

Issue 1 MIR Process and Other Issues

1. List of Respondents

MIR Ref	Respondents
4	Mr Simon Peachey
64	Mr Charles Taylor
116	Mrs Janie Spencer
166	Ms Linda Taberner
176	Mrs Lesley Wilson
273	Mr & Mrs Collam
298	Mr Gavin Jones
309	Mr James Ian Wood
323	Mr Tom Cochrane
351	Mrs Kirstie Forbes-Sempill
430	Halliday Fraser Munro on behalf of CHAP Group (Aberdeen) Ltd
529	Ryden LLP on behalf of CHAP Group (Aberdeen) Limited
570	Ms Aileen Salway
596	Clarendon Planning & Development Ltd on behalf of The Sluie Estate Trust
651	Mr Andrew Richards
780	Mr Robert Farquharson
791	Emac Planning on behalf of Kirkwood Homes Ltd
792	Sirius Planning on behalf of FCC Environment
809	Mr Robert Moore
843	Kintore and District Community Council
860	Mr Richard Bice on behalf of Ms Sandra Sim
865	Inverurie Community Council
869	JLL on behalf of Scottish Hydro Electric Transmission plc
890	Holder Planning on behalf of Hallam Land
910	Strutt & Parker on behalf of Corsindae Estate
953	North Kincardine Rural Community Council
967	Homes for Scotland
980	Mr Paul Davison
988	Mr Bill Cowie
1019	Strutt & Parker on behalf of Mr Ian Ross
1069	Strutt & Parker on behalf of CHAP Homes

2. Issues

Engagement

The efforts made by the Policy Team to engage with the local community to support their information gathering, to encourage active participation in the process to date and the good level of communication so far, is to be commended (953). However, at the public meetings insufficient time was given over to questions (323). Mediums such as "Facebook" likes could have been used to measure the level of engagement (64). Informing affected persons within 20 metres of a development zone does not offer other affected residents a formal opportunity to comment. A 40 metre boundary should be used (273).

Inclusion of detailed local plans is crucial (570).

Methods Used in Production of the MIR

A respondent has indicated that it is correct to classify bids as preferred, not preferred and reserved (166). The term "reserved" indicates that planners accept development ongoing in the area (323). Site visits and a proper investigation should have been undertaken so that access issues and service provision are carried out in advance of allocation (988).

It is to be hoped that the Council planning officials have received suitable facts, evidence and analysis to support the community wishes (64). The Main Issues Report (MIR) could have been made clearer through the use of basic graphs to assist developers to realise that aspirations must meet need (809).

The MIR only looks at the building of houses and not at other services (651). The process is designed to intimidate, confuse and discourage people from exercising the right to comment and be heard (780). The LDP process is developer led and they "prepare sites" for greater chance of success (309, 323, 351). Concern was raised that electricity lines had not been considered consistently by bid proposers (869). The public are expected to comment on a judgement by someone who has little knowledge of the area (780). A 100% survey of settlement residents should be undertaken and social media avoided (860). Written responses to previous consultations have not been given due consideration (865). A simpler site coding system should have been used (865). The Settlement Statement Appendices (Appendix 10) of the MIR are an aggregated list of all the received planning bids with no analysis or assessment of need applied (298).

The publication of a Draft Proposed Local Development Plan caused greater confusion and appears to undermine the MIR consultation process. It makes preferred options seem like fait accompli and sends a message of the LDP being further along than it should at this stage (890, 967). It is inappropriate, premature and pre-empts the outcome of this consultation (910).

The Priorities in the Main Issues Report

Two respondents (843, 980) considered that the four priorities referenced are vague and as such are meaningless. Support was given to the four main priorities, in particular "to support a strong, sustainable diverse and successful economy" but the respondent feels it is unclear why the other seven priorities of Aberdeenshire Council are not addressed by the content of the LDP (792).

There was no prioritisation of transport in the MIR. Consultation should take place with Sustrans on transport matters. Without consideration, transport issues will never receive the improvements in provision it deserves (4, 176).

The MIR fails to provide clarity on the scale of housing land release to be accommodated (529) and Aberdeenshire Council should demonstrate that all allocated sites can be delivered within the required timescale and that there are no constraints to the site that would prevent it from coming forward (596).

Other Issues

The delay to Stage 3 of the Planning (Scotland) Bill required the Council to plan according to the current regulations and should not align itself with the Bill (1019, 1069).

It was noted that the Proposed Strategic Development Plan (SDP) and its examination may result in change. It may require the LDP to allocate additional housing sites and may introduce additional Strategic Growth Areas (SGAs). Publication of the MIR is premature until the receipt of the Examination Report on the SDP (430, 791, 910, 1019, 1069).

Tree Preservation Orders should be in place on wooded areas before appearance in the MIR to avoid unlicensed felling (116). Reference to the car parking standard and other relevant documents in relation to Roads, including travel plans and travel surveys, are given much greater visibility in the LDP itself would be beneficial (64).

3. Actions

Engagement

Support for the effort put into engagement is welcomed. It is regrettable that it was perceived that insufficient time was set aside for questions at the public meetings, but staff were available through a phone call or via email to answer any queries at any time. The LDP is largely a map-based document and we agree that detailed local plans for each settlement are necessary. There is no restriction on whom can engage on a Local Development Plan.

Methods Used in Production of the MIR

We are satisfied that the terminology used to describe sites was appropriate and note that some of the detail that is looked for is contained in the "Monitoring Report" published to coincide with the release of the MIR. Site visits were carried out for all bid

sites and previous consultation responses were accounted for. In some cases we did not feel that the previous points made were sufficient to change our minds to a different position within the Main Issues Report.

We accept that the MIR is developer led and would only seem to look at housing numbers and not the need for other services, but this is accommodated through the Vision Statement that is provided for each settlement and our interpretation, based on Community Council discussions and a “Place Standard” exercise, as to what the land use planning issues might be. The fact that Officers in the team have undertaken significant early engagement with Community Councillors and local Elected Members led us to believe that we have based our conclusions on the best possible information. If this is not the case, then scrutiny of the Proposed LDP in late 2019 and early 2020 can be used to reiterate the specific points that need to be clarified.

The MIR was effectively made available to all residents in Aberdeenshire and beyond, and was widely publicised. No doubt more could have been done on publicity. Very limited use of social media was made on the understanding that this is not a ubiquitous means of communication. Full assessment of all the sites has been undertaken internally to come to the conclusions presented in the MIR, but only summaries have been published as only the main reasons for preferring or not preferring a site are relevant in the context of the LDP.

The coding system for the bid sites is very simple, consisting of an area code and a number (e.g. “MR” to signify the Marr area and “123” to record the submission number). Existing sites were referenced to their annotation in the current Local Development Plan (e.g. “OP1”).

We do not agree that the publication of a Draft Proposed LDP is confusing or leads to premature conclusions. Significant guidance notes were provided with that document. We would agree with the Scottish Government that it provides clarity on what the final form of the LDP might be if all the recommendations made in the MIR are accepted.

The Priorities in the Main Issues Report

The support for the use of four of the 11 Aberdeenshire Council priorities is welcome, but we felt that, in the context of the MIR, there was no need to reiterate the remaining seven priorities as these are unrelated to land use planning.

The 11 Priorities of Aberdeenshire Council however forms the central aspect of the Council’s Plan which gives strategic direction to the wider Council and will be used to inform decision making in the coming years.

Transportation remains of great interest to us and is given its own topic in the Draft Proposed LDP vision.

When part of the debate promoted in the MIR relates to the housing supply target, it is unsurprising that the scale of housing land release has not been addressed. Analysis has shown that all allocated and preferred MIR sites can be delivered within the

timescale of the Plan, but uncertainty always exists as we are not in control of when development may come forward. To the best of our ability we are confident that all sites are effective or are capable of becoming effective in the 10 year life of the LDP.

Other Issues

We agree that we cannot assume changes that may or may not result from the consideration of Stage 3 of the Planning (Scotland) Bill. In any event secondary legislation is likely to fall behind the publication of the Proposed LDP and undoubtedly transitional arrangements will be put in place to preserve the integrity of the process that we have been going through.

We are well aware of the risks to the LDP should the SDP falter or change through its examination. We have adopted Aberdeen City and Aberdeenshire's views on planning matters and have developed the local plan on this basis. Clearly change may be required to the Local Development Plan should there be a change in the circumstances around the position of the SDP.

We cannot predict when tree felling may occur on a proposed development site, and pre-emptive action with regards to Tree Preservation Orders may not always be appropriate.

Standards in the Plan are likely to change and the Plan would have a very limited life if documents such as travel plans were referenced.

4. Recommendations

1. No Actions required.

5. Committee Decisions

1. Kincardine and Mearns Area Committee agreed the above recommendation at their special meeting on 20 and 21 August 2019.
2. Banff and Buchan Area Committee agreed the above recommendation at their special meeting on 27 August 2019.
3. Buchan Area Committee agreed the above recommendation at their special meeting on 3 September 2019.
4. Garioch Area Committee agreed the above recommendation at their special meeting on 3 September 2019.
5. Formartine Area Committee agreed the above recommendation at their special meeting on 10 September 2019.

6. Marr Area Committee agreed the above recommendation at their special meeting on 17 September 2019.
7. At their meeting of 3 October 2019, Infrastructure Services Committee considered the views of Area Committees and no further recommendations were identified.
8. At the meeting of Aberdeenshire Council on 5 March 2020, Members agreed that the content of the Proposed Aberdeenshire Local Development Plan 2020 provides the settled view of the Council on the Plan they wish to see adopted in 2021.

Issue 2 Regional Issues Affecting Aberdeenshire

1. List of Respondents

MIR Ref	Respondents
64	Mr Charles Taylor
205	Mr Giancarlo Pia
564	Savills on behalf of Airvolution Clean Energy (ACE)
792	Sirius Planning on behalf of FCC Environment
843	Kintore and District Community Council
845	Ms Alison Orren
855	Catterline, Kinneff & Dunnottar Community Council

2. Issues

Brexit

There are no positives for Aberdeenshire regarding Brexit. If Brexit goes ahead, it can only mean a slowing in the economy and therefore a reduction in the number of developments (843).

Oil and Gas

The use of the term "petrochemicals" is inappropriate (64). The oil and gas downturn has continued with only minor evidence of a small improvement (845). OPITO UKCS Workforce Dynamics review (2018) predicts net loss of employees in the UKCS, perhaps by as much as 10% per annum (205) and oil related development is likely to be minimal over the Plan period (205,843) and this translates to a reduced demand for housing and no justification for the large scale planning developments in Aberdeenshire (205).

Climate Change

Climate change is a critical globe issue. Aberdeenshire must address its contribution to its management and to respond to any local impacts caused by its consequences. Regional air pollution is a significant concern (64). Renewable energy should be considered as part of the climate change issue (564).

Other Issues

Shortage of Council funding should be included in this section (855).

Infrastructure investment must continue to encourage development within the transport corridors of the Strategic Growth Area to encourage inward economic investment (792).

3. Actions

The outcomes of Brexit are currently unknown and the Council will be in a better position to judge its impacts, and plan for Brexit as it is implemented. This is currently an unknown quantity.

The decline in the oil and gas industry is noted and the respondents' views on the need for large scale planning developments is noted. However, this is an argument made in the Proposed Aberdeen City and Shire Strategic Development Plan 2018, to which the Local Development Plan must comply.

We agree that climate change is a critical global issue and believe that the Local Development Plan should present a pragmatic approach to land use planning issues surrounding climate change without having an adverse impact on other issues such as rural development and air quality, both topics which have undergone significant review. Standards applied to properties is a matter that is best resolved through the Building Regulations. The need for the Plan to consider renewable energy generation is noted. The general issue of Council funding is a Government responsibility and not a material issue to be included as part of a Local Development Plan. It is noted that availability of funding from Aberdeenshire Council may have a significant impact on what we, as an Authority, can assist in delivering, but a whole range of industries and agencies support development. Developer obligations policies and the Capital expenditure plans of other agencies such as Transport Scotland and Scottish Water will assist in funding major infrastructure investment in key locations.

4. Recommendations

1. No Actions required.

5. Committee Decisions

1. Kincardine and Mearns Area Committee agreed the above recommendation at their special meeting on 20 and 21 August 2019.
2. Banff and Buchan Area Committee agreed the above recommendation at their special meeting on 27 August 2019.
3. Buchan Area Committee agreed the above recommendation at their special meeting on 3 September 2019.
4. Garioch Area Committee agreed the above recommendation at their special meeting on 3 September 2019.
5. Formartine Area Committee agreed to request the addition of specific reference, in the language and actions of the plan, on the climate change emergency at their special meeting on 10 September 2019.

6. Marr Area Committee agreed the above recommendation at their special meeting on 17 September 2019.
7. At their meeting of 3 October 2019, Infrastructure Services Committee considered the views of Area Committees and no further recommendations were identified.
8. At the meeting of Aberdeenshire Council on 5 March 2020, Members agreed that the content of the Proposed Aberdeenshire Local Development Plan 2020 provides the settled view of the Council on the Plan they wish to see adopted in 2021.

Issue 3 Use and Influences on the Local Development Plan

1. List of Respondents

MIR Ref	Respondents
19	Nestrans
64	Mr Charles Taylor
570	Ms Aileen Salway
805	SEPA
898	Marine Scotland

2. Issues

Use of the Plan

The Proposed Local Development Plan (LDP) should be clear that only in exceptional circumstances and with overriding material considerations will the Council make decisions that do not follow the policies and local allocations in this Plan (64).

Cross references are required in the Proposed LDP to make reading easier (805).

Decisions relating to the removal of Supplementary Guidance from the Plan remains dependent on the outcomes from the Planning (Scotland) Bill (64).

Inclusion of detailed LDPs is crucial to forward planning (570).

Influences on the Local Development Plan

The consideration of the Regional Transport Strategy (RTS) in the Main Issues Report (MIR) is welcomed (19) but it is not clear if the National Marine Plan was considered (898). SEPA note that phrases associated with the Flood Risk Management Plan need to be replaced by the "North East Flood Risk Management Plan" and the "Tay Estuary and Montrose Flood Risk Management Plan" (805).

3. Actions

Use of the Plan

We are very pleased that the value of having detailed LDPs in forward planning is recognised. This is a fundamental part of the process of plan making.

Circular 6/2013 Development planning is clear that "development plans are the basis for planning decision making as decisions are to be made in accordance with the plan unless material considerations indicate otherwise" (Circular 6/2013, paragraph 1). It would not be appropriate for the development plan to repeat national legislation by having a statement within it that is a clear repetition of this basic fact.

We agree that a measure of cross referencing should be undertaken although it must be made clear that the whole Plan requires consideration in any development management recommendation and ultimately in any decision making. We agree that limited cross referencing should be provided to demonstrate clear links between policies and assist in the process of giving weight to one policy at the expense of another to assist decision making.

Influences on the Local Development Plan

We are pleased that our reflection of the Regional Transport Study has been recognised by NESTRANS and apologise for not referring to the correct version of the Flood Risk Management Plan. These documents have been reviewed and do not result in changes to the Local Development Plan.

With regards to the National Marine Plan we are happy that the Plan endorses the Marine Plans vision of “Clean, healthy, safe, productive and diverse seas; managed to meet the long-term needs of nature and people”. Cross linkages are evident both in the settlement allocations around St Fergus, Peterhead and Boddam where significant linkages to offshore activities take place and the general policies that respect common goals of sustainability, climate change and landscape protection. Coastal flooding and natural heritage each have parts of the Plan devoted to them. We align to support marine and land-based components required by development and seek to facilitate appropriate access to the shore and sea. Shore-side activities in Fraserburgh and Peterhead are protected as are our major harbour areas. Carbon Capture and Storage in the Peterhead / St. Fergus area is promoted and protected as are offshore landfalls for wind turbine developments

4. Recommendations

1. Selective cross referencing should be added to the text of the Local Development Plan.

5. Committee Decisions

1. Kincardine and Mearns Area Committee agreed the above recommendation at their special meeting on 20 and 21 August 2019.
2. Banff and Buchan Area Committee agreed the above recommendation at their special meeting on 27 August 2019.
3. Buchan Area Committee agreed the above recommendation at their special meeting on 3 September 2019.
4. Garioch Area Committee agreed the above recommendation at their special meeting on 3 September 2019.

5. Formartine Area Committee agreed the above recommendation at their special meeting on 10 September 2019.
6. Marr Area Committee agreed the above recommendation at their special meeting on 17 September 2019.
7. At their meeting of 3 October 2019, Infrastructure Services Committee considered the views of Area Committees and no further recommendations were identified.
8. At the meeting of Aberdeenshire Council on 5 March 2020, Members agreed that the content of the Proposed Aberdeenshire Local Development Plan 2020 provides the settled view of the Council on the Plan they wish to see adopted in 2021.

Issue 4 The Vision of the Local Development Plan

1. List of Respondents

MIR Ref	Respondents
49	Mr Ron McGraw
64	Mr Charles Taylor
128	Dr Douglas Gooday
136	Mr Greg Michalski
210	Newtonhill, Muchalls & Cammachmore Community Council
236	Mr Lucy Thomson
352	Protect Banchory Devenick
392	Echt & Skene Community Council
421	Professor Bill Slee
430	Halliday Fraser Munro on behalf of CHAP Group (Aberdeen) Ltd
506	Scottish Natural Heritage
550	Norr on behalf of Stewart Milne Homes
551	NHS Grampian
564	Savills on behalf of Airvolution Clean Energy (ACE)
566	Halliday Fraser Munro on behalf of CALA Homes (North) Ltd
589	Innogy Renewables UK Ltd
656	Ms Jacqueline Turner
711	Mr Ian Smith
758	Dee District Salmon Fishery Board
782	RSPB Scotland
791	Emac Planning on behalf of Kirkwood Homes Ltd
792	Sirius Planning on behalf of FCC Environment
805	SEPA
843	Kintore and District Community Council
855	Catterline, Kinneff & Dunnottar Community Council
865	Inverurie Community Council
869	JLL on behalf of Scottish Hydro Electric Transmission plc
878	J. W. Souttar
889	Holder Planning on behalf of Hallam Land
891	Barratt North Scotland
910	Strutt & Parker on behalf of Corsindae Estate
927	Gladman Scotland
929	Farningham Planning Ltd on behalf of Barratt North Scotland and Dunecht Estates
953	North Kincardine Rural Community Council
967	Homes for Scotland

971	Dr Linsey Hunter
972	Turnberry on behalf of Elsick Development Company (EDC)
980	Mr Paul Davison
1019	Strutt & Parker on behalf of Mr Ian Ross
1020	Strutt & Parker on behalf of Mr Ian Ross
1066	Strutt & Parker on behalf of CHAP Homes
1082	Mr Alan Pumfrey

2. Issues

General Comments

Community Councils need to be actively involved in developing strategies and plans for their area (843). The Vision should reflect Aberdeenshire Council's obligations to existing residents (953).

Water abstraction may have an impact on future development patterns (758).

One respondent welcomed the Vision, and in particular its emphasis on sustainable development (564), while another thought the Vision was long and confusing with inconsistencies between what was promised in the Main Issues Report and what is proposed in the Draft Proposed Local Development Plan (LDP), where significant change is being promoted (64). A Vision needs to be short, clear, consistent and compelling (64, 891). This section is currently a simple Vision and transformed into confusion by adding the National and Regional visions and what appears to be duplication. Expectation of the Vision to be presented in bold and straight forward and National and Regional visions added as background somewhere (64).

Main Issue 1 – Keep the Existing Vision?

Nine respondents suggested that the Vision should be kept in the Proposed LDP (392, 430, 792, 855, 889, 891, 927, 967, 972) and five suggested that a closer link was required between the Vision and the policies (210, 392, 791, 865, 967). Only one suggestion was made on the alternative option, to reduce the weight given to the Vision, should be adopted (236) while another suggested a much broader vision to promote development in high quality places where people enjoy living and working (430).

Respondents suggested that emphasis within the Vision should be changed. Suggestions were made to promote focus on the need to provide for a resilient post-carbon economy (421) and to clarify those areas where protection of the environment from development was required and where encouragement of development was necessary (392). The importance of promoting development in fragile rural areas was also noted (392).

Main Issue 2 – Remove the Reference to the Six Administrative Areas

Main issue 2 relates to whether statements on the character of the six administrative areas should be removed or retained. Views on this issue were evenly balanced with

seven respondents agreeing that the area details should be removed (64, 506, 551, 792, 855, 865, 927) and seven suggesting they should stay (210, 236, 791, 889, 929, 967, 1020).

Those wishing to see the administrative areas removed identified the need to provide a wider context (792) and encourage development across the whole of the area (927), with Scottish Natural Heritage (SNH) promoting the use of other functional geographies (506). It was noted that the administrative areas are arbitrary divisions and so do not relate to planning issues (64).

Those wishing to see them retained highlighted that the administrative areas are quite different and should remain so (210, 236, 929). Two respondents suggested that doing away with the administrative areas would dilute the needs of each area only to the transport corridors of the Strategic Growth Areas set by the proposed Strategic Development Plan (791, 889). Providing guidance for each administrative area would assist communities and area committees in using the LDP (1020).

A small number of respondents thought that this element of the Vision was not the key issue and did not provide clarity, particularly on housing land supply, that was required (792, 1020, 1066). Healthcare provision was also raised as a significant issue (551).

Supplementary Guidance

Concern was voiced regarding the potential for the loss of Supplementary Guidance (SG) from the LDP, suggesting this information should not be lost (865, 980, 1019). One respondent suggested that SG should be incorporated into the policies or otherwise in the body of the Plan (64, 782, 865, 910). One respondent complained that the SG as published was not entirely consistent with the Plan (392) while one further respondent suggested it should be retained as it formed a strong material consideration and was integral to the Plan (656).

Draft Proposed Local Development Plan – National Vision

It was noted that this section of the Draft Proposed LDP required a precursor to provide context. Even so there were questions regarding whether this section was useful and would be better set out as an influence on the Regional Vision, or as a footnote (64). Inconsistencies in the language used were identified (64).

SNH wished to see additional text added to the end of the section to reinforce Outcome 3 of Scottish Planning Policy (page 7, Outcome 3: a natural, resilient place) (506).

Draft Proposed Local Development Plan – Regional Vision

Two respondents noted what they felt were omissions from the Regional Vision. The importance of the electricity transmission network (869) and, from SNH, recognition of the regions unique built and natural heritage as a key asset in underpinning a high quality of life and place (506). Specific support was given for the recognition of tourism in the Regional Vision (792).

Draft Proposed Local Development Plan – Local Vision

A number of respondents support the Local Vision, particularly the acknowledgement of the importance of Aberdeen City to the area (566), business development (792) and long term risks associated with flooding (805). Additional references are sought for public safety (64), redevelopment of brownfield land (352), the cultural and amenity importance of rivers (758), and reduction of energy use and sustainable energy generation (805).

SNH suggested that the Vision could be reduced to just three bullet points to make it consistent with the National and Regional Visions (506). Making the text “snappier” was also supported (64).

Draft Proposed Local Development Plan – Purpose of the LDP and its Outcomes

A respondent considered that the first paragraph was unnecessary and introduces undefined terms such as “outcomes” and “goals”. It does not follow with the bullet points that follow subsequently and is confusing in its style and location. Greater clarity could be introduced (64). One respondent objected to the whole of the Draft Proposed LDP (1082).

Development of renewable energy resources should be reinstated to this section of the Proposed LDP (589).

Draft Proposed Local Development Plan – Sustainable Mixed Communities

One respondent specifically agreed that development needs to be proportionate and sympathetic to the needs of the community (136).

Draft Proposed Local Development Plan – Sustainable Development

Two respondents agreed with this objective, expressing specific concerns regarding the possible extinction of insects by urbanism (711) and the need for integrated walks and cycleways (971).

Draft Proposed Local Development Plan - Protect and improve assets

SEPA suggested that improvements to the natural and built environment should only be sought when they are reasonable (805).

A further respondent raised a number of points on this subject regarding the weight that should be made to protecting biodiversity, observing that actions at the present time are too piecemeal and reactive, and have led to the UK being a “nature poor” nation. Priority should be to conserve the environment before meeting the needs of the development industry (128).

Draft Proposed Local Development Plan – Diversity of the Economy

A respondent believed that the importance of railways as potential sources of economic survival for our communities in the future needed to be stressed (971). Economic Development may be being given too much weight within the LDP (49).

Draft Proposed Local Development Plan – Green Networks

SNH welcomed this statement but believed that a greater commitment to a “strategic” green network as identified in the proposed Strategic Development Plan was required, with particular reference to the areas between settlements (506). SEPA believed that this section could be reworded to provide more commitment to placemaking (805). One respondent noted that the vague approach taken to green networks in the current LDP will prove a challenge for developers, especially as much of the land is under third party ownership (550).

Draft Proposed Local Development Plan – Efficient Use of Transport

Efficient use of transport is misleading due to the anticipated changes in working practices and assumptions on how people intend to travel in the future. Electrification of transport will result in a vast reduction in emissions (878).

The road improvements programmed over the Plan period needs to be published, with specific attention paid to the AWPR and traffic patterns emerging from this (64).

3. Actions

General Comments

We agree that both communities and existing residents need to be actively involved in developing strategies for their areas, but this should not be at the expense of wider community objectives. Water abstraction is an issue that is considered in the context of the Strategic Development Plan. The support for the Vision and the objectives relating to sustainable development are welcome.

What is presented in the Draft Proposed Local Development Plan was a first attempt to articulate the form and content of the Vision and we are sure that subsequent editing will resolve the readability of the Vision statement.

Main Issue 1 – Keep the Existing Vision?

The recognition of the value of the Vision in the forthcoming Local Development Plan 2021 is encouraging, but we also accept that a clear link between the Vision and the policies is required. We will give consideration to the use of graphic elements to link policy statements in the Proposed LDP to specific Vision objectives.

Suggestions that the Vision needs rewritten to reflect a tighter geographical basis (in high quality places where people enjoy living and working) is misguided and does not recognise that development also has to be enabled in places where demand is relatively low. This is reflected in request for emphasis to be placed on development in areas where development to provide social objectives was required.

Ideas that the Vision should be repurposed to concentrate on a resilient post-carbon future, whilst laudable, fail to recognise the huge distance that the development plan has travelled since the start of this century, and the need for a LDP that continues to promote an incremental change rather than a revolutionary one. Likewise, an LDP that

is based on the conservation of areas where environmental protection was required would fail to be an appropriate plan and would not promote sustainable economic growth.

Main Issue 2 – Remove the Reference to the Six Administrative Areas

The even balance on the responses to this question reflect much of our own thinking on this issue. We remain convinced that there are as many differences within administrative areas as there are between them, acknowledging the “place” basis on which we now conduct land use planning rather than an artificial administrative boundary. We do not believe that it would result in an LDP solely focused on the transport corridors or assist users of the LDP, who are much more likely to refer to the relevant Settlement Statement rather than the character of the wider administrative area.

We do not doubt that housing land supply and healthcare provision are important topics but feel that they are best resolved through consideration of the Spatial Strategy.

Supplementary Guidance

We agree that SG, were relevant, should not be lost and propose to republish most of it to appendices in the Proposed LDP. We do not believe the general statement that the SG is inconsistent with the Plan but that in our review we will ensure that such errors are not made.

Draft Proposed Local Development Plan – National Vision

We agree that this section of the Proposed LDP will require a precursor to set a wider context. We would hope that this precursor would address the usefulness of this sections, and those that follow. The addition of a reference to “natural places” in the final sentence of the Vision is appropriate.

Draft Proposed Local Development Plan – Regional Vision

We agree that it would be appropriate to refer to our unique built and natural heritage as a specific element to be taken from the Regional Vision. This was perhaps omitted in error. We do not agree specifically that energy infrastructure deserves to be given the same weight.

Draft Proposed Local Development Plan – Local Vision

We do not agree that public safety, the importance of rivers and reductions in energy use and sustainable energy generation deserve a position within the Local Vision. Each of these contributes to a number of significantly higher objectives and have their own policies within the Plan. Brownfield opportunities within Aberdeenshire are relatively limited in our towns and villages, and suffer from huge issues involving land assembly and servicing. Again, while we have policies that promote both the development of rural brownfield sites and infill development, we do not believe this should be a matter for the Vision.

We agree that the language used in this section could be better and, with SNH, that the Vision could be substantially reduced to three bullet points to make it consistent with the National and Regional Visions.

Draft Proposed Local Development Plan – Purpose of the Plan and its Outcomes

Disregarding the opinion voiced that the respondent does not agree with any part of the Plan, we accept that further work needs to be undertaken on the language used in this section. Development of renewable energy resources is not a specific objective of the LDP.

Draft Proposed Local Development Plan – Sustainable Mixed Communities

The comments are welcomed.

Draft Proposed Local Development Plan – Sustainable Development

The comments are noted and welcomed.

Draft Proposed Local Development Plan – Protect and Improve Assets

We do not agree with SEPA that a test of reasonableness needs to be placed into this section of the Vision. To do so would devalue its weight in the context of all the other themed objectives that we have identified. The question as to the weight to be given to the needs of the development industry over conserving the environment is an interesting debate. It is true that one of the purposes of planning articulated in Scottish Planning Policy (SPP) is sustainable economic growth, but we still believe that putting a qualitative clause in the statement for this topic would also devalue it in comparison to other topics.

Draft Proposed Local Development Plan – Diversity of the Economy

The importance of railways to a future economy is noted and existing rail routes are protected by policy. We have tried hard to maintain an equality between all six of the local purposes of the Plan and cannot agree that it is given either too much or too little weight.

Draft Proposed Local Development Plan – Green Networks

Strategic Green Networks are undefined in the Proposed Strategic Development Plan 2018 (PSDP). Green network opportunities are identified linking Ellon, Newburgh and Balmedie; Huntly, Inch, Inverurie, Oldmeldrum, Blackburn, and Portlethen, Stonehaven and Inverbervie. No routes are shown in Aberdeen City with ephemeral “Improved Cross Boundary Connections for Active Travel / Green Networks”. The PSDP commits Aberdeenshire LDP to playing a key role in identifying and proposing new green networks, and where appropriate considering enhancement and implementation opportunities.

This goes considerably farther than either National Planning Framework (NPF) or SPP. NPF3 aims to significantly enhance green infrastructure networks, particularly in and around our cities and towns. SPP identifies that green networks are “Connected areas of green infrastructure and open space that together form an integrated and multi-

functional network”, with green infrastructure being defined as including the ‘green’ and ‘blue’ (water environment) features of the natural and built environments that can provide benefits **without** being connected. Green features include parks, woodlands, trees, play spaces, allotments, community growing spaces, outdoor sports facilities, churchyards and cemeteries, swales, hedges, verges and gardens. Blue features are also defined.

While green infrastructure can be protected in built up areas, the extreme difficulty in respect of providing such routes over private land means that such routes will have to remain aspirational at this time. Significant manpower and financial resources would be required to deliver and safeguard such networks with no guarantee of success.

In this context we agree with respondents who identify the issues and recommend that a focus on placemaking should be applied. Green networks should be identified and safeguarded within towns in Aberdeenshire, but no greater commitment to planning for “strategic” green networks can be made at this time.

Draft Proposed Local Development Plan – Efficient Use of Transport

We are of the view that electrification of transport has huge benefits to urban areas, reducing emissions but will do nothing to accommodate demand for road space and congestion that may result. Reducing the commitment to having sustainable locations for development and promoting efficient use of transport, particularly public transport and active travel routes remains necessary

Looking forward to the whole period of the LDP we do not have the information or confidence to map out probable road improvements. Various staged assessment is required before commitment to a proposal can be made and publishing this information could cause significant planning “blight”.

4. Recommendations

1. Review the Vision for readability and consistency.
2. Develop a series of icons to reflect the influence that policies have on achieving the Vision.
3. Amend the Vision for the Plan section of the Draft Proposed LDP with an introductory paragraph.
4. Add a reference to “natural spaces” in the last paragraph of the National Vision text.
5. Add a reference to our unique built and natural heritage as a specific element to be taken from the Regional Vision.

6. Reduce the bullet points on page 7 of the Draft Proposed LDP to the three provided by SNH:
 - Aberdeenshire is an area with a high quality of life and distinctive places, and where new developments are designed as effectively as possible to improve this and help deliver sustainable, low carbon places.
 - An area that promotes sustainable development that reduces the need to travel, reduces reliance on private cars and promotes safe and convenient active travel opportunities.
 - An area where natural and cultural heritage are protected and enhanced, and where we recognise the multiple benefits of local green spaces and networks as an integral component of successful placemaking.
7. Redraft the introductory paragraph of the “outcomes” section of the Vision.

5. Committee Decisions

1. Kincardine and Mearns Area Committee agreed the above recommendations at their special meeting on 20 and 21 August 2019. The Committee also agreed that reference should be made to the National Performance Framework to link the National, Regional and Local vision.
2. Banff and Buchan Area Committee agreed the above recommendations at their special meeting on 27 August 2019.
3. Buchan Area Committee agreed the above recommendations at their special meeting on 3 September 2019.
4. Garioch Area Committee agreed the above recommendations at their special meeting on 3 September 2019. The Committee also agreed that the sections within the spatial strategy that refer to the six administrative areas should be retained in the Proposed LDP.
5. Formartine Area Committee agreed the above recommendations at their special meeting on 10 September 2019.
6. Marr Area Committee agreed the above recommendations at their special meeting on 17 September 2019.
7. At their meeting of 3 October 2019, Infrastructure Services Committee considered the views of Area Committees and agreed not to retain sections of the spatial strategy referring to the six administrative areas as proposed by Garioch Area Committee.
8. At the meeting of Aberdeenshire Council on 5 March 2020, Members agreed that the content of the Proposed Aberdeenshire Local Development Plan 2020

provides the settled view of the Council on the Plan they wish to see adopted in 2021.

Issue 5 Spatial Strategy

1. List of Respondents

MIR Ref	Respondents
64	Mr Charles Taylor
89	Mr Frederick Parkinson
97	Ms Margaret Donaldson
99	Mr Phil Cropper
100	Ms Janina Kutscha
103	Mr Marty Haynes
114	Ms Marjon van der Pol
115	Mr Matthew Brettle
121	Ryden LLP on behalf of Mr Graham Brown
129	Cluny, Midmar, and Monymusk Community Council
136	Mr Greg Michalski
137	Professor William Long
203	Norr on behalf of Mr & Mrs Mackenzie
216	Mr Alan Chesterman
227	Ryden LLP on behalf of Westhill Developments (Brodiach) Ltd
298	Mr Gavin Jones
302	Halliday Fraser Munro on behalf of Barratt North Scotland
303	Halliday Fraser Munro on behalf of Barratt North Scotland
304	Halliday Fraser Munro on behalf of Barratt North Scotland
305	Halliday Fraser Munro on behalf of Barratt North Scotland
363	Mr George Bruce
385	case CONSULTING Limited on behalf of Various landowners
400	Halliday Fraser Munro on behalf of ANM Group Ltd
408	Halliday Fraser Munro on behalf of W&W Mackie
430	Halliday Fraser Munro on behalf of CHAP Group (Aberdeen) Ltd
431	Halliday Fraser Munro on behalf of CHAP Group (Aberdeen) Ltd
506	Scottish Natural Heritage
515	Ryden LLP on behalf of Stewart Milne Homes
516	Ryden LLP on behalf of Stewart Milne Homes
566	Halliday Fraser Munro on behalf of CALA Homes (North) Ltd
572	Bancon Homes Ltd
575	Bancon Homes Ltd
576	Bancon Homes Ltd
580	Halliday Fraser Munro on behalf of Mr John McIntosh
587	Halliday Fraser Munro on behalf of CALA Homes (North) Ltd
588	Barton Willmore on behalf of Stewart Milne Homes
590	Barton Willmore on behalf of Stewart Milne Homes
591	Barton Willmore on behalf of Stewart Milne Homes
592	Barton Willmore on behalf of Stewart Milne Homes

594	Norr on behalf of Fotheringham Homes
600	Keppie Planning on behalf of Stewart Milne Homes
601	Keppie Planning on behalf of Stewart Milne Homes
657	Mr & Mrs Michael & Kay Melville
658	Ms Irene Ferguson
668	Emac Planning on behalf of Stewart Milne Homes
711	Mr Ian Smith
732	Ms Sue Paterson
785	Halliday Fraser Munro on behalf of Drum Property Group
791	Emac Planning on behalf of Kirkwood Homes Ltd
792	Sirius Planning on behalf of FCC Environment
796	Norr on behalf of Stewart Milne Homes
797	Halliday Fraser Munro on behalf of CHAP Group (Aberdeen) Ltd
805	SEPA
865	Inverurie Community Council
890	Holder Planning on behalf of Hallam Land
891	Barratt North Scotland
917	Halliday Fraser Munro on behalf of Luther Farm Services
923	Halliday Fraser Munro on behalf of Drum Property Group
924	Halliday Fraser Munro on behalf of W. Maitland & Sons
931	Norr on behalf of CALA Homes
939	Savills (UK) Ltd on behalf of Fettercairn Estate
947	Scottish Land & Estates
953	North Kincardine Rural Community Council
954	Mr Alexander Hunter
966	Bennachie Community Council
971	Dr Linsey Hunter
972	Turnberry on behalf of Elsick Development Company (EDC)
1020	Strutt & Parker on behalf of Mr Ian Ross
1066	Strutt & Parker on behalf of CHAP Homes
1080	Mr A Simmers

2. Issues

Introduction

Language used in the Spatial Strategy section of the Draft Proposed Local Development Plan (LDP) should be modified to make it factually correct and deflect criticism (64).

The strategy is overly focused on the Strategic Growth Areas (SGA) and does not give regard to other accessible and sustainable locations, such as along the A93 corridor (430). They represent a strategy of centralisation (408, 917). One respondent agrees that development should remain focused on the SGAs, augmented with new allocations. The respondent suggested these areas should be seen as potential investment and development corridors (792). The Strategy has an over reliance on existing sites

(400). The “do-minimum” strategy promoted limits the range and scale of housing that can be delivered, and credible development options are needed if the Council is serious about meeting housing delivery shortfalls (302, 303, 304, 305). Nothing stands in the way of economic development (97).

Smaller scale self-contained developments of self-build homes should be promoted that incorporate environmental features, cultural references and a mix of uses (865). The needs of individual settlements to sustain existing services and amenities should be met (385).

Infrastructure constraints should be seen as a means of identifying where future strategic infrastructure may be required through deliverable development allocations (668). Benefits to a school roll from development are almost always overstated (363). Impact of development on schools should be known years in advance and a land allocation should be made on that basis (64).

References to regeneration, green-blue infrastructure linkages and temporary use of vacant land require to be proactively promoted by the Council with other partners (805). Scottish Natural Heritage (SNH) see the note to highlight the need to invest in conservation and enhancement of our built and natural heritage (506).

Housing and Employment Land Totals

Figures given in this section are too precise given the vagaries of the forecast methodologies. The Housing Needs and Demands Assessment (HNDA) is only an estimate and the National Audit Office have identified similar methods issued in England as flawed. The allowances shown in the table are too precise and should be rounded up to an approximation. “Robust and credible” is a weak phrase, which cannot be applied to any estimate. The first paragraph of page 11 should be rewritten to improve understanding (64).

