

# PROPOSED ABERDEENSHIRE LOCAL DEVELOPMENT PLAN 2020 RESPONSE FORM

As part of the production of the Local Development Plan, a 'Main Issues Report' was published in January 2019. The responses from these consultations have helped to inform the content of the Proposed Local Development Plan ("the Proposed Plan").

The Aberdeenshire Local Development Plan will direct decision-making on land-use planning issues and planning applications in Aberdeenshire for the 10-year period from 2021 to 2031. The Proposed Plan was agreed by Aberdeenshire Council in March 2020 as the settled view of the Council. However, the Proposed Plan will be subjected to an independent examination and is now open for public comment.

## **This is your opportunity to tell us if anything should be changed in the Proposed Plan, and why.**

When writing a response to the Proposed Plan it is important to specifically state the modification(s) that you would wish to see to the Plan.

This is the only remaining opportunity to comment on the Proposed Plan. The reasons for any requested changes will be analysed and reported to Scottish Ministers. They will then appoint a person known as a Reporter to conduct a public examination of the Proposed Plan, focusing particularly on any unresolved issues and the changes sought.

Ministers expect representations (or responses) to be concise (no more than 2000 words) and accompanied by limited supporting documents. It is important to ensure that all of the information that you wish to be considered is submitted during this consultation period as there is no further opportunity to provide information, unless specifically asked.

Please email comments to [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk) or send this form to reach us by 17 July 2020.

We recommend that you keep a copy of your representation for your own records.



## ACCESSIBILITY

If you need information from this document in an alternative language or in a Large Print, Easy Read, Braille or BSL, please telephone 01467 536230.

Jeigu pageidaujate šio dokumento kita kalba arba atspausdinto stambiu šriftu, supaprastinta kalba, parašyta Brailio raštu arba britų gestų kalba, prašome skambinti 01467 536230.

Dacă aveți nevoie de informații din acest document într-o altă limbă sau într-un format cu scrisul mare, ușor de citit, tipar pentru nevăzători sau în limbajul semnelor, vă rugăm să telefonați la 01467 536230.

Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

Ja jums nepieciešama šai dokumentā sniegtā informācija kādā citā valodā vai lielā drukā, viegli lasāmā tekstā, Braila rakstā vai BSL (britu zīmju valodā), lūdzu, zvaniem uz 01467 536230.

Aberdeenshire Local Development Plan  
Woodhill House, Westburn Road, Aberdeen, AB16 5GB

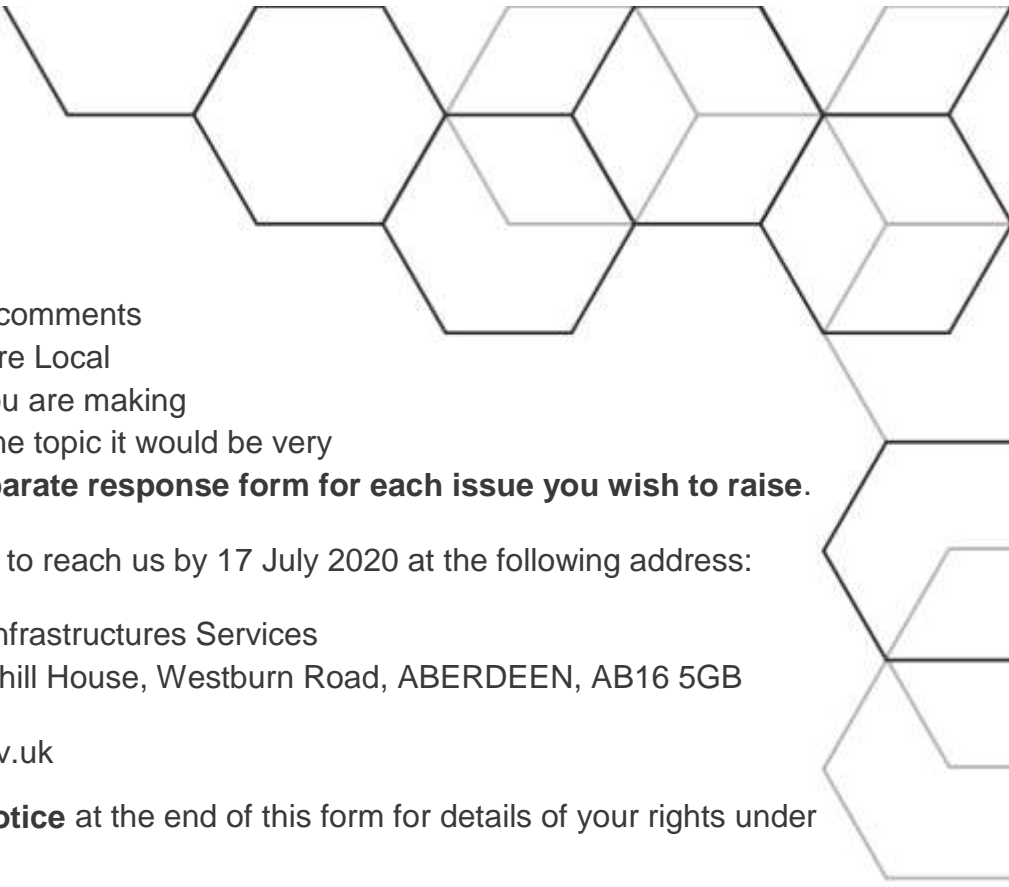
Tel: 01467 536230

Email: [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk)

Web: [www.aberdeenshire.gov.uk/ldp](http://www.aberdeenshire.gov.uk/ldp)

Follow us on Twitter @ShireLDP

If you wish to contact one of the area planning offices, please call 01467 534333 and ask for the relevant planning office or email [planning@aberdeenshire.gov.uk](mailto:planning@aberdeenshire.gov.uk).



Please use this form to make comments on the Proposed Aberdeenshire Local Development Plan 2020. If you are making comments about more than one topic it would be very helpful if you could fill in a **separate response form for each issue you wish to raise**.

Please email or send the form to reach us by 17 July 2020 at the following address:

Post: Planning Policy Team, Infrastructures Services  
Aberdeenshire Council, Woodhill House, Westburn Road, ABERDEEN, AB16 5GB

Email: [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk)

Please refer to our **Privacy Notice** at the end of this form for details of your rights under the Data Protection Act.

## YOUR DETAILS

Title:	Mr
First Name:	Michael
Surname:	Lorimer
Date:	7/7/20
Postal Address:	Ryden LLP, [REDACTED]
Postcode:	[REDACTED]
Telephone Number:	[REDACTED]
Email:	[REDACTED]

Are you happy to receive future correspondence only by email? Yes  No

Are you responding on behalf of another person? Yes  No

If yes who are you representing? Forbes Homes Ltd

Tick the box if you would like to subscribe to the Aberdeenshire LDP eNewsletter:

*An acknowledgement will be sent to this address soon after the close of consultation.*

# YOUR COMMENTS

Please provide us with your comments below. We will summarise comments and in our analysis will consider every point that is made. Once we have done this we will write back to you with Aberdeenshire Council's views on the submissions made. We will publish your name as the author of the comment, but will not make your address public.

**Modification that you wish to see** (please make specific reference to the section of the Proposed Plan you wish to see modified if possible, for example Section 9, paragraph E1.1):

Proposed Plan Appendix 7F: Settlement Statements Marr (page 787) – OP6 allocation should be amended from 40 homes to **100 homes**.

Rather than identifying two separate parcels of land as part of the OP6 allocation, the associated Banchory Settlement Map 1 (p789) should merge the sites into one, by increasing the boundary of the site to reflect that outlined within the Development Bid 'MR061'.

The P2 protected woodland designation should be amended to omit the area sought within Development Bid site MR061.

## Reason for change:

Our client, Forbes Homes Ltd, generally welcomes the allocation of the site associated with the former Category A Listed Glen O' Dee Hospital and associated buildings within the Proposed Local Development Plan (LDP). Recognition within the text associated with the OP6 allocation that redevelopment of the site for residential use would assist with the remediation of this fire damaged and contaminated brownfield site is also broadly welcomed. It is however disappointing that the allocation does not reflect the density of development (100 homes) and larger site area outlined within the original Development Bid (Appendix 1). Instead, the OP6 allocation reflects a significantly reduced density of 40 homes and the site area sought within the bid has been split into two separate and smaller land parcels. This represents a further reduction from the Officers' preference of 50 homes, identified at MIR stage. Forbes Homes hereby object to adopted approach in relation to the Proposed OP6 allocation and would seek the amendments outlined above to be accepted and carried forward into the adopted Plan.

As outlined both within the Development Bid (Appendix 1) and our client's representation to the Main Issues Report (Appendix 2), there is a long history of planning consents associated with the redevelopment of the site. Various schemes had previously been progressed and consented allowing for up to 54 homes, as part of an 'enabling' development for the redevelopment of the former listed hospital building. However that building was completely destroyed by fire through an act of vandalism in late 2016. What remains today is a large, derelict and contaminated eyesore, lying adjacent to a functioning NHS facility to the north west of Banchory.

Since preparation of the Development Bid and MIR response, further work has been undertaken on the indicative masterplan for the site. An updated version to those previously included with the Bid and representation at MIR stage, is attached at Appendix 3, identifying an indicative development layout comprising 99 new homes. This would incorporate a broad mix of 2 and 3 bed flats, as well 2 – 4 bed family houses across a

range of semi-detached and detached house types. The Masterplan also clearly identifies the boundaries associated with the previous planning consents for redevelopment of the site, thereby demonstrating that the land sought within Development Bid MR061 broadly aligns with these, without encroaching into surrounding woodland.

As outlined at MIR stage, circumstances have changed significantly since the fire. Previous development proposals had been restricted due to the presence of the A listed hospital and applications had therefore been progressed and granted initially on the basis of refurbishment and more latterly replica rebuild. The building has since been destroyed, thereby presenting a greater degree of flexibility to provide an increased density of development on site, which would be free of the previous limitations governed by the footprint of the former hospital, whilst respecting established woodland not previously identified for removal.

As a consequence of the fire, a large amount of contaminated asbestos debris has spread across the site and the environmental remediation costs associated with this are very high. Factoring these costs into detailed development appraisals for the site, our client has determined that a scheme of circa 100 units would be required to absorb the remediation costs and provide a viable development that is ultimately deliverable for the site. In submitting the Development Bid (Appendix 1), our client confirmed at point 18 of the Bid Form that the residual value of the site had been considered and they were confident that the site could be delivered having taken account of costs, constraints and associated mitigation. Scottish Planning Policy (SPP) demands that the planning system maintains a sharp focus on the delivery of allocated sites, informed by strong engagement with stakeholders. Accordingly, seeking such assurances from our client at bid stage appears to be rendered meaningless, given the Council initially halved the density to 50 units at MIR stage, with a further reduction to 40 units identified within the Proposed Plan.

The Council's reasoning for the reduced density and site area is provided within their response to the MIR representation, as contained within the 'Issues and Actions Papers' for the Marr area and respective settlements. Community concerns regarding road access, with potential for two access points, as well as perceived impacts to ancient woodland have been identified as the primary reasoning for the reduced allocation and site area associated with OP6. It should however be stressed that there is widespread support within the local community, who wish to see Glen O' Dee come forward for development. Indeed, Banchory Community Council are entirely supportive of the redevelopment of this site. Forbes Homes have engaged with the Community Council on a number of occasions, the most recent being at their meeting on 11<sup>th</sup> November 2019, whereby Members were presented with the updated Masterplan (Appendix 3). They have subsequently written to the Council to outline their unanimous support for the proposals, requesting the LDP provides scope for a viable redevelopment of the site (Appendix 4).

With regard to the issue of the second point of access, as stressed on behalf of our client at MIR stage, previous pre-application discussions with the Planning and Roads Development Service identified that a development of over 50 units would require an emergency access. Our client has undertaken discussions with a neighbouring landowner and is confident there is a deliverable solution over land to the west, leading onto the Glassel Road. This land was recently consented for a mountain bike park with associated access and a small parking area taken directly from the Glassel Road. The emergency access would therefore logically link to this consented arrangement. It would also be restricted to emergency vehicles and pedestrian/cycle use only and would adopt a rural design and finish to reflect the surrounding woodland character, thereby preventing any associated negative visual impacts or amenity concerns. As such, Forbes Homes maintain

that the Officers' concerns in relation to the provision of an emergency access are unwarranted.

With regard to the perceived impacts on the surrounding Ancient Woodland as part of a larger allocation, a substantial degree of work has been undertaken to demonstrate that any associated impacts would be negligible and appropriately mitigated. This followed the meeting of Aberdeenshire Council's Infrastructure Services Committee (ISC) on 3<sup>rd</sup> October 2019, when the Proposed Plan was under consideration. There was general agreement between Members at ISC that consideration should be given to increasing the allocation at Glen O' Dee to 100 homes to align with the Development Bid. This was in recognition of the brownfield nature of the site and viability constraints posed by the significant environmental remediation costs rendered as a result of the fire. Instruction was given to Officers to investigate any potential woodland impact and report back to Full Council. An extract of the ISC meeting Minute is attached at Appendix 5, with Glen O' Dee discussed under Issue 18.

In order to assist with this process, our client lodged a formal pre-application enquiry with the Planning Service based on the indicative Masterplan layout for a 99 unit scheme, as contained within Appendix 3. As highlighted above, the layout identifies that the areas subject to the proposed development reflect those long established by previous consents relating to the site, without any further loss of Ancient Woodland. A robust compensatory planting schedule was also submitted to highlight mitigation against any associated loss. It was therefore very much welcomed to receive positive feedback from the Planning (Development Management) Service, highlighting their overall support for the principle of the proposed 99 unit layout, subject to standard technical aspects being addressed through a formal planning application.

The Council's Environment Team undertook a detailed assessment of potential impacts to the Ancient Woodland and confirmed the proposed layout was acceptable from a woodland impact perspective. They highlighted that the wooded area to the south of the hospital has a low natural heritage value, comprising dense commercial non-native woodland. They were content that the layout would protect the central woodland spine between the northern and southern aspects of the development and the compensatory planting scheme would mitigate any tree loss. Furthermore, SNH, who have statutory remit over ancient woodland designations were formally consulted and responded to confirm they would be unlikely to object to such a proposal. Copies of the formal responses to the pre-application enquiry are attached at Appendix 6. It is therefore disappointing that none of these aspects were reported by Officers to Full Council at its meeting on 5<sup>th</sup> March 2020, when the content of the Proposed Plan was approved.

