentary on this:

"Following the onset of the Coronavirus / Covid-19 pandemic, enquiries and demand for self-build plots has increased as purchasers seek to design their own homes to suit their specific needs and enjoy more outdoor space and larger gardens.

The Scottish Government continue to support this market as a means of encouraging the development of more homes across the Country. The Scotland Self-Build Loan Fund runs for 3 years and offers loans of up to £175,000 to help with the construction of self-build projects in both urban and rural areas.

Undoubtedly there are challenges in relation to self-build plots in the countryside including a lack of access to amenities, community facilities or lack of public transport. However, this has not hindered demand for plots in semi-rural or rural Aberdeenshire, particularly those that benefit from a 'Deeside' location, as many purchasers have a preference for more remote locations where they have access to larger plots, garden space and views of the countryside"

Strategic Environmental Assessment (SEA) of New Allocated Sites and Alternative Bid Sites (April 2020) – Landward Sites – Alternative Sites – Site GR098

Aberdeenshire Council undertook a Strategic Environmental Assessment (SEA) of New Allocated Sites and Alternative Bid Site (April 2020) to help inform the PLDP. This evaluated all of the sites promoted through the LDP process to date, and attributed a score to each site against a number of key indicators.

This assessment concluded that a proposed development at Cullerlie Smithy would have neutral effects post-mitigation on: air, water, climatic factors, soil, biodiversity, landscape, material assets, and cultural heritage. Population was identified as being likely to result in a positive/neutral effect.

The site scored as having a negative effect post-mitigation on Human Health. We object to this assessment (SEA assessment text provided in italics).

Human Health

Development is within the Health and Safety pipeline consultation zone.

Notwithstanding comments made at the MIR stage to address this concern, it was disappointing to note that the SEA update continued to cite the pipeline consultation zone as grounds for a negative score.

To reiterate earlier comments, an application was recently approved for the erection of dwelling houses approximately 1 kilometre from the site at Barnton Farm (APP/2018/2405). The Report of Handling explained how detailed discussions with the pipeline operator had confirmed that proximity to this asset would not warrant refusal of the application. Further consultation could evidently be taken with the pipeline operator in due course to confirm what design approaches could be taken to satisfy the operator on safety grounds.

We do not feel that this is a matter for which the site should be given a negative score post-mitigation. A series of extant permissions for new houses within the pipeline consultation zone show that housing can be accommodated here.

Comments on Biodiversity, Landscape and Human Health

We also object to the neutral scoring for Biodiversity, Landscape and Human Health.

We consider that the allocation of GR098 would have a positive effect on biodiversity, landscape and human health, as development here would exhibit the six qualities of successful place set out in SPP. A sense of place can be achieved through the synthesis of housing units and small-scale retail and employment. In addition, private open space and biodiversity enhancements as a result of potential advanced planting, could be important elements of a future development on the site.

It is considered that the historic buildings in and around the Smithy would create a pleasant and identifiable context for a modest development that would need to reflect the character of existing host buildings. Any design framework coming forward would show linkages throughout the site and to surrounding roads. Flora's restaurant could be retained as the focal point of any future development.

Climatic Factors

We note the scoring attributed to the site under 'Climatic Factors'. The SEA states that post-mitigation, the proposal would have a neutral effect on climatic factors owing to the site's scale. This reasoning is supported, and helps illustrate the decreasing impact of private car use in this area. We consider that distance from services is now a less important principle in the fight against climate change as cycle use increases, and changes in Government policy means that half of all new cars must be ultra-low emission by 2030.

The delivery plan to Aberdeenshire Council's 'Low Emission Vehicle Delivery Plan 2018' states that Aberdeenshire is well placed to be at the forefront of a widespread uptake of electric cars. If such a trend becomes established it helps to dilute the impact of private cars as these will increasingly be low emission vehicles. It is also significant that there is excellent electrical grid infrastructure at Cullerlie. This will be a major barrier to more rural locations decarbonising through the critical role electrification of transport and heat will have in the future decarbonising of Scotland.

Finally we also envisage that the plots provided could be used to develop live-work units, and therefore some residents would be employed directly in the area. This again reduces the need for habitual journeys being taken from the site.

Overall, we consider it important to revisit the concept of there being an urban/rural, sustainable/unsustainable dichotomy. The scoring of this site as being neutral in terms of climatic factors seems like a welcome acknowledgement of the need to revisit this outdated concept.

Section 7 Shaping Development in the Countryside: 'Organic Growth of Settlements' (R2.11 to R2.14)

The Spatial Strategy map on page 21 of the PLDP confirms that the site is within the 'Accessible Rural Area'. This is significant as paragraph R2.12 states that within this area, housing as part of 'organic growth' of the settlement will only be considered in those settlements where there are no opportunity sites. No such opportunity sites exist in Cullerlie. In the circumstances, recognition of Cullerlie Smithy as a small settlement would be appropriate.

We accept that in accordance with paragraph R2.13 if Cullerlie Smithy was to be identified as a settlement, only a 20% growth with a maximum of 10 new homes, could be permitted during the next plan period. We consider that permitting a higher number of plots to be developed here would be beneficial to the concept of creating a more vibrant 'rural hub'. However, we accept that the 20% threshold allows for growth that is incremental and proportionate.

Conclusions

Cullerlie Estate believe that GR098 and its surroundings at Cullerlie Smithy should be identified as a small settlement in the next LDP, as it would help to serve the local self-build market in the short to medium-term in a location that is already a well-established rural service centre.

Given the unusual occurrence of a facility such as Floras here, it is considered that the Council should reflect again on the amount to which a modest development at this site could help sustain a facility like Floras, which performs an important local function.

The site has the potential to offer something uniquely attractive and marketable in the local area, and could deliver the range and choice of homes that are currently under-provided in the local property market. This representation clearly demonstrates that identifying Cullerlie Smithy as a small settlement would allow further but proportionate growth to take place here in a location that enjoys good services, and links to local employers and larger facilities and services in settlements nearby.

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.