The housing strategy, it doesn’t include enough choice of location for new homes and is inconsistent in approach (785, 923, 924). It does not reflect historical trends in housing delivery (923). A “do-minimum” housing strategy limits the range and scale of housing that can be delivered. Other credible development options are needed if the Council is to deliver shortfalls and meet housing requirements in the area. Housing strategy needs to consider sites in suitable locations where there is market demand (594). A deficit of 800 homes is required to be made up to meet a shortfall that can be identified in the HNDA 2018 (302, 303, 304, 305). There is no clarity on how the Strategic Development Plan (SDP) allowances have been met by proposed allocations (588, 791, 890).

Support was given to re-evaluate and increase the allocations within the Aberdeen Housing Market Area (AHMA) due to the Rural Housing Market Area (RHMA) having stalled. More housing should be allocated in the AHMA to promote the delivery of homes in places where people wish to live (588, 590, 591, 592). The split between the AHMA and RHMA should be increased (588, 590, 592) and redefined to 85%/ 15%

(891) and not split in such a way as to deliver a 60%/ 40% split within Aberdeenshire (590). It was believed that Aberdeenshire Council has not considered how it would respond to unresolved objections to the Proposed SDP to seek to increase this split (588). Demand for development is higher in the AHMA (797). A significant increase in annual completions would be required to achieve the targets set in the Proposed SDP (203).

The majority of SGAs are failing to perform as expected and delivery is much slower than anticipated (1020). It is incumbent on the Council to apply the same rigour to the assessment of the effectiveness and delivery of identified sites (1020). If baseline forecasts are not met then there will be significantly less demand for development (64).

It was suggested that the Main Issues Report (MIR) failed to provide clarity on the scale of housing land release required to be accommodated in settlements in order to meet the SDP allowances (227). The Proposed Local Development Plan should take steps to ensure that the SDP Housing Land Requirement can be satisfied in an appropriate manner across all of the settlements in the SGAs (1020).

Depending on existing allocated sites will not provide the range and scale of housing needed to address national strategy to deliver more housing on effective sites (400).

Supply needs to be focused on existing allocations to ensure they will be delivered effectively, not by allocating more sites. Chapelton will continue to deliver housing for the AHMA. Excessive allocation of land will not aid delivery (972). Eight hundred more houses are required to make up the shortfall identified in the Housing Land Audit (HLA) 2018 (302, 303, 304, 305). There can be no confidence in the delivery of existing constrained sites, and new sites should be introduced (939).

Alternatively, it was suggested that too much housing is proposed in the light of the decline of the oil and gas industry (64, 89, 99, 100, 103, 114, 115, 129, 136, 657 1080) and a general decline in the workforce (657). It was noted that large sites previously allocated, such as those at Chapelton and Ellon, were not coming forward (796). The area has the highest level of empty properties in Scotland (658). Housing sites should be reassessed to determine if they are likely to be developed before the end of the Plan period and deallocated if this is not the case (792). There appears to be insufficient demand for housing in the surrounding areas of Aberdeen, and allocation of more land is not required (711). Completions of houses by housebuilders would have to increase by 61% to achieve the targets set by the Proposed SDP (203). There is not sufficient demand for housing in the areas surrounding Aberdeen (711).

There is no reference in the Draft Proposed LDP to the Proposed SDP housing land requirements or the additional allowances. Without this information the Plan is not transparent and it is impossible to provide any useful comment on the Spatial Strategy for the Proposed LDP (588, 791, 890). A table should be introduced to show the housing land requirement and the housing supply target (890, 891). The MIR failed to

provide clarity on the scale of housing land release to be accommodated in rural settlements to satisfy the housing allowances of the Proposed SDP (227).

Undeveloped employment sites should be removed from the Plan due to their lack of progress (792).

Deliverable brownfield sites should be promoted by relaxing restrictions placed upon them, particularly in rural areas (792).

Greater clarity is required on the reserved and protected land designations (865). Identification of reserved sites for future development should be undertaken to provide certainty for stakeholders as to where future residential development may take place next (1020).

Consistency with the Proposed Strategic Development Plan

The Proposed Strategic Development Plan is incorrect to assume that increasing generosity in allocating additional house sites will resolve issues associated with regional delivery (972).

Development in Muchalls and Newtonhill will not be consistent with the aims of the SDP (137).

Comments relating to the cost of developing brownfield land in peripheral areas are misplaced (64).

There is no guarantee that developer obligations have been successful in delivering Infrastructure (64)

Aberdeen to Huntly Strategic Growth Area

There is oversupply of housing land in the Aberdeen to Inverurie SGA (658). An embargo on greenfield housing in the Blackburn to Inverurie SGA based on the unknown route of the A96 dualling project leads to the LDP stifling the delivery of the strategic vision for the area (572, 575, 576). The constraint of the choice of the A96 preferred route is stifling the Council's ability to maintain an effective 5 year housing supply in this SGA (1066).

Aberdeen to Laurencekirk Strategic Growth Area

There are issues with a significant lack of identity in this area. It is difficult to comprehend where Aberdeen City stops and what the individual settlements are. A design framework should be prioritised to mitigate this.

Development proposals in the Aberdeen to Laurencekirk SGA are falling behind and not meeting the strategic projections due to lack of allocations, resulting in rationalisation of some sites and a new 300 home development at Portlethen (600, 601, 1020, 1066). The additional 700 homes promoted in Stonehaven, Portlethen and Newtonhill provides excessive land for housing which will not support delivery at existing allocations (972,

590, 591, 592). Chapelton has under-performed in terms of housing supply and additional allocations are required to meet market demand (591, 600, 601).

Chapelton however would continue to deliver housing over the Plan period (972) and this needs to be recognised: allocations should be focused here where there is space and plans for communities which will benefit other settlements in the area (971). Development in Portlethen and Stonehaven undermines the agreed Spatial Strategy and will not favour the development of Chapelton (954).

More development is required in Stonehaven as it has the potential to support development of the scale required (931). Development that depends solely on Ury Estate will fail to meet the needs of the SDP (591, 592).

Laurencekirk cannot support the scale of development that is required (931). Development along the A90 fastlink and AWPR could lead to avoidable ribbon development (953).

Aberdeen to Peterhead Strategic Growth Area

The Spatial Strategy for this SGA was not supported. A range of locations should be considered to ensure a choice and improve deliverability (515). The strategy for housing in the Formartine corridor in particular is not supported (516). A range of locations should be considered to ensure a choice and improve deliverability. A strategy of promoting development in the Energetica Corridor goes against housing need and does not take account of Scottish Planning Policy's requirement to have a focus on delivering development (431). It is not sufficient to compensate for the prolonged failure to provide infrastructure in the other two SGAs. If the Council continues to promote sites for development in the Aberdeen to Peterhead SGA that cannot be demonstrated to be capable of such development, it is inevitable that failures in the housing and employment land supply will emerge (1020).

There is significant potential within the Aberdeen to Peterhead SGA to result in a real improvement to the quality of place and support the Energetica strategy. Balmedie as an excellent location to capitalise on future growth is clearly anticipated to play a crucial role in the development of the area (796). Energetica support should be extended to include numerous other development types within the corridor (792).

Rural Locations

The LDP should strengthen its commitment to boost rural economic growth (792). Development should not be located next to settlements in rural areas (966) but be directed to the settlements in the SGAs or where the scale is appropriate (924, 966). Counter points are made that development should not be limited just to around settlements due to the imminent rise of electric vehicles and that the rural housing policies are too restrictive (923), or that such a pattern does not contribute to sustainable development (732). A flexible approach should be taken so as not to disadvantage sparsely populated rural communities (923, 947). Small-scale extensions to small rural settlements should be allowed as they help to maintain the

region's rural population as it ages and mix of age groups, which is important for the future of the region (785, 924). A proportional approach should be adopted for smaller rural settlements as locational need is now less important than it was and there is less need to travel to services (580).

The A90 / Aberdeen Western Peripheral Route

Reference to resisting new development adjacent to the AWPR should be removed (121, 891). The AWPR should be a focus for the future development for employment purposes (216, 792). Mitigation of impacts on AWPR junctions should be identified to allow further development to take place (668).

Westhill

Westhill remains an anomaly as it lies outwith an SGA. It is not referred to in the draft Spatial Strategy and is only allocated for local growth and diversification despite being the fifth largest settlement in Aberdeenshire (587, 668). As the largest town outwith the SGA Westhill should have been identified as an appropriate sustainable location for development (566, 588). Changes should be made to extend the boundary of the Aberdeen SGA to include Westhill, or to create a new SGA west (891). This should be done to increase the number of affordable homes in the town and deliver the proposed SDP allowances (400). Reference to resisting new development adjacent to the AWPR should be removed.

Conclusions

In the conclusions of this section it needs to be noted that proposals that contribute to national and international interests apply to all areas and not just the "other areas" (506).

3. Actions

Introduction and Conclusion

Language used in the Draft Proposed LDP is based on recognised planning terms, which can lead to confusion. Every effort will be made to ensure it is written in plain language to ease the understanding of users not familiar with planning terms. "Robust and credible" is a key term from Scottish Planning Policy (SPP) (see paragraph 113 of SPP) and its inclusion in quotation marks would be an appropriate solution.

Housing land allocations must follow the lead of the SDP and are unable to reinvent the regional Spatial Strategy for its own purposes. We agree that the SGAs should be seen as investment and development corridors where development opportunities are focused, even if there is no obligation in the SDP to follow this pattern. As a Plan that is as much based on development sites that are deliverable and effective but have not yet been built out our Spatial Strategy has to include existing sites in its portfolio to prevent gross over development. We do not agree that this limits delivery as the model for housing delivery employed by most house builders is demand led; sites are not developed until a purchaser has been, or is likely to be, identified. Speculation is not a characteristic of the house building industry and shortfalls in housing delivery

cannot be ascribed to a Planning System which has significant “marketability” constrained sites in desirable locations.

We agree emphatically that the development plan should provide smaller self-contained mixed developments, and that self-build is a valid option in many places. Major allocations are however still required to overcome basic infrastructure constraints that may operate, resulting in a variety of sites being promoted, all within the context of the capacity of the settlement to withstand the social and physical changes that may result.

We also agree that development could be a way of overcoming constraints that operate in any settlement but must remember that public investment will likely to be necessary to achieve changes. In an era of tight budgets where investment is not currently available, particularly in advance of development taking place, or in the light of many competing priorities, public investment must be targeted to specific locations. This is despite the assertion made that we are unable to predict with any certainty the School roll much more than 5 years into the future and we cannot use these predictions as the basis for long term planning.

We do not believe that reference to blue-green infrastructure linkages and temporary use of vacant land have a place in any discussion of settlement strategy. Likewise, we recognise the loose text used in the conclusion to this section and promote further text to clarify that proposals that contribute to national and international interests do apply to all areas. We reject the idea that planning is dominated by economic development principles.

Housing and Employment Land Totals

The MIR and the Draft Proposed LDP are not intended to provide a complete comparison with the housing and employment land numbers in the Proposed LDP as sites being considered are in a state of flux. Two Appendices should be added to the Proposed LDP to provide that information.

It is correct that the HNDA is an estimate of housing need, and are dependent on the baseline forecasts that are used to develop them, but the figure used in the Draft Proposed LDP text reflects figures taken from Table 3 “Local Development Plan Housing Allowances” from the Proposed Aberdeen City and Shire SDP. It is an estimate derived from splitting a regional figure between the two Local Planning Authorities. We are aware that the HNDA has significant flexibility built into the raw estimates to derive these actual figures, and it is an imperfect means of estimating housing needs. “Rounding” numbers to a new total without any logical basis would lead to questions about why one number has been chosen and not another, and engagement with the housebuilding industry advises us that a set of absolute numbers is a preferred way of working, particularly when taken from an approved document.

Re-evaluation of the allocations in the two Housing Markets Areas has been undertaken in the light of the allocations identified by the SDP. We do not agree that the strategy represents a “do-minimum” approach or that more credible options are required in

locations “where people wish to live”: The decision on the quantum of housing has been taken by the SDP and we see no reason to revisit the issue. We do not anticipate the re-adjusted split in the allocations between the AHMA and RHMA to be a topic that will be given attention in the SDP Examination currently underway, and consequently do not believe that any precautionary action is necessary. It is a self-evident fact that demand is higher in the AHMA than in the RHMA but further bias beyond a 20% / 80% split cannot be justified. It would be inappropriate to consider the balance between the AHMA and the RHMA independent of the contribution being made by Aberdeen City. Reference to a 60% / 40% split only in Aberdeenshire is misguided.

We agree that allocations should be based on existing allocations to ensure they will be effectively delivered, and this is a primary reason for continuing with the allocation of current effective sites, allocated in the Aberdeenshire LDP 2017. We do not agree that 800 additional homes require to be allocated to make up a shortfall in the Housing Land Audit 2018, as the audit is conducted annually as a record of the effective land supply and is not a target in itself. The SDP is set on the Housing Land Audit 2016 and all calculations are taken from that base date.

We note the comments from a range of stakeholders that too much housing is being proposed in the LDP to meet demands, and that the requirements should be reduced. We do not feel that this is an issue, as housing land allocated in this Plan will either persist or be removed at the time of the next LDP. In the context of delivery, we are content that over-allocation of housing land because of current forecasts can be resolved much more easily than under-allocation. Reference is made to the figure of the need for a 61% increase in housebuilding rates by the development industry to achieve the targets set by the Proposed SDP and that some SGAs are falling behind projections. In some ways this reflects the recession that the housebuilding industry has been suffering from for the past 3 years, the flexibility built into the Plan, and the under-delivery of approximately 24% of all development sites that are needed for affordable housing. One respondent identified that a very significant increase in the level of completions would be required to achieve the targets set in the SDP. This confirms our position that increasing the scale of allocations is not an issue, when the market cannot sustain the necessary build rates.

The SDP & LDP comprise the Development Plan and so would always be considered in tandem. We see no need to repeat the content of the SDP within the Proposed LDP, but an Appendix “Housing Land Allocations” (currently Appendix 5 and referred to in the index of the Draft Proposed LDP) should be included in the Proposed LDP. This will provide clarity on the scale of housing land allocations to be provided to meet the housing allowances of the SDP.

Undeveloped employment sites have a different character from constrained housing sites and represent a range of locations where land could be serviced for employment uses should demand arise. Often they are unlikely to meet the overall high level of quality required for residential living. Employment land has a delivery model that is

either led by large capital investments by institutional developers to make land available on a speculative basis, or self-investment by established and growing firms.

We see no reason to incentivise deliverable brownfield sites in rural areas. They can deliver significant value for their owners if any contamination can be resolved. Most brownfield sites in rural Aberdeenshire constitute old farm buildings for which a supportive rural development policy exists.

While Issues and Actions Paper 11 *Housing* makes it clear that it is likely that future opportunity (FOP) land will not feature in the Proposed LDP, other reserved land is defined by the policy PR2 “Reserving important development sites”

Consistency with the Strategic Development Plan

No comments have been raised which highlight issues associated with the consistency of the Draft Proposed LDP with the submitted SDP. The generosity in housing land introduced by the SDP is a matter for the examination into that Plan. We do not agree that development within the SGA is inconsistent with the aims of the SDP. The settlements referred to already have a major role as residences for commuters to Aberdeen City. A study leading to the publication of the Proposed LDP for the LDP 2017 unequivocally demonstrated that land value was insufficient to deal with even modest brownfield development sites in Banff, Macduff, Fraserburgh and Peterhead. The LDP does not permit development that has an unacceptable impact on infrastructure to proceed.

Aberdeen to Huntly Strategic Growth Area

The comment that there is an oversupply of housing land in the Aberdeen to Inverurie SGA is noted, and reference is made to the benefits of oversupply of land to an undersupplied demand made above. We do not agree that taking account of the unfunded and unspecified road delivery project that is going through a design process represents poor planning. Even if we did know the route to be followed, we still have uncertainty about when this project would be delivered, and we believe that any land allocations that may result from this should be a debate for the next LDP review. Sufficient undelivered allocations exist in this corridor to sustain growth and without impacting on the SDP’s regional Spatial Strategy. There is no obligation within the SDP to make land allocations according to whether or not a settlement is within an SGA. In any event the Housing Market Area is much wider than just one SGA and housing development can be made in other SGAs to compensate for any potential deficit in this area. The Strategic Development Plan does not specify a specific allowance for each Strategic Growth Area.

Aberdeen to Laurencekirk Strategic Growth Area

We agree that the juxtaposition of Aberdeen City and Aberdeenshire settlements is unclear in the Portlethen area. Every effort is being made to maintain separation and green belt protection for all individual settlements where relevant. Much of the erosion of character is because of previous development and we see no real issues with the new allocations for development at North East Portlethen (Bid KN027) when the

opposite side of the A92 is already built out. We fail to see how a design framework would influence the allocation of new sites in this area. We agree that development on the fastlink and AWPR would be poor planning, using a trunk road facility for local trips.

Issues raised regarding the delivery of development proposals in the Aberdeen to Laurencekirk SGA, and in particular the area from Aberdeen to Stonehaven, are not a reflection of insufficient allocations to meet demand. To the contrary significant and sustained development has taken place in these settlements which reflect the scale of new allocations being made. Issues of delivery in the RHMA, where demand is lower, are reflected within the SDP revision to the RHMA allocations. Rates of housing delivery in Chapelton are disappointing but it remains a consented development proposal of some size. The scale of development anticipated in the LDP reflects that current allocations are capable of becoming effective allocations to a period to beyond the life of this Plan. Delivery will not be helped through additional competing sites.

Aberdeen to Peterhead Strategic Growth Area

A wide range of locations are supported for development in this SGA at the request of developers or carried forward as effective sites. Allocations are made in 12 of the 14 settlements in the SGA, with exceptions made in locations that are constrained by trunk road access and the small scale of the proposals. Within the Ellon to Formartine part of the SGA, only one village (Tipperty) has housing growth constrained. It cannot be argued that this is insufficient choice, or that further allocations would improve deliverability. We do not believe that these allocations go against either housing need or SPP, but instead reflect a proportionate response to need in the area between Ellon and Aberdeen and to reflect the high house building rates seen recently in Peterhead. We think that the response promoted represents a valid strategy for the proportionate growth of the Energetica Corridor. Balmedie is constrained by road, coast, and landscape issues and as such is not the “excellent location” as suggested.

Rural Locations

The aspirations to boost rural economic growth remain unconstrained by the emerging policy, with evidence that the development of business land in rural areas is proving very difficult to achieve (except for the growth of existing business locations), within settlements. A policy of allowing economic development in a wide range of rural locations remains in place but has not been successful to date.

Nevertheless, complete abandonment of remoter rural areas in favour of the SGAs cannot be considered: even rural settlements must have the potential to grow, and existing “housing in the countryside” policies have been very successful in supporting very local needs by allowing the right development in the right place. In this context we do not agree that the policies are insufficiently flexible, as with many policy issues we agree that the crux of the issue is a balance between settlement growth and limited development in less sustainable locations. The identification of a revised “remote rural” area, and associated policy (see Issue 10 Shaping Development in the Countryside – Main Issue 7) allows a proportionate approach to be taken for our sparsely populated and inaccessible locations.

A90 / Aberdeen Western Peripheral Route

It remains a position of principal that the AWPR provides a long term solution to acute accessibility issues around Aberdeen City and we would repeat the view expressed by the SDP and NESTRANS that this is a strategic route and is not a development corridor which seeks short term gain at the costs of additional congestion from local trips. We agree that additional works to AWPR junctions may allow further development, off-line, to take place. We have identified no locations where this would be necessary at this time.

Westhill

Decisions regarding the status of Westhill are a matter for the SDP. While it remains a sustainable location for development and has undoubtedly been a popular location for the development industry to provide both homes and jobs, significant constraints operate on the town, such as service capacity, landscape and transport limitations that suggest that it should not be promoted to support the Aberdeen City Region. Honest attempts were made to increase affordable housing within the Plan area by allocation of high-proportion affordable home sites, but as these sites have “stalled” in the expectation of greater profits from an expectation that at a future date more lucrative market housing could be delivered. Allocation of more private house sites will generate 25% affordable housing, and not the minimum 48% need that has been identified in the HNDA but will compete with other effective sites both in Aberdeen City and its surrounding settlements for development sites. We do not think this is an effective strategy.

4. Recommendations

There are no arguments presented here that suggest that the strategy being promoted is inappropriate. Reference can be made to the paper for Issue 11 Housing Land, for arguments regarding the ability of the Plan to meet anticipated housing need in the future. It is maintained that in accordance with the Aberdeen City and Shire SDP sufficient additional housing land allocations have been identified in and across the area to augment the existing effective land supply, and that the Spatial Strategy represents a sound approach for the distribution of that development within Aberdeenshire.

The following changes are proposed to the Spatial Strategy text of the Draft Proposed LDP:

1. Amend text to improve understanding to lay-persons.
2. Complete an Appendix for “Housing Land Allocations” for inclusion in the Proposed LDP.
3. Modify the conclusion of this section to ensure that proposals that contribute to national and international interests apply to all areas.

5. Committee Decisions

1. Kincardine and Mearns Area Committee agreed the above recommendations at their special meeting on 20 and 21 August 2019.
2. Banff and Buchan Area Committee agreed the above recommendations at their special meeting on 27 August 2019.
3. Buchan Area Committee agreed the above recommendations at their special meeting on 3 September 2019.
4. Garioch Area Committee agreed the above recommendations at their special meeting on 3 September 2019. The Committee also agreed that the Proposed LDP recognise the need for a sustainable transport option to serve the Aberdeen to Peterhead SGA and that the sections within the spatial strategy that refer to the six administrative areas should be retained in the Proposed LDP. The Committee requested that Officers provide a timescale for the traffic assessments for Westhill as it is the perception of the SDP that the lack of these is stifling growth in Westhill.
5. Formartine Area Committee agreed the above recommendations at their special meeting on 10 September 2019.
6. Marr Area Committee agreed the above recommendations at their special meeting on 17 September 2019.
7. At their meeting of 3 October 2019, Infrastructure Services Committee considered the views of Area Committees and no further recommendations were identified.
8. At the meeting of Aberdeenshire Council on 5 March 2020, Members agreed that the content of the Proposed Aberdeenshire Local Development Plan 2020 provides the settled view of the Council on the Plan they wish to see adopted in 2021.

Issue 6 Shaping Business Development

1. List of Respondents

MIR Ref	Respondents
23	J & J Design on behalf of Jesmond Gospel Trust
59	Mrs Victoria MacLeod
64	Mr Charles Taylor
210	Newtonhill, Muchalls & Cammachmore Community Council
236	Mr Lucy Thomson
392	Echt & Skene Community Council
401	Halliday Fraser Munro on behalf of ANM Group Ltd
506	Scottish Natural Heritage
550	Norr on behalf of Stewart Milne Homes
568	Montagu Evans on behalf of St James's Place Property Unit Trust c/o Orchard Street Investment Management LLP
603	Scott Hobbs Planning on behalf of Ashfield Land (Aberdeen) Limited
610	Halliday Fraser Munro on behalf of CALA Homes (North) Ltd
702	Cruden Community Council
758	Dee District Salmon Fishery Board
792	Sirius Planning on behalf of FCC Environment
805	SEPA
843	Kintore and District Community Council
855	Catterline, Kinneff & Dunnottar Community Council
865	Inverurie Community Council
917	Halliday Fraser Munro on behalf of Luther Farm Services
922	Clarendon Planning & Development Ltd on behalf of The Sluie Estate Trust
944	Tarves Community Council
980	Mr Paul Davison
1009	Historic Environment Scotland
1012	Savills on behalf of Elgin Energy

2. Issues

Rivers have high economic value because they support approximately 500 full time jobs (758). The employment strategy is blunt, and an over simplistic approach has been taken for future employment land allocations. Additional allocations, in particular, in Strategic Growth Areas (SGA) are required to deliver the Strategic Development Plan's employment land requirement (401). In addition, the Employment Land Audit should be updated to determine future land requirements for employment policies (792). Successful, accessible locations such as Thainstone and bid site GR131 present a

deliverable opportunity (401), and this is the kind of example that should be followed when allocating employment land.

The strategy to increase opportunity sites or allocate employment land within the Energetica Corridor is supported but only a minimal number of new sites are released (550). In order to achieve a successful and sustainable place, Aberdeenshire must be 'open for business' and greater consideration of the economic benefits of proposed developments should be made (792).

There is a lack of protection proposed for employment land, particularly within mixed-use sites (944). Developers should be encouraged to deliver more employment sites. The Planning Service should not permit change to existing allocated sites, in particular, to residential (944).

Policy B1 Employment and Business Land and B2 Town Centres and Office Development (Main Issue 3)

One respondent does not support the inclusion of Use Classes 10 and 11 on established business parks and employment land (980). The respondent stated that if the intention is to allow development other than employment on land designated for employment, then the suggestion would be to change the order of Policies B1 and B2 and retitle the first policy to "Town Centre Development" as per the Main Issues Report (64, 236). The Plan should make specific provision for Use Classes 10 and 11 to be located within employment areas only if there are no suitable sites available within town centres. This type of proposal should not be encouraged to pass under the 'departure' route (392). Furthermore, additional policies are required to address specific developments that fall within Use classes 10 and 11, to ensure that suitable uses are allowed. For example, schools should not be allowed to be developed within a business park (64).

Use Classes 10 and 11 should only be considered in established business parks if the obligations of the Town Centres First principles are applied. Policy B1 Employment and Business Land should be expanded to provide greater support for new development in rural areas, and the viability and economy of rural areas should be considered (792).

The conditions set within the proposed policy so that the 'change of use' policy can be permitted, are considered to be impractical and it would be highly unlikely that any developer or business could fulfil all criteria (550).

Use Class 9 developments [houses] should also be permitted on allocated business land where these sites are not suitable for employment development (including BUS sites), or have not come forward within a defined time period (610). Exception should be applied if an allocated site is unlikely to be developed, and in that case, permission should be granted for some on unallocated land, if sought. It would be preferable to have a supportive policy approach for this type of development, rather than consider such applications as departures to the plan as and when they arise (610).

A total of 6 respondents have supported the preferred option (to provide clarity in Policy B1 that Use Classes 10 and 11 could be considered for business land and employment land allocations) (23, 236, 702, 792, 855, 865). One respondent does not support building new schools and crèches in either town centres or industrial estates/business parks due to health and safety reasons (air quality, traffic, etc.) as well as congestion issues (64). State schools are usually located within housing estates which is a logical location for such facilities. Additional policies are required to address developments for Use Class 10 and 11 [non-residential institutions, assembly and leisure uses]. Also, Use Class 10 would benefit from further division or another policy, for example, policies for schools and crèches should be different from other public buildings. A number of Class 10 non-residential uses such as day nurseries would not be suitable in terms of flood risk on BUS allocations (805).

Alternative uses on brownfield sites that were previously used for business should be allowed if the site will remain vacant in the long run (2-5 years). However, any change should be relevant and suitable for the area. It is not stated in the policy that a site can be "reserved", and more detail is required in this respect (64).

It is wrong for the LDP 2021 to safeguard and/or promote constrained business sites, as this could potentially prejudice other sites that are deliverable and marketable (922).

All allocated Business sites promoted by the LDP 2021 should be assessed to identify constraints that would impede development and ensure the Council is fully satisfied these sites can be developed within the 5-year timescale (922).

Any change of use should not have any negative impact on existing businesses and any new business should justify that there is an overriding public interest equated to economic, social and environmental benefits and this should be outlined in the policy (805).

One respondent does not support the preferred option (843).

Draft Proposed Local Development Plan - Policy B1 Employment and Business Land

Paragraphs B1.2 and B1.3 seek to deliver similar things and if the intention is different, the paragraphs need re-visiting (64). For example, if paragraph B1.2 is meant to relate to land where there is already some business uses on the land and B1.3 is meant to relate to land designation as BUS, but currently has no business development on the land, then this needs to be made much clearer in the text.

The wording of this policy runs contrary to the discussion set out in the Main Issues Report (MIR) under Issue 3 (64). Policy B1.2 indicates that land designated as BUS, and previously used for employment purposes (i.e. a brownfield site), may be changed to another use, but only if there is no "reasonable prospect" of it ever being developed for business. This is not aligned with the preferred option of Main Issue 3 (64).

One respondent stated that policy B1.3 is unsatisfactory and should be revised to reference positive terms such as “Proposals for changes of use from land previously used for business uses and identified as a BUS site to other uses within Use Classes 10 and 11 will be supported. Changes of use to shops, financial, professional and others are not permissible” (64). The requirement for 12 months advertising is too short (23, 64) and suggests that a minimum of 24 months marketing is more reasonable before consideration is given to alternative uses (64). These requirements are likely to diminish the ability for not-for-profit organisations to deliver an alternative use (64).

Paragraph B1.3 does not explicitly address the MIR Main Issue 3 related to development Use Classes 10 and 11. Instead, it excludes other developments (Use Class Orders 1 to 3, and 7 to 9), and this requires clarification (64). Also, the policy excludes such developments in industrial estates and business parks. This appears to be counter intuitive. There are many financial and professional services located within industrial estates, therefore, is it unclear whether it is expected that similar services must be located within town centres. Road burger vans are located within industrial parks which is not encouraged by the policy, hence the policy is counter intuitive. The provision of such retail can significantly reduce vehicle journeys. The principal issue should be the purpose of the proposed development and who it is aimed to serve (64).

Draft Proposed Local Development Plan - Policy B2 Town Centre Development

Policies B2 & B3 have the potential to introduce more flood risk vulnerable uses in town centres and tourist sites (805). There is a lack of investment in the high streets/town centres (59). Lack of parking provision can deter people from visiting town centres (392). Any development should be sited in accessible locations, and the site should be accessed by walking, cycling or public transport from residential areas. Out of town retail centre seem inappropriate (865).

One respondent stated that the second sentence of paragraph B2.1 highlights the potential "where appropriate" of having education facilities in the town centre (64). In Main Issue 3, concern was highlighted on placing new educational facilities in town centres. Whilst there may be a case for small scale provision, such as adult education facilities in the town centres, it is suggested the word "education" is removed from this sentence (64).

Small convenience shops and leisure development are not being covered by this policy (792). In order to meet local community needs and enhance tourism in rural areas, certain types of development need to be located outside town centres, and policies should be drafted to take account of this requirement (792).

The policy should adopt the wording of SPP. The definition of “a lot of people” within the policy is questioned. Concern is also raised about the meaning of “unsuitable”, applied when assessing sites in accordance with the sequential approach. The respondent highlights that in accordance with SPP the town centre, edge of centre and

other commercial centre sites should be discounted from the sequential approach if they are shown to be unsuitable or unavailable (922).

Policy B2 should confirm that the Planning Authority and developers will be flexible and realistic in the application of the sequential approach in accordance with SPP. Policy B2 should require a demonstration that development sites can be delivered within a three year timescale (the timescale of a Planning Permission in Principle), and ensure there are no constraints that would impede its development (922).

Westhill should be regarded as having many of the functions of a Principal Town Centre (568). The policy and associated Appendix should be amended to reflect the Blackdog Town Centre (603).

Policy B3 Tourist Facilities (Main Issue 4)

One respondent has supported the preferred option outlined in the Main Issues Report (to maintain the Plan as it is) (64). However, the respondent raised concern about how the planning system deals with the growing development of short-term platforms such as 'Airbnb', which is having an impact on the rental market. Whilst supporting the development of tourism, there is a need to balance this development with the provision and availability of homes in tourist areas and for locals.

Draft Proposed Local Development Plan - Policy B3 Tourist Facilities

Two respondents have supported the preferred option (210, 506). There is an urgent need to develop tourism as an alternative source of employment (210). Assessment should be carried out on a case by case basis to consider landscape and visual effects and other natural heritage issues (506).

Six respondents have supported the alternative option which allows for opportunities for major new tourist developments on sites unrelated to settlements (236, 392, 702, 792, 855, 865). The tourist sites should have a strong association with an existing physical characteristic of a site (236). Also, it is one of the objectives within the Vision to develop tourism in Aberdeenshire (236, 392).

There has been objection to the Council's position regarding the support for tourist development being related to existing settlements and tourist routes (792, 917). It is considered that this approach is too restrictive to apply. Policies should be drafted in a manner such that decisions on proposals can be made on a case by case basis, rather than based on a restrictive policy. The Plan should also pro-actively support and encourage tourism related developments in rural locations to boost the rural economy (in line with paragraph 79 SPP). Furthermore, the policy should be written in a manner that would allow the tourism industry to grow and attract more visitors and focus on minimal impact on the local environment (855).

One respondent expressed interest in linking tourist sites to existing settlements or close to public transport and cycling/walking routes (865).

It is considered that the policy has been inconsistently applied (917). Clarity is required on some of the terms such as "well-related to settlements" and "tourist routes". The policy does not provide enough support for bespoke tourism related uses and should be more flexible to help encourage economic development. The policy needs to be more closely tied to the Council's adopted Economic Development Strategy (917).

Support is expressed for the alternative option to expand the policy text and include an opportunity for all new tourist developments in locations less related to settlements, not just major new tourist developments. The respondent does not support the preferred option (keeping the policy as is) or the further alternative option (further prohibition) (1009). Tourist facilities on certain locations, such as near a castle and other tourism, have the potential for adverse impacts, including on a setting, and this would need to be considered in design (1009). Impact of increased footfall in sensitive areas may also need to be managed (1009).

Draft Proposed Local Development Plan - Policy B4 Special Development Areas

Cross reference should be made to more flood risk vulnerable change of uses (805). It should be noted that a significant proportion of the existing Regeneration Priority Area (currently in Supplementary Guidance 2) lies within Potentially Vulnerable Areas (areas where significant flood risk exists).

There is no reference to renewable energy, although there is site reference to the Energetica Corridor, therefore this may not become noticeable to the Energy Sector (1012).

3. Actions

We agree that rivers are an important component of economic development in rural areas but feel that specifically referencing this land use would require us to identify a wide range of other industries which have similar importance such as minerals, agriculture, forestry etc.

The annual 'Employment Land Audit' demonstrates that effective employment land supply meets the requirement set out in the Aberdeen City and Shire Strategic Development Plan (SDP). A high proportion of business land is allocated within Strategic Growth Areas (SGA) and this also meets the requirement laid out in the SDP. It is always aimed to allocate business land where there is demand and it is likely to come forward.

All allocated business land is released for development and it is for the applicant to submit a planning application. The Planning Service aims to keep a site 'effective' to the best of its ability.

The allocated employment/business sites are protected, including those in mixed-use sites. The proportion of employment land to be allocated within a mixed-use site is stated within the allocation summaries within the Settlement Statements. Sites that

have been allocated for employment or business use are not recommended to be permitted to change to another use class order, except through formal Local Development Plan review.

No changes are required to the employment land allocations in the Plan.

Policy B1 Employment and Business Land and Policy B2 Town Centres and Office Development (Main Issue 3)

The support for the preferred option is noted. Currently there is no policy designation that identifies land for the development of Use Classes 10 and 11 (Non-residential institutions and Leisure uses) within the plan, and this justifies the expansion of the text in the Local Development Plan to include an additional paragraph. We agree that these uses should only be allowed where a sequential approach has failed to identify a town centre location, otherwise policy B2 (Town Centres and Office Development) would apply. Only in those rare cases where a specific proposal is being considered or the location of a site is logical and beneficial for the community would sites be “reserved” for such uses. Likewise, health and safety issues would have to be addressed to ensure the location is acceptable through applying Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land.

There is significant duplication between Policy B1 and Policy P6 Community Infrastructure and it would be appropriate to rephrase Policy P6 to specifically include a reference to leisure uses, and delete much of policy B1.3.

There is also some merit to reversing the order of policies B1 and B2 as suggested. This makes no material difference to the policy content of the Plan but does reinforce Aberdeenshire Council’s commitment to the Town Centres First principle.

We do not agree that the conditions set by paragraph B1.3 are onerous if we are to guard against migration of high footfall uses from the town centre to the periphery. Strict rules are required.

However, Policy B1 is restricted to allocated business land only. New development in rural areas is currently assessed under separate policies which consider the viability and economy of these areas. It would be appropriate to introduce a new paragraph in the Shaping Business Development section to account for new business proposals in the countryside. This is discussed further under Issue 7 Shaping Development in the Countryside.

Having a policy that permits Use Class 9 (houses) on land currently designated for employment uses is inappropriate for a range of reasons. Land that is allocated for employment use should remain in the plan until delivered, or its designation changed through review in the following Local Development Plan. Whilst Scottish Planning Policy encourages flexibility and allowing other uses on employment land, this may lead to the wrong development in the wrong places, and a precautionary approach through a development plan process remains an appropriate mechanism to effect this change.

Constrained business sites can be reassessed for alternative uses in this manner. Only if there was wholesale failure in the occupancy of BUS allocated sites would comprehensive redevelopment be considered.

In the interests of clarity and flexibility, paragraph B1.1 should be amended to remove the stipulation that a numerical figure is always appropriate and the term “significant Heavy Goods Vehicle Movements per day” substituted for “10 Heavy Goods Vehicle movements per day”. An additional sentence should be added to state that “The actual scale of vehicle movements will vary with the type of development but 10 or more Heavy Goods Vehicle movements per day will always be considered significant”.

Draft Proposed Local Development Plan - Policy B1 Employment and Business Land

The suggestion for the revision of policy B1.3 has been noted above. This addresses issues raised regarding the conformity of this approach to the preferred option within the Main Issues. In this location we see that it adds little value to the Plan and should be deleted.

The policy content should be moved to a revised policy P6 “Community Facilities and Public Amenities”, and Policy B1 amended accordingly. The duration of need for advertisement has been taken from policy B3: tourist facilities and has been accepted by Aberdeenshire Council’s Economic Development Service. A 24 months’ timescale would mean that the building may remain empty for a long time and this could have a detrimental impact on the overall business park. The policy can be altered to reflect that the property must be vacant for a duration of 12 months and actively advertised prior to consideration given for alternative uses, backed by relevant evidence.

Change of use from employment to other uses within business parks are not guaranteed. The Town Centre First Principle of Policy B2, along with other considerations, is assessed prior to permitting development. The policy is aligned with Main Issues 3.

There are occasional financial and professional services and cafés located within business parks, however, they will likely be ancillary to the businesses or permitted due to exceptional circumstances. Cafés can be justified by serving a local need but would generally be expected to be located in Town Centres. Professional services also remain best suited to be within a Town Centre but should sites not be available then an off centre development should still be possible. “Business” has changed significantly and is not only relates to manufacturing or distribution. The operation and siting of mobile food vans and are not controlled by the Planning system. No changes are required.

Draft Proposed Local Development Plan: B2 Town Centre Development

It is noted that there is a perception that there is a lack of parking spaces in some town centres. No proposals have come forward for additional parking from the Transportation Service. All town centres are accessible by other means of transport

such as public transport, walking and cycling, therefore, additional parking spaces are not encouraged. Out of centre retail proposals can only be considered as Local Development Plan allocations or as exceptional departures to Local Development Plan Policy.

We note that one respondent does not support the preferred option set out in the Draft Proposed Local Development Plan but gives no reason for this.

The Local Development Plan has laid out policies that encourages positive development within a town centre, but we have no control of the investments being made within a town centre. The “sequential test” allows for development in other identified retail centres and edge of centre locations. These may be “more appropriate” sites for services such as “bulky goods” shops.

The amendment requested for the second sentence of paragraph B2.1 that the term “education” should be removed as an example of a community facility, has been noted. “Educational facilities” do not only refer to schools and it would be inappropriate to remove the word “education” from the sentence.

Confirmation is provided within the policy that proposals for small convenience shops within neighbourhood centres do not need to be considered in the context of this policy. Leisure developments are welcome in the town centre and are specifically referred to. Sufficient provision is made for Leisure uses through this policy, Policy B1, and Policy R2 (Housing and Employment Development Elsewhere in the Countryside) policies. No further action is required to enhance tourism.

