

From: [REDACTED]
To: [REDACTED]
Cc: [LDP](#)
Subject: 01388 - Environmental Report - Aberdeen City Council - Aberdeen City Proposed Local Development Plan 2020 - NatureScot response - 31 August 2020
Date: 31 August 2020 14:01:06
Attachments: [01388 - Environmental Report - Aberdeen City Council - Aberdeen City Proposed Local Development Plan 2020 - NatureScot response - 31 August 2020.pdf](#)

Please find attached our consultation response on the Environmental Report for the Aberdeen City Proposed Plan 2020.

Kind regards,

[REDACTED]

[REDACTED]

NatureScot | [REDACTED]

[nature.scot](#) | [@nature_scot](#) | *Scotland's Nature Agency* | *Buidheann Nàdair na h-Alba*

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Thoiribh an aire airson adhbharan gnothaich, 's dòcha gun tèid sùil a chumail air puist-dealain a' tighinn a-steach agus a' dol a-mach bho NatureScot.

Sent by email to: [REDACTED]

Andrew Brownrigg

Local Development Plan Team Leader
Aberdeen City Council
Local Development Plan
Strategic Place Planning
Business Hub 4
Ground Floor North
Marischal College
Aberdeen AB10 1AB

31 August 2020

Our ref: CEA159370

Dear Andrew

ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005

01388 ENVIRONMENTAL REPORT FOR ABERDEEN PROPOSED LOCAL DEVELOPMENT PLAN 2020

Thank you for consulting us on the Environmental Report associated with the Aberdeen Proposed Local Development Plan 2020.

The Environmental Report comprises a Strategic Environmental Assessment and a Habitats Regulations Appraisal (HRA). We have provided our advice on the HRA in a separate letter.

We appreciate the huge amount of work that has gone into preparing the Environmental Report, and taking previous comments into account.

Our advice below can be considered in relation to any post adoption statement or revision to the Environmental Report.

Policy B5 and OP56

In our view the Environmental Report under-represents the importance of OP56 St Fittick's Park (in terms its value to people, wildlife and flood management) and also under-represents the likelihood of adverse environmental effects, including post mitigation.

It would appear that the East Tullos Burn Project area has not been included in the Policy B5 and OP56 assessments at all. Therefore all the benefits that the project has delivered (and the available North East Scotland Biological Records Centre records) have not been considered in the

topics within the assessments. This is noting that the East Tullis Burn Project area takes up most of the undeveloped open space within OP56, which itself is a sizeable proportion of the Energy Transition Zone.

In our consultation response on the Proposed Plan, we have included representations on Policy B5 Energy Transition Zones and the related OP56 St Fittick's Park, and these representations can inform the post adoption statement or any revision to the Environmental Report.

Our detailed representations on other Opportunity Sites

In our response to the Proposed Plan we have also provided detailed representations on the following Opportunity Sites:

OP46 Royal Devenick Park

We agree with the SEA that:

“Development will have a negative impact on the landscape setting of the area”.

In relation we have recommended mitigation which goes beyond that identified in the Environmental Report. We advise changes to the allocation boundary (or developable area), and also woodland planting to help screen the development.

The SEA notes that:

“Den of Leggart Local Nature Conservation Area lies inside site area which is also formed of Semi-Natural and Ancient Woodland”.

Our representation advises mitigation which goes beyond that identified in the Environmental Report. We advise excluding the woodland area and requiring information to demonstrate how the woodland would be protected.

OP53 Tillyoch, Peterculter

The SEA notes that:

“Peterculter Local Nature Conservation site ancient woodland and tree Preservation Order 210 covers the south eastern section of the site. There are two further areas of Ancient Woodland immediately off site, one to the east and one to west. The whole site, bar the most northerly field is designated as Green Space Network.”

Our representation advises mitigation which goes beyond that identified in the Environmental Report. We advise excluding the woodland area, and also providing information demonstrating how the woodland would be protected. We have also advised the creation of wildlife corridors through the site that would help connect existing woodland parcels.

The SEA notes that:

“Development will change the character of the landscape. This could be managed by careful design and landscaping.”

While careful design and landscaping may be helpful to a degree, our representation further emphasises the sensitivity of the site and we have advised mitigation which would involve removing the northern part of the site from within the allocation boundary.

OP54 Craigton, Peterculter

The SEA says:

“Development will intrude slightly into the landscape. Development would be visible from the A93, and would present as a cluster of housing, rather than the isolated units, or linear residential development.”

Our representation further emphasises the landscape sensitivities of the site. We advise that, given these sensitivities, the development will be a challenge to design, and we therefore we recommend that the Council considers removal of this site from the plan. If retained we have suggested a masterplan requirement.

Ecological survey

More generally, we would observe that although the Environmental Report frequently lists ecological survey work in the “Mitigation if appropriate?” column of the site assessments, the requirement for such survey is not very frequently represented within the Delivery Programme. Recognising that Delivery Programme is to be a working document that can be continually updated to reflect progress with each proposal and action, we would recommend that where a requirement for survey is expressed in the Environmental Report it is also transposed into the Delivery Programme. We have commented on this in our letter responding to the Proposed Plan.

Abstraction related issues

At page 46 of the Environmental Report there is a ‘Note on the assessment of Water’. This says that:

“...Scottish Water have confirmed that the levels of development proposed by the Strategic Development Plan and therefore this Proposed Local Development Plan fall within current licence levels. The issue of water abstraction from the River Dee is therefore not considered as part of this SEA. It is considered to be an issue beyond the scope of this Plan, and it’s associated Environmental Report.”

This wording may draw upon the position taken in an early draft of the Council’s HRA. We would advise, however, that the issue of water abstraction is relevant to the Proposed Plan, and cannot be discounted because it has been considered in the Strategic Development Plan, as a higher level plan. There is some guidance in relation to this issue at paragraphs 5.27 and 5.28 of the [2015 guidance](#) on Habitats Regulations Appraisal of Plans. However, in fact, the Council has considered the potential impact of abstraction within the HRA under “Section 6.1.1 Water abstraction impacts on the qualifying interests of the River Dee SAC”. We welcome that it has been fully considered there.

The same page 46 ‘Note on the assessment of Water’ says:



“Decisions regarding acceptable water abstraction levels from the River Dee are discussed and agreed between Scottish Environment Protection Agency (SEPA), Scottish Water and SNH. The Habitats Regulations Assessment also covers this issue.”

It would be more accurate if this were to say:

“Decisions regarding acceptable water abstraction levels from the River Dee may be discussed between Scottish Environment Protection Agency (SEPA), Scottish Water and SNH. The Habitats Regulations Assessment also has a bearing on this issue. The licence for abstraction for the public water supply from the River Dee is held by Scottish Water, and SEPA is the principal regulator of that abstraction licence.”

Although SNH has a role to play in terms of Habitats Regulations Appraisal for the River Dee Special Area of Conservation, the above change would more accurately reflect the roles of these various bodies. Similarly, the Environmental Report contains a large number of entries saying:

“All new development will increase the need to abstract water from the River Dee, with requirements agreed between Scottish Water and SNH.”

Better, more accurate, wording would be:

“New development may increase the need for Scottish Water to abstract water from the River Dee for the public supply, with water abstraction licence requirements set by SEPA.”

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

The advice in this letter is provided by Scottish Natural Heritage, acting under its operating name NatureScot.

Yours sincerely

[REDACTED]

[REDACTED]

[REDACTED]

Copy to: [REDACTED]

[REDACTED]
[REDACTED]

[REDACTED] [nature.scot](https://www.nature.scot)

NatureScot is the operating name of Scottish Natural Heritage

From: [REDACTED]
To: [LDP](#)
Cc: [Andrew Brownrigg](#)
Subject: Aberdeen Proposed Plan 2020: NatureScot's representations; advice on the HRA Record; and response on the Environmental Report - 31 August 2020
Date: 31 August 2020 15:25:25
Attachments: [Aberdeen City Proposed Local Development Plan 2020 - NatureScot response with representations - 31 August 2020.pdf](#)
[01388 - Environmental Report - Aberdeen City Council - Aberdeen City Proposed Local Development Plan 2020 - NatureScot response - 31 August 2020.pdf](#)
[Aberdeen City Council - Proposed Local Development Plan 2020 - Habitats Regulations Appraisal - NatureScot advice - 31 August 2020.pdf](#)

Dear LDP team

Please find appended NatureScot's response to the Aberdeen Proposed Plan 2020 consultation. I have also attached our advice on the HRA Record, and our response to the consultation on the SEA Environmental Report. I've submitted our response on the Environmental Report via the SEA Gateway too.

Andrew, I'll also separately forward a Word (non PDF) version of our representations.

Kind regards,

[REDACTED]

[REDACTED]

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Thoiribh an aire airson adhbharan gnothaich, 's dòcha gun tèid sùil a chumail air puist-dealain a' tighinn a-steach agus a' dol a-mach bho NatureScot.

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

Andrew Brownrigg
Local Development Plan Team Leader
Aberdeen City Council
Local Development Plan
Strategic Place Planning
Business Hub 4
Marischal College
Broad Street
Aberdeen AB10 1AB

31 August 2020

Our ref: CPP159384

Dear Andrew

ABERDEEN 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 Proposed Plan's related Habitats Regulations Appraisal (HRA) and Strategic Environmental Assessment (SEA) Environmental Report.

There is much in the Proposed Plan that we welcome and we are pleased to see that many of our comments on an earlier draft have been taken into account. Our detailed comments on the allocations tend to focus on those sites that were included as amendments when the Proposed Plan was approved at Full Council in March 2020. Many of our other comments on the sites are asking for clarifications over 'masterplanning' requirements, although we note that a good number of allocations in Aberdeen do already have existing masterplans and/or development frameworks.

We have made a representation on the Energy Transition Zone policy and the related St Fittick's Park allocation. We acknowledge the significant benefits that the Energy Transition Zone would bring. We consider that there is a need to also appreciate the importance of the East Tullos Burn Project area that lies within the zone, and we advise that the plan should safeguard this asset.

We have advised a strengthening of wording on European sites so as to better support the conclusions of your HRA. Our other policy comments are for the most part aimed at clarifying the policy requirements, or giving slightly greater emphasis to protecting and enhancing nature.

We have also provided a brief comment on the Proposed Delivery Programme at the second annex to this letter.

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

The advice in this letter is provided by Scottish Natural Heritage, acting under its operating name NatureScot.

