



Viewmount Arduthie Road Stonehaven AB39 2DQ Tel: 01467 534333 Email: [planningonline@aberdeenshire.gov.uk](mailto:planningonline@aberdeenshire.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100626164-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Type of Application

What is this application for? Please select one of the following: \*

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Erection of three bedroom dwellinghouse and installation of septic tank and soakaway

Is this a temporary permission? \*  Yes  No

If a change of use is to be included in the proposal has it already taken place?  
(Answer 'No' if there is no change of use.) \*  Yes  No

Has the work already been started and/or completed? \*

No  Yes – Started  Yes - Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

|                       |                       |  |                 |
|-----------------------|-----------------------|--|-----------------|
| Company/Organisation: | Sylvan Stuart Ltd     |  |                 |
| Ref. Number:          |                       | You must enter a Building Name or Number, or both: * |                 |
| First Name: *         | Douglas               | Building Name:                                       | Pitmachie Works |
| Last Name: *          | Irvine                | Building Number:                                     |                 |
| Telephone Number: *   | 01464 851208          | Address 1 (Street): *                                | Old Rayne       |
| Extension Number:     |                       | Address 2:   |                 |
| Mobile Number:        |                       | Town/City: *   | Insch           |
| Fax Number:           |                       | Country: *   | UK              |
|                       |                       | Postcode: *  | AB52 6RX        |
| Email Address: *      | doug@sylvanstuart.com |  |                 |

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

|                      |                                 |  |                      |
|----------------------|---------------------------------|--|----------------------|
| Title:               | Other                           | You must enter a Building Name or Number, or both: * |                      |
| Other Title:         | Mr & Mrs                        | Building Name:                                       |                      |
| First Name: *        | Austen and Mhairi               | Building Number:                                     | 30                   |
| Last Name: *         | Player                          | Address 1 (Street): *                                | North Anderson Drive |
| Company/Organisation | Trading as Berwick Wood Produce | Address 2:   |                      |
| Telephone Number: *  |                                 | Town/City: *   | Aberdeen             |
| Extension Number:    |                                 | Country: *   | Scotland             |
| Mobile Number:       |                                 | Postcode: *  | AB15 5DA             |
| Fax Number:          |                                 |  |                      |
| Email Address: *     | berwickwoodproduce@gmail.com    |  |                      |

## Site Address Details

Planning Authority:

Aberdeenshire Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

817995

Easting

384075

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Site Area

Please state the site area:

2645.00

Please state the measurement type used:

Hectares (ha)  Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

Mature coniferous woodland

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

Yes  No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*  Yes  No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

2

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? \*

2

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

Yes  No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? \*

- Yes – connecting to public drainage network  
 No – proposing to make private drainage arrangements  
 Not Applicable – only arrangements for water supply required

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? \*

- New/Altered septic tank.  
 Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).  
 Other private drainage arrangement (such as chemical toilets or composting toilets).

What private arrangements are you proposing for the New/Altered septic tank? \*

- Discharge to land via soakaway.  
 Discharge to watercourse(s) (including partial soakaway).  
 Discharge to coastal waters.

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: \*

Septic tank and soakaway

Do your proposals make provision for sustainable drainage of surface water?? \*  
(e.g. SUDS arrangements) \*

Yes  No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? \*

- Yes  
 No, using a private water supply  
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*

Yes  No  Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*

Yes  No  Don't Know

## Trees

Are there any trees on or adjacent to the application site? \*

Yes  No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*

Yes  No

If Yes or No, please provide further details: \* (Max 500 characters)

Existing hardstanding for wheeled bins at end of public road

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

Yes  No

How many units do you propose in total? \*

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

Yes  No

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) \*

Yes  No  Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*  Yes  No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*  Yes  No

Is any of the land part of an agricultural holding? \*  Yes  No

Are you able to identify and give appropriate notice to ALL the other owners? \*  Yes  No

If you cannot trace all the other owners, can you give the appropriate notice to one or more owner? \*  Yes  No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate C

## Certificates

The certificate you have selected requires you to distribute copies of the Notice 1 document below to all of the Owners/Agricultural tenants that you provided previously. Please note that your planning authority may be required to place an advertisement in a local newspaper. You may wish to contact the planning authority for further guidance.

Notice 1 is required

I understand my obligations to provide the above notice before I can complete the certificates. \*

# Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that – (1) –

I am/The applicant is unable to issue a certificate in accordance with Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 and in respect of the accompanying application;

(2) - No person other than myself/the applicant was an owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

or –

(3) - I have/the applicant has been unable to serve notice on any person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application, was owner [Note 2] of any part of the land to which the application relates.

or –

(2) - I have/The applicant has served notice on each of the following persons other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application, was owner [Note 2] of any part of the land to which the application/appeal was owner [Note 2] of any part of the land to which the application relates.

Name:

Address:

Date of Service of Notice: \*

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: \*

(4) – I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or agricultural tenants and \*have/has been unable to do so –

Multiple properties have rights of access to use the private road, but ownership of access road is unclear.

Signed: Douglas Irvine

On behalf of: Mr & Mrs Austen and Mhairi Player

Date: 09/05/2023

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

Yes  No  Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

Yes  No  Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

Yes  No  Not applicable to this application



g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: \* (Max 500 characters)

Provide copies of the following documents if applicable:

- |  |   |   |
|--|---|---|
| A copy of an Environmental Statement. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. *                                   | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A            |
| A Flood Risk Assessment. *   | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. *  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A            |
| A Transport Assessment or Travel Plan  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| Habitat Survey. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

## Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Douglas Irvine

Declaration Date: 09/05/2023

## Payment Details

Pay Direct

Created: 09/05/2023 12:18

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

**Application Reference: APP/2023/0889**

TO: Sylvan Stuart Ltd  
Pitmachie Works  
Old Rayne  
Insch  
Aberdeenshire  
AB52 6RX

FOR: Berwick Wood Produce  
30 North Anderson Drive  
Aberdeen  
AB15 5DA

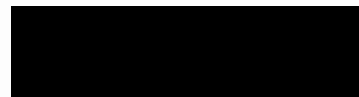
In pursuance of the powers exercised by them as Planning Authority, this Council having considered your application for the following:

**Full Planning Permission for Erection of Dwellinghouse and Retrospective Ground Based Solar Panels at Site at Berwick Wood, Hatton of Fintray**

and in accordance with the plan(s) docquetted as relative hereto and the particulars given in the application, do hereby give notice of their decision to **REFUSE Full Planning Permission** for the following reason(s):

- ( 1) The planning authority considers that the application is for a development which is not in accordance with the policies contained within National Planning Framework 4 nor the Aberdeenshire Local Development Plan 2023. The proposed development does not meet the policy requirements to justify an essential need for an on site presence for a worker associated with an existing rural enterprise. There are no other criteria within the exemptions stated in policy that apply to the site in question. The proposed development therefore does not comply with NPF4 Policy 17 Rural homes and ALDP23 Policy R2 Development Proposals Elsewhere in the Countryside.

Dated: 16 February 2024



**Paul Macari**  
**Head of Planning and Economy**

**List of Plans and Drawings**

Reference Number: Proposed compensatory planting  
Reference Number: PLA001.23PP Version B Ground Floor Plan  
Reference Number: PLA006.23PP Access Road & Bin Storage  
Reference Number: PLA101.23PP Version A Location Plan

**IMPORTANT – THIS IS A LEGAL DOCUMENT PLEASE RETAIN WITH YOUR  
TITLE DEEDS**

Reference Number: PLA003.23PP Version A Elevations  
Reference Number: PLA004.23PP Version A Cross Section  
Reference Number: PLA103.23PP Version B Site Plan (Full Site)  
Reference Number: PLA102.23PP Version B Site Plan  
Reference Number: PLA105.23PP PV Panels  
Reference Number: PLA002.23PP Version B First Floor Plan

Stamped copies of any plans and the decision notice associated with your application are available to view and can be downloaded through our Planning - Public Access [Register](#) by searching for your application using the application reference number.

## NOTES

- (i) In the case of any permission granted, this does NOT incorporate any building warrant for any operations or change of use which may be required under the Building (Scotland) Act 2003. This must be obtained separately from the Council prior to the start of building operations.
- (ii) Any permission granted does not incorporate any listed building consent which may be required. This must be obtained separately prior to the start of building operations.
- (iii) Any permission granted is without prejudice to any further consents required from Aberdeenshire Council in its role as landowner.
- (iv) If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. A Notice of Review form should be obtained from and submitted to:

Head of Legal and People  
Aberdeenshire Council  
Woodhill House  
Westburn Road  
Aberdeen  
AB16 5GB

Tel: 01467 532862

Email: [localreviewbodysubmissions@aberdeenshire.gov.uk](mailto:localreviewbodysubmissions@aberdeenshire.gov.uk)

A form may also be obtained from the Council's website at - [Aberdeenshire Council - Committees and Meetings](#)

- (v) If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.



## **REPORT OF HANDLING**

**Application Reference: APP/2023/0889**

**Proposal: Erection of Dwellinghouse and Retrospective Ground Based Solar Panels**

**Address: Site At Berwick Wood, Hatton Of Fintray**

### **1. Description of proposal**

Full planning permission is sought for the proposed erection of a dwellinghouse and retrospective permission is sought for installation of ground based solar panels at site at Berwick Wood, Hatton of Fintray.

The site is located at approximately 1.3km to the north of Hatton of Fintray. The site is surrounded by woodland to north, east and west sides. There is an existing access track immediately over the northern site boundary and a market garden associated with the applicants' business lies outwith the site to the south. There is an existing shed and greenhouse over the east boundary and there is a private road over the west boundary that runs on an east-west course which comprises the main access to the site. The site currently features the existing array of ground mounted photo voltaic PV panels (4 lengths) which are located in the north west portion of the site area. There is also an existing storage shed on the north side of the access track with parking and turning area all within the application site boundary. The surrounding area of ground falls gently from east to west and to a lesser extent from north to south.

Berwick wood horticultural business is currently being run and managed by Mr and Mrs Player. The holding extends to some 30.59 ha in total and comprises mainly woodland (conifers) interspersed with open grass areas (taking up 30.012 ha), an area utilised for market gardening – outdoor cultivation (0.47 ha), fruit and vegetable growing in both caterpillar and polytunnels (0.048 ha) and an orchard (0.06 ha). There are currently 6 pigs kept on the landholding for ground conditioning purposes. They now wish to accommodate a full time worker on site for the purposes of daily management and welfare of the pigs and also to mitigate against the rising costs of maintaining the polytunnels and structures on site during adverse weather conditions.

The proposed dwellinghouse would be sited on the south side of the existing access track facilitating the site. The plans indicate that 67 spruce trees in the location of the proposed house are to be removed. The proposed dwelling would comprise a 1 3/4 storey dwelling, three bedrooms with a rectangular footprint measuring 15.24m by 5.58m. The design comprises vertical proportions both in terms of the overall massing and the openings. Features of the dwelling include close cropped eaves and a 45 degree roof pitch. The external materials comprise larch timber (untreated) cladding to the walls, grey concrete tiles to the roof, anthracite grey windows and doors, rooflights, galvanised steel rainwater goods and inclusion of stainless steel

flue facilitating a wood burning stove. The dwelling would have a ridge and eaves height of 7.2m and 3.9m respectively. The dwelling would be orientated southwest - northeast within the site with ridgeline running parallel to the existing access track to the north. The foul drainage serving the development is by septic tank to soakaway arrangement and the development would connect to public mains water supply. The ground based solar panels are in 4 elongated sections each comprising 9 panels each. Two out of the 4 sections (18 panels) are south facing and the other 2 are east and west facing.

## **2. Relevant Planning History**

### Access road facilitating site

APP/2019/1266 Formation of Forestry Track AGR (prior approval not required) 21 June 2019

Equipment shed (within site boundary) APP/2018/0050 Erection of Agricultural Storage Building (Prior Notification)  
Approved 12 Feb 2018

### Site to north

APP/2012/2066 Erection of Equipment Building and Bothy (Prior Notification) refused (planning permission required) 29 June 2012

There are various structures around the site comprising polytunnels, greenhouse and storage container but there are no associated planning permissions for these.

## **3. Supporting Information**

### Design Statement (by Sylvan Stuart Ltd) April 2023

Provides background information, identifies the proposed house design and layout and details of the policy context (in relation to siting and design only) against which the application requires to be assessed.

### Labour requirement report (by Allathan Associates) December 2022

The report details the labour requirement of the existing businesses on site and also provides justification for residency on the land holding. The report indicates that the business owned by Mr and Mrs Player (Berwick Farm Produce) is both a horticultural and livestock (6 pigs) firm based at Berwick Wood and the standard labour requirement for the total operations requires 2094 hours per year. The standard labour requirement is 1,900 hours per year based on a standard full time employee and therefore the labour requirement at Berwick wood would be equivalent of 1.1 full-time employees.

### Supplementary note to Labour Requirement Report (by Allathan Associates) dated 17 August 2023

The information contains the following points:

- The business is becoming unviable as it cannot meet statutory animal welfare requirements due to the workers being unable to safely access the site in severe weather conditions
- The livestock is therefore restricted to spring summer and early autumn to avoid severe weather
- The proposed house will be zero carbon (run on photovoltaic panels/ battery storage)
- The exclusion of silviculture (the care and cultivation of woodlands) from the labour requirement report contradicts planning policy which allows for on-site accommodation for forestry
- There are also issues with deer, rabbit and pigeon depredation
- No cognisance has been given to the fact that the development will enhance biodiversity and reduce emissions and adapt for impacts of climate change

#### Drainage Report (by S.A. McGregor) May 2023

Provides details of the porosity testing undertaken which indicate that the site is capable of being serviced by a sub-surface stone-filled soakaway of 26m<sup>2</sup> (based on a 5 person population equivalent) for foul water discharge from sewage treatment system. The surface water is to be disposed of via an existing swale/ open surface water drainage channel and the report indicates that the existing swale is acceptable for this purpose.

#### Water Supply Risk Assessment Report and Certificate of Chemical Analysis

Both of which has been carried out by Aberdeenshire Council and the results (chemical) analysed by Aberdeen Scientific Services Laboratory on 2 March 2019. Note these were in relation to a proposed private water supply. However, the development is now proposed to connect into public water mains.

#### Correspondence from the agent (22 September 2023)

Provides further supporting information relating to the applicable LDP and NPF4 policies. Also provided is a list of severe climate events that have impacted the business growth recently and a list of available local property within 4km is provided (relevant to that time). There is a section of the letter that details a narrative from the applicant detailing their personal circumstances, the impact of Covid 19 and details of the sustainable practices of the business. The applicant also provides information on how it is essential to live on site to tend to the pigs – the following points are made:

- Pigs need fed twice daily
- They need checked twice daily (they cant lose heat easily and therefore require lots of water to create wallows to allow them to regulate temperature)
- No winter period has allowed daily access to the farm
- For viability reasons, they need to breed pigs and have year round pork stocks to be able to provide direct to consuming customers and to local businesses

Correspondence from agent in respect of the Compensatory planting (received 26 January 2024)

A plan showing the location of the proposed compensatory planting was submitted by the agents. The plan indicates that the total area of trees that require to be felled to accommodate the house equates to 0.07HA and that the area of compensatory planting would equate to 2.218HA and would be planted out in a mix of native broadleaf including willow, aspen, alder and hazel.

The correspondence also confirms that none of the proposed compensatory planting occupies previously grant aided tree planting or is the subject of any current grant application.

Berwick Woods Management Plan 2019-2029 (dated 7 July 2019)

The Berwick Woods Management Plan is a plan of the proposed works to the existing trees in the woodland that was submitted to and agreed by Scottish Forestry. The report indicates that the land on and adjacent to the site is commercial forestry and that the applicant has sought permission from Scottish Forestry in relation to a programme of thinning on the adjacent woodland.

#### **4. Variations & Amendments**

None

#### **5. Representations**

No valid representations have been received.

#### **6. Consultations**

**Business Services (Developer Obligations)** – confirm that the developer obligations have been agreed by the applicant.

**Environment and Infrastructure Services (Contaminated Land)** advise that there is no indication of any past use which might have caused contamination.

**Environment and Infrastructure Services (Environmental Health)** had requested details of the private water supply. However, the agent for the application confirmed that it is now proposed to connect to the public water supply and accordingly no objection is now raised. However, it requests that a condition requiring mains connection is attached.

**Environment and Infrastructure Services (Flood Risk & Coast Protection)** has no objection to the proposal.

**Environment and Infrastructure Services (Roads Development)** initially objected to the proposal due to insufficient information submitted regarding road surface and bin uplift store without impact on visibility. Following submission of the revised plan, the Roads Development has no objection as it was noted that the proposed dwelling is to provide accommodation for the owners of the existing business on the site and



won't result in any increased usage of the access. It requires standard conditions concerning the surfacing of the first 5 m of the access and provision of a refuse bin uplift store.

**Environment and Infrastructure Services (Natural Environment)** advise that the site for the proposed house is currently woodland which is listed on the National Forestry Inventory 2020. Under policy (control of woodland removal policy) removal of the woodland requires compensatory planting of an equal area. Following clarification on the proposed compensatory planting, Natural Environment planners are satisfied that the compensatory planting proposed meets the policy requirements but in the event of the application being approved that it would seek an appropriate condition to be applied to ensure the timely implementation of the compensatory planting. It also requires that biodiversity enhancement measures are included as part of a quality landscaping scheme.

#### External

**Health and Safety Executive (HSE)** do not advise on safety grounds against the granting of planning permission in this case.

**National Gas Transmission** has no objections to the development which is in the vicinity of a high pressure gas pipeline. However, it advises that the development must not proceed without further assessment from Asset protection. It is the developers responsibility to ensure that this is undertaken.

**Scottish Water** – indicates that the development will be fed by the Invercarnie Water Treatment Works. However, it cannot confirm capacity and therefore requires that the developer submits a Pre development Enquiry (PDE). There are no sewers in the vicinity of the site and therefore private treatment options require to be explored. For reasons of sustainability Scottish Water will not accept any surface water connections into the combined sewer system.

## **7. Relevant Policies**

### National Planning Framework 4 (NPF4)

Scotland's fourth National Planning Framework (NPF4) is a long term plan looking to 2045 that guides spatial development, sets out national planning policies, designates national developments and highlights regional spatial priorities. It is part of the development plan, and so influences planning decisions across Scotland.

On 13 February 2023 (0900am) Scottish Ministers adopted and published National Planning Framework 4 (NPF4), meaning that it is in force and National Planning Framework 3 and Scottish Planning Policy are superseded from that date and time. This will also have the effect that all strategic development plans and any supplementary guidance issued in connection with them cease to have effect on that date. As such the Aberdeen City and Shire Strategic Development Plan 2020 has now ceased to have effect. The NPF4 now forms part of the development plan along with the Aberdeenshire Local Development Plan 2023.

Policy 3 Biodiversity  
Policy 6 Forestry, Woodland and trees  
Policy 11 Energy  
Policy 17 Rural homes  
Policy 18 Infrastructure first

### Aberdeenshire Local Development Plan 2023

On 13 January 2023 the Aberdeenshire Local Development Plan 2023 was adopted.

Policy R2 Development Proposals Elsewhere in the Countryside  
Policy P1 Layout, siting and design  
Policy E3 Forestry and Woodland  
Policy PR1 Trees and Woodlands  
Policy RD1 Providing Suitable Services  
Policy RD2 Developer Obligations  
Policy C1 Renewable Energy

## **8. Other Material Considerations**

An integrated impact assessment is not required because the granting or refusing of the application will not have a differential impact on the protected characteristics of the applicant or any third parties.

Planning advice PA 2023-11 Development in the Countryside Policies R1 and R2 including Organic growth of Settlements (September 2023)

## **9. Implications and Risk**

There are no risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers as the Committee is considering the application as the planning authority in a quasi-judicial role and must determine the application on its own merits in accordance with the Development Plan unless material considerations justify a departure.

## **10. Directions by Scottish Ministers**

N/A

## **11. Discussion**

There are essentially 2 elements to the proposed development, the main one being the erection of a dwellinghouse, and the other is retrospective permission for the ground based solar panels. Whilst the panels would serve the proposed house, the two elements will be considered separately.

### **Erection of dwellinghouse**

The main issues to be addressed in the consideration of the dwellinghouse include the principle of development, the layout, siting and design of the proposed dwelling, and any site specific and relevant technical matters.

### Principle of development

In considering the principle, ALDP2023 Policy R2 Development proposals elsewhere in the countryside applies along with NPF4 Policy 17 Rural Homes.

The principle of development requires to fall within one of the specified categories detailed in the above policies. The relevant categories contained within these policies that apply to single dwellings are summarised below:

- It is demonstrated to be necessary to support the sustainable management of a viable rural business or croft, and there is an essential need for a worker (including those taking majority control of a farm business) to live permanently at or near their place of work.
- Reuse of brownfield land where a return to a natural state has not or will not happen without intervention.
- Reinstates a former dwelling house or is a one-for-one replacement of an existing permanent house.
- Single homes associated with retirement succession of a viable farm holding.
- Extensions to clusters/housing groups (remote rural areas only).

Given the information submitted in support of this application, the only category within the above that could apply to the site in question is 1. - a dwellinghouse that is necessary to support the sustainable management of a viable rural business or croft, and there is an essential need for a worker to live permanently at or near their place of work.

The information submitted with the application advises that the applicant's justification for proposing to site a dwellinghouse in this location is for the purposes of animal welfare for the pigs that they keep on the land as well as ensuring the crops that are grown at the horticultural business are protected from extreme weather events and maintained to minimise issues with deer, rabbit and pigeon depredation.

Whilst the Labour report indicates that the total man hours required for the existing enterprise equates to 2094 hours =1.1 full time equivalent, there are only 6 pigs at present on the site which equates to 131 hours standard labour requirement (SLR). The remaining labour hours for the enterprise are for tending to the market garden areas, the polytunnels and orchard areas. The report also includes within the total labour requirement, 200 hours for forestry work and 172 hours for admin work. The addendum to the labour report indicates that the enterprise is currently restricted for the following reasons:

- They need to add to the pig herd to make the pork business operate effectively but they can't do this without an on-site presence as additional pigs with no on site presence may result in destruction to neighbouring property which would be financially damaging to the business.

- There are bio hazard risks associated with importing livestock so the applicants want to build up the herd from the businesses own breeding.
- Further to this the business has suffered losses from the weather events (flooding and high winds) as the owners have not been on site to save the crops.
- The pigs need fed and during extreme weather events the owners would not be able to reach them.
- Both streams (livestock and horticulture) need constant on site management
- Whilst the owners live nearby, this does not provide the same levels of surveillance, supervision and animal husbandry necessary to support the business.

In assessing the circumstances of this application, the policy specifically states that the need for an essential worker requires to be demonstrated by the applicant in order to determine whether there is a need for a full-time active presence at the site. In terms of definition of “essential”, the policy states as an example, “in order to maintain an active presence for the purposes of animal husbandry”. The accompanying planning advice PA 2023-11 states that, “workers employed purely in arable activities are unlikely to be deemed essential unless the business has very specific needs or where mixed farming activities means animal husbandry is a significant part of the overall farm business”. In support of the LDP position, NPF 4 Policy 17 requires that it is demonstrated that the dwellinghouse is necessary to support the sustainable management of a viable rural business or croft, and there is an essential need for a worker (including those taking majority control of a farm business) to live permanently at or near their place of work. Whilst the policy infers a viable rural business, the said rural business must also demonstrate essential need for a worker on site and the policy again specifically refers to “farm” business.

In the Labour report, the outdoor market garden area and indoor polytunnel and orchard account for 1591 SLR which makes up the bulk of the full time equivalent (FTE) of 1900 hours. Horticulture by its nature is similar to arable farming in that they both involve growing and cultivation of crops whether that be fruits, vegetables or cereal grains etc. Given that the practices necessary to support and manage these type of growing enterprises are similar and the fact that arable farming (even if on a large scale), generally does not justify an essential on site presence, it is very difficult to justify a dwellinghouse for the growing and cultivation of crops on this relatively small scale horticulture business.

The supporting information argues that exclusion of silviculture (the care and cultivation of woodlands) contradicts planning policy which allows for on-site accommodation for forestry. Whilst policy permits accommodation in a primary industry, the presence of a worker requires to be essential to the efficient operation of the enterprise. The forestry element of the proposed development accounts for only 200 hours per annum which falls significantly short of the required 1900 FTE. The planning service are required to only take in to account current employment needs, and not predicted or desired needs for future working. Whilst the desire to grow the pig business is acknowledged, this cannot be taken into account for the purposes of determining essential need at the present time. The existing livestock business comprising 6 pigs which equates to only 131 man hours per year is not considered to be sufficient to warrant an on-site presence. Similarly, whilst the planning service sympathise with the impact that the extreme weather events have

had on the business in terms of stock being lost to the elements, this is not a reason in itself to warrant an on-site presence as preparation for weather events can be made in advance.

While the Labour Requirement Calculations conclude that 1.1 FTE is justified, the majority of this is for arable / horticulture which is not considered to warrant an essential on site presence. The planning service therefore conclude that no essential need has been demonstrated in this case.

Policy also states that accommodation must be within the immediate vicinity of the place of employment and there is no suitable alternative residential accommodation available. Notwithstanding the fact that the proposed site lies in the immediate vicinity of the enterprise, as stated above the proposal as presented does not warrant an essential need for a house.

The supporting information advises that the applicants currently live in a leased apartment at Cothal (3 miles away) and the lease terminates in June 2024. The information states that the applicants have sufficient funds to build the proposed house. In terms of available alternative residential accommodation, the information submitted identifies 10 properties within 4 km of the site all of which are in excess of £215,000. Given that the applicants argue that an on-site presence is necessary in this case, they have not provided any justification for or against the suitability of any available properties in the vicinity other than to provide a list. The planning service do not consider that there is a need for an onsite presence in this case.

Taking account of the above, the proposal therefore cannot be supported in principle, as it does not meet with the policy criteria of policy R2 of ALDP23, nor policy 17 of NPF4.

While the proposal cannot be accepted in principle, consideration requires to be given to the loss of trees and layout, siting and design of the proposed dwelling.

#### Loss of Trees

The site is heavily treed at present and therefore the loss of the existing trees requires to be considered against policy The plans indicate that 67 Sitka Spruce trees would be removed to make way for the proposed dwellinghouse. Policy 6 of NPF 4 and E3 of the ALDP 2023 both confirm that development proposals will not be supported where they result in loss of native woodland and individual trees of high biodiversity value or where developments cause fragmentation to or sever woodland habitat. The applicants also provided details of a Woodland Management Plan that they had submitted to Scottish Forestry in 2019. The plan indicates that the existing trees on and adjacent to the site form part of a commercial forestry plantation. The management plan indicates that in terms of the forestry operation, that thinning is proposed to the existing spruce plantation which includes therein the location of the proposed dwellinghouse.

NPF 4 places emphasis on protecting existing woodland to avoid habitat fragmentation and improve ecological connectivity. Policy (control of woodland removal policy) requires that where woodland is removed, compensatory planting (of

an equal area) is required. The applicants advise that they have already undertaken planting of native trees on their land (200 willow trees and 50 hazel trees) as compensation for 63 non-native Sitka spruce that are proposed to be removed and they also propose to plant a further 350 native trees. Previous trees planted within the applicant's ownership cannot be counted as part of the compensatory planting for the current application. A plan of the proposed compensatory planting was submitted (at the request of the planning service) and the plan indicates a number of areas within the landholding where the applicants proposed to plant native broadleaf trees including willow, aspen, alder and hazel. The area of land for the compensatory planting is indicated as 2.218 ha as compared to the proposed house site from which trees are proposed to be removed (0.07ha). On the basis that the proposed compensatory planting far exceeds the area of trees to be removed, and that the applicants have confirmed that the proposed planting is not associated with any grant assistance, the principle of removing the Sitka spruce can be accepted and the development is considered to comply with Policy 6 Forestry, woodland and trees of NPF4 and Policy E3 Forestry and Woodland of ALDP 2023.

#### Layout, siting and design

Policy P1 Layout, siting and design states that new development must be appropriately designed and in keeping with the character and setting of the surrounding area. NPF 4 Policy 14 Design, quality and place is also applicable. The proposed dwelling is appropriate for the site, with the footprint being proportionate to the plot size and can accommodate the dwelling and garage. The dwelling is relatively modest in scale, with vertical proportions and high quality materials and set against a backdrop of trees which bound the access road, subsequently, it is not considered to create a detrimental impact on the character of the area or landscape, in accordance with both NPF 4 Policy 14 Design, quality and place and ALDP 2023 Policy P1 Layout, siting and design.

#### Technical considerations

Policy RD1 advises that we will only allow development that is located and designed to take advantage of or incorporate the services, facilities and infrastructure necessary to support it. These matters include road access, waste management provision, water supply, wastewater connections and treatment, and other elements as may be appropriate in the circumstances. Policy 22 (Flood risk and water management) of NPF4 requires that development proposals are served by public water mains or alternative sustainable water source and that all rain and surface water incorporates SUDs which should integrate with existing blue – green infrastructure.

With regards the existing access road, Roads Development has commented that the proposed dwelling is to provide accommodation for the owners of the existing business on the site and won't result in any increased usage of the access. They hold no objection subject to conditions in relation to the new access and refuse bin uplift.

The development would connect to public water supply which is acceptable. The development would be served by private drainage for both foul and surface water

disposal and the drainage report submitted indicates that the ground conditions are suitable for this purpose. This is considered sufficient to satisfy the requirements of Policy RD1 of the ALDP 2023 and Policy 22 of NPF 4.

Policy RD2 (Developer Obligations) advises that whereby itself or cumulatively, development would give rise to the need for new or improved infrastructure or services, and this is not to be directly provided as an integral part of the development, planning obligations or other appropriate means to secure such provision may need to be put in place. Business Services (Developer Obligations) confirm that the required developer obligations for the development have been accepted by the applicants and as such the proposal is therefore in compliance with policy RD2.

### **Ground Mounted Solar PV Panels**

Policy 11 Energy of NPF 4 and Policy C2 Renewable Energy in ALDP 2023 support renewable energy developments including solar provided that various matters are satisfied including siting, design, consideration of glint and glare and that any significant impacts will have duration of less than 5 minutes per day. The proposed development comprises a domestic solar array that would serve the proposed dwellinghouse and as such they are of a minor scale. They are located in a part of the site that is not readily visible from any public views. Given that they do not impact the wider landscape, they are considered to be acceptable and would comply with the relevant energy policies. In the design statement, it is noted that the proposed dwellinghouse would have solar panels incorporated into the design. It is not clear whether these panels are in addition to the existing ground mounted panels. It is understood that the ground mounted panels presently provide power to the existing storage building. If a separate application were to be submitted for the retention of the solar array on its own, it is likely to be supported.

### Conclusion

Policies relating to new dwellings in the countryside are in place to protect the character and amenities of the countryside. The circumstances surrounding this proposed development do not meet the criteria defined within NPF4 policy 17 Rural homes nor ALDP23 policy R2 for new houses in the countryside. The planning service consider that substantial justification to comply with the above policies is required in order to demonstrate an essential need for an on-site presence associated with an existing rural enterprise and that no such policy justification exists in this case. The principle of development therefore does not comply with NPF4 policy 17 Rural homes and ALDP23 Policy R2.

While the proposed dwelling design is considered to be appropriate to the character of the rural area, it meets policy in terms of the required compensatory planting and is also meets with relevant technical matters of Aberdeenshire Local Development Plan 2023 and the National Planning Framework 4, the proposal cannot be supported in principle and as such is recommended for refusal.

