

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.

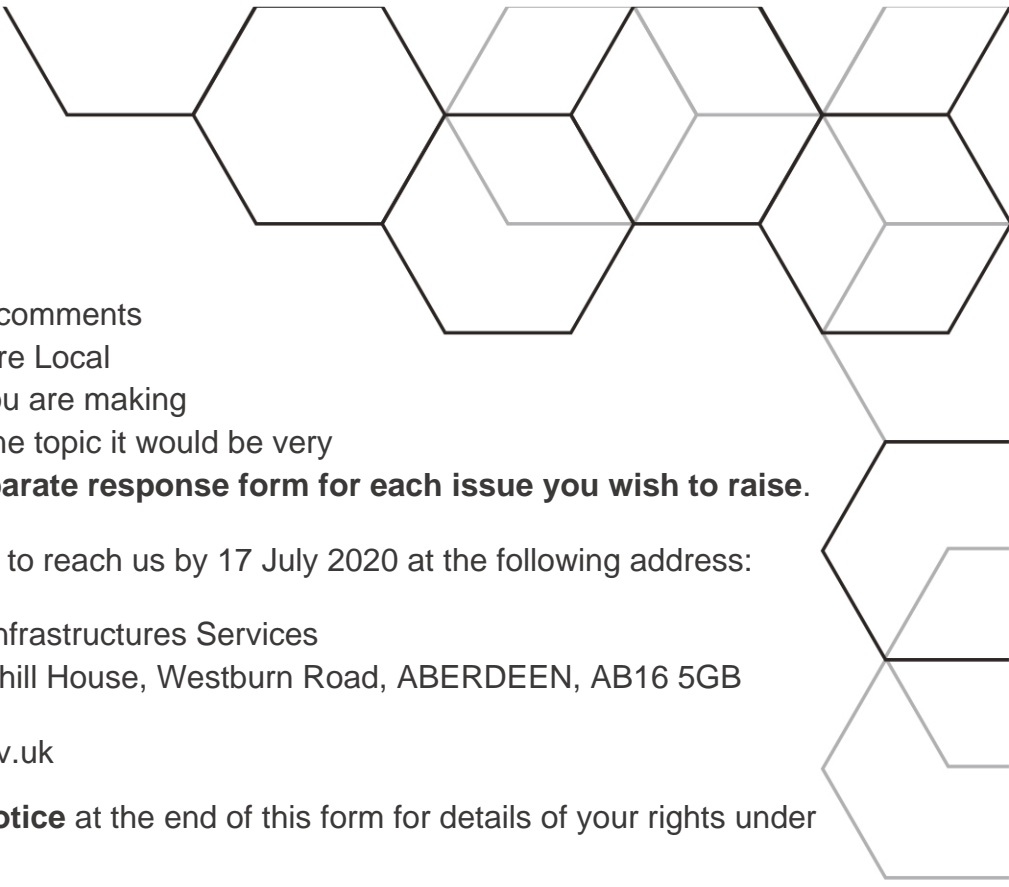
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

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:	Colin
Surname:	Innes
Date:	31 July 2020
Postal Address:	[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?

Mr and Mrs Dix, [REDACTED]

☐ 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):

Appendix 7D Settlement Statements Garioch – Inch. Amendments to settlement statement for Inch to reinstate modifications proposed and accepted by the Council in respect of the current LDP in relation to the need to develop further recycling and waste facilities in Inch and acknowledging the inappropriate location of the existing facilities as set out in the detailed reason for change set out below.

Reason for change:

We act on behalf of Mr & Mrs Dix who reside [REDACTED] in Inch. They live in close proximity to the Council's waste recycling facility at Market Street. This waste recycling facility is located in an inappropriate location and has a material adverse effect on the residential amenity of the residents in the vicinity. Simply put, this type of facility should be located away from residential development and is more suited to an industrial/business setting.

Mr & Mrs Dix made representations to the preparation of the last Aberdeenshire LDP. The Reporters considered those representations and made direct recommendations to the Council in relation to the modification of the plan. This reflected the fact that Inch has been a settlement that has been growing and that supporting facilities should be provided in the appropriate location for the expanded settlement. The Reporters recommended the following text should be added to the settlement description:

"A site for a new household waste and recycling centre is required. The Council is in the process of identifying a site suitable for a new centre."

