

# 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 31 July 2020\*.

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

*\*UPDATE 16 June 2020: Consultation period was extended from 17 July 2020 for a further two-week period.*



## 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, zvaniet uz 01467 536230.

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

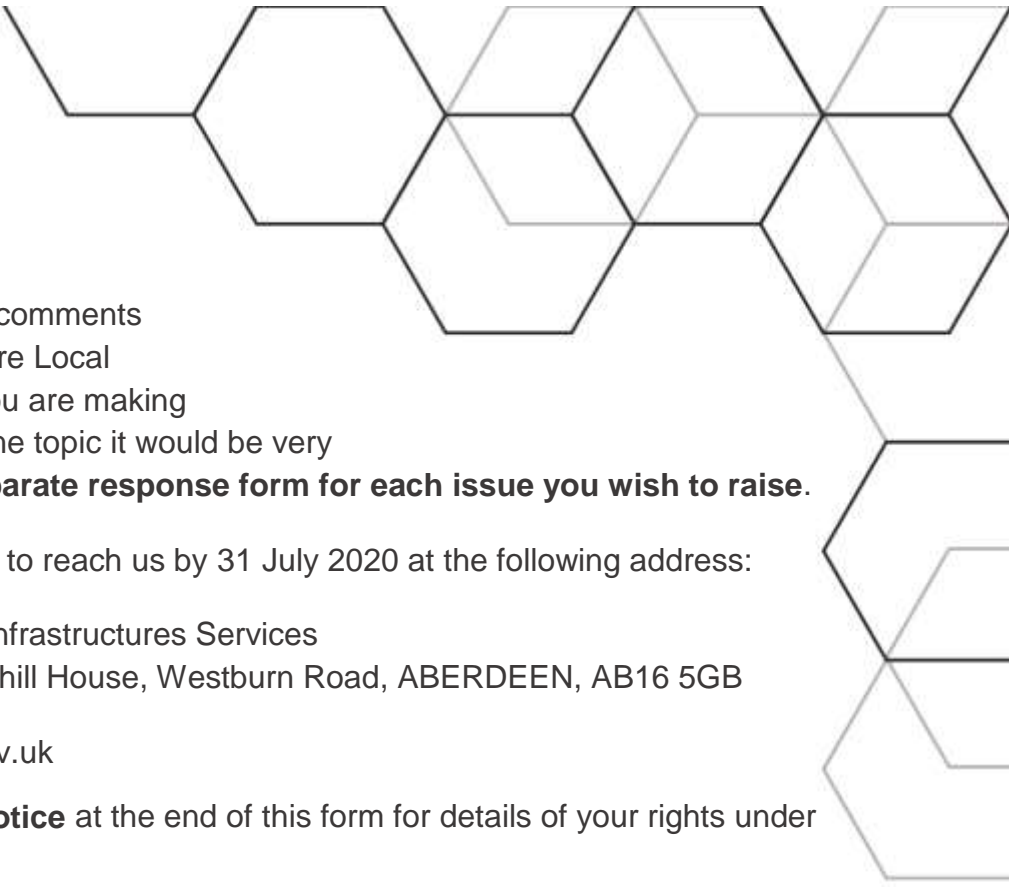
Tel: 01467 536230

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 31 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:	Mrs
First Name:	Claire
Surname:	Coutts
Date:	22 July 2020
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?

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):

Objection is made to the failure of the Proposed Plan to identify land at Deebank, Banchory (MR029 as contained in the Main Issues Report) for the provision of 10 homes.

It is therefore requested that the settlement boundary of Banchory (as contained on page 788 – 791 of the Proposed Plan) is amended to include this site and that the site is identified as an Opportunity Site for 10 houses for delivery in the first plan period. As such, Appendix 6: Housing Land Allocations should be amended to take account of this change.

## Reason for change:

### Background

On behalf of Westhill Developments (Brodiach) Ltd, an initial development bid (Appendix 1) for the site was submitted to Aberdeenshire Council on 28 March 2018, requesting the consideration of the site for 10 houses. This was accompanied by a tree survey.

The Main Issues Report (MIR) was published in January 2019, which identified the site as MR029, however, it was not preferred for development as the scale of development was considered to be a substantial extension to Deebank and would erode the rural character of the south side of the river and encouraging ribbon development. Issues related to tree loss and car dependency were raised and while it was stated that the site lay close to the River Dee Special Area of Conservation and Local Conservation Site, this was not considered to present a constraint to the development of the site.

A representation was submitted to the MIR (Appendix 2) which objected to the failure to identify the site as an Officer's Preference and as an Opportunity Site within the Draft Proposed Local Development Plan, which addressed the issues highlighted by Officers.

This representation should therefore be read in conjunction with the initial development bid (Appendix 1) and the MIR Representation (Appendix 2) which together demonstrate the site is suitable for the small scale residential development proposed.

### Justification

It is maintained that this site forms an appropriate location for a modest residential development at Deebank. The issues raised by the Officers within the Main Issues Report are upheld and are addressed in turn below:

### **“The scale of development proposed would represent a relatively substantial extension to Deebank”**

It is not accepted that the 10 houses, at less than 7 dwellings per hectare, would represent a substantial extension to Deebank. Aberdeenshire Council considered, within Issue 10 of the Main Issues Report, that a density of 25 dwellings per hectare is appropriate, and this proposal is

substantially less than that. It is argued that the density proposed is appropriate in relation to the scale of development that already exists at Deebank, given the existing housing adjacent.

The settlement statement acknowledges that Banchory is a popular commuter destination and the scale of new development should balance the demand for housing in the area with the needs of the community. It is understood that this includes the need for a mix of housing, particularly sheltered and accessible housing, affordable housing and opportunities for downsizing as identified within the Main Issues Report. The allocation of this site would contribute to meeting the needs of the community in this popular location.

Scottish Planning Policy (SPP) requires Local Development Plans to allocate a range of sites which are effective or capable of becoming effective in the plan period to meet the housing land requirement (paragraph 119). All of the sites proposed for housing in the Proposed Plan are located to the north of Banchory and it is argued that this does not provide a range of sites as required by SPP. The identification of the site at Deebank, to the south of Banchory, would ensure a choice of location is provided for new housing in the area. This small scale proposal is an ideal location to provide for downsizing opportunities as identified by Aberdeenshire Council in the Main Issues Report.

**“Would erode the rural character of the south side of the river, encouraging unwelcome ribbon development”**

This is not accepted. Deebank has been historically recognised as an established settlement and was included in the settlement boundary in previous Local Plans. Aberdeenshire Council also previously accepted during the 2017 LDP process that the principle of development is established adjacent to the site due to the existing dwellings in the area and this is also accepted in the assessment of other bids.

Housing exists to the east and west of the site, with the B974 bounding the site to the south and the River Dee providing a defensible boundary to the north. It is therefore argued that residential development on the site would therefore not constitute ribbon development, but infill development and a logical location for the proposed small scale development.

Policy P3 Infill Developments within Settlements and Householder Developments contained within the Proposed Plan states that sites within settlements, as identified in Appendix 7 may provide development opportunities that can usefully contribute towards housing and employment land requirements. We will support development on vacant sites within a settlement boundary that have no specific land use allocation (also known as infill developments), as long as the development respects the scale, density and character of its surroundings, and will not erode the character or amenity of the surrounding area.

As the development proposed would be in-keeping with the scale of development adjacent to the site, it is argued that there would be no impediment to development of housing on this site. As such, the boundary of Banchory should be extended to include Deebank and allow the development of this site under that policy.

**“The proposal would result in the unacceptable loss of mature trees within the site and those covered by a TPO along its boundaries which have biodiversity and amenity value”**

It is accepted that the trees on the site have biodiversity and amenity value and any layout would therefore maximise tree retention and minimise the amount to be removed. Trees would be retained where possible and these would provide screening and aid the integration of new housing in the landscape. It would also provide immediate biodiversity value to the proposed housing and provide for an attractive landscape setting.

A tree survey was carried out as part of a previous planning application on the site which noted significant decay on several trees, with other exhibiting general decline. In addition to this, a

number of the trees along the road have significant structural defects and require to be removed for safety reasons. It must therefore be acknowledged that some tree loss is required for reasons other than the provision of housing. The removal of some trees is considered to be beneficial to provide more space and light to remaining trees and improve their condition. Further native planting can be provided and this would compensate for those trees removed for development and safety reasons.

The principle of tree loss has been accepted by Aberdeenshire Council through the development at Hill of Banchory and as such, the loss of some trees, many of which are in a poor condition, should not be an impediment to the allocation of this site for small scale housing. The Council's Environment team previously considered that a low number of houses on the site would be suitable and as such, the number of houses proposed by this bid has been reduced to take account of this.

**“The site lies within immediate proximity to the River Dee Special Area of Conservation and Local Nature Conservation Site, however, these designations are not considered to present an insurmountable constraint to the development of this site”**

The site lies adjacent to, but not within the Special Area of Conservation Area and Local Nature Conservation Site. There is already residential development to the north, east and west of the proposed site which lie at a similar distance from these designations as the proposed site. The principle of development has therefore already been accepted in this area and an additional small scale development on the site is not considered to have any significant further impact.

SNH previously confirmed through an historical application on the site that any impacts on freshwater pearl mussels and Atlantic salmon could be avoided with conditions on soakaways. Therefore the proximity of these designations are not a constraint to development and the Council's acceptance of this is welcomed.

