

PP1267

# 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

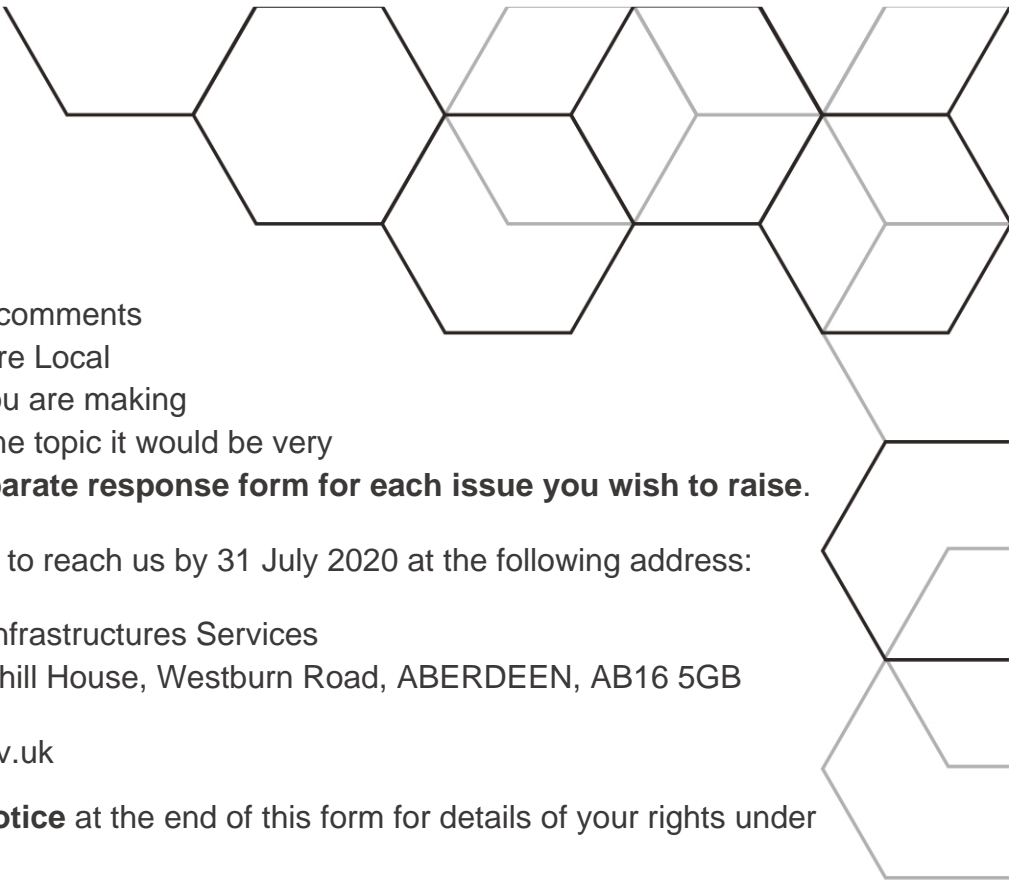
Tel: 01467 536230

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:	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

Are you responding on behalf of another person? Yes

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 7, page 31, Policy R1 Special Rural Areas, R1.2**

PROPOSED LDP TEXT: In the green belt the following developments are permitted

- development associated with agriculture, woodland and forestry, fishing and horticulture;
- development for a recreational use that is compatible with its agricultural or natural setting. The development of single huts not associated with a tourist proposal under Policy B3 Tourist Facilities will be prohibited;
- development identified as a national priority in the National Planning Framework or established need, where no other suitable site is available<sup>1</sup>;
- intensification of an established use subject to the new development being of a suitable scale and form;
- accommodation within the immediate vicinity of the place of employment required for a worker in a primary industry, where the presence of a worker is essential<sup>3</sup> to the efficient operation of the enterprise, and there is no suitable alternative residential accommodation available.

MODIFICATION: We believe that the word "permitted" should be removed and additional text added to clarify what nature of development will be supported and that development proposals will be subject to other relevant policies within the LDP. Suggested wording with additions in bold, and text we wish to see removed struck through:

"In the green belt the following developments ~~are permitted~~ **supported, provided they comply with other relevant polices and do not have an adverse impact on biodiversity and the natural environment:**

- development ~~associated with~~ **that is required for** agriculture, woodland and forestry, fishing and horticulture;
- development for a recreational use that is compatible with its agricultural or natural setting. The development of single huts not associated with a tourist proposal under Policy B3 Tourist Facilities will be prohibited;
- development identified as a national priority in the National Planning Framework or established need, where no other suitable site is available
- intensification of an established use subject to the new development being of a suitable scale and form
- accommodation within the immediate vicinity of the place of employment required for a worker in a primary industry, where the presence of a worker is essential to the efficient operation of the enterprise, and there is no suitable alternative residential accommodation available".

## Reason for change:

We believe that the wording of this part of policy R1 needs to be strengthened and clarified to protect the greenbelt and welcome the wording in relation to Coastal Areas (R1.3, R1.4). Although we recognise that the greenbelt is not specifically protected for ecological reasons, but to protect landscape setting, maintain the identity of a place and provide land for recreation, development in the green belt may also raise have natural heritage impacts.

The words “the following development are permitted” in the first sentence suggests that those listed are permitted development, as defined by The Town and Country Planning (General Permitted Development) (Scotland) Order 1992, rather than those which the Planning Authority seeks to generally support. We think that this is confusing and clearer wording would better reflect what we believe the intension of the policy is. We believe that the use of the words “are supported” still makes clear that these are developments which may be acceptable in the greenbelt while clarifying that such proposals still need to be the subject of the planning process and proper assessment.

We also believe that additional text is needed to reflect the fact that proposals within the greenbelt are still subject to assessment against other relevant policies within the LDP and specifically also need to ensure that there would not be an adverse impact on biodiversity and the environment. This would better reflect the aim of the LDP to promote Aberdeenshire as, “An area where natural and cultural heritage are protected and enhanced” (3.13 of the Proposed Aberdeenshire LDP), the aims of the policies in Section 10 of the porposed plans and Aberdeenshire’s biodiversity duty under the Nature Conservation (Scotland) Act 2004.

In terms of the first bullet point, we believe that the wording needs to be altered to clarify and strengthen the policy. The use of the word “associated” in the sentence; “development associated with agriculture, woodland and forestry, fishing and horticulture”, could encompass an extremely wide range of developments and does not exclude residential uses, although we acknowledge that this is covered more specifically in the last bullet point. We are concerned that this could result in development which is not appropriate for the greenbelt area and are damaging to the natural environment, but which has some association with the named activities, for instance the manufacture of equipment associated with these activities. We therefore believe that the words “that is required for” would strengthen this policy. Although it would still require the professional interpretation from planning officers and elected members we believe it would assist in preventing inappropriate developments in this rural area.

# 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.

