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- Mr Andrew Lawson, Data Protection Officer, Aberdeenshire Council, Business Services, Town House, 34 Low Street, Banff, AB45 1AY

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Which document(s) are you commenting on?	Main Issues Report	<input checked="" type="checkbox"/>
	Draft Proposed Aberdeenshire Local Development Plan	<input type="checkbox"/>
	Strategic Environmental Assessment Interim Environmental Assessment	<input checked="" type="checkbox"/>
	Other	<input type="checkbox"/>

Your comments

Feedback on Main Issues Report 2019 and Strategic Environmental Assessment of Bid Sites with specific reference to Kincardine and Mearns Appendix Part 2: KN 069 - 072, Banchory Devenick.

I fully support the Planning Officers' assessment of the proposal KN 069 - 072, Land at Tollochill Wood in categorising the proposals as "NOT PREFERRED" and commend that this be supported by the Council:

- "The proposed site is situated in the countryside, on the edge of Aberdeen City, and is constrained for a variety of reasons.
- This area is important in terms of the landscape setting of the City, and the site would have a negative impact on the Aberdeen green belt and the City.
- There would be a significant loss of trees, much of which is ancient woodland, parts of the wider site are environmentally sensitive, and this area provides an important habitat and green corridor between the River Dee and Tullochill.
- Even with the opening of the Aberdeen Western Peripheral Route (AWPR), there are significant access constraints requiring substantial new road infrastructure. The proposal requires a significant upgrade to access to the A92(T) (formerly the A90) south of the Bridge of Dee (two new roundabouts), and traffic modelling would also need to be considered further as even after the AWPR, the Bridge of Dee presents a significant bottleneck.
- Waste water treatment may be a significant issue, as the proposer states there is limited capacity and private drainage arrangements are proposed, which is not acceptable at this scale nor so close to the River Dee Special Area of Conservation.
- There is insufficient primary and secondary school capacity for any homes in this location without immediate upgrades or new school provision. Except for Banchory Devenick Primary School over 800m away, there are no other Aberdeenshire based services in the vicinity of the proposal and co-ordination with Aberdeen City would be required.
- Despite this the site is close to the many facilities offered by Aberdeen City and could provide improvements to non-vehicular access to recreation on the edge of the City.
- However, these issues are not considered to outweigh the significant constraints

Beyond this, I think, describing as a negative effect on the Green Belt is somewhat understating the issue, the proposal would devastate the green belt effectively removing it. Aberdeen City and Shire celebrate the connection of the city, its sea faring history and its connection to the rural landscape and economy. From Duthie Park you can smell the hear the ships in the harbour whilst having an unspoiled corridor up the river Dee and through the Bridge of Dee onto Tollochill - a view that has not changed much in over a century.

The proposal from the developer, Comer Bros would devastate this rural asset, its habitat and connection routes for a wide range of wild life, a recreational area user frequently by dog walkers, cyclists, runners, school children and mountain bikers. Indeed, the Historic, 12th century Causey Mounth road is a scenic route for individual cyclists, club cyclists, seniors walking groups and runners.

Whilst the area does not have any specifically rare species, it provides a habitat to a wide range of wild life and flora. Roe deer, badgers, red squirrel (we have eradicated greys from this area), pine martin, foxes all benefit from the wide range of habitats and that they are connected by treed corridors or agricultural lands. A wide range of bird life is also evident in the skies and in the woodlands. Since acquiring the land at the end of 2017 the developer has not shown a huge sympathy with protection of these habitats – evidently with the clear fell forestry harvesting carried out at the end of 2018 with no apparent public consultation.

From a housing requirement perspective, I see a vastly over provided sales market with around double the normal number of properties for sale (much of them not moving), in part a result of the migration following the down turn in the oil and gas industry. Furthermore, the vast majority of already approved planning applications have not been progresses. Approval of other large scale developments would seem the wrong thing when developments such as the new town of Chapelton, large development at Cowntesswells and Riverside of Blairs have had limited development progressed (Chapelton in particular has less than 10% of its approved properties built). Finish what has been approved already before looking for more. The Commer Bros proposal, I not also states that they own all of the land, whilst I see that in Phase 4 my own property and all of the neighbouring properties have somehow been disappeared. It does strike me as the sort of disingenuous statement I might expect from a property developer such as Comer Bros.

