

From: Maggie [REDACTED]
Sent: 08 May 2019 15:52
To: LDP
Subject: ALDP MIR consultation response
Attachments: MIR response - CHR Phase 2.pdf

Hi there,

Please find attached a response to the MIR consultation on behalf of our client Rubislaw Estates in relation to their site at Culter House Road (bid reference B0901).

I would be grateful if you could please acknowledge receipt.

Thanks.

Maggie

Margaret Bochel
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**Aberdeen Local Development Plan Review
Main Issues Report**

Consultation Response

Question 1 – New Housing Sites

Are there any other sites that would be suitable for housing?

Yes, bid reference: B0901– Culter House Road Phase 2

Introduction

Our client wishes to promote bid reference B0901 – Culter House Road Phase 2 as a site that would be suitable for residential development of approximately 8 units, and contests the conclusion of officers that it is undesirable.

The Main Issues Report is clear that:

“Any greenfield housing allocations should be small scale, have limited impacts on the environment and infrastructure and should not be extensions to existing sites identified in the Aberdeen LDP 2017.”

As set out in our client’s initial response to the call for sites and in the following paragraphs, our client’s site at Culter House Road complies with all of these criteria and hence should be looked on positively for inclusion in the new Local Development Plan.

Site assessment

Officers’ assessment of the site concludes that it is undesirable primarily because of its designation as ancient woodland, its potential impact on the landscape and its location relative to public transport options and other services.

Each of these issues is addressed below:

- **Nature conservation** – it is accepted that the site is within an ancient woodland designation and that, although there is no legislation specifically protecting ancient woodland, the Scottish Government’s policy on control of woodland removal refers to



the strong presumption against removing ancient semi-natural woodland or plantations on ancient woodland sites.

In respect of the designation, it should be noted that SNH defines ancient woodland as:

“...land that is currently wooded and has been continually wooded, at least since 1750.”

In this case however, there are no trees on the site, hence it no longer meets the definition of ancient woodland (it is not currently wooded). As such, Scottish Planning Policy to protect and enhance the site is not applicable.

In any event, SNH’s guide to understanding the Scottish Ancient Woodland Inventory stresses that the mapping *“...is not definitive and should be used with care...”*. It is therefore possible that this area of land was never in fact ancient woodland.

Whilst a feature of ancient woods is that they preserve the integrity of soil ecological processes and associated biodiversity, sites are not designated ancient woodland for this reason. Hence, if the site does not meet the definition of ancient woodland as outlined above (and indeed may never actually have been ancient woodland), then there is no reason to prevent development on the basis of the soil and its content.

In this regard, it must also be recognised that the ancient woodland designation has not been regarded as a barrier to the allocation of other sites with the same designation in the immediate vicinity (OP113, OP52).

The assessment also makes reference to the fact that the site is within the River Dee Catchment Area, the green belt and the green space network. It is recognised that the site is within the boundary of the River Dee SAC and hence any development here must not impact on the interests for which the SAC has been designated. The designation itself does not, however, preclude development and development of this site is no more likely to have an adverse impact on that designation than other recently approved development in the area.

As stated in our client’s original bid in response to the call for sites, the construction of the Aberdeen Western Peripheral Route (AWPR) now separates Milltimber and Peterculter, such that this site now makes little contribution to the green belt or the green space network either in terms of preventing coalescence of settlements and urban sprawl, or in terms of its landscape or recreation value. These factors were highlighted by the Reporter in concluding that the adjacent site (OP113) should be allocated for development in the extant Aberdeen Local Development Plan. In addition, again as



stated in our client's initial bid, the environmental report submitted with that bid demonstrates that the site makes no contribution to the objectives of the green space network in terms of wildlife.

It is suggested in the assessment that a bat survey may be required. The environmental survey submitted with our client's original bid demonstrates that there are no bats roosting here, with there being no trees or other features on the site that would be suitable for bat roosting. Likewise, in assessing the adjacent site (OP113) for planning application reference 181377/DPP, the bat survey there confirmed that there are unlikely to be bats roosting on or near the site, and that it is only of minor importance for foraging along woodland edges.

- **Landscape fit** – the assessment states that “*Development in the treed area would erode the character*” of the Dee Valley. Given that there are no trees on this site, a fact accepted by the Council under the nature conservation criteria, it is not clear what this point is referring to. Also as stated previously, it has been accepted that site OP113 makes little contribution to the landscape value, or to preventing coalescence between Milltimber and Peterculter, and it is difficult to understand how a different conclusion can be reached in relation to this site. It is also interesting to note that bid reference B0905 has been scored a 2 for landscape fit, despite having exactly the same justification as that used for scoring our client's site 1.

In any event, the site is actually located with the Countesswells/Milltimber/Kennerty Landscape Area, in which residential properties are an existing feature. In describing the landscape of this area, the Landscape Character Assessment states that the suburban edges are visually contained by planting, edges of the built-up area are softened by trees, and that there are stone dykes as well as fences providing field boundaries. A small-scale development, in an arcadian layout with tree planting and landscape elements predominating the site rather than the architecture, together with a 7m landscape buffer around the site boundaries and quality open space, would be entirely in keeping with the existing landscape character and would ensure a gentle transition from suburbia to the countryside.

It should also be noted that whilst the officers' assessment makes reference to the impact of development on this site when viewed from the AWPR, the site will not actually be visible from the AWPR. This should not then be a reason for not allocating the site.

- **Land use mix/balance/service thresholds** – it is accepted that residential use on this site would not add to the existing land use mix given the predominantly residential nature of the surrounding area. At the same time, as a small-scale development of, indicatively, 8 units, it would not have any adverse impact on the mix of uses within the wider area.



That is particularly so given that several other small-scale housing developments in the area have recently been approved, or are under construction, demonstrating that the principle of residential development here is acceptable.

- **Accessibility/proximity to facilities and employment/footpath and cycle connection** – the same is true in terms of accessibility, with other developments in the area having recently been assessed as being suitable in terms of accessibility to facilities and employment opportunities. Specifically in relation to this site, it is easily accessible from Culter House Road by a range of modes of transport, including active travel. That is particularly so given the recent creation of a new pedestrian and cycle route across the AWPR and along the eastern edge of the site to Culter House Road providing a core path link into the adjacent woodland. The recent planning consent for the adjacent site (OP113) includes the creation of a new pavement along Culter House Road, also improving safe connectivity. There are also regular Stagecoach and First Bus services (numbers 119, 201, 202, 203, N19, 19 and 419) which run along North Deeside Road which is only a short walk away down Bellenden Walk.

In addition, it should be noted that alternatives sites including OP113 and OP52 have been allocated for residential development despite being a similar distance from facilities and employment opportunities.

Conclusion

For the reasons set out above, as well as those given in our client's initial response to the call for sites, it is submitted that the site should be allocated in the new Aberdeen Local Development Plan for residential development of, indicatively, 8 units.