The definition of “a lot of people” should be interpreted in a common-sense way. A definition would be inappropriate as the measure of “a lot” will vary according to the nature of the business. Again “unsuitable” requires to be judged in a common-sense way as what is unsuitable for some settlements may be suitable for others. We agree with SPP that the definition should include “edge of town centres”, but again a definition may be inappropriate for some of the small centres in Aberdeenshire. Housing is a permissible use in town centres.

The sequential approach is carried out when assessing retail outlets out with the town centre and does not need to be repeated in the Local Development Plan. The sequential approach is detailed in SPP (Para 68). There is no restriction on the length of time that should be considered for a site to be available although we will always adopt the Scottish Planning Policy advice that a flexible and realistic approach must be taken.

Westhill centre does not provide the facilities such as visitor attractions or a public hall within the town centre, therefore, not considered to be suitable to upgrade to ‘Principal Town Centre’. Blackdog shopping and service facilities are yet to be fully developed, therefore, do not meet the criteria to be designated as a town centre at present.

Policy B3 Tourist Facilities (Main Issue 4)

The support given to the preferred option is welcomed. Conversion to 'Airbnb' is not currently regulated by the Planning system, although provision has been made as part of the recently assented Planning (Scotland) Act 2019, whereby Planning Authorities will have the ability to designate short term let control areas. Secondary legislation detailing requirements has yet to be presented. We fully support the need to protect areas from over development as tourist locations, but the scale of the industry in Aberdeenshire does not require any specific constraints at the present time that are not already drafted in the policy.

Draft Proposed Local Development Plan – Policy B3 Tourist Facilities

The need to develop tourism is set out as an objective of the Plan supported by policy. It is accepted that tourism helps boosting the economy. The tourism policy focuses on the best places to locate tourism facilities. All proposals are assessed on a case by case basis. All proposals are assessed under landscape and visual impact and other material considerations. The main aim of this policy is to locate tourist facilities in locations where there is demand and the site is accessible.

Tourist facilities are encouraged to be located near a settlement so the users or tourists have access to services and public transport, but this is not an essential criterion. This would be assessed at the planning application stage, and the nature of the tourist facility would be taken into consideration. In addition, facilities are encouraged to be located on tourist routes. It is encouraged to provide facilities close to the main roads to avoid trips on inappropriate roads. Again, this is not essential if an acceptable justification can be provided as to the reason for the chosen location. Good judgement is used to ensure that the right development is built in the right places, without putting undue weight on other services.

The developer will need to present an assessment of market demand to ensure that the facility is viable and will remain active in the long term. The tourism policy is flexible in promoting tourism in Aberdeenshire and tailored to promote economic development. Any tourist proposal near castles and sensitive areas would be assessed to ensure that the development would not have a negative impact on protected sites. No changes are required

Draft Proposed Local Development Plan - B4 Special Development Areas

Any proposal related to a flood risk vulnerable change of use would need be assessed by other policies in the Plan. The Energetica Corridor aims to attract all types of business sectors, including renewable energy, to be located within the corridor. No change is required in this respect.

It is proposed that 'The Regeneration Priority Area' is revised to align with regeneration priorities set out in the Aberdeen City and Shire Strategic Development Plan, establishing a focussed approach to concentrate efforts on the four northern coastal towns of Banff, Macduff, Fraserburgh and Peterhead. The Regeneration Priority Area should be carried forward as an Appendix, modified accordingly.

4. Recommendations

Policy B1 Employment and Business Land and Policy B2 Town Centres and Office Development

1. Reverse policies B1 and B2 to lead with Policy B2 Town Centres and Office Development. Rename Policy B2 to “B1 Town Centre Development”.
2. Amend policy B1.1 to remove the stipulation that a numerical figure is always appropriate and the term “significant Heavy Goods Vehicle movements per day” substituted for “10 Heavy Goods Vehicle movements per day”. An additional sentence should be added to state “The actual scale of vehicle movements will vary with the type of development but 10 or more Heavy Goods Vehicle movements per day will usually be considered significant.”
3. Delete paragraph B1.3.
4. Introduce a new paragraph in the Shaping Business Development section to allow for the development of small-scale business proposals in rural areas.
5. Review policy P4 Hazardous, Potentially Polluting Developments and Contaminated Land to ensure that infill development cannot prejudice existing operations.
6. Revise policy P6 to rename it “Community Facilities and Public Amenities” and redraft to include reference to the scope to develop Use Classes 10 and 11 on other sites within a settlement in the interests of public amenity, should a town centre site not be available.

Policy B3 Tourist Facilities

1. Additional text should be added to paragraph B3.1 to make reference to the need for a justification for the long-term success of the business, clarify the terms under which high value tourist developments should be provided, and the level of protection given to existing tourist sites
2. Additional text should be added to paragraph B2.2 to clarify that shops ancillary to tourist developments are acceptable.

Policy B4 Special Development Areas

1. The Regeneration Priority Area should be focussed on the four towns of Banff, Macduff, Fraserburgh and Peterhead, and the proposed Appendix “The Regeneration Priority Area” modified accordingly.

5. Committee Decisions

1. Kincardine and Mearns Area Committee agreed the above recommendations at their special meeting on 20 and 21 August 2019. The Committee also agreed that further consideration should be given to the potential for conflict between Policy B2 and the Council's Education Policy in respect to provision for pre-school education.
2. Banff and Buchan Area Committee agreed the above recommendations at their special meeting on 27 August 2019.
3. Buchan Area Committee agreed the above recommendations at their special meeting on 3 September 2019.
4. Garioch Area Committee agreed the above recommendations at their special meeting on 3 September 2019. The Committee also agreed that the reason stated for Westhill not being classed as a principle town centre was factually incorrect. Westhill has a public hall within the town centre and therefore the reasons for rejection in the Issues and Actions papers needed to be revised or the status changed to reflect this.
5. Formartine Area Committee agreed the above recommendations at their special meeting on 10 September 2019, subject to clarification on the definition of "education" in terms of facilities used by communities, to be considered by officers and reported on.
6. Marr Area Committee agreed the above recommendations at their special meeting on 17 September 2019.
7. At their meeting of 3 October 2019, Infrastructure Services Committee considered the views of Area Committees and agreed not to include Westhill as a principal town centre as proposed by Garioch Area Committee.
8. At the meeting of Aberdeenshire Council on 5 March 2020, Members agreed that the content of the Proposed Aberdeenshire Local Development Plan 2020 provides the settled view of the Council on the Plan they wish to see adopted in 2021.

Issue 7 Shaping Development in the Countryside

1. List of Respondents

MIR Ref	Respondents
9	Caledonia Homes
64	Mr Charles Taylor
65	Professor Ian Johnson
89	Mr Frederick Parkinson
113	Dr John Reid
126	Burness Paul LLP on behalf of Mr & Mrs Charles Miller
170	Burness Paull LLP on behalf of Leiths (Scotland) Limited
205	Mr Giancarlo Pia
210	Newtonhill, Muchalls & Cammachmore Community Council
230	Mr & Mrs Graham & Sue McLean
236	Mr Lucy Thomson
258	Lippe Architects + Planners on behalf of EIS Waste Services
264	Lippe Architects + Planners on behalf of Mr Patrick Stephen
271	Mr Stephen Coutts
277	Ms Anco Maan
278	Ms Lorraine Maan-Beck
280	Angus Council
287	Ms Nicola Maan
288	Mr Loran Maan
300	Mr & Mrs Graham & Jennifer Norrie
306	Mr Graham White
307	Professor Carole Gray
308	Ms Gael Sangster
317	Mr & Mrs A.J. Ross on behalf of Protect Banchory Devenick
351	Mrs Kirstie Forbes-Sempill
368	Cromar Community Council
369	Ms Gillian Begg
392	Echt & Skene Community Council
424	Inverurie Community Council
425	Fintray Community Council
443	Stewart Milne Homes
448	Mr Richard Woolcombe
491	Ms M A Roberts
496	Friends of Durris Primary and Crossroads Nursery
504	Mr Neil Frater
506	Scottish Natural Heritage

528	Lippe Architects + Planners
530	Lippe Architects + Planners
531	Lippe Architects + Planners
536	Ryden LLP on behalf of CHAP Group (Aberdeen) Limited
548	Caledonia Homes
550	Norr on behalf of Stewart Milne Homes
551	NHS Grampian
555	Emac Planning on behalf of Polmuir Properties (Newtonhill) Limited
561	Hermiston Securities Limited
564	Savills on behalf of Airvolution Clean Energy (ACE)
567	Mr Ed Colver
570	Ms Aileen Salway
585	Strutt & Parker on behalf of Kincardine Estate
588	Barton Willmore on behalf of Stewart Milne Homes
590	Barton Willmore on behalf of Stewart Milne Homes
596	Clarendon Planning & Development Ltd on behalf of The Sluie Estate Trust
610	Halliday Fraser Munro on behalf of CALA Homes (North) Ltd
614	Forbes Homes Ltd on behalf of Forbes Homes Ltd
619	Ms Pat Brodie
632	Mrs Catriona Woodburn
643	Mr Nigel McLean
644	Dr G.W. McLean
656	Ms Jacqueline Turner
657	Mr & Mrs Michael & Kay Melville
666	New Aberdour, Tyrie and Pennan Community Council
679	Ms Louise Taylor
702	Cruden Community Council
706	Dr Frank and Pauline Charleson
707	Mr Alan Haig
708	Ms Heather Haig
711	Mr Ian Smith
713	Mr G Neil McKay
752	Westhill and Elrick Community Council
782	RSPB Scotland
791	Emac Planning on behalf of Kirkwood Homes Ltd
792	Sirius Planning on behalf of FCC Environment
805	SEPA
830	Strutt and Parker on behalf of North Banchory Coy
840	Baxter Design Company (Old Deer) Ltd
843	Kintore and District Community Council

855	Catterline, Kinneff & Dunnottar Community Council
865	Inverurie Community Council
889	Holder Planning on behalf of Hallam Land
891	Barratt North Scotland
896	Arcus Design Ltd
910	Strutt & Parker on behalf of Corsindae Estate
911	Arcus Design Ltd
917	Halliday Fraser Munro on behalf of Luther Farm Services
921	Mr Christopher Hennigan
922	Clarendon Planning & Development Ltd on behalf of The Sluie Estate Trust
923	Halliday Fraser Munro on behalf of Drum Property Group
924	Halliday Fraser Munro on behalf of W. Maitland & Sons
927	Gladman Scotland
929	Farningham Planning Ltd on behalf of Barratt North Scotland and Dunecht Estates
945	Ms Moira Mapley
947	Scottish Land & Estates
953	North Kincardine Rural Community Council
956	Mr Phil Allan
967	Homes for Scotland
980	Mr Paul Davison
984	GVA Grimley Ltd T/A Avison Young on behalf of Mr A Strachan
1008	Savills on behalf of The Fyvie Estate
1010	EGCP
1011	Savills on behalf of The Fyvie Estate
1012	Savills on behalf of Elgin Energy
1021	Strutt & Parker on behalf of Mr Ian Ross
1023	Burness Paull LLP on behalf of Neal Still, South Fornet Estates Ltd
1046	Ms Ruth Gillies
1059	Ms Winifred Young
1063	Mr Euan Gillies

2. Issues

Respondents have expressed support for the wider aims of the Shaping Development in the Countryside policies (792, 927). Differing views were received on whether a more flexible policy approach to rural development was required as opposed to a stricter approach (711, 917). Some respondents supported retention of the small-scale nature of development in rural areas (64, 679), whereas another suggested the reference should be removed (585).

One respondent believed that in the event of a shortfall in the Council's five-year effective housing supply, areas outwith settlements must be considered as being potentially suitable for housing development (927).

NHS Grampian stated that development in the countryside should be easily accessible by public transport and linked to health and social care centres. The cumulative impact of rural development must also be considered to ensure it does not adversely impact on health and social care services which may already be oversubscribed (551).

One respondent has suggested that rural policies do not go far enough to support development of renewable energy. There needs to be recognition in this section that acceptable forms of development extend beyond housing and employment uses (1012).

It was suggested that a range of occupancy models should be promoted in rural areas (953). The Main Issues Report (MIR) has failed to consider the need for delivery of affordable housing by small and medium-sized enterprises (SME) housebuilders who rely on small sites coming forward via the rural policies (126). A respondent indicated that there was a growing perception that restricting rural development was based on a money saving exercise undertaken by the Planning Authority (947). It was noted that fragile communities were being excluded from development on the basis that they are small (947). Limited accessibility is not a justification to abandon opportunities in rural communities and favour a fully centralised approach to development (917).

Policy R1 Special Rural Areas

Introduction

One respondent has suggested that proposals in more sensitive areas need to be considered on a case by case basis whilst not precluding any particular development type (1012).

Green Belt (Main Issue 5)

Respondents have welcomed that preserving the green belt is a key priority for the Local Development Plan (LDP) (271, 287, 288, 921, 1046, 1063). Policy wording must be clear to preserve the green belt and limit misuse (953) and more emphasis should be placed on the function of the green belt to prevent coalescence (65). However, other respondents have suggested that the green belt should not be seen as a barrier to development (536, 792).

A number of respondents explicitly expressed support for the preferred option to make no change to green belt policy at this time (210, 300, 424, 425, 491, 550, 588, 590, 702, 791, 929) and four respondents supported the alternative option, to review the green belt in 2022 (64, 506, 865, 923). One respondent did not support the preferred option but suggested that the alternative option appeared to be very limited in its scope (984).

Several respondents, including Scottish Natural Heritage (SNH), believed that a comprehensive review of the green belt should be undertaken now to inform the

Proposed LDP (64, 610, 506, 792, 984). Such a review would need to account for the impact the Aberdeen Western Peripheral Route (AWPR) will have on the opening up of land for development (64, 506, 610, 792) and development around Aberdeen City should be informed by an up to date green belt review (923). It was suggested by one respondent that a review in 2022 would be too late and would not allow a full and frank analysis to be undertaken that considers development opportunities (610).

Other respondents have suggested that it would be retrospective to undertake a review prior to the Proposed LDP as it has not been undertaken through the MIR, nor considered through the Strategic Development Plan process (588, 590). Three respondents stressed that any review of the green belt should be undertaken collaboratively (791, 891, 967).

Green Belt Boundary

A number of respondents have indicated that they would not support extending the green belt (588, 590, 791, 889, 891, 967), whereas it was also suggested that the green belt policy should be changed to ensure no coalescence of major settlements (752, 843, 980). One respondent has suggested that there are a range of locations where the green belt designation is no longer appropriate (610). Another has suggested that there is a need for a green belt buffer along each side of the AWPR (300).

Potential development along transport corridors within Strategic Growth Areas may be constrained due to the green belt designation. The respondent has considered that specific exceptions should be given in such areas (792).

Formartine

In **Potterton** the 2010 green belt review concluded that the risk of coalescence was less pronounced in the north of Potterton. Given that the area does not meet any of the other green belt objectives the respondent suggested that there may be a case for de-designating the area, including land subject to bid FR123 (792). Preferred sites in Potterton indicate an intention to review the green belt designation in order to accommodate new growth (536).

Garioch

One respondent would support extension of the green belt to include **Blackburn** to protect the landscape setting (236). In **Hatton of Fintray** it was suggested that there was no change required to the boundary surrounding Hatton of Fintray (656). The area between **Kintore and Inverurie** should be identified as green belt to avoid coalescence (843, 980). This would re-establish the policy first established by the Gordon District Council (843). Multiple responses were received in relation to **Westhill**. One respondent noted that any review of the green belt should consider development pressure around Westhill (392). Respondents would support extension of the green belt to include Westhill to avoid coalescence (64, 205, 236, 657, 752), whereas other respondents would not support extension of the green belt around Westhill (550, 588, 590, 791, 891). It was also suggested that the area subject to bids GR032, GR039, GR040 and GR041 should be designated as green belt (205).

Kincardine and Mearns

At **Banchory Devenick** a number of respondents have requested that no change is made to the green belt in the Banchory Devenick area, particularly land subject to bids KN069, KN070, KN071 and KN072 (89, 230, 271, 277, 278, 287, 288, 306, 307, 308, 317, 448, 567, 619, 643, 644, 707, 708, 713, 921, 945, 956, 1046, 1059, 1063). At **Blairs** the area subject to the extant planning permission at Blairs should be removed from the green belt (561). The extent of business operations at **Gallowhill, Marywell** should be removed from the green belt (258). One respondent has requested amendment of the green belt boundary at **Mains of Charleston, near Marywell** as this area. The site does not have a unique or special landscape setting and is bound by transport infrastructure and housing/ employment uses. It is not an area that is required to prevent coalescence (984). The extent of bid KN101 should be removed from the green belt at **Newtonhill** (555).

Other Issues in Respect of Green Belt

Definition of Primary Industry

Respondents have agreed that the definition of “primary industry” should not be extended to trades (64, 210, 368). One respondent suggested that such cases should be treated as departures to the Plan (368). Another requested that the definition be extended to allow new homes associated with an established tourism business in the countryside (530).

Brownfield Development in the Green Belt

It was suggested that the policy could be strengthened with regard to brownfield development in the green belt. Relaxing restrictions on brownfield land could result in additional environment and economic benefits (792). Another respondent has requested that wording is added to allow development of housing associated with a retiring farmer on the basis that there should be no difference between farmland located in the green belt or wider countryside in this respect (531).

Development of Clusters in the Green Belt

Extension to clusters should be permitted in the green belt where it contributes to supporting a local school roll or a local business (504).

The Coastal Zone (Main Issue 6)

A number of respondents have expressed support for the preferred option (to keep coastal zone with minor changes to the text) (64, 113, 570, 666, 702, 782, 855, 865, 1010). One respondent has supported the alternative option (236). Another respondent has indicated that they did not support either option presented in the MIR suggesting that the policy was open to interpretation and abuse. The respondent suggested that all proposals in the coastal zone should be considered as departures to the LDP (210). It was suggested that the coastal zone should be redefined to reflect what is actually coastal, or removed to allow Policy R2 to take precedence and decisions relating to proposals in coastal areas being made on a case by case basis

(911). A respondent has highlighted that Scottish Planning Policy (SPP) has been less focused on the coastal zone as a protection tool in recent updates. The respondent notes that Marine Scotland has indicated to them that there may be a need to amend Policy R1 to give more protection to smaller areas, rather than the existing system which covers a very wide area, both along the coast and inland (1010).

It was emphasised that any review should be subject to full engagement, and would need to be informed by the LDP process to take account of potential strategic development locations and should not be undertaken independently from the Plan process (610).

SNH has supported the intent to undertake a review of the coastal zone and suggested that recently published guidance on undertaking Coastal Character Assessments that could be used to inform any review of the coastal zone. SNH has suggested that coastal areas at flood risk should be mapped (506). Angus Council suggested it would be prudent for them as a neighbouring Authority to consider Aberdeenshire Council's policy approach to account for any implications for the Angus coastline (280).

Draft Proposed Local Development Plan – Policy R1 Special Rural Areas

Two respondents have requested that paragraph R1.1 is unchanged from the existing policy wording (64, 392). There was agreement with the types of development listed under paragraph R1.2 (392). The first bullet point required clarity (64, 392), whereas another expressed support for the provision in that it allows for development for a recreational use that is compatible with its agricultural and natural setting (792). It is not clear why wording was proposed to be removed under the second bullet point (64). It is not clear what "intensification of an existing use" means under the fifth bullet point (392), and this should not exceed the small-scale limit on development (64, 392).

SNH has suggested adding the following text to paragraph R1.3 to clarify the criteria for determining that social and economic benefits can outweigh any adverse environmental impact, "There must be no coalescence of coastal developments or significant adverse impacts on nature coastal process, coastal landscape and visual resource and..." (506).

There was agreement with the types of development listed at R1.5 (64, 392). A respondent has welcomed intent behind a provision to retain more of Aberdeenshire's vernacular buildings (392). A respondent suggests stating that development "may be" permitted (64). Another respondent disagreed and suggested that R1.5 is too restrictive and redevelopment of all buildings in the green belt should be permitted (792). SEPA has requested reference should be made in paragraph R1.5 to development only being acceptable where there is no increase in vulnerability to flood risk, highlighting that any conversion or new development must be cognisant of the SEPA Flood Risk and Land Use Vulnerability Guidance (805). SNH has expressed concern that the extent of the "curtilage" may be significant in some cases and recommend that clarity is provided in order to ensure the scale and nature of development is appropriate (506).

Wording should be added to the policy to ensure that rural development does not have an adverse effect on the natural environment, and in particular, biodiversity (782).

Policy R2 Housing and Employment Development Elsewhere in the Countryside

Rural Typologies (Main Issue 7)

A number of respondents have supported the preferred option (9, 64, 210, 392, 551, 792, 855, 865). Two respondents have indicated support for the alternative option (702) but one of these respondents suggested that this would require further exploration (548).

It was considered that no explanation had been provided for the preferred option in the Main Issues Report (MIR) (791, 967). The preferred option will restrict access to sites by SME housebuilders (126).

The LDP should provide greater differentiation between remote and accessible areas. A more relaxed approach to employment within remote rural area should be promoted where settlements are too far away (392). Development of clusters and organic growth should be allocated in accessible areas in the Rural Housing Market Area (840). Concern was expressed that brownfield and allocated opportunity sites would be the only development permitted in the part of the rural housing market area within the accessible area (840, 896).

Urbanisation of the rural community by encroachment of developments from the Aberdeen City- Aberdeenshire boundary is not desirable. Development proposals in the rural community should reflect and support the rural character (953).

Aberdeenshire has a unique character on mainland Scotland with small towns and accessible rural areas set around a single large City that provides the main employment, service and civic centre for the region (917, 924).

Organic Growth (Main Issue 8)

A significant number of respondents on this Issue have supported the preferred option (to retain the policy with a more flexible approach to the needs of the area) (64, 210, 528, 614, 632, 702, 706, 791, 792, 840, 855, 865, 927, 967, 1023). Two respondents, including SEPA have supported the alternative option in preference of a planned approach to development (236, 805). Examples of how this policy has been applied in other Authorities should be considered to establish a policy that allows sustainable growth to occur (1008). It was noted that there is clear tension between promoting organic growth and the belief that the presence of a battlefield supersedes any local demand for organic growth (1008, 1011). It was suggested that the scope of the policy should be broadened (924). Organic growth should also be extended to employment proposals (596).

SNH has suggested that the term “organic growth” may be open to interpretation and perhaps needs a caveat in relation to sensitive and historic settlement character and landscape context (506).

A full definition of “need” is required (64, 210). Any identified “need”, and shortfall in the five-year effective housing land supply, are relevant needs that must be recognised in the Proposed LDP (927). The methodology for identifying settlements suitable for organic growth should be shared (506, 1023). Growth should relate to demand and land availability (792). It is appropriate to consider school capacity in identifying settlements suitable for organic growth (369, 791).

The cap of 10 homes should be removed (792, 896, 910, 927, 1021). The policy should permit 20% (896) or up to 25% (924) growth within the Plan period. Another respondent also supported the reduction of the cap to allow for more gradual, small-scale developments to take place (840).

The 200m limit should be removed (264, 910, 967, 1021) and the 400m limit should be reinstated (791).

It is not clear what settlements may be listed as “identified settlements” for the next Plan period (126, 528, 896, 924, 1008, 1011).

Appendix 4: List of Identified Settlements

In **Formartine** Fyvie (1008, 1011) and Barthol Chapel (264) should be listed as a settlement where organic growth may be permitted.

In **Garioch** Glasgoeforest (1023) and Lethenty (924) should be listed as a settlement where organic growth may be permitted. If no opportunity site for housing is allocated in Lyne of Skene, it too should be listed as a settlement where organic growth may be permitted (443).

In **Kincardine and Mearns** Mains of Charleston, near Marywell (984), Kirkton of Durris (632) Woodlands of Durris (496, 632) should be listed as a settlement where organic growth may be permitted.

In **Marr** Alford should not be listed as a settlement where organic growth may be permitted (351). It is not clear whether Rhynie is to be retained as a settlement where organic growth may be permitted (528).

Redevelopment of Large Brownfield Sites (Main Issue 9)

A respondent has agreed that existing policies for development of disused or redundant land/ buildings has proven difficult to interpret and apply, and that the policy is required to be revised to provide clarity (792).

Mixed views were received in respect of this Main Issue with a number of respondents supporting the preferred option (9, 64, 236, 614, 792, 855, 967, 984), while others expressed support for the alternative option (392, 702, 843, 865).

Two respondents considered that a cap of 7 homes was too restrictive and decisions should be made on a case by case basis rather than be restricted by policy (614, 792). Another respondent indicated that in order to avoid overdevelopment, more than three homes should only be permitted if proposed as part of a development seeking restoration, conversion or extension of traditional vernacular buildings or another building of architectural merit (392).

The evidence base to support a limit of 7 homes was questioned by respondents (791, 967). The consequences of the preferred option are unclear (280).

It was suggested that a similar provision should be available under Policy R1 Special Rural Areas (792).

The brownfield policy should be relaxed to permit development on sites where there is no evidence of actual standing structures that previously stood. These previous structures have documented history in historical maps and this should be used as evidence of past uses (504, 896). SNH has suggested that development on brownfield sites should take place on the footprint of what was there previously (506).

Not all brownfield land is suitable for residential development. Therefore the policy should be extended to all types of development, including employment, leisure, services or retail, should a local need be established (792).

It was noted by SNH that restoration and/or enhancement of prevailing landscape character is an integral part of the development of a brownfield site and masterplanning of proposed development should include well considered landscape frameworks (506).

Support was expressed for clarification that temporary buildings, quarries, wells and pumping schemes, and modern farm buildings will not be considered brownfield (392).

An Environmental Impact Assessment and Landscape Visual Impact Assessment should be required for development of large brownfield sites (843).

Clarity should be given as to the requirement for affordable housing to be provided. The respondent suggested that it may be appropriate to investigate reduced commuted sums for brownfield sites in rural areas where there is very limited demand for affordable housing (9).

Angus Council has suggested it would be prudent for them as a neighbouring authority to monitor Aberdeenshire Council's policy approach (280).

Other Issues

Development of Existing Houses and Non-domestic buildings

Support was expressed for redeveloping brownfield sites in terms of promoting sustainability (711).

SEPA has indicated that they would welcome the consideration of the potential to request restoration of vacant and derelict land as a developer contribution (805). They also observe that there may be instances where vacant or derelict land may still be causing contamination even though it has been naturalised and may contribute more positively to placemaking through removal of contamination and redevelopment rather than being left in its naturalised state.

Retirement Succession

It is recommended by two respondents that retirement succession should extend to non-family members as it is not always the case an immediate relative will succeed a farm holding (830, 896).

Employment Proposals Outwith Settlements

It was considered that the policy is too heavily focused on housing and there is little guidance in relation to employment proposals (922). There was agreement that the existing definition has been proven unworkable in respect of limiting the number of employees a business could have (392). A number of respondents request that the policy should not be changed to allow large scale employment proposals in the countryside (392, 843, 865, 980), whereas other respondents support removal from the definition as it would support rural economies where opportunities may otherwise be limited (585). Small-scale employment proposals should be supported (922, 953) where no other site is available (792).

One respondent has suggested the definition of small-scale employment should focus on floor space with recommended text "In the case of employment, a site providing less than 800m² of Class 6 floor space or less than 500m² of Class 5 floor space, or less than 150m² of other non-residential floor space, and in all cases being less than 0.5 hectares overall" (392).

Housing Clusters/ Groups

Support was expressed for the retention of a policy to allow additions to housing clusters/ groups (840, 947).

New Agricultural Buildings

A respondent considered that all agricultural buildings should require planning permission (843).

Live/ Work Developments

It was suggested that a policy promoting home/work proposals should be included in the Proposed LDP. Such a proposal could provide opportunities for trades (840).

Draft Proposed Local Development Plan – Policy R2 Housing and Employment Development Elsewhere in the Countryside

A respondent suggested that the draft policies appeared to be very restrictive in comparison to existing policies. It is suggested that the text is revised to be more user friendly (830). It was suggested that the title of R2 should simply read, “Development Elsewhere in the Countryside” (1012).

Paragraph R2.2 should be amended to read, “We will restrict development proposals in the countryside area outwith the green belt and coastal zone to development that would.....” (1012).

SHN has considered that Policy R2.3. With reference to the use of the term “curtilage” they observe that this may be significant in some cases and recommend this is clarified in order to ensure scale and nature of development is appropriate (506). The first sentence of paragraph R2.3 is unclear. Several commas in the sentence may be required (64).

SEPA suggested rewording paragraph R2.5 to read, “Vacant or derelict land that has become naturalised and contributes to area of green-blue infrastructure and placemaking will not be available for redevelopment as brownfield” (805).

It was suggested that the draft wording of R2.6 could be misinterpreted and should be amended to read, “To promote a planned approach to rural brownfield development larger rural brownfield sites such as a group of farm buildings, should not be divided into their component parts with sequential permissions being sought for small scale development on each part” (392).

A respondent suggested that paragraphs R2.7 and R2.13 appeared to run contrary to each other (64).

SEPA has suggested that it should be a requirement under paragraph R2.10 to require footpath connection to a settlement, similar to that required under Policy B2, and R2.12 should refer to housing rather than employment proposals (805).

SNH has requested that wording to the last sentence ‘the scale of individual houses with respect to defined curtilages’ should be sensitive to the landscape context (506). Clarity was sought on the relationship between paragraphs R2.12 and R2.13 (64). It was suggested that the reference to “ribbon development not being permitted” should be removed from paragraph R2.13 as this is sometimes the only way a cluster can be extended and would reflect the existing character (896).

The policy wording on organic growth requires to be clarified. The reference to “addition” needs to be emphasised as it currently goes against the overall spirit of the policy (840). It was suggested that reference should be made in the policy to state that

the Community Council should be an arbiter of establishing “need” within a community (843, 980).

SEPA indicated that the promotion of rural development would lead to an increase in separate waste water treatment proposals. Their preference is always for any development to connect to the mains sewer network in order to prevent the potential for environmental pollution from waste water discharges to the water environment (surface and groundwater). Therefore, SEPA has requested that there is cross referencing to Policies RD1.9-1.13 somewhere within Policy R2 (805).

A respondent objected to text that outlines vacant or derelict land that has become naturalised will not be available for redevelopment as brownfield land. It is suggested that the LDP should strengthen its commitment to maximise brownfield sites within both urban and rural areas, in line with SPP paragraph 48 (792).

SNH suggested that clarification was required in respect of housing clusters and definitions of small scale. They encouraged consideration of sustainable development in this section and how cumulative effects of new housing in the countryside will be measured (506).

Terms that require to be included within the Glossary included “small-scale” (368, 392, 585), “cluster”, “live/ work units” (368) and “brownfield land” (392).

Policy R3 Minerals and Hill Tracks

The pending review of minerals was welcomed, along with recognition that sites would be identified should a shortfall be established, in line with SPP (170).

One respondent has indicated support for the policy as a means to protect the natural environment from inappropriate mineral extraction and access track development (782). It is emphasised that hill track development can have adverse impacts on protected and priority species and habitats (782). It was suggested that development of hill tracks require more regulation to prevent uncontrolled expansion of tracks (570, 865).

It was suggested that the term “adverse impact arising” in the MIR be replaced with “subject to the acceptability of the impact” (564).

Draft Proposed Local Development Plan

A respondent has suggested that the list of information required to support a minerals application as outlined in paragraph R3.1 should state that this would be the minimum requirement. This would introduce an element of flexibility to allow the Planning Service to require further information to be submitted. The respondent suggests that “after use” requires further clarity and suggested revised text “Details of proposed use of site after completion of works and after land restoration” (64).

It was suggested that the sentence relating to the market area under paragraph R3.2 should re-structured to provide clarity (64).

A respondent has requested that specific reference to impacts on flora and fauna should be made. Reference to impact of habitats does not go far enough. There should also be specific mention of addressing the possible loss of biodiversity and this should be added as an additional bullet point. Consideration of disturbance by artificial light should also be added to the fifth bullet point (64).

SEPA (805) has suggested a number of revisions to the draft wording of Policy R3, including:

- To revise the last bullet point paragraph R3.3 and including two additional bullet points added. They recommend the following wording: “Potential pollution of land, air and water (surface and groundwater); Disturbance of carbon rich soils, taking into account Policy C3; and Habitat enhancement and restoration measures”.
- To revise paragraph R3.5 to read: “Ensure that a high standard of site restoration (including habitat and peat restoration where applicable) and aftercare is management effectively”.
- To revise paragraph R3.10 to read: “minimise environmental impacts, such as soil erosion, on habitat and waterbodies, and on carbon risk soils, and a satisfactory maintenance programme has been agreed.”

SEPA has also suggested that a definition of “waterbody/waterbodies” be included within the Glossary, and that such a definition should state that this includes wetlands (805).

SNH has suggested that to provide clarity in relation to restoration and aftercare, to mitigate environmental effects of mineral development, restoration of sites to benefits use should be sought, including ecological solutions (506).

3. Actions

Introduction

General comments made in relation to the aims and policy approach are noted. For clarity, the Housing Land Audit confirms that the 5-year effective housing land supply can be met. Smaller sites (less than 5 homes) forms an important component of the effective housing land supply, particularly in rural areas. The small sites figures are based on an analysis of completions over the past five years. This is in line with Scottish Government guidance.

Whilst comments received from NHS Grampian are noted, it is recognised that not all rural areas outwith settlements across Aberdeenshire are readily accessible by public transport. We have significant concerns that adding such a requirement as sought by NHS Grampian to the Proposed LDP, would reduce the opportunities for housing proposals to come forward in much of rural Aberdeenshire. Given the geographical context of Aberdeenshire, balancing this with the aim of supporting rural communities,

and the fact that much of Aberdeenshire's public transport relies on privately operated services, it would not be considered appropriate to impose such a requirement on rural development proposals.

The existing LDP contains policies for development of renewable technologies. It is considered appropriate to determine such proposals against Policy C1 Renewable Energy.

It is considered that the LDP will provide sufficient opportunities for housebuilders operating at all scales whether that be through specific land allocations or through application of policies within the LDP. The suggestion that restricting rural development is a 'money saving exercise' is unfounded.

Policy R1 Special Rural Areas

Restriction on the types of development that can be permitted in the green belt and coastal zone are largely prescribed by SPP, namely paragraphs 52 and 88 to 91. All planning applications are determined on a case by case basis.

Green Belt (Main Issue 5) / Green Belt Boundary

General support for the continued protection of the green belt is welcomed. Revision of the green belt policy wording as outlined in the Draft Proposed LDP to better align with SPP would help to provide the clarity that respondents sought. The purpose of the green belt is not to prevent development but ensure we direct development to the most appropriate locations, to protect the character, landscape setting and identity of settlements, and to provide access to open space. In this context the completed line of the A90(T) has particular relevance.

A range of views were expressed as to the necessity to review the green belt designation in Aberdeenshire. The majority of respondents supported the preferred option to make no changes to the green belt at this time.

Support for the alternative option is noted, along with comments made, including by SNH suggesting that a review of the green belt should be undertaken as a matter of urgency. Unfortunately, resources will not allow for a comprehensive review of the green belt to be undertaken prior to the anticipated publication of a Proposed LDP and to attempt to do so may result in a green belt designation that is not robust and therefore unfit for purpose. Postponing the review of the green belt is not considered to be detrimental to the Spatial Strategy of the emerging LDP 2021, nor does the existing extent fail to align with the objectives of SPP as demonstrated through the Examination of the current LDP.

A number of respondents have expressed support for retaining or amending the existing green belt boundary. Comments made in respect of the green belt boundary should be considered at such time as a review is undertaken.

It is recommended that only very minor changes to the green belt boundary should be made ahead of publication of the Proposed LDP to account for any recommendations arising from Issues and Actions papers related to settlements that require amendment to settlement boundaries to be made. Commitment should be given to reviewing the green belt in 2022 to inform a mid-term review of the LDP. The review would include public consultation utilising a range of engagement tools to ensure those with an interest can fully participate in the review.

Definition of Primary Industry

Support is welcomed to the suggestion in the MIR that the definition of primary industry should not be extended to those working in a trade. A trade does not necessarily have a locational requirement. Tourism business can be approved as a business in the countryside. Exceptional material reasons that suggest the policy should be overwritten could be addressed through the departure mechanism.

Brownfield Development in the Green Belt

Remediation of brownfield land is preferred to greenfield development in line with SPP. The existing LDP allows for the sensitive restoration, conversion or extension of a traditional vernacular building or other building of architectural merit and replacement of a single non vernacular building within the curtilage of the building to be replaced, and for the same use. In order to preserve the status of the green belt restrictions on the scale of development that can be permitted are required. The requirement that the replacement building must be consistent in scale, and no more intrusive than the existing building should be retained along with the expectation that there will be a very high standard of design applied to the existing building. Development of a policy response for derelict sites (as oppose to buildings) in the green belt has not been included in the Draft Proposed LDP and raised no comments.

Development of Clusters in the Green Belt

Additions to housing clusters or groups is not a form of development listed in SPP that should be promoted in the green belt. In order to preserve the status of the green belt and to avoid overdevelopment it is not considered appropriate to extend the policy in this regard.

Coastal Zone (Main Issue 6)

Support for the preferred option to retain the coastal zone designation and proposed changes to the policy text is noted. This is considered to be an appropriate approach to be taken for the Proposed LDP. Comments, particularly those from SNH suggesting that a review should be undertaken are also acknowledged. Although the MIR 2013 recognised a need to undertake a review of the coastal zone boundary, unfortunately it has not been possible to undertake this work to date. It is considered that the current extent of the coastal zone remains robust and there has been no change since examination of the current LDP to alter this position. In any event we anticipate changes to the way in which the coast is dealt with in the LDP over the next few years and any amendment to the coastal zone would feed into the mid-term review of the next LDP. Full public consultation would be undertaken as part the review process.

SNH has suggested that coastal areas at risk from flooding should be mapped. In the interest of consistency, it would not be appropriate to map these areas in the LDP, as this is publicly available information available via SEPA's Flood Risk Management Maps on their website. It is not considered necessary to duplicate this in the LDP. Additionally, the scale of the Climate Change policy map where policy on 'Flooding' sits, would not lend itself to showing areas of flood risk, including coastal flood risk. It is however considered appropriate to include within relevant Settlement Statements under the 'Flood Risk' section text that indicates where a settlement is at low, or medium risk from coastal flooding.

Draft Proposed Local Development Plan – Policy R1 Special Rural Areas

We will consider the changes designed to give clarity on the draft proposed policy text and terms used. Suggestions to provide clarity to the bullet points are accepted, and to clarify what the intensification of an existing use may be. No changes should be introduced to cross reference between natural heritage and flooding policies as these are covered elsewhere in the LDP.

Policy R2 Housing and Business Development Elsewhere in the Countryside

Rural Typologies (Main Issue 7)

Support for the preferred option of adopting the Scottish Government's 6-fold urban/ rural classification to define accessible and remote areas for the application of Policy R2 is welcomed.

The Planning Service agrees that there should be some differentiation between the types of development allowed in accessible and rural areas. In line with SPP, it is the intention of the Shaping Development in the Countryside policies to allow a degree of flexibility in the types of development permitted to reflect the relative pressures that each area faces from demand for development. Organic growth was subject to a Main Issue and is discussed below. Likewise, development of brownfield sites was a Main Issue and is discussed below. Development of clusters/housing groups is only supported in remote rural areas as per SPP.

