



31/07/2020

Dear Sir/Madam

The Woodland Trust Scotland appreciates the opportunity to comment on the Aberdeenshire Council's Proposed Local Development Plan 2020.

The Woodland Trust is the UK's leading woodland conservation charity. We have four main aims: no further loss of ancient woodland, restoring and improving woodland biodiversity, increasing new native woodland and increasing people's understanding and enjoyment of woodland. We own over 1,000 sites across the UK, covering approximately 26,000 hectares (ha). In Scotland we own and manage over 60 sites across 10,000 ha which include the 4,000 ha Glen Finglas estate and significant holdings in Glenrothes and Livingston. We combine the promotion of public access with forestry, farming and conservation of the natural and cultural heritage. The Woodland Trust has 500,000 members and supporters.

The Woodland Trust believes that trees and woodland play a crucial role in place-making given their value to health and wellbeing, recreation, air and water quality, biodiversity, flood protection, climate adaptation and resilience, and amenity value. It is crucial that trees and woodland – as part of a wider approach to strategic green infrastructure – are protected, and their enhancement and expansion planned for from the earliest stage of the planning process to maximise these benefits.

The Woodland Trust considers that any woodland included in Scottish Natural Heritage's Ancient Woodland Inventory (AWI), which is present on historical maps or which exhibits a significant number of ancient woodland indicators can be considered as ancient and long-established and is therefore worthy of further study and is likely to pose a constraint on development.

We believe that ancient woodland is amongst the most precious and biodiverse habitats in the UK and is a finite resource which should be protected. As such, the Woodland Trust aims to prevent the damage, fragmentation and loss of these irreplaceable sites from any form of disruptive development. We achieve our aims through acquiring woodland and sites for woodland regeneration, and wider advocacy of the importance of protecting ancient woodland, enhancing its biodiversity, expanding native woodland cover and increasing public enjoyment.

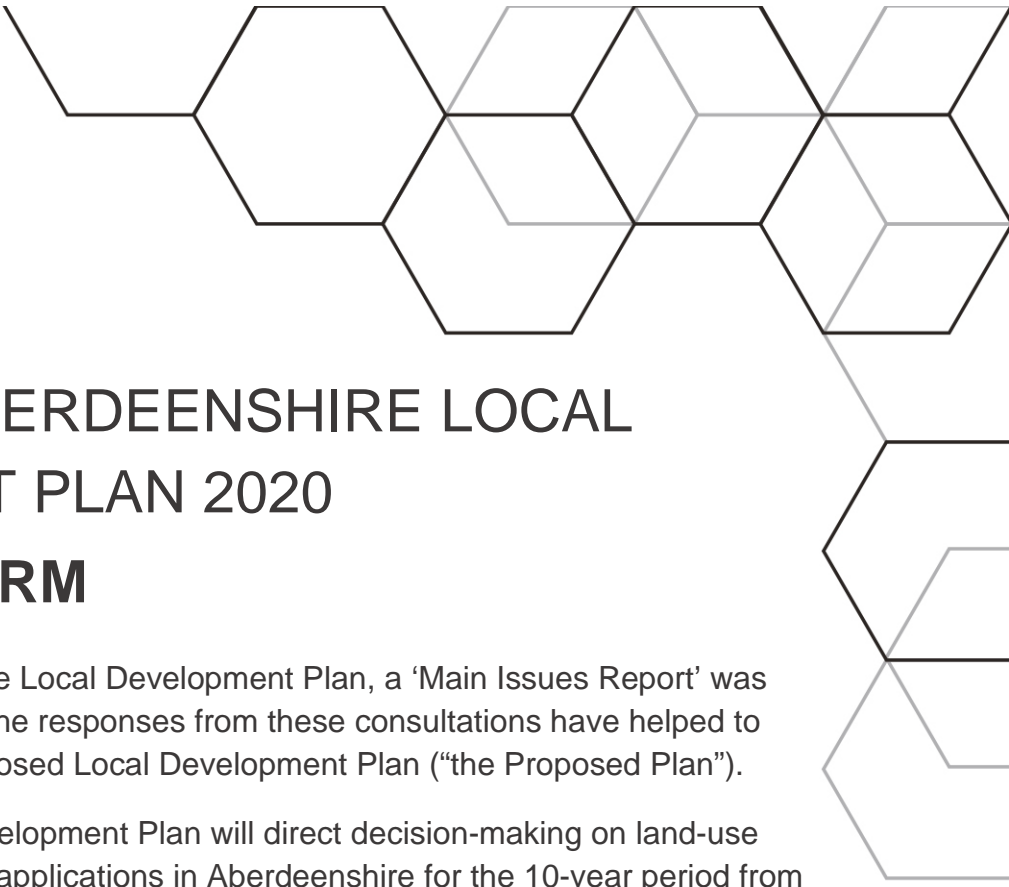
Thank you for the opportunity to comment on this planning application. We hope you find these comments of use.

