

PP1224

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.

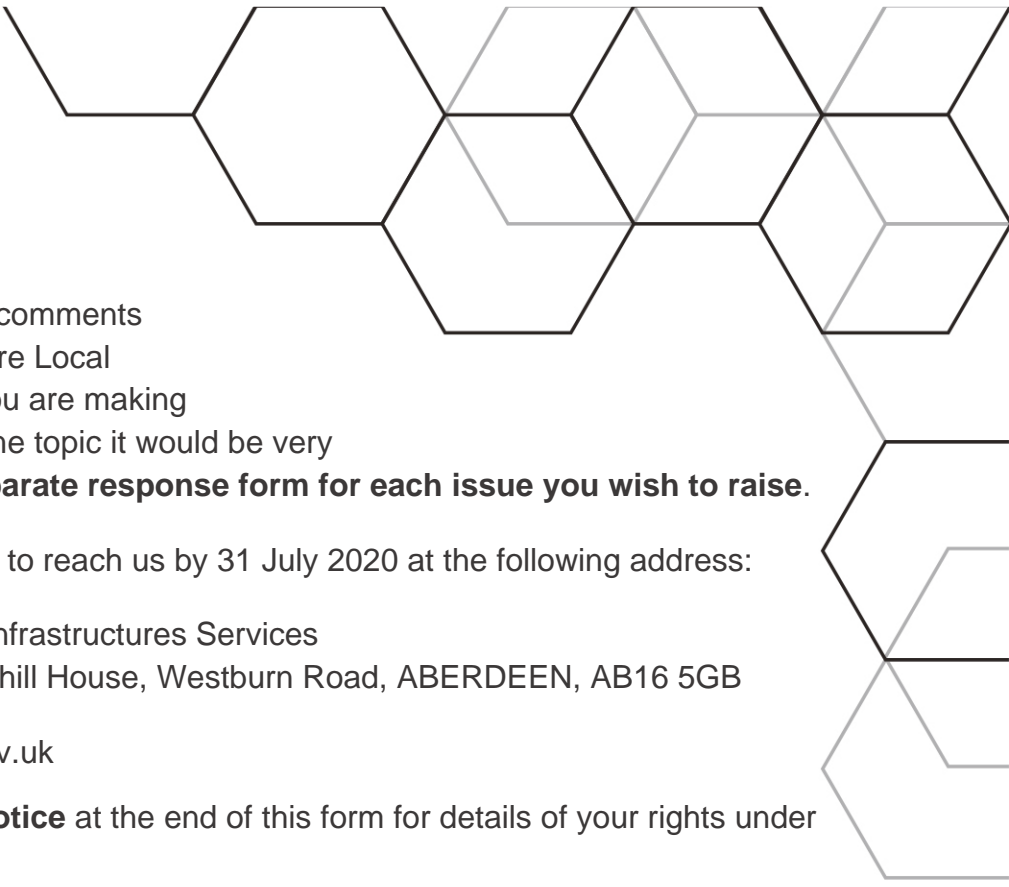
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

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:	Mark
Surname:	McMurray
Date:	31 July 2020
Postal Address:	CMS, [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:

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 7C: Settlement Statements Formartine – Site OP3: Menie within the Balmedie settlement.

Trump International Golf Links Scotland ("TIGLS") welcomes the updated OP3 allocation to reflect the decision of the Council in September 2019 to approve the revised development. The following minor changes are sought to the statement:

1. Deletion of the words "the first" from the second last sentence in paragraph 2 of the statement so that it begins "As part of this permission, 2 phases (Chapters 1A & 1B) were granted with full details...".
2. Amendment of the first paragraph on page 395 so that it reads as follows:

"The site is in close proximity to the Foveran Links Site of Special Scientific Interest. The proposed development is identified as likely to impact on pink footed geese of the Ythan Estuary, Sands of Forvie and Meikle Loch SPA although it has been concluded, in accordance with SNH advice, that the proposal will not adversely impact on the integrity of the SPA. Protected species and ecological surveys will be required to be carried out and where appropriate, mitigation or ongoing monitoring measures should be in place, including provision for repeat survey work during construction."
3. Amendment of the third last paragraph of the statement so that it reads as follows:

"Contributions towards the provision of a new primary school within the Balmedie area, appropriate community facilities and affordable housing are required. It is expected that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing. The agreed position is that Infrastructure Services (Housing) are seeking to secure a 25% affordable housing contribution in the form of a commuted payment in order to address the local housing need in the Ellon Academy catchment area. For Chapters 1A and 1B the Housing Service are seeking a commuted sum to be paid in instalments upon the completion of the 20th, 40th, 60th and 73rd open market unit. Other Chapters will also require a 25% contribution and would be by further financial contributions. However, there is scope for the consideration of on-site delivery of affordable housing units which meets local housing need. This would require to be assessed prior to any future AMSC applications. Delivery of any future on-site affordable housing should be integrated into the design of the development to provide a mix of house types and sizes to meet local need. Hard and soft landscaping schemes are necessary and a compensatory planting scheme will be required. A Woodland Biodiversity Action Plan should be completed."

Reason for change:

The changes sought by TIGLS are principally for clarity. However, we would note the following by way of further explanation for each of the proposed changes, following the numbering above:

1. The exact timing of each phase of the development has not yet been finalised and there is potential for more than one Chapter of housing to be built at a time. Condition 2 of the approval requires a phasing plan to be submitted with the first application for approval of matters specified in conditions therefore it is considered to be best, and consistent with the approval, to remove any reference to timing of the phases from the statement in the LDP.
2. While there may be environmentally sensitive sites in the surrounding area, we do not agree that the OP3 site itself is environmentally sensitive. In addition, the Council's screening opinion for the proposal acknowledged that the site was not a "sensitive area" as defined in regulation 2(1) of the Town and Country (Environmental Impact Assessment) (Scotland) Regulations 2017. We have also sought to clarify the position in relation to impacts on the SPA, as the reference to impacts on pink footed geese of an SPA without also stating that the proposal would not adversely affect site integrity could result in misunderstandings in relation to the legal tests set out in the Habitats Regulations.
3. The changes sought to the text in relation to affordable housing are sought in the interests of clarity only. The current wording could lead to confusion in relation to whether any contribution will be by way of commuted sum or on-site delivery. Our proposed text makes it clear that the default position, as requested by the Council's Infrastructure Services (Housing) team, will be a commuted sum, while acknowledging the potential to consider on-site delivery as part of phases for which detailed approval is still to be obtained.

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.