Organic Growth (Main Issue 8)

Organic growth is a term that is now in common usage and does not need further explanation. Support for the preferred option is welcomed. As such the organic growth policy should be retained in the Proposed LDP. Difficulties associated with identifying "need" were documented in the MIR and where emphasis is placed on supporting primary school rolls, little "need" was identified in this respect. Additionally, the consideration of constraints such as the presence of prime agricultural land, ancient woodland and flood risk to name a few, may also limit potential for growth of many settlements. Consideration has been given as to the merits of "identifying settlements" in an Appendix over the possibility of introducing a criteria based policy. This latter approach may actually allow for greater flexibility and achieve the policy principle of SPP to direct development to the right place through promoting development within or

adjacent to settlements, particularly in accessible and pressured rural areas. Additionally, by not including a list of “identified settlements” as part of the LDP this will allow for circumstances relevant to individual proposals at the time of submission to be considered rather than be restricted to a list that was prepared prior to adoption of the LDP.

It is considered appropriate to retain a cap on the level of development that could be permitted as organic growth to avoid overdevelopment. Should development during the Plan period be built and reach the cap, it demonstrates that there is indeed demand for development in that settlement, and it would be appropriate for further growth to come through a planned approach to development via the identification of allocated opportunity sites in the next Plan.

Respondents have sought removal of the distance from a settlement in which organic growth cannot be supported. This matter was raised during the Examination on the current LDP. The reduction was made in pursuit of a policy to reflect the need to develop local identity and a sense of place associated with rural settlements. Development at 400m or more from the rural settlement promotes neither cohesion nor connection with the core of the settlement, contrary to the place making policy principles associated with paragraphs 40 and 41 of SPP. Reducing the separation distance limits sporadic growth away from the built-up area. The Reporter agreed with the Council’s approach and even stated that 200m could lead to an impression of sprawl or sporadic development in the countryside.

This policy has the potential to make the “rural clusters” element of the wider policy obsolete, but this will have to be monitored for effectiveness.

Redevelopment of Large Brownfield Sites (Main Issue 9)

Comments in support of both the preferred and alternative option are noted. It is clear that there is divided opinion on the flexibility that should be given towards redevelopment of larger brownfield sites. We feel that introducing a cap to place a limit on re-development of brownfield sites is reasonable to avoid overdevelopment and the promotion of unsustainable development in the countryside. Text should be added to state the development of 8 or more houses on a brownfield site should normally come forward following consideration as part of the LDP-making process but could be treated as a departure to the LDP where, on a case by case assessment and demonstrating compliance with all relevant policies, an element of flexibility could be provided. We do not anticipate that there are many rural brownfield sites that would be capable of accommodating more than up to 7 homes. In any case it is considered that the various rural development options provide a good level of flexibility and improved level of flexibility.

It should also be made clear in the policy text that mixed use proposals may be permitted on brownfield sites where appropriate and the uses promoted are compliant with other relevant policies.

To avoid over-development it is not considered that such a provision should be promoted in the green belt. There should be no question that “historic” brownfield sites that now have a different use should be included in the policy. If the function of this policy is to remove dereliction in our countryside in the interests of landscape improvement (as recognised by SNH) then reinstating naturalised or farmed land will not deliver this objective. It would be appropriate to refer to this objective in the policy. In this context we can perceive of no instances where removal of contamination would result in a viable development site. There is no case for removing the affordable housing burden on the redevelopment of large brownfield sites as a matter of principle. To do so does not meet the full needs of the community and in any event the impact on development viability is accounted for in the case by case assessment undertaken of the proposal.

The suggestion by SNH that development should take place on the footprint of what was there previously is noted and has been promoted by the Council in the past. It can often be justified why development should not take place on the footprint of what stood previously to achieve an appropriate standard of design and workable layout. This element of flexibility should not be a means to increase the density of a proposal as this should be proportionate to the scale of development that existed previously. It should be stated that as with small-scale brownfield development large site involving traditional vernacular buildings, that full or partial restoration would be favoured in the first instance where the house or non-domestic building is of traditional form and construction or is otherwise of architectural merit.

Again, layout, siting and design will be of primary consideration. Additional information may be required to support development, particularly in respect of landscape impacts, are outlined in other policies within the LDP, such as Policy E1.

Other Issues

Development of Existing Houses and Non-domestic buildings

Comments in support of redeveloping brownfield sites is welcomed and comments from SEPA are noted. We cannot resolve the remediation of contaminated land with a developer obligation as this would not be needed to allow the development to be delivered and would fail the tests of Circular Planning Circular 3/2012: Planning Obligations and Good Neighbour Agreements.

Retirement Succession

Legislation exists that outlines who can succeed to an agricultural holding in Scotland. In the interest of consistency with current legislation it is considered appropriate to restrict the policy to allow for the erection of a new house on a viable farm unit where the applicant is retiring and a successor (a ‘near relative’ as defined by the agricultural holdings Acts applicable to Scotland) is taking over the running of the farm enterprise. In terms of applying the policy, this criteria should be applied regardless of the farm being tenanted or owner-occupied.

Employment Proposals Outwith Settlements

We agree there is little guidance for development of employment uses in the countryside. Despite requests from respondents for a flexible approach to allow large scale employment development in the countryside, it is considered that large scale proposals should be directed towards settlements on land allocated for employment opportunities, or safeguarded for business uses. This falls in line with SPP. Small-scale proposals could however come forward outwith settlements where no other suitable site is available within the local vicinity. Further guidance for employment proposals in the countryside should be provided in the Proposed LDP. It is also proposed to move the employment element of the policy to the Shaping Business Development section of the Proposed LDP. As a result, the title of Policy R2 should be amended accordingly.

Housing Clusters/ Groups

Support for retention of a policy allowing for extension to housing groups/clusters is noted.

New Agricultural Buildings

The matter raised by the respondent with regard to new agricultural buildings is not something that can be addressed by the LDP.

Live/ Work Developments

To avoid overdevelopment in the countryside it is not considered appropriate to have a specific policy for live/work operate in this area. Our preference is for live/work to be focused on existing settlements where access to services to support a live/work unit are more readily available. It is considered that such proposals could also come through as organic growth or brownfield developments by way of relaxations made to these policies through the MIR.

Draft Proposed Local Development Plan – Policy R2 Housing and Employment Development Elsewhere in the Countryside

We do not believe that draft policies are any more restrictive than the current LDP. Indeed, we feel that review of the policy and proposals presented in the MIR may actually allow for greater scope for development to come forward in a planned manner. We have attempted to respond to stakeholders who called for further guidance to be included within the policy. The Draft Proposed LDP is a reflection of the possible scale of change that could come forward and demonstrates the significance of the R2 policies as “Main Issues” for Aberdeenshire. It is not proposed to change the title of R2. Instead, as a result of consideration of this issue it is suggested that cross reference is made to other relevant policies.

A number of respondents sought clarity on the draft proposed policy text and terms used. It is suggested that in light of the recommendations arising in respect of Policy R2, that the wording is reviewed to ensure all recommendations are accounted for. We agree that further work should be undertaken to the drafting of the policy prior to the Proposed LDP being finalised to ensure that it is clear.

Policy R3 Minerals and Hill Tracks

Whilst the Main Issues Report stated that a review of the minerals landbank should be undertaken, it is not expected that this will be completed prior to publication of the Proposed LDP. It is anticipated that a review would take part during the early part of the Plan period to inform a mid-term review of the LDP 2021. Once completed the review would be available as non-statutory planning advice.

Comments relating to the need for further regulation of hill tracks is noted, however this is a matter that is outwith the control of Aberdeenshire Council. As such, it is appropriate for the Planning Service to continue to promote use of existing national guidance prepared by SNH and advocate the very best practice in developing hill tracks in Aberdeenshire.

Draft Proposed Local Development Plan – Policy R3 Minerals and Hill Tracks

We support the proposed changes to paragraphs R3.2 and R3.3 as appropriate, and revisions should be made to the text as necessary to account for these comments and provide the clarity sought. It is not considered that adding “at a minimum” to the list of information required to support minerals applications would add clarity to the policy text. There are already mechanisms within Development Management procedures to allow for the request of further information where it is reasonable and necessary to determining a planning application. Amendments suggested by SEPA and SNH to the policy text are considered appropriate and should be included in the Proposed LDP.

A definition of the term “water body/bodies” should be included within the Glossary. This will need to be considered in the context of references made to this term under Policy PR1 Protecting Important Resources and Policy C4 Flooding.

4. Recommendations

Policy R1 Special Rural Areas

1. Revise policy, as shown via the Draft Proposed LDP to better align policy provision with SPP and to account for recommendations below.
2. Make minor changes to the green belt boundary to account for any new allocations arising from Settlement Issues and Actions papers, where required.
3. A review of the green belt should be undertaken prior to 2022 to inform the mid-term review of the LDP. The review should include full public engagement and consultation.
4. A review of the coastal zone should be undertaken prior to 2022, with full public consultation, to inform the mid-term review of the LDP, following publication of a new SPP.

5. Include within relevant Settlement Statements under the 'Flood Risk' section text that indicates where a settlement is at low, or medium risk from coastal flooding.

Policy R2 Housing and Employment Proposals Elsewhere in the Countryside

1. Revise policy, as shown via the Draft Proposed LDP to better align policy provision with SPP, provide clarity and to account for recommendations below.
2. Amend the title of the policy to read "Policy R2 Housing Proposals Elsewhere in the Countryside".
3. Move policy text related to employment proposals current within Policy R2 to the Shaping Business Development section and include additional guidance within the new policy text.
4. Adopt the Scottish Government's Urban/Rural Classification to identify the accessible and remote areas in Aberdeenshire.
5. Retain a policy to allow "organic growth" of settlements but move to a criterion-based approach. This will have to be phrased in such a way as to be sufficiently strong to achieve the outcomes that are sought. This could require the following factors to be considered:
 - In all cases, careful consideration of layout, siting and design will be primary in determining whether the growth promoted is acceptable.
 - Policies addressing possible constraints on, and impacts arising from development will take precedence over organic growth, unless it can be demonstrated beyond all reasonable doubt that impacts and constraints to development can be overcome and/ or mitigated against.
 - Organic growth should be associated with a "settlement" (i.e. somewhere that is defined as a "settlement") and has a recognised boundary/built up area, serves a residential function, features urban characteristics including street lighting and a reduced speed limit, has at least 15 residential address points and a facility as listed in the Rural Facilities Monitoring Report published by the Council's Planning Information and Delivery Team.
 - Organic growth should focus on settlements with between 16 and, for example, 99 residential address points. A list of such settlements could be provided as Planning Advice with detail as to how they have come to be classed as a "settlement". The upper figure of this envelope needs to be finalised.
 - In the accessible rural area only settlements without an opportunity site for housing should be considered appropriate for organic growth.
 - The capacity for organic growth during the Plan period should remain at 20% up to 10 homes and development should take place within 200m of the settlement boundary. The capacity for growth could be provided as part of Planning Advice on this policy.

Planning Advice should be prepared on this topic prior to adoption of the LDP 2021.

6. Review the definition of “small-scale” development and include the term within the Glossary.
7. Introduce text into the policy that allows for the development of up to 7 homes on rural brownfield sites where this is appropriate. Text should also be added to state the development of 8 or more houses on a brownfield site should come forward via formal allocation as opportunity sites or otherwise would be treated as departures to the LDP. Such departures may only be supported if a full justification is provided or particular circumstances (such as significant landscape improvement) dictate. It should also be made clear in the policy text that mixed-use proposals may be permitted on brownfield sites, where appropriate and the uses promoted are compliant with other relevant policies.
8. Revert to the original definition of “brownfield land” in the current Plan as the revised definition of the Draft Proposed Local Development Plan is now too broad.

Policy R3 Minerals and Hill Tracks

1. Amendments should be made to the Draft Proposed LDP (paragraphs, R3.2, R3.3, R3.5 and R3.10) to add clarity as suggested amendments by respondents.
2. The term “water body/bodies” should be included within the Glossary.

5. Committee Decisions

1. Kincardine and Mearns Area Committee agreed the above recommendations at their meeting on 20 and 21 August 2019.
2. Banff and Buchan Area Committee agreed the above recommendations, with the exception of recommendation 4 under Policy R1 at their special meeting on 27 August 2019. The Committee agreed that a review of the coastal zone should be undertaken prior to publication of the Proposed LDP and be restricted to the immediate coastal extent. The Committee also agreed that the primacy of Policy R1 in respect to coastal zone over other policies should be removed. The Committee agreed that policy text relating to farm succession should make reference to definitions used in relevant legislation. The Committee agreed that the definition of ‘cluster’ should be better defined for clarity.
3. Buchan Area Committee agreed the above recommendations at their special meeting on 3 September 2019.

4. Garioch Area Committee agreed the above recommendations at their special meeting on 3 September 2019. The Committee agreed that in reviewing the green belt consideration should be given as to the need for a green belt between Kintore and Inverurie. Monitoring of the green belt boundary/ policy within Aberdeen City should be undertaken. The Committee also agreed that policy related to farm succession should be flexible and not be limited to a “near relative” to encourage people from non-agricultural backgrounds in to farming. Officers to check the equalities situation regarding this policy with respect to the non-benefit to minor groups.
5. Formartine Area Committee agreed the above recommendations at their special meeting on 10 September 2019. The Committee agreed that further clarification is needed on the proposed specific criteria on Policy R2 (Housing and Employment Proposals Elsewhere in the Countryside), recommendation 5, page 69, organic growth and that clarity should be given to the definition of ‘clusters’ and ‘groupings’ through further investigation. The Committee agreed that it should be investigated as to whether there is a national definition of ‘brownfield’ land.
6. Marr Area Committee agreed the above recommendations at their special meeting on 17 September 2019.
7. At their meeting of 3 October 2019, Infrastructure Services Committee considered the views of Area Committees and agreed that review of the coastal zone did not need to be reviewed before publication of the Proposed LDP as proposed by Banff and Buchan Area Committee. The Committee agreed not to introduce an element of flexibility to policy related to farm succession as proposed by Garioch Area Committee. The Committee also agreed to adopt a criteria based approach for organic growth.
8. At the meeting of Aberdeenshire Council on 5 March 2020, Members agreed that the content of the Proposed Aberdeenshire Local Development Plan 2020 provides the settled view of the Council on the Plan they wish to see adopted in 2021.

Issue 8 Shaping Homes and Housing

1. List of Respondents

MIR Ref	Respondents
64	Mr Charles Taylor
70	Mr Malcolm Taberner
99	Mr Phil Cropper
100	Ms Janina Kutscha
105	Ms Maddie Thurlow
109	S Ferguson
114	Ms Marjon van der Pol
115	Mr Matthew Brettle
126	Burness Paul LLP on behalf of Mr & Mrs Charles Miller
129	Cluny, Midmar, and Monymusk Community Council
196	Ms Miranda Bolton
210	Newtonhill, Muchalls & Cammachmore Community Council
213	Mr & Mrs Innes & Sarah Simpson
235	Mr & Mrs Matthew & Katherine Gibson
236	Mr Lucy Thomson
261	Lippe Architects + Planners on behalf of Mr Patrick Stephen
262	Lippe Architects + Planners on behalf of Mr Patrick Stephen
302	Halliday Fraser Munro on behalf of Barratt North Scotland
303	Halliday Fraser Munro on behalf of Barratt North Scotland
304	Halliday Fraser Munro on behalf of Barratt North Scotland
305	Halliday Fraser Munro on behalf of Barratt North Scotland
329	Mrs T McGilton
341	Mr William Heath
351	Mrs Kirstie Forbes-Sempill
366	Mr John McCurry
368	Cromar Community Council
373	case CONSULTING Limited on behalf of West Balmedie Estate
377	case CONSULTING Limited on behalf of Various landowners
379	case CONSULTING Limited on behalf of Various landowners
380	case CONSULTING Limited on behalf of Various landowners
381	case CONSULTING Limited on behalf of Various landowners
382	case CONSULTING Limited on behalf of Various landowners
384	case CONSULTING Limited on behalf of Various landowners
385	case CONSULTING Limited on behalf of Various landowners
391	J & J Design on behalf of Jesmond Gospel Trust
392	Echt & Skene Community Council

393	The MacRobert Trust
408	Halliday Fraser Munro on behalf of W&W Mackie
409	Osprey Housing
413	Savills (UK) Ltd on behalf of Macbain Family
419	Ryden LLP on behalf of The Kintore Consortium
424	Mr & Mrs Simon and Vicki Glazier
425	Fintray Community Council
430	Halliday Fraser Munro on behalf of CHAP Group (Aberdeen) Ltd
431	Halliday Fraser Munro on behalf of CHAP Group (Aberdeen) Ltd
435	Halliday Fraser Munro on behalf of MacTaggart & Mickel Homes Ltd
438	Halliday Fraser Munro on behalf of The Margaret Mitchell Discretionary Trust
489	Mr & Mrs B McLoughlin
491	Ms M A Roberts
507	Bancon Homes Ltd
508	Bancon Homes Ltd
519	Bancon Homes Ltd
532	Ryden LLP on behalf of CHAP Group (Aberdeen) Limited
536	Ryden LLP on behalf of CHAP Group (Aberdeen) Limited
550	Norr on behalf of Stewart Milne Homes
551	NHS Grampian
555	Emac Planning on behalf of Polmuir Properties (Newtonhill) Limited
558	Norr on behalf of JoAnne Gracey
560	Halliday Fraser Munro on behalf of Seafield & Strathspey Estates
565	Halliday Fraser Munro on behalf of Harper & Cochrane Ltd
566	Halliday Fraser Munro on behalf of CALA Homes (North) Ltd
580	Halliday Fraser Munro on behalf of Mr John McIntosh
581	CHAP (Holdings) Ltd
588	Barton Willmore on behalf of Stewart Milne Homes
590	Barton Willmore on behalf of Stewart Milne Homes
591	Barton Willmore on behalf of Stewart Milne Homes
592	Barton Willmore on behalf of Stewart Milne Homes
596	Clarendon Planning & Development Ltd on behalf of The Sluie Estate Trust
598	Lippe Architects + Planners on behalf of Mr Patrick Stephen
599	Lippe Architects + Planners on behalf of Mr Patrick Stephen
600	Keppie Planning on behalf of Stewart Milne Homes
601	Keppie Planning on behalf of Stewart Milne Homes
656	Ms Jacqueline Turner
658	Ms Irene Ferguson
668	Emac Planning on behalf of Stewart Milne Homes

690	Ms Irene Ferguson
702	Cruden Community Council
713	Mr G Neil McKay
736	Mr David Berrisford
755	Mr Ian Wilkinson
785	Halliday Fraser Munro on behalf of Drum Property Group
791	Emac Planning on behalf of Kirkwood Homes Ltd
796	Norr on behalf of Stewart Milne Homes
797	Halliday Fraser Munro on behalf of CHAP Group (Aberdeen) Ltd
805	SEPA
810	Halliday Fraser Munro on behalf of CHAP Group (Aberdeen) Ltd
843	Kintore and District Community Council
845	Ms Alison Orren
849	Mr Mark Tasker
853	Mr Richard Orren
855	Catterline, Kinneff & Dunnottar Community Council
865	Inverurie Community Council
883	Mr Donald Bouma
885	Ryden LLP on behalf of Barratt North Scotland
889	Holder Planning on behalf of Hallam Land
891	Barratt North Scotland
909	Strutt & Parker on behalf of Monkmusk Land Company
910	Strutt & Parker on behalf of Corsindae Estate
923	Halliday Fraser Munro on behalf of Drum Property Group
924	Halliday Fraser Munro on behalf of W. Maitland & Sons
927	Gladman Scotland
929	Farningham Planning Ltd on behalf of Barratt North Scotland and Dunecht Estates
930	Norr on behalf of CALA Homes
931	Norr on behalf of CALA Homes
932	Norr on behalf of Stewart Milne Homes
939	Savills (UK) Ltd on behalf of Fettercairn Estate
942	Barton Willmore on behalf of Skene Enterprises (Aberdeen) Ltd
963	Halliday Fraser Munro on behalf of Mr G Webster
966	Bennachie Community Council
967	Homes for Scotland
971	Dr Linsey Hunter
972	Turnberry on behalf of Elsick Development Company (EDC)
980	Mr Paul Davison
1003	Savills on behalf of Learney Estate
1019	Strutt & Parker on behalf of Mr Ian Ross

1020	Strutt & Parker on behalf of Mr Ian Ross
1022	Strutt & Parker on behalf of Mr Ian Ross
1049	Buchan East Community Council
1056	Taylor Design Services
1066	Strutt & Parker on behalf of CHAP Homes
1067	Strutt & Parker on behalf of CHAP Homes
1069	Strutt & Parker on behalf of CHAP Homes
1080	Mr A Simmers

2. Issues

Housing Density (Main Issue 10 - Preferred option)

Respondents have supported this option (to review indicative site capacities to 25 homes per hectare) (64, 105, 236, 391, 755, 855) including its ability to assist in the provision of affordable housing (755). This is a critical issue to achieve quality of homes, place and life (64). This was not a common view.

Increasing the density of sites without Planning Permission

This approach creates more uncertainty, rather than less, for communities due to a backlog in housing delivery that will require more sites to be allocated (430, 566). Scottish Planning Policy suggests that the review of the Local Development Plan should be just that and not about increasing density to deliver the additional requirements of the plan (910, 1019).

A large number of respondents have raised concerns with the increasing densities on allocated sites to 25 homes/ha (210, 261, 262, 302, 303, 304, 305, 329, 351, 392, 408, 430, 431, 435, 438, 508, 519, 550, 565, 566, 580, 581, 588, 590, 591, 592, 596, 600, 601, 656, 791, 865, 889, 891, 910, 923, 924, 927, 932, 963, 967, 972, 980) providing exaggerated housing densities (261, 262, 431, 566, 588, 590, 591, 592). Increasing densities creates an artificially inflated land supply that is unrealistic and unlikely to be achieved (261, 262, 302, 303, 304, 305, 430, 431, 519, 566, 580, 581, 598, 599, 810, 924, 927, 923) and creates a mathematical and theoretical housing capacity which is not based on real development opportunities (932). Allocating between 550 homes (430, 580, 923, 924) and 1000 additional homes (566) are needed.

New densities cannot be retrofitted to existing sites to prevent the allocation of additional new homes (588, 791, 889). The housing strategy relies heavily on existing allocated sites and cannot rely on a generic densification in the Aberdeen Housing Market Area (408, 430, 435, 438, 565, 810, 924, 963). Particular concern was raised with regards to the implications of this approach in rural areas where site densities should not be increased (351, 566).

A large proportion of objections on the increase of densities focus around the densities having not been calculated on a site by site basis; matters such as the context, site specific circumstances, deliverability, acknowledgment of developer/market aspirations

in the numbers put forward by bids having been ignored (430, 508, 519, 550, 566, 580, 923, 924, 927, 963, 967). Developers are best placed to decide on number of houses that are viable on a site (392). Density should be determined locally and in relation to the existing settlement (210, 656, 865) and sites that are too large to accommodate the required houses for the location should be phased (656).

There is no evidence to support a blanket density of 25 homes/ha as current densities range from 10-20 homes, even in the Strategic Growth Areas no more than 20 homes/ha are being delivered (566).

It is unclear how open space and other requirements have been taken into account in revised densities and technical feasibility has not been assessed (550, 588, 590, 591, 592, 600, 601, 791, 889, 932, 967).

One respondent expresses that increased densities through planning applications would not leave the impact on infrastructure unchecked. The remixing of housing on sites for higher numbers, creating smaller houses and a greater number of affordable units, does not always create more bedrooms on site to impact on infrastructure (519). Concerns have also been raised that high-density housing and small garages lead to congestion (980). It is only acceptable in the Strategic Growth Areas if there is a comprehensive public transport system in place (210).

Range and choice of sites, and design

There is recognition that even the 22 homes/ha (the standard previously set for LDP 2017) does not reflect reality in all cases. It is a 'do minimum' strategy and changing it is unrealistic, simplistic and unsupportive of delivering a range and choice of sites (430, 435, 438, 565, 588, 590, 591, 592, 791, 810, 891, 967). It has the potential to impact on the diversifying landowner, small builder and low volume housebuilder (519).

One respondent notes that amending the number of homes delivered on a site is not a significant issue, as market conditions are impossible to determine so far in advance as building often happens over a decade after the bid (519)

This approach would potentially be at odds with proposed changes to design policies and create tension (566). This option should only be used if there is a clear commitment to an appropriate mix of types and size of houses and plots sizes for sustainable mixed communities (391). It should not impede the provision for larger plots/properties for family/ care of the elderly within settlements within proximity to local amenities/transport (755). An increase should not be to the detriment of green-blue infrastructure and open space provision (805). Density should not be a target to the detriment of quality of life, open space, access and health wellbeing (865).

Delivery of high density sites

It is noted that increasing the density of sites is contrary to Scottish Planning Policy and previous local development plan examinations, as site densities should be indicative (430, 566).

This option does not take into account the housing need and demand (519) and flexibility on site density to allow for choice in the local housing market (1003, 1056). Focus should be on delivery, as affordable housing is dependent on mainstream housing as opposed to restricting through artificial capacities (519). There should be flexibility in densities applied or it should await detailed design at the planning application stage (588, 791, 889, 891, 967). There should be support for where developers have promoted viable sites rather than a reliance on increasing densities as house building is positive driver of economic development (791, 967).

The preferred option does not portray the level of housing proposed in the plan in that there is an oversupply, which is inappropriate and a poor reflection on the needs of the area (972).

Compliance with the Strategic Development Plan

It is unclear how this option aligns with the SDP policy for 30 homes/ha density in the Strategic Growth Areas (588, 590, 591, 592, 596, 600, 601, 791, 889, 967) and the proposed Plan should tie in with this (596, 600, 601).

Maximum Site Capacities (Main Issue 10 - Alternative option)

There is some support for reverting back to a maximum number of houses on a site (366, 392, 424, 425, 702, 843, 980). Recent planning applications have specified higher densities than the limits in previous local development plans (843). Indicative numbers lead to misleading information and distrust between communities and the Planning Service (366).

However, the alternative option is an approach criticised by Scottish Ministers (972) and appeals have support that it is an unreasonable approach (891). It does not portray the level of housing likely to be delivered in the plan (972). An indicative capacity ensures flexibility in bringing forward allocated sites, and more weight and emphasis should be given to the term “indicative” in the proposed Plan in order to communicate this more clearly (519, 791, 889, 891, 927, 967).

Future Opportunity Sites

There is confusion over whether there has been provision of Strategic Reserve sites in the Draft Proposed Local Development Plan (LDP) (550, 791, 796, 891, 967), the terminology used, and the definition of “reserved” (64, 796, 843). Future opportunity sites are merely token allocations and not the ‘Strategic Reserve’ anticipated by the Strategic Development Plan (550). Without a form of allocation, the approach provides little certainty to developers (930, 931). Clarification is sought as to how future opportunity sites relate to the definition of reserved sites under Policy PR2. The widest possible use should be considered for reserved sites (64).

Strategic Reserve sites are supported as they create certainty for both communities and housebuilders on the potential scale and locations for future residential development (550, 791, 967, 1019, 1069). Strategic reserve sites allow for the effective planning of

infrastructure requirements and increase the likelihood of future long-term housing requirements being delivered (550). The use of 'long' allocations used by Moray Local Development Plan provide a clear intention of scale and location of growth (1069).

The Proposed LDP should allow for an early drawdown of strategic reserve sites, either through an interim review or a draw-down mechanism should there be a failure to maintain the 5 year effective land supply (419). The approach facilitates the release of safeguarded sites in the event of a failure to maintain an effective 5 year supply (1019, 1069).

Housing Supply and Allowances

A number of respondents expressed the view that the allocation of 4168 new homes is excessive, that there is an oversupply of land and a reduction is required. The following reasons were provided: there are demand issues with limited progress with existing planning permissions; the population increase predicted in the Housing Need and Demand Assessment (HNDA) is unlikely as the oil and gas industry is forecasted for a continued decline at least until 2035 and there is a population decline; the HNDA does not take into account the full effect of the oil and gas downturn; additional homes do not reflect the level of need; there are more than 6000 properties available for sale with rents falling and additional development may result in many vacant, unsold and potentially unsellable homes (99, 100, 114, 115, 129, 196, 213, 658, 690, 713, 736, 843, 845, 853, 966, 972, 1080). The threat of the housing land supply falling below the 5 year effective supply has been overstated (972). The housing targets specifically for Inverurie and Kintore should be reviewed in line with the economic growth forecasts (843)

Clarity was requested as to whether there have been any urban capacity studies to inform windfall assumptions from small sites (430, 566).

A number of respondents expressed that not enough housing land has been identified to meet the area's housing need and increase the delivery of homes. Additional sites are required to address the under-delivery of sites and the unrealistic and overly optimistic delivery predictions in the Housing Land Audit (HLA) (302, 303, 304, 305, 373, 385, 430, 431, 507, 508, 550, 555, 558, 565, 566, 580, 581, 591, 592, 598, 599, 600, 601, 668, 785, 797, 923, 924, 927, 930, 931, 1020). **The main reasons respondents consider there is a need to allocate additional land include:**

Effectiveness of the Housing Allocations made

No evidence has been provided to show that the preferred sites can deliver within the plan period and there is no programming evidence for them. It is unclear which of the preferred allocations are expected to contribute to the 5-year land supply and the allowances. The HLA 2016 total effective units should not be used as this includes units post 2023 which have no evidence of programming or evidence of their effectiveness (600, 601). The most up-to-date HLA should be used for the assessment of housing land supply (600, 601).

Respondents expressed that the Proposed LDP would have a potential shortfall in supply. Multiple figures for the shortfall in supply have been stated including: 1872 homes (600, 601), 2765 homes (430, 566, 580, 924) or 2289-2829 homes (507, 550). There is a shortfall in supply of 800 homes between the HLA 2016 and HLA 2018 (430, 566, 580, 923, 924). There is a shortfall of 333 homes that have not delivered in the Aberdeen Housing Market Area (AHMA) local growth areas (385). There is a particular dispute over the projected rate of delivery for Chapelton (507).

Constrained Sites

Scottish Planning Policy suggests that the review of the local development plan should be just that and not about carrying forward allocations that have not been delivered to meet the additional requirements of the plan (910, 1019). All housing allocations should be effective or capable of becoming effective within the plan period of the LDP (380, 381). There is an overreliance on constrained sites that are unlikely to deliver the necessary housing numbers particularly in the Strategic Growth Areas (550)

Respondents expressed that the failure to remove sites that are not being delivered and replace with an alternative effective site, in addition to the SDP requirements, contributes to the failure in housing land supply (385, 550, 600, 601, 1066). One respondent provided a table of 23 housing sites for 1189 homes in total that should be removed from the Proposed LDP on the basis of long-term non delivery (382). One representation identified the 500 homes at Menie as a notable example of a constrained site (508). There is a deficit as a result in constrained sites - 60 homes from Formartine (377, 381), 55 homes from Garioch (384), 489 homes from Buchan (380), 499 from Banff and Buchan (379). It may be necessary to find alternative sites in the AHMA in place of the constrained RHMA allocations (377, 379, 380, 381, 382, 384).

There is not support for removing existing allocated opportunities in rural settlements (924).

There is an inconsistent approach to the treatment of constrained sites in that constrained sites identified in the HLA 2018 and those with no evidence of progress are being carried forward (377, 379, 382, 508, 1020, 1066).

The 'marketability' constraint in the Housing Land Audit does not explain the complexity of issues for rural development sites where there is often significant need, despite the development not proceeding (393).

Range of Sites

A number of respondents have expressed that there is an over-reliance on large-scale sites (550, 555, 566, 885, 927) and there are only a limited number of proposed small-scale allocations (408, 555, 565, 566, 797, 924, 927). Due to slower delivery rates of large sites, additional sites with lower capacities that are free from constraints and have the necessary infrastructure capabilities for timeous delivery should be allocated (413, 555, 598, 599, 885).

The additional allocations should consist of small-scale sites of up to 100 units (927) and medium scale at 100-150 units (555) to ensure sufficient range and flexibility in the housing land supply (927). There is a need for additional small/medium scale allocations in the strategic growth areas (555) and rural areas as employment opportunities are often spread across the rural area rather than in large settlements (408). Small-scale extensions to small rural settlements will help to maintain the Region's rural population (924).

There should be a focus on smaller housing sites as it is not an appropriate time for significant development due to the uncertainty with the Planning Act. This is in the interest of protecting the spatial environment including the countryside, landscape and heritage (883).

Strategic Development Plan

The LDP should reflect more ambitious housing targets than those called for to be set through the SDP (532, 592).

There is disagreement with the Aberdeen Housing Market Area (AHMA) / Rural Housing Market Area (RHMA) split of the housing allowances and the split does not go far enough (591, 592, 929). A split of 85% / 15% in the housing market areas should be promoted (929). Respondents challenge the methodology used in the SDP to calculate Housing Supply Target (HST), Housing Land Requirement (HLR) and housing allowances, and that the LDP must be consistent with the finalised version of the SDP (532, 536, 889).

One respondent questioned whether the Council have assessed the AHMA/RHMA split and if the LDP allowances complied with the HST and HLR as set within the SDP, due to the early publication of the Main Issues Report (MIR) (591, 592).

Draft Proposed Local Development Plan - Policy H1 Housing land

Housing numbers should be binding in the Proposed LDP (491). The policy needs to cross reference other policies in the plan as the land use comprises the majority of allocations (805).

This policy should include a paragraph referring to HSE's (Health & Safety Executive) guidance for developments proposed near to major hazard sites and major accident hazard pipelines with an explanation that different housing numbers and density may apply when a site is within an HSE consultation zone (64)

Policy H2 Affordable housing

Overall Need for Affordable Housing Provision

Many respondents support the set requirement and retention of the 25% affordable housing benchmark (105, 236, 368, 392, 409, 413, 489, 791, 889, 967). Two respondents have requested that policy should be worded as “up to 25%” (430, 566).

A large number of respondents considered that increasing the 25% affordable housing benchmark or “more than 25%” is inappropriate (566, 600, 601, 889, 891, 909, 910, 1022, 1067) and increasing it may cause deliverability issues on effective sites due to the impact on land value and developers being unable to acquire sites (909, 910, 1022, 1067). Increasing to above 25% would be contrary to the SDP and Scottish Planning Policy (SPP) and would not necessarily deliver more affordable homes as the viability of a number of sites would be under question if the requirement were to increase (236, 560, 566, 889). An increase would be a challenge with no clear plan as to how to achieve it (64).

There is support for increasing the policy to higher than the 25% benchmark (70, 210) including to 35% (849). PAN 2/2010 would be at least 10 years out of date to suggest no more than 25% (849).

There should be flexibility on a site by site basis to take account of viability issues (413, 939). There is difficulty in providing affordable housing in the case of smaller developments in rural areas (236, 368).

One respondent notes that it is not clear in the text that neither option in the MIR would result in a significant change in the provision of affordable housing (64).

A better explanation is requested of the various figures presented for affordable housing. It is unclear why there is a difference in the Proposed SDP identification of 35% of the total Aberdeenshire housing requirement to be affordable housing, the 48% need in the HNDA, and policy of 25%. It is unclear if the issue of funding affordable housing is related to the reduction of the 48% demand down to 35% target or down to the 25% provision (64). Paragraph H2.1 in the Draft Proposed LDP needs to provide specific requirements for affordable housing (64).

One respondent has expressed the need for affordable housing in particular settlements, including Inverurie, Portlethen, Stonehaven and Westhill (967). In these locations and in general, additional allocations should be made to support affordable housing particularly as over 70% of affordable housing is delivered through Section 75 contributions from mainstream housing sites (430, 566, 889, 967). Many communities such as Westhill have no additional housing allocations and therefore no mechanisms to secure affordable housing (566). Affordable housing should be permissible out with settlements or as additions to housing clusters in rural areas to address this key community issue (126).

Main Issue 11 - Preferred option

Several respondents supported the preferred option (to acknowledge the scale of affordable housing need and encourage developers to deliver more than 25% affordable housing requirement) (368, 551, 855, 865, 927). A number of respondents agreed that delivering more than the 25% affordable housing benchmark may be possible with the agreement of housebuilders and affordable housing providers (889, 891, 967). There was concern that any reference to more than 25% should be clearly outlined as an option and not a requirement (430, 566). Clarity is required as to whether the issue of delivering more than 25% relates to the 35% SDP supply target or the 48% need in the HNDA and as to what “encouragements” are available to increase the provision of more than 25% (64)

Some representations have expressed no objection to the current wording as proposed in the Draft Proposed LDP where it does not set a requirement for more than 25% (600, 601). One representation welcomed that public agencies part to play is recognised in the Draft Proposed LDP paragraph H2.1, but highlight that this should be further emphasised by the inclusion of the means by which these agencies can assist in the provision of the affordable housing (409). Several representations query the effectiveness and merit of policy text seeking more than 25% where it cannot be asserted, and that there is only merit in this as an aspiration of the authority in supporting text (791, 889, 967). The plan should acknowledge the significant contribution that the private sector makes to the delivery of affordable housing (791, 889).

Main Issue 11 - Alternative option

There is support for the alternative option (to make all serviced sites immediately available for affordable housing) (702, 909, 910, 1022, 1067). Representatives have no objection to the current wording as proposed in the Draft Proposed LDP, where it does not set a requirement to leave serviced plots as temporary areas of open space (600, 601). One respondent requested that the policy should always ensure that all the affordable housing is constructed first (210). It would be a further incentive for developers to provide a mix of house types and tenures within development (702).

There is concern that the use of affordable housing ‘gap sites’ to temporarily contribute to open space could create future problems. The alternative option is not reasonable or desirable (600, 601, 891). It leaves them as long-term building sites with nuisance and uncertainty of when or if it will be completed (409). Representations highlighted that communities would view it as established amenity open space rather than temporary, and this would result in future discontent towards developers (600, 601, 909, 910, 1022, 1067).

There are cost implications as economies of scale will be lost (409). Gap sites may make the whole site unviable for the developer as they would be unable to recoup the land costs of the gap in a suitable timescale (64). Affordable housing could be expedited more readily by off-site construction that would reduce disruption and allow a

more tailored approach to design (409). If funds are not available to build immediately then delivery within the Plan's timescale is uncertain (64). The responsibilities and cost of maintenance of gap site open space is undefined (600, 601).

Commuted Sums and On-site Provision

Developers should have to provide on-site provision rather than commuted sums, other than in exceptional circumstances. On-site provision would deliver a mixed economy of housing for all the community including small households (1049).

Greater use of commuted sums may be necessary to be flexible to changing need and subsequent type of provision (909)

Off-site provision should be considered particularly for small rural communities where opportunities for affordable housing are limited or non-existent (409).

Local Authority Provision

There is concern of a lack of mention of Local Authority housing provision. There should be a commitment to building Local Authority housing as it would make a significant improvement to meeting the housing need in this area and "affordable" housing proposed is still not affordable (341, 1049).

One respondent has suggested the Local Authority can purchase properties and convert them to social housing (971).

One respondent suggested the Local Authority offers land under their control to developers for the purpose of providing mixed or single tenure development. Setting the land value well below market value, eliminating the bidding process or through a partnership approach, the Local Authority could enter a profit-sharing scheme with a developer to ensure the required number of units are provided on the land (409). This partnership approach would eliminate the continual conflict of the "on the ground" requirements for affordable housing as a result of HNDA's becoming out of date, unreliable waiting lists, and developers citing demand for open market housing (409).