Instead, it was reported to Full Council (extract of Committee Report attached at Appendix 7) that any higher density proposal and its impacts could be assessed as part of a future planning application and that the housing allocation on the site remains indicative. This echoes the Council's response contained within the Issues and Actions papers. Whilst it is acknowledged that site densities associated with housing allocations in the plan are indicative and there should always be a degree of flexibility to deviate from those numbers following approval of a Masterplan and/or planning application, suggesting an application could be pursued for more than double the LDP allocation is rather ambiguous and could lead to confusion for local communities. Given much work has been undertaken to demonstrate that there would be no significant impacts on ancient woodland through the positive pre-application engagement on a scheme encompassing 99 units, with no objection raised by SNH nor the Council's own Environment Team, the site should be allocated for the full 100 units sought.

Considering the detailed requirements set out within the description of the OP6 allocation, which include a preparation of a Masterplan, ecological surveys and a stipulation that woodland loss should be avoided unless necessary, with equivalent compensatory planting provided, these matters could be suitably addressed as part of a larger allocation for 100 homes. The indicative masterplan for 99 homes (Appendix 3) already provides comfort on this, having been subject to review and positive pre-application feedback from the Planning Service, SNH and the Community Council as outlined above.

Finally, the Council highlight within their report to Full council (Appendix 7) that *“Designating an Ancient Woodland for development marks a dangerous precedent for other sites that have not been allocated for very similar reasons”*. Glen O’ Dee presents a unique set of circumstances setting it apart from other proposed sites located within Ancient Woodland designations. It should therefore be considered on its own individual merits, as an existing brownfield site, on the edge of the settlement that would greatly benefit from redevelopment to improve what is currently a contaminated eyesore. The site also benefits from a long established planning history and it has been demonstrated to the satisfaction of the Council’s Development Management Service and key consultees including SNH, that there would be no detrimental impact to the surrounding Ancient Woodland. As such, there would be no risk of setting a *“dangerous precedent”* through allocating the entire bid site for 100 homes. Instead it would secure an appropriate level of housing for the site, which is financially viable and ultimately deliverable in line with SPP. This would provide both our client and the wider community a degree of certainty that the site can be delivered in line with the adoption of the next Plan.

As a small developer, Forbes Homes require sufficient certainty to progress the site. Without a viable development to deliver there is a real prospect that the site will remain an eyesore. Forbes Homes wish to avoid any such eventuality, as does the local community and the Local Authority. It would present a significant financial risk to pursue an application for 100 homes if this does not align with the LDP allocation. Despite the clearly positive pre-app discussions and wider community support, there will always be significant concerns raised when faced with a major application that would depart from the LDP allocation. In these troubling times such a risk and expense is not something our client can take lightly.

In view of the foregoing, Forbes Homes Ltd request that the Proposed Plan is amended in line with the modifications detailed at the outset of this representation. This would involve the continued identification of Glen O’ Dee as an opportunity site ‘OP6’, with the site density increased from 40 to 100 homes. The allocation should also be amalgamated into one opportunity site, with the boundaries increased to reflect those sought within the original Development Bid (MR061).

# PRIVACY NOTICE

## LOCAL DEVELOPMENT PLAN PUBLIC COMMENT

The Data Controller of the information being collected is Aberdeenshire Council.

The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AY.

Email: [dataprotection@aberdeenshire.gov.uk](mailto:dataprotection@aberdeenshire.gov.uk)

Your information is being collected to use for the following purposes:

- To provide public comment on the Aberdeenshire Local Development Plan. The data on the form will be used to inform Scottish Ministers and individual(s) appointed to examine the Proposed Local Development Plan 2020. It will inform the content of the Aberdeenshire Local Development Plan 2021.

### Your information is:

Being collected by Aberdeenshire Council	X
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### The Legal Basis for collecting the information is:

Personal Data	
Legal Obligations	X

Where the Legal Basis for processing is either Performance of a Contract or Legal Obligation, please note the following consequences of failure to provide the information:

It is a Statutory Obligation under Section 18 of the Town and Country (Scotland) Act 1997, as amended, for Aberdeenshire Council to prepare and publish a Proposed Local Development plan on which representations must be made to the planning authority within a prescribed period of time. Failure to provide details requested in the 'Your Details' section of this form will result in Aberdeenshire Council being unable to accept your representation.

Your information will be shared with the following recipients or categories of recipient:

Members of the public are being given this final opportunity to comment on the Proposed Aberdeenshire Local Development Plan. The reasons for any changes that the Council receives will be analysed and reported to Scottish Ministers. They will then appoint a person to conduct a public examination of the Proposed Plan, focusing particularly on the unresolved issues raised and the changes sought.

Your name and respondent identification number (provided to you by Aberdeenshire Council on receipt of your

submission) will be published alongside a copy of your completed response on the Proposed Local Development Plan website (contact details and information that is deemed commercially sensitive will not be made available to the public).

In accordance with Regulation 22 of the Town and Country (Development Planning) (Scotland) Regulations 2008 where the appointed person determines that further representations should be made or further information should be provided by any person in connection with the examination of the Proposed Plan the appointed person may by notice request that person to make such further representations or to provide such further information.

Your information will be transferred to or stored in the following countries and the following safeguards are in place:

Not applicable.

The retention period for the data is:

Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue to retain your information for a longer period. A redacted copy of your submission will be retained for 5 years beyond the life of the Local Development Plan 2021, possibly until 2037.

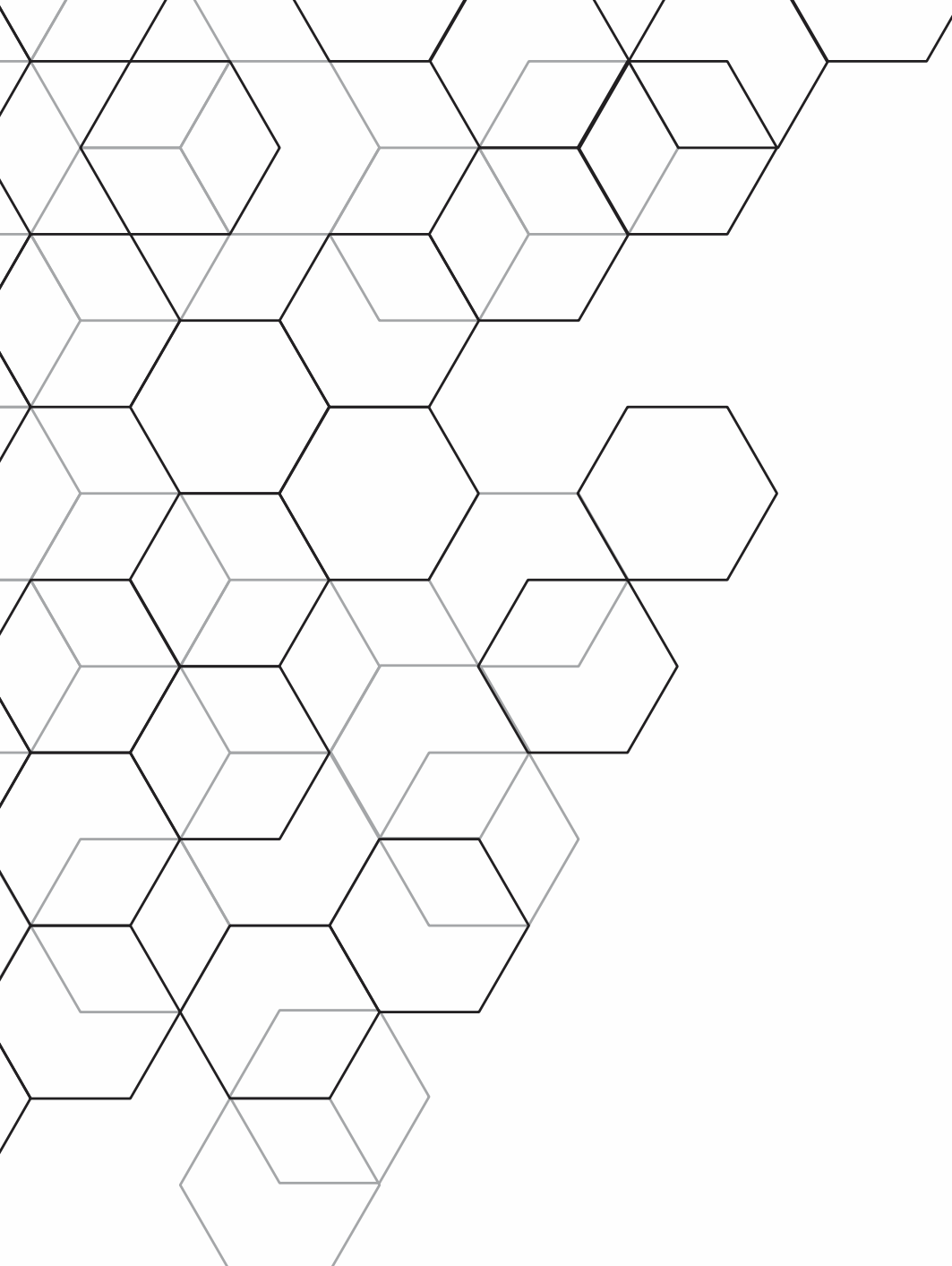
The following automated decision-making, including profiling, will be undertaken:

Not applicable.

Please note that you have the following rights:

- to withdraw consent at any time, where the Legal Basis specified above is Consent;
- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- to data portability, where the legal basis specified above is:
  - (i) Consent; or
  - (ii) Performance of a Contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.





**APPENDIX 1**  
**Glen O' Dee Development Bid**

# Local Development Plan 2021

## Call for Sites Response Form



Aberdeenshire Council would like to invite you to use this form to submit a site for consideration within the next Local Development Plan (LDP 2021) for the period 2021 to 2031. A separate form should be completed for each site you wish to submit.

This is not a speculative plan. It is a fresh 'call for sites', so please re-submit any sites that do not or are not expected to have planning permission by 2021.

In order for the bids to be fully assessed, it is crucial that the questions in the bid form are answered fully and concisely with clear evidence of deliverability. The submission of a supporting statement, often known as a paper apart, should be avoided, and only assessments, such as a Flood Risk Assessment that has already been undertaken, should be submitted in support of your proposed site.

Completed forms and Ordnance Survey "Landline" site maps should be returned by email to: [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk)

Alternatively, you can return the form and Ordnance Survey map by post to:  
Planning Policy, Infrastructure Services, Woodhill House, Westburn Road, Aberdeen AB16 5GB

**All forms must be submitted by 31 March 2018.**

### 1. Your Details

Name	[REDACTED]
Organisation (if applicable)	Ryden LLP
Address	[REDACTED]
Telephone number	[REDACTED]
Email address	[REDACTED]
Do you wish to subscribe to our newsletter?	Yes

### 2. If you are acting as an agent on behalf of a third party, please give their details

Name	
Organisation (if applicable)	Forbes Homes Limited
Address	[REDACTED]
Telephone number	C/o Agent
Email address	C/o Agent

### 3. Other Owners

Please give name, organisation, address, email details of other owner(s) where appropriate:	N/A
Do these owners know this is being proposed for development?	N/A

**For data protection purposes, please complete the rest of this form on a new page**

#### 4. Site Details

Name of the site (Please use the LDP name if the site is already allocated)	Glen O'Dee, Banchory
Site address	Land at former Glen O'Dee Hospital, Corsee Rd, Banchory, AB31 5SA.
OS grid reference (if available)	NO683965
Site area/size	4.9 hectares
Current land use	Site of disused hospital recently destroyed by fire
Brownfield/greenfield	Brownfield
Please include an Ordnance Survey map (1:1250 or 1:2500 base for larger sites, e.g. over 2ha) showing the location and extent of the site, points of access, means of drainage etc.	

#### 5. Ownership/Market Interest

Ownership (Please list the owners in question 3 above)	Forbes Homes Ltd
Is the site under option to a developer?	Yes
	The land is owned by Forbes Homes Ltd.
Is the site being marketed?	No
	Forbes Homes would market the site upon grant of associated permissions and construction of initial dwellings.

#### 6. Legal Issues

Are there any legal provisions in the title deeds that may prevent or restrict development? (e.g. way leave for utility providers, restriction on use of land, right of way etc.)	No
	If yes, please give details N/A
Are there any other legal factors that might prevent or restrict development? (e.g. ransom strips/issues with accessing the site etc.)	No
	If yes, please give details N/A

#### 7. Planning History

Have you had any formal/informal pre-application discussions with the Planning Service and what was the response?	Yes
	During most recent planning application submissions, Development Management Officer advised seeking inclusion of the site within the next LDP as an extension to the existing Banchory settlement boundary.
Previous planning applications	Yes, the site has a substantial planning history. Please see details attached.
Previous 'Call for sites' history. See Main Issues Report 2013 at <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a>	N/A
Local Development Plan status <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a>	Is the site currently allocated for any specific use in the existing LDP? No, however it was previously recognised as a 'Development Opportunity' within the Aberdeenshire Local Plan 2006.