Furthermore, under "Services and infrastructure", there was a recognition that all Development must contribute to a household waste and recycling centre in the Inch area.". The need for new facilities has been recognised and contributions have been required since the Aberdeenshire Local Development Plan 2012. The effect has been to allow Inch to expand without the appropriate facilities as recognised in previous Development Plans and LDPs being delivered.

The current draft of the proposed LDP settlement description for Inch no longer includes the requirement for a new waste and recycling centre. The contributions have now been replaced by a general statement under recycling and waste stating that developments may be required to contribute towards strategic recycling and waste infrastructure within its catchment as set out in Appendix 15 of the LDP. In terms of Appendix 15 there is a reference to the Inch Waste and Recycling centre not only serving Inch, but having a role in serving wider waste recycling (Table 6 on page 1164).

Statutory Context

Section 3ZA of the 1997 Act (as amended) sets out the "purpose of planning" which includes the management of land in the long term public interest. Subsection (2) confirms that anything which contributes "to sustainable development" or "achieves the national outcomes" is considered as being in the long term public interest. These matters should therefore be a key consideration for the Council in the formulation of the LDP and also the consideration of objections to it.

Key principles of sustainable development are set out in paragraph 29 of the SPP and include protecting the amenity of existing development (last bullet point). It also supports appropriate infrastructure including that relating to waste (second last bullet point and infrastructure bullet point). In summary, sustainability

takes a long term view of creating the right environments for people to live and work in. An inappropriately located waste recycling facility does not accord with that.

The National Outcomes are reflected in a list of statements. Outcome 10 supports well designed sustainable places. Outcome 16 emphasises the importance of high quality public services being efficient and responsive to local people's needs.

SPP

The SPP has emphasised the importance of placemaking and it has been given strong policy support. This is reflected in having an entire section of the SPP devoted to it and it is also a Policy principle. This reflects the importance that is attached at a National Policy level to achieving quality outcomes and creating sustainable communities and ties in to national outcomes.

Objection

As identified above, at the time of the previous LDP, consideration was given to the current location of the waste and recycling facilities in Inch. Very clear conclusions were reached on what should be done in response to the growing population of Inch and, in particular, how a new waste and recycling facility location was required. In terms of the consideration of the proposed LDP Main Issues Report, Inch was considered as matter 103. Concerns were raised about the fact that the new LDP proposed to remove the requirement for a new household waste and recycling centre for Inch. The representations highlighted that there had been no substantial "planning" change since the previous LDP had been adopted. In terms of the response, the Council provided the following,

"The text in the existing Vision related to identifying a site for a new HRWC is outdated and no longer required following the review of all HRWCs. The Council's Waste Strategy initially proposed to close the site in Inch and not replace it. However, during the public consultation on the Strategy, the final Strategy retained the Inch site at reduced opening hours. The Waste Strategy was approved by the Infrastructure Services Committee in January 2019. Inch is well served by HRWCs in nearby towns such as Inverurie and Huntly whose sites are open 7 days a week."

This response completely misses the point. At a planning level, the last LDP identified that the current HRWC location within Inch was unsuitable and that it had an adverse effect on the amenity of its residents. The planning decision has not been properly followed through in terms of the Council's waste strategy which has ultimately sought to ignore the recommendations of the Reporters to the last LDP. This is inconsistent and undermines confidence in the Planning system. The Council adopted a Local Development Plan with a very clear vision for Inch and then proceeded to adopt an alternative strategy which conflicted with that position.

The Council continue to promote the use of the Inch Recycling Centre and provide a layout plan for those proposing to come to the centre. This describes the area adjacent as the "Market Street car park". This is completely misleading as Market Street is not a car park. The only parking is for residents of the street and they are lined off with white paint. These parking places are regularly being used by visitors to the centre and there is also limited turning space within the street. This combined with other noise and activities coming from the site make it wholly unsuitable.

The Council should change the plan back to the vision which was adopted as part of the previous LDP. It is clear that the planning case has not changed in any way since the relatively recent adoption of the LDP. It is simply not appropriate for the existing site to continue in operation and the Council should provide alternative facilities for Inch which should accommodate both the existing and future requirements.

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.

