

Aberdeenshire Local Development Plan

Monitoring Statement

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Introduction

This report provides an analysis of evidence on the performance of the previous plan, the Aberdeenshire Local Plan 2006 (ALP). This will help to inform the new plan, justify the new plan's content and provide a baseline for later monitoring. The report is divided into two parts.

- The first part deals with the overall performance of the ALP against the core strategic land use and locational objectives that apply to that plan.
- The second part looks at the performance of particular policy areas in order to identify where significant change may be required.

This analysis conforms to Planning Circular 1 2009: Development Planning: It forms one part of the evidence base for the plan which is required to inform plan-making, justify the plan's content, and provides a baseline for later monitoring. This statement is presented in a form that can be readily understood, with additional details of the evidence provided either as annexes or through links to documents which are freely available online. An important part of the evidence base for this monitoring report is the Report of Survey (2007) which was carried out for the Aberdeen City and Shire Structure Plan (Finalised) which can be read alongside this report, avoiding the duplication of evidence. In addition to the Report of Survey, the evidence base includes:

1. Housing Land Audit 2008 (HLA)
<http://www.aberdeenshire.gov.uk/statistics/hla/index.asp>
2. Employment Land Audit 2008 (ELA)
<http://www.aberdeenshire.gov.uk/statistics/ela/index.asp>
3. Small Area Population Estimates and Forecasts 2007 (SAPEF)
http://www.aberdeenshire.gov.uk/statistics/population/sapef2007_tables.pdf
4. Town Profiles (for 12 Main Settlements)
<http://www.aberdeenshire.gov.uk/statistics/area/index.asp>
5. School Roll Forecasts 2008
http://www.aberdeenshire.gov.uk/parentscarers/information/school_roll.asp
6. Aberdeenshire Local Plan Policy Review Statements (Aberdeenshire Council, 2008)
Presented as appendix A to this report
7. Departures 2007 – 2008
ISC 09-10-2008 Development Plan Departures Record: 1 April 2007 to 31 March 2008
Presented as appendix B to this report
8. Scottish Index of Multiple Deprivation 2006: Aberdeenshire
<http://www.aberdeenshire.gov.uk/statistics/economic/deprivation.asp>

Method

By looking at whether we have achieved the objectives of the previous plan it allows us to draw conclusions on those areas where we may have to improve our performance. Core strategic land-use and locational objectives were provided for the ALP by the Aberdeen and Aberdeenshire Structure Plan “North East Scotland Together” (NEST) approved in 2001. Monitoring of NEST has led to the submission to the Scottish Ministers of a new finalised Structure Plan (The Aberdeen and Aberdeenshire Structure Plan 2009) with revised objectives for development in Aberdeenshire. Nevertheless it remains useful to compare performance with the stated objectives for the ALP so as to inform the Aberdeenshire Local Development Plan 2009.

Within ALP each land use policy has specific objectives associated with it. These are stated as “aims” of the policies. Assessment of the policies against their objectives allows us to draw conclusions on whether changes should be made to the policy to improve its performance. In particular it allows us to determine whether the policy should be completely redrafted so as to achieve different aims.

The policies and the spatial strategy of the structure plan, and the analysis of performance of the policies of the existing Local Plan, lead us to identify the areas where change may be necessary. The options for the major changes in policy that this analysis leads us to are presented in the Main Issues Report published separately.

Part 1

Performance of the Plan

Core Strategic Land use objectives

Objective 1 – To create a long-term sustainable framework of settlements in a hierarchy, which focuses major development on the main settlements in the North East.

Through allocation of land, development has taken place in accordance with the settlement hierarchy set out in the Aberdeen and Aberdeenshire Structure Plan. Exceptions to this relate to significant housing developments outwith settlements approved at Menie and Blairs College. However, these individual cases were justified on the basis of being unique opportunities to support Objective 3 in both cases (see below), and at Blairs it also supported Objective 5 through enabling development. Overall, the scale of housing in the countryside has not been such that it has prevented development from occurring in the pattern that the hierarchy suggests.

For further information refer to:

- Housing Land Audits 2008 and Draft Housing Land Audit 2009 (in particular appendix 3)
- Employment Land Audit 2008 (in particular appendix 5b)
- Analysis of the Employment Land Audits 2002-2008 presented as Appendix C of this report
- Analysis of the Housing Land Audits 2006-2008 presented as Appendix E of this report

Objective 2 – To integrate land use and transportation and ensure that development is well related to public transport, especially on the main communication corridors.

The ALP has successfully directed the majority of new development to accessible locations, in accordance with the settlement strategy. Even major development approvals outwith the allocated sites in the plan have been in line with this objective.

For further information refer to:

- HLA 2008 and Draft 2009 (In particular appendix 3)
- Employment Land Audit 2008 (In particular appendix 5b)

- Town Profiles (for 12 Main Settlements)

<http://www.aberdeenshire.gov.uk/statistics/area/index.asp>

Objective 3 – To foster and promote economic diversity and competitiveness, create new economic development opportunities and develop the natural strengths and growth sectors of the business economy, all in accord with sustainable principles.

Since 2006 Aberdeenshire has seen the development of an international sub-sea cluster on land allocated for employment uses at Westhill. Indeed, Westhill along with Ellon and Portlethen are locations where take up of employment sites has been particularly high over this period, as demand for business land has encouraged developers to lift constraints on previously constrained land. Opportunities have been created for the expansion of golf related tourism, principally through the application of policies that enable other forms of development to cross-fund golf course development. Success in promoting economic growth and diversification in more remote areas has had limited success, which may result in a need for the Local Development Plan 2009 to be more robust in this regard.

For further information, refer to:

- Employment Land Audit 2008 (in particular appendix 5b).
- Analysis of the Employment Land Audits 2002-2008 presented in Appendix C of this report.

Objective 4 – To locate homes, jobs and services in scale with each other and with the role and function of each settlement.

