

# **Report on Conformity with the Participation Statement**

**November 2015**

# Report on Conformity with the Participation Statement

## 1.0 Introduction

1.1 Sections 12 (2) and 19 (4) of the Town and Country Planning etc. (Scotland) Act 2006 require assessment of whether the Planning Authority has consulted with the public and stakeholders in the way they said they would. This must be completed before consideration of the issues raised in the representations received on the Local Development Plan (LDP) can begin. It is therefore a vital component of the examination process. In carrying out this assessment, the Reporter will only refer to existing published documents such as: the Participation Statement itself; the authority's statement of conformity with this; and any representations relating to the authority's consultation and public involvement activities. The Act restricts the Examination to only consider the actions of the authority concerning consultation and public engagement in respect of the Proposed Local Development Plan (Proposed LDP), rather than the extended plan preparation process.

1.2 Accordingly, this Report will consider these issues in the following way:

- Section 2 of the Report will examine whether Aberdeenshire Council has involved the public in line with the actions proposed in the Participation Statement and have gone further than proposed in this regard.
- Section 3 will detail representations received on the participation process used.

## 2.0 Conformity with the Participation Statement

2.1 The Participation Statement that was current when the Proposed Plan was published is contained in the Aberdeenshire Local Development Plan Scheme 2015, which was approved by Aberdeenshire Council on the 22<sup>nd</sup> of March 2015. The Development Plan Scheme 2015 is included as Appendix One. Aberdeenshire Council are wholly committed to the principles in Circular 6/2013 "Development Planning", paragraph 21, that "there should be meaningful consultation in the preparation of development plans... [and] contain a range of innovative techniques and activities for consulting stakeholders, tailored to local circumstances and the issues being dealt with in the plan". As set out in paragraphs 70-72 of Circular 6/2013, the nature of this engagement activity will shift as the Local Development Plan process progresses and engagement should be early and at a point where there is true opportunity to influence the vision, strategy and detail of the LDP. Consequently, much of the consultation effort was directed by Aberdeenshire Council towards the preparation and assessment of the options contained in the Main Issues Report (MIR). However, extensive publicity and engagement

was conducted for the Proposed Local Development Plan also, including many innovative techniques that are new to Aberdeenshire Council Planning Policy team.

- 2.2 The Proposed Local Development Plan was formally approved by Aberdeenshire Council on the 12<sup>th</sup> of March 2015 and published for formal representation on Saturday the 28<sup>th</sup> of March 2015. A six week consultation period followed, ending on the 8<sup>th</sup> of May 2015. A total of 703 representations were received.
- 2.3 Pages 4-5 of the Aberdeenshire Local Development Plan Scheme 2015 identified the 14 actions that Aberdeenshire Council proposed to undertake to support engagement and encouragement participation with the Proposed Local Development Plan 2015. The actions taken and how effectively these actions were fulfilled are outlined below:

**1 “We will develop and use clear branding for the Proposed Local Development Plan to make it distinctive.”**

An internal meeting was held on the 23<sup>rd</sup> of October 2014 to develop a shortlist of brand ideas to enable a clearer understanding of the purpose of the LDP to readers. “Shaping Aberdeenshire” was promoted as brand name following consultation with Aberdeenshire Council communications and graphics teams. The brand was adopted into the Proposed LDP in January 2015 and relevant sections of the Proposed LDP named to reflect this decision.

The theme of “Shaping Aberdeenshire” also allowed a greater emphasis on placemaking throughout the Proposed LDP, highlighting the shared vision of towns, villages and areas within Aberdeenshire that had emerged through the MIR.

**2 “We will publish the Proposed Development Plan on the internet and make paper copies available on request.”**

A PDF of the Proposed LDP was uploaded to the Aberdeenshire Council website on the 27<sup>th</sup> of March 2015 at [http://www.aberdeenshire.gov.uk/planning/plans\\_policies/next\\_ldp.asp](http://www.aberdeenshire.gov.uk/planning/plans_policies/next_ldp.asp). The website also included on-line and printable pro-forma for people who wished to leave a comment. Only one request was made for a paper copy of the Plan.

**3      *“We will publish statutory notices in the Press and Journal newspaper, and other notices in local papers, allowing 6 weeks for people to give us their views on the Proposed Plan.”***

Statutory notices were placed in a number of local newspapers, covering the whole of Aberdeenshire. These papers were the Banffshire Journal, The Press and Journal, Buchan Observer, Deeside Piper, Ellon Advertiser, Ellon Times, Huntly Express, Inverurie Advertiser, Inverurie Herald, Kincardine Observer, Mearns Leader and the Turriff Advertiser. These were scheduled to be published on the day of publication of the Proposed Local Development Plan 2015 or in the next edition after publication and so were published between the 27<sup>th</sup> of March and the 2<sup>nd</sup> of April 2015. The statutory notice is included as Appendix Two.

