

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.

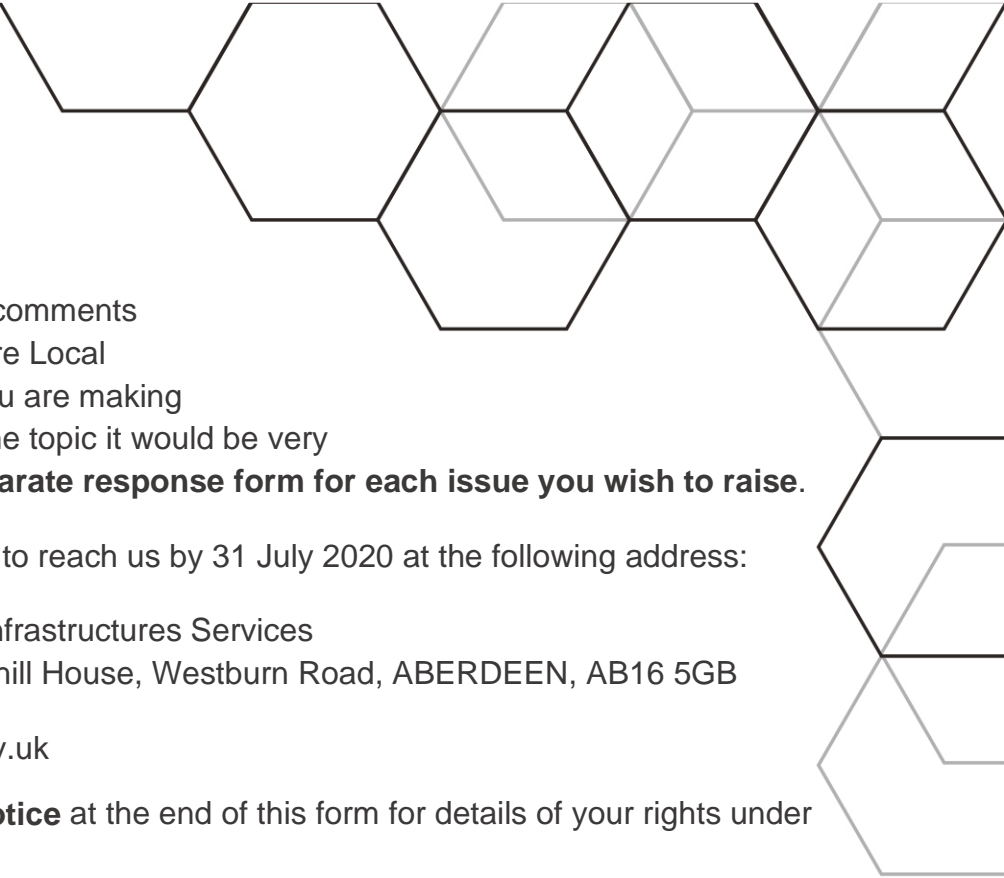
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

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:	CRAIG
Surname:	LESLIE
Date:	26 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?

N/A

☒ 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):

Response - Green Belt (Reference LDP2021NN)

I am writing as a Potterton resident to object to the Aberdeenshire Council Proposed Local Development Plan (PLDP) 2020, proposed sites OP1 and OP2 on Green Belt land north and north west of Denview Road, Potterton.

I am of the opinion that information presented by Aberdeenshire Council within the 2019 Main Issues Report (MIR), the 2020 PLDP and various supporting documents, in relation to the proposed development taking place on Green Belt land,

- does not fully align with the Scottish Planning Policy (SPP) and the Aberdeen City and Shire Strategic Development Plan (SDP),
- contains numerous examples of inaccuracies and inconsistent information, and
- does not demonstrate that the decision has been taken in accordance with a defined strategy.

As such, I wish to see these proposed development sites removed from the PLDP until such time the identified issues have been resolved, for potential inclusion within a future PLDP should the amendments undertaken justify this.

I have provided a summary of the reasons for this change below.

Reason for change:

1. Scottish Planning Policy, 2014 (SPP):

- a. Paragraph 50 states *"In developing the spatial strategy, planning authorities should identify the most sustainable locations for longer-term development and, where necessary, review the boundaries of any green belt"*. However, the 2019 Main Issues Report, Chapter 5, states *"it may be prudent to undertake a more comprehensive review of the existing green belt"* and goes on to say *"This is unlikely to have been completed before the publication of the PLDP"*. As such, rather than identifying *"locations for longer term development"* in accordance with a planned strategy expected by the SPP, the local authority has taken this development decision in isolation. This is verified by the fact that the proposed Potterton developments are the only developments within Formartine not previously included in the 2017 LDP which are now proposed to be undertaken within the green belt.
- b. Paragraph 52 states *"Local development plans should describe the types and scales of development which would be appropriate within a green belt. These may include....."*. The SPP goes on to provide 7 examples of appropriate, small scale developments which are considered to be appropriate within a green belt. The proposed development of 233 homes on green belt sites OP1 and OP2 does not closely resemble any of these examples. The local authority might attempt to align the proposed development with the following examples:
 - i. *"development meeting a national requirement or established need, if no other suitable site is available"*, however no demonstration has been provided that the proposed development meets a national requirement or that no other suitable site is available.
 - ii. *"intensification of established uses subject to the new development being of a suitable scale and form"*, however no demonstration has been provided that the proposed development is of a suitable scale and form (**see Section 3 "MIR "below).**