This objective may not have been achieved in full. The role of the local plan in sustaining communities is very much a factor of the land market. The development plan can provide opportunities to co-locate homes, jobs and services, but market forces dictate whether commercial decisions will be taken to support housing development with employment land and necessary services. Employment land take up is influenced by issues of connectivity, and of access to labour and markets that the Local Plan cannot, in the short term, influence. These in turn promote the most development in places that are already successful.

Services are provided in response to demand, and the concepts of critical mass (that is, having sufficient “customers” to support a service) and timing (that is, providing the service when sufficient critical mass has accrued to ensure profitability or efficiency) are very relevant. Provision of services may not have occurred as may have been desired, as there may not yet be sufficient additional “customers” created in an area to sustain the service. Alternatively, the phasing of construction sometimes means that while services can be expected, they will follow rather than lead development.

Public services follow the same basic principles as private services. It is inefficient to provide additional services for a small number of new properties. An additional complication is the current lack of public sector finance available to service new development. Equally there are limitations on funding that can be achieved from the increase in land value which can be directed to service provision, commonly known as “developer contributions”.

In addition to the economic successes of Ellon, Westhill and Portlethen, some wider success can be highlighted, particularly the development of employment land at Kintore and Thainstone, and the growth of Inverurie as a retail centre. These successes are subdued by continuing problems with the take-up of employment land in the Buchan and Banff & Buchan Areas, despite its widespread availability and promotion, albeit, there are signals of an improvement in this situation in Buchan. Another notable problem has been the capacity of infrastructure, particularly schools in Aberdeenshire to accommodate the new demands generated by development. A more robust

policy to ensure that new development does not impact on the quality of life for existing residents is required.

For further information, refer to:

- Town Profiles (for 12 Main Settlements)
<http://www.aberdeenshire.gov.uk/statistics/area/index.asp>
- Small Area Population Estimates and Forecasts 2007 (SAPEF)
http://www.aberdeenshire.gov.uk/statistics/population/sapef2007_tables.pdf
- Employment Land Audit 2008 (In particular appendix 5b)
- Analysis of the Employment Land Audits 2002-2008 presented as Appendix C of this report
- Population and Households Analysis as presented as appendix D of this report
- Analysis of the Housing Land Audits 2006-2008 presented as Appendix E of this report

Objective 5 – To protect, enhance and promote the natural, built and cultural heritage of the North East.

Across Aberdeenshire there has been considerable success with the conservation of natural, built and cultural heritage, although in some cases there has been a trade-off between economic development objectives and conservation objectives. This is particularly evident in the approval of the Golf and Leisure complex at Menie, but may also be seen at a smaller scale within Conservation Areas where the costs of heritage features has frequently been used to argue for a reduction in standard.

Conversely application of landscaping standards has promoted diversity of natural habitats and visual amenity around new developments.

Overall heritage conservation has been considered appropriately and has both been protected and enhanced by new development.

Objective 6 – To create a long-term framework for the communications network, giving preference to public and freight transport, cycling, walking and telecommunications.

The majority of new development has taken place in locations that are well served by public transport and has promoted accessibility by non-motorised modes. Of 10,163 developments, 83% have taken place within 3km of an A class road. The exception to this has to be development in the countryside, which, as it is currently implemented, does not support these objectives and promotes reliance on the private car. However, this only accounts for between 15 and 20% of all development and these issues need to be balanced against the wish to revitalise certain parts of the rural area, where public transport is poor anyway and is unlikely to be viable due to the dispersed population. All major development is required to produce travel plans to encourage and promote travel by alternatives to the private car. The quality of these plans continues to improve, but there remain some issues surrounding the implementation and monitoring of these plans over time.

Safeguarding of key nodes on the transport network for transport interchanges has been successful, and has been balanced with a pragmatic approach where this has been taken forward with the development industry, such as at Banchory and at Kintore.

Locational Objectives

Objective 7 – To secure a choice of location for a viable supply and adequate variety of land for housing (including affordable housing), employment, services and open space, which:

- relates development to each settlement’s ability to accommodate it without loss of amenity or identity;
- ensures that the particular use or uses proposed for each site will maximise the overall sustainability of the community;
- gives preference to the use and re-use of sites within existing settlements;
- avoids development in areas at significant risk of flooding, or near other major hazards;
- relates the density of development, when considered with adjoining land uses, to its proximity to services and the transport network;
- will help to regenerate poorer communities and areas.

While allocations were made to achieve these objectives, there must be some doubt as to whether the Aberdeenshire Local Plan, as implemented, has fulfilled its aspirations. Allocations were made to provide adequate land in a wide variety of locations, but market forces have transpired to result, very quickly, in challenges to this objective. Issues relating to the very rapid rate of take up of land in some areas has resulted in a restriction in the choices available for new development, and have put unacceptable pressure on the social and community infrastructure in these places. At the same time problems over the delivery of land, even in high demand areas, has led to large allocations remaining un-implemented, thus restricting choice.

In recent months, in terms of housing land supply, the issue has abated through a combination of: housing land releases in the Aberdeen Housing Market Area, some via enabling development applications, and the economic downturn. However, over the plan’s period housing land supply not been as plentiful as the plan had envisaged, especially in the Aberdeen Housing Market Area.

For further information see:

- Report by the Aberdeen City and Shire Strategic Development Plan Manager on “ The Implications of the 2008 Housing land Audit”
<http://www.aberdeencityandshire-sdpa.gov.uk/nmsruntime/saveasdialog.asp?IID=293&SID=253>
- Housing Land Audit 2008

Brownfield development has not had the prominence that the objectives require. However, since the adoption of the Aberdeenshire Local Plan in 2006, there has been little change in the quantity of vacant or derelict land.

