

Proposed Aberdeen Local Development Plan 2015 Representation Form

Please use this form to make comments on the Proposed Aberdeen Local Development Plan, ensuring that your comments relate to a specific issue, site or policy in either the Proposed Plan, Proposed Supplementary Guidance, Proposed Action Programme or Strategic Environmental Assessment Environmental Report. Please include the relevant paragraph(s) and use a separate form for each issue you wish to raise.

The consultation period runs between Friday 20th March and Monday 1st June 2015. Please ensure all representations are with us by 5pm on Monday 1st June.

Name	Mr <input checked="" type="radio"/> Mrs <input type="radio"/> Miss <input type="radio"/> Ms <input type="radio"/> John Findlay
Organisation	Ryden LLP
On behalf of (if relevant)	Stewart Milne Homes
Address	25 Albyn Place Aberdeen
Postcode	AB10 1YL
Telephone	01224 588866
E-mail	john.findlay@ryden.co.uk

Please tick if you would like to receive all future correspondence by e-mail

What document are you commenting on?	Proposed Plan	<input checked="" type="checkbox"/>	
	Proposed Supplementary Guidance	<input checked="" type="checkbox"/>	
	Proposed Action Programme	<input type="checkbox"/>	
	Strategic Environmental Assessment Environmental Report	<input type="checkbox"/>	
Policy/Site/Issue	Various Policy issues and related Supplementary Guidance all as referenced in the Paper Apart	Paragraph(s)	Various as referenced in the Paper Apart

What would you like to say about the issue?

Please refer to attached Paper Apart.

What change would you like to see made?

Please refer to attached Paper Apart.

Please return the completed form by:

- post to the Local Development Plan Team, Aberdeen City Council, Business Hub 4, Ground Floor North, Marischal College, Broad Street, Aberdeen AB10 1AB; or
- email to ldp@aberdeencity.gov.uk

The representation form can be filled in, saved, e-mailed and/or printed. You must “save as” to ensure the completed form is saved with the changes you have made. If you need more space, please fill out another representation form or send a word document attachment via e-mail with your completed representation form. **Please ensure all representations are with us by 5pm on Monday 1st June.**

Thank you. For more information, please visit www.aberdeencity.gov.uk/aldp2016 or to contact the Local Development Plan Team call 01224 523470.

Data Protection Statement

The comments you make on the Proposed Plan will be used to inform the Local Development Plan process and the Examination into the Local Development Plan by the Scottish Ministers’ Reporter. You must provide your name and address for your representation to be considered valid, and this information will be made publicly available. Other personal contact details such as telephone and e-mail will not be made public, although we will share these with the Reporter, who may use them to contact you about the comments you have made. For more information about how Aberdeen City Council maintains the security of your information, and your rights to access information we hold about you, please contact Andrew Brownrigg (Local Development Plan Team Leader) on 01224 523317.

PAPER APART

REPRESENTATIONS ON BEHALF OF STEWART MILNE HOMES TO THE PROPOSED ABERDEEN LOCAL DEVELOPMENT PLAN 2016

Introduction

Stewart Milne Homes welcome the fact that Aberdeen City Council have published their proposed Local Development Plan (LDP) 2016 with a view to it being progressed and adopted timeously. Up-to-date Plans are essential in the current Plan led system.

However, the development industry, and indeed the wider public, must have confidence in the content of the Plan given its implications for the city over the next 5 year period and beyond.

Stewart Milne Homes have reviewed the proposed Plan and its associated Supplementary Guidance. Whilst they find the proposed Plan to be concise and relatively easy to read, when taken with the Supplementary Guidance it becomes a cumbersome document with the need for continual cross-referencing. This contradicts Scottish Minister's wish, as expressed in Circular 6/2013: Development Planning, that Development Plans should be succinct and map-based with the emphasis on the written material explaining the spatial strategy and the policies and proposals shown on the maps. Also, advice from the Scottish Governments Chief Planner to all Heads of Planning in January 2015 is clear that Supplementary Guidance may “...**only deal with the provision of further information or detail in respect of policies or proposals set out in the local development plan and then only provided those matters which are expressly identified in a statement contained in the plan as matters which are to be dealt with in supplementary guidance**”.

Development Plans are spatial, land use plans which are primarily about place. The Circular advises that they are intended to guide the future use of land in our cities, towns, rural areas, by addressing those spatial implications of economic, social and environmental change. Given this emphasis on land use planning, Stewart Milne Homes question the need for the Plan to address issues such as low and zero carbon generating technologies which can clearly be more appropriately dealt with under Building Regulations.

Stewart Milne Homes acknowledge that the Settlement Strategy reflects that of the Strategic Development Plan (SDP). However, along with much of the development industry, Stewart Milne Homes have serious reservations regarding the Housing Land Supply and its failure to deliver the required numbers of houses. There is also a concern that the Plan fails to conform with the Strategic Development Plan and Scottish Planning Policy in that regard. These concerns are set out in Objection 1 below.

Indeed, Stewart Milne Homes wish to comment and formally object on a number of policy and site specific matters. The following representations highlight the areas of concern, the changes required to the Plan and the justification for seeking those changes. Separate representations have been submitted in respect of the sites in which they have an interest.

**OBJECTION 1:
LAND RELEASE AND POLICY LR1 – LAND RELEASE POLICY**

Introduction

As expressed above, there has been a failure of the extant LDP to deliver the housing land requirements set by the approved SDP. These issues were highlighted by Stewart Milne Homes, Homes for Scotland and other housebuilders during preparation of the SDP and also in response to the Main Issues Report published in early 2014.

These representations expressed concern that the housing requirements set out in the SDP were predicated upon depressed population and household projections. Recent projections indicate that the Strategic Development Plan seriously underestimated the anticipated population growth to 2035 and consequently, underestimated the housing requirement over that period. Those representations also demonstrated that there had been a failure of the extant LDP to deliver the housing requirement.

The shortfall in the housing land supply was, in effect, being compounded by the fact that a large number of sites identified for development within the extant LDP have not come forward within the timescales envisaged. It was contended that a “**generous**” land supply was required, in accordance with SPP, to ensure that adequate sites were available to come forward for development, thereby ensuring that a 5 year supply of effective housing land was maintained at all times.

Setting aside the above, the representations also highlighted that the SDP allowances had not been met through the extant LDP. Indeed, Table 2 of the proposed LDP highlights a shortfall of 578 units in the period 2016-2035.

It is evident that further allocations are necessary to ensure that there is no shortfall in the housing land supply and particularly, there remains at least a 5 year supply of effective sites at the end of the Plan period. It is a statutory requirement to ensure a generous housing land supply that maintains a 5 year supply of effective housing land at all times, including at the end of the Plan period. Accordingly, further sites should be allocated through the proposed Local Development Plan.

Modifications Required

Additional sites should be allocated to replace those that cannot be delivered during the Plan period. Specifically, sites at Contlaw, Kingswells and Mundurno are all capable of early delivery and should be included in the LDP.

Consequential changes require to be made to Section 2 of the Plan as well as the City Wide Proposals Map.

Justification

SPP published in June 2014 firmly focusses on the delivery of sustainable development and in particular, the delivery of housing in specified Plan periods. Paragraph 115 requires Plans to set out the housing supply target for each functional housing market area based on evidence from the Housing Needs & Demand Assessment. It advises that the housing supply target is a policy view of the number of homes the authority has agreed will be **delivered** in each Housing Market Area over the periods of the Development Plan and Local Housing Strategy. The subsequent paragraph 116 requires that within the overall housing supply target, Plans should indicate the number of new homes to be **built** over the Plan period. In allocating sites paragraph 119 advises that Planning Authorities should be confident that land can be brought forward for development within the Plan period and that the range of sites allocated will enable the Housing Supply Target to be met.

Planning Authorities cannot simply allocate sites to meet the requirements and sit back. They must ensure that those sites can be delivered and houses built within the Plan period. If that cannot be achieved, as is clearly the case in the North East, additional sites must be allocated. It is incumbent on Plans to deliver housing units on the ground. This is essential to ensure that there are no difficulties with delivering housing later in the Plan period.

Analysis undertaken in responding to the MIR compared Greenfield housing allocations for the period 2007-2016 against anticipated completions identified in the 2013 Housing Land Audit. This demonstrated that of the 11,834 units allocated for development in the period 2007-2016, only 2030 were expected to be completed, equating with only 17% of the required housing in that period. A copy of the representations submitted in response to the MIR are attached at Appendix 1.

A more recent analysis using the 2015 Housing Land Audit is included in Table 1 below.

Table 1; Comparison of Greenfield Development Allocations against Completions

Development Area	2007 – 2016 Allocations	2007 – 2016 Completions (2013 HLA Based)	2007 – 2016 Completions (2015 HLA Based)
Bridge of Don / Grandhome	3,210	400	490
Dyce / Bucksburn / Woodside	3,300	340	308
Kingswells and Greenferns	1,520	240	209
Countesswells	2,150	500	170
Deeside	554	150	166
Lorston	1,100	400	75
Totals	11,834	2,030	1,418

This highlights that, two years on, the anticipated completions in the period to 2016 have actually fallen to 1,418 units. This equates to only 12% of the required number of houses due to have been delivered in that period. As the 2015 draft audit reflects the most up-to-date information it clearly demonstrates the need to identify additional sites capable of early delivery.

Many of the sites identified for development through the extant LDP are large and owned either by public bodies or institutions and have yet to be marketed. They also have significant infrastructure requirements. This, and the fact that a number of them involve joint working between different landowners and developers in order to deliver development, served to slow the procurement process. Also, the Council's own Masterplan process can add further delays to development. Whilst it is accepted that in most instances this will resolve itself over time, it is contended that the LDP 2016 should seek to introduce a more balanced mix of sites with an emphasis on smaller sites under the control of a housebuilder being allocated for development.

The failure of the extant LDP to deliver the required housing within the specified Plan periods is compounded by an increased demand for housing. Revised household projections, published in July 2014, identified a higher requirement for the period 2017-2026 than set out in Figure 10 of the Strategic Development Plan. This is a material consideration in the preparation of this Plan and, in itself, justifies a review of the housing allocations to ensure a generous land supply is identified, as required by SPP, capable of addressing the increased housing requirement.

It is acknowledged that these arguments were put to the Reporter at the Examination in Public into the SDP and although no changes were recommended, he concluded that **"...a mix of site sizes would be best placed to achieve the growth rates required in the proposed Plan"**. He went on to contend that **"...it will be for the two Councils to ensure that their Local Development Plans allocate appropriate and sufficient effective land, or land capable of becoming effective and being developed during the Plan period"**.

To achieve a 'generous' land supply as required by SPP it is important to quantify the requirement. Paragraph 116 advises that Plans should indicate the number of new homes to be built over the Plan period with this figure increased by a margin of 10-20% to establish the housing land requirement. Presently, as highlighted above, there is a shortfall of 578 units in the period 2016-2035. If a flexibility of 20% is introduced over that period, as suggested by SPP, this would increase the shortfall to 4,778 units. This scale of additional allocation is considered necessary to provide the required generosity, to increase the range and choice of opportunities, to create a pipeline of effective housing sites and so increase overall volumes.

The Council themselves must accept that there is a problem, if not at Officer level then certainly at Member level. Contrary to Officers' recommendation, Members chose to identify three additional sites for inclusion in the proposed Local Development Plan. Whilst these only amount to an additional 98 units it, nevertheless, serves to demonstrate that there is a recognised shortfall and that additional sites require to be identified.

On the basis of all of the above, and given the focus of Scottish Planning Policy on delivery of housing, there is a compelling case for the allocation of additional sites through the Local Development Plan 2016. Stewart Milne Homes have put forward a range of sites in a number of locations, which are capable of addressing this. Separate objections have been made to the

failure of the Plan to allocate these sites. All are capable of early delivery and phased development and should be considered for inclusion in the LDP 2016.

OBJECTION 2:

POLICY D1 – QUALITY PLACEMAKING BY DESIGN AND ASSOCIATED SUPPLEMENTARY GUIDANCE

Introduction

Stewart Milne Homes are generally supportive of the need for quality placemaking and have embraced the design led approach and engaged with communities in preparation of Masterplans. Recent examples can be found at Countesswells, Kingswells and Cove.

Policy D1 Dealing with Quality Placemaking by Design is generally a rework of the Policy relative to architecture and placemaking in the extant Plan. Whilst the thrust of the Policy is generally acceptable, Stewart Milne Homes object to the requirement to demonstrate through a Design Strategy how a development meets the qualities set by that Policy. This is likely to create confusion with the required Design and Access Statement and places yet a further burden on the development industry.

Reference is also made in the Policy to Appendix 6, Supplementary Guidance. However, in the proposed Plan, Appendix 6 is the Schedule of Council owned land.

Modification Required

The requirement to provide a Design Strategy should be removed from the Policy.

The references to the various appendices should be amended to refer to the correct appendices.

Justification

The Masterplanning and engagement process introduced through the extant LDP imposed a significant burden on the development industry through the increased costs in undertaking that process and resultant delays in securing planning permission. The industry has, on the whole, embraced that process and to a degree recognise the benefits arising from it.

However, the requirement to provide a Design Strategy to demonstrate how a development meets the six qualities of placemaking is unnecessary and entirely unacceptable. It places yet a further burden on the housebuilding industry, both in terms of cost and potential delay and, in major developments, duplicates the process of preparing a Design and Access Statement.

One must also question how much regard will be paid to that Design Strategy. Whether or not the essential qualities of placemaking have been met should be perfectly evident from the

submitted proposals. For major developments there is already a requirement to submit a Design and Access Statement and it is questionable what, if any, additional benefits will arise from the submission of a Design Strategy. It will simply result in duplication and confusion.

The requirement is also extremely vague as worded in Policy. It simply advises that the scope and content of the Design Strategy will be appropriate with the scale and/or importance of the proposal. This begs the question what is appropriate and who determines the importance of a proposal. As such, this ambiguity is unlikely to ensure a consistent approach to placemaking throughout the City as claimed by Policy.

Indeed, the ambiguity follows throughout the associated Supplementary Guidance. It is not clear if the criteria explaining the six qualities of successful placemaking set out under paragraph 3.5 are provided as Supplementary Guidance or part of the text pertaining to the Policy. Further confusion arises through reference to quality placemaking in Policy D1 but that reference changes to successful placemaking in Section 3.5. The qualities are the same, but a consistent description would be helpful.

Paragraph 3.5 again advises that the criteria used in assessing an application will be relevant to the scale, character and nature of the proposal. Unfortunately, the question again arises as to who is responsible for determining which criteria will be used. It is certainly not clear from the current text.

Homes for Scotland, in responding to the Main Issues Report (MIR) highlighted that any ambition to increase quality/standards has to be backed by evidence and by a robust, agreed methodology for assessing quality. They advised that **“...too many decisions on design across the country are made by unqualified staff or elected members, and there is little doubt the arbitrary and subjective judgements are made”**. Neither the Policy nor Supplementary Guidance as currently proposed adequately address these concerns.

Reference is made in Policy 2, Appendix 5 relative to Masterplans and to the technical advice notes which introduce a further layer of bureaucracy and control. Appendix 6 is referred to as Supplementary Guidance, but this currently provides a schedule of Council owned land.

In light of the above it is contended that Policy D1, the supporting text and Supplementary Guidance require review to make its intent much clearer and provide the development industry with a clear understanding of the Council's expectations. The requirement for the provision of a Design Strategy should be removed from the Plan. Failing that, greater clarity must be provided on the nature and scale of developments that will be required to provide a Design Strategy.

OBJECTION 3: POLICY D5 – OUR GRANITE HERITAGE

Introduction

Stewart Milne Homes have concerns regarding the changes introduced to Policy D5. Whilst the overall thrust of Policy remains similar, the changes impose more onerous requirements on the development industry in terms of the retention of buildings whether or not Listed or in a Conservation Area and, where such buildings are demolished, the re-use of all original granite as a building material within the development site.

The introduction of reference to the Scottish Historic Environment Policy (SHEP) Test for Demolition is unnecessary. The SHEP Test is complex and varies depending upon the nature of the development. Whilst it is accepted that the SHEP Test must be satisfied, it would be preferable to refer to this requirement in the supporting text and provide a link to the Historic Scotland document rather than refer to it in Policy.

Modification Required

The wording of Policy D5 should revert to encouraging the retention of granite buildings only in appropriate and viable circumstances rather than advising that the Council will seek the retention and appropriate reuse of all granite features, structures and buildings.

The reference to the SHEP Test for demolition should be removed from Policy and instead, set out in the supporting text.

The requirement to reuse all of the original granite as a building material within the development site should be removed.

Justification

Whilst Stewart Milne Homes appreciate the importance of maintaining the City's granite heritage, it should not be at all costs. Some buildings may be beyond viable retention or indeed may not be worthy of retention as a consequence of its original purpose, function or design. A flexible approach must be adopted, particularly where the building is neither Listed nor falls within a Conservation Area. Each site and development proposal must be considered on its individual merits.

Unfortunately, the amended wording to Policy reduces the flexibility and endeavours to make retention mandatory. The previous Policy sought to encourage retention throughout the City and even acknowledged that those buildings in Conservation Areas that make an insignificant contribution to the character to the Conservation Area could potentially be removed. That degree of flexibility must be reintroduced.

Reference to the SHEP guidance is not required within the wording of Policy. The SHEP Guidance is another layer of control that must be satisfied regardless of any reference to it in

the Local Development Plan. In any event, the references to it are erroneous as the tests applied to the demolition of Listed Buildings differ from the approach of Unlisted Buildings in Conservation Areas. It is not possible to provide clarity through a Policy and as such, the Guidance should simply be referred to in the supporting text and redirected to that Guidance.

The visible reuse of all of the original granite as a building material, where a property is to be demolished, as required by the Policy will add significant cost to development. In some instances, that additional costs may prejudice the viability of the development. This is likely to have serious implications for the redevelopment of brownfield sites, where regeneration is a key priority.

It is unacceptable to require the visible reuse of all granite. Some materials may simply not be capable of reuse as a building material. In other instances, the cost of cutting, dressing and finishing the granite may be prohibitive, again impacting on the viability of the development.

Even under the current Policy, which is less onerous, there can be significant delays in the delivery of development when in actual fact the development itself can bring significant benefits to the area.

OBJECTION 4:

POLICY 11 – INFRASTRUCTURE DELIVERY & PLANNING OBLIGATIONS AND ASSOCIATED SUPPLEMENTARY GUIDANCE

Introduction

Stewart Milne Homes, and indeed the wider housebuilding industry, express concern that the planning obligations being imposed by Aberdeen City Council are becoming a “**roof tax**” on development. Objection is also taken to the ever expanding list of services and infrastructure which developers are expected to contribute to, particularly where those services are the statutory responsibility of others who receive Central Government funding through taxation FOR their functions.

The Policy and Supplementary Guidance fail to mention or have proper regard to Scottish Government Circular 3/2012: Planning Applications & Good Neighbour Agreements. Similarly, it makes no reference to the tests set out in that Circular, all of which must be met before Planning Obligations can be sought. As presently worded, Policy 11, its supporting text and the Supplementary Guidance on Planning Obligations do not properly reflect Circular 3/2012.

Objection is taken to the period over which funds are to be held. Standard practice is for the monies to be held for a period of 5 years and the 7 year period now proposed is entirely unacceptable. So too is the proposal to charge 9% of the interest to cover administration costs. This should be removed.

Modification Required

References should be included in the Policy, supporting text and Supplementary Guidance to Circular 3/2012. It should be highlighted that contributions “...**must always be related and proportionate in scale and kind to the development in question as set out in the Circular**”. The Supplementary Guidance should also be amended to outline the tests which must be satisfied before Planning Obligations can legitimately be sought.

The Supplementary Guidance must also be amended to make it clear that contributions will be held for 5 years instead of the proposed 7 years. The requirement for 9% of the total interest to be used to cover administration costs should be deleted.

The requirement for contributions to the Strategic Transport Fund and to healthcare facilities should be removed from the Plan.

Justification

Paragraph 2 of Circular 3/2012 advises that it sets out the circumstances in which Planning Obligations and Good Neighbour Agreements can be used and how they can be concluded efficiently. It emphasises that Planning Authorities should promote Obligations in strict compliance with the tests set out in the Circular. Those tests are fundamental to any request for Planning Obligations and it should be set out in the Supplementary Guidance. The Guidance should also make it clear that Planning Obligations should only be sought where all of the tests are met.

The Circular further advises that Planning Obligations have a limited, but useful, role to play in the development management process where they can be used to overcome obstacles to the granting of planning permission. It emphasises that Planning Obligations should be agreed between the parties involved; developers should not be required to enter into a Planning Obligation. Increasingly however, developers are being left with no alternative but to enter into a Planning Obligation if they are to secure planning permission. The formulaic approach adopted by Aberdeen City Council, and indeed Aberdeenshire Council, which is conveyed through the Supplementary Guidance, presents developers with a ‘fait-accompli’ leaving little scope for flexibility or negotiation. In fact, developers and landowners are being held to ransom in order to secure the release of a planning permission.

The supporting text at paragraph 3.35 advises that the Council will seek “...**a fair and proportionate financial contribution towards supporting infrastructure...**” Similar terms are used in the Policy and again in the Supplementary Guidance. However, this is not the wording used in Circular 3/2012 and for the sake of clarity and consistency, it is contended that the wording in the Circular must be used. It is important to emphasise that the Obligations must always be related and proportionate in scale and kind to the development in question.

Circular 3/2012 notes, at paragraph 12, that Planning Obligations have a **limited**, but useful role to play in the development management process. This would imply that Planning Obligations should be the exception, rather than the rule. Unfortunately, experience would

suggest that Planning Obligations are being sought on nearly every development, whether that be for community facilities, education or healthcare, etc. Often those obligations are being sought even where there is a pre-existing capacity, particularly in relation to education and healthcare. Stewart Milne Homes contend that if a capacity exists in any facility or infrastructure, the development should be allowed to utilise that spare capacity without having to make contributions.

Given the number of projects where Planning Obligations are required, the time taken in negotiating those Obligations and Section 75 Agreements seriously delays the delivery of development. This has an impact on the development industry, wider economy and the delivery of much needed housing. These are difficulties which the Circular quite clearly seeks to avoid. At paragraph 2 it advises that “...**Concluding Planning Obligations or Good Neighbour Agreements, should not delay the benefits of appropriately planned development that is generally in accordance with policy nor add significant costs for developers and infrastructure providers**”. It goes on at paragraph 3 to advise that Planning Authorities should, where Obligations under Section 75 of the Act are required, ensure they are concluded as a matter of urgency. Unfortunately, there is little evidence of that in Aberdeen City and the approach to Planning Obligations must be streamlined to ensure that it does not delay the delivery of development.

The formulaic approach currently used by Aberdeen City Council and set out through Supplementary Guidance to calculate the scale of contributions should be reviewed. It takes no account of individual site and local circumstances. It further provides no information on how the various costs are arrived at and then applied to each of the requirements. No justification is provided whatsoever for the various costs and in the absence of that the tests set out in Circular 3/1012 cannot possibly be met. Greater transparency is required on the cost of providing community infrastructure and if the cost of that infrastructure is ultimately less than the Planning Obligations made then there should be scope for the return of any unspent funds.

In terms of managing the funds received the Supplementary Guidance highlights that they will be held for a period of 7 years. However, standard practice is for these funds to be held for a period of 5 years and if not spent then returned to the developer. If planning obligations are secured from the developer to mitigate an infrastructure constraint the Council should be capable of spending those and deliver the required infrastructure within a 5 year period. If they fail to do so the need for the obligations in the first place must be questioned.

The Supplementary Guidance also introduces a charge to cover the “additional administrative cost” of monitoring and managing developer obligations. This is unacceptable and adds insult to injury. Not only are developers faced with having to provide the required obligations they are then expected to fund the Council to administer them. Administrative costs could be significantly reduced if the number of obligations were reduced or removed entirely.

Indeed, the range of items to which contributions are expected, appears to be ever increasing and some are simply asked for a matter of course. Stewart Milne Homes contend that there are no grounds for contributions to the Strategic Transport Fund or to healthcare provision.

The Strategic Transport Fund seeks a defined contribution from every house falling within the city regardless of the impact and scale and kind that the development proposed has on the junctions to be improved as part of the Strategic Transport Fund. The Fund was promoted through the Strategic Development Plan and considered at the Examination in Public into that Plan. The Reporter concluded that contributions could only be sought to the Strategic Transport Fund where there was a direct impact arising from the development. This was effectively to comply with Circular 3/2012. Policy and Supplementary Guidance as presently worded fails to recognise this.

Stewart Milne Homes further contend that contributions to health facilities are unacceptable. Many medical centres, dental facilities and community pharmacies primarily operate as commercial ventures and should not expect to receive funding from developers. Health care is funded by Central Government through taxation. It is inappropriate for the development industry to be expected to provide subsidy to the National Health Service.

OBJECTION 5: POLICY H4 – HOUSING MIX

Introduction

Stewart Milne Homes object to the proposed changes to Policy H4 specifying housing mix. It is for the market to determine the appropriate mix of housing and Policy should not interfere with this.

The Proposed Plan advises that the requirement arises as a consequence of an ageing population with over 65's likely to comprise 35% of the population by 2030. It is contended however, that all new homes, to satisfy Building Standards, must be capable of adaption for varying needs. This, coupled with other LDP Policy requirements are sufficient to ensure that new dwellings are attractive to the needs of a variety of people.

Modification Required

Policy H4 should be amended to reflect that of the extant Local Development Plan (2012). In particular, the final sentence requiring the provision of smaller 1 and 2 bedroom units should be deleted.

The Supporting Text, and in particular, paragraph 3.79, should be amended to remove the emphasis on the needs of an ageing population.

Justification

The focus of the Local Development Plan should be on addressing the policy principles set out in Scottish Planning Policy. Specifically, it should be identifying a generous supply of land to support the achievement of the housing land requirement across all tenures, maintaining at

least a 5 year supply of effective housing land at all times. It should enable provision of a range of attractive, well designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places; and have a sharp focus on the delivery of allocated sites. Should the Council consider that a certain sector of the population is not being catered for their focus should be on ensuring that sufficient land has been allocated through the Development Plan to allow the development industry to provide the mix of housing required.

It is the market that should ultimately determine the housing mix. Providing sufficient land is available the development industry responds to the demands of potential purchasers. If there is no demand for a particular product there is no need for the industry to provide it.

The development industry already provides for a mix of house types and sizes on major development sites, but it is inappropriate to specify in Policy that it should include smaller 1 and 2 bedroom units. Imposing such a requirement makes provision a pre-requisite on every site, even though individual site circumstances or the character of an area may suggest that such a requirement is unnecessary. Indeed, Paragraph 3.78 of the proposed Plan specifically notes that the character of the area, site characteristics, the market and housing needs will dictate different mixes on different sites across Aberdeen. As such, there is no justification for the prescriptive approach taken by Policy.

Furthermore, a Policy stipulation that every site should include smaller 1 and 2 bedroom units is likely to result in conflict between the development industry, the Council and the wider community. It is not justified by the supporting text, nor by the Housing Needs & Demand Assessment. Should the Council consider there to be a shortfall of homes for older people and people with particular needs they should use contributions collected through their Affordable Housing Policy to deliver this. Alternatively, if there is a particular need identified in a specific area the Council could, as advocated by SPP, identify specific sites for the provision of such accommodation.

On the basis of the above, Policy 4 of the extant LDP 2012 should be maintained. That Policy, as worded, is considered sufficient to secure the delivery of a mix of housing types and tenures.

OBJECTION 6:

POLICY H5 – AFFORDABLE HOUSING AND ASSOCIATED SUPPLEMENTARY GUIDANCE

Introduction

Stewart Milne Homes welcome the acknowledgement in paragraph 3.82 of the proposed Plan that the provision of affordable housing should not jeopardise the delivery of housing as this would be counter-productive. They further agree that the affordable housing requirements must be realistic and take into consideration the Strategic Development Plan, affordable housing targets and the provisions of PAN 2/2010 – Affordable Housing and Housing Land Audits.

However, objection is taken to the wording of Policy H5. It does not reflect current Scottish Planning Policy (SPP) and seeks to impose a minimum requirement across the city. Nor does it provide flexibility for a reduction in exceptional circumstances.

The provision of affordable housing relies on the delivery of mainstream housing and the onus is on landowners to make land available for development. If an unacceptable burden is placed on land values there is likely to be a reluctance on the part of landowners to release land for development. Whilst the supporting text to Policy recognises this, concern must be expressed regarding the inflexible approach to delivery, as set out in the text and the associated Supplementary Guidance. The sequential approach to provision is not acceptable and off-site provision should be as acceptable as onsite provision. The key is the delivery of affordable housing in areas of need and all methods of delivery must be recognised and considered when faced with funding constraints. Commuted sums can play an important role in the delivery of affordable housing potentially acting as a catalyst for delivery on specific sites. Accordingly, there should be a wider acceptance of the benefit of commuted sums.

Objection is also taken to the method of calculation of commuted sums and the prospect of that sum being reviewed on an annual basis. Such an approach removes any certainty from the Planning Process and is entirely un-acceptable.

Modifications Required

The term “**no less than**” should be removed from Policy as the wording does not reflect SPP.

Substantial changes are required to the Supplementary Guidance. It should be amended to omit the sequential approach to provision and permit a more flexible approach to the provision of affordable housing in terms of on-site and off-site provision and the range of tenures acceptable. There should be greater scope to address the provision of affordable housing through commuted sums, but the calculation of those commuted sums must be transparent and should not be determined by sub-market areas. Any review of those sums should be through the Local Development Plan review process and not on an annual basis.

The proposed Plan should be more pro-active in the delivery of affordable housing. Consideration should be given to the allocation of specific sites for affordable housing and in particular, surplus Local Authority owned land or buildings should be identified for affordable housing as advocated by PAN 2/2010: Affordable Housing & Housing Land Audits.

Justification

The policy requirement to contribute “**...no less than 25%...affordable housing...**” is unacceptable. SPP advises that Local Development Plans should clearly set out the scale and distribution of the affordable housing requirement for the area. It makes a clear statement that “**...the level of affordable housing required as a contribution within a market site should generally be no more than 25% of the total number of houses**”. This implies that in some instances the requirement could be less and as such it is entirely inappropriate for the Plan to require no less than 25%.

Although the Proposed Plan recognises that affordable housing requirements must be realistic, it is considered that the burdens imposed may limit provision. Scottish Planning Policy (SPP) at Paragraph 129 advises that Planning Authorities should consider the level of affordable housing contribution, which is likely to be deliverable in the current economic climate, as part of a viable housing development. As affordable housing provision is dependent upon the delivery of mainstream housing, it is imperative that consideration is given to the economic climate in formulating Policy and negotiating the level of on-site provision. It benefits neither the development industry nor the Planning Authority, in terms of its requirement to deliver affordable housing, if development is stifled by the requirements of either Policy or Supplementary Guidance.

The burden of providing affordable housing ultimately falls on landowners and this is recognised in the Supplementary Guidance. Landowners are also expected to carry the cost of any infrastructure or community facilities required as a consequence of development. If the burden placed on land values becomes too great, many landowners may simply not be prepared to release their land for development. Not all are in the position where they have to sell their land. Development must remain viable and as such, a flexible approach is necessary to the provision of affordable housing.

Presently, the proposed Plan places the burden of delivering affordable housing firmly on the development industry. It is, however, contended that the Plan should be more pro-active in terms of identifying and allocating specific sites for affordable housing. Planning Advice Note 2/2010 promotes four additional or alternative means of delivering affordable housing, which could be considered by Planning Authorities. These include:

1. Allocating new sites in Local Development Plans specifically for affordable housing.
2. Identifying plots for self-build dwellings.
3. Using Compulsory Purchase powers to support the delivery of a new supply and regeneration.
4. Making appropriate surplus Local Authority land or buildings available for affordable housing.

Given the encouragement and mechanisms available to Aberdeen City Council to take a proactive approach to delivery, this should be reflected through the Local Development Plan. Specific sites should be identified for the provision of affordable housing along with the method by which they will be delivered. The alternatives also clearly support the principle of off-site provision.

Indeed greater flexibility should be permitted in both the on-site delivery of affordable housing and off-site delivery. SPP at Paragraph 126 highlights the various ways in which affordable housing can be provided. PAN 2/2010 sets out a range of tenure types which can contribute to affordable housing and emphasises that it is important that local authorities, developers and Registered Social Landlords (RSLs) consider the **full range** of options and apply them as appropriate.

Unfortunately, whilst the Supplementary Guidance acknowledges the options for affordable housing provision and the potential categories of affordable housing, it then imposes a preferred approach to delivery. This pre-empts any discussions between the housebuilder and the Housing Authority and limits the scope for flexibility in terms of delivery. Whether appropriate or not, these preferences are applied throughout the Plan area. To assist the development industry in their negotiations with landowners the proposed Plan should provide an indication of the preferred tenure on a site specific basis. PAN 2/2010 at paragraph 5 is clear that the Local Authority should provide as much clarity as they can in Local Housing Strategies and Development Plans given the impact of tenure type on the valuation of land.

There should be greater flexibility to allow off-site provision of affordable housing. In many instances, it may simply not be feasible or viable to provide affordable housing on-site. In some developments, the factoring costs for shared amenities and open space provision are simply not capable of being met by RSLs or the occupiers of affordable housing. There are also instances where no funding has been available to these bodies to enable them to take up the transfer of serviced land.

There may be other reasons why RSLs are not in a position to take up the affordable housing land. PAN 2/2010 highlights that this could be for reasons of site size, its location, topography, conversion of buildings where relevant standards cannot be met and other local circumstances, such as whether an appropriate tenure mix can be delivered. These examples should be referred to in the Supplementary Guidance and a welcoming and flexible approach taken to off-site provision. Such an approach could assist with the delivery of affordable housing and ultimately, deliver a greater number of units.

The flexibility advocated for sites of up to 20 units, in terms of the way affordable housing contributions are secured, is welcomed. The threshold appears to be based on the assumption that a minimum of 5 affordable units is required to allow for effective management of any category of affordable housing that is to be provided. However, in the circumstances, it may be more appropriate for the threshold to be increased from 20 to 50 units, thereby coinciding with the threshold for a major application.

For those sites in excess of the threshold, whether that be 20 or 50 units, the scope for payment of commuted sums should not be seen as the final option. The payment of commuted sums, or indeed a combination of commuted sums and on-site or off-site provision, could greatly assist the Local Authority and RSLs in funding affordable housing delivery in areas of acute need. Those commuted sums could be the catalyst to enable development on sites owned by the Council or an RSL.

In considering off-site provision and the scale of commuted sums, the Supplementary Guidance makes reference to sub-market areas. This is not acceptable and a flexible approach should be taken to the location of off-site provision throughout the city. Aberdeen City, along with its immediate hinterland lying within Aberdeenshire, comprise a single housing market area and it is not appropriate to divide this into sub-market areas. Such an approach contravenes SPP and the Strategic Development Plan. If sub-market areas are to be adopted then the Strategic Development Plan should be identifying the housing requirement for those sub-market areas.

There is a real danger that the approach advocated could distort the housing market. Similarly, inconsistencies in the delivery of affordable housing and the calculation of commuted sums in those parts of the Aberdeen Housing Market Area (AHMA) lying within the City and Shire could also distort the market and favour development in certain areas over others. There should be a consistent approach applied throughout the Aberdeen Housing Market Area comprising both the City and that part of the Shire lying within the AHMA.

The scale of commuted sums set out in Table 1 of the Supplementary Guidance is unacceptable. The Guidance provides no indication of how the sums were derived or how each market area is defined. Whilst consultation was held previously on the methodology, the house building industry were unanimously opposed to it. Stewart Milne Homes response to that consultation is attached at Appendix 2 and should be referred to for its terms. The Local Development Plan must be transparent and all parties must be confident that the sums being sought are justified. This is essential for developers in negotiating with the landowners and PAN 2/2010 specifically advises that developers will expect certainty from the Development Plan and the development management process.

Furthermore, the proposal to review the commuted sums and the low cost home ownership benchmark on an annual basis is entirely unacceptable. Many land deals can take over a year to conclude and the potential for costs to increase with such regularity is unacceptable and fails to provide the development industry and landowners with any degree of certainty. Any review of the commuted sums and benchmark prices should only be undertaken in consultation with the development industry and the appropriate forum for that is through the Development Plan process. It must be emphasised that any figure used should be for the duration of the Plan to ensure certainty for all concerned.