## **12. Recommendation**

REFUSE for the following reason(s):

01. The planning authority considers that the application is for a development which is not in accordance with the policies contained within National Planning Framework 4 nor the Aberdeenshire Local Development Plan 2023. The proposed development does not meet the policy requirements to justify an essential need for an on site presence for a worker associated with an existing rural enterprise. There are no other criteria within the exemptions stated in policy that apply to the site in question. The proposed development therefore does not comply with NPF4 Policy 17 Rural homes and ALDP23 Policy R2 Development Proposals Elsewhere in the Countryside.

## **13. Process of Determination**

The application was the subject of consultation with Local Members under the Councils Scheme of Governance.

## **14. Planning Obligations**

No



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**From:** Negar Maydanchi  
**Sent:** 09 October 2023 09:35  
**To:** Doug Irvine  
**Cc:** Helen Atkinson; Planning Online  
**Subject:** RE: APP/2023/0889- Erection of Dwellinghouse and Retrospective Ground Based Solar Panels- Site At Berwick Wood, Hatton of Fintray

Good morning,

Thank you for your recent email and sharing the information. I am sorry for delayed response.

Having discussed the proposal and the recent information with the wider team, the planning service is of the opinion that the additional information does not override the development plan and our recommendation would remain to refuse planning permission.

Please be advised that you cannot request that the item be presented to GAC directly as this initially needs to go through the member notification system with a refusal recommendation. However, members would have the opportunity to pull the item to committee and may take a different view to the Planning Service.

You will be informed of the date that the report is sent to Local Ward Members for further consultation by the planning service in due course.

Kind regards,

Negar Maydanchi  
Planner (Development Management)  
Planning and Economy  
Environment and Infrastructure  
Aberdeenshire Council  
Skype: 01467469920  
Email: [negar.maydanchi@aberdeenshire.gov.uk](mailto:negar.maydanchi@aberdeenshire.gov.uk)

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From: Doug Irvine <doug@sylvanstuart.com>

Sent: Friday, September 22, 2023 12:30 PM

To: Negar Maydanchi <negar.maydanchi@aberdeenshire.gov.uk>

Subject: RE: APP/2023/0889- Erection of Dwellinghouse and Retrospective Ground Based Solar Panels- Site At Berwick Wood, Hatton of Fintray

Good afternoon Negar,

Further to your email of 1 September, we strongly dispute your contention that that the presence of a residential worker is not essential, as this not only ignores severe weather events that have occurred since these operations commenced in 2018, but also fundamental animal welfare issues. On that basis your request for information on current residential accommodation available within the vicinity of the site is not relevant, but is in any event provided below. I also note that you appear to ignore the clear policy intent of NPF4, particularly Sustainable Places under Part 2 of National Planning Policy for Local Development Plans.

I further note your reference to "business growth" as the "the intention of the applicant" being "not sufficient as this must be evidenced by the existing livestock or landholding" is erroneous in relation to R1.2 as referred to at R2.2, as it ignores the fourth bullet point stating what is permitted development:

*"intensification of an established use subject to the new development being of a suitable scale and form"*

I maintain that on-site residential accommodation is required in any event, and note you are making no objection to the proposed development on the basis it is unsuitable "in scale and form".

This established business (for which annual accounts are available) is becoming unviable as it cannot meet statutory animal welfare requirements due to the workers being unable to safely access the site in severe weather conditions. The applicants are currently having to restrict their livestock holding to late spring, summer and early autumn because of increasing weather related lack of access, as they cannot now carry livestock there over winter. I note in the addendum below the regular occurrence of extreme climate events since 2018.

The applicants currently live in a leased apartment at Cothal with a below market level rent on a lease which terminates in June 2024. Their income is modest, but they have sufficient funds to build a 120m<sup>2</sup> 3-bedroom Model D Home, which is highly energy efficient (EPC "A" rating) and has low maintenance requirements thus minimal running costs. They intend to run the house off-grid and utilise photovoltaic panels combined with battery storage and no other mains connections. This proposal will make their current operations at least zero carbon with the intent of developing them further to be significantly carbon negative.

The labour requirement report submitted refers to publications by the U.K. Farm Classification Working Party, 2004, and The Farm Management Handbook 2021/22. Both these documents can only be retrospective and regarded as guidance based on area based calculations for the various onsite activities encompassing fruit and vegetable market gardening, livestock farming and forestry activities. The Full Time Equivalent requirement of 1.1 is not in dispute, but to suggest that silviculture should be excluded from this appears in direct contradiction of planning policy where forestry operations can solely be used to justify related onsite residential accommodation.

Your interpretation of policy suggests there would be no justification for residential accommodation on a 100 Ha arable-only farm. I note that this is the average size of a U.K. farm, whereas in Europe that is 6Ha and activities are vastly more labour intensive per hectare. The increasing frequency of severe climate events also impacts significantly on the need for onsite residency for the market gardening activities where prompt remedial measures are required. Likewise, there are also issues with deer, rabbit and pigeon depredation.

Your response to date takes no cognisance of NPF4 Part 2 - NPP Policy 1 to reduce emissions and adapt for impacts of climate change and Policies 2 and 3 to enhance biodiversity, which almost every aspect of the applicants' activities do, and further to protect, restore and enhance natural assets using nature based solutions, such as

forestry foraging pigs. Cherrypicking the FTE 1.1 labour breakdown to exclude forestry activities is not a justifiable application of policy, and is entirely unjustifiable in relation to livestock husbandry.

We request that you re-examine your view on this application in light of the further information contained herewith. If you maintain your previously expressed view, the applicants request that their application go forward for determination to the full Garioch Area Committee on the basis that your indisputably controversial interpretation of policy should be examined in public by elected members.

We aim to submit further supporting information on Monday 25<sup>th</sup> September. We will be pleased to provide any further information you may request.

Regards

Doug Irvine

Sylvan Stuart Ltd, Old Rayne, INSCH, Aberdeenshire, Scotland. AB52 6RX.  
Tel: +44(0)1464 851208  
Fax: +44(0)1464 851202  
Website: [www.sylvanstuart.com](http://www.sylvanstuart.com)

#### Addendum

1. Severe weather events since 2018 that have had direct effect on Berwick Wood produce.

Sep 2018 – Storm Ali (amber warning for wind)  
Aug 2020 – Thunderstorms/flash flooding  
Feb 2021 – Storm Darcy (Snow)  
Nov 2021 – Storm Arwen (wind red warning)  
Jan 2022 – Storm Malik (wind amber warning)  
Jan 2022 - Storm Corrie (wind amber warning)  
Nov 2022 – Heavy rain/flooding  
Jan 2023 - Snow  
Feb 2023 – Storm Otto (wind amber warning)

2. Currently available local property with 4km

| Location          | Description         | Price over | EPC rating |
|-------------------|---------------------|------------|------------|
| Denmill           | 4-bed semi-detached | £325,000   | E          |
| Hatton of Fintray | 4-bed semi-detached | £340,000   | F          |
| Hatton of Fintray | 4-bed detached      | £327,500   | D          |
| Hatton of Fintray | 4-bed detached      | £480,000   | D          |
| Kinmuck           | 5-bed detached      | £540,000   | C          |
| Kinmuck           | 4-bed semi-detached | £215,000   | E          |
| Cothal            | 5-bed detached      | £325,000   | F          |
| Newmachar         | 7-bed detached      | £450,000   | E          |
| Cothal            | 5-bed detached      | £465,000   | D          |
| Overton           | 5-bed detached      | £450,000   | F          |

3. Narrative from Mhairi Player (applicant)

I was an occupational therapist for 10 years specialising in paediatrics and outdoor therapy. A series of bone tumours meant that I could no longer continue my career in the public sector. I began growing again as a way of

compensating for the loss of income due to my illness and found that the benefits of outdoor activity combined with a higher quality diet due to access to fresh seasonal organically produced fruit and veg allowed me to regain my wellbeing, added my rehabilitation and allowed me to return to some form of employment. To continue to manage my long-term health needs I began to work alongside my father on his woodland - Berwick Woods in Hatton of Fintray. In 2018 when he retired he passed full management over to me of the woodland. At this point I have started to grow veg and fruit on the woodland and was using volunteers to help develop a social prescribing nature-based business. In order for the business to move forward infrastructure such as water, power, shelter, protected growing space and an access road needed to be completed. While this was occurring I worked part-time on the woodland project, part-time for a community garden and part-time as a lecturer for Robert Gordon University. The infrastructure was 60% complete by March 2020 when the UK went into lockdown.

During lockdown, as food was required locally, we diverted our attention to supplying as many local people, small businesses and food hubs as possible. We added caterpillar and poly tunnels as quickly as possible and expanded our growing space. At the end of 2021 we were supplying 8 local businesses, 2 food hubs and 40 domestic customers. We were heavily hit by the storms in the winter 2021/2022 which included storm Arwen. We lost our main polytunnel and all our caterpillar tunnels were uncovered so that we lost all our winter and over winter crop. Alongside this 2022 saw a change in consumer buying patterns. Concerns of rise in costs of living and problems with long supply chains. We have spent the last year changing our selling models in response to these changes. We have established a fairer model of selling called a community supported agriculture scheme and we have focused on production of our raw materials for growing and on creating a closed loop farm system (one that provides its own fertility rather than buying in expensive and often harmful inputs) which is better for the climate and more economically sustainable. We have an electric van, an onsite bore hole and off grid solar panels again to help meet the zero-carbon agenda required by the Scottish government but also to improve the sustainability of our woodland farm. We are presently clearing the timber that fell during the storms previously mentioned which will allow us to meet our biodiversity targets, help with carbon sequestration and add more economical revenues and opportunities within the business.

In 2023 the Good Food Nation Bill became the Good Food Nation Act which requires good food to be accessible to all people in Scotland. As part of this Aberdeenshire Council has formed a fair food partnership to be able to tackle the issues around food which stop it being accessible to all. Our business forms and its direct selling/ short chain models form an important part of this.

#### Explanation of why it is essential to live on the Farm.

Our pigs are always kept outdoors, and need fed twice daily. They also need to be checked a minimum twice daily which would increase in Summer or winter. Pigs cannot easily lose heat (they do not sweat) and require lots of water to allow them to create wallows to allow them to regulate their temperature.

We have been monitoring access to the farm, and as of yet, no winter period has allowed us daily access even from the nearest village which is clearly an animal welfare issue. In order to be viable financially, ecologically and sustainably we need to breed pigs ourselves and have year-round pork stocks. This will enable us to supply a constant product to our direct consuming customers or the local businesses we supply to. This is not a matter of expansion this is a matter of viability, which clearly answers the question of why it is vital to live on the farm.

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**From:** Negar Maydanchi <[negar.maydanchi@aberdeenshire.gov.uk](mailto:negar.maydanchi@aberdeenshire.gov.uk)>

**Sent:** Friday, September 1, 2023 2:46 PM

**To:** Doug Irvine <[doug@sylvanstuart.com](mailto:doug@sylvanstuart.com)>

**Subject:** RE: APP/2023/0889- Erection of Dwellinghouse and Retrospective Ground Based Solar Panels- Site At Berwick Wood, Hatton of Fintray

Good afternoon Dough,

Thanks for the new submission.

The supplementary statement doesn't fundamentally address our concerns raised already in the previous email dated 11<sup>th</sup> July .

I note that business growth is the intention of the applicant, but this is not sufficient as this must be evidenced by the existing livestock or landholding that there is an essential need for an accommodation within the immediate vicinity of the place of employment.

In addition, the statement doesn't address the current state of alternative residential accommodation available within the area as required by Policy R1 of ALDP2023.

The existing operation, therefore, does not justify agricultural need for erection of a dwelling house and sadly, the Planning Service are unable to support the application.

As was previously stated, this would be referred to the Local Members in the first instance for consideration with a recommendation of a refusal. However, you may however wish to withdraw the application at this stage.

Could you please therefore provide confirmation on how you wish to proceed in writing?

Kind regards,

Negar Maydanchi  
Planner (Development Management)  
Planning and Economy  
Environment and Infrastructure  
Aberdeenshire Council  
Skype: 01467469920  
Email: [negar.maydanchi@aberdeenshire.gov.uk](mailto:negar.maydanchi@aberdeenshire.gov.uk)

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**From:** Doug Irvine <[doug@sylvanstuart.com](mailto:doug@sylvanstuart.com)>  
**Sent:** Tuesday, August 22, 2023 9:34 AM

**To:** Negar Maydanchi <[negar.maydanchi@aberdeenshire.gov.uk](mailto:negar.maydanchi@aberdeenshire.gov.uk)>

**Subject:** RE: APP/2023/0889- Erection of Dwellinghouse and Retrospective Ground Based Solar Panels- Site At Berwick Wood, Hatton of Fintray

Morning Negar,

I have uploaded a supplementary letter to the online portal from Allathan Associates in response to your comments below. We hope this addresses your comments below, better illustrates the work going on at Berwick Wood Produce (<https://berwick-wood-produce.ooooby.org/>) and emphasises how the business is currently restricted by not living on site.

Best regards

Doug Irvine

**From:** Negar Maydanchi <[negar.maydanchi@aberdeenshire.gov.uk](mailto:negar.maydanchi@aberdeenshire.gov.uk)>

**Sent:** Tuesday, July 11, 2023 4:57 PM

**To:** Doug Irvine <[doug@sylvanstuart.com](mailto:doug@sylvanstuart.com)>

**Cc:** [berwickwoodproduce@gmail.com](mailto:berwickwoodproduce@gmail.com)

**Subject:** Re: APP/2023/0889- Erection of Dwellinghouse and Retrospective Ground Based Solar Panels- Site At Berwick Wood, Hatton of Fintray

Good afternoon,

I refer to the above planning application.

The principle of development will be assessed against Policy R1.2 accommodation within the immediate vicinity of the place of employment required for a worker in a primary industry, where the presence of a worker is essential to the efficient operation of the enterprise, and there is no suitable alternative residential accommodation available.

Based on the labour requirement report submitted along the application ,the farm operation of Berwick wood has a total standard labour requirement for 2,094 SLRs . The calculation demonstrates that a substantial hour is related to the level of labour needed for forestry work and planting activity and 131 SLRs for Pig activity . Whilst there may be need for full time worker on the farm for this type activities, it is not essential to live on the farm.

In addition, sufficient information is not provided regarding the current residential accommodation available within the vicinity of the site. It appears that there are homes for rent and sale in Hatton of Fintray, 1.48 km to the south, which is not a significant journey for any employee to get to this location.

Therefore, this proposal fails to meet the essential need justification for accommodation associated with a primary industry worker, and therefore does not comply with Policy R1 and R2 of the Aberdeenshire Local Development Plan 2023 as well as Policy 17 of National Planning Framework.

At the outset, the application would go to Local Ward members with a refusal recommendation. However, the members would have an opportunity to take a different view and advise for referral to the Area Committee for further assessment.

Kind regards,

Negar Maydanchi  
Planner (Development Management)  
Planning and Economy  
Environment and Infrastructure  
Aberdeenshire Council  
Skype: 01467469920

Email: [negar.maydanchi@aberdeenshire.gov.uk](mailto:negar.maydanchi@aberdeenshire.gov.uk)

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Dh'fhaodadh fiosrachadh sochaire, a tha a-mhàin airson an neach gu bheil am post-dealain air a chur, a bhith an seo. Ma tha thu air am post-dealain fhaighinn mar mhearachd, gabh ar leisgeul agus cuir fios chun an neach a chuir am post-dealain agus dubh às am post-dealain an dèidh sin. 'S e beachdan an neach a chuir am post-dealain a tha ann an gin sam bith a thèid a chur an cèill agus chan eil e a' ciallachadh gu bheil iad a' riochdachadh beachdan Chomhairle Shiorrachd Obar Dheathain.

[www.aberdeenshire.gov.uk](http://www.aberdeenshire.gov.uk)

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Your planning consultation entitled [Site At Berwick Wood Hatton Of Fintray](#) for Planning Application Reference APP/2023/0889 on Ward Pages has closed, your proposal for this application to be determined by officers using delegated powers has been Rejected. Full results are shown below:

| <b>Councillor</b>     | <b>Response</b>          | <b>Comments</b>  | <b>Interest Declared</b> |
|-----------------------|--------------------------|--|--------------------------|
| Cllr. Trevor Mason    | Refer to Committee       | The proposal has given a good alternative to the sustainability of Berwick Woods and has complied with everything enough to demonstrate compliance to NPF4 item a v. | ● No Interest Declared   |
| Cllr. Jim Gifford     | Agree Officer Delegation |  | ● No Interest Declared   |
| Cllr. Glen Reid       | No Response              |  | ● No Response            |
| Cllr. Dominic Lonchay | No Response              |  | ● No Response            |



---

**From:** Colin Robertson <colin.robertson3@aberdeenshire.gov.uk>  
**Sent:** 03 November 2023 10:45  
**To:** Lindsey Geddes  
**Cc:** Planning Online  
**Subject:** APP/2023/0889 (ref: 2861004)

Morning Lindsey

**APP/2023/0889 : Full Planning Permission for Erection of Dwellinghouse and Retrospective Ground Based Solar Panels | Site at Berwick Wood Hatton of Fintray Aberdeen Aberdeenshire**

Confirmation that Developer Obligations have been agreed for the following in terms of Section 69 Agreement (Upfront Payment)

Secondary Education

A replacement Inverurie Academy has been front funded to include additional capacity and therefore the contribution will be directed towards these works.

Kind Regards

**Colin Robertson**

Developer Obligations Officer | Legal and People | Business Services | Aberdeenshire Council | Banchory Town Hall  
| 1 Kinneskie Lane | Banchory | AB31 5NA  
Tel: 01467 539 579  
email: colin.robertson3@aberdeenshire.gov.uk  
iCW legalaberdeenshire

**PLANNING CONSULTATION**

**RECOMMENDATION:** No Objection subject to conditions

**APPLICATION REF:** APP/2023/0889  
**PROPOSAL:** 13/10/2023  
Full Planning Permission for Erection of Dwellinghouse and Retrospective Ground Based Solar Panels at Site At Berwick Wood, Hatton Of Fintray

**LOCATION:** Site At Berwick Wood  
C67c B977 At Cothill To Denmill Bridge  
Fintray  
Aberdeen  
Aberdeenshire

**AGENT:** Sylvan Stuart Ltd  
**DATE RECEIVED BY EH:** 7 June 2023

Environmental Health Service has considered the following in respect of the above application:

Proposed Water Supply

Please find comments below regarding each of these matters relating to the development proposed.

**Mains Water Supply**

The applicant has indicated the intention to connect to a mains supply. It is recommended that the following condition be considered.

This planning permission has been granted on the basis that the proposed development will be connected to the public water supply. Should the developer wish to connect to a private water supply a fresh planning application would be required for the development to allow the planning authority to consider the implications of using a private water supply to service the development.

**Condition**

The proposed development shall be connected to the public water supply and shall not be connected to a private water supply without the separate express grant of planning permission by the planning authority.

**Reason:** To ensure the long-term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

**The Environmental Health Service would recommend the following planning conditions are imposed. Should Development Management not be able to impose all of these conditions the Service would welcome further discussion on the matter.**

Deepa Joshi  
Environmental Health Officer  
Date: 08.11.2023

**Please note that the above observations do not include consideration of contaminated land issues. The Scientific Officer, Environment and Infrastructure (Environmental Health) will report separately to the Planning Officer on such matters.**

---

**From:** David Gander  
**Sent:** 16 June 2023 11:46  
**To:** Planning Online  
**Cc:** Negar Maydanchi  
**Subject:** APP/2023/0889

**To: Planning**

**F.A.O. Negar Maydanchi**

**Ref: APP/2023/0889**

**Proposal: Erection of Dwellinghouse and Retrospective Ground Based Solar Panels**

**Address: Site At Berwick Wood Hatton Of Fintray**

We refer to your email dated 7/6/2023 concerning the above. Having reviewed the proposals, we have no comment.

Regards

David Gander CEng MICE  
Engineer  
Flood Risk and Coast Protection  
Aberdeenshire Council  
Tel: 01467534822

**Advice : HSL-230529155452-367 DO NOT ADVISE AGAINST**

**Your Ref:** APP/2023/0889

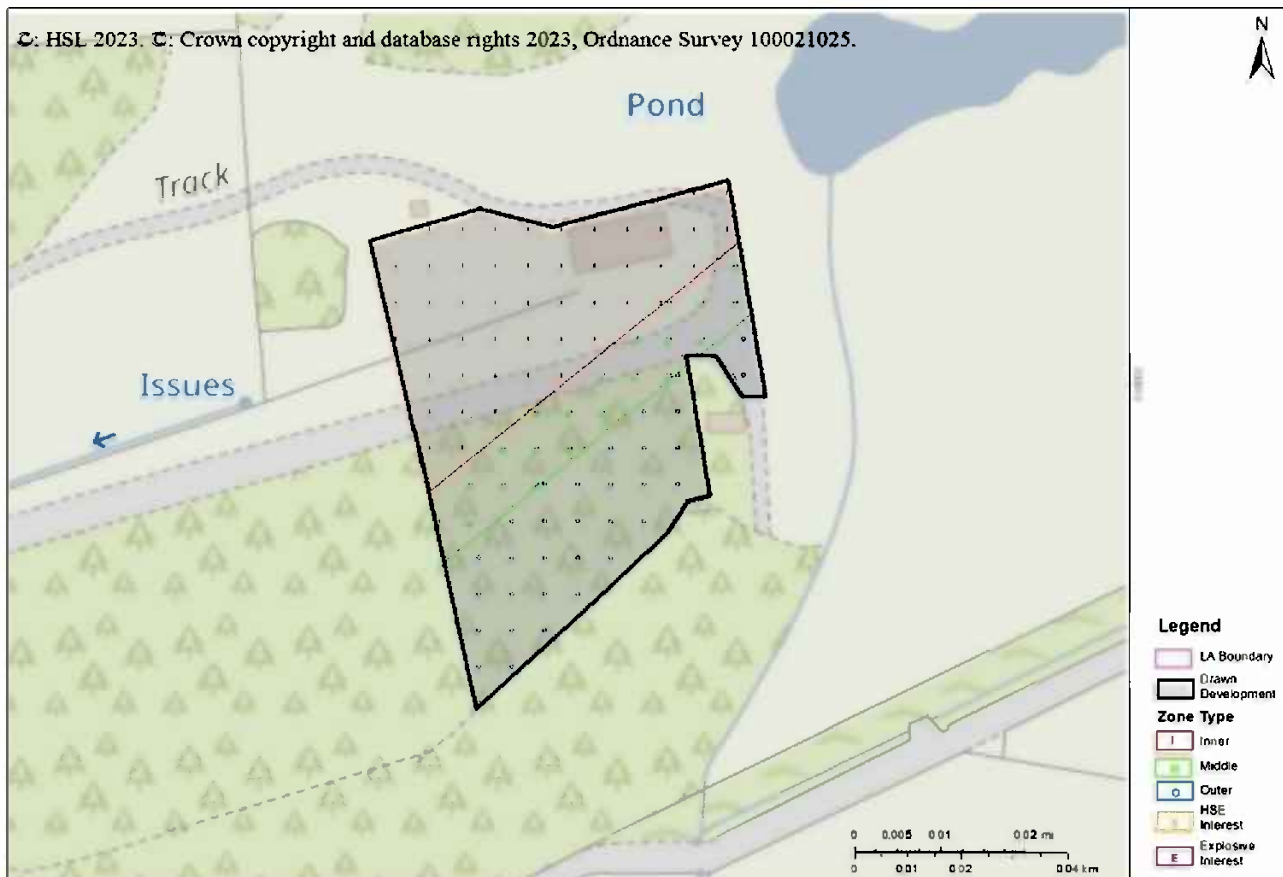
**Development Name:** Erection of Dwellinghouse and Retrospective Ground Based Solar Panels

**Comments:** Site At Berwick Wood, Hatton Of Fintray, Aberdeen, Aberdeenshire

Land Use Planning Consultation with Health and Safety Executive [Town and Country Planning (Development Management Procedure) (England) Order 2015, Town and Country Planning (Development Management Procedure) (Wales) Order 2012, or Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013]

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. This consultation, which is for such a development and is within at least one Consultation Distance, has been considered using HSE's planning advice web app, based on the details input on behalf of Aberdeenshire Council.

**HSE's Advice: Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.**



**Breakdown:**



Housing : Do Not Advise Against

How many dwelling units are there (that lie partly or wholly within a consultation distance)? Less than 3

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## Pipelines

- 8095\_2354 National Grid Gas PLC

As the proposed development is within the Consultation Distance of a major hazard pipeline you should consider contacting the pipeline operator before deciding the case. There are two particular reasons for this:

- The operator may have a legal interest (easement, wayleave etc.) in the vicinity of the pipeline. This may restrict certain developments within a certain proximity of the pipeline.
- The standards to which the pipeline is designed and operated may restrict occupied buildings or major traffic routes within a certain proximity of the pipeline. Consequently there may be a need for the operator to modify the pipeline, or its operation, if the development proceeds.

HSE's advice is based on the situation as currently exists, our advice in this case will not be altered by the outcome of any consultation you may have with the pipeline operator.

This advice report has been generated using information supplied by Fenella McLeay at Aberdeenshire Council on 29 May 2023.

Note that any changes in the information concerning this development would require it to be re-submitted.





## Natural Environment Team Consultation Response

|                        |               |
|------------------------|---------------|
| Planning Reference No: | App/2023/0889 |
| Environment Planner:   | EW            |
| Date of Response:      | 12/7/2023     |

|                   |   |
|-------------------|---|
| Overall Response: | <b>Acceptable subject to follow up action</b> |
|-------------------|---|

|  |  |
|--|--|
| Issue 1:   | Woodland   |
| Response:  | <b>Acceptable subject to follow up action</b>  |
| Actions:   |  |
| a)   | <p>Detailed proposals for compensatory planting for loss of woodland required.</p> <p>The site for the proposed house is currently woodland, listed as woodland on the National Forest Inventory 2020. Under policy (control of woodland removal policy) removal of this woodland will require compensatory planting of an equal area.</p> |
|  |  |
|  |  |
| <p>Supporting Information:</p> <p>ALDP 2023 - Policy E3.2 Forestry and Woodland</p> <p>ALDP 2023 PR1.7 – Trees and woodlands</p> |  |

|           |   |
|-----------|---|
| Issue 2:  | Positive effects for biodiversity   |
| Response: | <b>Acceptable subject to follow up action</b>   |
| Actions:  |   |
| a)        | <p>Biodiversity enhancement measures should be included as part of a quality landscaping scheme to include planting of suitable native species. See planning advice <a href="#">here</a>.</p> |
|           |   |

Supporting Information:

Policy P1 of the Aberdeenshire Local Development Plan 2023 and policy 3(c) of National Planning Framework 4 require that, for all sites, measures are identified to enhance biodiversity in proportion to the opportunities available and the scale of the development. Further guidance on this can be found in Best Practice Advice PA2023-10 "Securing Positive Effects for Biodiversity" which is on the planning pages of the Aberdeenshire Council website [here](#). This sets out the expectations for applicants. Nature Scot's practical guide 'Developing with Nature' on delivering positive effects for biodiversity through development is available [here](#).

## Natural Environment Team Consultation Response

|                        |               |
|------------------------|---------------|
| Planning Reference No: | App/2023/0889 |
| Environment Planner:   | EW            |
| Date of Response:      | 24/1/2024     |

|                   |  |
|-------------------|--|
| Overall Response: | Acceptable subject to following action |
|-------------------|--|

|   |  |
|---|--|
| Issue 1:  | Loss of woodland - Compensatory planting required  |
| Response:   |  |
| Actions:  |  |
| a)  | If this application is to progress a condition based on 05004 is required to secure necessary compensatory planting. Outline proposals for compensatory planting have been provided and are accepted, detail is required by condition. |
| b)  |  |
| c)  |  |
| Supporting Information:<br>Under control of woodland removal policy compensatory woodland planting is required. |  |

## Natural Environment Team Consultation Response

|                        |               |
|------------------------|---------------|
| Planning Reference No: | App/2023/0889 |
| Environment Planner:   | EW            |
| Date of Response:      | 29/1/2024     |

|                   |  |
|-------------------|--|
| Overall Response: | Acceptable subject to following action |
|-------------------|--|

|   |  |
|---|--|
| Issue 1:  | Loss of woodland - Compensatory planting required  |
| Response:   |  |
| Actions:  |  |
| a)  | If this application is to progress a condition based on 05004 is required to secure necessary compensatory planting. Outline proposals for compensatory planting have been provided and are accepted, detail is required by condition. |
| b)  |  |
| c)  |  |
| Supporting Information:<br>Under control of woodland removal policy compensatory woodland planting is required. |  |

**Technical Consultation No 1 for Planning Application Ref: APP/2023/0889**

Application type: **FPP (Full Planning Permission)**

Proposal: **Erection Of Dwellinghouse And Retrospective Ground Based Solar Panels**

Location: **At Berwick Wood, Hatton Of Fintray, Aberdeen, Aberdeenshire**

Date consultation request received: **07/06/2023**

Planning Officer: **N M**

Roads Officer: **E M**

**1. Visibility Requirements (See Section 4)**

Speed Limit at site: **mph**

Design speed: **mph (                      ) for                      )**

Based on the minimum visibility requirements within Aberdeenshire Council's current standards and on the design speed a visibility of **metres** by **metres** will be required

Does current application provide this?    Yes     No

**2. Parking Requirements:**

From Aberdeenshire Council's Parking Standards the required parking provision is **2** Spaces made up of:                      Operational and                      Non-Operational.

Is shown provision of **2** spaces acceptable                      Yes                       No

**Note:**

**3. Road Layout:**

- Is a Traffic Assessment required? Yes  No
- Access onto Public Road Network? Direct  Indirect
- Will the Shown Layout Require RCC? Yes  No
- Does the Shown Layout Appear to Comply with RCC? Yes  No

**4. Other Comments:**

The proposed dwelling is to provide accommodation for the owners of the existing business on the site and wont result in any increased usage of the access, therefore the existing access is acceptable.

We would just ask that the first 5m of the access road from its junction with the public road be surfaced in bituminous material and that a bin uplift store be provided at the junction with the public road positioned so as not to affect visibility onto the public road. Please detail this on a plan.

**5. Recommendations:**



**This Service objects to this application for the following reasons:-**



**Transportation Planning  
(See Section 4)**



**Road Safety  
(See Section 4)**



**Insufficient Visibility**



**Insufficient Parking Provision**



**Insufficient information has been submitted to comment on this application. Please treat this response as a holding objection until the required information has been submitted. (See Section 4)**



**This Service has no further comments to make on this application .**



**This Service does not object to this application subject to the following conditions and advisories being applied should planning permission be granted:-**

Initialed by:



Date:

15/06/2023

**Technical Consultation No 2 for Planning Application Ref: APP/2023/0889**

Application type: **FPP (Full Planning Permission)**

Proposal: **Erection Of Dwellinghouse And Retrospective Ground Based Solar Panels**

Location: **At Berwick Wood, Hatton Of Fintray, Aberdeen, Aberdeenshire**

Date consultation request received: **07/06/2023**

Planning Officer: **N M**

Roads Officer: **E M**

**1. Visibility Requirements (See Section 4)**

Speed Limit at site: **mph**

Design speed: **mph ( ) for ( )**

Based on the minimum visibility requirements within Aberdeenshire Council's current standards and on the design speed a visibility of metres by metres will be required

Does current application provide this? Yes  No

**2. Parking Requirements:**

From Aberdeenshire Council's Parking Standards the required parking provision is **2** Spaces made up of: Operational and Non-Operational.

Is shown provision of **2** spaces acceptable Yes  No

**Note:**

**3. Road Layout:**

- |  |        |                          |          |                                     |
|--|--------|--------------------------|----------|-------------------------------------|
| Is a Traffic Assessment required?                | Yes    | <input type="checkbox"/> | No       | <input checked="" type="checkbox"/> |
| Access onto Public Road Network?                 | Direct | <input type="checkbox"/> | Indirect | <input checked="" type="checkbox"/> |
| Will the Shown Layout Require RCC?               | Yes    | <input type="checkbox"/> | No       | <input checked="" type="checkbox"/> |
| Does the Shown Layout Appear to Comply with RCC? | Yes    | <input type="checkbox"/> | No       | <input type="checkbox"/>            |

**4. Other Comments:**

The proposed dwelling is to provide accommodation for the owners of the existing business on the site and wont result in any increased usage of the access, therefore the existing access is acceptable.

