

From: [REDACTED]
To: [LDP](#)
Subject: Aberdeen City Council Proposed LDP
Date: 09 July 2020 10:55:00
Attachments: [image001.png](#)
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[image006.png](#)
[image009.png](#)

Dear Sirs,

Thank you consulting Scottish Forestry (SF) on the proposed Local Development Plan (LDP) for Aberdeen City, please note the following which relate to; Section 6; Protecting and Enhancing the Natural Environment; NE5 Trees and Woodland:

NE5 - Trees and Woodland

SF welcome the inclusion of the standalone policy NE5 – Trees and Woodland, which reads as follows:

Development should not result in the loss of, or damage to, trees and woodlands. 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. 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. Buildings and infrastructure should be sited to allow adequate space for a tree's natural development, taking into account the predicted mature height, canopy spread and future rooting environment. Where applicable, root protection areas should be established, and protective barriers erected prior to any work commencing. See relevant Aberdeen Planning Guidance for more information.

This statement relates to two of the principles of the Control of Woodland Removal Policy (COWRP) but does not refer to the actual policy or provide the principles by which applications will be assessed - SF would request that the statement is strengthened by a direct reference to the COWRP and the same reference should be made in the Planning Guidance when this is produced.

We would also request that the statement is further strengthened and expanded to reflect the full range of principles in the COWRP, some of the key issues and considerations are discussed below:

There is an intention to achieve *'the long-term retention of existing trees and woodlands that the planning authority consider worthy of retention'*, however this statement does not clarify the criteria by which the planning authority will make their assessment on those trees and woodlands that they class as being worthy of retention.

Section 6.41 states that 'Aberdeen has one of the lowest tree coverage percentages in Scotland' therefore protection of the existing tree and woodland resource should be of the highest priority to the local authority.

There is a requirement in Section 53 of the Planning Act 2019 for the local authority to produce a Forestry and woodland strategy to—

- (a) identify woodlands of high nature conservation value in the planning authority's area, and
- (b) set out the planning authority's policies and proposals in their area, as to—
 - (i) the development of forestry and woodlands,
 - (ii) the protection and enhancement of woodlands, in particular those mentioned in paragraph (a),
 - (iii) the resilience to climate change of woodlands, in particular those mentioned in paragraph (a),
 - (iv) the expansion of woodlands of a range of types to provide multiple benefits to the physical, cultural, economic, social and environmental characteristics of the area,
- (c) any other matter which the planning authority consider appropriate.

To address all three of these points, SF requests that the local authority produces a Forestry and Woodland Strategy (FWS) to cover these topics and that the LDP makes clear reference to the production and use of this strategy.

We would also recommend that the FWS adopts the woodland categories described in the COWRP as having a strong presumption against development, to meet the requirement of point (a) above.

The LDP text should make it clear how the Act, COWRP, NE5 statement and the future planning guidance will work together to protect trees and woodlands.

SF requests that the principle of high value important woodland sites, having a strong presumption against development, is made implicitly clear in NE5.

SF have responded to a number of recent cases where tree felling was required for a development but this was not clearly stated in the planning application, despite the planning route being the appropriate way to gain permission to fell trees for development. This is so that the full impact of the development can be assessed by the planning authority. Therefore SF requests that this section of the LDP makes the route of approval for tree felling related to development clear in order to avoid this issue occurring in the future.

With regard to development that is deemed appropriate including the removal woodland in line with the principles of the COWRP, then SF would request a change in the text from the NE5 statement as follows in order to be in line with the COWRP:

Existing text: *'replacement planting will be required to ensure an overall net gain in tree cover'.*

Requested replacement text: *'replacement planting will be required to ensure an overall net gain in woodland related public benefits.'*

We would advise that the local authority also considers how long they are prepared to wait for the additional public benefits to be delivered, for example felling a 40 year old woodland and replanting the same area elsewhere with the same species will take 40 years to achieve the same level of woodland related public benefits as that lost. Therefore the local authority may wish to require developers to plant a significantly larger area, increase diversity of species, provide a higher degree of public access and so on, in order to deliver the required net gain in woodland related public benefits within a timescale that can be appreciated by those who have been impacted by the development. SF requests that this indicative timescale for return should be included in the NE5 statement.