Definition and Affordability

The definition of the term "affordable housing" needs a re-think as it remains much of a misnomer and would seem to be used as a means of getting a proposed scheme viewed more favourably (341).

The concept of affordable housing should be relative to the average national wages and not market value (109). One respondent was concerned that the price of homes on offer in housing developments are not 'affordable', with an example that new homes in Laurencekirk start at £250,000 (235).

Draft Proposed Local Development Plan - Policy H2 Affordable Housing

Policy H1 and H2 should be linked under one policy to give a better overall framework for the provision of affordable housing (409).

The phrasing within Settlement Vision statements could be more precise on the matter of “smaller and affordable housing” as it is unclear if the affordable housing should be small scale or there should also be more small-scale homes in addition to more affordable housing (64).

Local Housing Strategy

The issues over how the 25% provision is delivered needs to be researched in the Local Housing Strategy to more accurately identify the need profile of eligible candidates.

This would avoid a mismatch in the range of type, size and tenure of the affordable housing requested by the Housing Service (909).

Policy H3 Special Needs Housing

One respondent welcomes the continued inclusion of support towards the development of continuing care retirement communities out with settlements (942).

Policy H4 Residential Caravans

One respondent has requested that the prohibition of caravans extends to cover ‘huts’ to reflect the decision in developing the LDP 2017 that ‘huts’ have no real place in the Aberdeenshire landscape. ‘Huts’ would create problems for hygiene, future development if it is deemed ‘brownfield’ and land values (368).

Policy H5 Gypsy/Travellers

No comments were received on the proposed amendments to this policy.

3. Actions

Housing Density (Main Issue 10 – Preferred option)

We acknowledge support for the preferred option from a number of respondents.

Increasing the density of sites without Planning Permission

A feature of increasing the density of sites on sites which have no current planning permission will be to increase the nominal housing capacity of the plan. We do believe that this is a move that should be made, particularly in the light of paragraph 2 of Scottish Planning Policy which advises us that “*Planning should take a positive approach to enabling high-quality development and making efficient use of land to deliver long-term benefits for the public while protecting and enhancing natural and cultural resources.*” We believe that providing an optimistic target for housing land supply will encourage the development industry to move with the times and make better use of the land that they have available for construction, recognising that bids made at this point in time may not be delivered for at least 5 years. We remain unconcerned that there is no evidence of the physical capacity of the sites to accommodate this target, and still believe that site specific issues will result in actual site densities that are, in some cases, lower than this target. We remain wedded to the Scottish Ministers view that housing allocations should be indicative.

Scottish Planning Policy paragraph 117 states that the *“housing land requirement can be met from a number of sources, most notably sites from the established supply which are effective or expected to become effective in the plan period, sites with planning permission, proposed new land allocations and in some cases a proportion of windfall development”*. We recommend applying the density only to proposed new sites and existing allocations within the AHMA due to the pressure for development in this area, and therefore, the increased need to make efficient use of the land. No change in density is recommended to be made to sites which currently have planning permission or agreed masterplans. In some cases the land area released has been reduced to reflect a more reasonable level of growth of smaller settlements, and to avoid overdevelopment. We believe this policy approach sets a realistic target for development sites.

Some sites are not coming forward in line with the allocated numbers. There are a number of examples where developers have sought planning permission for additional units throughout the build of up to 115% or as much as 140% over the allocated number. Promotion of low density sites in order to persuade the Planning Authority to allocate a site for housing in principle and then increase that number later in the process would not promote public confidence in the proposed Plan, or allow for appropriate forward planning for infrastructure and facilities.

The density calculations have included the 40% open space requirement. It is anticipated that since bid submitters confirm their site is viable, a small increase in the number of homes will not cause significant concern for deliverability.

Irrespective of the total number of bedrooms on site, an increased number of homes will increase the number of households. The number of households will impact on the capacity of infrastructure and services. We consider that more realistic densities will allow for a more truthful consideration of the impacts of allocations on these matters.

Range and choice of sites, and design

We remain confident that policy obliges all scales of developments to provide an appropriate mix of house-types, and not solely provide large detached homes as would often be found in low density schemes. It may be the case that small rural settlements may not be able to deliver a dense mix, but a range of house-types and subsequent increased density can still be achieved due to the reduced open space requirement for developments under 50 homes or 2 ha. We would agree entirely that the development industry is best placed to decide the density to be applied to a local site at the time of a planning application and note that “indicative” allocations can work both ways.

Increasing densities is a separate issue to providing a range and choice of sites. We disagree that the issue of densities will impact on providing smaller sites for the low volume housebuilder as the density continues to remain indicative. The promotion of a greater density is reasonable to reflect the fluctuating market conditions; smaller units are often sought later in a scheme due to market changes. Amending densities is not at odds with the design policies as site capacities are indicative, and the design of a

development should reflect an appropriate density for the site and its surroundings. Design remains the key element, not meeting an “indicative” number. This may result in a lower density than has been promoted in the plan as site constraints are considered. We hope that this would encourage sustainable mixed communities for the right development in the right places through increased attention on the provision of a mix in house-types. All development proposals are expected to take account of open space requirements and create opportunities for enhancement and protection of biodiversity.

Delivery of high density sites

Arguments which support the efficient use of land taken from SPP are referred to above. We have set indicative targets that are relatively high to ensure adequate assessment of potential impacts on infrastructure are clear. We cannot adopt a position that density should be set now for a development which may not be implemented for ten years.

The amendment to densities on sites would not impact on the indicative status of the numbers for each allocation or its deliverability. The flexibility in the numbers will continue to allow for higher and lower densities when appropriate, without vastly underestimating the capacity of sites.

Compliance with the Strategic Development Plan (SDP)

The Strategic Development Plan notes that within the Strategic Growth Areas “*sites larger than one hectare should generally have no less than 30 dwellings per hectare*”. This is not a mandatory requirement placed on the Proposed LDP. Alternatively, using a 25 homes per hectare density across the Aberdeen Housing Market Area would reflect the demand and ability of this area to accommodate the delivery of sites in a more efficient manner, reducing the scale of land release.

It does not state in Scottish Planning Policy that density on proposed new or existing sites cannot be amended.

Maximum Site Capacities (Main Issue 10 – Alternative option)

We acknowledge support for the alternative option for setting a maximum on site capacities and the greater level of certainty it would provide to communities. As set out above, the preferred option would also provide increased certainty but with the added flexibility to accommodate market changes.

We recognise the disadvantages to a maximum site capacity. However, we do not believe there needs to be a further emphasis on the “indicative” status of site capacities as it is clearly highlighted within Policy H1 which should be read in conjunction with the Settlement Statements.

Future Opportunity Sites

The ‘future opportunity sites’ (‘reserved’ sites) within the MIR were suggested as ‘Strategic Reserve’ as per the Proposed SDP definition. We envisaged that strategic

reserved housing sites would be similar to the status of a reserved site under Policy PR2 Protecting Important Development Sites in that they would be safeguarded for that use but with a clear distinction that they cannot be brought forward as an allocation during the LDP period. We acknowledge they could be beneficial for the reasons noted by the representations. However, we are concerned that Strategic Reserve housing sites may be drawn down prematurely, as has been the case previously with Strategic employment sites, and that this will undermine the delivery of existing allocated sites.

It is important to note that the requirement for the Proposed LDP is to meet the housing land requirement of the SDP up to year 10 from the expected year of adoption and provide a minimum of 5 years effective land supply at all times in accordance with SPP paragraph 119. The Proposed SDP states within paragraph 4.15 that Strategic Reserve of housing land may be identified for the period 2033 to 2040. It should be highlighted that this is not a requirement and would be beyond the LDP period that is expected to be until 2031.

Housing Supply and Allowances

There was a mixed response to the issue of land supply with some respondents concerned about an oversupply whilst others expressing the view that additional land must be allocated. The role of the LDP is to set policies and identify land for development to “meet the housing land requirement of the strategic development plan up to year 10 from the expected year of adoption” (SPP paragraph 119). As the Proposed SDP Table 3 has set the housing allowances, the quantum of additional sites required to be allocated within the Proposed LDP has been addressed through the Proposed SDP.

We consider that meeting the full allowances for the period 2020 – 2032 within the Proposed LDP 2021, provides additional flexibility without creating an oversupply or under supply of housing land. Implementing this approach incorporates an additional year before the anticipated adoption of the LDP 2021, and an additional year after its 10 year duration.

Representations were unclear as to whether any urban capacity studies were used to inform windfall assumptions. Effective windfall sites (unallocated sites that already have planning permission) are identified in the HLA and counted as part of the Established Land Supply. No other windfall sites are included in the calculation of the effective housing supply. Small sites (defined as sites of less than 5 homes) in rural areas can make a significant contribution to the expectations of effective land supply in the area particularly through the LDP’s supportive and flexible policies on housing in the countryside. Capacity studies would not be applicable for the windfall assumptions of small sites. Studies have shown that the cost of developing brownfield land often outweighs the value to be derived from them, without public subsidy.

A large number of respondents suggest that the Housing Need and Demand Assessment (HNDA) is inaccurate in its population projections and economic forecasting. Homes for Scotland were part of the HNDA panel. An HNDA estimates

the future number of additional housing units required to meeting existing and future housing need and demand. Its purpose is to provide a robust, shared and agreed evidence base for housing policy and land use planning, and is used to inform the Proposed SDP housing targets. Housing targets are determined at a regional level and split by housing market area; it is not broken down to a settlement specific target. The Scottish Government's Centre for Housing Market Analysis gave the HNDA the 'robust and credible' status. This will not normally be considered further at a Development Plan Examination; therefore, we are satisfied to proceed based on the housing allowances within Proposed SDP. We believe that the appropriate supply of land has been allocated in accordance with the SDP allowances and informed by the HNDA.

Effectiveness of Housing Allocations

In terms of the deliverability, programming and effectiveness of sites, it is important to highlight that most sites have been promoted by landowners and developers. We have been advised by landowners and developers that these sites are deliverable. The implementation of the Proposed LDP will rely on the development industry fulfilling the commitments given, and housing market conditions. The Action Programme will provide a mechanism by which progress on delivering the allocations can be monitored. The Action Programme July 2018 shows that a significant proportion of allocated sites are progressing and will be effective during the LDP 2021. We are not proposing a phasing of allocations within the Proposed LDP therefore all new allocations are able to contribute to the maintenance of 5 year effective land supply throughout the Local Development Plan timescale.

A large number of respondents have noted the under-delivery of existing sites, and overly optimistic predictions in the Housing Land Audit (HLA). In response to the views that the delivery assumptions within the HLA are over-optimistic, it is also worthwhile to note that the HLA is produced in consultation with the development industry and that the predicted build rates are largely based on information provided by them.

Due to considerable allocations, the previous Aberdeen City and Shire Structure Plan 2009 and the Strategic Development Plan 2014, the Proposed SDP paragraph 4.14 highlights that the "Housing Land Audit data indicates that there is sufficient housing land already available" to meet the Housing Land Requirement "for both the Aberdeen and Rural Housing Market Areas for the period 2020 to 2032 at current rates of completion". Any change in delivery rates can be accommodated given there is sufficient generosity in the Proposed SDP, and flexibility in the Proposed LDP as discussed above.

Constrained Sites

The SDP housing allowances were derived from that part of the Established Land Supply that were effective sites. The removal, or retention where appropriate, of constrained sites therefore does not alter the number of additional homes the Proposed LDP is required to allocate. Constrained sites, therefore, do not create a deficit within their administrative areas or in their housing market area that require to be replaced. Furthermore, the housing land requirement for each housing market area is set by the

SDP and does not become further divided into Aberdeenshire administrative areas. We acknowledge a small number of effective sites from the Proposed SDP baseline data (the Housing Land Audit (HLA) 2016) are recommended to be removed due to significant constraints that have come to light. However, as noted above there is sufficient flexibility in the housing land supply of the Proposed LDP to accommodate this.

HLAs are a snapshot in time and whilst some sites become constrained, others can become effective. Generally, those sites noted as long term constrained within the HLA or those that will have been in two LDP cycles are considered the most appropriate to remove. However, we do not agree the removal of sites should be done as a 'blanket approach' particularly in the more rural settlements where constraints are often due to marketability.

One respondent provided a table of 23 housing sites that should be removed from the Proposed LDP on the basis on long-term non delivery. These are all sites that we have given due regard to. For existing sites in Fordyce, Gardenstown, Portsoy, Sandend, and Crimond the sites are marketability constrained and could come forward should demand arise. They are being actively marketed. Sites in Crudie, Gardenstown, Inverbervie, Muir of Fowlis and Ruthven all have existing implemented planning permissions, and sites in Rosehearty and New Pitsligo are constrained by "ownership" issues. It is legitimate to retain these sites in the LDP as assurances have been given by the landowners that they are actively marketing the land. Finally, five sites in Auchnagatt and Huntly have allocations that we are recommending being removed from the Proposed LDP as they are undeliverable due to the infrastructure constraints. We have no concerns that these numbers double count the effective land supply, as all calculations have been made on the basis of the sites that are likely to be effective in the HLA 2021, or which we can expect to make a contribution post 2026.

The 'marketability' constraint in housing land audits is in accordance with PAN 2/2010 that sets out the criteria used to determine if a site is effective. We are aware this constraint does not always reflect on the level of need for housing and we take this into account in our recommendations to remove or retain existing allocations. However, marketability constraints are experienced in the more remote rural areas and the LDP has supportive and flexible policies on housing in the countryside which helps to meet need.

Range of sites

We acknowledge the strategy of the LDP 2012 was based upon the delivery of a number of large sites that carried forward into the LDP 2017. With regard to the slower delivery rates of large sites, we cannot expect all the new homes of large sites to be built within one Plan period. The Action Programme shows that large allocations are progressing and are therefore either effective or capable of becoming effective within the plan period in accordance with the requirements of SPP.

The Proposed SDP paragraphs 4.14 and 4.15 note that further housing land allocations are in addition to the considerable proportion of current strategic allocations to avoid risk if any of these sites failed to come forward. It is important to highlight that the Reporter at the Examination of the LDP 2017 considered the HLA 2016 to include a range and choice of sites of different sizes and in a variety of locations. Furthermore, the Reporter considered that often a larger scale allocation in the main towns is not unusual or inappropriate as “the requirements for infrastructure delivery to accommodate larger scale growth commonly necessitate a master-planned approach and the provision of sufficient developer contributions to address identified constraints”. We believe there is nothing to prevent larger sites being sub-divided and delivered by more than one developer such as in the case of the consortium-based approach at OP1 at Kintore.

In terms of new allocations ‘preferred’ for the Proposed LDP, around 65% (AHMA) and 85% (RHMA) are allocations under 50 homes. We consider this to provide a sufficient range of scale of sites.

Strategic Development Plan

In accordance with SPP paragraph 112, the Strategic Development Plan Authority jointly worked with Aberdeenshire Council and Aberdeen City Council on the Proposed SDP. We acknowledge there are unresolved representations on the Proposed SDP in relation to the housing targets, requirements, allowances and housing market area split. Whilst the Proposed SDP could be subject to change during the ongoing Examination, we consider it prudent to proceed on the basis of the Proposed SDP until advised otherwise of any change.

Draft Proposed Local Development Plan - Policy H1 Housing land

We do not believe that cross referencing of other policies in the Proposed LDP is required as all development proposals, irrespective of their land use, are assessed against all relevant policies and sections of the plan applicable in each case. In the case of development within the vicinity of hazardous land, this issue is already considered in the context of Shaping Places Policy P4 “Hazardous and potentially polluting developments and contaminated land”. As site capacities are indicative there remains the flexibility for adjustment of numbers and density when required.

Policy H2 Affordable housing

Overall Need for Affordable Housing Provision / Main Issue 11 - Preferred Option

It is noted that a number of respondents may have misinterpreted the preferred option put forward in the MIR as a suggestion that the policy text would request a greater level than the 25% affordable housing benchmark. Through the previous Examination any ambiguity in the level that could be sought was removed by the Reporter and the affordable housing policy of the 2017 LDP clarified the position that the Council could not request greater than a 25% provision.

The Housing Need and Demand Assessment 2017 (HNDA) estimated a need for around 48% of all new homes to be affordable. This is an increase of 10% from the

estimates in the HNDA 2011. The estimate of need ranged from around 22% in the RHMA to 78% in the AHMA. The 25% requirement is clearly based on evidence from the HNDA which promotes a level of need significantly in excess of this figure. Although the evidence would support seeking a higher figure, such an approach would be inconsistent with the SPP guidance.

With 35% of the Housing Supply Target as affordable as set by the Strategic Development Plan, there is a need for alternative affordable models of market housing to make up the gap from the SPP requirement of 25% the target of 35% in the Proposed SDP as a step towards meeting the HNDA's identified minimum need of 48%. The Strategic Housing Investment Plan 2019-2024 projects that around 70% of affordable homes will be obtained and delivered through the LDP Affordable housing policy. This leaves a gap where need is not being met through either private or public means. Whilst the Scottish Government are supporting and funding affordable homes delivery, the grants are limited to a set cost per unit, and the high land values found in Aberdeenshire are problematic. The level of funding available is also dependent on the Government agenda therefore it is unknown how much funding will be available during the lifetime of the ten-year development plan. This highlights a need for the development industry to play a role in delivering unsubsidised housing to form an element of affordable housing. We consider it prudent to supplement the policy text to highlight this issue. We acknowledge the recognition from representations that delivering more than 25% may be possible on some sites.

We acknowledge the comments on the wording of the Draft Proposed LDP policy and agree to add text to reflect the scale of affordable housing contribution from the delivery of market sites. We do not agree the policy is the place to highlight details on how public agencies can assist with delivery.

The Reporter from the Examination of the LDP 2017 agreed that "given the extent of identified need for affordable housing in Aberdeenshire, a requirement for 25% provision is reasonable, even though some individual settlements may not need that level". The Reporter removed any ambiguity in the wording of the LDP 2017 policy therefore we consider it appropriate to retain the current wording of "must include 25%".

In terms of flexibility, Scottish Government Planning Advice Note 2/2010 'Affordable housing and land audits' makes clear that the overall proportion of affordable housing delivered on any site will depend on various factors, including other infrastructure contributions and site remediation costs. As a consequence, the level and type of affordable housing provision will be a matter for negotiation at the planning application stage, and a policy which includes a blanket compulsion on developers is unlikely to be appropriate. We also consider it unnecessary to word the policy as "up to 25%" as the policy acknowledges exceptional circumstances in Supplementary Guidance. The Supplementary Guidance for affordable housing provides a mechanism whereby viability can be examined and tested through the developer's provision of financial evidence, in confidence, to the Council. Therefore, the policy is considered to take appropriate account of development viability and economic factors and makes provision

for contributions that are lower than 25% in exceptional cases. In this respect, the policy is consistent with paragraph 129 of SPP, which states that Planning Authorities should consider the level of affordable housing contribution which is likely to be deliverable in the current economic climate as part of a viable housing development.

The Proposed SDP has identified 35% of the housing target to be affordable. Within the SDP's Housing Methodology Paper, supporting the Proposed SDP, this level is recognised as optimistic but achievable. However, it notes that there is no expectation for the LDP to increase the 25% contribution and the 35% is in line with the targets set within the Local Housing Strategies for the Region. Funding was taken into account through the SDP, however, it is important to note the above response as to the reasoning for the 25% provision. The Proposed LDP is not able to state a specific level need from the HNDA. The HNDA provides an estimate of future need across a range of scenarios; affordable housing need ranged from a minimum of 48% to 56% of future allocations

We acknowledge the comments in respect of the quantum of land supply required to assist the delivery of affordable housing. This issue is addressed in the Housing Land Supply sections above.

Main Issue 11 - Alternative option

We acknowledge support for this option and early provision of affordable housing can be encouraged within allocation summaries.

Concerns were raised about the proposal to allow serviced affordable housing plots to temporarily contribute to open space requirements, as there may be subsequent resistance to the provision of affordable housing on these plots. These concerns are unlikely to be borne out in practice, as the affordable housing provision will form an integral part of the planning consent for the site. However, it is recognised that pursuing this approach may lead to increased density of developments that may then not meet open space requirements once the affordable housing is delivered. This conflict with the design policies elsewhere in the plan may make it inappropriate to take this proposal forward.

Commuted Sums and On-site Provision

The affordable housing policy already make clear that affordable housing should be provided on site in all but exceptional circumstances. In this respect the current policy is consistent with SPP and PAN 2/2010 guidance. As noted above, there is flexibility within the policy and the form of the affordable housing provision will be a matter for negotiation at the planning application stage.

Local Authority Provision

We acknowledge the request for local authority house provision, its benefits and the suggestions on how to deliver more. This does not fall within the remit of the Local Development Plan but rather is the responsibility of the Housing Service. It is important to note that the Housing Service looks at the suitability of land for the purposes of

affordable housing when it becomes available and they may not accept that a very high affordable housing proportion is appropriate on the site. In such cases it would be for the developer to provide the affordable housing without subsidy.

Definition and Affordability

The definition of affordable housing stems from the HNDA and the current policy wording in this regard was provided by the Reporter at the Examination of the LDP 2017. The price of homes and how affordable housing values are set are not a matter for local development plans.

Draft Proposed Local Development Plan - Policy H2 Affordable housing

In terms of linking Policy H1 and H2, this would be unnecessary as both should be applied in the case of planning applications for housing on allocated sites. Policy H2 is not exclusively used alongside Policy H1 and can be applicable in more than cases involving allocated sites for housing, such as in the case of infill development.

We do not believe Vision statements need to be more precise. The issues of the availability of smaller homes and affordable housing are interlinked, and both are often sought from communities based on the feedback from early consultation that led to the vision amendments proposed.

The current Settlement Statements provide detail on the number of affordable homes each site is expected to deliver. However, we consider it more appropriate to only refer to the policy on this matter. This avoids any potential discrepancies between the 25% affordable housing benchmark and the Settlement Statements with regards to the recommendation to maintain an indicative site capacity. The exception to this is where new sites proposed have been submitted as 100% affordable housing sites.

Local Housing Strategy

We note the comments regarding the Local Housing Strategy and delivering the right range of affordable housing. The Local Housing Strategy is prepared by the Housing Service and is informed by the HNDA, including evidence gathered through consultation and engagement with a variety of groups.

Policy H3 Special Needs Housing

We acknowledge support for continuing care retirement communities outwith settlements.

Policy H4 Residential Caravans

We do not believe that this policy should extend to cover 'huts'. Scottish Planning Policy defines a 'hut' as "recreational accommodation (i.e. not a principal residence)." The Shaping Homes and Housing Policy H4 'Residential Caravans' is regarding caravans as a permanent form of accommodation.

Policy H5 Gypsy/Travellers

No comments were received on the proposed amendments to this policy.

The Draft Proposed Local Development Plan – Shaping Homes and Housing

A number of changes were proposed in the Draft Proposed Local Development Plan (LDP) on the basis of early consultation with stakeholders. These are captured in the recommendations below.

4. Recommendations

1. In consideration of MIR Issue 10, adopt as a preferred option the use of higher densities only for new and existing sites within the Aberdeen Housing Market Area without a current planning history.
2. Adopt the MIR Issue 11 preferred option to highlight the mismatch between identified need for affordable housing and our ability to deliver it, and our dependence on the housing industry to assist in filling this gap.
3. For Policy H2 Affordable Housing amend the policy text to highlight the level of affordable housing needed, the scale of affordable housing contribution from market sites and to encourage action from the development industry to address the affordable housing delivery issues. Also, amend the policy text to ensure this policy does not preclude the development industry offering, when appropriate, a greater level of affordable housing than the 25% affordable housing benchmark.
4. For Policy H3 Special Needs Housing amend policy text to provide clarity that this is not mainstream housing.
5. For Policy H4 Residential Caravans amend policy text to provide greater clarity that it applies to residential caravan proposals as a form of permanent accommodation rather than tourist accommodation.
6. For Policy H5 Gypsy/Travellers update the terminology used in the policy to describe permanent sites, transit sites and stopping places
7. In the Settlement Statements, remove the affordable housing numbers specified for individual sites, where appropriate.

5. Committee Decisions

1. Kincardine and Mearns Area Committee agreed recommendations 2 to 7 above at their meeting on 20 and 21 August 2019. The Committee agreed that density in the Aberdeen Housing Market Area should be based on 22 homes to the hectare. The Committee also agreed that policy wording included in the Draft Proposed LDP under paragraph H3.2 on the location of special needs homes not on the edge of the settlements should be strengthened and that the text “In either case...amenity of the area” should be removed from paragraph H5.2.

2. Banff and Buchan Area Committee agreed the above recommendations at their special meeting on 27 August 2019. The Committee also agreed that policy text should be reviewed to account for the Council's empty homes policy/ initiative.
3. Buchan Area Committee agreed the above recommendations at their special meeting on 3 September 2019.
4. Garioch Area Committee agreed the above recommendations at their special meeting on 3 September 2019. The Committee agreed that in addition to implementing recommendation 1 that numbers allocated in the LDP should be considered as the maximum level of development that could come forward on an allocated site. The Committee also agreed that the policy should include text that encouraged self-build opportunities adjacent to settlements. In addition to recommendation 5 clarity was required in relation to terms used in Policy H4, including the inclusion of terms in the glossary and providing appropriate cross referencing to other policies. The last sentence of the paragraph H5.3 in the Draft Proposed LDP should not be carried forward to the Proposed LDP.
5. Formartine Area Committee agreed the above recommendations at their special meeting on 10 September 2019. The Committee also agreed that officers reconsider in terms of Policy H2 (Affordable Housing), the link between the Local Development Plan and the Council's Housing Strategy. The Committee also agreed that in Policy H3 (Special Needs Housing), that officers in collaboration with Health and Social Care colleagues, consider additional wording for assisted care, in addition to "non-mainstream housing". In respect of Policy H4 (Residential Caravans) the Committee agreed that officers investigate and report the use of "Huts" in other northern European countries, to see how these might potentially be incorporated in Aberdeenshire policy, as no longer alien in the landscape. In terms of Policy H5 (Gypsy/Travellers), the Committee agreed that officers clarify transit sites for gypsy travellers up to 28 days in terms of Aberdeenshire's Housing Strategy. The Committee agreed that reference is made to co-housing, and other new models of housing opportunity development to encourage as a more cooperative opportunity in communities.
6. Marr Area Committee agreed the above recommendations at their special meeting on 17 September 2019.
7. At their meeting of 3 October 2019, Infrastructure Services Committee considered the views of Area Committees and agreed not to promote a lower density (22 homes per hectare) in the Aberdeen Housing Market Area as proposed by Kincardine and Mearns Area Committee. The Committee agreed that housing allocations should not be considered the absolute site capacity as proposed by Garioch Area Committee, and as such numbers should remain indicative. The Committee also agreed not to redraft Policy H2 Affordable Housing to take into account recent discussions with housing colleagues, the

Scottish Government and socially responsible landlords as proposed by Formartine Area Committee.

8. At the meeting of Aberdeenshire Council on 5 March 2020, Members agreed that the content of the Proposed Aberdeenshire Local Development Plan 2020 provides the settled view of the Council on the Plan they wish to see adopted in 2021.

Issue 9 Shaping Places

1. List of Respondents

MIR Ref	Respondents
4	Mr Simon Peachey
7	Mr David Noakes
9	Caledonia Homes
64	Mr Charles Taylor
70	Mr Malcolm Taberner
99	Mr Phil Cropper
100	Ms Janina Kutscha
105	Ms Maddie Thurlow
114	Ms Marjon van der Pol
115	Mr Matthew Brettle
129	Cluny, Midmar and Monymusk Community Council
166	Ms Linda Taberner
204	John Handley Associates Ltd on behalf of Shell UK Limited
210	Newtonhill, Muchalls & Cammachmore Community Council
236	Ms Lucy Thomson
273	Mr & Mrs Collam
391	J&J Design on behalf of Jesmond Gospel Trust
392	Echt & Skene Community Council
506	Scottish Natural Heritage
550	Norr on behalf of Stewart Milne Homes
551	NHS Grampian
570	Ms Aileen Salway
600	Keppie Planning on behalf of Stewart Milne
601	Keppie Planning on behalf of Stewart Milne
610	Halliday Fraser Munro on behalf of CALA Homes (North) Ltd
656	Ms Jacqueline Turner
658	Ms Irene Ferguson
702	Cruden Community Council
733	Ms Alexandra Wilowska
782	RSPB Scotland
791	Emac Planning on behalf of Kirkwood Homes Ltd
805	SEPA
809	Mr Robert Moore
843	Kintore and District Community Council
849	Mr Mark Tasker
855	Catterline, Kinneff & Dunnottar Community Council

865	Inverurie Community Council
889	Holder Planning on behalf of Hallam Land
891	Barratt North Scotland
896	Arcus Design Ltd
967	Homes for Scotland
972	Elsick Development Company (EDC) Turnberry
980	Mr Paul Davison
1001	Ms Sally Berrisford
1009	Historic Environment Scotland
1049	Buchan East Community Council
1068	Strutt & Parker on behalf of CHAP Homes
1080	A Simmers and A Michie

2. Issues

Policy P1 Layout, Siting and Design (Main Issue 12)

The preferred option seeks to include a new Appendix in the Local Development Plan to provide further design guidance for new development by providing a more detailed interpretation of the six qualities of successful places as set out in the existing Policy P1. Respondents 9, 70, 210, 506, 551, 656, 702, 733, 805, 843, 855, 865, 972, 980 have supported the preferred option. One respondent has noted that design guidance is needed to avoid blandness and imitation design (733), while another suggests exemplary developments should be referenced (972). However, the Plan should be quite clear in respect of specifying a high standard of design (70). Quality of design plays a big role in establishing quality of place and quality of life (64). Design guidance should be created for small scale development in the countryside (9). Scottish Natural Heritage (SNH) recommends the guidance should focus on delivery, placemaking, what developers need to do, and how they should engage with other stakeholders to deliver these aspirations (506).

Support is also given for the alternative option (i.e. no design appendix) (236, 600, 601, 610, 791, 967, 891, 1068). The current policy is sufficient for major developments (236). A one size fits all approach, using prescriptive criteria, does not work (610, 791, 1068). It is not necessary given the suite of national guidance already available (600, 601, 610, 791, 891, 967) and it would duplicate Building Standards (791, 891, 967). It is considered that prescriptive guidance would be contrary to the subjective nature of design (791).

It is also unclear how it would form part of the Plan (791) and published as part of the proposed Plan for scrutiny at Examination (610, 791). However, a review of the existing guidance that provides clearer advice is supported (610). Revision of the car parking standards is required as garages are too small and lack of off road [on-street] provision is not incorporated (843).

The Scottish Environment Protection Agency (SEPA) believes there is scope for the Council to consider certification of the Plan under the Building with Nature Scheme which assesses the Plan's policies against several criteria during planning, construction and occupation of the site. They also recommend that the new Appendix includes a strong reference to placemaking, it notes the importance of green-blue networks in placemaking, and it encourages environmental enhancements of green and blue infrastructure as part of any development. Reference should be made to the Cleaner Air for Scotland Strategy (805)

NHS Grampian suggest greater focus should be placed on "homes for life" and homes should be designed to be accessible and adaptable to future needs by provision of wheelchair access, accommodate hoists, and en-suite wetrooms (551).

Historic Environment Scotland suggest that proposals need to be designed to be responsive to the historic environment and minimise impacts (1009).

There needs to be a better mix of house types, with most favouring smaller homes (70, 99, 100, 114, 115, 166, 273, 391, 570, 658, 809, 1049, 1080), and one respondent supporting bungalows (7). Several respondents refer to the Register General's Annual Review of Demographic Trends 2017, which they say indicates that there is a need for smaller low occupancy properties (99, 100, 114, 115, 129, 658, 1080). Other respondents state that the housing mix should allow older people to down-size in their community (70) and that they support the Aberdeen City and Shire Strategic Development Plan's objective that ensures new development meets the needs of the whole community (i.e. a balanced range of house types with adequate amenity and parking spaces) (391). House types should be aimed where there is demand for small, low occupancy homes (99, 100, 114, 115, 129, 1080). The use of percentages / ratios of house types rather than just housing numbers was advocated (809). Two respondents query if developers should dictate the house mix or developers only provide what the community requires (70, 166).

SNH encourages the preparation of place statements as guidance for settlements that set out the characteristics of the settlement and how individual developments will be expected to complement these using a schedule of site requirements briefs. They also recommend undertaking strategic design frameworks to protect or enhance strategically important natural features affecting an allocation and design solutions, and site briefs, which show how impacts will be mitigated and green infrastructure is integrated for each of the Settlement Statements in the Plan (506).

It is suggested that there should be a policy that combats and controls gulls (e.g. discouraging gulls by not building flat roofs for commercial buildings and resolving issues with food retailers) (64).

Respondent 64 states there is a need for designers to identify and manage all hazards (including contaminated land) on a site, and include a policy requiring a hazard identification study and management plan.

There should be a policy on tall buildings (i.e. over three storeys) (64).

Respondent 550 contests that there is no policy in the adopted Local Development Plan (LDP) to refuse development, when Planning Advice Note 68 Design Statements states design is a material consideration and developments can be refused proposals on design grounds.

Draft Proposed Local Development Plan – Policy P1 Layout, Siting and Design

SNH support the need for a design review process, but they and other respondents seek further clarity (e.g. its objectives, timescales, when it is required, who will be involved, their contributions, and costs) (506, 600, 601, 550, 791 891). The process can provide a useful resource, but it must be focussed on the objective of delivering development and those engaged understand the local market and context (550) and should not unduly hinder the assessment of applications (600 and 601).

One respondent does not support a mandatory design review process for all development; only for large scale / strategic housing or mixed uses that would have a significant impact on their environment. They suggest that there is a potential to link the design review process with those proposals requiring an EIA (1068).

SNH support the need for masterplans, but seek further clarity on what they should include, they suggest referring to Architecture & Design Scotland for “lessons learned” and they have requested additional text to be added on landscape design and green infrastructure in paragraphs P1.2 and P1.3 (506).

It is not clear how a masterplan would be “agreed”, and which process of “agreement” is used for major developments that are not allocated (601)

One respondent disagrees that masterplans must be subject to public consultation for all major developments, as it is not in keeping with the spirit of the Plan led system and would result in duplication of effort (1068).

All major developments should be supported by an EIA, including a landscape and visual impact assessment (843).

SEPA requests that paragraph P1.7 on developments in the countryside, includes text on waste water discharges and other sources of pollution (805). SNH also seek minor amendments to this paragraph regarding landscape and landform (506). It is suggested that common language is used to describe the terms used, such as “low embodied energy”, “intermodal shift” and “active travel” (64).

In relation to Biodiversity, one respondent welcomes the use of the term ‘Enhancement of biodiversity’ but recommends that the Plan (or Supplementary Guidance) provides clarity on what constitutes such enhancement and how this can be measured (782). SEPA requests that paragraph P1.8 is reworded to not limit the developer obligations

that may be asked for, and that these measures are listed in specific site allocations (805).

SEPA requests that the requirement to submit a Site Waste Management Plan in paragraph P1.8 is removed and cross reference made to paragraph RD1.16 in Policy RD1 Providing Suitable Services, as this requirement is not technically an enhancement measure (805).

Policy P2 Open Space and Access in New Development (Main Issue 13)

The preferred option seeks to amend the policy to ensure that all new developments must be accompanied by adequate public open space (as opposed to should be), and to add text relating to early implementation of strategic landscaping, and use of temporary green infrastructure on unused or underused land within a settlement. Respondents 64, 105, 210, 392, 506, 551, 656, 702, 782, 843, 849, 865, 980 support the preferred option. One respondent states that more emphasis should be placed on open space when determining planning applications to improve mental health and physical activity, and suggests increasing housing densities to achieve this (1049).

It is mostly developers who are in favour of the alternative option (no change) (236, 610, 791, 889, 891, 967), citing the loss of flexibility (610, 791, 889, 967), unrealistic to achieve (891) and does not take account of proposed increased house densities on sites (791, 889).

There is support for the early implementation of strategic landscaping and temporary green infrastructure (392, 506, 610), and to increase measures on owners to improve unkept sites (1049). However, several developers favour a phased approach to delivering strategic landscaping using conditions (791, 889, 891 and 967). RSPB Scotland support the inclusion of temporary green infrastructure in the policy with the following caveat being added at the end of the first sentence in paragraph P2.5, "and if there is sufficient certainty that the green infrastructure will be retained and maintained in the long term".

Draft Proposed Local Development Plan – Policy P2 Open Space and Access in New Development

The 40% open space requirement for major developments is too onerous (791, 967) and is excessive (891, 896).

Scottish Natural Heritage have provided text to reflect the Scottish Government's publication "Green Infrastructure: Design and Placemaking" so that green infrastructure is considered early in the design stages (506). They also support a policy that emphasises the requirement for meaningful good quality open space that has multiple functions (506). They, and others, suggest that reference should be made to strengthening and connecting existing paths (4, 896), green-blue networks, the wider green infrastructure and active travel provision in the area (506).

Land should be allocated to facilitate outdoor learning and quality natural areas within walking distance of schools (570).

SEPA suggests the green networks referred to in paragraph P2.1 should be replaced by “green-blue networks”.

No detail is provided on the maintenance of open space, and the Council should accept its responsibility to maintain it, suggesting using Section 75 Agreements. In addition, concerns are raised about using factors (private maintenance company) as it would transfer common land into land owned by residents (791, 891, 967). There is concern about the level of neglected open spaces and pressure should be placed on owners to improve them (1049).

Policy P3 Infill and Householder Developments Within Settlements (Main Issue 14)

The preferred option proposes a dedicated design Appendix for house extensions and ancillary development. Respondents 64, 210, 236, 506, 656, 702, 733, 805, 843, 865 and 980 support the preferred option and no representations were received opposing it.

Some respondents request that the Appendix provides guidance for small scale developments in the countryside (9), protects resident’s amenity (702) avoids blandness and imitation design (733), provides detail on change of use proposals on flood risk and vulnerable land (805), and that proposals contribute to the wider setting and not just the development itself (865).

Concern was expressed that allowing lots of infill developments impact on local communities and alters town boundary lines (1001), and the policy should refer to the Plan’s historic environment policies (1009).

SNH has recommended the guidance should focus on delivery, placemaking, what developers need to do, and how they should engage with other stakeholders to deliver these aspirations. They also encourage the production of place statements as guidance for settlements, undertaking strategic design frameworks and prepare site briefs (506).

Draft Proposed Local Development Plan – Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land

There is support for the retention of Policy P4 and the references made to this policy in the individual Settlement Statements in the Plan. The respondent has requested that any new sites take account of the consultation zones, and that the consultation zones are shown in relevant the proposals maps (204).

To protect people from harm, respondent 64 suggests raising the profile of proposals near hazardous developments in the Plan and adding a new paragraph to Policy P4 that only allows new developments within consultation zones only if there is an “overriding public interest” or “no alternative site”. The first sentence in paragraph 4.2 should be

amended to minimise risk to the public in accordance with the Health and Safety Executive Guidance (64).

It has been suggested that Policy P4 is split in two, with one policy on proposals within consultation zones, and the other on hazardous and potentially polluting developments. It is also suggested that amending paragraph P4.2 from “including oil and gas pipelines” to “including major accident hazard pipelines” (64).