**“Location would lead to increased car dependency”**

The settlement boundary of Banchory lies along the northern bank of the River Dee to the north of the site. Although the bid site, lies just outside of this defined boundary, it is immediately adjacent to existing development at Deebank, which was historically identified within the settlement boundary of Banchory. This is only 500m from the town centre with its range of facilities and services located there. The nearest bus stops to the bid site are located within 400m at Dee Street, with further options on the High Street, providing access to public transport routes to and from the site, within walking distance, 7 days a week.

It is therefore more accessible to the town centre than the opportunity sites OP1, OP2 and OP3 identified within the Proposed Plan, in addition to historical development at Hill of Banchory. These sites all lie in excess of 1.8km from the town centre and therefore, by virtue of their distance to the town centre and facilities located there are surely more car dependant than the proposed site at Deebank. It is therefore not accepted that the provision of housing on this site would lead to increased car dependency.

## **Conclusion**

A previous application for 14 houses (2005/0664) concluded that the application had addressed all technical issues that amounted to previous reasons for refusal. Although it was refused, the reason for this was that it lay outwith the settlement boundary of Banchory.

It is therefore considered appropriate, through the Local Development Plan process to amend the boundary of Banchory to include this site within that boundary and identify the site as an Opportunity Site for 10 houses. Alternatively, the site could remain as while land, suitable for infill development under Local Development Plan Policy Policy P3 Infill Developments within Settlement and Householder Developments

It is not accepted that the scale of development would represent a relatively substantial extension to Deebank given that it is low density. It would not erode the rural character of the south side of the river, given the existing development that exists in the area, nor would it encourage unwelcome ribbon development by being an infill site surrounded on all sides by development.

It is accepted that the trees have biodiversity and amenity value, but these would be retained where possible to provide a mature setting to housing and immediate biodiversity and amenity value. Many of the trees on site are of poor quality and require to be removed, which would enhance the condition of remaining trees. Additional tree planting would mitigate any loss and as such tree loss is not considered to be an impediment to development as witnessed at Hill of Banchory.

The location of the site would not lead to increased car dependency, given its close proximity to the town centre and facilities, amenities and public transport routes located there. Housing on this site would provide a choice of location and could provide housing stock for downsizing.

#### Recommendation

As such, it is respectfully requested that the settlement boundary of Banchory is extended to include Deebank and that this site is identified as an Opportunity Site for a small scale residential development for delivery in the first plan period. Alternatively, the site remains as white land, within the settlement boundary, suitable for infill development under Policy P3.

# 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.

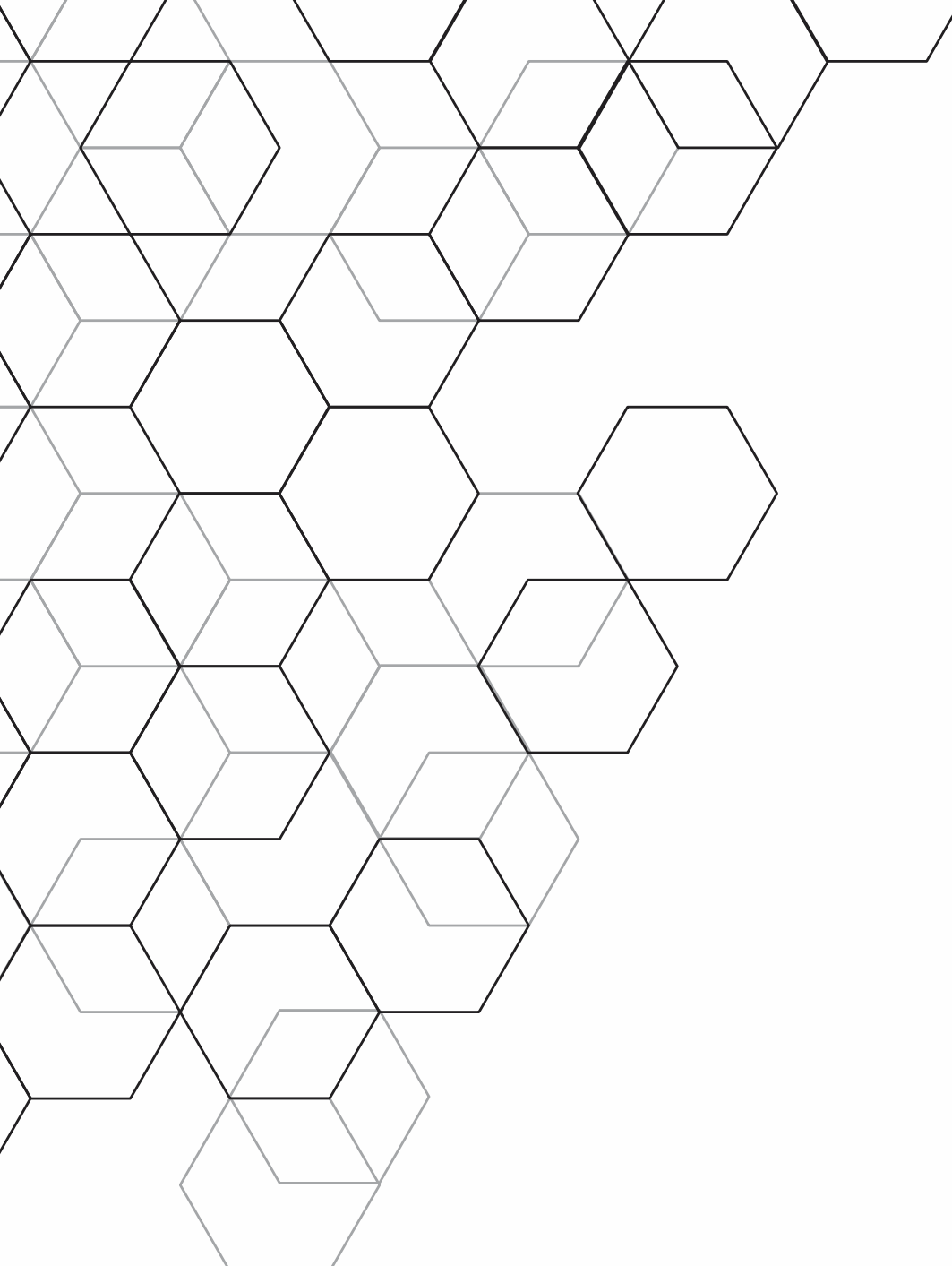
The following automated decision-making, including profiling, will be undertaken:

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 – Development Bid and Tree Survey**

# 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	Westhill Development Company Ltd
Organisation (if applicable)	
Address	c/o agent
Telephone number	
Email address	

### 3. Other Owners

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

**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)	Land at Deebank, south of Banchory
Site address	North of the B974, Deebank, Banchory
OS grid reference (if available)	NO699952
Site area/size	1.3ha
Current land use	Field
Brownfield/greenfield	Greenfield
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)	Sole owners
Is the site under option to a developer?	No
Is the site being marketed?	No
	If yes, please give details

#### 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
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

#### 7. Planning History

Have you had any formal/informal pre-application discussions with the Planning Service and what was the response?	No
	If yes, please give details
Previous planning applications	2005/0664 for residential development (14 units) made by Riverstone Construction. Although the application was refused, the report concluded that the application had addressed technical issues which amounted to previous reasons for refusal. However, it was refused as it lay outwith the settlement boundary of Banchory. This bid seeks the inclusion of the site within the settlement boundary to allow the development of this infill site, which is well contained by existing development. 2017/2058 for the formation of a vehicular access onto the B974.
Previous 'Call for sites' history. See Main Issues Report 2013 at	Please provide Previous 'Call for sites'/'Bid' reference number: Ma017

<a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</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. It lies just outwith the settlement boundary of Banchory, but adjacent to existing development at Deebank. It lies only 500m from the town centre and more accessible to it than development elsewhere in the settlement, for example, at Hill of Banchory. Deebank has historically been recognised as an established settlement and was included in the settlement boundary in previous Plans. Aberdeenshire Council previously accepted during the 2017 LDP process that the principle of development is established adjacent to the site by existing dwellings. As such the bid site is considered to be a logical location for infill development.

### 8. Proposed Use

Proposed use		Housing
Housing	Approx. no of units	10
	Proposed mix of house types	Number of: <ul style="list-style-type: none"> <li>• Detached: Generally</li> <li>• Semi-detached: detached similar</li> <li>• Flats: to the adjacent</li> <li>• Terrace: dwellings</li> <li>• Other (e.g. Bungalows):</li> </ul>
		Number of: <ul style="list-style-type: none"> <li>• 1 bedroom homes: Exact mix to</li> <li>• 3 bedroom homes: be determined at</li> <li>• 4 or more bedroom homes: detailed design</li> </ul>
	Tenure (Delete as appropriate)	Private
	Affordable housing proportion	This would be provided in line with 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?		Not applicable

### 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	
	0-5 years	✓

When would you expect the development to be finished? (please tick)	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	No	
	Funding would be available by the developer at the time of development for this site	
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:	

## 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:		
<p>The River Dee to the north is a Special Area of Conservation and Local Nature Conservation Site. The site lies adjacent to this, but not within it. There is already residential development to the north, east and west of the bid site which lies at a similar distance from the River Dee that any residential development on this site would be. The principle of development has therefore already been accepted in the area and small scale development on the bid site is not considered to have a significant impact. SNH confirmed through the previous application, that any impacts on freshwater pearl mussels and Atlantic Salmon could be avoided with conditions on soakaways. Therefore, the proximity of the River Dee is not considered to be an issue in relation to residential development.</p> <p>The site has a number of trees. However, a tree survey submitted as part of a previous planning</p>		

application noted significant decay on several trees with others exhibiting general decline. A number of the trees lining the road displayed significant structural defects and require to be removed for safety reasons. The Council's Environment Planner considered that a lower number of houses on the site would be suitable. The loss of these trees, many of which are in a poor condition should not be an impediment to development.