	If yes, do you wish to change the site description and or allocation? N/A
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## 8. Proposed Use

Proposed use		Residential Development with associated access, infrastructure, public open space and landscaping.
Housing	Approx. no of units	100
	Proposed mix of house types	Number of: <ul style="list-style-type: none"> <li>• Detached:</li> <li>• Semi-detached:       Details attached</li> <li>• Flats:</li> <li>• Terrace:</li> <li>• Other (e.g. Bungalows):</li> </ul>
		Number of: <ul style="list-style-type: none"> <li>• 1 bedroom homes:</li> <li>• 2 bedroom homes:    Details attached</li> <li>• 3 bedroom homes:</li> <li>• 4 or more bedroom homes:</li> </ul>
	Tenure (Delete as appropriate)	Private Housing
	Affordable housing proportion	To be agreed in accordance with Planning Policy requirements at the time of development.
Employment	Business and offices	N/A
	General industrial	N/A
	Storage and distribution	N/A
	Do you have a specific occupier for the site?	N/A
Other	Proposed use (please specify) and floor space	N/A
	Do you have a specific occupier for the site?	N/A
Is the area of each proposed use noted in the OS site plan?		N/A

## 9. Delivery Timescales

We expect to adopt the new LDP in 2021. How many years after this date would you expect development to begin? (please tick)	0-5 years	✓
	6-10 years	
	10+ years	
When would you expect the development to be finished? (please tick)	0-5 years	
	6-10 years	✓
	+ 10years	
Have discussions taken place with financiers? Will funding be in place to cover all the costs of development within these timescales	Yes	
	Funding will be in place to allow development of the site following allocation and grant of the necessary consents.	
Are there any other risk or threats (other than finance) to you delivering your proposed development	No	
	If yes, please give details and indicate how you might overcome them: N/A	

## 10. Natural Heritage

<p>Is the site located in or within 500m of a nature conservation site, or affect a protected species?</p> <p>Please tick any that apply and provide details.</p> <p>You can find details of these designations at:</p> <ul style="list-style-type: none"> <li>• <a href="https://www.environment.gov.scot/">https://www.environment.gov.scot/</a></li> <li>• EU priority habitats at <a href="http://gateway.snh.gov.uk/sitelink/index.jsp">http://gateway.snh.gov.uk/sitelink/index.jsp</a></li> <li>• UK or Local priority habitats at <a href="http://www.biodiversityscotland.gov.uk/advice-and-resources/habitat-definitions/priority/">http://www.biodiversityscotland.gov.uk/advice-and-resources/habitat-definitions/priority/</a></li> <li>• Local Nature Conservation Sites in the LDP's Supplementary Guidance No. 5 at <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a></li> </ul>	RAMSAR Site	No
	Special Area of Conservation	Yes
	Special Protection Area	No
	Priority habitat (Annex I)	No
	European Protected Species	No
	Other protected species	No
	Site of Special Scientific Interest	No
	National Nature Reserve	No
	Ancient Woodland	No
	Trees, hedgerows and woodland (including trees with a Tree Preservation Order)	Yes
	Priority habitat (UK or Local Biodiversity Action Plan)	No
	Local Nature Conservation Site	No
	Local Nature Reserve	No
	If yes, please give details of how you plan to mitigate the impact of the proposed development: Please see details attached.	

### Biodiversity enhancement

<p>Please state what benefits for biodiversity this proposal will bring (as per paragraph 194 in Scottish Planning Policy), <a href="http://www.gov.scot/Resource/0045/00453827.pdf">http://www.gov.scot/Resource/0045/00453827.pdf</a>) by ticking all that apply. Please provide details.</p> <p>See Planning Advice 5/2015 on Opportunities for biodiversity enhancement at: <a href="http://www.aberdeenshire.gov.uk/media/19598/2015_05-opportunities-for-biodiversity-enhancement-in-new-development.pdf">www.aberdeenshire.gov.uk/media/19598/2015_05-opportunities-for-biodiversity-enhancement-in-new-development.pdf</a></p> <p>Advice is also available from Scottish Natural Heritage at: <a href="https://www.snh.scot/professional-advice/planning-and-development/natural-heritage-advice-planners-and-developers">https://www.snh.scot/professional-advice/planning-and-development/natural-heritage-advice-planners-and-developers</a> and <a href="http://www.nesbiodiversity.org.uk/">http://www.nesbiodiversity.org.uk/</a>.</p>	Restoration of habitats	
	Habitat creation in public open space	✓
	Avoids fragmentation or isolation of habitats	
	Provides bird/bat/insect boxes/Swift bricks (internal or external)	✓
	Native tree planting	✓
	Drystone wall	
	Living roofs	
	Ponds and soakaways	✓
	Habitat walls/fences	✓
	Wildflowers in verges	✓
	Use of nectar rich plant species	✓
	Buffer strips along watercourses	
	Show home demonstration area	✓
	Other (please state):	
If yes, please provide details: Please see details attached.		

## 11. Historic environment

Historic environment enhancement		
Please state if there will be benefits for the historic environment.	Yes If yes, please give details: Site of former A Listed building lost to fire. Opportunity to redevelop the site with sensitive residential development.	
Does the site contain/is within/can affect any of the following historic environment assets? Please tick any that apply and provide details. You can find details of these designations at: <ul style="list-style-type: none"> <li><a href="http://historicscotland.maps.arcgis.com/apps/Viewer/index.html?appid=18d2608ac1284066ba3927312710d16d">http://historicscotland.maps.arcgis.com/apps/Viewer/index.html?appid=18d2608ac1284066ba3927312710d16d</a></li> <li><a href="http://portal.historicenvironment.scot/">http://portal.historicenvironment.scot/</a></li> <li><a href="https://online.aberdeenshire.gov.uk/smrpub/master/default.aspx?Authority=Aberdeenshire">https://online.aberdeenshire.gov.uk/smrpub/master/default.aspx?Authority=Aberdeenshire</a></li> </ul>	Scheduled Monument or their setting	No
	Locally important archaeological site held on the Sites and Monuments Record	No
	Listed Building and/or their setting	Yes
	Conservation Area (e.g. will it result in the demolition of any buildings)	No
	Inventory Gardens and Designed Landscapes	No
	Inventory Historic Battlefields	No
	If yes, please give details of how you plan to mitigate the impact of the proposed development: Please see details attached.	

## 12. Landscape Impact

Is the site within a Special Landscape Area (SLA)? (You can find details in Supplementary Guidance 9 at <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a> )	Yes <b>If yes</b> , please state which SLA your site is located within and provide details of how you plan to mitigate the impact of the proposed development: Dee Valley SLA, see details attached.
SLAs include the consideration of landscape character elements/features. The characteristics of landscapes are defined in the Landscape Character Assessments produced by Scottish Natural Heritage (see below) or have been identified as Special Landscape Areas of local importance. <ul style="list-style-type: none"> <li>SNH: Landscape Character Assessments <a href="https://www.snh.scot/professional-advice/landscape-change/landscape-character-assessment">https://www.snh.scot/professional-advice/landscape-change/landscape-character-assessment</a></li> <li>SNH (1996) Cairngorms landscape assessment <a href="http://www.snh.org.uk/pdfs/publications/review/075.pdf">http://www.snh.org.uk/pdfs/publications/review/075.pdf</a></li> <li>SNH (1997) National programme of landscape character assessment: Banff and Buchan <a href="http://www.snh.org.uk/pdfs/publications/review/037.pdf">http://www.snh.org.uk/pdfs/publications/review/037.pdf</a></li> <li>SNH (1998) South and Central Aberdeenshire landscape character assessment</li> </ul>	<b>If your site is not within an SLA</b> , please use this space to describe the effects of the site's scale, location or design on key natural landscape elements/features, historic features or the composition or quality of the landscape character: N/A

<http://www.snh.org.uk/pdfs/publications/review/102.pdf>

### 13. Flood Risk

Is any part of the site identified as being at risk of river or surface water flooding within SEPA flood maps, and/or has any part of the site previously flooded?  (You can view the SEPA flood maps at <a href="http://map.sepa.org.uk/floodmap/map.htm">http://map.sepa.org.uk/floodmap/map.htm</a> )	No If yes, please specify and explain how you intend to mitigate this risk: N/A
Could development on the site result in additional flood risk elsewhere?	No If yes, please specify and explain how you intend to mitigate or avoid this risk: N/A
Could development of the site help alleviate any existing flooding problems in the area?	No If yes, please provide details: N/A

### 14. Infrastructure

<b>a. Water / Drainage</b>					
Is there water/waste water capacity for the proposed development (based on Scottish Water asset capacity search tool <a href="http://www.scottishwater.co.uk/business/Connections/Connecting-your-property/Asset-Capacity-Search/">http://www.scottishwater.co.uk/business/Connections/Connecting-your-property/Asset-Capacity-Search/</a> )?	<table border="1"> <tr> <td>Water</td> <td>Yes</td> </tr> <tr> <td>Waste water</td> <td>Yes</td> </tr> </table>	Water	Yes	Waste water	Yes
Water	Yes				
Waste water	Yes				
Has contact been made with Scottish Water?	Yes If yes, please give details of outcome: Previous discussions and consultation with Scottish Water during planning application process.				
Will your SUDS scheme include rain gardens? <a href="http://www.centalscotlandgreenetwork.org/campaigns/greener-gardens">http://www.centalscotlandgreenetwork.org/campaigns/greener-gardens</a>	Yes Please specify: Dependent on topography and ground conditions.				
<b>b. Education – housing proposals only</b>					
Education capacity/constraints <a href="https://www.aberdeenshire.gov.uk/schools/parents-carers/school-info/school-roll-forecasts/">https://www.aberdeenshire.gov.uk/schools/parents-carers/school-info/school-roll-forecasts/</a>	Capacity will be available for a phased development post 2021. Please see details attached.				
Has contact been made with the Local Authority's Education Department?	Yes If yes, please give details of outcome: See details attached.				
<b>c. Transport</b>					
If direct access is required onto a Trunk Road (A90 and A96), or the proposal will impact on traffic on a Trunk Road, has contact been made with Transport Scotland?	N/A				
Has contact been made with the Local Authority's Transportation Service? They can be contacted at <a href="mailto:transportation.consultation@aberdeenshire.gov.uk">transportation.consultation@aberdeenshire.gov.uk</a>	No If yes, please give details of outcome: N/A				



Public transport	Please provide details of how the site is or could be served by public transport: Please see details attached.
Active travel (i.e. internal connectivity and links externally)	Please provide details of how the site can or could be accessed by walking and cycling: Please see details attached.
<b>d. Gas/Electricity/Heat/Broadband</b>	
Has contact been made with the relevant utilities providers?	Gas: Yes If yes, please give details of outcome(s): Network connection available. Please see details attached.
	Electricity: Yes If yes, please give details of outcome(s): Network connection available. Please see details attached.
	Heat: No If yes, please give details of outcome(s): N/A
	Broadband: Yes If yes, please give details of outcome(s): Network connection available. Please see details attached.
Have any feasibility studies been undertaken to understand and inform capacity issues?	Yes Please specify: See attached
Is there capacity within the existing network(s) and a viable connection to the network(s)?	Yes Please specify: Utilities are available adjacent to the site and there is no constraint to development.
Will renewable energy be installed and used on the site? For example, heat pump (air, ground or water), biomass, hydro, solar (photovoltaic (electricity) or thermal), or a wind turbine (freestanding/integrated into the building)	Appropriate technologies available at the time will be used to deliver reduced energy consumption and heat generation.
<b>e. Public open space</b>	
Will the site provide the opportunity to <b>enhance the green network?</b> (These are the linked areas of open space in settlements, which can be enhanced through amalgamating existing green networks or providing onsite green infrastructure)  You can find the boundary of existing green networks in the settlement profiles in the LDP	Yes Please specify: Please see details attached.
Will the site meet the open space standards, as set out in Appendix 2 in the <b>Aberdeenshire Parks and Open Spaces Strategy?</b> <a href="https://www.aberdeenshire.gov.uk/media/6077/approvedpandospacesstrategy.pdf">https://www.aberdeenshire.gov.uk/media/6077/approvedpandospacesstrategy.pdf</a>	Yes Please specify: Please see details attached.

Will the site deliver any of the shortfalls identified in the <b>Open Space Audit</b> for specific settlements? <a href="https://www.aberdeenshire.gov.uk/communities-and-events/parks-and-open-spaces/open-space-strategy-audit/">https://www.aberdeenshire.gov.uk/communities-and-events/parks-and-open-spaces/open-space-strategy-audit/</a>	Not applicable Please specify: Banchory already benefits from a good range of open space which will be enhanced by the proposed development. The Glen O Dee site is surrounded by areas of amenity, woodland and a semi-rural environment, which the development will link to.
<b>f. Resource use</b>	
Will the site re-use existing structure(s) or recycle or recover existing on-site materials/resources?	Yes If yes, please specify: Existing top soil and sub soils will be re-used as appropriate within the site.
Will the site have a direct impact on the water environment and result in the need for watercourse crossings, large scale abstraction and/or culverting of a watercourse?	No If yes, please provide details: N/A

### 15. Other potential constraints

Please identify whether the site is affected by any of the following potential constraints:

Aberdeen Green Belt <a href="https://www.aberdeenshire.gov.uk/media/20555/appendix-3-boundaries-of-the-greenbelt.pdf">https://www.aberdeenshire.gov.uk/media/20555/appendix-3-boundaries-of-the-greenbelt.pdf</a>	No
Carbon-rich soils and peatland <a href="http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/soils-and-development/cpp/">http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/soils-and-development/cpp/</a>	No
Coastal Zone <a href="https://www.aberdeenshire.gov.uk/media/20176/4-the-coastal-zone.pdf">https://www.aberdeenshire.gov.uk/media/20176/4-the-coastal-zone.pdf</a>	No
Contaminated land	Yes. Some contamination associated with fire damage will be remediated as part of any development.
Ground instability	No
Hazardous site/HSE exclusion zone (You can find the boundary of these zones in Planning Advice 1/2017 Pipeline and Hazardous Development Consultation Zones at <a href="https://www.aberdeenshire.gov.uk/planning/plans-and-policies/planning-advice/">https://www.aberdeenshire.gov.uk/planning/plans-and-policies/planning-advice/</a> and advice at <a href="http://www.hse.gov.uk/landuseplanning/developers.htm">http://www.hse.gov.uk/landuseplanning/developers.htm</a> )	No
Minerals – safeguarded or area of search <a href="https://www.aberdeenshire.gov.uk/ldpmedia/6_Area_of_search_and_safeguard_for_minerals.pdf">https://www.aberdeenshire.gov.uk/ldpmedia/6_Area_of_search_and_safeguard_for_minerals.pdf</a>	No
Overhead lines or underground cables	Yes
Physical access into the site due to topography or geography	No
Prime agricultural land (grades 1, 2 and 3.1) on all or part of the site. <a href="http://map.environment.gov.scot/Soil_maps/?layer=6">http://map.environment.gov.scot/Soil_maps/?layer=6</a>	No
'Protected' open space in the LDP (i.e. P sites) <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a> and choose from Appendix 8a to 8f	No

Rights of way/core paths/recreation uses	Yes
Topography (e.g. steep slopes)	No
Other	No
If you have identified any of the potential constraints above, please use this space to identify how you will mitigate this in order to achieve a viable development: Please see details attached.	