In paragraph 4.1, delete “This includes developments we are told by the Health and Safety Executive to be near facilities they have identified as hazardous.” It is confusing and it does not fit with the rest of this paragraph, which applies to hazardous developments, whereas paragraph P4.2 considers all developments near to hazardous sites and pipelines (64).

Policies should be added that cater for airborne hazards and noise and vibration, radiological and biological hazards, and soil contamination from new development (64).

Update paragraph P4.5 to require Noise and Vibration Impact Assessments (64) and Air Quality Assessments (805).

SEPA has suggested modifying paragraphs P4.1 and P.5 to refer to a “Competent Authority” to ensure Control of Major Accident Hazards sites are adequately covered by this policy and request the inclusion in paragraph P4.5 of “Air Quality Assessments will also be required where emissions (e.g. of ammonia/nitrogen) from source pose potential risk to designated sites and habitats” (805).

Draft Proposed Local Development Plan – Policy P5 Digital infrastructure

There is general support for this policy. It will enable further opportunities for health and social care facilities in rural areas (551). However, comments were received on proximity to telecom’s equipment near to buildings where children congregate (210), adequate broadband speeds (843) and rapid rollout (865) across Aberdeenshire.

Policy P6 Community Infrastructure (Main Issue 15)

Respondents have supported the preferred option which adds “Major footfall generating uses should be directed to town centres.” to the policy (64, 210, 236, 392, 506, 551, 702, 865). It was welcomed that the policy does not require all community facilities to be in town centres for accessibility reasons and to sustain smaller communities (64, 210, 392, 551). However, one respondent said this requirement should be a “must” as it is a logical location for such developments (865).

Draft Proposed Local Development Plan – Policy P6 Community infrastructure

A definition of what “community infrastructure” might be is missing and should be provided (64).

The proposed amendment in paragraph P6.1 of the Draft Proposed LDP does not align with the Main Issues Report (MIR) preferred option, as the policy directs major footfall

generating developments towards town centres without a clear justification, such as a sequential test (64).

An argument is presented for removing the restriction in paragraph P6.2 that only allows the redevelopment of an unused community facility when a new or updated facility is provided elsewhere, particularly when justification that the existing facility is no longer required is provided, and community surveys/feedback supports such proposals (64).

Other comments

NHS Grampian has requested that expansion requirements of health and social care facilities are given due consideration when the Council identifies and enhances green networks (551).

One respondent has noted that green spaces should not be lost unless the [allocated] development serves a purpose for the whole community (809).

In the Settlement Statements, "Oil and Gas Pipelines" should be retitled to cover all Hazardous Sites and Pipelines (or include a new, separate section covering Hazardous Sites/Developments), and replace "Planning Advice for Developments near Hazardous Installations" with "HSE's Land Use Planning Methodology" (64).

3. Actions

Policy P1 Layout, Siting and Design (Main Issue 12)

Support for the design guidance is welcomed and noted. However, we do not list exemplary developments as the LDP is not a promotional document, and what is appropriate in one location may not suit another.

Two short Appendices have been prepared to support the criteria of Policy P1 when applying the six qualities of successful place. This will avoid having an overly prescriptive Appendix. The Appendices will not replicate other guidance, but instead provide check lists that will allow the Planning Service to assess the design of significant developments. The first Appendix will provide guidance for major developments (sites identified in Settlements Statements as requiring a masterplan/framework) and for proposals where the Planning Service consider it appropriate to apply. The second Appendix will apply to single buildings and small-scale development (as defined in the LDP Glossary).

The issues raised by respondents opposing new design guidance in the LDP are noted and have been considered in the drafting of these Appendices. The vision and objectives of the Plan promote sustainable mixed communities, and to ensure this is developed, a new design Appendix would provide more clarity on how this would be delivered. Policy P1 will make specific reference to the appendices.

The Building with Nature Scheme is not mandatory. Blue-green networks will be referenced in Policy P2 "Open Spaces and Access in new development". The

Aberdeenshire Council Parks and Open Spaces Strategy, which is referred to in Policy P2, also refers to blue-green networks. The Appendix can also expand on protecting and enhancing blue-green infrastructure under “resource efficiency”. The LDP Glossary will be amended to include references to blue-green networks and blue infrastructure.

It is not necessary to reference the Cleaner Air for Scotland Strategy in the Proposed LDP as Aberdeenshire does not have any Air Quality Management Zones. The Plan does not reference all strategies or legislation it helps to deliver. Policy P1 already promotes well connected places that promote intermodal shifts and active travel, and additional text had been added to the Proposed LDP to protect air quality (policies P4 and PR1 on hazardous developments and protecting resources) and on electric vehicles charging points.

Designing homes to provide a “home for life” are noted, and the adaptations suggested by NHS Grampian will be considered as part of the design Appendix.

Comments from Historic Environment Scotland are noted. The six design qualities of successful places, which are further defined in the design appendix requires proposals to respond to the historic environment under the “distinctive” criterion.

The LDP does not set car parking standards, but the Council does have a set of standards that a design Appendix could reference.

The need for a better mix of house types in new developments is noted. As part of the early engagement with Community Councils, several Settlement Statements were amended to reflect the lack of small-scale housing in their vision statements (see the Draft Proposed Local Development Plan). The Design Review Process would consider house types.

Comments from SNH are noted. However, the LDP already has a suite of Settlement Statements that set out a vision for the settlements, key issues, developer obligations and likely actions for developers (e.g. masterplans and assessments). Planning Officers conducted Place Standard exercises with Community Councils early in the LDP process and their outcomes were included in the vision statement included with the Main Issues Report text for each settlement. It is considered that undertaking strategic design frameworks and site briefs would only duplicate work, as all allocations were assessed as bid sites within the Strategic Environmental Assessment and Habitats Regulations Assessment in the Draft Proposed Local Development Plan, and any mitigation measures will be set out in the Proposed Local Development Plan Settlement Statements. In addition, new areas of public open space, including green networks, will be identified as part of the Proposed LDP process, any environmental impacts will be identified during the planning application process.

The issue raised on gulls would be considered an impact on local amenity, which is considered under the six qualities of successful places (“safe and pleasant”). Therefore, no specific policy is required on this issue. The Council’s Environmental Health Service provide guidance on this issue.

Similarly, hazardous developments and contaminated land would be a consideration under the “safe and pleasant” criterion in Policy P1 and are specifically considered in Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land. No specific policy is therefore required on this issue.

There is no need to include a separate policy on tall buildings as the demand for tall buildings in Aberdeenshire is low, compared with Aberdeen City, and because they will be assessed against the six qualities criteria in Policy P1, and where necessary go through the Design Review Process.

We uphold our statement in the MIR that there is a need to strengthen the wording in Policy P1 to refuse development. The current policy does not break down what the six design qualities are, and the new Appendices allow the Planning Service to assess proposals more consistently and fairly.

Draft Proposed Local Development Plan – Policy P1 Layout, Siting and Design

The Design Review Process (DRP) has been developed by the Planning Service and a Design Quality Audit will be published as planning advice. All major housing developments, and those which in the view of the Council would benefit from such a process will be required to participate in a DRP.

With regards to Masterplanning, SNH’s comments are noted. The Planning Service has been reviewing its Masterplan guidance on, amongst other aspects of process, what a Masterplan should include and new advice will be published as an Appendix to the Plan. The additional text proposed by SNH on paragraphs P1.2 and P1.3 is not supported. These paragraphs do not consider the content of a Masterplan, but ensure that they cover the whole of an allocated site and that they have been subject to public consultation. Landscape and blue-green infrastructure will be considered in the new design Appendices, and Planning Advice on preparing masterplans and design statements is already available.

It is agreed that the policy should be amended to clarify how a masterplan is “agreed” by Aberdeenshire Council. The process for assessing major developments that are not allocated is set out in the Draft Proposed Plan, but the wording in the policy could be clearer and paragraph P1.3 should be reviewed. Masterplans should be given a limited lifespan, to be reviewed after a period of up to 5 years, if appropriate (i.e. development has not commenced), to enable them to reflect changes in policy and national guidance.

The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 sets out when developments require an EIA, and generally this applies to larger developments that would have a significant impact.

Two design Appendices for different scales of development are proposed. As such, the amendments proposed by SEPA and SNH on paragraph P1.7 are not necessary.

The language used in the policy is standard terminology, but it is accepted that there may be some difficulties with regards interpretation and meaning. The terminologies used in the policy will be reviewed and where necessary, their definition explained in the LDP Glossary. To provide clarity and ensure proposals deliver the six design qualities, the last bullet point on well-connected places should be amended to state that intermodal shifts and active travel will be “required” rather than “promoted”.

Clarity on biodiversity enhancement measures for new proposals is already provided in Aberdeenshire Council’s Planning Advice 5/2015: Opportunities for biodiversity in new development, and the Aberdeenshire Parks and Open Spaces Strategy, which sets out the type and expected scale of public open space, which includes natural habitats.

SEPA’s request to expand paragraph P1.8 is not supported as biodiversity measures will be included in the new design Appendices under the heading “Resource efficient”, and Policy P2 requires residential proposals to meet the standards set out in the Aberdeenshire Parks and Open Spaces Strategy, which includes biodiversity measures. Their amendment would result in duplicated advice. Similarly, Policy PR1 Protecting Important Resources considers the local water environment.

With regard to waste, SEPA is correct in that a Site Waste Management Plan is not an enhancement measure, and paragraph P1.8 will be split in two to avoid this confusion. Where necessary, a Site Waste Management Plan will still be required to demonstrate how a proposal meets the relevant design qualities.

Policy P2 Open Space and Access in New development (Main Issue 13)

The support for the preferred option is welcomed. Changing the policy to allow for flexibility in the scale of provision of open space is not supported, as both the policy and the Aberdeenshire Parks and Open Spaces Strategy state that public open space must be “appropriate”, i.e. there is no set minimum. This is also repeated in the second paragraph of Policy P2. However, modification to the policy is proposed to ensure that open space is considered as part of the design of the development.

Concerns on open space provision in relation to increased densities on a housing development are noted, but as sites should be providing a development with mixed house types and there is a growing trend for lower occupancy homes (as evidenced in amended house type planning applications), this should not be an issue. Scottish Planning Policy supports both efficient use of land and the creation of “places”.

The comments on temporary green infrastructure and strategic landscape are noted. It is proposed their long-term future is considered in Policy P2 as a new paragraph to state that this greening could form part of a site's open space requirement. Any strategic landscaping will be agreed at the Planning Application stage and would be phased where and when it is appropriate. In addition, Scottish Planning Policy states in paragraph 229 that temporary green infrastructure must not prevent any future development potential, so the policy must be flexible in this regard. The maintenance of these sites would be considered under Policy P2 in relation to open space contributions.

Draft Proposed Local Development Plan – Policy P2 Open Space and Access in New Development

The 40% open space requirement for major developments should remain unchanged in order to ensure a consistent and accessible supply of open space. The concerns raised are noted, but there is sufficient flexibility in the Council's Open Spaces Strategy on the type of open space to avoid the requirement being too onerous.

In considering new open space National policies and advice it is proposed that the definition of open space in the Glossary is amended to include green infrastructure. We agree that Policy P2 should state that open space should be considered early in the design process. Reference will be made to the Glossary definition of open space to include a reference to the Scottish Government's Green Infrastructure: Design and Placemaking.

On green networks, the LDP already seeks to promote the creation of green networks, including paths in its Outcomes, which is facilitated in the Open Spaces Strategy and Policy P2, which states in paragraph P2.6 "...and new developments must... promote walking or cycling as a means of transport."

The request for Policy P2 to include good quality and meaningful open space is noted, but is deemed unnecessary, as the Open Spaces Strategy sets out the expected types of open space in new housing developments, a summary of which will be included in a new Appendix to the proposed LDP.

The LDP protects open space that has amenity value (e.g. parks) or place value (e.g. woodland). It does not allocate land to facilitate outdoor learning and natural areas within walking distance of schools. New protected land will be identified as part of the LDP process, but whether they have an educational function is up to the landowner.

Blue-green networks will be referenced in the proposed LDP, including paragraph 2.1 in Policy P2 and the LDP Glossary.

Paragraph P2.4 in the Draft Proposed LDP discusses the maintenance of open space, and the use of Section 75 Agreements. The use of factors to main public open space does not prejudice access to it and they ensure there is a duty of care to maintain the open space. The issue of neglected open space is noted. The policy encourages the

temporary greening of such sites, but it is not the duty of the Plan to enforce their upkeep. Planning conditions, where appropriate, can, however, be enforced for new sites.

Policy P3 Infill and Householder Developments within Settlements (Main Issue 14)

Support for the preferred option is welcome and noted. However, it is now proposed that design guidance on household extensions and ancillary developments is considered under a wider design guidance for single buildings and small-scale developments under Policy P1. Likewise, cumulative impacts and impacts on boundary lines will be considered, as the design Appendix requires developments to fit within its local context.

As all policies in the Plan will apply where relevant, there is not a specific need to highlight or cross reference specific policies.

The design Appendix focuses solely on design and its delivery and engagement is considered under Policy P1, which applies to all developments. The additional guidance, strategic design frameworks and the preparation of site briefs proposed by SNH are all noted. The LDP already considers impact on place under the Settlement Statements and there will be a Design Review Process for larger developments.

Draft Proposed Local Development Plan – Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land

The respondent's support on this policy is noted and welcomed. The standard policy statement within relevant Settlement Statements will continue to be applied, but we disagree on including the pipeline consultation zones in the proposals maps as they are already mapped out in separate Planning Advice (1/2017 Pipeline and hazardous development consultation zones) and secondly, we do not show constraints, such as flooding, on the proposals maps.

It is not considered appropriate nor necessary to increase the profile of hazardous developments throughout the Plan, as any site's impact within a consultation zone has been considered during the assessment of the site for inclusion in the Plan and will be assessed at the planning application stage

We do not support dividing the policy in two, as the first sentence makes it clear that it applies to both hazardous and potentially polluting developments and proposals that present an unacceptable danger to the public or the environment (e.g. if within a consultation zone).

Amending paragraph P4.2 from "including oil and gas pipelines" to "including major accident hazard pipelines" is not supported. The current policy does not exclude other pipes, and the proposed wording would cause confusion on what these pipelines are.

We do not support deleting the second sentence in paragraph P4.1 as the first sentence is a statement on when any proposal will be refused planning permission, and the

second sentence clarifies that this could apply to any proposal near a hazardous facility (e.g. not just within a consultation zone).

It is not necessary to specify all the hazards that could result from the development, as this is covered under paragraphs P4.3 (which requires sufficient information to be submitted) and policy P4.5, which specifies that an air or noise assessment may be required.

We accept SEPA's requests to add "Competent Authority" to paragraphs P4.1 and P4.5 and the need for Air Quality Assessments when proposals affect designated sites and habitats in paragraph 4.5.

Draft Proposed Local Development Plan – Policy P5 Digital Infrastructure

Support for this policy is noted and welcomed, but the Plan cannot and does not facilitate increasing the speed or coverage of broadband. The last paragraph in the policy covers issues of public exposure to telecommunications equipment. No change to the policy is required.

Policy P6 Community Infrastructure (Main Issue 15)

Support for the minor modification to the policy is noted and welcomed. We do not support changing the amendment to "must" rather than "should", to allow flexibility on where major footfall generating uses should be directed. However, the policy sets out that the preference is in town centres.

Draft Proposed Local Development Plan – Policy P6 Community Infrastructure

A definition of "community facilities" is provided in the Plan's Glossary under "Infrastructure".

We disagree that the Draft Proposed LDP amendment to paragraph P6.1 does not align with the preferred option in the MIR. The policy amendment (directing community facilities with a major footfall towards town centres) supports the Council's town centre first approach and paragraph 60 of SPP, as part of delivering successful, sustainable places.

We do not agree with removing paragraph P6.2 and retain our preference to only allowing the redevelopment of existing facilities if new or updated facilities are provided elsewhere. The policy does not specify the distance of a new or updated facility and without this paragraph, community facilities could be lost without the need to justify their redevelopment.

Other comments

NHS Grampian's comment is noted and will be considered when identifying new green network sites.

Concerns on the loss of green space to new development is noted. Each allocation has been reviewed during the Call for Sites process and the loss of green space is only supported where there is a need for that development in that location.

We do not support amending the subtitle, “Oil and Gas Pipelines” in the Settlement Statements, as this section principally relates to oil or gas pipelines and not other hazardous developments. However, we agree replacing “Planning Advice for Developments near Hazardous Installations” with “the HSE Land Use Planning Methodology”.

Draft Proposed Local Development Plan

A number of changes were proposed in the Draft Proposed Local Development Plan (LDP) on the basis of early consultation with stakeholders. These are also captured in the recommendations below. Where paragraph references are provided in the recommendations, these relate to policy revisions and proposed policy numbering used in the Draft Proposed LDP.

4. Recommendations

Policy P1 Layout, Siting and Design

1. Conclude the Design Review Process before adopting the LDP and introduce a new paragraph. The Design Quality Audit will be published as planning advice.
2. Include proposed paragraphs P1.2 and P1.3, but switch P1.2 (on requiring masterplans for the whole site) with P1.3.
3. Include proposed paragraph P1.3, amended to read as follows:

“We will support:

- new development on sites we have identified within the Settlement Statements in Appendix 10 as requiring a development framework or masterplan; OR
- major developments (more than 50 homes, or more than 2 hectares of employment, retail or mixed-use development)

if they keep to a previously agreed statement(s) on the proposed design for the site. Any previously agreed statement must have gone through a process that includes an appropriate level of public consultation...”

4. Insert a footnote for the above paragraph stating: “For sites requiring a development framework or masterplan, they must be subject to public consultation and have been agreed by the Local Area Committee in advance of determining a planning application.”
5. Incorporate proposed paragraph P1.4, but amended to reflect that only certain developments will require to meet the prescribed level of public consultation.

6. Delete the amendments proposed in paragraph P1.5, retaining the text in the adopted LDP 2017, “We will only approve development designs that demonstrate that they meet the six qualities of successful places, which are...”.
7. In the last bullet point on well-connected places in paragraph P1.5 but replace “promoted” to “required”.
8. Replace the amendments proposed in paragraphs P1.6 and 1.7 with, “Further guidance on how to meet these qualities are provided in Appendix X*, which applies to major developments or sites allocated in Appendix 10 as requiring a masterplan/framework, and Appendix Y*, which applies to single buildings and small-scale developments. The Planning Service may apply Appendix X* to other developments where they consider it appropriate.”
9. Split paragraph P1.8 in two so that biodiversity measures and waste are considered as separate paragraphs.
10. Include two design Appendices for large- and small-scale developments, which include references to blue-green infrastructure, provide examples on how homes can be adapted for future needs, and the Council’s parking standards.
11. Add text to limit the lifespan of an agreed Masterplan to allow new policy issues to be taken on-board as required. Add “Once agreed, a masterplan shall remain valid for a period 5 years, unless planning consent for the development has been granted and implemented”.
12. Add additional text to Policy P1 to state: “The Masterplanning process is set out in Appendix X* and include an appendix on Masterplanning.

Policy P2 Open Space and Access in New Development

1. Amend text to replace “green networks” with “blue-green networks”.
2. At the end of the first sentence of paragraph P2.1, add: “(the hierarchy and standards of open space are provided in Appendix X**”.
3. In paragraph P2.1, amend the start of the last sentence to, “The provision and types of open space should be considered early in the design process, and low maintenance...”
4. Amend the last sentence of the first paragraph of P2.1 to, “Low maintenance community woodlands and community food growing areas, such as allotments, are encouraged.”
5. Add a new paragraph on temporary open space.

Policy P3 Infill and Householder Developments within Settlements

1. Amend the title of the policy to “Infill Developments within Settlements and Householder Developments.
2. Amend paragraph the last paragraph of Policy P3 2019 to, “...as outlined in Appendix X* Building Design Guidance...”

Policy P4 Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land

1. Amend the first paragraph of Policy 4 to state at the start: “We will refuse development, even infill development...” Also add “could cause significant pollution, create a significant nuisance (for example through impacts on air quality or noise)” and “This includes developments we are told by the Health and Safety Executive or Competent Authority to be near....”
2. In the second paragraph of Policy 4 add: “...we will consult with (HSE), the Competent Authority (in the case of Control of Major Accident Hazardous sites) and...”
3. Amend the final paragraph of Policy 4 to read “air quality or noise levels may be required to provide an Air Quality Assessment or a Noise Impact Assessment, as well as”, and add a new final sentence, “Air Quality Assessments will be required where emissions (e.g. of ammonia/nitrogen) from source pose potential risk to designated sites and habitats.”
4. In the Settlement Statements, under Oil and Gas Pipelines, replace “Planning Advice for Developments near Hazardous Installations” with “the HSE Land Use Planning Methodology”.

Policy P5 Digital infrastructure

1. At the end of the third paragraph, add “; and a visual impact assessment (if relevant).” as per the Draft Proposed LDP.

Policy P6 Community Infrastructure

1. Revise Policy P6 name to “Community Facilities and Public Amenities” and redraft policy wording to include reference to the scope to develop Use Classes 10 and 11 on other sites within a settlement in the interests of public amenity, should a town centre site not be available.
2. Amend second sentence of Policy P6 to read “Major footfall generating uses should be directed to town centres.”

Glossary

1. Provide a definition for “Blue–Green Infrastructure” as: “Areas of blue infrastructure, such as sustainable drainage systems, swales, wetlands, rivers and canals and their banks, and other water courses and green infrastructure, including hedges, landscaping, green roofs, woodland and parks.”
2. Retitle the definition of Green Networks to “Blue-green network(s)” and amend to “Are formed by linking areas of blue-green infrastructure that together create an integrated and multi-functional blue-green network, which may then include access in appropriate areas.”
3. Amend the definition of open space, as proposed in the Draft Proposed LDP, but amend “green infrastructure” to “blue and green infrastructure”, **and** add a new last sentence, “Further guidance on how to consider blue and green infrastructure in the design stages of new development is provided in the Scottish Government’s Green Infrastructure: Design and Placemaking.”

* To Be Confirmed

5. Committee Decisions

1. Kincardine and Mearns Area Committee agreed the above recommendations at their special meeting on 20 and 21 August 2019.
2. Banff and Buchan Area Committee agreed the above recommendations at their special meeting on 27 August 2019.
3. Buchan Area Committee agreed the above recommendations at their special meeting on 3 September 2019.
4. Garioch Area Committee agreed the above recommendations at their special meeting on 3 September 2019. The Committee also agreed:
 - a. that reference should be made to the Council’s Parking Standards;
 - b. that Policy P2 should be strengthened to ensure that open space within developments is truly open space and include text that open space will be safe, welcoming, distinctive, well connected and accessible;
 - c. addition text is added to the start of Policy P6 to require the provision of appropriate community infrastructure to be provided as part of development proposals;
 - d. that the wording of Policy P6 is clearer on whether the Plan is being used by Officers to determine applications or by others to deliver development.
5. Formartine Area Committee agreed the above recommendations at their special meeting on 10 September 2019. The Committee also agreed that consideration be given, within the appropriate legislative context, in respect of Policy P1, Layout, Siting and Design, of the Masterplan and Planning Application timescale,

and the definition of masterplan to ensure consistent processing across the piece.

6. Marr Area Committee agreed the above recommendations at their special meeting on 17 September 2019.
7. At their meeting of 3 October 2019, Infrastructure Services Committee considered the views of Area Committees and agreed that open space should include Sustainable Urban Drainage (SUDS) areas and other inaccessible locations to meet the Council's obligations to promote biodiversity, which was not supported by Garioch Area Committee (see Committee Decision 4.b above).
8. At the meeting of Aberdeenshire Council on 5 March 2020, Members agreed that the content of the Proposed Aberdeenshire Local Development Plan 2020 provides the settled view of the Council on the Plan they wish to see adopted in 2021.

Issue 10 Natural Heritage and Landscape

1. List of Respondents

MIR Ref	Respondents
271	Mr Stephen Coutts
287	Ms Nicola Maan
288	Mr Loran Maan
290	Banchory Community Council
368	Cromar Community Council
506	Scottish Natural Heritage
547	Don District Salmon Fishery Board
555	Emac Planning on behalf of Polmuir Properties (Newtonhill) Limited
589	Innogy Renewables UK Ltd
591	Barton Willmore on behalf of Stewart Milne Homes
592	Barton Willmore on behalf of Stewart Milne Homes
758	Dee District Salmon Fishery Board
782	RSPB Scotland
786	Mr David Ellis
805	SEPA
843	Kintore and District Community Council
865	Inverurie Community Council
876	Woodland Trust Scotland
921	Mr Christopher Hennigan
980	Mr Paul Davison

2. Issues

The Draft Proposed Local Development Plan

The following issues have been raised in response to the draft policy wording and numbered paragraphs set out within the Draft Proposed Local Development Plan (LDP), except where stated otherwise.

Chapter Introduction

SEPA welcomes the proposed additional text with regard to the cumulative effects of incremental changes. SEPA has highlighted that if we are to truly mitigate against the effects of climate change we need to seek net biodiversity gain. They consider the following sentence outdated "Research continues into the effects of planning how land should be used on the rates of decline of species and habitats, and planning decisions have to take this uncertainty into account.", and should be deleted (805).

With regard to Environmental Impact Assessment, policy wording refers to Circular 3/2011. RSPB and SEPA advise that this has been withdrawn and replaced by Circular 1/2017 (782, 805).

Policy E1 Natural Heritage

Nature conservation sites (paragraphs E1.1 – E1.5)

It is considered that paragraph E1.1 should be modified to include the word "unacceptable" as adverse impacts on a nature conservation site may still be acceptable, and likewise for paragraph E1.6 in relation to protected species (589).

Within paragraph E.1.2, RSPB seek clarification on what is meant by "an internationally designated nature conservation site" (782). It should confirm that Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar sites, and proposed SACs and SPAs are all to be regarded as such (782).

RSPB Scotland (RSPB) suggest wording is added to paragraph E1.2 to make it clear that any development proposal likely to have a significant effect on any such site not directly connected with or necessary for the conservation management of that site, must be subject to an "appropriate assessment", and that the application should include/be supported by sufficient information to allow the Council to undertake that appropriate assessment. (782).

Protected species (paragraphs E1.6 – E1.7)

The tests set out in E1.6 are considered inappropriate and only necessary if the Planning Authority wishes to consent a proposal (589). The requirement to apply the bullet points within E1.6 to any development is considered stringent, not in accordance with legislation, and should be revised accordingly (589).

SNH has noted that the link to SNH's website provided under E1.7 should be updated to: <https://www.nature.scot/professionaladvice/safeguarding-protected-areas-and-species/protected-species> (506).

Wider biodiversity and geodiversity (paragraphs E1.8 – E1.10)

RSPB consider that the role and scope of the "ecological and geological management plan" is not entirely clear. The respondent considers that current wording implies that this is required to detail public benefits outweighing the ecological or geological value of the site which RSPB do not consider an appropriate role. The policy could also more fully advocate the mitigation hierarchy, which is what the ecological management plan should demonstrate, and to help halt cumulative small-scale losses of biodiversity from development (782).

RSPB believe that the planning system should seek benefits for biodiversity from new development where possible. Alternative ways of addressing these points are suggested by amending policy wording to specify the need for ecological management plans to detail measures to minimise negative environmental impacts and mitigate or offset any negative environmental impacts which cannot reasonably be avoided (782).

Similar to RSPB's response, SEPA has also requested the inclusion of text stating "appropriate environmental mitigation measures and enhancements on and/or off-site which will result in net environmental gain overall are implemented." to substitute for parts of paragraph E1.9 (805).

Fish migration

Two respondents have highlighted that culverts should be appropriately designed so that they are passable to all fish species, including taking into account light pollution (547, 758).

Policy E2 Landscape

Paragraph E2.1

Policy E2 does not define what constitutes "unacceptability" with respect to the effects through its scale, location or design on key natural landscape elements, historic features or the composition or quality of the landscape character." (843, 980).

SNH has identified the need to update paragraph E2.1 to reflect that the SNH national review of the landscape character assessment is finalised (see <https://www.nature.scot/professional-advice/landscape/landscape-character-assessment/scottish-landscape-character-types-map-and-descriptions>) (506).

Paragraph E2.2

Policies E1 and E2 are not strong enough to prevent major developments from damaging our local landscapes (843, 980). The respondents suggest that Environmental Impact Assessment (EIA) and Landscape and Visual Impact Assessment (LVIA) should be a requirement for all major developments included in policy E2 (843, 980).

Under paragraph E2.2 the word "unacceptable" should be added as adverse impacts on SLAs may still be acceptable, and in accordance with the statements on policy E2 in the MIR (589).

An updated landscape assessment should be undertaken and Special Landscape Areas (SLA) should be re-assessed given the completion and opening of the AWPR, as it has undoubtedly had a significant impact on the landscape characteristics of the area (591, 592).

There is support for retaining Howe of Cromar SLA (368, 786). Focus should be maintained on its unique landscape character by not approving ribbon development outside of settlements, wind turbines in or visible from the Howe and developments that would negatively impact the panoramic vistas of the Howe (786).

It has been requested that site KN101 Newtonhill is removed from the SLA on the basis that it does not contribute to the landscape's special qualities (555).

Other

The Natural Heritage and Landscape policies are fully supported and they need to be robustly implemented (865). Woodland Trust consider that the policies covering natural heritage are good and have provided their continued support (876).

Support has been received from respondents in the communities of Banchory Devenick and Banchory who commend the policy position of Natural Heritage and Landscape for protecting local nature conservation sites and for retaining the River Dee Special Area of Conservation (for example respondents 271, 287, 288, 290, 921). Issues and Actions papers for 'Kincardine and Mearns Landward' and 'Banchory' outline in more detail the localised issues for these communities.

3. Actions

The Draft Proposed Local Development Plan

The following actions and recommendations relate the draft policy wording and numbered paragraphs set out within the Draft Proposed Local Development Plan (LDP).

Chapter Introduction

We note that SEPA welcomes the proposed text regarding the cumulative impact of incremental changes, and this amendment should be included in the Proposed LDP.

With regard to the comment from SEPA regarding net biodiversity gain, it should be noted that Policy P1 states that all developments should identify measures to improve biodiversity. We agree that the sentence within the introductory paragraphs of this chapter regarding research into the effects of planning should be deleted, as this serves no purpose.

In respect of Environmental Impact Assessment, we note that Circular 3/2011 has been replaced with Circular 1/2017. Policy wording should be amended accordingly.

Policy E1 Natural Heritage

Nature conservation sites (paragraphs E1.1 – E1.5)

The request for "adverse effect" to be amended to "**unacceptable** adverse effect" is acknowledged, and for consistency with other policies in the plan and discussion presented in the Main Issues Report, we consider this amendment would be appropriate. Text within paragraphs E1.1 and E1.6 should be amended accordingly.

The request made by RSPB to clarify what is meant by an "internationally designated nature conservation site" is noted. Whilst we acknowledge that SPAs, SACs and Ramsar sites are those considered under this policy, in order to future-proof the Plan it

is important to retain the overarching principle to protect any internationally designated site. With regard to including 'proposed' designated sites, the sensitivity of such sites would be taken into consideration through the planning application process, but for consistency across the LDP, sites are either designated or not, and we do not consider it appropriate to add proposed designations. No action is required.

With regard to the request made by RSPB to include an "appropriate assessment" within paragraph E1.2 for internationally designated nature conservation sites, we acknowledge that the paragraph should be re-worded and the policy text should therefore be amended accordingly.

Protected species (paragraphs E1.6 – E1.7)

We note the concern raised by the respondent with regard to the stringent policy tests stipulated. However, we consider it appropriate to adopt a precautionary approach and as such the Habitats Regulations Assessment (HRA) steps identified within the policy should remain.

The request made by SNH to update the website link provided under paragraph E1.7 for protected species is noted and this should be updated accordingly.

Wider biodiversity and geodiversity (paragraphs E1.8 – E1.10)

With regard to the requests by RSPB and SEPA to emphasise the need for mitigation on and/or off-site, and the respondents' questioning of the role of an ecological or geological management plan, we would highlight firstly that our policy position is that mitigation of impacts is a last resort. Whilst our primary concern is the loss of or damage to habitats and biodiversity due to development, in order to facilitate economic growth there needs to be a mechanism in place to enable development to take place where the wider public benefits clearly outweigh the ecological or geological value of a site. As such, the role of a professionally authored ecological or geological management plan should be to justify a development, where impacts cannot reasonably be avoided, as currently stated within the policy. No action is required.

Fish migration

Culvert design for the passage of fish is considered a design issue. Policy P1 stipulates that measures require to be identified to enhance biodiversity or geodiversity in proportion to the opportunities available and scale of development. Technical advice would be sought through consultation with the relevant fish advisory body as part of the planning application process. No action is required.

Policy E2 Landscape

Paragraph E2.1

In respect of the request for a definition of what is meant by "unacceptable effects" of development on the landscape, we would point out that it is not feasible to provide an all-encompassing definition. What is deemed to be "unacceptable" is determined on a case by case basis depending on the nature, scale and circumstances of a proposal.

Professional judgement comes into play, requiring competence in analysis and understanding of the interrelated nature of visual impact and landscape character. No action is required. Reference to Landscape and Visual Impact Assessment should be incorporated into the policy to assist with the mechanics of assessing landscape impact.

We note the updated link provided by SNH to the recently completed 2019 review of the landscape character assessment. The link should be updated accordingly.

Paragraph E2.2

In response to the concern that policies E1 and E2 are not strong enough to prevent major developments from damaging our local landscapes, it should be noted that the Special Landscape Areas (SLAs) comprise a relatively new policy inclusion. The role of the SLA designation is to provide enhanced protection for our most valued landscapes. The SLA is currently provided as Supplementary Guidance in the LDP 2017 and as it is considered too early to draw meaningful conclusions as to its impact to date. It is proposed to be carried forward as an Appendix in the Proposed LDP 2021.

With regard to the request for Environmental Impact Assessments (EIA), and Landscape and Visual Impact Assessments (LVIA) to be included in policy E2 as a requirement for all major developments, firstly, it should be noted that Government guidance (Circular 1/2017) provides a screening process for identifying which developments require an EIA Report. As such it is this legislation that determines which developments are required to produce an EIA Report. With regard to landscape impact, existing Policy P1 Layout Siting and Design stipulates the requirement for all development in the countryside to demonstrate that they fit appropriately with existing local landforms, neighbouring uses and patterns of development (paragraph P1.7 in the Draft Proposed LDP). No action is required.

The request for including the word “unacceptable” in relation to “adverse effects” is noted. However, we consider this is sufficiently covered by paragraph E2.1 which states “We will refuse development that causes unacceptable effects...the landscape character.” We consider it appropriate that development in SLAs will only be permitted if the qualifying interests are not being adversely affected, or the effects of the development are clearly outweighed by a benefit for the public good. No action is required.

We acknowledge the request for an updated landscape assessment due to the completion of the AWPR. With regard to the Special Landscape Areas (SLA), the integrity of the South East Aberdeenshire Coast SLA designation which borders the AWPR in places, is considered unaffected due to the coastal nature of the designation. Notably, the key defining characteristics of this particular designation are that settlement and major transport corridors are ever present in views, and that the South East Aberdeenshire coast is unified by its general south east facing orientation out onto the North Sea. The headlands, beaches, landmarks and the ragged and wild nature of the SLA remain intact. For further information, it should be noted that ‘The Aberdeen Landscape Study’, due for publication imminently, incorporates a suite of landscape

character assessments relating to the peripheral landscape areas where Aberdeen City Council borders with Aberdeenshire Council. Furthermore, SNH have recently completed a revised Landscape Character Assessment of the whole of Scotland. No action is required.

The support for retaining Howe of Cromar SLA is acknowledged. With regard to concern about ribbon development, Policy R2 (paragraph R2.13 in the Draft Proposed LDP) establishes that ribbon development will not be supported. No further action is required.

With regard to the request for site KN101 in Newtonhill to be removed, it should be noted that we are not in support of this development (refer Issues and Actions paper for 'Newtonhill'). No further action is required.

Other

We acknowledge the community support given to Natural Heritage and Landscape policies for providing protection to nature conservation sites.

4. Recommendations

Chapter Introduction

1. Amend introductory text under 'Natural Heritage and Landscape' to include reference to the cumulative effects of incremental changes.
2. Delete the sentence "Research continues....and planning decisions have to take this uncertainty into account." from the introductory text.
3. Amend reference to "Circular 3/2011" in the introductory text to "Circular 1/2017", and update across all other policies as required.

Policy E1 Natural Heritage

1. Amend text within paragraphs E1.1 and E1.6 to state "unacceptable adverse effect".
2. Amend text within paragraph E1.2 to state that "In all cases, an appropriate assessment of the site is required, and suitable compensatory measures must be implemented".
3. Update the link provided in paragraph E1.7 to:
<https://www.nature.scot/professional-advice/safeguarding-protected-areas-and-species/protected-species>

Policy E2 Landscape

1. Update the link provided in paragraph E2.1 to:
<https://www.nature.scot/professional-advice/landscape/landscape-character-assessment/scottish-landscape-character-types-map-and-descriptions>
2. Include reference to Landscape and Visual Impact Assessment as a means of assessing landscape issues in paragraph E2.2
3. Carry forward the current Special Landscape Areas Supplementary Guidance into the Proposed LDP as an Appendix.

5. Committee Decisions

1. Kincardine and Mearns Area Committee agreed the above recommendations at their special meeting on 20 and 21 August 2019.
2. Banff and Buchan Area Committee agreed the above recommendations at their special meeting on 27 August 2019.
3. Buchan Area Committee agreed the above recommendations at their special meeting on 3 September 2019.
4. Garioch Area Committee agreed the above recommendations at their special meeting on 3 September 2019.
5. Formartine Area Committee agreed the above recommendations at their special meeting on 10 September 2019.
6. Marr Area Committee agreed the above recommendations at their special meeting on 17 September 2019.
7. At their meeting of 3 October 2019, Infrastructure Services Committee considered the views of Area Committees and no further recommendations were identified.
8. At the meeting of Aberdeenshire Council on 5 March 2020, Members agreed that the content of the Proposed Aberdeenshire Local Development Plan 2020 provides the settled view of the Council on the Plan they wish to see adopted in 2021.

Issue 11 The Historic Environment

1. List of Respondents

MIR Ref	Respondents
525	Lippe Architects + Planners
589	Innogy Renewables UK Ltd
778	Mr Robert Farquharson
780	Mr Robert Farquharson
805	SEPA
843	Kintore and District Community Council
865	Inverurie Community Council
944	Tarves Community Council
980	Mr Paul Davison
1008	Savills on behalf of The Fyvie Estate
1009	Historic Environment Scotland
1011	Savills on behalf of The Fyvie Estate

2. Issues

Reference should be made to the new Historic Environment Scotland (HES) policies when considering revising the Historic Environment policy (1009). Historic Environment policies lack consistency in decision making, particularly in respect of conservation areas (944).

Policy HE1 Protecting Historic Buildings, Sites and Monuments

Scottish Planning Policy (SPP) has separate policy/guidance outlining different types of protection for each designation (1009) whereas this policy combines the wording for designations for listed buildings and scheduled monuments. The current Local Development Plan (LDP) policy wording on scheduled monuments only refers to the impact on “integrity of setting” (1009).

One respondent supports the policy set out in the Draft Proposed LDP (865).

The word "unacceptable" should be added to the policy as a negative effect may still be acceptable. The test outlined in paragraph HE1.4 in the Draft Proposed LDP should only apply to direct impacts on nationally or locally important monuments or archaeological sites. An adverse impact on the setting of a Historic Building may still be acceptable and should not need to be justified by “overriding public interest” (589).

