

LOCAL DEVELOPMENT PLAN CONTENTS

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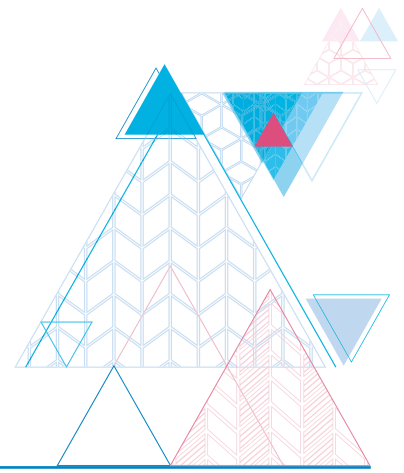


SECTION

11



SHAPING BUSINESS DEVELOPMENT



SHAPING BUSINESS DEVELOPMENT

Developing business is very important to the economic health of the region. Aberdeenshire must be 'open for business' to become a successful sustainable place, meeting the many different and changing needs and locational requirements of the different sectors and sizes of business. The plan is closely matched to the priorities of the Economic Development Strategy 2011 to 2016.

We take the view that business development is not just about industrial estates and that it is important to provide a *policy* framework that supports existing business sectors and promotes and protects new ones as part of the way land is used within *settlements*. Policies promote a 'town centres first' principle and consider the specific development needs of both the regeneration area and the *Energetica* area, an area where a particular emphasis is being placed on high-quality, low-impact developments to support the continued growth of energy-related companies in the North East. Overall we will support the development of business and sustainable economic growth in all areas by taking account of the economic benefits of proposed development when we make decisions in managing developments.

The business land *allocations* are listed in appendix 1.

Policy B1 Employment and business land

We will approve new *employment uses* on land allocated or identified in the plan for business as set out in the settlement statements in Appendix 8. We will not approve non-employment uses on these sites. In exceptional circumstances, the early release of strategic reserve *employment land* will be supported if there is a justified economic need or if it is required for design reasons. Developments other than

those for *primary industries*, which generate more than 10 Heavy Goods Vehicle movements per day will only be permitted on land accessible to suitable railheads, harbours or the trunk road network.

Existing land used for business, usually identified as BUS within settlement statements, will be retained for this use unless there is a constraint on the site whereby there is no reasonable prospect of it ever becoming marketable for business development or it is poorly located for employment use. The alternative use must benefit the local community and must not prejudice the strategic *employment land* requirement. It must respect the character of the area and be compatible with nearby uses. *Proposals* for the change of use of business use will not normally be permitted if it removes all business land opportunities within the settlement.

We will not allow houses, even if also designed as workplaces, on land identified in the plan specifically for business uses. Home/ work *proposals* may be appropriate on land identified for mixed-use development depending on the criteria set out in Policy P3 Infill and householder developments within settlements (including home and work proposals).

Policy B2 Town centres and office development

We will allow retail and other uses which a lot of people will visit only in defined town centres unless a *sequential assessment* shows that another site is more appropriate. Other uses include *office developments*, commercial leisure uses, community and cultural facilities and, where appropriate, other public buildings such as libraries and education and healthcare facilities. In the case of *office developments*, where it can be shown that there is no suitable town centre location, they will normally be accommodated on identified employment and business land in accordance with Policy B1. Sites are required to be conveniently accessible by modes other than the private car to the projected *catchment* of the facility. In the case of major retail *proposals*, a retail impact assessment must demonstrate there will not be a significant adverse effect on the *viability or vitality of existing town centres* and does not make worse any issue identified by a Town Centre Health Check or Town Centre Strategy. In the case of office developments, no account will be taken of public car parking in assessing compliance with parking standards. Small convenience shops designed to meet a need in a local neighbourhood are not covered by this *policy*.

Retail and commercial facilities must be appropriate to the scale and function of the settlement and support an appropriate mix of uses within the town centre. The network of centres is set out on the *proposals map* and in appendix 2.

Policy B3 Tourist facilities

We will support the development of new tourist facilities or accommodation that are well related to *settlements* and deliver net economic and social benefits. *Proposals* must take account of the potential cumulative impact of similar developments in close proximity. With the exception of reinstatement to a dwelling from bed and breakfast accommodation, we will protect existing tourist sites from being converted to other uses unless there is evidence that the business has been marketed for at least 12 months, including in the local area, and is no longer viable.

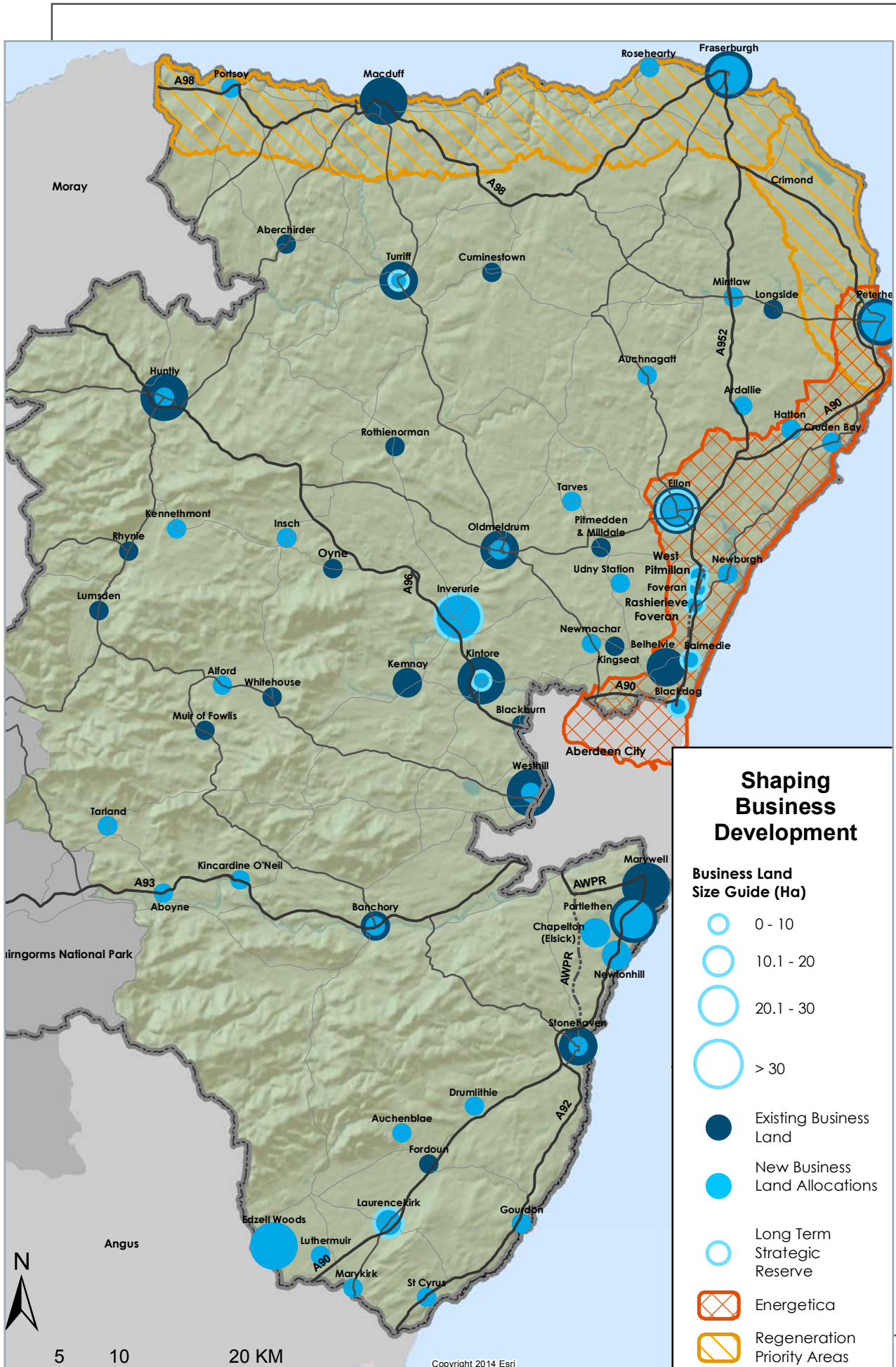
We will also support shops which will act as a new tourist destination or support an existing one, and which will make a contribution to the development of the area. The expansion or intensification of existing retail uses in the countryside, including established farm shops, will be supported as long as the increased scale of development is appropriate to the rural character of the area. In any of these cases, the applicant will need to demonstrate that there will be no significant negative effect on existing town centres by submitting a retail impact analysis. Such development is encouraged on *brownfield land* where possible.

We will also consider new tourist facilities against other appropriate policies in the plan. These will mainly be Policy R2 Housing and business development elsewhere in the countryside, and Policy P3 Infill and householder developments within *settlements* (including home and work proposals).

Policy B4 Special development areas

We will consider helping start-up businesses in the *regeneration priority area* (as defined on the *proposals maps* and in detail in the "Regeneration Priority Area" *supplementary guidance*) by allowing co-funding through modest housing developments where these are essential to allow the development to proceed and this is not a substitute for normal development funding. Wider public benefit must significantly override the disadvantages of the development. The level of development should not exceed five houses in all but exceptional cases. For clarity, housing development allowed under this *policy* is not considered a 'housing cluster' under the terms of Policy R2 for a period of at least five years from the completion of the development.

Development in the *Energetica* area will need to keep to a design and sustainability vision agreed with Aberdeen City and as presented in the *supplementary guidance* "Energetica".

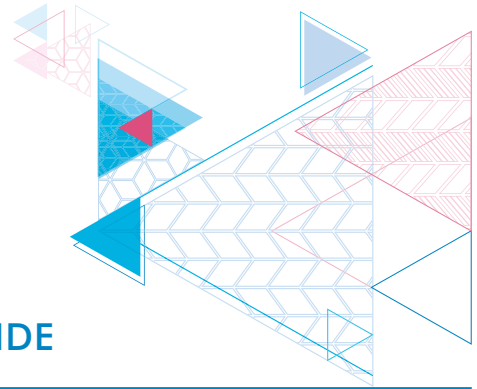


SECTION

12



SHAPING DEVELOPMENT IN THE COUNTRYSIDE



SHAPING DEVELOPMENT IN THE COUNTRYSIDE

We want to create a welcoming approach to development in the countryside that meets needs and encourages prosperous, sustainable communities and businesses while protecting and improving the quality of the environment. We need to recognise the effect that rural living can have on wider aims shared with stakeholders on reducing the need to travel and on issues of climate change and *sustainable development*. Policies and *allocations* promote a pattern of development that is considered to be appropriate to the 'pressured' and 'intermediate' character of the area. (Pressured and intermediate areas are terms used in paragraphs 76 to 78 of Scottish Planning Policy. The *Aberdeen housing market area* boundary marks the boundary of the two areas.)

Some development *proposals*, such as extracting minerals, need a rural location or can have a significant effect on our landscape, and as such we design policies to tackle these concerns. We consider our *policy* on wind turbines under the 'Climate change' section.