In addition to the formal notices, a press release was published by Customer Communications and Improvement Service on the 27<sup>th</sup> of March 2015, announcing the publication of the Proposed LDP and the start and end dates for the consultation period, as well as methods and opportunities for further engagement. Articles were published in the Press and Journal and Evening Express which promoted this in the following days. Further articles were published in local newspapers as the consultation period was underway. Articles and formal notices were published in the following newspapers:

Deeside Piper	27 <sup>th</sup> March 2015
Ellon Advertiser	27 <sup>th</sup> March 2015
Inverurie Advertiser	27 <sup>th</sup> March 2015
Kincardine Observer	27 <sup>th</sup> March 2015
Mearns Leader	27 <sup>th</sup> March 2015
The Press and Journal	27 <sup>th</sup> March 2015
Turriff Advertiser	27 <sup>th</sup> March 2015
The Evening Express	28 <sup>th</sup> March 2015
The Press and Journal	29 <sup>th</sup> March 2015
Buchan Observer	31 <sup>st</sup> March 2015
Scottish Housing News	31 <sup>st</sup> March 2015
Banffshire Journal	1 <sup>st</sup> April 2015
Ellon Times	2 <sup>nd</sup> April 2015
Inverurie Herald	2 <sup>nd</sup> April 2015
Press and Journal	16 <sup>th</sup> April 2015
Scottish Housing News	16 <sup>th</sup> April 2015
Turriff Advertiser	21 <sup>st</sup> April 2015

**4      *“We will place a copy of the Proposed Plan on our website and distribute copies to the Area Offices and all Libraries within Aberdeenshire. A response pro-forma will also be placed on the website.”***

From the 25th to the 27th of March, officers from the Planning Policy Team distributed copies of the Proposed LDP, supplementary guidance and consultation pro-forma to 9 Council offices in all 6 administrative areas, and distributed copies to 35 libraries throughout Aberdeenshire. The copies of the Proposed LDP were accompanied by a letter explaining that the Proposed LDP should be displayed for the full duration of the consultation period. An information note was also provided that explained more about the purpose of the Local Development Plan and how people could comment if they wanted to, and what format such comments should follow. A copy was not provided on the mobile library as it was assessed that there would not be adequate facilities on board to enable detailed study of the Proposed LDP. Also, the Proposed LDP would not be able to have been removed from the libraries as it was a reference text only. It was in the library catalogue however, and could be requested if required. The following libraries and offices received a copy of the Proposed LDP for public display:

Aberchirder Library	Kintore Library
Aboyne Library	Macduff Library
Alford Library	Mearns Library
Balmedie Library	Meldrum Library
Banchory Library	Mintlaw Library
Banff Library	New Pitsligo Library
Boddam Library	Newmachar Library
Bracoden Library	Newtonhill Library
Cairnbulg Library	Peterhead Library
Cruden Bay Library	Portlethen Library
Ellon Library	Portsoy Library
Fettercairn Library	Rosehearty Library
Fraserburgh Library	Stonehaven Library
Huntly Library	Strichen Library
Insch Library	Turriff Library
Inverbervie Library	Westhill Library
Inverurie Library	Whitehills Library
Kemnay Library	Aberdeenshire Council Headquarters, Aberdeen

Banff and Buchan Area Office,  
Banff

Banff and Buchan Planning  
Office, Banff

Buchan Area Office, Peterhead

Buchan Planning Office,  
Peterhead

Formartine Area Office, Ellon

Formartine Planning Office,  
Ellon

Garioch Area Office, Inverurie

Kincardine and Mearns Area  
Office, Stonehaven

Kincardine and Mearns and  
Marr Planning Office,  
Stonehaven

Marr Area Office, Alford

No specific responses originating from libraries or Area Offices could be identified.

**5      *“We will write to all Community Councils with a copy of the statutory notice, a copy of the Proposed Plan and a pro-forma to encourage and help them to make representations.”***

Copies of the Proposed LDP and supplementary guidance were posted during the week commencing the 23/03/2015 to 62 Community Councils across Aberdeenshire. A further 6 Community Councils had the documents sent by email. All Community Council forums in Aberdeenshire were similarly mailed. These were accompanied by a letter offering the services of the Planning Policy Team to discuss any specific issues prior to making their submission. Two Community Councils requested to meet with Policy Planners to discuss issues in their area, and several telephone and email requests for more information were received as well.

The relatively low number of requests for assistance received from the Community Councils reflects the level of understanding that had been developed through the preparation and consultation on the MIR and previous discussions with Community Councils during the Local Development Plan process.

**6      *“We will write to all those who engaged with us on the Main Issues Report with a copy of the statutory notice, directing them to where the Proposed Plan can be viewed and a pro-forma to help them make representations.”***

A total of 1,828 responses were received to the MIR. In the week commencing the 23/03/2015, letters were posted to 1385 respondents to the MIR and emails sent to a further 104 respondents, totalling 1,489 respondents contacted. The discrepancy in totals can be accounted for by duplicate responses which were only mailed once, Community Councils, which were

mailed separately, and key stakeholders, who were also mailed separately as part of item 8 below. No copies of the Proposed LDP were sent to those respondents who engaged with us on the MIR. Although the letters did not contain an explicit statement of where the Proposed Plan was available to view, the letters provided a reference to the website where the Proposed LDP could be found and encouraged responses to be sent via the online pro-forma or via letter or email. It is considered that this would not have disadvantaged the respondents as alternative ways of communicating with the Planning Policy team were also included in the letter that would allow them to enquire where to find the Proposed LDP if they were having difficulty.

