



Sent by email to: [REDACTED]

[REDACTED]
Planning and Environmental Services
Infrastructure Services
Aberdeenshire Council
Woodhill House
Westburn Road
Aberdeen AB16 5GB

Date: 31 July 2020

Our ref: [REDACTED]

Dear [REDACTED]

**Environmental Assessment (Scotland) Act 2005
01402 Environmental Report for Aberdeenshire Proposed Local Development Plan
2020**

Thank you for consulting us on the Environmental Report for the Aberdeenshire Proposed Local Development Plan 2020.

We have provided advice on the Council's Habitats Regulations Appraisal (HRA) Report and the Proposed Plan in separate letters. Our HRA advice is likely to necessitate changes to the HRA Record, and the SEA should be amended so that it is consistent with the HRA once revised. For allocations where we have made representations to address landscape and visual impacts, in our view, where relevant the Environmental Report should more correctly state '+/-' instead of '0' in relation to the landscape topic. Notwithstanding these comments, however, we are satisfied with the Environmental Report, and appreciate the huge effort that has gone into preparing it and accommodating our previous comments.

If you have any queries please contact [REDACTED] in the first instance.

Yours sincerely

[REDACTED]
Operations Manager
Tayside and Grampian
[REDACTED]

Copy to: [REDACTED]

[REDACTED]
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Sent via email to: ldp@aberdeenshire.gov.uk

Planning Policy Team
Infrastructure Services
Aberdeenshire Council
Woodhill House
Westburn Road
Aberdeen
AB16 5GB

Date: 31 July 2020
Our ref: [REDACTED]

Dear Sir/ Madam

**Aberdeenshire Proposed Local Development Plan 2020
Aberdeenshire Habitats Regulations Appraisal, April 2020**

Thank you for sending us the Habitats Regulations Appraisal (HRA) for the Aberdeenshire Proposed Local Development Plan 2020 for our comments.

Having considered the potential impacts on European sites, we advise that the Proposed Plan is capable of affecting the River Dee SAC and also various goose SPAs, and consequently is likely to have a significant effect on these sites. However, taking account of our detailed advice in Annex 1, you can conclude that there will be no adverse effect on the integrity of these sites.

For the River Dee SAC, we have advised that the key potential impacts relate to water abstraction and the risk of pollution during construction. There is rationale available in Annex 1 of this letter to allow Aberdeenshire Council to conclude that there will be no adverse effect on site integrity in relation to abstraction. In relation to pollution, the HRA for the Proposed Plan takes a precautionary approach by screening in allocations that lie within the River Dee catchment, and allowing that there will be a project level (i.e. planning application related) requirement for an HRA. In these cases the Appendix 7 allocation summaries say that a Construction Method Statement may, or will, be required "to take account of the potential impacts to the qualifying interests of the River Dee SAC". In our consultation response to the Proposed Plan we have advised that the project level requirement for HRA should be highlighted within the relevant allocation summaries.

In relation to goose SPAs, the Proposed Plan is likely to have a significant effect is through the possible loss of foraging habitat to allocations, and also potentially through increased recreational disturbance pressures on the SPAs themselves. SPA geese tend to forage in favoured fields within a certain distance (typically 20km) of their SPA roosts. We have

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considered the cumulative impact of proposed allocations on foraging. Our appraisal has been based on information about where the geese forage, alternative habitat available, and the location of proposed allocations for both Aberdeenshire and Aberdeen City proposed plans. Our conclusion is that there is no adverse effect on integrity for any of the goose SPAs. Our appraisal is presented at Annex 2.

We have also addressed the potential for increased recreational disturbance to SPAs at Annex 1, concluding that there is no adverse effect on site integrity.

Beyond this, where the Council has flagged the need for allocation specific mitigation in order to avoid an adverse effect on other European sites, we have provided advice in our Proposed Plan consultation response, stating that this is not required.

Policy B2 Employment and business land and Policy H1 Housing land both concern proposed allocations and so, given our above reasoning, should be screened in as likely to have a significant effect. But based on the reasoning set out above, we advise that Aberdeenshire Council could conclude these policies have no adverse effect on integrity. We do not see the need for mitigation in relation to other policies in the Proposed Plan. In our view, these would not give rise to an adverse effect on the integrity of any European site.

Policy E1.2 of the Proposed Plan discusses the legislative protection afforded to European sites. In our consultation response on the Proposed Plan we have advised changes to the policy wording to make it more robust. We consider this change is necessary because if development proposals come forward outside allocated sites then the revised policy will help by clearly setting out the legislative tests including the need to consider HRA.

We would be happy to assist the Council in any redrafting that may be required to account for our advice. As noted, we provide further more detailed comments in the annexes to this letter. I hope you will find these comments of assistance. If you have any queries please do not hesitate to contact [REDACTED] in the first instance.

Yours faithfully

[REDACTED]
Operations Manager
Tayside and Grampian
[REDACTED]

Enc. Annex 1. SNH's advice on the Aberdeenshire Proposed Plan HRA Record, April 2020;
Annex 2. SNH's appraisal in relation to possible loss of SPA goose foraging habitat from allocations in the proposed Aberdeenshire LDP 2020.

Annex 1. SNH's advice on the Aberdeenshire Proposed Plan HRA Record, April 2020

River Dee SAC

Potential abstraction impacts

Allocations and policies that may require water abstracted from the River Dee should be screened in as 'likely to have a significant effect', and requiring further investigation through Appropriate Assessment, due to the potential for these cumulatively increasing water abstraction levels from the River Dee SAC.

The salmon and freshwater pearl mussel qualifying interests of the SAC may be adversely affected by reduced flows as a result of abstraction which, if substantial enough, may expose and dry out available habitat, increase water temperatures, and reduce dilution of pollution. This may degrade habitat or can directly damage or stress the salmon or pearl mussels. Proposals which may require abstraction from the River Dee therefore have potential to affect the SAC.

It is important for Aberdeenshire Council to ascertain that the cumulative effect of any proposed development-related abstraction from the River Dee SAC is at a level that will not adversely affect site integrity. The following rationale could support such a conclusion.

The Proposed Strategic Development Plan (SDP) had set the additional housing need required from the Aberdeen City Council and Aberdeenshire Council LDPs, and the HRA Record for the Proposed SDP included an Appropriate Assessment for the River Dee SAC which covered the abstraction issue. In summary, it reasoned that the SDP's proposed growth figures were within the licensed limit for abstraction and that these would not adversely affect the integrity of the SAC in relation to abstraction. The full reasoning and conclusions of that Appropriate Assessment are set out in the SDPA's April 2019 HRA record (but it is important to note that here we are referring to the April 2019 version of that HRA Record and not the older version that is available on the SDPA's 'Current Consultations' [webpage](#)).

As a competent authority Aberdeenshire Council can take note of another competent authority's HRA to help come to its own conclusions. You can therefore borrow upon the reasoning on abstraction set out in the HRA record for the SDP and confirm that you agree with this reasoning to reach your own conclusion on whether or not there is an adverse impact on site integrity. We disagree with paragraph 8.3 of your HRA record which says that "this has been assessed in global terms at a higher-level Plan (the Proposed Aberdeen Strategic Development Plan 2018) and is not required to be considered by this assessment". Please note the discussion of this issue at paragraphs 5.27 and 5.28 of the [2015 guidance](#) on Habitats Regulations Appraisal of Plans.

As noted at Appendix 3 of your HRA Record, Scottish Water has confirmed that it believes the volumes of water currently licenced for abstraction from the River Dee would meet the

needs of the additional housing identified in the SDP. Scottish Water's latest confirmation of this was provided in 5 November 2019 correspondence with Aberdeen City Council (and is presented in the City Council's own Proposed Plan HRA¹). Given that both Aberdeen City Council's and Aberdeenshire Council's Proposed Local Development Plans would be allocating sites to meet (rather than exceed) the SDP growth requirements, it follows that the allocations for both these plans will be within SEPA's licenced abstraction limit. As discussed in the HRA record for the SDP, the licences for water abstraction are given by SEPA, and SEPA (as the competent authority for licensing that abstraction) has its own requirement to be satisfied that this licenced limit does not result in an adverse effect on integrity of the River Dee SAC. The HRA record for the SDP has drawn upon information provided by SEPA, and this informs its conclusions.

Furthermore, it is relevant that recent Examination of the SDP dealt with a change to housing allowances / land release figures. Based on what we have seen (in the June 2020 Scottish Government SEA screening report that concerns proposed modifications arising from the Examination) we understand that "the practical affect [of the modification] is a small increase in allowances (for 23 units) required overall from 2016 to 2032 and 2033 to 2040, but with a shift in the time period of when these allowances are to be met, i.e. land for more homes (1,879) is required in the first period (2020 – 2032) than in the last period (1,856 fewer in 2036 – 2040)". In our view, this very small modification would not result in any meaningful overall increase in housing allowances, and consequently the reasoned conclusions of the Proposed SDP Appropriate Assessment regarding abstraction would remain valid.

It is also relevant to consider whether there may be potential for windfall sites in this plan period to increase abstraction levels beyond what has been considered by the above reasoning. Based on information contained in Aberdeen City's Proposed Plan Draft HRA Record², we understand that there is existing headroom for an identified level of windfall development in this plan period without going beyond the licenced limit and therefore necessitating any revisiting of the above reasoning. The Aberdeen City HRA also notes that there are also means of keeping track of the cumulative level of windfall development.

Provided, therefore, that the Councils take steps to implement the means of ensuring that the level of windfall development does not exceed the identified headroom, there is unlikely to be a need to consider the abstraction issue afresh (via project level HRA) for each windfall application.

Taking account of the above, we advise that Aberdeenshire Council can conclude that the Proposed Plan will not have an adverse effect on the integrity of the River Dee SAC in relation to water abstraction.

¹ See p142 of the Aberdeen City Council Proposed Plan Environmental Report: Strategic Environmental Assessment and Habitats Regulations Appraisal ([Part 1](#)).

² See p134 of the Aberdeen City Council Proposed Plan Environmental Report: Strategic Environmental Assessment and Habitats Regulations Appraisal ([Part 1](#)).

Potential pollution impacts during construction

Atlantic salmon and freshwater pearl mussels are sensitive to disturbance to their river habitat. This includes silt and sediment entering the watercourse, as well as other forms of pollution. The greatest risk of pollution from development is usually at the construction stage, especially if there is a clear connection between the development site and the river. These kind of changes might destroy or degrade habitat or can directly damage or stress the salmon or pearl mussels, and the Proposed Plan therefore has potential to adversely affect the River Dee SAC.

In our view it is important for the Council to ascertain that the risk of construction related pollution from allocated sites in the River Dee catchment is suitably low or can be adequately managed.

We support an approach whereby, on a precautionary basis, the Proposed Plan would require project level HRA to be carried out for development proposals within the catchment of the River Dee. The HRA for the Proposed Plan takes this precautionary approach by screening in allocations that lie within the River Dee catchment, and allowing that there will be a project level requirement for an HRA. In these cases the Appendix 7 allocation summaries flag that a Construction Method Statement may (or in some cases “will”) be required “to take account of the potential impacts to the qualifying interests of the River Dee SAC”. In our consultation response to the Proposed Plan we have advised that the project level (i.e. planning application related) requirement for HRA should be highlighted within the relevant allocation summaries. The project level HRA may indicate that a suitable Construction Method Statement is required, and in some cases this could be covered by a planning condition.

Although we have advised that the requirement for project level HRA should be set out clearly for relevant allocations within the Appendix 7 allocation summaries, for some allocated sites the existing planning status of development would need to be taken into account. For example, it does not appear logical to flag the need for project level HRA, and potential need for a Construction Method Statement to avoid impacts on the SAC, if development already has permission and construction is underway. We have provided comments on this issue for the relevant allocated sites in our consultation response to the Proposed Plan. However, the Council will have the best grasp of the planning status for particular allocations, and can appropriately tailor wording of the relevant allocation summaries in Appendix 7.

Taking account of the above, we advise that Aberdeenshire Council can conclude that the Proposed Plan will not have an adverse effect on the integrity of the River Dee SAC in relation to construction pollution.

Following through on the same logic, we expect that the Council will also wish to undertake project level HRA for any windfall development located within the River Dee catchment, and

similarly should the Council consider the proposal is likely to have a significant effect, it can then potentially require the submission of an adequate CMS.

Potential operational impacts

For one or two allocations the information in the Appendix 7 allocation summary states that "The proposal would need to connect to a public sewer to mitigate effects on the River Dee SAC".

Noting existing regulatory controls, we generally advise that connection to a public sewer does not need to be specified as mitigation in order to avoid an adverse effect on integrity of the River Dee SAC. Where relevant we have included comments on this in our consultation response.

This is also to note that Policy RD1.15 acknowledges that all development will need to comply with SEPA's policy and supporting guidance on the provision of wastewater drainage in settlements.

Goose SPAs

Potential loss of foraging habitat

The Proposed Plan may have an impact on goose SPAs due to the possible loss of foraging habitat from allocations, which could arise from direct habitat loss and disturbance of foraging geese.

All allocations within 20km of a goose SPA can be screened in as 'likely to have a significant effect', and requiring further investigation through Appropriate Assessment on the basis that they might collectively, and in combination with proposals (allocations in the Aberdeen City Proposed Plan), affect SPA geese through loss of foraging habitat.

The potential for an adverse effect on the goose SPA populations has been appraised by SNH. Our appraisal looked at goose foraging distribution data alongside information on the proposed allocations and also in-combination effects from allocations in the Aberdeen City Proposed Plan.

Our advice is that, given the status of the relevant goose populations, the relatively low area coverage of allocations, and the distribution of these sites (mainly concentrated around existing settlements and not significantly encroaching on any known preferred SPA goose foraging area), any loss of foraging habitat from these proposals will be negligible and that there will be no adverse effect on the integrity of goose SPAs.

On this basis we advise that your HRA Record can conclude that there is no adverse effect on site integrity in relation to loss of foraging habitat for SPA geese.

We are also content that, unless any 'windfall' development sites are concentrated near particular SPAs, or unless the goose population trends change markedly, it would be appropriate to wait to consider this issue again for the next LDP (i.e. rather than carrying out re-appraisal for each proposed windfall development).