**Biodiversity enhancement**

Please state what benefits for biodiversity this proposal will bring (as per paragraph 194 in Scottish Planning Policy), <http://www.gov.scot/Resource/0045/00453827.pdf>) by ticking all that apply. Please provide details.

See Planning Advice 5/2015 on Opportunities for biodiversity enhancement at: [www.aberdeenshire.gov.uk/media/19598/2015\\_05-opportunities-for-biodiversity-enhancement-in-new-development.pdf](http://www.aberdeenshire.gov.uk/media/19598/2015_05-opportunities-for-biodiversity-enhancement-in-new-development.pdf)

Advice is also available from Scottish Natural Heritage at: <https://www.snh.scot/professional-advice/planning-and-development/natural-heritage-advice-planners-and-developers> and <http://www.nesbiodiversity.org.uk/>.

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):	

The site is currently open fields, and has some biodiversity value due to the trees on site. These trees will provide screening which would aid the integration of the development in the landscape. The development of this site will retain these mature trees where possible. Some tree loss will be inevitable, however the principle of tree loss has been accepted by Aberdeenshire Council at Hill of Banchory to make way for that development. A tree survey was completed as part of the previous application on the bid site which noted significant decay on several trees with others exhibiting general decline. The majority are in a poor or fair condition with very little being in a good condition. A number of the trees lining the road displayed significant structural defects and require to be removed for safety reasons. This would improve the condition of the remaining trees on the site and further native tree planting can be provided where required to compensate for any lost as a result of development/safety reasons. This will provide immediate biodiversity value to residential development and an attractive landscape setting.

	The creation of private gardens will also increase the opportunities for biodiversity.
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## 11. Historic environment

Historic environment enhancement		
Please state if there will be benefits for the historic environment.	No impact on the historic environment If yes, please give details:	
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/smpub/master/default.aspx?Authority=Aberdeenshire">https://online.aberdeenshire.gov.uk/smpub/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	No
	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	

## 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 Special Landscape Area  Although the site lies within a Special Landscape Area, the same can be said of all development in Banchory and Deebank. This should not be an impediment to development.  The site is well contained by existing residential dwellings to the east and west, the River Dee and caravan park to the north and the B974 to the south. Existing trees on site will provide mature screening to the development which will mitigate any impact of development. In any case, any development will be seen in the context of existing housing in the area.
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.	<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:



<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 <a href="http://www.snh.org.uk/pdfs/publications/review/102.pdf">http://www.snh.org.uk/pdfs/publications/review/102.pdf</a></li> </ul>	
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### 13. Flood Risk

<p>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?</p> <p>(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>)</p>	<p>River - Yes. The River Dee bounds the site to the north, however, a search of SEPA's Flood Risk map indicates that there is only a risk to the north of the site. A FRA was submitted as part of a previous application on the site. The Council concluded that there was no risk of flooding on the site.</p> <p>Surface Water – Yes. There is some risk from surface water flooding however the site is satisfactory for the use of surface water soakaways.</p>
	<p>A small area of the site is at risk from surface water flooding as indicated on the SEPA flood risk map. However, SUDs would be incorporated to mitigate any risk to housing. A drainage impact assessment carried out previously which demonstrates that surface water can be adequately dealt with on site due to good porosity. It is intended to pump foul water drainage to the nearest public sewer on Dee Street.</p>
<p>Could development on the site result in additional flood risk elsewhere?</p>	<p>No</p> <p>If yes, please specify and explain how you intend to mitigate or avoid this risk:</p>
<p>Could development of the site help alleviate any existing flooding problems in the area?</p>	<p>Yes</p> <p>SUDs on the site would resolve any surface water drainage issues.</p>

#### 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> )?	Water	Yes
	Waste water	Yes
Has contact been made with Scottish Water?	No, but a search using Scottish Water asset capacity search tool was carried out which advised that Invercarnie WTW has capacity for over 2000 properties. In terms of waste water, Banchory WWTW has capacity for around 10 units which would allow the bid site to be developed.	
Will your SUDS scheme include rain gardens? <a href="http://www.centralscotlandgreennetwork.org/campaigns/greener-gardens">http://www.centralscotlandgreennetwork.org/campaigns/greener-gardens</a>	To be confirmed at detailed design stage.	
<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>	Banchory Primary School has a capacity range of 524-550 pupils. It is currently at 76% of capacity and this is only due to rise to 77% of capacity by 2022. The school therefore has capacity for the development of this small site. Fraserburgh Academy has capacity for 900 pupils and is currently operating at 92% of capacity which is due to rise to 98% of capacity by 2022. The development of this small site is considered to have minimal impact on Banchory Academy, however, some contributions may be required.	
Has contact been made with the Local Authority's Education Department?	No	
<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?	No	
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, but during the historic planning application process, Aberdeenshire Council's Roads department had no objection to development. They advised that the 30mph speed limit could be extended to the east. They also confirmed that any residential development would require to be served by a road to an adoptable	

	standard. There are no technical difficulties in achieving this.
Public transport	Banchory is well served by public transport services, connecting Banchory to Aberdeen, Stonehaven, Aboyne, Tarland and the intervening settlements. Bus stops are provided on Dee Street, within 400m of the site, with further stops on High Street providing public transport services 7 days a week.
Active travel (i.e. internal connectivity and links externally)	The site will provide footpaths which will link with existing footpaths offsite and with the wider area.
<b>d. Gas/Electricity/Heat/Broadband</b>	
Has contact been made with the relevant utilities providers?	Gas: No
	Electricity: No
	Heat: No
	Broadband: No
Have any feasibility studies been undertaken to understand and inform capacity issues?	No feasibility studies have been undertaken at this stage, however, there are utilities in the area and this is not considered to be an impediment to development, given the residential development located to the south.
Is there capacity within the existing network(s) and a viable connection to the network(s)?	This is unknown at this stage, however, it is not considered to present an impediment 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)	Unknown at this stage, but would be considered in more detail at the appropriate design stage.
<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	There are a number of areas of formal open space to the north of the site, the nearest of which being King George V Park and Bellfield Park, as well as Scolty to the south west. The bid site would contain small areas of open space at a scale appropriate to the site. This open space would link to open space off site along existing footpaths in the area. There is a track outwith the site to the west which could provide access from the site along the River to the north.
Will the site meet the open space standards, as set out in Appendix 2 in the <b>Aberdeenshire Parks and Open Spaces Strategy?</b>	Yes, the development will provide open space in line with Aberdeenshire LDP standards. This

<a href="https://www.aberdeenshire.gov.uk/media/6077/approvedpandospacesstrategy.pdf">https://www.aberdeenshire.gov.uk/media/6077/approvedpandospacesstrategy.pdf</a>	will provide open space at a scale appropriate to the size of the site.
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>	The site is not of a scale to deliver any of the shortfalls identified for Banchory which considered sporting and exercise facilities.
<b>f. Resource use</b>	
Will the site re-use existing structure(s) or recycle or recover existing on-site materials/resources?	No
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

## 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	No
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	No
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	No
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:

**16. Proximity to facilities**

How close is the site to a range of facilities?	Local shops	400m-1km
	Community facilities (e.g. school, public hall)	>1km
	Sports facilities (e.g. playing fields)	400m-1km
	Employment areas (garage)	>1km
	Residential areas	400m
	Bus stop or bus route	400m
	Train station	n/a
	Other	n/a

**17. Community engagement**

Has the local community been given the opportunity to influence/partake in the design and specification of the development proposal?	No
	If yes, please specify the way it was carried out and how it influenced your proposals:
	The local community are aware that bids have been submitted in the past for the site and were able to comment on the applications submitted in the past. The public will have the opportunity to comment throughout the LDP process and any consultation arranged as part of that process.

**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.	<p>I have considered the likely 'residual value' of the site, as described above, and fully expect the site to be viable:</p> <p>Please tick: <input checked="" type="checkbox"/></p>
---	---

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

Banchory is a popular town and demand exists for residential development. The site has been through the application process and the development requirements of the site are known. The landowner is therefore confident that there is a residual value following development of the site and the provision of the necessary infrastructure which does not pose an impediment on development.