Only 709 unique responses were received to the Proposed LDP, which may be indicative of the value of the MIR as an effective tool of early engagement, and of the greater level of understanding arrived at through the engagement methods outlined within the Local Development Plan Scheme 2015.

**7      *“We will write to all occupiers and neighbours of opportunity sites with a notice advising them of our inclusion of nearby land within the Proposed Plan.”***

All properties within 40m of a development site boundary were identified through the application of a Geographic Information System (GIS), and a notice was sent to these properties in the form prescribed by Schedule 2 of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008. The regulations require a map to be included, which was provided with the letter. A 40m contour was used to ensure that there was no risk of missing premises within the 20m boundary required by the regulations. This entailed sending more letters to more addresses, however, it ensured that all properties that may be affected by development were contacted and given opportunity to comment.

In the week commencing the 23/03/2015, a total of 7,555 properties within a 40m distance of OP sites peripheries were notified of the intention to include sites in the Proposed LDP. A further 2,781 letters were sent to properties within the same proximity of BUS sites, CC sites, R sites, and SR sites. Four instances were identified where a problem with neighbour notification arose.

- For one site the wrong site reference was made. This affected two households and was rectified.
- For one site no notifications were sent out due to an issue with the database. This affected ten households and was rectified.
- For one address the house name varied from the Postal Address File used to generate addresses. They made a representation to the Plan and thus were not disadvantaged.
- For one address a partial address was used, resulting in a notice being delivered to a neighbouring house. A revised notice was sent out.

**8      *“We will write to Scottish Ministers, all Key Agencies, adjoining Local Authorities and the Strategic Development Planning Authority for Aberdeen City and Shire with a copy of the statutory notice, a copy of the Proposed Plan and a pro-forma to help them make representations.”***

The Scottish Ministers, key agencies, adjoining Local Authorities and the Aberdeen City and Shire Strategic Development Planning Authority were informed of the publication of the Proposed Local Development Plan and sent a copy in the week commencing the 23/03/2015. Four neighbouring Local Authorities were mailed (Aberdeen City, Angus, and Moray Councils, and the Cairngorms National Park Authority). As the Aberdeen City and Shire Strategic Development Planning Authority shares an office with Aberdeenshire Council, it was presented a copy of the letter and Proposed Plan in person in the same week. Scottish Water, Scottish Natural Heritage, the Scottish Environment Protection Agency, Scottish Enterprise, Historic Scotland, Transport Scotland, the Grampian Primary Care NHS Trust and the North East of Scotland Transport Authority (NESTRANS) were also written too. A meeting was held with Marine Scotland on the 21<sup>st</sup> of October 2014 and as the National Marine Plan had not yet been published, it was agreed that there would be no scope for disagreement between the two strategies. In addition, a further 57 other businesses, environmental and sectoral groups whom it was considered would have an interest in the Proposed Local Development Plan were also mailed a copy. They are listed below.

- Auchenblae Community Association
- Auchnagatt Community Association
- Barthol Chapel Community Association
- Buchan Development Partnership
- Disability Advisory Group
- Grampian Community Care Charitable Trust
- Gypsy Traveller Education and Information Project
- Marr Area Partnership
- Women's Alliance
- Scottish Youth Parliament
- Aberdeen and Grampian Chamber of Commerce
- Aberdeen City and Shire Economic Futures (ACSEF)
- Aberdeen Design Panel
- Aberdeen Renewable Energy Group
- Aberdeen Solicitors Property Centre
- Aberdeenshire Environmental Forum
- Aberdeenshire Housing Strategy Group
- All Parent Councils of Schools in the Plan area
- Architectural Heritage Society of Scotland (North East Group)
- Banff and Macduff District Business Association
- British Telecom
- Centrica
- Civil Aviation Authority
- Federation of Small Businesses
- Forestry Commission

- Fraserburgh Harbour Board
- Freight Transport Association
- Friends of the Earth
- Garioch Area Partnership
- Grampian Fire and Rescue Service
- Grampian Forum of Voluntary Organisations
- Grampian House Builders Committee of Homes for Scotland
- Gypsy Traveller Education and Information Project
- Institution of Civil Engineers Agriculture Advisory Group
- Inverurie Business Association
- Kincardineshire Community Partnership
- National Farmers Union Scotland
- National Grid plc
- National Trust for Scotland
- Network Rail
- North East Banffshire Tourism Trust
- North East Fisheries Development Board
- North East Forest Industries Group
- North East Scotland Joint Public Sector Group
- North East Scotland Waste Strategy Group
- Peterhead Business Association
- Peterhead Port Authority
- River Dee Salmon Board
- Royal Institution of Chartered Surveyors, North East Branch
- Royal Society for the Protection of Birds
- Royal Town Planning Institute, Grampian Chapter
- Scottish and Southern Hydro Electric
- Scottish Gas
- Scottish Land & Estates
- Scottish Wildlife Trust
- Sports Scotland
- Stonehaven Business Association
- UK Offshore Operators Association

**9      *“We will utilise Twitter to publicise the Proposed Plan and to provide relevant information/updates during the consultation period.”***

Twitter was utilised extensively throughout the period between the preparation of the Proposed LDP and the end of the consultation period. A total of 41 tweets were sent via the official Aberdeenshire Council LDP twitter account (@shireldp) during this period. A total of 26 were retweeted and duplicate messages were posted on the Aberdeenshire Council official feed also (@Aberdeenshire). Topics included the LDPs progress through the committees, publication dates, publication of videos and publicity for drop-in events and consultation response dates. Tweets were scheduled using TweetDeck to ensure that relevant tweets were released on pre-determined dates and at peak viewing times to draw public attention to key events. The Twitter account has over 400 followers.