Our related appraisal is at [Annex 2](#).

Recreational disturbance of qualifying interests at SPAs

In addition, there is a potential impact from development in relation to an assumed increased or redistributed human population causing increased recreational disturbance in the SPAs themselves. However, taking account of the locations of allocated sites, as well as facilities for visitors and/or visitor management plans, and parking limits, we advise that you could conclude no adverse effect on the integrity of SPAs from increased recreational pressure.

Annex 2. SNH's appraisal in relation to possible loss of SPA goose foraging habitat from allocations in the proposed Aberdeenshire LDP 2020.

Our appraisal focussed on the question of whether the potential loss of foraging habitat resulting from the Aberdeenshire and Aberdeen City proposed plans would affect SPA geese by site and overall. An initial basic assessment showed that of approximately 520 km squares with a goose record within 20km of a goose SPA, only 60 have overlap with an allocated site (12%). The need for further assessment was about the distribution of these sites in relation to the SPAs, so we looked at that. We do not think there is need for concern here, and we have not attempted to make any further detailed quantitative assessment. In making our assessment we have primarily looked at the goose foraging data layers from the Mitchell 2012 report (Mitchell (2012) [Mapping the distribution of feeding Pink-footed and Iceland Greylag Geese in Scotland](#)) (both time periods, as the older data shows where greylags used to favour when they were present in higher numbers), and the proposed allocations for the Shire and City – taking into account existing sites. We have also used the detail in the Mitchell 2012 report and goose count information on the WWT webpage, particularly the latest IGC counts (Brides et al (2019) [Status and distribution of Icelandic-breeding geese: results of the 2018 international census](#)).

We have looked at the potential impact of allocations (if all were built) on loss of foraging habitat for five relevant SPAs as follows:

Muir of Dinnet – citation of 29,458 greylags, but population declined from the late 90s to just a few hundred birds by 2010 with the overall population shift northwards. The main foraging sites were previously noted as the Howe of Alford and Howe of Tarland, although birds could move up to 22km to the north-east to feed. Very little of this area is covered by allocated sites (and these are largely on the edge of existing settlements) with only one 1km square overlapping with feeding records.

Loch of Skene – citation of 5,500 greylags, but declined to a mean peak of 1,358 (06/07-10/11). Main foraging sites were to the north and north-west. No overlap with City sites, some Shire allocated sites overlap around Inverurie – however, allocated sites are on the edge of existing settlements and would only affect a very small number of squares. Feeding sites to the north-west unaffected.

Loch of Strathbeg – citation of 27,500 pink-footed geese (PfG), 5,565 greylags and 520 barnacle geese. More recently, this site holds high numbers of PfG but very low numbers of greylags (51,969 and 287 mean peak 06/07-10/11 respectively) and is now little used by barnacles. There is most information available for preferred feeding areas of PfG – these surround the loch although birds can range to the west of Mormond Hill. So a wide feeding distribution around the loch, with very little overlap with Shire allocated sites (there are some very small allocated sites around heavily used feeding areas of St Fergus, Crimond, St Combs – and bigger sites on less important edges of larger settlements – Fraserburgh, Mintlaw, Peterhead).

Montrose Basin – cited for 21,800 PfG and 1,080 greylags. This site is now the most important PfG site in the country (Oct 2018 count of 78,320) but no longer holds internationally important numbers of greylags (low hundreds by 2010). Preferred feeding sites were thought to be to the south and west of the estuary for greylags, and for PfG are farmland close to the basin to the south and south west (towards Chapleton/ Inverkeilor) and to the north. In the autumn, stubbles to the west are also used. There are very few Shire allocated sites in the vicinity of Montrose Basin – a small site at St Cyrus and slightly larger ones near Laurencekirk and Edzell Woods, but only one square of overlap.

Ythan Estuary, Sands of Forvie and Meikle Loch – cited for 17,213 PfG, and still holding good numbers of geese (13,000 at Meikle Loch Slains in 2018). The preferred feeding areas are widely spread to the northeast of the loch, the south to Balmedie, west to Ellon and probably to Oldmeldrum. Again, most allocated sites are around settlements (especially Ellon), but there is only really a minor overlap with goose feeding areas to the south around Hill of Menie and Newburgh.

Wider trends and changes in goose populations are relevant here (which largely mirror the trends at relevant SPAs), and do not indicate any issue with the foraging resource for these species. The PfG population has increased hugely in recent decades, from about 200k in 1990 to well over 400k in the last few years despite being a quarry species, so there is clearly plenty for the geese to eat even at much higher numbers than when the SPAs were classified. The Icelandic greylag goose population has also changed – this time shifting range northwards in Scotland, such that many previously used sites are now abandoned or barely used, while numbers have increased drastically in Orkney. Overall, numbers since the 1980s have fluctuated between 70-110k birds, with lower counts recorded only in the last few years. So there is an obligation to maintain the suitability of SPAs should greylags return, but reasons for the shift are likely to be climatic so as long as there is no large scale changes to potential foraging for greylag geese at these sites we do not think there should be an issue.

In conclusion, we think that given the status of the relevant goose populations, the relatively low area coverage of potential allocated sites and the distribution of these sites (mainly concentrated around existing settlements, not significantly encroaching on any known preferred SPA goose foraging area) that any loss of foraging habitat from these proposals will be negligible and that there will be no adverse effect on site integrity for these 5 SPAs.

Additionally, while defining particular thresholds is difficult, we are content that unless any 'windfall' development sites are concentrated near particular SPAs, or unless the goose population trends change markedly, it would be appropriate to wait to consider this issue again for the next LDP.

Sent via email to: ldp@aberdeenshire.gov.uk

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Date: 31 July 2020

Our ref: [REDACTED]

Dear Sir/ Madam

Aberdeenshire Proposed Local Development Plan 2020

Thank you for consulting us on your Proposed Local Development Plan 2020.

We have attached our representations in the annex to this letter. In separate letters we have commented on the related Habitats Regulations Appraisal (HRA) and Strategic Environmental Assessment (SEA) Environmental Report.

There is much that we appreciate and welcome about the Proposed Plan. Many of our representations concern relatively small points of detail over policy wording. A key comment relates to placemaking. SNH wishes to see placemaking incorporate nature for the important services it provides to help tackle the climate change crisis and create attractive, successful places while also helping to address biodiversity loss. The Council clearly shares this vision; for example, as set out in your response to the NPF4 'call for ideas'. To help achieve this we recommend trying to find a way to allow the Council to present its own vision of placemaking at the allocated sites. The Appendix 7 allocation summaries in the Proposed Plan do, at the moment, present a partial vision. We have suggested that you include a hook, or marker, within the plan that would allow you to expand on this, primarily in the form of a basic sketch map illustrating how you would like to see relevant sites developed. There are examples of how this illustrative approach seems to have been done successfully in other plans. Having a map-based depiction of constraints and opportunities at each relevant site would help act as a good basis for further discussion between developers and the Council. It would allow the Council to demonstrate more leadership in shaping developments. It would also act as a guide, rather than setting things in stone, and it could potentially be informed by other evolving sources of material including local community plans.

We would welcome the opportunity to work with the Council on placemaking for some of the larger allocations in the Proposed Plan and will contact you to discuss opportunities.

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[REDACTED]

We welcome the Proposed Plan setting an ambitious standard requirement for open space and consistently requiring buffers around, and re-naturalisation of, watercourses on relevant allocated sites. Done well, and integrated within developments, these will inject life into places. SNH's earlier MIR-stage comments on the draft Proposed Plan consistently emphasised that allocation summaries might include reference to 'biodiverse open space' and active travel opportunities. We think that many of the allocation summaries may still benefit from emphasising the importance of good quality open space, which would include nature-rich space. Reminding developers of the need for good quality open space within the allocation summaries themselves will improve the quality of development and deliver on other key issues such as health, wellbeing, and climate change adaptation. To that end, we have suggested that the allocation summaries might include a relatively standard reference to this, if not covered already.

We have also highlighted a need for active travel provision in relation to some of the allocations, but again suggest that the Council reviews the allocation summaries to check whether this could be emphasised more consistently.

We are very happy to discuss any of our representations with you, and look forward to continuing working with you as you move forward.

I hope you will find these comments of assistance. If you have any queries please do not hesitate to contact [REDACTED] in the first instance.

Yours faithfully

[REDACTED]
Operations Manager
Tayside and Grampian
[REDACTED]

Enc. Annex 1. Aberdeenshire Proposed Plan 2020 – SNH's representations

Annex 1. Aberdeenshire Proposed Local Development Plan 2020 – SNH’s representations

Section of Proposed Plan	Modification that we would wish to see	Reason for change
Paragraph 3.7	<p>Amend paragraph 3.7 as follows:</p> <p>3.7 This Plan encourages high-quality development that accords with this vision and the outcomes that the Scottish Government supports. It promotes the efficient use of land to deliver long-term benefits for the public, while protecting and improving natural heritage, built heritage, and local culture. Policies and development land allocations must deliver successful, sustainable, low-carbon, better connected, natural and resilient places, linked by accessible and natural spaces.</p>	<p>Inclusion of the word “natural” in this paragraph would align the vision more accurately with the wording of the planning outcomes as set out in National Planning Framework and Scottish Planning Policy (SPP). An increased emphasis on nature within the plan text will also help improve the quality of place-making delivered by the plan and will provide a wealth of benefits including those arising from enjoyment by the public.</p>
Paragraph 4.6	<p>Amend paragraph 4.6 as follows:</p> <p>4.6 To promote the creation of green-blue networks within and between settlements</p> <p>Connected areas of green and blue space and habitats such as parks, paths, and woodlands (green networks) within and on the edge of our villages and towns can provide a range of social, ecological, and economic benefits. Developments must help to provide these important green links between development sites, the wider countryside, and our urban areas. The Development Plan will protect and promote green networks where they have been created, or there is a firm plan for their establishment, but is unable to promote anything other than aspiration.</p>	<p>We recommend removal of some wording from the final sentence of this paragraph. We suggest that the meaning behind this part of the sentence is not clear but it does not appear to align with SPP paras 220 and 221, which state that planning <i>*should*</i> protect, enhance and promote green infrastructure, which includes open space and green networks. It is an integral part of placemaking, and so this part of the sentence could be seen to undermine the Council’s overall approach to placemaking.</p>

Annex 1. Aberdeenshire Proposed Local Development Plan 2020 – SNH’s representations

Section of Proposed Plan	Modification that we would wish to see	Reason for change
Paragraph 5.18	<p>Amend paragraph 5.18 as follows:</p> <p>5.18 The Local Development Plan continues to recognise national developments, as identified in the National Planning Framework, and both national internationally designated sites such as Special Areas of Conservation, nationally designated Sites of Special Scientific Interest and carbon rich soils, to help conserve the best of the Aberdeenshire environment. Existing local designations such as the Special Landscape Areas, Local Nature Conservation Sites, and Coastal Zones have been retained from the previous Plan and are also presented as Appendices.</p>	<p>Paragraph 5.18 refers to “nationally” designated sites such as Special Areas of Conservation. This may be a simple error because these are typically considered international designations.</p> <p>It is also perhaps worth noting that when we leave the European Union on 1 January 2021, SACs and SPAs will still be of international/ European importance, but will not be part of the wider Natura network. All of our Natura sites (or European sites as they are more likely to be called) will be transferred to the Bern Convention’s Emerald Network, which is an international network (and the Natura suite is the EU’s contribution to this). Site protection will continue to come from the Habitats Regulations which will continue to refer to complying with the obligations of the Directives.</p> <p>Given that Special Areas of Conservation (SACs) will remain part of an international site network we advise that they should still be referred to as internationally designated sites.</p>
Paragraph B1.2	<p>Amend paragraph B1.2 as follows:</p> <p>B1.2 Retail and commercial facilities must be appropriate to the scale and function of the settlement and support an appropriate mix of uses within the town centre. Any new development adjacent to the town centre, or adjacent to paths and/or active travel routes footpaths leading to the</p>	<p>We advise that it would be better to use the phrase “paths and/or active travel routes”, as that covers everything from:</p> <ul style="list-style-type: none"> • paths used for active travel and broader recreation and enjoyment; to • active travel routes that may well use paths but may also include segregated cycle lanes on or off road or even quieter roads.