Policy R1 Special rural areas

Housing and employment development opportunities will be significantly restricted in the *greenbelt* and coastal zone to reflect the special nature of these areas. We will only allow development if it is essential and cannot be located elsewhere. In the *greenbelt* the following development is permitted:

- the extension of an existing building or use that is ancillary to the main use;
- development for the purposes of agriculture, forestry, horticulture, nature conservation or essential public *infrastructure*;
- development for a recreational use that is compatible with its agricultural or natural setting;
- the sensitive restoration, conversion or extension of a *vernacular* building or other building of architectural merit;
- accommodation within the immediate vicinity of the place of employment required for a worker in a *primary industry* which is appropriate to the countryside and where the presence of a worker is essential to the operation of the enterprise and there is no suitable alternative residential accommodation available;
- development identified as a national priority in the National Planning Framework;
- development of minerals under Policy R3 and waste facilities under Policy PR3 may be permitted where an essential need is identified;
- developments (including community infrastructure) under Policy PR2 may be permitted in the *greenbelt* where they meet an established need and where it can be adequately demonstrated that no alternative location can be found; and
- it is the replacement of a single non *vernacular* building on the same

footprint, and for the same use. The replacement building must be consistent in scale, and no more intrusive than the existing building. In addition, it is generally expected that the new building will demonstrate a significant improvement in design to that of the existing building.

In the coastal zone development must require a coastal location, and the social and economic benefits must outweigh any adverse environmental impact or it must be the redevelopment of an existing building, or within the *curtilage* of an existing building. In any case there must be no coalescence of coastal developments or significant adverse impacts on natural coastal processes or *habitats*. Great care must be taken to assess flood and erosion risk.

We will approve *proposals* for coastal protection works if an assessment of the implications of the works shows that they work with natural processes and there will be no significant adverse impact on coastal processes or *habitats*, and that the development will not result in increased coastal erosion or flooding elsewhere on the coastline. The full range of management options should be considered over the lifetime of the development and against appropriate climate change projections. The boundaries of the *greenbelt* are shown in appendix 3. Coastal zone areas are shown on the *proposals maps* and shown in detail in the *supplementary guidance* "The Coastal Zone".

Policy R2 Housing and employment development elsewhere in the countryside

We will restrict development *proposals* in the countryside area outwith the Aberdeen *greenbelt* and coastal zone to *small-scale* development that would:

- be appropriate in the *greenbelt* (see Policy R1: Special rural areas); or
- involve the refurbishment or replacement, on the same site, of an existing house or disused building; or
- involve remediation of redundant *brownfield land* opportunities.

Small-scale growth of *settlements* where a particular need for development has been identified, by the addition of groups of no more than 3 houses within 200m of the settlement boundary, is also promoted. These identified *settlements* are listed in appendix 4. No more than an additional 20% growth of the settlement, up to a maximum of 10 new homes, will be permitted under this *policy* during the plan period.

Single homes will also be permitted for the retirement succession of a viable farm holding.

We will also allow development *proposals* in the *rural housing market area* (which are classed as 'intermediate' rural areas) if they are *small-scale employment proposals*, or a *small-scale* addition to an existing cluster or group of at least five houses which is of a scale and character that is in keeping with that cluster or group. No more than an additional 20% growth of the cluster, up to a maximum of 2 new homes, will be permitted under this *policy* during the plan period.

Because of the problems associated with restricting use and occupancy, we treat all forms of lodge or chalet leisure accommodation as housing *proposals* under this *policy*. (Proposals for new tourist accommodation will be assessed in accordance with Policy B3: Tourist facilities.)

Siting and design of any new development will be a primary consideration. The retention and refurbishment of *vernacular* buildings and the reuse of *brownfield land* will always be preferred and the character of these buildings should be retained. Where development relates to a building with *vernacular* architectural merit, physical replacement will only be supported in exceptional circumstances. In such cases, retention, redevelopment and re-modelling should be undertaken.

Policy R3 Minerals and hill tracks

We generally only allow minerals development if sufficient information is provided to enable the full likely effects of the development to be assessed, together with *proposals* for appropriate control, mitigation and monitoring. Details of

phased working; waste management; land restoration and aftercare; after use; and public road maintenance and restoration will require to be agreed with the planning authority as part of any application.

Development will not be permitted if a transport assessment shows that development will have significant negative transport impacts on local communities, or a waste management plan does not show how secondary materials from mineral workings, such as overburden, waste rock and fines, will be reused. With respect to sand and gravel construction aggregates we will seek to maintain a minimum landbank of permitted reserves of at least 10 years within the market area, but we will generally not allow development that would result in the minerals landbank within the market area exceeding 15 years, in order to avoid unnecessary blight from unimplemented permissions. The market area is defined as a 50km travel distance from the Aberdeen City boundary and the *strategic growth areas* defined in the *strategic development plan*. We may allow the extraction of construction aggregates to meet the needs of a specific local area where it can be demonstrated that these cannot be adequately served by existing sites or reserves within the overall market area.

In all cases an environmental statement will have to show acceptable environmental impacts. Proposals will need to address, amongst other considerations, landscape and visual impacts, taking into account Policy E2: Landscape; the effect on natural heritage and habitats, taking into account Policy E1: Natural heritage; the effect on the historic environment, taking into account Policy HE1: Protecting listed buildings, sites and monuments and Policy HE2: Protecting historic and cultural areas; impacts on local communities, individual houses, sensitive receptors and economic sectors important to the local economy; disturbance from noise, blasting and vibration; and potential pollution of land, air and water.

As appropriate we will require financial guarantees through planning conditions or legal agreements to ensure that a high standard of site restoration and aftercare is managed effectively and that such work is undertaken at the earliest opportunity. Provision will be made for the monitoring and review of such guarantees as necessary.

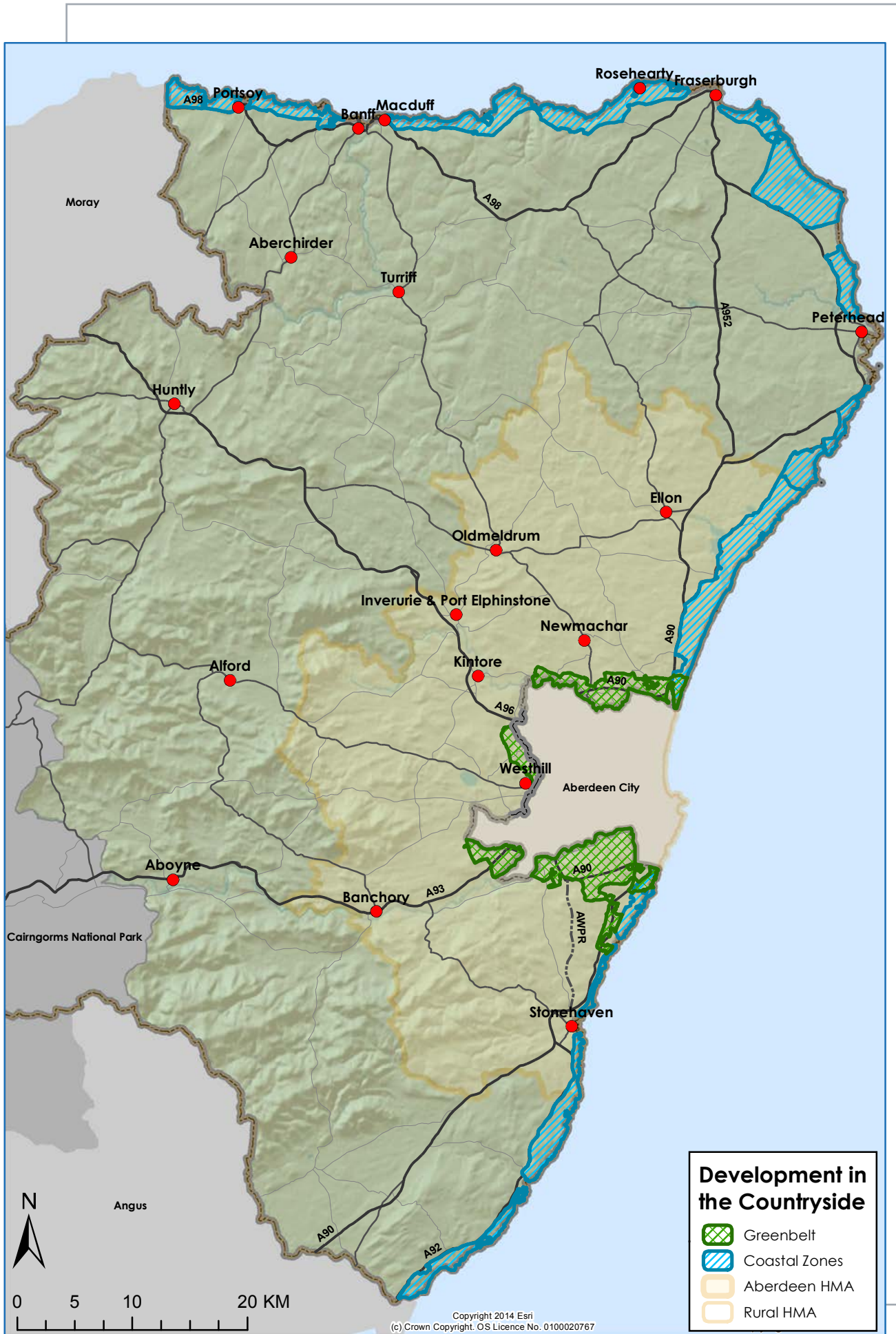
Where development would result in three or more consented mineral developments within a 5km radius of a settlement consideration will be required of cumulative impacts and any adverse impacts identified adequately mitigated.

All conditions attached to mineral permissions will be reviewed every 15 years (subject to the flexibility provided by Scottish Planning Policy to postpone reviews), to ensure that the development is not adversely affecting the natural or historic environment, landscape character or local amenity. Guidance is given in Scottish Office Development Department Circular 34/1996 and Scottish Executive Development Department Circular 3/2011.

A buffer distance restricting development around minerals sites will be agreed with the developer in consultation with the local community. This will need to take into account the specific circumstances of the *proposals*, including factors such as site location, topography, expected duration of operations, and method of working.

Protecting important minerals development sites is achieved through Policy PR1 Protecting important resources.

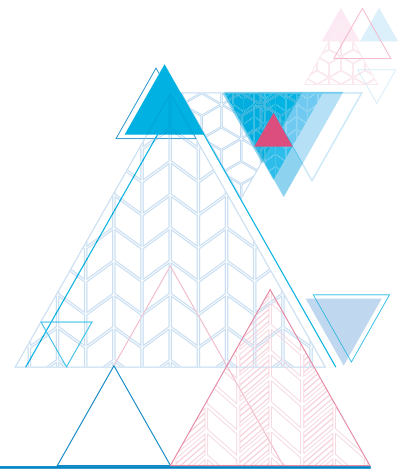
We will only allow development involving hill tracks if it can be satisfactorily integrated in the landscape and it respects existing and historic pathways. Hill tracks will only be permitted if they minimise environmental impacts, such as soil erosion, on *habitats* and water bodies, and a satisfactory maintenance programme has been agreed with the planning authority.



SECTION | 13



SHAPING HOMES AND HOUSING



SHAPING HOMES AND HOUSING

Providing land for housing development is a central way in which the plan will contribute to Aberdeenshire being a successful sustainable place.

This plan allocates housing sites for the period 2017 to 2026 in line with Schedule 1 of the Aberdeen City and Shire Strategic Development Plan. The *allocations* are summarised in appendix 5 and are also identified in the settlement statements in appendix 8. Policies allow us to develop land on allocated sites to make sure there is a continuing five-year *effective housing land supply*. We will monitor the maintenance of a five-year effective land supply using the Housing Land Audit (see <https://www.aberdeenshire.gov.uk/council-and-democracy/statistics/Housing-Market/>) while the *Action Programme* will monitor progress with delivering the allocated sites (<https://www.aberdeenshire.gov.uk/planning/plans-and-policies/delivering-development/>).