Yours sincerely,

[REDACTED]
[REDACTED]
[REDACTED]

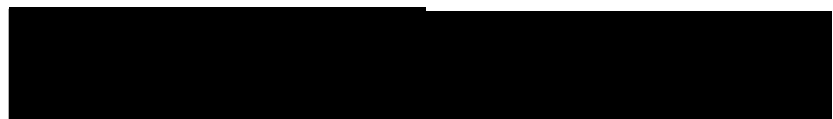
- Enc. Annex 1. Aberdeen Proposed Local Development Plan 2020 – NatureScot representations
- Annex 2. Proposed Delivery Programme – NatureScot comments

[REDACTED]
[REDACTED]

Site/ Policy / Issues	What we would like to say	What changes we would like to see made
<p>Paragraph 4.3; the table entitled 'Infrastructure Requirements from Masterplan Zones'.</p>	<p>Developments should be underpinned by green and blue infrastructure, and this is recognised in the Proposed Plan. Also, as stated in the recently published Aberdeen City and Aberdeenshire Strategic Development Plan, "green infrastructure provides many key environmental services (such as water management, climate change adaptation, habitats, and quality of life and place) as well as recreational opportunities for local communities and associated benefits to health and well-being".</p> <p>What we would like to see is some greater recognition of potential green infrastructure requirements within Section 4 of the plan. We think that this can be achieved relatively simply by the addition of a new sub-heading within the table at paragraph 4.3.</p> <p>Paragraph 4.3 contains a table setting out 'Infrastructure Requirements from Masterplan Zones'. One of the sub-headings within the table is entitled 'Public Transport and Walking and Cycling Infrastructure', and the entry says "New developments to be served by comprehensive pedestrian and cycle network and frequent public transport services including new and extended services". We welcome this. The table does not, however, cover provision for (often related) green and blue infrastructure. We recommend, therefore, the addition of another sub-heading entitled 'Green and Blue Infrastructure', under which this requirement could be discussed.</p> <p>We have suggested related wording for the entry under this sub-heading. The wording in part draws upon the overarching green network requirement for Masterplan Zone sites which is mentioned at paragraph</p>	<p>We recommend inclusion of a new sub-heading within the table on 'Infrastructure Requirements from Masterplan Zones', at paragraph 4.3 of the plan.</p> <p>The new sub-heading would be entitled "Green and Blue Infrastructure", and under this, for "All" 'Development/ Masterplan', we suggest that the entry might include wording such as: "New developments will include an extensive green network across the site that will extend and link to the existing Core Path and habitat networks. Contributions may be sought for green and blue infrastructure assets including biodiverse open space that may lie outside the site but connect to, or form part of, the extended local habitat network."</p>



Site/ Policy / Issues	What we would like to say	What changes we would like to see made
	<p>3.29 (i.e. “To be a place that includes an extensive green network across the site and that extends and links to the existing Core Path and habitat networks”), and also paragraph 11.5 (which states that “Contributions will be sought, where necessary, for a number of infrastructure assets including (but not limited to): transportation, core paths, education, healthcare, open space including public realm, community facilities and sports & recreation”).</p> <p>In relation, we note that there is also some discussion of developer contributions towards green and blue infrastructure in the Reporter’s conclusions at page 44 of the Examination Report for the Strategic Development Plan. The Reporter acknowledges that such contributions are important and states that “The local development plans and any associated supplementary guidance could suitably identify the circumstances in which any green and blue infrastructure was required”.</p> <p>Paragraph 11.6 of the Proposed Plan notes that “The infrastructure requirements for greenfield development sites in the Masterplan Zones are set out in Section 4”. So the inclusion of a new sub-heading and new discussion of green and blue infrastructure at paragraph 4.3 would mean that developers were more aware of the potential need for such contributions. It would also prepare the ground for this requirement to be expanded upon in the Delivery Programme, which, over time and informed by further investigation and assessment, could direct the need for such local contributions.</p>	



Site/ Policy / Issues	What we would like to say	What changes we would like to see made
NE1 – Green Belt	<p>The policy says that “Development in areas defined as Green Belt on the Proposals Map will not be supported. Exceptions to this general presumption will only be supported where the proposal: ...c) is for the extraction of minerals or quarry restoration;...”.</p> <p>We note that the green belt does include two operational quarry areas (OP44 and OP55), but we suggest that the exception at point ‘c’ of the policy could be reworded to make clearer that it will apply to extraction of minerals “that meets an established need, if no other suitable site is available”. This might better reflect SPP (para 52) which gives examples of the types and scales of development which would be appropriate within a green belt, and includes "development meeting a national requirement or established need, if no other suitable site is available". The change would mean that mineral extraction was not generally considered to be an appropriate use within the green belt, unless meeting an established need and no other suitable site was available. The Council may wish to consider whether this suggested change would unreasonably restrict extraction (or possible expansion) at OP44 and OP55.</p>	<p>Suggest amending exception “c” in the policy to read:</p> <p>c) is for the extraction of minerals that meets an established need, if no other suitable site is available, or quarry restoration; or</p>
Policy NE3 – Our Natural Heritage	<p>We note the general paragraph at Policy NE3 discussing legislative protection for European sites. We advise changes to the wording of this paragraph to clarify the legislative requirements for European sites. We consider the changes are necessary to support the conclusions contained in the Council’s Habitats Regulations Appraisal (HRA) record. The Council’s HRA conclusions are, in part, based on the Proposed Plan’s</p>	<p>Amend Policy NE3 as follows:</p> <p>Designated Sites and Protected Species Development not directly connected with or necessary to the conservation management of a European site (Special Area of Conservation & Special Protected Area) and which is likely to have a significant effect on</p>



Site/ Policy / Issues	What we would like to say	What changes we would like to see made
	<p>policy having clearly set out the legislative requirements for European sites, including the need for Habitats Regulation Appraisal of proposals where necessary.</p> <p>For reasons of brevity, the Council may decide to omit the last suggested sentences about reasons of public interest (i.e. those marked off in brackets).</p> <p>Our recommended wording also replaces the term ‘Natura site’ with ‘European site’, as when we leave the European Union on 1 January 2021, SACs and SPAs will still be of international/ European importance, but are likely to just be called European sites. These sites 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>(We note that the first sentence of paragraph 6.26 says that “Development that is likely to have a significant effect on any Natura site, either alone or in combination with other plans or projects, will require an Appropriate Assessment under the Habitats Regulations”. So the plan certainly does not ignore this requirement, but in our view it is worth strengthening wording in Policy NE3 itself.)</p>	<p>the site (either individually or in combination with other plans or projects) will be subject to an Appropriate Assessment. Where it cannot be ascertained that the development would not adversely affect the integrity of the site it Development that would have an adverse impact on a Natura site will only be permitted where there are no alternative solutions, and there are imperative reasons of overriding public interest, including those of a social or economic nature, and compensatory measures are provided to ensure that the overall coherence of the European site Natura network is protected. (For sites not hosting a priority habitat and/or species, the reasons of public interest may include those of a social or economic nature. Where the site hosts a priority habitat type and/or a priority species, the reasons must only 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.)</p>
<p>Paragraph 6.26 (and also at Appendix 2</p>	<p>We recommend replacing the term ‘Natura site’ with ‘European site’, as when we leave the European Union on 1 January 2021, SACs and SPAs will</p>	<p>We recommend replacing all current references to “Natura site” (or Natura sites) with “European site” (or European sites).</p>



Site/ Policy / Issues	What we would like to say	What changes we would like to see made
under OP56, OP61, OP62).	still be of international/ European importance, but are likely to just be referred to as European sites.	
Policy NE5 – Trees and Woodland	At the moment the Trees and Woodland policy places most emphasis on preventing loss of trees, but we recommend that it would benefit from some more emphasis on the benefits of proactively planting trees. The specific mention of street trees could, we suggest, be useful, given their positive placemaking benefits and potential for improving air quality and helping reduce the urban heat island effect. Tree planting may not be appropriate in all situations, for example some habitats should be retained because of the benefits they make to overall biodiversity.	<p>Amend Policy NE5 as follows:</p> <p>Development should not result in the loss of, or damage to, trees and woodlands. Sensitively designed and managed tree planting is encouraged. This includes street trees, which can be attractive and improve air quality.</p> <p>Development proposals will seek to increase tree and woodland cover and achieve the long-term retention of existing trees and woodlands that the planning authority consider worthy of retention. New planting is encouraged, and should be of a type, scale, design, composition and species mix that is appropriate to its locality and appropriately incorporates the woodland resource into the overall design of the scheme. Tree planting may not be appropriate in all situations, and must not be at the expense of replacing other valued semi-natural habitats. Where tree removal takes place or is necessary for good arboricultural reasons, replacement planting will be required to ensure an overall net gain in tree cover. Development that does not achieve this will not be supported.</p>

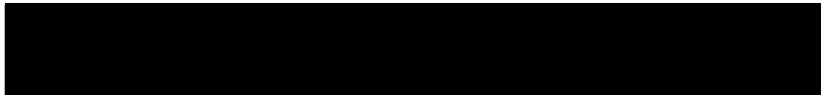


Site/ Policy / Issues	What we would like to say	What changes we would like to see made
		Buildings and infrastructure should be...
Policy D1 – Quality Placemaking (regarding the Design Review process)	<p>The Proposed Plan does not mention the previously used Design Review process, which we agree can be very helpful for addressing design issues early, particularly at pre-application stage. This contrasts with the previous 2017 LDP, which included mention of the process at paragraph 3.4, saying that “The Aberdeen City and Shire Design Review Panel offers professional, peer advice to support the decision making process. (See relevant Technical Advice Note).”</p> <p>If the Council still intends to retain or to reintroduce the voluntary Design Review we would encourage mention of this process within the wording at Policy D1, including reference to the 2012 <u>Technical Advice Note on Design Review Panel</u>.</p> <p>In terms of consistency, we would note that the Aberdeenshire Council Proposed Plan says the following at its Policy P1:</p> <p>“P1.1 Residential proposals that fall within the category of a major development will be required to participate in a Design Review Process. Other types of development, in terms of scale and nature, may be required to participate in a Design Review Process at the discretion of the Planning and Environment Service. Where possible these sites are specified in the Appendix 7, Settlement Statements, or those that are likely to generate significant public interest.”</p>	We recommend that, if the Council intends to allow for the Design Review process, this is mentioned within Policy D1, including reference to the Council’s 2012 <u>Technical Advice Note on Design Review Panel</u> .