Policy HE2 Protecting Historic and Cultural Areas

SPP and Aberdeenshire Council policies highlight the need to protect conservation areas. However, the output of the LDP and its supporting environmental reports

indicates that inadequate time and resources have been spent on evaluating the impact of the policy and whether they are targeting or enhancing historic assets (778, 780).

One respondent fully supports the policies in the Draft Proposed LDP (865).

One respondent considers that there is tension between a policy that encourages the organic growth of a settlement on the one hand, and the presence of a battlefield superseding any local demand for organic growth. The wording of the policy does not capture the standard terminology used for historic battlefields. It is recommended that reference is made to the special qualities and landscape characteristics of a battlefield. Also it would be helpful to clarify that 'setting' is not normally considered to have a distinct impact on this type of designation. Examples can be given where battlefield designations do not necessarily create a block to development (1008, 1011).

Policy HE3 Helping to Reuse Listed Buildings at Risk

It is considered that the policy has become restrictive over time. The policy should be clear and highlight if an independent assessment of the costings will be required and who would be responsible for carrying this out. The policy should be relaxed to ask for what grant funding has been sought. Conditions associated with grant funding may make the proposal uneconomic. It is unlikely that due to the nature and scale of such enabling projects, owners have access to the levels of finance to carry out the work (525).

To allow enabling development and protecting the setting of a listed building, there can be limited opportunities to keep any new development as close to the building as possible. Relaxation is required to the restriction for new development to be on an "adjacent development site". It may be better to look to accommodate new development on land in the ownership of the applicant that may be some distance away from the listed building in order not to have a detrimental effect on the character and setting of the listed building (525). It is recommended that potential exceptions are allowed to enable development to take place on adjacent land as this can in some instances minimise potential adverse impacts on setting (1009).

One respondent stated that the term 'vernacular' building is unclear and suggests that they are made unlisted if necessary (1009).

Policies have not protected locally important listed buildings from being demolished. Appropriate policies and guidance are required on 'Buildings at Risk', and guidance provided on the demolition of listed buildings, in line with Scottish Planning Policy (843, 980, 1009). Further guidance on the criteria for demolishing listed buildings that have suffered from neglect are required, and this should be in line with the SPP (843, 980, 1009).

SEPA has requested that cross reference is made to Policy C4 Flooding with regard to change of use (805).

3. Actions

The policies within the Draft Proposed LDP adhere to the Scottish Planning Policy and the National Planning Framework, along with other relevant policies from Historic Environment Scotland (HES). To ensure that policies are interpreted in the same manner across the Council, advice is provided so that the decisions are made in a consistent way. Revision of the introductory paragraph of the policy section will be undertaken to ensure that the principles set out by HES are clear.

The support of Officers' use of existing policies in relation to assessment of bid sites is welcomed.

Policy HE1 Protecting Historic Buildings, Sites and Monuments

The Aberdeenshire LDP follows the policy and guidance of Scottish Planning Policy. Planning applications are assessed under LDP policies, Scottish Planning Policy and other national planning advice. The relevant policies have been outlined in the Draft Proposed LDP which focuses on enhancing and protecting the local Historic Environment.

It is not possible to restrict all or specifically any type of development, therefore, the word "unacceptable" cannot be incorporated within the policy. The comment on the test applied for paragraph HE1.4, that development on nationally important monuments and archaeological sites will only be acceptable should there be a public benefit, remains valid.

The absence of a policy on the demolition of listed buildings has been noted and additional text will be added.

The way the policy is set out confuses the reader and misrepresents the legislation. Sub-headings will be introduced in Policy HE1 for "Listed Buildings" and "Ancient Monuments" to distinguish Protecting Historic Buildings, Archaeological Sites and Monuments, and similarly in Policy HE2 Protecting Historic and Cultural Areas, in order to manage Conservation Areas and Battlefields.

Policy HE2 Protecting Historic and Cultural Areas

We remain content that the policy as written will ensure that historic environment is protected and enhanced where possible. There is no need to break the policy into further component parts.

Within the Draft Proposed LDP, Policy R2 Housing and Employment Development Elsewhere in the Countryside permits a measure of organic housing growth around certain settlements. However, all policies of the Plan apply, and if the settlement is surrounded by a battlefield, this prohibition takes precedence.

The terminology for “battlefield” has been kept in line with the definition provided by Scottish Government. There is no need to refer to the special qualities and landscape characteristics of the battlefield as the term “setting” is considered to be appropriate.

We acknowledge that the way the policy is set out confuses the reader and misrepresents the legislation and propose introducing sub-headings to address this.

Policy HE3 Helping to Reuse Listed Buildings at Risk

The purpose of the policy is to ensure that listed buildings are brought back to their original use, and any change of use must be assessed carefully prior to making a decision. This is to ensure that the listed building will be kept protected against the proposed use and shall be well maintained. The cost of all independent assessments is paid by the owner of the listed building or developer who is intending to submit a planning application. The Planning Service do not assess a site based on its suitability for a grant since financing is a matter for the applicant. The premise of the policy is that there is no other means to fund the works, therefore confirmation of grant funding is integral to this. Enabling development allows the generation of finance for funding the repair, conservation and re-use of a listed building.

HES supports the need for development to relate to the conserved structure, rather than being a means to achieve valuable development elsewhere. However, other Historic Environment policies require preservation of the setting of an historic building/structure, therefore justifying off-site development. An “adjacent development site” should not have any negative impact on the listed building itself, subject to layout and design that would enhance the listed building. The Planning Service has no control over the ownership of land, but it actively encourages enabling development to be constructed in close proximity to a listed building, if this can be achieved without any negative impact.

Vernacular buildings are recognised as a “non-designated historic asset”. Vernacular buildings do not hold any weight as a historic asset, however, it is considered to be an important feature and has architectural value. A definition is provided in the LDP Glossary.

The policy aims to protect listed buildings that are both locally and nationally important from being demolished. Usually consultation leads to an agreement which ensures that a building will be protected. In very rare and exceptional circumstances permission is sought for a listed building to be demolished. The circumstances when this occurs is so infrequent that it remains appropriate to fall back on the policies of Historic Environment Scotland, rather than flag what criteria may be appropriate within the Local Development Plan.

With regard to the request from SEPA, it is not normally the case that cross referencing is undertaken for individual policies as all policies in the Plan can apply to all development proposals. Flood risk is a separate matter that would have to be considered under policy C4 in any case.

The Draft Proposed Local Development Plan

A number of changes were proposed in the Draft Proposed LDP on the basis of early consultation with stakeholders. These are captured in the recommendations below.

4. Recommendations

Chapter Introduction

1. Amend the introductory paragraph of the policy section to better accord with the current policies of Historic Environment Scotland.

Policy HE1 Protecting Historic Buildings, Sites and Monuments and Policy HE2 Protecting Historic and Cultural Areas

1. In Policy HE1 and Policy HE2 introduce the need for a design statement to support the development of historic buildings, sites and monuments, or development in conservation areas, designed landscapes or historic gardens.
2. Add headings to Policy HE1 and Policy HE2 to aid understanding by the reader.
3. Under Policy HE1 add in the text: "The demolition of a listed building will not be permitted unless the building is no longer of special interest, is incapable of repair or there are overriding environmental or economic reasons, and it must be satisfactorily demonstrated that every effort has been made to continue the present use or to find a suitable new use."
4. Clarify in a section headed "Scheduled Monuments and Archaeological Sites" that "Where preservation of the site in its original location is not possible, arrange for the full excavation and recording of the site in advance of development to satisfy Aberdeenshire Council that the impacts from development have been otherwise fully mitigated".

Policy HE3 Helping to Reuse Listed Buildings at Risk

1. Amend policy wording to provide clarification on the location and extent of enabling development, including the need for an assessment to be undertaken by a professionally qualified commentator, such as a Chartered Surveyor or Registered Valuer.
2. A number of additions to the Glossary are proposed including definitions of "Vernacular Building", "Design Statement", "Statement of Special Significance", "Historic Landscape Management Plans" "Conservation Deficit" and "Enabling Development Appraisal".

5. Committee Decisions

1. Kincardine and Mearns Area Committee agreed the above recommendations at their special meeting on 20 and 21 August 2019.
2. Banff and Buchan Area Committee agreed the above recommendations at their special meeting on 27 August 2019.
3. Buchan Area Committee agreed the above recommendations at their special meeting on 3 September 2019.
4. Garioch Area Committee agreed the above recommendations at their special meeting on 3 September 2019. The Committee also agreed that paragraph H3.4 should be amended to not include the track changed text shown in the Draft Proposed LDP and retain current text replacing “although” with “if”. The final sentence of the paragraph should be strengthened to ensure that enabling development is not sold on.
5. Formartine Area Committee agreed the above recommendations at their special meeting on 10 September 2019.
6. Marr Area Committee agreed the above recommendation at their special meeting on 17 September 2019.
7. At their meeting of 3 October 2019, Infrastructure Services Committee considered the views of Area Committees and agreed not to include policy text that prohibits sites associated with enabling development from being sold on to third parties as proposed by Garioch Area Committee.
8. At the meeting of Aberdeenshire Council on 5 March 2020, Members agreed that the content of the Proposed Aberdeenshire Local Development Plan 2020 provides the settled view of the Council on the Plan they wish to see adopted in 2021.

Issue 12 Protecting Resources

1. List of Respondents

MIR Ref	Respondents
64	Mr Charles Taylor
99	Mr Phil Cropper
100	Ms Janina Kutscha
114	Ms Marjon van der Pol
115	Mr Matthew Brettle
129	Cluny, Midmar, and Monymusk Community Council
210	Newtonhill, Muchalls & Cammachmore Community Council
271	Mr Stephen Coutts
287	Ms Nicola Maan
288	Mr Loran Maan
306	Mr Graham White
308	Ms Gael Sangster
334	Mr Geoffrey Allis
437	Mr David Evans
506	Scottish Natural Heritage
570	Ms Aileen Salway
707	Mr Alan Haig
708	Ms Heather Haig
782	RSPB Scotland
805	SEPA
843	Kintore and District Community Council
865	Inverurie Community Council
869	JLL on behalf of Scottish Hydro Electric Transmission plc
909	Strutt & Parker on behalf of Monkmusk Land Company
910	Strutt & Parker on behalf of Corsindae Estate
921	Mr Christopher Hennigan
953	North Kincardine Rural Community Council
966	Bennachie Community Council
980	Mr Paul Davison
1046	Ms Ruth Gillies
1048	Scottish Forestry
1063	Mr Euan Gillies
1080	Sir/Madam A Simmers

2. Issues

The Draft Proposed Local Development Plan

The following issues have been raised in response to the draft policy wording and numbered paragraphs set out within the Draft Proposed Local Development Plan (LDP), except where stated otherwise.

Policy PR1 Protecting Important Resources

Paragraph PR1.1

One respondent has requested that the word "air" is replaced with the term "the air environment" for consistency with "the water environment", so that the English reads better (64).

Scottish Natural Heritage (SNH) has requested that the existing text "...the value of the site to the local community..." is amended to "the public good benefits of the site", as this impact can extend more widely than local communities (506).

Air Quality (paragraph PR1.2)

SEPA has given their support to inclusion of this policy under paragraph PR1.2 but with the wording amended. It is requested that "major new developments" is amended to "new developments", and that "an impact" is amended to "a significant adverse impact", and to amend the phrasing regarding mitigation to state that "...appropriate mitigation to minimise any adverse effects can be provided is implemented upon." (805).

Water Environment (paragraph PR1.3)

SNH has requested an amendment to paragraph PR1.3 to reflect that buffer strips should be provided to allow for ecological benefit e.g. allow for riparian habitat, reduce soil erosion and surface water run-off, rather than ease of maintenance (506). SEPA also consider that buffer strips should be protected either by an additional sub-policy within 'Water Environment' or by including in 'Open Space' policy, and references to their maintenance should be removed from the settlement statements (805). SEPA request a rewording of the sub-policy within 'Water Environment' to integrate buffer strips positively into the green-blue infrastructure of the site and surrounding area. SEPA also request that the Glossary definition provided for 'Buffer strips' is amended to "an area of land maintained in permanent vegetation" (805).

Other changes to this paragraph requested by SEPA include the following insertions: "botanical richness" as an aspect of water quality; "physical enhancement of water bodies" as an opportunity for improvement of water quality; "habitats shall be required where feasible" to contribute to overall status of the water body; and "construction work shall be undertaken in line with Construction Site Licensing Regulations" (805).

Water Environment (paragraph PR1.4)

SEPA has suggested a re-wording of paragraph PR1.4 to delete "Ground water dependent terrestrial ecosystems (GWDTE) which are types of wetlands", and instead

refer to these as “wetlands” (805). However, SEPA has requested the following addition to the Glossary: “Ground Water Dependent Terrestrial Ecosystem (GWDTE) - Wetlands critically dependent on groundwater.” (805).

SEPA has also suggested that a definition is included in the Glossary for “Waterbody and water environment” to state that these include all water features including all rivers, lochs, ponds, estuaries, wetlands and groundwater (805).

It has been highlighted that due to Brexit it is unclear whether the "Water Framework Directive" which is an EU Directive would be replaced by UK (or Scottish) legislation (64).

Prime Agricultural Land (paragraph PR1.5)

A minor amendment is required in the opening sentence where the first usage of "as" should be changed to "is" for the sentence to make sense (64).

Respondents consider that good quality agricultural land should be protected due to the uncertainty of Brexit and climate change, to be sustainable and not jeopardise Aberdeenshire's ability to produce locally grown produce, whilst minimising our carbon footprint and provide local employment opportunities (99, 100, 114, 115, 129, 334, 437, 966,1080).

It is considered vitally important that the LDP 2021 protects prime agricultural land since it produces the highest yields of the widest range of arable crops (966). Development should not take place on land shown as ‘prime’ on the most recent edition of the 1:50,000 Land Capability for Agriculture (LCA) map, regardless of the findings of test pits commissioned by the owner or developer, on land classed 1, 2 or 3.1 (966). The practice of "independent assessment" of LCA class based on test-pitting should not be written into policy because test pit samples can show considerable variation across one site that cannot be shown at the scale of mapping used for LCA classification, but that does not alter the fact that the field as a whole is prime land (966).

It is considered that policies for prime agricultural land need to be more robust and less subjective (966). In particular, the phrases “public economic or social benefits” and “the value of the site to the local community” are poorly defined and should not be used in this regard as the future value of a site in terms of community resilience is an unknown. Rather, the decision should be based on a robust assessment of the strategic value and importance of the site in relation to climate change adaptation and resilience of the wider community (966).

Open Space (paragraph PR1.6)

SEPA has requested the addition of a statement regarding the long term protection of buffer strips to state that "All buffer strips will be regarded as open space in terms of being protected under this policy", and to amend “green network”, to “green-blue network”. In addition, SEPA has requested an amendment to the Glossary to change “Green networks” to “Green-blue infrastructure”, and provide a revised definition as

follows: "Green and blue features* of the natural and built environment that are designed, integrated and managed to provide water management, access networks, habitat enhancement and open space functions within and between settlements. In so doing, delivering environmental, economic and social multi-functionality unique to that place. *Green features include parks, woodlands, trees, play spaces, allotments, community growing spaces, outdoor sports facilities, churchyards and cemeteries, swales, hedges, verges, green roofs and gardens. Blue features include rivers, lochs, wetlands, canals, ponds, porous paving and sustainable urban drainage systems. Paths, cycleways and river corridors provide connections through and between areas of green infrastructure" (805).

The importance of maintaining opportunities for greenspace for health and wellbeing is highlighted (570).

Trees and Woodlands (paragraphs PR1.7 – PR1.9)

Scottish Forestry has given their support to maintaining the current LDP's statements and provision for protecting and expanding the tree and woodland resources in Aberdeenshire, along with the proposal to clarify the status and interpretation of the Ancient Woodland Inventory (1048).

Scottish Forestry supports these policies being applied in re-assessing some of the proposed redevelopment sites, and that there is recognition of the need to protect trees, woodland and forest resource and apply the Control of Woodland Removal Policy to all proposals as they are developed. The respondent confirms that the current position is in line with the Scottish Government's Control of Woodland Removal Policy (1048).

SNH has identified the need for an amendment in the second sentence of PR1.7 to "...the developer must submit an ecological survey and assessment by suitably qualified professional of the biodiversity.." (506).

SNH considers there is a need to cross-reference to paragraph E1.4 in relation to woodland protection and has requested an addition to policy stating that ancient semi-natural woodland is an irreplaceable resource and should be protected from removal or the potential adverse impacts of development (506).

Whilst one correspondent considers that ancient woodland should be developable if Scottish Forestry agree to mitigation in the form of compensatory planting (910), others consider that all woodland should be protected as an important environmental resource, not just ancient woodland (843, 980). A number of respondents support the policy position for protecting ancient woodland in Banchory Devenick particularly in relation to land subject to bids KN069, KN070, KN071 and KN072, as identified within the Main Issues Report (271, 287, 288, 306, 308, 707, 708, 921, 1046, 1063).

SNH has requested within paragraph PR1.8 an addition that new planting should be located so that it contributes to improving connectivity with existing and proposed green

infrastructure. In addition, SNH recommend the preparation and implementation of woodland management plans to help improve the condition of existing woodland (506).

SNH has welcomed the proposed changes to PR1.9 (506).

Scottish Forestry has given their support to carrying forward the current Forestry and Woodland Strategy forward into the next Local Development Plan either as Supplementary Guidance or as an Appendix of the Plan dependant on the outcome of the Planning (Scotland) Bill (1048).

There is a general concern regarding implementation of policies PR1, PR2, and PR3 in a consistent way, in particular the protection of biodiversity rich and carbon rich sites for the benefit of future generations (865). The respondent supports protecting important potential future infrastructure sites to aid better community planning in the future. The need for significant improvements around waste and recycling planning is clear but implementation seems to lag behind. In this regard, there is a wish to see greater opportunities within settlements rather than those outwith settlements that require car/van/truck travel (865).

Peat and carbon rich soils (paragraph PR1.11)

SNH has recommended providing the following link to the 2016 map referred to under PR1.11: <https://www.nature.scot/professional-advice/planningand-development/natural-heritage-advice-planners-and-developers/planning-anddevelopment-soils/carbon-and-peatland-2016> (506).

SEPA has clarified that the carbon and peatland classification includes Classes 1, 2 and 5. SEPA has requested the addition of a sub policy with suggested wording as follows: "...Carbon and Peatland map 2016 as Class 1, 2 and 5, and greater than 0.5m depth. Where this resource is present, a soil or peat survey will be required to demonstrate that the highest quality of soil or deepest peat have been avoided. A soil or peat management plan will also be required to demonstrate that any unnecessary disturbance, degradation or erosion has been minimised, and includes proposed mitigation measures" (805).

RSPB consider that the LDP should set out a stronger presumption against peat extraction in line with SPP paragraph 241 (782). The respondent notes that on the one hand draft policy wording under paragraph PR1.1 states that developments that have a negative effect will not be approved, whereas under draft Policy C3 developments causing loss of or disturbance to peat may be allowed if it is demonstrated that there will be no net effect on carbon dioxide (782). To address this, an addition to policy is requested that "Commercial peat extraction will not be permitted" on the basis that it would be very difficult for applicants to demonstrate that a damaged peatland could not be restored (782).

Policy PR2 Protecting important development sites (paragraphs PR2.1 – PR2.3)

There is support for protecting important potential future infrastructure sites to aid better community planning in the future (865), and support for the policy intention overall (909). However, it is considered that disused railway lines should be identified on [settlement] maps (909). The respondent highlights the significant benefits in terms of the sustainability of rural communities for providing an alternative to car travel and freight movement (909).

The policy has been given support for the recognition and protection given to National level projects (869). However, the respondent has a concern that there is no policy test set out for the consideration of new electricity transmission projects and as such, development is being assessed against more general policies. A shift in approach would be welcome, with the inclusion of specific support for electricity transmission projects within policy (869).

Policy PR3 Waste Facilities (paragraphs PR3.1 – PR3.3)

The need for significant improvements around waste and recycling planning is clear but implementation seems to lag behind. In this regard, there is a wish to see greater opportunities within settlements rather than those outwith settlements which require car/van/truck travel (865).

Other

There is a general concern regarding implementation of policies PR1, PR2, and PR3 in a consistent way, in particular the protection of biodiversity rich and carbon rich sites for the benefit of future generations (865).

Two respondents have requested a new policy to protect education resources (210, 953). It has been requested that developments will not be approved that would have a negative impact in terms of access to pre-school, primary or secondary education, provision of subject choices, teacher-pupil ratio, class sizes and numbers, and overall academic attainment (210, 953). It is considered that development should only be permitted when public economic or social benefits clearly outweigh the value of the educational resources to the local community, and there are no reasonable alternative sites (210).

SEPA considers a new policy should be introduced to protect cemeteries including the application of new criteria for new sites and expansions. SEPA's current Guidance on Assessing the Impacts of Cemeteries on Groundwater provides guidance (805).

Environmental Impact Assessment Reports should be required to demonstrate that developments do not have a negative effect on environmental resources (843, 980).

3. Actions

The Draft Proposed Local Development Plan

The following actions and recommendations relate the draft policy wording and numbered paragraphs set out within the Draft Proposed Local Development Plan (Draft Proposed LDP).

Policy PR1 Protecting Important Resources

Paragraph PR1.1

It is acknowledged that the word “air” does not read well. To be consistent with the section headings this should be worded “air quality”, rather than the suggested “air environment”.

As requested by SNH, it is considered appropriate to delete reference to “the value of the site to the local community”. The sentence should be amended to state that development will only be permitted when public economic or social benefits clearly outweigh any negative effect of development on the protected resource.

Air Quality - Paragraph PR1.2

The support from SEPA for inclusion of this paragraph is noted, and we consider the proposed re-wording appropriate. The policy wording should be amended accordingly.

Water Environment – Paragraph PR1.3

The request from SEPA and SNH to remove all references within the policies and settlement statements with regard to buffer strips for ‘maintenance’, is considered appropriate. The policy should be re-worded to identify the need to integrate buffer strips positively into the green-blue infrastructure of the site and surrounding area (refer also to ‘Open Space’ below).

With regard to the request made to amend the Glossary definition for ‘Buffer strips’, we would not consider it appropriate to define these areas to be “maintained” in permanent vegetation as policy could not enforce maintenance of these areas. It would however be appropriate to amend wording to define these ‘Buffer strips’ as land to be “retained” in permanent vegetation.

We agree the additional changes to wording in this paragraph requested by SEPA regarding water quality but not to the requirement to comply with Construction Site Licensing Regulations as this is a control outwith planning.

Water Environment – Paragraph PR1.4

The request made by SEPA to delete reference to “Ground water dependent terrestrial ecosystems (GWDTE)” in this paragraph is considered appropriate, and policy wording should be amended to “wetlands”. It is noted however that SEPA also request the inclusion of a definition for GWDTE in the Glossary which may not be required if there

are no references to GWDTE in the policy wording. However, we agree this would be appropriate for the purposes of clarity.

With regard to the suggested definition of the term “Waterbody and water environment”, we agree this should be included in the Glossary.

It is noted that there may be legislative change due to Brexit, however no action is required at this time.

Prime Agricultural Land

The minor amendment required in the opening sentence is agreed.

We acknowledge the support given to the continued protection of prime agricultural land through this policy for land defined as classes 1, 2 and 3.1 of the Soil Survey for Scotland, Land Capability for Agriculture (LCA) series, and the importance of this land in terms of sustainability in the face of climate change. We note the concern raised by the respondent that independent assessment of land can highlight variation across one site from different test pit samples, and that as such this can contradict the LCA classification. However, the policy does not specify the requirement for test pit samples. We maintain that the nationally recognised LCA Survey remains the key decision making tool for protecting this resource from irreversible development but independent assessment should be allowed since uncertainty can arise ‘on the ground’ due to the scale of the LCA mapping. As such land owners/developers should be entitled to seek confirmation from a specialist when the classification is legitimately open to question for example at the edge of mapped areas.

The respondent’s request for a more robust and less subjective policy on this matter is noted. We consider that any potential loss of prime agricultural land should be considered on a case by case basis, with no single case being taken as setting a new precedent. However, as already identified above, we consider it appropriate to amend text under PR1.1 to delete reference to “value of the site to the local community”, and amend text to state that development will only be permitted when public economic or social benefits clearly outweigh any negative effect of development on the protected resource. We would point out that the public benefit must be “clearly” demonstrated. No further action is required.

Open Space (paragraph PR1.6)

SEPA’s request for a statement on the long-term protection of buffer strips to be included in this policy is considered appropriate, and as such policy wording should be amended from “green network” to “green-blue network”.

The revised Glossary definition proposed by SEPA for “Green-blue infrastructure” to replace “Green network” is agreed. Whilst a Glossary definition should be provided for “Green-blue infrastructure” based on SEPA’s proposed wording, we do not however

consider it appropriate to include the statement "...In so doing, delivering environmental, economic and social multi-functionality unique to that place."

We note the importance of greenspace for health and wellbeing and agree this is an intrinsic benefit arising from the policies. It should be noted that an Aberdeenshire Open Space Audit is currently underway, and as a result there will be additional land protected for open space within and around the edge of settlements.

Trees and Woodlands (paragraphs PR1.7 – PR1.9)

We note the support given by Scottish Forestry to maintaining the current policy provision for protecting trees and woodlands, together with the clarification of 'ancient woodland' proposed as a new glossary addition.

The request made by SNH to amend paragraph PR1.7 to include the developer requirement for an ecological survey and assessment is noted, together with their request for a cross-reference within this paragraph to paragraph E1.4 (nature conservation sites). We consider both these requests appropriate, and policy wording should be amended accordingly.

With regard to the request made by SNH to make a further addition to highlight ancient semi-natural woodland as an irreplaceable resource, we entirely agree with the importance of protecting this resource, however as confirmed by Scottish Forestry our policies are currently in line with the Scottish Government's policy on Control of Woodland Removal. Notably, the Aberdeenshire Forestry and Woodland Strategy promotes our key policy objective which is to protect all trees and woodland, with a strong presumption against removing semi-natural woodland. We recognise there is a lack of understanding of what is meant by 'ancient woodland', and consider the proposed new definition provided in the glossary will assist in this regard.

We acknowledge the support given to protecting all woodland, not just ancient woodland, including woodlands that hold special value to local communities. We do not however agree with the respondent who considers that ancient woodland should be developable. The Native Woodland Survey of Scotland (2014) has identified that highly semi-natural and native ancient woodland is the most important woodland type for biodiversity conservation. Furthermore, for all categories of ancient woodland, the real value of ancient woodland is to be found in the sites themselves as they have unique ecological properties e.g. soil structure and life forms that have evolved over hundreds, perhaps thousands, of years.

With regard to the request by SNH to state that new planting should contribute to improving connectivity, we consider it appropriate to amend policy wording under paragraph PR1.8 to reflect this. In respect of woodland management plans, whilst we consider it appropriate for woodland management plans to be prepared for new woodlands, we do not consider that woodland management plans to improve condition of existing woodlands would be implementable.

We note the support given by SNH to the proposed changes within paragraph PR1.9 regarding new woodland creation and/or enhancement including the restoration of important woodlands, and the support given by Scottish Forestry for carrying forward the current Forestry and Woodland Strategy forward into the next LDP. No further action is required.

Peat and carbon rich soils (paragraph PR1.11)

The link provided by SNH to the 2016 Carbon and Peatland map is considered an appropriate addition, however it would be more appropriate to include this under Policy C3 – Carbon Sinks and Stores.

We note that SEPA has identified the need to include reference to classes 1, 2 and 5, and policy wording should be amended accordingly where referenced under 'Protecting Resources' and 'Climate Change'.

With regard to the request by SEPA for a sub-policy to stipulate the requirement for a soil or peat survey and management plan to demonstrate there will be no unnecessary disturbance including mitigation measures, and in response to the request made by RSPB for a stronger presumption against peat extraction, we consider that adequate provision is made under Policy C3. The Carbon calculator identified as a tool under Policy C3 is a very onerous test. We have no concerns regarding the commercial disturbance of established peat resources for domestic purposes meeting the Carbon Calculator test. Restoration of a damaged peatland would be a factor in the carbon calculation, and this would have to be considered in any decision-making process. No further action is required.

Policy PR2 Protecting important development sites

We acknowledge the support given to the policy overall. With regard to the request for disused railway lines to be identified on settlement maps, we consider that the policy provides an overarching protection for these as it stands, and disused railway lines are frequently identified as green networks and/or feature in the Core Path Plan network. No action is required.

Regarding the request for a shift in approach to include specific support for electricity transmission projects within policy, we consider that there is sufficient provision within the policy as any known infrastructure or national project would be identified in the relevant settlement statement. No action is required.

Policy PR3 Waste Facilities

We note the concern regarding implementation of waste and recycling, and the wish to see greater opportunities within settlements. With regard to the latter point, the policy currently stipulates the minimising of waste from source. In terms of implementation,

the Council's recently approved Waste Strategy 2019-2023 aims to maximise reuse and recycling largely through greater efficiency, and it is this strategy that establishes the deliverables that Policy PR3 supports. No action is required.

Other

We note the concern raised regarding implementation of Protecting Resources policies in a consistent way, in particular with regard to biodiversity and carbon rich sites. It should be noted there is policy provision under Shaping Places and Natural Heritage to enhance and protect biodiversity and geodiversity.

With regard to consistency in implementation, this is inherently difficult to achieve due to the unique set of conditions each individual development presents. However, we consider that our policy position is clear in that conserving natural resources is a major factor in sustainable development at the same time as promoting economic development, by retaining land resources needed for specific uses. No action is required.

With regard to the request for a new policy to protect education resources, whilst we fully appreciate that education capacity is a concern for communities, in particular where large developments are proposed, the mechanism for making extra provision for education and mitigating development impact on this resource is through Developer Obligations in liaison with the Council's Education Service. In respect of quality of education provision, this is not a matter for land use planning. No action is required in respect of the request for a new policy, however we consider that all school sites within settlements should be designated as protected land. As such, all school sites are proposed to be identified as 'P' sites within the Settlement Statements in the Proposed LDP "For education and community uses associated with the [primary/secondary] school, and to conserve recreational open space".

The request from SEPA for a new policy to protect cemeteries is acknowledged. Whilst we would consider this is included in the policy as 'other community infrastructure' it would be appropriate to insert a new bullet point to identify cemeteries under Policy PR2 as an important development site that may be needed in the future. The Council's Landscape Services direct the LDP with regard to new sites and expansions and are committed to meeting SEPA's requirements. Whilst SEPA's references to available guidance is noted, we do not consider any further action is required.

With regard to Environmental Impact Assessment Reports (EIAR), the EIA regulations establish which type and size of developments require an EIAR. No action is required.

4. Recommendations

Policy PR1 Protecting Important Resources

1. Under PR1.1 amend the word "air" to "air quality".

2. In the last sentence of PR1.1 delete “the value of the site to the local community” and reword the sentence as follows: “In all cases development which impacts on any of these features will only be permitted when public economic or social benefits clearly outweigh the negative effect on the protected resource, and there are no reasonable alternative sites”.
3. Under ‘Air Quality’ revise paragraph PR1.2 to read as follows: "New developments should not have a significant adverse impact on air quality. An Air Quality Assessment may be required to demonstrate that the development has no significant adverse impact on air quality and that appropriate mitigation to minimise any adverse effects can be provided and is implemented upon."
4. Under ‘Water Environment’ revise paragraph PR1.3 to include references to “botanical richness”, “physical enhancement of waterbodies”, and specify that construction work shall be undertaken in line with Construction Site Licensing Regulations.
5. Delete reference to buffer strips for ‘maintenance’ purposes in policies and in settlement statements, and replace the final sentence of paragraph PR1.3 with the following text: “Adequate buffer strips will be required adjacent to protect and enhance all waterbodies within or adjacent to development sites and these should be integrated positively into the green-blue infrastructure of the site and surrounding area”.
6. Amend the Glossary definition for ‘Buffer strips’ to include wording to describe these as areas of land to be retained in permanent vegetation.
7. In paragraph PR1.4 delete “Ground Water dependent terrestrial ecosystems (GWDTE) which are types of wetlands” and replace with “wetlands”.
8. Include within the Glossary a new item for “Ground Water Dependent Terrestrial Ecosystem (GWDTE) - Wetlands critically dependent on groundwater”.
9. Include within the Glossary a definition for “Waterbody and water environment”.
10. Under ‘Prime Agricultural Land’ amend first sentence by changing the first use of “as” to “is”.
11. Under ‘Open Space’ amend the term “green network” to “green-blue network”, and add a new sentence stating: “All buffer strips will be regarded as open space in terms of being protected under this policy”.
12. Include a revised Glossary definition for “Green-blue infrastructure” to replace “Green network”, based on wording provided by SEPA.

13. Identify within settlement statements any additional land to be protected for open space uses within and on the edge of settlements, as a result of the current Open Space Audit.
14. Under 'Trees and Woodland' Amend text within paragraph PR1.7 to include "There is a presumption in favour of retaining woodland on development sites"
15. Amend text within paragraph PR1.7 to state: "the developer must submit an ecological survey and assessment by a suitably qualified professional of the biodiversity and amenity value of the woodland and habitat."
16. Incorporate text within paragraph PR1.8 to state: "...and new planting should contribute to improving connectivity".
17. Add text to paragraph PR1.8 to state: "Woodland management plans are required to be prepared for all new woodlands".
18. Include within the Glossary a definition for 'Ancient Woodland'.
19. Under 'Peat and carbon rich soils' include weblink to the 2016 Carbon and Peatland map under Policy C3.
20. Under 'Peat and carbon rich soils' include Class 1, 2 and 5 Carbon and Peatland classifications. (This also applies to Policy C3).

Policy PR2 Protecting important development sites

1. Insert new bullet point under paragraph PR2.1 for "cemeteries".
2. Designate all school sites that are located within settlements as protected land "For education and community uses associated with the [primary/secondary] school, and to conserve recreational open space".

5. Committee Decisions

1. Kincardine and Mearns Area Committee agreed the above recommendations at their special meeting on 20 and 21 August 2019.
2. Banff and Buchan Area Committee agreed the above recommendations at their special meeting on 27 August 2019.
3. Buchan Area Committee agreed the above recommendations at their special meeting on 3 September 2019.
4. Garioch Area Committee agreed the above recommendations at their special meeting on 3 September 2019 with the exception of recommendation 2 under

Policy PR2. The Committee also agreed that the title of Policy PR3 should be renamed, "Re-use, recycling and waste".

5. Formartine Area Committee agreed the above recommendations at their special meeting on 10 September 2019.
6. Marr Area Committee agreed the above recommendations at their special meeting on 17 September 2019.
7. At their meeting of 3 October 2019, Infrastructure Services Committee considered the views of Area Committees and no further recommendations were identified.
8. At the meeting of Aberdeenshire Council on 5 March 2020, Members agreed a further recommendation to amend the open space policy to address the potential impact of any new developments in settlements across Aberdeenshire on the provision of sports pitches.

Issue 13 Climate Change

1. List of Respondents

MIR Ref	Respondents
9	Caledonia Homes
64	Mr Charles Taylor
105	Ms Maddie Thurlow
204	John Handley Associates Ltd on behalf of Shell UK Limited
210	Newtonhill, Muchalls & Cammachmore Community Council
236	Mr Lucy Thomson
318	Ms June Cameron
392	Echt & Skene Community Council
409	Osprey Housing
506	Scottish Natural Heritage
524	Lippe Architects + Planners
537	CHAP Group (Aberdeen) Ltd
547	Don District Salmon Fishery Board
548	Caledonia Homes
550	Norr on behalf of Stewart Milne Homes
551	NHS Grampian
560	Halliday Fraser Munro on behalf of Seafield & Strathspey Estates
564	Savills on behalf of Airvolution Clean Energy (ACE)
570	Ms Aileen Salway
589	Innogy Renewables UK Ltd
600	Keppie Planning on behalf of Stewart Milne Homes
601	Keppie Planning on behalf of Stewart Milne Homes
610	Halliday Fraser Munro on behalf of CALA Homes (North) Ltd
658	Ms Irene Ferguson
711	Mr Ian Smith
758	Dee District Salmon Fishery Board
782	RSPB Scotland
791	Emac Planning on behalf of Kirkwood Homes Ltd
805	SEPA
843	Kintore and District Community Council
849	Mr Mark Tasker
855	Catterline, Kinneff & Dunnottar Community Council
865	Inverurie Community Council
889	Holder Planning on behalf of Hallam Land
891	Barratt North Scotland

967	Homes for Scotland
972	Turnberry on behalf of Elswick Development Company (EDC)
980	Mr Paul Davison
984	GVA Grimley Ltd T/A Avison Young on behalf of Mr A Strachan
998	Montagu Evans LLP on behalf of SSE Generation Development Ltd
1009	Historic Environment Scotland
1012	Savills on behalf of Elgin Energy
1065	Mr & Mrs Paula & John Houston

2. Issues

General Comments

Mass extinction is currently occurring in Scotland (711) and local action is likely to be ineffectual against global climate change (865). A stronger policy is required (64).

Main Issue 16 – Policy C1 Using Resources in Buildings and Use of Sustainability Standards

There was a clear difference between the views of the development industry on this matter and the views of communities and lay persons with nine respondents supporting the proposed modified policy, including from the Scottish Environment Protection Agency (SEPA) and Scottish Natural Heritage (SNH) (105, 210, 506, 570, 805, 849, 855, 865, 1065) and sixteen suggesting that the alternative, relying on the Building Regulations, should be used (9, 236, 392, 524, 537, 548, 550, 560, 600, 601, 610, 791, 889, 891, 967, 972). One respondent has suggested the policy should remain unaltered (972).

A number of respondents have suggested that the policy should be left unchanged or increased to a “platinum” level (105, 210, 506, 570, 805, 849, 855, 865, 1065). Building regulations were observed not to be fit for purpose (64).

While support was given to increasing the standard to be sought to a “platinum” standard (805, 865, 1065) it was also pointed out that the “platinum” standard was still not fully defined by the Scottish Government (9, 537, 548, 610) and was unachievable, while still providing viable developments and a “cost-optimal” solution (9, 537, 550, 791, 889, 967, 972). The proposed change would add additional costs to all house types, particularly large homes and affordable housing (9). It is an unenforceable policy instrument (9) which Planners do not have the skills to implement (537, 791). Any standard is likely to change over the life of the Local Development Plan (LDP) (600, 601).

Support was given to the promotion of “fabric first” within the policy (891, 967) although one commentator suggested that building technology had nearly exhausted this route to resolve climate impacts from buildings (524).

Other issues raised included whether health and social care facilities should be exempt from the policy (551) and whether climate change adaptation should be mandatory for all developments (570).

SNH believed that water efficiency standards identified in the Draft Proposed LDP Policy C1 should be set at the highest possible level given the potential impacts of additional water extraction on the River Dee Special Area of Conservation (506).

Main Issue 17 – Policy C2 Renewable Energy and Repowering of Wind Turbines

Generally Policy C2 Renewable Energy was supported (64, 210, 564, 865, 984) although a clearer policy and more robust policy should be developed (589), particularly to emphasise the need for an evidence based and site specific approach to future wind farms (998). One respondent sought commitment to a site by site based assessment (564). Concerns were voiced as to who makes the judgement that a renewable energy development is hazardous (64).