Table 1. Greenfield and Brownfield development. (Housing Land Audits 2006-2008 (Aberdeenshire Council))

HLA2008			
figure 3	Area	Greenfield	Brownfield
	Aberdeen City	533 (23%)	1,836 (77%)
	Aberdeenshire (part)	4,246 (88%)	559 (12%)
	Aberdeen Housing Market Area	4,779 (67%)	2,395 (33%)
	Rural Housing Market Area	5,381 (89%)	685 (11%)
	Structure Plan Area Total	10,160 (77%)	3,080 (23%)
HLA 2007			
figure 3	Area	Greenfield	Brownfield

Aberdeen City	201 (8%)	2,244 (92%)
Aberdeenshire (part)	4,672 (90%)	533 (10%)
Aberdeen Housing Market Area	4,873 (64%)	2,777 (36%)
Rural Housing Market Area	5,360 (88%)	737 (12%)
Structure Plan Area Total	10,233 (74%)	3,514 (26%)

HLA 2006 figure 3	Area	Greenfield	Brownfield
	Aberdeen City	15%	85%
	Aberdeenshire (part)	90%	10%
	Aberdeen Housing Market Area	66%	34%
	Rural Housing Market Area	89%	11%
	Structure Plan Area Total	77%	23%

The majority of development has been successfully steered away from areas that may flood or are at risk from, for example, explosion. An increasing trend around Aberdeen City is the assertion by developers that high pressure gas pipelines are a manageable risk and should not preclude development in close proximity. It may be appropriate to ensure development is more risk averse.

Table 2 Dwelling houses approved in areas of flood risk.

	Number of dwelling houses approved	
At risk from Coastal flooding	67	Includes 51 dwelling houses at Denmark Street Fraserburgh. No developments outwith urban areas approved
At risk from fluvial flooding	138	Includes 38 dwelling houses at Fettercairn 12 dwelling houses at Lumphanan, 10 flats at Inverurie and 4 dwellinghouses at Banff, on which there is a flood risk over part of the site. All other instances relate to one or two dwellinghouses

There is little evidence in Aberdeenshire that there is a marked difference in the density of development close to services and the transport network. However, while higher densities are being achieved in town centres than on the periphery of town, none of the transport interchanges demonstrate adjacent high density development to support them.

The Scottish Index of Multiple Deprivation 2006 identifies the two most affected settlements in Aberdeenshire are Peterhead and Fraserburgh, an update of this analysis will be available in late 2009. While it is accepted that regeneration requires more than just a land use response, significant actions have been achieved in both Fraserburgh and Peterhead. Physical regeneration projects are underway in both towns, but it will take a number of years before the effect of these is clear. In Peterhead there have been definite signs of improvement, such as increased house prices and developer interest in the town. However, given both towns' importance to Aberdeenshire's economy, there are continuing concerns over the take-up of industrial allocations and levels of economic activity, deriving from their relative remoteness and the economic uncertainty associated with investment in these areas.

For further information see:

- Scottish Index of Multiple Deprivation 2006: Aberdeenshire
<http://www.aberdeenshire.gov.uk/statistics/economic/deprivation.asp>

Objective 8 – To protect and enhance the vitality of town centres as preferred locations for retail, leisure, community and business functions.

Under the Aberdeenshire Local Plan the towns of Westhill, Ellon, and Huntly have each seen major supermarkets locate on the edge of town. Other towns have seen proposals for extension of off-centre supermarkets. New proposals are being pursued in Stonehaven, Banchory, Peterhead, Fraserburgh and Banff. However, retail expenditure has continued to grow since the adoption of the Aberdeen Local Plan and there is no evidence that these new out of town proposals have had, or will have, a significant adverse effect on the viability and vitality of our town centres.

Nevertheless, all town centres monitored have seen a decline in the diversity of shops to be found, with a particular decrease in the number of national “chain” retailers and in the number of enquiries received for town centre retail space.

Table 3. Town centre vitality scores 2003-2007 (Score out of possible 160)

Year	Stonehaven	Peterhead	Inverurie	Ellon	Banff	Fraserburgh	Turriff	Huntly	Banchory
2007	106.0	98.5	109.0	95.0	81.5	74.0	100.0	87.5	123.5
2005	92.0	90.0	114.0	95.0	78.0	78.0	90.0	81.0	103.0
2003	93	91	107	94	77	73	91	78	110

Objective 9 – To confirm the function and role of Aberdeen’s Green Belt.

Aberdeen’s green belt remains a strong restrictive protection to landscape impact and settlement coalescence. The role of the greenbelt in providing opportunities for countryside recreation and nature conservation has not been embraced in the same way as it has within Aberdeen City itself.

Table 4 Development in the greenbelt

Type of application	Number of approved applications 2006-2009
Change of existing use	13
Alterations to existing buildings	89
Intensification of existing use	58
New developments (not Houses)	2
New Houses	8
Utilities	4

Objective10 – To protect the countryside from development other than what is needed for the rural economy and settlement strategy.

Rural development has been modest in scale since the adoption of ALP and there is no reason to suspect that this has had an impact on either the settlement strategy or adversely on the rural economy.

For further information see

- Policy Review Statement I. Hou\4, Hou\5 and Hou\6 “Housing in the Countryside “(within appendix A))

Objective 11 – To give special protection to international, national and locally designated sites of environmental importance, but also to foster the natural and built environment as a whole.

Our performance on this objective can be measured with reference to Objective 5 above and requires no further Analysis.

3. Conclusions

In general there can be some optimism that the Aberdeenshire Local Plan has made a positive contribution to the achievement of its stated objectives. It is unrealistic to expect to observe a sea change in high level objectives over the course of one plan, and especially when the objectives set are so demanding, but there can be considerable confidence that over the period from 2006 development has successfully been guided by these objectives.

Despite notable success, the meeting of some objectives have not been as advanced as expected and these will continue to be addressed over the course of the Aberdeenshire Local Development Plan. Objective 4 requires more attention in tackling the lack of take up development land in Banff and Buchan and also Buchan. There are also issues regarding infrastructure provision in high demand areas; with a need to overcome constraints in order to ensure opportunities are met, and a need to ensure that communities in high demand areas do not suffer from a decrease in quality of life. In order to meet objective 7, the Local Development Plan will have to address issues which have arisen; both where development opportunities have been hindered by infrastructure constraints, and where continued efforts will be required to progress regeneration. However, it is clear that a development plan can offer no simple fix to these issues, accordingly: communities, the development industry and government will have to continue to employ a multifaceted approach to achieve these objectives.