**5. Recommendations:**

- This Service objects to this application for the following reasons:-**
- |  |   |
|--|---|
| <input type="checkbox"/> <b>Transportation Planning<br/>(See Section 4)</b>  | <input type="checkbox"/> <b>Road Safety<br/>(See Section 4)</b> |
| <input type="checkbox"/> <b>Insufficient Visibility</b>  | <input type="checkbox"/> <b>Insufficient Parking Provision</b>  |
| <input type="checkbox"/> <b>Insufficient information has been submitted to comment on this application. Please treat this response as a holding objection until the required information has been submitted. (See Section 4)</b> |   |
- This Service has no further comments to make on this application .**
- This Service does not object to this application subject to the following conditions being applied should planning permission be granted:-**





**Conditions (as selected below):**

- Prior to occupancy of development, a drop kerb footway crossing must be formed at the new driveway.
- The maximum gradient of the first 5m of the new access must not exceed 1 in 20.
- Prior to occupancy of development, first 5m of access (measured from edge of road or back of footway) to be fully paved.
- Proposed garage must be set back at least 6m from the rear of the footway.
- Garage door must not overhang the footway at any point in its travel.
- Prior to occupancy of development, Off-Street parking for cars, surfaced in hard standing materials must be provided within the site.
- Prior to occupancy of development, Parking spaces, surfaced in hard standing materials shall be provided within the site in accordance with the Council's Car Parking Standards.
- Prior to commencement of development, a lay-by measuring 8.0m x 2.5m with 45° splays to be formed on frontage of the site & the proposed vehicular access to be taken via this. Construction shall be to a standard appropriate to the location & must be agreed in advance with Roads Development.
- Prior to occupancy of development, a passing place measuring 10.0m x 2.5m with 5m splays to be formed at location(s) shown on the attached plan. Construction shall be to a standard appropriate to the location & must be agreed in advance with Roads Development.
- Prior to commencement of development, Visibility Splays, measuring m by m to be formed on either side of the junction of the vehicular access with the public road. The visibility splays so formed shall thereafter be kept free of all permanent obstructions above adjacent carriageway level.
- Prior to occupancy of development a refuse bin uplift store area shall be constructed (behind any visibility splay) so as to be accessible for bin uplift & shall be secure enough to prevent empty bins from being wind blown. Details must be submitted to Roads Development for approval.
- Prior to occupancy of development a suitable vehicle turning area, measuring not less than 7.6m x 7.6m, must be formed within the site to enable all vehicle movements onto or from the public road to be carried out in a forward gear.
- The junction that the proposed vehicular access forms with the public road to be kerbed to radii of m, the minimum width at the throat of the bell mouth so formed to be m. The area within the bell mouth & for a minimum distance of m from the public road carriageway, to be constructed in accordance with the Council's Specification appropriate to the type of traffic which will use the access, & shall be surfaced with dense bitumen macadam or asphalt.

Initialed by:



Date:

30/06/2023

Friday, 03 November 2023



Local Planner  
Planning and Environment Service  
Aberdeenshire Council  
Stonehaven  
AB39 2DQ

Development Operations  
The Bridge  
Buchanan Gate Business Park  
Cumbernauld Road  
Stepps  
Glasgow  
G33 6FB

Development Operations  
Freephone Number - 0800 3890379  
E-Mail - [DevelopmentOperations@scottishwater.co.uk](mailto:DevelopmentOperations@scottishwater.co.uk)  
[www.scottishwater.co.uk](http://www.scottishwater.co.uk)



Dear Customer,

**Site At Berwick Wood, Hatton Of Fintray, Aberdeenshire, AB21 0YQ**  
**Planning Ref: APP/2023/0889**  
**Our Ref: DSCAS-0097631-Y2L**  
**Proposal: Erection of Dwellinghouse and Retrospective Ground Based Solar Panels**

**Please quote our reference in all future correspondence**

## **Audit of Proposal**

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

## **Water Capacity Assessment**

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ This proposed development will be fed from Invercarnie Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water via [our Customer Portal](#) or contact Development Operations.

## **Waste Water Capacity Assessment**

- ▶ Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.

---

## Please Note

- ▶ The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

---

## Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

### General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
  - ▶ Site Investigation Services (UK) Ltd
  - ▶ Tel: 0333 123 1223
  - ▶ Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)
  - ▶ [www.sisplan.co.uk](http://www.sisplan.co.uk)
- ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.

- ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
  - ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
  - ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).
- 

## **Next Steps:**

### **▶ All Proposed Developments**

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

### **▶ Non Domestic/Commercial Property:**

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at [www.scotlandontap.gov.uk](http://www.scotlandontap.gov.uk)

### **▶ Trade Effluent Discharge from Non-Domestic Property:**

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).

- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 5kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely,

**Ruth Kerr.**

Development Services Analyst

[PlanningConsultations@scottishwater.co.uk](mailto:PlanningConsultations@scottishwater.co.uk)

### **Scottish Water Disclaimer:**

*"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."*

# Certificate of Chemical Analysis

## Potable Private Water Sample

**Laboratory Reference:** 10192299  
**Your Reference:** 03270  
**For the attention of:** G Jones  
**Received From:** Aberdeenshire Council Environmental Health  
 Gordon House Blackhall Road Inverurie  
**Received On:** 19 February 2019  
**Taken From:** Berwick Wood, Hatton of Fintray  
**Taken On:** 19 February 2019  
**Appearance:** Hazy, slightly yellow, no sediment.

### Results of Analysis

| Method Code     | Determination                 | Result          | Prescribed Concentration or Value |
|-----------------|-------------------------------|-----------------|-----------------------------------|
| i4203           | pH                            | 7.4             | 6.5 to 9.5                        |
| i4208           | Colour (Pt/Co Scale)          | 2 mg/l          | not more than 20 mg/l             |
| <b>i4205</b>    | <b>Turbidity</b>              | <b>8.8 NTU</b>  | <b>not more than 4.0 NTU</b>      |
| i4102c          | Nitrate (as NO <sub>3</sub> ) | < 3 mg/l        | not more than 50 mg/l             |
| i4523_Cu        | Copper (as Cu)                | < 10 µg/l       | not more than 2000 µg/l           |
| i4523Cu         | Copper (as Cu)                | < 0.010 mg/l    | not more than 2.00 mg/l           |
| <b>i4523_Mn</b> | <b>Manganese (as Mn)</b>      | <b>950 µg/l</b> | <b>not more than 50 µg/l</b>      |
| <b>i4523_Fe</b> | <b>Iron (as Fe)</b>           | <b>290 µg/l</b> | <b>not more than 200 µg/l</b>     |
| i4523_Ni        | Nickel (as Ni)                | 2 µg/l          | not more than 20 µg/l             |
| i4523_Zn        | Zinc (as Zn)                  | < 10 µg/l       |                                   |
| i4005b          | Lead (as Pb)                  | < 1 µg/l        | not more than 10 µg/l             |

**Comments:(1)**

The turbidity level of the sample exceeded the maximum concentration or value prescribed in The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017.

The manganese level of the sample exceeded the maximum concentration or value prescribed in The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017.

The iron level of the sample exceeded the maximum concentration or value prescribed in The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017.

The remaining results of analysis complied with the requirements of the above Regulations.

(1) Comments, opinions and interpretations are outside the scope of UKAS accreditation.

|                          |   |  |  |
|--------------------------|---|--|--|
| <b>Signature:</b>        |   |  |  |
| <b>Name:</b>             | James Darroch BSc, CChem, MRSC  |  |  |
| <b>Status:</b>           | Laboratory Manager  |  |  |
| <b>Official Address:</b> | Aberdeen Scientific Services Laboratory, Old Aberdeen House,<br>Dunbar Street, Aberdeen, AB24 3UJ |  |  |
| <b>Telephone Number:</b> | (01224) 491648  |  |  |
| <b>Date of Report:</b>   | 2 March 2019  |  |  |
| <b>Issue Number:</b>     | 1   |  |  |



Page 1 of 2

# Certificate of Chemical Analysis

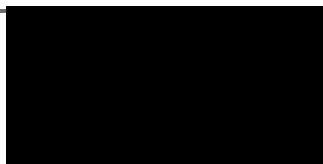
## Potable Private Water Sample

**Laboratory Reference:** 10192299  
**Your Reference:** 03270  
**For the attention of:** G Jones  
**Received From:** Aberdeenshire Council Environmental Health  
Gordon House Blackhall Road Inverurie  
**Received On:** 19 February 2019  
**Taken From:** Berwick Wood, Hatton of Fintray  
**Taken On:** 19 February 2019

The elevated level of manganese in this sample could make the supply unsatisfactory for culinary or laundry purposes.

(1) Comments, opinions and interpretations are outside the scope of UKAS accreditation.

**Signature:**



**Name:** James Darroch BSc, CChem, MRSC

**Status:** Laboratory Manager

**Official Address:** Aberdeen Scientific Services Laboratory, Old Aberdeen House,  
Dunbar Street, Aberdeen, AB24 3UJ

**Telephone Number:** (01224) 491648

**Date of Report:** 2 March 2019

**Issue Number:** 1



DESIGN STATEMENT

April 2023

New house at Berwick Wood, Hatton of Fintray, AB21 0YR

Introduction

This application for detailed consent is for an all-timber clad modified Model D Homes house design. The dwellinghouse is required at this location to provide residential accommodation for the Berwick Wood horticultural and animal husbandry enterprise established by Mr and Mrs Player on their 75 acre holding.

Site layout

The existing private road access to the farm runs approximately east-west and divides the central operational area with the main shed and polytunnels to the north of it, and the market garden to the south. The proposed location of the house is just to the south of the access road in a clear-felled area of existing mature coniferous woodland, facing almost due south and overlooking the market garden. The surrounding area of ground falls gently from east to west and to a lesser extent from north to south.

The almost due south orientation of the front elevation proposed maximises solar gain, with most glazing there. Solar harvesting will be provided by an array of photovoltaic panels to the north of the house.

Parking and a turning area as indicated on the site plan.



Aerial photograph with site outlined in red (Courtesy GoogleEarth)





### **Cairndale, Maud – larch clad with similar roof overhangs**

#### **House layout, materials and construction**

The house design is traditional in proportions and scale, and much in keeping with vernacular architecture, particularly traditional farm steading buildings. It is long and relatively narrow with a 45° symmetrically pitched roof. Glazing is predominantly to the south elevation. All windows are triple glazed. Controlled internal blinds will prevent overheating.



### **Bogriffie Steading conversion**



More recent housing development is generally 70s/80s bungalows with roughcast blockwork walls with shallow pitch concrete tiled roofs.

#### **Nearby house**

Wall cladding is horizontal larch boarding. Extensive use is made of regularly spaced Velux rooflights, which maintain the simple, unbroken roof line. The 1¾ storey configuration maximises the utilisation of the upper floor space, and the footprint is modest given the extent of the accommodation provided. It includes a first floor landing area suitable for use as office space.

For the purposes of airtightness, economy and to minimise the floor level height off the surrounding ground, an insulated slab foundation is proposed with a “floating” timber floor. The orientation of the house minimises cut and fill requirements given the topography, but it has been kept as low as practicable to have minimal visual impact.

#### **Policy compliance**

R2: Development Proposals Elsewhere in the Countryside

#### **Appendix 9: Building Design Guidance**

The house design proposed is entirely in compliance with the above. The scale, proportions, roof pitch and lay-out are all in keeping with existing local development, and the overall design is therefore appropriate. The policy specifically seeks good siting and design and careful consideration has been given to the central location of the house with a southerly orientation complementing that of the existing operational buildings sited there and providing immediate access to these and the market garden.

The construction proposed minimises embodied energy, and the external finishes, e.g. untreated larch cladding, aluminium clad pine windows, and galvanised steel gutters are all maintenance free. These materials minimise landscape impact, especially after weathering, which the timber finish is specifically selected to do.



Model D4 house at Rora

#### Modified Model D4 house at Rora

The minimum use of masonry materials, with their very high embodied energy, along with all-timber construction from sustainable sources; careful site selection for shelter and aspect, with minimal excavation and maximisation of scope for renewables and self-sufficiency, genuinely reflect the intent of policy.

Insulation is to full passive standard (marginally below that at the doors, windows and screens), and air-tightness is very close to that. All glazing is triple, argon filled, with low emissivity finish.



Larch cladding detail – Model D4 house at Auchleven

#### Larch cladding detail – Model D4 house at Auchleven

## **Summary**

The proposal is entirely compliant with Policy regarding siting and design, and the house design proposed has close to passive energy performance standards:

- The wall cladding is natural, untreated larch, which will weather to a light grey finish.
- The form and scale of the house reflects vernacular architecture very closely, with a 45° pitch roof and 1¾ storey wall height and effectively no eaves roof overhangs visible.
- The development is “light footfall” with minimal landscape and environmental impact.

# S.A. MCGREGOR



## GROUND ASSESSMENT & DRAINAGE RECOMMENDATION REPORT

PROPOSED NEW DWELLINGHOUSE  
BERWICK WOOD  
HATTON OF FINTRAY  
DYCE  
ABERDEEN  
AB21 0YQ

***Client:*** Mr and Mrs Player

***Agent:*** Sylvan Stuart

***Contract No.*** 3368/23

***Report Issued:*** 31 May 2023

## CONTENTS

Introduction

Site Location & Brief Description

Site Work

*Trial Pits*

*Percolation Testing*

*Infiltration Testing*

*In-Situ SPTs*

Ground Assessment

*Published Geology*

*Encountered Ground Conditions*

*Groundwater Observations*

Discussion

*Sub-Soils*

*Sewage Treatment*

*Foul Water Discharge*

*SuDS*

Drainage Recommendations

*Foul Water Discharge*

*SEPA*

*Surface Water Disposal*

*Indicative Soakaways*

*System Maintenance*

*Sewage Treatment System*

*Soakaways*

Regulations

Foundation Recommendations

*Safe Bearing Capacity*

*Settlement*

*De-watering*

## APPENDIX A

|                |  |
|----------------|--|
| Site Plans     | Fig. 1. General & Site Location Plans<br>Fig. 2. Proposed Site Layout & Test Location Plan |
| Trial Pit Logs | FW1, TP1 and TP2   |
| Drainage       | Fig. 3. Proposed Drainage Layout<br>Fig. 4. Indicative Sub-Surface Soakaway Installation   |
| Certificates   | Foul Water Discharge<br>Surface Water Disposal   |

**GROUND ASSESSMENT  
&  
DRAINAGE RECOMMENDATION REPORT  
PROPOSED NEW DWELLINGHOUSE  
BERWICK WOOD  
HATTON OF FINTRAY, DYCE  
ABERDEENSHIRE**

**INTRODUCTION**

At the request of Sylvan Stuart, on behalf of Mr and Mrs Player, this report is presented for the new planning application for the proposed new development site on land at Berwick Wood, Hatton of Fintray, Dyce, Aberdeenshire.

It is proposed to erect a new dwellinghouse on the site.

The purpose of the visit was to carry out a ground investigation to determine the nature of the materials underlying the area of the site and to undertake the following: -

- to carry out percolation testing to assess the suitability of the underground strata for the disposal of effluent from a sewage treatment system to the ground via a designed sub-surface soakaway system
- to assess the suitability of the existing surface water drain for the disposal design for surface waters from the proposed development
- to assess the sub-soils for foundation design

**SITE LOCATION & BRIEF DESCRIPTION**

The site is located on a plot of land at Berwick Wood, Hatton of Fintray, north of Dyce, Aberdeenshire with access from the B977 and local roads, OS NGR NJ 84106 17980, see Fig.1. General Location Plan.

The proposed development site is currently overlain with trees (to be cleared). The site falls slightly towards the south-west.

The site is currently un-serviced; however, electricity, water and telephone are nearby. There is no mains drainage; all nearby properties are served by private sewage treatment systems.

There are no watercourses within 10m of the proposed infiltration fields.

**SITE WORK**

***Trial Pits***

On the 12<sup>th</sup> May 2023, a site and ground assessment were undertaken at the site. A tracked excavator with a 0.70m bucket excavated trial pits to carry out an assessment of the underlying ground conditions, to carry out percolation and infiltration testing in the areas of the potential sub-surface soakaways.

The locations of the trial pits were decided on site and are indicated on Fig. 2. Proposed Site Layout & Test Location Plan in Appendix A.

### ***Percolation Testing***

Percolation testing was carried out in test holes adjacent to observation trial pits FW1 in accordance with Section 3.9 of the Scottish Building Standards Technical Handbook (Domestic) and SEPA WAT-RM-04. The test results are shown on the following table: -

|  |             |       |
|--|-------------|-------|
| Date of Testing 12/05/2023   | FW1 A       | FW1 B |
| Average time taken for water to drain 3 times in each sump hole (middle 150mm) | 2680        | 3520  |
| Depth of Water Table below Ground Level (m)                                    | >2.00       |       |
| Soil Percolation Values, Vp, s/mm  | 17.9        | 23.5  |
| <b>Average Soil Percolation Values, Vp, s/mm</b>                               | <b>20.7</b> |       |

### ***In-Situ SPTs***

In-situ SPT tests were carried out at 0.50m and 1.00m below the formed level, in the natural underlying sub-soils, at the site, see test results below: -

| <b>Trial Pit No.</b> | <b>Depth (m)</b> | <b>'N' Value</b> |
|----------------------|------------------|------------------|
| TP 1                 | 0.50             | 11               |
|                      |                  | 17               |
| TP 2                 | 1.00             | 14               |
|                      |                  | 20               |

## **GROUND ASSESSMENT**

### ***Published Geology***

The British Geological Survey 1:50,000 Quaternary and Solid maps indicate that the site is overlain by Banchory Till Formation - Diamicton - sand, gravel, silt and clay. Sedimentary superficial deposits formed between 116 and 11.8 thousand years ago during the Quaternary Period and underlain by the Aberdeen Formation formed between 1000 and 541 million years ago between the Tonian and Ediacaran Periods.

### ***Encountered Ground Conditions***

**Topsoil:** The site is overlain by 300-500mm thickness of topsoil.

**Natural Sub-Soils:** The natural underlying sub-soils are described as medium dense brown fine to coarse sand and fine to coarse gravel with some cobbles; sub-angular to sub-rounded mixed lithology proved to the investigated depth of 2.00m.

**Bedrock:** Bedrock was not encountered during the investigation.

### ***Groundwater Observations***

Groundwater was not encountered during the investigation.



## **DISCUSSION**

### ***Sub-Soils***

The sandy gravelly nature of the underlying strata and the results from the percolation and infiltration testing confirmed the moderate draining properties of the sub-soils.

### ***Sewage Treatment***

The soil percolation value, ***V<sub>p</sub> = 20.7 s/mm*** and therefore a standard septic tank is suitable for the development. It is recommended to install septic tank with a minimum 2,900-litre capacity is required for a 3-bedroom house with a population, PE = 5.

### ***Foul Water Discharge***

A sub-surface stone-filled soakaway (infiltration system) is considered suitable for the discharge of foul waters from a PSTP directly to the ground.

The soakaway should comply with the Domestic Technical Handbook (para. 3.9.2) which sets out guidance on design in accordance with the requirements of SEPA Regulatory Method (WAT-RM-04) Indirect Sewage Discharges to Groundwater.

### ***SuDS & Surface Water Disposal***

The disposal of surface waters from the dwellinghouse needs to be assessed in terms of both the quantity and the quality of the discharge for Building Regulations and SEPA. Using the SIA tool, the land use run-off quality has been determined, see following summary table: -

| Land Use Type                         | Residential Roofing  | Residential Parking & Driveway   |
|---------------------------------------|--|--|
| Pollution Hazard Level                | <b>Very Low</b>  | <b>Low</b>   |
| Pollution Hazard Indices              |  |  |
| TSS                                   | 0.2  | 0.5  |
| Metals                                | 0.2  | 0.4  |
| Hydrocarbons                          | 0.05   | 0.4  |
| SuDS Component Proposed               | <b>Existing Swale<br/>(not discharging to watercourse)</b> |  |
| Component 1                           |  |  |
| SuDS Pollution Mitigation Indices     |  |  |
| TSS                                   | 0.5  | 0.5  |
| Metals                                | 0.6  | 0.6  |
| Hydrocarbons                          | 0.6  | 0.6  |
| Groundwater Protection Type           | <b>300mm vegetation</b>                                    | <b>Silt Trap for TSS<br/>Minimum 300mm permeable gravel<br/>finish</b> |
| Mitigation Indices                    |  |  |
| TSS                                   | 0.4  | 0.4  |
| Metals                                | 0.3  | 0.3  |
| Hydrocarbons                          | 0.3  | 0.3  |
| Combined Pollution Mitigation Indices |  |  |
| TSS                                   | 0.7  | 0.7  |
| Metals                                | 0.75   | 0.75   |
| Hydrocarbons                          | 0.75   | 0.75   |
| Acceptability of Pollution Mitigation |  |  |
| TSS                                   | <b>Sufficient</b>  | <b>Sufficient</b>  |
| Metals                                | <b>Sufficient</b>  | <b>Sufficient</b>  |
| Hydrocarbons                          | <b>Sufficient</b>  | <b>Sufficient</b>  |

The SIA assessment confirms that the utilisation of the existing swale provides sufficient quality mitigation for the surface water run-off from the roof areas and permeable driveways/parking areas for the proposed development prior to disposal to the ground.

The design is to be effective in all-weather conditions and are not considered to pose a risk to local water supplies and the water environment.

## **DRAINAGE RECOMMENDATIONS**

### ***Foul Water Discharge***

To comply with the Domestic Technical Handbook (para. 3.9.2) which sets out guidance on how proposals may meet the Building Standards set out in the Building (Scotland) Regulations 2004, an infiltration system must be designed and constructed in accordance with the requirements of SEPA.

Where the average soil percolation value,  $V_p$  is between 15-120 s/mm in accordance with the regulations the minimum base area,  $A$ , is derived from  $A = V_p \times PE \times 0.25$ , or a **minimum base area of 25m<sup>2</sup>**, see the following table: -

| <b>Proposed Development</b> | <b>Population Equivalent, PE</b><br>(as defined in BW COP:18.11/14) | <b>Ave. Percolation Value, <math>V_p</math></b><br>(s/mm) | <b>Min. Base Area</b><br>(m <sup>2</sup> ) |
|-----------------------------|---|---|--|
| New Dwellinghouse           | 5 (3-bedroom)   | 20.7  | 26   |

Full details of the proposed sewage treatment system will be made available to the Building Standards Officer once it has been determined after consultation with suppliers which models are the most suitable for the proposed development and the potential population equivalent of the dwellinghouse.

### ***SEPA***

The final installed sewage treatment system and discharge will require to be registered with SEPA under CAR.

### ***Surface Water Disposal***

The existing swale/open surface water drainage channel (not discharging to a watercourse) is greater than 50m long, 1m wide and has a depth of 0.60m.

This channel has never known to overflow, including during and after recent very heavy rainfall events. It is also so that the swale has capacity for the climate change +37% allowance for North East Scotland.

It is confirmed that the swale is suitable for use for this development. No further action is required.

### ***Indicative Drainage Layout***

The proposed drainage layout is shown on Fig 3. with indicative soakaway installation shown on Fig. 4. along with the certificate all in Appendix A.

## **SYSTEM MAINTENANCE**

### ***Sewage Treatment System***

All servicing and maintenance should be undertaken in full accordance with the manufacturer's literature or by a responsible qualified person. The PSTP should be regularly inspected and 'desludged' (emptied) when appropriate to ensure solids and silts do not 'clog' the soakaway or make their way to the discharge outlet.

### ***Soakaways***

The soakaways are designed for the life time of the proposed development if they are not allowed to silt up nor the pipework to be blocked.

If a soakaway fails to due blockages or silting it should be excavated and reconstructed with fresh clean stone, new pipework and renewed terram.

During the development of the site, and the excavation of the soakaways, should any field drains be found within 10m of the soakaway they should be realigned or relocated accordingly.

### **REGULATIONS**

SEPA and Building Regulations require that infiltration systems (soakaways) are located at least:

- 50m from any spring, well or borehole used as drinking water supply
- 10m horizontally from any water course (including any inland or coastal waters), permeable drain (including culvert), road or railway
- 5m from all buildings
- 5m from boundaries (*reduced distance to boundaries may also be subject to agreement from adjacent land owners where the soakaway is considered not to be detrimental to the adjacent property*)

### **FOUNDATION RECOMMENDATIONS**

#### ***Safe Bearing Capacity***

The in-Situ SPT 'N' values are in the range 11-20.

It is recommended that the foundations should be taken down through the topsoil to rest on the stiff clays at a minimum depth of below 0.450m below existing ground levels.

A safe bearing capacity of 100kN/m<sup>2</sup> at 0.450m may be applied for the design of the foundations for standard strip footings.

#### ***Settlement***

It is considered that the medium dense nature of the sub-soils will provide settlement within tolerable design limits.

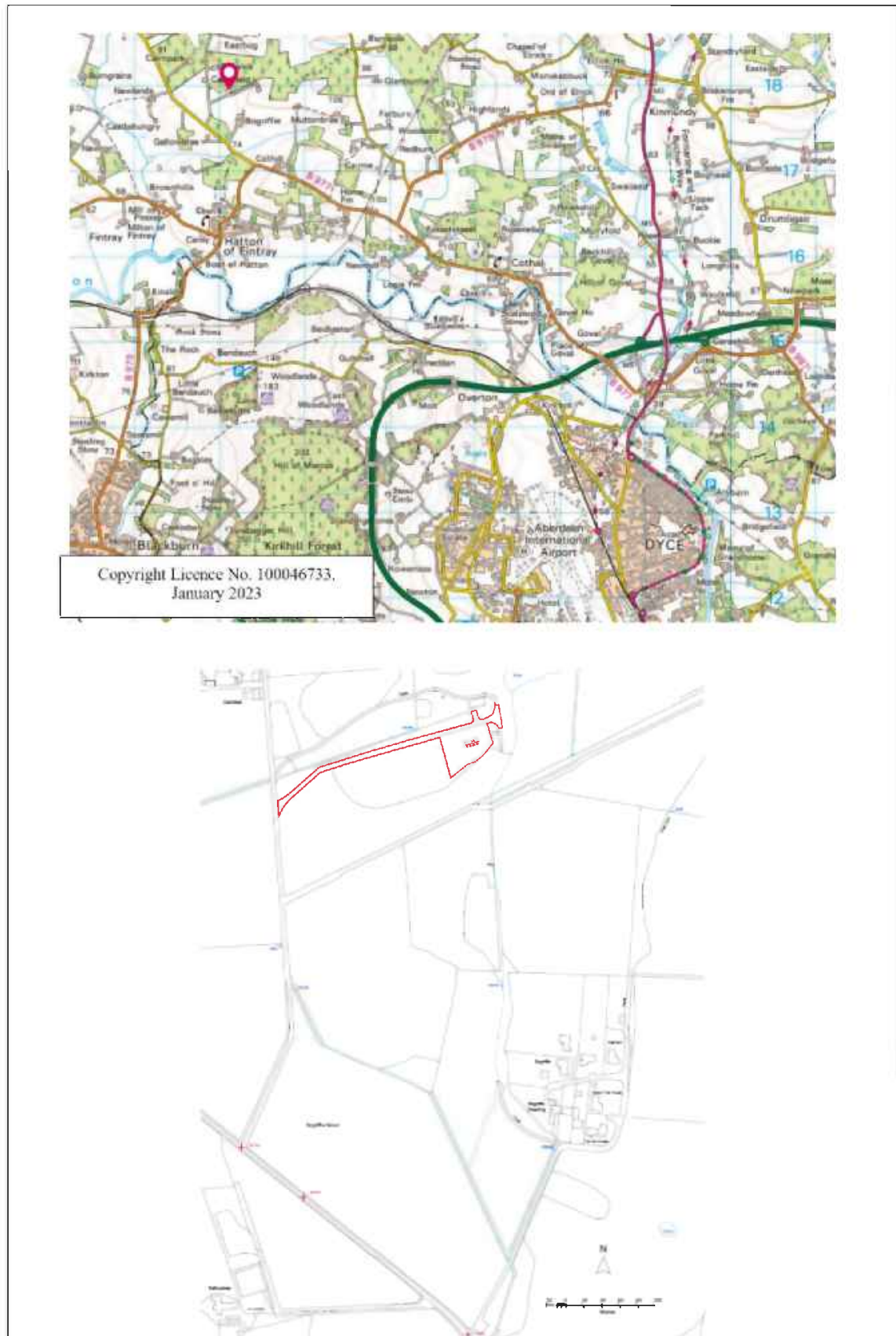
#### ***De-Watering***

It is not anticipated that de-watering of excavations will be required during construction.