We hope you find our comments to be of use to you. If you are concerned about any of the comments raised by the Woodland Trust then please do not hesitate to get in contact with us.

Yours sincerely,



Public Affairs Officer – Woodland Trust Scotland



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 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
Web: 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.

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):

The Woodland Trust Scotland would like to see a firm commitment in the Local Development Plan to significantly increasing the area of Scotland's native woodland that is also accessible and welcoming to people. We would also like to see clearer policies for the full protection, buffering and extension of Ancient and semi-natural woodland sites (including LEPOs and PAWS) through targeted woodland and habitat creation, which have greatest potential to be placed on a sustainable footing, and would be best for wildlife. As such we would like to see the following changes made in the Local Development plan:

Section 5 - The Spatial Strategy need to add specific mention of Ancient Woodland as per the Scottish Planning Policy (principles 194, 216, 217 and 218).

In Section 6 - Shaping Business Development, Policy B3 "Tourist Facilities", paragraph B3.1 we would like to see "existing natural environment" added as we want to prevent any further loss of ancient woodlands.

Section 7 - Shaping Development in the Countryside, Policy R3 "Minerals" paragraph R3.2 needs to add that the loss of Ancient Woodland is unacceptable as it is an irreplaceable habitat and therefore its loss cannot be mitigated against. A clear statement recognising that the loss of high-quality Ancient Woodland cannot be mitigated for would be ideal. Paragraph R3.4 needs to clarify that development will not be permitted if it negatively impacts on Ancient woodland which is part of the natural heritage and environment.

Section 9 - Shaping Places, Policy P1 "Layout, Siting and Design" paragraph P1.7 also needs to explicitly mention that Ancient Woodland loss cannot be mitigated as it is irreplaceable. A clear statement recognising that the loss of high-quality Ancient Woodland cannot be mitigated for would be ideal.

Section 10 Natural Heritage and Landscape needs to explicitly mention Ancient Woodland throughout the entire section. Recognition of the importance of Ancient Woodland, Ancient Semi-Natural Woodlands including Long Established woodlands of Plantation Origin, Ancient trees, veteran trees, other trees of special interest and Planted Ancient Woodland Sites, is key to ensure they are protected from development. Woodland habitats take many years to develop and planting new woodland in place of

cleared, Ancient, native or semi-native woodland is not acceptable mitigation. Rather, new native woodland creation around existing woodland will help secure woods of high conservation value and can contribute to habitat network expansion.

Section 10, Policy E1 Natural Heritage paragraph E1.3 should add "except for Ancient Woodland".