Policy H1 Housing land

We will support the development of housing on sites allocated for that purpose within the local development plan and as shown in the settlement statements.

We will not allow other types of development on designated housing land unless it is linked to the housing use and still allows the site to be developed to approximately the housing numbers shown in the settlement statements.

Capacities of sites shown in appendix 5 of this plan and the settlement statements are indicative at this stage. Higher densities would only be considered where any associated negative impacts on *infrastructure, open space* and residential

amenity can be addressed and where justified through an approved *masterplan* or design statement that has been subject to appropriate public consultation.

Policy H2 Affordable housing

The 2011 *Housing Need and Demand Assessment* identified a requirement for around 38% of new homes to be affordable. While it will not be possible to meet all *affordable housing* needs through the plan's *housing allocations*, this is still an important part of creating *sustainable mixed communities*.

All new housing developments of four or more houses must include 25% of the service plots for *affordable housing* according to the definitions in the current *Housing Need and Demand Assessment* (i.e. housing made available at a cost below full market value, to meet an identified need. It includes social rented housing, subsidised low cost housing for sale (discounted, shared ownership or shared equity) and low cost housing without subsidy (entry level housing for sale). Private rented accommodation available at lower cost than market rents should also be considered within the affordable housing category). Only in exceptional circumstances will we accept a lower figure. The "Affordable Housing" *supplementary guidance* supports this *policy* by providing further detail on the forms that the *affordable housing* contribution could take, and outlining the exceptional circumstances where a lower contribution or an alternative to onsite provision may be appropriate.

Policy H3 Special needs housing

Where there is an obvious need which can be demonstrated, we will generally support housing *proposals* for the elderly or those with special support needs. If the developer demonstrates there are no suitable sites within a settlement, we will allow special needs housing to be developed on the edge of a settlement provided the site is compatible with neighbouring uses; that there is easy access to public transport, local services and public *open space*; and that the site's topography and access are appropriate for those with disabilities.

Self-contained continuing care retirement communities which provide health care will be approved outwith edge of settlement sites providing the applicant demonstrates that the development will be self-sufficient in the provision of facilities or would otherwise not have an adverse impact on the existing facilities enjoyed by local residents.

Policy H4 Residential caravans

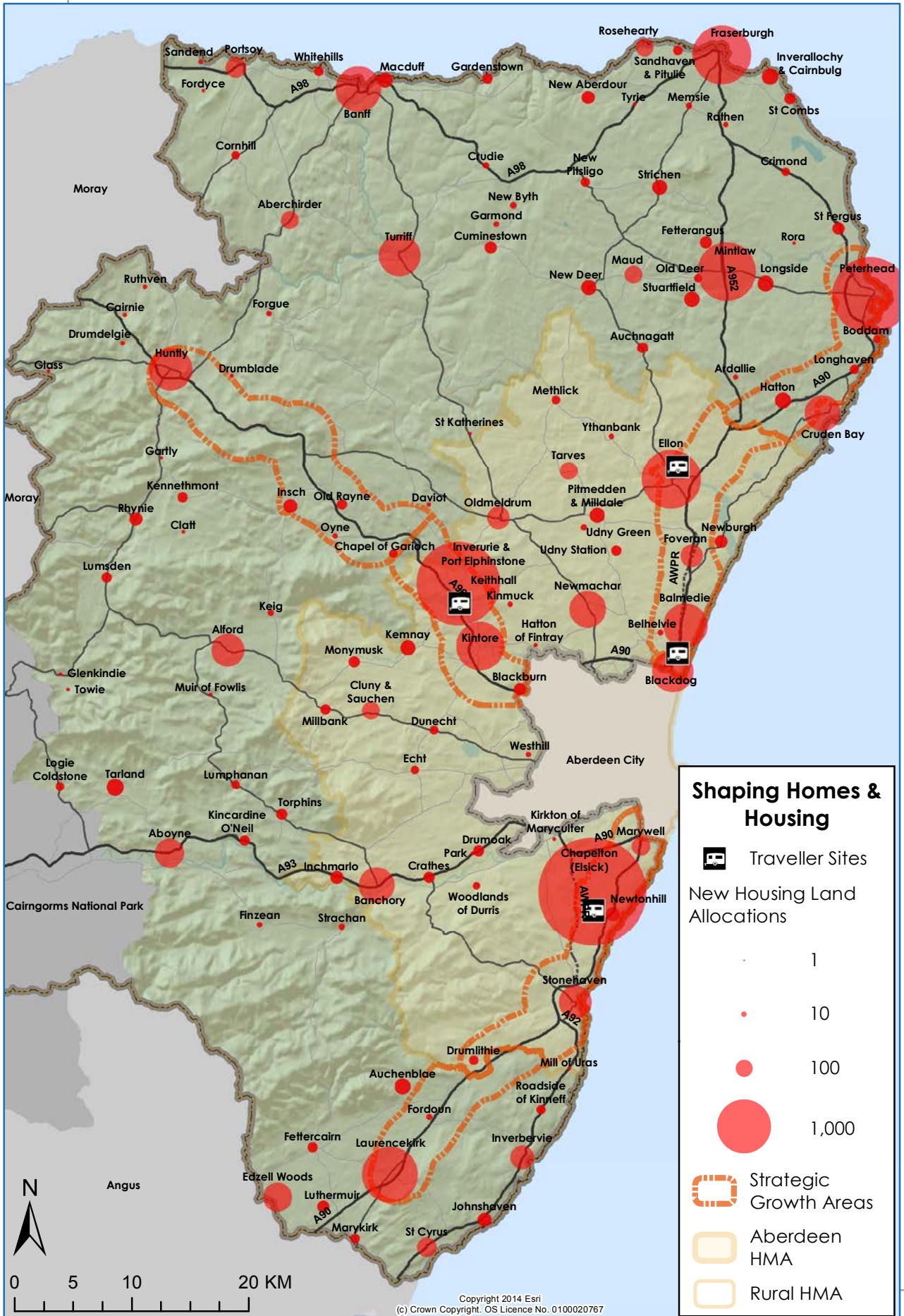
We will not generally support *proposals* for permanent residential caravans, residential caravan parks, or residential caravan park extensions. In cases where a temporary need has been demonstrated by the applicant, we will allow the temporary siting of a residential caravan providing the siting respects the character and amenity of the surrounding area and the caravan can be satisfactorily serviced. Conditions will be imposed to limit the duration of permission and to ensure the caravan is removed and the site made good after the permission lapses.

Policy H5 Gypsies and travellers

Specific *gypsy/ traveller* sites have been identified in the settlement statements to meet an identified need and to provide certainty to both *gypsy/ travellers* and the settled community.

We will generally approve permanent or temporary halting sites for *gypsies* and *travellers* on sites allocated for that purpose in the plan, or on unallocated sites where there is a proven need. In either case, the applicant must demonstrate that the site would not appreciably detract from the character, appearance or amenity of the area. Developers of private *gypsy/ traveller* sites for their own use do not have to prove a specific need for their *proposals* but they will still need to meet the remaining *policy* tests.

Proposals must also provide a secure environment and essential services (in the case of halting sites: water connection, refuse facilities and portable toilet), and allow reasonable access to employment, education and other community infrastructure, and the main road network. In the case of sites that are not intended solely for private use, applicants will need to demonstrate that the site will be properly managed.

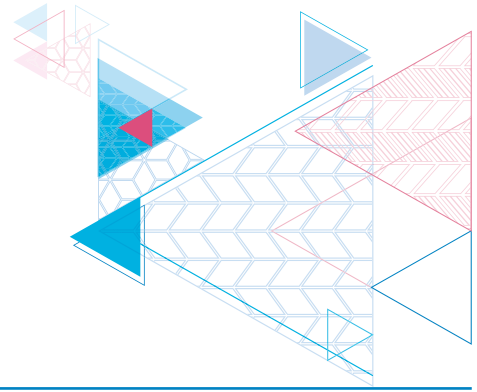


SECTION

14



**SHAPING PLACES - LAYOUT,
SITING AND THE DESIGN
OF NEW DEVELOPMENT**



SHAPING PLACES - LAYOUT, SITING AND THE DESIGN OF NEW DEVELOPMENT

Scottish Planning Policy encourages planning authorities to create high-quality places by taking a design-led approach to development and to direct the right development to the right place. The Aberdeenshire Design Review Panel recognises that good design needs an overall approach, from the choice of site to its layout and detailed design, and covering the whole range of factors that contribute. It is not about copying the past, but promoting appropriate design, whether that is new or traditional.

We promote a broad approach to design which provides a template for a complete and effective process, and from which high-quality design can begin to emerge. This in turn will involve using design statements, methods of design assessment, and public involvement when developing the designs.

Policy P1 Layout, siting and design

We will support *major developments* (more than 50 homes, or more than 2 hectares of employment, retail or mixed use development), or new development on sites we have identified within the settlement statements as requiring a development framework or *masterplan*, if they keep to a previously agreed statement(s) on the proposed design for the site. We will assess all development, whether on sites we have allocated or elsewhere, using a process that includes appropriate public consultation.

We will only approve development designs that demonstrate the six qualities of successful places, which are to be:

- distinctive with a sense of local identity through creation of a sense of place and the aesthetics of the design features and elements;
- safe and pleasant, encouraging both activity and privacy, providing security and protecting amenity;

- welcoming through visual appeal, style and the creation of a welcoming environment;
- adaptable to future needs through the balance of land uses, building types, density, sizes and tenures (including housing for people on modest incomes), and the flexibility to adapt to the changing circumstances of occupants;
- efficient in terms of resources used in terms of waste management, water use, heating and electricity, the use of recycled materials and materials with low *embodied energy*, and responding to local climatic factors associated with cold winds, rain, snow and solar gain; and
- well connected to create well connected places that promote *intermodal shifts* and *active travel*.

Measures require to be identified to enhance *biodiversity* or *geodiversity* in proportion to the opportunities available and the scale of the development opportunity and to accord with the Zero Waste Plan, a Site Waste Management Plan will be submitted to demonstrate that developers have minimised the generation of waste during the construction and operational phases of new development. These obligations may be controlled by conditions.

Policy P2 Open space and access in new development

All new developments should be accompanied by adequate public open space appropriate to the standards shown in the Aberdeenshire Parks and Open Spaces Strategy and which is safe, welcoming, distinctive, well connected and accessible. Open space may make a significant contribution to green networks in communities, particularly when it is natural in form and has a significant impact in both area and the edges it presents to other land uses. Community woodlands are encouraged.

We will generally expect 40% of each major development site to be devoted to good quality open space. In each case the actual proportion will take account of the location, function and characteristics of the development proposal and site; the function of the open space proposed; and, where appropriate, the function and characteristics of existing open space in the area. Alternatively, the developer should demonstrate that the site is a constituent part of an approved development framework or *masterplan*, and will contribute to the 40% open space component within that area.

At least 120m² of public open space per home must be provided for *proposals* on allocated sites of less than 50 homes. Alternatively, and expressly for *windfall sites*, this may take the form, in whole or part, to improving existing open space within the settlement where the Open Space Audit identifies a need.

Open space contributions will only be acceptable when arrangements for the establishment and maintenance of the open space have already been agreed and may be part of a *Section 75 agreement* for the site. Permanent, temporary or *advanced greening* is encouraged.