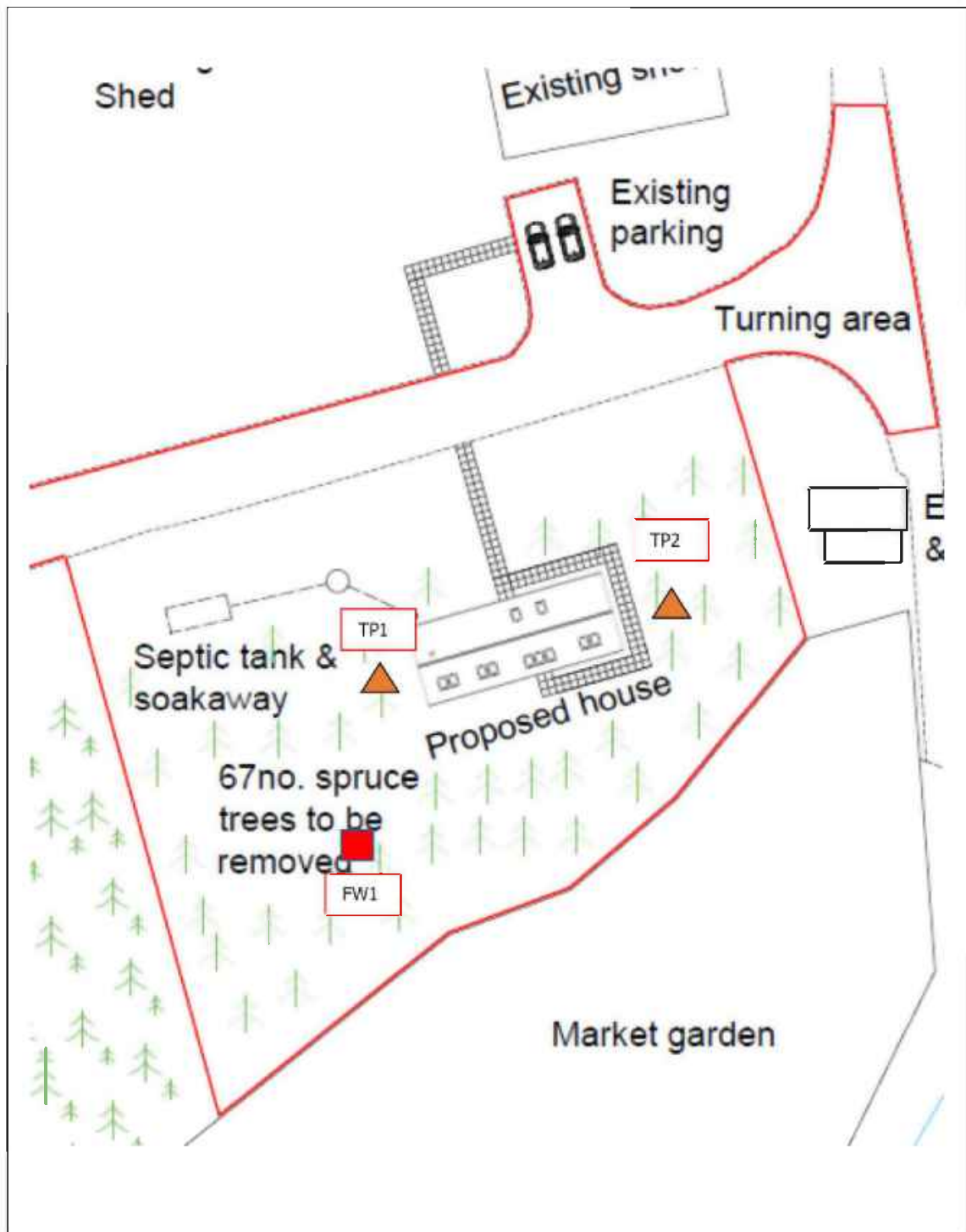
## **APPENDIX A**

|                |  |
|----------------|--|
| Site Plans     | Fig. 1. General & Site Location Plans<br>Fig. 2. Proposed Site Layout & Test Location Plan |
| Trial Pit Logs | FW1, TP1 & TP2   |
| Drainage       | Fig. 3. Proposed Drainage Layout<br>Fig. 4. Indicative Sub-Surface Soakaway Installation   |
| Certificate    | Foul Water Discharge   |





**Fig. 1. GENERAL & SITE LOCATION PLANS**



**Fig. 2. PROPOSED SITE LAYOUT & TEST LOCATION PLAN**







FW1 Log

|    |                | <b>S.A. M'GREGOR</b>      |                              |                     | Site<br>Berwick Wood, Hatton of Fintary |   | Trial Pit Number<br><b>FW1</b>   |                           |
|---|----------------|---------------------------|------------------------------|---------------------|---|---|--|---------------------------|
| Excavation Method<br>Tracked excavator with 0.70m bucket                            |                | Dimensions<br>0.70 x 1.50 |                              | Ground Level (mOD)  |   | Client<br>Mhairi & Austen Player  |  | Job Number<br>3368/23     |
|   |                | Location                  |                              | Dates<br>12/05/2023 |   | Agent<br>Sylvan Stuart  |  | Sheet<br>1/1              |
| Depth (m)   | Sample / Tests | Water Depth (m)           | Field Records                | Level (mOD)         | Depth (m) (Thickness)                   | Description   | Legend   | Water                     |
|   |                |                           |                              |                     | 0.60                                    | TOPSOIL   |   |                           |
|   |                |                           | Percolation testing at 1.00m |                     | 0.50                                    | Medium dense brown fine to coarse SAND and fine to coarse GRAVEL with some cobbles sub-angular to sub-rounded mixed lithology |  |                           |
|   |                |                           | No groundwater ingress       |                     | 1.50                                    |   |  |                           |
|   |                |                           |                              |                     | 2.00                                    | Complets at 2.00m   |  |                           |
| <b>Plan</b>   |                |                           |                              |                     | <b>Remarks</b>                          |   |  |                           |
|  |                |                           |                              |                     |   |   |  |                           |
|   |                |                           |                              |                     |   |   |  |                           |
|   |                |                           |                              |                     | Scale (approx)<br>1:20                  |   | Logged By<br>SAM   | Figure No.<br>3368/23.FW1 |

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TP1 log

|    |                | <b>S.A. M'GREGOR</b>      |   | Site<br>Berwick Wood, Hatton of Fintary |                             | Trial Pit<br>Number<br><b>TP1</b>   |  |       |
|---|----------------|---------------------------|---|---|-----------------------------|---|--|-------|
| Excavation Method<br>Tracked excavator with<br>0.70m bucket                         |                | Dimensions<br>0.70 x 1.00 |   | Ground Level (mOD)                      |                             | Client<br>Mhain & Austen Player   |  |       |
|   |                | Location                  |   | Dates<br>12/05/2023                     |                             | Agent<br>Sylvan Stuart  |  |       |
|   |                |                           |   |   |                             | Job<br>Number<br>3368/23  |  |       |
|   |                |                           |   |   |                             | Sheet<br>1/1  |  |       |
| Depth<br>(m)  | Sample / Tests | Water<br>Depth<br>(m)     | Field Records                             | Level<br>(mOD)                          | Depth<br>(m)<br>(Thickness) | Description   | Legend   | Water |
| 0.60-0.65   | SPT(C) N=11    |                           | 1,2,2,2,3,4                               |   | 0.50<br>0.60                | TOPSOIL with many rootlets<br><br>Medium dense green brown very silty slightly gravelly fine to medium SAND | <br> |       |
| 1.00-1.45   | SPT(C) N=17    |                           | 3,4/4,4,4,5<br><br>No groundwater ingress |   | 0.70<br>1.20                | Complete at 1.20m   |  |       |
| <b>Plan</b>   |                |                           |   |   |                             | <b>Remarks</b>  |  |       |
|  |                |                           |   |   |                             |   |  |       |
| Scale (approx)  |                | Logged By                 |   | Figure No.                              |                             |   |  |       |
| 1:20  |                | SAM                       |   | 3368/23 TP1                             |                             |   |  |       |

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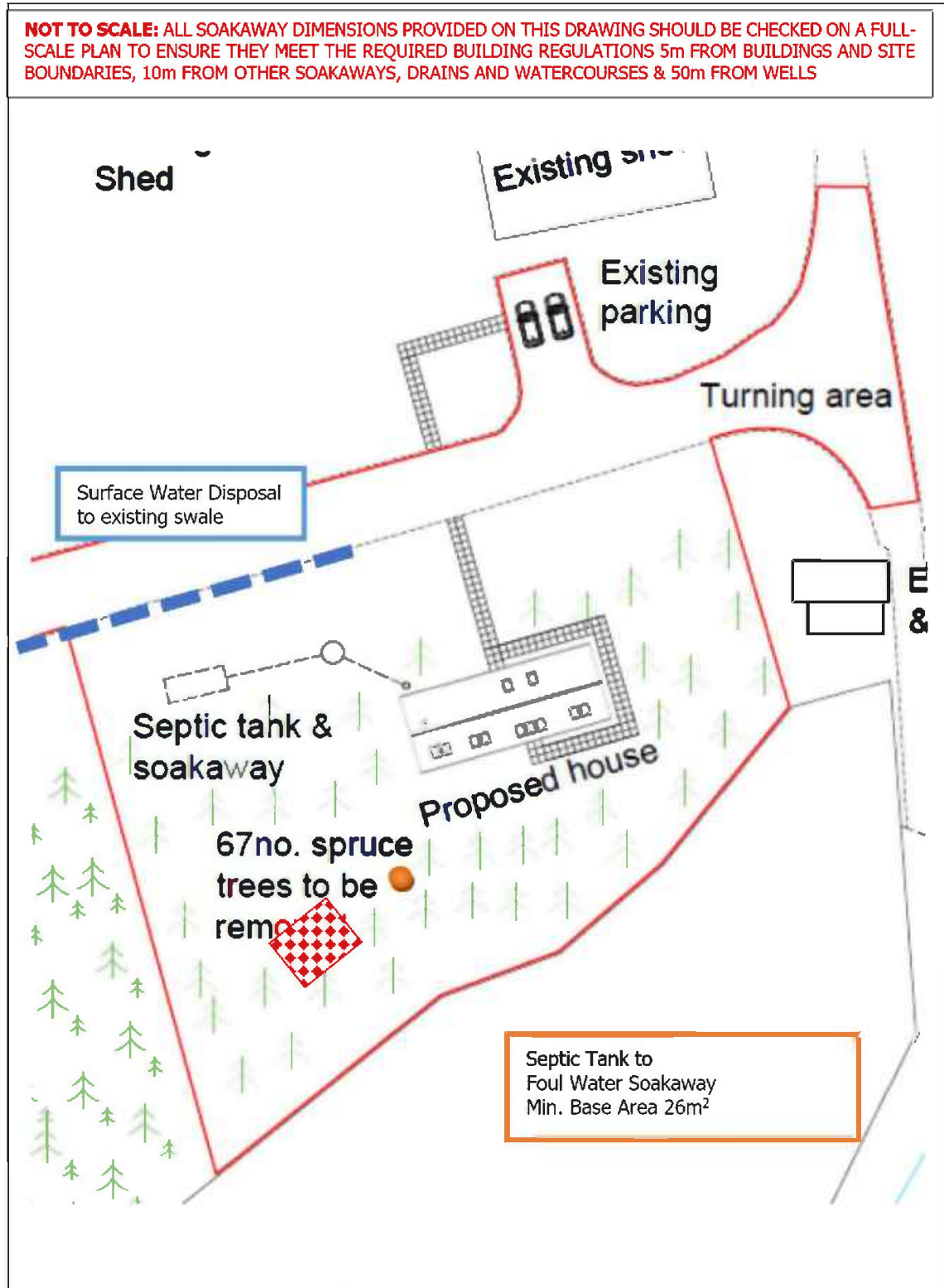


TP2 Log

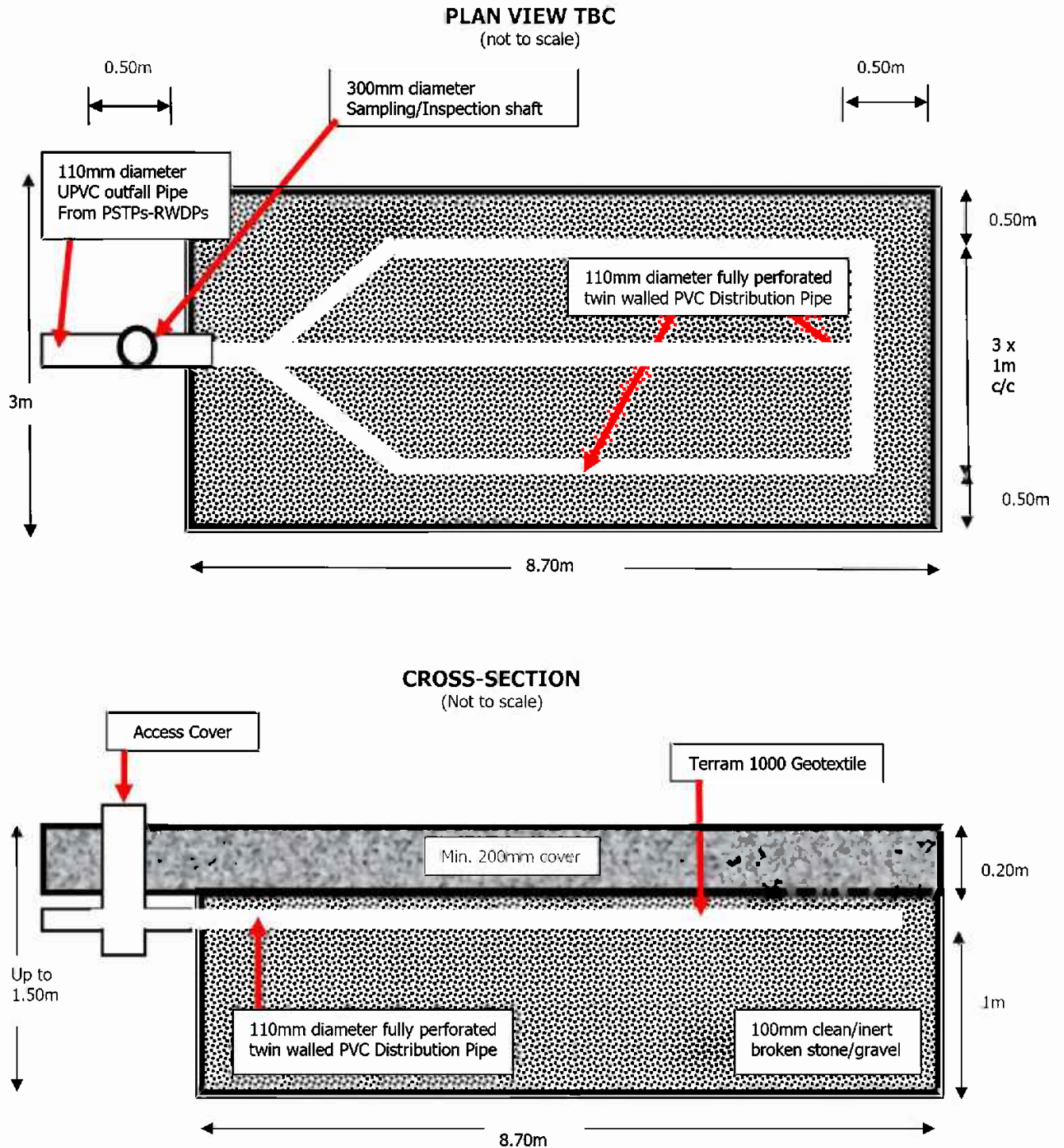
|    |                | <b>S.A. M'GREGOR</b>      |                        |                     | Site<br>Berwick Wood, Hatton of Fintary |  | Trial Pit Number<br><b>TP2</b>  |                       |
|---|----------------|---------------------------|------------------------|---------------------|---|--|---|-----------------------|
| Excavation Method<br>Tracked excavator with 0.70m bucket                            |                | Dimensions<br>0.70 x 1.10 |                        | Ground Level (mOD)  |   | Client<br>Mhairi & Austen Player   |   | Job Number<br>3368/23 |
|   |                | Location                  |                        | Dates<br>12/05/2023 |   | Agent<br>Sylvan Stuart   |   | Sheet<br>1/1          |
| Depth (m)   | Sample / Tests | Water Depth (m)           | Field Records          | Level (mOD)         | Depth (m) (Thickness)                   | Description  | Legend  | Water                 |
| 0.50-0.95   | SPT(C) N=14    |                           | 2,2/2,3,4,5            |                     | (0.30)<br>0.30                          | TOPSOIL with many rootlets<br>Medium dense light orange-brown slightly silty very gravelly fine to coarse SAND with some pebbles, sub-angular to sub-rounded mixed lithology |  |                       |
| 1.00-1.45   | SPT(C) N=20    |                           | 5,5/5,5,5,5            |                     | (0.90)<br>1.20                          | Complete at 1.20m  |  |                       |
|   |                |                           | No groundwater ingress |                     |   |  |   |                       |
| <b>Plan</b>   |                |                           |                        |                     | <b>Remarks</b>                          |  |   |                       |
|  |                |                           |                        |                     |   |  |   |                       |
| Scale (approx)  |                | Logged By                 |                        | Figure No.          |   |  |   |                       |
| 1:20  |                | SAM                       |                        | 3368/23.TP2         |   |  |   |                       |

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**Fig. 3. PROPOSED DRAINAGE LAYOUT**



**Fig. 4. INDICATIVE SOAKAWAY INSTALLATION**  
(sketch only, not to scale)



## CERTIFICATE FOR PROPOSED FOUL WATER SUB-SURFACE DISCHARGE

Two tests are normally required to demonstrate the suitability of the proposed drainage scheme:

1. A trial pit must be excavated to a depth of 1 metre below the proposed invert of the drain to establish whether the water table will interfere with the operation of the soakaway
- and
2. A percolation test must be carried out to determine the area of the ground required.

### Certificate

**Client:** Mr and Mrs Player  
**Agent:** Sylvan Stuart  
**Site Address:** Berwick Wood, Hatton of Fintray, Dyce, Aberdeenshire, AB21 0YQ

**Date of Test:** 12/05/2023      **Time:** from 3pm      **Weather:** Dry & sunny

### *Encountered Ground Conditions*

**Topsoil:** The site is overlain by 300-500mm thickness of topsoil.

**Natural Sub-Soils:** The natural underlying sub-soils are described as medium dense brown fine to coarse sand and fine to coarse gravel with some cobbles; sub-angular to sub-rounded mixed lithology proved to the investigated depth of 2.00m.

**Bedrock:** Bedrock was not encountered during the investigation.

### *Groundwater Observations*

Groundwater was not encountered during the investigation

**Wells:** no known wells used for supply of potable water within 50m of site.

| <b>Percolation Tests</b>                  | <b>FW1 A</b>           | <b>B</b> |
|---|------------------------|----------|
| Depth of Drains                           | 1.00m                  |          |
| Depth of Excavations                      | 2.00m                  |          |
| Time Taken (mean of three times), secs    | 2680                   | 3520     |
| Average Soil Percolation Values, Vp, s/mm | 20.7                   |          |
| Population Equivalent                     | 5 (3-bedroom).....     |          |
| Minimum Floor Area of Soakaway            | <b>26m<sup>2</sup></b> |          |

I hereby certify that I have carried out the above assessment in accordance with procedures specified within the Domestic Scottish Building Standards Technical Handbook (Environmental Standard 3.9 Infiltration Systems) and SEPA A WAT-RM-04, the results of which are tabulated above, and that the proposed drainage scheme detailed on the attached plans and report has been designed considering the recommendations in the standards and regulatory standards.

Signed ...  ..... Date...31 May 2023  
Name / Company S. A. McGregor  
Address Serenje, Kingsford Steadings, Alford, Aberdeenshire, AB33 8HN  
Qualification B.Eng (Civil Engineering).



# Allathan

**ASSOCIATES**

49 High Street, Turriff,  
Aberdeenshire,  
AB53 4EJ

## BERWICK WOOD

### LABOUR REQUIREMENT REPORT

#### BACKGROUND

This report is produced in support of an anticipated request by Aberdeenshire Council's Planning Department for a Labour Requirement analysis for the existing farm business to justify the building of residential dwelling house.

The report has been provided on the basis of data provided by Austen and Mhairi Player. Standard Labour Requirements referenced from 'The Report of the UK Farm Classification Working Party, 2004' and the 'The Farm Management Handbook 2021/22' published by SAC Consulting' have been used, with other assumptions stated where appropriate.

#### DESCRIPTION OF THE HOLDING AND IT'S USAGE

Mr and Mrs Player, trading as Berwick Wood, horticultural enterprise based at Berwick Wood, located approximately 1 kilometre north of Hatton of Fintray. The holding extends to some 30.59 ha (75.58 acres) if IACS registered parcels and meantime comprises conifer planting interspersed with open grass rides, and an area to the south of the unit utilised for a market gardening enterprise extending, currently, to approximately 0.47 ha of outdoor cultivated area and 0.048 ha of both caterpillar and poly-tunnels. There is a small orchard area extending to 0.06 ha. All the land is classified as Disadvantaged Less Favoured Area, and it all lies within the Moray/Aberdeenshire/Banff and Buchan Nitrate Vulnerable Zone, and is classified as Grade 3<sub>2</sub> by the Hutton Institute.

There are currently 6 pigs kept on the holding for ground conditioning purposes.

#### CURRENT STOCKING AND CROPPING

The table below details the land use during 2022:

| <b>Crop</b>                   | <b>Ha</b>     |
|-------------------------------|---------------|
| Outdoors vegetables and salad | 0.470         |
| Fruit/vegetable under cover   | 0.048         |
| Orchard                       | 0.060         |
| Woodland                      | 30.012        |
| <b>Land Total</b>             | <b>30.590</b> |

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[www.allathanassociates.co.uk](http://www.allathanassociates.co.uk)



## STANDARD LABOUR REQUIREMENTS

The 2004 Report from the UK Farm Classification Working Party provides a set of standard labour requirements (SLRs) that are used widely by the industry to assess labour requirements. They are quoted in SAC's Farm Management Handbook. Total SLRs calculated for an individual business in this way represent the approximate labour requirement for stocking and cropping, though additional inputs may be needed in respect of diversification projects, farm maintenance, and administrative functions. The Working Party agreed that the definition of the annual hours of a full-time worker should be 1900 hours. The following definitions of size bands were agreed:

| Size Band               | SLR-based definition(hours) |
|-------------------------|-----------------------------|
| Very Small - Spare time | < 0.5 FTE (1 – 949)         |
| Very Small - Part time  | 0.5 to < 1 FTE (950 – 1899) |
| Small - Full-time       | 1 to < 2 FTE (1900 – 3799)  |
| Medium - Full-time      | 2 to < 3 FTE (3800 – 5699)  |
| Large - Full-time       | 3 to < 5 FTE (5700 – 9499)  |
| Very Large - Full-time  | 5 or more FTE (>=9500)      |

Source: Report of the UK Farm Classification Working Party, 2004

## CALCULATION OF LABOUR REQUIREMENTS FOR BERWICK WOOD BASED ON ACTUAL FIGURES

The business does more than just grow crops; it harvests, prepares and packs boxes of vegetable, herbs and fruit and delivers them to customers across Aberdeenshire for 30 weeks of the year. A list of the current vegetables grown is included at Appendix I.

Mr and Mrs Player have sample recorded their time inputs, and estimated the actual labour inputs for a full year for the outdoor market garden area

| Procedure                         | Minutes Direct seeding | Minutes transplanting | Harvesting/Bed Average | Total Annual delivery Hours            | Seeding to tray prior to germination and transplanting | Packing - Boxes, Salad bags etc | Total Annual Hours for the Market garden area |
|-----------------------------------|------------------------|-----------------------|------------------------|--|--|---------------------------------|---|
| Seedlings per tray                |                        |                       |                        |  | 8m   |                                 |   |
| Bed Clearance                     | 0h 15m                 | 0h 15m                |                        |  |  |                                 |   |
| Bed Preparation                   | 0h 20m                 | 0h 20m                |                        |  |  |                                 |   |
| Direct seeding                    | 0h 10m                 |                       |                        |  |  |                                 |   |
| Transplanting                     |                        | 0h 20m                |                        |  |  |                                 |   |
| Watering/Covering                 | 0h 15m                 | 0h 15m                |                        |  |  |                                 |   |
| In Crop Weeding per crop          | 1h 0m                  | 1h 0m                 |                        |  |  |                                 |   |
| Harvesting/week/ veg              |                        |                       | 0h 20m                 |  |  |                                 |   |
| Packing /box                      |                        |                       |                        |  |  | 0h 10m                          |   |
| Delivering Boxes to Clients/ year |                        |                       |                        | 90h 0m                                 |  |                                 |   |
| Delivering to Hub / year          |                        |                       |                        | 20h 0m                                 |  |                                 |   |
| Delivery to Cafes/ year           |                        |                       |                        | 80h 0m                                 |  |                                 |   |
| <b>Total individual Bed Hours</b> | <b>2h 0m</b>           | <b>2h 10m</b>         | <b>0h 20m</b>          | <b>190h 0m</b>                         | <b>0h 8m</b>   | <b>0h 10m</b>                   |   |
| <b>Number of times per season</b> | <b>100</b>             | <b>250</b>            | <b>600</b>             | <b>1</b>                               | <b>300</b>   | <b>1500</b>                     |   |
| <b>Total hours for season</b>     | <b>200h</b>            | <b>541h 40m</b>       | <b>200h</b>            | <b>190h</b>                            | <b>40h</b>   | <b>250h</b>                     | <b>1421h 40m</b>                              |
| <b>Area of Outdoor Area</b>       |                        |                       |                        | <b>Outdoor Market Garden Area (ha)</b> |  |                                 | <b>0.47</b>                                   |
| <b>Total Hours /ha /Season</b>    |                        |                       |                        | <b>Indicative Hours /ha</b>            |  |                                 | <b>3,025</b>                                  |



The area under cultivation in the 3 Caterpillar Tunnels and the Polytunnel is worked in the same way as the outdoor Market Garden Area:

|                                     |       |
|-------------------------------------|-------|
| Under Cover Market Garden Area (ha) | 0.048 |
| Indicative Total Hours              | 145   |

Standard Labour requirement Calculations have been used for both the Orchard Area, and the Pig Activity:

| Activity           | No   | Unit | SLRs per unit | Total SLRs |
|--------------------|------|------|---------------|------------|
| Top and Soft Fruit | 0.06 | Ha   | 425           | 25.5       |
| Outdoor Pigs       | 6    | Head | 2.3           | 131        |

The unit predominantly comprises conifer planting, which require ongoing management. It is acknowledged that specialist contractors will be required for felling, but re-planting and fencing time inputs are largely carried out by Mr and Mrs Player. An allowance of 200 hours is allowed for their time.

No allowance has been made for the record keeping, marketing and administrative functions carried out by the proprietors, carried out mostly "after hours". It is safe to assume that a further 10% of the Market Gardening labour could be realistically included in the calculations.

In summary, the Standard Labour Requirement Calculation for Berwick Wood is:

| Activity                                | Total SLRs   |
|---|--------------|
| Outdoor Market Garden Area              | 1,421        |
| 3 Caterpillar Tunnels + 1 Poly Tunnel   | 145          |
| Orchard Area                            | 25           |
| Pigs                                    | 131          |
| <b>Sub-Total</b>                        | <b>1,722</b> |
| add allowance for forestry work         | 200          |
| add allowance for admin (market garden) | 172          |
| <b>Total Labour Requirements</b>        | <b>2,094</b> |
| 1 x Full-time Equivalent                | 1,900        |
| <b>Total FTE</b>                        | <b>1.1</b>   |

The current business at Berwick Wood justifies labour of 1.1 full-time equivalent.

#### JUSTIFICATION FOR RESIDENCY ON HOLDING

On-site accommodation is required to mitigate against rising costs and increasing adverse weather conditions, including the maintenance of the poly tunnel after the storm and snowfall events, all of which which have a financial impact on the business.

The pig herd requires daily management including for welfare reasons, and plans to increase the outdoor herd are restricted by not being able to live on-site and provide the continual and consistent management care required. Recent flooding meant that the site was inaccessible, a situation that would not have arisen has on site onsite accommodation be available. |



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Site security, with the relatively high value of produce on site and in the ground throughout the year, is a particular issue which would be improved by on-site accommodation.



Steven A Mackison  
steve.mackison@allathanassociates.co.uk

21st December 2022





## APPENDIX I

### List of vegetables, herbs and fruit grown 2022

Aubergines- long early variety  
Aztec Broccoli  
Beans- broad, runner, french, string and pole  
Beetroot  
Broccoli - green and purple and calabrese  
Brussel sprouts  
Cabbage- spring, summer, autumn, winter and red  
Carrots  
Cauliflower including romanesco  
Chard  
Chilli  
Celery  
Celeriac  
Courgettes  
Cucumber  
Florence fennel  
Herbs - parsley, fennel, sorrel, sage, thyme, basil, chives, lemon balm, mint, dill  
Horseradish  
Kale - 7 varieties  
Leeks  
Lettuce heads and lettuce leaves  
Mustard - giant leaves and spicy mix baby leaves  
Onions- spring, white and red  
Pak choi  
Parsnips  
Peas - pods and sugar snaps and pea shoots  
Potatoes - early and smaller amount main crop  
Radish- french, red round and winter  
Red Orache  
Rocket  
Salsify  
Spinach - perpetual, New Zealand and baby leaf  
Summer squash  
Squash - autumn and winter  
Tomatoes - cherry, standard and beefsteak  
Turnips

Apple trees  
Soft Fruit



**Allathan**  
**ASSOCIATES**

49 High Street, Turriff,  
Aberdeenshire,  
AB53 4EJ

## BERWICK WOOD

### LABOUR REQUIREMENT REPORT

Further to my report dated 21<sup>st</sup> December 2022, I write with some further thoughts on the justification for having labour resident on-site at Berwick Wood.

1. The size of the pig enterprise is currently restricted due to there being no labour resident on site. With a business using the direct selling model, the market for the pork has have to be built up and so the current herd of 6 sows will need to added to.
2. Outdoor pigs are destructive creatures and when hungry will break out to go rooting and foraging. The cost of damage to neighbour's property would be financially damaging as would the loss of good will. Onsite labour, outwith normal working hours, will allow more comprehensive supervision and husbandry of the pig herd.
3. The biohazard risk from importing livestock from other breeders/farms and the restrictions imposed on livestock after a transfer of beasts is a problem that can be avoided by being able to build up the herd from the business' own breeding.
4. Further to the above welfare issue, I am advised that there have been, within the last few years, issues with weather conditions – flooding and high winds during which do not travel warnings were issued. My clients cannot leave livestock not being fed. They currently live 1.5km away from their livestock and having to travel along a road lined with trees (as the road from Fintray to Berwick is) during a 'do not travel' warning does not seem responsible. Additionally, in those circumstances, They would not be covered by insurance.
5. There has been significant horticultural crop losses from my clients not being onsite and able to react quickly to weather conditions. This is particularly of note for early crops with their protective nets being blown off by high spring winds and the crop then being grazed and severely damaged by pigeons. Similarly, heavy overnight falls of snow have cause d the collapse of polytunnels. These large financial losses for a small business would have been mitigated by being on onsite.
6. For the business at Bewick Wood both the horticultural and animal enterprises need constant management. My clients feel they are unable to make the

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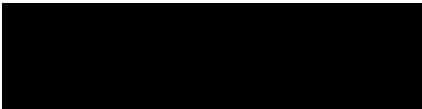


Allathan  
ASSOCIATES

horticultural side of the business work in an industry that produces small margins and with increasingly extreme and challenging weather patterns, without being based onsite. From a livestock point they need to be able to always reach and care for their stock which, I understand, would not have been possible on at least 5 occasions since the business has been established, having to travel from the nearest village.

7. While my clients do currently rent in the area, it does not relieve any of the above issues.

I hope this information is of help?



Steven A Mackison  
steve.mackison@allathanassociates.co.uk

17<sup>th</sup> August 2023



## APPENDIX I

### List of vegetables, herbs and fruit grown 2022

Aubergines- long early variety  
Aztec Broccoli  
Beans- broad, runner, french, string and pole  
Beetroot  
Broccoli - green and purple and calabrese  
Brussel sprouts  
Cabbage- spring, summer, autumn, winter and red  
Carrots  
Cauliflower including romanesco  
Chard  
Chilli  
Celery  
Celeriac  
Courgettes  
Cucumber  
Florence fennel  
Herbs - parsley, fennel, sorrel, sage, thyme, basil, chives, lemon balm, mint, dill  
Horseradish  
Kale - 7 varieties  
Leeks  
Lettuce heads and lettuce leaves  
Mustard - giant leaves and spicy mix baby leaves  
Onions- spring, white and red  
Pak choi  
Parsnips  
Peas - pods and sugar snaps and pea shoots  
Potatoes - early and smaller amount main crop  
Radish- french, red round and winter  
Red Orache  
Rocket  
Salsify  
Spinach - perpetual, New Zealand and baby leaf  
Summer squash  
Squash - autumn and winter  
Tomatoes - cherry, standard and beefsteak  
Turnips

Apple trees  
Soft Fruit

Our Ref: 29761278 APP/2023/0889

Thursday, 08 June 2023

Jackie Webb  
National Grid House Gallows Hill, Warwick Technology Park, Warwick  
Warwick  
Warwickshire  
cv246da

National Gas Emergency Number:  
0800 111 999\*

\*Available 24 hours, 7 days/week.  
Calls may be recorded and monitored.  
[www.nationalgas.com](http://www.nationalgas.com)

Asset Protection  
National Gas Transmission  
National Grid House  
Warwick  
CV34 6DA  
Email: [box.assetprotection@nationalgas.com](mailto:box.assetprotection@nationalgas.com)  
Tel: 0800 970 7000

National Gas Transmission – High Risk Response Letter

Dear Sir/ Madam,

An assessment has been carried out with respect to National Gas Transmission plc's apparatus and the proposed work location. Based on the location entered into the system for assessment the area has been found to be within the High Risk zone from National Gas Transmission plc's apparatus and you **MUST NOT PROCEED** without further assessment from Asset Protection.

Before you go ahead with these works, you are required to send your plans and a description for to us to review them at [box.assetprotection@nationalgas.com](mailto:box.assetprotection@nationalgas.com). We will contact you within 28 days of receipt.