Annex 1. Aberdeenshire Proposed Local Development Plan 2020 – SNH’s representations

Section of Proposed Plan	Modification that we would wish to see	Reason for change
	town centre, should be connected via a path and/or active travel route footpath . The network of centres is set out on the proposals map and in Appendix 2, Retail Centres.	<p>Although the preference is always to get as much off road as possible and onto shared use paths, for all types of use - walking, cycling, wheeling, riding etc.,</p> <p>“Footpath” is not the best choice of word within the plan as it could be perceived as implying restricted use, although we recognise that sometimes councils will use the term “footway” as this is a roads definition for pavements associated directly with a road.</p>
Paragraph R2.13	<p>Amend paragraph R2.13 as follows:</p> <p>R2.13 No more than an additional 20% growth of the settlement, up to a maximum of 10 new homes, will be permitted during the Plan period. The development site must lie within 200m of the settlement boundary. It should represent a logical extension and not prejudice the character of the settlement. It is expected that path and/or active travel route footpaths connections will be provided to the built-up edge of the settlement to link to the existing network and safe routes to schools.</p>	<p>It is better to use the phrase “paths and/or active travel routes”, as that covers everything from:</p> <ul style="list-style-type: none"> • paths used for active travel and broader recreation and enjoyment; to • active travel routes that may well use paths but may also include segregated cycle lanes on or off road or even quieter roads. <p>“Footpath” is not the best choice of word within the plan as it implies restricted use.</p>
Paragraph R3.2	<p>Amend paragraph R3.2 as follows:</p> <p>R3.2 In all cases an environmental statement Environmental Impact Assessment report will have</p>	<p>The suggested change to the first sentence would align the terminology with the changes effected by The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, noting that the term used is now</p>

Annex 1. Aberdeenshire Proposed Local Development Plan 2020 – SNH’s representations

Section of Proposed Plan	Modification that we would wish to see	Reason for change
	<p>to show acceptable environmental impacts of the mineral development. [Etc.]</p> <p>Also amend the footnote in relation to the bullet on “disturbance of carbon rich soils”.</p> <p>Also consider whether the Council wishes to focus the policy on class 1 and 2 peat, or retain the current wider scope on carbon rich soils.</p>	<p>Environmental Impact Assessment report rather than Environmental Statement.</p> <p>The footnote relating to “disturbance of carbon rich soils” currently says “These are defined as Classes 1 and 2 in “Carbon-rich soils, deep peat and priority peatland habitat mapping: Consultation analysis report” published by Scottish Natural Heritage in 2016”.</p> <p>However the definition of carbon rich soil that report says “Carbon-rich soil is any soil with a surface organic layer (the O horizon as defined in the Scottish soil classification). In this context, it includes surface layers often referred to as peaty soil and peat soil.”</p> <p>We suggest footnote should be amended to reflect that definition.</p> <p>On the 2016 SNH map, the top two classes (1 and 2) taken together identify the nationally-important resource, although the map in itself cannot provide information on the significance of any possible impacts on development. The purpose of SNH’s mapping was to enable Planning Authorities to map carbon-rich soils, deep peat and priority peatland habitat in a consistent manner for the preparation of spatial frameworks for onshore wind farms – and meet the requirements of Table 1 in SPP. The Council may wish to reflect the same focus upon classes 1 and 2 in its mineral policy (i.e. in the bullet point). Or it may wish to retain the wider scope, noting the Council’s policy at C3.1.</p>

Annex 1. Aberdeenshire Proposed Local Development Plan 2020 – SNH’s representations

Section of Proposed Plan	Modification that we would wish to see	Reason for change
Paragraph P1.2	<p>Seek to improve clarity in the wording at paragraph P1.2, which says:</p> <p>P1.2 A Masterplan that has been subject to public consultation, must be prepared for all major housing and mixed-use developments (more than 50 homes, and/or more than 2 hectares of employment or retail development) or other developments of a size and scale deemed appropriate by the Planning Authority that merits the provision of a Masterplan. We will support:</p> <ul style="list-style-type: none"> • new development on sites identified within Appendix 7, or other developments of a size and scale deemed appropriate by the Planning Authority, as requiring a development framework or Masterplan, OR • major developments (more than 50 homes, or more than 2 hectares of employment, retail or mixed-use development deemed appropriate as major development by the planning authority). <p>if they keep to a previously agreed statement(s)⁵⁵ on the proposed design for the site. Any previously agreed statement must have gone through a process that includes an appropriate level of consultation. Once agreed, a Masterplan shall remain valid for a period of 5 years, unless planning permission for the development has been granted and implemented.</p>	<p>This paragraph may be confusing to readers. The first part of the paragraph says that a masterplan “must be prepared for all major housing and mixed-use developments (more than 50 homes, and/or more than 2 hectares of employment or retail development) or other developments of a size and scale deemed appropriate by the Planning Authority that merits the provision of a Masterplan”. The second bullet following this can then be read as suggesting that there may be some exceptions to this requirement for some major developments i.e. if they keep to an agreed statement(s). If this is the case, then it may be better to clearly identify this as an exception. It would perhaps also be helpful to provide further explanation of the types of agreed statements that are being envisaged, although the footnote appears to point to one example being agreed Development Frameworks.</p>

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	<p>⁵⁵For sites requiring a Development Framework or Masterplan, they must be subject to public consultation which has been agreed by the Local Area Committee in advance of determining a planning application.</p>	
<p>Paragraph P1.6</p>	<p>Amend paragraph P1.6 as follows:</p> <p>P1.6 Further design guidance on how to meet these qualities are provided in in sites for allocated sites in Appendix 7, Settlement Statements as requiring a Masterplan/Framework, Appendix 8, Successful Placemaking Design Guidance, which applies to major developments, and Appendix 9, Building Design Guidance, which applies to single buildings and small-scale developments⁵⁸. The Planning and Environment Service may apply Appendix 8 to other developments where they consider it appropriate. The Council may also prepare further illustrative guidance for particular sites, expanding upon information already contained in the Appendix 7, Settlement Statements. Such map-based information would depict constraints and opportunities, helping set out a vision of placemaking to inform further dialogue with developers.</p>	<p>The suggested changes to existing text would reflect that the six qualities of successful places apply to all development, rather than just major development and those that Council considers appropriate. Scottish Planning Policy does not apply this restriction. (Equivalent change would be required for the introductory paragraph of Appendix 8, and we have made a separate representation advising removal of the sentence which says: “This relates to major developments or development on sites we have identified within the Settlement Statements requiring a Masterplan/Framework, or where the Planning and Environment Service consider appropriate to apply”.)</p> <p>We have also advised a short addition to this paragraph to allow a ‘hook’ within the plan for the Council to potentially produce further map-based guidance setting out the Council’s vision for selected allocations. Such illustrative information could help guide the shape of development (including masterplan development). It might highlight the existing green infrastructure and active travel routes to be protected as well as any new green infrastructure required to support the development. We note that the Council has produced prospectuses for the majority of allocated sites http://publications.aberdeenshire.gov.uk/dataset/housing-site-</p>

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		<p>prospectus) and this may be a good place to include such information. There are good examples of graphic illustration of a Council vision for particular sites in the Perth & Kinross and the Moray LDPs (https://www.pkc.gov.uk/ldp2 and http://www.moray.gov.uk/moray_standard/page_133262.html).</p> <p>This would allow the Council to demonstrate more leadership in shaping developments and could act as a basis for further discussion with developers. It might primarily draw upon information contained in the Appendix 7 allocation summaries, but could be informed by other material including for example local community plans.</p> <p>The Council could decide where to prioritise the production of such map-based guidance. This may be the larger allocations, or those that are large in relation to the receiving settlement, or those in more sensitive locations.</p>
Paragraph P2.1	<p>Amend paragraph P2.1 as follows:</p> <p>P2.1 All new developments must be accompanied by adequate public open space appropriate to the standards shown in the Aberdeenshire Parks and Open Spaces Strategy¹ and which is safe, welcoming, distinctive, rich in biodiversity, well connected and accessible (Appendix 10, Standards for Open Space, including the hierarchy). Open space may make a</p>	<p>In our view, the policy would greatly benefit from a more explicit emphasis on one of the most important desired functions of open space being to protect and enhance biodiversity. This will help address the crisis of biodiversity loss, for example benefitting pollinators, in keeping with the Pollinator Strategy for Scotland. It is also vitally important for our health and well-being, and it makes places more attractive. We therefore advise inclusion of the phrase “rich in biodiversity”. This is also to note that enhancement of biodiversity is consistently noted in the Table 1 Hierarchy of Open Space within Appendix 10 (referred</p>

¹ See Aberdeenshire Parks and Open Spaces Strategy at <https://www.aberdeenshire.gov.uk/leisure-sport-and-culture/parks-and-open-spaces/>.

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	<p>significant contribution to green-blue networks in communities, particularly when it is natural in form and has a significant impact in both the area and the edges it presents to other land uses. It should also seek to connect to paths and active travel routes in the area. The provision and types of open space should be considered early in the design process, and biodiverse low maintenance community woodlands and community food growing areas, such as allotments², are encouraged.</p>	<p>to in the paragraph), and that inclusion of this wording would align with the overall vision of the Parks and Open Spaces Strategy which is to: “provide high quality multi-functional open space that is easily accessible, safe, welcoming, <u>rich in biodiversity</u> and sustainably managed for the future; which encourages a sense of belonging, and enhances the quality of life of those people who live, work in and visit Aberdeenshire” (our underlining).</p> <p>Losing nature deprives us of these multiple benefits and so it is important that, as far as possible, the plan promotes biodiverse open spaces. The inclusion of the word “biodiverse” later in the paragraph will also help emphasise that this as a Council priority.</p> <p>We have also recommended inclusion of a short sentence on how open space should strive integrate with active travel provision too. This will extend opportunities for incorporating biodiversity, and benefit those using the active travel routes.</p>
Paragraph P2.6	<p>Amend paragraph P2.6 as follows:</p> <p>P2.6 Existing and potential public access routes (including core paths and other routes, such as public rights of way) should be protected and new developments must include appropriate opportunities for informal recreation and safe active travel, including walking and cycling,</p>	<p>The current wording of paragraph 2.6 implies a restriction to walking or cycling, whereas using the term “active travel” better covers the wider range of potential users and allows for the potential development of shared use paths. Providing examples of these other uses will help remind developers to consider these.</p>

² See Planning Advice 1/2019 Allotments – see Glossary.

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	<p>wheeling, riding etc. promote walking or cycling as a means of transport. Statements or plans detailing proposals should be included in Design Frameworks or Masterplans or submitted with the planning application. Construction of new paths must comply with best practice set out in Planning Advice, 10/2015 Outdoor Access and Development³.</p>	
Paragraph E1.2	<p>Replace paragraph E1.2 as follows:</p> <p>E1.2 In the case of an internationally designated nature conservation site, we will not allow development which may have an adverse effect on its integrity, except where there are imperative reasons of overriding public importance and there is no alternative solution. In all cases, an appropriate assessment of the site is required, and suitable compensatory measures must be implemented.</p> <p>E1.2 In the case of an existing or proposed Special Protection Area (SPA), existing, proposed or candidate Special Area of Conservation (SAC) or Ramsar Site, if it cannot be ascertained that the development would not adversely affect the integrity of the site, development will only be permitted where:</p>	<p>The reason for this advised change is that the current wording is not comprehensive, and it could also lead to confusion over the legislative requirements. The final sentence of our advised wording would also clarify the assessment that is needed for those proposals that are considered likely to have a significant effect on any European site.</p>

³ See Planning Advice 10/2015 Outdoor Access and Development – see Glossary.

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	<ul style="list-style-type: none"> • there are no alternative solutions; • there are imperative reasons of overriding public interest, that may, for sites not hosting a priority habitat type and/or priority species, be of a social or economic nature; and • compensatory measures have been identified and agreed to ensure that the overall coherence of the European site network is protected. <p>Where the site hosts a priority habitat type and/or a priority species, the reasons must relate to human health, public safety or beneficial consequences of primary importance to the environment, or other reasons which in the opinion of Scottish Ministers are imperative reasons of overriding public interest. It should be noted that development not directly connected with or necessary to the conservation management of a European site and which is likely to have a significant effect on the site (either individually or in combination with other plans or projects) will require to be subject to an Appropriate Assessment in order to ascertain whether the development would not adversely affect the integrity of the site.</p>	

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Paragraph E1.3	<p>Amend paragraph E1.3 as follows:</p> <p>E1.3 Development that affects Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs) or the Cairngorms National Park will only be permitted where a thorough assessment demonstrates that For nationally designated sites a thorough assessment must demonstrate that the objectives of designation and the overall integrity of the site will not be compromised, or that any significant adverse effects on the qualities for which the site area has been designated are clearly outweighed by social, environmental or economic benefits of national importance. In all cases, any impacts should be minimised through careful design and mitigation measures must be suitably mitigated.</p>	<p>The advised change to the first part of the paragraph would make clearer the type of nationally designated sites being considered. The LDP area abuts the Cairngorms National Park and its inclusion in this paragraph is recommended because it would be possible for developments within the LDP area to affect the setting and special qualities of the Park. The change to the final sentence is recommended because the paragraph is primarily discussing cases where a proposal may be permitted despite having an adverse impact, and so for these the mitigation would be seeking to minimise impacts.</p>
Paragraph E1.4	<p>Amend paragraph E1.4 as follows:</p> <p>E1.4 For other recognised nature conservation sites (such as Local Nature Conservation Sites⁴, nature reserves, designated wetlands, woodland in the Scottish Natural Heritage Ancient Woodland Inventory⁵ and the Native Woodland Survey of Scotland⁶) the proposal’s public benefits must</p>	<p>The change to the final sentence is recommended because the paragraph is primarily discussing cases where a proposal may be permitted despite having an adverse impact, and so for these the mitigation would be seeking to minimise impacts.</p> <p>We recommend adding the final two sentences to emphasise the importance of protecting ancient woodland, noting that paragraph 194 of Scottish Planning Policy states that the</p>

⁴ See **Appendix 12**, Local Nature Conservation Sites.

⁵ See “A guide to understanding the Scottish Ancient Woodland Inventory (AWI)” published by Scottish Natural Heritage.

⁶ Published by Scottish Forestry (formerly Forestry Commission Scotland).

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	<p>clearly outweigh the nature conservation value of the site. In all cases, impacts must be suitably mitigated against be minimised through careful design and mitigation measures. There will be a strong presumption against removing ancient semi-natural woodland or Plantations on Ancient Woodland Sites (PAWS). Where such woodland is present on or beside a development site, proposals should be designed to seek to accommodate and protect the woodland rather than remove it in part or entirely.</p>	<p>planning system should: <i>“protect and enhance ancient semi-natural woodland as an important and irreplaceable resource”</i>, and that the Control of Woodland Removal Policy says that <i>“There will be a strong presumption against removing the following types of woodland: ancient semi-natural woodland, ... or woodlands listed as ‘Plantations on Ancient Woodland Sites’ (PAWS).”</i></p>
<p>Paragraph E1.6</p>	<p>Amend paragraph E1.6 as follows:</p> <p>Development must seek to avoid any detrimental impact on protected species. Protected Species Surveys to assess impact, and submission of Species Protection Plans detailing appropriate avoidance and mitigation measures may be required. Development affecting European Protected Species or likely to have a detrimental impact on protected species will not be approved unless: a thorough assessment of the site has demonstrated that the development is required for imperative reasons of overriding public interest; that the population will be maintained at a favourable conservation status in its natural range; and there must be no other satisfactory solution. Development affecting any protected species will only be permitted when it can be justified in</p>	<p>Our proposed amendments aim to simplify the policy and avoid potential confusion and conflation over licencing tests.</p> <p>If the Council wished to clarify the distinction between the licensing tests for European Protected Species and those for other protected species such as red squirrels, then it could consider also including additional wording to say:</p> <p>“Species listed on schedule 5 of the wildlife and countryside act will not be approved unless:</p> <ul style="list-style-type: none"> (a) the proposal will give rise to, or contributes towards the achievement of, a significant social, economic or environmental benefit; and (b) there is no other satisfactory solution; and (c) there is no significant negative impact on the conservation status of the species.