A longer period of time will be required to achieve substantial changes, and this may be a reason why objectives for the Local Development Plan require continuing down the course previously set by the Aberdeenshire Local Development Plan. However, the plan has to respond to a changing context. The Finalised Aberdeen City and Shire Structure Plan has its own set of clearly defined aims and objectives, and the Local Development Plan is a key delivery mechanism for this plan. In the final analysis what may be required may be a revision of the existing objectives of the plan in the light of the finalised structure plan rather than a complete revision, to provide the changing emphasis that this provides for the Local Development Plan.

Part 2: Performance of Policies

Method

The purpose of this part of the Monitoring Statement is to identify those topics in the Aberdeenshire Local Plan (ALP) where major policy change may be required. In addition it identifies important issues where the policy approach is sound, but performance could be improved through small changes.

The policy issues have been identified from a process of “triangulation” using a wide range of sources. These are:

- Assessment within Aberdeenshire Council of the existing policies within the Aberdeenshire Local Plan (ALP), to identify whether the policy requires to do something different now from when it was published in ALP.
- Assessment of the policies in ALP to assess whether there was evidence that there was support for the policy approach in decision-making by elected Councillors.
- Seminars with stakeholder groups, covering topics such as housing, employment, environment and rural affairs, to identify specific issues with the policy approaches in different sectors.
- Seminars with the Area Committees of Aberdeenshire Council.
- A questionnaire survey of Aberdeenshire Community Councils.
- A survey questionnaire, using the “Citizens Panel”, of a cross-section of 934 residents across Aberdeenshire, asking general questions about the outcomes of the planning process.

This process has identified two classes of “issue”.

1. Those issues where the principle of the existing policy is sound, but where there is a failure in the delivery of the policy. In these cases the intended outcome has widespread support, but there is a need to reword the policy to provide greater clarity or certainty. These issues are “minor” issues and, while opportunity is provided to comment on any aspect of the supporting documentation, these are not the primary focus of the consultation in the main issues report.
2. Those issues where a significant change in direction of planning policy may be required. In these cases, the objective of policy, and how that objective is realised, needs to be assessed. These issues represent the “Main Issues” for which new policy approaches are to be proposed and debate on alternatives promoted.

In the following sections a summary of each chapter from the Aberdeenshire Local Plan is presented. This identifies both classes of issue by examining changes in the environment in which the policy operates, the results of the consultation, and by providing an analysis of the performance of the policy. The full analysis that has led to these conclusions is available in a suite of technical supporting documents.

Copies of the research, analysis, and public and stakeholder consultations that have informed this review are included as Annex A.

2. Employment Policies

Major changes in the context of employment land policy

Employment allocations

There is a need to be more flexible and responsive to proposals for employment development in Aberdeenshire. This can be seen from the large applications for employment development outwith the provisions of the development plan, for example, at Crichtie, Inverurie and Midmill, Kintore. Guidance from the government on economic development states that development plans “should be sufficiently flexible to respond to new challenges and unpredicted demands” (*Scottish Planning Policy 2: Economic Development*). ACSEF’s Economic Manifesto for Aberdeen City and Shire requires “flexible policies to deal with applications which accord with the vision but otherwise fall outwith development plan policies”.

The flexibility and responsiveness can be achieved through appropriate allocation of employment sites. Employment allocations need to be able to accommodate a range of different users and therefore there must be a range of sites available in settlements. There must be flexibility towards economic developments of national importance and the development of corporate headquarters in Aberdeenshire. There is the possibility of timing the release of employment allocations, to meet unexpected demands. If there were to be an unexpected upturn in the market of a particular area, then these sites could be brought on stream to maintain the supply of land available for development, and in a range of site sizes and types.

Enabling development and rural diversification

Through planning applications it has been shown that there is a demand for development to pay for economic and tourism developments that will benefit the area. There are currently no policies in ALP that allow for this type of “enabling” development. Ideally proposals of this nature should come through the development plan process and be considered for allocation for such a use. Enabling development for other proposals could be considered if a community or economic benefit would be gained. This would allow flexibility to react positively to a proposal that provides a significant benefit. However, it may not be easy to identify those that are truly trying to enable an economic/tourist development. Experience has shown that some proposals have come forward with the objective of profiting from the sale of the houses, not from the development they seek to enable.

The promotion of new businesses unrelated to rural land uses, or “rural diversification” is being promoted by Scottish Planning Policy 15: Rural Development (SPP15) and Planning Advice Note 73: Rural Diversification (PAN73). This is currently being achieved by ALP Policy Emp\3 which supports employment developments in the countryside. SPP15 and PAN73 also recommend that development plans should identify areas where housing and business opportunities can be advanced together. The plan does not currently allow for developments of housing in order to support business opportunities, only to support the renovation of historic buildings. Housing developments with the added value of employment generation or community benefits could be encouraged, particularly where they involve the imaginative re-use of previously used land and buildings. Sites for rural diversification proposals and sites for housing that enable a start-up business in rural areas of Aberdeenshire could be identified in the next Local Development Plan.

Retailing

Scottish Planning Policy (SPP8 “Planning for Town Centres”) states that appropriate locations for retail development should be identified in local development plans. It is important to identify where there is a need for retail developments in Aberdeenshire, and to allocate sites to meet these needs. This will mean that retail developments can be directed to the best locations rather than having applications on poorer sites approved at appeal.

There have been departures from ALP granted for retail developments in the countryside. There could be more flexibility for retail proposals that are related to employment uses. SPP8 promotes shops in rural areas and criteria for the development of rural shops are set out in PAN73. There is currently no policy in the plan that clearly deals with retailing in the rural area and a new policy could aid clarity on this issue.