It is **YOUR** responsibility to take into account whether you are required to or would benefit from referring to the HSE Land Use Planning App (LUP), available from HSE's website. (Please note for some works this is a requirement for them to take place) More information on the LUP is available at <https://www.hse.gov.uk/landuseplanning/>

Please note this response and any attached map(s) are valid for 28 days.

Yours sincerely

**Asset Protection Team**

## Your Responsibilities and Obligations

The "Assessment" Section below outlines the detailed requirements that must be followed when planning or undertaking your activities at this location.

It is your responsibility to ensure that the information you have submitted is accurate and that all relevant documents including links are provided to all persons (either direct labour or contractors) working for you near National Gas Transmission plc's apparatus, e.g. as contained within the Construction (Design and Management) Regulations.

This assessment solely relates to National Gas Transmission plc (NGT)

This assessment does **NOT** include:

- National Gas Transmission's legal interest (easements or wayleaves) in the land which restricts activity in proximity to National Gas Transmission's assets in private land. You must obtain details of any such restrictions from the landowner in the first instance and if in doubt contact Asset Protection.
- Recently installed apparatus.
- Apparatus owned by other organisations, e.g. Cadent, National Grid Electricity Transmission plc, other gas distribution operators, local electricity companies, other utilities, etc.

It is **YOUR** responsibility to take into account whether the items listed above may be present and if they could be affected by your proposed activities.

This communication does not constitute any formal agreement or consent for any proposed development work; either generally or with regard to National Gas Transmission plc easements or wayleaves nor any planning or building regulations applications.

National Gas Transmission plc or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you require further assistance please contact the Asset Protection team via e-mail ([box.assetprotection@nationalgas.com](mailto:box.assetprotection@nationalgas.com)) or via the contact details at the top of this response.

## Are My Works Affected?

Is your proposal an Initial Enquiry or Planned Works Application?

### Initial Enquiry

As your works are at an "initial" stage, any maps and guidance provided are for information purposes only. This is not approval to commence work. You must submit a "Planned Works" enquiry at the earliest opportunity and failure to do this may lead to disruption to your plans and works. Asset Protection will endeavour to provide an initial assessment within 28 days of receipt of a Planned Works enquiry and, dependent on the outcome of this, further consultation may be required. In any event, for safety and legal reasons, works must not be carried out until a Planned Works enquiry has been completed and final response received.

### Planned Works

Your proposal is in proximity of National Gas Transmission plc's apparatus, as shown on the attached map, which may impact, and possibly prevent, your proposed activities for safety and/or legal reasons.

**You must not commence any work until you have sent details to us at [box.assetprotection@nationalgas.com](mailto:box.assetprotection@nationalgas.com) and have received a response back confirming that we have no objections to the work taking place.** You must read and follow all the guidance provided when planning or undertaking any activities at this location.

We will contact you within 28 working days of you providing us with the details of your work at the email address above. Please email, or call us at 0800 970 7000, if you have not had a response within this time frame.

## Assessment

### Affected Apparatus

The apparatus that has been identified as being in the vicinity of your proposed works is:

- National Gas Transmission Pipelines and associated equipment

## Requirements

### National High Pressure Gas Pipelines

BEFORE carrying out any work you must:

- Ensure that no works are undertaken in the vicinity of our gas pipelines and that no heavy plant, machinery or vehicles cross the route of the pipeline until detailed consultation has taken place.
- Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.
- Contact the landowner and ensure any proposed works in private land do not infringe National Gas Transmission's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.
- Ensure that all persons, including direct labour and contractors, working for you on or near National Gas Transmission's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' This guidance can be downloaded free of charge at <http://www.hse.gov.uk>
- In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.

DURING any work you must:

- Ensure that the National Gas Transmission requirements are followed for work in the vicinity of High pressure pipelines including the supervision of the digging of trial holes.
- Comply with all guidance relating to general activities and any specific guidance for each asset type as specified in the Guidance Section below.
- Ensure that access to National Gas Transmission apparatus is maintained at all times.
- Prevent the placing of heavy construction plant, equipment, materials or the passage of heavy vehicles over National Gas Transmission apparatus unless specifically agreed with National Gas Transmission in advance.
- Exercise extreme caution if slab (mass) concrete is encountered during excavation works as this may be protecting or supporting National Gas Transmission apparatus.
- Maintain appropriate clearances between gas apparatus and the position of other buried plant.



## GUIDANCE

### National Gas Transmission Network data

The Network map for National Gas Transmission assets can be downloaded at the following link in GIS format.

[www.nationalgas.com/land-and-assets/network-route-maps](http://www.nationalgas.com/land-and-assets/network-route-maps)

### High Pressure Gas Pipelines Guidance:

If working in the vicinity of a high pressure gas pipeline the following document must be followed: 'Specification for Safe Working in the Vicinity of National Gas Transmission High Pressure Gas Pipelines and Associated Installation – Requirements for Third Parties' (SSW22). This can be obtained from: <Link to SSW22 once it has been updated and signed off>

### Essential Guidance document:

<https://www.nationalgas.com/sites/gas/files/documents/8589934982-Essential%20Guidance.pdf>

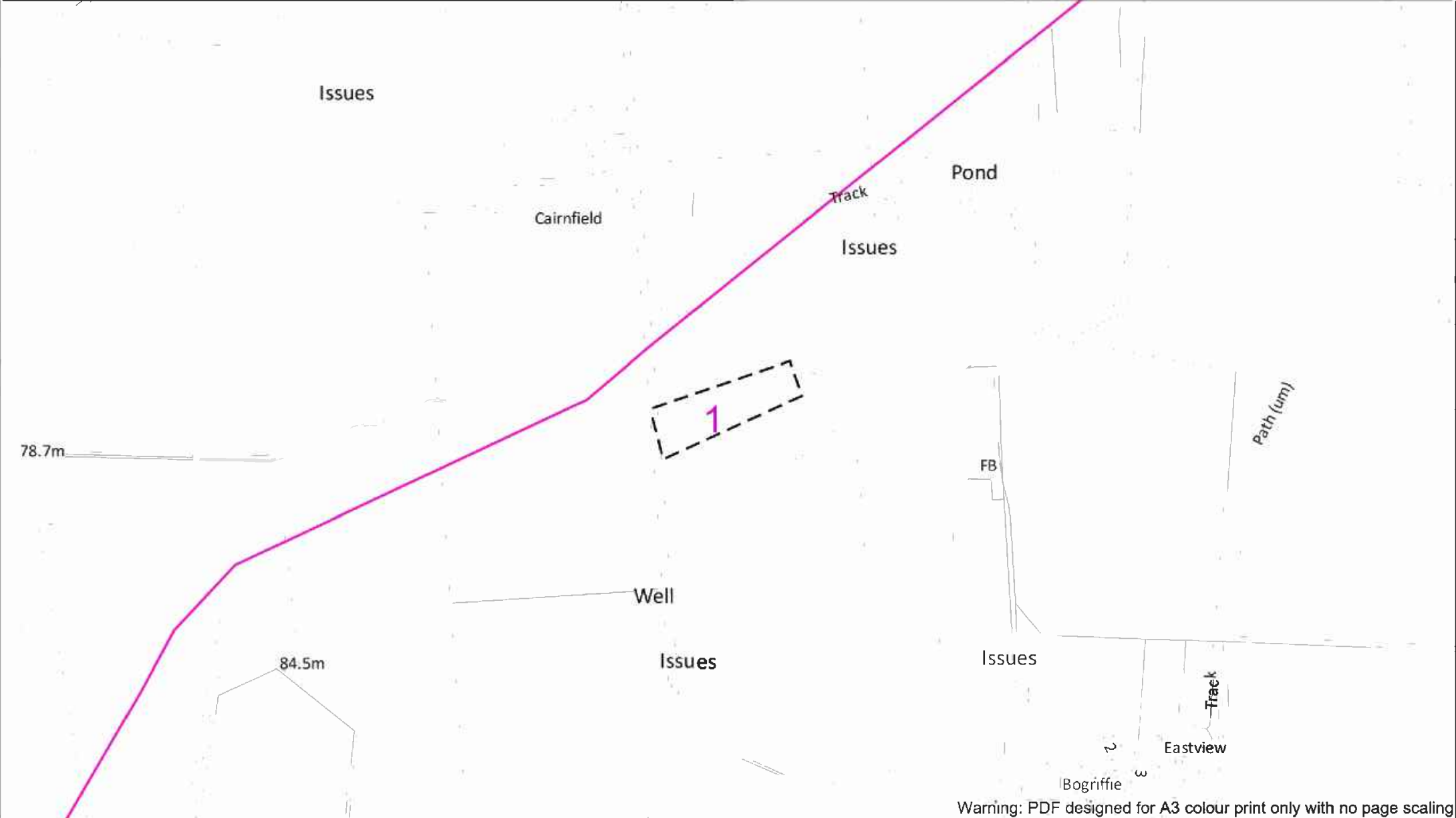
You should be aware of the following information regarding National Gas Transmission's high pressure underground pipelines and associated apparatus:

- Our underground pipelines are protected by permanent agreements with landowners or have been laid in the public highway under our licence. These grant us legal rights that enable us to achieve efficient and reliable operation, maintenance, repair and refurbishment of our gas transmission network. Hence we require that no permanent structures are built over or under pipelines or within the zone specified in the agreement, materials or soil are not stacked or stored on top of the pipeline route and that unrestricted and safe access to any of our pipeline(s) must be maintained at all times.
- The information supplied is given in good faith and only as a guide to the location of our underground pipelines. The accuracy of this information cannot be guaranteed. The physical presence of such pipelines may also be evident from pipeline marker posts. The person(s) responsible for planning, supervising and carrying out work in proximity to our pipeline(s) shall be liable to us, as pipeline(s) owner, as well as to any third party who may be affected in any way by any loss or damage resulting from their failure to locate and avoid any damage to such a pipeline(s).
- The relevant guidance in relation to working safely near to existing underground pipelines is contained within the Health and Safety Executive's ([www.hse.gov.uk](http://www.hse.gov.uk)) Guidance HS(G)47 "Avoiding Danger From Underground Services" and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Our pipelines are normally buried to a depth of 1.2 metres or more below ground and further information may be found on the plans provided. Ground cover above our pipelines should not be reduced or increased.
- Any proposed cable crossings are subject to approval from National Gas Transmission, completion of a Deed of Consent and must remain a minimum of 600mm above or below the pipeline. All works associated with cable installation must be supervised by National Gas Transmission. Cables cannot be pulled through until a Deed of Consent is in place.
- If it is planned to use mechanical excavators and any other powered mechanical plant, it shall not be sited or moved above the pipeline.
- If it is planned to carry out excavation to a depth greater than 0.3 metres, embankment or dredging works, the actual position and depth of the pipeline must be established on site with our representative

and a safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.

- The digging of trial holes to locate the pipeline must be carried out under the supervision of our on-site representative following approval of RAMS. Excavation works may take place unsupervised no closer than 3 metres from the pipeline once its actual location has been confirmed. Similarly, excavation with handheld power tools may take place no closer than 1.5 metres away.
- For operational and safety reasons National Gas Transmission requires unrestricted access to our Above Ground Installations and Compressor Stations. We would request that any proposed changes to roads/layouts in the vicinity of our site have regard to the need to maintain access.
- Any construction traffic should either cross the pipeline using existing roads or at agreed crossing locations using agreed protective measures.
- Ground anchors for scaffolding stay wires should only be sited in the vicinity of the pipeline after the pipeline position has been confirmed on site with our representative and the ground anchor position agreed.
- If your proposals include the installation of wind turbines then the minimum separation between the pipeline and the nearest turbine should be 1.5 times the mast height.
- If your proposals include the installation of a Solar Farm, all assets must remain outside of the National Gas Transmission easement, all cable crossings must be agreed during the design stage, a Deed of Consent undertaken and an Earthing report must be provided for review. National Gas Transmission must retain access to its assets at all times once works have been completed.

The relocation of existing underground pipelines is not normally feasible on grounds of cost, operation and maintenance and environmental impact. Further details can be found in our specification for: safe working in the vicinity of National Gas Transmission high pressure gas pipelines and associated installations – requirements for third parties: T/SP/SSW/22 (see link above or copy enclosed)



Warning: PDF designed for A3 colour print only with no page scaling

Date Requested: 08/06/2023  
 Job Reference: 29761278  
 Site Location: 383896 817848  
 Requested by:  
 Miss Jackie Webb  
 Your Scheme/Reference:  
 APP/2023/0589  
 Scale: 1:2500 (When plotted at A3)

**IMPORTANT NOTICES**  
 This plan shows those pipes owned by National Gas Transmission PLC in its role as a licensed Gas Transporter (GT). Gas pipes owned by other GTs, or otherwise privately owned, may be present in this area. Information with regards to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by National Gas Transmission PLC or their agents, servants or contractors for any error or omission. Safe digging practices, in accordance with HSE(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.

**National Gas Transmission Emergency Number. 0800 111 999**  
 Available 24 hours, 7 days/week. Calls may be recorded and monitored.

Warning: PDF designed for colour print only with no page scaling

100m

Dig Sites    Area:    Line:

NHP Mains



National Gas Transmission  
 National Grid House  
 Warwick Technology Park  
 Gallows Hill  
 Warwick  
 CV34 6DA  
 box.assetprotection@nationalgas.com

# ENQUIRY SUMMARY

## Received Date

08/06/2023 14:02

## Work Start Date

28/06/2023

## Your Reference

APP/2023/0889

## Location

Centre Point: 383896 817848

X Extent:

Y Extent:

Postcode: AB210YR

## Map Options

Paper Size: A3

Orientation: LANDSCAPE

Scale: 1:2500

Real World Extents: 106m x 69m

## Enquirer Details

Organisation Name: National Grid

Contact Name: Jackie Webb

Email Address: Jackie.webb1@nationalgas.com

Telephone: 07811 021561

Address: National Grid House Gallows Hill, Warwick Technology Park, Warwick, Warwick, Warwickshire, cv246da

## Enquiry Type

Planned Works

## Activity Type

Planning Applications

## Work Types

Single property

## Notes/Works Description (if supplied)

Erection of Dwellinghouse and Retrospective Ground Based Solar Panels [planning@aberdeenshire.gov.uk](mailto:planning@aberdeenshire.gov.uk)

## Site Contact Name (if supplied)

Jackie Webb

## Site Contact Number (if supplied)

07811021561



National Grid House  
Warwick Technology Park  
Gallows Hill, Warwick  
CV34 6DA

Aberdeenshire Council

Asset Protection  
National Gas Transmission  
National Grid House  
Warwick  
Direct Tel: 07811 021561  
Email - [jackie.webb1@nationalgas.com](mailto:jackie.webb1@nationalgas.com)

**Planning Work?**

**Please enquire with us at**  
[www.lsbud.co.uk](http://www.lsbud.co.uk)

**National Gas Emergency Number:**  
**0800 111 999\***

\*Available 24 hours, 7 days/week.  
Calls may be recorded and monitored.  
[www.nationalgas.com](http://www.nationalgas.com)

Date: 12-06-2023

Our Reference: GS1\_29761278

Your Reference: APP/2023/0889

Dear Jackie Webb / National Gas Transmission

**Ref: Site Address Not Provided**

National Gas Transmission has No Objection to the above proposal which is in close proximity to a High-Pressure Gas Pipeline – Feeder.

I have enclosed a location map to show the location of National Gas Transmission high-pressure gas pipeline(s) within the vicinity of your proposal and associated information below.

No Objection: National Gas Transmission supports the HSE's decision and will not object to the development as described.

Yours sincerely

Jackie Webb

Asset Protection Assistant

PLEASE READ CAREFULLY

- No buildings should *encroach within the Easement strip of the pipeline indicated above*
- No demolition shall be allowed within 150 metres of a pipeline without an assessment of the vibration levels at the pipeline. Expert advice may need to be sought which can be arranged through National Gas Transmission.
- National Gas Transmission has a Deed of Easement for each pipeline which prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent / temporary buildings, or structures. If necessary National Gas Transmission will take action to legally enforce the terms of the easement.
- We would draw your attention to the Planning (Hazardous Substances) Regulations 1992, the Land Use Planning rules and PADHI (Planning Advice for Developments near Hazardous Installations) guidance published by the HSE, which may affect this development.
  
- To visit the Land Use Planning site, please use the link below:  
<https://www.hse.gov.uk/landuseplanning/methodology.htm>
- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and National Grid's specification for Safe Working in the Vicinity of National Gas Transmission High Pressure gas pipelines and associated installations - requirements for third parties T/SP/SSW22. You should already have received a link to download a copy of T/SP/SSW/22, from our Plant protection Team, which is also available to download from our website.
  
- To view the SSW22 Document, please use the link below:  
<https://www.nationalgrid.com/uk/gas-transmission/document/113921/download>
- A National Gas Transmission representative will be monitoring the works to comply with SSW22.
  
- To download a copy of the HSE Guidance HS(G)47, please use the following link:  
<http://www.hse.gov.uk/pubns/books/hsg47.htm>
  
- National Gas Transmission will also need to ensure that our pipelines access is maintained during and after construction.
  
- Our pipelines are normally buried to a depth cover of 1.1 metres however; actual depth and position must be confirmed on site by trial hole investigation under the supervision of a National Gas Transmission representative. Ground cover above our pipelines should not be reduced or increased.
  
- If any excavations are planned within 3 metres of National Gas Transmission High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a National Gas Transmission representative. A safe working method must be agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.
  
- Excavation works may take place unsupervised no closer than 3 metres from the pipeline once the actual depth and position has been confirmed on site under the supervision of a National Gas Transmission representative. Similarly, excavation with hand held power tools is not permitted within 1.5 metres from our apparatus and the work is undertaken with NG supervision and guidance.

## **Pipeline Crossings**

- Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at locations agreed with a National Gas Transmission engineer.
- All crossing points will be fenced on both sides with a post and wire fence and with the fence returned along the easement for a distance of 6 metres.
- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. No protective measures including the installation of concrete slab protection shall be installed over or near to the National Gas Transmission pipeline without the prior permission of National Gas Transmission. National Gas Transmission will need to agree the material, the dimensions and method of installation of the proposed protective measure. The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to National Gas Transmission.
- Please be aware that written permission from National Gas Transmission is required before any works commence within the National Gas Transmission easement strip.
- A National Gas Transmission representative shall monitor any works within close proximity to the pipeline to comply with National Gas Transmission specification T/SP/SSW22.
- A Deed of Indemnity is required for any crossing of the easement including cables

## **Cables Crossing**

- Cables may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- A National Gas Transmission representative shall supervise any cable crossing of a pipeline.
- An impact protection slab should be laid between the cable and pipeline if the cable crossing is above the pipeline.
- Where a new service is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service must cross below the pipeline with a clearance distance of 0.6 metres.

## **All work should be carried out in accordance with British Standards policy**

- BS EN 13509:2003 - Cathodic protection measurement techniques
- BS EN 12954:2001 - Cathodic protection of buried or immersed metallic structures – General principles and application for pipelines
- BS 7361 Part 1 - Cathodic Protection Code of Practice for land and marine applications
- National Gas Transmission Management Procedures



**Development in the  
Countryside  
Policies R1 and R2  
including Organic  
Growth of Settlements**

Planning advice  
PA2023-11

September 2023



## **Purpose of this Planning Advice**

This Planning Advice has been designed to give best practice guidance in support of the delivery of homes and employment uses that are appropriate to Aberdeenshire's countryside. It sets out what applicants may be expected to provide in order to support an application and demonstrate compatibility with the frequently used aspects of Policies R1 'Special Rural Areas' and R2 'Development Proposals Elsewhere in the Countryside' of the Aberdeenshire Local Development (LDP) 2023. It also provides the list of identified settlements for organic growth as required by policy R2.14. It focuses on:

- Accommodation for Primary Industry Workers (described as for 'essential workers');
- Redevelopment of Rural Brownfield Sites;
- Organic Growth of Settlements including the list of 'identified settlements';
- Single Homes Associated with Retirement Succession of an Agricultural Holding;
- Extensions to Clusters/Housing Groups; and
- Employment Proposals.

The Planning Advice also takes account of National Planning Framework 4 (NPF4). Where appropriate, applicants should read this advice in conjunction with relevant policies outlined in NPF4 such as:

- Policy 8 Green belts;
- Policy 9 Brownfield, vacant and derelict land and empty buildings;
- Policy 10 Coastal development;
- Policy 17 Rural homes; and
- Policy 29 Rural development.

For clarification, specific opportunities for delivering rural housing through Organic Growth and Extensions to Clusters/Housing Groups are considered to represent Aberdeenshire Council's 'tailored approach' to delivering the specific requirement of NPF4 in relation to rural development and local living as outlined in NPF4 Policy 15 Local Living and 20 minute neighbourhoods and Policy 29 Rural development.

## Contents

|   |    |
|---|----|
| 1. Introduction.....  | 2  |
| 2. The Accessible/Remote Rural Areas and Designations .....                       | 3  |
| 3. Accommodation for Primary Industry Workers (Essential Workers) .....           | 4  |
| 4. Redevelopment of Rural Brownfield Sites .....                                  | 10 |
| 5. Organic Growth of Settlements.....   | 23 |
| 6. Single Homes Associated with Retirement Succession of an Agricultural Holding. | 28 |
| 7. Extensions to Clusters/Housing Groups .....                                    | 31 |
| 8. Employment Proposals.....  | 36 |
| Appendix 1 Organic Growth Methodology (Identified Settlements).....               | 38 |

## 1. Introduction

The Development in the Countryside policies are a key part of determining the principle of a development proposal. Applicants are encouraged to engage early with the Planning Service about their site and proposal. This [pre-application advice service](#) informs prospective applicants as to how policies from the LDP will be applied to their proposal, identifies supporting information that is likely required to accompany their application and will flag up whether a proposal may be unacceptable.

In all cases, other policy considerations will apply. Specific focus on an appropriate scale and design is paramount in all instances, and any new dwelling or employment proposal, regardless of its justification, should fit the site and wider setting.

## 2. The Accessible/Remote Rural Areas and Designations

Aberdeenshire comprises two key designations that affect which planning policies and criteria will apply to an application. These are the ‘accessible’ and ‘remote’ rural areas that are based on the Scottish Government’s 6-fold Urban/Rural Classification.

Additionally, Policy R1 refers to restricted development across the green belt around Aberdeen and coastal zone outside settlements. The accessible and remote rural area boundaries, as well as the green belt and coastal zone can be viewed in close detail on the [interactive Plan](#). For the avoidance of doubt, the interactive Plan shows the 2020 version of the 6-fold Urban/Rural Classification in line with NPF4.

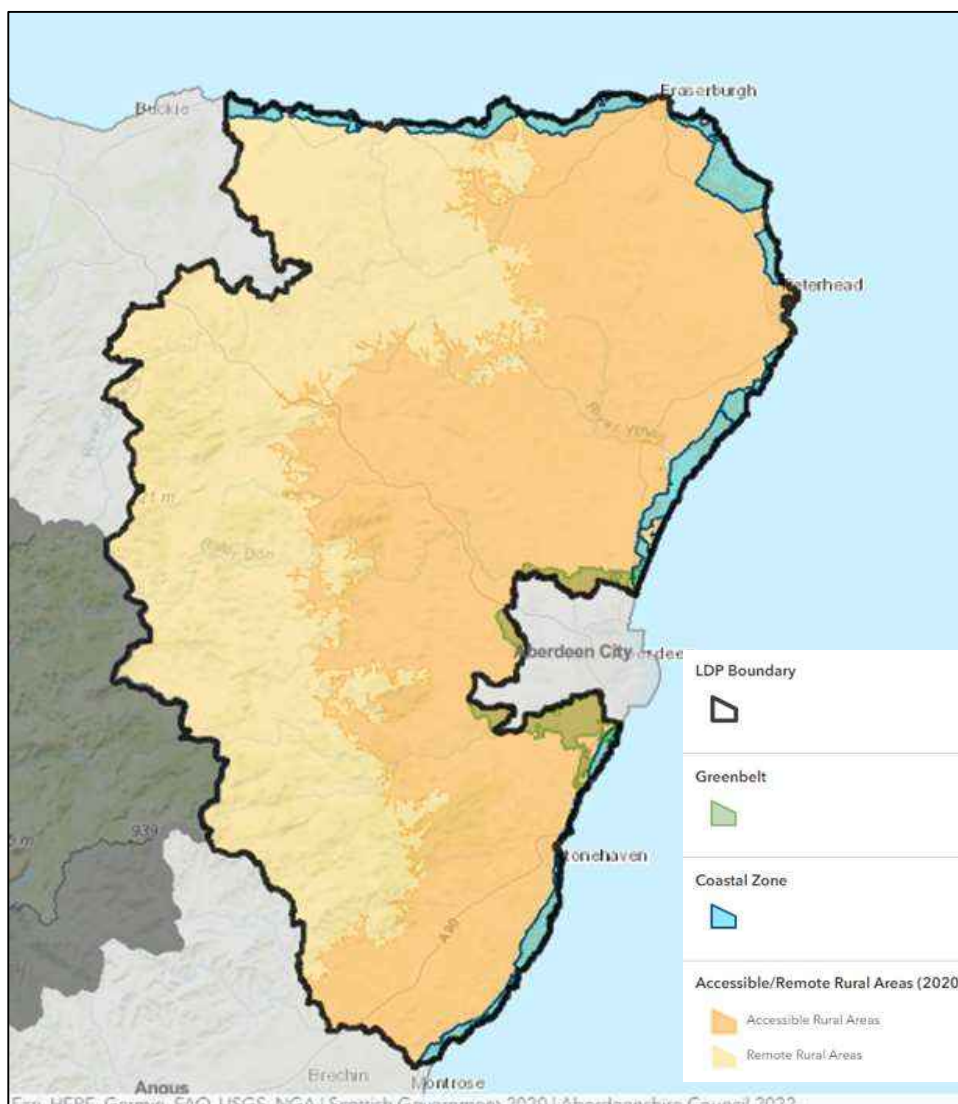


Figure 1: Map of Aberdeenshire’s accessible/remote rural area, coastal zone and greenbelt designations.

### **3. Accommodation for Primary Industry Workers (Essential Workers)**

#### **Policy R1.1**

*In order to safeguard the special nature of the green belt and coastal zone, development opportunities will be restricted and subject to the considerations set out in paragraphs R1.2 to R1.5. The boundaries of the green belt are shown on the proposals maps where applicable and in detail in Appendix 4, Boundaries of the Green Belt. The extent of the coastal zone is shown in detail in Appendix 5, Coastal Zone.*

#### **Policy R1.2**

*In the green belt the following developments are permitted:*

- *development associated with agriculture, woodland and forestry, fishing and horticulture;*
- *development for a recreational use that is compatible with its agricultural or natural setting. The development of single huts not associated with a tourist proposal under Policy B3 Tourist Facilities will be prohibited;*
- *development meeting a national requirement or established need, if no other suitable site is available;*
- *intensification of an established use subject to the new development being of a suitable scale and form<sup>1</sup>;*
- *accommodation within the immediate vicinity of the place of employment required for a worker in a primary industry, where the presence of a worker is essential<sup>2</sup> to the efficient operation of the enterprise, and there is no suitable alternative residential accommodation available.*
- *essential infrastructure such as digital communications infrastructure and electricity grid connections.*

*Footnotes:*

*1) This will generally be the extension of an existing non-domestic building or ancillary use rather than its replacement. Householder developments are considered under Policy P3 Infill Developments within Settlements and Householder Developments (including home and work proposals).*

*2) For example, in order to maintain an active presence for the purposes of animal husbandry.*

Policy R1.2, allows for accommodation for workers in a primary industry or 'essential workers'. This policy applies in the green belt and the wider countryside out with the green belt. Applications made under this policy provision must be supported by an independent statement prepared by a suitably qualified industry professional in support of the need for a house in relation to the proper function of the business. In the majority of cases, it is expected that the requirement will arise in respect of the need for a worker for the purposes of agriculture on a farm holding and the advice is therefore aimed at such proposals. However, similar information would be expected of any proposed essential workers accommodation related to any primary industry. The supporting information required for such proposals must include:

- Details of enterprise including extent of ownership, operations, infrastructure and existing labour.
- Labour requirement report and business case including why it is essential for the accommodation to be located at the place of business.
- Potential for the use of any other existing accommodation in the area including open market housing.
- Details and explanation of any disposal of any accommodation or permissions for dwellings.
- The potential for erecting a dwelling under other policies of the Development Plan including the discounting of any brownfield land and or existing buildings which could be converted under other policies.

In the case of proposals for retiring workers, the criteria outlined in this planning advice in relation to Policy R2.15 should be applied. In addition to the criteria stated in R1.2, NPF4 makes it clear that proposals for rural homes also includes retired workers where there is no suitable alternative accommodation available.

**“Primary industry”** is defined within the [Standard Industrial Classifications of Economic Activities](#) and will typically relate to the farming or forestry sectors. It includes activities incidental to agricultural production and activities similar to agriculture not undertaken for production purposes (in the sense of harvesting agricultural products), done on a fee or contract basis. Also included are post-harvest crop activities, aimed at preparing agricultural products for the primary market (see para A01.1 to A01.64 from the [Main Volume of the UKSIC2007](#)).

This policy is not applicable to secondary industries such as construction and “trades” such as joinery, plumbing, electrician, etc. or those involved in tourism. These industries fall out-with the definition of primary industry and therefore the policy will not be applied to applications seeking permission for accommodation associated with these industries.

If the activity can be considered a primary industry, justification is required to demonstrate the need for a permanent presence on site to operate the enterprise associated with that business, and that all alternative options under other policy provisions have been considered. This must be essential to the business' operation and it is expected that applicants provide full details of why accommodation is required, including why the business activity could not reasonably function without the accommodation. “Security” is unlikely to be sufficient justification for an essential worker, as this service can be provided without the need for permanent residence.

All proposals are expected to include a Labour Requirement Report and Business Case, which should be provided to demonstrate that business exists and that there is a prospect of economic viability to sustain a full-time worker on site.

A Labour Requirement Report and associated business case will be required to demonstrate that the business is viable and can support the worker for which the accommodation is proposed. Where a labour requirement of two or more workers is demonstrated, this does not necessarily justify the number of dwellinghouses, instead it must be justified that the business could not operate without that number of workers onsite.

Where accommodation is genuinely required for the management of a business that is not yet operational, but has been fully supported by a Business Plan and Labour Requirement Report, the Planning Service may consider that a temporary form of accommodation is more appropriate. This allows for a new or expanding business to become established prior to considering permanent residential accommodation. The Planning Authority are unlikely to support permanent housing for speculative business proposals in the countryside.

In all cases “no suitable alternative residential accommodation” must be available that could otherwise provide this accommodation, including those available on the open market in the immediate vicinity to the enterprise. In addition, it is expected that other opportunities under other policies of the Local Development Plan which could be used to provide accommodation are fully explored. This may include the conversion or replacement of existing buildings or use of brownfield land.

In all cases the proposed accommodation must be located in the “**immediate vicinity**” of the place of employment. For agricultural operations this is expected to be at or adjacent to the farm hub.

### **Considerations specific to Agricultural Proposals**

The Planning Authority will not generally consider approving a permanent dwelling under this policy if the land to which the agricultural enterprise relates, is not owned by the applicant unless the applicant holds a 1991 Act Tenancy or a Limited Duration Tenancy. In the case of Limited Duration Tenancies, it must be demonstrated as to how long the tenancy period extends. Where the farm business relies on land subject to short limited duration tenancies or other forms of short-term leases that land is unlikely to be considered in terms of any needs case submitted to the Planning Authority.

For avoidance of doubt, due to the prevalence of contracting within the industry, accommodation for agricultural contractors will not generally be considered as requiring an onsite location at a base of operations. Equally, workers employed purely in arable activities are unlikely to be deemed essential unless the business has very specific needs or where mixed farming activities means animal husbandry is a significant part of the overall farm business.

