

# 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](mailto: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](mailto:ldp@aberdeenshire.gov.uk)  
Web: [www.aberdeenshire.gov.uk/ldp](http://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](mailto: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](mailto: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:	Ms
First Name:	Alison
Surname:	Sidgwick
Date:	31/07/20
Postal Address:	████████████████████
Postcode:	██████
Telephone Number:	██████████
Email:	██

Are you happy to receive future correspondence only by email? Yes  No

Are you responding on behalf of another person? Yes  No

If yes who are you representing?

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):

Policy C2

## **"Renewable Energy**

C2.1 The Council recognises the need for renewable energy and the role it plays in meeting climate change and greenhouse gas emission targets. All renewable energy proposals will be considered favourably where they avoid or address any unacceptable significant adverse impacts. These impacts are set out in the remained of this policy in respect of the relevant forms of renewable energy.

## **Wind energy**

C2.2 The Council is supportive of wind energy development subject to detailed consideration of individual applications. Wind farm development with an area identified as areas with potential for wind farm development will be supported subject to detailed consideration as set out in this policy. In areas of significant protection wind farms maybe appropriate subject to the application demonstrating that significant effects on the qualities of the relevant areas can be substantially overcome by siting, design or other mitigation.

C2.3 Considerations to be addressed by applications for wind farms will include the following:

- net economic impact,
- the scale of contribution to renewable energy generation targets;
- effect on greenhouse gas emissions;
- cumulative impacts;
- impacts on communities and individual dwellings;
- landscape and visual impacts;
- effects on the natural heritage;
- impacts on carbon rich soils, using the carbon calculator;
- public access;
- impacts on the historic environment;
- impacts on tourism and recreation;
- impacts on aviation and defence interests;
- impacts on telecommunications and broadcasting installations,;
- impacts on road traffic;

- impacts on traffic and transport;
- effects on hydrology, the water environment and flood risk;
- the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration; opportunities for energy storage; and
- the need for a robust planning obligation to ensure that operators achieve site restoration.
- Extensions and repowering

#### **Extensions and Repowering**

C2.4 The Council are supportive of applications for repowering of and extensions to existing wind farms subject to detailed consideration of individual applications. Proposals for repowering and extensions will be considered through assessment of the details of the proposal against the above. Detailed assessment of impact will include consideration of the extent to which:

- the proposal makes use of existing infrastructure and resources, where possible, and limit the need for additional footprint.”

#### **Reason for change:**

There is clear government support for the development of renewable energy and the role it can play in meeting targets related to climate change and greenhouse gas emissions. This should be reflected in the policy at C2.1.

It is submitted that the Policy as currently drafted is not in accordance with Scottish Planning Policy (SPP). It is submitted that the policy should be redrafted to accurately reflect the approach to renewable energy policy which is set out in SPP. The way in which this could be done is set out in the following text.

C2.1 should be reworded so as to be generally supportive of renewable energy developments, subject to detailed environmental consideration. It is submitted that Biomass should not be covered in this paragraph but should be considered in a single biomass category later in the policy.

The wind energy policy as drafted, C2.2, makes reference to The Strategic Landscape Capacity Assessment for Wind Energy (2014). It is submitted that this document has been superseded in a number of ways, making continued reference to it untenable. These are as follows:

- In the current context, it can, at most, be a supporting technical study (i.e. in the same way as the SNH landscape character assessment and Appendix 13 regarding Special Landscape Areas).
- Policy E2 correctly identifies that the most up to date character assessment for Aberdeenshire is provided within the SNH 2019 characterisation. The effects of referring to the capacity study in policy C2 is to require wind developments to consider a second, outdated, characterisation as well as the most current one as required by policy E2.
- The Capacity Assessment was based on a previous version of SPP and includes spatial considerations no longer included in current national policy.
- The Capacity Assessment was undertaken before the Climate Emergency was declared and considers all turbines of over 125m to be ‘very large’. Continued reference to this study represents a failure to reconsider acceptability thresholds for landscape change in light of the context of the need to accommodate taller turbines and the imperative to combat climate change.

The Capacity Assessment forms a spatial framework that restricts development beyond the SPP criteria as is clearly shown by the framework set out page 86 of the draft plan where most 'Group 3' areas are not identified as having 'Strategic landscape capacity'. Continued application of the additional detailed capacity study considerations (which go beyond the broad zoning identified on page 86 of the draft plan) would further restrict development.

It has been found by many reporters that Landscape Capacity Studies should not be used as a primary decision making tool. They should be seen as an informative technical study only. It is submitted that the reference to the Landscape Capacity Study should be deleted. The spatial framework should be updated to properly reflect SPP, Table 1 and mapped accordingly.

C2.3 refers to the need for wind farms to be appropriately sited. It is submitted that this would be better drafted if it set out a list of factors to be considered by all wind farm applications. This should be in keeping with Paragraph 169 of SPP. This should take into account the potential for positive as well as negative effects.

C2.3 refers to repowering and extensions. It is submitted that this would be better separated into a paragraph of its own. This should set out the matters to be considered that are unique to repowering and extensions. It is important to note that there may be technical reasons that turbine bases cannot be reused. It would be better to refer to the need for extensions and repowering to reuse existing infrastructure where possible.

C2.4 sets out a number of environmental considerations to be addressed. It is submitted that if a criteria based approach is taken to the policy as suggested in the following text these matters could all be addressed.

# 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](mailto: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.