It is evident from the above that Stewart Milne Homes have a number of fundamental issues with the Supplementary Guidance. It should provide greater flexibility in terms of provision and the categories of affordable housing. It should avoid highlighting preferences and instead, adopt a more proactive approach to the delivery of affordable housing, as set out in SPP.

OBJECTION 7:

POLICY R7 – LOW AND ZERO CARBON BUILDINGS, AND WATER EFFICIENCY AND ASSOCIATED SUPPLEMENTARY GUIDANCE

Introduction

Stewart Milne Homes acknowledge the importance of addressing climate change. However, the requirements set out in Policy R7 should more appropriately be addressed through Building Regulations rather than through the Local Development Plan. The requirements for carbon reduction and the calculation of those reductions are complex and the Policy is in effect duplicating other controls.

The housebuilding industry maintains that a “**fabric first**” approach should be adopted ahead of the requirement to install low and zero carbon generating technologies. Such technologies are often unproven, significantly add to the cost of development and are not recognised by mortgage lenders.

Similarly, water efficiency measures are more appropriately controlled through Building Regulations rather than through the Local Development Plan, which essentially controls the use of land.

Modifications Required

Policy R7 should be re-written to focus only on those matters which can be directly influenced or delivered by the planning system. Specifically, the targets set for CO2 reduction, achieved by installing low and zero carbon generating technologies in new developments, should be removed.

Justification

The need to address climate change is acknowledged and the focus of Scottish Planning Policy on sustainable development is welcomed by Stewart Milne Homes. However, in seeking to reduce carbon emissions and adapting to climate change to create a low carbon place, the focus of SPP is in supporting diversification of the energy sector with the spatial strategy of the National Planning Framework 3 (NPF3) aimed at reducing greenhouse gas emissions and facilitating adaption to climate change. The focus is on the development of generation technologies that will help to reduce greenhouse gas emissions from the energy sector.

The requirement to install low and zero carbon generating technologies in new residential developments does not flow directly from SPP. It encourages Local Development Plans to take a more holistic view by, for example, using heat mapping to identify the potential for the co-location of developments with a high heat demand with sources of heat supply. It advises that heat demand sites for particular consideration include high density developments, communities off the gas grid, fuel poor areas and anchor developments, such as hospitals, schools, leisure centres and heat intensive industry. The onus is, therefore, on the planning authority through their Local Development Plans to be more proactive in terms of identifying opportunities for the co-location of development. Paragraph 159 specifically advises that Local Development Plans should identify where heat networks, heat storage and energy centres exist or would be appropriate and include the policies to support their implementation. The policy as presently worded places the burden firmly on the housebuilding industry.

The terms of Section 72 of the Climate Change (Scotland) Act 2009 are noted. However, low and zero carbon generating technologies are complex, as are the legislative issues regarding their implementation. These are beyond the scope of planning control and in particular, the Local Development Plan process. It is essential that technical matters of construction and design are regulated by the building standards rather than by planning policy. The standards expected of new development are set by the Building Regulations and should not be undermined on an arbitrary basis by planning policy.

The housebuilding industry is clear and made the point in representations at the Main Issues Report stage, that such technologies are uneconomic, not wanted by most customers, cause problems for funding, insurance and maintenance, and do not contribute significant energy and carbon savings in a context where Scottish housebuilding is already amongst the most energy efficient and low carbon in Europe. The housebuilding industry contend that the focus should firmly be on a **“fabric first”** approach.

The Climate Change Act was subject to Statutory Review by Ministers in 2014 and the Government recognises that the requirement to use low and zero carbon technologies is proving impractical and problematic. The Sullivan Panel, referred to in the supporting text to Policy, was appointed by Scottish Ministers in 2013 to provide an update on a Low Carbon Building Strategy for Scotland. The Panel specifically noted that concerns can arise from requirements and prescription on low carbon equipment within the Scottish Planning System, in addition to provisions under Building Regulations. In reviewing the staged improvements, the Panel asked the Scottish Government to examine elements of the planning & building standards system which addressed greenhouse gas emissions. They advised that **“...these should offer consistency and alignment in policy approach and delivery, providing clarity to developers”**.

The Panel also acknowledged that delivery of zero carbon objectives through an entirely on-site strategy is not currently a realistic approach for mainstream housing production, due to issues of cost and practicality of building to such a standard on many sites. In taking forward the standard set for building-related measures the Panel took the view that development should focus on reducing energy demand through a **“fabric first”** approach, with efficient services, supported by the use of renewable technologies, where appropriate. They emphasised that this was particularly relevant for new homes and strongly advocated the use of simple solutions rather than layering of complex technologies.

Notwithstanding the acknowledgement of the Sullivan Panel in the supporting text, the wording of policy takes little cognisance of the issues raised by the Panel. At the very least, it should be amended to reflect the Supplementary Guidance to policy, which highlights instances when policy will be relaxed. Through the Supplementary Guidance the Council acknowledge that developments, such as passive housing, aim to reduce their energy consumption significantly rather than installing low and zero carbon generating technologies. As a consequence, the Guidance acknowledges that development will be deemed to have complied with the requirement to install low and zero carbon generating technologies if it can be demonstrated that the development will achieve a CO₂ saving of 15% greater than required by the current Building Standards. This should be reflected in policy and in the supporting text to policy.

The need to improve water efficiency, thereby reducing the need for water extraction from the River Dee and the pressure on water infrastructure is recognised. However, it is again contended that such measures should fall to be implemented through Building Regulations rather than Development Plan Policy. Like low and zero carbon generating technologies, these are technical measures best addressed through Building Regulations rather than through a land use Planning Policy document.

OBJECTION 8:

MISCELLANEOUS REPRESENTATIONS ON PROPOSED PLAN APPENDICES AND SUPPLEMENTARY GUIDANCE

Introduction

Stewart Milne Homes wish to make representations on a number of matters raised in the appendices to the Proposed Plan and its Supplementary Guidance. A number of these simply seek an up-date of the information presented in the Plan whilst others, particularly in respect of the Supplementary Guidance, raise more fundamental concerns. These matters are addressed below.

Appendix 1

Table 1 and 2 in Appendix 1 dealing with brownfield sites require to be up-dated. Table 2 is based on the 2011 Housing Land Audit when the more recent 2014 Audit is available. Also, the following sites should be removed for the reasons stated;

- Bankhead Academy – to be redeveloped for a new primary school;
- Bankhead Infant School – to be retained for education;
- Causewayend Primary School – to be redeveloped for student accommodation;
- Dunbar Halls – to be retained by the University of Aberdeen for its own use;
- John Street – to be redeveloped to provide student accommodation; and,
- Craigieburn House – restricted to over 55's.

Appendix 2

The "Other Factors" relative to sites OP30, Kingswells D and West Huxterstone and OP38, Countesswells should be up-dated to reflect that permissions are in place and flood risk issues have been satisfactorily addressed.

Appendix 3

Stewart Milne Homes would request that the Infrastructure Requirements for Masterplan Zones are up-dated in respect of Health. At Countesswells this should be amended to reflect the scale of provision agreed through the Section 75 Agreement which significantly exceeded the initially anticipated requirements.

Stewart Milne Homes contend that Friarsfield should be deleted as the medical centre at Cults is privately owned and developers should not be expected to fund such businesses.

Supplementary Guidance 2.7 – Energetica

Stewart Milne Homes have interests in land at Mundurno for residential led development. Separate representations have been submitted in respect of that site seeking its inclusion in

the Plan. The site lies within the Energetica Corridor and objection is taken to the additional burden placed on development in that area by the Supplementary Guidance.

These burdens are likely to deter development with developers focussing elsewhere. For Energetica to be successful the focus should be on reducing bureaucracy and making it easier to secure planning permission. In particular the need to provide 'compliance statements' should be removed.

Supplementary Guidance 7.1 – Transport and Accessibility

Through the guidance the Council seek to impose a minimum garage size. This is unacceptable and reference to it should be removed. Any such changes require to be subject of full consultation with the house building industry and not simply 'slipped in' under the guise of Transport and Accessibility.

Appendix 1

Aberdeen Local Development Plan 2016



Main Issues Report Consultation 13th January to 24th March Response Form

The Main Issues Report describes and invites discussion on options for policies and land allocations in the next Aberdeen Local Development Plan. No settled view on the content of the next plan has yet been reached, making the Main Issues Report the key stage for public consultation. Giving us your views will help to shape the future strategy for development and the policies by which future planning applications are determined. You can view a copy of the Main Issues Report on our website at: www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_local_development_plan.asp. A series of accompanying documents, including an Interim Environmental Report, Monitoring Statement and Developer Bids Assessments, can also be viewed online.

How to respond

The Main Issues Report contains a series of issues and questions which we would particularly like to hear your views on. Use this form to respond to these, or any other issues raised by the Main Issues Report, Monitoring Statement, Interim Environmental Report or any other accompanying documents. **Please return it to reach us by 5pm on Monday 24th March.**

- **Post:** Local Development Plan Team, Planning and Sustainable Development, Aberdeen City Council, Business Hub 4 Marischal College, Broad Street, Aberdeen AB10 1AB
- **Email:** If you are filling out our online PDF form, please be aware that you cannot save what you have written and come back to it later. Once you have finished filling it in, you can print to PDF. You could also scan your paper form if you have this facility. You can then email your response to ldp@aberdeencity.gov.uk
- If you prefer not to use this form, you could also send us an email or letter with your comments. Please include your name, address, telephone number and email address (if applicable), as well as the details of anyone you are representing.

Data Protection Statement

The comments you make on this form will be used to inform the preparation of the next Local Development Plan. Aberdeen City Council (ACC) will not share or disclose the personal information provided on this form with other parties or organisations unless we are required to do so by law.

The Local Development Plan Team may use your contact details to contact you to seek further detail or information about the comments you have made. Your name and organisation (if relevant) will be published alongside your comments, but personal contact details (address, telephone, e-mail address) will not be made public. If you choose not to provide a name or any contact details, your comments will still be valid.



For more information on how your information is used, how Aberdeen City Council maintains the security of your information, and your rights to access information ACC holds about you, please contact Andrew Brownrigg (LDP Team Leader), Planning and Sustainable Development, Aberdeen City Council, Business Hub 4, Marischal College, Broad Street, Aberdeen AB10 1AB.

Please provide your name and contact details:

Name (Mr/Mrs/Miss/Ms) Stewart Milne Homes

Organisation (if relevant) c/o Ryden LLP

Address 25 Albyn Place

Aberdeen

Postcode AB10 1YL

Telephone 01224 588866

E-mail address john.findlay@ryden.co.uk

If you are completing this form on behalf of an organisation, group or landowner, please provide their details below.

Please tick this box if you wish further correspondence to be directed to this address:

Name (Mr/Mrs/Miss/Ms) Stewart Milne Homes

Organisation/Group Stewart Milne Group Ltd.

Address Osprey House, Mosscroft Avenue,

Westhill Business Park, Westhill

Postcode AB32 6JQ

Telephone _____

E-mail address _____

If you wish to be added to the LDP e-mailing list to be kept informed of our progress in producing the next LDP, please tick here: and provide the email you wish to be added to our database:

E-mail address john.findlay@ryden.co.uk

Please use a separate box for each issue/question you wish to respond to. If you wish to continue on a separate sheet, please attach to the paper copy or email.

Main Issue and/or Question Number	1	MIR Page Number	11
<p>Main Issue 1 - Greenfield Housing Allocations.</p> <p>Please refer to attached Paper Apart.</p>			

Main Issue and/or Question Number		MIR Page Number	

Main Issue and/or Question Number		MIR Page Number	

PAPER APART

REPRESENTATION TO THE ABERDEEN CITY COUNCIL MAIN ISSUES REPORT ON BEHALF OF STEWART MILNE HOMES RELATIVE TO ISSUE 1, GREENFIELD HOUSING AND EMPLOYMENT ALLOCATIONS

Introduction

The Settlement Strategy reflects that of the extant Structure Plan and the proposed Strategic Development Plan (SDP). Stewart Milne Homes are supportive of this strategy, but express serious reservations regarding the Main Issue Report's (MIR) preferred land supply option. Alternative Option 2 should be preferred with further releases, particularly of greenfield housing land in order to increase supply and ensure that there remains at least a 5 year supply of effective housing land at the end of the Plan period.

A generous land supply is essential to ensure that the more ambitious population levels projected by the National Records of Scotland can be accommodated.

As Scotland, and indeed the North East, emerges from the recession completion rates of new housing continue to increase and it has been estimated by Aberdeenshire Council that these will double by 2016. In the city, completion rates are likely to be significantly higher. If this trend continues, and there is no reason to suggest otherwise, it would be prudent to make adequate provision in an effort to provide a generous land supply and avoid planning by appeal.

Representations

The MIR advises that the proposed SDP **"...already seeks to provide a generous supply of housing and employment land and there is no numerical justification to allow further greenfield housing or employment sites"**. However, the development industry lodged significant objections to the proposed SDP arguing that further land should be allocated for development. Their arguments were based on the fact that the SDP relied on a Housing Need & Demand Assessment using dated population and household projections. More recent projections published in July 2012 by the National Records of Scotland forecast a much higher population.

The proposed Strategic Development Plan notes the population of the city region as 465,000 at 2011. It anticipates this to grow to around 500,000 by 2035 and, indeed, sets this as a target. However, the inadequacy of this is demonstrated by reference to the population projections for Scotland's Strategic Development Plan areas and National Parks. The principal projection for the Aberdeen and Aberdeenshire Strategic Development Plan area indicates a projected population of 567,800 by the end of 2035. Even the low migration variant indicates a population of 540,000 by the end of 2035, 40,000 more than planned for by the Strategic Development Plan. The high migration variant on the other hand envisages the population increasing to 600,000 by that time. Clearly, even taking the more conservative low migration variant, the

Strategic Development Plan seriously underestimates the anticipated population growth to 2035 and consequently, underestimates the housing requirement over that period.

Whilst the Reporter's recommendations from their Examination in Public into the SDP have been published, they are currently with Scottish Ministers who could yet determine that further land allocations are required. In the meantime, the development industry maintain their concerns regarding the inadequacy of the land supply and contend that further sites should be allocated to ensure at least a 5 year supply of effective housing land at the end of the planned period. Demand for housing is currently outstripping supply with consequent rises in house prices. This is not sustainable in the long term and further land should be released in an effort to address this.

Notwithstanding the fact that no changes have been recommended in respect of the allocations, the Reporter, in his conclusions noted that he was in no doubt **"... that a mix of site sizes would be best placed to achieve the growth rates required in the proposed Plan"**. He went on to contend that **"... It will be for the two Councils to ensure that their Local Development Plans allocate appropriate and sufficient effective land, or land capable of becoming effective and being developed during the Plan period"**.

This requirement that the land should be capable of **"being developed"** during the Plan period is of major significance. The Councils are required by statute to provide an effective five year housing land supply at all times, and the Housing Land Audit is the tool used to demonstrate this. The fact that this land should be developed within the Plan period places greater emphasis on the need to ensure that sites allocated in the proposed Local Development Plan are capable of early delivery. It is not sufficient simply to allocate the land, it is also necessary to ensure that the homes are delivered.

The shortfall in the housing land supply is likely to be compounded by the fact that a large number of sites identified for development within the extant LDP have not come forward within the timescales envisaged. Specifically, of the 22 greenfield sites identified in the extant City LDP for development in the period 2007-2016, work has yet to commence on around half of those sites comprising nearly 10,000 units. Whilst many of these sites will come forward for development, and should not be removed from the Plan, it serves to demonstrate the need for a "generous" land supply in order to ensure that adequate sites are available to come forward for development to ensure that a five year supply of effective housing land is maintained at all times.

The problem is further highlighted if the greenfield housing allocations for the period 2007 – 2016 are analysed against the actual and anticipated completions identified in the 2013 Housing Land Audit. Table 1 below provides such an analysis and demonstrates that of the 11,834 units allocated for development in the period 2007 – 2016, only 2030 are expected to be completed. This equates to only 17% suggesting that more sites need to be allocated which are capable of early development.

Table 1; Comparison of Greenfield Development Allocations Against Completions.

Development Area	2007- 1016 Allocations	2007 – 1016 Completions
Bridge of Don / Grandhome	3,210	400
Dyce / Bucksburn / Woodside	3,300	340
Kingswells and Greenferns	1,520	240
Countesswells	2,150	500
Deeside	554	150
Lorston	1,100	400
Totals	11,834	2,030

Many of the sites identified for development through the extant LDP are large, with significant infrastructure requirements. This, and the fact that a number of them involve joint working between different land owners and developers in order to deliver development, serve to slow the procurement process. Also, the Council's own masterplan process can add further delays to development. Although in most instances this will resolve itself over time, it is contended that the LDP review should seek to introduce a more balanced mix of sites with an emphasis on "smaller" sites under the control of a house builder being allocated for development through the LDP review. Stewart Milne Homes' sites at Contlaw, Kingswells and Mundurno are all capable of early delivery and should be considered for inclusion in the LDP. Separate Papers Apart address each of these sites.

The MIR is, to a degree, contradictory; whilst contending that there is no numerical justification for further greenfield land allocations, it proceeds to allocate four new greenfield site at Peterculter capable of accommodating 98 houses. It seeks to justify this on the basis of increased housing choice and to support the existing primary school.

However, similar releases could be justified throughout the city. For example, land release at Contlaw, Milltimber as proposed by Stewart Milne Homes, could be zoned to Peterculter Primary School thereby safeguarding its long term future. Similarly, development at Mundurno, Bridge of Don would increase housing choice in that area and take up spare capacity in existing primary schools serving the area.

It is also evident from Table 2 of the MIR that the proposed SDP allowances have not been met. There is a shortfall in the periods to 2016 and 2027-2030 of around 726 units and whilst this is partially addressed by an over-allocation of 50 units in the period 2017-2026, the opportunity should still be taken through the LDP review, at the very least, to address this shortfall.

The reasons advocated by the MIR for not pursuing the alternative option are not accepted. The approach would not be inconsistent with the SDP. At the very least there is justification for some further release on the basis of the shortfall highlighted above. Also, the Reporters to the SDP highlighted the importance of delivery and to ensure that there is at least a 5 year supply

of effective housing land at the end of the Plan period, further sites should be allocated for development.

There is no evidence that further releases would undermine brownfield and sustainable development. Brownfield sites invariably lie within the built up area and generally serve a different market. Also, given current requirements for energy efficiency, the provision of public transport etc, new greenfield developments are no less sustainable than brownfield development. Indeed, given the carbon impact of demolition and decontamination of brownfield sites, greenfield releases may, in many instances, be more sustainable.

It is acknowledged that certain sites will require further infrastructure, but through the prudent selection of sites this can be minimised. Also, given that commitment of the development industry to many of these sites already allocated there is little prospect that they will remain undeveloped in the long term. The increased allocation currently advocated by Stewart Milne Homes would serve to ensure that sufficient land was available to maintain a five year housing land supply at all times.

Summary

On the basis of all of the above, it is evident that further allocations are necessary to ensure that there is no shortfall in the housing land supply and particularly, there remains at least a five year supply of effective sites at the end of the Plan period.

Aberdeen City Council must also ensure that those sites identified in the Plan for development are deliverable and assist, where possible, in their delivery. This was emphasised by the Reporters to the SDP.

It is a statutory requirement to ensure a generous housing land supply that maintains a five year supply of effective housing land at all times, including at the end of the Plan period. Accordingly, further sites should be allocated through the proposed Local Development Plan.

In light of the above, objection is taken to the preferred approach. It is further recommended that the alternative Option 2 should be preferred for inclusion in the proposed LDP

Appendix 2

CONSULTATION ON COMMUTED PAYMENTS IN LIEU OF AFFORDABLE HOUSING

RESPONSE BY STEWART MILNE HOMES

1.0 INTRODUCTION

- 1.1 We write in to object in the strongest terms to Aberdeen City Council's consultation on commuted payments in lieu of affordable housing. Before detailing our objection we wish to express our dismay at the way in which this consultation has been carried out. Stewart Milne Homes is a member of the City's Affordable Housing Forum. The group was set up in order to discuss and agree "best practice" in terms of the provision of affordable housing recognising the challenges faced by the public and private sector in this matter. The group which, is made up of expertise from ACC planning and housing departments, members of the house building and construction industries, the Scottish Government Housing Division and Housing Associations, has actively looked at means of unlocking the delivery of affordable housing. One of the means that has been discussed and supported has been the encouragement and use of commuted sums to acquire land for RSLs or the Council to build affordable homes. What the council is now proposing is the converse of this and will actively discourage the use of commuted systems and is likely to frustrate the provision of affordable homes more than ever. It is extremely disappointing that this policy change is being brought forward when it contradicts the recommendations of the Forum.
- 1.2 The current commuted sum arrangement was agreed following extensive dialogue with the house building industry, housing associations and the planning gain teams and is based on the assessed market value for land for affordable housing. This was based on comparable evidence of actual affordable land transactions. Whilst we accept that the actual sums of money should be reviewed on a regular basis, we do not accept that there has been a policy change which warrants the introduction of a new methodology for calculating the funds as ACC now propose.
- 1.3 We welcome ACC's recognition that they support the use of commuted sums to deliver affordable housing. It is disappointing however that the proposed methodology contradicts that statement.

2.0 OBJECTION

2.1 Planning Policy Background

- 2.1.1 Scottish Planning Policy (SPP) requires the Scottish planning system to help provide affordable housing through the development plan where a need is found through an up to date Housing Needs and Demand Assessment. SPP requires policies on affordable housing to be realistic and take into account considerations such as development viability and the availability of funding (Para 87). PAN 2/2010 provides further guidance on affordable housing. This sets out that the decision to accept a commuted sum is one for the planning authority (Para 21). Where it is agreed that an alternative to a contribution of land within the proposed development site is acceptable by the local authority, the developer will provide either land or homes or a commuted sum of "a value equivalent to the cost of providing the percentage of serviced land required by the policy" (Para 22). It further advises that the commuted sum is a matter for negotiation between

the developer and the local authority, having regard to development costs, other contributions that are being sought, and other relevant factors such as layout and design.

- 2.1.2 PAN 2/2010 replaced Planning Advice Note 74. Affordable Housing (PAN 74) which was issued by the then Scottish Executive in March 2005. The section on commuted sums (Para 48 and 49) does not differ from PAN 2/2010.
- 2.1.3 The approved Aberdeen City and Shire Structure Plan (2009) and the emerging Strategic Development Plan defer to Local Development Plan to provide policy guidance on affordable housing. The Local Development Plan which was approved in February 2012 defers to Supplementary Guidance on Affordable Housing. It does recognise however at Para 3.46 that the provision of affordable housing should not jeopardise delivery of housing as this would counter-productive and would increase affordability constraints across the city.
- 2.1.4 Aberdeen City Council published its Supplementary Guidance on Affordable Housing in March 2012 which purely makes reference to the use of commuted sums and them being currently being set at a rate of £25,000. It further advises that the figure of £25,000 per plot is subject to change and the figure is reviewed annually.

2.2 Response to Consultation

- 2.2.1 The current sum set for commuted payment was calculated using comparable transactional evidence of affordable housing land purchases. The figure was agreed with the Planning Gain Service for Aberdeenshire in 2006 and when the Planning Gain Service took responsibility for Aberdeen City in 2007, it was agreed between the housebuilding industry, housing associations and the Planning Gain Service that based on evidence this sum was also an appropriate amount for land for affordable housing in the City. Stewart Milne Homes do not object to the figure being reviewed on a regular basis based on evidence of affordable housing land purchase transactions.
- 2.2.2 Our objection relates to Aberdeen City's attempt to change the methodology for calculating the commuted sum. Section 2.1 sets out the planning policy background to affordable housing and commuted sums. Since the methodology for assessing the value of commuted payments was agreed, there has been no policy change through national, regional or local planning documents that warrant a change in the methodology for calculating committed sums. ACC's Supplementary Guidance advises "the **figure** per plot is currently £25,000 (as of August 2010). This **figure** is subject to change and the **figure** is reviewed annually". This is clear that it is the sum that is subject to review and not the methodology for arriving at that sum without change in the overarching policy there is no locus for reviewing the methodology for arriving at that figure.
- 2.2.3 Notwithstanding the above, we do not accept the methodology proposed by ACC is a reasonable interpretation of guidance and the current policy position. The consultation document advises that methodology amounts to the increase in the land value created by the substitution of the affordable housing for private housing. Not only is this a massive assumption (as no guarantee there will be any increase in land value) but, in our view, there is no justification in planning policy terms for this and it is noted that the consultation does not give any policy justification for this revised approach. PAN 2/2010 in paragraphs 21 and 22 makes it clear that our obligations relate to providing "land, homes or a commuted sum of a value equivalent to the cost of providing serviced land."

It does not say that the housebuilding industry will have to pay for any perceived benefit they might get in not providing affordable housing on site. Commuted sums have nothing to do with the value of private development land and nothing to do with housing revenues. Commuted sums are related to the value of land for affordable housing. The housebuilding industry does not have the responsibility of filling any deficits created by a reduction in government funding for affordable housing.

2.2.4 It is our opinion that Aberdeen City Council is being contradictory in what they are seeking to achieve. On one hand, they are advising they wish to be flexible and secure additional commuted sums to help deliver affordable homes but on the other hand are seeking to implement a tax that in our opinion, will not only slow down the delivery of affordable housing but will slow down the delivery of all housing as a result of a convoluted negotiation process. A shortage of housing supply will only serve to increase the cost of homes and will exacerbate rather than improve the situation.

2.2.5 We are of the opinion that the methodology is effectively a tax for a number of reasons. ACC's Convenor of Finance has spoken in the press of securing a "share of developer's profits" as more money is required for affordable homes (a copy of this is attached for ease of reference). This has followed through to the formula being proposed which considers only the sales price of any resultant properties. As this does not reflect any increased costs associated with the development, the council are assuming a share of "profit". This is a wholly unreasonable position to take.

2.2.6 Further, the formula being proposed makes no sense and has no grounding in development economics, for example, there is absolutely no justification for the use of 0.33 as a ratio as an estimate of the residual land value. Indeed the only thing close to 0.33 in land and development economics is a typical *Stokes v Cambridge* "ransom value" which is what the council appear to be applying here.

2.2.7 Notwithstanding the fundamentally flawed nature of the formula, both in policy and land economic terms, the approach of the council to introduce a formula is flawed at a practical level. What is being proposed will lead to a long drawn out negotiation process, adding further delay to the execution of planning consents. Each developer would have to prepare at least 2 development appraisals. We question whether the council have the skills and resources to consider these in a professional and expeditious manner.

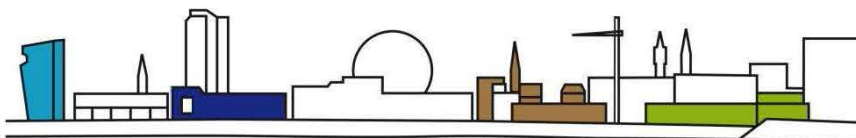
3.0 CONCLUSIONS AND ALTERNATIVES

3.1 We object in the strongest terms to ACC's proposed methodology for commuted sums in lieu of on-site affordable housing. We believe that the current approach to arriving at the value of the commuted sum based on comparable evidence is the correct way in which to value such monies. The contribution should be based on the cost of land for affordable housing. There has been no change in policy which has provided a need to change the methodology in arriving at such sums.

3.2 We accept, as suggested by ACC's Supplementary Guidance on Affordable Housing, the figure should be reviewed on a regular basis. Indeed, we have offered to do this through Aberdeen City's Affordable Housing Forum and again at the meeting between ACC, the housebuilding industry and housing associations on 22 August 13.

3.3 We wholeheartedly support the use of commuted sums based on land value being used to cross fund the building of affordable homes on larger sites. The challenges to deliver 9000 home equivalents (25% of the Structure Plan Requirements in Aberdeen City)

cannot be underestimated and this has been one of the key topics of debate at the Affordable Housing Forum for the last few years. The benefit of using commuted sums, based on affordable land value, has been recognised in this Forum and agreed at officer level and with the support of housing association as a good way forward to help with current funding constraints. The proposed tax based on the formula proposed will only frustrate the delivery of both affordable and mainstream housing at a time supply is critical in the northeast to meet demand and secure the economic viability of the area.



Proposed Aberdeen Local Development Plan 2015 Representation Form

Please use this form to make comments on the Proposed Aberdeen Local Development Plan, ensuring that your comments relate to a specific issue, site or policy in either the Proposed Plan, Proposed Supplementary Guidance, Proposed Action Programme or Strategic Environmental Assessment Environmental Report. Please include the relevant paragraph(s) and use a separate form for each issue you wish to raise.

The consultation period runs between Friday 20th March and Monday 1st June 2015. Please ensure all representations are with us by 5pm on Monday 1st June.

Name	Mr <input checked="" type="radio"/> Mrs <input type="radio"/> Miss <input type="radio"/> Ms <input type="radio"/> John Findlay
Organisation	Ryden LLP
On behalf of (if relevant)	Stewart Milne Homes
Address	25 Albyn Place Aberdeen
Postcode	AB10 1YL
Telephone	01224 588866
E-mail	john.findlay@ryden.co.uk

Please tick if you would like to receive all future correspondence by e-mail

What document are you commenting on?	Proposed Plan	<input checked="" type="checkbox"/>	
	Proposed Supplementary Guidance	<input type="checkbox"/>	
	Proposed Action Programme	<input type="checkbox"/>	
	Strategic Environmental Assessment Environmental Report	<input type="checkbox"/>	
Policy/Site/Issue	Spatial Strategy, Greenfield Development should include provision for site B0915, Contlaw, Milltimber.	Paragraph(s)	Table 8

What would you like to say about the issue?

Please refer to attached Paper Apart.

What change would you like to see made?

Please refer to attached Paper Apart.

Please return the completed form by:

- post to the Local Development Plan Team, Aberdeen City Council, Business Hub 4, Ground Floor North, Marischal College, Broad Street, Aberdeen AB10 1AB; or
- email to ldp@aberdeencity.gov.uk

The representation form can be filled in, saved, e-mailed and/or printed. You must “save as” to ensure the completed form is saved with the changes you have made. If you need more space, please fill out another representation form or send a word document attachment via e-mail with your completed representation form. **Please ensure all representations are with us by 5pm on Monday 1st June.**

Thank you. For more information, please visit www.aberdeencity.gov.uk/aldp2016 or to contact the Local Development Plan Team call 01224 523470.

Data Protection Statement

The comments you make on the Proposed Plan will be used to inform the Local Development Plan process and the Examination into the Local Development Plan by the Scottish Ministers’ Reporter. You must provide your name and address for your representation to be considered valid, and this information will be made publicly available. Other personal contact details such as telephone and e-mail will not be made public, although we will share these with the Reporter, who may use them to contact you about the comments you have made. For more information about how Aberdeen City Council maintains the security of your information, and your rights to access information we hold about you, please contact Andrew Brownrigg (Local Development Plan Team Leader) on 01224 523317.

PAPER APART

OBJECTION TO PROPOSED ABERDEEN LOCAL DEVELOPMENT PLAN (2016) ON BEHALF OF STEWART MILNE HOMES RELATIVE TO THE FAILURE TO IDENTIFY DEVELOPMENT OPTION SITE B0915 AT CONTLAW, MILLTIMBER FOR RESIDENTIAL LED MIXED USE DEVELOPMENT

Introduction

Stewart Milne Homes object to the failure of the proposed Local Development Plan to identify Development Option Site B0915 at Contlaw, Milltimber for development in accordance with their Bid submitted in June 2013.

The site, the subject of the Development Bid, extends to approximately 75.0 hectares or thereby, lying to the north of the A93 and to the west and north west of Milltimber. The site is bisected by the Aberdeen Western Peripheral Route (AWPR), currently under construction. The Development Bid proposed a phased development comprising residential, business and commercial, local shopping provision and community facilities with associated strategic landscaping and public open space. A site was also proposed for the provision of a new primary school with associated playing fields. In very general terms the land to the west of the AWPR would accommodate the business and commercial uses whilst the land to the east would be predominantly residential accommodating around 650 houses. The submitted Development Bid, attached at Appendix 1, provided an indicative Masterplan and details of the proposed phasing. The first phase of development was proposed to the south-east, adjacent to Contlaw Road. Separate representations have been submitted in respect of this area.

Separate representations have also been submitted in respect of the Housing Land Supply and the requirement for additional housing sites to be identified through the emerging Local Development Plan 2016. This objection requires to be read in conjunction with those representations and the scope for a phased development enables all or part of the site to be allocated through the emerging Plan.

Modification Required

The site should be identified in the Deeside Growth Area to coincide with Development Option Site B0915 at Contlaw, Milltimber. This should be allocated to accommodate around 650 houses and 9 hectares of employment land and associated uses.

The entire site should be allocated for development in the period 2017-2026.

Consequential modifications will be required to Table 2 and Table 8 of the emerging Plan to highlight the additional allocations. Further consequential amendments will be required to the supporting text.

Background

The site has a long planning history with much of it being considered capable of accommodating residential development since 1991. At that time the adopted Aberdeen City District Wide Local Plan identified that part of the site lying immediately to the west of Milltimber as an area of "Countryside Around Towns". That Plan acknowledged that should there be demand for housing these areas would be considered for release at the appropriate time. In 1999, the Aberdeen City Finalised Local Plan, intended as a replacement for the 1991 adopted Local Plan, identified the same land as an area of "Strategic Reserve" for longer term development. The modified version of that Plan, published in August 2002, identified a reduced area specifically allocated for residential development.

The 2008 Local Plan "Green Spaces – New Places" subsequently identified the site as falling within the Green Belt and partly within the Green Space Network. In the intervening period, circumstances have changed considerably in the area. Work has now commenced on the Aberdeen Western Peripheral Route (AWPR) and consequently, the character of the area will change significantly. The AWPR will provide a well-defined physical boundary to the west of Milltimber and justifies a re-think of Green Belt boundaries and the allocation of development land in the area.

Development Bids were submitted in 2009 and again in 2013 in a response to a call for sites from the Council to be considered for inclusion in the Local Development Plan 2012 and the emerging Local Development Plan.

The Development Options Assessment, published with the Main Issues Report (MIR) in January 2014 allocated the site Reference B0915. However, the MIR considered there to be no requirement for additional housing land to be identified through the emerging Plan and consequently, failed to identify it as a preferred site for development. Detailed representations were submitted in response to the MIR and these are attached at Appendix 2.

The representations in response to the MIR were considered by Officers and reported to a meeting of the Communities, Housing & Infrastructure Committee on 28 October 2014. Officers advised the Committee that **"...irrespective of the suitability of each site for development, the LDP already provides adequate housing and employment land to meet the allowances set in the Strategic Development Plan. We do not believe there are any overriding benefits which would justify allocating these sites for development"**. Notwithstanding that recommendation, Members chose to allocate 3 additional sites in the Deeside Growth Area capable of accommodating 98 houses.

Responding to the specifics of the site Officers considered that the site did not **"feel well related"** to the settlement of Milltimber and was considered to spread development further up towards Beanshill whereas existing settlements along Deeside were contained by the 90m contour. They further contended that Cults Academy had no spare capacity to accommodate pupils from this development. These issues are addressed below.

Justification

Officers have sought to argue that there is no scope for further housing allocations as the extant LDP 2012 addressed the Structure Plan requirements, which were rolled forward into the Strategic Development Plan approved in 2014. However, Members of the Council clearly do not accept that view and chose to allocate a number of additional sites, particularly in the Deeside Growth Area. That in itself is an acknowledgement that there are concerns regarding the delivery of an adequate Housing Land Supply.

Separate representations have been submitted on behalf of Stewart Milne Homes relative to the Housing Land Supply and these should be referred to for their terms. The Structure Plan Housing Requirements were predicated upon depressed population and household projections. More recent population projections suggest that the Strategic Development Plan seriously underestimated the anticipated population growth to 2035 and consequently, underestimated the housing requirement over that period. This, and the failure of sites to deliver the required housing numbers within the specified timescales, raise issues regarding the ability of the Plan to maintain at least a 5 year supply of effective sites at the end of the Plan period.

Even setting aside these arguments, it is evident from Table 2 of the Proposed Plan that the Plan fails to satisfy the Strategic Development Plan housing allowances. In the city this amounts to a shortfall of 578 units. The majority of that could be addressed by the allocation of the entire site. Alternatively, Phase 1 of the site could be allocated as a stand-alone development to take up part of the outstanding allocation.