**Policy R1.3**

*In the coastal zone development must require a coastal location or there must be clear social, economic, environmental or community benefits arising. In either case there must be no coalescence of coastal developments or adverse impacts on natural coastal processes or habitats.*

**Policy R1.4**

*We will approve development associated with coastal protection works where it is evidenced that the works respect natural processes and there will be no significant adverse impact on coastal processes or habitats, and that the development will not result in increased coastal erosion or flooding on the coastline. The full range of protection works and management options should be considered over the lifetime of the development to futureproof against relevant climate change projections.*

**Policy R1.5**

*In both the green belt and coastal zone we will also allow:*

- the sensitive restoration, conversion or extension of a traditional vernacular building or other building of architectural merit;*
- replacement of a single non vernacular building within the curtilage of the building to be replaced, and for the same use. The replacement building must be consistent in scale, and no more intrusive than the existing building. In addition, it is generally expected that the new building will demonstrate a significant improvement in design to that of the existing building.*

For the avoidance of doubt, under R1.3, the types of development permitted in the green belt under R1.2 may be acceptable in the coastal zone if they require a coastal location. All coastal zone development will still require to meet the tests of not contributing to coalescence or adverse impacts on natural coastal processes or habitats which will be key to any assessment of development subject to this policy. The R1.3 criteria, “social, economic, environmental or community benefits arising”, is superseded



by NPF4 Policy 10b which requires proposals to have a dependency on a coastal location with the exception of essential infrastructure.

Whilst Policy R1 does not differentiate between developed coast and undeveloped coast as per the considerations set out in NPF4 Policy 10, it is clarified that in the Aberdeenshire context, all settlements with a defined boundary are considered to be 'developed coastal areas' with the remainder of the identified coastal zone being considered as 'undeveloped coastal areas'.

Where a design statement is submitted with any planning application that may impact on the coast it will take into account, as appropriate, long-term coastal vulnerability and resilience.

## 4. Redevelopment of Rural Brownfield Sites

### Policy R2.4

*Appropriate development will be welcomed on brownfield sites that bring an environmental and visual improvement. Any vacant land that has become naturalised<sup>3</sup> will not be available for redevelopment as brownfield land.*

*Footnote:*

*3) Naturalised land is that which has been previously developed but is no longer regarded as 'vacant' due to its nature conservation interests, as demonstrated in an ecology survey.*

**“Appropriate development”** will be informed through applying other policies in the Plan, such as P1 and E2, to ensure the scale, massing and design of the development is appropriate to the site and setting.

Where possible, full or partial refurbishment will be preferred to replacement of existing houses or disused vernacular buildings. The objectives of the policy are to remove dereliction from the countryside, reuse existing buildings where possible and retain the traditional character of the area. The policy also allows for the replacement of individual buildings that have reached the end of their useful life.

**“Brownfield development/land/sites”** are defined in the LDP Glossary as “land/buildings found outwith settlements that have previously been developed or used for some purpose that has now ceased and on which a new use has not been established. Land/buildings will be vacant, redundant or derelict. “

There are a number of exemptions associated with the redevelopment of rural brownfield policies which are defined by the LDP Glossary. These exemptions are as follows:

- Private and public gardens, domestic garages, sports and recreational grounds, woodlands and amenity open space;

This extends to the replacement of buildings situated within an existing residential curtilage. Garages are unlikely to ever be disused and redundant for their original purpose.

- Agricultural buildings or land used for storage purposes e.g. silage clamps or other specialised agricultural structure;

Even if a building was not designed for storage purpose, it would still be considered to be in use and would therefore not comply.

- Temporary buildings e.g. garden sheds and huts;

Redundant or disused buildings of a temporary nature will not generally comply with this policy. This includes sites accommodated by chalets or caravans.

Where there is uncertainty regarding the permanence of a structure, judgement must be made on the type of structure, foundations etc.

- Reinstated sites e.g. former quarries or sites with unimplemented conditions for reinstatement;
- Wells and pump-houses;
- Hardstandings;
- Agricultural buildings constructed using modern materials, including where such buildings are subject to storm damage and sites disused or redundant for so long that they have not become naturalised.

It is considered that such buildings could be reasonably reinstated through a claim on an individual's insurance policy.

Given the need to conserve embodied energy, demolition will be regarded as the least preferred option in all circumstances (NPF4 Policy 9d).

**“Naturalised”** is defined in the LDP Glossary as “vacant or derelict land where there is no clear indication of what the previous use of the land was. The land has reverted to a natural state or the site appears to have blended back through a degree of vegetation into the surrounding landscape. Naturalisation is a dynamic process that is best judged based on a review of the site visit. Land that has been vacant or derelict for at least 15 years is likely to demonstrate signs of returning to a naturalised state, usually through the presence of trees and shrubs.”

A site will be considered to be naturalised where the remains on site contains vegetation that provides habitat and biodiversity value (including areas of established woodland). Clear signs of this are heavy moss or growth on stonework, trees growing within the footprint of the building, or overgrown and unkempt ground in and around the remains.

NPF4 Policy 9 strengthens the position that biodiversity value should be taken into account in all circumstances, but a site can be of low ecological value and continue to be considered naturalised. Opportunities for biodiversity enhancement (biodiversity net gain) should be demonstrated as part of any proposal.

**Naturalised – overgrown and not suitable for redevelopment**



**Brownfield Site - Sufficient Remains and can be considered, in principle, for redevelopment**



**Policy R2.5**

*We will permit the refurbishment or replacement of an existing home. Where necessary, conditions will be applied to ensure that the original home will be demolished on occupation of the replacement home.*

Demolition of a house and its replacement with a new building would be permitted under the policy. It is expected that a house will be replaced with only one house regardless of the curtilage surrounding that dwelling.

If the house is to be replaced by a larger dwelling, issues of siting, design and impact on landscape character will be of particular relevance, assessed against Policies P1 and E2. While it is not the intention to stifle modern design, there is greater potential for adverse impacts on setting and landscape where a dwelling is replaced with a larger one.

Where the original home on site is of value as an ancillary structure, in whole as an outbuilding or in part of a 'sit-oot-erie'/amenity space and it can be retained as an integral and well related element of the new layout proposed, its retention can be supported. Conditions would be attached to ensure the remaining structure is ancillary to the resultant dwelling on site, ensuring the planning unit remains that of a single dwelling.

As set out in R2.10, if the existing dwelling is of architectural or vernacular merit, supporting information to justify its demolition shall be required.

**Policy R2.6**

*We will permit the small-scale development of brownfield sites that involve the conversion or replacement of a redundant or derelict non-domestic building or the redevelopment of vacant land.*

**“Small-scale development”** is defined in the LDP Glossary as “Development on a site of less than 0.5 hectare. In the countryside, development of housing is limited to up to 3 homes (unless otherwise specified in policy).”

Over time agricultural buildings may not necessarily be used for the purpose for which they were originally designed. Agricultural buildings may be adapted to service the developing needs of the farming enterprise or provide a secondary function. It should be demonstrated that agricultural buildings are redundant from any reasonably practical use on that farm unit, such as fodder or implement storage. Modern agricultural buildings capable of a variety of uses will not be considered as the basis for a brownfield redevelopment or replacement of a disused building.

To be truly redundant the building/site should have no clear evidence of any recent use. Where there is any doubt over the buildings use it should be demonstrated that the building has been disused for its designed use and no viable suitable alternative use can be found for the building. In the case of buildings used for industrial uses, the Planning Service may require demonstration of disuse for a longer period. This may vary on a case-to-case basis depending on the circumstances of each case. Applicants proposing replacement of industrial buildings should engage with their local planning office.

In all cases, there is an expectation that the existing building will be completely removed from the site or converted to a functional use. It should not be left to deteriorate to a derelict state.

It is useful to clarify that development should be small scale, and opportunities presented will depend on the size and location of the particular building to be replaced. Sites should not be enlarged to include agricultural land and/or woodland to artificially increase the site boundary (similar to brownfield), thus avoiding encroachment into the

countryside which may then impact on Prime Agricultural Land, valued grassland habitat, woodland or pose a wider impact on the natural environment and landscape setting of the site. Where a building is associated with other disused buildings, or has a defined curtilage, or connecting redundant land, this will generally be considered to be part of a brownfield site. Brownfield sites or disused buildings should not be subdivided and sites consisting of multiple buildings should be considered holistically in respect of limits placed on small scale development. For larger brownfield sites, see criteria below.

For avoidance of doubt, buildings contained within residential curtilages shall not be considered as disused buildings under the terms of this policy.

**Examples of redundant/derelict buildings** – clearly previously a dwelling/bothy but use now abandoned



### Example of successful conversion



### Policy R2.7

*To promote a planned approach to rural brownfield development, larger brownfield sites, including redundant buildings that are grouped together in a very distinctive and commonly recognised way, such as farm buildings that share a large curtilage, will be considered in their entirety, and should not be divided into their component parts with sequential permissions being sought for small-scale development on each part.*



“**Larger brownfield sites**” is defined as brownfield land/sites located outwith settlements of a size greater than 0.5 hectares or that are considered capable of accommodating more than 3 homes.

#### Examples of potentially “larger brownfield sites”



#### **Policy R2.8**

*Proposals for more than three new homes on larger rural brownfield sites will only be permitted where a larger development can be accommodated on the site and the scale of development proposed will not cause adverse social or environmental impacts<sup>4</sup>. The quality of the design will be paramount in such occasions. Mixed use proposals may also be permitted subject to the location being appropriate for the uses proposed and subject to consideration of other relevant policies<sup>5</sup>.*

*Footnotes:*

*4) For example, through cumulative large scale brownfield sites in the countryside.*

*5) Such as Policy B2 Employment and Business Land (B2.3) and Policy B3 Tourist Facilities.*

More than three dwellings will not be accepted without justification and a supporting statement. Considerations such as viability due to need to clear contamination or to provide services to the site may be considered reasonable.

Other policy implications may arise from proposals for more than three dwellings, such as affordable housing provision and the need for adoptable roads and footpath connections, to be assessed against Policies H2 and RD1. The holistic impacts of the development, both the scale and design of housing and the associated infrastructure, will be assessed against other policies of the LDP. The road and path infrastructure may itself have a sub-urbanising impact on the rural setting and could in turn be contrary to Policies P1 and E2. For any proposal under these criterion, the applicant should seek pre-application advice.

**Policy R2.9**

*Large brownfield sites capable of accommodating eight or more homes should be promoted through an allocation in the Local Development Plan. However, we recognise that in some cases development opportunities may come forward on large brownfield sites unexpectedly and between reviews of the Local Development Plan. In these circumstances, development proposals will be considered on their individual merits. Development approved under this policy in the remote rural area will be exempt from further development through the housing clusters and groups policy during the Plan period.*

The scope for seven houses is the extreme scenario for large sites. In most instances fewer units will be acceptable due to wider considerations relating to layout, siting, design and landscape impact. As in R2.4, other policy considerations come into play and will play a key role in assessing the acceptable level of development on any given site. The scale, massing, quality and character of the development is as important as the number of dwellings. Large dwellings or suburban scale and design is not going to be acceptable, whereas a greater number of modest sized traditional rural vernacular properties would be more likely to receive support.

**Policy R2.10**

*In all cases, at a very minimum, some parts (such as low walls) of the existing home or non-domestic building(s) must be evident upon physical inspection. Development does not necessarily need to replicate the existing footprint, however development must be contained within a defined curtilage<sup>6</sup>. Where development involves redevelopment of a traditional vernacular home or non-domestic building(s) or is otherwise of architectural merit, full or partial restoration will be favoured in the first instance unless evidence is provided to indicate the building cannot reasonably be reused (i.e. it is not structurally sound and is not reasonably capable of retention). Such evidence should be prepared by an appropriate qualified professional. It is expected that any materials that can be salvaged from the existing home or non-domestic building(s) will be incorporated into the new development either through use in the design, or construction of new home(s) or building(s), landscaping or as a development feature.*

*Footnote:*

*6) This is the land which is associated by either boundary or setting with the house.*

Clarification provided under R2.4 above is applicable to this criteria. The evidence of the site's remains and scale must be clearly evidenced.

**Brownfield Site** - Sufficient Remains and can be considered, in principle, for redevelopment



The retention or re-use of any building materials should be incorporated into the final design solution.

The refurbishment of a traditional vernacular house/ building is actively encouraged. These types of buildings form an important part of Aberdeenshire's character. It is important that traditional houses and buildings are not lost unnecessarily or altered to such an extent that their character is significantly altered in circumstances where they could be sympathetically converted, refurbished or extended and remodeled. Where possible every effort should be made to refurbish houses/ buildings as opposed to replacing them with a new build. The replacement of traditional vernacular houses/ buildings will generally only be considered where it is demonstrated that it is not structurally sound and not capable of retention, typically in the form of a structural survey that identifies the building is not suitable for retention. Simply not having sufficient foundations, being too narrow or having limited headroom is not adequate justification.

In the case of vernacular houses and buildings of architectural merit, a financial report/ cost appraisal that clearly demonstrates why it is economically not viable to refurbish buildings of architectural merit will generally be required to be provided. Such an appraisal should include the cost of site clearance and disposal of materials. Where demolition is justified any salvageable materials such as granite and slates should be reused within the new development.

Replacement houses or buildings do not necessarily require to be situated on the same footprint as was previously occupied, but they will generally be in the same curtilage as the existing house or building. For the avoidance of doubt, sites should not be expanded into surrounding agricultural land. A different footprint may be considered, for example, in order to achieve better siting, layout and design, improve energy efficiency, or avoid a specific existing constraint.

Where a building does not have a defined curtilage, any green field land take associated with the new use should be the minimum required for the new use and should be in keeping with the character and pattern of development in the surrounding area. Replacement of a building with a building on a different site will only be

considered in exceptional circumstances (such as for improved amenity from statutory nuisance), and the siting must be no more prominent in the landscape. Any replacement dwelling will have a defined curtilage.

It is noted that agricultural buildings do not necessarily have a defined curtilage. However, there is often a yard space or clear field boundary that defines an area around the building to where redevelopment should be contained.



**Proposed replacement dwelling – Kept within the existing curtilage**



## 5. Organic Growth of Settlements

### **Policy R2.11**

*We will support small-scale organic growth in identified settlements, subject to criteria listed in paragraph R2.13 below. In all cases, careful consideration of layout, siting and design will be primary in determining whether the growth promoted is acceptable.*

*Organic growth will not be permitted where development proposed would cause an adverse impact that cannot be suitably mitigated<sup>7</sup>.*

*Footnotes:*

*7) Including considerations set out in other relevant policies in Section 8 (Natural Heritage and Landscape) and Section 10 (Protecting Resources).*

Small-scale growth has been promoted as a way of expanding villages in the way they would have historically grown. This “organic growth” can be defined as being gradual or natural development. Speculative development achieved through submission of multiple planning applications without justification of local need is not considered gradual or natural development. Cumulative developments around identified settlements would be better achieved through a formal allocation in the LDP.

There is an expectation that any organic growth to an “identified settlement”, be it single dwelling or three dwellings, is of appropriate layout, siting, and design. The proposal’s relationship with the existing character and pattern of the development will be fundamental to the acceptability of its overall siting and layout. Other policy considerations, particularly Policy P1 and E2, will inform the decision on the appropriateness of the proposal in terms of design and scale of the individual dwelling. Applicants should use the following considerations to help consider appropriate siting of development:

- Is the site consistent with the historic growth and pattern of the settlement?
- Is the site appropriate in terms of landscape character?

Sites should not extend beyond any natural containment of the settlement in the landscape.

- Does the site relate well to other nearby dwellings (layout and design)?  
Sites should avoid the impression of sprawl or sporadic development in the countryside.
- Does the site have a natural boundary consistent with the other properties?  
Sites should be appropriately located with a relationship to a natural boundary consistent with its surroundings. This could be trees, roads, dykes, adjacent properties or natural landforms that all improve the integration of a house into its setting. Sites cannot be defined by the erection of a new post and wire fence to create an enclave.
- Is the site accessible to an identified settlement via a safe and suitable footway connection?

Common policy considerations in relation to the siting of organic growth proposals include constraints relating to the flooding, impact on prime agricultural land, trees and woodlands, and natural heritage falling under the 'Climate Change', 'Protecting Resources' and 'Natural Heritage and Landscape' policy chapters. For the avoidance of doubt, proposals must comply with all parts of the LDP and where identified settlements for organic growth are bounded by constraints such as those above, Policy R2 will not override these issues.

**Example of organic growth – Sites consistent with pattern of development.**





**Policy R2.12**

*In the accessible rural area only settlements without an opportunity site for housing will be considered under this policy.*

This forms part of the criteria applied to develop the “identified settlements” list as set out below. Appendix 1 provides further detail on how this is used.

**Policy R2.13**

*No more than an additional 20% growth of the settlement, up to a maximum of 10 new homes, will be permitted during the Plan period. The development site must lie within 200m of the settlement boundary. It should represent a logical extension and not prejudice the character of the settlement. It is expected that paths and/or active travel routes will be provided to the built-up edge of the settlement to link to the existing network and safe routes to schools.*

Developments approved as part of organic growth will be permitted up to 20% of the size of the existing settlement, up to 10 new homes. This applies to the plan period commencing on the date of adoption of the current plan and finishing on the adoption of the next plan. The size of the existing settlement refers to the number of dwellings within the settlement or built-up area on the day the LDP is adopted. The total capacity for growth of the identified settlements is set out below.

There is the possibility for planning consent granted for organic growth to expire during the plan period e.g. planning permission granted in 2023 could lapse in 2026. In such instances, the number of homes subject to that consent will be returned to the capacity for growth and made available for other prospective applicants to deliver.

Should development during the plan period be built and reach the cap, it demonstrates that there is demand for development in that settlement, but that further growth may be

appropriate to come through a planned approach via the identification of allocated opportunity sites in the next Plan.

Development(s) of up to 3 homes will be permitted within 200m of settlements. Most, but not all “identified settlements” are also “settlements” recognised in Appendix 7 of the LDP and have a defined settlement boundary from which the 200m growth area can be applied. For settlements that are not contained within Appendix 7 of the LDP the rule will apply from the edge of the built-up area. With siting as a primary consideration, and given that sites should represent a logical extension to the settlement, the 200m distance will not be appropriate for every proposal. Where a site is situated at the edge of this distance, it is expected that the majority of the development site i.e. the dwelling(s) to be erected, be within the 200m buffer. However, flexibility may be provided to permit means of access and drainage to be marginally out with this area. This will be determined on a case-by-case basis.

**Policy R2.14**

*A list of identified settlements and the number of homes that could be permitted through this policy is contained in Planning Advice, Organic Growth of Settlements<sup>8</sup>, and is subject to change during the Plan period.*

*Footnotes:*

8) See Planning Advice Organic Growth of Settlements – see Glossary.

The following table sets out the list of identified settlements for organic growth and their total capacity for growth as at the date of adoption of the Plan. As the Plan and its Policy R2 does not list the “identified settlements” for organic growth, this planning advice allows for future revisions to be made to this list should there be a need to do so. The criteria applied to develop the “identified settlements” list is set out in Appendix 1.

**Table 1 List of Identified Settlements**

| <b>Area</b>           | <b>Settlement</b> | <b>Capacity for Growth</b> |
|-----------------------|-------------------|----------------------------|
| Banff and Buchan      | Cornhill          | 10                         |
|                       | Fordyce           | 10                         |
| Buchan                | New Leeds         | 8                          |
| Formartine            | Berefold          | 5                          |
|                       | Hattoncrook       | 3                          |
|                       | Fintry            | 3                          |
|                       | Woodhead          | 10                         |
| Garioch               | Leslie            | 3                          |
|                       | Whiterashes       | 2                          |
| Kincardine and Mearns | None.             | -                          |
| Marr                  | Bridge of Alford  | 7                          |
|                       | Cairnie           | 7                          |
|                       | Clatt             | 6                          |
|                       | Forgue            | 4                          |
|                       | Finzean           | 10                         |
|                       | Glenkindie        | 3                          |
|                       | Kirkton of Tough  | 4                          |
|                       | Largue            | 4                          |
|                       | Logie Coldstone   | 8                          |
|                       | Strachan          | 10                         |
|                       | Towie             | 2                          |
|                       | Whitehouse        | 2                          |

## 6. Single Homes Associated with Retirement Succession of an Agricultural Holding

### **Policy R2.15**

*Single homes will be permitted for the retirement succession of a viable farm holding within, or in immediate vicinity to, the main farm hub<sup>9</sup>.*

*Footnotes:*

*9) One house per farm enterprise will be permitted under this policy.*

Given the significant barriers to entry into farming in Scotland and its importance to a successful and sustainable rural Scotland, the policy under R2.15 intends to allow for the provision of single dwellinghouses in order to facilitate farm succession of viable holdings, which are actively farmed by the retiring farmer. As set out in this advice, it is expected that the provision of a new dwelling on greenfield land will only be proposed following the comprehensive consideration of housing opportunities available on the farm and in the immediate area, including those allowed under other policy mechanisms. In all cases, applicants must provide an independent statement prepared by a suitably qualified professional to support the application.

The supporting information must include:

- Details of farm including farm extent, ownership, operations, infrastructure and existing labour.
- Succession plan detailing how the farm is to be succeeded.
- Confirmation of viability of agricultural holding (note in some cases we may request a Business Plan and accounts for the farm enterprise (usually over a five-year period).
- Potential for the use of any other existing accommodation in the area.
- Details and explanation of any disposal of any accommodation or permissions for dwellings.

- The potential for erecting a dwelling under other policies of the Development Plan including the discounting of any brownfield land and or existing buildings which could be converted under other policies or under Permitted Development Rights.

The policy will only apply if the beneficiary of the succession meets the definitions of a successor a 'near relative' as defined by the agricultural holdings Acts applicable to Scotland (currently Agricultural Holdings Act 1991) and that successor is taking over the running of the farm enterprise. Applicants should provide information on the current farm ownership or tenancy arrangement under the Agricultural Holdings Act. applied.

The succession must take place on a viable farm holding. A farm holding should be identified through provision of mapping showing the holding and viability confirmed through the supporting statement.

The onus is on the applicant to demonstrate viability of the agricultural business. Where a Farm Holdings is less than 50ha we may seek detailed information through the provision of a business plan and business accounts for the farm business. Where a change to the structure of a business is proposed, which have not taken place, it is expected that such structural changes are included in a business plan and confirmed as reasonable and viable by a suitably qualified agricultural consultant.

Where a new house is required in order for the succession policy to apply it requires the dwelling to be located "Within, or in immediate vicinity to, the main farm hub".

Succession is anticipated to be gradual, with support for the farming enterprise from the retiring farmer. In all cases supporting information should be provided as to the location and siting of such dwellings. Justification will be required in the event that the dwelling cannot, for any reason, be provided on land adjacent to or within the farm hub.

The applicant should confirm that there are no other opportunities for dwelling on the farm holding that meets the requirements to house the retiring farmer this should include details of:

- Residential accommodation owned or available to the farm business, farmer or successor including any dwellings disposed of in the last 5 years.

- Other available accommodation in the immediate vicinity of the farm holding.
- Brownfield land opportunities including the redevelopment of existing buildings.

An explanation should be provided as to why any such accommodation or opportunities cannot be utilised as a retirement dwelling. Brownfield land and the conversion of existing buildings will always be preferred where it can provide opportunities for the additional housing need and opportunities for dwellings under other policy opportunities should be explored and discounted in the first instance.

The Planning Authority, in considering any such applications, may seek input in terms of the application with colleagues from Business Services (farm viability) and Environmental Health. All supporting information is to be made publicly available unless it contains sensitive, financial details (which can be redacted).

## 7. Extensions to Clusters/Housing Groups

### **Policy R2.16**

*In remote rural areas only we will also allow development associated with existing clusters or housing groups consisting of between 5-14 separate habitable or occupied homes on the date of the Plan's adoption. The existing properties within the clusters or housing group should relate well to each other through their design and layout, for example, by sharing curtilage boundaries. There should be a clear relationship between the cluster/group, or development should contribute towards establishing a cohesiveness among the group, for example, through infill development.*

A cluster for the purpose of this policy provision is not a settlement listed in Appendix 7 of the LDP or an identified settlement in terms of organic growth, or within the 200m buffer of an identified settlement. This criteria only applies in Remote Rural Areas, see map in the [interactive LDP](#). A cluster or group consists of at least 5 dwellings, and a maximum of 14 dwellings.

Identifying a cluster, and the number of dwellings within it, is essential to understanding the development capacity. Typically, a consistent and cohesive pattern of development, featuring similarly spaced properties or dwellings with common boundaries, will make up a cluster. Any grouping of rural housing that is disconnected or separated by a physical barrier such as a road, watercourse, tree belt or open space/field is not likely to be considered as a single group. However, capacity for development may still exist if there is a minimum of 5 dwellings identifiable as a cluster.

Proposals for additions to clusters and groups must demonstrate a reasonable degree of “connectedness”. This may be achieved through aspects such as design or layout i.e. through the sharing of curtilage boundaries, and there should be a clear sense of place felt within the cluster or group.

Sites for development must be directly related to the existing houses within the group and upon completion will further strengthen the perception of the cluster or group being

connected to in some way. “Infill”, would likely be appropriate. As such scattered dwellings with little cohesion will be unlikely to be considered as being connected.

**Cluster of housing – Clear grouping of dwellings.**



**Scattered housing – Widely separated dwellings with no connection/cohesion.**





## **Policy R2.17**

*Development of a maximum of three homes will be permitted during the plan period. The size of a cluster must not exceed 15 homes<sup>10</sup>. Clusters or housing groups greater than 15 homes must not be sub-divided. This includes clusters/housing groups that may comprise two or three individual clusters/groups situated in close proximity, that is, by sharing the same access road. All proposals must respect the character, layout and building pattern of the cluster or group.*

*Footnote:*

*10) Clusters or housing groups of 13 will be permitted a maximum of 2 homes during the Plan period, and clusters or housing groups of 14 will be permitted a maximum of 1 home during the Plan period.*

As explained through the footnote to this policy:

- Three dwellings can be added to a cluster of 5-12 dwellings in the plan period;
- Two dwellings can be added to a cluster of 13 dwellings in the plan period; or
- One dwelling can be added to a cluster of 14 dwellings in the plan period.

Large groups of 15+ dwellings cannot be sub-divided to create opportunities for growth, but as outlined above, where there are clear distinctive landscape features (watercourse, tree belt or open space/fields) that splits housing, then separate clusters may be identified. A large group of dwellings, formed by the convergence of separate clusters will be considered as one group.

Development proposals that relate to clusters, particularly those that are not easily identifiable and may be considered larger than expected, should be subject to pre-application discussion, with a supporting statement provided to identify the potential cluster, to ensure early engagement and consideration is had on whether a development opportunity exists or not.

There is an expectation that any addition to a group, be it single dwelling or three dwellings, is of appropriate siting, design and scale. Other policy considerations, particularly Policies P1 and E2, will inform the decision on the appropriateness of the addition to a cluster – both in terms of design and scale of the individual dwelling, and

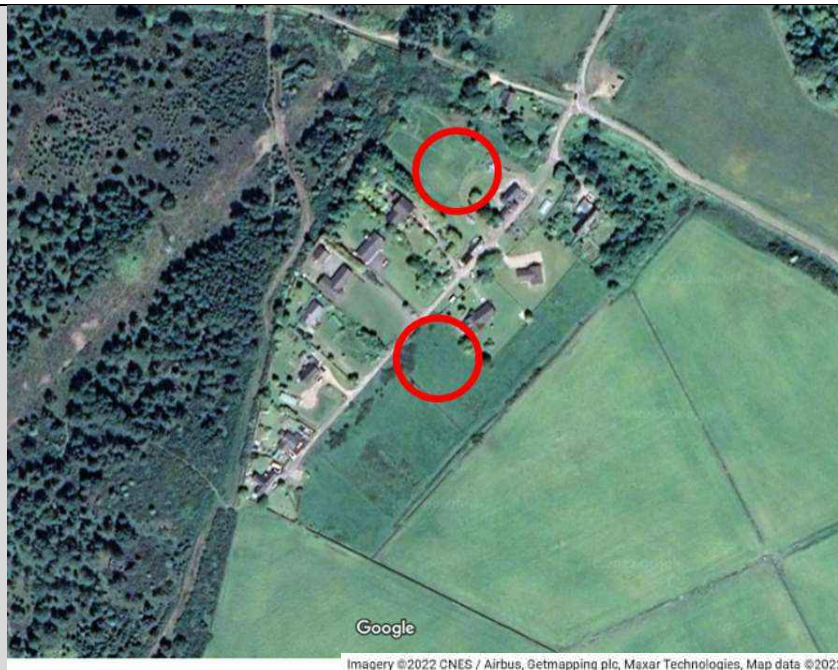
the capacity in the local landscape. For clarity, any proposed additions to a cluster must respect the character, scale, pattern of development and palette of materials within the cluster. Further design advice can be found in Appendix 9 Building Design Guidance.

Key considerations:

- Is the site consistent with the pattern of the existing cluster or group?
- Is the site appropriate in terms of landscape character?
- Does the site have a natural boundary consistent with the other properties?
- Could the addition lead to suburbanisation of the area?
- Are there any services within the vicinity of the cluster?

During the plan period, there is the possibility for planning consent granted as an extension to a cluster or group expires and is not implemented during the plan period e.g. planning permission granted in 2022 could lapse in 2025. In such instances, the number of units subject to that consent will be returned to the capacity for growth and made available for other prospective applicants to deliver.

**Example of cluster opportunities – Sites consistent with existing cluster pattern.**



Any prospective applicant should also check the [planning portal](#) to see if any pending or approved applications exist for the respective cluster, to help identify whether capacity remains. Applicants are encouraged to seek pre-application advice.

## 8. Employment Proposals

### **Policy R2.18**

*In order to promote employment opportunities in settlements, in accessible rural areas outwith settlements employment proposals are limited to brownfield sites.*

For the avoidance of doubt, this criterion does not apply in the coastal zone, nor green belt where special restrictions apply. Applicants may be asked to submit information on alternative sites within nearby settlements, or further afield, that have been considered before deciding on the application site.

This criterion applies to conversions or the replacement of redundant or derelict non-domestic building(s), or the redevelopment of vacant land. It must therefore be read in conjunction with 'redevelopment of rural brownfield sites' (R2.6 – R2.7) that states that only small-scale development will be permitted on such sites and larger brownfield sites shall not be divided to create multiple small opportunities. There may be limited circumstances where a mixed-use development (up to 3 dwellinghouses and a small-scale employment use) can be supported on a larger site. In all cases, any redevelopment should not extend into adjacent agricultural land and should be confined to the previously developed area of the footprint of buildings and associated yard space.

Acceptance of the principle of redeveloping a brownfield site must then be subject to detailed consideration of landscape impact, siting and design (including ancillary development such as enclosures, lighting, etc.) and having appropriate vehicular access arrangements, as well as all relevant technical considerations. A landscaping scheme may be required.

### **Policy R2.19**

*In remote rural areas outwith settlements, small-scale employment proposals will be supported in principle.*

### **Policy R2.20**

*Employment proposals outwith settlements in both accessible and remote rural areas should be in keeping with the surroundings and demonstrate that no other suitable site is available. The development must be located on a site that is safe to access via*

*different modes of transport and demonstrate how it could be accessed via footway/cycle infrastructure and/or public transport.*

For the avoidance of doubt, this criterion does not apply in the coastal zone where special restrictions apply. In addition to development permitted under R2.18, small-scale employment proposals on greenfield sites may also be supported. Applicants may be asked to submit information on alternative sites that have been considered before deciding on the application site and why these are not viable. If necessary, applicants should be made aware that securing planning permission for an employment use will not justify a dwellinghouse, even to house an essential worker, until the business is established and a proven need can be established (e.g. to provide security).