**16. Proximity to facilities**

How close is the site to a range of facilities?	Local shops	>400m
	Community facilities (e.g. school, public hall)	>400m
	Sports facilities (e.g. playing fields)	<100m
	Employment areas	<1 km
	Residential areas	<400m
	Bus stop or bus route	<400m
	Train station	>1 km
	Other, e.g. dentist, pub (please specify)	<800m (Hotel)

**17. Community engagement**

Has the local community been given the opportunity to influence/partake in the design and specification of the development proposal?	Not yet, however previous meetings conducted with Community Council in respect of development proposals for Glen O Dee site.
	If yes, please specify the way it was carried out and how it influenced your proposals: N/A
	If not yet, please detail how you will do so in the future: Public Exhibition and Meetings with Community Council.

**18. Residual value and deliverability**

Please confirm that you have considered the 'residual value' of your site and you are confident that the site is viable when infrastructure and all other costs, such as constraints and mitigation are taken into account.	I have considered the likely 'residual value' of the site, as described above, and fully expect the site to be viable:  Please tick: <input checked="" type="checkbox"/>
---	--

If you have any further information to help demonstrate the deliverability of your proposal, please provide details.

Please see details attached.

**19. Other information**

Please provide any other information that you would like us to consider in support of your proposed development (please include details of any up-to-date supporting studies that have been undertaken and attach copies e.g. Transport Appraisal, Flood Risk Assessment, Drainage Impact Assessment, Peat/Soil Survey, Habitat/Biodiversity Assessment etc.)

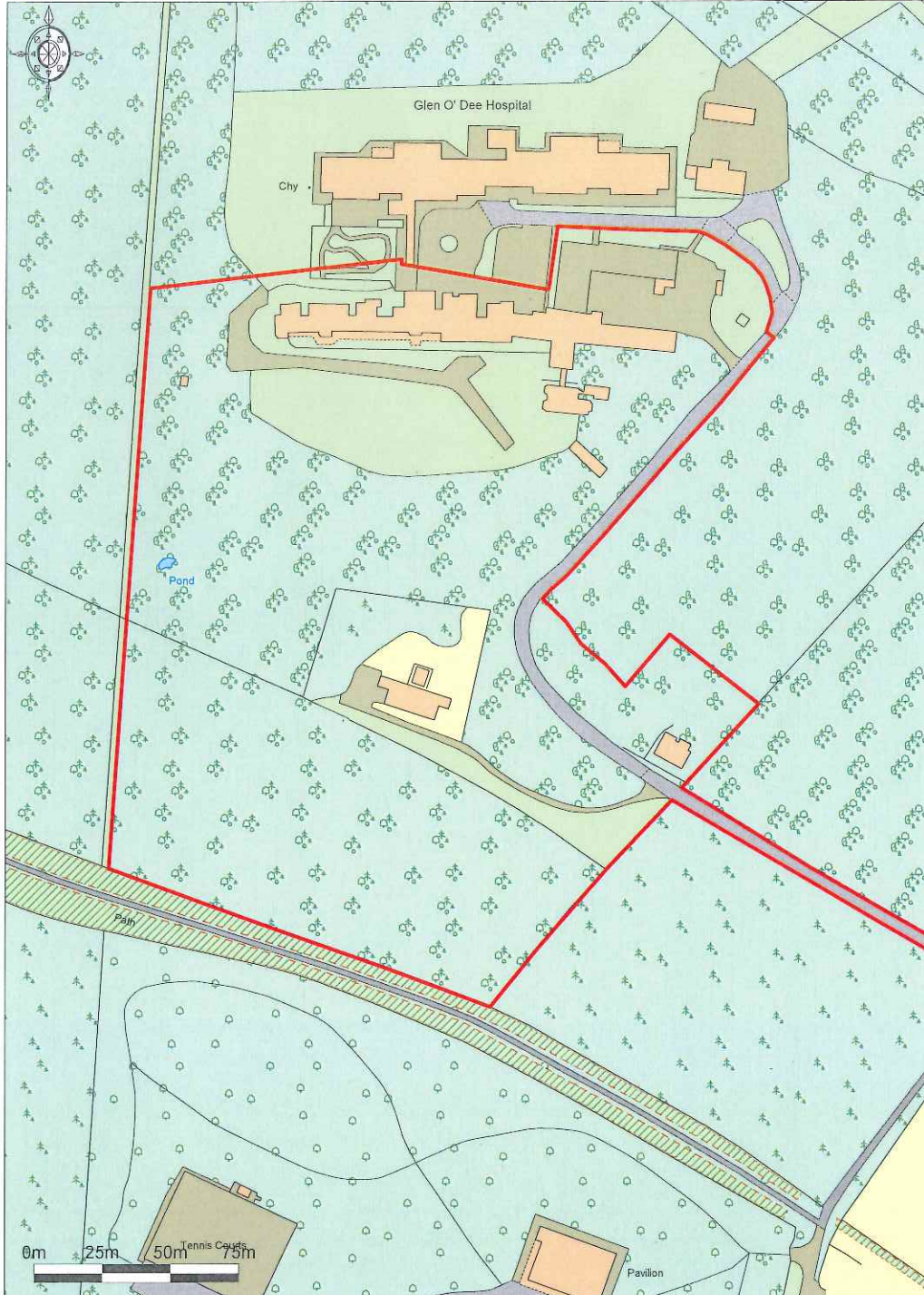
Please see details attached.

Please tick to confirm your agreement to the following statement:



By completing this form I agree that Aberdeenshire Council can use the information provided in this form for the purposes of identifying possible land for allocation in the next Local Development Plan. I also agree that the information provided, other than contact details and information that is deemed commercially sensitive (questions 1 to 3), can be made available to the public.

OS MAP  
SITE PLAN 1:2500



Ordnance Survey © Crown Copyright 2018. All rights reserved.  
Licence number 100022432. Plotted Scale - 1:2500

# ABERDEENSHIRE LOCAL DEVELOPMENT PLAN 2021 CALL FOR SITES

## PAPER APART – Land at Glen O Dee, Banchory

Ryden LLP have been instructed on behalf of our client Forbes Homes Ltd to submit a Development Bid to Aberdeenshire Council's recent call for sites, for their land interests at Glen O' Dee, Banchory to be considered for inclusion within the Aberdeenshire Local Development Plan 2021.

### **Q4. Site Details**

The Glen O' Dee site lies on a hillside to the north west of Banchory approximately 1.5 km from the centre of the town and immediately adjacent to the edge of the defined settlement boundary which abuts the southerly boundary of the site at Burnett Park. It can be accessed directly off the A93 heading north via Corsee Road which snakes through a relatively built up residential area before terminating at the Glen O Dee Hospital site. The overall area sought for development comprises the site of the former Glen O' Dee hospital building as well as land to the immediate south occupied by former staff accommodation. Unfortunately the former A listed hospital building was catastrophically destroyed by a wilful fire in late 2016. The more modern building to the north, which is currently owned and operated as a community hospital facility by NHS Grampian does not form part of the bid.

Map Illustrating Glen O' Dee Bid Site



## **Q.5 Ownership**

The land is owned Forbes Homes Ltd who purchased the site in 2007.

## **O.6 Legal Issues**

All of the land which is the subject of the Development Bid is owned by Forbes Homes. There are no 'ransoms' or such legal constraints which would restrict access or other infrastructure provision.

## **Q7. Planning History**

The land has a significant planning history dating back to 1998 when Initially NHS Grampian pursued a number of applications for the conversion of the former A Listed hospital building to 44 flatted units, as well as an application for the demolition of the nurse's block and erection of 10 dwelling houses on a site to the immediate south of the hospital. Aberdeenshire Council expressed a willingness to approve the applications in 2000 subject to further notification to Historic Scotland and a Section 75 Agreement to agree the phasing and restoration works and sale of the enabling plots. The S75 was subsequently signed and consents in relation to each of the above listed applications were granted on 26<sup>th</sup> May 2004.

Following a period of marketing, Forbes Homes became contractual owners of the site and party to the S75 Agreement, with final purchase being concluded in in 2007. During this time further detailed inspections and surveys of the hospital building concluded that the condition of the building had deteriorated to the extent that the only feasible option was to demolish the timber framed main hospital but retain the main central granite tower and base course. Therefore in 2005 applications were submitted by Forbes Homes for the partial demolition of the existing hospital building and change of use to 19 dwelling houses in addition to applications for the demolition of the existing nurse's block and adjacent gatehouse and the erection of 10 dwelling houses. The applications were subsequently called-in for determination by Scottish Ministers and eventually granted consent on 6<sup>th</sup> April 2011. This followed appropriate conclusion and registration of a S75 Agreement for the purposes of tying the cash contributions towards affordable housing and phasing of the associated enabling development to the progress of the hospital development.

In response to changing market conditions, further applications were pursued in early 2016 which followed the same principles of demolition of main timber framed hospital building, with the retention of the granite base course and tower elements in line with extant permissions for the site. The main structure would be rebuilt as a replica, with a proposed internal reconfiguration to provide 33 flats and 3 dwelling houses. The proposals also sought to revise the house types and plot layouts of the 10 enabling dwelling houses, associated with the then extant permissions.

Unfortunately, over the years, despite Forbes Home's best efforts to secure the site, the former hospital building experienced significant levels of trespassing and vandalism. This eventually led to a catastrophic fire in October 2016 which completely destroyed the former A listed hospital building. The live planning applications were withdrawn in order to reconsider the ramifications of the fire. The site is currently vacant, but has been secured for health and safety reasons.

#### **Q.8 Proposed Use / Mix**

A residential development is proposed with associated access, infrastructure, public open space, and landscaping. It is considered that this bid site, is capable of accommodating around 100 homes. The attached indicative Masterplan envisages this being delivered as mix of 3 – 5 bedroom detached, homes and 1-3 bedroom flats. Exact details of the mix will be dependent on market conditions and demand at the time of development.

#### **Q.9 Delivery Timescales**

Upon securing an allocation, Forbes Homes would undertake an initial clean-up/remediation of the site, to clear any remaining debris from the fire and an initial phase of development could commence within the first 5 years of the LDP (2021-2026), with a steady build out to ensure completion prior to 2031.

Our client is committed to the delivery of this site, however previous market conditions and constraints posed by the existing building led to significant delays in the implementation and delivery of previous permissions. An extension of the settlement boundary to encompass the land associated with the former Glen O dee Hospital site would provide Forbes Homes the comfort to submit a fresh planning application immediately after allocation. Our client is confident there will be strong demand for housing there and given its semi-rural surroundings and opportunities for access to public open space, it would offer an attractive development for Banchory.

#### **Q10. Natural Heritage**

The River Dee SAC is located within 1km of the site. As per Q7 above, the site has subject to a number of previous planning consents which accepted the principle of residential development of the site. The development would therefore be designed and suitably serviced without presenting any detrimental impact to the designation.

A number of trees will be required to be removed as part of the development, however through discussions with the Planning Service as part of the previous application process, agreement was reached on tree removal and mitigation through an appropriate supplementary planting scheme. The proposals present a great opportunity to re-establish a landscaped area to the south of the former hospital as part of the open space provision for this development.



### Q11. Historic Environment

As of 25/11/16, Glen O Dee Hospital is no longer designated an A listed building. Historic Environment Scotland wrote to our client to confirm this, shortly after the building was destroyed by the October 16 fire.

### Q12. Landscape Impact

The site is generally sloped gradually down from North-East to South-West. This area is populated by numerous trees which form part of a much larger commercial woodland plantation surrounding the entire Glen O' Dee site. This dense backdrop of trees affords the bid site a high degree of privacy as well as absorbing any potential landscape impact. Beyond the woodland to the north east lies Banchory's Household Waste Recycling Centre and directly east lies more recent residential development at Upper Lochton and Upper Arbeadie areas. To the south lies a redundant railway line and beyond this an area of sports and recreational open space, tennis courts and pavilion at Burnett Park. Inchmarlo Golf Course and associated holiday villas are located approximately 1km the west of the Glen O' Dee site.

Accordingly, given the site enveloped by a dense woodland setting, it is virtually unseen from viewpoints within the surrounding area and would have a minimal impact on the surrounding landscape as a result.

### Q.13 Flood Risk

SEPA's Indicative Flood Map provides predictive guidance on the possible extent of functional floodplain (1 in 200 year flood event). It demonstrates the site is entirely out with the floodplain which lies to the south. A small element of surface water flooding is indicated, which appears to follow the course of the abandoned railway line to the south. The proposed redevelopment of Glen O Dee presents an opportunity to resolve this surface water issue through the provision of appropriate attenuation as part of a new SUDs scheme.



SEPA Flood Map Extract for Glen O Dee Site

## **Q.14 Infrastructure**

**Water/Drainage** - New gravity foul and surface water sewers will be provided to service the development and these will be located within the new roads and areas of open space where necessary. A Sustainable drainage solution will also be incorporated to deal with surface water, through the provision of a SUDs ponds located within areas of open space. Scottish Water has been consulted in respect of previous planning application process and confirmed capacity. Should this site be allocated, further contact will be made and Scottish Water would ensure any additional capacity requirements would be accommodated.

**Education** – the 2017 based School Roll Forecasts indicate that Banchory Primary School has a capacity range of 524-550 pupils. It is currently operating at 76% capacity and this is expected to continue to 2022, when it is anticipated the school will be at 77% capacity.

Banchory Academy is currently operating slightly below capacity at 92% and it is expected to rise to 98% by 2022. Glen O Dee Hospital redevelopment is contained within the 2017 Housing Land Audit, therefore Education are aware of the site and will have factored it into School Roll forecasts.

**Transport** – Access would be served via Corsee Road which branches off the main arterial A93 and runs through the centre of Banchory and is the main transport corridor connecting Aberdeen to the main settlements along Royal Deeside. Corsee Road continues north west, serving a well populated residential area up to Roscobie Park. The road then become less formal and leads up to the former gatehouse, where it forks and provides access to both the hospital and the former nurses block (the proposed enabling site). The latter section of the access road will require upgrading.