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	<p>accordance with the relevant protected species legislation. Lists of species protected by legislation are available from Scottish Natural Heritage⁷.</p>	<p>Development affecting any European Protected Species will not be approved unless:</p> <ul style="list-style-type: none"> (a) it is required for imperative reasons of overriding public interest; and (b) there is no other satisfactory solution; and, (c) the population will be maintained at a favourable conservation status in its natural range.”
Paragraph E1.8	<p>Amend paragraph E1.8 as follows:</p> <p>A number of criteria will be used to consider the biodiversity impacts of a development and these include whether it will affect The following criteria may apply if development may affect the undesignated habitats or species listed in: Schedule 2 or 4 of the Habitats Regulations; or Annex I, Annex II of the EC Habitats Directive, or species listed in Annexes I and II of the EC Birds Directive. Similar tests will apply to the Scottish Biodiversity List; or North East Scotland Biodiversity Partnership Local Important Species, and ; or other species or habitats of importance to biodiversity; or areas. Areas of importance to geodiversity, or semi-natural habitats are also given this protection. We will only approve....</p>	<p>Our suggested amendment clarifies the relevant legislation in the context of EU Exit. We also consider that it is helpful to clarify that this clause is intended to support consideration of biodiversity and geodiversity impacts of development.</p> <p>The Council may also wish to attach a footnote to the first mention of the word “geodiversity” within the paragraph, so as to point towards a link to SNH information on un-notified Geological Conservation Review (GCR) sites. See https://www.nature.scot/landforms-and-geology/protecting-our-geodiversity/places-and-plans-safeguard-geodiversity/geological-conservation-review-sites. This webpage includes a link to our Natural Spaces website that allows map-based searches to be made for GCR sites.</p>
Paragraph E1.10	Amend paragraph E1.10 as follows:	We welcome and support the overall intent of paragraph E1.10, noting that the preceding paragraphs in Policy E1 allow loss of

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	<p>Policy P1 also says that all developments should identify measures that will be taken to enhance biodiversity⁸ in proportion to the potential opportunities available and the scale of the development. In circumstances when it is not practical to deliver positive effects for biodiversity within a development site, we may require off-site contributions towards biodiversity enhancement within the settlement. These obligations may be controlled by conditions.</p>	<p>biodiversity in certain circumstances. The paragraph refers back to Policy P1 (i.e. P1.7). We note that, for both paragraphs, the need to actually deliver positive effects for biodiversity appears to be implicit rather than explicit, and for each application a question is likely to arise as to whether measures are proportionate and practical. In contrast to E1.10, Policy P1.7 clearly states that where delivery is not practical within a development site, contributions towards off-site delivery may be required. We acknowledge that the LDP is to be read as a whole and that repetition across policies should be minimised. But in this case, we suggest that the plan’s policy on natural heritage should also clearly set out the requirement for on or off-site delivery or contributions.</p>
Paragraph E2.2	<p>Amend paragraph E2.2 as follows:</p> <p>E2.2 Boundaries and qualifying criteria for Special Landscape Areas are identified in Appendix 13. Development that has a significant adverse impact on the qualifying interests of a Special Landscape Area will not be permitted unless it is adequately demonstrated that these effects Developments located within Special Landscape Areas will only be permitted if the qualifying interests are not being adversely affected or effects of the development are clearly outweighed by social, environmental or economic benefits of at least local importance. A “Landscape and Visual Impact Assessment” (LVIA) provides a recognised tool for assessing the effects of change</p>	<p>The reasons for the suggested changes are: to avoid the suggestion that the policy is constrained to just to development sited within the SLAs, but also to allow that it may apply to development outside a SLA; to make further reference to Appendix 13 which can help guide assessment; and to set out that there are high expectations in terms of design etc (drawing on the wording at Section 3.4 of the SNH draft guidance on Local Landscape Areas - https://www.nature.scot/professional-advice/safeguarding-protected-areas-and-species/protected-areas/local-designations/local-landscape-areas).</p>

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	<p>on a landscape.⁷³ Appendix 13 on Special Landscape Areas is also intended to be used as a guide by prospective developers in assessing potential impact. Development, in terms of its location, scale, design, materials and landscaping, should be of a high standard and enhance the special qualities and character of the Special Landscape Area.</p>	
<p>Policy E3</p>	<p>Amend Policy E3 as follows:</p> <p>E3.2 We wish to will promote and support the forestry industry while strongly protecting and enhancing trees and woodlands in the planning and construction of built development⁹ To achieve this, there will be a presumption against the removal of safe and healthy trees, non-commercial woodlands and hedgerows. Criteria in the Scottish Government’s policy on Control of Woodland Removal will be used to determine the acceptability of woodland removal. Development is also required to continue to ensure that opportunities are taken to promote the role of woodlands in providing opportunities for community development, education and recreational access, protecting and enhancing environmental quality and biodiversity, landscape and historic assets.</p>	<p>We note that paragraph E3.3 establishes a policy hook for the Planning Advice formed by the Forestry and Woodland Strategy. While we understand and are supportive of the need to set out further detail in Planning Advice to accompany the LDP, we consider that more detail on requirements is needed in this policy. This would also give the necessary weight to key requirements that the Planning Advice itself will not have. We have therefore suggested an amendment to paragraph E3.2 that more clearly establishes your stated commitment to the role of forests and woodlands in Aberdeenshire.</p>

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Paragraph C3.1	<p>Consider amending paragraph C3.1 as follows:</p> <p>C3.1 We will protect carbon sinks and stores, such as woodland and high-carbon peat rich soils, deep peat and priority peatland habitat (as defined by Scottish Natural Heritage’s Carbon and Peatland map 2016 report ‘Carbon-rich soils, deep peat and priority peatland habitat mapping’ as Class 1, 2 and 5, and greater than 0.5m depth), report ‘Carbon-rich soils, deep peat and priority peatland habitat mapping’ as Class 1, 2 and 5, and greater than 0.5m depth), from disturbance or destruction. Development proposals that may affect areas of class 1 and 2 peat will only be permitted if it can be demonstrated that any significant effects can be substantially overcome by siting, design or other mitigation. Development proposals that may result in the loss of, or disturbance to, any peat or carbon rich soils will only be permitted if tools such as the “Carbon Calculator” are used to assess the effects of development on carbon dioxide emissions, and such release is minimised. demonstrate that the development will, within its lifetime, have no net effect on CO₂. 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.</p>	<p>It may be worth broadening the wording of the policy to include deep peat and priority peatland habitat, and allowing that the definition of these is set out in the 2016 guidance, rather than trying to define these within the policy itself. Otherwise there is some scope for confusion.</p> <p>The addition of a new second sentence would reflect the key focus on peat classes 1 and 2 (the nationally important resource) and the protection that SPP currently gives to these areas (at SPP para 166).</p> <p>Changes to the sentence dealing with the carbon calculator might more accurately reflect the protection that is outlined at SPP paragraph 205.</p> <p>The Council may also wish add that where peat is present and may be affected, a peat survey and peat management plan is likely to be required. The focus of such survey is typically directed at areas mapped as class 1 and 2 peat.</p>

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Paragraph C2.3	<p>Amend paragraph C2.3 as follows:</p> <p>C2.3 All wind farms must be appropriately sited and designed and avoid unacceptable environmental effects, taking into account the cumulative effects of existing and approved wind turbines. All wind turbines sites must be appropriate for use in perpetuity at the scale being proposed. Amendments to include larger nacelles blades or towers are likely to require a new application. Full repowering, where the wind turbines are dismantled and new wind turbines are installed, is likely to require revision of environmental information and a new planning application. Lifetime extension, where new technology is installed, or components are upgraded and replaced but the overall external layout of a wind farm remains unchanged (e.g. hub height, siting, size), may not require a new application provided the scale and predicted impacts are no greater than those anticipated from the original proposal. Existing bases should be reused. The existence of a planning permission for a wind turbine will be a material consideration for proposals for repowering existing wind turbines.</p>	<p>It is more likely that amendments will seek larger blades rather than larger nacelles, and the use of the word “nacelles” may have been a simple error.</p>
Paragraph C2.6	<p>C2.6 We will approve hydro-electric schemes if they are located, sited and designed to have no significant individual or cumulative adverse impact on the water environment and the wider natural</p>	<p>Decision making will be primarily concerned with significant effects, and the potential impact of hydro-electric schemes extends beyond the water environment, including terrestrial habitat and landscape and visual impacts for example.</p>

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	<p>environment. This may be relaxed for larger schemes⁷ if the deterioration can be justified on the basis of wider social or economic benefits or impacts on other users of the water environment. In all cases mitigation will be required to protect river flow, river continuity for fish and provide for sediment transfer, and otherwise comply with the “Guidance for developers of run-of-river hydro-power schemes” published by SEPA.</p>	
Paragraph RD2.16	<p>Amend paragraph RD2.16 as follows:</p> <p>RD2.16 In exceptional circumstances, when it is not practical to achieve adequate biodiversity benefits within a development site, we may also need to enhance require enhancement of biodiversity (or geodiversity) offsite or protect geodiversity in proportion to the opportunities available and the scale of the development opportunity, as set out in the general biodiversity Policy P1.7.</p>	<p>The change would retain the emphasis that is contained in Policy P1.7 and clarify that the Council expects that there will be a focus on achieving biodiversity benefits within the development site.</p>
Appendix 7	<p>We recommend that where considered appropriate (e.g. if not already covered), the Appendix 7 allocation summaries include a standard statement setting out the need for good quality, biodiverse open space.</p>	<p>We think that many of the allocation summaries may benefit from emphasising the importance of good quality open space, which would include nature-rich space. We recognise that, as sometimes noted in the ‘issues and actions’ reports, the Council does have separate policies on biodiversity and on open space. However reminding developers of the need for good quality, biodiverse, open space within the allocation summaries</p>

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		<p>themselves is only going to improve the quality of development coming forward. To that end, we have suggested that the allocation summaries might include a standard reference to this, if not already covered.</p> <p>Based on a quick exercise, we see that reference to the phrase “open space” can vary quite markedly between Settlement Statements; some referring to this in approximately 40% or 50% of their allocation summaries, and others referring to this in around 10% of the allocation summaries. This kind of appraisal clearly gives an imperfect impression (e.g. it does not take account of the Council consistently requiring buffers around watercourses – these being a form of biodiverse open space), but it shows that there could be variations in how consistently developers are reminded of the need to deliver good quality open space. Similarly, reference to “biodiverse” or “biodiversity” is seen in around 40% of allocation summaries within one Settlement Statement, but not at all in the allocation summaries for another.</p> <p>Good quality open space is vital to successful placemaking. It provides economic, social and ecological benefits to support quality of life, health and wellbeing. It also contributes towards tackling climate change. This perspective is reflected in the Council’s own response to the NPF4 ‘call for ideas’; the response also makes the case for adding biodiversity to NPF4 as a seventh principle on quality places.</p> <p>Given this acknowledged importance, we recommend that the Council reviews the allocation summaries and where considered</p>

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		<p>appropriate includes a relatively standard statement on requirement for the development to deliver good quality, biodiverse open space. The Council would be able to devise an appropriate form of words and judge which allocation summaries would benefit from inclusion of such wording.</p> <p>Doing this will improve consistency between allocation summaries and could make a significant difference to the quality of development being delivered by the plan.</p>
Appendix 7	<p>We recommend that the Council reviews Appendix 7 allocation summaries to check those for which reference to active travel provision might also be helpfully included, together with recognition of any opportunities to link into wider path networks.</p>	<p>We carried out an exercise reviewing allocation summaries for the larger allocations (>40 homes), and where requirements for active travel provision were not mentioned at all we have made representations on this, sometimes also flagging the potential for links to nearby path networks.</p> <p>The >40 home cut off was fairly arbitrary, noting that some smaller allocations may be ‘large’ relative to the receiving settlement, and that even the smaller allocations could benefit from inclusion of relatively standard wording on active travel so as to improve delivery of more liveable and walkable places.</p> <p>We recommend that the Council carries out its own review, and includes new wording as appropriate. This will help promote safe and convenient active travel opportunities in keeping with the LDP’s objectives, e.g. as stated at paragraph 3.3 of the Proposed Plan.</p>

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Appendix 7	We recommend that the Council reviews Appendix 7 allocation summaries to check whether reference to “footpaths” might be better replaced with the word “paths” or the phrase “active travel route”.	<p>Reflecting our representation on Policy B1.2, we consider that it is better to use “paths” and/or “active travel routes”, as that covers everything from:</p> <ul style="list-style-type: none"> • paths used for active travel and broader recreation and enjoyment; to • active travel routes that may well use paths but may also include segregated cycle lanes on or off road or even quieter roads. <p>Although the preference is always to get as much off road as possible and onto shared use paths, for all types of use - walking, cycling, wheeling, riding etc.,</p> <p>“Footpath” may not be the best choice of word within the plan as it could be perceived as implying restricted use, although we recognise that sometimes councils will use the term “footway” as this is a roads definition for pavements associated directly with a road.</p>
Appendix 7	We recommend that the Council reviews its site-specific requirements for masterplans, as expressed in the Appendix 7 allocation summaries, to check whether this requirement may have been mistakenly omitted, or whether in some cases the requirement might helpfully be added to align with Council policy.	In some cases we have noted that the requirement for a masterplan is not mentioned in the allocation summary for a particular allocation, despite it being discussed in the Delivery Programme. In other cases the requirement for a masterplan is not set out in either document despite the allocation exceeding the threshold identified in the Council’s policy. For example:

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
		<p>Appendix 7a - Banff & Buchan: Cairnbulg and Inverallochy OP1 – 85 homes. No masterplan requirement set out in Appendix 7, but apparently required based on Delivery Programme (page 5).</p> <p>Appendix 7a - Banff & Buchan: Cornhill OP2 – 63 homes. No masterplan requirement set out in Appendix 7, but apparently required based on Delivery Programme (page 5).</p> <p>Appendix 7d – Garioch: Inverurie & Port Elphinstone, OP16. 50 homes. No masterplan requirement set out in Appendix 7, or in Delivery Programme but at 50 homes would appear to be over the threshold for major development.</p> <p>Appendix 7e – Kincardine and Mearns: Gourdon, OP2 . 5.5ha employment land. No masterplan requirement set out in Appendix 7, or in Delivery Programme but would appear to be over the 2ha threshold for major development. (Also lies in a relatively sensitive location, noting our comments for Gourdon OP1.)</p>
Appendix 7a - Banff & Buchan: New Aberdour, OP1	<p>Inclusion of the following wording within the allocation summary (we suggest at the end of the summary):</p> <p>Provision for active travel is required. Efforts should be made through the site layout to link into the core path network.</p>	<p>This is a relatively large proposed development (48 homes), and there is no mention of active travel provision within the allocation summary. A core path lies to the north of the site across Elphin Street. Inclusion of this wording would help promote safe and convenient active travel opportunities (in keeping with the LDP’s objectives, e.g. as stated at paragraph 3.3 of the Proposed Plan).</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
<p>Appendix 7a - Banff & Buchan: Rosehearty, OP1</p>	<p>Inclusion of the following wording in the allocation summary (we suggest after the second sentence):</p> <p>Landscape planting should be of an appropriate scale and integrated into the development with good quality open space. Consideration should be given to the extent and siting of development within this site, embedding mitigation of landscape and visual effects by design.</p>	<p>We note that “A Masterplan will be required to demonstrate integration of the development as a whole with the existing village...”.</p> <p>We remain of the view that the design, location and narrow width of the proposed strategic landscape planting will do little to mitigate the effects of the prominent and relatively large scale site at this locale.</p> <p>We recommend therefore that, as part of the masterplan process, further consideration should be given to the extent and siting of development within this site, embedding mitigation of landscape and visual effects by design. And that the proposed landscape planting should be of an appropriate scale and integrated into the development with good quality open space.</p>
<p>Appendix 7b – Buchan: Crimond, OP2</p>	<p>Inclusion of the following wording in the allocation summary (we suggest after the sentence which reads “Housing design should be of high standard and must be sympathetic to the surrounding area.”):</p> <p>Care should be given to the siting and design of development at this locale which contributes to the gateway to Crimond from the busy A90 trunk road when approaching from the west. Concentrating development towards the south eastern part of the site where is abuts the existing settlement edge will provide greatest scope to maintain the existing compact nature of the settlement.</p>	<p>This is a new allocation located on a relatively flat site on the northwest edge of the existing settlement. We consider that this site would erode the existing more compact nature of the settlement and contribute to the merging of the settlement with surrounding small farm clusters in the wider countryside. We advise that some limited scope existing to develop a small part of the south eastern part of the site where is abuts the existing settlement edge. In any case, care should be given to the siting and design of any development at this locale which would contribute to the gateway to Crimond from the busy A90 trunk road when approaching from the west.</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
<p>Appendix 7b – Buchan: Hatton, OP2</p>	<p>Amend or remove wording so as to avoid suggesting that connection to a public sewer is necessary to mitigate effects on the Buchan Ness to Collieston Coast SPA. This could be done by removing that part of the allocation summary which says:</p> <p>"The site is set directly adjacent to a burn that flows towards Buchan Ness to Collieston SPA and is likely to have an impact through drainage. The proposal would need to connect to a public sewer to mitigate effects on the Special Protection Areas."</p>	<p>While connecting to the public sewer may nevertheless be required by the Council, we advise that, given the qualifying interests of the site (seabirds) and the nature of the proposed development, this mitigation is not necessary to avoid an adverse effect on integrity of the Buchan Ness to Collieston Coast SPA.</p>
<p>Appendix 7b – Buchan: New Pitsligo, OP2</p>	<p>Inclusion of the following wording in the allocation summary (we suggest after the second sentence):</p> <p>Care should be taken to ensure the siting and design of development reflects the existing strong geometric grid development pattern of New Pitsligo.</p> <p>Additionally, inclusion of the following wording in the allocation summary (we suggest at the end of the summary):</p>	<p>We note that a masterplan for the site will be required. The site is located to the west of the existing settlement. Being located on sloping ground raises its landscape and visual sensitivity. We recommend that the allocation summary includes advice that care should be taken to ensure the siting and design of development reflects the existing strong geometric grid development pattern of New Pitsligo.</p> <p>We also recommend that the allocation summary includes mention of the need to consider active travel and links to the core path network. This is a relatively large proposed development (90 homes), and there is no mention of active travel provision within the allocation summary. A core path lies nearby, across the road to the north of the site. Inclusion of this</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
	<p>Provision for active travel is required. Efforts should be made through the site layout to link into the core path network.</p>	<p>wording would help promote safe and convenient active travel opportunities (in keeping with the Proposed Plan’s aims).</p>
<p>Appendix 7b – Buchan: Peterhead, OP1</p>	<p>Inclusion of the following wording (or similar) in the allocation summary (we suggest at the end of the penultimate paragraph):</p> <p>Compensatory planting must be provided should there be tree loss.</p>	<p>There are areas of commercial forestry at the south of this allocation, with the MIR having suggested that there may be 180 homes in this locality (BU052). We recommend that the allocation summary includes brief information on expectations for compensatory planting in relation to the Control of Woodland Removal Policy - e.g. that equivalent compensatory planting must be provided should there be tree loss.</p>
<p>Appendix 7b – Buchan: Strichen, OP3</p>	<p>Inclusion of the following wording (or similar) in the allocation summary (we suggest at the end of the penultimate paragraph):</p> <p>Proposals should encourage a development pattern that reflects the geometric grid layout which is distinctive to Strichen.</p>	<p>At MIR stage we noted that the larger bid site MU009 was located on a sloping landform which extended westwards up from the North Ugie river valley. We noted that this land contributes to the immediate landscape setting of Strichen and in particular is highly visible in views from the High Street between the series of lands running perpendicular. We stated that development of this site is likely to incur significant landscape and visual impacts. We acknowledge the slight reduction in the extent of the site, but reiterate previous comments about the sensitivity and contribution of the site to the wider setting of the existing settlement. We advise that the allocation summary should strongly advocate a development pattern that reflects the geometric grid layout which is distinctive to Strichen. (In addition, we note that in the ‘issues and actions’ report it seems that the comments relevant to BU057 and BU009 have been swapped.)</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
Appendix 7c – Formartine: Balmedie, OP1	<p>Amend or remove wording so as to avoid suggesting that planning controls on construction and operation are necessary to mitigate an adverse effect on integrity of the Sands of Forvie Special Area of Conservation (SAC) and Ythan Estuary, Sands of Forvie and Meikle Loch Special Protection Area (SPA). This could be done by removing that part of the allocation summary which states that:</p> <p>"The Sands of Forvie Special Area of Conservation (SAC) and Ythan Estuary, Sands of Forvie and Meikle Loch Special Protection Area (SPA) are located to the northeast of the site. The development could have an effect indirectly through drainage on geese grazing areas, however planning controls on construction and operation will help towards mitigating impacts."</p>	<p>While mitigating drainage impacts through planning controls on construction and operation may be required by the Council, we advise that this mitigation is not necessary to avoid an adverse effect on integrity of the Sands of Forvie Special Area of Conservation (SAC) and Ythan Estuary, Sands of Forvie and Meikle Loch Special Protection Area (SPA).</p>
Appendix 7c – Formartine: Balmedie, OP2	<p>Amend or remove wording so as to avoid suggesting that planning controls and construction operation are necessary to mitigate an adverse effect on integrity of the Sands of Forvie Special Area of Conservation (SAC) and Ythan Estuary, Sands of Forvie and Meikle Loch Special Protection Area (SPA). This could be done by removing that part of the allocation summary which states that:</p>	<p>While planning controls on construction and operation may be required by the Council, we advise that this mitigation is not necessary to avoid an adverse effect on integrity of the Sands of Forvie Special Area of Conservation (SAC) and Ythan Estuary, Sands of Forvie and Meikle Loch Special Protection Area (SPA).</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
	<p>"The Sands of Forvie SAC and Ythan Estuary, Sands of Forvie and Meikle Loch SPA are located to the northeast of the site. Planning controls on construction and operation will help towards mitigating impacts for the development on these sites."</p>	
<p>Appendix 7c – Formartine: Belhelvie, OP2</p>	<p>Amend or remove wording so as to avoid suggesting that planning controls on construction and operation are necessary to mitigate an adverse effect on integrity of the Sands of Forvie Special Area of Conservation (SAC) and Ythan Estuary, Sands of Forvie and Meikle Loch Special Protection Area (SPA). This could be done by removing that part of the allocation summary which states that:</p> <p>"The Sands of Forvie Special Area of Conservation (SAC) and Ythan Estuary, Sands of Forvie and Meikle Loch Special Area of Protection (SPA) are located to the northeast of the site. The development would have an effect indirectly through drainage, visitor pressure and impact on geese grazing grounds. However, planning controls on construction and operation will work to mitigate impacts."</p> <p>In addition we advise inclusion of the following wording within the allocation summary (we suggest at the end of the first paragraph):</p>	<p>While planning controls on construction and operation may be required by the Council, we advise that this mitigation is not necessary to avoid an adverse effect on integrity of the Sands of Forvie Special Area of Conservation (SAC) and Ythan Estuary, Sands of Forvie and Meikle Loch Special Protection Area (SPA).</p> <p>The allocation summary states that "The Sands of Forvie Special Area of Conservation (SAC) and Ythan Estuary, Sands of Forvie and Meikle Loch Special Area of Protection (SPA) are located to the northeast of the site. The development would have an effect indirectly through drainage, visitor pressure and impact on geese grazing grounds. However, planning controls on construction and operation will work to mitigate impacts." In our view, although planning controls may be welcome, these proposed allocation would not adversely affect the integrity of these sites.</p> <p>We recommend that the requirement for active travel provision is made in the allocation summary, potentially in the context of the shared access strategy with OP1 and OP3. Inclusion of this wording would help promote safe and convenient active travel opportunities (in keeping with the Proposed Plan’s aims).</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
	<p>Provision for active travel is required, and this should seek to coordinate with any provision for OP1 and OP3.</p>	
<p>Appendix 7c – Formartine: Belhelvie, OP3</p>	<p>We advise inclusion of the following wording within the allocation summary (we suggest after the penultimate sentence of the first paragraph):</p> <p>Provision for active travel is required, and this should seek to coordinate with any provision for OP2.</p>	<p>We recommend that the requirement for active travel provision is made in the allocation summary, potentially in the context of the shared access strategy with OP2. Inclusion of this wording would help promote safe and convenient active travel opportunities (in keeping with the Proposed Plan’s aims).</p>
<p>Appendix 7c – Formartine: Ellon, OP1</p>	<p>Amend or remove wording so as to avoid suggesting that planning controls on construction and operation are necessary to mitigate an adverse effect on integrity of the Sands of Forvie Special Area of Conservation (SAC). This could be done by removing that part of the allocation summary which states that:</p> <p>"The Ythan Estuary, Sands of Forvie and Meikle Loch SPA are located to the southeast of the site and the site is likely to have an impact on the qualifying species indirectly through recreation pressures, land take for development, drainage and impact on geese grazing areas. However, planning controls on construction and operation will work to mitigate these impacts."</p>	<p>While planning controls on construction and operation may be required by the Council, we advise that this mitigation is not necessary to avoid an adverse effect on integrity of the Sands of Forvie Special Area of Conservation (SAC).</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
Appendix 7c – Formartine: Ellon, OP4	Amend the allocation summary to include a requirement for a masterplan.	We suggest that a masterplan requirement may be appropriate for this large (29 ha) employment land allocation.
Appendix 7c – Formartine: Methlick, OP4	We advise inclusion of the following wording within the allocation summary: Provision for active travel is required.	This is a relatively large allocation (63 homes) and inclusion of this wording would help promote safe and convenient active travel opportunities (in keeping with the Proposed Plan’s aims). It would contribute towards better linking the proposal to the core part of the village.
Appendix 7c – Formartine: Newburgh, OP3	Amend or remove wording so as to avoid suggesting that appropriate drainage provision and a Construction Method Statement are necessary to mitigate an adverse effect on integrity of the Sands of Forvie SAC; Ythan Estuary, Sands of Forvie and Meikle Loch SPA and Buchan Ness to Collieston Coast SPA. This could be done by removing that part of the allocation summary which states that: "Appropriate drainage provision will be required to demonstrate that no impact will result on the nearby Special Protection Area and Special Area of Conservation sites." and "The Sands of Forvie SAC; Ythan Estuary, Sands of Forvie and Meikle Loch SPA and Buchan Ness to Collieston Coast SPA are located to the northeast of the settlement. The site may have a disturbance to geese, recreational impacts on tern colonies, and the erosion of dunes. Any future Masterplan or	While appropriate drainage provision and a Construction Method Statement may be required by the Council, we advise that this mitigation is not necessary to avoid an adverse effect on integrity of the Sands of Forvie Special Area of Conservation (SAC).