Assessment of the suitability of the proposal and how 'in-keeping' it is with its surroundings should include normal layout, siting and design considerations, such as avoiding isolated sites in prominent locations, the scale and materials of any buildings and impact of ancillary development, such as enclosures, lighting etc. Proposals that primarily involve the change of use of land and / or erection of an agricultural type building are likely to be most acceptable. A landscaping scheme may be required.

Applicants should submit information to clarify the nearest public transport route and how accessible sites are by foot and cycle. An acceptable proposal should be accessible by public transport with safe and convenient access for non-motorised means of travel.

## Appendix 1 Organic Growth Methodology (Identified Settlements)

The methodology for recognising the identified settlements for organic growth follows the LDP 2023's Glossary definition and Policy R2.

A **settlement** has:

- a recognised boundary/built up area;  
This would likely be demonstrated through a clear linear or nucleated pattern, rather than be dispersed in shape which is unlikely to exhibit a notable beginning and end to the built area.
- serves a residential function;
- features urban characteristics including street lighting and a reduced speed limit;  
These urban features would be expected to be evidenced throughout the settlement.
- has at least 15 residential address points; and
- has a facility as listed in the Rural Facilities Monitoring published by the Council's Planning Information and Delivery Team.

Rural Facilities only include the following:

- |                            |   |
|----------------------------|---|
| - Primary/Secondary school | - Post Office                                       |
| - Medical                  | - Bank  |
| - Centre/Chemist/Pharmacy  | - Retail/Professional services                      |
| - Police/Fire station      | - Church  |
| - Library                  | - Garage  |
| - Village hall             | - Hotel/Public house/Hospitality including Takeaway |

“Settlement” status may change with any future Rural Facilities Monitoring information that becomes available during the lifetime of the LDP with the loss or addition of any facility.

**Identified settlements** are settlements which:

- meet the definition of a settlement above;
- are limited to 99 or fewer residential address points;
- when located within the accessible rural area does not have an opportunity site for housing as identified within the Local Development Plan settlement statements (policy R2.12).

This extends to housing within mixed use opportunity sites. Settlements that are partly within the accessible rural area must have no opportunity site identified for housing at the date of the adoption of the Plan. Where opportunity sites have been built to completion during the plan period, it is expected that continued growth is sought through allocations in the next LDP process.

For clarity, organic growth is not applicable to settlements within the green belt or coastal zone under Policy R1. Settlements where the Appendix 7 Settlement Statement indicates there should not be additional growth at this time, are also incompatible with organic growth and future development will be considered through the LDP process.

A cap has been set at settlements with 99 residential address points in order to identify those settlements that are considered to be of such a scale that organic growth may not indeed be appropriate, and development will be generally supported through formal allocations via the LDP.

### **Difference between “settlements”, “places” and Appendix 7 Settlement Statements**

In the context of local development planning, it is important to distinguish between “places” and “settlements” as part of directing development to the right places and to consider spatial strategies that promote a sustainable pattern of development appropriate to the area, using land within or adjacent to settlements. At present, not all settlements in Aberdeenshire have protected, reserved or allocated sites and as a consequence are not recognised as such in the Plan’s Appendix 7 Settlement Statements. However, this does not mean that they are not settlements that need to be considered under various policy provisions within the LDP. There are also locations

within the Appendix 7 Settlement Statements which do not meet the settlement definition such as the St Fergus Gas Terminal (Buchan) and Craigwell (Marr).

### **Capacities for growth calculations**

The capacity for organic growth is based on the number of dwellings recorded within the settlement or built-up area when the LDP is adopted. Dwellings will have appeared as an address point in the Council's records and shown on the GIS system but need not necessarily be occupied to be counted towards the baseline from which the capacity for growth has been determined.

- Those settlements with fewer than 150 address points or less were reviewed closely to determine the exact number of dwellings within the settlement boundary/ built up area.
- Numbers have been rounded down where 20% does not equal a whole number.





Existing private road has bituminous surface for its full length from the public road junction to the private access to Berwick Wood

Existing bin storage with capacity for extra bins

Bogriffie Wood

Gallowbrae

| AMENDMENTS |          | PROJECT                         | TITLE                     | Sylvan Stuart Limited<br>Old Rayne<br>IN SCH<br>Aberdeenshire<br>AB52 6RX |            |
|------------|----------|---------------------------------|---------------------------|---|------------|
| A          | DATE     | Proposed new house              | Access road & bin storage | DWG NO.   | REVISION   |
| B          | REVISION | Berwick Wood, Hatton of Fintray | PLA106.23PP               | 19 June 2023  | SCALE      |
| C          |          | Mhairi & Austen Player          |                           |   | 1:500 @ A3 |
| D          |          |                                 |                           |   |            |
| E          |          |                                 |                           |   |            |



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Berwick wood  
Hatton of Fintray  
NJ 838179

Current Species

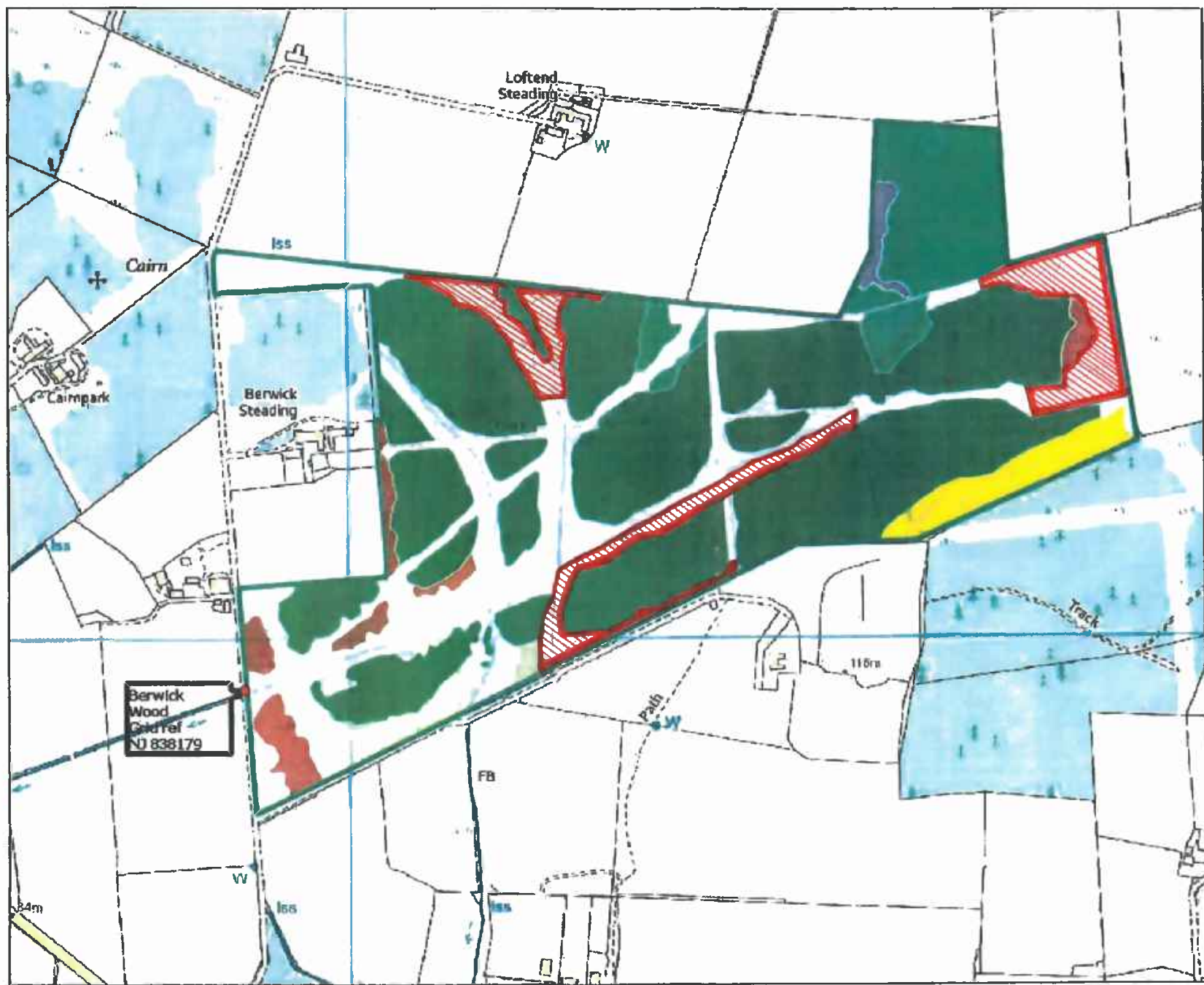
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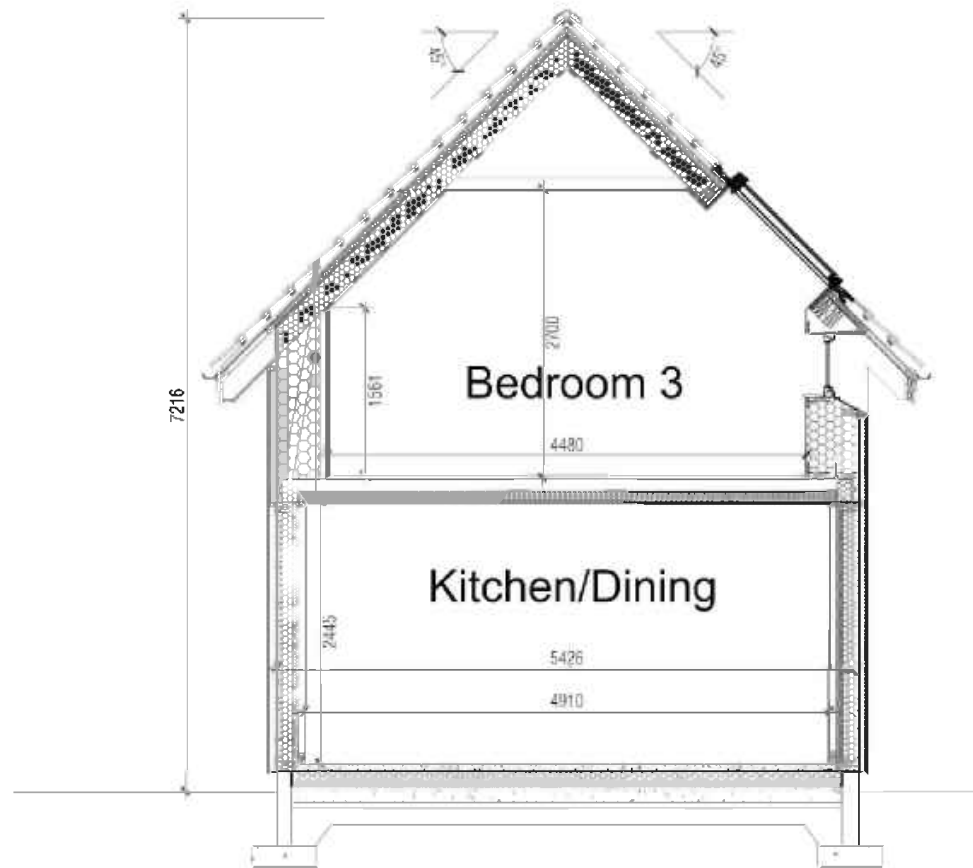
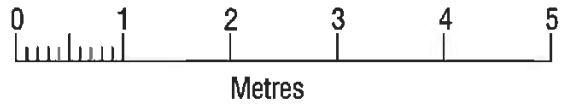
### Legend

- Plan Boundary
- Current Species
  - Sitka spruce
  - Norway spruce
  - Scots pine
  - Japanese larch
  - Mixed broadleaves
- Other land
- Open

Compensatory planting  
(2.218 hectares)

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Survey  
AL1000018344

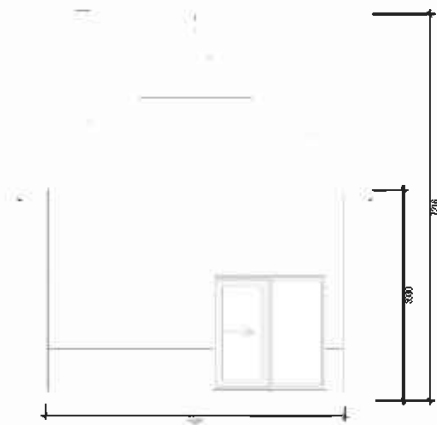




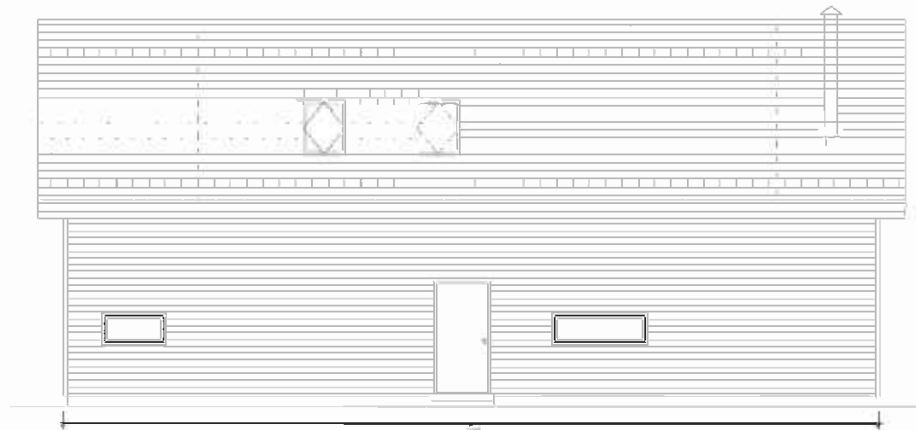
Cross section

| AMENDMENTS |                 | PROJECT                         | TITLE         |           | Sylvan Stuart Limited        |  |
|------------|-----------------|---------------------------------|---------------|-----------|------------------------------|--|
| DATE       | REVISION        | Proposed new house              | Cross section |           | Old Rayne                    |  |
| A          | 11.05.23        | SITE                            | DWG NO.       | REVISION  | INSCH                        |  |
|            | Scale bar added | Berwick Wood, Hatton of Fintray | PLA004.23PP   | A         | Aberdeenshire                |  |
| B          |                 | CLIENT                          | DATE          | SCALE     | AB52 6RX                     |  |
| C          |                 | Mhairi & Austen Player          | 27 Mar 2023   | 1:50 @ A3 | tel 01464 851208             |  |
| D          |                 |                                 |               |           | fax 01464 851202             |  |
| E          |                 |                                 |               |           | email sales@sylvanstuart.com |  |

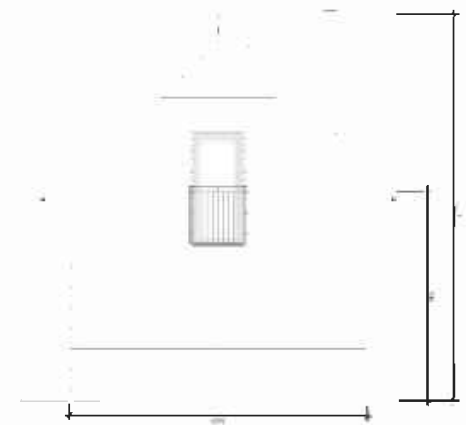




West elevation

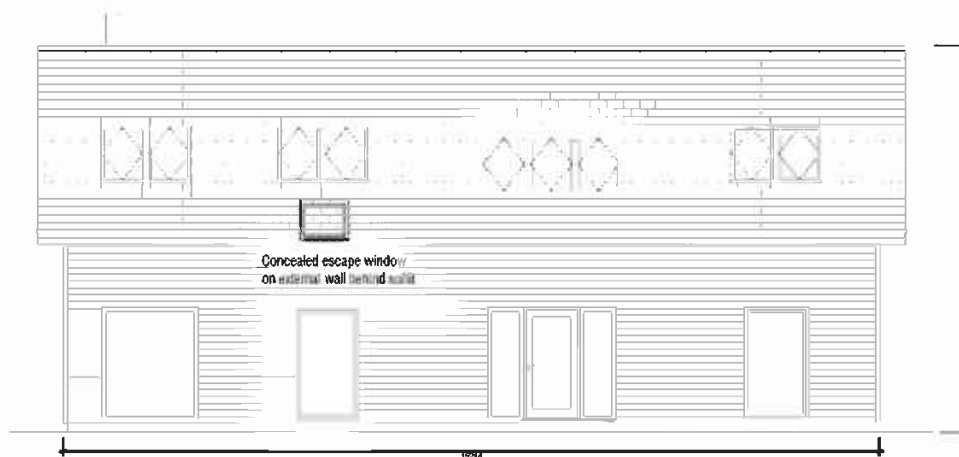


North elevation

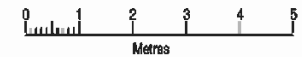


East elevation

- External finishes**
- Grey concrete tiles
  - Larch horizontal timber cladding
  - Anthracite grey windows and doors
  - Velux rooflights
  - Stainless steel flue
  - Lindab galvanized steel rainwater goods



South elevation



| AMENDMENTS |                                       |
|------------|---------------------------------------|
| DATE       | REVISION                              |
| A          | 11.05.23 Scale bar & dimensions added |
| B          |                                       |
| C          |                                       |
| D          |                                       |
| E          |                                       |

|         |                                 |
|---------|---------------------------------|
| PROJECT | Proposed new house              |
| SITE    | Berwick Wood, Hatton of Fintray |
| CLIENT  | Mhairi & Austen Player          |

|         |             |            |
|---------|-------------|------------|
| TITLE   | Elevations  |            |
| DWG NO. | PLA003.23PP | REVISION   |
| DATE    | 31 Mar 2023 | A          |
|         |             | SCALE      |
|         |             | 1:100 @ A3 |

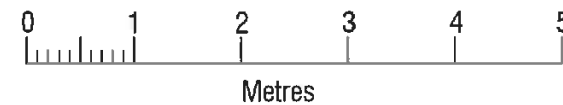
Sylvan Stuart Limited  
 Old Rayne  
 INSCH  
 Aberdeenshire  
 AB52 6RX

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 fax 01464 851202  
 email sales@sylvanstuart.com

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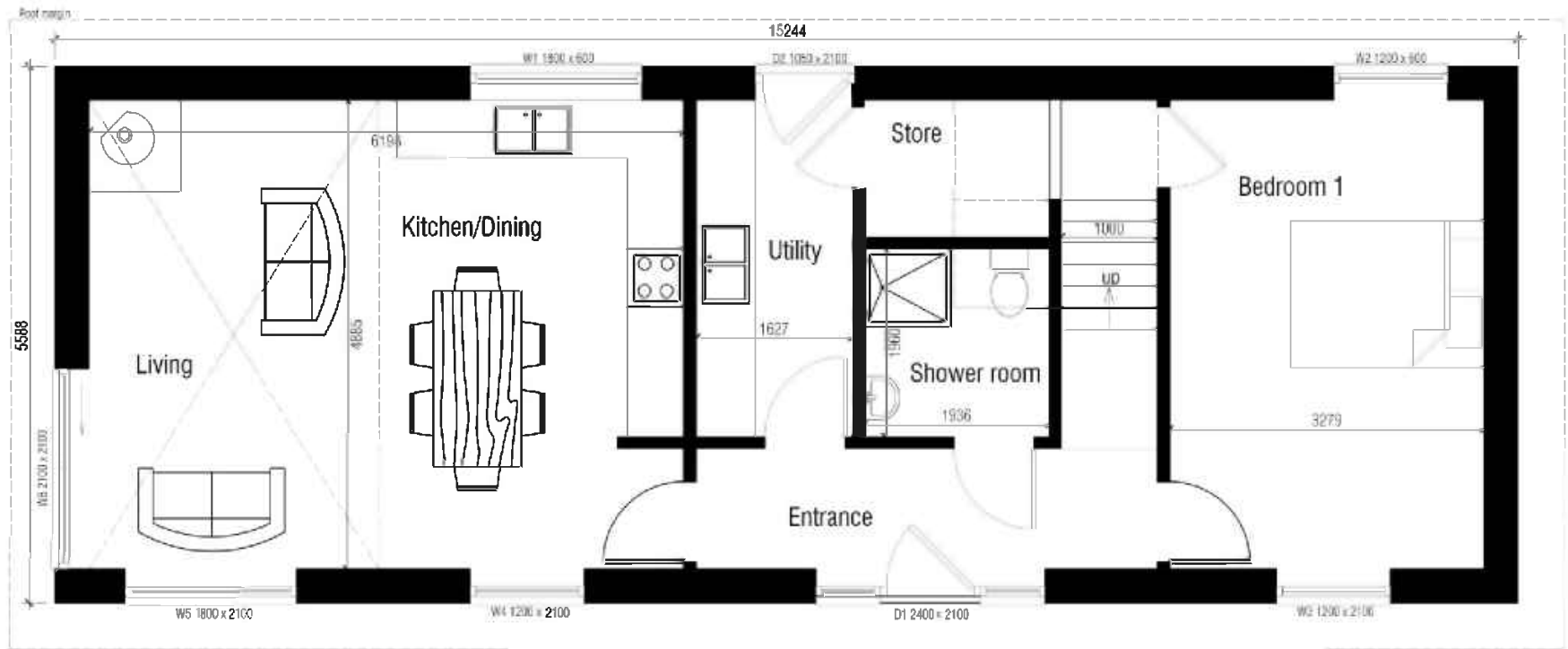


First floor plan

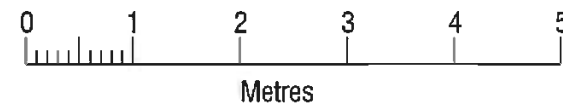


| AMENDMENTS |          | PROJECT         | TITLE                           |                  | Sylvan Stuart Limited<br>Old Rayne<br>INSCH<br>Aberdeenshire<br>AB52 6RX |           |
|------------|----------|-----------------|---------------------------------|------------------|--|-----------|
| A          | 11.05.23 | Scale bar added | Proposed new house              | First floor plan | tel 01464 851208<br>fax 01464 851202<br>email sales@sylvanstuart.com     |           |
| B          | 06.06.23 | Title updated   | Berwick Wood, Hatton of Fintray | PLA002.23PP      |  |           |
| C          |          |                 | Mhain & Austen Player           | 31 Mar 2023      |  |           |
| D          |          |                 |                                 |                  |  |           |
| E          |          |                 |                                 |                  |  |           |
|            |          |                 |                                 |                  | REVISION   | B         |
|            |          |                 |                                 |                  | SCALE  | 1:50 @ A3 |





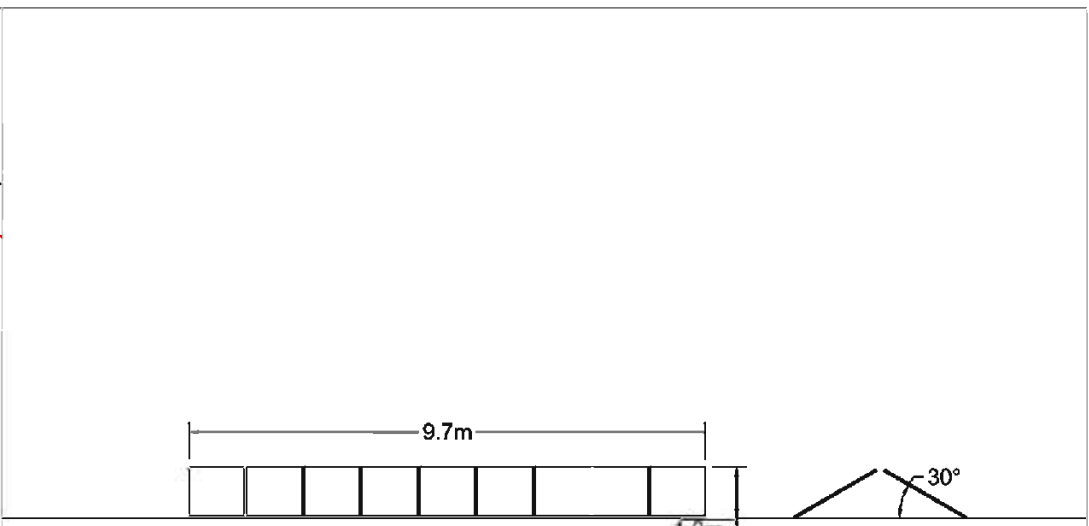
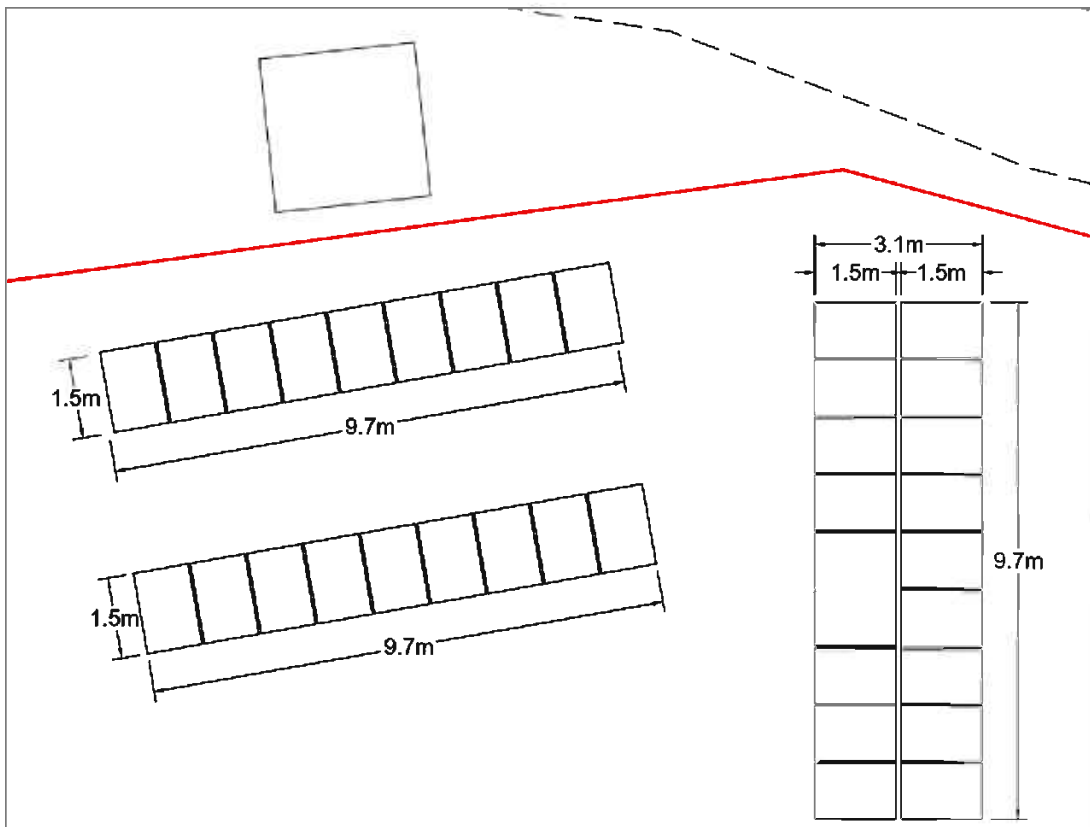
Ground floor plan



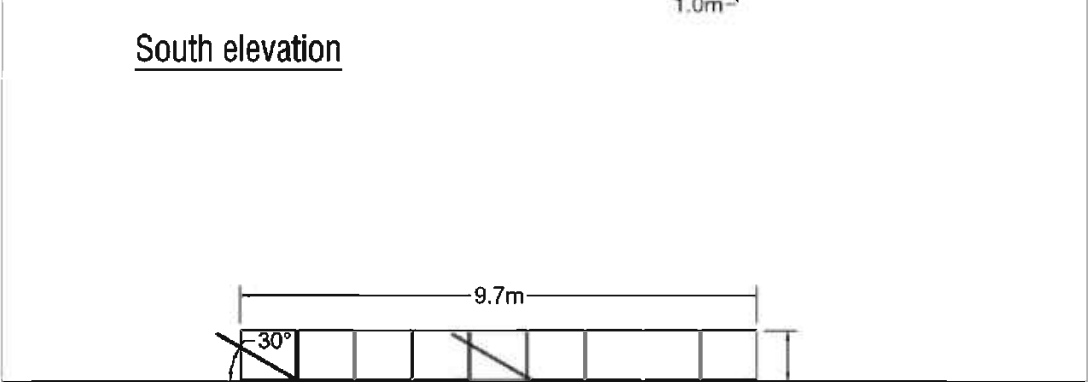
| AMENDMENTS |          | PROJECT         | TITLE                           | Sylvan Stuart Limited<br>Old Rayne<br>INSCH<br>Aberdeenshire<br>AB52 6RX |  |
|------------|----------|-----------------|---------------------------------|--|--|
| A          | 11.05.23 | Scale bar added | Proposed new house              | Ground floor plan  |  |
| B          | 06.06.23 | Title updated   | Berwick Wood, Hatton of Fintray | PLA001.23PP  | REVISION<br>B  |
| C          |          |                 | Mhairi & Austen Player          | 31 Mar 2023  | SCALE<br>1:50 @ A3   |
| D          |          |                 |                                 |  | tel 01464 851208<br>fax 01464 851202<br>email sales@sylvanstuart.com |
| E          |          |                 |                                 |  |  |







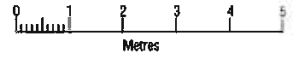
South elevation



West elevation

Plan view

Existing array of ground mounted pv panels  
 15kW total system  
 36no. Longi Mono Black 370W each  
 Panel dimensions 1755 x 1038 x 35mm  
 18no south facing  
 9no. east facing  
 9no. west facing  
 8 x 3.55 kWh lithium iron phosphate batteries



| AMENDMENTS |          |
|------------|----------|
| DATE       | REVISION |
| A          |          |
| B          |          |
| C          |          |
| D          |          |
| E          |          |