The issue of repowering of existing wind turbine sites should not be promoted (843, 980). Support for the position proposed as a Main Issue was provided, including from SNH (506, 564, 589). Clearer guidance was required on the concept of repowering of existing wind turbine sites (1009). SEPA suggested that reuse of existing bases should be introduced as a first option (805). It was suggested that repowering of existing turbine sites should be supported, in principle, within the LDP (564). SNH suggest changing the text in the Draft Proposed LDP from “All wind turbine sites must be appropriate for use in perpetuity” to “All wind turbine sites must be suitable for use in perpetuity” (506).

Two respondents, including SNH, have suggested that the issue of limited life wind turbines should be addressed by the new policy (506, 589). A further respondent specifically sought inclusion of a statement regarding the efficient operation of oil and gas pipelines (204).

SNH and SEPA suggested that cross reference should be made between the Policy C2 and other policies (notably the rural development and business policies) (506, 805). A separate respondent sought that precedence should be given to this policy over other policy instruments (564). SEPA also suggested that provision should be made for energy storage in the area (805).

Respondent believed that the policy in the Draft Proposed LDP required to be modified to reflect the very tall turbines that are now being promoted, and whether it is appropriate to use the Strategic Landscape Capacity Assessment to inform decisions on these (564, 589). SNH suggested that only landscape considerations have been taken account of in the landscape sensitivity mapping (782). One respondent noted that Strategic Landscape Capacity Assessment have limitations when considering individual proposals and as impacts should be on a case by case basis (564). Opportunities for very large turbines needs to be highlighted (564). Text needs to be

introduced that reflects that “mitigation” may be a more appropriate approach than “avoiding unacceptable environmental effects” or “adverse effect on aircraft” (564).

Support for solar energy was received, with additional text to cross reference to other policies on Development in the Countryside and Business Development (1012). SEPA has asked that text is introduced to ensure the siting and design of solar panel arrays is made to avoid unacceptable environmental impacts (805).

Likewise, both SNH and SEPA have requested that text is added to draft Policy C2.6 on Hydro-Electric Schemes to protect the interests of water quality, the natural environment (506), migratory fish, and safeguard flood storage and conveyance capacity by directing development away from medium to high flood risk areas (805).

A separate issue was noted, including by SEPA and SNH, relating to on-farm biomass energy generation facilities, with a need for such plants to have their own policy to control local amenity and air quality (64, 392, 506, 805).

There was a need to retain statements on the use of financial obligations to ensure that disused or abandoned energy structures are removed (64).

Draft Proposed Local Development Plan – Policy C3 Carbon Sinks and Stores

A respondent indicated that stronger and more specific presumption against peat extraction was necessary as the exception provided, adopting the “carbon calculator” method, was not appropriate (782). Commercial peat extraction should not be allowed as it would be very difficult for the applicant to demonstrate that a damaged peatland could not ultimately be restored (782). SEPA have clarified that the carbon and peatland classification also include Classes 2 and 5 (805).

In some cases, removal of woodland can benefit certain bird and mammal species and there should not be an overarching exemption to their removal (782).

Draft Proposed Local Development Plan – Policy C4 Flooding

Aberdeenshire’s fluvioglacial legacy should dictate the site and settlement plan for Aberdeenshire (318). Flood risk and drainage have been repeatedly overlooked in the various stages of planning (658). Inappropriate engineering problems and increased sediment loading can exacerbate flooding problems and will require suitable mitigation (758).

Account must be taken of the increased flood risk for the area, recently identified by SEPA. A definition for “freeboard” should be added to the glossary (658).

Car parks should not be promoted in areas that suffer from high risk of flooding as the displaced cars will cause chaos and could impede emergency services access to required areas (64).

SEPA suggested that minor changes are required to the policy to specify the levels of risk which are acceptable, introduce SEPA's Land Use Vulnerability Guidance and Technical Flood Risk Guidance and promote the use of buffer strips (805). SNH endorse the reference to buffer strips (506). Likewise, definitions should be given in the Glossary for "active flood plains" and "essential development" (547, 758).

SNH noted that well designed SUDS can add to the variety and distinctiveness to the wider landscape of the area (506).

3. Actions

General Comments

The comments made regarding climate change reflect the importance that we place on this topic, but it is difficult in the light of the current legislation and guidance to go much further in delivering a sustainable LDP. The shift that would be required in terms of the location and character of development would probably be significantly onerous and would require revisiting of strategic objectives and land use strategies detailed in the Aberdeen City and Shire Strategic Development Plan.

Main Issue 16 – Policy C1 Using Resources in Buildings and Use of Sustainability Standards

On this particular issue we have to agree with the development industry that modifications necessary to deliver a workable policy are beyond our ability to deliver, due to issues associated with delivery of a changing aspiration which will severely impact on delivery of development. No robust case was presented to defend the status quo, despite SEPA and SNH promoting the existing regime.

The construction industry promotes applying the Building Regulations to deliver national aspirations for climate change adaptation in new buildings. Concerns voiced to us over the additional cost of climate change adaptation in new buildings are particularly concerning. The fact that the Building Regulations are "cost optimal" (i.e. the most effective affordable construction solution that can be delivered) is also a strong argument for reversion to their application. This includes the "fabric first" principle.

We accept that the Building Regulations have not moved forward as fast as we would like them but adopting a separate standard, which is un-enforceable in planning terms and for which the information may not be available at the time of initial planning discussions makes no sense. Skills could be brought in to assist in the implementation of a policy as has been promoted in the last two Development Plans, and on its own the lack of that skill set is not a good reason to dismiss the existing approach in the current LDP.

We are still required by section 3F of the Town and Country Planning (Scotland) Act 1997 "to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use". Advice has been taken through benchmarking with other Planning Authorities on the most appropriate way of doing this,

in a way that does not compromise development in Aberdeenshire. The current percentage at paragraph 1.2 of the Draft Proposed LDP reflects a common standard, rising to 30% by the end of the Plan period (2031).

Under a revised policy, exemptions for public buildings would not be an issue for Aberdeenshire Council. All development is subject to Building Regulation and so climate change adaptation will be mandatory.

Water standards remain important and as such we propose to maintain the “Gold” standard or BREEAM level 5 standard in the forthcoming Proposed LDP.

Main Issue 17 – Policy C2 Renewable Energy and Repowering of Wind Turbines

Support for the policy is welcomed, but we do not believe that it needs to be more robust. Cross reference to other policies may be appropriate, remembering that all policies apply and where there are conflicts we advocate the use of the Vision to resolve the issue. Site by site assessment requires the context of a Development Plan to deliver interpretation of the planning issues that may persist and determine planning applications on their own merit. Aberdeenshire Council takes advice on potential air quality impacts and reflects that in any planning consent issued.

The principal that repowering should be permitted seems to be generally accepted, particularly because of the references made at paragraph 174 of Scottish Planning Policy. We agree that reuse of existing wind turbine bases should be promoted. Not agreed however is that support for redevelopment should be accepted “in principle” as new re-powering proposals may have significant environmental impacts which lead to the conclusion it may not be “suitable” and the materiality of this use as an existing site is considerably reduced. We maintain that significant re-modelling of a turbine is likely to result in different environmental effects. In that context, where material differences are present, a planning application would be required. The need for Planning Advice on re-powering should be considered. The LDP is unable to turn back the clock and re-issue a consent in perpetuity without a new planning application.

Oil and gas pipelines are protected by the implementation of Policy P4 *Hazardous and Potentially Polluting Developments and Contaminated Land* and does not require specific reference in this policy. There are no known proposals for energy storage in the area at the current time.

We do not agree that the Strategic Landscape Capacity for Wind Turbines is now in some way out of date and requires updating. That document specifically considers “very tall” turbines and we are advised by the authors that the guidance for 120m or higher turbines also relates to 200m turbines. SPP is clear that Development Management must take account of strategic capacity for wind turbines (para 162) and the Strategic Landscape Capacity for Wind Turbines provides a valuable context for Development Management to answer questions relating to cumulative and landscape issues. Outwith this context a case by case assessment will be very difficult to deliver. We remain of the view that there are no locations within Aberdeenshire where we would

promote very tall turbines. We do not agree that mitigation of impacts is an appropriate term to substitute for “avoiding” environmental effects.

Support for our solar energy policy is welcomed, but again all policies in the LDP apply and it is unnecessary to make reference to other policies. We agree that siting and design of solar panels is of greatest importance and the policy should be modified accordingly.

Text on safeguarding elements associated with hydro-electric schemes are all covered by other policies and do not need to be repeated.

On-farm biomass energy generation is given no consideration in the Draft Proposed LDP and an additional paragraph should be added to highlight their potential impact on amenity and air quality.

The statement on the use of financial bonds should be reintroduced, even if it is never actually used by the Council in an environment that seeks to establish the validity of a wind turbine site in perpetuity.

Draft Proposed Local Development Plan – Policy C3 Carbon Sinks and Stores

The Carbon Calculator is a very onerous test. We have no concerns regarding the commercial disturbance of established peat resources for domestic purposes meeting the Carbon Calculator test. Restoration of a damaged peatland would be a factor in the carbon calculation, and this would have to be considered in any decision-making process.

Clarification on the definition to be used is noted and welcomed.

The presumption in favour of conserving woodland and trees remains valid. If an argument was presented to promote woodland removal to benefit waders and other ground-based wildlife, this would have to be considered as an exception to the policy.

Draft Proposed Local Development Plan – Policy C4 Flooding

Fluvioglacial remnants cannot dictate the Settlement Strategy for Aberdeenshire, as other factors also come into play in deciding the location of developments. Flooding remains an important aspect of the decision-making process by Aberdeenshire and we do not believe that it has been “repeatedly overlooked”. Current policies of the LDP require safeguarding of the water environment.

Currently policy considers an allowance for global warming in addition to the 1:200 year risk set by the Scottish Government. It is helpful that SEPA has clarified what this should be.

Car parks are areas of low vulnerability to flooding and it is appropriate to make use of land within the flood plain for this use. Emergency vehicles have means of removing badly parked cars as the need arises.

We do not believe that the levels of risk that might be appropriate in different areas needs to be outlined in the LDP. This information is available elsewhere, and to complement this view cross reference to the Land Use Vulnerability Guidance and Technical Flood risk Guidance will be introduced. We see no need to define terms such as “active flood plains” and “essential development” within the LDP and would expect a common sense interpretation to be taken.

4. Recommendations

Policy C1 and Use of Sustainability Standards

1. Remove the second sentence of paragraph C1.1. Other modifications may also be required to this policy text.

Policy C2 Renewable Energy

1. Introduce specific cross reference to Rural Development, Natural Heritage and Landscape, The Historic Environment and Protecting resources chapters of the Proposed LDP.
2. Introduce new text to the Proposed LDP to reflect repowering proposals, including the preference for re-use of existing bases.
3. Enhance the references to siting and design as a clear consideration in the development of solar panels.
4. A revised section on on-farm biomass energy generation should be introduced as paragraph C2.7.
5. Reintroduce statements on the use of conditions, bonds or other legal instruments used to remove visible elements of renewable energy generation.

Policy C3 Carbon Sinks and Stores

1. Amendments shown in the Draft Proposed LDP should be taken forward to the Proposed LDP.
2. No further Actions are required.

Policy C4 Flooding

1. Amendments shown in the Draft Proposed LDP should be taken forward to the Proposed LDP.

2. Freeboard should be defined in the glossary as: "The allowance made for natural variations in flood levels. A factor of safety in flood protection design (usually expressed as height above flood level), which allows for factors related to the uncertainty in estimating flood risk (e.g. wave action, settlement, morphological changes)."
3. No further Actions are required.

5. Committee Decisions

1. Kincardine and Mearns Area Committee agreed the above recommendations at their special meeting on 20 and 21 August 2019.
2. Banff and Buchan Area Committee agreed the above recommendations at their special meeting on 27 August 2019.
3. Buchan Area Committee agreed the above recommendations at their special meeting on 3 September 2019.
4. Garioch Area Committee agreed the above recommendations at their special meeting on 3 September 2019 with the exception of recommendation 1. The Committee agreed that text in paragraph C1.1 should continue to promote an aim for development to achieve a Platinum sustainability label. The first sentence of C1.1 should be revised to state that development should be designed to "minimise" carbon-dioxide emissions rather than "reduce". The Committee also agreed that text should be added to outline policy expectations in respect to solar proposals less than 50Kw. The Committee requested that Officers check whether District Heating systems are required through legislation.
5. Formartine Area Committee agreed the above recommendations at their special meeting on 10 September 2019.
6. Marr Area Committee agreed the above recommendations at their special meeting on 17 September 2019.
7. At their meeting of 3 October 2019, Infrastructure Services Committee considered the views of Area Committees and agreed that development should not be required achieve a Platinum sustainability label as proposed by Garioch Area Committee.
8. At the meeting of Aberdeenshire Council on 5 March 2020, Members agreed that the content of the Proposed Aberdeenshire Local Development Plan 2020 provides the settled view of the Council on the Plan they wish to see adopted in 2021.

Issue 14 Responsibilities of Developers

1. List of Respondents

MIR Ref	Respondents
19	Nestrans
57	Ms Ceri Kindley
64	Mr Charles Taylor
65	Professor Ian Johnson
105	Ms Maddie Thurlow
210	Newtonhill, Muchalls & Cammachmore Community Council
236	Mr Lucy Thomson
368	Cromar Community Council
392	Echt & Skene Community Council
506	Scottish Natural Heritage
547	Don District Salmon Fishery Board
550	Norr on behalf of Stewart Milne Homes
551	NHS Grampian
600	Keppie Planning on behalf of Stewart Milne Homes
601	Keppie Planning on behalf of Stewart Milne Homes
610	Halliday Fraser Munro on behalf of CALA Homes (North) Ltd
690	Ms Irene Ferguson
758	Dee District Salmon Fishery Board
782	RSPB Scotland
791	Emac Planning on behalf of Kirkwood Homes Ltd
805	SEPA
843	Kintore and District Community Council
849	Mr Mark Tasker
855	Catterline, Kinneff & Dunnottar Community Council
865	Inverurie Community Council
889	Holder Planning on behalf of Hallam Land
891	Barratt North Scotland
944	Tarves Community Council
953	North Kincardine Rural Community Council
967	Homes for Scotland
972	Turnberry on behalf of Elsick Development Company (EDC)
980	Mr Paul Davison
1001	Ms Sally Berrisford
1027	SYSTRA on behalf of Transport Scotland
1044	Ms Lesley Ovington
1064	Scottish Water

2. Issues

Introduction

A respondent has suggested that greater use is required of the mitigation hierarchy to avoid, minimise and ultimately mitigate the impact of developments outwith designated areas (782).

Main issue 18 – Electric and Hydrogen Refuelling

In any policy “vehicle charging” should be replaced by “electric vehicle charging” to avoid potential confusion (64).

Nine respondents supported the preferred option to introduce on-site electric vehicle charging and hydrogen refuelling facilities (19, 64, 105, 506, 600, 601, 805, 849, 865), whereas a further nine did not support the new policy (236, 550, 610, 791, 855, 889, 891, 967, 972).

Supporters suggested that electric vehicle recharging should be mandatory for businesses (64, 210), and should be extended to leisure uses as well (64). SEPA believe that more than one charging point should be provided so as to go beyond the current EPUK and IAQM Guidance “Planning for Air Quality” (805). Charging systems should be linked to solar panels (865).

Some of those that do not support the policy, such as Scottish Natural Heritage (SNH), expressed concern regarding favouring electric vehicles over Active Travel obligations (506, 610). It remains uncertain as to whether the transition to electric vehicles is premature (891) or will take place at all (855). Also referenced are the lack of any legislative requirement for on-site electric vehicle charging (610), the impact on the deliverability of homes due to the increased costs (550, 889, 972) and inherent problems associated with providing facilities for flats (550), on-street parking areas and other communal parking areas (64, 550), and whether wider streets would be required (64). The ability of the electricity grid to accommodate the capacity required was also questioned (600, 601, 791, 891, 967). The policy demonstrates lack of flexibility as technologies evolve (392, 791, 889, 891, 972). Building Standards should be used to deliver any requirement (392, 791, 891, 967). It was suggested that the obligation for such facilities should be included in the Parking Standards adopted by Aberdeenshire Council (64).

A policy that enabled retrofitting of facilities was preferred (889, 967). As was the need for recharging facilities increases, they will become a necessity in large developments and would be provided alongside other identified “suitable services” (972).

Clarity was required regarding hydrogen refuelling facilities as it is not currently mentioned in the Draft Propose Local Development Plan (LDP) (64) and is perceived as a fuel for longer distance travel and is not common in the domestic marketplace (791).

There may be insufficient demand for hydrogen power supply (849). This was not supported (967).

Policy RD1 Providing Suitable Services

Infrastructure should be provided before development occurs (1001).

Draft Policy RD1.2 lacks clarity in detail on home electric vehicle charging for flat developments and communal parking. In Policy 1.7 the Roads Construction Consent and Transport Assessment should be separated by being in different paragraphs. Transport Assessment could be referred to in paragraph RD1.1. Paragraph RD1.8 is critical in resolving issues of responsibility for road upgrades, and should be retained to resolve issues over who pays for the upgrade of private roads (64).

Provision for water (690, 805) and waste water treatment plants require to be scoped early in the development process (805), be monitored for performance, and upgraded to ensure sewage treatment capacity is not exceeded (547). Developers should conform to the standards in Scottish Waters "Sewers for Scotland 4th Edition" and other policy documents (1064). SUDS require to be assessed for performance at the design stage of any planning application (547). Hard surfaces can allow runoff to pick up numerous pollutants that are not captured by SUDS and this should be assessed at the design stage (758). Sediment and pollution control controls must remain effective at all times and the polluter pays principle should be applied (547). SEPA believe that sewage connection should be reconfirmed / confirmed with Scottish Water and the availability and feasibility of sewer connection, potential solutions at specific sites where capacity is constrained, updated in the services and Infrastructure section in each settlement statement (805).

SEPA pointed out that Policy RD1.14 should refer to the CIRA SuDS manual they also requested that they are referred to as "SEPA", not the Scottish Environment Protection Agency. An additional paragraph should be added encouraging early dialogue with SEPA regarding the Controlled Activities Regulations requirement for Construction Site Licences for the management of run-off from major construction sites. SEPA sought the re-naturalisation of watercourses and the provision of buffer strips as requirements of developers (805).

Contributions should be sought for riparian improvements to decrease water temperature and promote biodiversity (758). Major developments should result in at least no net loss of biodiversity and should aspire to net gains to comply with the duties imposed by the Nature Conservation (Scotland) Act 2004 and Scottish Planning Policy paragraph 194 (782).

Policy RD2 Developers' Obligations

The full developer obligation should be made, even if the development is less than approved (65). The full title of Scottish Government Planning of Circular 3/2012 should be used in Policy RD2.1 (64). Communities should be consulted over the scope of

developer obligations for the local community (843, 980). Development should not be allowed where it will impact on infrastructure capacity (953, 1044).

Use of Supplementary Guidance lacks effective scrutiny and is not tested for development viability (550). Financial guarantees may be required for ongoing long-term mitigation and restoration. These should be reviewed annually to avoid liabilities falling to Aberdeenshire Council (782).

Transport Scotland confirmed that a proportional appraisal in line with the Development Plans Manual Transport Appraisal Guidance was required to identify additional trunk road and rail improvements will be delivered and phased. A background paper should be produced to cover the main issues of the transportation influences on the preferred Spatial Strategy, including delivery of the AWPR; A96 options; and the SDP Cumulative Transport Appraisal. It should detail what is being done to progress work relating to specific trunk road infrastructure requirements detailed as necessary in the 2017 LDP at Ellon, Peterhead, Inverurie, Kintore, Mintlaw/Toll of Burness, update any previous work undertaken as appropriate and provide the Council's position on trunk road infrastructure delivery (1027). References to the Strategic Transport Fund should be removed (843,980). SNH believe that Active Travel should be an obligation under this policy (506).

Contributions are required to resolve traffic issues at Taylors Recycling Village (57). Transport Scotland provided comments on the preferred bid sites for inclusion in the LDP in August 2018 which identified the potential for impacts at specific locations on the AWPR, A90(T) and A96(T) and which would require further investigation, including at: Newburgh; Potterton; Portlethen; Stonehaven; Balmedie; Blackburn and Newtonhill. Any required mitigation measures will need to be included within the LDP and Action Programme to identify what is needed, when, and by whom (1027).

New locations for future health facilities have been provided (551). It was considered that the healthcare policy of the LDP was not achieving its aims (944).

SEPA believe that developer requirements for FOP sites should be provided to ensure developers have this information well in advance (805).

SEPA, SNH and others have suggested that in kind contributions should be sought for off-site habitat creation as has been implemented by other Planning Authorities (506, 782, 805). SEPA believed that restoration of vacant and derelict land in the vicinity of projects or within development boundaries should be resolved using developer obligations (805).

Maintenance of Digital signal reception should be an obligation on developers (210).

3. Actions

Introduction

We do not believe that mitigation should be given any greater weight. Adequate controls are in place to justify mitigation only in exceptional circumstances.

Main issue 18 – Electric and Hydrogen Refuelling

The balance between those that support the obligation to provide electric vehicle charging (a term we now prefer) and those who do not is very interesting. With the exception of SNH there is a very clear divide between the development industry (who do not want this additional obligation) and communities and individuals (who do).

We do not agree that an obligation to provide more than one charging point should be imposed but do agree that provision could be rolled out to leisure and retail uses as well as houses and businesses. Linking such systems to solar panels is possible but could not be stipulated in the LDP.

Given that we are planning for housing that is likely to persist for many decades it may be a loss of opportunity if we do not require provision of such services. Active travel will still be an issue for all developments, but it is very unlikely that personal travel by car will become a minority activity in Aberdeenshire, and to such an extent that electric vehicle charging points are not required or premature. We do not believe that we need legislation to justify such a move, or that it will make development unviable. Likewise, we do not believe that grid capacity will be an issue, given that most domestic charging takes place over-night. A policy that suggests there is capacity to retrofit charging points is no better than having no policy at all.

However, there are issues associated with providing such facilities for flats, on-street, and in communal areas that present significant issues. If we had confidence that electric vehicle charging would become a matter for the Building Regulations that would be a suitable response, but this is not yet guaranteed. Instead it is proposed that the policy obligation should refer to other regulations, particularly parking standards, to achieve the change required and the text in the Proposed LDP to be modified to make provision “voluntary” at this time.

Hydrogen powered vehicles would act in a similar manner to hydrocarbon powered vehicles and in this instance “Hydrogen Fuel Stations” may be an appropriate substitution for existing or new “petrol” stations. No policy response is required.

Policy RD1 Providing Suitable Services

While the principle of infrastructure before development is very laudable, unless there is public subsidy it is very unusual for the cash flow from development sites to be able to flow before development starts. Most often phased payments are negotiated.

The lack of detail on electric car charging points will be addressed by making the policy advisory rather than obligatory (through the use of “should” rather than “must” in the

policy). We do not agree that comments on Roads Construction Consent would be better placed in its own paragraph and minor changes to paragraph RD1.7 should be implemented to draw the distinction between the two elements. We note the support for Policy RD1.8.

Early scoping of the obligations to provide waste water treatment plants should be added to Policy RD1.9 as requested. References to “Sewers for Scotland” the CIRA SuDS manual and the CAR regulations should also be introduced to this policy. We do not believe that waste water treatment works require to be monitored by the Planning Authority, as there are strict legal tests applied by SEPA to water discharges. Provided these are designed by a competent authority they should function as expected. Riparian improvements, re-naturalisation of watercourses and buffer strips associated with open streams is resolved by other policies in the LDP.

While we are sympathetic to the argument for no net loss of biodiversity from new developments we feel that this would be very difficult to enforce and monitor. We are clear that some developments can only be allowed where there are community benefits that outweigh environmental damage. We do not believe that this would be contrary to Paragraph 194 of SPP, which does not make Biodiversity Net Gain a mandatory requirement. Biodiversity Net Gain is a clear way forward for securing this in future and this term could be referenced as an aspiration in Policy P1 Layout, Siting and Design.

Policy RD2 Developers’ Obligations

The purpose of developer obligations is to mitigate the impact of development on infrastructure. Where developments exceed 2 housing units the Council advocates the use of S75 Legal Agreements to phase the payment of developer obligations contributions on completion of the housing units. This ensures that the impact of development is mitigated as the housing units are created and complies with the requirements of Section 75 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning ETC (Scotland) Act 2006 and associated guidance contained within Circular 3/2012: Planning Obligations and Good Neighbour Agreements. However, developers have the option to pay contributions upfront prior to the issuing of a planning permission under Section 69 of the Local Government (Scotland) Act 1973. The option to pay developer obligations contributions in full is always available to developers.

The needs of local communities are captured during “place planning” events, within Community Action Plans and through collaboration between Council Services, partner organisations and the Third Sector. Therefore, local communities have direct influence into the developer obligations process.

Development is not permitted where there will be an unacceptable and measurable impact on infrastructure capacity.

The points made regarding Supplementary Guidance are well made, but viability is a key test that we use in calculating the developer obligation payments. Financial guarantees are sought in appropriate conditions.

A Development Plans Manual Transport Appraisal is underway, managed by our colleagues in the Transportation Service, and this will be published with the Proposed LDP. It is likely that this will be too early to comment meaningfully on the completion of the AWPR, and particularly the A96(T) proposals. As most of the projects at Ellon, Peterhead, Inverurie, Kintore and Mintlaw are existing allocations we feel that a review of the assessment undertaken for the LDP 2017 is appropriate. This review will also look at the potential impacts at specific locations on the A90(T) and the A96(T). We recognise the need to delete references to the Strategic Transport Fund following its removal from the previous SDP.

Retrospective enhancement of the road network is outwith the power of the LDP.

Active travel is a requirement of all development and does not need to be reiterated.

The locations for future healthcare facilities is welcomed, but we do not believe that lack of implementation on these sites represents any form of land use failure, merely the pace of investment by NHS Grampian.

FOP sites are not going to be included in the proposed Local Development Plan.

There is no justification for off-site habitat creation or reinstatement of derelict and vacant land as a developer responsibility. We believe that loss of habitats should be first and foremost avoided and, under the terms of Scottish Government Planning Circular 3/2012, we cannot see how either of these could be “required” to allow a development to go ahead. Exceptionally, any off-site landscaping should be to the betterment of the local place, and not some distant site.

There is no national obligation for developments, other than wind turbines, to ensure maintenance of digital signal reception and this issue is covered within that policy.

4. Recommendations

1. The policy obligation for fuelling low carbon vehicles should be advisory and refer to other regulations, particularly parking standards, to achieve the change required. The text in the Draft Proposed LDP should be modified to make provision “voluntary” at this time. Electric Vehicle Charging should be encouraged for major leisure and retail uses by changes to the proposed Local Development Plan Text.
2. Where appropriate “Hydrogen Fuel Stations” will be referred to in the Proposed LDP.

3. Add text to paragraph RD1.7 to draw the distinction between Roads Construction Consent and a Transport Assessment.
4. Add references to “Sewers for Scotland”, the CIRA SuDS manual and the CAR regulations in Policy RD1.9.
5. A DPMTA will be published with the Proposed LDP.
6. References to the Strategic Transport Fund will be removed from the Proposed LDP.
7. Augment paragraph P1.8 to include, “In very rare circumstances, when it is not practical to meet biodiversity net gain within a development site, we may require off-site contributions towards biodiversity enhancement within the settlement.

5. Committee Decisions

1. Kincardine and Mearns Area Committee agreed the above recommendations at their meeting on 20 and 21 August 2019.
2. Banff and Buchan Area Committee agreed recommendations 1 and 3 to 7 at their special meeting on 27 August 2019. The Committee agreed that recommendation 2 should be amended to state that additional text should be incorporated into the policy text in relation to Hydrogen Fuel Stations.
3. Buchan Area Committee agreed the above recommendations at their special meeting on 3 September 2019.
4. Garioch Area Committee agreed the above recommendations at their special meeting on 3 September 2019.
5. Formartine Area Committee agreed the above recommendations at their special meeting on 10 September 2019. The Committee also agreed that the order of words be reversed in Policy RD1 (Providing Suitable Services) to read “Recycling and Waste”, not “Waste and Recycling”. The Committee also agreed that on page 360, the phrase “High School catchment area” be replaced by “secondary school catchment area” and that officers consider, and report if required, as to whether developer obligations might be appropriately applied for facilities for the whole waste hierarchy, and not specifically for collection of co-mingled waste alone.
6. Marr Area Committee agreed the above recommendations at their special meeting on 17 September 2019.

7. At their meeting of 3 October 2019, Infrastructure Services Committee considered the views of Area Committees and no further recommendations were identified.

8. At the meeting of Aberdeenshire Council on 5 March 2020, Members agreed that the content of the Proposed Aberdeenshire Local Development Plan 2020 provides the settled view of the Council on the Plan they wish to see adopted in 2021.

Issue 15 Issues Not Considered in the Main Issues Report

1. List of Respondents

MIR Ref	Respondents
64	Mr Charles Taylor
210	Newtonhill, Muchalls & Cammachmore Community Council
223	Huntly & District Swift Group
368	Cromar Community Council
506	Scottish Natural Heritage
547	Don District Salmon Fishery Board
551	NHS Grampian
596	Clarendon Planning & Development Ltd on behalf of The Sluie Estate Trust
708	Ms Heather Haig
752	Westhill and Elrick Community Council
786	Mr David Ellis
805	SEPA
843	Kintore and District Community Council
924	Halliday Fraser Munro on behalf of W. Maitland & Sons
966	Bennachie Community Council
977	Graham + Sibbald on behalf of Leith Properties (Aberdeen) Ltd
997	Crathes, Drumoak & Durriss Community Council
1069	Strutt & Parker on behalf of CHAP Homes

2. Issues

The Context of the Local Development Plan

The Local Development Plan (LDP) should include a statement that when a decision is made by one partner, and the Authority wishes to depart from the Strategic Development Plan (SDP) and it is detrimental to Aberdeenshire's LDP then Aberdeenshire Council should be obliged to object (752).

It should be made clear that planning applications require to be considered in the context of other plans being developed elsewhere (210). Development should be based on "locating the right development in the right place" and the 5 principles of sustainable development set out in Paragraph 40 of Scottish Planning Policy (596).

The LDP adopts a simplistic view of location as a measure of sustainability (924).

The LDP needs to reflect and predict changing circumstances and priorities (368).

Economic development should not be a phrase that justifies development without evidence (368).

SEPA welcomes the reference to Flood Risk Assessment (FRA) but there are discrepancies between the settlement statements and the strategic flood risk assessment. Confirmation should be sought from the Flood Risk Unit of Aberdeenshire whether other flood risks require an FRA to be undertaken (805).

Removal of local policies from the LDP would be disappointing (843). The emerging Planning (Scotland) Bill is likely to remove Supplementary Guidance and there is considerable policy content in these documents that are more appropriately contained in the LDP (1069).

Public Engagement

Explicit sources of the information that has led to conclusions drawn in response to public consultation needs to be given (64).

Elements Missing from the Local Development Plan

No assessment of risk has been undertaken in the Main Issues Report (MIR). A PESTL analysis or Community Risk Register Assessment should have been conducted to align the LDP with known risks, particularly considering pedestrian safety (64).

Scottish Natural Heritage (SNH) believed that site assessments in the Settlement Statements should reflect the findings of the Habitat Regulation Assessment (HRA) (506).

SNH believed that assessment should ensure that development avoids, protects and enhances woodland in accordance with the Scottish Government Policy "Control of Woodland Removal Policy" (506).

SNH believed that throughout the Settlement Statements strategic landscaping should not be a substitute for embedding good design from the outset (506).

There is no consideration of hazardous developments in the Settlement Statements of the Draft Proposed LDP (64).

In the Settlement Statements there is no clarity on the nature of health care facilities that should be provided. Numerical data should be provided for each town to assist understanding (64).

Retail decline is an issue that is missing from the MIR (64). NHS Grampian considered that while the LDP is to be commended from a public health perspective, the density of unhealthy food outlets in towns should be considered as an issue (551).

There is no consideration of roadside facilities within the Draft Proposed LDP (977).

Policies on the capacity and location for cemeteries needs to be included in the proposed LDP (997).

There is no consideration of public art within the Draft Proposed LDP. Sufficient levers must be in the place (64).

Development of “huts” have no real place in the Aberdeenshire landscape and this needs to be reflected in the LDP (368).

The six main impacts that can occur to watercourses are listed as demand for wastewater treatment, increased surface water discharge, flood risk, sediment loading, reduction of habitat complexity and biodiversity, and prevention of fish migration due to inappropriate culvert construction or high levels of lighting on watercourses (547).

The construction of the A96 will lead to the loss of prime agricultural land (966).

A policy to support “dark skies” should be introduced to the LDP (785) to help in attracting tourists (786).

There are errors and omissions in the Planning Advice No.5 2015 Opportunities for Biodiversity Enhancement in New Developments that prejudices options for Swifts (223).

3. Actions

The Context of the Local Development Plan

The Aberdeen City and Shire SDP is a document that is prepared jointly by both Aberdeen City Council and Aberdeenshire Council. No powers are required to coerce Aberdeen City Council to a position where they have to take a different view on the interpretation of that Plan, and the Scottish Government already has “call in” powers to review decisions made by Local Authorities.

We agree that interpretation of the LDP has to be undertaken in the context of other plans and strategies, but the LDP is the document that we are required to follow, all other documents become “material considerations” to any decision. Comprehensive review of other strategies takes place in formulating the Proposed Local Development Plan and reference will be made to this in a section called “Influences on the Plan”.

In a spatial planning document, we think we are correct to place significant weight on location as a measure of sustainability. Other factors are also used, but they apply equally to all developments through the application of the policies.

Predicting likely change over a five to ten-year period can be very difficult and is likely to be prone to errors. Setting the strategy for the area is undertaken by the SDP, which sets the overall direction of travel for planning matters in Aberdeenshire.

We agree that the phrase “economic development” is overused to justify development and when this is a material consideration in determining planning applications, we require a statement from a suitably qualified and independent advisor.

Flood risk is taken very seriously by Aberdeenshire Council and we are pleased to have strict policies in line with those within Scottish Planning Policy to prevent development on areas that are likely to flood. All sites have been reviewed by the Aberdeenshire Flood Team and where there are anomalies associated with the need for FRA then these have been resolved.

We agree that allowing the LDP to make a local interpretation of national policy is desirable. Most Supplementary Guidance has now been incorporated into the policies of the Plan except where Scottish Government Planning Circular 6/2013, “Development Planning” and its addendum specifically identify that matters should be addressed in Supplementary Guidance (Developer Obligations and The Aberdeenshire Forest and Woodland strategy, where both could be republished as non-statutory “planning advice”).

Public Engagement

Providing specific references for each meeting conducted by the Policy Team is impractical. Pre-engagement with Community Councils and early meetings with key stakeholders were conducted and meeting notes taken. These are generally what are being referred to when we identify that a response has been informed by public consultation.

Elements Missing from the Local Development Plan

While the authors of the LDP take risk very seriously, and some policies have avoidance of risk as a key element, we are not obliged to undertake a risk analysis of the LDP by the Scottish Government. Risks associated with the process of drawing up the documents are noted in an internal “risk register”.

We agree with SNH that the site assessments in the settlement statements should align with the findings of the Habitat Regulations Assessment. Separate consultation was undertaken on a Draft Habitats Regulations Assessment which informed and confirmed risks to proposed sites from proximity to sites of importance to International Natural Heritage.

SNH also seek reference to the Scottish Government Policy “Control of Woodland Removal Policy”. This is proposed for the proposed Local Development Plan under policy PR1 Protecting Important Resources, paragraph PR1.7.

We agree with SNH that strategic landscaping should not substitute for good design and emphasise the need for good design in all developments through Shaping Places Policy P1 “Layout Siting and Design”.

We do not believe that additional policy is required on hazardous developments (where separate planning legislation and procedures are in place) or the decline of retail areas. These issues are already considered in the context of other policies (such as Shaping Places Policy P1 “Layout Siting and Design” and P4 “Infill developments etc.”, Shaping Business Development Policy B2 “Town Centre Development”).

Providing data on the healthcare needs of communities five to ten years into the future is a very difficult task as needs will change within that period. We have not been made aware by Community Councils or Grampian Health Board of any areas in Aberdeenshire where “unhealthy food outlets” are a particular problem, and there is currently no obligation to consider the type of food outlets with respect to health issues. In any case such facilities can make a significant contribution to town centre vitality.

Correspondence with officers from Nestrans (the Regional Transport Authority) confirmed that there was no need for Roadside Service facilities in the area, and if there was then ample business land exists in appropriate locations to allow such facilities to be provided.

Where we have been made aware by the Council’s Landscape Services of a need for new cemeteries, we have reserved appropriate land. Until site tests are undertaken to judge suitability, we can do no more than this.

Public art is a matter for Shaping Places Policy P1 “Layout Siting and Design” but is not required as a mandatory element of development.

We note and agree that “huts” are alien to the Aberdeenshire Countryside and will ensure that policy Shaping Development in the Countryside Policy R1 Special Rural Area specifically prohibits recreational huts within Aberdeenshire.

The six main impacts on watercourses identified to us are noted. All of these are resolved through the application of existing policy.

We note that the development of the A96 over the next 10 years will lead to the loss of prime agricultural land. We are content that a national project that brings significant economic and social benefits to the area is justified for support to be given to the Government, even if it does cause loss of prime agricultural land. This is in line with SPP paragraph 80.

We have considered a “dark skies” designation, but do not feel it is appropriate in the LDP area due to the existing distribution of development and the size of some of our rural towns.

Amendments to existing Planning Advice will be undertaken when it is next reviewed so as not to prejudice Swifts.

4. Recommendations

1. Shaping Places Policy P1 “Layout Siting and Design” should indicate that strategic landscaping should not substitute for good design and emphasise the need for good design in all developments.
2. Shaping Development in the Countryside Policy R1 Special Rural Area should be modified to specifically prohibit recreational huts within Aberdeenshire.
3. Add text to Policy PR1 Protecting Important Resources, paragraph PR1.7. to make reference to the Scottish Government Policy “Control of Woodland Removal Policy”.
4. Review Planning Advice No.5 2015 prior to adoption of the LDP 2021 to ensure no prejudice towards Swifts.

5. Committee Decisions

1. Kincardine and Mearns Area Committee agreed the above recommendations at their special meeting on 20 and 21 August 2019.
2. Banff and Buchan Area Committee agreed the above recommendations at their special meeting on 27 August 2019.
3. Buchan Area Committee agreed the above recommendations at their special meeting on 3 September 2019.
4. Garioch Area Committee agreed the above recommendations at their special meeting on 3 September 2019.
5. Formartine Area Committee agreed the above recommendations at their special meeting on 10 September 2019, subject to the reiteration of comments in Issue 8 above in respect of Policy H4 (residential Caravans), that officers investigate and report the use of “Huts” in other northern European countries, to see how these might potentially be incorporated in Aberdeenshire policy, as no longer alien to the landscape.
6. Marr Area Committee agreed the above recommendations at their special meeting on 17 September 2019.
7. At their meeting of 3 October 2019, Infrastructure Services Committee considered the views of Area Committees and agreed that the Proposed LDP should not include a policy permitting development of recreational huts as proposed by Formartine Area Committee.

8. At the meeting of Aberdeenshire Council on 5 March 2020, Members agreed that the content of the Proposed Aberdeenshire Local Development Plan 2020 provides the settled view of the Council on the Plan they wish to see adopted in 2021.