Site/ Policy / Issues	What we would like to say	What changes we would like to see made
<p>Policy D1 – Quality Placemaking (regarding the “Aberdeen Placemaking Process TAN”)</p>	<p>We welcome the measures in the Proposed Plan to help achieve positive placemaking. We would like to see scope for the proposed “Aberdeen Placemaking Process TAN” to potentially provide more detail on these measures. Consequently, we are looking for changes to policy wording so that the scope of this TAN is described less restrictively.</p> <p>We note that Policy D1 says:</p> <p>“A design strategy will be required to be submitted that demonstrates how a development meets these qualities. The design, scope and content will be proportionate to the scale and/or importance of the proposal.</p> <p>Aberdeen Placemaking Process TAN provides guidance where the production of planning briefs, development frameworks and masterplans are required”.</p> <p>We agree and support the requirement for developers to submit a proportionate design strategy with each application to demonstrate how the six qualities of place have been met. This should help encourage careful thinking about these qualities and so improve the standard of development. It will help to address the “...recognised need to raise the quality of design for new developments in Aberdeen, from the largest and most significant areas of change to smaller individual sites”¹.</p>	<p>We advise the following amendment to the final paragraph of Policy D1:</p> <p>Aberdeen Placemaking Process TAN provides guidance on placemaking requirements associated with applications, including describing the Council’s expectations where the production of design strategies, planning briefs, development frameworks and masterplans are required.</p>

¹ <https://www.aberdeencity.gov.uk/services/planning-and-building/masterplanning/masterplanning-process#:~:text=The%20Aberdeen%20Masterplanning%20Process%20has,the%20delivery%20of%20sustainable%20places.&text=Designing%20Places%20and%20Designing%20Streets,the%20context%20for%20creating%20places.>



Site/ Policy / Issues	What we would like to say	What changes we would like to see made
	<p>Given the policy’s current description of the “Aberdeen Placemaking Process TAN” we assume that this will be a new document which may either replace, or retitle and/or update, the content of the existing July 2010 TAN on “Aberdeen Masterplanning Process”². (We note that a link to this, as well as related summary information, can also be found on the Council’s webpage titled Masterplanning Process³.) We would appreciate the opportunity to comment on any updated drafts or a new TAN.</p> <p>However, as initially mentioned, we think it would also be helpful if the Council were to allow for the “Aberdeen Placemaking Process TAN” to encompass a broader scope than is suggested by the policy’s current description of the TAN.</p> <p>For example, the TAN might provide some more advice on the expected content of the design strategy that is being required, and potentially help explain the relationship between this design strategy and the information required under Policy D5, i.e. the “statement of landscape design objectives etc” (noting that these requirements will likely bear some useful relationship to one other).</p> <p>Consequently, we would recommend that the TAN is described less restrictively within the policy.</p>	

² <https://www.aberdeencity.gov.uk/services/planning-and-building/local-development-plan/aberdeen-local-development-plan/supplementary-guidance-and-technical-advice#1684>

³ <https://www.aberdeencity.gov.uk/services/planning-and-building/masterplanning/masterplanning-process>

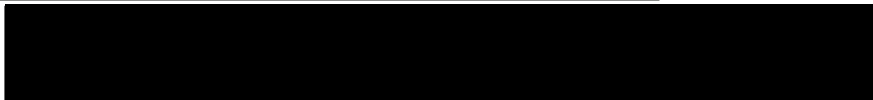


Site/ Policy / Issues	What we would like to say	What changes we would like to see made
	<p>It is possible that, for selected allocations, the Council may even wish to produce a basic map which expressed its own early placemaking vision so as to better inform subsequent masterplanning discussions. This might, for example, highlight existing and required green infrastructure. Examples of such maps can be seen 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. If open to this possibility, then again, it could be discussed in the Aberdeen Placemaking Process TAN.</p>	
<p>Policy D5 – Landscape Design</p>	<p>We think that the information being required under Policy D5 is likely to bear some useful relationship to the design strategy required under Policy D1, e.g. it may support the design strategy by helping show how the development demonstrates the qualities of a successful place. If that is the case, then we advise that some brief cross-referencing could be helpful within Policy D5 to establish that there is a link and, potentially, to describe how these requirements might fit together.</p> <p>This is noting that Policy D5 says that:</p> <p>“Applications for new development must include a statement of landscape design objectives, hard and soft landscape design plans and specifications, and detailed maintenance proposals.”</p> <p>And that Policy D1 says that:</p>	<p>We recommend that the penultimate paragraph of Policy D5 is amended or added to, so as to establish a link (and potentially make clearer) the relationship between the information required under this policy and the design strategy that is required under policy D1. For example, as a minimal approach it might simply say at the end of the paragraph that “(This information can also potentially be used to inform the design strategy required under Policy D1.)”.</p>



Site/ Policy / Issues	What we would like to say	What changes we would like to see made
	<p>“A design strategy will be required to be submitted that demonstrates how a development meets these qualities” (i.e. the six qualities of successful place).</p>	
<p>Paragraph 8.17 (relating to Policy R8 – Heat Networks)</p>	<p>At paragraph 8.17 and under the Policy R8 subheading of Low and Zero Carbon Generating Technologies, the policy says:</p> <p>“Where a development connects to an existing Heat Network or provides a new network it will be deemed compliant with Policy R6: Low and Zero Carbon Buildings, and Water Efficiency.”</p> <p>However, connecting to a Heat Network or providing a new network will not address the water efficiency requirements of Policy R6, so it is difficult to see how it would be compliant with that aspect. We therefore recommend a small addition to wording at paragraph 8.17 to help clarify this point.</p> <p>We do welcome and support the water efficiency requirements at Policy R6, in particular given the acknowledged pressure on the River Dee SAC as noted at paragraph 8.13. So we would look for those requirements to be retained for all new buildings, rather than (as suggested by paragraph 8.17) just those that are not part of a heat network.</p>	<p>We advise the following amendment to paragraph 8.17:</p> <p>Where a new development connects to an existing heat network or provides a new network it will be deemed to have met the energy efficiency requirements of Policy R6: Low and Zero Carbon Buildings, and Water Efficiency.</p>
<p>Paragraph 9.7 and Policy H4.</p>	<p>We note that thresholds for masterplanning are expressed on the Council’s website⁴ – i.e. “Masterplans will be developed for residential</p>	<p>We recommend that paragraph 9.3 and Policy H4 express the Council’s thresholds for requiring</p>

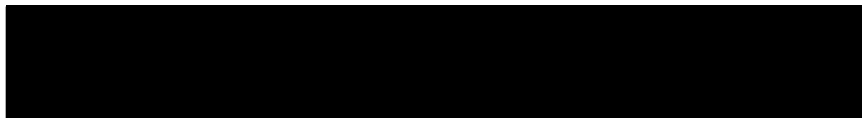
⁴ <https://www.aberdeencity.gov.uk/services/planning-and-building/masterplanning/masterplanning-process>



Site/ Policy / Issues	What we would like to say	What changes we would like to see made
	<p>sites with an area over 2 hectares or 50 houses or more, for sites identified in the Local Development Plan, or other large scale sites deemed appropriate.”</p> <p>Paragraph 9.7 and Policy H4 – Housing Mix and Need states this threshold in terms of number of homes, but not in terms of area. We suggest that it would be helpful to do both.</p>	<p>masterplans in terms of area as well as number of homes.</p>
Paragraph 10.21	<p>Under the heading Beach and Leisure, paragraph 10.21 says:</p> <p>“Aberdeen beach is one of the major leisure developments in the city and is appreciated by both residents and visitors. However, the beach is not perceived as being accessible from the city centre as, despite the distance between the two being suitable for active travel, the route is not very attractive or pedestrian friendly, and the area is also perceived as being rundown. Through the City Centre Masterplan ‘revealing waterfronts’ objective, linkages and connectivity to the beach from the city centre can be enhanced. However, if it is decided that a full masterplan for the beach will help benefit the area then this could be commissioned in the future.”</p> <p>We would welcome and support a full masterplan for the beach, which if done thoroughly could be very helpful. We would appreciate the opportunity to be involved if the Council does decide to go down this route.</p>	<p>We would support a masterplan for the beach area, but are not looking for any particular changes to the Proposed Plan.</p>



Site/ Policy / Issues	What we would like to say	What changes we would like to see made
	Such a masterplan could encapsulate planning for good linkages into the town centre and along the coast too.	
Paragraph 11.6 Masterplan Zones	<p>Paragraph 11.6 says:</p> <p>“We have identified seven Masterplan Zones within which developers will be expected to work together to prepare masterplans for each zone, and coordinate the planning and delivery of associated infrastructure requirements. The infrastructure requirements for greenfield development sites in the Masterplan Zones are set out in Section 4.”</p> <p>We suggest that it may be helpful for this paragraph to explain further what “prepare masterplans for each zone” means. For example, does it mean that each zone requires an overarching masterplan which builds upon any existing, more basic, development framework? Or does it mean that each developer will need to coordinate with others to ensure that the masterplans that they require to produce will fit together well within the Masterplan Zone, in the context of any development framework?</p>	We recommend that the Council clarifies what is meant by “developers will be expected to work together to prepare masterplans for each zone” within paragraph 11.6.
Paragraph 11.7 Masterplan Zones (Dubford and Murcar)	We think that each of the Masterplan Zones has an existing development framework covering most, or all, of that zone. The exception is the first of the zones, Dubford and Murcar which is a partially new allocation. For consistency (as well as good ‘Masterplanning’ reasons) it would also make sense for the Council to also seek a development framework for the Dubford and Murcar Masterplan Zone. The need for such a development framework could potentially be stated at paragraph 11.6 or 11.7, and	<p>We recommend that the Council considers stating the need for a development framework covering the first of the Masterplan Zones listed at paragraph 11.7.</p> <p>This could then also be stated for each of the relevant allocations at Appendix 2. And also stated in the list at Appendix 3.</p>



Site/ Policy / Issues	What we would like to say	What changes we would like to see made
	<p>also, for each of the relevant Opportunity Sites, within Appendix 2. And in the list at Appendix 3.</p> <p>We suggest that a key issue for such a framework could be how good green / active travel links could be developed through to the adjacent coastal area, so that access and recreation use are managed in a sensitive way and the best use could be made of this natural asset. This may be the type of issue that could benefit from future identification of specific developer requirements for green and blue infrastructure, including off-site (as discussed in our separate representation for paragraph 4.3 of the plan).</p>	
<p>Policy B1 – Business and Industrial Land</p>	<p>A very minor point, but we suggest that use of the word “footpath” at Policy B1 could be replaced with the word “path”. This would align with use of “path” in the rest of the plan; it being a better choice of word because it implies less restriction on active travel mode – potentially covering cycling, walking, wheeling, riding etc.</p>	<p>Replace the word “footpath” in the penultimate paragraph, with the word “path”.</p>
<p>Policy B5 – Energy Transition Zones</p>	<p>The Energy Transition Zone (ETZ) land use zoning and policy are specifically aimed at supporting the delivery of low and zero carbon technologies, with the intention of placing Aberdeen at the forefront of this emerging industry. The zone has been placed adjacent to Aberdeen’s South Harbour Extension and the rail line to maximise the development opportunities. There are three allocations tied to this policy, OP56, OP61 and OP62. The zone should have long term benefit through mitigating climate change impacts and addressing regional economic issues.</p>	<p>Within the areas identified as Energy Transition Zone on the Proposals Map, there will be a presumption in favour of the development, production, assembly, storage and/or distribution of infrastructure required to support renewable energy related industries; this includes offshore wind, tidal, hydrogen and solar. Infrastructural/transport improvements directly related to the wider Energy Transition Zone will be permitted where they have a functional requirement</p>