Existing and potential public access routes (including *core paths*) should be protected and new developments must include appropriate opportunities for informal recreation, and promote walking or cycling as a means of transport. Statements or plans detailing *proposals* should be included

in design frameworks or *masterplans* or submitted with the *planning application*. Construction of new paths must comply with published best practice.

Policy P3 Infill and householder developments within settlements (including home and work proposals)

Sites within *settlements* that have no specific land use designation may provide development opportunities that can usefully contribute towards housing and *employment land* requirements. We will support development on vacant sites within a settlement boundary that have no specific land use allocation (also known as *infill developments*), as long as the development respects the scale, density and character of its surroundings and will not erode the character or amenity of the surrounding area. Applicants will also need to demonstrate that there will be no significant interference with the existing or proposed use of neighbouring sites, or the accessibility of future potential development areas. For clarity, this *policy* also applies to applications to change the use of existing buildings within *settlements*.

We will approve a house extension or an ancillary development associated with an existing house providing it respects both the character of the surrounding area and the design/ scale of the existing house, and does not significantly reduce the amenity of neighbouring residents. We encourage "working from home" *proposals* if they do not cause significant loss of amenity to neighbouring properties through noise, traffic movements or other nuisance, and do not change the overall character of the property's use as a single dwelling.

Policy P4 Hazardous and potentially polluting developments and contaminated land

We will refuse development if there is a risk that it could cause significant pollution, create a significant nuisance, or present an unacceptable danger to the public or the environment. This includes developments we are told by the Health and Safety Executive to be near facilities they have identified as hazardous. Pipelines, agricultural buildings, wastewater treatment

plants, waste disposal/ treatment facilities and heavy industrial uses are all examples of development which could create a nuisance, pollution or hazard. In any circumstances where development of this kind is, on balance, considered acceptable by the appropriate authorities, satisfactory steps must be taken to mitigate any residual negative development impacts.

In determining planning applications for development within the consultation zones for hazardous installations (including oil and gas pipelines) we will consult with, and take full account of advice from, the Health and Safety Executive (HSE) and the facility's owners and operators, and will seek to ensure that any risk to public safety is not increased. Prospective applicants should check whether their proposed development is within the consultation zone of a major hazard site or a major accident hazard pipeline, and should seek further advice if this is the case. This confirmation and advice can be obtained from the HSE Planning Advice Web App at www.hse.gov.uk/landuseplanning/developers.htm or from the Council's Development Management Team.

Planning permission may be refused for potentially hazardous developments, or for other forms of development in close proximity to existing hazardous developments, in the event that insufficient information has been submitted to demonstrate the impacts or where the impacts are unclear or unknown.

We will not allow development on land that is known or suspected to be contaminated unless appropriate site investigations have been undertaken to identify any actual or possible risk to public health or the environment (including possible pollution of the water environment), and effective remedial actions are proposed to ensure the site is made suitable for its new use. Where site conditions are appropriate, consideration should be given to both radioactive and non-radioactive sources of contamination. Both the site investigations and any remedial actions should be proportionate to the scale and nature of the proposed development, and be in accordance with Planning Advice Note 33: Development of Contaminated Land and the advice of the Council's Infrastructure Services (Contaminated Land) section.

Any proposed development which could have a significant detrimental impact on air quality, including the exacerbation of existing air quality issues, must provide appropriate mitigation measures.

Policy P5 Digital infrastructure

We will support development that provides digital infrastructure to homes and businesses, subject to it complying with the other policies in this plan.

In considering proposals for telecommunications equipment, we will take into account the extent to which the development involves mast or site sharing; installation on buildings or other existing structures; the installation of the smallest suitable equipment to meet the technological requirements; concealing or disguising masts, antennas, equipment housing and cable runs through design or camouflage techniques; or whether it involves the installation of a new ground-based mast.

Applications will be required to be accompanied by a range of additional information including: an explanation of how the proposed equipment fits into the wider network; a description of the siting and design options explored and the reason for the chosen solution; details of the design, including height, materials and all components of the proposals; a landscaping and screen planting plan (if appropriate); and an assessment of the cumulative effects of the development in combination with existing equipment in the area.

Where necessary the application should be accompanied by a declaration that the equipment and installation is designed in full compliance with the appropriate guidelines of the International Commission on Non-Ionising Radiation Protection on public exposure to radiofrequency radiation.

Policy P6 Community infrastructure

We will support the provision of new community infrastructure which is in accessible locations within settlements and available to all community residents. There may be circumstances (for example, if development is taking place on land

protected by Policy PR1) where we will seek to ensure through an appropriate legal agreement that the new infrastructure is available to all members of the community for a reasonable amount of time on a regular basis.

Where existing community infrastructure within *settlements* has become surplus to requirements, due to new or updated facilities being provided elsewhere, we will approve *proposals* for its re-use or redevelopment subject to compliance with other policies in the plan.

LSDPRINCIPLES

01



WELL
CONNECTED

02



DISTINCT

03



SAFE &
PLEASANT

04



RESOURCE
EFFICIENT

05



WELCOMING

06

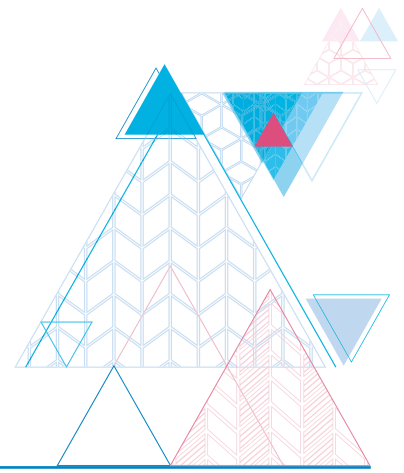


ADAPTABLE

SECTION | 15



**NATURAL HERITAGE AND
LANDSCAPE**



NATURAL HERITAGE AND LANDSCAPE

The Nature Conservation (Scotland) Act 2004 gives all public organisations a duty to help protect the diversity of living organisms and *biodiversity* through direct action, educating others and raising awareness. We also support the approach set out in the European Landscape Convention (2000), which encourages sustainable management, protection and improving all landscapes.

The following policies will make sure we meet our duties and responsibilities when making decisions on *planning applications*. They will make sure that we improve and protect Aberdeenshire's natural environment and landscape, and contribute to Aberdeenshire being a successful, sustainable, natural place where natural systems are able to recover from the effects on them.

We continue to be concerned about the loss of, or damage to, landscapes, *habitats* and *biodiversity* due to construction, quarrying and environmental engineering for controlling floods. 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.

Where development is likely to have significant effects on the environment an "Environmental Impact Assessment" (EIA) will be required. Further information on screening and scoping provisions is available in the EIA Regulations and Circular 3/2011.

In all cases when there is uncertainty regarding the impact of development but there are good scientific grounds that significant irreversible damage could occur, the *precautionary principle* will apply. The developer should modify the development to eliminate the risk of irreversible damage.

Policy E1 Natural heritage

Nature conservation sites

We will not allow new development where it may have an adverse effect on a nature conservation site designated for its *biodiversity* or *geodiversity* importance, except where the following circumstances apply.

In the case of an internationally designated nature conservation site, we will not allow development which may have an adverse effect on its integrity, except where there are imperative reasons of overriding public importance and there is no alternative solution. In all cases, suitable compensatory measures must be implemented.

For nationally designated sites a thorough assessment must demonstrate that the objectives of designation and the overall integrity of the site will not be compromised, or that any significant adverse effects on the qualities for which the site has been designated are clearly outweighed by social, environmental or economic benefits of national importance. In all cases, any impacts must be suitably mitigated.

For other recognised nature conservation sites (such as Local Nature Conservation Sites, nature reserves, designated wetlands, woodland in the Scottish Natural Heritage Ancient Woodland Inventory and the

Native Woodland Survey of Scotland) the proposal's public benefits must clearly outweigh the nature conservation value of the site. In all cases, impacts must be suitably mitigated and, for any proposals involving the removal of woodland, the Scottish Government Control of Woodland Removal Policy will apply.

We, along with others with an interest, including Scottish Natural Heritage, Royal Society for the Protection of Birds, Scottish Wildlife Trust and Aberdeen University, have identified about 100 Local Nature Conservation Sites which are introduced by this plan. These replace a previous local designation of Sites of Interest to Natural Science and are also shown on the *proposals map* and in detail in *supplementary guidance* "Local Nature Conservation Sites".

Protected species

Development should seek to avoid any detrimental impact on protected species through the carrying out of surveys and submission of protection plans describing appropriate mitigation where necessary. Development likely to have a detrimental impact on protected species will not be approved unless: for European Protected Species, a thorough assessment of the site has demonstrated that the development is required for imperative reasons of overriding public interest and that the population will be maintained at a favourable conservation status in its natural range; or, for non-bird species protected under the Wildlife and Countryside Act 1981 (as amended) or the Protection of Badgers Act 1992, there will be significant social, economic or environmental benefits. In either case there must be no other satisfactory solution.

Lists of species protected by legislation are available from Scottish Natural Heritage at <http://www.snh.gov.uk/>.

Wider biodiversity and geodiversity

A baseline ecological survey should be prepared for all *major developments* and for smaller proposals where there is evidence to suggest that a *habitat*, geological feature or species of importance may exist on the site.

If development may affect undesignated *habitats* listed in Annex I of the EC Habitats

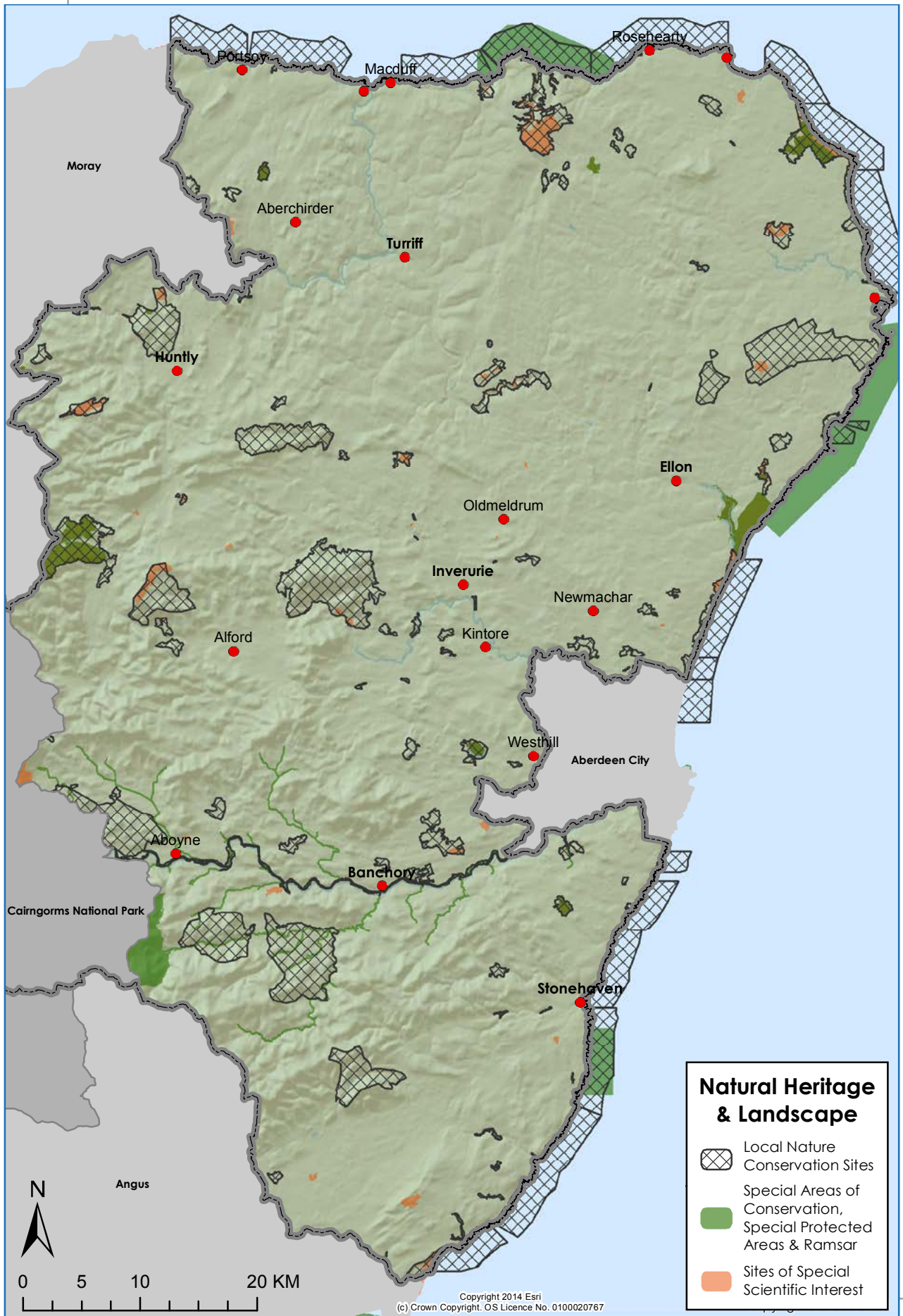
Directive, species listed in Annex II of the EC Habitats Directive, species listed in Annexes I and II of the EC Birds Directive, *habitats* or species on the Scottish Biodiversity List, *Local Biodiversity Action Plan priority habitats/species*, other species of importance to *biodiversity*, areas of importance to *geodiversity*, or semi-natural *habitats*, we will only approve it when a baseline ecological survey has been carried out; the development has been designed to avoid impacts where possible; and, where impacts cannot reasonably be avoided, an ecological or geological management plan demonstrates public benefits that outweigh the ecological or geological value of the site. Development will not be allowed if it fragments *habitats* or is not designed to minimise any adverse impact on the sites environmental quality, ecological status or viability.