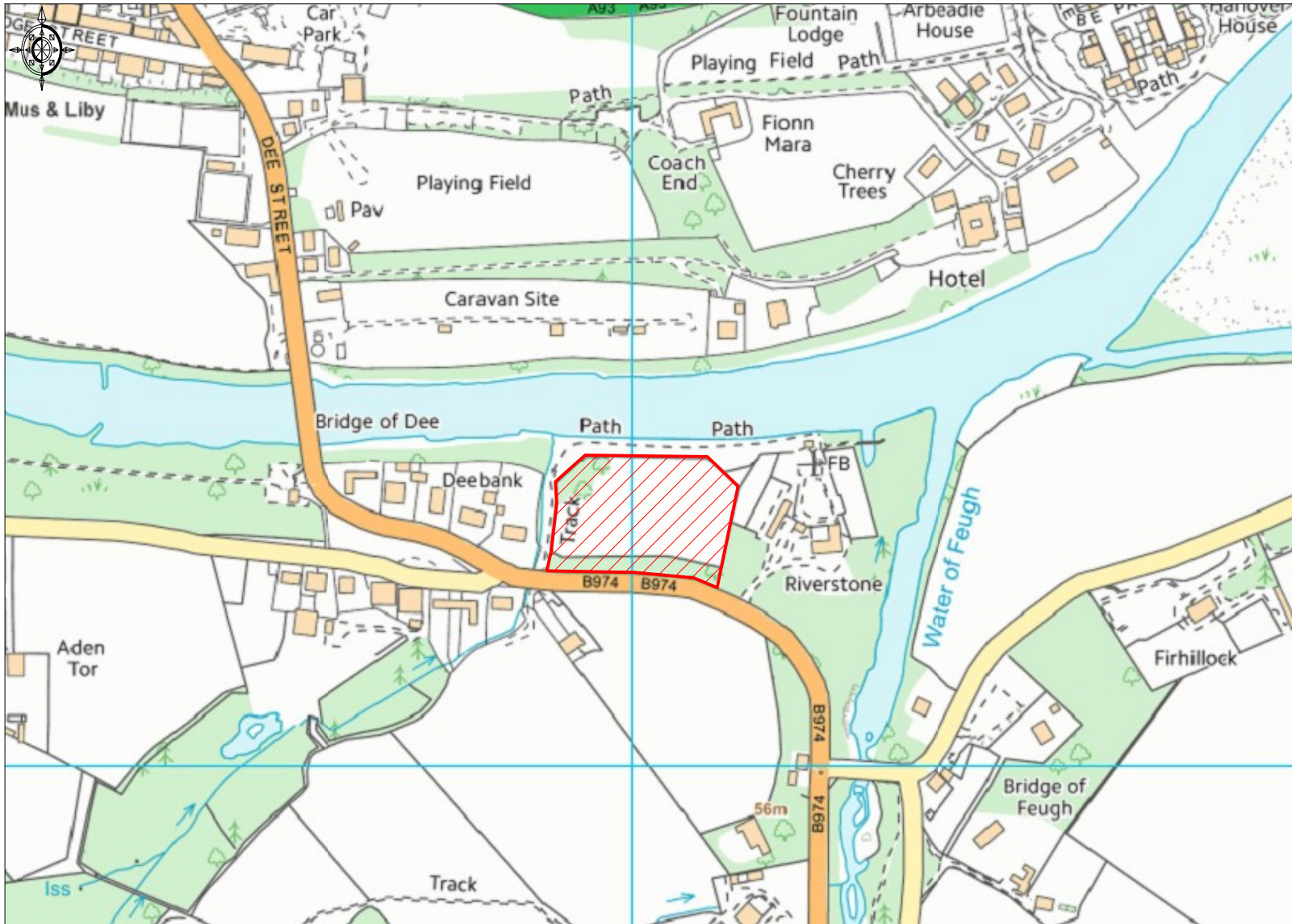
**19. Other information**

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.)

2017 tree survey

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.



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TREE SURVEY REPORT  
ARBORICULTURAL IMPACT ASSESSMENT  
AND  
TREE PROTECTION PLAN

PROPOSED AGRICULTURAL ACCESS

RIVERSTONE  
BANCHORY

May 2017

Prepared by:

Struan Dalgleish Arboriculture

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

For:

[REDACTED]  
Ryden  
[REDACTED]



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APPENDIX 1 – Tree Survey Drawing

APPENDIX 2 – Tree Survey Schedule

Explanation of terms

## 1.0 INTRODUCTION

This tree survey report, arboricultural impact assessment and tree protection plan relates to trees within the area close to the location of the proposed agricultural access at Riverstone, Banchory.

It was commissioned by [REDACTED] of Ryden, in support of the Planning Application to construct the access.

The survey and report has been carried out in-accordance with BS5837: 2012 '*Trees in relation to design, demolition and construction – Recommendations*' and sets out to achieve the following objectives.

1. To provide a detailed and comprehensive inventory of the trees directly adjacent to the proposed access.
2. To provide preliminary recommendations for tree management necessary for reasons of safety and good arboricultural practice.
3. To assess the impact the access would have on the trees and make recommendation for tree works required to accommodate the proposals.
4. To provide details of protection measures required to safeguard the health of trees to be retained close to the proposed access.

The area to be included by the survey was shown on the supplied drawing, provided by Project Engineers, Fairhurst. See Tree Survey Drawing - Appendix 1.

The survey was based on a detailed visual inspection of the trees carried out from the ground by Arboricultural Consultant, [REDACTED] on the 25th of May 2017. Weather conditions at the time were bright.

Some, or all trees may be subject to a Tree Preservation Order and this aspect will require to be clarified with Aberdeenshire Council. Tree works should only be undertaken following close liaison with, and the consent of the Planning Department Tree Officer.

**Author's qualifications:** [REDACTED] is a Chartered Forester (MICFor) and Chartered Environmentalist (CEnv). He holds an Honours Degree in Forestry and is a Professional Member of the Arboricultural Association. He has over 18 years of experience of arboriculture at a professional level.

## 1.1 Limitations

- ❑ The findings and recommendations contained within this report are valid for a period of twelve months from the date of survey (i.e. until 25<sup>th</sup> May 2018). Trees are living organisms subject to change – it is strongly recommended that they be inspected on an annual basis for reasons of safety.
  
- ❑ The recommendations relate to the site as it exists at present, and to the current level and pattern of land use. The degree of risk and hazard may alter if the site or its surroundings are developed or changed, and as such re-inspection and re-appraisal may be required.
  
- ❑ The report relates only to those trees surveyed in the area indicated on the attached Tree Survey Drawing (Appendix 1). Trees outwith the survey area have not been inspected.
  
- ❑ Whilst every effort has been made to detect defects within the trees inspected, no guarantee can be given as to the absolute safety or otherwise of any individual tree. Extreme climatic conditions can cause damage to even apparently healthy trees.
  
- ❑ Dense ivy, shrubs and epicormic shoot growth around the base of some trees made full and thorough inspection impractical. Tree assessment is based on the visible parts of the trees only. Further inspection of trees maybe required following the cutting back of ivy, shrubs or basal shoots.
  
- ❑ This report has been prepared for the sole use of Ryden Ltd. and their appointed agents. Any third party referring to this report or relying on the information contained herein does so entirely at their own risk.

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## 2.0 TREE SURVEY METHODOLOGY

All substantial trees within around 20m of the proposed access as shown on the supplied drawing are included by the survey.

A total of **forty-seven (47) trees and 1 hedge** were recorded.

The trees had been previously tagged as part of an old survey of the wider site. The tags were often found to be in poor condition and have been re-placed.

New tag numbers range from **5831 to 5877**.

The positions of the trees were shown on a supplied site topographical drawing. These were checked on site and found to be reasonably accurate, however absolute precision cannot be guaranteed.

Tag numbers, crown spreads, root protection areas and the proposed layout of tree protection measures have been added to the drawing using CAD. Retention Category and trees to be removed / protected have been colour coded. See Appendix 1 – Tree Survey Drawing.

Details of all the trees surveyed are presented in Appendix 2 - Tree Survey Schedule. This records information as defined by BS 5837: 2012 and provides an explanation of terms.

Essential preliminary recommendations considered necessary for reasons of safety and good arboricultural management have been provided in the first instance.

The proposed access layout and required visibility splays have been overlain onto the Tree Survey Drawing and used to assess the impact the proposals would have on the trees.

Recommendations to accommodate the proposed access are provided in Appendix 2.

## 3.0 TREE SURVEY RESULTS

### 3.1 Site Description

The trees occur as a part of a dense strip lining the B974 public road just outside Banchory.

A beech (*Fagus sylvatica*) hedge and low stone dyke forms the boundary with the pavement. The edge trees often overhang the hedge, pavement and road.

The topography of the site is fairly level. No significant drainage issues were noted at the time of survey.

The soils appeared fertile and capable of supporting a range of tree species to full maturity.

Ground cover beneath the trees is relatively sparse due to the dense canopy.

The oldest and most mature trees recorded by the survey occur as a row of broadleaf species set back from the roadside boundary. These trees are likely to be in-excess of 100 years old and include beech, lime (*Tilia x europaea*), and Norway maple (*Acer platanoides*).

To the north the mature trees overhang agricultural parkland which contains several large open grown trees. Within this area a mature copper beech (*Fagus sylvatica* 'Atropurpurea') was recorded by the survey.

Along the roadside a large quantity of broadleaf trees, were noted to have self-seeded within the past 20-30 years. These are often of limited quality, mutually suppressed and display very restricted crown spreads. Species include, Norway maple, silver birch (*Betula pendula*), ash (*Fraxinus excelsior*), wild cherry (*Prunus avium*). A small, dead laburnum (*Laburnum anagyroides*) was recorded against the beech hedge.

The photographs over-page illustrate the trees at the time of survey.



Photo 1 – Row of mature trees overhanging agricultural parkland.



Photo 2 – Dense, semi-mature self-seeded trees lining roadside.



Photo 3 – Beech hedge and semi-mature roadside trees.

### 3.2 Tree Condition and Preliminary Recommendations

Where trees overhang the road, or occur with a bias towards and are within falling distance of the road they are within an area of frequent vehicular access.

Preliminary recommendations considered necessary for reasons of safety have been provided with this land use intensity in mind. These are recorded, along with a timescale for completion in the Tree Survey Schedule and have been highlighted below.

#### **Norway maple 5850**

The tree has shed a large section and displays a significant tear wound on the lower trunk. It overhangs the road and its removal has been recommended within 12 months. The space created should benefit the development of neighbouring trees.