Results of engagement on employment policies

The statement “Existing employment land should not be redeveloped for alternative uses except in exceptional circumstances” was the only employment topic that was identified as a main issue from the analysis of the policy review seminars with stakeholders. There was a larger number of respondents, 9, that disagreed with the aim of protecting existing and allocated employment sites against alternative uses, but also a number of respondents, 5, agreed with the aim. This highlights that consideration needs to be given to future objectives surrounding employment land allocations, although less clarity over the direction it should take.

The comments received on this topic included: that poor employment sites should be considered for suitable alternatives; that the objective of the policy is inflexible and rules out complementary mixed use developments; and that there is a slow take up in certain locations. SPP2 requires planning to be more responsive and flexible to accommodate the particular requirements of mobile inward investment, growing indigenous firms and other major investments. This means that there needs to be a ready supply and mix of land available for business in locations that are more sustainable and are well connected to transport networks. By allowing more flexibility in the policy it will be difficult to achieve the objective in SPP2. More consideration could be given to allocating employment sites for mixed-use development.

Overall the policy on rural businesses is supported.

Issues with delivery of employment policy

Delivery of Employment Land

There are many employment allocations throughout Aberdeenshire, but often no work is carried out by landowners to service sites or promote them to potential employers. It is essential, in order to deliver employment sites to the market, that sites have a plan for how they will be delivered and how they will become available to the market. The use of action-programming, master-planning and promoting the servicing of the site could help the uptake of particular sites.

Efficiency of planning decisions

There is some concern with the efficiency of planning decisions for employment developments. SPP2 identifies the need to improve the efficiency of planning decisions for proposals that will benefit the economy. A priority action of the ACSEF Economic Manifesto for Aberdeen City and Shire is to expand the use of master-planning with private sector involvement for large employment sites. This approach could be taken and the production of master plans for employment developments required.

SPP2 promotes the use of Simplified Planning Zones (SPZs) to improve the efficiency of decision-making. SPZs grant planning permission for the types of development it specifies within the zone without the need for any individual planning permission. SPZs provide certainty on what is permitted without the need to make a specific planning application,

exempt the need to pay the associated fee and allow the developer flexibility to make changes in a project within the framework of the scheme, where these are necessary to respond to market demands. SPZs can also be a useful promotion tool, since the incoming investors have the certainty of being able to start construction work without delay, and they also enhance land values as an additional incentive for inward investment. In this sense SPZs could be used to promote economic development in regeneration areas.

Tourism developments

It is important to recognise the role that tourism plays in the Scottish economy. There is the opportunity to work with the development industry to identify locations for larger scale, mixed-use tourist developments, and to incorporate these into the Local Development Plan. There is also a need to be more flexible to accommodate tourist applications where visitors will want to stay. There is also opportunity to identify, in certain rural areas, sites for holiday, weekend and second homes.

The current policies do not provide any protection for existing tourist facilities, as can be seen by the conversion of many hotels in Aberdeenshire to residential use. The protection of these facilities could be incorporated into existing policy or as a new policy, where the hotel business is still viable.

Employment in the countryside

The aim of the ALP policies dealing with employment in the countryside is in line with SPP15 and SPP2, but the policy is not always being applied as intended. Some employment developments in the countryside have been refused, despite support from policy Emp\3: Employment in the Countryside. The justification does appear to give a clear explanation of what the policy is trying to achieve. However, in order to achieve the aim of Emp\3, it may be advisable to provide more clarification on the policy through further supplementary guidance.

The aim of Policy Emp\3 is to promote the rural economy. However, there is a difference between the definitions in ALP of countryside (“land which is not contained within a defined settlement envelope”), and the rural areas that this policy is intended to apply to. Clarification of this could be included to avoid confusion in the next local development plan.

Housing policies

3.1 Major changes in the context of the housing policies

The majority of changes in context have been provided by revision of policy by the Scottish Government. Most significantly the Scottish Government published SPP3 “Planning for Housing” in 2003, and this was subsequently reviewed in 2008. This revised document notes the period over which the Local Development Plan should provide a housing land supply, and promotes the use of Housing Needs and Market Assessment as a means of identifying a generous housing land requirement. It also promotes the use of action programming as a means of ensuring that planned housing is built, and the creation of high quality places. The SPP also provides guidance on planning for Gypsy/Travellers.

SPP3 also provides revised guidance on the provision of affordable housing, noting that delivery of affordable housing should be detailed in supplementary guidance, but that as a benchmark 25% of all housing should be “affordable and that specific allocations for affordable housing could be employed.

SPP 11: Open Space and Physical Activity was published in November 2007. The SPP sets out national planning policy considerations in relation to open spaces in and around settlements. Under the SPP, local development plans must set out specific and locally applicable standards directed by an evidence base and open space strategy.

No specific additional guidance in relation to residential care homes has been published since ALP.

One of the key changes in rural housing is through updated Government policy, specifically SPP15 'Planning for Rural Development'. SPP15 promotes housing policy which encourages employment or proposes community benefit. SPP15 states such sites where housing and business can be advanced together should be identified in the local development plan.

Results of engagement on housing policies

Analysis of key stakeholders' views on the objectives and performance of housing policies identifies that they are clear that the current policy approach is failing to maintain a sufficient supply of housing land through sites released for immediate development. Further it can be concluded that the existing plan has not given sufficient indication to developers, communities and infrastructure providers of where future land will be released. However, consultation with community and citizens' panel stakeholders further identified that there was a perception that, in particular, insufficient affordable housing is being provided, and that this is an urgent need.

In order to provide sufficient housing and to build confidence as to where it is developed, issues of deliverability, flexibility and certainty need to be addressed.

Housing in the countryside is a contentious issue, and there is a range of views on the extent to which development should be allowed in rural areas. The policy is not performing as it should, as shown by the high number of departures from Hou\4, Hou\5 and Hou\6, indicating a limitation in all housing policies relating to the countryside. The highest instances of appeals occur in Hou\4, and where appeals against applications have been granted, the key factor is that national objectives (particularly those in SPP15) are not being delivered in current policies.