The Officer's assertion that the site does not "**feel well related**" to the settlement of Milltimber is strongly refuted. This statement is entirely subjective and fails to take any cognisance of the AWPR, presently under construction to the west of the site. This, and its interchange with the A93 will form the logical northern extent of Milltimber. This will fundamentally change the area, impacting on the setting of the City and ensuring that there is no prospect of coalescence between Milltimber and Peterculter. It effectively negates the purpose and function of Green Belt in the area.

Officers' assessment of the site fails to consider the urbanising effect of the AWPR, which runs on a north-south axis through the area. The AWPR will remove the rigid form of ribbon development along the east-west transport corridors through the area and create new opportunities for sustainable settlements to link with the interchanges created along its route. An updated Development Masterplan and Landscape and Visual Assessment are attached at Appendices 3 and 4. These demonstrate that the northern extent of the proposed development respects the existing 'basin' topography of the site and ensures that the potential visual effects of development occurring along the ridge line, observed from the opposite side of the River Dee valley, are avoided. Including land beyond the 90-95m contour will not result in visual or physical harm to the quality, character, landscaped setting and identity of Milltimber. The proposed development would remain associated with the main transport corridor of the AWPR as well as providing enhanced recreational access to open space within and around Milltimber.

Capacity constraints at Cults Academy are not an impediment to development. Given development pressures in the wider area, consideration could be given to increasing the capacity at Cults Academy through developer contributions with the development of the site phased to ensure that the future capacity was not breached. The development of a new secondary school to serve the Countesswells new community could also address capacity issues at Cults. The proposed school will overlap catchment areas with Cults Academy and potentially relieve some of the forecast capacity issues there, should the catchment boundaries be re-examined. Indeed, those catchment boundaries have recently been the subject of review to exclude land lying to the south of the River Dee within the administrative area of Aberdeenshire Council. Education capacity should not therefore be viewed as a barrier to development, but as a catalyst for further investment in education provision leading to better facilities for the wider community.

Scottish Planning Policy encourages sustainable development. The extant Local Development Plan identified the Deeside Corridor as a direction for growth and this is maintained in the proposed LDP. In assessing the Development Bid the Council acknowledged that development to the western edge of Milltimber would provide a mix of uses in an area of Aberdeen that lacks employment opportunities. It specifically advised that **“With this development there would be the potential to create a more sustainable community”**.

Milltimber has previously been acknowledged as a dormitory commuter suburb and whilst the intrinsic qualities of the Deeside Corridor make it an attractive and popular area for house buyers, it has lacked employment opportunities. Development at Contlaw would incorporate a mixed use employment site as well as local retail and community facilities, all within 600m of the existing built up area of Milltimber. This falls within the threshold walking and cycling distance specified in PAN75: Planning for Transport and will inevitably result in a more sustainable community than currently exists.

The site also lends itself to penetration by public transport and, positioned adjacent to the AWPR, could accommodate a Park & Ride facility serving the A93 corridor. In addition, it would be well placed to utilise Park & Ride facilities already existing on the A944 corridor at Kingswells. In addition, the development would provide public transport services to each of the respective uses and ensure that all residential development fell within the 400m walk distance of a public transport route. The existing and proposed road network has the capacity to accommodate the development and a Transport Appraisal, provided at Appendix 5, specifically addresses these issues.

Conclusions

The proposal site has long been considered by the City Council as capable of accommodating residential development. Its ability to accommodate development is reinforced by the AWPR currently under construction. This will significantly change the character of the area and provide an opportunity for development. The introduction of a mixed use development, as proposed, comprising employment land, will create a sustainable community in accordance with Scottish Planning Policy. This is in contrast to Milltimber's existing reputation as a dormitory commuter suburb. Not only will the scale of development create a sustainable mixed use community, it

will provide a comprehensive range of housing and mix of tenures in an area where there is a significant unmet demand.

The site is capable of accommodating a phased, mixed use development with the initial phase of residential units situated adjacent to Contlaw Road and accessed from the existing road network. This could be a stand-alone development in the short term.

In the longer term, subsequent phases would be accessed from the new grade separated junction serving the AWPR and linking it with North Deeside Road.

The identification of the site for development would, at the very least, address the shortfall highlighted in Table 2 of the proposed Plan. However, more particularly, it would help address the shortfall highlighted in the separate representations on Housing Land Supply.

Recommendations

That the overall site be allocated for development in the period 2017-2026 for around 650 houses and 9 hectares of employment land.

Appendices

1. Development Bid
2. Response to MIR
3. Development Framework
4. Landscape and Visual Assessment
5. Transport Appraisal.

Appendix 1

**Stewart Milne Homes & Messrs
Jaffrey**

**Development Bid for land at Contlaw,
Milltimber**



June 2013

Ryden LLP

25 Albyn Place

Aberdeen

AB10 1YL

Tel; 01224 588866

Fax; 01224 589669

Contents

- 1.0 Introduction**
- 2.0 Development Context**
- 3.0 Site Description and Analysis**
- 4.0 Planning History**
- 5.0 Planning Considerations**
- 6.0 Services**
- 7.0 Development Proposals**
- 8.0 Development Justification**
- 9.0 Conclusions**

1.0 INTRODUCTION

- 1.1 This development bid is submitted on behalf of Stewart Milne Homes and Messrs Jaffrey, as land owners, in response to an invitation by Aberdeen City Council to put forward development proposals for consideration for inclusion within the review of the Aberdeen City Local Development Plan. The land, which is under the control of Stewart Milne Homes, extends to approximately 75.0 hectares or thereby lying mainly to the west and south of Contlaw Road, Milltimber. It mainly comprises the farmlands of Nether Beanshill and is predominantly in agricultural use.
- 1.2 Stewart Milne Homes is part of the Stewart Milne Group, founded in Aberdeen in 1975. Since that time the company has grown to become one of the UK's leading privately owned house builders. The company has a commitment to enterprise and innovation meshed with a traditional value for quality services. Stewart Milne Homes are currently building houses across the North East of Scotland, Tayside, the Central Belt and the North West of England.
- 1.3 The development proposals have evolved following a detailed analysis of the land and its capacity to accommodate further development. A mixed use development is proposed to promote a sustainable community and to provide services and facilities, not only for the occupiers of the new development, but also for the benefit of the existing community. An indicative Masterplan has been prepared and, whilst there has not been any community consultation to date, Stewart Milne Homes are fully committed to that process. Subject to the principle of further growth in Milltimber being acceptable, an extensive exercise of community consultation will take place with a view to refining the proposals and addressing issues raised by the community.

2.0 DEVELOPMENT CONTEXT

- 2.1 The suburb of Milltimber lies approximately 10 km to the west of Aberdeen City Centre. It is primarily a residential area with the majority of the housing lying to the north of the A93, North Deeside Road which runs between Aberdeen and Banchory and beyond to Ballater.
- 2.2 Its population of Milltimber at 2010 amounted to 2,890 residents¹. It has expanded significantly over the last 30 years but growth has been restricted over recent years due to housing land supply constraints. Housing in the area is almost entirely

¹ GRO Scotland

private sector comprising detached, semi detached and terraced properties. The older properties sit either side of the A93 to the east and west of the suburb and are set in large feus, some of which have been subject to subdivision in recent years. The intervening properties fronting North Deeside Road enjoy a south facing aspect with views to the River Dee.

2.3 The A93 is one of the main arterial routes from the west into the city. It is also a public transport corridor with Stagecoach and First Group both providing services eastwards into the city and westwards to Peterculter, Banchory, Aboyne and beyond to Ballater and Braemar. The Aberdeen Western Peripheral Route, the construction of which is due to commence in 2014, bisects the land under the control of Stewart Milne Homes. A new grade separated junction is proposed, linking it to the A93. This will ultimately relieve some pressure on the A93 between Milltimber and the City Centre.

2.4 The Lower Deeside corridor is a popular residential area with potential residents attracted by popular primary and secondary education school provision in the area. Despite development pressures there have been very few developments of note in recent years and each of the communities along Lower Deeside have maintained their identity with coalescence being avoided between Cults, Bieldside and Milltimber and Peterculter. These areas remain separated by land designated as Green Belt and Green Space Network in the extant Aberdeen City Local Development Plan 2012.

2.5 Being a predominantly commuter suburb, Milltimber lacks the range of uses and facilities which would define it as a sustainable community. A primary school, church and community hall are located within the suburb. However, there are no local shopping facilities or employment opportunities. In recent years, planning permission was granted for a new church to the east of the suburb². The former Tor-na-dee Hospital closed a number of years ago and has since been converted to provide private health care and sheltered housing.

3.0 SITE DESCRIPTION AND ANALYSIS

3.1 The land under the control of Stewart Milne Homes extends to approximately 75.0 hectares. A plan highlighting the full extent of the land holding is shown in Figure 1. All of the land lies to the north of the A93 and to the west and north - west of the existing suburb. Other than two parcels of land around Hill of Milltimber the majority

² Application Reference: 090270

of the land lies to the west and south of Contlaw Road. The bid site immediately abuts the existing built up area along part of its eastern and southern boundaries.

Figure 1: Site Location



- 3.2 The land is predominantly in agricultural use of 3.2 quality in terms of the Macaulay Land Capability for Agriculture classification. There are localised areas of woodland on the periphery of the site, particularly to the south which provides shelter and landscape and visual containment. There are a number of farm buildings and residential properties dispersed around and through the site.
- 3.3 In topographic terms the land rises gradually from around 50m AOD at North Deeside Road to 130m at its northern boundary with Contlaw Road. Beyond this the land continues to rise to a high point of 146m thereby providing a backdrop to the development of the site.
- 3.4 The site is characterised by a patchwork of fields of varying sizes. The field boundaries are delineated by a combination of post and wire fences and dry stone dykes. Gorse and other shrubs are evident along some of these boundaries along with a number of isolated trees. There is also shelter belt planting along a number of the field boundaries some running east – west and others north – south. The land is utilised for a combination of grazing and arable purposes. The land immediately abutting Contlaw Road adjacent to the existing built up area is no longer in active agricultural use.

- 3.5 The Aberdeen Western Peripheral Route will bisect in a north – south direction and the alignment of the road subdivides the site to the immediate east of Nether Beanshill Farm. The subdivision of the farm will impact significantly upon its viability as a business whilst presenting opportunities to utilise much of the land for alternative uses.

4.0 PLANNING HISTORY

- 4.1 The further growth of Milltimber has been under consideration for a number of years. The Aberdeen City District Wide Local Plan adopted by the then District Council in 1991 identified that part of the site lying immediately to the west of the built up area as an area of 'Countryside Around Towns'. Whilst these areas were covered by Green Belt policy the plan recognised that should there be future demand for housing these areas would be considered for release at the appropriate time. In 1999, the Aberdeen City Finalised Local Plan, intended as a replacement for the 1991 adopted Local Plan, identified the same land as an area of strategic reserve for longer term development. The modified version of that plan, published in August 2002, identified a reduced area specifically for residential development.
- 4.2 That plan was eventually abandoned and the City Council embarked on the preparation of a new Local Plan, "Green Spaces – New Places". This plan returned the land to Green Belt and also identified certain areas as falling within the Green Space Network which imposed further controls. Objections were lodged to the exclusion of the site for development and these were considered at the Public Local Inquiry into the Plan in 2006. The Reporters to the Inquiry concluded that there was already a clearly defined boundary to the existing built up area along Contlaw Road and that the development of the site identified at that time may impinge on the landscape setting of Milltimber. Also, concern was expressed at the limited number of facilities in the settlement and consequently the need to travel to access those facilities by means other than public transport.
- 4.3 Importantly, at that time the route of the Aberdeen Western Peripheral Route was not finalised and as such did not form part of the plan. The publication of the Road Orders for the route, and the ruling by the UK Supreme Court to dismiss the legal challenges to the Order, provides an opportunity for this area to be considered afresh for development.

- 4.4 The site was also the subject of a development bid for inclusion in the now extant Aberdeen City Local Development Plan 2012. Objections were also lodged against the plan's spatial strategy which sought to limit development along the Lower Deeside corridor and retain the site within the City's Green Belt. These issues were considered at the Examination in Public into the Plan in 2011. The planning authority rejected the bid to include the site in the plan claiming the area is situated within an attractive landscape setting which provides a green wooded backdrop to Milltimber. The Reporter appointed by the Scottish Government agreed that the site should continue to form part of the Green Belt. The Reporter noted that the settlements along Lower Deeside follow the 90 to 95m contour as a northern building line and the site at Contlaw would breach this to the detriment of the settlement pattern prevalent in the area. The Reporter also noted that the site lay too far north of the main bus routes to walk, although admitted that the site would be large enough to accommodate its own facilities. Education capacity was also cited as a concern.

5.0 PLANNING CONSIDERATIONS

Scottish Planning Policy

- 5.1 The 2010 consolidated document on Scottish Planning Policy (SPP) places sustainable economic growth at the heart of town planning policy in Scotland. It is designed to encourage the right development in the right place, which enables social, environmental and economic benefits to result from land use change. This "triple-bottom line" approach to spatial planning is recognised as the best way to promote sustainability which will help this generation meet its needs without compromising future generations' ability to meet theirs.

- 5.2 Paragraph 3 of SPP explains that the purpose of planning is to guide the future development and use of land.

"Planning is about where development should happen, where it should not and how it interacts with its surroundings".

- 5.3 Development plans are discussed in paragraphs 10 – 21 of SPP. In monitoring development plans, SPP directs local authorities to focus on key assumptions previously made and whether or not they remain valid and whether or not land allocations proved viable. Monitoring plans are a key practice for local authorities and should set the direction for the future review of the plan.

- 5.4 SPP is split into various subject policies that deal with the composite elements of town planning. The first of these that concerns this development bid is housing. SPP affirms the Scottish Government's commitment to providing new homes and ensures that the planning system is fully committed to supporting this aim. A generous supply of effective housing land is one of the ways planning authorities can support this aim. Development plans should provide a housing land supply that is effective and robust enough to ensure that there are no unnecessary impediments to housing developments coming forward.
- 5.5 The key aspect of a local authority's housing land supply should be flexibility. In this sense, the supply of housing land should be adaptable to changing conditions and able to react to external circumstances or failures within existing supply. SPP also directs local authorities towards the possibilities of the siting of specific housing land requirements in an attempt to achieve other non-housing policy objectives, such as promoting active lifestyles and place-making.
- 5.6 High-quality design of new residential development is a key policy objective of the Scottish Government and should guide the whole process of delivering new housing. The aim for this policy is to create places that are distinctive, with a good mix of integrated land uses including homes of varied types and tenures. Fundamental to this policy is the integration with new residential development of active travel solutions, including walking and cycling as well as public transport. This will reduce reliance on the private car and encourage easy access to local services and promote healthy lifestyles.
- 5.7 To this end, SPP promotes new housing land that is located within or adjacent to existing settlements. This helps to reduce costs in terms of servicing sites but also helps to sustain local services, schools, shops and community facilities, as well as encouraging investment in new services. Paragraph 40 explains that the *"settlement strategy set out in the development plan should promote a more sustainable pattern of growth for an area, taking account of the scale and type of development pressure and the need for growth and regeneration"*.
- 5.8 SPP makes it clear that affordable housing needs should be met within the housing market area that the need is based. It sets a benchmark of 25% of new housing to be affordable yet allows for an increased allocation where the housing need and demand assessments identifies areas with acute need.

- 5.9 SPP encourages development to consider carefully the opportunities to strengthen local ecosystems, such as habitat networks and wildlife corridors, which re-establish broken links and fragmented ecologies. Open space, which enables the enjoyment and appreciation of natural heritage, can have a profound impact on the sustainability of new developments. Landscapes constantly change and evolve and the aim of Scottish Planning Policy is to facilitate this change whilst enhancing the distinctive character of places. What is clear from careful reading of Scottish Planning Policy is that, whilst concerns over landscape and natural heritage conservation may act as a constraint on development, more often than not, careful planning and design can minimise potential conflict and maximise the potential for positive enhancement of the natural environment.
- 5.10 The links between spatial planning and transport are vital to ensuring new development contributes towards sustainable economic growth. These links are addressed by SPP, which aims to encourage new patterns of travel behaviour that are more active (i.e. walking and cycling) or more sustainable (public transport and car-sharing). The planning system in Scotland should support a pattern of development which limits the need for car-based travel and supports a range of travel options.
- 5.11 This theme is explored more thoroughly in Planning Advice Note 75: Planning for Transport. It recommends local authorities create accessibility profiles for sites in the production of development plans. The profile should reflect the catchment areas served, likely quality of service and result in indicators of accessibility. A maximum threshold of 1600m from local services and 400m from bus stops should be achieved by new developments.
- 5.12 The outcomes of these subject policies should be to encourage sustainable and well-designed places that are accessible to as many people within the community as possible. The key to a successful place does not just rest with the buildings themselves, but the function of the space between buildings and their ability to adapt to the changing circumstances of local residents and visitors. These outcomes form the basis of all planning policy documents including for Aberdeen City.

Aberdeen City and Shire Structure Plan 2009

- 5.13 The Aberdeen City and Shire Structure Plan approved by Scottish Ministers in 2009 sets growth targets for the city region and promotes a spatial strategy designed to accommodate this growth in the most sustainable locations. It identifies a

requirement for 72,000 houses within the Structure Plan area over the period to 2030. Aberdeen City is identified as one of three Strategic Growth Areas (SGAs) which will be the main focus for development in that period. Around half of all new development is likely to be located in Aberdeen City. Of those 36,000 houses required within the City it is envisaged that 21,000 will be provided on greenfield sites with a further 15,000 split between brownfield sites and identified regeneration areas within the City. In terms of phasing of greenfield housing, 12,000 are anticipated to be required between 2007 and 2016; 5,000 between 2017 and 2023 and 4,000 between 2024 and 2030.

- 5.14 The Structure Plan advocates sustainable mixed communities with new housing and developments for employment and commercial use well related to each other to improve people's quality of life and opportunity. One of the targets to meet the sustainable mixed communities objective is for all housing development over 1 hectare in the Strategic Growth Areas to be in line with approved supplementary guidance and generally have no less than 30 dwellings per hectare.
- 5.15 With regard to economic growth, the plans objective is to provide opportunities which encourage economic development and create new employment in a range of areas that are both appropriate and attractive to the nature of different industries. The Plan seeks to ensure that at least 60 hectares of land available to businesses at all times in a range of locations within the City. New employment land allocations in the City between 2007 and 2023 require to total 105 hectares, with 70 hectares identified as strategic reserve land to come forward in the period between 2024 and 2030.

Proposed Aberdeen City and Shire Strategic Development Plan

- 5.16 The proposed SDP for the Aberdeen city region was published in February 2013 for consultation. It is expected that a finalised Plan will be sent to Scottish Ministers in the coming weeks for approval. The Plan sustains many of the fundamental principles contained in the Structure Plan. As in the preceding Structure Plan, Aberdeen City is identified as a Strategic Growth Area with around half of all new development in the SDP area to be located here.
- 5.17 The Plan acknowledges the scale of growth expected in the City region, and anticipates that a significant proportion of development will be located on greenfield sites. The housing and employment allowances for Aberdeen are set out in the table below.

Figure 1: SDP Land Allowances

Housing Allowances			
	Existing allocations to 2016	LDP 2017 – 2026	2027 – 2035
Brownfield	4,500	3,000	3,000
Greenfield	12,000	5,000	4,000
Employment land allowances (hectares)			
	105		70

- 5.18 Economic Growth is a key objective for the SDP. The Plan looks to provide opportunities which encourage economic development and create new employment in a range of areas that are both appropriate for and attractive to the needs of different industries. It acknowledges the success of the area’s economy during the recent global downturn and looks to capitalise on this by continuing to diversify the economy into other key sectors such as life sciences, food and drink and tourism.

- 5.19 On sustainable development and climate change, this objective looks at the energy resource use in new developments and stipulates the need for employing energy saving technologies in all new development. The target for this policy is for all new buildings to be carbon neutral by 2020. Transportation use, as it impacts on climate change, is another focus of this policy and new developments are encouraged to consider a proposal’s impact on the environment from increased unsustainable forms of transport.

- 5.20 With regard to population growth, the region’s population has risen in recent years and the plan is based on the assumption that this will continue to grow up to 500,000 people by 2035. However, as many stakeholders have argued during the recent consultation on the proposed plan, these projections significantly underestimate the anticipated population growth published by the National Records of Scotland (NRS). They project the population of the Aberdeen City and Shire Strategic Development Plan Area to rise to 567,800 by 2035. This is reinforced by the projections for household growth published by the NRS which is set to increase by 35% over the period from 2010 – 2035. Overall, whilst the SDP sets an annual average housing requirement of 2,159 units for the period 2011 – 2035, according to realistic projections, this figure is more likely to be 2,815 units a year, creating an annual shortfall of 656 units across the plan period. Over the plan period, this points to a requirement for an additional 16,400 houses for which the Local Development Plan Review should be seeking to identify sites for.

5.21 Another key objective of the plan is the creation of sustainable mixed communities, where housing, jobs, services and recreation facilities are available to as wide a range of people within existing settlements as possible. The Plan states that within the SGAs, services and facilities for the community must be part of a development. Employment and commercial use must be well integrated with new housing to maximise the benefits for the environment and the quality of life of local residents.

6.0 SERVICES

6.1 Mains water and drainage are available nearby to service the site as are gas and electricity connections. It is likely that additional drainage capacity will be required within the City as a whole to accommodate the overall scale of development envisaged.

6.2 The existing transport infrastructure is capable of supporting the first phase of development at Contlaw with access taken from Contlaw Road. This access strategy was previously agreed to be suitable by Aberdeen City Council in the context of consideration of earlier proposals for development of the site. Once the Aberdeen Western Peripheral Route is open, access to the first phase could be taken from either Contlaw Road or the AWPR. These alternatives provide the site with the flexibility of delivery, meaning the site is not dependant on the AWPR. Both options will create opportunities to link the development with North Deeside Road thereby relieving traffic from the historic road network. The site presents the opportunity to create a transport interchange that will link the residential areas of the Deeside corridor with the employment opportunities located to the North and South of the city.

6.3 Milltimber Primary School currently has a functional working capacity of 270 pupils. The Roll at 2013 fell short of this at 209 pupils. This has the scope to accommodate some of the pupils arising from the development (approximately 193 housing units), and all of those generated by the first phase. A replacement of Milltimber Primary School is proposed within Local Development Plan allocation OP62: Oldfold Farm. The Development Framework/ Masterplan for this site states that the replacement school would be large enough to accommodate all the pupils generated by the development as well as the existing pupil numbers.

6.4 Within the Contlaw Masterplan, land is reserved within the first phase of the masterplan for a new primary school, should this be required. The proposed expansion area would require additional primary school capacity for 222 pupils to

support 493 housing units. The total primary school capacity across the existing and new facilities would be able to fully support the development at Contlaw. Indeed, given that the development of a single housing site of this scale is likely to extend out past the 7 year initial life-cycle of a new primary school, then it is possible to consider an even larger allocation, as the pupil numbers decline in a maturing community.

- 6.5 Cults Academy provides secondary education for those within the area and has a capacity for 1,141 pupils. The school roll forecasts show that this capacity is likely to be breached by 2015. Contributions would be provided to secure an expansion of the academy to cater for pupils arising from this development. Several options also exist to increase the capacity of Cults Academy, including a review of catchment areas in light of new secondary schools coming on-stream at locations such as Kingswells and Countesswells. In addition, there are a number of non-district pupils attending Cults Academy from Aberdeenshire. Catchment reviews of Cults Academy would most likely remedy this situation, thus providing extra capacity at Cults to accommodate the development.

7.0 DEVELOPMENT PROPOSALS

- 7.1 The development proposals involve the north westwards expansion of Milltimber to provide a sustainable, mixed use community largely contained and separated from Peterculter by the proposed Aberdeen Western Peripheral Route. The uses to be provided include residential, business and commercial, local shopping provision and community facilities with associated strategic landscaping and public open space. A site is also retained for the provision of a new primary school with associated playing fields. The site has the potential to accommodate a park and ride facility also. An indicative Development Framework is shown below.

- 7.3 The bid site is sub-divided by the Western Peripheral Route with the larger of the two land parcels lying to the east between it and the existing built up area. It is anticipated that the woodland to the south of this area would substantially be retained and strengthened. A small area to the east adjoining the existing open fields is in poor condition and would benefit from clearance. Existing shelter belts running north-south and east-west would be retained and strengthened to define the landscape pattern and contain the various phases of development. A landscape buffer would be created adjacent to the proposed Western Peripheral Route to mitigate its landscape and visual impacts.
- 7.4 The first phase of residential development would be to the south - east of the site adjacent to Contlaw Road. Adjoining this to the north - west would be the "village" centre and land safeguarded for the primary school and associated playing fields. Further higher density housing would be located around the village centre. Beyond the shelter belt which runs north - south through that area would be land designated for the first phase of commercial development. This area would also accommodate the new access link from the grade separated junction. This first phase has the potential to be a smaller, stand-alone development in the short term which is not dependant on additional phases for viability. The first phase could form part of the first phase of the Plan and contribute towards the housing land requirement should other sites carried forward from the extant Plan fail to come forward as programmed.
- 7.5 To the north, beyond the existing tree belt which runs east - west would be later phases of residential development contained within the existing landscape framework. A further area of residential development would lie to the north east of the site beyond Contlaw Road contained to the south by the properties around West Lodge and to the north - west by the properties around Hill of Milltimber. Overall, the area lying between the Western Peripheral Route and Milltimber is considered capable of accommodating around 650 houses at an average density of 30 units per hectare. This would be developed in three phases with the land to the south - east, off Contlaw Road, being developed as Phase 1a. Phase 1b would involve the development of the commercial area and the provision of connections to the Western Peripheral Route grade separated junction. Phase 1a also include a further phase of residential development and the provision of the village centre. Phases 2, 3 & 4 would be the housing to the north of the current shelter belt running east-west from West Lodge. The commercial areas to the west of the AWPR could be provided in tandem with the additional residential phases and would be flexible in their delivery to respond to changing circumstances and market demand.

7.6 The parcel of land lying to the west beyond the Aberdeen Western Peripheral Route would contain a further phase of commercial development. A substantial area of community woodland would also be created to the west of the site. This would contain the entire development and form a long term, defensible boundary to the Green Belt.

8.0 DEVELOPMENT JUSTIFICATION

8.1 The land to the west of Contlaw Road has long been considered for residential development. It has been designated for such use in earlier Local Plans and, at one time, benefited from an outline planning permission. The development potential of the area has long been signalled and it has been widely debated at Public Local Inquiry.

8.2 The Proposed Aberdeen City and Shire Strategic Development Plan identifies a significant requirement for new housing and employment land over the period to 2035. The City is a Strategic Growth Area and is expected to accommodate an unprecedented scale of development amounting to almost 39,000 new homes in the City's Housing Market Area. The SDP expects that around half of these new homes will be located on greenfield sites. These new homes should contribute to the creation of sustainable mixed communities by linking housing with employment land and community services and facilities. This conforms to Scottish Planning Policy which seeks to ensure that new developments remain desirable, attractive and safe places to live for many years to come.

8.3 Recent objections to the proposed SDP have centred around the conservative estimates of growth in housing demand in the North East. Section 5.20 above argues that a shortfall of 16,400 houses over the SDP period can be identified by analysing updated official population and household growth figures. If this argument is accepted by the Scottish Government, then the Local Development Plans within the SDP area will need to find additional sites to address this shortfall. This would provide Aberdeen City Council with scope to allocate land at Contlaw for this purpose, either the first phase as a stand-alone expansion of Milltimber or the whole site as a sustainable, mixed use development.

8.4 The development of this land at Contlaw would meet the sustainable community objectives whilst providing land to meet the SDP housing requirements and also the employment land requirements. It would also extend the range of services and facilities, and importantly employment opportunities, available to the existing

Milltimber suburb which is currently a dormitory commuter suburb. It is unclear at this stage whether or not existing allocations within Milltimber will be able to come forward to provide the services and infrastructure that the area needs to make it more sustainable. The allocation OP62 at Oldfold Farm is a large site with complex and costly infrastructure required to be provided upfront. The delivery of this site is still not assured, which threatens the extant LDP's ability to meet its vision and objectives. By contrast, Contlaw is supported by a development framework that sets out a phased delivery strategy that demonstrates the site's ability to deliver housing and community facilities in the short term whilst presenting further opportunities in the longer term to build on this success.

- 8.5 The scale of development would allow the provision of a complete range of house types in a variety of sizes, types and tenure. Densities could vary throughout the site to reflect the character of the area with more concentrated development around the core of the development. Importantly, affordable housing would also be provided as a key component of the development. It is likely that this would amount to around 25% of the mainstream housing, subject to the housing need identified in the updated Housing Needs and Demand Assessment and could be provided either as affordable housing for sale or rent. The scale of development would, in effect, provide for the entire range of housing in an area where there is currently a significant level of unmet demand.
- 8.6 Milltimber has previously been criticised as a dormitory suburb with very few facilities for its residents, thereby requiring access to those facilities elsewhere, usually by private car. Whilst public transport accessibility via services along North Deeside Road is comparatively good to destination in/ around the city centre, the mode share for journeys to work at 11% is below the city average (14%). Whilst commercial development at Oldfold Farm should partially address this imbalance, there are no guarantees that the commercial/ community element within this site will come forward. Given the location of Oldfold in relation to the AWPR, any significant vehicle movements would need to travel through Milltimber to access the orbital corridor, putting pressure on existing networks. This is also true for the replacement Primary School. The existing school in Milltimber is relatively central, whereas the proposed replacement is further to the east. This will prove to be an inconvenience for existing residents as well as generating more trips by private car.
- 8.7 In terms of commercial development, the Contlaw site is far better located to provide an attractive, well-connected business location that can attract occupiers into the area and achieve a better balance of land use within the Lower Deeside area. Rather than compete against the Oldfold site, however, Contlaw would

complement it well for the benefit of the communities situated along this corridor. In terms of the Primary School, a new school to the west of Milltimber will offset the inconvenience felt by existing residents as the replacement school is located further east at the Oldfold site. Locating a school to the west of Milltimber will also help reduce traffic flows through the settlement and make the resident's route to school much safer.

- 8.8 Development at Contlaw would incorporate a mixed use employment site as well as local retail and community facilities within 1600m of the existing built up area of Milltimber and the new residential areas within the site. This falls within the threshold walking and cycling distance specified in PAN75: Planning for Transport and will result in a more sustainable community than currently exists. Improved networks of footpaths through the site would connect to enhanced provision which will link the site with sustainable modes of transport currently available along Deeside Road, including the Deeside cycleway. Not only would the site itself conform to the requirements of PAN75, but it would ensure that the existing community of Milltimber would also meet these policy objectives.
- 8.9 In addition to the above, the development would also be designed to provide public transport services to each of the respective uses and ensure that all residential development fell within the 400m walk distance of a public transport route. The Local Transport Strategy for the area promotes the use of public transport as a key strategic objective. To achieve this, the strategy calls for the expansion of the network to realise the opportunities provided at the junctions of radial corridors (running west-east) and orbital corridors created by the AWPR (north-south), particularly for park and ride sites. It is believed that the development of these facilities along the AWPR will increase the attractiveness of this mode and support the desired increase in the modal share of public transport in the North East.
- 8.10 However, the only Park and Ride site located along the North Deeside corridor is at Banchory. The Bus Action Plan produced for Nestrans recognises that it "will miss picking up people from Peterculter and Cults". Further provision could be provided within the bid site to serve people living along the Deeside corridor which will promote a sustainable mode of transport that is efficient, cost-effective and perceived to be convenient. This is vital to ensure a real modal shift in travel patterns that reduces congestion, improves the environment and local resident's quality of life.
- 8.11 The proposed development will also maximise the investment in infrastructure related to the Aberdeen Western Peripheral Route. The initial phase of residential

development can be accommodated on the existing road network. However, it would be the intention to also access phases from the new grade separated junction linking the Aberdeen Western Peripheral Route to North Deeside Road. The Western Peripheral Route lies immediately to the west of the development bid site with the junction lying close to the midway point between the north and south of the site. Development of this area would effectively infill between the existing Milltimber settlement and the proposed Aberdeen Western Peripheral Route.

- 8.12 It is acknowledged that the site currently lies within the Green Belt. However, Scottish Planning Policy states that Green Belts should form part of a long term settlement strategy and ensure settlements are able to accommodate planned growth³. Green Belts are intended to direct growth to the most sustainable locations and support regeneration, to protect and enhance the character, landscape and setting and identity of towns and cities. They also provide access to open green space within and around urban areas. Green Belt policy can also be used to prevent coalescence of settlements. However, SPP clearly states that only those areas of land which can help deliver these objectives should be covered by Green Belt Policy and Local Development Plan reviews provide an opportunity to review the success of this policy and adjust Green Belt boundaries to accommodate sustainable growth.
- 8.13 In particular, the issue of coalescence is no longer a concern due to the construction of the AWPR. This will form a well defined physical feature in the landscape which could become the long term defensible boundary of Aberdeen City, a function currently performed by the Green Belt. The intervening land between the Western Peripheral Route and the existing settlement of Milltimber would effectively become infill development and the prospects for coalescence with Peterculter would be minimised as a consequence.
- 8.14 The proposed development would maintain the landscape setting of the City by limiting the amount of development to the west of the AWPR whilst allowing public access for recreational purposes to those areas, currently in use for those purposes, lying to the east of the AWPR. Enjoyment of these areas can be further enhanced by their expansion and improvement as proposed through the Indicative Masterplan (see figure 2).
- 8.15 Indeed, the existing landscape framework is to be improved with new planting and strengthening of shelter belts. This will satisfy the current objectives of the Green Space Network designation. It will also ameliorate the landscape and visual impacts

³ SPP paragraph 162

of development when viewed from outwith the site. Distant views of the development from the south will be contained by the AWPR to the west and by the rising ground beyond the development site to the north.

- 8.16 Deeside is popular area for house buyers due to the attractiveness of the landscape and the availability of public transport into Aberdeen City. The AWPR will further increase the connectivity of the area to key employment locations in the north, west and south of the City as well as remove congestion issues which currently affect the A93 road into the City Centre. This increased level of accessibility will re-stimulate demand for housing in the area as well as commercial occupiers keen to capitalise on the surrounding infrastructure improvements. Developers have shown a sustained interest in the Deeside area through previous LDP reviews, which is evidence of confidence in the area to accommodate growth and attract investment.
- 8.17 During the last LDP review, the site was examined by the Scottish Government Reporter who concluded that the site should not be included in that version of the Plan. The reasons cited concerned landscape issues, education capacity constraints and connectivity issues. In terms of landscape, the Reporter argued that the settlement pattern along Lower Deeside was limited to the 90metre – 95metre contour line and future development should not breach this building line in order to preserve this historic pattern.
- 8.18 However, the Reporter agreed with the inclusion of the Oldfold site to the east of Milltimber as a development site. This site also breaches the building line and will alter the historic settlement pattern of the Lower Deeside area. The Reporter also failed to consider the urbanising effect of the AWPR which runs on a north-south axis through the area. The impact this road will have on the historic pattern of the area cannot be understated. It will remove the rigid form of ribbon development along the west - east transport corridors through the area and create new opportunities for sustainable settlements to link in with the junctions created along the route. The northern extent of the development respects the existing basin topography of the site and ensures potential visual effects of development occurring along the ridgeline, observed from the opposite side of the River Dee Valley, are avoided.
- 8.19 Given that the site makes no meaningful contribution to the setting of Aberdeen with no visual connectivity, it is considered that including land beyond the 90 – 95m contour would not result in visual or physical harm to the quality, character, landscape setting and identity of Milltimber and the Deeside towns. The development shown in the Development Framework (figure 2) would remain

associated with the main transport corridor of the AWPR as well as provide enhanced recreational access and open space within and around Milltimber.