**10      *“We will update the website with an additional “Frequently Asked Questions” section.”***

A Frequently Asked Questions page was developed and added to the website before the publication of the Proposed LDP. This can be found at <https://www.aberdeenshire.gov.uk/planning/plans-and-policies/frequently-asked-questions/>. Topics covered included:

- What is a local development plan?
- What is the difference between a strategic development plan and a local development plan
- What does the local development plan do?
- What is supplementary guidance?
- Why do we have a local development plan?
- Who is the local development plan for?
- Why are you already reviewing the Aberdeenshire Local Development Plan 2012?
- Where can I view paper copies of the plan
- What is the "Online Local Development Plan"?
- Neighbour notification – why and what is the process
- When is the next opportunity to make a bids for my land to be included in the plan?
- What are developer obligations?

No record is available on the use of this page.

**11      *“We will advertise and conduct eleven “drop in” events in major towns across Aberdeenshire.”***

A total of 13 drop-in events were scheduled during the consultation period. Two extra sessions added to ensure widespread coverage across Aberdeenshire. The drop-in sessions were held in Fraserburgh, Stonehaven, Banff, Macduff, Turriff, Ellon, Inverurie, Westhill, Laurencekirk, Peterhead, Banchory, Huntly, and Alford. This ensured meetings were held in all administrative areas of Aberdeenshire Council, and across a wide geographical spread to enable choice for the public. Most sessions were held between 1-7pm, with two additional hours in the evening after 5pm to enable people to attend at times outwith normal working hours.

The drop-in format encouraged a more conversational atmosphere and an informality to the events. Due to the longer opening time and officer numbers, attendees were able to gain more time with planning officers to have richer discussions on issues that would have been possible in more traditional town-hall meeting formats. The events were advertised via press release at the

beginning of the consultation period, informing the public where event information could be accessed on the Aberdeenshire Council website. Advertising was also conducted on Twitter and on the Council website. Other services within the Council shared the information on Facebook, Twitter and relevant websites also, such as community planning pages. In addition to this, all Community Councils in the development plan area received posters to distribute advertising the events. Libraries in settlements where events were to take place were also sent posters.

A total of 427 people attended the drop in sessions. These included a range of people, including interested members of the public, Community Councillors, landowners, journalists and developers. Attendance at the meetings was as follows:

- Fraserburgh – 17 attendees
- Stonehaven – 23 attendees
- Banff – 23 attendees
- Macduff – 11 attendees
- Turriff – 35 attendees
- Ellon – 55 attendees
- Inverurie – 26 attendees
- Laurencekirk – 45 attendees
- Westhill – 54 attendees
- Peterhead – 10 attendees
- Banchory – 48 attendees
- Huntly – 34 attendees
- Alford – 46 attendees

**12     *“We will use internet advertising specifically to target young people across Aberdeenshire.”***

A suite of adverts were bought for Facebook, which ran throughout the consultation period. This included adverts aimed at particular key groups. Overall the adverts reached 90,587 website clicks from 5,500 people. 1,505 came from the youth market targeted adverts, with a further 1,345 clicking from the Aberdeen Housing Market Area and 2,650 from the adverts targeting the Rural Housing Market. The overall cost was £517.34, meaning an approximate 9p average cost per person reached.

The adverts ensured that the Proposed Local Development Plan came to the attention of a wide-range of people and demographics that traditionally do not involve themselves in issues related to planning.

**13     *“We will produce and publicise short internet videos on the plan and its main themes. Themes we would cover will include the function of the Local Development Plan, Development in the***

***Countryside, Neighbour Notification and what it means for recipients, natural heritage protection, built heritage protection and developer obligations.”***

Seven videos were produced and added to the Aberdeenshire Council YouTube channel, with links provided on Twitter and the Aberdeenshire Council website to direct viewers. Themes covered the function of the LDP, development in the countryside, neighbour notification, natural heritage protection, historic environment protection, developer obligations and a trailer video. These resulted in 831, 331, 929, 86, 216, 268 and 655 views respectively. The purpose of these videos were to pre-empt issues that have historically arisen during previous consultation processes. The videos were intended to provide answers to common questions that have been asked previously, allowing rapid understanding of the process and purpose of the consultation to anyone who was affected by the Proposed Local Development Plan. A link to the YouTube videos was included in letters and emails sent out to people who neighboured development sites, and publicity was made for the videos on Twitter and Facebook.