Please also note that in making the assessment of the level of woodland related public benefits, the COWRP requires the future benefits to be assessed not just based on the current situation. This is because some woodlands that were planted under previous policies, may at the present time, not meet the requirements of the UK Forestry Standard (UKFS), however when they are felled and replanted the UKFS would be applied, therefore a higher quality of woodland, providing more woodland related public benefits would be established in the long term. SF requests that this principle is also included in NE5 as the basis for establishing the level of woodland related public benefits for all woodlands that may be impacted by development proposals.

SF also requests that NE5 is expanded require a full National Vegetation Classification (NVC) survey of all woodlands impacted by development, as well as appropriate fauna surveys, in order to help establish a baseline for public benefits related to biodiversity. NVC surveys should be carried out only by a competent botanist who can demonstrate their skill level is at least Level 4 on the Botanical Field Skills Pyramid.

Section 6.42 states that *'Where trees are considered to be at risk from development or construction, we will require information and safeguarding measures in accordance with the standards set out in relevant Aberdeen Planning Guidance'*, this statement requires clarification as it suggests that all trees regardless of size, species and condition are protected against development, however, this doesn't appear to be the intention of the LDP as replacement planting is discussed in NE5. Therefore, SF requests that this statement is clarified to make it clear what trees are in scope here as well as those that carry a strong presumption against development and must be protected through development and maintained in a condition where they can thrive into perpetuity.

The COWRP does allow for situations where tree removal is appropriate with compensatory planting (CP) or for priority habitat restoration, provided the additional public benefit test can be met. As requested already, these points can be address by amending the text to reflect all of the COWRP principles.

Aberdeen Planning Guidance, Trees and Woodland

SF requests that the final sentence in this statement and therefore the planning guidance document itself, is amended / expanded to include the principles of how to gain Felling Permission through the planning process along with the established principles of when it is appropriate to fell and the requirement for compensatory planting and / or priority habitat restoration as possible mitigation.

SF would also suggest that the text could be expanded to encourage the early planting and establishment of well-planned green / woodland infrastructure in and around development sites; and the fact that grant funding is available from SF through the Forestry Grant Scheme (FGS) for woodland creation schemes on sites up to the master planning stage, as long as applications for FGS funding are made and contracts signed, before the planning application is submitted and any woodland planting is made a condition of planning approval. The planning approval can then instead condition the retention of the green infrastructure.

SEA

SF requests that sites that have a strong presumption against development due to their status as considered under the COWRP, should be highlighted in the SEA document to avoid doubt and ensure their protection - I have included some examples below from the SEA where this has not been done, please consider this list as an amendment request for each of the entries listed below:

OP9 - this opportunity site includes woodlands that are on the AWI and are priority habitats as listed on the NWSS, therefore these woodlands should have a strong presumption against development.

OP20 Craibstone South - this opportunity site includes woodlands that are on the AWI and that are priority biodiversity action plan habitats as shown on the NWSS, the AWI status has been recognised in SEA but not the NWSS status. These designations combine under the COWRP to give these areas a strong presumption against development. However the SEA shows that development is appropriate if the 'LDP Natural Environment policies which ensure the protection of non-designated natural heritage, trees, woodland and watercourses' are applied. SF would request that the COWRP status of the woodlands within this development opportunity site are clearly stated in the SEA so that the developer wishing to take this opportunity site forward is clear from the outset that these woodlands are afforded the highest level of protection under the LDP and COWRP. As NE5 currently does not make a direct link to the COWRP, this position and the level of protection that should be afforded to the woodlands here is not clear.

OP25 Woodside - this opportunity site includes woodlands that are on the AWI which create important habitat networks for species movement along the Don corridor - it is likely that these woodlands would also be afforded a strong presumption against development.

OP63 The woodlands on this site are on the AWI and are a priority habitat and therefore should come with a strong

presumption against development - the text in the SEA states that 'Development is likely to result in the loss and disturbance of important semi-natural woodland habitat - this is not compliant with the COWRP therefore SF requests that this assessment is reviewed and that a strong presumption against development that results in the loss of these woodlands is applied.

OP31 Den of Maidencraig South East - SF requests that this assessment is reviewed and that a strong presumption against development that results in the loss of these woodlands is applied.

OP50 – Skene Road, Hazlehead, woodlands included in this opportunity site are on the AWI.

OP51 – Peterculter Burn, this opportunity site includes and neighbours woodlands on the AWI, shown as Ancient Semi-Natural Woodland the only site in Aberdeen City to be of this origin, these woodlands are also listed on the NWSS as priority habitats as such they should have a strong presumption against development that results in their loss clearly stated in all references to this site. These woodlands are irreplaceable and any damage or loss cannot be mitigated against or compensated for.