- 8.20 The creation of the AWPR will also absorb much of the farmland within the bid site itself and bisect the whole farm. This would seriously affect the viability of the current agricultural business, reduce the quality of the land and endanger its long-term maintenance. The ability of current owners to ensure the area remains attractive Green Belt land would be under threat. The land, therefore, would be much more productive if used to accommodate the growth associated with the significant improvements in infrastructure and investment in the local economy.
- 8.21 In terms of accessibility, the bid site has the potential to provide many supporting services within the site boundaries for the benefit of both existing and future residents. The Reporter acknowledged that the size and scale of development presented opportunities to increase primary education capacity within the area and a public transport interchange to enhance sustainable travel patterns. The initial phase would also involve the creation of footpath links through the site and connecting to existing networks along Contlaw Road and Colthill Road. Direct path connections would be enhanced along Culter House Road and Bellenden Walk aimed at maximising its potential for accommodating pedestrian movements to/from existing bus services and cycle routes. This phase would also incorporate signal control at the junction of Contlaw Road and North Deeside Road as previously agreed with the City Council. Subsequent phases of development would incorporate a strategy that looks to minimise travel demand through a balanced mix of land uses as well as maximise public transport attractiveness through easy and convenient connections to destinations across the city region, particularly employment, education and recreational facilities. The AWPR connection would ensure a minimal impact on the existing road network.
- 8.22 The phasing of development on this site could easily be synchronised with development of increased secondary education capacity at Cults Academy, contributions for which would come from development on this site. Phasing of the site would also allow for a new secondary school to come on stream at Countesswells⁴. This school will overlap catchment areas with Cults Academy and potentially relieve some of the forecast capacity issues there, should the catchment boundaries be re-examined. Overall, education capacity should not be viewed as a barrier to development. Rather, development should be seen as a catalyst for further investment in education provision leading to better facilities for the whole community.

⁴ Site OP58, Aberdeen City Local Development Plan 2012

9.0 CONCLUSIONS AND RECOMMENDATIONS

- 9.1 This area has long been considered by the City Council as being capable of accommodating residential development. Stewart Milne Homes North Scotland and Messrs Jaffrey consider that the development potential of the area has been overlooked in recent years. The improvements to the area resulting from the construction of the Aberdeen Western Peripheral Route significantly enhance this potential. Accordingly, they wish it to be considered for inclusion in the forthcoming Local Development Plan.
- 9.2 The site is capable of accommodating a phased, mixed use development with the initial phase of residential units being accessed from the existing road network. Thereafter, subsequent phases would be accessed from the new grade separated junction serving the AWPR and linking it with North Deeside Road. The development would effectively infill the land lying between the AWPR and the existing built up area defined by Contlaw Road to the east.
- 9.3 The AWPR would provide a defensible boundary to the Green Belt whilst development in the intervening area would provide employment opportunities, services and facilities not only for the proposed development but also for the wider community of Milltimber.
- 9.4 The scale of the development would not only create a sustainable mixed community, it would provide a comprehensive range of housing and a mix of tenures in an area where there is significant unmet demand.
- 9.5 The landscape setting of the City would not be adversely affected by the development. The urban pattern of the Lower Deeside area will be altered by the AWPR beyond the existing building line of the 90metre – 95 metre contour line, as will the development at the nearby Oldfold site which the Council and Scottish Government Reporter both supported. The development on this site would retain and enhance existing woodland and landscape features to encourage continued public access. A proposed community woodland to the west of the AWPR would provide a strong defensible barrier that will prevent coalescence with Peterculter. As a consequence of this, and the rising topography to the north, the landscape and visual impacts arising from the development when viewed from a distance would be minimised.

- 9.6 The development would also stimulate investment in the area's education provision, employment land, retail offer and community facilities such as playing fields and open space. The suburb of Milltimber is currently a dormant commuter settlement where residents are forced to access these services by private car. This development offers the chance to create a more sustainable community by providing key facilities within walking distance for both existing and future residents.
- 9.7 On this basis, Stewart Milne Homes North Scotland and Messrs Jaffrey respectfully request that this development bid be considered for inclusion in the forthcoming Local Development Plan review for the range of uses highlighted.

Appendix 2

Main Issues Report Consultation
13th January to 24th March
Response Form

The Main Issues Report describes and invites discussion on options for policies and land allocations in the next Aberdeen Local Development Plan. No settled view on the content of the next plan has yet been reached, making the Main Issues Report the key stage for public consultation. Giving us your views will help to shape the future strategy for development and the policies by which future planning applications are determined. You can view a copy of the Main Issues Report on our website at: www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_local_development_plan.asp. A series of accompanying documents, including an Interim Environmental Report, Monitoring Statement and Developer Bids Assessments, can also be viewed online.

How to respond

The Main Issues Report contains a series of issues and questions which we would particularly like to hear your views on. Use this form to respond to these, or any other issues raised by the Main Issues Report, Monitoring Statement, Interim Environmental Report or any other accompanying documents. **Please return it to reach us by 5pm on Monday 24th March.**

- **Post:** Local Development Plan Team, Planning and Sustainable Development, Aberdeen City Council, Business Hub 4 Marischal College, Broad Street, Aberdeen AB10 1AB
- **Email:** If you are filling out our online PDF form, please be aware that you cannot save what you have written and come back to it later. Once you have finished filling it in, you can print to PDF. You could also scan your paper form if you have this facility. You can then email your response to ldp@aberdeencity.gov.uk
- If you prefer not to use this form, you could also send us an email or letter with your comments. Please include your name, address, telephone number and email address (if applicable), as well as the details of anyone you are representing.

Data Protection Statement

The comments you make on this form will be used to inform the preparation of the next Local Development Plan. Aberdeen City Council (ACC) will not share or disclose the personal information provided on this form with other parties or organisations unless we are required to do so by law.

The Local Development Plan Team may use your contact details to contact you to seek further detail or information about the comments you have made. Your name and organisation (if relevant) will be published alongside your comments, but personal contact details (address, telephone, e-mail address) will not be made public. If you choose not to provide a name or any contact details, your comments will still be valid.



For more information on how your information is used, how Aberdeen City Council maintains the security of your information, and your rights to access information ACC holds about you, please contact Andrew Brownrigg (LDP Team Leader), Planning and Sustainable Development, Aberdeen City Council, Business Hub 4, Marischal College, Broad Street, Aberdeen AB10 1AB.

Please provide your name and contact details:

Name (Mr/Mrs/Miss/Ms) Stewart Milne Homes & Messrs Jaffrey

Organisation (if relevant) c/o Ryden LLP

Address 25 Albyn Place
Aberdeen

Postcode AB10 1YL

Telephone 01224 588866

E-mail address john.findlay@ryden.co.uk

If you are completing this form on behalf of an organisation, group or landowner, please provide their details below.

Please tick this box if you wish further correspondence to be directed to this address:

Name (Mr/Mrs/Miss/Ms) Stewart Milne Homes & Messrs Jaffrey

Organisation/Group Stewart Milne Group Ltd.

Address Osprey House, Mosscroft Avenue,
Westhill Business Park, Westhill

Postcode AB32 6JQ

Telephone _____

E-mail address _____

If you wish to be added to the LDP e-mailing list to be kept informed of our progress in producing the next LDP, please tick here: and provide the email you wish to be added to our database:

E-mail address john.findlay@ryden.co.uk

Please use a separate box for each issue/question you wish to respond to. If you wish to continue on a separate sheet, please attach to the paper copy or email.

Main Issue and/or Question Number	1	MIR Page Number	11
<p>Development Bid Site B0915 - Contlaw Milltimber.</p> <p>Please refer to attached Paper Apart</p>			

Main Issue and/or Question Number		MIR Page Number	

Main Issue and/or Question Number		MIR Page Number	

PAPER APART

REPRESENTATION TO THE ABERDEEN CITY COUNCIL MAIN ISSUES REPORT ON BEHALF OF STEWART MILNE HOMES IN RESPECT OF DEVELOPMENT OPTION B0915 – CONTLAW, MILLTIMBER

Introduction

Stewart Milne Homes object to the failure of the Main Issues Report (MIR) to identify Development Option Site B0915 at Contlaw, Milltimber for development in accordance with their Development Bid submitted in June 2013.

The site, the subject of the Development Bid, extends to approximately 75.0 hectares or thereby, lying to the north of the A93 and to the west and north-west of Milltimber. The site is bisected by the proposed Aberdeen Western Peripheral Route (AWPR), which runs in a north - south direction. The Development Bid proposed a phased development comprising residential, business and commercial, local shopping provision and community facilities with associated strategic landscaping and public open space. A site was also proposed for the provision of a new primary school with associated playing fields. In very general terms the land to the west of the AWPR would accommodate the business and commercial uses whilst the land to the east would be predominantly residential accommodating circa 650 houses. The submitted Development Bid provides an indicative Masterplan and details of the proposed phasing.

The first phase of development would be to the south-east adjacent to Contlaw Road and has the potential to be a smaller stand-alone development in the short term. It is not dependent on additional phases for viability.

This representation requires to be read in conjunction with general representations on the overall MIR and, in particular, with the representations on the housing land supply. Stewart Milne Homes contend that additional land should be allocated for residential development to ensure that a 5 year housing land supply is in place at the end of the Local Development Plan period. The site is capable of contributing to the Housing Land Supply requirements and accordingly, should be identified for phased development.

Background

This area has long been considered by the City Council as being capable of accommodating residential development. The Aberdeen City District Wide Local Plan adopted by the then District Council in 1991 identified part of the site lying immediately to the west of Milltimber as an area of "Countryside Around Towns". That Plan acknowledged that should there be demand for housing these areas would be considered for release at the appropriate time. In 1999, the Aberdeen City Finalised Local Plan, intended as a replacement for the 1991 adopted Local

Plan, identified the same land as an area of “Strategic Reserve” for longer term development. The modified version of that Plan, published in August 2002, identified a reduced area specifically allocated for residential development.

Whilst the 2008 Local Plan “Green Spaces – New Places” identified the site as falling within the Greenbelt and partly within the Green Space Network, circumstances have changed considerably since that time. The AWPR is now a committed project with construction due to commence early in 2015. This will significantly change the character of the area and provides an opportunity to expand Milltimber westwards to the well-defined limit of the AWPR. Furthermore, its junction with the A93 North Deeside Road presents a development opportunity at a key intersection of the route. Accordingly, the development proposals require to be considered in the context of the AWPR.

Representations

The extant Local Development Plan identified the Deeside Corridor as a direction for growth and was generally welcomed as such by Stewart Milne Homes. This remains relevant and it is contended that the Contlaw site should have been preferred as a key focus of growth along that corridor. It is well located to maximise the benefits of the AWPR and to provide for the range of uses to ensure Milltimber becomes a sustainable community. This is recognised in the Council’s assessment of the Development Bid wherein it acknowledges that development to the western edge of Milltimber would provide a mix of uses in an area of Aberdeen that lacks employment opportunities. It specifically advises that “...**with this development there would be the potential to create a more sustainable community**”.

Milltimber has previously been acknowledged as a dormitory commuter suburb and whilst the intrinsic qualities of the Deeside Corridor make it an attractive and popular area for house buyers, it has lacked employment opportunities. Development at Contlaw would incorporate a mixed use employment site as well as local retail and community facilities all within 1,600m of the existing built up area of Milltimber. This falls within the threshold walking and cycling distance specified in PAN75: Planning for Transport and will inevitably result in a more sustainable community than currently exists. Furthermore, the scale of development proposed would allow the provision of a comprehensive range of house types in a variety of sizes, types and tenure. Densities could vary throughout the site to reflect the character of the area with more concentrated development around the core of the community. Importantly, affordable housing would also be provided as a key component of the development. It is likely that this would amount to around 25% of the mainstream housing, subject to the housing need identified in the updated Housing Needs & Demand Assessment and could be provided either as affordable housing for sale or rent. The scale of development would, in effect, provide for the entire range of housing in an area where there is currently a significant level of unmet demand.

In providing employment opportunities in the area it does so without detriment to the amenity of the wider area. Situated on a key interchange with the AWPR it avoids the need for business traffic to access residential areas or the A93 North Deeside Corridor. The A93 presently forms

a main arterial route into the city and its interchange with the AWPR will, in turn, provide connections around the city and to the main arterial routes to the north, west and south of the city.

The site also lends itself to penetration by public transport and, positioned adjacent to the AWPR, could accommodate a park & ride facility serving the A93 Corridor. In addition, it would be well placed to utilise park & ride facilities already existing on the A944 Corridor at Kingswells. In addition, the development would provide public transport services to each of the respective uses and ensure that all residential development fell within the 400m walk distance of a public transport route.

The approved Structure Plan, extant Local Development Plan and emerging Strategic Development Plan promotes significant investment in new development and infrastructure in the area and, as such, it is incumbent upon the Planning Authority to maximise the use of the additional capacity created. The development proposed at Contlaw will maximise the investment in the infrastructure related to the AWPR. The initial phase of residential development could be accommodated on the existing road network and, as highlighted above, could be a stand-alone development in the short term as it is not dependent on additional phases of development. However, as highlighted in the Development Bid, it would be the intention to also access later phases from the new grade separated junction linking the AWPR to North Deeside Road. The AWPR lies immediately to the west of the Development Bid site with the junction lying close to the midway point between the north and south of the site. Development of this area would effectively infill between the existing Milltimber settlement and the proposed AWPR.

Response to Development Options' Assessment

The Options' Assessment notes that the whole of the Deeside area is within the catchment of the River Dee and advises that careful consideration of the cumulative effects on the River Dee and abstraction levels must be kept in mind when assessing proposals within the catchment area. However, this need not be an impediment to development. Safeguards will be put in place, both during construction and upon completion of development to ensure that there is no adverse impact on the River Dee Special Area of Conservation. Furthermore, the Council has, through the extant Local Development Plan, already sanctioned significant areas of development within the catchment of the River Dee and no concerns have been raised regarding any potential impacts arising from those developments.

The justification contends that the site does not "feel well related" to the settlement of Milltimber and is criticised for extending further northwards than the existing settlement. However, the character of the area will change dramatically with the introduction of the AWPR and its interchange with the A93, which will form the logical northern extent of Milltimber. The assessment fails to consider the urbanising effect of the AWPR which runs on a north-south axis through the area. The AWPR will remove the rigid form of ribbon development along the east-west transport corridors through the area and create new opportunities for sustainable

settlements to link with the interchanges created along its route. The northern extent of the proposed development respects the existing 'basin' topography of the site and ensures potential visual effects of development occurring along the ridge line, observed from the opposite side of the River Dee valley, are avoided. Including land beyond the 90-95m contour will not result in visual or physical harm to the quality, character, landscaped setting and identity of Milltimber. The development proposed would remain associated with the main transport corridor of the AWPR as well as providing enhanced recreational access to open space within and around Milltimber.

The issue of coalescence is no longer a concern due to the construction of the AWPR. This will form a well-defined physical feature in the landscape which could become the long term defensible boundary to the built up area. The intervening land between the AWPR and the existing settlement of Milltimber would effectively become infill development and the prospects for coalescence with Peterculter would be minimised as a consequence.

Furthermore, the construction of the AWPR will bisect much of the farmland comprising the proposal site. This will seriously affect the viability of the current agricultural business, reduce the quality of the land and endanger its long term maintenance. The utilisation of the land for development will enhance the sustainability of Milltimber as a self-contained community thereby securing a beneficial use for the land without adversely impacting on the landscaped setting of Milltimber or the wider Aberdeen area.

Capacity issues at Cults Academy are highlighted as a further reason for resisting development in this location. However, given pressures in the wider area, consideration could be given to increasing the capacity at Cults Academy through developer contributions with the development of the site phased to ensure that the future capacity was not breached. The development of a new secondary school to serve the Countesswells new community could also address capacity issues at Cults. This proposed school will overlap catchment areas with Cults Academy and potentially relieve some of the forecast capacity issues there, should the catchment boundaries be re-examined. Importantly, education capacity should not be viewed as a barrier to development, but as a catalyst for further investment in education provision leading to better facilities for the wider community.

None of the detailed criteria, against which the Development Bid is assessed, present insurmountable obstacles to the development of this site. All of the issues raised have been addressed through the Development Bid and associated supporting documents. The site has scored below average in terms of exposure, aspect, slope, flood risk, drainage and built/cultural elements yet the justification for each score acknowledges that these are either not a significant issue nor a significant constraint. Regarding the latter, the justification notes that whilst there may be an archaeological interest it is not considered to be a significant constraint.

Concerns regarding issues of natural conservation are raised, but these are simply perceived issues which could “**potentially have impact on habitats**”. Any development of the scale proposed would be subject to environmental assessment and measures would be put in place

to safeguard any protected species or important habitats. There are no Tree Preservation Orders affecting the Contlaw site and whilst there is a large amount of woodland within the site, this will not be lost as a consequence of development. On the contrary, it will form an integral part of the landscape framework of that development. Furthermore, in respect of the River Dee Special Area of Conservation and Ancient Woodland constraints highlighted, these would equally apply to other allocated sites within the wider area. The loss of landscape features would be limited and issues of landscape fit and relationship to the existing settlement have been fully addressed above and in the submitted Development Bid.

The low scores awarded to criteria relative to accessibility, proximity to facilities, and direct footpath/cycle connections to community and recreational facilities suggest that the scoring has had little regard to the Development Bid and in particular, to the composition of the site. The Bid specifically noted that all residential development within the site would lie within 400m of public transport. Furthermore, provision is made within the development site to accommodate community facilities, services and shops and footpath and cycle links will connect with the wider area.

Similarly, the site is criticised due to its perceived distance from employment opportunities with the suggestion that the nearest employment use is over 8km from the site. This ignores entirely, the intention highlighted in the Development Bid to provide employment land as part of the overall development. This is acknowledged at the outset of the assessment, but is omitted in the detailed scoring criteria. It also fails to take any cognisance of the 10 hectares of employment land allocated at Countesswells, in excess of 25 hectares at Kingswells, and around 12 hectares at Westhill, all of which are significantly closer than 8km and easily accessible as a consequence of the proposed AWPR.

Land use conflict is cited as a further constraint to development with the AWPR perceived to pose conflicts of noise and air pollution. However, this has been addressed in the indicative Masterplan for the site with less sensitive uses located adjacent to the route and with adequate strategic landscaping separating residential properties from the AWPR. This is not considered to be an impediment to development and is capable of being addressed in the overall design of the development.

Summary and Recommendation

Stewart Milne Homes contend, as set out in their representation on Issue 1 – Housing Land Supply, that additional housing land requires to be allocated to ensure that there remains a 5 year supply of effective housing land at the end of the Plan period. That is unlikely to be achieved on the basis of the allocations carried forward from the extant Plan and the limited additional allocations emerging through the Main Issues Report.

The proposal site at Contlaw has long been considered by the City Council as capable of accommodating residential development. This is now further reinforced through the commitment to the AWPR, which will connect with the A93 North Deeside Road Corridor in the

immediate vicinity of the proposal site. This will change the character of the area and provide an opportunity for development.

The introduction of a mixed use development as proposed comprising employment land will create a sustainable community in contrast to Milltimber's existing reputation as a dormitory commuter suburb. Not only will the scale of development create a sustainable mixed use community, it will provide a comprehensive range of housing and a mix of tenures in an area where there is a significant unmet demand.

The site is capable of accommodating a phased, mixed use development with the initial phase of residential units being adjacent to Contlaw Road and accessed from the existing road network. This could be a stand-alone development in the short term. Thereafter, subsequent phases would be accessed from the new grade separated junction serving the AWPR and linking it with North Deeside Road. The development would effectively infill the land lying between the AWPR and the existing built up area defined by Contlaw Road to the east.

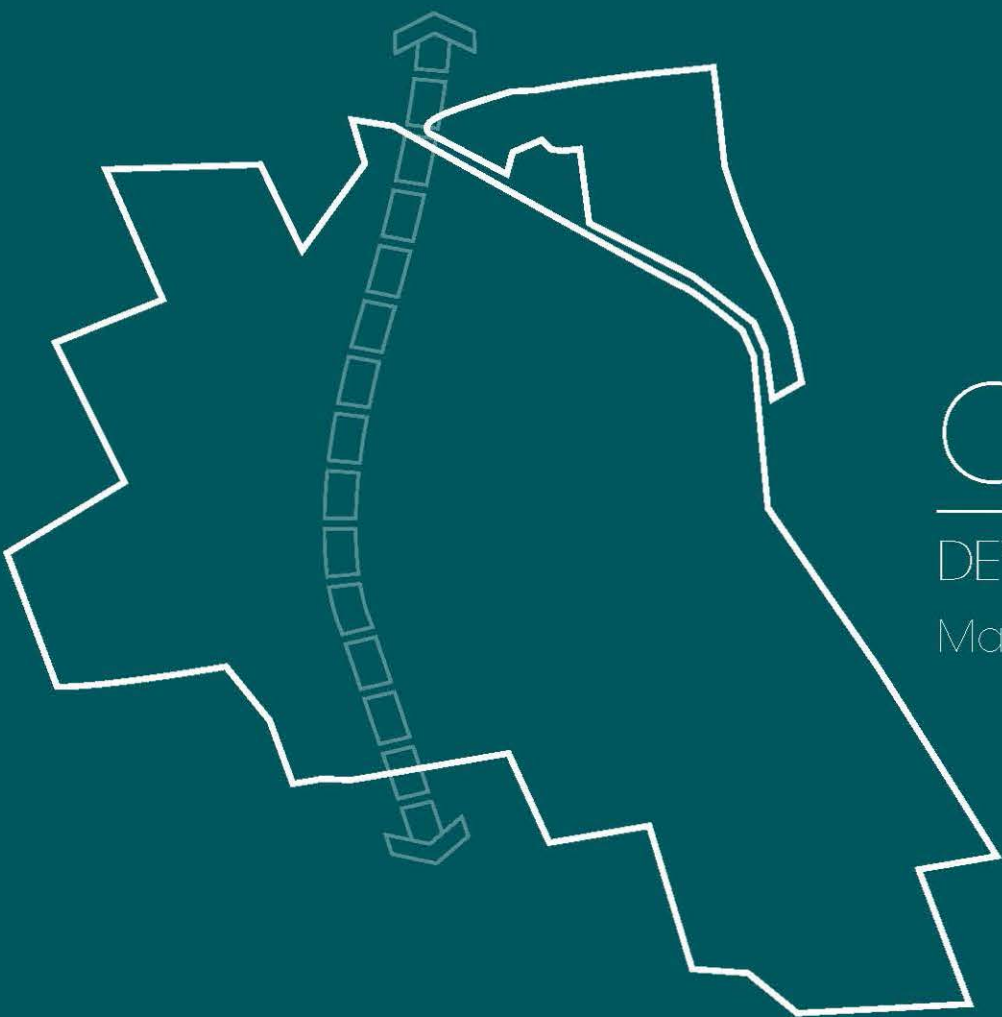
The AWPR will provide a defensible boundary to the greenbelt whilst development in the intervening area would provide employment opportunities, services and facilities, not only for the proposed development, but also for the wider community of Milltimber.

On the basis of the previously submitted Bid, the above representations and those submitted by Stewart Milne Homes in respect of the housing land supply issue, it is considered that this site should be allocated for development. Accordingly, it is respectfully requested that this site be identified in the forthcoming Local Development Plan Review for mixed use development.

Appendix 3

Appendix 4

Appendix 5



CONTLAW

DEVELOPMENT FRAMEWORK

May 2015

Project Ref	18889
Status	Final
Date	May 2015
Prepared by	CT
Checked by	MW

Barton Willmore
68/70 George Street, Edinburgh, EH2 2LR
T: 0131 220 7777
michael.ward@bartonwillmore.co.uk
www.bartonwillmore.co.uk

Desk Top Publishing and Graphic Design by Barton Willmore
The artwork was printed on paper using fibre sourced from sustainable plantation wood from suppliers who practice sustainable management of forests in line with strict international standards. Pulp used in its manufacture is also Elemental Chlorine Free (ECF).

Copyright

The contents of this document must not be copied or reproduced in whole or in part without the written consent of Barton Willmore.

**BARTON
WILLMORE**

CONTENTS

1 Introduction

Scope and Content

Site Location

Site Description

2 Assessment

Site Context

Site Opportunities and Constraints

Landscape and Visual Appraisal

3 Development Concept

4 Development Parameters

5 Climate Change

6 Implementation

1.0 INTRODUCTION

View of site north from Contlaw Lane



Scope and Content

1.1 This report provides information in support of land at Contlaw for mixed use development as part of the process to prepare the Aberdeen Local Development Plan 2016.

1.2 The plan is envisaged to be adopted by Aberdeen City Council in 2016 following an Examination in Public. The Proposed Local Development Plan was published in March 2015.

1.3 The Main Issues Report (MIR) 2014 as the precursor to the proposed plan carried forward settlement strategies set out in the adopted LDP 2012. The Strategic Development Plan seeks half of all new development in the city region to be within Aberdeen City. MIR 2014 identified that more than half of new development will need to take place on greenfield sites and that new development should aim to reduce travel distances and make walking, cycling and public transport more attractive.

1.4 Direction of growth areas included Deeside which encompasses the Contlaw Road site. Constraints in this area are considered to limit growth to up to 650 houses. The following issues were identified for growth in this area:

- Impact on the landscape biodiversity of the area.
- The limited capacity of schools in the area and the need for a new primary school at Milltimber;
- Poor accessibility and need for transport improvements;
- Sewage system may be at capacity;
- Attaining critical mass to support local services and facilities.

1.5 The Development Framework addresses these issues and demonstrates in particular how a development with a range of facilities can greatly improve the sustainability of the existing settlement pattern. This report also explains how the Aberdeen City and Shire Strategic Development Plan objectives set out below will be met:

- Protect landscape setting;
- Avoid the loss of biodiversity;
- Encourage economic development and create new employment;
- Taking a lead in reducing the amount of carbon dioxide released;
- Achieve a balanced age range;
- Maintaining the region's natural and cultural assets;
- Meeting the needs of the whole community and making the area a more attractive place to move to;
- Ensuring a contribution to reducing the need to travel and encouraging people to walk, cycle or use public transport.

1.6 To demonstrate how these objectives will be met and to address the specific issues the report is structured as follows:

CONTEXT - examination of the surrounding area including existing services and facilities.

CONSTRAINTS AND OPPORTUNITIES - an analysis of the issues affecting development of the site.

CONCEPT - an explanation of the approach to development of the site.

DEVELOPMENT DESCRIPTION - a description of the development components.

CLIMATE CHANGE IMPACT - A review of the measures to be taken to mitigate impact and adapt to the predicted changes.

1.7 This report is to be read in conjunction with the Landscape and Visual Assessment Report of May 2015.



View of site south from Contlaw Lane



Contlaw Road next to Milltimber



Central plantation

Site Location

1.9 The site lies to the north of the River Dee and A93. The suburb of Milltimber adjoins the site with the village of Peterculter approximately 1 kilometre to the south west. The selected route of the Aberdeen Western Peripheral Route (AWPR) passes through the site with a new junction under construction at this location.



Site Description

I.10 The site comprises an area of land which extends to approximately 72 hectares of arable and Pasture fields and woodland.

I.11 The land falls from 115 metres AOD in the north to 66 metres AOD to the south.



FIGURE 2:
SITE PLAN

2.0 ASSESSMENT

Site Context

2.1 The site lies to the north of the A93, which over the last century has been a corridor for urban expansion. The suburbs include Cults, Bieldside, Milltimber (adjacent to the site) and Peterculter. Although most of these places have earlier origins, much of the development is late 19th or 20th Century. Milltimber in particular is predominantly a post-war housing estate with a suburban layout and architecture which does little to reflect local or regional vernacular. Much of this development is in the form of large detached houses or bungalows. Some of the residential densities are very low, for example in the area off Culter House Road.

2.2 The earlier 19th Century development, Peterculter Centre and local rural vernacular provide appropriate references for the architecture and urban form of the development. The distinctive landscape features of the area include; topographical variety, a mix of wooded and open areas, small groups of traditional buildings, contained suburban edges, stone dykes, occasional lines of trees and distant views to hills. There is a limited range of facilities in the surrounding area, some of which are described below.

Retail

2.3 A local centre at Peterculter around 1.5 kilometres (dl distance) from the site has a range of local shops, there is also a Marks and Spencers located within the petrol station less than 1 kilometre (dl distance) from the site. There is another local centre at Cults less than 4 kilometres from the site and a small group of shops at Bieldside. There are no other local shops in the area.

Health

2.4 There is a medical centre in Peterculter 1.2 kilometres (dl distance) from the site boundary.

Education

2.5 Milltimber and Peterculter have primary schools which are 800 metres and 1500 metres from the site boundary respectively. The nearest secondary school, Cults Academy, is at Cults approximately 3 kilometres from the site.

Employment

2.6 There is a small cluster of employment units located less than 4 kilometres east of the site in Cults. There are no other significant employment or industrial areas in the vicinity of the site. There are larger scale industrial/business parks at Badentoy some 8 kilometres to the south and Westhill a similar distance to the north. These distances will reduce once AWPR is completed.

Leisure and Recreation

2.7 The local leisure and recreation facilities in the area include:

- Small playing field areas at Peterculter and Milltimber;
- A sports hall at Peterculter;
- A 9 hole golf course at Kippie Lodge in Milltimber, an 18 hole golf course at Peterculter Golf Club, an 18 hole golf course at Deeside Golf Club in Bieldside, and a 9 hole golf course and driving range at Aspire, south of the River Dee at Haughs of Ardoe;
- Kippie Lodge in Milltimber also offers an 18 metre swimming pool, all weather tennis courts, squash courts, fully equipped gymnasium and driving range;
- Deeside Line for walking & cycling.

Public Transport

2.8 Public transport provision in the vicinity of the site presently comprises bus services operating along North Deeside Road. Such services are accessible within 1000m walk distance of a major part of the site via Bellenden Walk or Contlaw Road.

2.9 First Service 19 (Culter to Tillydrone) and Stagecoach Services 201, 202 and 203 (Aberdeen City Centre to Braemar / Lumphanan / Banchory) are accessible from the A93 North Deeside Road. These operate a combined frequency of about 7 services per hour or one service every 8 – 9 minutes. Further details of these and other services frequencies are summarised in the following table:

Operator	Service	Route	Mon-Fri	Nearest Bust Stop
First Group	19	Culter – Tillydrone via Bon Accord Centre and Union Street	Approximately Every 12 Minutes	A93
Bluebird Stagecoach	201	Aberdeen – Cults – Banchory – Torphins – Abayne – Ballater – Braemar	Every Hour	A93
Bluebird Stagecoach	202	Aberdeen – Cults – Banchory – Torphins – Lumphanan	Every Hour	A93
Bluebird Stagecoach	203	Aberdeen – Cults – Banchory	3 Daily Services (PM)	A93

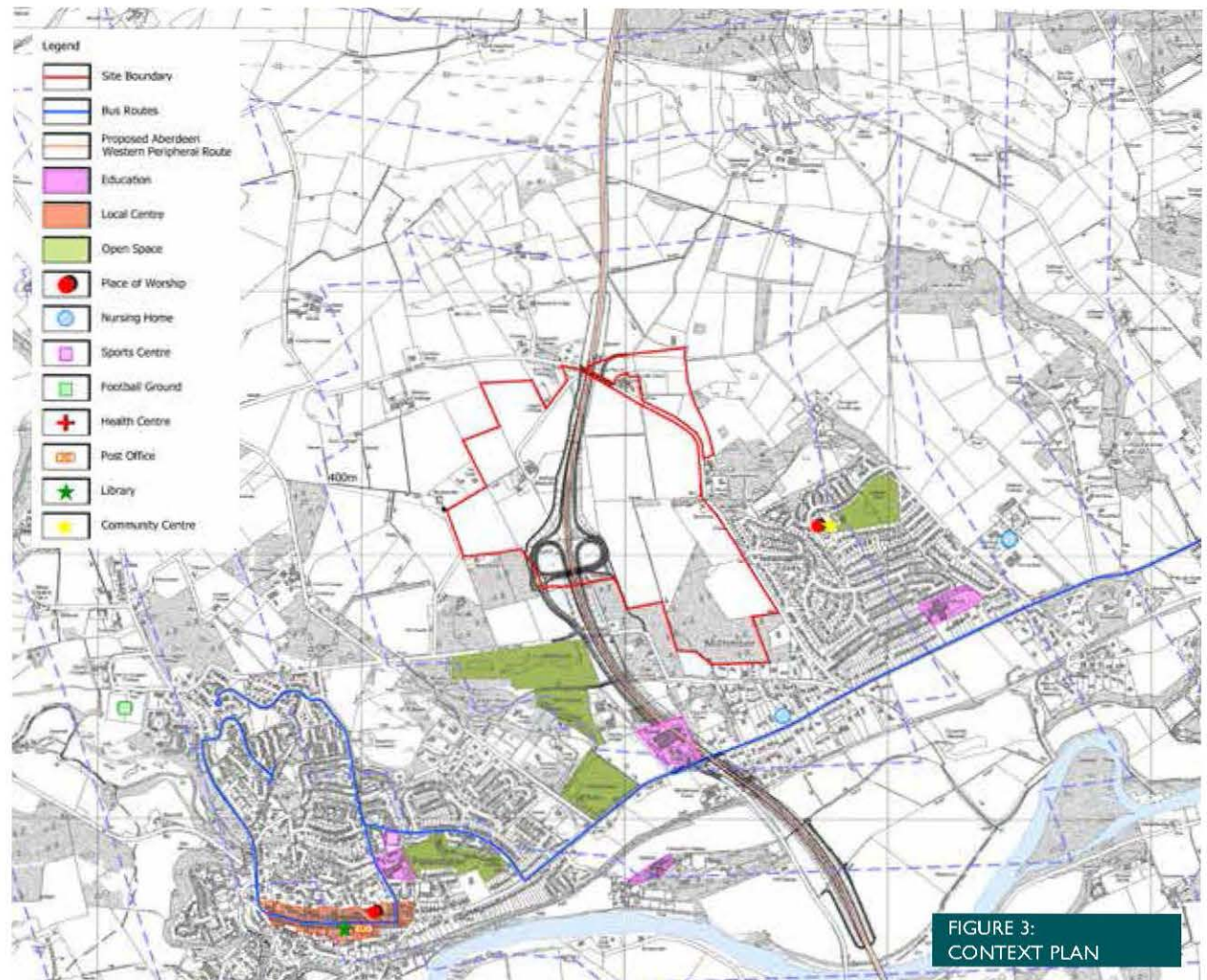


FIGURE 3:
CONTEXT PLAN

Site Opportunities and Constraints

2.12 On the available evidence there are no constraints which will have a significant impact on the development area identified. The analysis of the site has taken account of the site appraisal made as part of the Landscape and Visual Assessment.

Topography

2.13 The land form falls gently from 115 metres AOD in the vicinity of Hill Farm to 66 metres AOD in the south east corner of the site. Most of the site is gently sloping with gradients of less than 1 in 20. There are localised steeper areas with slopes of greater than 1 in 10 to the east of Hill Farm and along the south east corner of the site alongside Contlaw Road.

Visual Impact

2.14 The visual appraisal has been carried out and concludes that the site is generally well contained. The more elevated parts of the site, for example in the vicinity of Nether Beanshill and Dalnach are more prominent than the central and southern areas.

Vegetation

2.15 The land is a mix of arable and pasture fields and woodland. The fields are in places enclosed by hedgerows, lines of trees, post and wire fences and stone walls or dykes. The latter are distinctive features.

2.16 There are two woodland areas which cover 7.9 hectares out of a total site area of 72 hectares. A narrow woodland spine crosses the site from east to west. The spine is made up of 2 blocks of coniferous trees and a group of predominantly broad leaf trees in the western section. A larger woodland or plantation occupies the southern section of the site. This commercial plantation is around 65 years old and predominantly coniferous. Many of these trees are in poor condition and are recommended for removal.

Aberdeen Greenbelt Review

2.17 Although the Site is not included specifically within the Green Belt Review which accompanied the Proposed Plan 2012, this document identifies the Site as being included within Area G: Deeside which includes most of the Lower Deeside Ward including the River Dee valley and the settlements of Peterculter, Milltimber, Bielside and Cults. Under the heading 'Areas considered unsuitable for development' it states that:

"All the settlements are well contained by the 90-95m contour on the northern side of the Dee Valley. Maintaining this as a northern limit to their development will help to prevent urban sprawl northwards where it would be isolated from the main transport corridors along the North Deeside Road and Deeside Line."

2.18 The 90-95 metre contour limit is a relatively broad brush approach to setting the development limit. It does not take account of the differing levels of topographical variation and varying containment and landscape types which can be identified across this wider area. The development area proposed within the Site extends beyond the 90-95m contour, extending to 115 m at its highest point. The intent of identifying this contour as the development limit seeks to ensure that development remains well contained within the northern side of the Dee Valley.