#### **Ivy**

Ivy uses trees for support as it climbs towards the light and its roots compete with the trees for water and dissolved nutrients.

Where well established it can obscure the base, trunk and limbs making full and thorough tree inspection impractical.

At present ivy is not a serious issue on the site, however if allowed to develop unchecked it can overwhelm the crowns of trees smoothing the leaves and significantly adding to the weight and 'sail area' supported by the trunk.

Where trees occur within areas of high land use intensity ivy should be cut back and controlled by severing the stems near ground level and removing a section from around the lower trunk. The ivy above this point will die and should be allowed to break-up and fall of naturally.

This has been recommended for **Norway maple 5858 and ash 5874**.

Where ivy occurs on trees out-with areas of frequent access it could be retained to provide valuable wildlife habitat.

### **3.3 Protected Species**

Bats are subject to a high level of statutory legal protection and disturbing bats roots can result in prosecution and fines.

Mature trees can provide ideal bat habitat and where tree felling has been recommended trees should be checked for bats by a suitably qualified person prior to commencement of tree works.

Confirmation of their presence may require tree works to be amended in accordance with the recommendations of a bat ecologist.

### **3.4 Arboricultural Standards**

All tree works should be carried out in-accordance with BS 3998:2010 '*Tree Work – Recommendations*' and with the necessary approvals from the Local Planning Authority.

Tree removal and pruning should be undertaken by suitably qualified and experienced tree surgeon.



### 3.5 Re-inspection Frequency

All trees within areas of high land use intensity should be subject to regular and routine inspection for reasons of safety.

On-site it is recommended this be undertaken and documented on an **annual basis** by a suitably qualified and experienced arborist.

During the process, all large and mature trees should be subject to a detailed visual inspection, undertaken from ground level.

Areas of semi-mature and smaller trees should be subject to a less detailed 'walk through' assessment which would set out to note any obvious defects.

Additional inspections may be required in the aftermath of severe storms.

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## 4.0 TREES AND DEVELOPMENT

To help inform the development process the trees within the survey area have been provided with a retention category grading and root protection area (RPA) in accordance with BS 5837:2012 '*Trees in relation to design, demolition and construction – recommendations*'.

### 4.1 Tree Retention Category

Retention category is intended to give an indication to the value of the tree and its suitability for retention and integration within any new site layout.

It grades the trees in terms of quality and takes account of health, condition, and future life expectancy.

Small or relatively young trees may receive a lower grading where they could be easily replaced.

Trees with a Category A grading are of highest quality and value and often have a life expectancy of +40 years.

Trees with a Category B grading are of moderate quality and value and often have life expectancy of +20 years.

Trees with a Category C grading are of low quality and value either due to their poor condition and limited life expectancy, or relatively young age.

Where trees are considered to have a <10 years' life expectancy they have been graded Category U and could be removed for reasons of good arboricultural practice.

### 4.2 Root Protection Areas

Root Protection Areas (RPA's) are areas surrounding the tree that contains sufficient rooting volume to ensure its survival.

These have been calculated in-accordance with BS 5837:2012 and are shown as a dark circle around the trunk position as shown on the Tree Survey Drawing.

RPA's have also been provided in the Tree Survey Schedule as the radius of a circle to be measured from the base of the trunk.

Where trees have grown-up next to physical barriers such as very compacted ground, roads, foundations or changes in soils and topography the development of roots may have been restricted.

It is considered unlikely a significant volume of roots will be present beneath the tarmac pavement or road surface. The highly compacted nature of these soils would typically be unsuitable for significant root growth.

Where trees are to be retained and successfully integrated within the new site design sufficient RPA to ensure their survival would require to be protected from disturbance which may damage tree health.

Where encroachment of the proposed access occurs into RPA's of use of **no-dig construction** would minimize the impact on roots and tree health in the long term. A method statement for this technique is provided in 4.5 below.

### 4.3 Arboricultural Impact Assessment

Critical to the formation of the access will be the provision of suitable visibility splays.

These have been reviewed by the Project Engineers and shown as 4.5m x 120m and this significantly determines the location of the access as shown on the Tree Survey Drawing.

To accommodate the access the following **7 trees and 1 hedge** will require to be removed.

5843 Norway maple – semi mature

5844 Norway maple – semi mature

5845 Norway maple – semi mature

5846 Norway maple – semi mature

5847 Ash – semi mature

5848 Norway maple – semi mature

5864 Beech – mature

Beech hedge

To avoid disturbing the roots of trees to be retained, stumps should be ground-down using a stump grinder.

Tree removal and stump grinding should be carried out prior to commencement of access construction by a suitably qualified and experienced tree surgeon in-accordance with BS 3998:2010 '*Tree Work – Recommendations*' and with the necessary approvals from the Local Planning Authority.

#### **4.4 Tree Protection Barriers**

Trees and RPA's directly adjacent to the proposed access construction will require to be protected by vertical barriers during the construction process.

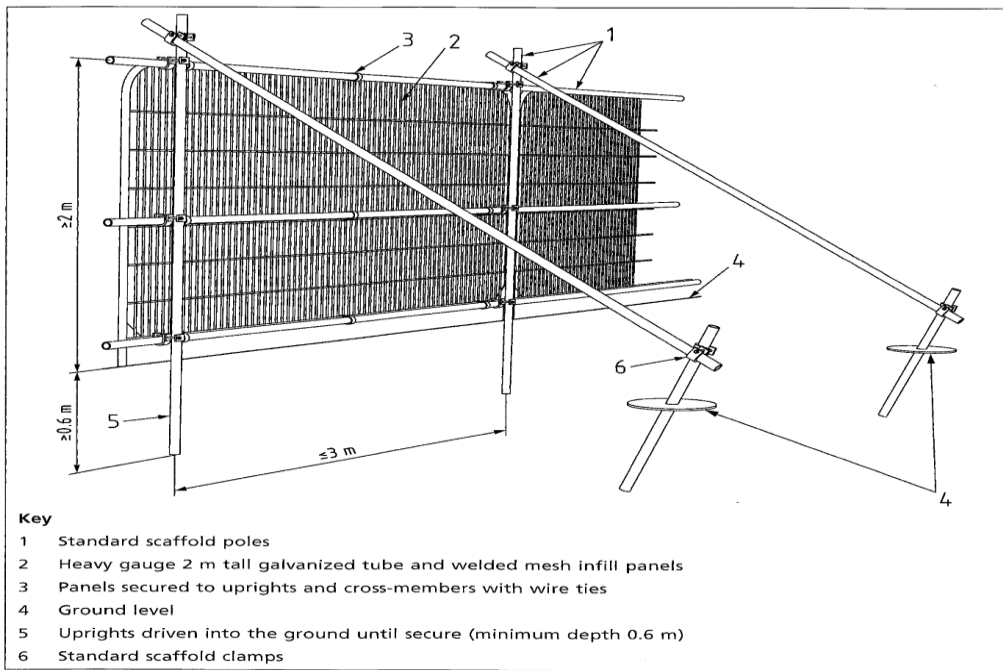
The proposed layout of these barriers is shown on the Tree Survey Drawing.

Their aim is to exclude any construction activity that may damage tree health, including excessive excavation, passage of heavy machinery, and the storage or disposal of materials. No fire should be lit within 15m of any tree.

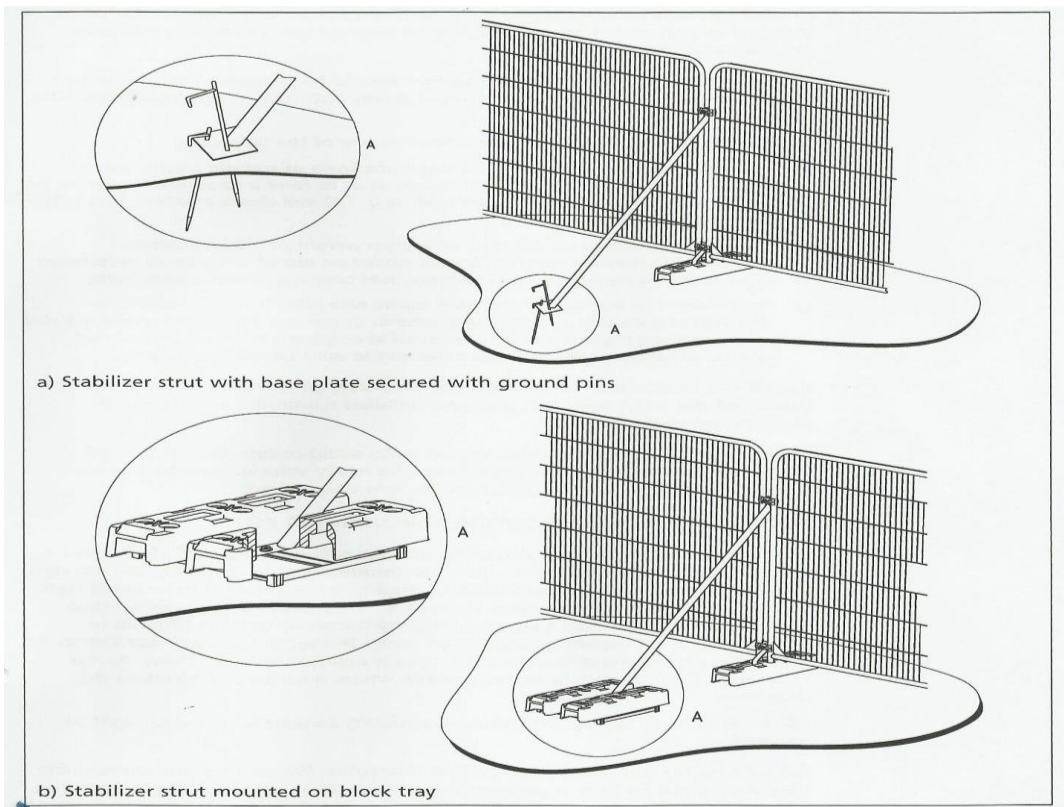
The default specification for tree protection barriers is illustrated in BS 5837:2012 and shown in the diagram over-page.