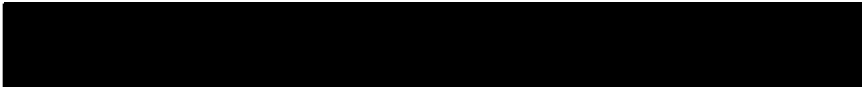


Site/ Policy / Issues	What we would like to say	What changes we would like to see made
	<p>Opportunity site OP56 St Fittick’s Park encompasses the East Tullos Burn Project area. The multi-award winning project at East Tullos Burn has been hugely successful. By creating a natural watercourse and wetlands and planting wildflowers and trees, the project has transformed the amenity of St Fittick’s Park, which is now an area of quality greenspace enjoyed by the local community. The project tackled pollution, flooding and litter using natural solutions that have benefitted biodiversity and recreation. Access within and around the project area has been improved. The project involved considerable effort and significant public funding, and the local community helped inform the design and plant up the site. It has created an improved sense of place and is highly valued by people in Torry, an area which, according to the Scottish Index of Multiple Deprivation 2020, includes some of the most deprived communities in Scotland. There are various helpful sources of information about the project⁵⁶⁷.</p> <p>The project area could be adversely affected by Policy B5. The policy says that “Development proposals will be required to include suitable open space and landscape enhancements for the wellbeing of people and wildlife”. But it is unclear how this relates to the project area. We advise</p>	<p>to be located there. Development proposals will be required to include suitable open space and landscape enhancements for the wellbeing of people and wildlife.</p> <p>Development must retain the amenity value of, and avoid any adverse impacts upon, the East Tullos Burn and its associated wetland, and areas of wildflower and tree planting.</p>

⁵ <https://www.salixrw.com/wetland-habitat-creation/new-wetland-habitats-east-tullos-burn/>

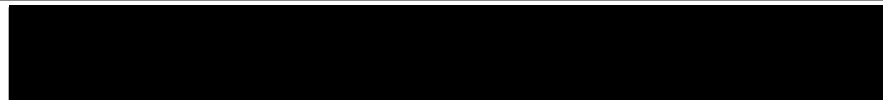
⁶ <https://www.keepsotlandbeautiful.org/media/845536/the-east-tullos-burn-improvement-project.pdf>

⁷ Pages 8 and 16 of the Bay of Nigg Development Framework <https://www.gov.scot/binaries/content/documents/govscot/publications/factsheet/2018/06/aberdeen-city-council-planning-authority-core-documents/documents/bay-nigg-development-framework-pdf/bay-nigg-development-framework-pdf/govscot%3Adocument/Bay%2Bof%2BNigg%2BDevelopment%2BFramework.pdf>



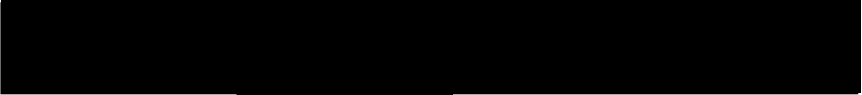
Site/ Policy / Issues	What we would like to say	What changes we would like to see made
	<p>the policy is amended, therefore, to ensure that the East Tullos Burn Project area is protected, rather than consideration being left to the masterplanning or application stage.</p> <p>Appendix 2 of the plan says that a joint masterplan is needed for OP56, OP61 and OP62. The requirement for an extensive masterplan for the ETZ is also mentioned in the related NPF4 submission document⁸. Potential mitigation is discussed at p30 and 31 of the document under the heading “The development will protect or enhance the quality of a place”. Illustrations there show several areas outwith OP56 being highlighted for “open space and landscape enhancement”. The report acknowledges that there “will be some loss of open space” as a result of the ETZ, but there is no mention of the wetland project area, or its possible protection. We do not consider it would be possible to adequately mitigate for the loss of the East Tullos Burn Project area. Leaving consideration to the masterplan process would, in our view, mean a low likelihood of protection being achieved.</p> <p>The plan’s Policy NE2 Green and Blue Infrastructure says that “Development proposals will seek to protect, support and enhance the Green Space Network (identified on the Proposals Map)”, and that “Masterplans will determine the location, extent and configuration of the Green Space Network within the area, and its connectivity with the wider network”. Given the value and multiple benefits of the East Tullos Burn</p>	

⁸ <https://www.transformingplanning.scot/media/1402/340-aberdeen-city-council-aberdeen-harbour-opportunity-north-east-and-invest-aberdeen.pdf>



Site/ Policy / Issues	What we would like to say	What changes we would like to see made
	<p>Project area, however, we recommend that protection is secured within the plan policy itself (and also within Appendix 2 – see our related representation on OP56).</p> <p>We advise that protection should extend to the burn, the wetland, its associated wildflower and tree planting and paths. An indication of the extent of the project area is given in the coloured areas on the illustration at the website here⁹.</p> <p>We recognise that there may be limited developable areas remaining if the Council protects the East Tullos Burn project area and if the allocation is also subject to a range of other constraints. We recommend that the Council produces a planning brief for OP56, showing areas of constraint and the main developable areas, as well as any other aspects of the Council’s vision for the site. This would then inform the masterplan process. This point is covered in our representation for OP56.</p> <p>Paragraph 6.6 of the Proposed Plan recognises that the planning system should protect and enhance green infrastructure networks in and around Scotland’s cities. Protection for the project area within the plan would, we suggest, appropriately acknowledge the value of the resource, and would better align with Council policies - NE2 and NE3 in particular. In fact, the recognised success of the project could be celebrated and it could be positively integrated into the ETZ.</p>	

⁹ <https://www.salixrw.com/wetland-habitat-creation/new-wetland-habitats-east-tullos-burn/>



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	<p>Notwithstanding any protection for the East Tullos Burn Project area, the allocation of OP56 will significantly impact the park as a valued greenspace, compounding earlier losses arising from the harbour expansion development in Bay of Nigg OP62.</p> <p>Masterplanning for the ETZ needs to as far as possible meaningfully mitigate any impact on St Fittick’s Park and other valued parts of the green space network, for example at Doonies Farm. We are happy to participate in that process.</p> <p>The ETZ allocations are also likely to have landscape and visual impacts that need to be well managed. Noting that the harbour and surrounding areas at Nigg Bay would create a new gateway into Aberdeen, good landscaping and design will be key to trying to mitigate the effects of the change. Views and the experience of arrival via the railway should also inform the masterplanning approach.</p> <p>In relation to this representation, in our view the Environmental Report Strategic Environmental Assessment (p761 – 769 and p2428 - 2429) under-represents the importance of OP56 St Fittick’s Park (in terms its value to people, wildlife and flood management) and also under-represents the likelihood of adverse effects, including post mitigation. It would appear that the East Tullos Burn Project has not been included in the assessment at all, although it takes up most of the undeveloped open space within OP56.</p>	



Site/ Policy / Issues	What we would like to say	What changes we would like to see made
Appendix 2; mention of Masterplan Zones for relevant allocations	<p>For the relevant allocations listed in the table at paragraph 11.7, we would recommend Appendix 2 also mentions if the allocation is included in such a Masterplan Zone. The appendix could also state whether a masterplan is required, or has already been prepared or approved. The date of approval could also be helpful, particularly if the Council is minded to consider imposing a shelf-life restriction on such plans. See our representation on this under Appendix 3.</p> <p>This would help make clearer which of the sites will be subject to the requirements set out at paragraph 11.7.</p> <p>All such relevant sites should also all be included in the list at Appendix 3.</p>	<p>For all relevant allocations, we recommend that Appendix 2 includes mention of their being included in a Masterplan Zone, as indicated at paragraph 11.7 of the plan. We recommend that it also that it states whether a masterplan is required, or has already been prepared or approved, and the date of approval, if relevant.</p> <p>All such relevant sites should also all be included in the list at Appendix 3.</p>
Appendix 2; ‘masterplanning’ requirements	<p>Many of the Opportunity Sites have ‘design tool’ requirements, whether for development frameworks, masterplans or planning briefs. In many cases agreed masterplans (etc.) may already exist. Although noting that the final column of Appendix 2 often contains information on this, and that Appendix 3 lists such sites, we think it could be helpful to have a distinct column in Appendix 2 which summarised that information. But we appreciate that there is could be the issue of a lack of space within this table.</p>	<p>We suggest that the Council considers the addition of another column to Appendix 2 summarising any ‘design tool’ requirements or the existence (and date) of agreed design tools (development frameworks, masterplans or planning briefs).</p>
Appendix 2; requirements for HRA for the River Dee SAC.	<p>We welcome the inclusion of wording in the final column of Appendix 2 about the need for project (/application) stage Habitats Regulations Appraisal for those Opportunity Sites that are located in the catchment of the River Dee Special Area of Conservation (SAC). In our view this is a helpful precautionary approach.</p>	<p>For all entries in Appendix 2 that have a standard requirement regarding HRA and the River Dee SAC, we recommend the following amendment:</p> <p>This development proposal will be subject to a A Habitats Regulations Appraisal (HRA) is required to</p>



Site/ Policy / Issues	What we would like to say	What changes we would like to see made
	<p>However we suggest some minor changes to the standard wording that has been used for these allocations. Our suggested changes to the wording would help acknowledge, to a greater degree, that:</p> <ul style="list-style-type: none"> - Habitats Regulations Appraisal is a process rather than perhaps implying that it is something that ‘accompanies’ a proposal (or planning application), as such. - In an early steps of the HRA process, it is possible that the Council may conclude that the proposal is unlikely to have a significant effect on the SAC, and so an Appropriate Assessment would not be required. It is probably better, therefore, to use the more general phrase “consider potential effects” so as to acknowledge this possibility, rather than “to avoid adverse effects”, a phrase normally associated with the later Appropriate Assessment step of HRA, which would only be reached if the Council judged that there was likely to be a significant effect. - If the Council does consider, at project (/application) stage, that the proposal is likely to have a significant effect and consequently does require the submission of an adequate Construction Environment Management Plan (CEMP) to avoid adverse effects on site integrity, then it is worth noting that the provision of the CEMP could be made subject to conditions. This is typically what occurs, and is acceptable in normal circumstances. 	<p>accompany development proposals in order to avoid adverse effects consider potential effects on the qualifying interests of the River Dee SAC. As part of this process it is likely a an adequate Construction Environment Management Plan (CEMP) will also may be required, although it is possible that this could be made subject to planning conditions.</p>



Site/ Policy / Issues	What we would like to say	What changes we would like to see made
OP3 – Findlay Farm, Murcar. (Appendix 2 and Paragraph 11.7)	<p>A masterplan requirement for the site may be deemed appropriate given its large size (16.4ha), and noting the Council’s website¹⁰ says that “Masterplans will be developed for residential sites with an area over 2 hectares or 50 houses or more, for sites identified in the Local Development Plan, or other large scale sites deemed appropriate.”</p> <p>Given its location in relation to other adjacent allocations (OP2 and OP45), it would seem logical and beneficial to include OP3 Findlay Farm within the first of the Masterplan Zones listed at paragraph 11.7 of the plan (i.e. alongside OP1, OP2 and OP45).</p>	<p>We recommend an amendment to the Appendix 2 entry for this site to say:</p> <p>Opportunity to extend the Aberdeen Energy Park. Masterplan required.</p> <p>Consequently, the site may also need to be added at Appendix 3.</p> <p>We recommend inclusion of OP3 – Findlay Farm, Murcar within the first of the Masterplan Zones listed at paragraph 11.7 of the plan (i.e. alongside OP1, OP2 and OP45).</p>
Appendix 2: OP7 – Aberdeen College Gordon Centre	<p>A masterplan requirement for the site would seem to be appropriate given its size (3.1ha), and noting the Council’s website¹¹ says that “Masterplans will be developed for residential sites with an area over 2 hectares or 50 houses or more, for sites identified in the Local Development Plan, or other large scale sites deemed appropriate.” A masterplan would help utilise the site’s full potential and promote high quality development.</p>	<p>We recommend an amendment to the Appendix 2 entry for this site to say:</p> <p>Location suitable for residential or mixed-use development. The woodland on site, particularly along the site’s boundaries, should be retained. Masterplan required.</p>