Policy P1 also says that all developments should identify measures that will be taken to improve *biodiversity* and *geodiversity* in proportion to the potential opportunities available and the scale of the development.

Policy E2 Landscape

We will refuse development that causes unacceptable effects through its scale, location or design on key natural landscape elements, historic features or the composition or quality of the *landscape character*. These impacts can be either alone or cumulatively with other recent developments. Development should not otherwise significantly erode the characteristics of landscapes as defined in the Landscape Character Assessments produced by Scottish Natural Heritage (see www.snh.gov.uk/protecting-scotlands-nature/looking-after-landscapes/lca/) or have been identified as Special Landscape Areas of local importance.

Boundaries and qualifying criteria for Special Landscape Areas are identified in the *supplementary guidance* Aberdeenshire Special Landscape Areas. Developments located within Special Landscape Areas will only be permitted if the qualifying interests are not being adversely affected or effects of the development are clearly outweighed by social, environmental or economic benefits of at least local importance.



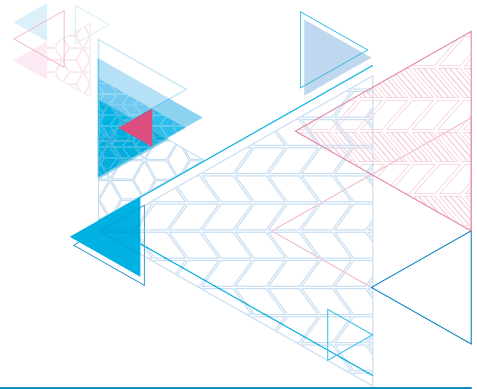
Natural Heritage & Landscape

-  Local Nature Conservation Sites
-  Special Areas of Conservation, Special Protected Areas & Ramsar
-  Sites of Special Scientific Interest

SECTION | 16



THE HISTORIC
ENVIRONMENT



THE HISTORIC ENVIRONMENT

Protecting and improving the historic environment is important to the distinctiveness and sense of place within Aberdeenshire. Local history helps create a clear identity for the area and strengthens connections between people and places. We recognise the importance of the historic environment to the character of the area and to the quality of life of the people who live here. We also recognise that it is an economic asset to the area. We want to maintain and strengthen our commitment to protecting and making sustainable use of the historic environment, both by putting the Aberdeenshire Historic Environment Strategy into practice and in the way we manage development (see <https://www.aberdeenshire.gov.uk/media/6346/historicenvironmentstrategy.pdf>).

Policy HE1 Protecting historic buildings, sites, and monuments

We will protect all *listed buildings* contained on the statutory list of Buildings of Special Architectural or Historic Interest for Aberdeenshire, archaeological sites and *scheduled monuments*. We will encourage their protection, maintenance, enhancement, appropriate active use and conservation.

We will not allow development that would have a negative effect on the character, integrity or setting of *listed buildings*, or *scheduled monuments*, or other archaeological sites.

Alterations to *listed buildings* will only be permitted if they are of the highest quality, and respect the original structure in terms of setting, scale, design and materials.

Development on nationally or locally important monuments or archaeological sites, or on their setting, will only be allowed if there are imperative reasons of overriding public interest, including those

of a social or economic nature, and there is no alternative site. It is the developer's responsibility to provide information on the nature and location of the archaeological features prior to determination of the *planning application* and either mitigate impacts or, 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.

Policy HE2 Protecting historic and cultural areas

We will not allow development, including change of use or demolition, that would not preserve or enhance the character or appearance of a *conservation area*. This applies both to developments within the conservation area and proposals outwith that would affect its setting.

The design, scale, layout, siting and materials used in development within a *conservation area* must be of the highest quality and respect the individual characteristics for which the *conservation area* was

designated. All details must be provided under the cover of a full application and any trees contributing to the setting should be retained. Appendix 6 provides details on the controls provided by the 38 conservation areas in Aberdeenshire.

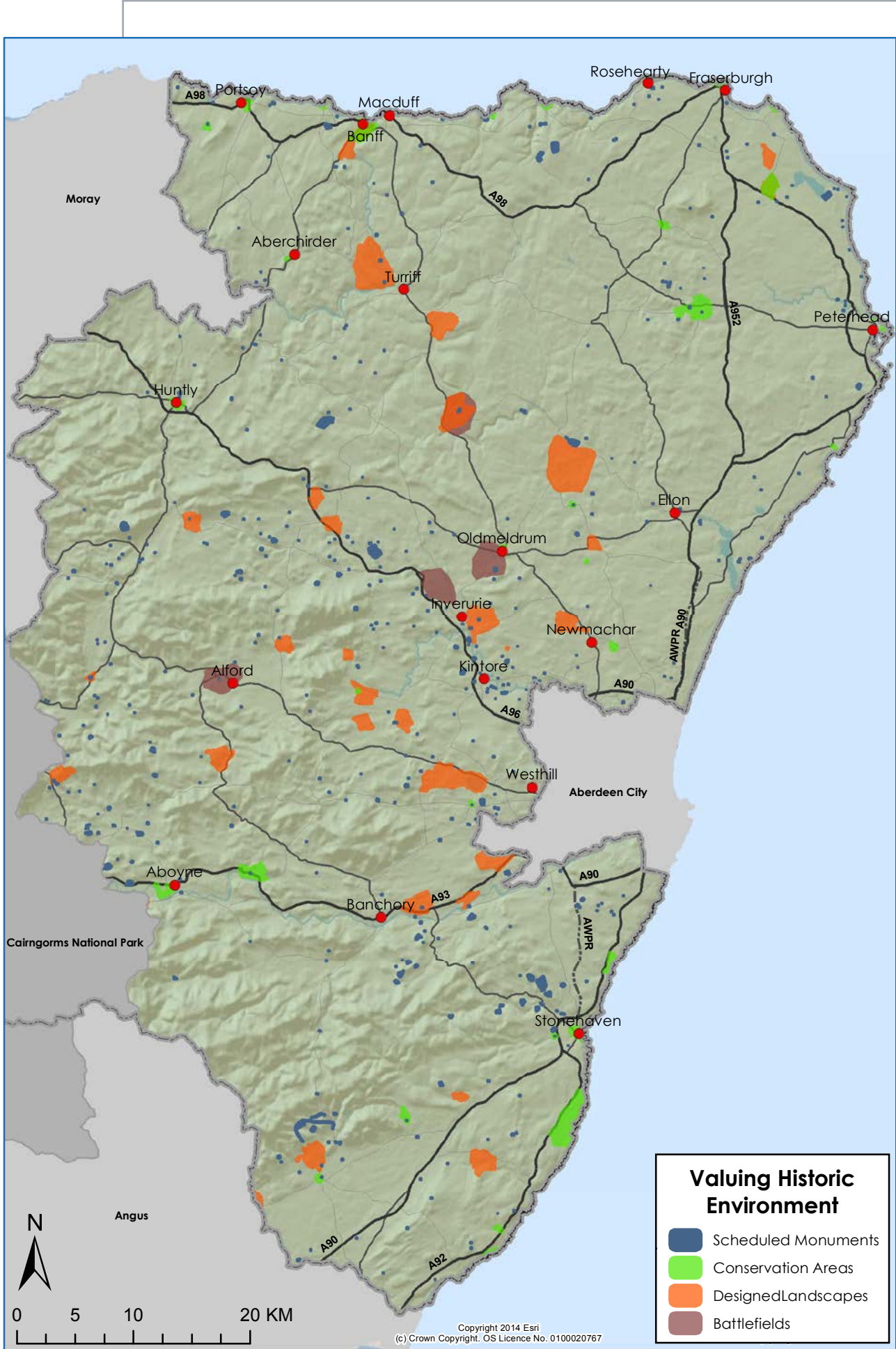
Development on or outwith a battlefield, designated historic garden or designed landscape will only be permitted if the proposal would not have an adverse impact that compromises the objectives of the designation or the overall integrity, character and setting of the designated area, or any significant adverse effects are outweighed by long-term social or economic benefits of overriding public importance and there is no alternative site for the development. In either case, measures and mitigation must be taken to conserve and enhance the essential characteristics of the site as appropriate.

Policy HE3 Helping to reuse listed buildings at risk

We will approve development on unallocated sites to provide finance for works to secure the long-term future of and reuse of a building that is listed and on the buildings at risk register (referred to below as enabling development). In exceptional cases, this *policy* could be applied to a *vernacular* building agreed to be exceptionally worthy of conservation and reuse and which has been proven to be seriously at risk of imminent collapse or further decay. The wider public benefits of securing the conservation and reuse of the building through enabling development must significantly outweigh any disadvantages of allowing the development.

Evidence that all other possibilities of funding to secure the conservation and reuse of the building must have been exhausted and the property offered to another group, such as the North East Building Preservation Trust, or placed on the open market for sale for a 12 month period.

The amount of enabling development sought must be the minimum required to achieve a sympathetic re-use. Any enabling development should be undertaken at a suitable location which, although unallocated otherwise satisfies all other relevant policies of the plan. The enabling development is required to be developed in full by the applicant and not sold on to ensure that the full development profit from the sites is factored into conserving the building.