2.19 Given that the Site makes no meaningful contribution to the setting of Aberdeen with no visual connectivity, it is considered that including land beyond the 90-95m contour would not result in visual or physical harm to the quality, character, landscape setting and identity of Milltimber. The Green Belt Review does not take into account the radical change that will occur as a result of the construction

of the AWPR. Development as proposed above the 90-95m contour would be seen in this changed context and would be a less significant feature than the night time lighting and vehicular movement associated with the AWPR.

2.20 Given the above factors it is inappropriate to allocate this site as part of the Green Belt, since it will either preclude development on a site widely acknowledged to be suitable for development (particularly in the light of the location of the AWPR). Furthermore, it is only through development that the recreational potential of the woodlands on the Site is likely to be realised, thereby realising the aims of the Structure and Local Plan Policy to enhance the recreation capability of the Green Belt and the specific objectives relating to the Green Space Network.

Heritage

2.21 There is no known archaeology of significance within the site. Appropriate research and investigative work will be carried out at the appropriate stage in the planning process. There are no buildings or structures of particular historic or architectural value within the site. There is a listed building, Contlaw House, 250 metres to the west of the site. Two scheduled ancient monuments lie within woodland to the east of West Lodge about 200 metres from the eastern boundary.

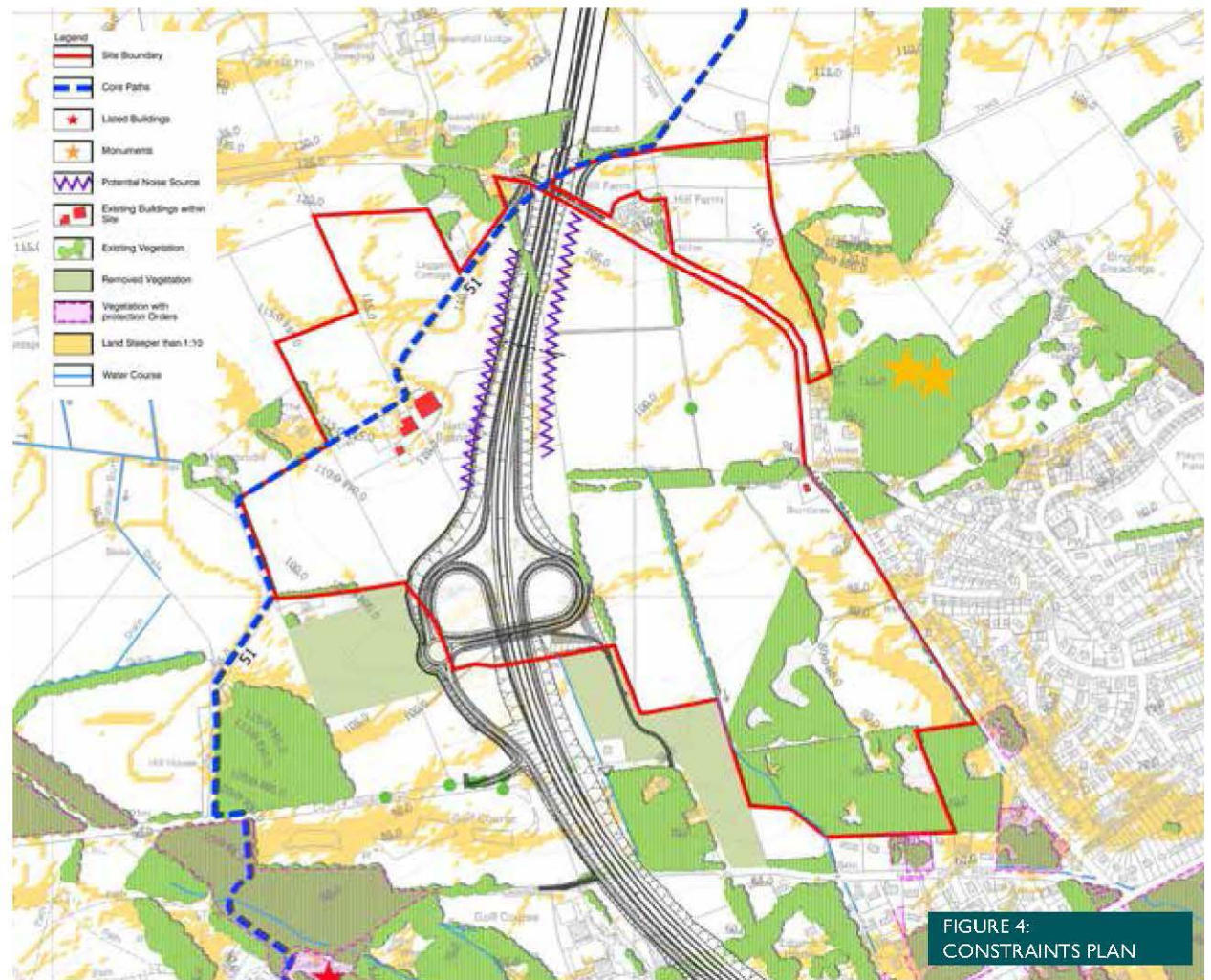


FIGURE 5:
Aberdeen Western Peripheral Route Map
source: Aberdeen City Council



Ecology

2.22 Much of the site is actively farmed and there are no known species or habitats of significant importance within the site. The woodland areas are predominantly mono culture plantations of limited ecological value. There is the opportunity to enhance biodiversity through appropriate landscape treatment. Green links on wildlife corridors should be maintained across the site for example between the Milltimber plantation and woodland to the east of West Lodge.

Hydrology

2.23 A water course or drain runs north south along a line of trees through into Milltimber plantation. A discontinuous ditch runs from the central tree belt along the eastern boundary of the site next to Contlaw Road.

Aberdeen Western Peripheral Route (AWPR)

2.24 The approved route for the Aberdeen by-pass crosses the western half of the site to the west of Hill Farm and east of Nether Beanshill Farm (now under construction). The dual carriageway has a north south alignment passing through the site. A grade

separated intersection is proposed to the south of Nether Beanshill with a link south to the A93. The section of by-pass through the site is entirely in-cutting which will reduce noise and visual impact. The AWPR provides the opportunity to provide access to the site from the proposed new interchange. The internal circulation system should be designed to restrict direct access to the east of the site. Movement restrictions for general traffic will prevent increases in flows through the existing network of residential roads.

Access and Circulation

2.25 The site is split by Contlaw Road, the southern section of this road is residential serving adjoining properties. The road is of varying width and because of the narrow sections there is restricted capacity for additional traffic. A road and track provide access to Nether Beanshill Farm. A Core Path (public right of way) uses the track and access road. There is evidence of use by local residents of paths which cross the south eastern part of the site.

2.26 Access to the site can be taken from Contlaw Road as well as at the grade separated junction (under construction) from the AWPR.



PHOTOGRAPH 1: VIEW TAKEN FROM CONTLAW ROAD LOOKING SOUTH WESTWARDS ACROSS NORTHERN PART OF SITE



PHOTOGRAPH 2: VIEW TAKEN FROM CONTLAW ROAD LOOKING WESTWARDS ACROSS CENTRAL PART OF SITE



PHOTOGRAPH 3: VIEW TAKEN FROM CUL-DE-SAC ROAD LOOKING NORTH EASTWARDS TOWARDS THE SITE



PHOTOGRAPH 4: VIEW TAKEN FROM CUL-DE-SAC ROAD LOOKING SOUTH EASTWARDS TOWARDS THE SITE

Landscape and Visual Appraisal

2.28 The visual appraisal has been carried out and concludes that the site is generally well contained. The more elevated parts of the site, for example in the vicinity of Nether Beanshill and Dalnach are more prominent than the central and southern areas.

2.29 Figure 6 illustrates the development potential of the site with reference to important landscape features and visual characteristics. This divides the opportunities and constraints for development (in landscape and visual terms) in the following manner:

- Areas of high landscape/visual constraint: suitable for open space and / or mitigation.
- Areas of moderate landscape/visual constraint: suitable for development that includes retention and reinforcement of existing landscape framework to create a sympathetic development edge.

- Areas of low landscape/visual constraint: suitable for higher density development that retains and enhances the existing landscape framework where possible.

2.30 The Concept Masterplan and associated Landscape Strategy that has informed the context and basis for the proposed layout has also been developed in accordance with the principles set out in Planning Advice Note PAN 44: Fitting New Housing Development into the Landscape. The process has drawn strongly on 'Part B: The Design Process' described in PAN 44, including the considerations of 'Design P: Landscape Master Plan'.

3.0 DEVELOPMENT CONCEPT

3.1 The proposed development will provide a sustainable mixed use urban extension integrated with the landscape and existing residential area. Up to 650 dwellings will be provided, which will be predominantly family housing. The Landscape and Visual Assessment concludes the site is well suited to accommodating the proposed quantum and mix of development. The Assessment also states the proposed development would not have an adverse impact on the landscape of the wider area or Green Belt. The Concept shown in Figure 6 has the following elements:

- A new mixed use neighbourhood centre which will have a range of facilities including primary school and supermarket. The centre will serve the new development and adjoining existing urban area.
- The residential development responds to the context in terms of visibility and the character of existing adjoining development. Development to north of Contlaw Road will be low with a density less than 25 dwellings per hectare and an informal character reflected in the layout and building design. In this area the landscape will be a dominant element with extensive tree planting between fronting buildings. The remainder of the residential area will have a more formal layout with a regular building line and repeated forms. Densities in this area will range from 25 to 35 dwellings per hectare.
- As part of the balanced and sustainable approach to development, an employment area next to the new junction will provide local jobs for the new development and existing residential area. In the final masterplan, every effort will be made to integrate this employment area within the centre and its residential surroundings.
- A pattern of movement will be orientated towards the new neighbourhood centre. This includes a direct link to a new junction on the proposed Aberdeen Western Peripheral Route. The circulation pattern is designed to minimise traffic flows on the existing residential roads.
- A landscape structure based on retained stone dykes, woodland and trees with extensive new planting to create shelter and enclosure. The treatment will help minimise the impact on the surrounding landscape. The landscape will provide a strong identity for the development with a predominantly naturalistic treatment. The spaces next to the mixed use centre will have a more formal character reflecting the intensity of use and range of facilities.
- The impact on climate change has been fully considered with a range of measures incorporated into the scheme including:
 - » Shelter belts
 - » Sustainable Urban Drainage System (SUDs)
 - » Promoting the use of sustainable modes of transport and reduced journeys
 - » Exploration of a number of renewable energy sources.
- The biodiversity will be protected and enhanced through, retention of trees and woodland of value, new planting and introduction of new wetland areas as part of the SUDS system. Green corridors will connect the areas of ecological value.

3.2 The emphasis will be on providing a cohesive development which will bring major benefits to the existing community. The development, through a landscape framework and interaction with urban form and architecture, will be distinctive with a strong sense of place. The impact on the landscape will be minimised by a combination of measures including: structural landscape, urban design layout, disposition of development and green space.

3.3 A key aspect of the concept is maximising the benefit of a junction on the strategic road network for new and existing residents. This could significantly decrease traffic using the A93. It is proposed that the existing Milltimber residents access the AWPR via an indirect route north, up Contlaw Road, without pressuring Colthill Road.

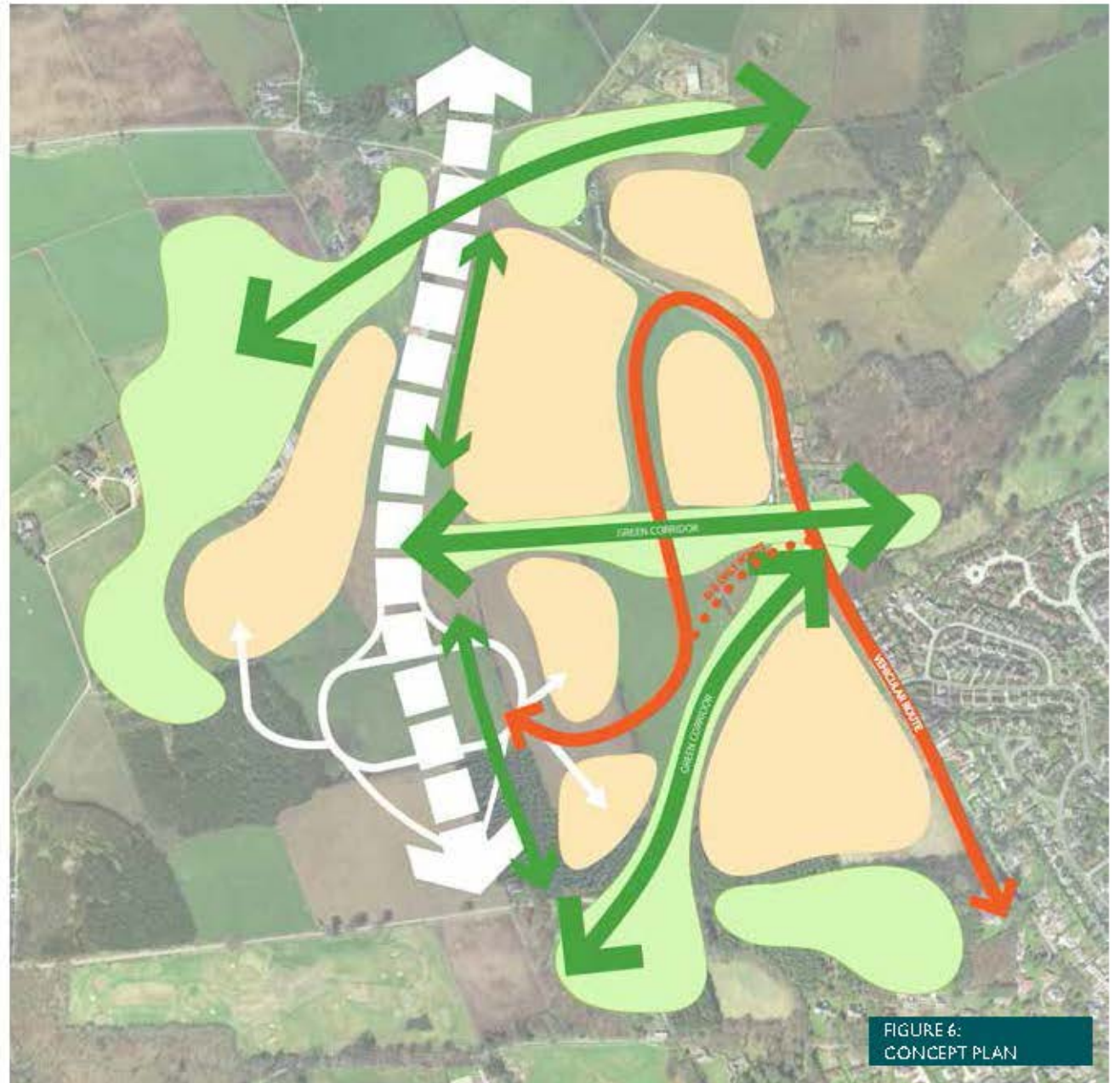


FIGURE 6:
CONCEPT PLAN

4.0 DEVELOPMENT PARAMETERS

4.1 The Master Plan Figure 7 shows the distribution and extent of uses, together with urban form, landscape treatment and pattern of movement. Each of the master plan components is described below.

Residential

4.2 The development will accommodate up to 650 dwellings. The dwellings will be predominantly family housing with a range of types and tenures. Apartments will be concentrated in the mixed use centre. Residential land of around 19 hectares is identified, with further housing proposed within the mixed use centre, some of which will be flats above shops and other ground floor businesses. The residential buildings will be predominantly 2 or 2½ storey.

Mixed Use

4.3 A mixed use area will create a vibrant centre for the development and provide a range of accessible local facilities. The location of the mixed use centre next to the primary school will create a strong community focus. The range of facilities and uses accommodated within the centre could include land for:

- Retail – a supermarket and a range of smaller shops;
- Leisure uses, including public house and cafés;
- A community centre;
- An ecumenical centre or church;
- A primary health centre;
- Class 4: Business and Industrial use which may take the form of small offices and workshops;
- Residential use including apartments.

4.4 These uses will be provided in an integrated land efficient way with individual buildings accommodating a range of different uses. The centre will have traditional elements, including a 'high street' and square and green. The square provides a gathering space at the entrance to the primary school. With a location close to Contlaw Road, the centre will also serve the existing Milltimber area making this residential area a more attractive and sustainable place to live.

Employment

4.5 A range of jobs will be created by the development. In addition to those generated by construction, the new permanent jobs will be provided by:

- Two employment sites for Class 4 and some Class 5 uses. The site next to the mixed use centre is 2.41 hectares. A strategic employment site of 6.64 hectares lies to the west of the AWPR. Both of these sites have direct access off the AWPR. The site west of the AWPR will be accessed across land outside the site boundary for which agreement will need to be sought;
- Small offices, workshops and live work units in the mixed use centre;
- The supermarket, shops and any leisure facilities;
- A potential new Primary school;
- Community and health facilities.

4.6 In addition, the development will promote homeworking.



FIGURE 7:
DEVELOPMENT FRAMEWORK

Education

4.7 A site of 1.2 hectares for a single stream primary school is provided as part of the mixed use centre.

Open Space

4.8 A range of open space will be provided to serve the needs of all age groups in the development. The open space provision will also be accessible to the existing residential area to the east of Contlaw Road. Two linear parks will be provided together with smaller spaces evenly distributed throughout the area. A total of 23 hectares is provided. The existing plantation or woodland in the south of the site forms part of the open space area provision. Selective felling and removing trees in poor condition will create a space next to the mixed use centre which can accommodate a variety of activities. A large area of open space is provided to the west of the AWPR and strategic employment which could be used for a variety of activities including playing fields. Smaller multi-functional greens will be provided. These spaces will act as focal points in the development.

AREA	HA	AC
SITE BOUNDARY	72	178
Residential	19	47
Mixed Use	2	5
Employment	9	23
School	1	2
Transport Interchange	1	2
Open Space	23	57
Access Road	6	15
A.W.P.R	11	27
TOTAL	72	178

TABLE 1: LAND USE AREAS

Access and Circulation

4.9 Principal vehicular access to the main part of the development will be provided from the new interchange onto the AWPR which will also accommodate bus access to the proposed Transport Interchange. This new junction arrangement also incorporates a direct connection to the A93 North Deeside Road which will comprise the main focus for access to the local road network. There is also a less direct route between the A93 and AWPR through Milltimber, which allows local residents to directly access the strategic road network. This arrangement will therefore provide a high degree of accessibility not only to local radial networks to/from the city centre but also to the western side of the city and the trunk road network beyond via the new orbital route, helping to realise the wider economic benefit to the region which the AWPR is designed in part to deliver.

4.10 Connections onto Contlaw Road to the east will also maximise integration of the development with the existing Milltimber community. Whilst it is envisaged that a group of approximately 150 dwellings in the south eastern corner of the site will be accessed directly from Contlaw Road, other connections to the neighbourhood centre and employment opportunities from this area will

be exclusively for pedestrians, cyclists and public transport. This segregation will be achieved through implementation of a series of traffic management measures including the provision of bus gates to control through traffic movements. A Transport Interchange located next to the neighbourhood centre will not only serve access to the development and interchange between bus services planned to operate via the AWPR and along radial routes to/from the city centre, but also accommodate parking for approximately 300 cars, helping to encourage modal transfer for trips into and around the city.

4.11 As well as providing links to existing networks along Contlaw Road and Colthill Road to the east and Culter House Road/Bellenden Walk to the south and west outwith the site, networks of footpaths and cycleways will be established across the development area aimed at prioritising use of these modes for local access. Such routes will have a recreational role for residents of both the development and the wider area as well as connecting between attractions as directly as possible.

4.12 Within the site, networks of streets and paths will be developed in line with the philosophy identified in the Policy Statement for Scotland 'Designing

Streets'. This focuses on the objective of designing places, not prioritising requirements for movements. It aims to promote a better quality of living for all users and appropriately influence sustainable patterns of behaviour. The parallel 'Designing Places' identifies six qualities of successful places setting out key considerations for street design:

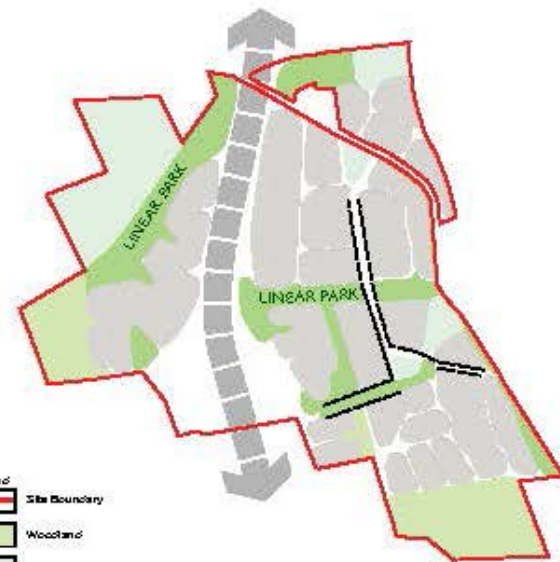
- Distinctive
- Safe and Pleasant
- Easy to move around
- Welcoming
- Adaptable
- Resource efficient

4.13 It is envisaged that street and path networks within the development area will be designed to maximise delivery of these qualities through implementation of the recommendations of this Policy Statement and in compliance with requirements of the City Council.



- Legend:
- Site Boundary
 - Medium Density 25-35dph
 - Low Density 25dph

FIGURE 9:
DENSITY PLAN



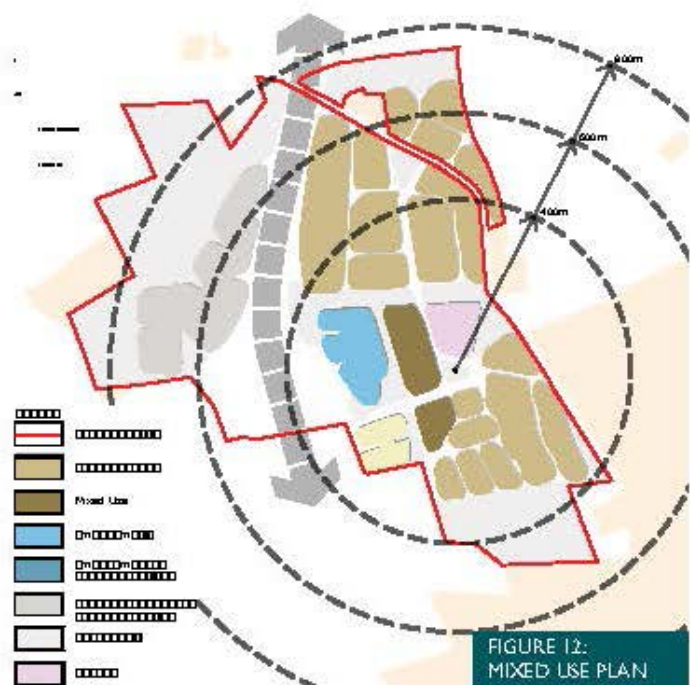
- Legend:
- Site Boundary
 - Woodland
 - Formal Open Space
 - Green Corridor
 - Avenues

FIGURE 10:
GREEN SPACE PLAN



- Legend:
- Site Boundary
 - Footpath Cycle way
 - Footpath
 - Footpath
 - Footpath
 - Passenger Facilities
 - Transport Interchange
 - Transport Links

FIGURE 11:
MOVEMENT & STRATEGY PLAN



- Legend:
- Site Boundary
 - Mixed Use
 - Mixed Use
 - Mixed Use
 - Mixed Use
 - Mixed Use
 - Mixed Use

FIGURE 12:
MIXED USE PLAN

5.0 CLIMATE CHANGE

5.1 This section describes the measures incorporated into the development to ensure mitigation through reducing CO² emissions and conserving water and adaptation to the predicted changes to the climate and extreme weather events. The measures are a fundamental part of the approach to the scheme and are fully integrated into the development in a way which enhances the appeal of the scheme and its distinctiveness. The measures are briefly described below.

Drainage

5.2 The issue of drainage including the provision for storm water in extreme weather events has been of fundamental concern in the development of the master plan. The measures outlined below are a fundamental and integral part of the design approach to the development.

- Reduce the amount of non permeable surfaces and thereby run-off specifically road areas and maximise the space devoted to gardens.
- Use of permeable paving where appropriate
- Retain the system of watercourses and ditches on their current alignment wherever possible with

improvements to increase capacity and nature conservation value

- A Sustainable Urban Drainage (SUDs) system which incorporates the existing watercourses and provides a network of new ditches, swales, wetlands and ponds

5.3 Measures such as roof design and construction to reduce run-off and recycling of rain water will also be considered. The SUDs system is designed to form a highly positive element in the landscape of the development creating focal points and positive elements in the public realm.

Energy Efficiency

5.4 The site has a south facing slope and orientation. The retained vegetation in the form of woodland and treelines, together with new shelter belts, will create a series of landscape cells. The shelter created by the cells will be reinforced by the grouping of buildings. These measures have been an integral part of the approach to the design of the master plan and provide for an energy efficient form of development. The buildings will conform to the guidelines current at the time of construction

on energy efficiency and insulation. Use will be made of new construction and building material technologies to improve the energy efficiency of buildings. With the southerly aspect there are opportunities for passive solar gain.

Transport and Movement

5.5 The emphasis is on promoting sustainable transport modes offering choice for a wide range of journeys. The modes which can significantly reduce car journeys.

- Walking and cycling along safe streets and a network of dedicated paths which link with adjoining neighbourhoods and countryside.
- A network of new bus services

Ecology

5.6 The strategy for the development includes the following measures to protect, enhance and extend biodiversity:

- Retention of the areas of ecological value as far as possible;
- Management measures will protect and enhance the ecological value of these areas;
- The ecological value of landscape elements such as watercourses and ditches will be improved;
- New habitats will be created including wetlands and ponds as on an integrated part of the measurements of SUDs areas;
- The landscape treatment of open spaces and parts of the public realm will encourage wildlife through careful selection of plant species and management regime;
- By providing a range of facilities within the development including the mixed use centre, employment, primary school and a range of open space facilities, the need to travel outside the site is reduced. These facilities will also considerably enhance the sustainability of the adjoining Milltimber community; and
- Measures to encourage wildlife will be extended to private space and buildings.



6.0 IMPLEMENTATION

Phasing

6.1 It is likely that all four phases of construction could be complete between six and eight years.

- Phase One extends to approximately 28 hectares
- c. 250 homes.
- Phase Two extends to approximately 15 hectares
- c. 250 homes.
- Phase Three extends to approximately 6 hectares
- c. 150 homes.
- Phase Four extends to approximately 20 hectares
comprising approximately 6.64 hectares of
employment land.

6.2 These phases are indicative and subject to revision following discussions with Aberdeen City Council.

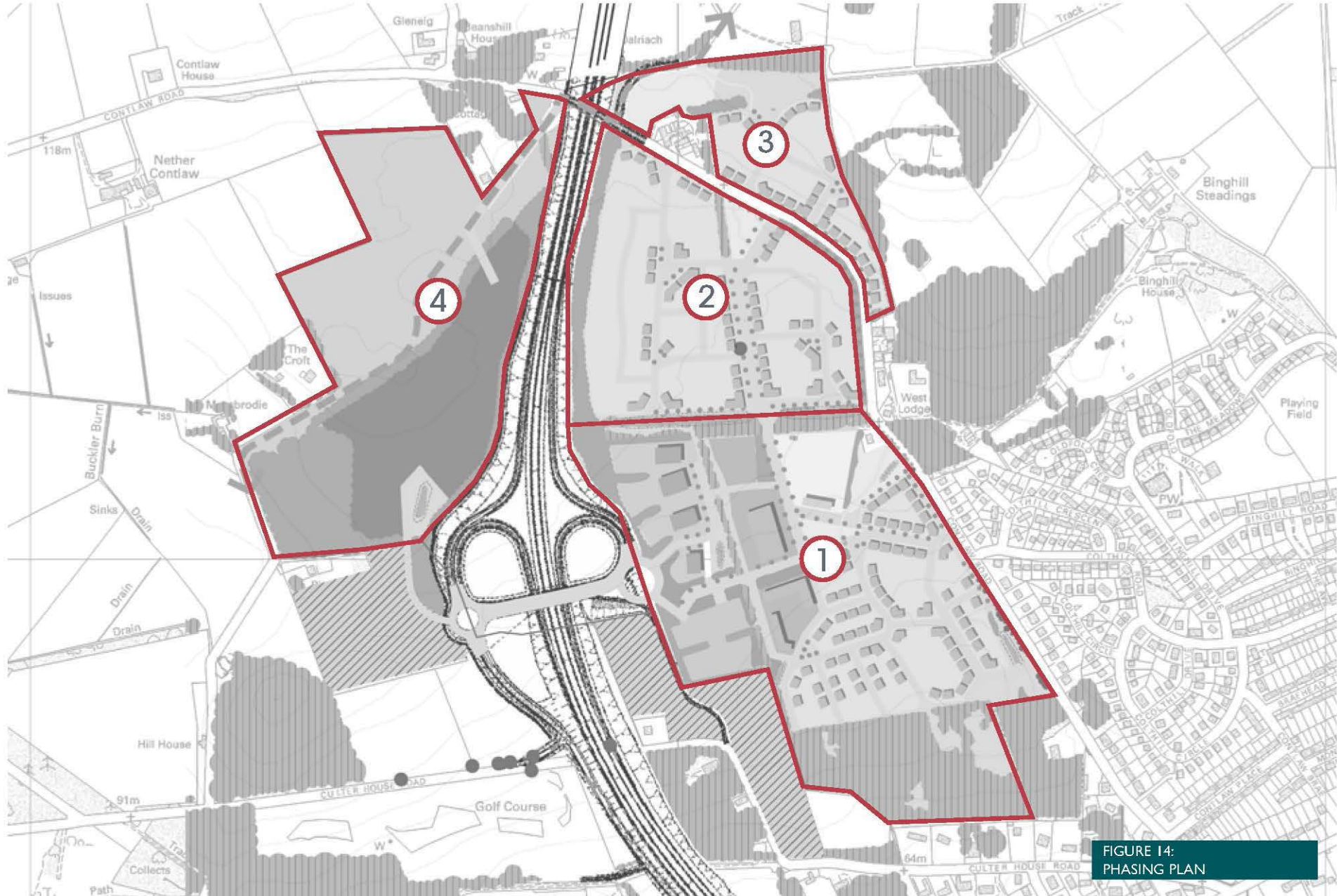


FIGURE 14:
PHASING PLAN

Contlaw, Milltimber, Aberdeen: Landscape and Visual Assessment

Prepared on behalf of Stewart Milne Homes and Messrs Jaffrey

May 2015

Contlaw, Milltimber, Aberdeen: Landscape and Visual Assessment

Prepared on behalf of Stewart Milne Homes and Messrs Jaffrey

Project Ref:	18889/A5
Status:	For Issue
Issue/ Rev:	-
Date:	May 2015
Prepared by:	RJG
Checked by:	RH
Authorised by:	MDC

Barton Willmore LLP
7 Soho Square
London
W1D 3QB

Tel: 020 7446 6888
Fax: 020 7446 6889
Email: matthew.chard@bartonwillmore.co.uk

Ref: 18889/A5
Date: May 2015
Status: For Issue

COPYRIGHT

The contents of this document must not be copied or reproduced in whole or in part without the written consent of Barton Willmore LLP.

All Barton Willmore stationery is produced using recycled or FSC paper and vegetation oil based inks.

CONTENTS

1.0	Introduction	1
2.0	Landscape Context	4
3.0	Site Appraisal	22
4.0	Visual Appraisal of the Site	26
5.0	Development Proposals and Landscape Strategy	31
6.0	Consideration of Development Proposals	35
7.0	Conclusions.....	40

ILLUSTRATIVE MATERIAL

Figure 1: Site Context Plan at 1:10,000 @A1

Figure 2: Site Appraisal Plan at 1:5,000 @A3

Figure 3: Visual Appraisal Plan at 1:5,000 @A3

Figure 4: Landscape Opportunities and Constraints Plan 1:5,000 @A3

Site Appraisal Photographs A-H

Site Context Photographs 1-10

1.0 INTRODUCTION

- 1.1 Barton Willmore Landscape Planning and Design (BWLPD) were instructed by the Stewart Milne Homes and Messrs Jaffrey (hereinafter referred to as 'our client') to advise on the landscape and related visual aspects of their proposals for mixed use development on land located to the immediate west and south of Contlaw Road, west of Milltimber, Aberdeen ('the Site'), in the context of Representations to the Proposed Aberdeen City Local Development Plan.
- 1.2 BWLPD have been working on the Site in relation to landscape and visual matters since 2005 and promoted proposed housing on approximately 15 hectares of land to the west of Contlaw Road at the Local Plan Inquiry into the Finalised Aberdeen Local Plan (Green Spaces New Places) in July 2006. These 15 hectares of land, which form the south-eastern part of the Site, have previously been identified as a potential development Site. The Aberdeen City, District Wide Local Plan (adopted by the then District Council in 1991) identified that part of the Site, lying immediately to the west of the built up area, as an area of 'Countryside Around Towns'. Whilst these areas were covered by Green Belt policy, the then Local Plan recognised that, should there be future demand for housing, these areas would be considered for release at the appropriate time. In 1999 the Aberdeen City Finalised Local Plan, intended as a replacement for the 1991 adopted Local Plan identified the same land as an area of strategic reserve for longer term development. The modified version of that plan (August 2002) identified a reduced area specifically for residential development. This land continued to be included as a housing site until 2004 when it was removed as a potential development site and, instead, allocated as part of the Aberdeen Green Belt and Green Spaces Network (GB27 and GSN28) in the Aberdeen Local Plan Green Spaces New Places, June 2008. Therefore, it can be shown that the Site has been in and out of the development plan and has previously been considered by Aberdeen City Council to have development potential.
- 1.3 This Landscape and Visual Appraisal Report (LVA) deals with a larger area of land under the control of Stewart Milne Homes which extends to the north and west of the aforementioned land and comprises approximately 75.0 hectares, for which BWLPD undertook a Landscape and Visual Appraisal in 2010, in the context of providing Aberdeen City Council with sufficient supporting information to assist in the decision making process in determining the allocation of preferred development sites as part of the Local Development Plan. This report utilises information from the 2010 LVA.

- 1.4 This report deals with the landscape and visual aspects of the proposed mixed use development as well as policy matters as far as they relate to landscape and visual amenity matters.
- 1.5 The objectives of this LVA are to:
- a) Update and utilise the 2010 landscape and visual appraisal of the Site and its surroundings in order to assess its character and visibility and its relationship with adjacent areas;
 - b) To consider whether development could be accommodated on the Site without detriment to the views from surrounding areas, or adverse impact on the landscape features, and character of the Site and its surroundings;
 - c) To assess the potential of the Site to accommodate mixed use development in terms of landscape and visual opportunities and constraints in order to inform the Representations to the Proposed Aberdeen City Local Development Plan.
- 1.6 With reference to the above, as this report utilises information from 2010, consideration has been given to the potential requirement to re-assess the findings in light of the update from Guidelines for Landscape and Visual Impact Assessment Second Edition (GLVIA 2) to GLVIA 3 in 2013. With reference to the guidance provided by the Landscape Institute, it is considered that as the approaches and methodologies between GLVIA 2 and GLVIA 3 are, in general terms, the same, the 2010 methodology remains valid.
- 1.7 In terms of considering development of the Site at Contlaw in relation to its landscape context, visual amenity and landscape features, it is concluded that development on the Site would be acceptable in landscape and visual terms. Development could be accommodated at the Site without detriment or significant adverse landscape and visual effects on landscape quality and character, including effects on the coalescence of Milltimber and Peterculter as a result of the Aberdeen Western Peripheral Route (AWPR) which would completely change the character of this part of Milltimber, through introducing major transport infrastructure across the Site.
- 1.8 Furthermore, the LVA considers that permitting development on the Site would assist in providing an informal recreation resource, in accordance with the Council's strategy for the Green Spaces Network which advocates landscape, wildlife and recreational enhancement. These benefits would be unlikely to come forward otherwise.
- 1.9 Accordingly it is concluded that our client seeks the removal of the allocation of the land as part of the Green Belt and Green Space Network as set out in the adopted local plan, and

inclusion as an allocated site for development in the Representations to the Proposed Aberdeen City Local Development Plan.

- 1.10 This report should be read in conjunction with the Development Framework Report also prepared by Barton Willmore as well as reports prepared by Ryden Property Consultants which deals with planning policy issues and Fairhurst which deal with issues relating to transportation planning.

