



**ABERDEENSHIRE**  
Development Plan  
Scheme  
**May 2020**

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### **Aberdeenshire Local Development Plan**

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## **Introduction**

This forms the second Development Plan Scheme prepared by Aberdeenshire Council in 2020. The initial Development Plan Scheme 2020 was agreed by Aberdeenshire Council on 12 March 2020 however, this was prior to the UK entering virtual 'lockdown' in response to the Covid-19 pandemic.

The Coronavirus (Scotland) Act received Royal Assent on 6 April 2020 and includes provision to allow Planning Authorities to undertake public consultation without the need to make physical documents available for inspection, for example in libraries or planning offices. A letter issued by the Chief Planner on 3 April echoed this and encouraged Planning Authorities to continue progress on delivering new Local Development Plans.

Given the impact of social distancing measures and changes introduced through the emergency legislation, we have considered it appropriate to publish a revised Development Plan Scheme for 2020 with a new participation statement for engagement associated with the Proposed Local Development Plan 2020.

### **Purpose of a Development Plan Scheme**

This Development Plan Scheme sets out the current programme for preparing the Aberdeenshire Local Development Plan 2021. It is designed to inform stakeholders of the programme of work that will deliver a new Local Development Plan for the Aberdeenshire Council area by the end of 2021.

It contains a "Participation Statement" that sets out the programme of consultation and scrutiny of the emerging Local Development Plan.

The Planning (Scotland) Act 2019 which received royal assent in July 2019 is continuing to come into effect section by section. Many of the good things promoted by the Act will be included in future Development Plan Schemes once regulations relevant to development planning come forward. We anticipate that changes introduced through the Act for development planning will not result in fundamental changes to the emerging Plan, due to the current stage we are at in its preparation.

### **What is a Local Development Plan?**

In Scotland the development plan system sets out the framework within which development management decisions should be taken on the use of land. It identifies both policies and allocations of land where development should be allowed or prohibited. It covers the whole of the Aberdeenshire Council area, apart from the Cairngorms National Park which has its own Local Development Plan.

Figure 1 Aberdeenshire Local Development Plan Area



Engagement and participation on the production of the Plan is of great importance, as it is an accessible and public element of the Council's business and has a great influence on the places where people live and work. The Plan draws on other public strategies of Aberdeenshire Council and reflects the transport, housing, and economic development strategies that we currently use, all influenced by the Aberdeen City and Shire Strategic Development Plan, National Planning Framework, and Scottish Planning Policy, amongst others. It sets out a land use vision for the area to complement these other strategies.

To achieve full and comprehensive engagement we ensure that the Local Development Plan 2021 adopts the One Aberdeenshire principles and seeks to deliver the National Standards for Community Engagement as a principle on which consultation takes place.

### Checks and Controls

In delivering the Plan there are a number of checks and balances in place. These include the Strategic Environmental Assessment of the Plan, which sets out in an Environmental Report, the potential adverse impact of the Plan's content on wide environmental criteria. We use this to test sustainable development delivery through the Plan, seeking to avoid adverse environmental impacts on a very wide range of criteria.

Likewise, an assessment under the Habitats Regulations is undertaken, which identifies unavoidable environmental impacts on sites of European natural conservation interest from development in the Plan area.

Equalities represents an important legal obligation in preparing the Local Development Plan. An Equality Impact Assessment will be prepared to accompany the Proposed Local Development Plan to assess the potential impact of policies and proposals on protected groups covered by the equality duty, and to assess socio-economic disadvantage as per the Fairer Scotland duty.

Furthermore, the Plan is subject to an independent public Examination by a person appointed by the Scottish Ministers. This Local Development Plan Examination will consider any unresolved matters arising from the publication of the Proposed Local Development Plan, seeking to ensure the process is understandable and transparent to members of the public, and to identify deficiencies there may be in the Plan.

A Delivery Programme (formerly known as an Action Programme) will be drawn up to highlight any constraints to development allocations being taken forward, and to identify who is required to take action in order for development to be delivered.