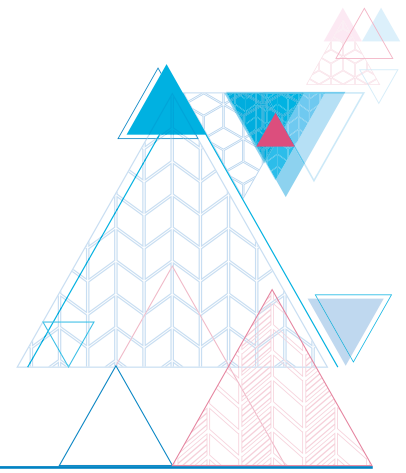


Valuing Historic Environment

- Scheduled Monuments
- Conservation Areas
- Designed Landscapes
- Battlefields



PROTECTING RESOURCES



PROTECTING RESOURCES

Conserving natural resources is a major factor in *sustainable development*. These policies make sure that we do not lose opportunities for future generations. At the same time we are promoting sustainable economic development by making sure that we keep hold of major land resources which are needed for specific uses, and that we do not lose them to other types of development. This will guide the development industry to the most appropriate areas for large developments. This will also give local communities elsewhere some reassurance that they will not be living next to these developments.

Policy PR1 Protecting important resources

We will not approve developments that have a negative effect on important environmental resources associated with the water environment, important mineral deposits, prime agricultural land, peat and other carbon rich soils, *open space*, and important trees and woodland. In all cases development which impacts on any of these features will only be permitted when public economic or social benefits clearly outweigh the value of the site to the local community, and there are no reasonable alternative sites.

New development, including aquatic engineering works, which will generate discharges or other impacts on existing water bodies, or which could affect the water quality, quantity, flow rate, ecological status, *riparian habitat*, protected species or flood plains of water bodies (including their *catchment area*) must not prejudice water quality or flow rates, or their ability to achieve or maintain good ecological status. Any such developments must contribute to the objectives set against the relevant water bodies through the river basin management process as well as the relevant freshwater objectives and targets within the North East

Local Biodiversity Action Plan. Opportunities for the creation, enhancement and management of *habitats* should be embraced so as to contribute to the improvement of the ecological status of the water body. Any aquatic engineering works must be capable of being consented under Controlled Activities Regulations. Adequate *buffer strips* should be provided to allow for maintenance all year round.

Groundwater dependent terrestrial ecosystems (GWDTE), which are types of wetland, are specifically protected under the Water Framework Directive. Phase 1 Habitat surveys should be used to identify if wetlands are present. If present, then the more detailed National Vegetation Classification survey should be completed to identify if GWDTE are present. If GWDTE are present, the developer should avoid them (with a buffer), or further assessment and appropriate mitigation will be required.

Prime agricultural land, as defined as classes 1, 2 and 3.1 of the Soil Survey for Scotland, Land Capability for Agriculture series, should not normally be developed unless it is allocated in the *local development plan*. For clarity, time-limited proposals for *renewable energy generation* or mineral

extraction may be acceptable on prime agricultural land providing the site will be restored and returned to its original status. In addition, *small-scale development* proposals that are directly linked to a rural business may be permissible where they are located on prime agricultural land.

Development will not normally be permitted on areas of *open space*, including outdoor sports facilities, unless the new use is ancillary to the use as *open space*. Important areas of *open space* are identified as “protected land” within the settlement statements. Exceptionally, the development of essential community infrastructure may be allowed if it will not result in a deficit of *open space* of the type affected within the settlement, as evidenced by the Open Space Audit, or prejudice the continuity of a *green network*. Where loss of *open space* occurs as the result of a new development then replacement must be made of an appropriate type, quantity, accessibility and quality within the settlement.

Development resulting in the loss of, or serious damage to, trees and woodlands of significant ecological, recreational, historical, landscape or shelter value will not normally be permitted. In order to determine whether there are significant public benefits that would outweigh any loss or damage to trees and woodlands, the developer must submit an evaluation of the *biodiversity* and amenity value of the woodland and *habitat*, including both its current and potential future benefits. Where development is considered appropriate, damage to existing trees must be minimised and there must be no unnecessary fragmentation of existing or potential woodlands networks. Compensatory planting must also be undertaken to an agreed standard in order to mitigate the impact of the removal on landscape, *sequestered carbon*, character, amenity and ecological diversity.

We will support opportunities for new woodland creation and/ or enhancement, in line with the Aberdeenshire Forest and Woodland Strategy to be published as *supplementary guidance* to provide a focus for new planting, restocking, enhancement and management of woodlands.

We identify important mineral *safeguarded sites* where other types of development should not generally be allowed, and wider *areas of search* where *mineral resources* should not be sterilised by inappropriate developments. Major non-minerals developments will be permitted in the *areas of search* if an opportunity is given for the extraction of *mineral resources* before the development commences. On *safeguarded sites* non-mineral developments will be refused unless they are *small-scale* and ancillary to existing uses, or of a temporary nature. *Safeguarded sites* and *areas of search* are identified on the *proposals map* and detailed in *supplementary guidance*. Areas safeguarded or identified as areas of search for minerals development.

Policy PR2 Protecting important development sites

We will protect and not allow alternative development on sites that may reasonably be needed in the future for:

- delivering improvements to transportation including projects identified in the settlement statements, the *Local or Regional Transport Strategy*, or the Strategic Transport Projects Review, routes recognised in the *Core Paths plan* network, closed railways and their abutments, embankments and cuttings, existing airports and airfields and operational areas of ports and harbours.
- generating and providing energy;
- waste management facilities;
- education facilities;
- other community *infrastructure*; and
- sites to support the national developments identified in National Planning Framework (see <http://www.gov.scot/Publications/2014/06/3539/7>).

National developments that directly affect the area covered by this plan include proposals for contribution to capturing and storing carbon and making use of heat generation, specifically at Peterhead power station but also at other locations associated with the pipeline from the central belt to St Fergus, and high-voltage electricity transmission *infrastructure*, including cabling, substations, and converter stations, again at a range of locations but expected to

include sites associated with the electricity substation south of Peterhead.

Where we know about the above, we have identified them in the relevant settlement statements.

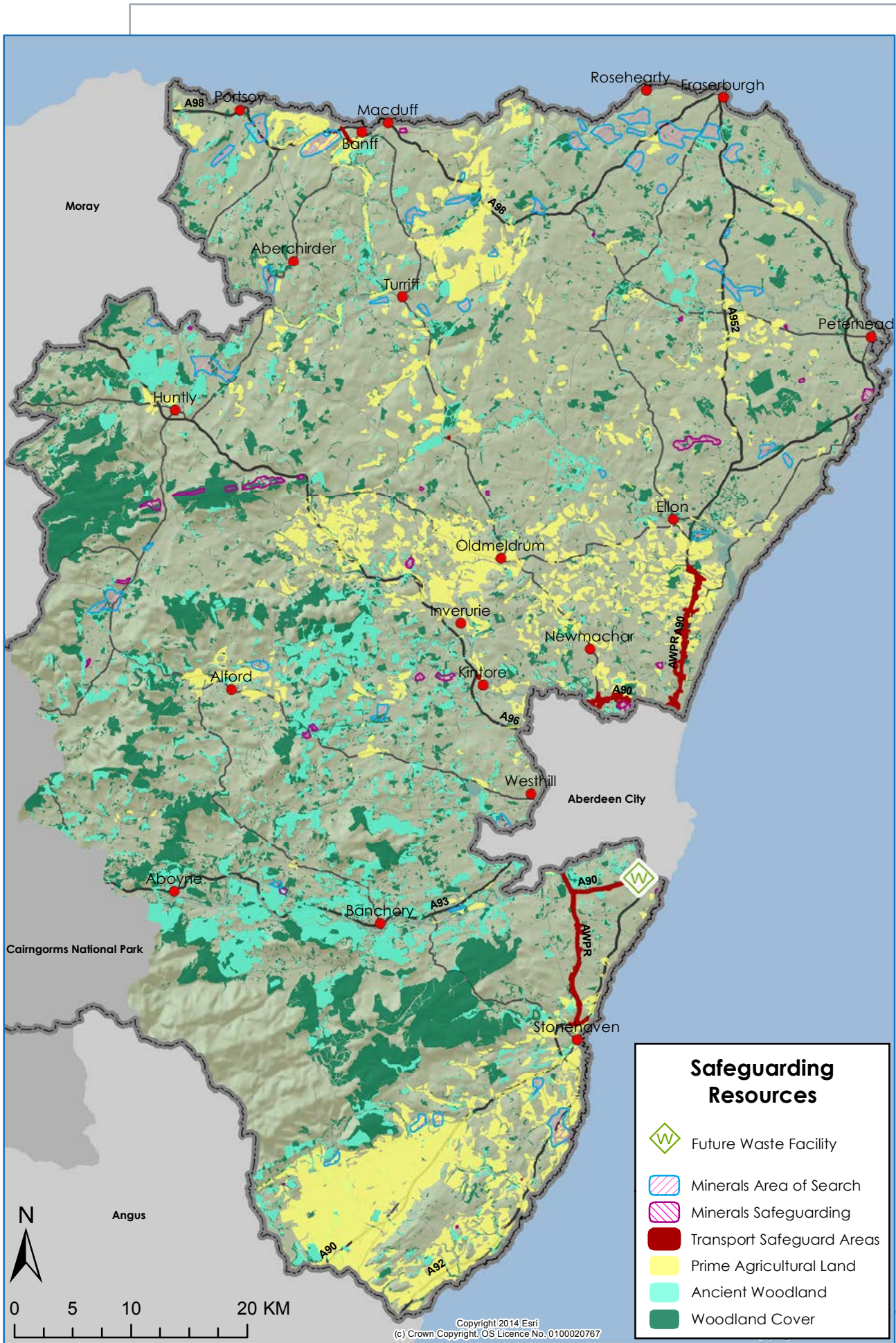
Policy PR3 Waste facilities

Where possible and appropriate, we will approve waste management facilities on land currently used as a waste management or treatment facility, sites next to existing waste management facilities, land allocated for employment (including industrial, storage and distribution uses) and mixed use development in the plan (subject to compliance with other plan policies), or sites reserved in the settlement statements for this use. Waste management facilities must conform to the Zero Waste Plan, minimise the transport of waste from source,

and utilise the best available techniques. In addition, consideration should be given to the anticipated waste operational capacity need, including the Scottish Government waste capacity tables, to deliver Zero Waste Plan targets.

Waste developments proposals must be supported by sufficient information to make a full assessment of the likely effects of the development together with proposals for appropriate control, mitigation and monitoring. Design documents will be required to support the application, as will details of land restoration, aftercare and after-use (including submission of bonds).

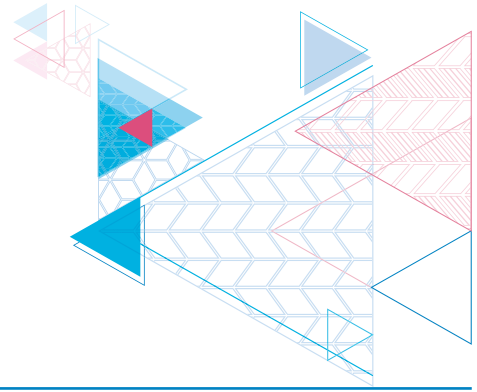
We will not approve any inappropriate neighbouring developments that may compromise waste handling operations at an existing waste management site.



SECTION | 18



CLIMATE CHANGE



CLIMATE CHANGE

Climate change is possibly the greatest challenge facing the world today. Scottish Planning Policy favours development that contributes to *sustainable development* and policies and decisions are needed to support action to tackle climate change and adaptation, including taking account of flood risk. For Aberdeenshire, this means reducing the use of energy (both in the distribution of development and within developments themselves), conserving water, promoting energy generation by renewable sources, sustaining existing carbon stores (such as peat and wood), and dealing with long-term flood risks.