OP53 - The woodland associated with this site is on the AWI and is a priority habitat, therefore this woodland should come with a strong presumption against development.

OP 112 - The woodland included in this opportunity site is on the AWI, has a TPO and a priority habitat, therefore this woodland should come with a strong presumption against development.

OP 113 - The woodlands included in this opportunity site is on the AWI, despite the fact that some of this site has been felled, it should still be considered as woodland and the COWRP applied, the site has a TPO, should the site be developed then compensatory planting would be required.

OP46 – Royal Devenick Park Phase 1 - this site includes woodlands that are on the AWI and are priority habitats, the site is also an LNCS, therefore this woodland should come with a strong presumption against development.

OP56 – St. Fittick's Park - The SEA has not recognised that this site has been planted as a woodland with the assistance of grant aid from Scottish Forestry or even that this is a woodland site. SF requests that the SEA is amended to state that the area is classed as woodland and that any development proposal will therefore be subject to assessment under the COWRP and any loss of woodland will require appropriate compensatory planting that delivers greater woodland related public benefits than those lost to development, as mitigation.

Please get in touch if you require any of the points to be clarified.

Yours sincerely,

Tim Gordon-Roberts

[Redacted signature]

[Redacted contact information]

[Redacted contact information]



Scottish Forestry is the Scottish Government agency responsible for forestry policy, support and regulation.

In light of the ongoing public health advice to reduce unnecessary social contact during the outbreak of Covid-19, we have activated our Business Continuity Plan. More information can be found [on our website](#).

[Redacted] **On Behalf Of** Development Plans Mailbox

Sent: 04 June 2020 12:09

Subject: FW: DP Gateway request for circulation contacts – Aberdeen City Council Proposed Plan

Apologies, typo in first email. Please see below.



My working pattern is Tuesday to Thursday

From: [REDACTED] On Behalf Of Development Plans Mailbox

Sent: 28 May 2020 09:22

[REDACTED]

Subject: DP Gateway request for circulation contacts – Aberdeen City Council Proposed Plan

Colleagues

Please provide comments on the development document below.

Document	LDP2
Planning Authority	Aberdeen City Council
Plan Stage	Proposed Plan Consultation
ERDM Link	url:objective://id:A28516711
Council Deadline	31 August 2020
SG Contact Deadline	23 July 2020
Comment Type	- Full representation: issue & how addressed in the plan - Yes/No compliance with national policy document xxx

Please return comments to [REDACTED] by 23 July 2020.

Please provide comments as indicated in the table below.

No response will be taken as a nil response.

Please contact the Development Planning Team with issues that require internal resolution.

Guidance documents to inform your response are available from the DP Gateway.

Development Plan Gateway

Development Planning Team Contacts

[REDACTED]

Policy Area	Policy Contact/s	Email address
Circulate for all plans		
Transport Scotland	[REDACTED]	[REDACTED]
Housing Supply	[REDACTED]	[REDACTED]
CMHA	[REDACTED]	[REDACTED]
Onshore Renewables & Community Energy	[REDACTED]	[REDACTED]
Natural Resources	[REDACTED]	[REDACTED]
Waste Management	[REDACTED]	[REDACTED]
Forestry Commission (Areas map)	[REDACTED]	[REDACTED]
Other policy areas relevant to this plan		
Digital Connectivity	[REDACTED]	[REDACTED]
Education	[REDACTED]	[REDACTED]
Flood Risk	[REDACTED]	[REDACTED]
Climate Change	[REDACTED]	[REDACTED]

Adaptation		
Energy		
- heat		
- off shore		
Environmental Quality		
- air		
- noise		
- soils		
- water (river basins)		
Marine planning		
Aquaculture		
Planning and Architecture		
SEA		
Aquaculture		
Climate Change		
Developer Obligations		
Digital		
Economy & Cities		
Flooding		
Green Infrastructure		
Heat		
Historic Environment		
Housing / Housing in the Countryside		
Infrastructure		
Marine		
Minerals & Coal		
Placemaking		
- Creating Places		
- Designing Streets		
Natural Heritage (not wild land)		
Energy (Wind)		
Energy (Other)		
Town Centres & Retail		
Transport		
Unconventional Gas		
Waste		
Vacant Derelict Land		
Forestry and Woodland		

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