**Public Transport** – The 201, 202, 203 service stops at Glen O Dee Hospital directly adjacent to the site, therefore offering excellent public transport links to Banchory, Aberdeen and Royal Deeside.

**Active Travel** – A new footpath link will be provided to link to the existing footpath along Corsee Road which provide direct and safe access from the site to Banchory Town Centre and associated amenities/services. The site also benefits from close proximity to an existing network of more informal paths intersecting through areas of open space and woodland which provide opportunities for linkage and more active forms of travel by foot and bicycle.

**Public Open Space** – the proposal will provide significant opportunities for open space. The area to the south of the former hospital was previously a formal landscaped area and the proposals would seek to reinstate a green/landscaped area here as can be seen from the indicative masterplan layout. The

proposals also create a landscaped SUDs area providing feature open space for the development. An extensive area of woodland envelopes the site to the north, west and south which will provide an attractive natural environment for the new development in addition to significant areas of open space, linked by footpaths and formal and informal paths, linking to the established path and core path networks.

The site will meet the open space standards as set out in Appendix 2 of the Aberdeenshire Parks and Open Space Strategy. 40% of the site is retained as open space and there are opportunities for a range of uses within that open space.

**Topography** – The site has a gently sloping gradient running down from North-East to South-West

**Utilities** - Gas, electricity and broadband services are all available within close proximity to the site.

#### **Q15. Other Potential Constraints**

There are very little other constraints relating to the site other than some remedial works to clear the site of debris from the fire.

#### **Q16. Proximity to Facilities**

Banchory is a prosperous town, set on the north bank of the River Dee. It is a popular commuter and tourist destination given its proximity to Aberdeen City and is a gateway into Royal Deeside. Banchory benefits from a range of shops and community facilities and its town centre lies just over 1 km from the Glen O dee site, as well as a diverse mix of formal and informal open spaces of varying size are located nearby. Burnett Park is located <100m directly south which offers a cricket ground and tennis courts.

The popular Tor Na Coille Hotel lies less than 800m to the south east of the site, offering bar, restaurant and leisure facilities.

Banchory offers two golf courses within close proximity of the site. The Paul Lawrie Golf Centre at Inchmarlo is located less than 400m to the immediate west of Glen O Dee and Banchory Golf club less than 2km to the south east.

Banchory is well served by regular public transport services which run between Aberdeen and Braemar through the village as well as Stonehaven. An existing bus stop is located at Glen O Dee Hospital, directly adjacent to the site, offer excellent linkages.

### **Q.17 Community Engagement**

To date, there has been no community engagement held in relation to this Bid, however Forbes Homes previously met with the Banchory Community Council in respect of previous applications pursued for the site and recognise the positive benefits that can be gained from engagement with existing communities and the role they play in helping shape the areas in which they live. Forbes Homes are therefore committed to undertaking public consultation in respect of the development proposals.

### **Q.18 Residual Value and Deliverability**

Forbes Homes own the development site and are confident that should an extension be provided to the Banchory settlement boundary to encompass the land associated with the former Glen O Dee Hospital site, there is residual value following development of this site and the provision of the necessary infrastructure.



GLEN OF DEE HOSPITAL  
(NHS OWNED)

VEHICLE  
ACCESS

ZONE 1

SENSITIVE RESIDENTIAL  
DEVELOPMENT

FOOTPATH LINKS  
TO DEVELOPMENT

SUDS FILTER  
TRENCH

TO EXISTING  
WATER COURSE

STRUCTURE LANDSCAPING/  
PUBLIC OPEN SPACE

REPLACEMENT HOUSE  
WITH  
PLANNING APPROVAL

SENSITIVE RESIDENTIAL  
DEVELOPMENT

ZONE 2

VEHICLE  
ACCESS

SENSITIVE RESIDENTIAL  
DEVELOPMENT

(EACH PLOT TO HAVE  
OWN SOAKAWAY)

FOOTPATH LINKS  
TO DEVELOPMENT

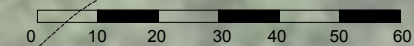
SUDS FILTER  
TRENCH

TO EXISTING  
WATER COURSE

FOOTPATH LINKS  
TO DEVELOPMENT

SEWER WAYLEAVE

EXISTING FOOTPATH ALONG DISMANTLED RAILWAY



## **APPENDIX 2**

### **Glen O' Dee MIR Representation**

## **Aberdeenshire Local Development Plan 2021: Main Issues Report 2019** **Main Issues Report Response Form**

### **Important Information: Please Read**

The Main Issues Report (MIR) is a key stage in preparing the Aberdeenshire Local Development Plan 2021 (LDP 2021). The MIR sets out options for how the LDP 2021 could be improved both in terms of the policies that Aberdeenshire Council will use to determine planning applications as well as identifying land allocations for development. The MIR has been published along with a Monitoring Report and Interim Environmental Report of the Strategic Environmental Assessment. These, along with other supporting documents are available at: <https://www.aberdeenshire.gov.uk/planning/plans-and-policies/ldp-2021/main-issues-report/>.

**Comments are sought on the MIR and Interim Environmental Report, or indeed any other matter that you feel that we need to consider, by 5pm on Monday, 8 April 2019.** Responses can be emailed to us at [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk) or received via post, Planning Policy Team, Infrastructure Services, Aberdeenshire Council, Woodhill House, Westburn Road, Aberdeen, AB16 5GB.

Please note that in order for comments to be considered as valid you must include your contact details.

We will use these details to confirm receipt of your comments and to seek clarification or request further information as required. Should you have any concerns regarding the holding of such information please contact [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk). Anonymous comments will not be considered as part of the consultation process. Petitions will only be noted in the name of the person submitting the document.

All comments received will be carefully assessed and will be used to inform the preparation of the Proposed Aberdeenshire Local Development Plan. There will be a further opportunity to comment on the Proposed Plan when it is published in December 2019.

<b>Name</b>	██████████
<b>Organisation (optional)</b>	<b>Ryden LLP</b>
<b>On behalf of (if relevant)</b>	<b>Forbes Homes Limited</b>
<b>Address</b>	██████████ ██████████ ██████████
<b>Postcode</b>	██████████
<b>Telephone (optional)</b>	██████████
<b>E-mail (optional)</b>	████████████████████

Doing things digitally is our preference. Tick the box if you are not happy to receive correspondence via email:

Tick the box if you would like to subscribe to the Aberdeenshire LDP eNewsletter:

## Fair processing notice

Please tick to confirm your agreement to the following statements:

By submitting a response to the consultation, I agree that Aberdeenshire Council can use the information provided in this form, including my personal data, as part of the review of the Aberdeenshire Local Development Plan. This will include consultation on the Main Issues Report (including any subsequent Proposed Plan).

I also agree that following the end of the consultation, i.e. after 8 April 2019, my name and respondent identification number (provided to you by Aberdeenshire Council on receipt of your submission) can be published alongside a copy of my completed response on the Main Issues Report website (contact details and information that is deemed commercially sensitive will not be made available to the public).

The data controller for this information is Aberdeenshire Council. The data on the form will be used to inform a public debate of the issues and choices presented in the Main Issues Report of the Aberdeenshire Local Development Plan 2021. It will inform the content of the Proposed Aberdeenshire Local Development Plan.

Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue to retain your information for a longer period. A redacted copy of your submission will be retained for 5 years beyond the life of the Local Development Plan 2021, possibly until 2037

### Your Data, Your Rights

You have got legal rights about the way Aberdeenshire Council handles and uses your data, which include the right to ask for a copy of it, and to ask us to stop doing something with your data.

If you are unhappy with the way that Aberdeenshire Council or the Joint Data Controllers have processed your personal data then you do have the right to complain to the Information Commissioner's Officer, but you should raise the issue with the Data Protection Officers first. The Data Protection Officers can be contacted by writing to:

- [REDACTED], Data Protection Officer, Aberdeenshire Council, Business Services, Town House, 34 Low Street, Banff, AB45 1AY

If you have difficulty understanding this document and require a translation, or you need help reading this document (for example if you need it in a different format or in another language), please phone us on 01467 536230.



<b>Which document(s) are you commetning on?</b>	Main Issues Report	<input checked="" type="checkbox"/>
	Draft Proposed Aberdeenshire Local Development Plan	<input checked="" type="checkbox"/>
	Strategic Environmental Assessment Interim Environmental Assessment	<input type="checkbox"/>
	Other	<input type="checkbox"/>

## Your comments

### **Representations to the Main Issues Report on behalf of Forbes Homes Limited in relation to Site Ref: MR061, Land at Former Glen O’Dee Hospital, Corsee Road, Banchory.**

This representation, relative to the above, is submitted on behalf of Forbes Homes Ltd. It follows a Development Bid submitted to Aberdeenshire Council’s Call for sites (Ref: MR061) covering land associated with the former Glen O’Dee Hospital, situated at the end of Corsee Road, to the north western edge of Banchory. Forbes Homes Ltd hereby welcome the publication of Aberdeenshire Council’s Main Issues Report (MIR), which identifies the site as an Officers’ preference for allocation for residential development within the next Local Development Plan (LDP). It is also welcomed that the site is identified as a new allocation ‘OP7’ for Banchory within the Draft Proposed LDP, which has been prepared to illustrate how the content and specific site allocations may look within the next LDP. It is however noted that the proposed numbers submitted as part of the Development Bid, which equated to 100 homes, are proposed to be halved by Officers to a 50 unit allocation. Forbes Homes Ltd hereby objects to the proposed reduction and kindly requests that the allocation in increased to 100 units as sought within Bid MR061.

As was detailed within the Development Bid prepared for the site and acknowledged by Officers within the MIR, the site associated with the former Glen O’Dee Hospital has an extensive planning history dating back to 1998, right up until the present point. This has involved a number of associated Planning Consents for redevelopment of the former hospital, originally as a refurbishment and conversion scheme comprising 44 flats and a further 10 enabling units on land to the south of the main hospital building, to replace a former nurse’s block. Due to apparent structural difficulties with the building, applications were later pursued in 2005 for a revised scheme, comprising substantial demolition of the hospital and a replica rebuild incorporating 19 townhouses and a further 10 dwellings on land associated with the former nurses’ accommodation block. More latterly, applications were pursued by Forbes Homes in 2016 proposing an internal reconfiguration of the replica hospital building to create 33 flats and 10 dwellings. Unfortunately, during the determination of these applications, the former A listed hospital was completely destroyed by a wilful fire. The applications were subsequently withdrawn to provide Forbes Homes the opportunity to consider the consequences of the fire, environmental clean-up costs and planning implications for any future redevelopment proposal given the loss of the former A Listed Hospital. With regard to the latter, my client was encouraged as part of pre-application

discussions with the Planning Service to pursue a development bid to the LDP Review process, seeking an allocation for the site. If successful and the site was included within the next LDP, that would remove the site from the Countryside and provide greater flexibility and more relaxed planning policy stipulations in the assessment of any future development proposal for the site. Accordingly, the Officers' Preference for an allocation is greatly appreciated by Forbes Homes Ltd, however it is crucial that the allocation reflects the desired 100 units applied for within the Bid.

It should be stressed that circumstances have changed significantly since the fire. Previous development proposals for the site had been restricted to an extent, due to the presence of the A Listed hospital and applications had therefore been pursued on the basis of refurbishment, or replica rebuild. As acknowledged within the MIR, the former hospital was de-listed in 2016 following the fire damage. The reality is that the Hospital was catastrophically destroyed by the fire and none of the original building is salvageable. Effectively what remains is contaminated debris, which has been securely fenced off and contained for health and safety reasons. In that respect, it is effectively now a contaminated brownfield site, which presents greater opportunity to provide a slightly increased density of development on site, which would be free of the previous limitations governed by the footprint of the former hospital.

In that regard, an updated indicative Masterplan has been prepared for the site by Mackie Ramsay Taylor Architects. This should be read in conjunction with the previous Masterplan drawing prepared with Development Bid MR061. This identifies in greater detail, how a sustainable mixed development of approximately 100 homes could be accommodated across the site. The Masterplan illustrates a layout of detached and semi-detached 3 to 4- bed, family sized homes on the southern site of the former nurses' accommodation. The land associated with the former hospital could accommodate a higher density flatted development, split into a number of blocks, with significant open space, landscaping and connections provided through the site to the surrounding woodland and Core Path network. Forbes Homes would happily commit to a more detailed Masterplanning exercise which would inform any future planning application submitted following formal allocation of the site within the next LDP.

Furthermore, in considering housing numbers on allocated sites, this is identified as a Main Issue (No.10) within the MIR. It states that, "*this relates to providing a plan that reflects what the development industry initially sought for the development of the site and on which they confirmed viability*". It is apparent that this relates to circumstances whereby planning applications are lodged for sites which propose additional units numbers to those sought within the bid. The MIR proposes to introduce a nominal density of 25 homes per hectare, outwith Strategic Growth Areas. The Officer's Preference to significantly reduce the allocation sought for Glen O'Dee appears to entirely contradict the wider aspirations set out within the MIR and in particular Main Issue 10. The bid for 100 units was sought on the basis of confirmed viability for that number, therefore reducing it by 50% would result in serious viability issues which are discussed in more detail below.

Considering the bid site encompasses 4.9 ha of land, application of the MIR's preferred option of 25 homes per hectare would allow for approximately 122 units on site, which is more than the 100 units proposed within the Bid. The 50 unit allocation proposed by Officers would only allow for approximately 10 homes per hectare, significantly less than that identified within the Officer's preferred option on Main Issue 10. It has also been noted that numerous bids pursued by developers across the Shire and identified as Officers' preferences, have had their allocations increased to achieve higher densities and prevent 'underdevelopment'. It therefore seems somewhat bizarre that my client's bid, which falls slightly below the desired density of 25 homes per hectare has effectively been halved by Officers. Scottish Planning Policy advises that planning should enable *"high-quality development"* and make *"efficient use of land to deliver long-term benefits for the public"*. It also encourages the re-use or re-development of brownfield land before new development takes place on greenfield sites. Reducing the density on this brownfield site to approximately 10 units per hectare would hardly suggest making the most efficient use of the land.

