

PP1259

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, zvaniem 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:	Ms
First Name:	Jenny
Surname:	Weston
Date:	30 July 2020
Postal Address:	RSPB Scotland, [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):

Section 13, page 84, Policy C3 Carbon Sinks and Stores, Policy 3.1

PROPOSED LDP TEXT: We will protect carbon sinks and stores, such as woodland and high-carbon peat rich soils (defined by Scottish Natural Heritage's Carbon and Peatland map 2016 as Class 1, 2 and 5, and greater than 0.5m depth), from disturbance or destruction.

Development proposals that may result in the loss of, or disturbance to, peat will only be permitted if tools such as the "Carbon Calculator" demonstrate that the development will, within its lifetime, have no net effect on CO2.

Removal of woodland will only be permitted if an equal area is replanted, preferably as part of the open space requirement and as part of the green-blue network in the settlement, so as to maintain the carbon balance.

MODIFICATION: We wish the following modification to be made with additional text shown in bold and text to be removed scored through:

"We will protect carbon sinks and stores, such as **appropriately sited** woodland and high-carbon peat rich soils (defined by Scottish Natural Heritage's Carbon and Peatland map 2016 as Class 1, 2 and 5, and greater than 0.5m depth), from disturbance or destruction.

Development proposals that may result in the loss of, or disturbance to, peat will only be permitted if **carbon assessment** tools, such as the carbon calculator **for windfarms, is used to** demonstrate that the development will, within its lifetime, have no net effect on CO2 **and there are no significant detrimental impacts on biodiversity.**

Consideration should be given to on and offsite opportunities in order to achieve this carbon balance, for example through peatland restoration or native tree planting. Preferably, these should contribute positively to open space requirement and as part of the green-blue networks within settlements.

Removal of woodland will only be permitted if ~~an equal area is replanted, preferably as part of the open space requirement and as part of the green-blue network in the settlement, so as to maintain the carbon balance~~ **policy PR1.7 is complied with. Compensatory planting should be carefully located and designed to avoid negative effects on sensitive species or important open habitats".**

Reason for change:

We welcome this policy and the recognition of the valuable part that carbon rich soils and woodlands play in storing carbon. However, we believe there is also a need to recognise within the policy the impacts on biodiversity that damage to peatland and woodland can cause. We are facing a biodiversity crisis; in Scotland, 49% of species have declined in numbers, and one in nine are threatened with extinction from Great Britain¹. One of the policy principles set out in Scottish Planning Policy (paragraph 194) is that “*the planning system should: seek benefits for biodiversity from new development where possible, including the restoration of degraded habitats and the avoidance of further fragmentation or isolation of habitats*”. Therefore, we believe the policy should reflect the need to consider biodiversity impacts as well as carbon impacts and encourage opportunities to offset carbon while enhancing biodiversity. This includes a recognition that woodlands may be planting on inappropriate locations and in such instances, removal may be more beneficial to carbon emission reduction targets and to protect and enhance biodiversity. Although woodland does have significant carbon storage properties, and ancient and native woodlands can be especially valuable habitats, healthy peat bogs sequester and store carbon extremely effectively and recent research has found planting trees not always the best strategy to combat climate change². To work effectively, peatlands must be healthy, and disturbed peatlands can become net producers of carbon, resulting in an increase in emissions.

We therefore suggest that the words “appropriately sited” are inserted into the first sentence. We have also suggested the addition of the words “and there are no significant detrimental impacts on biodiversity” to make it clear that this will also be a consideration in assessing whether a development is acceptable. This would be consistent with other policies in the plan which seek to protect and enhance biodiversity and the Aberdeenshire Council’s biodiversity duty under the under part 1 the Nature Conservation (Scotland) Act 2004.

We believe that the wording suggested would make it clearer that other type of carbon assessments would be needed for developments other than windfarms, but welcome the requirement for the carbon calculator to be used for wind turbine developments. The alternative wording in relation to the “carbon calculator” should be used to clarify what the appropriate tool might be. The current carbon calculator³ developed by the Scottish Government’s Energy Consents Unit is for use specifically for windfarm developments and is not applicable to other types of development as it takes into account the renewable energy that would be produced by the proposal. Therefore, a Lifetime Carbon Assessment may be more suitable for other types of development.

As noted in relation to the first sentence, there may be instances where tree and woodlands may not be appropriately sited and in such cases removal without replanting may be acceptable. The last sentence of the proposed policy as existing does not seem consistent with policy PR1.7 of the Proposed LDP, which states that removal of woodland must comply with Scottish Forestry’s Control of Woodland Removal policy. This document states (p6) that Woodland removal without a requirement for compensatory planting is appropriate in some cases. For instance, where woodland removal would contribute significantly to enhancing priority habitats and their connectivity; enhancing populations of priority species and enhancing nationally important landscapes, designated historic environments and geological Sites of Special Scientific Interest (SSSI). Therefore, we believe the addition of the words “if policy PR1.7 is complied with. Compensatory planting should be carefully located and designed to avoid negative effects on sensitive species or important open habitats” would ensure consistency with other policies in the Proposed LDP and the Scottish Government’s Control of Woodland Removal Policy.

We have commented separately in terms of policy R3.1 and our believe that that there must be an end to commercial peat extraction and have not repeated those comments here.

¹ The State of Nature Scotland 2019 <https://www.nature.scot/state-nature-scotland-report-2019>

² <https://www.sciencedaily.com/releases/2020/07/200715123154.htm>

³ <https://www.gov.scot/publications/carbon-calculator-for-wind-farms-on-scottish-peatlands-factsheet/>

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.