We recognise that other strategies, such as the Local Transport Strategy will also contribute to these aims.

Policy C1 Using resources in buildings

All developments must be designed to reduce carbon-dioxide emissions. Proposals should aim wherever feasible to achieve a Gold sustainability label under section 7 of the building standards technical handbook and by 2019 a platinum label. Appropriate standards for water efficiency to achieve both environmental protection (particularly to avoid any adverse effect on the interest of the River Dee Special Area of Conservation) and to reduce energy costs should also be applied. For water efficiency a Gold Sustainability level would apply and a BREEAM level 5 standard for non-domestic buildings. Limited exceptions may apply but all proposals must at least meet the standards established through the current building regulations.*

A target increasing over time in the range 15-30% of the CO₂ reduction should be achieved through installing low or zero carbon generating technologies in new development will be applied.

The masterplanning process for major new development should assess the feasibility

of meeting the standard in part through a district heating scheme. This should include the appropriate infrastructure in at least so far as from the edge of the development site to a location adjacent to the rising main of each property for the future installation of metered heat. In areas not served by gas consideration should be given to alternative technologies such as hot rock geothermal or biomass sources.

If it is clearly demonstrated that no suitable low and zero carbon generating technologies are appropriate, the full carbon reduction requirement must be achieved through energy efficiency measures. Alterations, extensions, changes of use or conversion of existing buildings, development of ancillary buildings of less than 50 square meters, or buildings heated solely to provide frost protection are exempt from these requirements. Buildings with an intended life of less than 2 years are also exempted from the requirements of this policy.

An Energy Statement should be submitted at the *planning application* stage

to demonstrate how the proposed development will satisfy the requirements of this policy. *Suspensive conditions* may also be used to deliver this policy to avoid any unnecessary delays in processing *planning applications*.

* The Council will prepare guidance on the detail of this policy specifically the standards that would apply and where exceptions might be made including to take account of financial viability. The guidance would also set out the circumstances and timescales in applying an increase in the target for low or zero carbon generating technologies and the parameters for assessing the feasibility of district heating schemes in major developments.

Policy C2 Renewable energy

We will support solar, wind, biomass (energy from biological material derived from living, or recently living organisms) and hydro-electricity developments which are in appropriate sites and of the right design. We treat biomass schemes as industrial processes suitable for business land.

We will approve wind energy developments in appropriate locations taking into account the spatial framework mapping on page 74. The more detailed guidance set out in the Strategic Landscape Capacity Assessment for wind turbines and the associated mapping on page 74 under the heading Additional Locational Guidance is also a relevant consideration. The areas shown in orange hatching have been assessed as having strategic capacity for turbines over 15 metres when local landscape considerations are taken into account.

All windfarms must be appropriately sited and designed and avoid unacceptable environmental effects taking into account the cumulative effects of existing and consented wind turbines. Turbines must not compromise health and safety or adversely affect aircraft or airfields (including radar and air traffic control systems, flight paths and ministry of defence low flying areas) and/or telecommunications. Unacceptable significant adverse effects on the amenity of dwelling houses or tourism and recreation interests including core paths and other

established routes used for public walking, riding or cycling should also be avoided.

We will approve applications for solar panel arrays greater than 50kW if their cumulative impact with other arrays has been assessed and can be dismissed, account has been taken of glint and glare issues and it has been demonstrated that any significant impacts will have a duration of less than five minutes in any one day, there are no objections from the Ministry of Defence, the National Air Traffic Services or civil airport operators, and boundary treatments limit vehicular access to the site through means designed to make any security fencing unobtrusive and screen the development.

We will approve hydro-electric schemes if they are located, sited and designed to have no individual or cumulative adverse impact on the water environment. This may be relaxed for larger schemes (annual output equal to or greater than 0.35 gigawatt hours) if the deterioration can be justified on the basis of wider social or economic benefits, or impacts on other users of the water environment. In all cases mitigation will be required to protect river flow, river continuity for fish and provide for sediment transfer, and otherwise comply with the "Guidance for developers of run-of-river hydro-power schemes" published by SEPA.

Other *renewable energy* developments are required to relate well to the source of the *renewable energy* required for operation and satisfactory steps must be taken to mitigate any negative impacts on occupiers of nearby properties

In all cases, conditions, bonds, or other legal agreements may be imposed to remove visible *renewable energy* structures whenever the consent expires or the project ceases to operate for a specified period.

Policy C3 Carbon sinks and stores

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

proposals that may result in the loss of or disturbance to peat will only be permitted if tools such as the "Carbon Calculator" demonstrate that the development will, within its lifetime, have no net effect on CO₂. Removal of woodland will only be permitted if an equal area is replanted, preferably as part of the *open space* requirement and as part of the *green network* in the settlement, so as to maintain the carbon balance.

We support the development of carbon capture and storage developments, including proposals for woodland that can store carbon for long periods of time. In line with the national planning framework, we also support the development of carbon networks aimed at storing CO₂ in offshore oil and gas fields, especially around Peterhead and the gas fired power station.

Policy C4 Flooding

Flood risk assessments will be required for development in the medium to high category of flood risk of 0.5%-10% annual probability (1 in 200 years to 1:10 years). Assessment may also be required in areas of lower annual probability (0.25-0.5%) in circumstances where other factors indicate a potentially heightened risk. Assessment should include an allowance for climate change and freeboard. Development should avoid areas of medium to high risk, functional floodplain or other areas where the risks are otherwise assessed as heightened or unacceptable except where:

- It is a development to effect flooding or erosion.
- It is consistent with the flood storage function of a floodplain.
- It would otherwise be unaffected by flooding (such as a play area or car park).
- It is essential infrastructure.

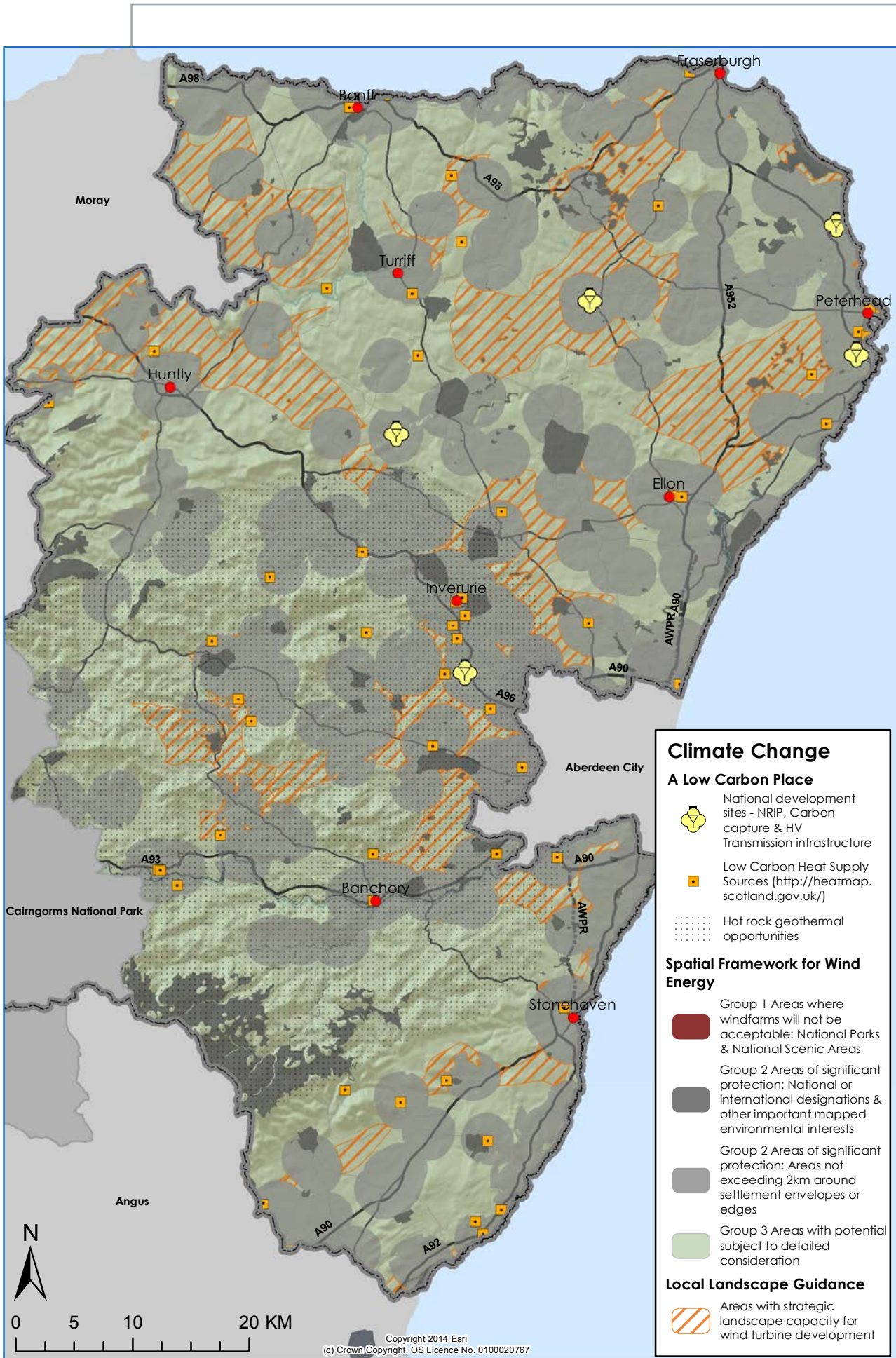
The location is essential for operational reasons for example for water based navigation, agriculture, transport or utilities infrastructure and an alternative lower risk location is not available.