In section 10 paragraph E1.4 with regard to the mention of "woodland" and Scottish Natural Heritage's Ancient Woodland Inventory (AWI), specifically needs to be changed to "Ancient Woodland, including Ancient Semi-Natural Woodland (ASNW) and Long Established Woodland of Plantation Origin (LEPO)". The last sentence must be changed as the loss of Ancient Woodland cannot by definition be mitigated against. Aberdeenshire Council should also refer to the Native Woodland Survey Scotland (NWSS) to identify the location, extent, type and condition of native woodlands within the planning authority area. We would like to see the Planning authority use the data available in the NWSS to prepare development plans that are based on a sound and consistent basis of knowledge of native woods. Unsuitable forms of development can then be directed away from native woods. NWSS data can help planners to understand the relative value of native woods for biodiversity and other benefits in order to guide planning decisions.

Section 10 paragraph E3.2 needs stronger and clearer wording in general and again should mention native woodland and trees specifically.

Section 11 The Historic Environment, Policy HE2 "Protecting Historic, Cultural and Conservation Areas" we would like to see it changed to "The design, scale, layout, siting and materials used in development within a conservation area must be of the highest quality and respect the individual characteristics for which the conservation area was designated. Development should be in accordance with any agreed Conservation Area Management Plan or Appraisal. All details must be provided under the cover of a full application and any trees, (including veteran or trees outside of woodlands), contributing to the character and appearance should be retained."

Section 12 Protecting resources, Policy PR1 "Protecting Important Resources", paragraph PR1.7 – "Trees and Woodlands" needs to contain the provision of a clear statement recognising that the loss of Ancient Woodland cannot be mitigated for. We would also like to see it changed to "This policy establishes a strong presumption in favour of retaining woodland on and near development sites" in order to acknowledge that development may adversely affect adjacent woodlands through indirect edge effects.

In section 12, paragraph PR1.8 we would like to see it changed to "Where development is considered appropriate, damage to existing trees and woodland must be minimised and there must be no unnecessary fragmentation of existing or potential woodlands networks". Ancient woodland is the product of centuries of habitat continuity and undisturbed soils, and is an irreplaceable resource. As such, its loss cannot be compensated for by creating a new woodland – an irreplaceable habitat cannot, by definition, be replaced.

The map on p.78 showing Ancient Woodland needs to be reflected throughout the policy and align what is shown using with the data from the Ancient Woodland Inventory (AWI) and the Native Woodland Survey for Scotland (NWSS).

Section 13 Climate Change, Policy C3 Carbon Sinks and Stores paragraph C3.1
We would like to change "Removal of woodland will only be permitted if an equal area is replanted, preferably as part of the open space requirement and as part of the green-blue network in the settlement, so as to maintain the carbon balance." to "Removal of woodland will only be permitted if an equal or greater area is replanted, preferably as part of the open space and green infrastructure requirement and as part of the green-blue network in the settlement, so as to maintain the carbon balance, except in the case of ancient woodland where its loss cannot be mitigated for."

Reason for change:

Ancient Woodland sites are irreplaceable. The interactions between plants, animals, soils, climate and people are unique and have developed over hundreds, and often thousands of years. These ecosystems cannot be recreated and as Scotland only less than 2% of its land area covered by Ancient Woodland we cannot afford to lose any more of it. It is therefore essential that this habitat be protected from development.

Some Ancient woods include those woods that have been replanted with non-native species. These are known as Planted Ancient Woodland Sites (PAWS). Even dense conifers on Ancient Woodland sites may contain remnant features and relict ground flora which can be restored with careful management. Where conifers are removed, much of the wildlife may be able to recover over time.

Ancient Semi-Natural Woodland (ASNW) has developed naturally on undisturbed soils. The long continuity of semi-natural Ancient woods and their undisturbed soils makes it a valuable natural habitat. It supports a huge range of wildlife (including more threatened species than any other UK habitat) many of which require stable conditions (i.e. relatively unchanging compared to land outside the woods). Often, these species are unable to move easily so do not colonise new areas easily.

A key feature of Ancient Woodland is its undisturbed nature and species do not adapt well to change. Even small changes in adjacent land use can result in disproportionately large changes to the environmental conditions within the woodland. External impacts increase with the intensity of land use.