2.0 LANDSCAPE CONTEXT

Site Context

- 2.1 The Site at Contlaw and the surrounding area comprises a mixture of woodland and agricultural fields as illustrated on **Figure 1: Site Context Plan**. The Site, which covers an area of approximately 75.0 hectares lies some 10 kilometres from Aberdeen city centre, is characterised by a patchwork of fields of varying size within both pasture and arable use and is described in more detail in the next section. The Site is located immediately to the west of Contlaw Road and the residential suburb of Milltimber; north and south of Contlaw Road in the vicinity of Hill Farm, and north, west and south of Nether Beanshill. The Site lies to the north of Culter House Road and the A93 North Deeside Road.
- 2.2 There are two residential buildings on the Site associated with Nether Beanshill and Burnbrae. Nether Beanshill includes a number of associated farm buildings and storage areas typically associated with farmland use. The Site abuts the residential area of Milltimber which along Contlaw Road provides a strong urban influence immediately to the south-east corner of the Site. From this area, Contlaw Road extends north along the eastern boundary before extending through the north-eastern part of the Site. This area includes further detached housing surrounding West Lodge and Hill Farm fronting onto Contlaw Road.
- 2.3 The southern boundary of the Site is defined predominately by plantation woodland, some of which has been clear felled. Further to the south-west boundary lies woodland surrounding elevated land at Bloomfield. Beyond the south-eastern boundary are large detached houses set in extensive grounds located on Culter House Road. There remains the opportunity for the development of an additional 5 homes at Culter House Road (OP60) and development of 5 homes on the Edghill Road Site (OP61).
- 2.4 The western area of the Site is defined largely by field boundaries made up of stone dykes and post and rail fencing associated with Nether Beanshill as well as Core Path 51 following field boundaries associated with Laggan Cottage, Nether Beanshill and The Croft and Mossbrodie. The settlement of Peterculter is located to the south-west, approximately 600-700 metres from the nearest boundary of the Site.
- 2.5 The northern boundary of the Site is defined by Contlaw Road in the vicinity of Airy Park Cottage before separating from the southern edge of Contlaw Road further to the north-east. The Site also includes an area of land to the north of Contlaw Road in the vicinity of Hill Farm.

- 2.6 With reference to **Figure 1**, the landform in the vicinity of the Site is sloping and undulating, essentially forming part of a north-westerly sloping valley-side. To the south, the land falls from around 66-67 metres AOD, at the lowest part of the Site, down to the valley of the River Dee which is at around 10-15 metres AOD, located around 1 kilometre to the south of the Site. To the north the land continues to rise to a prominent local ridgeline at up to 148 metres AOD close to Beanshill House. There is also a lower and gentler localised ridge with a high point of around 115 metres AOD which crosses the Site in south to south-east direction in the vicinity of Nether Beanshill.
- 2.7 The sub-division of the landscape into a number of fields of pasture and arable land, by hedgerows, low stone walls, tree belts and larger woodland areas, together with the topography, provide enclosure and containment, although the ridgelines of locally elevated land within the area are visible in a number of views across the local landscape. The ridgelines act as visual horizons and provide containment to the lower lying land and the intervening valleys. The existing woodland and tree belts in the vicinity of the Site, particularly to the south-west and south-east provide enclosure and containment and a strong existing landscape framework to the area and tie the Site to the built up edge of Milltimber.
- 2.8 There are two small (unnamed) watercourses running approximately north-south, which are located close in the south-eastern part of the Site.

Future Baseline

- 2.9 Since 2010, the AWPR has been approved and is currently under construction. As a result, the AWPR will introduce substantial changes to the landform, through localised cutting; new roads and vehicle usage and new lighting at the main junctions.
- 2.10 The AWPR will change the landscape context and character of the Site significantly, increasing the sense of urbanisation of the area, but would also provide a clear and defined boundary between Milltimber and Peterculter and defensible edge to the main area of development within the Site; separating the proposed residential and employment usages.

Landscape Planning Policies

- 2.11 Only those policies and guidelines which are of relevance to the proposed allocation from a landscape perspective have been taken into account in assessing the landscape and visual implications of the development of this area.

National Planning Policy

- 2.12 There are a variety of documents at the National level which provide the context for housing developments.

National Planning Framework 3 (NPF 3) (June 2014)ⁱ

- 2.13 This sets the context for spatial development planning in Scotland, with the vision to create ***"high quality, diverse and sustainable places that promote well-being and attract investment."***
- 2.14 Infrastructure provision within Aberdeen is identified as a key part of the agenda for growth and investment, with the AWPR scheduled for opening in 2018. Much of the new housing development in the city region is identified to extend northwards and southwards from the city centre.
- 2.15 'Landscapes' are identified as having ***"an important role to play in sustaining local distinctiveness and cultural identity, and in supporting health and well being."*** Creating well designed streets that link open spaces and wider active travel environments are noted for delivering a better environment and improving health and well being; along with increasing the rate of woodland creation and opportunities for recreation.
- 2.16 Within the Action Programme for NPF 3, to ensure the delivery of priorities is co-ordinated, the Scottish Government:

"Will work with housing providers and the development sector to support housing development and encourage innovative approaches to affordable housing."

Scottish Planning Policy (June 2014) (SPP)ⁱⁱ

- 2.17 This states that the planning system should support economically, environmentally and socially sustainable places, and a presumption in favour of development that contributes to sustainable development, including:

"Protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment."

- 2.18 The Placemaking Policy Principle states that:

"Planning should take every opportunity to create high quality places by taking a design-led approach."

- 2.19 The six qualities that define a successful place are:

- ***"Distinctive;***
- ***Safe and Pleasant;***
- ***Welcoming;***
- ***Adaptable;***
- ***Resource Efficient; and***
- ***Easy to Move Around and Beyond."***

2.20 In relation to Green Belts, SPP provides a guide to the current position of the Scottish Government on the role and function of green belts and settlement patterns, and that for most settlements a green belt is not necessary as other policies can provide an appropriate basis for directing development to the right locations. It is stated that where a planning authority consider it appropriate, the development plan may designate a green belt around a city or town to support the spatial strategy by:

- ***"Directing development to the most appropriate locations and support regeneration;***
- ***Protecting and enhancing the character, landscape setting and identity of the settlement; and***
- ***Protecting and providing access to open space."***

2.21 Paragraph 50 states that:

"In developing the spatial strategy, planning authorities should identify the most sustainable locations for longer-term development and, where necessary, review the boundaries of any green belt."

2.22 SPP confirms at Paragraph 51 that the spatial form of the green belt should be appropriate to the location, giving consideration to and that:

"...establishing clearly identifiable visual boundary markers based on landscape features such as rivers, tree belts, railways or main roads. Hedges and field enclosures will rarely provide a sufficiently robust boundary."

2.23 It further states (Paragraph 53) that:

"The creation of a new settlement may occasionally be a necessary part of a spatial strategy, where it is justified either by the scale and nature of the housing land requirement and the existence of major constraints to the further growth of settlements, or by its essential role in promoting regeneration or rural development."

2.24 Paragraph 55 states that Local Development Plans should contribute to high-quality places by setting out how they will embed a design-led approach, with reference to the six qualities of successful places.

2.25 The section on Enabling Delivery of New Homes outlines the policy principles in support of NPF3's aims to facilitate new housing development.

2.26 The section on A Natural, Resilient Place outlines the policies related to the natural environment, in protecting, enhancing and promoting access to the key environmental resources. Paragraph 194 states that the planning system should:

- ***"Facilitate positive change while maintaining and enhancing distinctive landscape character;***
- ***conserve and enhance protected sites and species, taking account of the need to maintain healthy ecosystems and work with the natural processes which provide important services to communities;***
- ***promote protection and improvement of the water environment, including rivers, lochs, estuaries, wetlands, coastal waters and groundwater, in a sustainable and co-ordinated way;***
- ***seek to protect soils from damage such as erosion or compaction;***
- ***protect and enhance ancient semi-natural woodland as an important and irreplaceable resource, together with other native or long-established woods, hedgerows and individual trees with high nature conservation or landscape value;***
- ***seek benefits for biodiversity from new development where possible, including the restoration of degraded habitats and the avoidance of further fragmentation or isolation of habitats; and***
- ***support opportunities for enjoying and learning about the natural environment."***

2.27 Within the section on Development Management, Paragraph 202 states that:

"The siting and design of development should take account of local landscape character. Development management decisions should take account of potential effects on landscapes and the natural and water environment, including cumulative effects. Developers should seek to minimise adverse impacts through careful planning and design, considering the services that the natural environment is providing and maximising the potential for enhancement."

2.28 Paragraph 216 states that:

"...Other woodlands, hedgerows and individual trees, especially veteran trees...should be protected from adverse impacts resulting from development."

2.29 The above is supported by Paragraph 217 which states:

"Where appropriate, planning authorities should seek opportunities to create new woodland and plant native trees in

association with development. If a development would result in the severing or impairment of connectivity between important woodland habitats, workable mitigation measures should be identified and implemented, preferably linked to a wider green network (see also the section on green infrastructure)."

- 2.30 Paragraph 220 identifies that planning policy should protect, enhance and promote green infrastructure, including open space and green networks, as an integral component of successful placemaking.

Creating Places - A Policy statement on architecture and place for Scotland (June 2013)ⁱⁱⁱ

- 2.31 This reiterates the six qualities of 'successful places' and with regards to landscape change, the policy states:

"Considered approaches to siting and design of development, which recognise landscape character and landscape capacity, will help to guide appropriate landscape change."

Planning Advice Notices (PAN)

Planning Advice Note PAN 44: Fitting New Housing Development into the Landscape (April 2005)^{iv}

- 2.32 Planning Advice Note PAN 44: Fitting New Housing Development into the Landscape, follows on from earlier advice in PAN 36 on the siting and design of new housing in the countryside with a consideration of design principles for larger development on the edge of built up areas, including the importance of the impact on the surrounding area. Paragraph 7 notes the emphasis from NPPG3 on well designed schemes that respect both the local environment and the landscape setting; and the visual impact of new development as seen from major roads and rail routes.
- 2.33 With regard to the need for advice on landscape fit, PAN44 states at Paragraph 9 that ***"insensitive development can undermine the special environmental quality of towns and their setting in the countryside"***. At Paragraph 36 the advice states that:

"...The process of design must begin with an acknowledgement of the elements of the existing landscape in order to establish opportunities for enhancement and requirements for conservation. Each site has an individual capacity to accept change. Some sites are inherently scenic and may require minimum intervention while others may already be degraded and invite improvement and alteration."

"...It is important to determine the extent of alteration, if any, that a site can absorb without losing its character and sense of place."

2.34 The guidance contains an assessment 'analysis checklist' of features that need to be considered when fitting new housing development into the landscape. Of particular relevance to my consideration of landscape and visual amenity have been the criteria with regard to Landform (Analysis C&D), Landscape (Analysis E), Landscape Character (Analysis G) Visual Assessment (Analysis H) and Vegetation (Analysis L). I have also carefully considered the Design Checklist contained in PAN44, the most relevant criteria of which are Landscape Capacity (Criterion A), Landscape Studies: The Imprint of Man (Criterion E), Landscape Studies: New Planting (Criterion F) and Landscape Masterplan (Criterion P). With regard to Landscape Capacity the guidance states on page 34:

- ***"Landscape capacity is a measure of the degree of acceptable modification that the landscape can absorb. It embraces:***
 - ii) the capacity or sensitivity of the landscape; and the potential of new elements to strengthen positive attributes (such as an attractive wetland area) and ameliorate the impact of elements which detract from the overall integrity of the landscape (for example, derelict buildings and degraded land);***
 - iii) Landscape capacity can be established by recording and integrating the natural features of the landscape such as the incidence and scale of valleys, woodland and so on. Essentially, capacity is a function of topography, i.e. landform and groundcover vegetation. The interplay of these can combine to create a landscape of high capacity, e.g. undulating with tree cover or low capacity, e.g. open, expansive and bare;***
 - iv) The character of the landscape is used to interpret its capacity to absorb development and can be described using a standard vocabulary and associated plans, sketches and photographs. This approach is adopted in the former Countryside Commission for Scotland guidelines on landscape assessment which provides a useful reference; and***
 - v) Generally speaking, undulating and complex topography will create opportunities to absorb new development as will wooded or afforested areas. This will not be the case with flat lowland landscapes or open and expansive upland landscapes..."***

2.35 Landscape Studies: The Imprint of Man, Criterion Design E states on page 38 that:

- i) "Existing landscape patterns should be understood, to assist in developing the form of new planting formation..."***
- ii) There are also opportunities presented by man-made features in the surrounding landscape, some of which may, in their current state, detract from the landscape..."***

2.36 With regard to Landscape Studies: New Planting, the guidance states on Page 40 that:

"Where appropriate new tree planting can be used to create a matrix or framework into which development sites can be located..."

2.37 Design Criterion P: Landscape Masterplan: states that:

iii) "Decisions must be made regarding the location of development components within the site itself, together with their relationship to the wider landscape. In order to achieve a good fit between a development and its surroundings, an integrated approach is required with regard to all landscape features, both within the site and in the surrounding visual context."

iv) The form and layout of new residential developments should be in balance with the nature of the site, its natural features and context. The treatment of built form and the detailed design of spaces around them must be considered as an integrated whole, in order to achieve unity and a successful fit into the landscape."

v) The spatial arrangement should be considered both functionally and visually. Every part of the site must have a clear purpose, with careful consideration of the relationship between public and private space, and pedestrian and vehicular circulation."

vi) These various principles for the layout need to be married with the requirements of the landscape masterplan which will also deal with important factors such as the use of new landform; the design of structure planting (both for visual and climatic benefit), the choice of species and the use of formal and informal planting to highlight different characters in different areas. For example, formal boulevards, informal groups of semi-natural vegetation, meadow landscape, hedgerows, ponds and so on. These various landscape elements should be used to reinforce the overall development concept or to create an individual landscape concept."

vii) The general visual character of plants must be considered in addition to their function. They can enhance the setting of built form, provide shelter, enclosure, dramatic effect, colour and texture."

2.38 PAN44 concludes at paragraph 54 that in regional planning, landscape capacity and the relationship of new to existing urban form should be primary factors in determining the desirability of settlement expansion stating:

"...In the development of sites, environmental quality objectives require to be prioritised and good practice on position, setting, form, layout and colour followed by planning authorities and developers."

PAN72: Housing in the Countryside^v (February 2005)

- 2.39 PAN72: Housing In The Countryside supersedes and reinforces the key themes set out in PAN36: Siting and Design of New Housing in the Countryside. This document sets out three factors that influence location, namely landscape, layout and access. This document states the importance of understanding the landscape and the importance of landscape character assessment as part of this process, stating on page 10 that:

"1. Landscape

Scotland's geological and climatic conditions have influenced vegetation, land use, settlement patterns, building methods and styles. This has led to a rich diversity of landscapes. These landscapes have different capacities to accommodate development. It is therefore crucial that the proposed location and siting of new housing considers the impact on the landscape, in terms of both immediate and wider surroundings. If a proper fit in the landscape is not achieved, then even a well designed building can fail...

...Scottish Natural Heritage (SNH), in partnership with local authorities across Scotland, has completed a suite of Landscape Character Assessments. These provide a more objective description of landscape enabling a better assessment of how change will affect it..."

PAN 83 Masterplanning (September 2008)^{vi}

- 2.40 This outlines the stages of effective masterplanning in making a positive contribution to the creation of sustainable and successful places.
- 2.41 The vision for the future of housing in Scotland is stated as:

"encompassing an increased supply of housing across all tenures, all of which will be delivered to higher environmental and design standards. In addition, the Scottish Sustainable Communities Initiative will encourage the development of new, sustainable communities of varying sizes. These may be much-expanded or new, stand-alone settlements that are sympathetic to Scotland's landscape and environment."

Green Infrastructure: Design and Placemaking (November 2011)^{vii}

- 2.42 This document provides advice on incorporating green infrastructure (GI) into masterplans, in order to knit development into the wider green network; joining up the existing green network and providing good connections to a network of routes.

- 2.43 The three themes of integrating GI within a masterplan are Context, Identity and Connection, based PAN 83 Masterplanning.

Strategic Planning Guidance

Strategic Development Plan - Aberdeen City and Shire Structure Development Plan - March 2014^{iviii}

- 2.44 The approved Aberdeen City and Shire Structure Plan plays a key role in guiding development over the next 25 years, with the vision of creating an ***"even more exciting, modern and sustainable European city region - an excellent place to live, visit and do business"***.

- 2.45 The Structure Plan states (Paragraph 3.9, Page 9) that:

"...While we prefer development to take place on brownfield sites, ...the scale of growth we expect will mean that more than half of the development will need to take place on greenfield sites. This will mean reviewing the whole green belt to make sure that it meets the requirements of this plan and Scottish Planning Policy."

- 2.46 Under 'Local Growth and diversification areas' it states:

"Increasing tree cover can bring significant environmental, economic, social and community benefits if new planting respects the different functions of the land concerned and its role in a wider green network. There is clear potential to increase the tree cover of this area while respecting the competing interests for land. This will contribute to a wider Scottish Government target of increasing tree cover and recognising the role of woodland in reducing the causes of climate change (known as mitigation)."

- 2.47 It is confirmed in the 'Quality of Environment' section (Paragraph 4.31, Page 34) that the green belt around Aberdeen will:

"continue to play a vital role in protecting the character and landscape setting of the City. However, it will need to change to meet the growth this plan seeks to achieve. It must guide development to appropriate places while protecting the most important areas. Accessible green networks within and around Aberdeen and other major settlements will also be important to achieving a high quality environment "

- 2.48 The identified 'targets' for the Quality of Environment Section include:

"To make sure that development improves and does not lead to the loss of, or damage to, built, natural or cultural heritage assets."

Local Planning Guidance (including Site History)

Aberdeen Local Development Plan Main Issues Report - January 2014^x

- 2.49 The Main Issues Report is the first stage in producing a revised and updated Local Development Plan for Aberdeen, which, when adopted, will replace the Aberdeen Local Development Plan 2012.
- 2.50 The Site is included as one of the proposals included in the Pre-Main Issues consultation stage (Development Bids 2013) and assessed as 'undesirable'. The justification for this assessment is set out under Development Option 09/49 of the Development Options Assessment Report (October 2009). This assessment scored the Site low in terms of Landscape Features and Landscape Fit, identifying potential impacts on: ancient woodland; visual effects from the north and the opposite side of River Dee Valley in the vicinity of Kirkton of Maryculter; reduction in green wedge between Peterculter and Milltimber; and the perceived containment above the 80m contour line characteristic of the settlements of Deeside.
- 2.51 The Development Options Assessment Report acknowledged the proposed route of the AWPR but provides insufficient consideration on the urbanising impact of the AWPR or the obvious change that will occur to the landscape character of the area. More importantly the justification for recommending the site as undesirable appears to be based on a broad brush analysis, not fully appreciating the more specific characteristics of the Site itself, including visual and physical containment provided by topographical variation and existing vegetation both on and surrounding the Site. The fact that Site was considered suitable for the AWPR reinforces the Site's ability to accommodate development.

Aberdeen Green Belt Review^x

- 2.52 This Green Belt Review accompanied the previous Local Development Plan. Although the Site was not included specifically within that Green Belt Review, the review identified the Site as being included within Area G: Deeside which includes most of the Lower Deeside Ward including the River Dee valley and the settlements of Peterculter, Milltimber, Bielside and Cults. The landscape context within which development should be considered has also radically changed as a result of the construction and future operational usage of the AWPR which traverses the Site. An analysis of the development on the Site and its impact on the Green Belt is dealt with later in this report.

Aberdeen Local Development Plan (adopted February 2012)^{xi}

- 2.53 This replaced the Aberdeen Local Development Plan in providing a land use framework.
- 2.54 Within this plan, the eastern part of the Site is within an area of Green Space Network (NE1), which forms a strategic network defined as:

"a strategic network of woodland and other habitats, active travel and recreation routes, greenspace links, watercourses and waterways, providing an enhanced setting for development and other land uses and improved opportunities for outdoor recreation, nature conservation and landscape enhancement."

- 2.55 Policy NE1 - Green Space Network states:

"The City Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the Green Space Network. Proposals for development that are likely to destroy or erode the character or function of the Green Space Network will not be permitted. Where major infrastructure projects or other developments necessitate crossing the Green Space Network, such developments shall take into account the coherence of the network. In doing so measures shall be taken to allow access across roads for wildlife and for access and outdoor recreation purposes."

Masterplanning of new developments should determine the location and extent of the Green Space Network within these areas."

Development which has any impact on existing wildlife habitats, or connections between them, or other features of value to natural heritage, open space, landscape and recreation must be mitigated through enhancement of Green Space Network."

- 2.56 The Site is within the Green Belt (Policy NE2) for which the aim is defined as:

"aim of the green belt is to maintain the identity of Aberdeen and the communities within and around the city by defining their physical boundaries clearly, avoiding coalescence and urban sprawl, maintaining the landscape setting and providing access to open space. The green belt directs planned growth to the most appropriate locations and supports regeneration."

- 2.57 Policy NE2 - Green Belt states:

"No development will be permitted in the green belt for purposes other than those essential for agriculture, woodland and forestry, recreational uses compatible with an agricultural or natural setting, mineral extraction (on sites identified in Policy R1) or restoration or landscape renewal."

2.58 With respect to 'Landscape', the Proposed Local Plan identifies that natural topography and landscape play an important role in determining future development layout of the City. Maintaining and managing aspects of Aberdeen's unique landscape setting is critical. In particular, Policy D6: Landscape (p188) identifies that development will not be acceptable unless it avoids the following:

- 1) ***Significantly adversely affecting landscape character and elements which contribute to, or provide, a distinct 'sense of place' which point to being either in or around Aberdeen or a particular part of it;***
- 2) ***Obscuring landmarks and features when seen from publicly accessible vantage points such as roads, railways, recreation areas and pathways and particularly from the main city approaches;***
- 3) ***disturbance, loss or damage to recognised recreation, wildlife or woodland resources or to the physical links between them;***
- 4) ***sprawling onto green spaces or buffers between places or communities with individual identities, and those which can provide opportunities for countryside activities.***

2.59 In addition, Policy D6 identifies that:

"Development should avoid significant adverse impacts upon existing landscape elements, including linear and boundary features or other components, which contribute to local amenity and provide opportunities for conserving, restoring or enhancing them."

2.60 Any landscape design scheme will also be expected to conform to the Supplementary Guidance: Landscape Strategy Part 2 – Landscape Guidelines.

Supplementary Guidance Topic: Landscape Guidelines^{xii} (March 2012)

2.61 This states that:

"The council's general environmental approach to development indicates that developments will be allowed where they do not destroy or damage natural resources or their setting, adversely affect amenity or be visually damaging to the appearance or setting of Aberdeen."

2.62 The character of the landscapes and townscapes around Aberdeen are noted as being dependent upon a combination of physical elements, and that these should be taken into account when designing new developments, so that they:

"do not erode essential character, but conserve or enhance it."

2.63 As such, Landscape Practice Note 3 - Landscape and Townscape Character states that proposals must relate to local landscape or townscape character. Paragraph 6.4 states that development shall be sensitive to landscapes of local significance that are:

- ***"distinctive elements or features which impart a sense of place;***
- ***intermediate areas that allow open views between vantage points (public roads, paths or recreation areas), and landscape features that give a sense of place;***
- ***natural resources such as trees or woodlands, wildlife habitats, natural heritage sites, waterbodies, and open spaces; or***
- ***green buffers between settlements."***

2.64 Paragraph 6.6 states that:

" good landscape and visual design reasons, to maintain public safety, to reduce climatic exposure, and to ensure developments are sustainable, buildings shall not be sited on the tops of exposed hilltops, the bottoms of river valleys, close to shorelines, or in areas liable to flood. Wind turbines, radio, television and telecommunication masts which require to be at some height shall avoid locations at the highest points or brows of hills. Elsewhere they shall be sited in close association with other features like trees or large buildings so that their presence in some views can be masked or screened."

2.65 Paragraph 7.10 states that:

"The design and layout of the landscape of any development shall demonstrate that it is sustainable through, for example, -

- ***the maintenance of landscape and townscape character;***
- ***the retention of trees, vegetation and open spaces as a means of attenuating climatic effects and as a valuable landscape, recreation and wildlife resource;***
- ***minimising the use of hard ground surfacing and maximising the use of more natural or permeable materials, and Sustainable Urban Drainage Systems (SUDS);***
- ***providing direct linkages for pedestrian movement and placing less reliance on car travel;***
- ***the use of SUDS in keeping water courses clean and open, and by diverting any run-off from hard surfaces towards areas of vegetation rather than capturing and transporting it away in enclosed gullies and drains;***

- ***using building and landscaping materials only from sustainable sources; and***
- ***helping to optimise the energy efficiency of buildings.***

Supplementary Planning Guidance Trees and Woodlands (March 2012)^{xiii}

2.66 The objective of new tree planting within Aberdeen is outlined as:

"Aberdeen has one of the lowest percentages of tree cover of any city in Scotland. There is clearly a need to improve this situation; by increasing the level of tree cover and protecting the existing trees. One way of doing this is by increasing the amount of new tree planting in new developments within the city."

2.67 Additionally, the policy states that:

"New developments must include measures to ensure the long term retention of existing trees, replacement tree planting and where possible increase the overall level of tree cover."

Core Paths Plan (2009)^{xiv}

2.68 There is one Core Path (51) which extends in a north-east to south-west direction from Hill Farm across Contlaw Road to Nether Beanshill and onto Culter House Road before extending south-eastwards towards the A93 and the River Dee. An aspirational Core Path AP4 is identified on the Additional Proposals Map for Cults extending from Contlaw Road at its junction with Colthill Road south-westwards into W1 before continuing westwards along the alignment of Culter House Road. There are no other Core Paths across the Site but there is a network of informal footpaths which traverse the south-eastern part of the Site, which are used by local residents for passive recreation (e.g. dog walking).

Landscape Character

2.69 Landscape Character Assessment is a tool which can make a significant contribution to the objectives that relate to "environmental protection" and "prudent resource use", the cornerstones of sustainable development. Scotland's various elements of planning legislation now recognise the importance of landscape character, as set out at paragraph 202 of SPP which promotes the siting and design of new development taking account of local landscape character. In particular, landscape character assessment can help in processes which:

- Identify what environmental and cultural features are present in a locality;
- Monitor change in the environment;
- Understand a location's sensitivity to development and change; and

- Inform the conditions for any development and change.

National Assessment: Scottish Natural Heritage No 80: Landscape Character Assessment of Aberdeen (1997)^{xv}

- 2.70 A landscape character assessment of Aberdeen was undertaken in 1996 and published later in 1999 as part of Scottish Natural Heritage's nationwide programme of assessments as No 80: Landscape Character Assessment of Aberdeen. It is important to note that this assessment was undertaken prior to the route of the AWPR being identified. It is also very broad brush, and therefore its usefulness in determining the relative appropriateness of different areas within the landscape character area is limited.
- 2.71 The report considers the likely pressures and opportunities for change in the landscape, assesses the sensitivity of the landscape to change and includes guidelines indicating how landscape character may be conserved, enhanced or restructured as appropriate. The Study Area has been divided into a number of Landscape Character Types, illustrated on Figure 1. As this drawing indicates, the land around the Contlaw Road, within the south-east part of the Site is included largely within the 'Urban Area' classification (Milltimber) with the remainder of the Site, including the AWPR area, identified as the Wooded Farmland Landscape Type, Character Area 21: Countesswells/Milltimber/Kennerty Wooded Farmland.
- 2.72 The area of Peterculter to the west of the Site is also classified as Urban, whilst the valley of the River Dee to the south of the Site is classified as Valley Landscape Type Character Area 22: Dee Valley which includes land that separates Milltimber and Peterculter along North Deeside Road.
- 2.73 With the exception of urban areas, the Wooded Farmland Landscape Character Type tends to adjoin the Major River Valleys type. Within this landscape type, the topography is generally undulating sometimes strongly. Whilst it is mainly agricultural, its distinguishing characteristic is the large amount of woodland and trees that it contains either as plantations, shelterbelts or clumps of trees. This often limits views both from within the landscape type and towards it. The congruity of open fields to woodland is also an important characteristic of this area.
- 2.74 Within Character Area 21: Countesswells / Milltimber / Kennerty, the assessment notes that the topography of this area is "diverse and undulating". The larger settlements which border the south of the area to be generally hidden from view from most of the area by intervening trees. Generally where their edges are visible, they are reasonably well integrated into the surrounding rural landscape by mature tree and shrub planting, which also mitigates their impact when seen as a whole.

2.75 The summary of distinctive landscape features for Character Area 21 includes:

- ***"The topographical variety;***
- ***The extent and variety of woodland and trees, and the resulting mix of wooded and open areas;***
- ***Buildings usually traditional in style, associated with clumps of trees and occasionally occurring in small groups;***
- ***Suburban edges are generally visually contained by planting;***
- ***The "softening" effect of mature trees within the built-up area;***
- ***Stone dykes as well as fences act as field boundaries;***
- ***Occasional avenue-like effect of trees lining minor roads;***
and
- ***Distant views to hills."***

2.76 It is stated that the area has a medium level of visibility, relating to several minor roads and residential properties. The amount of woodland tends to restrict views from nearby urban areas (i.e. including Milltimber).

2.77 The sensitivity to landscape change relevant to Built Development is described as:

"Large residential areas lie on the southern edge of the area, but their visual impact is reduced by the intervening landform and trees. Within the area the existing settlement pattern consists of scattered individual houses, mostly associated with clumps of trees..."

2.78 With regard to transportation links, the assessment notes that constructing new rural routes not associated with the settlement pattern would be potentially significant in landscape and visual terms. As the assessment was made prior to finalising the route of the AWPR, the impact of this major transport infrastructure was not considered in terms of identifying the sensitivity of the landscape to change in this area.

2.79 The Landscape Guidelines for this area are stated as Conserve/Manage and include reference to woodland and shelterbelt management and maintenance of stone dykes.

2.80 There are no specific descriptions or guidelines provided for the south-east part of the Site, characterised as an 'Urban Area'. On this basis it would appear that the character assessment accepts that this area is closely aligned to the existing built up area and does not relate to the rural areas to the north and west of the Site.

2.81 It should be reinforced that the landscape character assessment of Aberdeen was undertaken in 1996 and published later in 1999, and is 16 years old and does not reflect recent changes in the landscape of the area as a result of the construction and future operation of the AWPR. This LVA considers that the AWPR would reduce the rural character of the Site and

provide a defined edge to the west of Milltimber, reducing the sensitivity of the Site to accommodate change.

3.0 SITE APPRAISAL

- 3.1 **Figure 2: Site Appraisal Plan** and aerial photograph of the Site (AP-1) shows the existing landscape characteristics of the Site at Contlaw, prior to the construction of the AWPR, including the vegetation on and adjacent to it and its close proximity and relationship to the built up edge of Milltimber. A number of Site Appraisal Photographs (A-H inclusive), described below, were taken to demonstrate the character and appearance of the area as existing and these annotated panoramas are included as part of the illustrative material to this report.
- 3.2 As **Figure 2** illustrates, the Site comprises approximately 75.0 hectares under a variety of different land uses, predominantly fields of rough grassland, pasture and arable land comprising coniferous woodland plantation, shelter belts and scattered individual trees.
- 3.3 As described in the previous section, the topography of the Site is undulating and forms part of the valley side of the River Dee. There is a general fall from 115 metres AOD in the north-western part of the Site down to around 66 metres AOD in the south-eastern part of the Site. However, undulations are created by a localised ridgeline extending through the Site in the vicinity of Nether Beanshill, in a roughly north to south direction, as well as a depression within the landform through the central area of the Site that feeds into a more defined valley landform, falling in a south-easterly direction across Field F1 and connecting with the alignment of Contlaw Road. This landform feeds a drainage ditch which runs along much of the eastern boundary of the Site (partly culverted) and another somewhat larger burn located in the southern part of the Site, crossing through the western part of the existing woodland in this area. The Macaulay Institute has graded the agricultural soil types as 3.2 on their Agricultural land classification maps and they are, therefore, not classified as being Prime Agricultural Land.
- 3.4 The land uses are sub-divided by a variety of field boundary types including a number of low stone walls, and post and wire fencing. The stone dykes are an important feature of the Site. For ease of reference the Site has been divided into a total of 21 Fields comprising a mix of arable, pasture and rough grassland and woodland as described below.
- 3.5 In total the commercial woodland area on the site and which is within the control of the client, covers nearly 7.9 hectares out of a total site area of 75 hectares. The woodland plantation which principally comprises Norway Spruce, but with broadleaved tree species in the gaps and on the margins is a commercial plantation which can be coppiced at any time as evidenced in the clear felled woodland area immediately to the west, in the vicinity of Croft House and Kippie Lodge. The woodland plantation comprises 2 areas and both have been assessed as part of the landscape and visual assessment of the Site.

- 3.6 Woodland W1 is located to the north of the stone wall (and water main) which crosses the south-eastern part of the Site from east to west and comprises largely Norway Spruce, many of which are dead with scattered self-sown birch. Woodland W2 is located to the south of the stone wall (and water main) and comprises almost exclusively Norway Spruce generally larger and taller than those elsewhere with woodland clearings created by wind throw. There are also a small number of other stands, including other species (self-sown) such as beech, elm, Scots pine, sycamore, rowan, holly and birch. A group of alder trees are associated with the burn and beech trees are associated with drier ground.
- 3.7 A large proportion of the woodland trees are in a state of decay due to Honey Fungus (*Armillaria* sp.) and this is partially responsible for the number of wind-thrown clearings in the woodland canopy. A positive management regime would include new and reinforcement planting, comprising tree species of local provenance.
- 3.8 The proposed development would retain a wooded context in the south-eastern area of the Site and as a result of the development proposals would increase its recreation opportunities as it would form part of the Green Space Network identified on the Proposals Map, Cults in the Aberdeen Local Development Proposed Plan by providing passive recreational connectivity between the woodland east of West Lodge and the western part of woodland W1 which is to be retained.

Site Appraisal Photographs (from 2010)

- 3.9 **Site Appraisal Photographs A-H** illustrate the character and features of the Site described above, as per the 2010 baseline.
- 3.10 **Site Appraisal Photograph A** is taken from Core Path 51 near the northern boundary of the Site looking in a south-easterly direction across an area of pasture identified as field F13. In the left hand side of this photograph, Core Path 51 is visible extending to the left of the photograph towards Contlaw Road. To the right of this, an unnamed barn is visible to the left of Hill Farm on rising land to the north-east of Contlaw Road. Through the centre of the photograph, the Site is visible sloping south-east towards residential properties adjoining West Lodge along Contlaw Road to the north-west of Milltimber. The larger area of development in Milltimber is screened from view in this photograph.
- 3.11 **Site Appraisal Photograph B** is taken from Core Path 51 to the south of Nether Beanshill. In the left hand side of this photograph, Core Path 51 is visible extending through the northern area of the Site and towards Laggan Cottage between field F11 to the left and field F12 to the right. Through the centre of the photograph the central area of the Site is visible sloping gently to the south-east towards Contlaw Road. Beyond this, field F12 is visible sloping up to the north-east with scattered woodland established in this area along the

horizon. To the right of Hill Farm, field 21 is visible falling gradually to the right towards further woodland extending to the north of Milltimber and forming a backcloth to residential properties at West Lodge and 100-108 Contlaw Road. In the right hand side of the photograph, farm buildings within Nether Beanshill are visible accessed from a farm track following the alignment of Core Path 51.