The result of these videos was to reduce the number of general enquiries about that were received in the opening weeks of the consultation period. The videos won an award for the Scottish Awards for Quality in Planning 2015, in the Quality of Service category, which is indicative of the quality of message and purpose in the videos that were produced. In their conclusions, the judges found the six short films to be enlightening and “a clever way to present planning to the public”. They also recognised the value of the films as a means of reaching a wider audience given Aberdeenshire large geographic area.

**14     *“We will utilise the Aberdeenshire Council’s “Live” network of promotional video screens to promote the Local Development Plan.”***

Aberdeenshire Live services were a system of promotional video screens installed in Aberdeenshire Council offices that are open to the public. The service was discontinued by Aberdeenshire Council, at very short notice, at the end of March 2015, due to high costs associated with upgrading and maintaining system hardware. It was therefore not possible to achieve this intended element of the participation strategy. This decision was outwith the control of the Planning Policy team.

It is not considered that the inability to complete this part of the Participation Statement was significant enough to compromise the participation process, as it was largely intended to be used to spread the information to a wider audience. As there were a multitude of other processes and techniques used to distribute information about the Proposed LDP, it is unlikely that the lack of

Aberdeenshire Live would have disadvantaged any particular groups or any large numbers of people.

#### 2.4 Conclusions on compliance with the Participation Statement

As can be seen above, Aberdeenshire has complied with all of its obligations as set out in the Participation Statement of the Local Development Plan Scheme 2015, with the exception of point 14 above. In regard to point 6 above, although the letters and emails sent did not contain an explicit statement of where the Proposed Plan was available to view, the letters provided a reference to the website where the Proposed LDP could be found and encouraged responses to be sent via the online pro-forma or via letter or email. It is considered that this would not have disadvantaged the respondents as alternative ways of communicating with the Planning Policy team were also included in the letter that would allow them to enquire where to find the Proposed LDP if they were having difficulty. Very few calls were received from the MIR respondents enquiring about where to find the Proposed Local Development Plan, so it can be concluded that this did not disadvantage any of the respondents.

- 2.6 In regard to point 7 above, a number of errors were found in the neighbour notification process and these were rectified during the consultation period. Again, as these mistakes were noticed early and rectified quickly, it is not considered to have disadvantaged the respondents. The shortcomings in the engagement process raised above do not devalue the efforts that have gone into making an effective programme of participation. Consultation has been proportionate, meaningful and tailored to local circumstances, in line with Circular 6/2013, paragraphs 70-72, Planning Advice Note 3/2010 "Community Engagement", and Scottish Planning Policy. In addition, the participation process has included techniques that have been nationally recognised for innovation in the approach to engagement in Development Planning.

### 3.0 **Representations Received on the Participation Process**

- 3.1 Only a small number of representations that related to engagement were received during the consultation period which followed publication of the Proposed Local Development Plan. A summary of the points raised is included below, along with a response to the points. The representations that raised points regarding consultation were assigned numbers 303, 310, 398 and 693. The full representations have been provided to the Reporter. None of the responses raised points directly relating to the issue of conformity with the Participation Statement. The responses received were as follows:
- Response 303 – Case Consulting on behalf of Irvine Christie
  - Response 310 – Case Consulting
  - Response 398 – Bill Williams
  - Response 693 – Udney Community Council

- 3.2 Responses 303, 310 and 693 focussed on issues relating to procedure in informing Elected Members of sites to be included in the Proposed LDP during the Development Plan process, and also the opportunities allowed for the public to comment on the same sites. The points raised include the suggestion that the Members of the Infrastructure Services Committee failed to explicitly support the inclusion of a number of sites in the Proposed LDP because they were wrongly advised there was no requirement to allocate additional sites in Aberdeenshire. It is suggested that the Planning Policy Team did not consider deliverability and effectiveness of the sites when determining if the Strategic Development Plan land allowances had been met. This error was, in the view of the respondents, compounded in the MIR Addendum. The respondent then states that another 13 sites with a total capacity of 1022 houses were added to the LDP without any prior consultation or authorisation by Elected Members and without opportunity for the public to comment on them as “preferred options” for inclusion in the Proposed LDP at the MIR stage. It is stated that these allocations should have been presented in the MIR alongside reasonable alternative options where possible. The respondent suggests that the above issues are in breach of the Planning etc. (Scotland) Act 2006 and so the Proposed LDP should be abandoned and a redrafted MIR should be published instead.
- 3.3 In response, the various concerns about the housing allowances in the Plan are acknowledged and a full discussion of the issues raised in relation to housing land supply are discussed in Schedule 4, Issues 7 and 8: Housing Land Supply and Housing Land Spatial Strategy, to which the respondent is also a party. As demonstrated in these Schedule 4 documents, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area.
- 3.4 It is not agreed that the Infrastructure Services Committee was wrongly advised on site allocations. Throughout the Plan preparation process, appropriate recommendations were made both to Area Committees and to Infrastructure Services Committee regarding housing land supply. Members also thoroughly scrutinised all the Settlement Statements in early 2015 when they discussed these documents at the Area Committees.
- 3.5 Additionally, the MIR is not a draft version of the Plan, its purpose being to engage the public and other stakeholders and concentrates on key changes that have occurred since the previous Plan was adopted and that all housing allocations contained in the Proposed Plan do not have to be contained in the MIR. This is consistent with Planning Circular 6/2013 Development Planning.
- 3.6 Some sites have been included in the Proposed LDP 2015 without the benefit of inclusion as a preferred site in the MIR 2013 but, as these were options within the MIR 2013, adequate publicity was given. Even if sites are not

included in the MIR 2013, the LDP Examination will consider any responses received to the subsequent Neighbour Notification and other publicity associated with their inclusion in the LDP and will make a judgement on that basis. There is no impact on natural justice for those who may wish to object to the inclusion of the sites.