#### [Aberdeenshire Council's Commitment to Engagement](#)

Ultimately engagement and consultation remain a key part of the Plan-making process. As a place-based document that is designed to meet local planning needs and aspirations, the Aberdeenshire Local Development Plan reflects the land use changes that people would wish to see in their communities.

Aberdeenshire Council has adopted the principles of the updated National Standards for Community Engagement. These seven Standards provide a best practice approach to achieving influential community participation, ensuring that any barriers to engagement in the process are overcome, based on the needs and available resources of those groups. Engagement methods will be fit for purpose and will enable participants to engage efficiently and effectively as far as it is practical to do so. We will ensure that those with an interest in the Local Development Plan understand the issues we are concerned with and are consulting on. We will encourage them to work effectively with other consultees to provide useful feedback to us. Particular emphasis will be placed on engagement through the education system. At the end of the process, we will feedback how we have dealt with the information they have provided.



We demonstrate consultation on the Local Development Plan through the publication of a “Statement of Conformity with the Participation Statement” for consideration by the Reporter to the Examination. We will use SP=EEED<sup>®</sup> to evaluate all the stages of the Local Development Plan, to assess the depth of consultation we have undertaken and how well we have performed in relation to:

- Are we clear regarding the purpose of the engagement?
- Is the timescale provided appropriate?
- Is the information used relevant and accurate?
- Is the engagement process accessible?
- Do the relevant findings from the engagement process allow changes to be made to the Plan?
- Are relevant and “hard to reach” groups engaged with?
- Is the feedback received analysed?
- Is there a means for lessons from the engagement to be identified and shared with stakeholders?

## Timescale

We will have until April 2022 to publish the new Local Development Plan under the current legislation but would wish to adopt the new Plan by the end of 2021. This involves formal stages associated with the Main Issues Report, Proposed Local Development Plan, an Examination by Scottish Ministers, and finally adoption of the Plan.

## Stages of Plan Production

<b>Stage</b>	<b>Strategic Environmental Assessment ('SEA') stage</b>	<b>Proposed Date</b>
1. Pre Main Issues consultations	Prepare SEA Scoping Report	Until January 2019
2. Publish Main Issues Report for consultation. Publish Draft Proposed Local Development Plan for consultation	Publish Interim Environmental Report for the Strategic Environmental Assessment	From 14 January to 8 April 2019
3. Publish (electronically) Proposed Local Development Plan for consultation	Publish (electronically) Strategic Environmental Assessment (SEA) - Environmental Report of the Proposed Local Development Plan	May to July 2020
4. Submit Proposed Local Development Plan to Scottish Ministers for Examination	Publish Strategic Environmental Assessment (SEA) - Environmental Report of the Proposed Local Development Plan consultation responses	December 2020 for Examination from January 2021
5. Adopt the Local Development Plan		June to September 2021 for adoption by 31 December 2021
6. Publish Delivery Programme	Prepare Strategic Environmental Assessment (SEA) post adoption statement	January 2022

## How to Get Involved – The Participation Statement

### Who we will Consult

We have identified six main user groups of the Development Plan with whom we would like to engage with on its production:

- Community Councils and other Community Groups are formal gatherings of interested local parties with a key interest in the wider future of their communities.
- Land development and building interests have a key role in ensuring that an appropriate scale of development is delivered in appropriate places. This group broadly comprises developers, landowners, and agents.
- Key agencies have a role to monitor and police the content of the Local Development Plan to ensure that their interests are appropriately represented. This group includes Government Agencies such as Scottish Natural Heritage and the Scottish Environment Protection Agency.
- Special interest groups formed to promote specific topics within Aberdeenshire, such as Friends of the Earth, The Bailies of Bennachie, and the Scottish Association of Young Farmers Clubs and who will be keen to see their specific interests protected.
- Other individuals may have a specific issue that they wish to conserve or see developed. Consultation should be open to all within the community.
- Finally, significant engagement is required within Aberdeenshire Council, and Transport Scotland, Scottish Water, and NHS Grampian to ensure that any Plan is deliverable.