Woodland Trust Scotland would like to see a firm commitment in the Local Development Plan to a significant increase in the area of Scotland's *native woodland* in order to reap all the associated economic, social and environmental benefits it provides. These closely entwined benefits include landscape, employment, quality of life, pollution absorption, recreation, biodiversity and health.

Paragraph 140 of the Scottish Planning Policy (SPP) suggests that protection of landscape is a matter to be considered by the Local Development Plan and that the purpose of designating a local landscape area should be to:

“safeguard and enhance the character and quality of landscapes which are important or particularly valued locally or regionally, or promote understanding and awareness of the

distinctive character and special qualities of local landscapes, or safeguard and promote important settings for outdoor recreation and tourism locally.”

Scottish Planning Policy Clause 201 *‘Plans should identify woodlands of high nature conservation value and include policies for protecting them and enhancing their condition and resilience to climate change.*

[Scottish Planning Policy](#) (SPP) principle 194 states that the planning system should *“protect and enhance Ancient semi-natural woodland as an important and irreplaceable resource, together with other native or long-established woods, hedgerows and individual trees with high nature conservation or landscape value”*. Woodland of high nature conservation value should be identified in development plans along with relevant policies for its protection and enhancement. Planning authorities should consider preparing woodland strategies as supplementary guidance to inform the future development of woodland and forestry in their area.

SPP principles 216, 217 and 218 state that:

‘216. Ancient semi-natural woodland is an irreplaceable resource and, along with other woodlands, hedgerows and individual trees, especially veteran trees of high nature conservation and landscape value, should be protected from adverse impacts resulting from development. Tree Preservation Order can be used to protect individual trees and groups of trees considered important for amenity or their cultural or historic interest.’

‘217. Where appropriate, planning authorities should seek opportunities to create new woodland and plant native trees in association with development. If a development would result in the severing or impairment of connectivity between important woodland habitats, workable mitigation measures should be identified and implemented, preferably linked to a wider green network (see also the section on green infrastructure).’

‘218. The Scottish Government’s Control of Woodland Removal Policy includes a presumption in favour of protecting woodland. Removal should only be permitted where it would achieve significant and clearly defined additional public benefits. Where woodland is removed in association with development, developers will generally be expected to provide compensatory planting. The criteria for determining the acceptability of woodland removal and further information on the implementation of the policy is explained in the Control of Woodland Removal Policy, and this should be taken into account when preparing development plans and determining planning applications.’

Scottish Natural Heritage’s [Ancient Woodland Inventory](#) (AWI) shows most woodland which is present on historical maps or which exhibits significant numbers of Ancient Woodland indicators can be considered as Ancient and is therefore worthy of further study and is likely to pose a constraint to development. However, it is worth noting that the AWI is not comprehensive, so other woodland, not listed on it, may be important too as a result of their high ecological value.

Woods planted or growing up today will not become Ancient woods in 400 years’ time because the soils on which they have developed have been modified by modern

agriculture or industry, and the fragmentation of natural habitats in today's landscape hampers species' natural movements and interactions. Our remaining semi-natural Ancient Woodland is therefore irreplaceable. If we lose what little we have left then it is gone forever.

Ancient and veteran trees are special because of their great size, age or condition. Retaining these trees will enhance the value of any development. They will add a unique quality, giving it a sense of place or an "air of respectable antiquity", creating character and distinction which will be appreciated by potential owners and their families.

Creation of new areas of woodland or buffer zones around semi-natural habitats, and more particularly Ancient Woodland, will help to reduce and ameliorate the impact of damaging "edge effects", serving to improve their sustainability. The size of the buffer is dependent on the intensity of land use in the intervening matrix between Ancient woods. A buffer zone of at least 50 metres of semi-natural vegetation would be required to protect the woodland from the change in land use on the site.

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

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.