The fire, which ripped through and completely destroyed the former hospital building in 2016 has left significant environmental clean-up costs in its aftermath. These can be attributed to the requirement for careful removal of asbestos containing materials which have spread throughout the remaining debris and the associated remediation works involved in making good the site, before any redevelopment can be undertaken. These works have been carefully costed and are extraordinarily high. Accordingly, the costs have had to be factored into the assessment of viability for ultimate delivery of the site and this was clearly identified within the Development Bid and associated units numbers sought therein. Officers clearly accept the overarching benefits associated with this redevelopment, highlighting the ***"benefits of redeveloping contaminated brownfield land in an appropriately connected part of Banchory would bring about community benefits in the long term"***, and this is welcomed. However there appears to be no basis whatsoever for the Officers' proposed reduction to only 50 units. That would be entirely counterproductive and seriously jeopardise the overall viability of the site. Whilst it is acknowledged that the allocation numbers are indicative, doubling the numbers to achieve what was initially envisaged in the bid through a future planning application would not be appropriate, nor does it align with the overarching aims set out in the MIR on housing allocation numbers (Issue 10) as discussed above. My client therefore requires the certainty that would be afforded by the full allocation for 100 units originally sought.

With regard to the physical characteristics of the site, the MIR Officer's assessment acknowledges that some tree loss would be required as part of the development. However it is pleasing to see recognition that this would be outweighed by the wider benefits of redeveloping a contaminated brownfield site. Furthermore, an appropriate replacement planning scheme would be undertaken to mitigate any associated tree loss and as stated within the MIR, the development would provide greater access to the wider woodland and established

path networks in the area. It is also pleasing that Officers recognise the close proximity of the site to the existing public transport network and nearby sports facilities and amenities. It highlights that the access road would be required to be brought up to an adoptable standard, which is to be anticipated given the scale of the development proposed. It should also be stressed that pre-application discussions with the Planning and Roads Development Service identified that a development of over 50 units would require an emergency access. My client has undertaken extensive discussions with a neighbouring landowner and is confident there is a deliverable solution over land to the west, leading onto the Glassel Road, as highlighted within the attached Masterplan (Appendix 1). This further justifies the required increase in the allocation to 100 units.

### Your comments (continued)

Officers highlight that education and waste water capacity are potential constraints, however they are “*not considered as insurmountable*”. The 2018 School Roll forecasts illustrate that Banchory Primary School is operating well below capacity. This is likely due to the recent growth of Banchory to the east of the town, associated with development around Hill of Banchory, which of course has its own Primary School serving the associated catchment. Banchory Academy is currently below capacity but may experience some capacity issues as a result of this development. It should be noted that the Glen O’Dee site has been identified on an annual basis within the Housing Land Audit since 2008, therefore capacity for a development of 29 homes should already be programmed into the School Rolls. Any capacity issues experienced at Banchory Academy, which is identified as operating at 91 – 99% of its capacity between 2018 – 2023, could be appropriately mitigated through developer obligations.

With regard to waste water, without any specific clarity on the scale of housing land release to be accommodated in Banchory in order to satisfy the housing allowances as set out by the Proposed Strategic Development Plan (SDP) published in August 2018, it must therefore be assumed from the MIR that Aberdeenshire Council acknowledge that Banchory has the capacity to grow across the lifetime of the next LDP. The MIR suggests Banchory could accommodate 150 homes to be delivered in the short through sites MR061 and MR038, as well as 240 homes reserved for future development, associated with Bids MR039 and MR077. As such, there has been a general acceptance that additional housing is required for the settlement. In line with Scottish Government requirements, Scottish Water is committed to meeting the demand of new housing development and will continue to work with the Local Authority and developers to ensure sufficient capacity is available to meet new demand, which may require infrastructure upgrades to be delivered. The point made by officers should therefore be reiterated, that waste water capacity is not an “*insurmountable*” constraint to development.

It is also pleasing that Officers have acknowledged that the wider community support this allocation. This very much reflects not only my client's desire, but the desire of the surrounding community to see this site redeveloped, in light of recent circumstances. My client has previously engaged with the Community Council regarding redevelopment proposals for the site, who were supportive and keen to see the site delivered in the near future. An allocation for 100 units within the next LDP will secure that certainty going forward.

On the basis of all of the above, Forbes Homes Ltd very much welcomes the MIR and Draft Proposed LDP's identification of land at the former Glen O'Dee Hospital as a Officers' preference for development within the next LDP. However, objection is taken at the proposed reduction of the allocation to 50 units and it is requested that this be increased to reflect the 100 units sought within Bid Ref MR061. As illustrated within the supporting Masterplan at Appendix 1, the scale of the site can more than adequately accommodate a sustainable development of 100 new homes in line with the MIR requirement that sites deliver 25 units per hectare. The proposed 50 unit allocation would result in 10 units per hectare which does not reflect these requirements, nor does it accord with SPP's aims to make the most efficient use of land, particularly considering it presents a brownfield redevelopment opportunity where higher densities should be encouraged, to offset associated constraints such as remediation requirements and costs. Officers have confirmed that the site is well connected to Banchory, public transport links, nearby amenities and offers excellent access to surrounding recreational uses associated with the surrounding woodland and public/core path network. There is also significant support for the development of this site expressed from the wider community. It is therefore crucial that the appropriate allocation is made to realise this development opportunity.

## **APPENDIX 1**

CONIFEROUS TREES

GLEN OF DEE HOSPITAL  
(NHS OWNED)

VEHICLE  
ACCESS

CONIFEROUS TREES

BLOCK OF 24  
FLATS

AMENITY SPACE

CONIFEROUS TREES

BLOCK OF 24  
FLATS

AMENITY SPACE

DENSE TREES

AMENITY SPACE

REPLACEMENT HOUSE  
WITH  
PLANNING APPROVAL

CLEARED  
PART OF  
FOREST

AMENITY SPACE

VEHICLE  
ACCESS

EXISTING  
POND

RECENTLY FELLED WOODLAND

AMENITY SPACE

PARTIALLY FELLED WOODLAND

SUDS POND

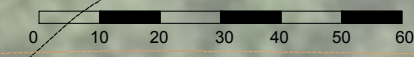
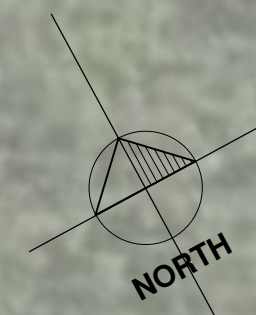
SEWER WAYLEAVE

EXISTING FOOTPATH ALONG DISMANTLED RAILWAY

PROPOSED EMERGENCY ACCESS

FOOTPATH LINKS  
TO DEVELOPMENT

CONIFEROUS TREES



Schedule

99 Proposed Residential Units

48 Flats

6 No 3 bedroom  
42 No 2 bedroom

51 Houses

16 No 4 Bedroom Detached Houses  
8 No 4 Bedroom Semi-Detached  
11 No 3 Bedroom Detached  
16 No 3 Bedroom Semi Detached

Rev	Description	Date



Project  
**Proposed Residential  
Development**

Glen of Dee Hospital  
Banchory

Drawing  
Indicative Site Layout

Scale 1:1250@A3

Status INFORMATION

Date Mar 2019

Drawn By

Project No.  
1904

Drawing No.  
L(00)601

**APPENDIX 3**  
**Indicative Site Layout**



CONIFEROUS TREES

GLEN OF DEE HOSPITAL  
(NHS OWNED)

CONIFEROUS TREES

VEHICLE ACCESS

Previous approval for 19  
unit townhouse  
development - pink  
hatched area - APP 2005/  
3278 - (1.54 ha)



BLOCK OF 24  
FLATS

BLOCK OF 24  
FLATS

AMENITY SPACE

AMENITY SPACE - WOODLAND WALKS

CONIFEROUS TREES

DENSE TREES

Additional Development  
Area - outlined in blue  
dashed line - 0.09 ha  
  
Note - this area was  
included in the 2016  
withdrawn application -  
2016-0808

REPLACEMENT HOUSE  
WITH  
PLANNING APPROVAL

CLEARED  
PART OF  
FOREST

CYCLE PATH/  
EMERGENCY ACCESS  
(EXACT ROUTE TO BE  
CONFIRMED ON SITE)

EXISTING  
POND

VEHICLE  
ACCESS

AMENITY SPACE -  
WOODLAND WALKS

Previous approval for 10 very large enabling  
houses - purple hatched area (2.05 ha) - APP  
2005/ 3279

RECENTLY FELLED WOODLAND 6046

PARTIALLY FELLED WOODLAND

SUDS POND

SEWER WAYLEAVE

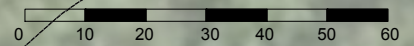
EXISTING FOOTPATH ALONG DISMANTLED RAILWAY

PROPOSED EMERGENCY ACCESS

FOOTPATH LINKS  
TO DEVELOPMENT

Path

CONIFEROUS TREES



- Schedule
- 99 Proposed Residential Units
  - 48 Flats
  - 6 No 3 bedroom
  - 42 No 2 bedroom
  - 51 Houses
  - 9 No 4 Bedroom Detached Houses
  - 2 No 4 Bedroom Semi-Detached
  - 10 No 3 Bedroom Detached
  - 20 No 3 Bedroom Semi Detached
  - 10 No 2 Bedroom Semi-Detached

Rev	Description	Date
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Project  
**Proposed Residential  
Development**

Glen of Dee Hospital  
Banchory

Drawing  
Indicative Site Layout  
(Overmarked)  
Plan 4

Scale 1:1250@A3

Status INFORMATION

Date Mar 2019

Drawn By

Project No. 1904	Drawing No. L(00)602 <sup>D</sup>
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## **APPENDIX 4**

### **Banchory Community Council Response**



Michael Lorimer [REDACTED]

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**FW: Aberdeenshire LDP Review 2020 : Site at Glen o Dee Hospital Banchory**

1 message

1 February 2020 at 17:30

To: Michael Lorimer [REDACTED]

Hi Michael,

See below – seems quite positive?

Regards,  
[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 01 February 2020 10:26  
**To:** [REDACTED]  
**Subject:** Fwd: Aberdeenshire LDP Review 2020 : Site at Glen o Dee Hospital Banchory

Hi [REDACTED]

Please see letter to Planning ref GoDee - and their response.

Helpful ?

H.

Sent from my iPhone

Begin forwarded message:

**From:** [REDACTED]  
**Date:** 31 January 2020 15:24:43 GMT  
**To:** [REDACTED]  
**Subject:** RE: Aberdeenshire LDP Review 2020 : Site at Glen o Dee Hospital Banchory

Good morning [REDACTED]

Thank you for your comments.

The viability of this proposal at Glen O'Dee was a considerable point of discussion at the Area Committee. Since that meeting the Infrastructure Service Committee requested for the report to Full Council to cover the matter of increasing the housing numbers at Glen O'Dee and any potential impact on ancient woodland. Our position has been to promote a high density redevelopment of the former hospital taking cognisance of any potential environmental impact. We also have to be mindful of the potential for setting a precedence

throughout Aberdeenshire in the types of areas we include within allocations. As you will be aware the number of homes required for the site will be dependent on market conditions, amongst other factors, at the time of a planning application being submitted and as with every allocation in the Local Development Plan the housing numbers set out are indicative.

The Proposed LDP will be reported to Full Council anticipated to be the meeting of the 5<sup>th</sup> March. Once the Proposed LDP has been published there will be a further period of public consultation. Responses to that consultation are considered by an independent Reporter who is appointed by Scottish Ministers to examine the Plan.

Many thanks,

[REDACTED]

[REDACTED]  
Policy Planner  
Infrastructure Services  
  
Aberdeenshire Council  
  
Woodhill House  
  
Westburn Road  
  
Aberdeen, AB16 5GB

[REDACTED]

---

From: [REDACTED]  
Sent: Wednesday, January 29, 2020 10:18 AM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: Aberdeenshire LDP Review 2020 : Site at Glen o Dee Hospital Banchory

[REDACTED]  
LDP Review Team  
Aberdeenshire Planning Service

Dear sirs,

LDP Review 2020 : Site at Glen o Dee Hospital, Banchory

I am writing on behalf of Banchory Community Council, to clarify our position on the development of this site, following the adjustments to the proposals for it, after review by the Area Committee and ISC.

This response takes into account a presentation made to BCC by Rydens in November.

The CC is aware that there have been various previous consents for the site, including proposals for a replica flatted development and additional 'enabling' houses.

However none of these have proceeded, and following the most recent fire, the site lies derelict and contaminated.

This is the only major area of dereliction in Banchory, and we are anxious that its redevelopment should not be unduly constrained.

We are particularly concerned given its location in very close proximity to, and as the main outlook for the adjoining geriatric hospital.

The CC does have concerns over the potential scale of development, given the quality of the surrounding landscape, and particularly the current access road.

However these seem to be issues which can be addressed more closely when a revised planning application comes forward.

In the meantime, we do wish to see the site fully remediated asap.

We would therefore hope that the new LDP will provide scope for a viable scale of development that enables delivery of the quality of amenity and safety which the site deserves.

BCC would accordingly unanimously support a redevelopment of this site which is viable and leads to a safer environment.

Regards,

[REDACTED]

Obo :  
Banchory Community Council.

CC: [REDACTED]

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This e-mail may contain privileged information intended solely for the use of the individual to whom it is addressed. If you have received this e-mail in error, please accept our apologies and notify the sender, deleting the e-mail afterwards. Any views or opinions presented are solely those of the e-mail's author and do not necessarily represent those of Aberdeenshire Council.

Dh'fhaodadh fiosrachadh sochair, a tha a-mhàin airson an neach gu bheil am post-dealain air a chur, a bhith an seo. Ma tha thu air am post-dealain fhaighinn mar mhearachd, gabh ar leisgeul agus cuir fios chun an neach a chuir am post-dealain agus dubh às am post-dealain an dèidh sin. 'S e beachdan an neach a chuir am post-dealain a tha ann an gin sam bith a thèid a chur an cèill agus chan eil e a' ciallachadh gu bheil iad a' riochdachadh beachdan Chomhairle Shiorrachd Obar Dheathain.