A database of consultees is maintained by the Planning and Environment Service and updated regularly. Non-statutory stakeholders have the opportunity to withdraw from receiving notifications sent regarding the progress of the Plan.

### Statement of Methods to be Used

A number of consultation methods have and will continue to be used to ensure these groups all have a voice in the preparation of the Aberdeenshire Local Development Plan 2021.

From late 2017 and throughout 2018 and 2019 we have already undertaken the following actions:

- Distinctive branding on the Local Development Plan documents has been implemented to provide a clear identity.
- Pre-engagement took place with Community Councils, land development and building interests, key agencies and special interest groups to ensure that any issues that they have with the existing Local Development Plan are recorded, and where possible actioned. Generally, this has been done through stakeholder seminars where an overview of the content and the intent of the current Plan has been presented, and options sought for improvements that could be undertaken.

- Likewise, all Community Councils were offered a “Place Planning” seminar with planning staff. Run with Community Planning staff, we had a very high level of participation from the Community Councils. These sessions sought to identify what the local issues were within a community so as to inform the shared vision that we have for the settlement and identify those features that should be protected or enhanced. The Place Standard Tool was used in this engagement process.
- Engagement was undertaken with Elected Members and representatives of Community Councils during the bid assessment process such that comments on policies and proposals could be captured at an early stage and reflected in the Main Issues Report.
- The Main Issues Report was published on 14 January 2019. Statutory notices were published in the Press and Journal Newspaper giving 12 weeks for people to give us their views.
- Copies of the Main Issues Report were made available through all public libraries in Aberdeenshire. The Main Issues Report was also made available online alongside a Draft Proposed Local Development Plan as a tool to aid with interpretation of the Main Issues Report.
- A response pro-forma was placed on the website.
- We wrote to all Community Councils providing formal notice of the publication of the Main Issues Report and advising them that the Main Issues Report together with a Draft Proposed Local Development Plan, the response form and all related documents were available online. Each Community Council was offered additional visits from a Planning Officer to answer any questions and support their submission.
- We wrote to all other stakeholders advising them that the Main Issues Report and a Draft Proposed Plan had been published, and to invite responses.
- We developed the website to provide information on the Local Development Plan and the process that we are using to consult upon it. The website has been developed to promote the Main Issues Report and encourage electronic submission of representations.
- We visited 17 community venues across the Local Development Plan area at drop-in sessions to invite public participation by submitting comments on the Main Issues Report.
- We undertook a Youth Engagement Pilot project which saw Planning Officers engage with 14 primary schools and 2 secondary schools across Aberdeenshire. This equated to approximately 450 young people. The project was shortlisted for a Scottish Award for Quality in Planning 2019.
- All representations received were catalogued and reviewed. An ‘Issues and Actions’ Report was produced to summarise all comments made, to establish the issues raised, and identify if and what actions are required.
- Special Area Committee meetings were held during August and September 2019 for the purpose of presenting and discussing the Issues and Actions concerning policies and proposals for each of the six Administrative areas. Recommendations and comments received from the Area Committees were subsequently reported to and considered by the Council’s Infrastructure Services Committee in October 2019.
- The Monitoring Report has been updated.

## Engagement on the Proposed Aberdeenshire Local Development Plan

The Proposed Local Development Plan 2020 is the Plan that Aberdeenshire Council would like to see taken forward to Adoption and will be the Plan debated at Examination. Following approval by Aberdeenshire Council on 5 March 2020, the Proposed Local Development Plan became known as “the settled view of the Council”.

In amendment to the previously agreed consultation period, the Proposed Local Development Plan consultation is now scheduled to commence on 25 May 2020, closing on 17 July 2020.

