

## SG LSD6: Public access

- A. We will approve development, subject to other policies, if:**
- 1) it is accompanied by an access plan that shows the existing non-motorised public access footpaths, bridleways and cycleways on the site, together with proposed public access provision both during construction and after completion of the development (such provision should include links to existing path networks and to the surrounding area, and access points to water); AND**
  - 2) in cases where the new development affects a route included in the Core Paths Plan or affects any other public footpath, bridleway, cycleway or access point to water, then EITHER:**
    - (i) it retains the existing path or water access point while maintaining or enhancing its amenity value; OR**
    - (ii) it makes alternative access provision that is no less attractive, and is safe and convenient for public use.**
- B. We will approve the construction of a new path or public access point to water, subject to other policies, if an adequate maintenance programme has been agreed with the Planning Authority, and where applicable, it addresses the requirements of disabled people.**

### **Reasoned Justification**

The aims of this supplementary guidance are to ensure that existing and potential public access routes (including core paths) are protected and that new developments incorporate appropriate opportunities for informal recreation, and promote walking or cycling as a means of transport. The policy also aims to ensure new development does not restrict future opportunities for the extension of the public access network.

The *Land Reform (Scotland) Act, 2003* includes rights for non-motorised public access to most land and inland water, covering such activities as walking, cycling, horse riding and canoeing/kayaking. Access provision should be designed to accommodate all appropriate users harmoniously. Since 2004, the *Disability Discrimination Act 1995* applies to path networks as well. Public access needs to make reasonable provision for the disabled, including the visually impaired, within the constraints of practicability and the need to maintain the character of the area.

Public access routes help to benefit health and well-being, promote enjoyment and awareness of the natural and historic environment, contribute to the local infrastructure and provide alternatives to the use of the private car. Safe routes to school and social equity concerns in linking settlements and local services to the needs of residents also need to be considered.

New development should conform to the *Aberdeenshire Outdoor Access Strategy* and the *Aberdeenshire Core Paths Plan*, should enhance existing paths and should deliver new paths which are identified in the Core Paths Plan and fall within the development proposal.

All new developments require an access plan to the satisfaction of the planning authority. Advice on preparing an access plan is given in Aberdeenshire Council's *Outdoor Access and Development: Guidance for Developers*. Existing routes, proposed routes and new routes should be shown on the development's site or layout plan as appropriate.

The construction of new paths should:

- conform to best practice e.g. *Lowland Path Construction Guide*, *Upland Pathwork*, *Countryside Access Design Guide*, and Aberdeenshire Council's *Outdoor Access Strategy*; and
- if appropriate, incorporate appropriate relevant infrastructure (e.g. cycle racks, seating, signposting, lighting).

A maintenance programme should be submitted to ensure that the track or path is safe and convenient for use, and will not have any adverse impact on the environment.