- 3.7 Furthermore, the MIR 2013 was written prior to the publication of Planning Circular 6/2013. Subsequently, Planning Circular 6/2013 stated in paragraph 81 “the Plan should ... include all the allocated site and committed sites”. As a result of this, committed sites have been added into the Proposed LDP 2015 as development opportunities. Such sites would not have been included in the MIR as there had been no changes to their circumstances since the last Plan. These sites were not added to augment the housing land supply, but rather to fulfil the requirements of Planning Circular 6/2013. This was explained to Members at a meeting of Aberdeenshire Council when considering the Proposed LDP 2015, where it was presented that “All sites that are available for development, including those that currently have planning permission, but on which a start on site has not yet been made, have been included as “opportunity” sites” (Report to Aberdeenshire Council 22 January 2015 – Proposed Aberdeenshire Local Development Plan 2016, paragraph 2.7).
- 3.8 Additional sites were added by Elected Members when the Issues and Actions papers were presented to the Area Committees. These were then endorsed by the Infrastructure Services Committee. These actions were conducted in an open and public manner and were not “slipped into” the Proposed LDP 2015. Only changes which were more significant, and which might result in disadvantage to an existing development or were in conflict with national policy, were highlighted at Infrastructure Services Committee.
- 3.9 The respondent for responses 303 and 310 also submitted these comments as a complaint to Aberdeenshire Council Planning Service. A response was sent to the respondent stating the same points as raised above. It was considered that all members of the Policy Team, including the Team Leader, have acted entirely appropriately and in a professional manner and at no time have they sought to mislead Members or misrepresent information as suggested. It also stated that the Development Planning process has been subject to scrutiny and oversight throughout. It was suggested that if the respondent remained dissatisfied with the manner in which the complaint had been dealt with, then they would have the right to ask the Scottish Public Sector Ombudsman (SPSO) to consider it. No such action has been taken.
- 3.10 Response 398 focussed instead on issues related to a specific site. Response 398 focussed on the purpose of responding to the Proposed LDP in light of the history of site OP1 at Udney Green. It is suggested that public involvement is pointless as the Planning Policy team is determined to proceed with the unpopular allocation and that representations may only be considered

seriously when “processed American style though bogus PR exercises like Planning for Real”.

- 3.11 In response to this, the issues relating to the allocation at OP1 in Udney Green are considered in the separate Schedule 4 Issue 41 Large Settlements Aberdeen Housing Market Area - Belhelvie and Udney Green. This states that the higher allocation for the site was approved as part of the Development Plan process for the LDP 2012. The Proposed LDP 2010 and the adopted LDP 2012, which were subject to public scrutiny, both show the allocation on site H1 as up to 30 houses. While it is accepted that there was some confusion amongst the local community about the level of housing proposed for OP1, due process was followed for its introduction. The respondent for response 398 also previously submitted a response to the MIR which was considered as part of the Issues and Actions Paper 102 – Udney Green. The respondent has therefore been engaging with the Development Planning process throughout preparation of the 2015 Proposed LDP. As demonstrated in the Aberdeenshire Local Development Plan Schemes 2013, 2014 and 2015, there have been no exercises such as Planning for Real used in the preparation of Proposed Local Development Plan 2015 or the MIR 2013. Although the respondent may feel dissatisfied with the outcomes of the participation, the participation process has been conducted in a fair, proportionate and public manner, in line with planning legislation and policies.

#### **4.0 Conclusion**

- 4.1 In conclusion, section 2.0 of this report demonstrates that the participation process has largely conformed to the Aberdeenshire Local Development Plan Scheme 2015. There were only two omissions which were not substantive enough to compromise the participation process as there were other opportunities and methods for participation that would allow stakeholders to engage with the Development Planning process. Section 3.0 demonstrated that there were no responses received that suggested that Aberdeenshire Council did not conform to the Aberdeenshire Local Development Plan Scheme 2015. Responses received in relation to engagement focussed on the housing land supply or on engagement on specific sites, with an aim to having sites removed or other sites inserted into the Plan. These were considered as part of this report which concluded that the participation has been conducted in line with all relevant legislation, policy and guidance and the results of this participation were handled in a transparent and public manner.

# Appendix One: Participation Extract from Local Development Plan Scheme 2015

## 4. How can you get involved: The Participation Statement

Aberdeenshire Council is committed to the principles that:

- Community engagement must be meaningful;
- Community engagement must be at an early stage to influence the shape of plans and proposals; and
- It is essential for people and interest groups to get involved in the preparation of Development Plans as this is where decisions, at the larger scale, for instance on the strategy for growth or protection, are made.

Aberdeenshire Council has adopted the “Standards for Community Engagement” in the development of its strategy for getting people involved in the drawing up of the Local Development Plan.

