

PP0981

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.*

Aberdeenshire
COUNCIL





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.

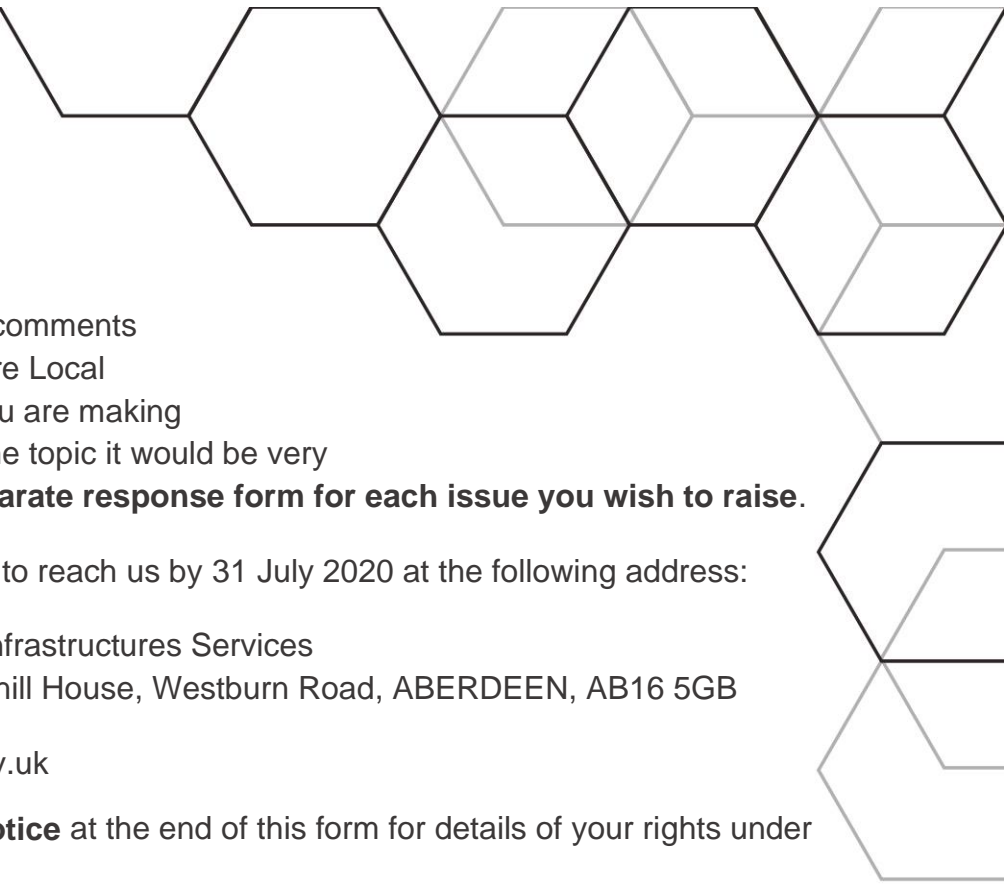
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

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:	Daniel
Surname:	Harrington
Date:	01/07/20
Postal Address:	████████████████████████████████████████
Postcode:	████████
Telephone Number:	██████████
Email:	████████████████████████████████████████

Are you happy to receive future correspondence only by email? Yes

Are you responding on behalf of another person? Yes

If yes who are you representing?

INEOS FPS

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.

Comments

Policy P4 Hazardous and Potential Polluting Developments and Contaminated Land

This policy ensures that where development proposals are located within the consultation zones for pipelines that the planning authority will consult with both HSE and the pipeline owner / operator. This policy is welcomed and INEOS FPS continues to provide input at the planning stage and work with the Planning Authority. This policy should be retained as proposed.

Allocations OP1 and OP2 Tipperty

The Forties Pipeline passes through the eastern edge of the proposed allocation for business land. INEOS FPS has no comment to make on the allocation of the site, but welcomes the reference to the presence of the pipeline in the settlement statement. It is requested that this is maintained and that in the design of development of the site INEOS FPS are consulted in accordance with Policy P4.

OP3 Stonehaven

This allocation for 99 homes is suggested in the Proposed Plan as referring to two separate planning approvals totalling 51 units and has been increased to improve the density of the site. It should be noted that there are 5 units of this development that are located outwith the allocation in the proposed Plan to the western extent of the site as indicated on the plan of the approved development below. Therefore, the proposed allocation increases the density of development by 53 units.



Figure 1: Approved Development at OP3

In this location the majority of the site is located within the HSE middle zone of the Forties Pipeline, which is a Major Accident Hazard Pipeline (MAHP). HSE in response to the most recent approval within this allocation (Application APP/2018/0113) stated that they considered this development of 51 units “as being the limit of residential development in the inner and middle zone at this location”, copy of response is enclosed.

In the absence of any further advice from HSE, the allocation should be reduced to a maximum of 46 homes to ensure compliance with the above guidance from the HSE.. It is understood that the numbers identified are largely indicative, but in this case-the allocation requires to provide clarity.

OP6 Stonehaven

OP6 is proposed to be allocated for 91 affordable homes to reflect two approved planning applications. The approved plans for the 91 units is shown below alongside the allocation in the Proposed Plan. A larger area than that approved is shown as allocated.



Figure 2: Comparison of approved development of 91 homes to allocation

The allocation of additional land would provide the potential for further residential development in this location. This area is located within the middle zone of the Forties Pipeline and would result in an increased density.

This allocation should be amended to reflect the approved site boundary.

Allocations OP2, OP6, OP5, OP3, BUS3 Stonehaven

There are a number of allocations around the Forties Pipeline to the north west of Stonehaven at Ury Estate. There is reference to the presence of the pipeline in most of these sites, but it is not noted in site OP2. The approach of noting the presence of the pipeline is supported and should be maintained with the addition of OP2. It is suggested that HSE’s specific advice in relation to developments at Ury Estate be referred to ensure that proper consideration to the cumulative impact is given, where it relates to OP3 and OP6.

Longside Airfield OP1

The Forties NGL Pipeline passes through the eastern portion of the allocation. The notes within OP1 make reference to explosives and radioactive substances, but it should be further clarified to add reference to the Forties NGL Pipeline.

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):

Policy P4 Hazardous and Potential Polluting Developments and Contaminated Land

No modification sought.

Allocations OP1 and OP2 Tipperty

No modification sought.

OP3 Stonehaven

The allocation should be amended to 51 units and within the statement on OP3 within Appendix 7e of the Plan should state that, "This allocation is capped at 51 homes due to the restrictions on development in close proximity to a Major accident Hazzard Pipeline.

Within the OP3 allocation in Appendix 7e the Plan should also state that "For development at Ury Estate HSE shall be consulted directly and the HSE's Planning Web App shall not be used to inform decision making."

OP6 Stonehaven

Amend OP6 boundary to reduce its extent and reflect the boundary of the approved development of 91 homes (APP/2018/2227 and APP/2018/2228).

Within the OP6 allocation Appendix 7e the Plan should also state that "For development at Ury Estate HSE shall be consulted directly and the HSE's Planning Web App shall not be used to inform decision making."

Allocation OP2 Stonehaven

Include the following statement in the Settlement Statement for Stonehaven under Site OP2 "Development on this site must accord with Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land and the Health and Safety Executive "Land Use Planning Methodology"

Longside Airfield OP1

Include the following statement in the Settlement Statement for Longside Airfield under Site OP1 "Development on this site must accord with Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land and the Health and Safety Executive "Land Use Planning Methodology"

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.