Alternate barriers may be suitable provided they are fit for purpose and approved by the Planning Authority. Temporary site buildings can be incorporated into the layout of tree protection.

Examples of Tree Protection Fencing. Extract from BS 5837:2012.



Tree Protection Barriers where uprights and braces can be driven into soft ground.



Tree Protection Barriers where uprights and braces are supported on hard ground by weighted feet.

## 4.5 No-Dig Construction

To minimize the impact the formation of the access will have on tree roots the following method for no-dig construction should be adhered to. Extracted from Arboricultural Practice Note 12, *Through the Trees to Development: 2007*.

Other than the removal of surface vegetation the method requires existing ground levels to be retained.

The load bearing capacity of the finished surface will require to be determined by a suitably qualified and experienced engineer.

1. Remove surface vegetation and sharp stones from the proposed site (sharp stones can pierce geo-textiles). Heavy machinery which may result in ground compaction should remain out-with RPA's.
2. Create a level surface by filling any hollows with clean angular stone or sharp sand. Do not level off high spots or compact soil through rolling.
3. Lay non-woven geotextile over the prepared surface. Use dry joints, over-lapping by 300mm minimum.
4. Lay 3-dimensional geo-grid system (such as Cellweb) across the prepared area of RPA.
5. Anchor cells open using pins. Each cell must be fully extended and under tension. Staple adjacent panels together.
6. Install edge constraints using wooden boards / sleepers and spikes / stakes driven into the ground. Excavations for kerbs and edgings should be avoided within RPA's although kerb edging maybe constructed on top of geo-grid.
7. Fill the cells with no fines aggregate, typically clean 20-40mm angular stone. Crushed stone with fines should not be used. Working from the area furthest from the tree allows further filling to be carried out using filled Geo grid cells as a platform.
8. No compaction is required of the in-fill. Do not use a whacker plate or other means of compaction.
9. If a hard, finished surface is required minimum 25mm overfill of stone would be required. All surfaces in RPA's must be porous and can include block paving, asphalt, loose gravel, grass, bound resin gravel and concrete.

## APPENDIX 1 – TREE SURVEY DRAWING

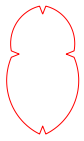
### Proposed Agricultural Access Riverstone, Banchory.

#### Key –

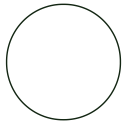
Scale: 1:500 Approx. at A4



Tree to be retained



Tree to be removed



Root Protection Area (RPA) calculated in accordance with BS 5837



Area of no-dig construction



Tree Protection Barrier

#### BS 5837: 2012 Tree Category Grading Colour Coding



Category A tree - High quality and value: considered to make a substantial contribution (+40 years)



Category B tree - Moderate quality and value: considered to make a significant contribution (minimum of 20 years)



Category C tree - Low quality and value: currently in adequate condition to remain until new planting could be established (minimum of 10 years), or young trees with a diameter <150mm.



Category U tree - Any existing value would be lost within 10 years and which should, in the current context could be removed for reasons of sound arboricultural management.

## APPENDIX 2 – TREE SURVEY SCHEDULE

### Explanation of Tree Survey Schedule Terms

<b>Tag No.</b>	Identification number of tree as shown on tag and drawing.
<b>Species</b>	Common name of species.
<b>Ht. (m)</b>	Height of tree assessed in metres
<b>Dia. (mm)</b>	Diameter at breast height, measured in millimetres at 1.5m. MS = multi-stemmed.
<b>Crown Spread (m)</b>	Spread of branches from centre of trunk to drip line in N, E, S and W directions.
<b>Ht. Cl. (m)</b>	Average crown clearance above ground level, estimated in meters.
<b>Age class</b>	Young, middle aged, mature, over mature, veteran.
<b>Condition</b>	Overall physiological and structural condition: Good, fair, poor, dead. See explanation over page.
<b>Comments</b>	General comments, made as required, relating to health, structural condition and form, highlighting any defects or areas of concern.
<b>Life Exp. (yrs)</b>	Estimated remaining contribution, estimated in years e.g. <10, 10-20, 20-40, +40.
<b>Retention Category</b>	BS 5837 category grading: Tree quality assessment – see explanation over page.
<b>RPA radius (m)</b>	Root Protection Radius calculated in accordance with BS 5837:2012
<b>Recommendation</b>	Recommended action/work in the interest of good arboricultural management or to accommodate the proposals.
<b>Timescale</b>	Timescale for undertaking recommended actions.



## Tree Condition Categories

Good	<ul style="list-style-type: none"><li>(1) Healthy trees with no major defects</li><li>(2) Trees with a considerable life expectancy</li><li>(3) Trees of good shape and form</li></ul>
Fair	<ul style="list-style-type: none"><li>(1) Healthy trees with small or easily remedied defects</li><li>(2) Trees with a shorter life expectancy</li><li>(3) Trees of reasonable shape and form</li></ul>
Poor	<ul style="list-style-type: none"><li>(1) Trees with significant structural defects and/or decay</li><li>(2) Trees of low vigour and under stress</li><li>(3) Trees with a limited life expectancy</li><li>(4) Trees of inferior shape and form</li></ul>
Dead	<ul style="list-style-type: none"><li>(1) Dead, dying and dangerous trees</li><li>(2) Trees of very low vigour and with a severely limited life expectancy</li><li>(3) Trees with serious structural defects and/or decay</li></ul>

## Category Grading

Categories for tree quality assessment, based on guidance given in British Standard BS 5837: 2012 'Trees in relation to design, demolition and construction – Recommendations

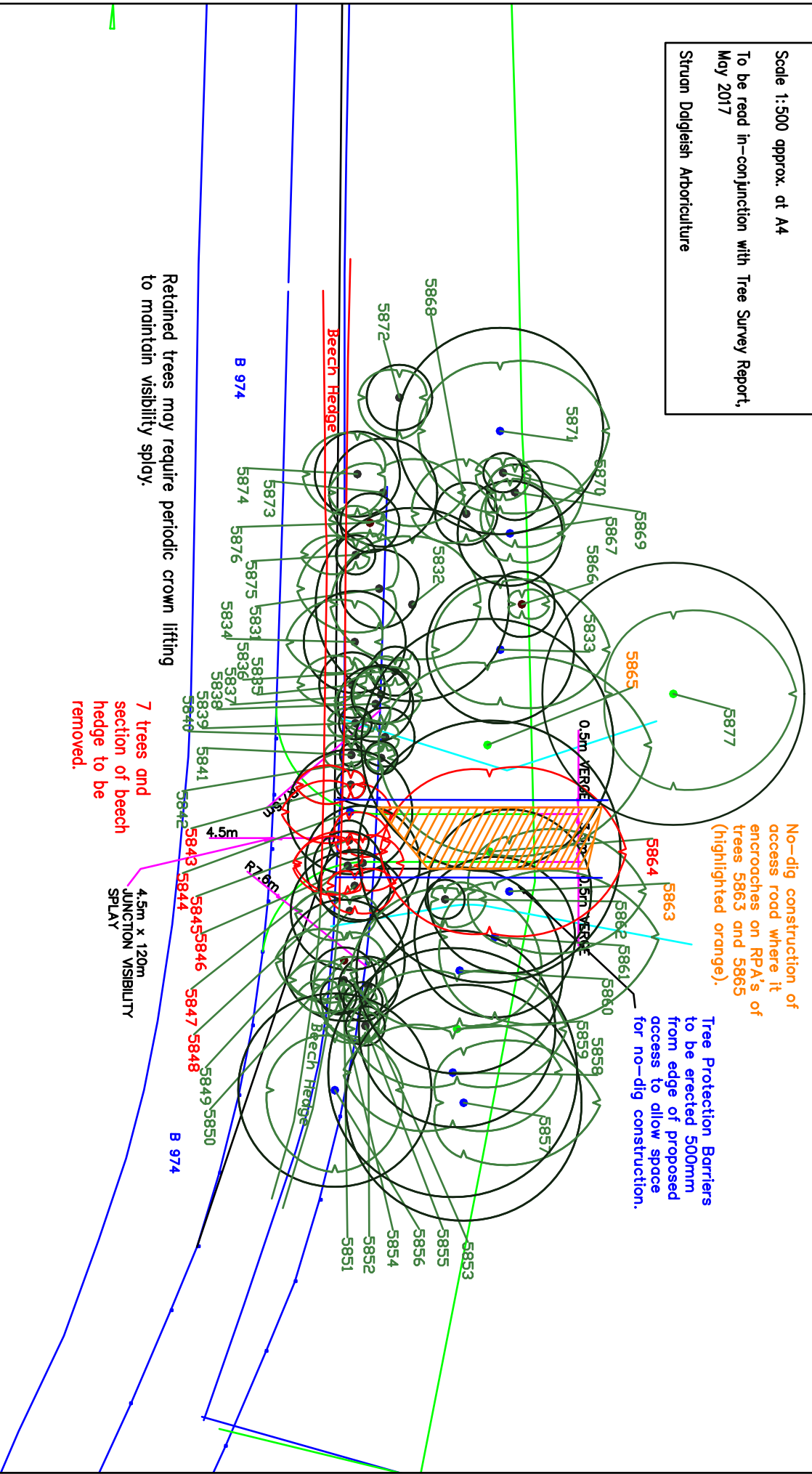
### Trees unsuitable for retention (see Note)