¹⁰ <https://www.aberdeencity.gov.uk/services/planning-and-building/masterplanning/masterplanning-process>

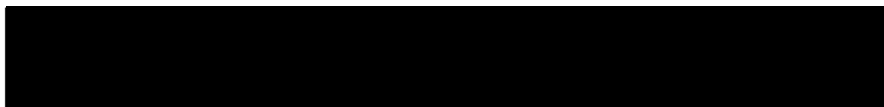
¹¹ <https://www.aberdeencity.gov.uk/services/planning-and-building/masterplanning/masterplanning-process>

Site/ Policy / Issues	What we would like to say	What changes we would like to see made
		Consequently, the site may also need to be added at Appendix 3.
OP10 – Dubford (Appendix 2 and Paragraph 11.7)	<p>This allocation is included within the first of the Masterplan Zones listed at paragraph 11.7 of the plan. However, given that it is separated by the A92 from the other allocations listed there (OP1, OP2 and OP45), it may be better to have a separate masterplan requirement (to be stated in Appendix 2), rather than to include it within this zone. We note that Appendix 2 says that "This is the undeveloped part of the 550 home Dubford development. Any proposal here must comply with the Dubford Development Framework". So any masterplan would presumably need to fit in with that.</p> <p>A masterplan requirement for the site would appear to be appropriate given its size (4.2ha), and noting thresholds for masterplanning as expressed on the Council's website¹² – i.e. "Masterplans will be developed for residential sites with an area over 2 hectares or 50 houses or more, for sites identified in the Local Development Plan, or other large scale sites deemed appropriate."</p>	<p>We suggest that the Council considers removal of OP10 – Dubford from the first of the Masterplan Zones listed at paragraph 11.7 of the plan.</p> <p>We also recommend an amendment to the Appendix 2 entry for this site to say:</p> <p>This is the undeveloped part of the 550 home Dubford development. Any proposal here must comply with the Dubford Development Framework. Masterplan required. This site may be at risk of flooding. A flood risk assessment will be required to accompany any future development proposals for this site.</p> <p>Consequently, the site may also need to be added at Appendix 3.</p>
OP12 – Silverburn House; Paragraph 11.7.	Given its size (100 homes) in relation to the thresholds for masterplanning at Policy H4, it would seem appropriate that the site	We recommend an amendment to the Appendix 2 entry for this site to say:

¹² <https://www.aberdeencity.gov.uk/services/planning-and-building/masterplanning/masterplanning-process>



Site/ Policy / Issues	What we would like to say	What changes we would like to see made
	<p>requires a masterplan. Amongst other things, this will help indicate how the site will link into OP2 and OP13.</p> <p>Also, given its location in relation to the nearby allocations OP2 and OP3, we suggest that it may make sense to include OP12 within the first of the Masterplan Zones listed at paragraph 11.7 of the plan (i.e. alongside OP1, OP2 and OP45).</p>	<p>Opportunity for 100 homes on former employment land. Primary and secondary education and health capacity issues need to be addressed. Needs to link into OP2 and OP13 – the AECC site. Masterplan required.</p> <p>Consequently, the site may also need to be added at Appendix 3.</p> <p>We suggest the inclusion of OP12 within the first of the Masterplan Zones listed at paragraph 11.7 of the plan (i.e. alongside OP1, OP2 and OP45).</p>
<p>Appendix 2: OP14 – Former Cordyce School</p>	<p>We note the Proposals Map indicates that the allocation includes mixed use development and greenspace network and that the latter includes ancient woodland and mature tree belts. Appendix 2 of the plan highlights that "Development should avoid harmful impacts on the community orchard".</p> <p>The SEA also notes that the site is part of the River Don valley and is classed as Prime Landscape in the Aberdeen Landscape Character Assessment. It is therefore likely to contribute significantly to the local landscape, and this consideration should be reflected in any masterplanning.</p>	<p>We recommend an amendment to the Appendix 2 entry for this site to say:</p> <p>Site suitable for a number of uses including housing, a garden centre and health and fitness village. Development should avoid harmful impacts on and seek to enhance the greenspace network, woodland, trees and community orchard. A Flood Risk Assessment is required. A planning brief is likely to be required to inform the Masterplan. Masterplan required.</p>



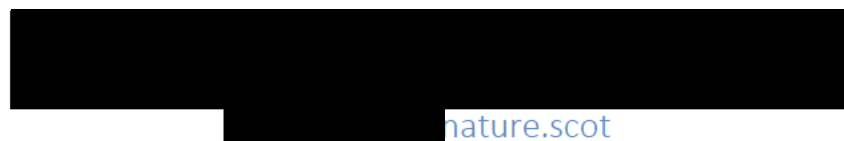
Site/ Policy / Issues	What we would like to say	What changes we would like to see made
	<p>Given the size of the site (7.9ha), and noting that Table 3 (at paragraph 3.8) states that the site may accommodate 50 to 100 homes, then, in keeping with the Policy H4 threshold of 50 homes (and the Council website¹³ threshold of 2ha) we recommend that Appendix 2 should state the need for a masterplan. This would help ensure all the relevant factors are taken into account to inform design and layout of development. The masterplan should make clear how the greenspace network and its woodland interest will be protected and enhanced in accord with policies NE2, NE3 and NE5.</p> <p>Noting that the site is in Aberdeen City Council’s ownership, it may also be helpful if the Council were to first produce a planning brief highlighting key constraints and main developable areas. This will help guide how development might work best with the woodland interest on the site and may also help provide more clarity for developers noting that Table 3 (at paragraph 3.8) states that “capacity of the site is dependent on design and access issues” and that it may be suitable for a number of uses. A planning brief could form a basis for the more detailed masterplan.</p>	<p>Consequently, the site may also need to be added at Appendix 3.</p>
<p>OP23 – Dyce Drive; Paragraph 11.7.</p>	<p>We suggest that masterplan requirement for the site should be deemed appropriate given its large size (65ha), and noting thresholds for masterplanning as expressed on the Council’s website¹⁴ – i.e. “Masterplans will be developed for residential sites with an area over 2</p>	<p>We recommend an amendment to the Appendix 2 entry for this site to say:</p> <p>This site may be at risk of flooding. A Flood Risk Assessment will be required to accompany any future</p>

¹³ <https://www.aberdeencity.gov.uk/services/planning-and-building/masterplanning/masterplanning-process>

¹⁴ <https://www.aberdeencity.gov.uk/services/planning-and-building/masterplanning/masterplanning-process>



Site/ Policy / Issues	What we would like to say	What changes we would like to see made
	<p>hectares or 50 houses or more, for sites identified in the Local Development Plan, or other large scale sites deemed appropriate.”</p> <p>This site lies adjacent to OP18 and OP19, and we recommend that the Council considers its inclusion as part of the "Newhills Expansion and Dyce Drive" Masterplan Zone which is discussed at paragraph 11.7 of the plan (this includes OP18, OP19, OP20, OP21, OP22).</p> <p>(We note that OP20, OP21 and OP22 lie within the Newhills Development Framework (page 39 of the plan).)</p>	<p>development proposals for this site. The site lies within a pipeline notification zone. Masterplan required.</p> <p>Consequently, the site may also need to be added at Appendix 3.</p> <p>We recommend inclusion of OP63 as part of the "Newhills Expansion and Dyce Drive" Masterplan Zone which is discussed at paragraph 11.7 of the plan.</p>
Appendix 2: OP37 – Woodend Hospital	We note that a masterplan requirement is set out at Appendix 3, and we recommend that this is also mentioned in the entry for the site at Appendix 2.	We recommend an addition to the Appendix 2 entry for the site, to state that a masterplan is required.
Appendix 2: OP46 – Royal Devenick Park	<p>The Proposed Plan was approved at Full Council on 2 March 2020 with some amendments put forward by Councillors. One of the amendments was the addition of this site, for 150 homes.</p> <p>The woodland in OP46 forms part of the Den of Leggart Local Nature Conservation Site https://www.aberdeencity.gov.uk/services/environment/local-nature-conservation-site-maps) and is included in the Ancient Woodland Inventory (as Long Established of Plantation Origin).</p>	<p>We advise changes to the allocation to remove the westernmost triangle of field, and to exclude woodland.</p> <p>We recommend an amendment to the Appendix 2 entry for this site to say:</p> <p>Housing opportunity for 150 houses. Masterplan required. The developable area will be confined to that part of the site which lies to the east of the Burn</p>



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	<p>We are unclear why the woodland is included within OP46. The best course, we suggest, would be to exclude woodland by changing the Opportunity Site boundary. The triangular shaped part of the field at the west of the site which is unconnected with the rest of the development, except via woodland, should also be excluded.</p> <p>Even if the woodland was excluded, we would still recommend that some information is submitted to demonstrate how the ancient woodland interest will be protected, including from indirect impacts such as those arising from increased recreational use, dumping of garden waste or soil compaction and changes in drainage. Appropriate buffers should be maintained, for example.</p> <p>Appendix 2 should highlight the need for its protection and reference compliance with the relevant policies. Information should be submitted to demonstrate how the ancient woodland interest will be protected and enhanced, during both construction and operation.</p> <p>The Opportunity Site has an unusual boundary, being set hard against the planning authority boundary at its west edge. Perhaps by way of explanation, the related bid assessment (B1308 – Royal Devenick Park Phase 1) suggested that “The proposal is ...part of a much larger new settlement proposal, most of which lies in Aberdeenshire”. We note that although adjacent bids were submitted at the Aberdeenshire ‘call for sites’ stage, no adjacent Opportunity Sites are included in the Aberdeenshire Proposed Plan.</p>	<p>of Leggart. Flood Risk Assessment required. A Habitats Regulations Appraisal is required to accompany development proposals in order to avoid adverse effects on the qualifying interests of the River Dee SAC. As part of this process it is likely a Construction Environmental Management Plan will also be required.</p> <p>This 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 this process an adequate Construction Environmental Management Plan (CEMP) may be required, although it is possible that this could be made subject to planning conditions. The site contains woodland which is included in the Ancient Woodland Inventory and forms part of Den of Leggart Local Nature Conservation Site. This woodland will be protected in compliance with Scottish Planning Policy, Policy NE2 Green and Blue Infrastructure, Policy NE3 Our Natural Heritage, and NE5 Trees and Woodland. Information will be required to demonstrate how the ancient woodland interest will be protected during both construction and operation. New planting extending south from the Den of Leggart woodland (to the southern extent of the allocation) is required to</p>