- 3.12 Moving south of Nether Beanshill, **Site Appraisal Photograph C** is taken looking east from the margins of field F8, looking towards the central area of the Site. The foreground of this view includes scattered stones and arable land use within field F8 as this falls south-east towards adjoining fields that connect with Contlaw Road. To the left of the photograph, Nether Beanshill is visible within the Site in the foreground of further residential development beyond the northern boundary including Glenelg, Beanshill Steading, Laggan Cottage and Dalriach in the vicinity of existing scattered woodland and open agricultural land along the horizon. In the centre left hand side of the photograph, Hill Farm is visible adjoining field F16 on gently sloping land rising to the north-east of the Site. Beyond the Site, in the centre of the photograph, further residential development is visible at 100-108 Contlaw Road and adjoining an established area of woodland that rises north of Milltimber visible to the right. In the far right hand side of the photograph, fields F7 and F8 are visible sloping south-east towards an area of recently cleared woodland in the vicinity of Croft House.
- 3.13 **Site Appraisal Photograph D** represents the view looking west from the location of Site Appraisal Photograph C described above over the top of a dry stone wall which separates field F7 from field F8. In this view a localised ridge can be observed extending through field F7 sloping south from the vicinity of Nether Beanshill visible in the right hand side of the photograph. Beyond this, Guttrie Hill is visible in the centre left hand side of the photograph and covered in woodland that extends to the right in the vicinity of Bloomfield. In the centre of the photograph further residential properties at Mossbrodie and The Croft are visible along Culter House Road in the vicinity of elevated woodland at Woodend. To the right of this photograph, Nether Beanshill is visible accessed from the alignment of Core Path 51 extending through the north-west area of the Site.
- 3.14 **Site Appraisal Photograph E** is taken from Core Path 51 as this extends alongside the north-east corner of the Site. From this viewpoint, field F16 is visible sloping south towards adjoining residential development at Hill Farm. To the left of this, further open land is visible in field F17 rising north-east towards an area of more elevated woodland established along the Site's northern boundary. In the centre right hand side of the photograph, beyond Hill Farm, further residential development is visible at 100-108 Contlaw Road as this falls south towards lower lying topography along the River Dee corridor.

- 3.15 **Site Appraisal Photograph F** is taken from Contlaw Road immediately south of residential development established at Hill Farm. In this view, pasture within field F13 is visible sloping gently south of Contlaw Road. Beyond this, a number of dry stone walls are visible separating further arable and pasture fields within the Site including fields F14, F9 and F12 moving left to right through the centre of the photograph. Beyond these, in the centre right hand side of the photograph, Nether Beanshill is visible in the north-west area of the Site with Lagan Cottage and Airy Park Cottage visible to the right of this beyond the northern boundary of the Site. In the far right hand side of the photograph, Contlaw Road is visible providing open views towards the Site through a post and wire fence established alongside the road boundary.
- 3.16 **Site Appraisal Photograph G** is taken from the south-east corner of field F15 looking to the north-west across arable land use established in this area. To the left of this photograph, a woodland shelter belt running west of Contlaw Road is visible extending into the approximate centre of the Site. In the centre left hand side of the photograph, Nether Beanshill is visible along the horizon within the Site, to the left of further residential development extending to the north of the Site including Contlaw House, Lagan Cottage and Airy Park Cottage. In the centre of the photograph, Hill Farm is visible to the north of Contlaw Road. This bisects the north-eastern area of the Site. To the right of this, field 21 is visible rising to the north-east of Contlaw Road towards woodland along the horizon. Further residential development is visible at 100-108 Contlaw Road in the far right hand side of the photograph.
- 3.17 **Site Context Photograph H** is taken from the southern boundary of field F1 looking north across rough grassland established in this area of the Site. In the left hand side of this photograph, woodland in the south-west corner of the Site is visible enclosing the western margin of this field. Through the centre of the photograph, field F1 is visible rising towards field F2 located beyond a localised valley and contained by further shelter belt feature introducing woodland vegetation along the horizon. To the right of the photograph, residential development in Milltimber is visible to the east of Contlaw Road and rising towards an adjoining area of woodland established along the horizon.

4.0 VISUAL APPRAISAL OF THE SITE

- 4.1 A visual appraisal of the Site and its environs was undertaken in 2010 to determine the relationship of the area with its surroundings, the visibility of the Site within the wider landscape, the suitability of the land for development and the effect that this would have on the landscape and visual characteristics of the area. The study was undertaken in accordance with The Landscape Institute and the Institute of Environmental Management and Assessment's "Guidelines for Landscape and Visual Impact Assessment", Second Edition (Spon Press, 2002).
- 4.2 The visual appraisal was undertaken from publicly accessible viewpoints within the surrounding landscape, such as from roads and footpaths to determine the approximate extent of the area from which the Site is visible from the eye level of a person standing on the ground. As part of this appraisal, consideration has also been given to the visual contribution that the Site makes to the Aberdeen Green Belt. The visibility of any Site is predominantly influenced by its landform and the extent and type of vegetation cover within the Site and the surrounding landscape. In describing the existing vegetation and topographical variation surrounding the Site, it is explained how this existing landscape framework is important in controlling views into the Site from the surrounding area.
- 4.3 A series of Site Context Photographs were taken in 2010, prior to the AWPR, to illustrate key views towards the Site from the surrounding countryside. These photographs are included as Site Context Photograph Nos. 1-10 in the second part of the illustrative material to this report. The locations of these photographs are indicated on **Figure 3: Visual Appraisal Plan**.

Near Distance Views (0-300m)

- 4.4 Core Path 51 extends through the northern area of the Site and affords views into the Site as illustrated with reference to Site Appraisal Photographs A, B and E described above. From this footpath, open and partial views are made available across adjoining fields. Contlaw Road also bisects the north-east area of the Site and provides views into adjoining open areas as illustrated in **Site Appraisal Photograph F**.
- 4.5 In the area surrounding the Site there are several additional publicly accessible close range views including sections of Contlaw Road to the east and north and Culter House Road as this extends in the vicinity of the Site to the south-west. A small number of near distance private views towards and into the Site are also obtained from: properties along Contlaw Road to the east of the Site along the western edge of Milltimber and at 100-108 Contlaw Road; properties accessed along Contlaw Road and Core Path 51 to the north, including

Contlaw House, Gleneig, Airy Park Cottage, Laggan Cottage, Dalriach and Hill Farm; properties to the west of the Site along the alignment of Core Path 51 including The Croft, Mossbrodie and Bloomfield; and properties to the south from Croft House along Culter House Road.

- 4.6 The closest range publicly available views can be obtained from the eastern boundary adjoining the Colthill Estate, particularly from parts of Contlaw Road and those properties on Contlaw Road facing onto the Site, particularly. In particular open views can be obtained from the one and a half storey houses located north of Colthill Road junction. The nature of the view obtained in this area is illustrated with reference to **Site Context Photograph No. 1** taken from the intersection between Contlaw Road and Colthill Road. In this view, fields F1 and F2 are visible to the west of Contlaw Road and in the foreground of existing woodland occupying the south-east area of the Site. In the right hand side of the photograph, a further woodland shelter belt extending west into the Site from Contlaw Road is visible at the elevated northern end of field F2. Residential properties fronting Contlaw Road are visible in the far left and right hand sides of the photograph, with vegetation established in the front gardens of these properties providing varying levels of visual containment in terms of enabling views towards the Site.
- 4.7 Near distance views along Contlaw Road as it continues west beyond the northern boundary of the Site are illustrated with reference to **Site Context Photograph 2**. From this section of road, partial views of the Site are visible beyond a strip of intervening pasture following the Site's northern boundary. In the left hand side of this photograph, Gleneig is visible in the foreground of a contained area of woodland extending to the north of the Site. In the centre of the photograph, the Site is visible sloping south towards Nether Beanshill and field F10 adjoining woodland on Guttrie Hill. Beyond this, the land begins to slope more steeply towards the River Dee before rising on the southern side of the River Dee Valley in the distance as observed along the visual horizon. To the right of the photograph, Forest Cottage and Nether Contlaw are visible within an area of undulating land extending to the west of the Site.
- 4.8 **Site Context Photograph 3** is taken from a localised high point to the north-east looking west towards the Site. From this vantage point, the localised basin topography in which much of the Site is located is visible extending to the left of a gentle ridgeline that passes in the vicinity of a barn located in the adjoining field to the north-east of the Site. In the centre of the photograph, existing residential buildings in the vicinity of the north-east area of the Site are visible including Hill Farm, Airy Park Cottage and Dalriach following the alignment of Contlaw Road as it falls south towards the River Dee corridor.

4.9 **Site Context Photograph 4** is taken along Cutler House Road looking north towards the Site in the vicinity of the AWPR. In the far left and right hand sides of this photograph, Cutler House Road is visible extending between low stone walls and travelling at right angles to the AWPR as it extends north towards the Site. Through the centre of the photograph, arable land to the south of the Site is visible rising up towards the vicinity of the Site, with existing trees defining field boundaries visible along the horizon. In the right hand side of the photograph, Croft House is visible against a backdrop of vegetation occupying the area of land to the south-east of the Site.

Middle Distance Views (300-600 metres)

4.10 Further to the west, **Site Context Photograph 5** illustrates the view from Culter House Road as it emerges to the east of Woodland established on Guttrie Hill and visible in the left hand side of the photograph. From this location, the nearest point in the south-west corner of the Site is located at a minimum distance of 300 metres however the majority of the Site is contained by intervening topography with the exception of the tops of vegetation defining field boundaries. In the right hand side of the photograph, Croft House is visible to the north of Culter House Road in association with woodland established in the south-east corner of the Site.

4.11 **Site context Photograph 6** is taken from Contlaw Road to the north-west of the Site over a distance of approximately 510 metres from the nearest point in the north-west corner of the Site. In the left hand side of the photograph, Contlaw Road is visible extending towards the northern boundary of the Site. In the centre left of the photograph, Nether Contlaw is visible within localised depression and surrounded by pasture extending to the north-west of the Site. Beyond this, fields F10, F6 and F11 are visible within the western area of the Site in the vicinity of The Croft and Mossburn following the alignment of Core Path 51. To the right of the photograph, woodland on Guttrie Hill is visible along the horizon, beyond undulating agricultural land that extends to the west of the Site.

Longer Distance Views

4.12 Consideration was also given to longer-distance views, including Culter House Road to the west of the Site and from elevated areas on the opposite side of the River Dee Valley to the south of the Site.

4.13 **Site Context Photographs 7 and 8** are taken from Culter House Road to the west of the Site over distances from approximately 600 metres. In these views the majority of the site is contained beyond a localised ridgeline which extends through the western area of the Site. From these areas, however, the Croft and Mossbrodie are visible to the north-west of the Site and to the left of field F6 which rolls over the localised ridgeline to the western area of

the Site and towards a ridge of Woodland on Guttrie Hill. In **Site Context Photograph 8**, residential properties at Forest Cottage and Cumbrae are visible in the right hand side of the photograph and to the east of Culter House Road providing views towards the vicinity of the Site from this area.

- 4.14 Views from the south of the River Dee Valley are represented in **Site Context Photographs 9 and 10** which demonstrate that the ability to view the Site from this is made available as one rises on the topography defining the opposite side of this valley. **Site Context Photograph 9** illustrates the view along an elevated minor road to the south of South Deeside Road looking north towards the Site. In this photograph the majority of the Site is contained beyond areas of woodland established on and within the vicinity of the Site. Moving southwards, **Site Context Photograph 10** is taken from Polston Road close to the entrance to Maryculter Cemetery. From this location the existing woodland plantation on and around the Site continues to curtail most potential views towards the Site, which is seen in the wider context of the surrounding landscape and is difficult to discern with the naked eye. Within the Site, the increase in elevation provided by this view point enables existing development at Nether Beanshill to become visible within an area of agricultural land above existing woodland and below a more elevated agricultural and wooded horizon. The effect of distance (over 2 kilometres) however significantly reduces the extent to which particular features of the Site can be discerned.

Summary

- 4.15 Overall it is considered that the Site is generally well-contained and does not form an important or visible component within the landscape in long distance viewpoints. This is as a result of the complex topography on and immediately surrounding the site and the existing plantation on the south-eastern part of the Site as well as existing vegetation in the landscape around the Site.
- 4.16 Obviously some parts of the Site are more visually accessible than others, with the lower lying areas, including the hollow and woodland clearings being less prominent than the more elevated areas to the north of the Site, for example in the vicinity of Nether Beanshill and Dalriach. However, despite the fact that the land on the site slopes north-west to south-east, and Nether Beanshill and Dalriach and the barn located immediately adjacent to the north-east boundary are the most visually prominent features in views from the opposite side of the valley in the vicinity of Site Context Photograph locations 9 and 10, the topographical variation means that the land between Nether Beanshill and Dalriach is on a stepped plateau and therefore to the south flattens out into a localised basin. This effectively means that built forms in the centre of the Site would be difficult to perceive in long distance views. On this basis, and provided development is sensitively located in respect of the findings of the

visual appraisal, the proposed development of parts of the Site as shown on the Development Framework could readily occur without any unacceptable adverse impacts upon landscape features or visual amenity.

5.0 DEVELOPMENT PROPOSALS AND LANDSCAPE STRATEGY

- 5.1 The assessment of landscape and visual opportunities and constraints includes consideration of landscape character in the vicinity of the Site, relevant landscape policy, landscape features within and surrounding the Site and visibility into the Site from available public and private viewpoints.
- 5.2 Following this assessment, **Figure 4: Landscape Opportunities and Constraints Plan** illustrates the development potential of the Site with reference to important landscape features and visual characteristics identified above. This divides the opportunities and constraints for development (in landscape and visual terms) in the following manner:
- Areas of high landscape / visual constraint: suitable for open space and / or mitigation;
 - Areas of moderate landscape / visual constraint: suitable for development that includes retention and reinforcement of existing landscape framework to create a sympathetic development edge; and
 - Areas of low landscape / visual constraint: suitable for higher density development that retains and enhances the existing landscape framework where possible.
- 5.3 In response to the landscape opportunities and constraints, the development proposals involve the westwards and north-westwards expansion of Milltimber to provide a sustainable, mixed use community, contained and separated from Peterculter by the AWPR. The Development Framework has evolved through an iterative design process and demonstrates the areas of the Site that could accommodate up to approximately 650 dwellings. The residential development responds sympathetically to the context of the site in terms of the character and appearance of existing adjoining built forms. As part of the balanced and sustainable approach to development business and commercial, local shopping and community facilities with associated strategic landscaping and public open space is also proposed in suitable locations informed by the findings of the landscape and visual assessment.
- 5.4 Employment in the form of small offices and workshops are proposed both next to the mixed use centre and a more strategic employment site west of the AWPR where it would be accessed directly from the AWPR. The disposition of built form, building height and materials will be sensitively designed and located in an integrated land efficient way such that the landscape can accommodate this form of development in these locations.

Development Principles

- 5.5 Vehicular access to the proposed development would principally be provided via the new interchange onto the AWPR. This arrangement will therefore provide a high degree of accessibility not only to local radial networks to/from the city centre but also to the western side of the city and the trunk road network beyond via the new orbital route, helping to realise the wider economic benefit to the region which the AWPR scheme is designed in part to deliver. Connections onto Contlaw Road to the east would also maximise integration of the development with the existing Milltimber community. The AWPR is in cutting for much of its length as it passes to the west of the Site, thereby minimising potential noise and visual impacts. North of Culter House Road a new 'all ways' junction is will be implemented as part of the AWPR, taking the form of an overbridge with roundabouts providing access from the slip roads to development on either side of the carriageway. The slip roads themselves run parallel to development on either side of the AWPR southwards to connect at a new junction with the A93.
- 5.6 The development principles indicated on the development framework retain the majority of existing vegetation forming the framework within which the proposed development would appear integrated. Proposed residential development would immediately abut the western built up edge of Milltimber along Contlaw Road and continue west towards the AWPR. The northern extent of the development respects the existing basin topography of the Site and ensures potential visual impacts of development occurring along the ridgeline, observed from the opposite side of the River Dee Valley are avoided. Further woodland areas are proposed in association with the AWPR route and enclosing an area of proposed employment in the western area of the Site, to ensure a definitive edge to the settlement and containment from adjoining areas of countryside.
- 5.7 Existing landscape features are proposed to be linked via formal open space provisions in order to improve green network opportunities through the Site. Wherever possible existing hedgerows and treebelts are retained and extended to form green corridors passing through the development. The resultant pattern of development would respect the existing grain and pattern of the landscape and improve the quality and connectivity of the hedgerows and tree belts contribution to the existing landscape resource.
- 5.8 Based on these principles it is considered that the Site would be able to accommodate housing and employment use without adverse effect on the surrounding landscape and visual amenity. In addition the existing woodland would be managed and enhanced to maximise its contribution to low key informal public recreation.

Landscape Objectives

5.9 The preservation of the existing landscape setting and sensitive integration of the built forms within the development and absorption into the wider landscape is a key component of the scheme proposed on the Site. The proposed development has been purposefully designed to respond positively to the landscape and visual appraisal of the Site, to ensure the protection of key landscape features and to respond to views of the Site from the surrounding area. Key objectives of the landscape strategy include:

- To retain and protect existing landscape features including the majority of existing hedgerows and stone dykes which bisect the Site, the large area of woodland vegetation W2 and the western edge of W1, together with woodland shelter belt SB1, and watercourses within the Site;
- To absorb and contain the proposed built development areas within the local landform working with the undulations of the topography and within areas of retained and new strategic planting, which would be introduced to reinforce and strengthen the landscape framework of the Site, as well as enhance the character of the area;
- To ensure the proposals relate well to the existing townscape of Milltimber providing a positive frontage along Contlaw Road;
- To retain the distinction and sense of separation of Milltimber and Peterculter through the establishment of a defensible settlement edge;
- To provide an appropriate setting to the proposed built development through the provision of perimeter planting and open space areas;
- To minimise visual impacts resulting from distant views on the opposite side of the River Dee Valley and to avoid the potential for development to appear visible along the skyline; and
- To provide areas of informal open space within the development which would be publicly accessible and which would provide opportunities for passive and active recreation to the wider community. Within these areas a range of landscape and ecological enhancement measures could be introduced through positive management.

5.10 It is proposed that structurally sound areas of the existing plantation would be retained and would be subject to positive management. New strategic planting would also be undertaken and more than compensate for any woodland loss necessary to ensure the provision of a more cohesive development layout through the Site which would bring major benefits to the existing community. These areas would maintain visual enclosure and 'soften' the built forms, providing separation between the development and the adjoining countryside area and maintaining the separation between Milltimber and Peterculter, which would be further reinforced by the AWPR.

- 5.11 New planting would also assist in screening the development from the AWPR, which it is considered will substantially urbanise the setting to the Site and radically change the context and character of the locality. The new planting as it establishes and matures, would provide a visual screen within the landscape, effectively tying the Site to the built up area of Milltimber and providing a strong local identity. This planting would provide a robust, defensible long term boundary and an appropriate interface between the built up area (including mixed use development on the Site) and the more open countryside area to the north and west.
- 5.12 Within the proposed residential development, tree and shrub planting would be established to integrate the proposed development areas and create a hierarchy of landscape features that improve legibility through the Site. This planting would also provide an attractive setting for the buildings and a pleasant environment for future occupants while enhancing opportunities for biodiversity.

6.0 CONSIDERATION OF DEVELOPMENT PROPOSALS

6.1 There is scope to develop the Site at Contlaw without significant adverse impact on the landscape of this location and the visual amenity of the wider landscape, including maintaining the setting of Aberdeen and the sense of separation between the residential suburbs of Milltimber and Peterculter, particularly with the future operational usage of the AWPR introducing major transport infrastructure. Moreover, development would provide considerable opportunities for passive recreation enhancement and benefit through positive management – opportunities which would not come forward without the proposed development. Therefore, on the grounds of landscape and visual amenity the Site should be identified within the Local Development Plan as a preferred site for mixed use development.

Landscape Impact

Landscape Features

- 6.2 As described above and as indicated on Figure 2 the most significant features of the Site are the woodland plantation and woodland shelterbelt areas within the south-eastern and eastern parts of the Site respectively, albeit that these are in a state of decay and are unmanaged, the dry stone walls (dykes), and the watercourses/drainage ditches.
- 6.3 No areas of vegetation that are significant in landscape or visual terms would be lost as a result of the proposals and the proposed woodland management and addition of new areas of structural planting of local provenance would be entirely in character with the wider landscape. A tree management report would also be prepared to include management guidance and recommendations in relation to the good quality retained parts of the existing plantation (predominantly W2) and its close proximity to any proposed housing. This would lead to a positive enhancement of the landscape features of the Site in accordance with the various policies at the national, regional and local level and would also lead to enhanced public access, amenity and safety of the Site, thereby being consistent with the ethos of the Green Space Network to protect, promote and enhance the wildlife, recreational, landscape and access value of the network.
- 6.4 In particular the development would comply with the requirement of paragraph 194 of SPP in facilitating positive change which conserves and enhances species, woodlands, individual trees and seeks benefits of bio-diversity; PAN 44: Fitting New Housing Development into the Landscape, which at Paragraph 36 requires the acknowledgement of the elements of the existing landscape in order to establish opportunities for “enhancement and requirements for conservation”; and Policy D6 within the Aberdeen Local Development Plan with regards to

avoiding disturbance, loss or damage to woodland resources, existing landscape elements and conforming to the SP Landscape Guidelines.

- 6.5 Therefore, on the basis that the healthy areas of woodland are maintained and positively managed, the watercourses and their immediate setting protected and the stone walls/dykes retained and maintained, there are no constraints to the development of the Site in terms of its existing landscape features.

Landscape Character

- 6.6 In terms of landscape character, the area has been assessed as part of SNH's suite of character assessments for Scotland. This study identifies that the visual impact of large residential areas on the southern edge of this character area are reduced by the intervening landform and trees. The change created by the imposition of new transportation links is also of relevance to the Site as is the ability to improve the quality of the landscape in response to this development.
- 6.7 The form of development maintains the existing woodland context and ensures development is set down within the diverse and undulating topography in order to minimise visual impacts. Development avoids breaching the horizon observed along the opposite side of the River Dee Valley, with further woodland planting proposed in association with significant areas of open space in order to define a definitive settlement edge and integrate development into the surrounding landscape. The scale of development is therefore assimilated along the southern edge of the larger wooded farmland landscape and generally contained from view.
- 6.8 The south-eastern part of the Site, classified as 'Urban Area', is proposed to be developed in a manner that remains sympathetic to the existing residential setting and create a positive relationship with the established area of Milltimber to the east of Contlaw Road. To the west of this development, built form remains embedded within an established woodland backdrop to be managed to improve recreation opportunities through the Site.
- 6.9 Given the above, as well as the opportunity for the development of an additional 5 homes at Culter House Road (OP60) and development of 5 homes on the Edghill Road Site (OP61), the impact on character would accord with the various policies at the local, structure and national level including guidance set out in the SPP. It also responds to the Government's objectives in relation to Landscape Character Analysis (G) outlined in Planning Advice Note PAN 44: Fitting New Housing Development into the Landscape through being based on a thorough evaluation and study of the Site's landscape character. It is considered that development could therefore be accommodated within the Site without significant adverse impacts on the landscape character of the surrounding area and with potential to improve aspects of the structure and management of the landscape.

Visual Impact

Visibility

- 6.10 PAN 44 considers that landscapes with a high capacity to absorb development include undulating landscapes with tree cover, whereas landscapes with a low capacity to absorb development include open, expansive and bare landscapes (page 31). The Site has an undulating topography and considerable tree cover, particularly around its central and south-eastern areas, which lend it an inherent ability to assimilate and accommodate new development. However, this inherent ability would also be strengthened by the creation of additional new areas of woodland and structural landscaping along the northern and western boundaries and along the AWPR corridor which in turn would benefit both the visual amenity of the proposals and create important new habitats and landscape features.
- 6.11 The detailed visual appraisal, summarised above, identifies that views obtained towards the site are predominantly near distance views from local roads. Middle distance views are located to the west of the Site whilst longer distance views are only obtained from the local roads adjacent to the cemetery at Maryculter on the southern side of the River Dee Valley. The parts of the Site which are most visually contained are towards the central and lower south-eastern part of the Site, and those which are less suitable for built development by virtue of greater visual exposure from the opposite side of the valley are towards the more exposed and elevated northern part of the Site to the north of Nether Beanshill and in the vicinity of the barn and the property Dalriach in the vicinity of Hill Farm.
- 6.12 It is evident from Site Context Photographs Nos. 9 and 10 that it is difficult to perceive the Site from the opposite side of the valley, as woodland vegetation in the vicinity of the Site curtails views in to the Site. On elevated areas of the Dee Valley in the vicinity of Maryculter Cemetery, the farm at Nether Beanshill, the property Dalriach and the barn east of this property are visible. However, such visibility is over considerable distance and the development would only be seen when very clear atmospheric conditions allow. Where visible, development would appear associated with the AWPR and include further woodland planting which would reinforce a strong and long term robust settlement edge. Accordingly, there would be no unacceptable change in views obtained of the Site from the south, across the Dee valley.
- 6.13 On this basis, the Development Framework proposed addresses the visual issues arising from the visual assessment. It also, respects the key views and accords with the guidance at local, regional and national level that visual amenity should be considered in the development of proposals for residential and mixed use development. This includes regard to the Visual Assessment criterion (Analysis H) of PAN 44.

- 6.14 In conclusion, and in relation to landscape and visual matters, development could be accommodated on the Site without unacceptable adverse effects on the visual amenity of the wider landscape.

Impact on Coalescence/ Identity of Suburbs

- 6.15 The impact of development on the Site on the suburbs of Peterculter and Milltimber and their potential for physical or perceptual coalescence has historically been raised as an issue in consideration of the development potential of part of this Site. However the issue of the impact on the identity of the suburbs of Peterculter and Milltimber and the potential for coalescence is now negated by the AWPR between these two suburbs and through the Site. The context of the Site and these suburbs will therefore inevitably change with a significant urbanisation of the Site and the built up area of Milltimber with a perceptually strong urbanising element constructed between these suburbs.
- 6.16 The proposed development responds to the impact of the AWPR through the Site and incorporates an appropriate land use of employment built form as an integral component of this development, with further woodland planting used to soften and offset the urbanising impacts of the AWPR between adjoining settlements. This woodland edge responds to the Site's topography and is considered to provide a defensible settlement edge that contains the perceived impact of development from adjoining areas of countryside. Any visual effects of urban development in views from the west and north will therefore remain contained within the Site, with potential views of the gyratory and employment built forms softened and absorbed by substantial new woodland planting which responds to the localised gentle ridgeline in this location. Any subsequent sense of perceptual coalescence between Peterculter would therefore be avoided. While development reduces this physical separation between Peterculter and Milltimber, this remains contained by a reinforced woodland edge and responds to the topographical containment within the Site.

Impact on Setting of Aberdeen/Aberdeen Green Belt

- 6.17 Although the Site is not included specifically within the Green Belt Review which accompanies the Proposed Plan, this document identifies the Site as being included within Area G: Deeside which includes most of the Lower Deeside Ward including the River Dee valley and the settlements of Peterculter, Milltimber, Bieldside and Cults. Under the heading 'Areas considered unsuitable for development' it states that:

"All the settlements are well contained by the 90-95m contour on the northern side of the Dee Valley. Maintaining this as a northern limit to their development will help to prevent urban sprawl northwards where it would be isolated from the main

transport corridors along the North Deeside Road and Deeside Line."

- 6.18 The 90-95 metre contour limit is a relatively broad brush approach to setting the development limit. It does not take account of the differing levels of topographical variation and varying containment and landscape types which can be identified across this wider area. The development area proposed within the Site extends beyond the 90-95m contour, extending to 115 m at its highest point. The intent of identifying this contour as the development limit seeks to ensure that development remains well contained within the northern side of the Dee Valley.
- 6.19 Given that the Site makes no meaningful contribution to the setting of Aberdeen with no visual connectivity, it is considered that including land beyond the 90-95m contour would not result in visual or physical harm to the quality, character, landscape setting and identity of Milltimber. The Green Belt Review does not take into account the radical change in character that would occur as a result of the AWPR. Development as proposed above the 90-95m contour would be seen in this changed context and would be a less significant feature than the night time lighting and vehicular movement associated with the AWPR. In addition the proposed development as shown in the development framework would remain associated with the main transport corridor of the AWPR as well as provide enhanced recreational access and open space within and around Milltimber.
- 6.20 Given the above factors it is inappropriate to allocate this Site as part of the Green Belt, since it will either preclude development on a site widely acknowledged to be suitable for development (particularly in the light of the location of the AWPR). Furthermore, it is only through development that the recreational potential of the woodlands on the Site is likely to be realised, thereby realising the aims of the Structure and Local Plan Policy to enhance the recreation capability of the Green Belt and the specific objectives relating to the Green Space Network.

7.0 CONCLUSIONS

- 7.1 The Site at Contlaw covers an area of approximately 75.0 hectares and lies some 10 kilometres from Aberdeen city centre. It is characterised by a patchwork of fields of varying size within both pasture and arable use, and with regards the future baseline, part of the AWPR route. The Site is located immediately to the west of Contlaw Road and the residential suburb of Milltimber; north and south of Contlaw Road in the vicinity of Hill Farm, and north, west and south of Nether Beanshill. The Site lies to the north of Culter House Road and the A93 North Deeside Road.
- 7.2 The landform in the vicinity of the Site is sloping and undulating, essentially forming part of a north-westerly sloping valley-side. To the south, the land falls from around 66-67 metres AOD, at the lowest part of the Site, down to the valley of the River Dee located 1 kilometre to the south of the Site. To the north of the Site the land continues to rise from a high point of approximately 115 metres AOD to a prominent local ridgeline at up to 148 metres AOD close to Beanshill House. Within the Site there is a general fall from 115 metres AOD in the north-western part of the Site down to around 66 metres AOD in the south-eastern part of the Site. However, undulations are created by a localised ridgeline extending through the Site in the vicinity of Nether Beanshill, in a roughly north to south direction, as well as a depression within the landform through the central area of the Site that feeds into a more defined valley landform, falling in a south-easterly direction. This landform feeds a drainage ditch which runs along much of the eastern boundary of the Site (partly culverted) and another somewhat larger burn located in the southern part of the Site, crossing through the western part of the existing woodland in this area.
- 7.3 The sub-division of the landscape into a number of fields of pasture and arable land, by hedgerows, low stone walls, tree belts and larger woodland areas, together with the topography, provide enclosure and containment, although the ridgelines of locally elevated land within the area are visible in a number of views across the local landscape. The ridgelines act as visual horizons and provide containment to the lower lying land and the intervening valleys. The existing woodland and tree belts in the vicinity of the Site, particularly to the south-west and south-east provide enclosure and containment and a strong existing landscape framework to the area and tie the Site to the built up edge of Milltimber.
- 7.4 The visual appraisal confirms that views towards the Site are limited and are restricted to localised views from Contlaw Road to the east and north and Core Path 51 and Culter House Road to the west. Views from elsewhere are either observed over significant distances or

screened by the retention of the existing woodland planting surrounding the Site, and intervening topographical variation and vegetation.

- 7.5 Parts of the Site are more visually accessible than others, with the lower lying areas, including the hollow and woodland clearings being less prominent than the more elevated areas to the north of the Site, for example in the vicinity of Nether Beanshill and Dalriach. However, despite the fact that the land on the Site slopes north-west to south-east, and Nether Beanshill and Dalriach and the barn located immediately adjacent to the north-east boundary are the most visually prominent features in views from the opposite side of the valley, the topographical variation means that the land between Nether Beanshill and Dalriach is on a stepped plateau and therefore to the south flattens out into a localised basin. This effectively means that built forms in the centre of the Site would be difficult to perceive in long distance views. On this basis, and provided development is sensitively located in respect of the findings of the visual appraisal, the proposed development of parts of the Site as shown on the Development Framework Plan could readily occur without any unacceptable adverse impacts upon landscape features or visual amenity.
- 7.6 The proposed development would retain a wooded context in the south-eastern area of the Site and as a result of the development proposals would increase its recreation opportunities as it would form part of the Green Space Network by providing passive recreational connectivity between the woodland east of West Lodge and the western part of woodland W1 which is to be retained.
- 7.7 No areas of healthy vegetation that are significant in landscape or visual terms would be lost as a result of the proposals and the proposed woodland management and addition of new areas of structural planting of local provenance would be entirely in character with the wider landscape. A tree management report would also be prepared to include management guidance and recommendations in relation to the good quality retained parts of the existing plantation and its close proximity to any proposed housing. This would lead to a positive enhancement of the landscape features of the Site in accordance with the various policies at the national, regional and local level and would also lead to enhanced public access, amenity and safety of the Site, thereby being consistent with the ethos of the Green Space Network Strategy.
- 7.8 The form of development proposed maintains the existing woodland context and ensures development is set down within the diverse and undulating topography in order to minimise visual impacts. Development avoids breaching the horizon observed along the opposite side of the River Dee Valley, with further woodland planting proposed in association with significant areas of open space, in order to define a definitive settlement edge and integrate development into the surrounding landscape. The scale of development is therefore

assimilated along the southern edge of the larger wooded farmland landscape and generally contained from view.

- 7.9 The issue of the impact on the identity of the suburbs of Peterculter and Milltimber and the potential for coalescence is now negated by the defined edge provided by the future baseline of the AWPR between these two suburbs and through the Site. The context of the Site and these suburbs will therefore inevitably change as a result of this major transport infrastructure; including a significant urbanisation of the Site and the built up area of Milltimber and the perceptually strong urbanising element constructed between these suburbs.
- 7.10 Given that the Site makes no meaningful contribution to the setting of Aberdeen with no visual connectivity, it is considered that including land beyond the 90-95m contour would not result in visual or physical harm to the quality, character, landscape setting and identity of Milltimber. The Green Belt Review does not take into account the radical change in character that would occur as a result of the AWPR. Development as proposed above the 90-95m contour would be seen in this changed context and would be a less significant feature than the night time lighting and vehicular movement associated with the AWPR. In addition the proposed development as shown in the Development Framework would remain associated with the main transport corridor of the AWPR as well as provide enhanced recreational access and open space within and around Milltimber.
- 7.11 Given the above factors it is inappropriate to allocate the Site as part of the Green Belt, since it will preclude development on a Site widely acknowledged to be suitable for development (particularly in the light of the location of the AWPR). Furthermore, it is only through development that the recreational potential of the woodlands on the Site is likely to be realised, thereby realising the aims of the Structure and Local Plan Policy to enhance the recreation capability of the Green Belt and the specific objectives relating to the Green Space Network.
- 7.12 In conclusion the Site would be well suited to accepting the proposed quantum and mix of development proposed, as illustrated on the development framework and sensitive development of this area would not result in unacceptable adverse landscape or visual effects. No significant landscape or visual features would be affected as a result of the proposals, with development responding positively to the urbanising influence of the AWPR which will completely transform the context of the Site and the western part of Milltimber. Green space links through the Site are also reinforced as a result of this development.