2. The 2014 Aberdeen City and Shire Strategic Development Plan (SDP):

- a. The SDP defines Green Belt as *"An area of countryside where strict planning controls are in place to protect the landscape setting of the city, maintain the identity of places and provide land for recreation"*. This proposed development does not enable a demonstration of strict controls in place to maintain the identity of the village of Potterton, which will effectively be turned into a large housing scheme with reduced amenities per head of capita should the proposed development go ahead.
- b. The SDP defines the Scottish Planning Policy as *"Statements of the Scottish Government's policies on national land use and other planning matters, such as housing, transport and green belts"*. In doing so the local authority acknowledges that proposed developments are required to align with the SPP. It is, therefore, concerning that the proposed development does not align with any of the examples provided in SPP Paragraph 52 of *"developments which would be appropriate within a green belt"*.

3. 2019 Main Issues Report (MIR), Chapter 5, "Green Belt":

- a. This chapter points to the SPP Paragraph 50 i.e. *"It may be prudent to undertake a more comprehensive review of the existing green belt once the AWPR has been opened and driver behaviour can be compared to the predicted traffic modelling. This is unlikely to have been completed before the publication of the Proposed Local Development Plan"*. As shown within Section 1 "SPP" above, the decision

to include this proposed development within the PLDP has been taken outwith a comprehensive review of the green belt, which is not appropriate.

- b. This chapter gives consideration to SPP Paragraph 52 and the suggestion from “stakeholders” that *“the definition of “primary industry” should be extended to include those employed in a trade such as a plumber, electrician or joiner”*. The local authority correctly concludes that *“these trades do not have a requirement to be in a particular location”*.
- c. This chapter further considers SPP Paragraph 52 i.e. *“The policy currently limits the scale of development to “small-scale”. Again, clarification may be needed on the definition of this term”*. There are six references to “small-scale” within the SPP. The only potentially applicable reference to small-scale is within Paragraph 83 for remote rural areas, which although not fully applicable, does provide the following examples of small-scale housing – *“including clusters and groups; extensions to existing clusters and groups; replacement housing; plots for self build; holiday homes; new build or conversion linked to rural business”*. This along with the other references to “small-scale” within the SPP strongly suggests that the proposed development for 233 homes is not a small-scale development. It is concerning that the local authority have proceeded to include this development within the PLDP without providing a definitive demonstration that this development is “small-scale” as required by the SPP.
- d. Finally, the chapter concludes with “Main Issue 5” which states *“The **preferred option** would be to make no changes to the green belt policy at this time. An **alternative option** would be to make no amendments to the outer boundary of the green belt to account for the increased accessibility provided by the AWPR, but to commit to a wider and more comprehensive review in 2022”*. The proposed development on green belt land does not align with either the MIR Preferred Option or the Alternative Option.

4. 2020 Proposed Local Development Plan, “Introduction and Policies” (PLDP):

Section 7, Policy R1 states *“Opportunities for small-scale development will be restricted in the green belt and coastal zone to reflect the special nature of these areas”* and goes on to list 5 developments that are permitted, which broadly mirror the examples provided within SPP Paragraph 52. The proposed development of 233 homes on the proposed green belt sites has not been demonstrated to be small-scale (see MIR section above, Item c), does not bear any resemblance to the 5 examples of developments provided in Policy R1 and does not demonstrate that the local authority restrict development in the green belt.

5. 2020 PLDP, Appendix 4 “Boundaries of the Green Belt”:

- a. Map 3 incorrectly shows that Bid Sites OP1 and OP2 are not green belt (a change from the 2017 PLDP), which is incorrect, misleading and does not align with information provided within the PLDP and other supporting documents which confirm this proposed development would be on green belt land.
- b. 2020 PLDP, Appendix 7c, “Settlement Statement, Formartine” states *“the application of the green belt policy will contribute to preserving the amenity of the settlement”*, but does not go on to make any demonstration as to how the proposed development preserves the amenity of the settlement.

6. 2020 PLDP, Appendix 7c “Settlement Statements, Formartine” (SSF):

Pg 90, “Potterton, Vision” states *“the application of the green belt policy will contribute to preserving the amenity of the settlement”*, but does not go on to make

any demonstration as to how the proposed development preserves the amenity of the settlement.

7. 2020 PLDP, “Strategic Environmental Assessment of New Allocated Sites and Alternative Bids – Formartine” (SEA)

The assessments for OP1 Pg (119) and OP2 (Pg 121) confirm within the “Landscape” sections that the proposed developments would be on green belt. The unmitigated effect of these developments is assessed as “negative effect”. Information provided within the “Comments” column does not justify the post mitigation effect of this development as “neutral effect”. As such the assessment of effect of these developments on the Potterton landscape is considered to be questionable.

In conclusion, I am of the opinion that the issues identified above justifies removal of the proposed development on sites OP1 and OP2, on Green Belt land north and north west of Denview Road, Potterton, from the 2020 PLDP.



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
--	---

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.