### **Publicity for the Development Plan Scheme and engagement in the development plan preparation process**

- The Development Plan Scheme will be published and media attention drawn to it. Notification of its publication will be sent to all of the groups listed in Section 5 titled “Who will we consult?”
- The Development Plan Scheme will be published on the [www.aberdeenshire.gov.uk](http://www.aberdeenshire.gov.uk) website.
- A Twitter account has also been established to allow self-subscription for news on the production of the Local Development Plan.

### **Engagement on the Proposed Plan**

The proposed Plan is the Plan that Aberdeenshire Council would like to see taken forward to adoption, and will be the Plan debated in the Local Plan Examination.

#### In March 2015

- We will develop and use clear branding for the Proposed Local Development Plan to make it distinctive.
- We will publish the Proposed Development Plan on the internet and make paper copies available on request.
- We will publish statutory notices in the Press and Journal newspaper, and other notices in local papers, allowing 6 weeks for people to give us their views on the Proposed Plan.
- We will place a copy of the Proposed Plan on our website and distribute copies to the Area Offices and all Libraries within Aberdeenshire. A response pro-forma will also be placed on the website.

- We will write to all Community Councils with a copy of the statutory notice, a copy of the Proposed Plan and a pro-forma to encourage and help them to make representations.
- We will write to all those who engaged with us on the Main Issues Report with a copy of the statutory notice, directing them to where the Proposed Plan can be viewed and a pro-forma to help them make representations.
- We will write to all occupiers and neighbours of opportunity sites with a notice advising them of our inclusion of nearby land within the Proposed Plan.
- We will write to Scottish Ministers, all Key Agencies, adjoining Local Authorities and the Strategic Development Planning Authority for Aberdeen City and Shire with a copy of the statutory notice, a copy of the Proposed Plan and a pro-forma to help them make representations.
- We will utilise Twitter to publicise the Proposed Plan and to provide relevant information/updates during the consultation period.
- We will update the website with an additional “Frequently Asked Questions” section.
- We will advertise and conduct eleven “drop in” events in major towns across Aberdeenshire.
- We will use internet advertising specifically to target young people across Aberdeenshire.
- We will produce and publicise short internet videos on the plan and its main themes. Themes we would cover will include the function of the Local Development Plan, Development in the Countryside, Neighbour Notification and what it means for recipients, natural heritage protection, built heritage protection and developer obligations.
- We will utilise the Aberdeenshire Council’s “Live” network of promotional video screens to promote the Local Development Plan.

#### In late September 2015

- We will acknowledge all responses made to the Proposed Plan and Supplementary Guidance and publish a Report on whether any submissions made should result in a modification to Aberdeenshire Council’s adopted position prior to the Local Development Plan being subject to an independent Examination.
- Taking into account any modifications deemed necessary following receipt of submissions on the Proposed Plan we will submit the Local Development Plan for Examination and subsequently defend it at a Local Development Plan Inquiry, probably in December 2015.

or

- In the event that modifications other than minor modifications need to be made to the Proposed Local Development Plan prior to its submission for Examination, a modified version of the plan will be published and a period of 6 weeks will be allowed for further representations.
- When we submit the Local Development Plan for Examination we will publish statutory notices in local newspapers, as well as making copies of the

submitted Development Plan and its supporting documents available for inspection on our website, Council Area Offices and all Libraries within Aberdeenshire.

### In December 2015

- We will make modifications to the Supplementary Guidance and submit it to Scottish Ministers as the Supplementary Guidance that the Council would wish to adopt.

### Following the Local Development Plan Inquiry

On receipt of the Local Development Plan Inquiry Reporter's recommendations:

- We will amend the Plan where necessary as instructed by the Reporter;
- We will advertise our intention to adopt the Local Development Plan in the Press and Journal;
- We will print the Local Development Plan and lodge it in Council Area Offices and Libraries across Aberdeenshire;
- We will publish the Local Development Plan on our website; and
- We will publish Supplementary Guidance on our website.

## **5. Who will we consult?**

We will write to the following groups to ask their views on the Proposed Local Development Plan. This list is not exhaustive and any reasonable request for inclusion would be considered:

### **Community Groups**

All Community Councils within the Plan area  
All Community Council Forums in Aberdeenshire  
Auchenblae Community Association  
Auchnagatt Community Association  
Barthol Chapel Community Association  
Buchan Development Partnership  
Disability Advisory Group  
Grampian Community Care Charitable Trust  
Gypsy Traveller Education and Information Project  
Marr Area Partnership  
Women's Alliance  
Scottish Youth Parliament

### **Other stakeholder groups**

Aberdeen and Grampian Chamber of Commerce  
Aberdeen City and Shire Economic Futures (ACSEF)  
Aberdeen City and Shire Strategic Development Planning Authority