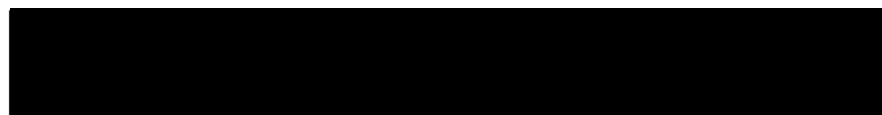


Site/ Policy / Issues	What we would like to say	What changes we would like to see made
	<p>Viewed from the Aberdeenshire side the site has a very rural context, which therefore increases the sensitivity of the western edge. As such we recommend that any development is confined to that part of the site which lies to the east of Burn of Leggart, and that the developable area also excludes any woodland. In our view, this would make for a more rational site boundary, generally in keeping with the edge of existing development to the north, and will also better contain the site, reducing landscape and visual impacts, for example, from the minor road to the west. We advise that new native planting should extend south along the Burn of Leggart to southern extent of the allocation, reinforcing this natural feature. This will also act to reduce visual impacts in views from the west.</p> <p>Given the shape of the site, road access from the east part to the west part of the site could not be achieved without removal of trees from the ancient woodland/ Local Nature Conservation Site. This is another reason for restricting any development to only the east half of the site.</p> <p>Given the size of the site (8.3ha), and that it is an “opportunity for 150 houses” then, in keeping with the Policy H4 threshold of 50 homes (and the Council website¹⁵ threshold of 2ha) we recommend that Appendix 2 should state the need for a masterplan. This would help ensure all the relevant factors are taken into account to inform design and layout of development. The Council may need to reconsider how many houses the</p>	<p>reduce visual impacts and should be in keeping with the existing woodland.</p> <p>The site should be included within the list of allocations requiring new masterplans at Appendix 3 of the plan.</p> <p>Some of the above suggested amended wording assumes that the entire site including woodland will remain part of the allocation. We have advised that the ancient woodland should be excluded from OP46, through a change in the allocation boundary, and that the triangle of field at the west of the site could also similarly be excluded. Note that excluding the woodland would not negate our recommendation that information is provided on how the (adjacent) woodland interest would be protected.</p>

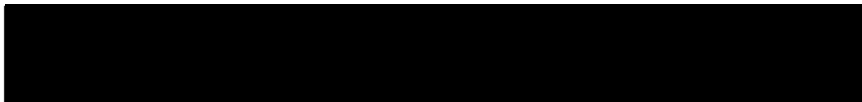
¹⁵ <https://www.aberdeencity.gov.uk/services/planning-and-building/masterplanning/masterplanning-process>



Site/ Policy / Issues	What we would like to say	What changes we would like to see made
	<p>site could accommodate if our advice is followed, but it seems likely that it will still exceed the threshold for requiring a masterplan.</p> <p>The site should also be included within the list of allocations requiring new masterplans at Appendix 3.</p> <p>Our proposed amendment also includes our recommended form of words in relation to the River Dee SAC.</p>	
Appendix 2: OP49 – Grove Nursery, Hazlehead	<p>This 5.9ha Council owned site is proposed for New Community Facilities; for social enterprises specialising in nursery, horticulture and/or allotments and other associated uses. Areas of the site have substantial tree cover, and are included in the Scottish Semi-Natural Woodland Inventory.</p> <p>It may be helpful for the Council to produce a planning brief for the site. This could for example help indicate how woodland on the site may be worked with.</p>	Possible inclusion of requirement for a planning brief at Appendix 2.
Appendix 2: OP53 - Tillyoch, Peterculter	<p>The Proposed Plan was approved at Full Council on 2 March 2020 with some amendments put forward by Councillors, and one of the amendments was the addition of this site, for 250 homes.</p> <p>The woodland area in the south east of OP53 is included in the Ancient Woodland Inventory (being of Long Established Plantation Origin) and it comprises the north west part of the Peterculter Local Nature Conservation Site</p>	<p>We advise changes to the allocation to remove the northern section/ square of land to reduce landscape and visual impacts and also removal of that part of the site which lies across the area of ancient woodland at the south east.</p> <p>We recommend an amendment to the Appendix 2 entry for this site to say:</p>



Site/ Policy / Issues	What we would like to say	What changes we would like to see made
	<p>https://www.aberdeencity.gov.uk/services/environment/local-nature-conservation-site-maps).</p> <p>We understand the site is would be re-zoned from Green Belt and Green Space Network to Residential (but that the intension is that woodland to the south east would be retained as Green Space Network).</p> <p>We are unclear why the woodland is included within OP53. The best course, we suggest, would be to exclude all woodland by changing the Opportunity Site boundary. But even if the woodland was excluded, we would still advise that information is submitted to demonstrate how the ancient woodland interest will be protected including from increased recreational use, or soil compaction and changes in drainage.</p> <p>If it is not removed we would also recommend that the intention to retain the south eastern woodland as part of the Green Space Network is stated in Appendix 2.</p> <p>We recommend that Appendix 2 should highlight the need for protection of all woodland on the site and reference compliance with the relevant policies. Information should be submitted to demonstrate how the ancient woodland interest will be protected and enhanced, during both construction and operation. Appropriate buffers should be maintained, for example.</p> <p>Given the size of the site (15.25ha), and that it is an “opportunity for 150 houses” then, in keeping with the Policy H4 threshold of 50 homes (and</p>	<p>Housing opportunity for 250 houses. Flood Risk Assessment required. A Habitats Regulations Appraisal is required to accompany development proposals in order to avoid adverse effects on the qualifying interests of the River Dee SAC. As part of this process it is likely a Construction Environmental Management Plan will also be required. This 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 this process an adequate Construction Environmental Management Plan (CEMP) may be required, although it is possible that this could be made subject to planning conditions. The south east of OP53 comprises woodland which is included in the Ancient Woodland Inventory and forms part of Peterculter Local Nature Conservation Site. This woodland will be retained as part of the Green Space Network, and requires to be protected in compliance with Scottish Planning Policy, Policy NE2 Green and Blue Infrastructure, Policy NE3 Our Natural Heritage, and NE5 Trees and Woodland. A masterplan will be required setting out, amongst other things, how ecological connections between the various parcels of woodland around the site will be maintained. Information will be required to</p>



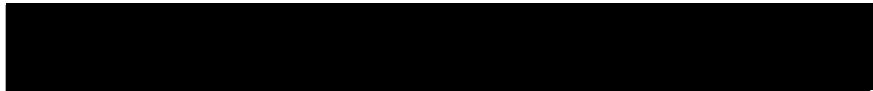
Site/ Policy / Issues	What we would like to say	What changes we would like to see made
	<p>the Council website¹⁶ threshold of 2ha) we suggest that Appendix 2 should state the need for a masterplan. This would help ensure all the relevant factors are taken into account to inform design and layout of development. The site should also be included within the list of allocations requiring new masterplans at Appendix 3.</p> <p>The development site is located on the south-facing gentle slope of the local hill at Benview. For the most part the site is contained within a woodland setting, however the northern, largely disconnected, square of land encroaches on to the upper slopes of the hill, and we recommend its removal to reduce landscape and visual impacts at the outset. The rest of the site can then be developed within the woodland setting which will reduce its landscape and visual impacts.</p> <p>Noting that there is likely to be movement of species such as red squirrels and badgers between the different ancient woodland parcels within and surrounding OP53, we advise that there would be the need for relevant assessments and that the design should include corridors of greenspace between woodland parcels to prevent fragmentation or isolation of habitat. This would align with Policy NE3.</p> <p>Our proposed amendment also includes our recommended form of words in relation to the River Dee SAC.</p>	<p>demonstrate how all woodland interest on and surrounding the site will be protected and enhanced during both construction and operation.</p> <p>The site should also be included within the list of allocations requiring new masterplans at Appendix 3 of the plan.</p> <p>Some of the above suggested amended wording assumes that woodland will remain part of the allocation but as noted our basic advice is to recommend that the ancient woodland should be excluded from OP53, through a change in the allocation boundary. Excluding the woodland would not negate our advice that information is provided on how the (adjacent) woodland interest would be protected.</p> <p>We also advise that the square of land at the north of the allocation is removed to reduce landscape and visual impacts.</p>

¹⁶ <https://www.aberdeencity.gov.uk/services/planning-and-building/masterplanning/masterplanning-process>

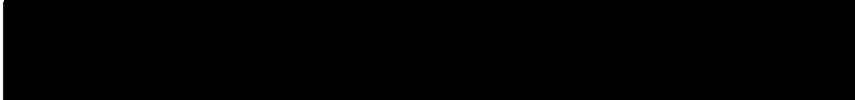


Site/ Policy / Issues	What we would like to say	What changes we would like to see made
<p>Appendix 2, OP54 - Craigton, Peterculter</p>	<p>The Proposed Plan was approved at Full Council on 2 March 2020 with some amendments put forward by Councillors, and one of the amendments was the addition of this site, for 10 homes.</p> <p>Given its position on an area of elevated ground to the north of Peterculter, the proposal would impact on the surrounding landscape and would be a cluster of development relatively isolated from the main settlement, drawing the settlement boundary further north and giving it a less rational or defined edge. It does not read well as a logical extension to the settlement, and could potentially leading to further incremental development to the north of Peterculter. It is not apparent how these impacts could be mitigated. If the site is to be included these issues need to be addressed in a masterplan. The key sensitivities are the sense of entering and leaving the settlement of Peterculter, and the elevated ground which imparts a rural character to the area.</p> <p>Given the size of the site (2.45ha), it would appear to meet the Council’s threshold for a masterplan requirement, as expressed on the Council’s website¹⁷ – i.e. “Masterplans will be developed for residential sites with an area over 2 hectares or 50 houses or more, for sites identified in the Local Development Plan, or other large scale sites deemed appropriate.”</p>	<p>Given the sensitivities associated with the site it will be a challenge to design and therefore we recommend consideration of removing this site from the plan.</p> <p>If retained, we would suggest a masterplan requirement is included at Appendix 2.</p>
<p>Appendix 2: OP56 - St Fittick’s Park</p>	<p>As noted for our representation on Policy B5, the East Tullos Burn Project area at St Fittick’s Park would be adversely affected by the Energy</p>	<p>Amend the entry for OP56 in the final column (Other Factors) of Appendix 2 as follows:</p>

¹⁷ <https://www.aberdeencity.gov.uk/services/planning-and-building/masterplanning/masterplanning-process>