### During May to July 2020:

- We will publish statutory notices in the Press and Journal newspaper, and other notices in local papers, including how people can engage via electronic means, allowing eight weeks for people to give us their views.
- We will provide appropriate updates to our e-newsletter and use a range of social media to keep people informed.
- We will place a copy of the Proposed Local Development Plan on our website. This will include a downloadable PDF version as well as an interactive online Proposed LDP.
- A response pro-forma will also be placed on the website. Hard copy response forms will be distributed upon request.
- We will upload to the website short films about the Proposed Plan and how to submit a representation.
- We will undertake engagement with stakeholders, including Community Councils, via electronic means, whether this be via virtual drop-ins/ opportunity for question and answer sessions delivered via a webinar format.
- We will write to all Community Councils to provide formal notice of the publication of the Proposed Local Development Plan, advising them that the Plan, the response pro-forma, and all related documents will be available online with hard copies available on request, and inviting them to make representations.
- We will write to all those who engaged with us on the Main Issues Report notifying them that the Proposed Local Development Plan has been published and directing them to where the document can be viewed and pro-forma to help them make representations.
- We will notify in writing, the owners, lessees or occupiers of land neighbouring (i.e. within 20 metres of) proposed allocations identified in Proposed Local Development Plan.
- We will write to all statutory undertakers including the Scottish Government and adjoining Local Authorities with a copy of the statutory notice, a link to the Proposed Local Development Plan and response form to help them make representations.
- We will liaise with Community Planners and representatives of ‘hard to reach’ groups to identify engagement methods suitable for these particular groups.

- We will refer to the Children’s Charter in order to link with young people and write to all schools in Aberdeenshire advising them of the publication of the Proposed Local Development Plan and invite pupils to make comments.

### By December 2020

- We will acknowledge all responses made to the Proposed Local Development Plan and advise stakeholders on whether any submissions that have been made should result in a change to Aberdeenshire Council’s ‘settled view’ going into an Examination. The Examination will consider any unresolved matters raised by respondents.
- Summaries of the submissions made to the Proposed Local Development Plan will be prepared. These will be in the form provided by Schedule 4 of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008.
- We will submit to the Scottish Ministers:
  - the Proposed Local Development Plan;
  - Appendices proposed to be published with the Local Development Plan;
  - the Schedule 4 documents;
  - the Development Plan Scheme 2020;
  - the Statement of Conformity with the Participation Statement taken from the 2020 Development Plan Scheme;
  - the Monitoring Report (2019);
  - copies of the unresolved representations;
  - the Environmental Report from the Strategic Environmental Assessment;
  - the Equality Impact Assessment;
  - the Proposed Delivery Programme; and
  - the Habitats Regulations Appraisal Record and associated correspondence from Scottish Natural Heritage (SNH).
- We will submit a notice in the Aberdeenshire edition of the Press and Journal newspaper stating when the Proposed Local Development Plan was submitted for Examination, and where and when the Plan may be viewed.
- We will defend the Proposed Plan at a Local Development Plan Examination, taking into account any changes deemed necessary following receipt of submissions.

### Following the Local Development Plan Examination

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

- We will amend the Plan as instructed, unless there are overriding matters that Aberdeenshire Council cannot accept.
- We will advertise our intention to adopt the Local Development Plan in the Press and Journal.
- We will advise the Scottish Government of our intent to adopt the Local Development, as modified.

- We will print the Local Development Plan and lodge it in libraries across Aberdeenshire.
- We will publish the Local Development Plan on our website.
- We will publish the Delivery Programme.

#### In the Next 12 Months we will

Over the course of 2020 we will publish the Proposed Local Development Plan for formal consultation, evaluate the representations made to us and submit the Plan for Examination.

The Local Development Plan e-newsletter will be a key vehicle that we will use to keep people engaged in the preparation of the Local Development Plan. This is a self-subscribing electronic document published approximately every 4 weeks and with a disclosure check in April of each year. There have been over 500 subscribers to this facility.

#### Methods of Monitoring Performance

Full records will be kept of engagement activities to inform the Monitoring Statement on conformity into the current Participation Statement that is required to be submitted to the Examination in 2020. It is unlikely that the Development Plan Scheme to be published in 2021 will vary significantly from the 2020 edition, but an update of the consultation actions undertaken during the calendar year will be provided to support the Proposed Local Development Plan at Examination.