Aberdeen City Council  
Aberdeen Design Panel  
Aberdeen Renewable Energy Group  
Aberdeen Solicitors Property Centre  
Aberdeenshire Environmental Forum  
Aberdeenshire Housing Strategy Group  
All Parent Councils of Schools in the Plan area  
Angus Council  
Architectural Heritage Society of Scotland (North East Group)  
Banff and Macduff District Business Association  
British Telecom  
Centrica  
Civil Aviation Authority  
Federation of Small Businesses  
Fraserburgh Harbour Board  
Freight Transport Association  
Friends of the Earth  
Garioch Area Partnership  
Grampian Fire and Rescue Service  
Grampian Forum of Voluntary Organisations  
Grampian House Builders Committee of Homes for Scotland  
Grampian Primary Care NHS Trust  
Gypsy Traveller Education and Information Project  
Historic Scotland  
Institution of Civil Engineers Agriculture Advisory Group  
Inverurie Business Association  
Kincardineshire Community Partnership  
National Farmers Union Scotland  
National Grid plc  
National Trust for Scotland  
Network Rail  
North East Banffshire Tourism Trust  
North East Fisheries Development Board  
North East Forest Industries Group  
North East of Scotland Transport Authority (NESTRANS)  
North East Scotland Joint Public Sector Group  
North East Scotland Waste Strategy Group  
Peterhead Business Association  
Peterhead Port Authority  
River Dee Salmon Board  
Royal Institution of Chartered Surveyors, North East Branch  
Royal Society for the Protection of Birds  
Royal Town Planning Institute, Grampian Chapter  
Scottish and Southern Hydro Electric  
Scottish Enterprise  
Scottish Environment Protection Agency  
Scottish Gas  
Scottish Natural Heritage  
Scottish Land & Estates  
Scottish Water

Scottish Wildlife Trust  
Sports Scotland  
Stonehaven Business Association  
The Cairngorms National Park Authority  
The Moray Council  
Transport Scotland  
UK Offshore Operators Association

# Appendix Two: Copy of Notice Placed in Local Newspapers

## ABERDEENSHIRE COUNCIL

### TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 TOWN AND COUNTRY PLANNING (DEVELOPMENT PLANNING) (SCOTLAND) REGULATIONS 2008 – REGULATION 12 ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005 – SECTION 16 NOTICE OF PUBLICATION OF PROPOSED ABERDEENSHIRE LOCAL DEVELOPMENT PLAN (2016) AND ENVIRONMENTAL REPORT

Notice is given that Aberdeenshire Council has published a Proposed Local Development Plan (LDP) for the Aberdeenshire area and associated documents including draft Supplementary Guidance on Affordable Housing, the Regeneration Priority Area, Energetica, the Coastal Zone, Local Nature Conservation Sites, Areas of Search for Minerals and Developer Obligations: Methods of Calculation. An associated Environmental Report has also been published.

The Proposed LDP and associated documents set out the proposals made by Aberdeenshire Council for future development in Aberdeenshire and in particular proposals for where development should or should not be carried out. They also include policies that will be used to determine future applications for planning permission. The Proposed LDP and associated documents will shape the future of land use in Aberdeenshire for the period until 2027.

The Proposed LDP, together with associated documents including the Environmental Report, is available for inspection at Aberdeenshire Council Headquarters, Woodhill House, Westburn Road, Aberdeen, AB16 5GB, all Council Area Offices and all libraries throughout Aberdeenshire during normal opening hours. The documents have also been published on the Council's website at [www.aberdeenshire.gov.uk/ldp](http://www.aberdeenshire.gov.uk/ldp).

Aberdeenshire Council is seeking views on its Proposed LDP, Supplementary Guidance and Environmental Report. Anyone who wishes to express an opinion or make a representation on the Proposed LDP, Supplementary Guidance and/or Environmental Report may do so, in writing, until the close of business on **8 May 2015**. Comments should be made using a response form, which is available at the website above or at all Council Area Offices and local libraries. Completed response forms can be emailed to [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk) or posted to:- Policy Team, Planning & Building Standards, Infrastructure Services, Aberdeenshire Council, Woodhill House, Westburn Road, Aberdeen, AB16 5GB. Further information about the Proposed LDP can be obtained using the contact details listed above or by telephoning 01224 664221.

A number of public drop-in events will be taking place and you can find out more about the Proposed LDP, and how to make representations on it, at these events. Full details of the events are available at the website above. Events are taking place at the following venues and times:

<b>Fraserburgh</b>	14 April 2015	Community Centre	1pm - 7pm
<b>Stonehaven</b>	15 April 2015	Town Hall	1pm - 7pm
<b>Banff</b>	16 April 2015	Bridge Street Community Centre	12pm - 6pm
<b>Macduff</b>	16 April 2015	Town Hall	3pm - 7pm
<b>Turriff</b>	20 April 2015	Town House	1pm - 7pm
<b>Ellon</b>	21 April 2015	New Inn Hotel (Main Hall)	1pm - 7pm
<b>Inverurie</b>	22 April 2015	Town Hall (Small Hall)	1pm - 7pm
<b>Laurencekirk</b>	23 April 2015	Mearns Community Centre	1pm - 7pm
<b>Peterhead</b>	27 April 2015	Palace Hotel (Ravenscraig Room)	1pm - 7pm
<b>Banchory</b>	28 April 2015	Town Hall	1pm - 7pm
<b>Huntly</b>	29 April 2015	Stewart's Hall (New Room)	1pm - 7pm
<b>Alford</b>	30 April 2015	Haughton Arms Hotel	1pm - 7pm