I very much welcome the Council's recommendation to reject the proposal and see that this recommendation is indeed consistent with the Aberdeen City and Shire's Strategic Plan, 2018.

I support all of the work that the community organisation Protect Banchory Devenick have done to publicise the issues and agree fully with their summary of issues in addition what I have stated above.

Shaping Development in the Countryside

The fact that the development area is located in the current green belt demonstrates the Council's commitment to *"making no changes to the green belt policy at this time"* (MIR, Ch 5, *Shaping Development in the Countryside*, Main Issue 5). The unique character of Banchory Devenick is acknowledged in the Kincardine and Mearns Appendix Part 2: KN 069 - 072:

"This area is important in terms of the landscape setting of the City, and the site would have a negative impact on the Aberdeen green belt and the City."

Furthermore the Habitats Regulations Appraisal (HRA), Jan 2019, states that the KN 069 - 072 developments are *"Not Preferred due to being set within ancient woodland and it shall have a negative impact on the Green Belt."*

I am relieved to know that the preservation of green belt land is a key priority for the Council.

Natural Heritage and Landscape

The 'not preferred' recommendation is consistent with the two policies on *Natural Heritage and Landscape* (Ch 8):

"Policy E1 Natural heritage which sets out protection for nationally and locally designated nature conservation sites, protected species and wider biodiversity and geodiversity."

Banchory Devenick is widely recognised for its landscape beauty and wildlife population. The area is an essential habitat for variety of wildlife. Designated species identified in the NESBReC 'Notable species search' (survey undertaken in July 2018) identifies the following: bats, badgers, red squirrel, pine marten, otter, hedgehog; numerous birds including osprey, kingfisher, kestrel, barn owl, and over 30 other species.

"Policy E2 Landscape protects landscape character as defined by Scottish Natural Heritage, and Special Landscape Character areas of local importance."

Within the Banchory Devenick area The River Dee has a Special Area of Conservation status (SAC), and The Den of Leggart has a Local Nature Conservation Site status (LNCS). Both should be protected at all costs, and it is good to know that both Councils have made an important pledge specifically about the river (section 6.6, The Aberdeen City and Shire Councils' Strategic Plan 2018). The specific locations proposed in

the KN 069 - 072 development bids would raise significant challenges re waste water treatment and drainage arrangements. I am pleased to see that the Council considers these as “*not acceptable at this scale nor so close to the River Dee Special Area of Conservation*” (Kincardine and Mearns Appendix Part 2: KN 069 - 072).

“Policy E2 sets out a general presumption against development that would cause unacceptable effects on a landscape’s overall character and quality, and it expects developers to take account of the Landscape Character Assessments produced by Scottish Natural Heritage and the Special Landscape Areas designation developed locally and included in the Aberdeenshire Local Development Plan 2017.”

Tollohill Wood is acknowledged as a local nature conservation site. The specific locations proposed in the KN 069 - 072 development bids would encircle this wood. Views of Tollohill from the City, and views of Aberdeen City itself from Tollohill would be disrupted by the proposed developments. I am pleased to see that the Council’s ‘not preferred’ recommendation is consistent with these policies.

The Historic Environment

The ‘not preferred’ recommendation is also consistent with the policies on **The Historic Environment** (Ch 9).

“The historic environment includes listed buildings, scheduled monuments, archaeological sites, conservation areas, battlefields, and historic gardens and designed landscapes. It has an important role in the character of an area and the quality of life for the people who live there, and is an economic asset that should be valued.”

Tollohill Braes are historically significant. These were the resting and camping place of the Covenanter army coming up Causey Mounth from the south before the Battle of Aberdeen in 1646. In excavating the site of the current car park to the Wood musket balls were found.