Category and definition	Criteria – Subcategories
<p><b>Category U</b></p> <p>Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years</p>	<p>Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category U trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning)</p> <p>Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline</p> <p>Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality</p> <p><i>NOTE Category U trees can have existing or potential conservation value which it might be desirable to preserve.</i></p>

### Trees to be considered for retention

Category and definition	Criteria – Subcategories		
<p><b>Category A</b></p> <p>High quality and value with an estimated life expectancy of at least 40 years.</p>	<p>1 Mainly arboricultural values</p> <p>Particularly good example of their species, especially if rare or unusual; or those that are essential components of formal or semi-formal arboricultural feature (e.g. principle trees in avenues)</p>	<p>2 Mainly landscape values</p> <p>Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features.</p>	<p>3 Mainly cultural values, including conservation</p> <p>Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture).</p>
<p><b>Category B</b></p> <p>Moderate quality and value with an estimated life expectancy of at least 20 years.</p>	<p>Trees that might be in category A, but are downgraded because of impaired condition (e.g. presence of significant though remediable defects, including unsympathetic past management or storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation.</p>	<p>Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality.</p>	<p>Trees with material conservation or other cultural value.</p>
<p><b>Category C</b></p> <p>Low quality and value with an estimated life expectancy of at least 10 years, or young trees with a diameter &lt;150mm.</p>	<p>Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories.</p>	<p>Trees present in groups or woodlands, but without this conferring on them significantly greater landscape value, and/or trees offering low or only temporary/transient landscape benefit.</p>	<p>Trees with no material conservation or other cultural value.</p>

Tree Survey Drawing  
**PROPOSED AGRICULTURAL ACCESS**  
**RIVERSTONE, BANCHORY**  
 Scale 1:500 approx. at A4  
 To be read in-conjunction with Tree Survey Report,  
 May 2017  
 Struan Dalgleish Arboriculture



No-dig construction of access road where it encroaches on RPA's of trees 5863 and 5865 (highlighted orange).

Tree Protection Barriers to be erected 500mm from edge of proposed access to allow space for no-dig construction.

Retained trees may require periodic crown lifting to maintain visibility splay.

7 trees and section of beech hedge to be removed.

4.5m x 120m JUNCTION VISIBILITY SPLAY

Tag No.	Species	Ht. (m)	Dia. (mm)	Crown Spread (m)				Ht.Cl. (m)	Age Class	Condition	Comments	Life Exp.	Retention Category	RPA radius (m)	Recommendation	Timescale
				N	E	S	W									
5831	Silver birch	15	240	1	3	6	4	4	Semi mature	Poor	Restricted spread with pronounced bias towards road. Ivy climbing trunk.	10-20yrs	C	2.88		
5832	Norway maple	20	590	5	4	6	5	4	Mature	Poor	Poor form with tight forks and large decaying wound on lower trunk.	10-20yrs	C	7.08		
5833	Lime	20	450	8	4	5	5	1	Early mature	Fair	Restricted spread with bias towards paddock and large basal shoots.	40+yrs	B	5.4		
5834	Norway maple	15	220: 220	2	2	5	3	4	Semi mature	Fair	Twin stems from tight fork at <1m. bias towards and overhanging road.	10-20yrs	C	3.7		
5835	Ash	12	200	1	1	4	2	4	Semi mature	Fair	Restricted spread with no lower branches. Overhanging pavement.	20-40yrs	C	2.4		
5836	Silver birch	12	150	1	1	2	1	6	Semi mature	Poor	Very restricted spread. No lower branches.	10-20yrs	C	1.8		
5837	Norway maple	14	150: 100	3	2	2	2	6	Semi mature	Poor	2 adjacent stems either side of 5838. Restricted spread with ivy climbing trunk.	20-40yrs	C	2.1		
5838	Ash	14	230	1	2	3	2	4	Semi mature	Fair	Restricted spread overhanging pavement.	40+yrs	C	2.76		
5839	Norway maple	8	100	1	1	2	1	3	Semi mature	Poor	Very restricted spread with bias towards road.	40+yrs	C	1.2		
5840	Ash	13	180	1	1	3	1	4	Semi mature	Fair	Restricted spread with bias towards road.	40+yrs	C	2.16		
5841	Norway maple	6	70	1	1	2	1	3	Young	Poor	Very restricted spread with bias towards road.	10-20yrs	C	0.84		
5842	Ash	8	100	1	1	1	1	4	Semi mature	Poor	Very restricted spread. Becoming out competed.	10-20yrs	C	1.2		
5843	Norway maple	8	90	1	1	4	1	3	Semi mature	Fair	Restricted spread with bias towards road.	40+yrs	C	1.08	Remove to accommodate access.	

Tag No.	Species	Ht. (m)	Dia. (mm)	Crown Spread (m)				Ht.Cl. (m)	Age Class	Condition	Comments	Life Exp.	Retention Category	RPA radius (m)	Recommendation	Timescale
				N	E	S	W									
5844	Norway maple	15	380	3	2	5	2	4	Early mature	Fair	Restricted spread with bias towards and overhanging road. Forks at 2m.	20-40yrs	B	4.56	Remove to accommodate access.	
5845	Norway maple	12	120	3	1	1	2	5	Semi mature	Fair	Restricted spread with bias away from road.	20-40yrs	C	1.44	Remove to accommodate access.	
5846	Norway maple	16	350	3	2	5	2	5	Semi mature	Fair	Restricted spread with bias towards road.	20-40yrs	C	4.2	Remove to accommodate access.	
5847	Ash	12	210	1	2	4	2	3	Semi mature	Poor	Restricted spread with bias towards road. Becoming suppressed.	20-40yrs	C	2.52	Remove to accommodate access.	
5848	Norway maple	14	220	3	2	2	1	5	Semi mature	Poor	Restricted spread of lesser form.	10-20yrs	C	2.64	Remove to accommodate access.	
5849	Norway maple	14	360	2	2	4	1	3	Semi mature	Fair	Restricted spread with bias towards and overhanging road.	20-40yrs	C	4.32		
5850	Norway maple	15	370	3	3	5	2	4	Semi mature	Poor	Restricted spread with bias towards and overhanging road. Large tear wound on lower trunk. Wound wood formation occurring.	<10yrs	U	4.44	Remove for reasons of good management.	Within 12 months
5851	Norway maple	12	200	1	1	4	1	5	Semi mature	Poor	Restricted spread with bias towards road.	20-40yrs	C	2.4		
5852	Ash	13	180	1	4	4	2	8	Semi mature	Fair	Restricted spread with bias towards road.	40+yrs	C	2.16		
5853	Silver birch	8	120	1	3	3	1	6	Semi mature	Poor	Restricted spread with poor form bent towards road.	10-20yrs	C	1.44		
5854	Norway maple	9	110	1	1	3	1	3	Semi mature	Poor	Restricted spread with bias towards road.	20-40yrs	C	1.32		
5855	Wild cherry	8	120	1	1	3	1	4	Semi mature	Poor	Restricted spread becoming suppressed. Top bent towards road.	10-20yrs	C	1.44		
5856	Sycamore	20	590	5	6	5	4	4	Mature	Fair	Dense spreading crown with tips overhanging road.	40+yrs	B	7.08		

Tag No.	Species	Ht. (m)	Dia. (mm)	Crown Spread (m)				Ht.Cl. (m)	Age Class	Condition	Comments	Life Exp.	Retention Category	RPA radius (m)	Recommendation	Timescale
				N	E	S	W									
5857	Beech	22	720	10	4	2	4	2	Mature	Fair	Pronounced bias towards and overhanging paddock. Broken branch stubs and cavities in old wounds.	10-20yrs	B	8.64		
5858	Norway maple	22	760	8	4	8	3	3	Mature	Fair	Restricted spread with bias towards paddock. Dense ivy obscuring trunk.	20-40yrs	B	9.12	Sever ivy stems at base.	Within 12 months
5859	Beech	23	600	8	4	8	4	2	Mature	Fair	Dense crown of reasonable form. Overhanging paddock.	40+yrs	A	7.2		
5860	Beech	23	630	6	4	8	6	1	Mature	Fair	Dense crown from fork at 3m forming 3 co-dominant leaders.	20-40yrs	B	7.56		
5861	Beech	18	490	12	6	4	4	1	Mature	Fair	Dense crown with pronounced bias towards and overhanging paddock.	20-40yrs	B	5.88		
5862	Ash	12	120	3	2	1	1	8	Semi mature	Poor	Very restricted spread with no lower branches.	20-40yrs	C	1.44		
5863	Norway maple	22	500	10	4	3	4	5	Mature	Fair	Restricted spread with bias towards and overhanging paddock. Moderate deadwood.	20-40yrs	B	6	No-dig construction of access within RPA.	
5864	Beech	23	800	10	6	8	6	1	Mature	Fair	Dense crown of reasonable form. Overhanging paddock.	40+yrs	A	9.6	Remove to accommodate access.	
5865	Beech	23	770	12	8	8	6	1	Mature	Fair	Dense spreading crown of reasonable form.	40+yrs	A	9.24	No-dig construction of access within RPA.	
5866	Silver birch	4	200	2	1	1	1	1	Semi mature	Poor	Has lost top. Decaying.	<10yrs	U	2.4		
5867	Silver birch	17	320	4	2	2	4	6	Mature	Fair	Straight trunk with dense upper crown. No lower branches.	20-40yrs	B	3.84		
5868	Wild cherry	15	190	2	2	4	4	5	Semi mature	Fair	Straight trunk with dense upper crown. No lower branches. Restricted spread.	20-40yrs	C	2.28		
5869	Wild cherry	9	120: 120	5	4	2	2	1	Semi mature	Fair	Twin stems from ground level. Overhanging paddock.	20-40yrs	C	2		