When the Citizens Panel was asked to comment on the statement: 'More opportunity should be allowed for building houses in the countryside,' 40% of the respondents in the Aberdeenshire Council area disagreed with the question. However, this incorporates significant variations across the administration areas, with 56% disagreeing in Kincardine and Mearns, but only 27% in Banff and Buchan. The importance of rural "typologies" is emphasised here, with the requirement for different policy responses for differing rural areas.

No specific conclusions regarding the small number of comments regarding either open space standards or the provision of land for special housing needs were made. It is concluded from this that these are not "burning issues" with stakeholders.

Issues with delivery of housing policy

This review has identified that there is a need for changes to policy to provide clarity and aid delivery of housing. Inconsistencies require to be removed and the policies brought up to date with the emerging structure plan and revised SPP3. However, all of the issues

identified could be accommodated through the revision of the existing policy texts, and may not require further detailed public debate on the direction that policy should take.

Major issues remain, related to the scale and distribution of housing allocations. These are part of the “settlement strategy”, and the future strategy could be considered as a “main issue”. The policy approach is robust, although minor change may be required.

Almost half of all applications for housing in the countryside are recommended for refusal, and this high percentage reinforces the point that the policy is not operating as it should. There is variation in the number of departures between Areas, and so one single policy is not necessarily suitable. Rural typologies will assist with delivering policies suited to all rural areas.

SPP15 promotes housing clusters and groups, where accompanied by infrastructure and services. The current policy on cohesive groups of housing has a low instance of approvals. It is a relatively complex policy, with Appendix 3 of the ALP required to explain the policy further. Parts b) and c) of the policy are often neglected, and a standard planning gain policy could help to overcome this. Some of the terms such as ‘generally accessible’ need to be more rigid. There have been responses from stakeholder consultation that the policy is favoured, and that it could be expanded.

Hou6 is generally working well. However, there has been some confusion over ruins and abandoned dwellings. These may be best dealt with as brownfield land under Hou4, but otherwise it must be clarified under this policy.

Hou3 likewise is generally working, although consideration should be given to the inclusion of the sensitive reuse of vernacular buildings.

While affordable housing has been highlighted as an area of significant concern, the policy basis for provision of affordable housing is robust, and, as identified previously, there is an expectation from the Scottish Government that issues related to the delivery of affordable housing should be taken forward as supplementary guidance. This would be an appropriate way to proceed, and mirrors the use of an appendix in the existing plan. Again specific affordable housing needs can be addressed through the site allocation process, rather than in any major change in policy direction.

Additional flexibility requires to be incorporated into the policy on residential care homes.

Emerging issues relating to Gypsy/Traveller sites within Aberdeenshire can only be addressed by the allocation of land for these purposes within the plan.

4. Environment policies

The environment section is the largest section of the plan with 22 policies on a diverse range of subjects.

Major changes in the context of the policy

Natural Heritage

NPPG14: *Natural Heritage* is currently under review. It has also become common practice for the most recent SPPs to include model policies, and the review of NPPG 14 is unlikely to be an exception. Model policies are anticipated on Natura 2000 sites, European protected species and SSSIs. Open space and green networks outwith settlements are also likely to feature in the new SPP, to carry forward the work on open space. The need

to support the principles set out in the European Landscape Convention are likely to be addressed in the SPP.

Landscape

The Council of Europe, European Landscape Convention 2000 states that landscapes across Europe are being transformed as a result of a number of factors, including settlement expansion, transport and infrastructure and the economy. It requires member states to develop more comprehensive frameworks to protect and enhance landscapes. The current approach of identifying “important” landscapes is unlikely to meet the needs of the convention and an alternative approach may need to be based on landscape character and recognition that all landscapes are important, but for different reasons.

There will be no National Scenic Areas within the Aberdeenshire Local Development Plan area. The Cairngorms National Park Authority (CNPA) local plan delivers policy in its plan.

Open space

NPPG 11: *Sports, Physical Recreation and Open Space* was updated in 2007 by SPP 11: *Open space and Physical Activity*. The SPP sets out national planning policy considerations in relation to open space in and around settlements. The key change is that it requires all Scottish Councils to carry out audits of the open space within their settlements and to produce open space strategies. Under the SPP, local development plans must set out specific and locally applicable standards directed by an evidence base and open space strategy. The open space audit has been completed and the strategy is in preparation.

The status and importance of public access has also been elevated in SPP 21: *Green Belts*. One of the key objectives of green belt is to protect and give access to open space within and around towns and cities, as part of the wider structure of green space. As a result, there will be a strong presumption against inappropriate development in the green belt, and this should be reflected in future planning policy on access.

Minerals

SPP4 was approved in September 2006, after the adoption of ALP. NPPG4 required local plans to safeguard workable mineral deposits and to provide the framework for development management using criteria to assess each application. SPP4 promotes a sustainable approach to mineral extraction and tries to reconcile the need for minerals with concern for the natural and historic environment and communities.

Water environment

The EC Water Framework Directive, which is implemented by the Water Environment and Water Services (Scotland) Act 2003, requires the creation of a river basin planning system in the form of River Basin Management Plans (RBMPs) by 2009. Their purpose is to ensure new developments do not prevent water bodies achieving good ecological status by 2015. Local development plans are required to conform to RBMPs.

Historic environment

SPP23 *Planning and the Historic Environment* was published in 2008, and replaces NPPG5 *Archaeology and Planning* and NPPG18 *Planning and the Historic Environment*. The SPP proposes the use of model policies. It also indicates how the planning system will contribute towards the Scottish ministers’ policy as set out in the Scottish Historic Environment (SHEP) series produced by Historic Scotland.

SHEPs were published after ALP was adopted, and set out the Scottish Ministers’ strategic policies for the historic environment, providing greater policy direction for Historic

Scotland. They provide a framework for the day-to-day work of organisations that have a role and interest in managing the historic environment. SHEPs have the same authority as and sit alongside the Scottish Planning Policy series and other relevant Ministerial policy documents. SHEPs cover ancient monuments, archaeological sites and landscapes, battle grounds, historic buildings, townscapes, parks, landscaped gardens and designed landscapes, and marine heritage.