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
	<p>planning application will need to contain a Construction Method Statement to take account of the potential impacts to the qualifying interests of the Ythan Estuary, Sands of Forvie and Meikle Loch SPA and RAMSAR."</p>	
<p>Appendix 7c – Formartine: Oldmeldrum, OP4</p>	<p>We advise inclusion of the following wording within the allocation summary (we suggest at the end of the second paragraph):</p> <p>Provision for active travel is required, including a link to the nearby recreational path (Den of Gownor track). This should also seek to coordinate with any provision for OP5 to the south.</p>	<p>This is a relatively large allocation (68 homes) and inclusion of this wording would help promote safe and convenient active travel opportunities (in accordance with the Proposed Plan’s aims). It would contribute towards better linking the proposal to existing paths and the rest of the village.</p>
<p>Appendix 7c – Formartine: Pitmedden, OP3</p>	<p>We advise inclusion of the following wording within the allocation summary (we suggest after the penultimate sentence of the final paragraph):</p> <p>Provision for active travel is required.</p>	<p>This is a relatively large allocation (68 homes) and inclusion of this wording would help promote safe and convenient active travel opportunities (in accordance with the Proposed Plan’s aims).</p> <p>The allocation summary says: "An Access Strategy is required in order to deliver two accesses to OP3. Connectivity with site OP1 should be provided. Wider transportation requirements are to be determined through a Transport Assessment that takes all of the proposed allocations into account." We recommend that provision for active travel is also encouraged in that context.</p>

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Appendix 7c – Formartine: Potterton, OP1	We advise inclusion of the following wording within the allocation summary (we suggest at the end of the second paragraph): Provision for active travel is required.	This is a large allocation (172 homes). The allocation summary says "A Transport Assessment taking all the settlement allocations into account is required to determine wider area impacts and accessibility infrastructure requirements associated with the overall expansion of Potterton." We recommend that provision for active travel is also encouraged in that context. This will help promote safe and convenient opportunities (in accordance with the Proposed Plan’s aims).
Appendix 7c – Formartine: Potterton, OP1	We advise inclusion of the following wording within the allocation summary (we suggest at the end of the second paragraph): Provision for active travel is required.	This is a relatively large allocation (61 homes). The allocation summary says "A Transport Assessment taking all the settlement allocations into account is required to determine wider area impacts and accessibility infrastructure requirements associated with the overall expansion of Potterton." We recommend that provision for active travel is also encouraged in that context. This will help promote safe and convenient opportunities (in accordance with the Proposed Plan’s aims).
Appendix 7c – Formartine: Turriff, OP3	We advise inclusion of the following wording within the allocation summary (we suggest after the first sentence of the second paragraph): Provision for active travel is required.	At MIR stage in relation to bid site FR134 we recommended further landscape/visual consideration as, in our view, this site related poorly to the existing main settlement of Turriff and also Little Turriff immediately adjacent. We commented that it sits on a flat plateau which is suspended up from and physically divorced from the main Burn of Turriff. We reiterate our previous comments, noting that if the site is challenging then no amount of landscape design will improve it. If the Council wishes to include this site, we suggest that consideration is given in particular to how this site would link into

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		<p>and across the Burn of Turriff valley and the main settlement centre to the north for non-motorised users.</p> <p>We note that “Footway provision will be required on the south side of the B9024 linking to the existing network”, but a sentence on the need for active travel provision will help promote safe and convenient opportunities (in accordance with the Proposed Plan’s aims).</p>
Appendix 7d – Garioch: Inverurie & Port Elphinstone, OP15	<p>We advise inclusion of the following wording within the allocation summary:</p> <p>Provision for active travel is required.</p>	<p>This is a large allocation (130 homes). We recommend that a requirement for provision for active travel is mentioned in the summary to help promote safe and convenient opportunities (in accordance with the Proposed Plan’s aims).</p>
Appendix 7d – Garioch: Inverurie & Port Elphinstone, OP16	<p>We advise inclusion of the following wording within the allocation summary:</p> <p>Provision for active travel is required.</p>	<p>This is a relatively large allocation (50 homes). The allocation summary says "Access and connectivity should be integrated with site OP1. Footway links require to include a crossing on Burghmuir Drive". We recommend that provision for active travel is also highlighted to help promote safe and convenient opportunities (in accordance with the Proposed Plan’s aims).</p>
Appendix 7d – Garioch: Kingseat, OP1	<p>We advise inclusion of the following wording within the allocation summary:</p> <p>Provision for active travel is required together with good quality open space.</p>	<p>The allocation summary notes that "This is a newly allocated site offering remediation of a brownfield site." The additional wording would help promote good quality open space and safe and convenient active travel opportunities (in accordance with the Proposed Plan’s policies).</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
Appendix 7d – Garioch: Newmachar, OP3	<p>We advise inclusion of the following wording within the allocation summary (we suggest after the first paragraph):</p> <p>There could be improvement to the settlement edge to the south if combined with well-designed structure planting. Provision for active travel is required, with links into the town centre through the site layout.</p>	<p>This is a large site (11.1 ha of employment land) on the south of Newmachar. A masterplan is required. If fully developed the allocation would reduce the compactness of the settlement form and contribute to unsustainable ribbon development divorced from the main settlement centre and key facilities. However taking due cognisance of the Preferred Line of the Future New Distributor Road, development of a greater part of this site appears sensible. Some consideration should be given to the design of the new southern settlement edge (as opposed to the alignment of the New Road) incorporating well designed structure planting. We recommend that there is most opportunity to develop part of the site to the west and north where it abuts Hillbrae Way, and that there could be improvement to the settlement edge to the south if combined with well-designed structure planting.</p> <p>A recommendation to provide active travel facilities would improve links between this employment land and the town centre (and be in accordance with the Proposed Plan’s policies).</p>
Appendix 7d – Garioch: Westhill, OP3	<p>We advise inclusion of the following wording at the end of the allocation summary:</p> <p>Active travel facilities and good quality open space are required. Efforts should be made, including through the site layout, to connect through the adjacent business park to core paths beyond, including the core path the west across Peregrine Road.</p>	<p>This is a relatively large allocation (63 homes) (promoted as 100% affordable housing). The development requires a masterplan. Provision of good quality open space which might link with existing areas of open space in the business park will improve amenity for this development. Active travel routes could also potentially link through the business park to the core path beyond, noting in particular the existence of a core path less than 100m away in woodland to the west across Peregrine Road, and the core path to the east on Enterprise Drive. These opportunities should be fully explored. This would improve</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
		placemaking and promote safe and convenient opportunities for active travel (in accordance with the Proposed Plan’s aims).
Appendix 7e – Kincardine and Mearns: Blairs College Estate, OP1	<p>We advise inclusion of the following wording within the allocation summary:</p> <p>Provision for active travel is required, in particular noting potential for paths to link northwards towards the proposed footbridge over the River Dee.</p> <p>The Council should also consider including wording saying that:</p> <p>Future planning applications will require to be subject to Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC.</p> <p>This phrase could be inserted before the sentence which says “A Construction Method Statement may also be required to take account of the potential impacts on the qualifying interests of the River Dee SAC”.</p>	<p>We recommend that the allocation summary includes a requirement for provision for active travel facilities, noting potential for routes to link northwards beyond the site and over the proposed footbridge over the River Dee. This would promote safe and convenient opportunities for active travel (in accordance with the Proposed Plan’s aims).</p> <p>We note that the allocation summary says that "The proposal would need to connect to a public sewer to mitigate effects on the River Dee SAC" and "A Construction Method Statement may also be required to take account of the potential impacts on the qualifying interests of the River Dee SAC". Taking account of existing permissions and potential future planning applications, the Council may wish to clarify that future planning applications will be subject to Habitats Regulations Appraisal (HRA). As part of that process the Council can then consider whether individual proposals are likely to have a significant effect and whether an adequate Construction Method Statement (or Construction Environmental Management Plan) may be required to avoid adverse effects on integrity of the River Dee SAC.</p>
Appendix 7e – Kincardine and Mearns: Gourdon, OP1	We advise the following additions to the first paragraph of the allocation summary:	The allocation summary says that "development should be set back from Brae Road to at least the width of the existing cemetery". The issues and actions report explains why this set back is being required i.e. "The bid is also adjacent to the

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
	<p>This is a newly allocated site. This site is located on a prominent location that overlooks the sea, and development should be set back from Brae Road to at least the width of the existing cemetery. This will allow for potential future extension to the cemetery, along with an area for car parking. The design of the homes should also respect the distinctive character of Gourdon and its setting along the coastline. There should be particular consideration of the special qualities of the coastal Special Landscape Area, and the potential impacts on the experience of arrival to the existing settlement in the wider context of seaward vistas. Due to the visual and landscape sensitivity of this site, a Masterplan will be required.</p> <p>We also advise inclusion of the following wording in the allocation summary (at the end of the third paragraph):</p> <p>Good quality open space is required. Provision for active travel is also required and this should seek to connect to existing active travel routes, including the nearby National Cycle Network Route 1 (NCR1).</p>	<p>cemetery (which is close to capacity) and leaves ample space for an extension to the north along with an area for car parking”. It would be useful to include some wording explaining this rationale within the allocation summary.</p> <p>At MIR stage, in relation to bid site KN135, we commented that the site was poorly located in relation to the historic core of Gourdon and that development at the site was likely to significantly detract from the special qualities of the coastal SLA, and would interrupt the experience of arrival to the existing settlement, in the wider context of seaward vistas. We note that the Council has sought to address this to some degree through a reduced proposal. Our concerns remain that the location is very challenging and the required masterplan will need to be robust to minimise impacts as far as possible.</p> <p>A requirement for good quality open space and active travel facilities (particularly a link to NCN1) would encourage good placemaking and promote safe and convenient opportunities for active travel (in accordance with the Proposed Plan’s aims).</p>
Appendix 7e – Kincardine and Mearns: Inverbervie, OP1	We advise the following additions to the second paragraph of the allocation summary:	The site is a large area on the southern edge of Inverbervie, sloping westwards up from the main A92. Roughly half of the site to the west is located on steeper sloping comprising the mid

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
	<p>A Masterplan for the site was agreed by the Kincardine and Mearns Area Committee in April 2015, but it will need to be reviewed if development has not commenced on this site at the date of adoption of this Local Development Plan. Any review of the Masterplan should consider the landscape benefits of drawing the development down the slope into the more eastern part of the site, commensurate with existing development. To help minimise coalescence of Inverbervie with Gourdon, adequate open space should also be retained at the south eastern corner of the site.</p>	<p>slopes of Knox Hill, which significantly contributes to the inland landform setting to Inverbervie. In our view, development should avoid this western extent of the site to reduce significant adverse landscape and visual impacts. Furthermore if the remainder of the site is developed this may significantly contribute to the experience of coalescence of Inverbervie with Gourdon to the south. Areas of open space should be retained at the south eastern extent of the site.</p> <p>We note the existing agreed 2015 masterplan (https://www.aberdeenshire.gov.uk/media/14648/h2-inverbervie-masterplan.pdf), but that “it will need to be reviewed if development has not commenced on this site at the date of adoption of this Local Development Plan”.</p> <p>We have therefore couched our representation in the context of a review of the masterplan.</p>
<p>Appendix 7e – Kincardine and Mearns: Johnshaven, OP1</p>	<p>We advise an additional paragraph after the first in the allocation summary:</p> <p>The site is located within the existing policy woodlands and historical designed landscape of the historical Lathallan Estate, and the proposal and landscape design should be sensitive to this. The full extent of the site should not be developed to avoid significant adverse landscape and visual impacts. Any development should be of a scale, siting and design which appears subservient to the surrounding historical landscape. Further</p>	<p>This area comprises a relatively large site located within the existing policy woodlands and historical design landscape of the historical Lathallan Estate. We recommend that this advice is reflected in the allocation summary so as to help inform masterplanning and help avoid significant landscape and visual impacts.</p>