Site/ Policy / Issues	What we would like to say	What changes we would like to see made
	<p>Transition Zone given that Opportunity Site OP56 St Fittick’s Park encompasses the burn, associated habitats and paths. We advise strengthening wording in Appendix 2 of the plan to protect this important resource, rather than leaving potential protection to the masterplanning process.</p> <p>The reasons for the first sentence of our proposed amendment are the same as those that we have outlined in relation to our representation for Policy B5.</p> <p>In relation, we also recommend that the Council produces a planning brief for OP56, the key part of which would be an map illustrating the areas of constraint, the main developable areas, and any other aspects of a Council led vision for the site, for example active travel links that should be retained or strengthened. This will allow the Council to take a clearer lead role in shaping development / placemaking at St Fittick’s Park given that this is a valued greenspace. The planning brief would then be used to inform the proposed joint masterplan.</p>	<p>Energy Transition Zone. This site, along with OP61, will support renewable energy transition related industries in association with Aberdeen South Harbour. Any development at this site must have a functional association with the South Harbour which precludes it being located elsewhere, such as the size of the infrastructure preventing transport from other locations or requiring ‘roll on / roll off’ level access to the South Harbour. Appropriate environmental assessments will be required, including a Habitats Regulations Appraisal to accompany development proposals in order to avoid adverse effects on the qualifying interests of a range of Natura sites. A Flood Risk Assessment is also required. Other issues which need to be addressed include water quality, recreational access, habitat connectivity, compensatory planting and landscape buffering with residential areas. Development must retain the amenity value of and avoid any adverse impacts upon the East Tullos Burn and its associated wetland, and areas of wildflower and tree planting. The Council will produce a planning brief to guide development at OP56. A key part of this will be a map illustrating the areas of constraint, the main developable areas, and other relevant aspects of the Council’s vision for the</p>



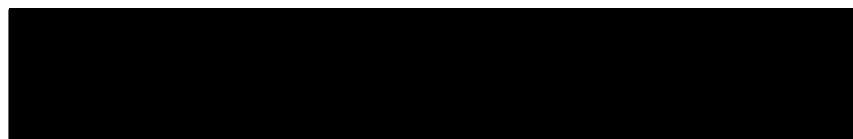
Site/ Policy / Issues	What we would like to say	What changes we would like to see made
		<p>site. This planning brief will help inform the Joint Masterplan needed for OP56, OP61 and OP62.</p>
<p>Appendix 2: OP62- Bay of Nigg</p>	<p>OP62 encompasses the Aberdeen harbour expansion area. The allocation has altered from that in the 2017 plan in that whilst the boundary has not changed, it now includes two areas of the Energy Transition Zone.</p> <p>The Aberdeen harbour expansion area includes Nigg Bay Site of Special Scientific Interest (SSSI). The SSSI is of national importance for its geological deposits. These are protected through the extant consents for the harbour expansion development. Our understanding is that there would be no change to the harbour expansion under the proposed plan and therefore there would be no adverse impacts to the SSSI.</p> <p>It is important that the geological deposits of the SSSI are accessible for research and study once construction for Aberdeen Harbour South has been completed.</p>	<p>Although we have highlighted our understanding of the relationship of OP62 with the SSSI, based on this understanding no changes to the Proposed Plan are required.</p>
<p>Appendix 2: OP65 - Haudagain Triangle, Middlefield</p>	<p>This is a 4ha Council owned site that is allocated for Mixed use and Land for Transport. Given the size of the site the Council may wish to include a masterplan requirement, and/ or a planning brief requirement.</p>	<p>Suggest inclusion of masterplan and/ or planning brief requirement at Appendix 2 (and at Appendix 3).</p>
<p>Appendix 2: OP66 - Granitehill</p>	<p>This is a 4.8ha site, which is part owned by the Council, and allocated for proposed residential development (300 homes). Appendix 3 suggests that there will be a masterplan requirement, and we suggest this should be reflected at Appendix 2.</p>	<p>We suggest inclusion of masterplan requirement at Appendix 2 (reflecting the requirement at Appendix 3).</p>



Site/ Policy / Issues	What we would like to say	What changes we would like to see made
Appendix 2: OP87 – Pittodrie Park	This is a 6ha site, for proposed residential development. The size of the allocation would suggest a masterplan requirement, but this is not mentioned at Appendix 2, or 3.	We suggest inclusion of masterplan requirement at Appendix 2 (and Appendix 3).
Appendix 2: OP93 – Former Summerhill Academy	This is a 3.3ha site, for proposed residential development. The size of the allocation would suggest a masterplan requirement, but this is not mentioned at Appendix 2, or 3.	We suggest inclusion of masterplan requirement at Appendix 2 (and Appendix 3).
Appendix 2: OP113 – Culter House Road	This is a 2.4ha site, for proposed residential development. The size of the allocation would suggest a masterplan requirement, but this is not mentioned at Appendix 2, or 3.	We suggest inclusion of masterplan requirement at Appendix 2 (and Appendix 3).
Appendix 2: OP116 - Froghall Terrace	Noting that this site falls within the River Dee catchment, we recommend, to be consistent, that a tick is included in the fifth column of the Appendix 2 table and that relevant wording is added regarding Habitats Regulation Appraisal for the River Dee SAC.	We recommend an amendment to the Appendix 2 entry for this site to say: Cleared depot. Suitable for residential accommodation. This 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 this process an adequate Construction Environmental Management Plan (CEMP) may be required, although it is possible that this could be made subject to planning conditions.
Appendix 3	It would be helpful for the Council to impose a shelf life on masterplans to ensure that these remain valid in terms of policy expectations. For example the Aberdeenshire Proposed Plan, at Policy 1.2 says “Once	We recommend that the Council considers including a shelf life restriction for Masterplans. This could be

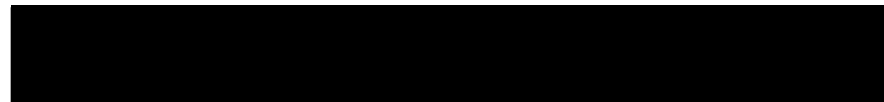


Site/ Policy / Issues	What we would like to say	What changes we would like to see made
	<p>agreed, a Masterplan shall remain valid for a period of 5 years, unless planning permission for the development has been granted and implemented”.</p> <p>This would help ensure that Masterplans are in keeping with current policy and understanding of, for example, measures required to mitigate and adapt to climate change.</p> <p>We suggest that the Council should consider including such a restriction, perhaps at Appendix 3 of the plan, or elsewhere within a relevant policy – possibly Policy D1.</p>	<p>based upon that used in the Aberdeenshire proposed plan.</p>



Our comment on the Proposed Delivery Programme

Site/ Policy / Issues	What we would like to say	What changes we would like to see made
Proposed Delivery Programme	We observe that although the SEA Environmental Report frequently lists ecological survey work in the “Mitigation if appropriate?” column of the site assessments, the requirement for such survey is not very frequently represented within the Delivery Programme. Recognising that Delivery Programme is to be a working document that can be continually updated to reflect progress with each proposal and action, we would recommend that where a requirement for survey is expressed in the SEA Environmental Report it is also transposed into the Delivery Programme.	We recommend that where a requirement for ecological survey is expressed in the SEA Environmental Report it is also transposed into the Delivery Programme.



Sent by email to: [REDACTED]

Andrew Brownrigg

Local Development Plan Team Leader
Aberdeen City Council
Local Development Plan
Strategic Place Planning
Business Hub 4
Ground Floor North
Marischal College
Aberdeen AB10 1AB

31 August 2020

Our ref: CEA159370

Dear Andrew

ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005

01388 ENVIRONMENTAL REPORT FOR ABERDEEN PROPOSED LOCAL DEVELOPMENT PLAN 2020

Thank you for consulting us on the Environmental Report associated with the Aberdeen Proposed Local Development Plan 2020.

The Environmental Report comprises a Strategic Environmental Assessment and a Habitats Regulations Appraisal (HRA). We have provided our advice on the HRA in a separate letter.

We appreciate the huge amount of work that has gone into preparing the Environmental Report, and taking previous comments into account.

Our advice below can be considered in relation to any post adoption statement or revision to the Environmental Report.

Policy B5 and OP56

In our view the Environmental Report under-represents the importance of OP56 St Fittick's Park (in terms its value to people, wildlife and flood management) and also under-represents the likelihood of adverse environmental effects, including post mitigation.

It would appear that the East Tullos Burn Project area has not been included in the Policy B5 and OP56 assessments at all. Therefore all the benefits that the project has delivered (and the available North East Scotland Biological Records Centre records) have not been considered in the

topics within the assessments. This is noting that the East Tullis Burn Project area takes up most of the undeveloped open space within OP56, which itself is a sizeable proportion of the Energy Transition Zone.

In our consultation response on the Proposed Plan, we have included representations on Policy B5 Energy Transition Zones and the related OP56 St Fittick's Park, and these representations can inform the post adoption statement or any revision to the Environmental Report.

Our detailed representations on other Opportunity Sites

In our response to the Proposed Plan we have also provided detailed representations on the following Opportunity Sites:

OP46 Royal Devenick Park

We agree with the SEA that:

“Development will have a negative impact on the landscape setting of the area”.

In relation we have recommended mitigation which goes beyond that identified in the Environmental Report. We advise changes to the allocation boundary (or developable area), and also woodland planting to help screen the development.

The SEA notes that:

“Den of Leggart Local Nature Conservation Area lies inside site area which is also formed of Semi-Natural and Ancient Woodland”.

Our representation advises mitigation which goes beyond that identified in the Environmental Report. We advise excluding the woodland area and requiring information to demonstrate how the woodland would be protected.

OP53 Tillyoch, Peterculter

The SEA notes that:

“Peterculter Local Nature Conservation site ancient woodland and tree Preservation Order 210 covers the south eastern section of the site. There are two further areas of Ancient Woodland immediately off site, one to the east and one to west. The whole site, bar the most northerly field is designated as Green Space Network.”

Our representation advises mitigation which goes beyond that identified in the Environmental Report. We advise excluding the woodland area, and also providing information demonstrating how the woodland would be protected. We have also advised the creation of wildlife corridors through the site that would help connect existing woodland parcels.

The SEA notes that:

“Development will change the character of the landscape. This could be managed by careful design and landscaping.”



While careful design and landscaping may be helpful to a degree, our representation further emphasises the sensitivity of the site and we have advised mitigation which would involve removing the northern part of the site from within the allocation boundary.

OP54 Craigton, Peterculter

The SEA says:

“Development will intrude slightly into the landscape. Development would be visible from the A93, and would present as a cluster of housing, rather than the isolated units, or linear residential development.”

Our representation further emphasises the landscape sensitivities of the site. We advise that, given these sensitivities, the development will be a challenge to design, and we therefore we recommend that the Council considers removal of this site from the plan. If retained we have suggested a masterplan requirement.

Ecological survey

More generally, we would observe that although the Environmental Report frequently lists ecological survey work in the “Mitigation if appropriate?” column of the site assessments, the requirement for such survey is not very frequently represented within the Delivery Programme. Recognising that Delivery Programme is to be a working document that can be continually updated to reflect progress with each proposal and action, we would recommend that where a requirement for survey is expressed in the Environmental Report it is also transposed into the Delivery Programme. We have commented on this in our letter responding to the Proposed Plan.