[www.aberdeenshire.gov.uk](http://www.aberdeenshire.gov.uk)

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**APPENDIX 5**  
**ISC Minute 03/10/19**

## **ABERDEENSHIRE COUNCIL**

### **INFRASTRUCTURE SERVICES COMMITTEE**

**WOODHILL HOUSE, ABERDEEN, 3 OCTOBER, 2019**

**Present:** Councillors P Argyle (Chair), J Cox (Vice Chair), W Agnew, G Carr, J Gifford (substituting for I Taylor), J Ingram, P Johnston, J Latham, I Mollison, C Pike, G Reid, S Smith, B Topping (substituting for D Aitchison) and R Withey.

**Apologies:** Councillors D Aitchison and I Taylor.

**Officers:** Director of Infrastructure Services, Head of Service (Transportation), Head of Service (Economic Development and Protective Services), Team Manager (Planning and Environment, Chris Ormiston), Team Leader (Planning and Environment, Piers Blaxter), Senior Policy Planner (Ailsa Anderson), Internal Waste Reduction Officer (Economic Development), Corporate Finance Manager (S Donald), Principal Solicitor, Legal and Governance (R O'Hare), Principal Committee Services Officer and Committee Officer (F Brown).

#### **OPENING REMARKS BY THE CHAIR**

The Chair opened the meeting by saying a few words about the weather and recent flooding across the north of Aberdeenshire, which had seen seven bridges closed, with some being destroyed and others extensively damaged. There was also damage to properties, with gardens and driveways being washed away and the Scottish Fire and Rescue being called out to assist with the pumping of water out from homes. Banff, Macduff, Whitehills, St Combs and Crovie were particularly badly hit, along with the King Edward area. The Chair commended the resilience of the local community, with neighbours looking out for one another and businesses starting the clean-up with repairs underway.

The closure of seven bridges around King Edward had been particularly challenging and demonstrated the vulnerability of ageing infrastructure which was simply no longer fit for conditions, whether that was the volume and weight of traffic or extreme weather conditions.

Aberdeenshire Council were working alongside farmers and local businesses to ensure short term work arounds were being put in place to reduce the disruption to businesses, in recognition of their role as local employers which were the lifeblood of the community.

Longer term, requirements were being assessed to ensure that new bridges would cope with modern day demands, and to be fit to last for the next 100 years.

The Chair, on behalf of the Committee, thanked all of the teams who had been working tirelessly since the weekend to keep people safe, restore access to homes, and to begin the process of rebuilding bridges and repairing roads and their efforts were hugely appreciated.

#### **1. DECLARATION OF MEMBERS' INTERESTS**

The Chair asked Members if they had any interests to declare in terms of the Councillors' Code of Conduct and the following interests were intimated: –

- (i) Item 10 - Councillors Argyle, Cox, Mollison and Pike as substantive and substitute members of NESTRANS for which a specific exclusion applied and they remained in the meeting;

	<p>The Committee <b>agreed</b> to support the Officer's recommendation, that Platinum sustainability standards for sustainable building design was unachievable through the Local Development Plan as it had not been fully developed by the Scottish Government, therefore, enforcement of any sustainability standards could not be achieved.</p>
<b>Issue 13</b>	<p>(Issue 54, Peterhead, bid BU043).</p> <p>The Committee <b>agreed</b> to support the Officer's recommendation, that bid site BU043 should not be added to the Proposed Local Development Plan for housing, as the decision to change the potential use from business use to housing would have an impact on the provision of new employment in Peterhead and would not promote development of business land or public confidence in preferred allocations of land.</p>
<b>Issue 14</b>	<p>(Issue 15, Other Issues, Elements Missing from the Local Development Plan).</p> <p>The Committee <b>agreed</b> to support the Officer's recommendation, that a policy on permitting recreational huts should not be included in the proposed Local Development Plan as hut development should be a matter for the landowner and considered under tourist development.</p>
<b>Issue 15</b>	<p>(Issue 7 Shaping Development in the Countryside, Main Issue 8 Organic Growth, Recommendation 5).</p> <p>The Committee <b>agreed</b> to support the Officer's recommendation, for the production of a list of identified settlements through Planning Advice as being considered to be the best solution to identify organic growth housing, rather than a criteria based approach which would not provide clarity for elected members surrounding the interpretation of that criteria over time.</p>
<b>Issue 16</b>	<p>(Issue 8 Shaping Homes and Housing, Main Issue 11, Policy H2 Affordable Housing, Recommendation 3).</p> <p>The Committee <b>agreed</b> to support the Officer's recommendation that Policy H2 Affordable Housing should not be redrafted, to take account of recent discussion with housing colleagues, the Scottish Government and socially responsible landlords as those issues were more appropriately attributed to the Local Housing Strategy.</p>
<b>Issue 17</b>	<p>(Issue 81, Pitmedden and Milldale, General).</p> <p>The Committee <b>agreed</b> to support the Officer's recommendation that sites FR133 and FR132 should not be promoted for development as both sites impinge significantly on an area restricted by high pressure oil pipelines and also to change the boundary of the FR007 site, to incorporate some of of site FR0006.</p>
<b>Issue 18</b>	<p>(Issue 155, Banchory, bid MR038).</p> <p>Having heard from [REDACTED] who objected to development on the site considered to be an established and diverse local nature reserve, the Committee <b>agreed</b> to support the Marr Area Committee recommendation to remove bid site MR038 from the Local Development Plan and request that Officers consider an alternative, increasing the allocation in respect of MR061</p>



	at Glen O'Dee and then submit a report back to Full Council which should include any potential impact on ancient woodland.
<b>Addendum</b>	Bid Site KN063 – Land at Mains of Luther Farm, Luthermir  The Committee <b>agreed</b> to support the Officer's recommendation that site KN063 should not be included in the in the Proposed Local Development Plan.
<b>Errata- Issue 71 Ellon</b>	Issue 71 Ellon – Bid sites FR063 and FR064  The Committee heard from [REDACTED] who spoke in support of the bid sites and expressed concern with regard to the late notification from Officers of the recommendation to remove both sites from the Proposed Local Development Plan which she advised the applicant had not had an opportunity to respond to. She advised that inclusion of the sites had been supported by the Formartine Area Committee and Local Members and there had been no objections from the Planning Service. In conclusion, she urged the Committee to support the inclusion of the sites in the Proposed Local Development Plan.  Following discussion, the Committee <b>agreed</b> to support the Officer's recommendation not to include bid sites FR063 and FR064 at Ellon in the Proposed Local Development Plan due to the likely impacts on congestion arising on the A90(T) junctions with the B9005 and the A948.

Thereafter, the Committee **agreed**:

- (1) that they had fully considered the views of Area Committees on the content and substance of the policies, settlements and proposals following evaluation of the 'Issues and Actions' of the Main Issues Report, for inclusion in the Proposed Local Development Plan; and
- (2) to recommend to Aberdeenshire Council the outcomes of the Area Committee Meetings held between 20 August and 17 September 2019, having discussed and resolved the inconsistencies identified by Officers, Items 1 to 18 and the Addendum and Errata, Issue 71.

## **8. ROADS POLICY REVIEW UPDATE**

There had been circulated a report, dated 18 September 2019, by the Director of Infrastructure Service, which invited the Committee to note the forthcoming review of three key roads related policies; Speed Limit Assessment Policy, Pedestrian Crossing Assessment Policy and Street Trading and Occupation of Road Policy.

The report explained that each of the policies would be taken to Area Committees in the last quarter of 2019 for consideration and following on from other policy development work, they would be put to key stakeholders with an intention for a report back to the Infrastructure Services Committee in early 2020.

Thereafter, the Committee **agreed**:

- (1) To acknowledge the important role that the framework of policies plays in delivering the overall strategic approach to transport at a local, regional and national level; and

**APPENDIX 6**  
**Pre-Application Feedback**

Please take this as the pre-application response to your enquiry (ENQ/2019/1573) for the erection of 99 residential units on land at Glen O'Dee, Banchory. The Planning Service notes the extension history on this site, the last of which was in 2016 following the withdrawal of revised applications due to the fire at Glen O'Dee. At that time, you were advised that the best way to progress the site is to submit a bid for allocating into the next plan, which you did. However, to progress delivery and respond to queries/concerns from the Policy Team on the bid/LDP process, it is understood that you submitted this enquiry to address those points and inform the future submission of a planning application.

I have attached the enquiry responses from consultees separately, however, we have yet to receive a response from Scottish Forestry, with specific reference to the siting of compensatory planting. I will forward this on in due course.

### **Principle of Development**

The site of the former hospital, which was burned down in 2016, has a lengthy and complex planning history. As you are aware, we are running this enquiry in tandem with the ongoing LDP process, with the site subject of a bid from you for 100 homes, which was initially supported by the Policy Team for an allocation of 50 units, which was then reduced to 40 units as the plan progressed. The was shown in the proposed draft plan to be allocated for 40 units (OP6).

There is an extensive history on the site, with 2005 consents proposed the replica of Glen O'Dee Hospital and 10 large enabling housing. APP/2005/3278 and APP/2005/3279 accepted a substantial amount of tree loss, with the primary justification for development on the basis of replicating a listed building with some enabling development (no compensatory planting was sought as part of these applications). Applications were also submitted in 2016 (APP/2016/0806, 0807 and 0808), however, these were withdrawn following the fire. Further discussion took place following the withdrawal of those application regarding revised numbers to assist in viability/contamination costs, aswell as further technical discussion in relation to connectivity, access and wider servicing of a larger development.

At this stage, the proposal for 99 residential units would be a departure from the current Local Development Plan and therefore would require strong justification to gain any support prior to any allocation in the next plan, however the planning history on site does remain a material consideration for the Planning Service to have regard to. This should be in the form of a development viability appraisal, and within that the contamination costs which make the case for a number greater than what was previously consented/proposed should be identified. Justification should also focus on the planning history on site, as the 2016 applications and subsequent enquiries on the site since the 2005 applications aim to follow the development area of the 2005 application, and your enquiry does appear to adhere to that principle – develop on the land that was always earmarked for development, albeit now proposing to do so at a great density.

Should you not submit until the next plan is adopted, and if there is an allocation in place, then the number within the allocation will be key. The Policy Team, when challenged by the Marr Area Committee during the Main Issues Report stage, did allude to the number in the plan being indicative, however that related to a bid site smaller than your enquiry. It may be the case that you have to justify two points – increase in numbers beyond what is in the plan, and an increase in site size beyond what is in the plan. The justification set out above (if you were to submit now) would remain relevant to justify a departure from the next plan.

If, during the LDP process, the allocation is increased, in terms of site area to include the lower value area of woodland and to increase the numbers, then a future application may simply be compliant with the plan.

In any eventuality, and moving beyond the principle of development, several technical matters will require attention, and the following comments provide an overview of comments received thus far and likely supporting information/further justification that would need to accompany any application.

### **Tree Loss, Ecology and Public Access**

There have been ongoing discussions with the Council's Infrastructure Services (Natural Heritage Team) regarding tree loss, with several consultation responses received. Due to much of the site proposed for development being ancient woodland, only development with significant overriding public benefits should be permitted and this will need to be demonstrated. It is likely that a case to justify the additional tree loss/site area (beyond the currently proposed LDP OP6 site) could be made on the basis of material planning history accepting the loss of this area of land without compensation; that you are now proposing full compensation off-site; that the site is contaminated, dangerous and locally a bit of an eyesore – all of which would be remedied through a viable development; and that the remaining woodland would become managed as part of a site factoring arrangement with improved access and connectivity offered to the public. Maintaining as much of the existing woodland as possible on the site should be a priority, reducing the need for compensatory planting.

The Council's Natural Heritage Officer highlights the area of local significance is the central section of large woodland, revised site plan (L(00)604) protects this central spine, with development to the north and south with connecting footpaths. This approach is welcomed and would have both amenity and ecological benefits. However as much of the existing woodland as possible should be protected through the character of the development being one within a woodland setting. A tree survey and long-term management plan for the retained woodland within the red line boundary should be submitted with an application.

Turning to compensatory planting, the Council's Natural Heritage Officer has broadly accepted the principle off-site compensatory planting but would look for replacement planting to be as close to the site as possible, however, it is understood that land ownership and deliverability is a key factor here. Unfortunately, we have not yet received a consultation response from Scottish Forestry, however the Natural Heritage Officer and Archaeology have reviewed the proposed sites and provided general comments in relation to each.

Clarity is required on whether all sites identified are to be replanted, although our understanding is that the sites presented were options and only 1 would be pursued as the best site for compensatory planting. Whichever option becomes the proposed site will require an ecological walkover survey to establish any potential impacts or opportunities for biodiversity enhancement. The response from the Council's Natural Heritage Officer provides comments on each site identified, details of the exact replacement locations, tree species and tree management will allow for further comment. Archaeology have raised concern regarding the 3.2 acre area as it is adjacent to an extensive area of cairns and hut circle which is a Scheduled Monument. They required a 20 metre buffer from the boundary of the scheduled area, and if this could not be provided any planting in this area would require consultation with Historic Environment Scotland and likely involve significant mitigation. Therefore, it is advised that an alternative location is taken forward.

Archaeology also provide comment on the development site itself; an archaeological walkover survey would be required due to the position between two recorded cairn fields.

An ecological walkover survey of the site will be required to identify any potential species present, and if any identified further intrusive investigation may be required. A bat survey of the remaining buildings on site will be required, specifically the small gate/cottage house (if within the site) and the former nurse's accommodation, where previous bat roosts have been found. The development should also provide environmental enhancement measures, such as the control of rhododendron within the woodland.

Connection should be made to core paths within the vicinity of the site, with confirmation that the emergency access to the west of the site would not impact on the existing core path, and also provide improved access and connectivity itself.

Scottish Natural Heritage re-iterate much of the comments highlighted above, a site brief is required to ensure the site retains existing landscape structure and biodiversity value on site and within the open space. Active travel on site should be encouraged, with links made to core path networks. Consideration of pollution of watercourses, with measures to ensure this is avoided.

### **Infrastructure considerations**

Flood Risk and Coast Protection have outlined the requirement for a Drainage Impact Assessment, the response provides detailed advice to consider in preparation of this document. They also advice discussing acceptable road drainage measures with the Councils Transportation/Roads Development.