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	<p>landscape design should reflect the sensitive historical context in terms of layout and species and seek to reinforce and enhance the existing character.</p>	
<p>Appendix 7e – Kincardine and Mearns: Laurencekirk, OP8</p>	<p>We advise inclusion of the following wording at the end of the first paragraph of the allocation summary:</p> <p>Careful consideration in terms of layout, massing and design of built and landscape work should be given to the eastern edge of the proposed site, in particular in how it contributes to the eastern entrance to Laurencekirk.</p>	<p>This employment land lies on the eastern approach to Laurencekirk, and the proposed wording highlights key concerns would act to help reduce landscape and visual impacts of the proposal at this edge of the settlement.</p>
<p>Appendix 7e – Kincardine and Mearns: Newtonhill, OP2</p>	<p>We advise the following amendment to the first paragraph of the allocation summary:</p> <p>This site was previously allocated as site OP2 in the LDP 2017. Future development should ensure that there is appropriate screening of the development to both the residential areas of Chapelton and Newtonhill. To maintain some ‘rural’ landscape setting between these two large settlements, development should be concentrated towards the eastern extent of this site. An ‘on road link’ to the A-core path network also runs along the boundary of the site and connections should be made to link up with the network.</p>	<p>As outlined by SNH at the MIR stage, the scale and form of this site, projecting westwards out from the A90, significantly narrows and erodes the existing area of agricultural land that separates Newtonhill/A90 from the emerging settlement at Chapleton. To maintain some ‘rural’ landscape setting between these two large settlements, we consider that development should be concentrated to the eastern extent of this site. We advise, therefore, that this requirement is included in the allocation summary.</p> <p>We note that the allocation summary refers to a core path on the boundary of this site. However, no core path is shown at this location on the settlement map and we understand that rather than being a core path, this is an ‘on road link’.</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
Appendix 7e – Kincardine and Mearns: Park, OP1	<p>We advise inclusion of the following wording in the allocation summary (we suggest at the end of the second paragraph):</p> <p>This proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC.</p>	<p>The allocation summary says that "A Construction Method Statement may also be required to take account of the potential impacts on the qualifying interests of the River Dee SAC". We recommend that the allocation summary includes a requirement that it will be made subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of that process the Council can then consider whether the proposal is likely to have a significant effect and whether an adequate Construction Method Statement (or Construction Environmental Management Plan) may be required to avoid adverse effects on site integrity.</p>
Appendix 7e – Kincardine and Mearns: Portlethen, OP1	<p>We advise inclusion of the following wording within the allocation summary:</p> <p>Provision for active travel is required.</p>	<p>The allocation summary notes that "This site is located on a gap site within the Hillside housing development. Planning Permission is currently pending on this site. A Transport Assessment may be required to set out the wider infrastructure requirements, and contributions may be required to improve the A92(T) Findon trunk road junction. This will need to be investigated. Connectivity with the existing homes and Hillside Primary School is required." In that context, we recommend that the allocation summary promotes active travel provision in accordance with (in accordance with the Proposed Plan’s aims).</p>
Appendix 7e – Kincardine and Mearns: Portlethen, OP2	<p>We advise following amended wording within the allocation summary (to replace the final sentence in the first paragraph):</p>	<p>We note that the allocation summary refers to a core path on the boundary of this site, and that connections could be made to this. However, no core path is shown at this location on the settlement map and we understand that rather than being a core path, this is an ‘on road link’ (and Route 1 of the National Cycle</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
	<p>There is a core path on the boundary of the site and connections could be made to this. Provision for active travel is required. Efforts should be made to link into the National Cycle Network Route 1 which lies on the north boundary of the site.</p>	<p>Network). We advise that active travel provision to and from this site be required. This would promote active travel provision in accordance with the Proposed Plan’s aims.</p>
<p>Appendix 7e – Kincardine and Mearns: Stonehaven, OP2</p>	<p>We advise the following additional wording within the allocation summary fourth paragraph:</p> <p>Consideration should also be given to providing footpath active travel linkages with Stonehaven as well as providing safe routes to School. A core path runs along the boundary and through the site and connections should be made to the network.</p> <p>The core path forms part of a key cycle link between B979 and A957 and amenity of this link/core path should be retained despite the requirement for a new linking road. Public Transport services should be delivered with construction of the link road in accordance with the site-wide Public Transport Strategy.</p>	<p>As outlined at the MIR stage, the core path to the south of the site forms part of a key cycle link between B979 and A957. The allocation summary refers to the requirement for a link road between these roads. The amenity of this link/core path should be retained despite the requirement for a new linking road. This will help support active travel in accordance with the LDP.</p>
<p>Appendix 7e – Kincardine and Mearns: Stonehaven, OP3</p>	<p>We advise inclusion of the following additional wording in the allocation summary fifth paragraph:</p> <p>It is also important that consideration is given to possible footpath active travel linkages with the main development of Stonehaven. A core path runs along the boundary of the site and</p>	<p>As outlined at the MIR stage, the core path to the north and west of the site forms part of a key cycle link between B979 and A957. The allocation summary refers to the requirement for a link road between these roads. The amenity of this link/core path should be retained despite the requirement for a new linking road. This will help support active travel in accordance with the LDP.</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
	<p>connections should be made to the network. The core path forms part of a key cycle link between B979 and A957 and amenity of this link/core path should be retained.</p>	<p>We also welcome the proposal for a revised masterplan for the Ury Estate.</p>
<p>Appendix 7e – Kincardine and Mearns: Stonehaven, OP5</p>	<p>We advise inclusion of the following additional wording in the allocation summary (we suggest as a new fifth paragraph):</p> <p>Development of the full extent of this site is likely to incur significant effects on the designed (non-inventory) landscape of Ury House and is likely to compromise the balance of open to enclosed spaces which typify this historic parkland. To minimise effects on the designed landscape, the siting and massing of housing should seek to focus on the lower slopes, with a landscape structure to reflect the character, scale and species of the existing policy woodlands. Specification of planting should follow best practice to ensure early and effective establishment of tree stock on this more exposed site. Opportunities to further reinforce the historic character in this locale should be explored.</p> <p>We also recommend the inclusion of the following sentence (we suggest to precede that saying that "Access and connectivity must be integrated with site OP2."): </p>	<p>As we noted at MIR stage, in relation to bid site KN103, this site poses greater potential for significant effects on the designed (non-inventory) landscape of Ury House and is likely to compromise the balance of open to enclosed spaces which typify this historic parkland. We note that the Council has sought to address the need to stick to the lower slopes through the P9 Protected and Reserved Sites area which is the minimum area of structural landscaping and this intends to provide a landscape buffer. Noting how the Council is addressing the issue, in part, we reiterate that key to the development of the masterplan should be the siting and massing of housing on the lower slopes, with a landscape structure to reflect the character, scale and species of the existing policy woodlands. Specification of planting should follow best practice to ensure early and effective establishment of tree stock on the more exposed site. Opportunities to further reinforce the historic character in this locale should be explored.</p> <p>The allocation summary notes that "Access and connectivity must be integrated with site OP2." We recommend that the allocation summary promotes active travel provision in accordance with LDP policy.</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
	<p>Provision for active travel is required.</p>	
<p>Appendix 7e – Kincardine and Mearns: Woodland of Durris, OP1</p>	<p>We advise inclusion of the following changes to wording in third paragraph of the allocation summary:</p> <p>Scottish Water has indicated that a Drainage Impact Assessment will be required. The proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required to take account of the potential impacts on the qualifying interests of the River Dee Special Area of Conservation (SAC). The proposal would need to connect to a public sewer to mitigate effects on the River Dee SAC.</p>	<p>The allocation summary says that "A Construction Method Statement may be required to take account of the potential impacts on the qualifying interests of the River Dee SAC". We advise that the allocation summary could note that the development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of that process the Council can then consider whether the proposal is likely to have a significant effect and whether an adequate Construction Method Statement (or Construction Environment Management Plan) may be required to avoid adverse effects on site integrity.</p> <p>As noted in the Proposed Plan, all development will need to comply with SEPA's policy and supporting guidance on the provision of wastewater drainage in settlements. Noting this, and generally speaking, we take the view that connection to a public sewer does not need to be specified as mitigation in order to avoid an adverse effect on integrity of the River Dee SAC.</p>
<p>Appendix 7e – Marr: Aboyne, OP1</p>	<p>We advise the following changes to wording in the allocation summary:</p> <p>A Flood Risk Assessment may be required to support any planning application and a buffer strip will be required adjacent to the watercourse which should be positively integrated into the</p>	<p>Given that the Council has noted the potential need for mitigation in relation to the River Dee SAC, we recommend that the Council clarifies that future development proposals on the site will be subject to Habitats Regulations Appraisal (HRA). As part of that process the Council can then consider whether such proposals are likely to have significant effect and whether, for example, an adequate Construction Method Statement may be</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
	<p>development. Enhancement of the watercourse through re-naturalisation and removal of any redundant features should be investigated. Scottish Water has indicated that a Drainage Impact Assessment and a Water Impact Assessment may be required. Water mains are found to cross the site from north to south and the developer should contact Scottish Water to ascertain whether water mains diversions are required. Future development proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required to take account of the potential impacts to the qualifying interests of the River Dee SAC.</p>	<p>required to avoid adverse effects on integrity of the River Dee SAC. The recommended changes to wording reflect this.</p>
<p>Appendix 7e – Marr: Aboyne, OP2</p>	<p>We advise the following changes to wording in the allocation summary:</p> <p>A Flood Risk Assessment may be required to support any planning application and a buffer strip will be required adjacent to the watercourse which should be positively integrated into the development. Enhancement of the watercourse through re-naturalisation and removal of any redundant features should be investigated. Scottish Water has indicated that a Drainage Impact Assessment and a Water Impact Assessment may be required. Water mains are</p>	<p>If the Council has noted the potential need for mitigation in relation to the River Dee SAC, we would normally recommend that the Council considers clarifying that future development proposals on the site will be subject to Habitats Regulations Appraisal (HRA). As part of that process the Council may then judge whether such proposals are likely to have significant effect and whether, for example, a Construction Method Statement may be required to avoid an adverse effect on integrity of the River Dee SAC.</p> <p>In this case, however, we note that “Planning permission has been granted for 181 homes. The site is under construction and due to be completed in the early part of the Plan period”. We</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
	<p>found to cross the site from north to south and the developer should contact Scottish Water to ascertain whether water mains diversions are required. A Construction Method Statement may be required to take account of the potential impacts to the qualifying interests of the River Dee SAC.</p>	<p>suggest, therefore, that the Council may wish to remove wording referring to the River Dee SAC. We assume the Council has already considered the implications of the proposal for the SAC. Our proposed changes to wording reflect this. If however the Council considers that future proposals may come forward and these should be subject to HRA, the requirement for HRA in relation to those could be included within the allocation summary.</p>
<p>Appendix 7e – Marr: Alford, OP1</p>	<p>We advise the following wording is included in the allocation summary (we suggest after the second sentence):</p> <p>Efforts should be made through the layout of the site to link into the new proposed core path in woodland adjacent to the west boundary of the site.</p>	<p>We note the presence of a new proposed core path in woodland which ends adjacent to the west boundary of the site. This is shown on the Council's website maps but not on the settlement statement maps which only shows existing core paths. We therefore recommend that the allocation summary includes that an active travel link should be sought from the town centre through to this core path.</p> <p>This would support active travel in accordance with the aims of the Proposed Plan.</p>
<p>Appendix 7e – Marr: Alford, OP6</p>	<p>We advise the following wording is included in the allocation summary at the end of paragraph 1:</p> <p>Active travel opportunity and path connectivity should be provided to the site. Efforts should be made through the site layout to link into the core path network north side of the site.</p>	<p>We recommend an addition which would flag a potential link to the core path network to the north. This would support active travel in accordance with the aims of the Proposed Plan.</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
Appendix 7e – Marr: Banchory, OP1	<p>We advise the following changes to wording in the allocation summary:</p> <p>A Drainage Impact Assessment will be required with a new pumping station or upgrade to the existing station required. Demand for water and waste water capacity for the non-domestic element of this development will depend on the business uses proposed. Early engagement with Scottish Water is encouraged. Proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required to take account of the potential impacts to the qualifying interests of the River Dee SAC.</p>	<p>Given that the Council has noted the potential need for mitigation in relation to the River Dee SAC, we recommend that the Council clarifies that proposals will be subject to Habitats Regulations Appraisal (HRA). As part of that process the Council can then consider whether such development would have a likely significant effect and whether an adequate Construction Method Statement may be required to avoid adverse effects on integrity of the River Dee SAC. The recommended changes to wording reflect this.</p>
Appendix 7e – Marr: Banchory, OP2 and OP3	<p>We advise the following changes to wording in the fifth paragraph of the allocation summary:</p> <p>A Construction Method Statement may be required to take account of the potential impacts to the qualifying interests of the River Dee SAC.</p>	<p>We note that the allocation summary says “Delivery of the sites are phased with construction underway. Completion is anticipated during this Plan period”. The fifth paragraph of the allocation summary says that "A Construction Method Statement will be required to take account of the potential impacts on the qualifying interests of the River Dee SAC".</p> <p>We suggest that the Council may wish to remove wording referring to the River Dee SAC to take into account the planning status for the site. We assume the Council has already considered the implications of the proposal for the SAC. Our proposed changes to wording reflect this. If however the Council considers that future proposals may come forward for</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
		the site and these should be subject to HRA, then we suggest that requirement for HRA could be included within the allocation summary.
Appendix 7e – Marr: Banchory, OP4	<p>We advise the following changes to wording in the allocation summary:</p> <p>A Drainage Impact Assessment will be required with a new pumping station or upgrade to the existing station required. A Flood Risk Assessment will be required. A buffer strip will be required adjacent to the watercourse and should be integrated as a positive feature of the development. Enhancement of the watercourse and removal of any redundant features should be investigated. Proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required to take account of the potential impacts to the qualifying interests of the River Dee SAC.</p>	Given that the Council has noted the potential need for mitigation in relation to the River Dee SAC, we recommend that the Council clarifies that proposals will be subject to Habitats Regulations Appraisal (HRA). As part of that process the Council can then consider whether such development is likely to have a significant effect and whether an adequate Construction Method Statement may be required to avoid adverse effects on integrity of the River Dee SAC. The recommended changes to wording reflect this.
Appendix 7e – Marr: Banchory, OP5	<p>We advise the following changes to wording in the allocation summary:</p> <p>A Flood Risk Assessment may be required. A buffer strip will be required which should allow for no development within the natural river corridor of</p>	Given that the Council has noted the potential need for mitigation in relation to the River Dee SAC, we recommend that the Council clarifies that proposals will be subject to Habitats Regulations Appraisal (HRA). As part of that process the Council can then consider whether such development is likely to have a significant effect and whether an adequate Construction