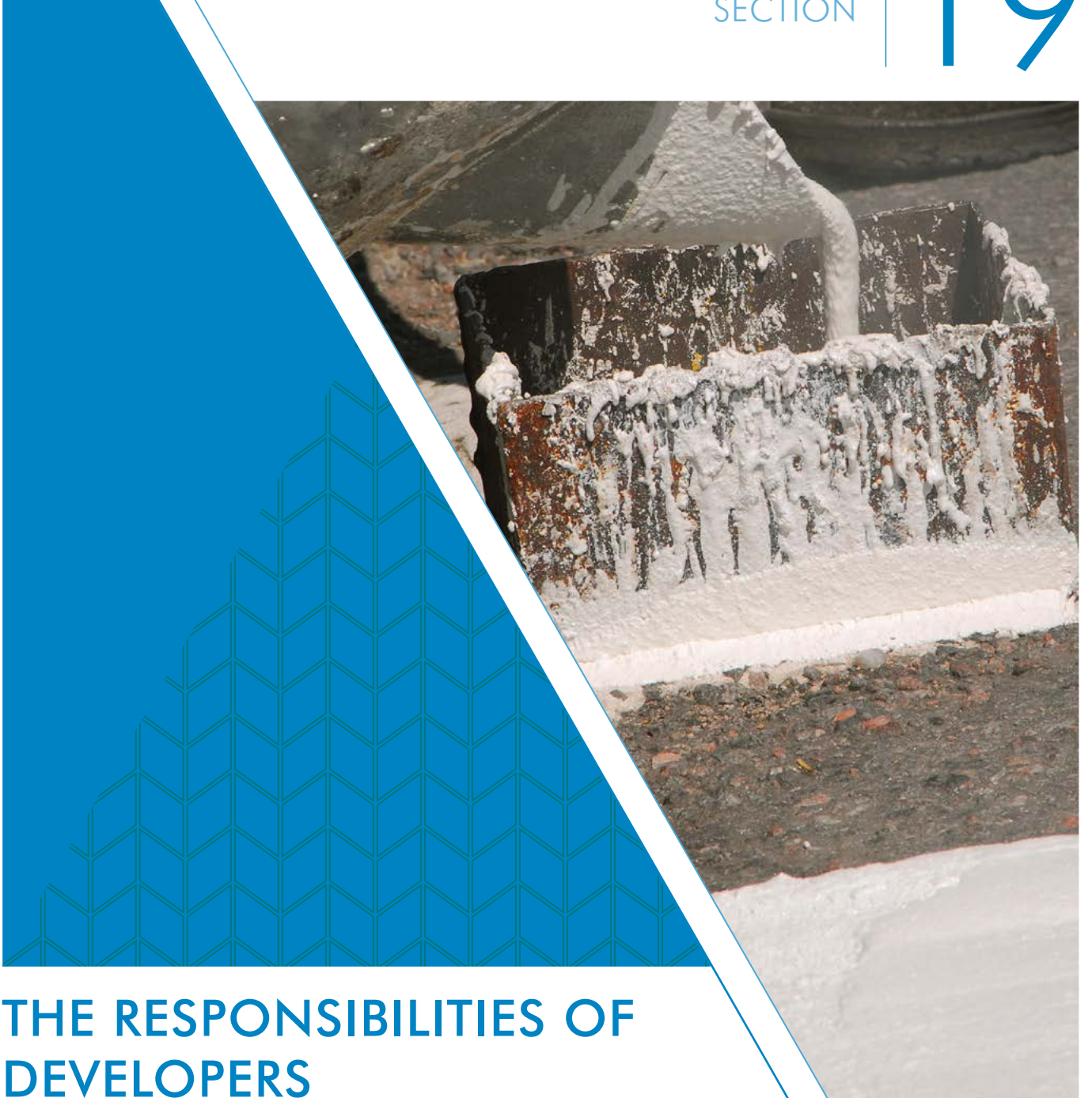
If development is to be permitted on land assessed as at a medium to high risk of flooding it should be designed to be flood resilient and use construction methods to assist in the evacuation of people and minimise damage. It must not result in increased severity of flood risk elsewhere through altering flood storage capacity or the pattern and flow of flood waters.

Maintenance buffer strips must also be provided for any water body. These measures may also be required in areas of potentially lower risk of flooding (annual probability of more than 1:1000 years) or in coastal areas below the 10 metre contour should local evidence demonstrate a heightened risk.

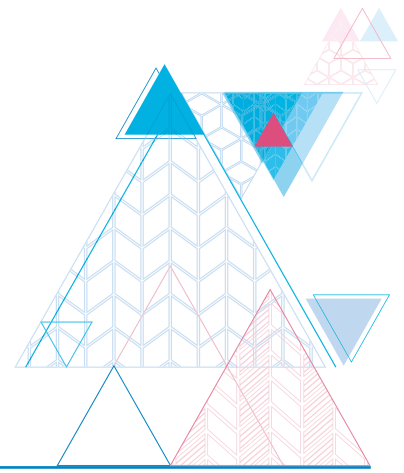
In such areas land raising and/ or excavations will only be permitted if it is for a flood alleviation measure, it is linked to the provision and maintenance of direct or indirect compensatory flood water storage to replace the lost capacity of the functional flood plain, and it will not create any inaccessible islands of development during flood events or result in the need for flood prevention measures elsewhere.

We will not approve development that may contribute to flooding issues elsewhere. Sustainable Urban Drainage principles apply to all sites.





THE RESPONSIBILITIES OF DEVELOPERS



RESPONSIBILITIES OF DEVELOPERS

Development needs important infrastructure to function and we must have the power to refuse planning permission for development sites which fail to deal with these needs. We expect developers to overcome these obstacles so we can grant planning permission.

They must do this by:

- providing on-site facilities to serve the reasonable expectations of the people who will be living in or using the buildings; and
- providing or improving off-site facilities, if the existing facilities will be placed under extra pressure that results in extra requirements or the development has a negative effect on what is there.

In some cases advance provision of the necessary *infrastructure* may be required to facilitate planned development. Subsequent developments which would also rely on this provision would then be expected to contribute on a proportionate basis. This approach will be further detailed through *Supplementary Guidance* and the *Action Programme*.

Policy RD1 Providing suitable services

We will only allow development that provides adequate road, waste-management, water or waste water facilities, connections and treatment as appropriate.

Access to new development

We will support new development if it is well related to existing developments, is in accordance with the national policy "Designing Streets" and does not create an impermeable barrier to further development. Development must be close to existing public transport services (if

available) or deliver major improvements to public transport services, in scale with the development.

All developments must include provision for access by wheelchair users, people with sensory disabilities, the elderly, those accompanied by small children and other less mobile groups. As appropriate, safe and convenient access should also be provided for service, delivery and other goods vehicles required by the development.

When development requires the formation of new accesses, these should be designed to an agreed standard, and must be resource-efficient, safe and convenient for cyclists, pedestrians and public transport. New accesses must also cause minimal impact on the character of the site and surrounding area and satisfactory arrangements for future maintenance of these access facilities should also be made.

Any new private access onto a public road must be designed to the satisfaction of Aberdeenshire Council's Road Development department and, in the case of a trunk road, Transport Scotland.

Developers should be aware of the need for Roads Construction Consent in most instances. A Transport Assessment may be asked for to show that the development (and any proposed mitigation measures) will not have significant transport impacts on existing transport *infrastructure* and services.

Water and waste water

We will support development when the developer satisfactorily meets the required standards for water, waste water and surface water drainage servicing in the new development. These standards are set out below.

All new developments must be served satisfactorily either by a mains water supply or by a private water supply if the developer is able to show that the private water supply is adequate (including potable water where necessary). It will be the responsibility of the developer to demonstrate that any new supply is adequate to serve the proposed development and that, for domestic use, it is safe to be consumed as drinking water. Groundwater abstractions must comply with Scottish Environment Protection Agency policies and guidelines.

Development must connect to existing public drainage *infrastructure* or plan to connect to a committed future public drainage *infrastructure*, where there is sufficient capacity to allow that development to happen.

Where a connection to the public drainage *infrastructure* is demonstrated to be unfeasible, connection to a private drainage *infrastructure* can be supported, if it is demonstrated satisfactorily that disposal of sewage can be achieved without negative impacts on public health, amenity or the environment and where cost and practicability show it to be a reasonable alternative. Appropriate supporting evidence should be provided to support using a private drainage *infrastructure*. Planning permission may be granted on the condition that private drainage *infrastructure* may be used temporarily with the requirement to connect to public drainage *infrastructure* when it becomes available.

Scottish Water and the Scottish Environment Protection Agency are key consultees regarding water and waste water *infrastructure* and should be approached at an early stage to establish what capacity may be available or if the provision of new capacity can be made available.

Development should comply with SEPA's policy and supporting guidance on the provision of Waste Water Drainage in Settlements.

Surface water drainage must be dealt with in a sustainable manner and in ways that avoid pollution and flooding, through the use of an integrated Sustainable Drainage System.

A Pre-Development Enquiry or other forms of investigation may be necessary to identify the impacts of development on current *infrastructure*. This would involve Scottish Water and will be the responsibility of the developer. These are likely to be required for all non-domestic developments and residential developments of 10 houses or more.

Waste management requirements

We will support new development if the application has agreed a Site Waste Management Plan with Aberdeenshire Council which contributes to the Zero Waste Plan through minimisation, re-use, recycling and composting of all wastes during construction and operational phases of the development. It must also show how any remaining wastes will be disposed of. Adequate space must also be provided within the development to allow efficient and effective separation, storage and collection of all waste generated. The area and requirements for this space is set out in appendix 7 for varying development types.

Policy RD2 Developers' obligations

Contributions will be sought towards the provision of the necessary *infrastructure*. Contributions must fairly and reasonably relate in scale to the proposed development and will be needed to make the proposed development acceptable in planning terms, all in line with the *policy* tests contained in Circular 3/2012. Proportionate contributions are required to address any identified individual or cumulative impacts on local facilities as well as any wider impacts of the development (for instance on the regional transport network or in the high school catchment area) as detailed below and in the settlement statements.

This advice takes no account of development on sites not identified in the plan which may result in a need for *infrastructure* which is not expected at this time. We provide further guidance on *developer obligations* in the settlement statements. We have prepared *supplementary guidance* “Developer Obligations: Methods for Calculation” to show how we work out the exact levels of *developer obligations*.

If we know the specific location of new *infrastructure*, this has been shown on the *proposals maps* and in the settlement statements in the form of *reserved sites*.

Our *Action Programme* provides information on phasing developments in terms of *infrastructure* needs, and we will give details of those needs as we identify them in the masterplanning process.

In all cases we will review the need for and scale of any contribution in the light of circumstances at the time the *planning application* is made.

Early discussion should take place between us, developers and the relevant authorities to make sure that investment in necessary new *infrastructure* is dealt with in a timely way.

Transport

We need contributions to make transportation improvements as shown in appendix 8 (the settlement statements) and in the *Action Programme*. These will include work on the trunk road network and in Aberdeen City. The approach to delivering identified projects and to establishing a strategic transport fund is to be detailed in the Aberdeen City and Shire Strategic Development Plan *supplementary guidance*. This could also include improvements to rail *infrastructure*.

Local transportation infrastructure

We will need contributions to fully tackle the effect of individual developments. We may also need contributions if more than one development affects transportation *infrastructure*. We provide details of this

in the settlement statements. All new development within a settlement will contribute to any identified need.

Open space and access

In very rare circumstances, when it is not practical to meet the *open space* obligations within the plan on the development site, we will ask for contributions elsewhere in the settlement towards those items identified in the Open Space Audit as being locally lacking or to improve the main path network in the local area as shown in the *Core Path Plan* (see <https://www.aberdeenshire.gov.uk/paths-and-outdoor-access/core-paths-plan/>).

Primary education

We will need contributions to deal with not having enough school places for an increase in the number of school pupils likely to result from new residential developments. We give details in the settlement statements. All new housing developments within a primary school *catchment* area will contribute to any identified need.

Secondary education

We will also need contributions if the education authority expects there not to be enough places to fully accommodate pupils expected as a result of proposed development, as shown in appendix 8 (the settlement statements).

Community facilities

We will need contributions to deal with the effects of a development on communities where a specific shortfall is identified and extra development will make this situation worse. We give details of this in the settlement statements. Community facilities are generally public assets such as halls, libraries, or sports facilities. For larger developments providing the land for building these facilities is commonly needed as well as a proportionate contribution to the construction costs. We give details in the settlement statements.

Waste and recycling

We will need contributions for facilities in line with waste-management thresholds for

types and sizes of development, as shown in appendix 7, and the settlement statements. In some cases this will involve the developer fully accommodating waste facilities on their site.

Health facilities

The Council recognises that the scale of proposed development may also impact on other infrastructure including health facilities. The settlement statements provide information on where such provision may

be required. Whilst it may be appropriate to seek contributions for such provision any requirement would need to be considered on a case by case basis.

Other off-site contributions

In exceptional circumstances, we may also need off-site contributions towards *affordable housing* needs and *public open space*, as set out in Policy H2 Affordable housing (and its associated *supplementary guidance*) and Policy P2 Open space and access in new development.