Public access

The Land Reform Act (Scotland) 2003 requires access authorities to guide access provision by preparing a Core Paths Plan. Core Paths Plans will identify and map the 'core paths' within an area, making sure these are marked and that everyone is encouraged to use them. The plan for Aberdeenshire Council should be completed in 2009/2010. Local development plans should cross-reference to the core paths plan, incorporate relevant material, and set out policy protection for core and other paths such as long distance routes and rights of way. SPP11 suggests it may be appropriate to include key information on the proposals map. The Act also provides for river-based access for canoeists and kayakers.

SPP11 also highlights the importance of paths and requires planning authorities to give due weight to connectivity and to consider the need to avoid fragmentation of open space, in particular areas of woodland and other important habitats. It also states that access rights and core paths plans are material considerations in determining applications for planning permission, and that new developments should incorporate new and enhanced access opportunities where appropriate.

Results of engagement on environment policies

None of the environment topics were identified as a main issue from the analysis of the policy review seminars with stakeholders. However, the respondents that attended the stakeholder seminars believed that most of the environment policies are not achieving their objectives, which is largely to safeguard heritage resources.

Although the number of comments on the environment topics was relatively low compared with the other topics, a significantly high number of stakeholders believed the policy objectives on protecting the historic environment and protecting open spaces are not being achieved.

More respondents disagreed than agreed with the coastal development and agricultural land policy objectives. This raises questions about the need and purpose of these policies. The policy objectives of the remaining policies are supported, but they need to be more objective and concise in order to achieve their objective.

The response from the Citizens Panel was relatively positive. However, there were concerns that the landscape of Aberdeenshire is not being protected from intrusive developments. Although most agreed with the question, this was with reservations, and more disagreed compared with the other environment questions.

Issues with delivery of environment policies

Minor shifts in policy direction are envisaged as a result of SPP14, the Strategic Environmental Assessment (SEA) of the Aberdeen City and Shire Structure Plan, the Appropriate Assessment (AA) of the Aberdeenshire Local Plan in 2006, and the emerging River Basin Management Plan. These drivers are unlikely to result in a major shift in policy direction. There is a need to rationalise (i.e. identifying which policies will deal with which designations) and improve the objectiveness of policies. Other policy areas would

also benefit from rationalisation or the adoption of “model policies” from the Scottish Government, so as to better achieve the objective of the policy approach.

The review identified two main issues in the environment policies, which require further debate before the policy approach is agreed. The first main issue relates to landscape and the second mineral extraction.

A major change in the landscape policy approach is envisaged due to the loss of National Scenic Areas in Aberdeenshire (once the Cairngorm National Park is adopted) and the outdated Areas of Landscape Significance designations. The ALS could be deemed as an obstacle to development even though development within the landscape could be accommodated. To avoid this, either the ALS designations will have to be reviewed, or a criteria based policy approach is adopted, which focuses on landscape character. The latter is the preferred option, keeping policy advice objective. This would be a major change in policy direction, as policies Env\5A and 5B refer only to landscape designations.

A second major issue relates to the safeguarding and extraction of mineral reserves (Policies Env\12 and 13). SPP4 advises against the use of a sequential approach, as used in Policy Env\13, favouring the identification of areas of search for future mineral developments in consultation with stakeholders.

5. Infrastructure policies

Changes in context

By and large the nature of the policies in this section are not subject to the changes in context that impact on other policies. However, there are two exceptions to this.

Scottish Planning Policy 6: Renewable Energy is the main driver of change for renewable energy developments within Aberdeenshire. The current approach as set out in Inf\7 and the associated tiered approach is not supported by the revised SPP and will have to be replaced with a spatial framework for windfarms over 20MW. This framework will indicate broad areas of search where windfarm proposals are likely to be supported, and will indicate areas which will be afforded protection from windfarm developments.

The SPP also states the need for development plans to include policies on the provision of low carbon and renewable sources of energy.

Results of Engagement

The stakeholder consultations highlighted that planning policy should encourage the sensitive development of wind and other renewable energy facilities.

Gaps and room for expansion to the current policy were also identified by stakeholders in relation to Inf\7 Renewable Energy. It was identified that there is a need to encourage micro-renewable developments on domestic developments; that energy conservation should be given consideration as well as renewable energy generation; that “nimbyism” has far too much influence on planning decisions; and that there are worries over the cumulative effects of wind energy developments.

Both the Community Council and Citizens panel consultations identified that communities felt that facilities do not keep up with the level of growth.

Issues with delivery of infrastructure policies

There will need to be a different approach adopted for some of the current infrastructure policies. There are a number of technical issues regarding water policies and it is

recommended that these could be incorporated into a criteria based approach, so as to avoid duplication of European regulation. An appropriate response would be to include these as supplementary guidance, published as 'standards' that development must adhere to.

Policies Inf\6A: Waste Management Facilities & Inf\6B: Waste Management Requirements for New Developments need to conform to Scottish Planning Policy 10: Planning and Waste, and therefore the current policies in ALP will require minor expansion.

Policy Inf\10: Community Facilities has had little mention in planning applications, but it should play an important role in providing opportunity for the provision of community facilities. This was a main issue highlighted by the stakeholder consultations. It was also highlighted by Community Councils and the Citizens Panel as not meeting the objective that it should. There needs to be an implicit link between new housing developments and the effects on the existing community and its facilities. Expansion of the policy should include the safeguarding of land that has been indicated for community facilities in the Local Development Plan. As stated previously new housing developments should not have a negative effect on current community facilities, and should not reduce the quality of life within the affected communities. The consequence of new housing developments on school rolls needs to be stipulated within the policy.

Policy Inf\11: Airports and Airfields and Policy Inf\12: Safeguarding Land for the Modern Transport System should be combined to create an overall policy for safeguarding of transportation needs. Policy should protect any land highlighted in the Local Development Plan for transportation needs.