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
	<p>the Burn of Bennie. Enhancement and removal of any redundant features should be investigated.</p> <p>Proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required to take account of the potential impacts to the qualifying interests of the River Dee SAC.</p>	<p>Method Statement may be required to avoid adverse effects on integrity of the River Dee SAC. The recommended changes to wording reflect this.</p>
<p>Appendix 7e – Marr: Banchory, OP6</p>	<p>We advise the additional wording to the fourth paragraph of the allocation summary:</p> <p>Woodland loss should be avoided unless necessary with equivalent compensatory planting provided. A Habitat and Ecological Survey and Mitigation Plan should accompany the planning application. Suitable landscaping should be undertaken and open space provided within the site. Planting as part of a landscape framework should be sensitive to the local landscape character and be proportionate in scale and extent relative to the scale of development.</p> <p>We advise the following changes to wording in the last paragraph of the allocation summary:</p> <p>A Flood Risk Assessment may also be required. Proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee</p>	<p>The site includes Ancient Woodland Inventory – Long Established Plantation Origin and mixed semi-natural/planted mixed broadleaved/conifer woodland. The allocation summary should emphasise that planting should be sensitive to the local landscape character to help ensure the site retains existing landscape structure and biodiversity of value.</p> <p>Given that the Council has noted the potential need for mitigation in relation to the River Dee SAC, we recommend that the Council clarifies that proposals will be subject to Habitats Regulations Appraisal (HRA). As part of that process the Council can then consider whether such development is likely to have a significant effect and whether an adequate Construction Method Statement may be required to avoid adverse effects on integrity of the River Dee SAC. The recommended changes to wording reflect this.</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
	<p>SAC. A Construction Method Statement may be required to take account of the potential impacts to the qualifying interests of the River Dee SAC.</p>	
<p>Appendix 7e – Marr: Finzean, OP1</p>	<p>We advise the addition of the following wording to the second paragraph of the allocation summary:</p> <p>The existing village speed limit on the public road to the front of the site may require relocation with appropriate speed reduction measures put in place. Engagement with the Council’s Transportation Service is encouraged. Provision for active travel is required, with an aim of seeking to improve links between the site and the settlement.</p> <p>We advise the following changes to wording in the third paragraph of the allocation summary:</p> <p>The proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required to take account of the potential impacts to the qualifying interests of the River Dee SAC.</p>	<p>Finzean is largely focussed around the intersection of the B976 and the minor road to Drumhead and contained by blocks of woodland which creates a strong setting. The proposed site is physically and visually divorced from the main settlement, beyond the containment of woodland. It is located in a visually sensitive location on the eastern edge of the settlement. The relatively large scale of the site would contribute to ribbon development along the B976, eroding the existing settlement form. Given the physical distancing, active travel links to the town will be important to help reconnect the development with the village centre, and we recommend that this is considered in the allocation summary.</p> <p>Given that the Council has noted the potential need for mitigation in relation to the River Dee SAC, we recommend that the Council clarifies that proposals will be subject to Habitats Regulations Appraisal (HRA). As part of that process the Council can then consider whether such development is likely to have a significant effect and whether an adequate Construction Method Statement may be required to avoid adverse effects on integrity of the River Dee SAC. The recommended changes to wording reflect this.</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
Appendix 7e – Marr: Huntly, OP5	<p>We advise the addition of the following wording to the allocation summary (we suggest after the second sentence):</p> <p>This is a newly allocated site. Planning permission for a business park has been granted. Active travel opportunity and path connectivity should be provided to the site. To minimise landscape and visual impacts the development of industrial units typically requiring large footprints should be avoided on the majority of this site, especially in the central and southern portions. More scope exists to develop the north of the site, consolidating the existing industrial development. A Flood Risk Assessment may be required. ...</p>	<p>This site is located adjacent to existing industrial development to the south of the A96.</p> <p>While we note that planning permission for a business park has been granted, the site is located on sloping ground on the lower slopes of Tullochbeg (which contributes to the wider uplands of Clashmach Hill). Tullochbeg forms part of the highly sensitive landscape and visual setting to Huntly to the south and west. Our advice would help minimise landscape and visual impacts upon this setting.</p>
Appendix 7e – Marr: Inchmarlo, OP1	<p>We suggest the following changes to wording in the third paragraph of the allocation summary:</p> <p>Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required to take account of the potential impacts to the qualifying interests of the River Dee SAC. A Flood Risk Assessment may also be required.</p>	<p>Given that the Council has noted the potential need for mitigation in relation to the River Dee SAC, we recommend that the Council clarifies that proposals will be subject to Habitats Regulations Appraisal (HRA). As part of that process the Council can then consider whether such development is likely to have a significant effect and whether an adequate Construction Method Statement may be required to avoid adverse effects on integrity of the River Dee SAC. The recommended changes to wording reflect this.</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
Appendix 7e – Marr: Inchmarlo, OP2	<p>We suggest following revision to the fourth paragraph of the allocation summary:</p> <p>Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required to take account of the potential impacts to the qualifying interests of the River Dee SAC. A Flood Risk Assessment may be required due to small watercourses running through the site. Buffer strips will be required adjacent to the watercourses and should be integrated as positive features of the development. Enhancement of any straightened watercourse and removal of any redundant features should be investigated.</p>	<p>The addition of wording on HRA, takes account that the Council has flagged a potential need for mitigation in relation to the River Dee SAC. Noting this, we recommend that the Council clarifies that proposals will be subject to Habitats Regulations Appraisal (HRA). As part of that process the Council can then consider whether such development is likely to have a significant effect and whether an adequate Construction Method Statement may be required to avoid adverse effects on integrity of the River Dee SAC.</p>
Appendix 7e – Marr: Inchmarlo, OP3	<p>We suggest the following additions and revisions to the allocation summary:</p> <p>This is a newly allocated site. Planning permission for a mix of uses has been implemented on this site.</p> <p>Efforts should be made to connect to path networks through the layout of the site. Suitable open space, landscaping and soft planting should be provided to protect and enhance the character of the area. Existing woodland/trees on and adjacent to the site should be retained and</p>	<p>The addition of the landscape wording will help shape a development that fits better within its woodland setting.</p> <p>The addition of wording on active travel would promote safe and convenient active travel opportunities to and from Banchory.</p> <p>The addition of wording on HRA, takes account that the Council has flagged a potential need for mitigation in relation to the River Dee SAC. Noting this, we recommend that the Council clarifies that proposals will be subject to Habitats Regulations Appraisal (HRA). As part of that process the Council can then consider whether such development would have a likely significant effect and whether an adequate Construction Method Statement may</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
	<p>enhanced. Equivalent compensatory planting must be provided should there be tree loss. The existing site has an overriding wooded character and the woodland / trees should be retained to act as a framework for the hotel and hotel lodges. The scale of any development should be carefully designed to reflect the largely rural and wooded character, with siting and design of the development of a scale that is contained by, rather than dominating this woodland setting. Open space should be biodiverse and native species should be used in landscaping as far as possible.</p> <p>There are a number of technical assessments that may be required including a Transport Assessment and an active travel plan; a Flood Risk Assessment; a programme of archaeological works and scheme of investigation; a Contaminated Land Assessment; and a Habitats Assessment. The active travel plan should consider provision for links to Banchory.</p> <p>Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required to take account of the potential impacts to the qualifying interests of the River Dee SAC. Buffer strips will be required adjacent to the</p>	<p>be required to avoid adverse effects on integrity of the River Dee SAC.</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
	watercourses and should be integrated as positive features of the development.	
Appendix 7e – Marr: Kincardine O’Neil, OP1	<p>We advise the following changes to wording in the second paragraph of the allocation summary:</p> <p>Transport Statement is required for the site. A Flood Risk Assessment may be required. Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required to take account of the potential impacts to the qualifying interests of the River Dee SAC.</p>	<p>Given that the Council has noted the potential need for mitigation in relation to the River Dee SAC, we recommend that the Council clarifies that proposals will be subject to Habitats Regulations Appraisal (HRA). As part of that process the Council can then consider whether such development is likely to have significant effect and whether an adequate Construction Method Statement may be required to avoid adverse effects on integrity of the River Dee SAC. The recommended changes to wording reflect this.</p>
Appendix 7e – Marr: Kincardine O’Neil, OP2	<p>We advise the following changes to wording in the final paragraph of the allocation summary:</p> <p>A Hydromorphological Assessment will be required to determine the likelihood of the River Dee adjusting its course at this location. Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required to take account of the potential impacts to the qualifying interests of the River Dee SAC.</p>	<p>Given that the Council has noted the potential need for mitigation in relation to the River Dee SAC, we recommend that the Council clarifies that proposals will be subject to Habitats Regulations Appraisal (HRA). As part of that process the Council can then consider whether such development is likely to have a significant effect and whether an adequate Construction Method Statement may be required to avoid adverse effects on integrity of the River Dee SAC. The recommended changes to wording reflect this.</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
Appendix 7e – Marr: Kincardine O'Neil, OP3	<p>We advise the following changes to wording in the second paragraph of the allocation summary:</p> <p>A Flood Risk Assessment will be required. A buffer strip will be required adjacent to the watercourse and should be integrated as a positive feature of the development. The buffer strip will need to allow sufficient space for restoration of the Neil Burn. Enhancement of the straightened watercourse and removal of any redundant features will be required to be investigated. Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required to take account of the potential impacts to the qualifying interests of the River Dee SAC.</p>	<p>Given that the Council has noted the potential need for mitigation in relation to the River Dee SAC, we recommend that the Council clarifies that proposals will be subject to Habitats Regulations Appraisal (HRA). As part of that process the Council can then consider whether such development is likely to have a significant effect and whether an adequate Construction Method Statement may be required to avoid adverse effects on integrity of the River Dee SAC. The recommended changes to wording reflect this.</p>
Appendix 7e – Marr: Logie Coldstone, OP1	<p>We advise the following changes to wording in the final paragraph of the allocation summary:</p> <p>A Flood Risk Assessment may be required. Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required to take account of the potential impacts to the qualifying interests of the River Dee SAC.</p>	<p>Given that the Council has noted the potential need for mitigation in relation to the River Dee SAC, we recommend that the Council clarifies that proposals will be subject to Habitats Regulations Appraisal (HRA). As part of that process the Council can then consider whether such development is likely to have a significant effect and whether an adequate Construction Method Statement may be required to avoid adverse effects on integrity of the River Dee SAC. The recommended changes to wording reflect this.</p>

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Section of Proposed Plan	Modification that we would wish to see	Reason for change
Appendix 7e – Marr: Lumphanan, OP1	We advise that the Council considers including advice on the need for project level HRA and the potential need for a Construction Method Statement in relation to the River Dee SAC.	The allocation sits within the River Dee catchment, and for consistency sake should be considered alongside others similarly placed. We note however that “Planning permission has been granted for 26 homes. No progress has been made to date.” So we suggest that in considering whether to set out any requirements, the Council may wish to take planning status into account, as noted in our advice on other similar allocations.
Appendix 7e – Marr: Strachan, OP1	<p>We advise the following amended wording in the third paragraph of the allocation summary, but this depends on how the Council takes account of the planning status of the site:</p> <p>A Flood Risk Assessment may be required in the event of a further planning application being submitted. A buffer strip will be required adjacent to the watercourse on the western boundary and should be integrated as a positive feature of the development. Enhancement of the straightened watercourse and removal of any redundant features will be required to be investigated. A Construction Method Statement will be required to take account of the potential impacts to the qualifying interests of the River Dee SAC.</p>	We note that the allocation summary says that "Planning permission has been granted with completion of development anticipated during the early part of the Plan period". We suggest, therefore, that the Council may wish to remove wording referring to the River Dee SAC to take into account the planning status for the site, We assume the Council have already considered on the implications of the proposal for the SAC. Our proposed changes to wording reflect this. If however the Council considers that future proposals may come forward for the site and these should be subject to HRA, we suggest that the requirement for this could be included within the allocation summary.
Appendix 7e – Marr: Tarland, OP1	We advise the addition of the following wording to the first paragraph of the allocation summary:	The addition of wording on requirement to take account of woodland protection in a similar way to other allocation summaries. This is noting the presence of woodland over perhaps a quarter of the site (at least based on aerial photos).

Annex 1. Aberdeenshire Proposed Local Development Plan 2020 – SNH’s representations

Section of Proposed Plan	Modification that we would wish to see	Reason for change
	<p>This site was previously safeguarded for business uses in the LDP 2017. Development of this site should be designed in a way that integrates new housing into the existing settlement and reflects the traditional rural character of the village. There must be minimal tree loss as a result of development and compensatory planning will be sought for any trees felled. It is expected that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing.</p> <p>We suggest the following additional wording at the end of the final paragraph of the allocation summary:</p> <p>Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.</p>	<p>Noting that the allocation lies in the Dee catchment, the Council may wish to include the suggested wording on Habitats Regulations Appraisal for consistency with other similar allocations, noting the Council’s precautionary approach to this issue. As part of the HRA process the Council can then consider whether such development is likely to have a significant effect and whether an adequate Construction Method Statement may be required to avoid adverse effects on integrity of the River Dee SAC. The recommended changes to wording reflect this.</p>
<p>Appendix 7e – Marr: Tarland, OP2</p>	<p>We advise the addition of the following wording to the final paragraph of the allocation summary:</p> <p>A Flood Risk Assessment may be required. A buffer strip will be required adjacent to the watercourse running through the site and should be integrated as a positive feature of the development. Enhancement of the watercourse and removal of any redundant features will be</p>	<p>Given that the Council has noted the potential need for mitigation in relation to the River Dee SAC, we recommend that the Council clarifies that proposals will be subject to Habitats Regulations Appraisal (HRA). As part of that process the Council can then consider whether such development is likely to have a significant effect and whether an adequate Construction Method Statement may be required to avoid adverse effects on integrity of the River Dee SAC. The recommended changes to wording reflect this.</p>

Annex 1. Aberdeenshire Proposed Local Development Plan 2020 – SNH’s representations

Section of Proposed Plan	Modification that we would wish to see	Reason for change
	<p>required to be investigated. Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required to take account of the potential impacts to the qualifying interests of the River Dee SAC.</p>	
<p>Appendix 7e – Marr: Tarland, OP3</p>	<p>We advise the following revised wording to the second paragraph of the allocation summary:</p> <p>A Flood Risk Assessment may be required. A buffer strip will be required adjacent to the watercourse running through the site and should be integrated as a positive feature of the development. Enhancement of the watercourse and removal of any redundant features will be required to be investigated. A Construction Method Statement may be required to take account of the potential impacts to the qualifying interests of the River Dee SAC.</p>	<p>We note that the allocation summary says: “Full Planning Permission for 36 homes has been approved”. We suggest that the Council may wish to remove wording referring to the River Dee SAC to take into account the planning status for the site. We assume the Council has already considered the implications of the proposal for the SAC. Our proposed changes to wording reflect this. If however the Council considers that future proposals may come forward for the site and these should be subject to HRA, then we suggest that requirement for HRA could be included within the allocation summary.</p>
<p>Appendix 7e – Marr: Torphins, OP1</p>	<p>We advise that the Council considers whether to retain, remove or reword the final sentence of the allocation summary taking into account the planning history for the site. The final sentence says “A Construction Method Statement will be required to take account of the potential impacts of</p>	<p>We note that the allocation summary says that “...Planning Permission in Principle for 47 homes has been approved. Planning permission for employment land to the south of this site has been granted...”. The final sentence of the allocation summary says that “A Construction Method Statement will be required to take account of the potential impacts on the qualifying interests of the River Dee SAC”.</p>

Annex 1. Aberdeenshire Proposed Local Development Plan 2020 – SNH’s representations

Section of Proposed Plan	Modification that we would wish to see	Reason for change
	<p>the qualifying interests of the River Dee Special Area of Conservation (SAC).”</p>	<p>If however the Council considers that future proposals may come forward for the site, these should be subject to Habitats Regulations Appraisal. If this is the case we suggest that that requirement for HRA should be mentioned within the allocation summary.</p>
<p>Appendix 8 – Successful Placemaking Design Guidance</p>	<p>Amend the first paragraph of the guidance as follows:</p> <p>As outlined in Scottish Planning Policy, planning should support development that is designed to a high-quality, which demonstrates the six qualities of successful place. The layout, siting and design of a new development contributes to meeting the six placemaking qualities. This Appendix document supports the criteria of Policy P1 when applying the six qualities of successful place. This relates to major developments or development on sites we have identified within the Settlement Statements requiring a Masterplan/Framework, or where the Planning and Environment Service consider appropriate to apply. Separate guidance can be found relating to individual building proposals.</p>	<p>The change would reflect that the six qualities of successful places apply to all development, rather than just major development and those that Council considers appropriate. Scottish Planning Policy does not apply this restriction.</p>