7.13 It is therefore respectfully requested that the Site at Contlaw be removed from the Green Belt and Green Space Network and be included as a preferred development site within the Proposed Aberdeen City Local Development Plan.

i The Scottish Government, National Planning Policy Framework 3: A Plan for Scotland: Ambition, Opportunity, Place, <http://www.gov.scot/Topics/Built-Environment/planning/NPF3-SPP-Review/NPF3>

ii The Scottish Government, Scottish Planning Policy, 2014, <http://www.gov.scot/Resource/0045/00453827.pdf>

iii The Scottish Government, Creating Places - A policy Statement on architecture and place for Scotland, <http://www.gov.scot/Publications/2013/06/9811/downloads#res-1>

iv PAN 44: Fitting New Housing Development into the Landscape <http://www.gov.scot/Publications/2005/04/01145231/52326>

v The Scottish Government, Planning Advice Note Housing in the Countryside, <http://www.gov.scot/Publications/2005/02/20637/51636>

vi The Scottish Government, Planning Advice Note Masterplanning, <http://www.gov.scot/Publications/2008/11/10114526/0>

vii The Scottish Government, Green Infrastructure: Design and Placemaking <http://www.gov.scot/Publications/2011/11/04140525/5>

viii Aberdeen City and Shire Structure Development Plan, March 2014, <http://www.aberdeencityandshire-sdpa.gov.uk/nmsruntime/saveasdialog.asp?IID=1111&sID=149>

ix Aberdeen City Council, Aberdeen Local Development Plan, Main Issues Report, January 2014, <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=54146&sID=24188>

x Aberdeen City Council, Green Belt Review, <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=31732&sID=14344>

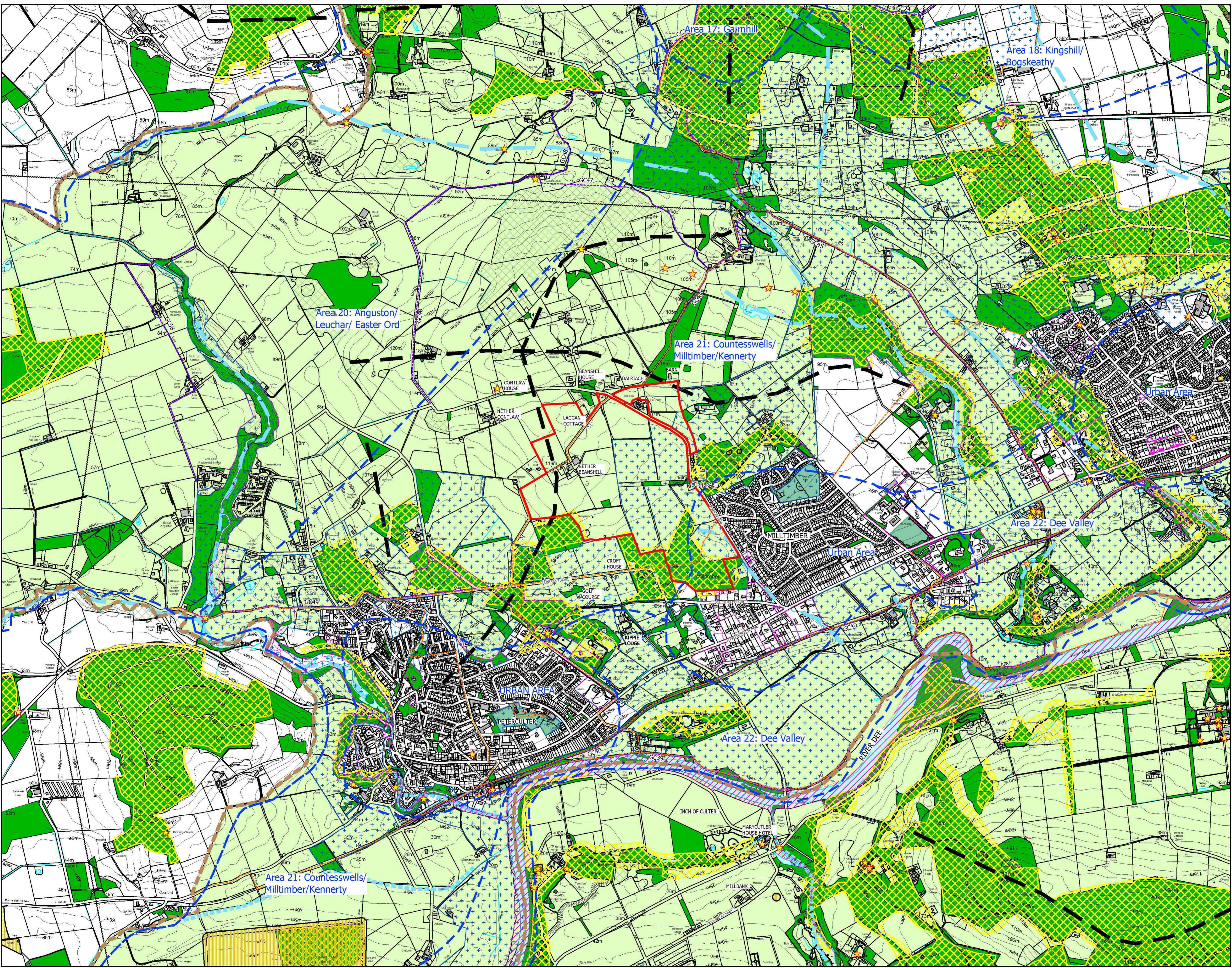
xi Aberdeen Local Development Plan, http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_local_development_plan.asp

xii Aberdeen Local Development Plan, Supplementary Guidance Topic: Landscape Guidelines, March 2012, <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=31802&sID=14394>


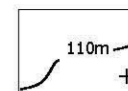


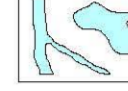
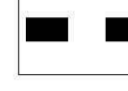
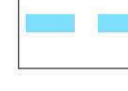

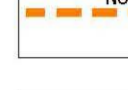
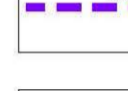





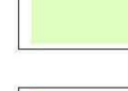
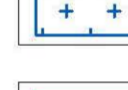
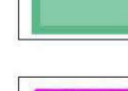

xiii Aberdeen Local Development Plan, Supplementary Guidance Topic: Trees and Woodland, March 2012, <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=31830&sID=14394>

xiv Core Paths Plan, Map Guide, April 2009, <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=25258&sID=3159>

xv Scottish Natural Heritage, No.80 Landscape Character Assessment of Aberdeen, 1996, <http://www.snh.org.uk/pdfs/publications/review/080.pdf>



LEGEND

-  SITE BOUNDARY
-  CONTOURS/SPOT HEIGHTS (METRES AOD) ^
-  EXISTING WOODLANDS, COPSES AND TREE BELTS ^
-  EXISTING SCRUB ^
-  EXISTING WATER COURSES ^
-  RIDGELINES
-  VALLEYS
-  LOCAL AUTHORITY BOUNDARY
-  CORE PATHS / ASPIRATIONAL PATHS
-  RIGHTS OF WAYS VINDICATED, CLAIMED, ASSERTED, ANOMALY, OTHER ROUTES ** (2010 Data)
-  LISTED BUILDING ~
-  SCHEDULED ANCIENT MONUMENT ~
-  TREE PRESERVATION ORDER ~~~ (2010 Data)
-  LANDSCAPE CHARACTER AREAS #
-  ANCIENT WOODLAND INVENTORY ##
- LANDSCAPE & PLANNING DESIGNATIONS**
-  GREEN BELT ++
-  GREEN SPACE NETWORK ++
-  URBAN GREEN SPACE ++
-  SPECIAL AREA OF CONSERVATION ##

SOURCE:
 ^ OS MAPPING
 * ABERDEEN CITY COUNCIL - CORE PATHS ADOPTED APRIL 2009
 ** SCOTWAYS
 ~ HISTORIC SCOTLAND
 ~~~ ABERDEEN CITY COUNCIL  
 # LANDSCAPE CHARACTER ASSESSMENT OF ABERDEEN, No. 80, 1996  
 ## SCOTTISH NATURAL HERITAGE'S GIS DATA  
 ++ THE ABERDEEN LOCAL DEVELOPMENT PLAN, 2012

**FIGURE 1**

Project  
**LAND AT CONTLAW,  
 MILLTIMBER, ABERDEEN**  
 Drawing Title  
**SITE CONTEXT PLAN**

Date 29.05.2015 Scale 1:10,000@A1 Drawn by MN Check by RH  
 Project No 18889 Drawing No L1 Revision -












**BARTON WILLMORE**  
 Planning • Master Planning & Urban Design  
 Architecture • Landscape Planning & Design • Project Services  
 Environmental & Sustainability Assessment • Graphic Design  
 bartonwillmore.co.uk

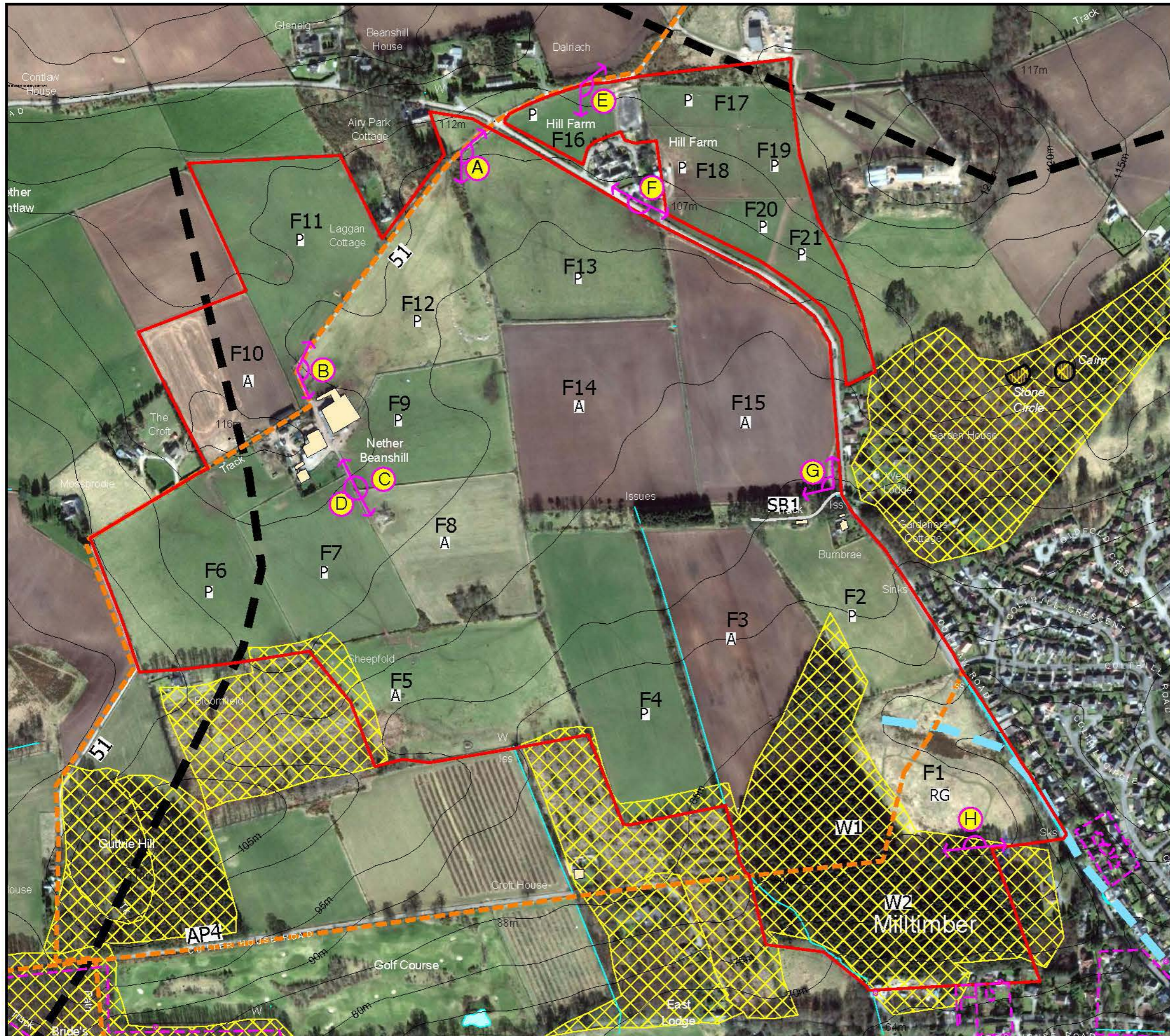
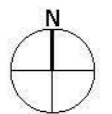


The scaling of this drawing cannot be assured

Revision \_\_\_\_\_ Date \_\_\_\_\_ Drn \_\_\_\_\_ Ckd \_\_\_\_\_

**LEGEND**

-  SITE BOUNDARY
-  CONTOURS/SPOT HEIGHTS (METRES AOD)
-  ANCIENT WOODLAND
-  RIDGELINES
-  VALLEYS
-  EXISTING CORE PATH / ASPIRATIONAL PATHS
-  SCHEDULED ANCIENT MONUMENT
-  TREE PRESERVATION ORDER (2010 Data)
-  FIELD REFERENCE NUMBER  
A: ARABLE  
P: PASTURE  
RG: ROUGH GRASSLAND
-  VEGETATION REFERENCE NUMBER  
W: WOODLAND  
SB: TREE BELT
-  LOCATION OF PHOTOGRAPHIC VIEWPOINTS (SITE APPRAISAL PHOTOGRAPHS A-H)



# FIGURE 2

Project  
**LAND AT CONTLAW,  
 MILLTIMBER, ABERDEEN**

Drawing Title  
**SITE APPRAISAL PLAN**

|                     |                     |                |                |
|---------------------|---------------------|----------------|----------------|
| Date<br>29.05.2015  | Scale<br>1:5,000@A3 | Drawn by<br>MN | Check by<br>RH |
| Project No<br>18889 | Drawing No<br>L2    |                | Revision<br>-  |



Planning • Master Planning & Urban Design  
 Architecture • Landscape Planning & Design • Project Services  
 Environmental & Sustainability Assessment • Graphic Design


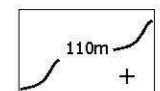












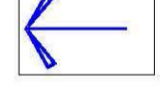
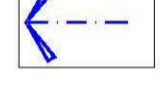


[bartonwillmore.co.uk](http://bartonwillmore.co.uk)



Offices at Reading London Bristol Cambridge Cardiff Ebbw Vale Edinburgh Leeds Manchester Solihull



**LEGEND**

-  SITE BOUNDARY
-  CONTOURS/SPOT HEIGHTS (METRES AOD) ^
-  EXISTING WOODLANDS, COPSES AND TREE BELTS ^
-  EXISTING SCRUB ^
-  EXISTING WATER COURSES ^
-  RIDGELINES
-  VALLEYS
-  LOCAL AUTHORITY BOUNDARY
-  CORE PATHS / ASPIRATIONAL PATHS \*
-  RIGHTS OF WAYS VINDICATED, CLAIMED, ASSERTED, ANOMALY, OTHER ROUTES \*\* (2010 Data)
-  LISTED BUILDING ~
-  ANCIENT MONUMENT ~
-  TREE PRESERVATION ORDER ~~~ (2010 Data)
-  ANCIENT WOODLAND INVENTORY ##
- VISUAL APPRAISALS**
-  OPEN VIEWS
-  PARTIAL VIEWS
-  TRUNCATED / NO VIEWS
-  LOCATION OF PHOTOGRAPHIC VIEWPOINTS (SITE CONTEXT PHOTOGRAPHS: 1-10)

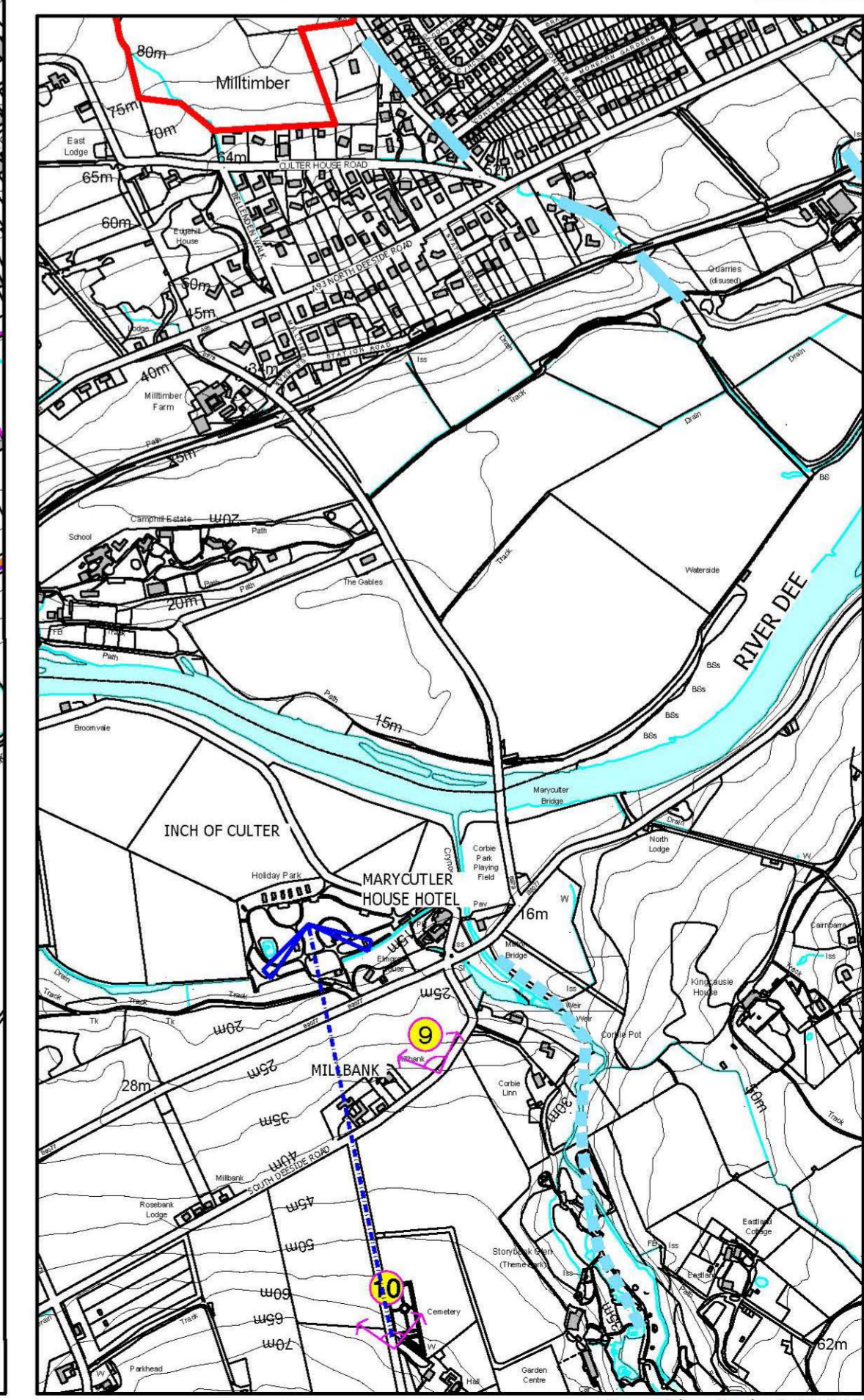
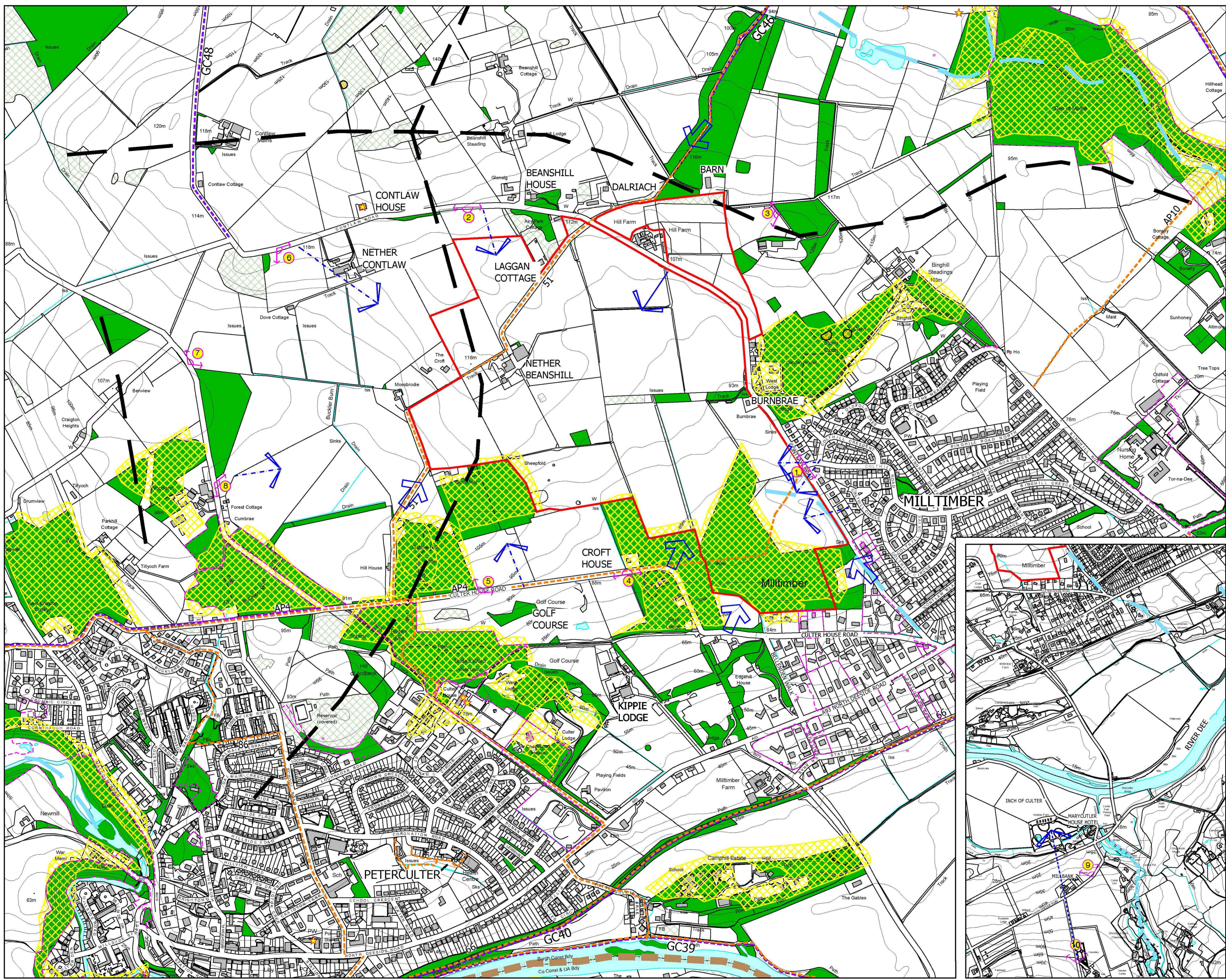
**SOURCE:**  
 ^ OS MAPPING  
 \* ABERDEEN CITY COUNCIL - CORE PATHS ADOPTED APRIL 2009  
 \*\* SCOTWAYS  
 ~ HISTORIC SCOTLAND  
 ~~~ ABERDEEN CITY COUNCIL  
 ## LANDSCAPE CHARACTER ASSESSMENT OF ABERDEEN, No. 80, 1996
 ### SCOTTISH NATURAL HERITAGE'S GIS DATA

FIGURE 3

Project: **LAND AT CONTLAW, MILLTIMBER, ABERDEEN**
 Drawing Title: **VISUAL APPRAISAL PLAN**

| | | | |
|-------------------|-------------------|--------------|--------------|
| Date: 29.05.2015 | Scale: 1:5,000@A1 | Drawn by: MN | Check by: RH |
| Project No: 18889 | Drawing No: L3 | Revision: - | |

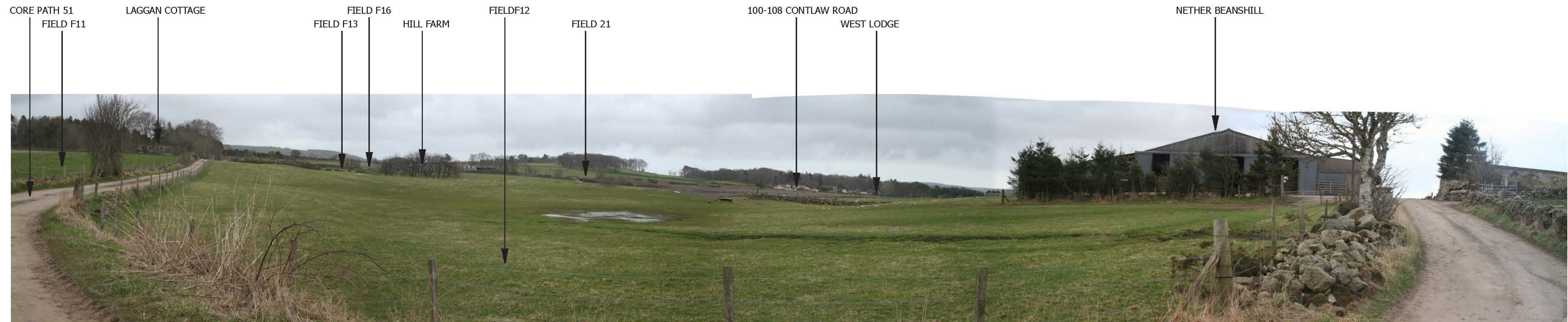
BARTON WILLMORE
 Planning • Master Planning & Urban Design
 Architecture • Landscape Planning & Design • Project Services
 Environmental & Sustainability Assessment • Graphic Design
 bartonwillmore.co.uk



Inset Plan Scale 1:10,000



SITE APPRAISAL PHOTOGRAPH A



SITE APPRAISAL PHOTOGRAPH B

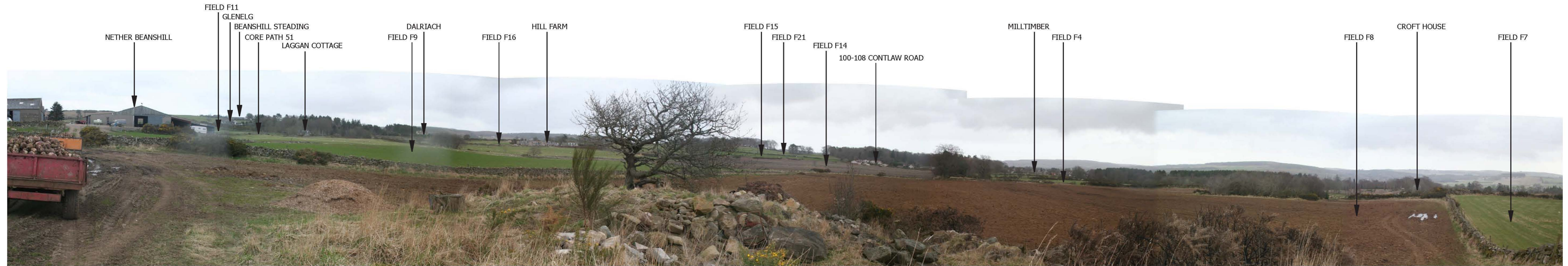
**LAND AT CONTLAW,
ABERDEEN**

**SITE APPRAISAL
PHOTOGRAPHS**

APRIL 2010

JOB NUMBER: 18889





SITE APPRAISAL PHOTOGRAPH C



SITE APPRAISAL PHOTOGRAPH D

**LAND AT CONTLAW,
ABERDEEN**

**SITE APPRAISAL
PHOTOGRAPHS**

APRIL 2010

JOB NUMBER: 18889

**BARTON
WILLMORE**



SITE APPRAISAL PHOTOGRAPH E



SITE APPRAISAL PHOTOGRAPH F

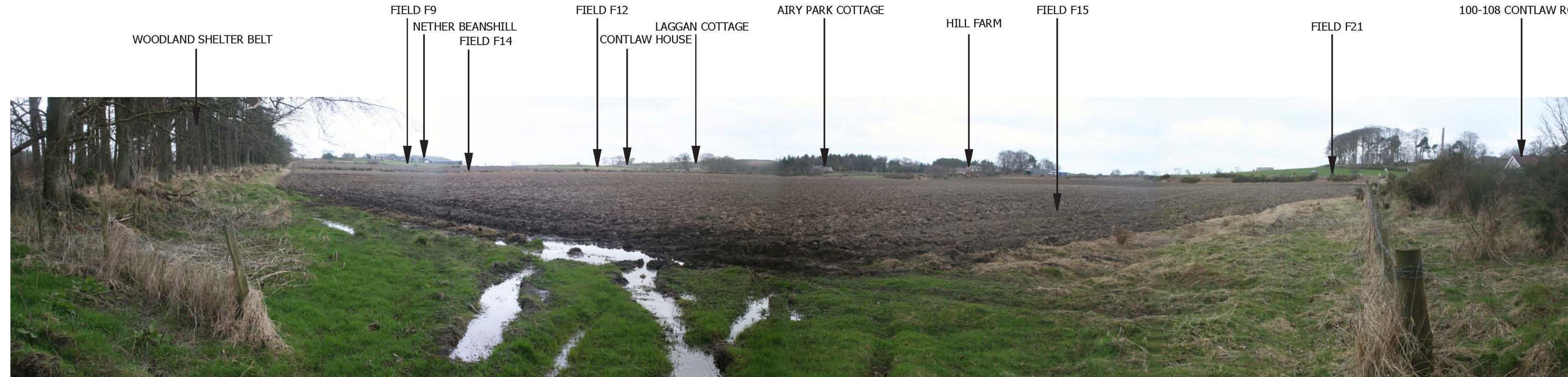
**LAND AT CONTLAW,
ABERDEEN**

**SITE APPRAISAL
PHOTOGRAPHS**

APRIL 2010

JOB NUMBER: 18889

**BARTON
WILLMORE**



SITE APPRAISAL PHOTOGRAPH G



SITE APPRAISAL PHOTOGRAPH H

**LAND AT CONTLAW,
ABERDEEN**

**SITE APPRAISAL
PHOTOGRAPHS**

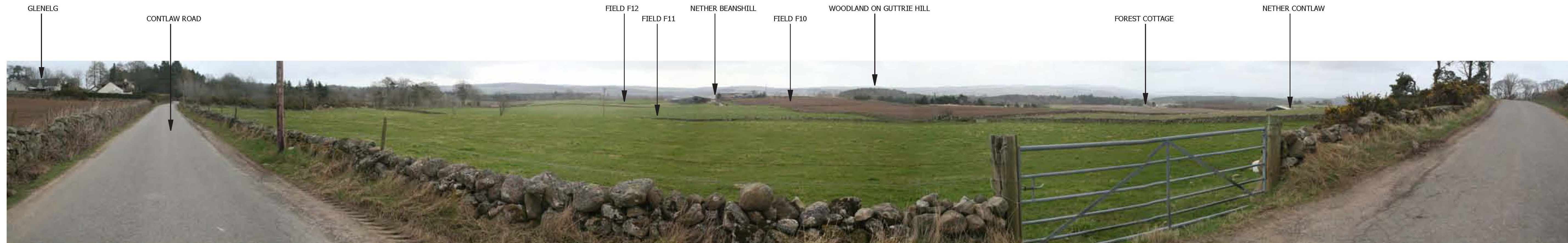
APRIL 2010

JOB NUMBER: 18889





SITE CONTEXT PHOTOGRAPH 1: TAKEN FROM THE INTERSECTION BETWEEN CONTLAW ROAD AND COLTHILL ROAD LOOKING EAST TOWARDS THE SITE.



SITE CONTEXT PHOTOGRAPH 2: TAKEN FROM CONTLAW ROAD LOOKING SOUTH TOWARDS THE SITE

**LAND AT CONTLAW,
ABERDEEN**

**SITE CONTEXT
PHOTOGRAPHS**

APRIL 2010

JOB NUMBER: 18889





SITE CONTEXT PHOTOGRAPH 3: TAKEN FROM LOCALISED HIGH POINT TO THE NORTH-EAST OF THE SITE



SITE CONTEXT PHOTOGRAPH 4: TAKEN FROM CULTER HOUSE ROAD LOOKING NORTH TOWARDS THE SITE

**LAND AT CONTLAW,
ABERDEEN**

**SITE CONTEXT
PHOTOGRAPHS**

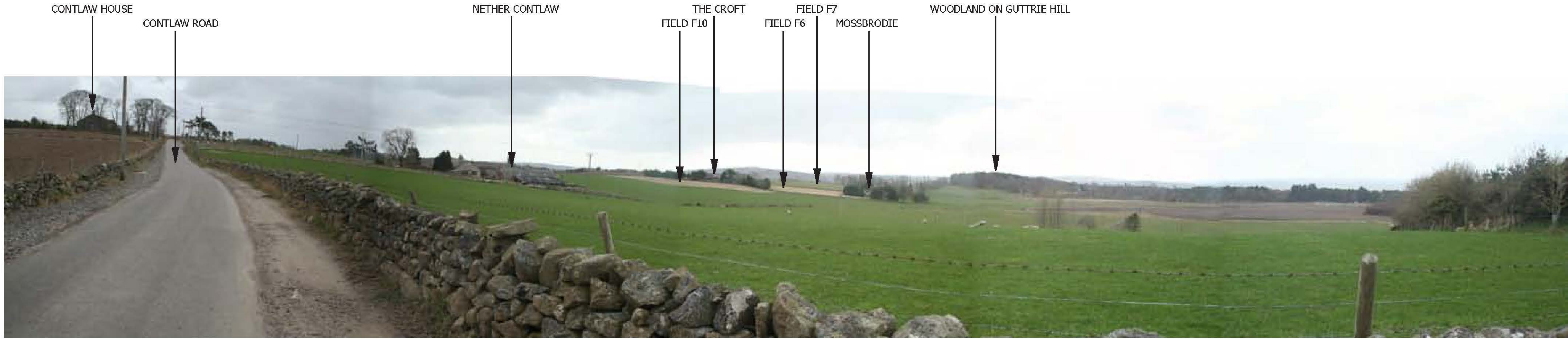
APRIL 2010

JOB NUMBER: 18889





SITE CONTEXT PHOTOGRAPH 5: TAKEN FROM CULTER HOUSE ROAD LOOKING NORTH-EAST TOWARDS THE SITE



SITE CONTEXT PHOTOGRAPH 6: TAKEN FROM CONTLAW ROAD LOOKING SOUTH TOWARDS THE SITE

**LAND AT CONTLAW,
ABERDEEN**

**SITE CONTEXT
PHOTOGRAPHS**

APRIL 2010

JOB NUMBER: 18889





SITE CONTEXT PHOTOGRAPH 7: TAKEN FROM CUTLER HOUSE ROAD LOOKING EAST TOWARDS THE SITE



SITE CONTEXT PHOTOGRAPH 8: TAKEN FROM CUTLER HOUSE ROAD IN THE VICINITY OF FOREST COTTAGE LOOKING EAST TOWARDS THE SITE

**LAND AT CONTLAW,
ABERDEEN**

**SITE CONTEXT
PHOTOGRAPHS**

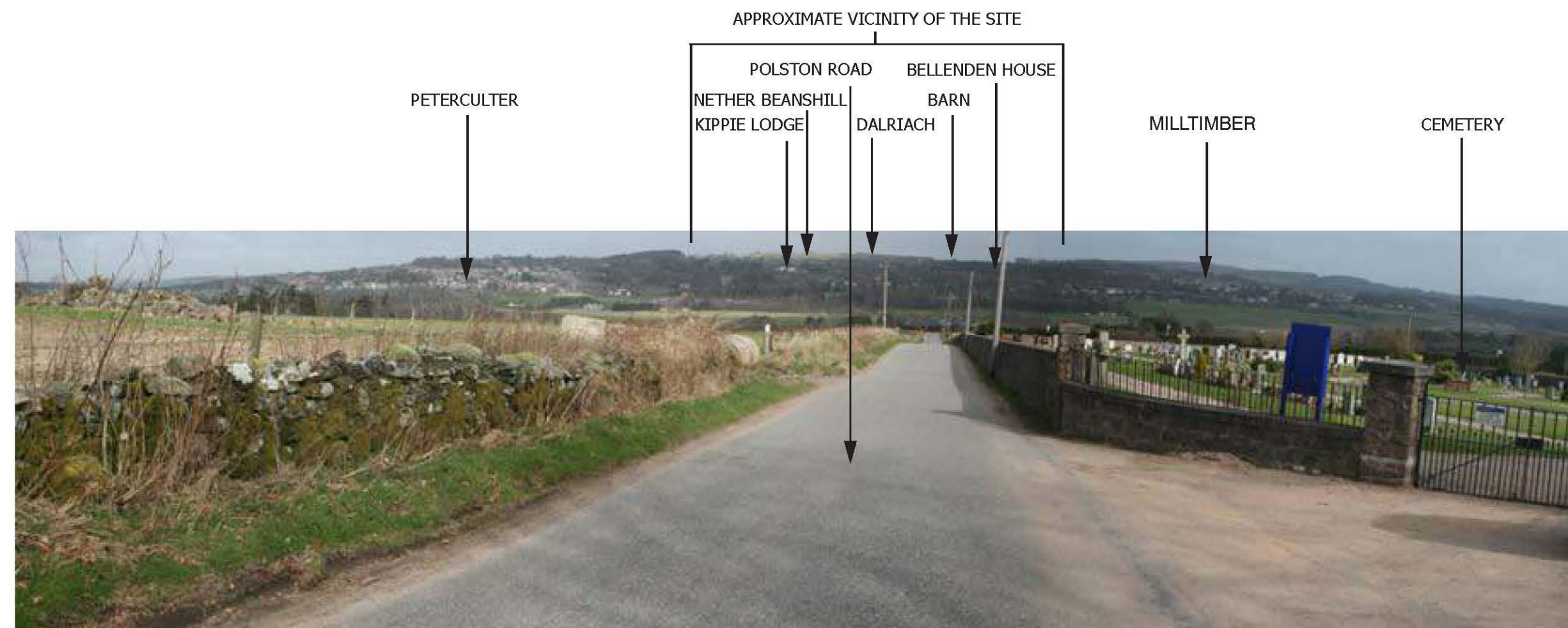
APRIL 2010

JOB NUMBER: 18889

**BARTON
WILLMORE**



SITE CONTEXT PHOTOGRAPH 9: TAKEN FROM LOCAL ROAD TO KIRKTON OF MARYCULTER LOOKING NORTH



SITE CONTEXT PHOTOGRAPH 10: TAKEN FROM ROAD ADJACENT MARYCULTER CEMETERY

**LAND AT CONTLAW,
ABERDEEN**

**SITE CONTEXT
PHOTOGRAPHS**

APRIL 2010

JOB NUMBER: 18889

**BARTON
WILLMORE**