The Causey Mounth, an ancient drovers’ road constructed in the 12th century, is a designated ‘Heritage Path’ - see <http://www.heritagepaths.co.uk/pathdetails.php?path=24>

The specific locations proposed in the KN 069 - 072 development bids would destroy these historical features going far beyond having “*a negative effect on these sites.*” (ref. Policies HE1 and 2). I am pleased to see that the Council’s ‘not preferred’ recommendation is consistent with these policies.

Protecting Resources

The ‘not preferred’ recommendation is also consistent with the policies on **Protecting Resources** (Ch 10).

“The main purpose of the policy is to avoid harming or causing irreversible effects on unique and important land resources. ... trees and areas of woodland.”

Within the Banchory Devenick there are areas of ancient woodland.

“... These woodlands are already protected through the reference to woodlands with ‘significant ecological, recreational, historical, landscape and shelter value’ within the policy. Ancient woodlands are places where these tests are likely to result in a recommendation for refusal of planning permission, unless there are truly exceptional reasons.”

The specific locations proposed in the KN 069 - 072 development bids would destroy these ancient woodlands. I am pleased to see that the Council’s ‘not preferred’ recommendation is consistent with these policies.

Other issues

I cannot see in the MIR any policies concerning roads (maybe this is within another document?). The KN 069 - 072 development bids would necessitate “*substantial new road infrastructure*“ and “*significant upgrade to access to the A92(T) (formerly the A90) south of the Bridge of Dee (two new roundabouts)*” (ref. Kincardine and Mearns Appendix Part 2: KN 069 - 072).

It would appear that the AWPR has significantly reduced the volume of traffic on the A92 into Aberdeen from the south, easing pressure on the Bridge of Dee. I would hope that the proposed dual carriageway link road - A92 to B9077 - and the proposed upstream new bridge over the Dee into Garthdee - will now be deemed redundant. This proposed route would cut through greenbelt land, destroy woodland and forest tree planting undertaken by the Forestry Commission in recent years (at public expense), cross the ancient Causey Mounth Road, and pass close by the Den of Leggart woodland, effecting the habitat of many animals including family groups of roe deer that move frequently between the Den of Leggart woodland and Tollohill Wood. This would clearly go against all your policies I have identified earlier in my response.

One other issue raised in the Kincardine and Mearns Appendix Part 2: KN 069 - 072 concerns the “*insufficient primary and secondary school capacity for any homes in this location without immediate upgrades or new school provision*”. Banchory Devenick Primary School is the only one in the area, being a small, rural establishment of currently 34 pupils. KN 070 (Phase 2) proposed a new primary school that would need to cater for possibly 1,000 or more children (given the scale of the whole development - 1,300 homes). The Council’s recommendation to identify this as an issue of concern is welcomed - particularly as the proposed siting of the new school would be just south east of the Camphill community of Beannachar and close to its boundaries. This important educational community would be seriously affected by any development on its doorstep, disrupting the peace and quiet that its special needs students require to learn and live.

The **Conclusion** to the **Kincardine and Mearns Appendix Part 2** states:

“Several bids propose a large number of homes in rural locations that do not provide a sustainable pattern of development, propose private sewage works that could impact on the River Dee Special Area of Conservation, result in the loss of trees/ancient woodland”

I congratulate the Council’s fortitude in upholding important policies in order to keep Banchory Devenick, Aberdeenshire the fantastic place it is to live. Well done.

Strategic Environmental Assessment of Bid Sites

This is a thorough assessment of the key environmental factors likely to be affected by the proposed developments **KN 069 - 072 Phases 1 - 4**. The overall and cumulative ‘negative’ and ‘significant negative’ effects on *air, water, climatic factors, biodiversity, landscape, material assets, cultural heritage* (even post-mitigation) cannot be ignored, with only *soil and human health* identified as neutral. The one positive is *population*. The SEA table states objective reasons for the bid to be deemed ‘not preferred’.



Image of the development from the developer's proposal.



Image of the landscape looking down from Tollohill through to Bridge of Dee and the riverside. This would be fully developed if the application were approved.



Wild life photographed in the Banchory Devenick area