6. General Policies

Changes in context

Fundamental to this section of the existing plan is the clear position that the Planning etc.(Scotland) Act 2006 provides in relation to the primary function of the development planning system to deliver sustainable development. This is reinforced by a range of SPPs, but most notably SPP14: *Natural Heritage*, which places emphasis on the need to improve the environment and tackle issues of climate change and sustainability.

As with the housing policies the main area of change for this section of the plan has been through the publication of revised Scottish Planning Policy. Principal among these has been SPP3 and *Designing Places*. SPP3: *Land for Housing* proposes mechanisms to identify housing land for the longer term and expedite delivery, while *Designing Places* sets out the policy context for important areas of planning policy, design guidance, professional practice, and education and training. It is aimed at everyone who plays a part in shaping the built environment, and seeks to raise the profile of design as a key planning consideration.

SPP7: *Planning and Flooding* removes the need to consider the precautionary principle for sites at risk from flooding (with concomitant safeguards), and states that new development should not be supported if it would lead to demands for flood prevention schemes.

In relation to policy Gen\3 *Developer Contributions*, the current situation across Aberdeenshire suggests that much of the current infrastructure is at or very near capacity, and therefore substantial investment needs to take place. There is a clear need for new developments to provide sub-regional infrastructure and this must be supported by developer contributions. A mechanism needs to be identified in order to ensure that the

effects of any new development on infrastructure will be adequately supported through monetary contributions.

Results of engagement on general policies

While the “general” policies are by their nature all embracing and general in nature, two fundamental issues were raised through the consultation process. The first of these related to the use (or perhaps abuse) of the Policy Gen\1: Sustainable development, which was seen to be sound in what it is trying to achieve, but flawed in its execution. The list of criteria are so all-encompassing that some respondents wondered whether they are simply unattainable, and the Citizens Panel respondents identified that by and large some of the basic principles of sustainable development (such as reducing the need to travel) are not being achieved. However, the principles of seeking to deliver sustainable development were almost universally accepted as needed.

In a similar manner policy Gen\2 Layout, siting and design was identified as having laudable aspirations, but failing to deliver good design.

The stakeholder consultation raised the point that development needs to provide community benefits, such as affordable housing and community facilities, and to ensure that there is no loss in quality in facilities in existing communities. This would suggest that development is viewed as a positive thing, as long as satisfactory community facilities are provided with new development.

The conclusion to the stakeholder and Citizens Panel exercises is that the general policies are all on the right track, and if anything the requirement is to tighten things up rather than to relax them.

Issues with delivery of general policies

There is little need to consider amending many of the general development policies, except to rationalise them, make them clearer and bring them up to date with current guidance. For the most part they are both seeking to achieve a supported objective and meeting that aim.

Policy Gen\8 *Flooding* may require significant amendments to comply with SPP7, but these do not change the objective of the policy and are clearly articulated in the SPP. Likewise Gen\13: *Green Belt* would benefit from a relaxation to allow for the sensitive reuse of vernacular buildings for residential and appropriate employment uses to be considered.

However, the whole question of the validity of a policy on “sustainable development” has to be questioned, when this is so interrelated both with issues of the settlement strategy and the implementation of other policies. A more appropriate approach may be to elevate the requirement for development to be sustainable to the position of an objective for development, and thus to ensure that it permeates all the other policies in the plan. The current policy is repetitive and internally inconsistent. In particular the approach to sustainable development needs to be more positive and progressive, to move from preventing the negative impacts of development to promoting the positive contribution development can make to sustainability.

The situation with policy Gen\2 is slightly different in so far as the policy objective remains valid, but there is a clear perception that we are not achieving that objective, and a stronger statement on design may be an appropriate response.

7. Conclusions

Economic development

Main issues that can be identified in relation to employment land centre on the policy approach that should be adopted in relation to supporting development to enable business development proposals (for which there is currently no clear policy position), and the retention of employment land for business use. This latter issue has equal measure of support from those who would wish to see either a more relaxed or a stricter regiment.

Issues of the propriety of allowing “retail tourism” proposals in the countryside may also be an area where debate should be encouraged, again perhaps as part of a “rural development” theme.

Otherwise economic development policies remain relevant, and will otherwise only require minor changes to assist with the clarity and efficiency of the policies.

Housing

Issues associated with rural housing (housing in the countryside, steadings and “cohesive groups”) need to be seen in the context of rural development and this may warrant reorganisation into a new and separate chapter. Without question “housing in the countryside” warrants recognition as a “main issue”.

Minor changes are appropriate to the other housing policies, but the main changes that will arise will be through the translation of the structure plan strategy to settlement strategy adopted for the LDP. This in itself will be a significant “main issue” for public debate. The approach adopted for other issues, such as affordable housing, remains robust and, despite stakeholder concern that we fail to meet aspirations generated by the approach, does not warrant public debate.

Environment

The range and scope of the environment policies have resulted in a large number of potential issues being raised in relation to specific policies. Some rationalisation of the policies may be appropriate. A different policy approach may be required for issues of landscape impact, where a move away from designation to a qualitative approach based on landscape character may be more appropriate. Wholesale changes to the minerals policy, moving away from a tier based approach to a criteria based approach are also likely to be necessary, but may not justify identification as a “main issue”.

Infrastructure policies

It may be possible to remove many of the infrastructure policies from the plan and to relegate them to supplementary guidance which is more responsive to changing circumstances. However, questions remain over the delivery of major, strategic infrastructure, and the evolution of the existing policy on developer contributions to include cumulative contributions to strategic and community infrastructure may be the subject of a “main issue” debate.

General development policies

By and large the “general” policies of the local plan are sound, but as elsewhere minor changes and even deletions, will be required to enhance clarity. The policy Gen\1 can be singled out for specific criticism, with many stakeholders arguing that sustainability principles should be ubiquitous in the plan. Debate on sustainability principles may therefore be in the context of the aims and vision of the LDP rather than a specific policy.

The other “main issue” for which a significant change in policy may be justified is the question of “design” where a change in approach and in the timbre of the policy may lead to better performance in relation to the design quality of new development.