Contaminated Land acknowledged that the site was partially investigated under the 2006 application. That investigation recommended further investigation of the site, however that investigation did not cover the whole site or the more recent contaminative activities such as the 2016 fire. Therefore, a site investigation is required prior to the development of the site. Given the statements on viability, in relation to contamination clear up, it may be the case that you already have an intrusive report to investigate the situation on site – however this should be updated to have specific focus on the site in terms of facilitating this development.

Transportation highlight that the site is currently quite remote from key services, with no formal lit safe walking route to connect to the existing network in Banchory, and is 1.4km from the closest bus stop. The existing road access is not in accordance with Transportation's standards for Construction Consent. Roads Development also raise concerns; a swept path analysis and discussions with Waste Management will be required to demonstrate waste collection can occur with a minimum of vehicle turnings, and visibility splays for both access junctions of 2.4 metres by 90 metres. Some discussion was had with Roads Development in 2016 about the upgrade of the access track to serve the development, as well as looking at footpath connections/safe route to school, and emergency access provision. It is therefore suggested that discussions are recommended directly with Roads Development to attempt to overcome these areas of concern. Any application would require a Street Engineering Review and Quality Audit.

### **Housing and Developer Obligations**

Based on the proposed 99 units, an onsite contribution of 25% of affordable housing will be required, this equates to 24 units and a cash commuted sum for 0.75 units. The response provides guidance on the provision, delivery, method and timescales for delivery of the affordable housing

and are happy to discuss further. Developer Obligations have provided comments on the housing mix, as above, 25% affordable housing will be required, with contributions towards Healthcare (£123,012). The applications withdrawn in 2016 did involve discussion over the package of contributions, with discussion about off-setting some of the requirements against what was secured previously. Such a stance is unlikely to be acceptable now, given the passage of time and expiry of previous consents. However, as above in terms of justification for the development should it exceed what is in the future LDP, a viability statement could form part of any negotiation on contributions. It is worth, once the final design, layout and mix of properties is provided, to have discussion with the Council's Developer Obligations team once again, and should the contributions impact the viability you may wish to discuss the scope of a need case/viability assessment that you can then submit with the application for the Council to then engage with the Valuation Office Agency.

## **Conclusion**

In summary, we note the proposal is at an early stage and you are simply picking up on discussion that ceased in 2016. The general principle of development was previously accepted and remains there today – the contentious issues relate to the site area and number of units. The site area is restricted by woodland, however in terms of woodland loss, the southern section of the site has the lowest natural heritage value, high density commercial conifer woodland. Therefore, providing suitable justification can be provided, the central spine of woodland retained, and appropriate compensatory planting, development in this area could be acceptable. Further discussions should be undertaken regarding the compensatory planting locations, species and management. Technical elements also require further discussions with consultees, primarily Roads Development and Transportation, who have raised concerns with the proposal in terms of the lack of infrastructure currently in place to serve the site.

I trust this response is helpful at this stage, and as you progress and refine the submission, or if you have any difficulty in engaging directly with any consultee to discuss and progress any of the required supporting documents, please get back in touch. It would be worth further pre-application discussion on the final content of the proposals before any application is submitted. There is also a reasonable prospect of the site requiring a Masterplan should it be allocated in the next LDP, and this should be carried out before any application is submitted.

**From:** [REDACTED]  
**To:** [Planning Online](#)  
**Subject:** FW: Glen O' Dee Hospital - proposal for 99 units - pre application enquiry - ENQ/2019/1573 -  
**Date:** 23 December 2019 11:28:53

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Morning,

Please can the consultation response from SNH be uploaded to ENQ/2019/1573.

Thanks

[REDACTED]  
Planner (Development Management)  
Kincardine and Mearns/Marr  
Planning and Environment Services  
Viewmount  
Arduthie Road  
Stonehaven  
AB39 2DQ



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**From:** [REDACTED]  
**Sent:** 28 November 2019 13:26  
**To:** [REDACTED]  
**Subject:** Glen O' Dee Hospital - proposal for 99 units - pre application enquiry - ENQ/2019/1573 -

Dear [REDACTED]

Thanks for your email.

In our response to the Main Issue Report we commented as follows for this site (ref MR061 in the MIR):

'Site includes AWI LEPO and mixed semi-natural/planted mixed broadleaved/conifer woodland. A site brief is required to ensure the site retains

existing landscape structure and biodiversity of value on site, and to ensure adequate meaningful and biodiverse open space is incorporated in the development. In addition, provision should be made for active travel and the site should be linked to the core path network. Proposed planting as part of a landscape framework should be sensitive to the local landscape character and be proportionate in scale and extent relative to the scale of development.’ These comments are still relevant.

I cannot see any watercourses on the OS MasterMap of the site and the nearest watercourse shown at the 1:25,00 scale is around 200 m away. Connectivity with the River Dee SAC is therefore unlikely to be an issue though, of course, it would be necessary to develop the site in accordance with best practice, and to identify any pathways on site that could lead to pollution of watercourses and to put measures in place to ensure this is avoided.

There may be protected species present on the site but we would expect the Council to be able to address any protected species issues by referring to our standard guidance ([Planning and development: protected animals](#) and [Planning and development: birds](#)) unless there are exceptional circumstances not covered by the guidance.

With reference to the loss of woodland, I note that discussions with Scottish Forestry and your Environment Team are ongoing.

To answer your query about whether we would object to an application to develop the site as set out in the attached plan (L(00)604\_Indicative Site Layout with tree information), while this is without prejudice to any future consultation we might receive, this would be unlikely. On the basis of the information provided, I think we might not comment on an application for this site.

Please let me know if it would be useful to discuss further.

Best wishes,

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**DEVELOPMENT MANAGEMENT / ENVIRONMENT SURGERY – MARR**

DATE	DM OFFICER	APP REF.	ADDRESS	ISSUE	ACTION	ENV. OFFICER
07/11/19	LS	ENQ/2019/1573	Land At Glen O'Dee, Banchory	Erection of 99 Residential Units – layout and compensatory planting	<p>A revised proposed layout has been submitted which shows woodland retention where possible including a central spine of woodland between the two predominate areas of development in the north and the south of the site. While we would expect the exact locations of the built elements of the development to be informed by a tree survey and an ecological walkover survey at full application stage, the principals outlined in this proposed layout are accepted.</p> <p>In terms of the specific sites for compensatory tree planting (noting our previous comments that planting distant from the felled site needs to be clearly justified), we are not sure if the proposal is to plant all sites identified. Any site proposed for compensatory planting should have an ecological walkover survey. All sites would appear to contribute to the woodland network in the identified area. Feedback on each</p>	JD

					<p>proposed location based on the information we have:</p> <ul style="list-style-type: none"><li>• The most westerly 5 acre site – some aerial photographs, including the Google maps layer supplied by the applicant, indicate there may be woodland on this site already. Sites need to offer true additionality. Should be clarified during walkover survey.</li><li>• The southern 3.2 acre site – potentially valuable grassland and scrub habitats here (also potential archaeological interest based on OS data). Walkover survey will clarify.</li><li>• The central 7.5 acre site – available info suggests this is currently grazing land. Potentially low ecological value currently. Walkover will clarify. Adjacent woodland has been felled but it is assumed this is to be re-stocked (if it hasn't been already).</li><li>• Northern 0.6 acre site – small. Looks to be an uncultivated field corner currently. Walkover survey will confirm current ecological value.</li><li>• The eastern 5.6 acre site – looks to be cultivated land currently. Current ecological value potentially low – walkover will confirm.</li></ul>	
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					<p>As indicated, when there is clarity on the compensatory planting proposals (location, tree species, management), Scottish Forestry should be consulted. This could be at application stage. However, there may be merit in early consultation if the applicants can confirm which of the above sites they wish to progress. It is also suggested that Archaeology are consulted on the above sites.</p>	
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**APPENDIX 7**  
**Report to Full Council 05/03/20**

**REPORT TO ABERDEENSHIRE COUNCIL – 5 MARCH 2020**

**PROPOSED ABERDEENSHIRE LOCAL DEVELOPMENT PLAN 2020**

**1. Reason for Report / Summary**

- 1.1 To agree the content of the Proposed Aberdeenshire Local Development Plan 2020 (LDP) as the settled view of the Council on planning policy and site allocations for the period from 2021 to December 2031.

**2. Recommendations**

The Council is recommended to:

- 2.1 Consider the views of Area Committees on the content and substance of the policies, settlements and proposals following evaluation of the 'Issues and Actions' of the Main Issues Report, for inclusion in the Proposed Local Development Plan (Appendix 1).
- 2.2 Consider the views of the Infrastructure Services Committee held on 3 October 2019 on the content and substance of the policies, settlements and proposals following evaluation of the 'Issues and Actions' of the Main Issues Report, for inclusion in the Proposed Local Development Plan.
- 2.3 Consider the Strategic Environmental Assessment (SEA) - Environmental Report of the Proposed Local Development Plan published online to support this Report.
- 2.4 Consider the Habitats Regulations Appraisal Record (HRA) of the Proposed Local Development Plan published online to support this Report.
- 2.5 Consider the detailed Report of the Equality Impact Assessment of the content of the Proposed Local Development Plan published to support this Report (Appendix 2).
- 2.6 Consider the outcomes of the Town Centre First Principle Impact Assessment of the Proposed Local Development Plan published with this Report (Appendix 3).
- 2.7 Approve the publication of the Proposed Local Development Plan for public consultation for a period of 8 weeks, as the settled view of the Council on these matters, subject to any minor changes required to be agreed by the Director of Infrastructure Services following consultation with Group Leaders.
- 2.8 Approve the publication for public consultation of the Strategic Environmental Assessment (SEA) - Environmental Report of the Proposed

solution that may be promoted to resolve congestion on the A90(T). Part of this recommendation retains the initial concerns regarding landscape impact and compatibility with the adjacent proposed cemetery use. These sites are not, therefore, included in the Proposed Local Development Plan presented with this Report.

### **Kincardine & Mearns**

- 4.13 **Portlethen – Site KN027 - 300 homes north of Thistle Drive.** This site, recommended for inclusion within the Plan by Officers, was not accepted by the Kincardine & Mearns Area Committee. The view of the Kincardine & Mearns Area Committee to remove this site was subsequently accepted by the Infrastructure Services Committee (ISC) at their meeting of 3 October 2019. This site is, therefore, not included in the Proposed Local Development Plan presented with this Report.

### **Marr**

- 4.14 **Banchory – Site MR038 – 100 homes at Loch of Leys.** This site, recommended for inclusion within the Plan by Officers, was not accepted by the Marr Area Committee. The view of the Marr Area Committee to remove this site was subsequently accepted by the Infrastructure Services Committee at their meeting of 3 October 2019. This site is, therefore, not included in the Proposed Local Development Plan presented with this Report.
- 4.15 **Site MR061 – Glen O’ Dee.** As part of the above decision (Site MR038), ISC requested that Officers consider, as an alternative, in order to compensate for the removal of site MR038 Lochside of Leys, Banchory, that the whole of site MR061 Glen O’Dee should instead be allocated from 50 to 100 homes. As part of this alternative, an assessment on any potential impact on ancient woodland was to be carried out and reported to Full Council. Site MRO61 is currently allocated as an Ancient Woodland class 2b, “long established (of plantation origin)”. This includes plantation from maps of 1860 and continuously wooded since that time.
- 4.16 Although there is no legislation specifically protecting ancient woodland, Scottish Government’s Policy on control of woodland removal states that there is a strong presumption against removing ancient semi-natural woodland or Plantations on Ancient Woodland sites for development (see Scottish Planning Policy (SPP) paragraph 151).
- 4.17 None of this site is defined as “native pinewood” by Forestry Scotland. A section of the site to the north is defined by them as “Built up areas and Gardens”. The definition of woodlands contained in the Scottish Natural Heritage Scottish Ancient Woodlands Inventory differ from Forestry Scotland (please see “A guide to understanding the Scottish Ancient Woodland Inventory (AWI)” by Scottish Natural Heritage (last updated in 2018).
- 4.18 No part of the site outwith the “built up area and gardens” identified by Forestry Scotland in this area should be promoted for development. It is a site

specifically protected by SPP. Reducing the density from the MIR recommendation of 50 homes to 40 homes as recommended by Officers in the Issues and Actions, is reasonable and realistic to ensure the impact of the development does not outweigh the benefits of the redevelopment of the site. The reduction in density should assist with concerns voiced by respondents to the MIR regarding road access.

- 4.19 Any potential higher density proposal and its impacts can be assessed as part of any planning application and considered against the relevant policies. While the housing allocation on the site remains indicative, any increase in numbers should not be allowed to impact on the Ancient Woodland designation on the site, which is irreplaceable in our generation. Designating an Ancient Woodland for development marks a dangerous precedent for other sites that have not been allocated for very similar reasons.
- 4.20 This site is, therefore, recommended to be included within the Proposed Local Development Plan presented with this Report with an allocation of 40 homes.

## Employment Land

### Buchan

- 4.21 **Peterhead – Sites BUS 3 & OP6.** Currently employment land meets and exceeds the requirements of the Strategic Development Plan with the exception of Strategic Reserve Land. To compensate for this under-provision a part of the BUS (safeguarded for business uses) allocations to the south of Peterhead are to be re-designated as Strategic Reserve Land (identified in the Proposed Local Development Plan Settlement Statement as site SR1). This land is owned by one developer and has remained undeveloped for the last 15 years (part of the existing BUS3 designation adjacent to Wellington and extending to approximately 22ha). A second part of adjacent land (on the east side of the A90(T) at Wellington has been reallocated as an opportunity site (OP) for employment uses.

## 5. Council Priorities, Implications and Risk

- 5.1 This Report helps deliver **Council Priority 1 - Support a strong, sustainable, diverse and successful economy**, through providing multiple opportunities for the safeguarding and development of land for business, protecting town centres, and promoting special employment use.
- 5.2 This Report helps deliver **Council Priority 2 - Have the best possible transport and digital links across our communities**, by promoting a settlement strategy which is based on our main road network, rail routes and public transport opportunities, and by promoting future development of digital telecoms.
- 5.3 This Report helps deliver **Council Priority 3 - Provide the best life chances for all our children and young people by raising levels of attainment and achievement**, by ensuring that new developments contribute to the expansion of our primary and secondary school facilities.