Tag No.	Species	Ht. (m)	Dia. (mm)	Crown Spread (m)				Ht.Cl. (m)	Age Class	Condition	Comments	Life Exp.	Retention Category	RPA radius (m)	Recommendation	Timescale
				N	E	S	W									
5870	Wild cherry	9	120	2	2	2	1	5	Semi mature	Fair	Restricted spread with bias towards paddock. Young cherries around base.	10-20yrs	C	1.44		
5871	Norway maple	20	630	8	6	6	5	1	Mature	Fair	Dense crown of reasonable form overhanging paddock.	40+yrs	B	7.56		
5872	Silver birch	12	200	2	3	3	2	6	Semi mature	Poor	Restricted spread with ivy on trunk.	10-20yrs	C	2.4		
5873	Silver birch	16	330	6	2	4	2	6	Semi mature	Fair	Restricted spread with bias away from road. Ivy climbing trunk.	10-20yrs	C	3.96		
5874	Ash	13	260	2	3	4	3	6	Semi mature	Fair	Restricted spread with no lower branches. Bias towards road. Ivy climbing trunk.	40+yrs	C	3.12	Sever ivy stems at base.	Within 12 months
5875	Ash	6	120	1	1	4	1	3	Semi mature	Poor	Restricted spread with bias towards road. Ivy climbing trunk.	40+yrs	C	1.44		
5876	Laburnum	5	180	1	1	3	1	3	Semi mature	Dead	Standing dead. Retains branch structure. Bias towards road but behind beech hedge.	0	U	2.16		
5877	Copper beech	19	800	9	7	5	6	1	Mature	Good	Open grown with well formed, and dense crown.	40+yrs	A	9.6		
	Beech hedge	Up to 4	Up to 150					<1	Semi mature	Fair	Dense hedge lining Road.	40+yrs	C	1.8	Remove to accommodate visibility splay.	

## **Appendix 2 – Main Issues Report 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>Westhill Developments (Brodiach) Ltd</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 committing on?</b>	Main Issues Report	✓
	Draft Proposed Aberdeenshire Local Development Plan	✓
	Strategic Environmental Assessment Interim Environmental Assessment	<input type="checkbox"/>
	Other	<input type="checkbox"/>

## Your comments

### Site MR029 – North of the B974, Deebank, Banchory – 10 homes

On behalf of Westhill Developments (Brodiach) Ltd, objection is taken to the failure of the Main Issues Report (MIR) to identify bid site MR029 as a preferred option for the construction of 10 houses. Objection is also made to the failure of the Draft Proposed Local Development Plan (DPLDP) to identify this site for a small housing development.

This representation requires to be considered in the context of the development bid submitted on behalf of Westhill Developments (Brodiach) Ltd at the pre-MIR stage. That bid and this representation demonstrates the capability of the site to accommodate development to address the housing requirements set by the Strategic Development Plan.

At the outset, it is important to highlight concern at the failure of the MIR to provide any clarity on the scale of housing land release to be accommodated in Banchory and other settlements in order to satisfy the housing allowances set by the proposed Strategic Development Plan. In the absence of such information, it must be assumed that sites for around 150 units require to be found in Banchory, as this appears to be the number of additional units preferred for development in the first plan period. However, the MIR presents a somewhat confused picture as to how much additional housing is being preferred.

Officers have made the following comments within the MIR to which we would like to respond.

**“The scale of development proposed would represent a relatively substantial extension to Deebank”**

It is not accepted that the 10 houses, at less than 7 dwellings per hectare, would represent a substantial extension to Deebank. Aberdeenshire Council consider, within Main Issues 10, that a density of 25 dwellings per hectare is appropriate, and this proposal is substantially less than that. It is argued that the density proposed is appropriate in relation to the scale of development that already exists at Deebank, given the existing housing adjacent.

The settlement statement acknowledges that Banchory is a thriving town and a popular commuter destination, with a key issue being the need to provide a mix of housing, with a need for sheltered and accessible housing, affordable housing and opportunities for downsizing. Scottish Planning Policy (SPP) requires Local Development Plans to allocate a range of sites which are effective or capable of becoming effective in the plan period to meet the housing land requirement (paragraph 119). All of the sites proposed for housing in the MIR are located to the north of Banchory. It is argued that this does not provide a range of sites as required by SPP. The identification of the Deebank site would ensure a choice of location is provided for new housing in the area. This small scale proposal is an ideal location to provide for downsizing opportunities as identified by Aberdeenshire Council.

**“Would erode the rural character of the south side of the river, encouraging unwelcome ribbon development”**

Deebank has been historically recognised as an established settlement and was included in the settlement boundary in previous Plans. Aberdeenshire Council also previously accepted during the 2017 LDP process that the principle of development is established adjacent to the site due to the existing dwellings in the area and this is also accepted in the assessment of other bids. Housing exists to the east and west, with the B974 bounding the site to the south and the River Dee providing a defensible boundary to the north. Development on the site would therefore not constitute ribbon development, but infill development and a logical location for the proposed small scale development.

**“The proposal would result in the unacceptable loss of mature trees within the site and those covered by a TPO along its boundaries which have biodiversity and amenity value”**

It is accepted that the trees on the site have biodiversity and amenity value and any layout would therefore maximise tree retention and minimise the amount to be removed. Trees would be retained where possible and these would provide screening and aid the integration of new housing in the landscape. It would also provide immediate biodiversity value to the proposed housing and provide for an attractive landscape setting.

A tree survey was carried out as part of a previous planning application on the site noted significant decay on several trees, with other exhibiting general decline. In addition to this, a number of the trees along the road have significant structural defects and require to be removed for safety reasons. It must therefore be acknowledged that some tree loss is required for reasons other than the provision of housing. The removal of some trees is considered to be beneficial to provide more space and light to remaining trees and improve their condition. Further native planting can be provided and this would compensate for those trees removed for development and safety reasons.

The principle of tree loss has been accepted by Aberdeenshire Council through the development at Hill of Banchory and as such, the loss of some trees, many of which are in a poor condition, should not be an impediment to the allocation of this site for small scale housing. The Council's Environment team previously considered that a low number of houses on the site would be suitable and as such, the number of houses proposed by this bid has been reduced to take account of this.

**“The site lies within immediate proximity to the River Dee Special Area of Conservation and Local Nature Conservation Site, however, these designations are not considered to present an insurmountable constraint to the development of this site”**

The site lies adjacent to, but not within the Special Area of Conservation Area and Local Nature Conservation Site. There is already residential development to the north, east and west of the bid site which lie at a similar distance from these designations as the bid site. The principle of development has already been accepted in this area and an additional small scale development on the bid site is not considered to have any significant further impact.

SNH previously confirmed through an historical application on the site that any impacts on freshwater pearl mussels and Atlantic salmon could be avoided with conditions on soakaways. Therefore the proximity of these designations are not a constraint to development and the Council's acceptance of this is welcomed.

**“Location would lead to increased car dependency”**

The settlement boundary of Banchory lies along the northern bank of the River Dee to the north of the site. Although the bid site, lies just outside of this defined boundary, it is immediately adjacent to existing development at Deebank, which was historically identified within the settlement boundary of Banchory. This is only 500m from the town centre with its range of facilities and services located there. The nearest bus stops to the bid site are located within 400m at Dee Street, with further options on the High Street, providing access to public transport routes to and from the site, within walking distance, 7 days a week.

It is therefore more accessible to the town centre than development elsewhere in Banchory, for example, at Hill of Banchory, which lies approximately 1.8km from the town centre or the Officers preferred housing sites at Lochside of Leys which is even further from the town centre than Hill of Banchory. These sites, by virtue of their distance to the town centre and facilities located there are surely more car dependant than the bid site at Deebank.

It is therefore not accepted that the provision of housing on this site would lead to increased car dependency.

**Conclusion**

A previous application for 14 houses (2005/0664) concluded that the application had addressed all technical issues that amounted to previous reasons for refusal. Although it was refused, the reason for this was that it lay outwith the settlement boundary of Banchory. This bid therefore seeks the inclusion of this site within the settlement boundary to allow the development of this infill site.

It is not accepted that the scale of development would represent a relatively substantial extension to Deebank given that it is low density. It would not erode the rural character of the south side of the river, given the existing development that exists in the area, nor would it encourage unwelcome ribbon development by being an infill site surrounded on all sides by development.

It is accepted that the trees have biodiversity and amenity value, but these would be retained where possible to provide a mature setting to housing and immediate biodiversity and amenity value. Many of the trees on site are of poor quality and require to be removed, which would enhance the condition of remaining trees. Additional tree planting would mitigate any loss and as such tree loss is not considered to be an impediment to development as witnessed at Hill of Banchory.

The location of the site would not lead to increased car dependency, given its close proximity to the town centre and facilities, amenities and public transport routes located there. Housing on this site would provide a choice of location and could provide housing stock for downsizing.

As such, it is respectfully requested that this site is identified for a small scale residential development in the Proposed Local Development Plan.