Abstraction related issues

At page 46 of the Environmental Report there is a ‘Note on the assessment of Water’. This says that:

“...Scottish Water have confirmed that the levels of development proposed by the Strategic Development Plan and therefore this Proposed Local Development Plan fall within current licence levels. The issue of water abstraction from the River Dee is therefore not considered as part of this SEA. It is considered to be an issue beyond the scope of this Plan, and it’s associated Environmental Report.”

This wording may draw upon the position taken in an early draft of the Council’s HRA. We would advise, however, that the issue of water abstraction is relevant to the Proposed Plan, and cannot be discounted because it has been considered in the Strategic Development Plan, as a higher level plan. There is some guidance in relation to this issue at paragraphs 5.27 and 5.28 of the [2015 guidance](#) on Habitats Regulations Appraisal of Plans. However, in fact, the Council has considered the potential impact of abstraction within the HRA under “Section 6.1.1 Water abstraction impacts on the qualifying interests of the River Dee SAC”. We welcome that it has been fully considered there.

The same page 46 ‘Note on the assessment of Water’ says:



“Decisions regarding acceptable water abstraction levels from the River Dee are discussed and agreed between Scottish Environment Protection Agency (SEPA), Scottish Water and SNH. The Habitats Regulations Assessment also covers this issue.”

It would be more accurate if this were to say:

“Decisions regarding acceptable water abstraction levels from the River Dee may be discussed between Scottish Environment Protection Agency (SEPA), Scottish Water and SNH. The Habitats Regulations Assessment also has a bearing on this issue. The licence for abstraction for the public water supply from the River Dee is held by Scottish Water, and SEPA is the principal regulator of that abstraction licence.”

Although SNH has a role to play in terms of Habitats Regulations Appraisal for the River Dee Special Area of Conservation, the above change would more accurately reflect the roles of these various bodies. Similarly, the Environmental Report contains a large number of entries saying:

“All new development will increase the need to abstract water from the River Dee, with requirements agreed between Scottish Water and SNH.”

Better, more accurate, wording would be:

“New development may increase the need for Scottish Water to abstract water from the River Dee for the public supply, with water abstraction licence requirements set by SEPA.”

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

The advice in this letter is provided by Scottish Natural Heritage, acting under its operating name NatureScot.

Yours sincerely

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED] [nature.scot](https://www.nature.scot)

NatureScot is the operating name of Scottish Natural Heritage

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

Andrew Brownrigg
Local Development Plan Team Leader
Aberdeen City Council
Local Development Plan
Strategic Place Planning
Business Hub 4
Marischal College
Broad Street
Aberdeen AB10 1AB

31 August 2020

Our ref: CPP159391

Dear Andrew

ABERDEEN PROPOSED LOCAL DEVELOPMENT PLAN 2020 - HABITATS REGULATIONS APPRAISAL

Thank you for consulting us on the Habitats Regulations Appraisal (HRA) for the Aberdeen Proposed Local Development Plan 2020. We note that the HRA Record is included within the Environmental Report (at pages 68-142).

We appreciate having been able to work closely with the Council as you have drafted the HRA. This has been very helpful to us in commenting at this stage.

Our detailed advice is contained at [Annex 1](#). This mostly consists of agreeing with the reasoning and conclusions of your HRA, although we have suggested a few changes to wording in places. The HRA Record could be updated to take account of such comments.

One of our representations on the Proposed Plan, covered in a separate letter, is to advise that you strengthen its existing wording on European sites at Policy NE3 Our Natural Heritage. We consider that this change to the Proposed Plan is necessary in order to better support your HRA conclusions.

At [Annex 2](#) of this letter, for information, we have provided more detail on the supportive appraisal that we carried out regarding possible loss of SPA goose foraging habitat.

I hope you will find our comments of assistance.

[Redacted signature block]

[Redacted name] nature.scot

If you have any queries please do not hesitate to contact [REDACTED]
in the first instance.

The advice in this letter is provided by Scottish Natural Heritage, acting under its operating name NatureScot.

Yours sincerely,

[REDACTED]
[REDACTED]
[REDACTED]

Enc. Annex 1. NatureScot's advice on the Aberdeen Proposed Local Development Plan HRA Record, May 2020.

Annex 2. NatureScot's appraisal in relation to possible loss of SPA goose foraging habitat from allocations in the Proposed Aberdeen LDP 2020.

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Annex 1. NatureScot's advice on the Aberdeen Proposed Plan HRA Record, May 2020

River Dee Special Area of Conservation (SAC)

Potential abstraction impacts

Allocations and policies that may require water abstracted from the River Dee are 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. This is then considered in the Appropriate Assessment at p129 of the HRA.

Based on the HRA's reasoning, we agree that the 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.

As a relatively minor observation, we note the discussion at p133/134 of the HRA regarding the Examination of the Proposed Strategic Development Plan. The Examination of the SDP dealt with a change to housing allowances / land release figures, and 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 slight contrast, the Council's HRA states on p133 that "...Examination of the Proposed SDP has not resulted in any overall increase in housing allowances...". Whether there is actually a small (23 unit) overall increase in allowances, or no increase, in our view, either way, it would not be a meaningful overall increase in housing allowances, and consequently the reasoned conclusions of the Proposed SDP Appropriate Assessment regarding abstraction would still remain valid.

We also note discussion of windfall sites, and how these might affect abstraction. Page 134 of the HRA flags that there is existing headroom for an identified level of windfall development in the plan period without going beyond the licenced limit and that there are also means of keeping track of the cumulative level of windfall development. We advise, therefore, that provided the City and Shire 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.

Potential pollution impacts during construction

All Opportunity Sites situated within the River Dee catchment were also screened in as likely to have a significant effect, and requiring further investigation through Appropriate Assessment, due to the potential for construction related impacts on the River Dee SAC. This is then considered in the Appropriate Assessment at p134 of the HRA.

We would suggest some minor changes to the first three paras on p135 of the HRA record – i.e. replacing these, so as to say:

"It is important to know that the risk of construction related impacts from Opportunity Sites in the River Dee catchment is suitably low or can be adequately managed. On a precautionary basis, the LDP requires project level HRA to be carried out for all the



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allocations located within the catchment. At project stage, the Council will appraise the risks of construction, and if it considers that the proposal is likely to have a significant effect it may require submission of an adequate Construction Environmental Management Plan (CEMP). Where the Council considers that a CEMP is required, this could be made subject to a planning condition. The requirement for project level HRA is set out for relevant Opportunity Sites at Appendix 2 of the LDP, and on this basis we are able to conclude (at plan stage) that an adverse effect on site integrity can be avoided.

It is worth noting that the Council is also likely to undertake project level HRA for any windfall development located within the River Dee catchment, and similarly should the Council consider it is likely to have a significant effect, it can potentially require the submission of an adequate CEMP.”

The changes would recognise that the Council is going to have a more detailed look at the risk associated with proposals at the project (/application) stage, and then assess whether there is ‘likely to be a significant effect’ on the interests of the SAC.

We note that the Appropriate Assessment’s conclusions (page 136) are based in part on the logic that “if future development projects were considered likely to cause a likely significant effect, then at that stage project level HRA would be required as a legislative requirement (as noted under Policy NE3 Natural Heritage)”. Although noting that the acronym “HRA” in this sentence should be replaced with the term “Appropriate Assessment”, we are generally content with this approach. However, our advice is that to support such a conclusion you should strengthen the wording on European sites at Policy NE3. As a representation on the Proposed Plan we have advised changes to the relevant Policy NE3 paragraph. Our proposed changes will make the legislative requirements for European sites clearer within the plan, and this will therefore better support the logic you are using to reach your HRA conclusions.

It is also worth noting that we have discussed the possibility of also including specific caveat wording on the need for protection of European sites within some of the plan policies. The approach being taken by the Council in this case, however, is to rely on the overarching policy at NE3 concerning European sites. We understand the reasons for that approach, but it does increase the importance of having robust wording at Policy NE3, as is discussed above.

Although noting the need for / desirability of strengthening the wording at Policy NE3, we support the HRA’s reasoning, and agree that the 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 impacts.

It is worth noting that the final column of Appendix 2 of the Proposed Plan includes wording about the need for project (/application) stage Habitats Regulations Appraisal for those Opportunity Sites that are located in the catchment of the River Dee Special Area of Conservation (SAC). This standard wording for Opportunity Sites in the River Dee catchment says:

“A Habitats Regulations Appraisal is required to accompany development proposals in order to avoid adverse effects on the qualifying interests of the River Dee SAC. As part of this process it is likely a Construction Environmental Management Plan will also be required.”



As a representation on the Proposed Plan we have suggested some relatively minor modifications to that Appendix 2 wording to say:

“This 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 this process an adequate Construction Environmental Management Plan (CEMP) may be required, although it is possible that this could be made subject to planning conditions.”

Should the Council be willing to accept this suggested change, the entries in Table 2.3 (on p75) of the HRA Record, which contain the same wording, could be similarly updated.

Goose SPAs: Ythan Estuary, Sands of Forvie and Meikle Loch SPA, and Loch of Skene SPA

Potential loss of foraging habitat

The Proposed Plan may have an impact on goose Special Protection Areas (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 20 km of a goose SPA are 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 other proposals (allocations in the Aberdeenshire Proposed Plan), affect SPA geese through loss of foraging habitat.

This issue is considered in the Appropriate Assessment at p137 of the HRA regarding the two relevant SPAs - Ythan Estuary, Sands of Forvie and Meikle Loch SPA, and Loch of Skene SPA.

As noted in the Appropriate Assessment, we have appraised the potential for an adverse effect on the goose SPA populations. Our appraisal looked at goose foraging distribution data alongside information on the proposed allocations and also in-combination effects from allocations in the Aberdeenshire Proposed Plan. Again, as noted in the Appropriate Assessment, 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. For information, we have attached our related appraisal at [Annex 2](#).

We agree 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).

Recreational disturbance of qualifying interests at SPAs

It may also be worth noting that we have also considered potential recreational disturbance of qualifying interests at SPAs. 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. You may wish to also mention this aspect in any update to your HRA Record.

Other potential impacts on European sites

We note that potential impacts on the following European site interests are also covered at p138-140 of the Appropriate Assessment:

- Eider (non-breeding) as a qualifying interest of Ythan Estuary, Sands of Forvie and Meikle Loch SPA.
- Bottlenose dolphin as a qualifying interest of Moray Firth SAC.
- Grey seal as a qualifying interest of Isle of May SAC.

We support the HRA's reasoning in each case, and agree that the Council can conclude that the Proposed Plan will not have an adverse effect on site integrity regarding these interests. However, we again reiterate our comment about the importance of having robust wording on European sites at Policy NE3 of the Proposed Plan.



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

(Please note. The appraisal below is overarching in that it looks at the potential combined impact of allocations contained in the Aberdeenshire Proposed Plan and the Aberdeen City Proposed Plan. Consequently it considers a wider range of SPAs than is relevant to your own HRA.)

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 20 km 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 22 km 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 1 km 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 five 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.