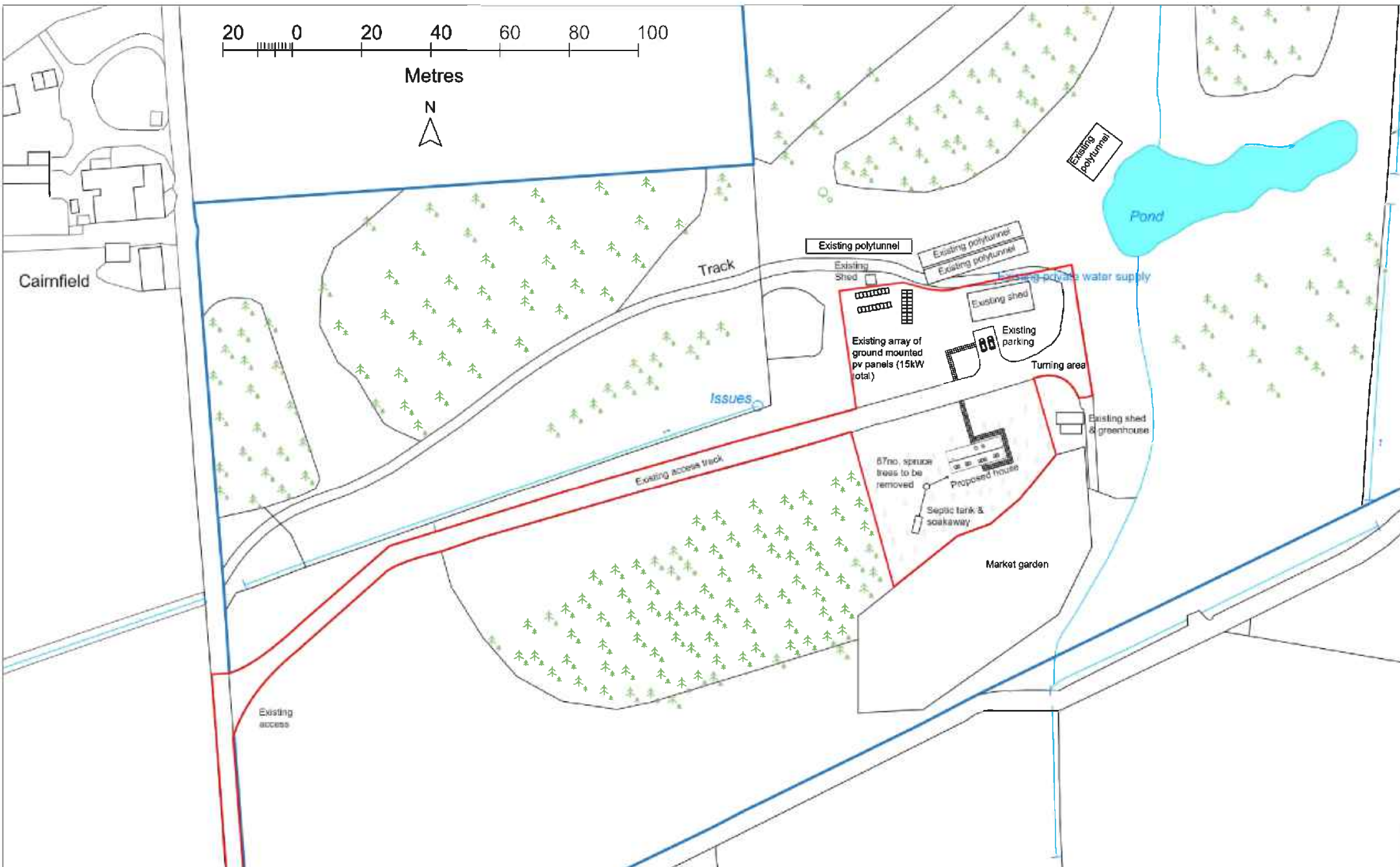
|         |                                 |
|---------|---------------------------------|
| PROJECT | Proposed new house              |
| SITE    | Berwick Wood, Hatton of Fintray |
| CLIENT  | Mhairi & Austen Player          |

|         |             |            |
|---------|-------------|------------|
| TITLE   | PV panels   |            |
| DWG NO. | PLA105.23PP | REVISION   |
| DATE    | 6 June 2023 | SCALE      |
|         |             | 1:100 @ A3 |

Sylvan Stuart Limited  
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| AMENDMENTS |  |
|------------|--|
| DATE       | REVISION   |
| A          | 23.06.23 Site extended to include pv panels and private water supply |
| B          | 06.06.23 PV panels amended   |
| C          |  |
| D          |  |
| E          |  |

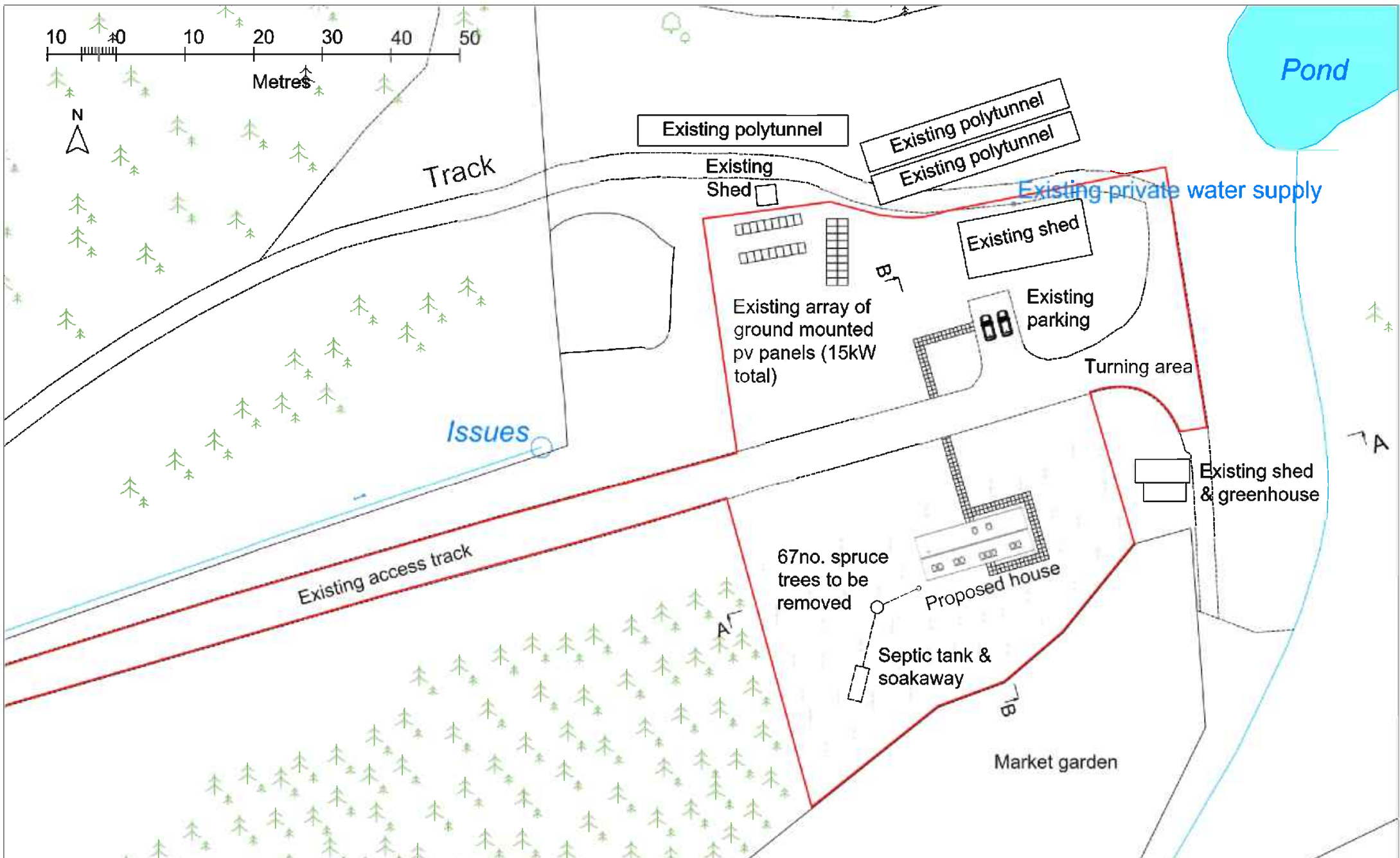
|         |                                 |
|---------|---------------------------------|
| PROJECT | Proposed new house              |
| SITE    | Berwick Wood, Hatton of Fintray |
| CLIENT  | Mhairi & Austen Player          |

|         |                       |             |
|---------|-----------------------|-------------|
| TITLE   | Site plan (full site) |             |
| DWG NO. | PLA103.23PP           | REVISION    |
| DATE    | 27 Mar 2023           | B           |
|         | SCALE                 | 1:1000 @ A3 |

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| AMENDMENTS |   |
|------------|---|
| DATE       | REVISION  |
| A 23.05.23 | Site extended to include pv panels and private water supply |
| B 06.06.23 | PV panels amended   |
| C          |   |
| D          |   |
| E          |   |

|         |                                 |
|---------|---------------------------------|
| PROJECT | Proposed new house              |
| SITE    | Berwick Wood, Hatton of Fintray |
| CLIENT  | Mhairi & Austen Player          |

|          |             |
|----------|-------------|
| TITLE    | Site plan   |
| DWG NO.  | PLA102.23PP |
| DATE     | 27 Mar 2023 |
| REVISION | B           |
| SCALE    | 1:500 @ A3  |

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**Commercial - Risk Assessment Report  
Private Water Supplies (Scotland) Regulations 2006**

|                            |               |                               |            |
|----------------------------|---------------|-------------------------------|------------|
| <b>RA / Supply Number:</b> | 910268        | <b>Date(s) of Assessment:</b> | 19/02/2019 |
| <b>Name of Supply:</b>     | Berwick Woods | <b>Description:</b>           | Commercial |
| <b>Officer:</b>            | Gareth Jones  |                               |            |

**REQUIREMENTS**

| <b>Item</b> | <b>Issue</b>  | <b>Works Required</b>   | <b>Reason</b>  |
|-------------|---|---|--|
| 1           | The sample taken for bacterial analysis failed to meet the specified standards  | Thoroughly cleanse and sterilise the supply system and install a point of entry UV treatment unit with appropriate pre-filters (or other suitable treatment system as agreed in writing with the Environmental Health Section).<br>If a UV is to be fitted then the maximum flow rate and bulb output should be set so that the water supply is exposed to a continuous UV dose of 40 mJ cm <sup>-2</sup> . | To provide a wholesome water supply to your property   |
| 2           | The level of Nitrate in the sample was too high.  | A nitrate reduction system should be installed to cover all properties served by the system   | To ensure the supply meets the water quality standards   |
| 3           | The sample taken for chemical analysis failed to meet the required standards with regard to turbidity, iron and manganese | Appropriate filters should be provided. The iron and manganese will contribute to the turbidity problem and hopefully by reducing their concentration in the water its clarity can be significantly improved  | To provide a wholesome water supply to your property and improve and ensure the effectiveness of the UV treatment system |
| 4           | Suitable protection should be provided to the head-works  | A suitable housing with a concrete base apron and watertight vermin-proof access should be provided   | To protect the source from possible contamination  |

|   |  |   |  |
|---|--|---|--|
| 5 | There is not a sign at the premises advising all persons that the premises is served by a private water supply | In the event that staff are employed or handwashing facilities are available for the public place a sign advising all persons that the premises is served by a private water supply in a clearly visible location   | To ensure all persons entering the premises are aware of the locations served by the private water supply  |
| 6 | There is no water safety plan available  | To ensure that the private water supply continues to meet the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017 it is recommended that a water safety management plan is devised and put into operation so that the supply system is documented; the risks to the supply identified; control measures including regular maintenance are established; monitoring needs are identified and responsibilities defined | Preventative action is perhaps the single most effective means of maintaining a safe water supply. Problems may still occur however a suitable plan to deal with contamination or failure of the private supply is essential for commercial operations |

**Details of all Premises served by the source**

| <b>Address of Property</b>               | <b>Treatment</b> | <b>Use/Purpose</b> | <b>UPRN</b> |
|--|------------------|--------------------|-------------|
| Berwick Wood, Hatton of Fintray AB21 0YR |                  | Commercial         |             |

For the above mentioned NON-DOMESTIC properties, the works identified in the risk assessment must be carried out.

|                    |
|--------------------|
| <b>Supply Type</b> |
| <b>Borehole</b>    |

|  |
|--|
| <b>Where is the nearest public mains connection?</b> |
| c.700m WSW   |

|  |          |
|--|----------|
| <b>Total number of Commercial Properties on supply:</b><br>(commercial includes tenanted properties) | <b>1</b> |
| <b>Total number of Domestic Properties on supply:</b>  | <b>0</b> |

|   |                        |
|---|------------------------|
| <b>Total volume and persons served by supply</b>  |                        |
| Estimated daily volume of water supplied by the supply  | m <sup>3</sup> per day |
| Number of persons served by the supply<br>(at maximum occupancy):<br>(Assume 2.5 persons per household if not known and usage 0.2m <sup>3</sup> per person per day) | 0                      |

|   |   |
|---|---|
| <b>Details of supply system and associated water treatment</b><br>(include sketch plan in Additional Notes section) |   |
| <b>Source</b>   | Borehole  |
| <b>Detail:</b>  | In open area within woodland c.300m E of Cairnfield |
| <b>Location Description:</b>  |   |
| <b>National Grid Reference:</b>   | 384118, 818051                                      |
| <b>Intermediate Storage Tank</b>  |   |
| <b>Detail:</b>  |   |
| <b>Location Description:</b>  |   |
| <b>National Grid Reference:</b>   |   |
| <b>Communal Treatment Type and its location</b>   |   |
| <b>Detail:</b>  |   |
| <b>Distribution Pipework Material</b>   |   |
| <b>Detail:</b>  | Alkathene   |

Details of sample results for previous 12 months or last available

|                   |            |
|-------------------|------------|
| Sample Number     | 03270      |
| Date Sample taken | 19/02/2019 |

Sample results

Results highlighted in bold have failed to meet the prescribed parameters

| Test                    | Result         | Prescribed Concentration or Value |
|-------------------------|----------------|-----------------------------------|
| <b>Total Coliforms</b>  | <b>50</b>      | <1 MPN/100ml                      |
| E.Coli                  | 0              | <1 MPN/100ml                      |
| <b>Colony count 22C</b> | <b>&gt;300</b> | <300 cfu per ml                   |
| Clostridium perfringens | 0              | <1 MPN/100ml                      |
| Enterococci             | 0              | <1 MPN/100ml                      |
| pH                      | 7.4            | 6.5 – 9.5                         |
| Colour                  | 2              | Not more than 20mg/l              |
| <b>Turbidity</b>        | <b>8.8</b>     | <b>Not more than 4.0 FTU</b>      |
| Nitrate                 | <3             | Not more than 50 mg/l             |
| Copper                  | <0.010         | Not more than 2.0 mg/l            |
| <b>Manganese</b>        | <b>950</b>     | <b>Not more than 50 ig/l</b>      |
| <b>Iron</b>             | <b>290</b>     | <b>Not more than 200 ig/l</b>     |
| Lead                    | <1             | Not more than 10 ig/l             |
| Nickel                  | 2              | Not more than 20 ig/l             |
| Zinc                    | <10            | Not more than 5000 ig/l           |

Details of previous investigations and actions taken including any enforcement notices served

What arrangements are in place to deal with failure of the supply?

Boiled/bottled water

Is there a Water Safety Plan / Emergency Action Plan available?

No

Is supply exempt?

No

Details of Public Notice for Commercial supplies

## General Site Survey

Are any of the following "risks" likely to influence water quality at the source?

|                                     | ALL SITES  | RISK EVALUATION        |     |     |
|-------------------------------------|--|------------------------|-----|-----|
|                                     |  | HIGH                   | MOD | LOW |
| 1                                   | History of livestock production (rearing, housing, grazing) – including poultry.   |                        |     | X   |
| 2                                   | Remediation of land using sludge or slurry.  |                        |     | X   |
| 3                                   | Sewage effluent lagoons.   |                        |     | X   |
| 4                                   | Sewage effluent discharge to adjacent watercourse.   |                        |     | X   |
| 5                                   | Unsewered human sanitation including septic tanks and soakaways.   |                        |     | X   |
| 6                                   | Sewage pipes, mains or domestic (e.g. leading to/from septic tank).  |                        |     | X   |
| 7                                   | Soil cultivation with waste water irrigation or sludge/slurry/manure application.  |                        |     | X   |
| 8                                   | Surface run-off from agricultural activity diverted to flow into the source/supply.  |                        |     | X   |
| 9                                   | Disposal of organic wastes to land.  |                        |     | X   |
| 10                                  | Farm wastes and/or silage stored on the ground (not in tanks or containers).   |                        |     | X   |
| 11                                  | Waste disposal sites (including scrap yard, rubbish and hazardous waste disposal, landfill or incinerator including on-farm incineration). |                        |     | X   |
| 12                                  | Disposal sites for animal remains.   |                        |     | X   |
| 13                                  | Evidence of use of pesticides (including sheep dip) near source.   |                        |     | X   |
| 14                                  | Evidence of industrial activity likely to present a contamination threat.  |                        |     | X   |
| 15                                  | Forestry activity.   |                        | X   |     |
| 16                                  | Evidence of wildlife.  |                        | X   |     |
| 17                                  | Awareness of the presence of drinking water supply/source by agricultural workers.   |                        |     | X   |
| <b>SPRINGS, WELLS AND BOREHOLES</b> |  | <b>RISK EVALUATION</b> |     |     |
| 18                                  | Evidence of poor drainage causing stagnant/standing water.   |                        |     | X   |
| 19                                  | Supplies or wells not in current use.  |                        |     | X   |

### Risk Evaluation

The aim of this evaluation is to ascertain both the severity of the risk and the likely frequency of exposure to that risk.

### Risk Characterisation

Tick the appropriate box for each question

|  |   |  |
|--|---|--|
|  |   |  |
|  | X |  |
|  |   |  |

If any evaluation is High Risk (H) then the Risk Characterisation is **High**

If no evaluation is High Risk but there are Moderate Risks (M) identified then the Risk Characterisation is **Moderate**

If no evaluation is High Risk (H) or Moderate Risk (M) then the Risk Characterisation is **Low**



## Supply Survey

Are any of the following known to occur at the head works site in relation to the supply?

|    |  | BOREHOLES   | RISK EVALUATION |     |     |
|----|--|---|-----------------|-----|-----|
|    |  |   | HIGH            | MOD | LOW |
| 20 | No suitable barrier present to prevent ingress of surface flows into the chamber (e.g. cut-off ditch lined with impermeable material, steep incline/decline such as embankments, appropriate walls, etc).        |   |                 | X   |     |
| 21 | No concrete apron sloping away from borehole lining.   |   |                 | X   |     |
| 22 | No reinforced concrete cover slab, or equivalent, in satisfactory condition with a watertight, vermin-proof inspection cover present to BS 497 (lockable, steel type or equivalent) with or without ventilation? |   |                 | X   |     |
| 23 | If headworks below ground then top of the chamber not 150 mm above ground level?   |   |                 | X   |     |
| 24 | Housing covering headworks not watertight and/or vermin proof and/or secure.   |   |                 | X   |     |
| 25 | Borehole lining (casing) does not extend at least 150 mm above level of floor.   |   |                 | X   |     |
| 26 | Watertight lining cap not fitted.  |   |                 | X   |     |
| 27 | The housing construction in an unsatisfactory state-of-repair?   |   |                 | X   |     |
|    |  | WELL AND SPRING SOURCES<br>(WITH COLLECTION CHAMBERS) | RISK EVALUATION |     |     |
|    |  |   | HIGH            | MOD | LOW |
| 28 | No suitable barrier present to prevent ingress of surface flows into the well/chamber (e.g. cut-off ditch lined with impermeable material, steep incline/decline such as embankments, appropriate walls etc).    |   |                 |     |     |
| 29 | The top of the well/chamber not 150 mm above concrete apron or surrounding ground.   |   |                 |     |     |
| 30 | No reinforced concrete cover slab, or equivalent, in satisfactory condition with a watertight, vermin-proof inspection cover present to BS 497 (lockable steel type or equivalent) with or without ventilation?  |   |                 |     |     |
| 31 | Inlet pipe not fitted with course filter or screen.  |   |                 |     |     |
| 32 | No stock proof fence (to BS 1722 or equivalent) at a minimum of 4 m around the source?   |   |                 |     |     |
| 33 | No concrete apron, a minimum of 1200 mm, sloping away from the well/chamber and in good repair?  |   |                 |     |     |
| 34 | The well/chamber construction is in an unsatisfactory state-of-repair?   |   |                 |     |     |
| 35 | Overflow/washout pipe not fitted with vermin proof cap.  |   |                 |     |     |

**Supply Survey (continued)**

Are any of the following known to occur in relation to the supply?

|    | ALL SITES   | RISK EVALUATION |     |     |
|----|---|-----------------|-----|-----|
|    |   | HIGH            | MOD | LOW |
| 36 | A suitably sized and located fully operational UV treatment unit is not present?  | X               |     |     |
| 37 | Intermediate tanks (e.g. collection chamber holding tanks, break-pressure tanks) are not adequately protected from contamination. (see 28 to 33 above). |                 |     | X   |
| 38 | The chamber/s in an unsatisfactory state-of-repair.   |                 |     | X   |
| 39 | Supply network constructed from material liable to fracture e.g. asbestos-concrete, clay etc?   |                 |     | X   |
| 40 | Junctions present in the supply network, particularly supplying animal watering systems, have no back-siphon protection?                                |                 |     | X   |
| 41 | No maintenance (including chlorination) has been undertaken in the previous 12 months?  |                 |     | X   |
| 42 | If present, header tank within the property(s) does not have a vermin-proof cover?  |                 |     | X   |
| 43 | Header tank has not been cleaned in the last 12 months?   |                 |     | X   |
| 44 | Any point of entry/point of use treatment equipment has not been serviced in accordance with the manufacturer's instructions in the last 12 months?     |                 |     | X   |
| 45 | Is there a noticeable change in the level and flow of water throughout the year?  |                 |     | X   |
| 46 | Is there a noticeable change in the appearance of the water (colour, turbidity – cloudiness) after heavy rainfall or snow melt?                         |                 |     | X   |

**Risk Evaluation**

The aim of this evaluation is to ascertain both the severity of the risk and the likely frequency of exposure to that risk.

**Risk Characterisation**

Tick the appropriate box for each question

|   |  |  |
|---|--|--|
| X |  |  |
|   |  |  |
|   |  |  |

If any evaluation is High Risk (H) then the Risk Characterisation is **High**

If no evaluation is High Risk but there are Moderate Risks (M) identified then the Risk Characterisation is **Moderate**

If no evaluation is High Risk (H) or Moderate Risk (M) then the Risk Characterisation is **Low**

**Overall Risk Assessment**

The overall risk assessment for the source is taken as the highest individual risk category identified from each of the three surveys.

| Survey Section      | Risk Characterisation Category |
|---------------------|--------------------------------|
| General Site Survey | Moderate                       |
| Supply Survey       | High                           |
| <b>Overall Risk</b> | <b>High</b>                    |

**Diagram of Supply**



**Additional Notes**

Berwick Woods is being set up to provide organic salad and vegetables to local businesses. The water will be used to wash the produce.

Long term staff accommodation may be provided.

# Certificate of Bacteriological Examination

## Potable Water Sample

**Laboratory Reference:** 10192302  
**Your Reference:** 03270  
**For the attention of:** G Jones  
**Received From:** Aberdeenshire Council Environmental Health  
 Gordon House Blackhall Road Inverurie  
**Received On:** 19 February 2019  
**Sample Name:** Berwick Wood, Hatton Of Fintray  
**Taken On:** 19 February 2019  
**Date of Examination:** 19 February 2019

### Results of Examination

| Method Code | Determination                      | Result       | Units                                   |
|-------------|------------------------------------|--------------|---|
| i7404a      | Total Coliforms                    | 50           | Most Probable Number per 100 millilitre |
| i7404b      | Escherichia coli                   | Not detected | Most Probable Number in 100 millilitre  |
| i7001a      | Colony Count (22°C / 68 hours)     | > 300        | colony forming units per 1 millilitre   |
| i7602       | Clostridium perfringens (including | Not detected | in 100 millilitre                       |
| i7604       | Enterococci                        | Not detected | colony forming units per 100 millilitre |

**Comments: (1)**

The Water Intended for Human Consumption (Private Supplies)(Scotland) Regulations 2017 require Coliform bacteria to be absent from 100 millilitres of water. Therefore, the sample did not comply with this requirement of the Regulations.

The Water Intended for Human Consumption (Private Supplies)(Scotland) Regulations 2017 require that the colony count at 22°C of a potable private water supply should show no abnormal change. The colony count at 22°C would have to be monitored for a period of time to establish the normal level.

(1) Comments, opinions and interpretations are outside the scope of UKAS accreditation

|                   |   |  |
|-------------------|---|--|
| Signature:        |   |  |
| Name:             | Kerry Parrott HNC, MIFST,   |  |
| Status:           | Principal Scientist   |  |
| Official Address: | Aberdeen Scientific Services Laboratory, Old Aberdeen House,<br>Dunbar Street, Aberdeen, AB24 3UJ |  |
| Telephone Number: | (01224) 491648  |  |
| Date of Report:   | 26 February 2019  |  |
| Issue Number:     | 1   |  |



1325



Scottish  
Forestry  
Coilltearachd  
na h-Alba

Grampian Conservancy  
Portsoy Road  
Huntly  
Aberdeenshire  
AB54 4SJ

Email: [grampian.cons@forestry.gov.scot](mailto:grampian.cons@forestry.gov.scot)  
Tel: 0300 067 6210

Conservator: James Nott

Mr Calum Murray  
Tilhill Forestry  
Unit 7  
Huntly Business Centre  
Huntly  
AB54 8FG

Date: 15<sup>th</sup> August 2019

Dear Mr Murray

**Approval of a Woodland Management Plan**

**Name of Plan: Berwick Woods**

**File Reference: MPL310105**

We hereby accept the Management Plan you submitted to cover operations on Berwick Woods. I have enclosed a copy signed as approved for your records.

Please note SF approval for the Plan begins on 15<sup>th</sup> August 2019 and expires 10 years after the approval date of this Plan on 15<sup>th</sup> August 2029.

Yours sincerely

Kelly Whyte  
Administrative Officer

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

S e Coilltearachd na h-Alba a' bhuidheann-ghnìomha aig Riaghaltas na h-Alba a tha an urra ri poileasaidh, taic agus riaghladh do choilltearachd



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[gov.scot](http://gov.scot)



Scottish  
Forestry  
Coilltearachd  
na h-Alba

Berwick woods Management Plan  
2019 to 2029

Prepared by

Tilhill Forestry

7<sup>th</sup> July 2019

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

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gov.scot

## 1. Details

| Management Plan Details           |   |                           |                   |
|-----------------------------------|---|---------------------------|-------------------|
| Management Plan Name:             | Berwick Wood  |                           |                   |
| Business Reference Number:        | 278976  | Main Location Code:       | 66/006/0041       |
| Grid Reference: (e.g. NH 234 567) | NJ 838129   | Nearest town or locality: | Hatton of Fintray |
| Local Authority:                  | Aberdeenshire Council   |                           |                   |
| Area ( ha)                        | 34.2  |                           |                   |
| List associated maps:             | 1. Location map 1:50000<br>2. Species map<br>3. Constraints map<br>4. Operations map<br>5. Roads & access map |                           |                   |

| Owner's Details         |                      |                             |            |
|-------------------------|----------------------|-----------------------------|------------|
| Title:                  | Mrs                  | Forename:                   | Mhairi     |
| Surname:                | Player               |                             |            |
| Organisation:           | Berwick Wood Produce | Position:                   | Owner      |
| Primary Contact Number: | [REDACTED]           | Alternative Contact Number: | [REDACTED] |
| Email:                  | [REDACTED]           |                             |            |
| Address:                | [REDACTED]           |                             |            |
|                         | Aberdeen             |                             |            |
| Postcode:               | [REDACTED]           | Country:                    | Scotland   |

| Agent's Details         |  |                             |                       |
|-------------------------|--|-----------------------------|-----------------------|
| Title:                  | Mr   | Forename:                   | Calum                 |
| Surname:                | Murray   |                             |                       |
| Organisation:           | Tilhill Forestry   | Position:                   | Senior Forest Manager |
| Primary Contact Number: | 07887 630 600  | Alternative Contact Number: |                       |
| Email:                  | <a href="mailto:Calum.murray@tilhill.com">Calum.murray@tilhill.com</a> |                             |                       |
| Address:                | Unit 7, Huntly Business Centre, Huntly                                 |                             |                       |





# Management Plan

|           |          |          |          |
|-----------|----------|----------|----------|
|           |          |          |          |
| Postcode: | AB54 8FG | Country: | Scotland |

| Access Consent – Complete if applying for thinning   |   |                             |
|--|---|-----------------------------|
| <p><b>You are not obliged to give us consent to enter your land, however if we are denied access to your land, and cannot carry out an assessment because of this, we may reject your application. This consent is for access to assess this application as well as monitor compliance with any subsequent approval, where applicable.</b></p> |   |                             |
| Do you give consent for Scottish Forestry to access your property?   | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> |

| Town and Country Planning – Complete if applying for thinning           |                              |  |
|---|------------------------------|--|
| Are any of the trees to be felled subject to a Tree Preservation Order? | YES <input type="checkbox"/> | NO <input checked="" type="checkbox"/> |
| If YES please provide details:  |                              |  |
| Are any of the trees to be felled within a Conservation Area?           | YES <input type="checkbox"/> | NO <input checked="" type="checkbox"/> |
| If YES please provide details:  |                              |  |

Declarations – Complete if applying for thinning

**I hereby apply for a permission to fell the trees described in this application and I certify that:**

- I am the landowner or an occupier of the land with written permission of the landowner;
- Where the landowner is a business, I am authorised to sign legal contracts on behalf of that business;
- If I am acting on behalf of the landowner or occupier, I have been mandated to do so;
- Any necessary consents from any other person(s) if required, have been obtained;
- I have made the necessary checks with the local planning authorities regarding Tree Preservation Orders and Conservation Areas;
- I have notified all stakeholders that may be affected by the felling in this application and sought their views prior to submitting this application;
- I hereby acknowledge that Scottish Ministers may process any of my personal data contained in or relating to this application in accordance with the terms of Scottish Forestry's Privacy Notice, a copy of which is available at [www.forestry.gov.scot](http://www.forestry.gov.scot);
- I have read and understand this application fully and, to the best of my knowledge and belief, the information given in this application is complete, true, and accurate;
- I accept that any false or misleading information provided in this application constitutes an offence and may result in any felling permission based on this application being revoked at any time.

[This application may only be signed by the owner of the land or the occupier of that land where they have written permission to do so. For land owned by a business it must be signed by someone with the authority to sign legal contracts on behalf of that business. If you are an agent signing this on behalf of the aforementioned you must append a copy of your mandate.]

|               |                     |              |
|---------------|---------------------|--------------|
| Signed: _____ | Print: Calum Murray | Date: 5.6.19 |
|---------------|---------------------|--------------|

Approval - to be completed by Scottish Forestry staff:

|  |               |                                |           |
|--|---------------|--------------------------------|-----------|
| Management Plan Reference Number:            | MPL310105     |                                |           |
| Plan Period: (ten years)<br>(day/month/year) | From: 15/8/19 | To: 15/8/29                    |           |
| Operations Manager Signature:                | [Redacted]    | Approval Date:<br>(dd/mm/yyyy) | 15/8/2019 |



## 2. Woodland Description

Give Information about the following:

- past management of the woodland
- current species and ages
- statutory and non-statutory constraints (e.g. designations, archaeological interests)
- existing or potential public access
- woodland protection

Use the Land Information Search to help you complete this section. For more detailed information on the Native Woodland Survey of Scotland use the Scottish Forestry Map Viewer found on our website: [forestry.gov.scot](http://forestry.gov.scot)

### 2.1 Maps required

Provide maps to support your plan, as outlined in the guidance note. Please list all of the maps that you are including with your management plan in section 1 Management Plan Details.

### 2.2 History of management

The majority of the woodland planted in 1990 with some older Scots pine of circa 1920 era. A small area of mixed broadleaves is identified as having being planted in 1995 probably as a result of the failure of initial planting.

The current owners have undertaken some first thinning within the conifer area using motor manual felling however the scale of the woodland is beyond the scope of their ability to thin the woodland in its entirety.

The owners have established a market garden business in some of the "other land" to the south of the woodland and the woodland helps provide a windbreak in the area from north and easterly winds.

## 2.3 Species and age

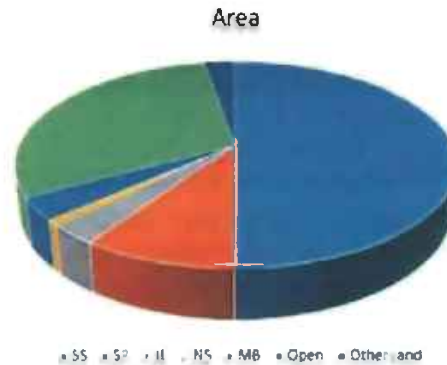
### Species

Sitka spruce is the predominant species within the woodland reflecting the productive objectives of Berwick Wood. The sitka predominantly occupies the areas of wetter soils within the woodland. Scots pine is the second most abundant conifer and is focused on drier soils on a slightly more elevated slope.

Broadleaved establishment within the woodland has been less successful with a high level of failure amongst the crop initially planted in 1990 then largely replanted in 1995. It is not possible to identify species planted at that time and it is not clear if species choice was a significant contributor to the lack of success or if for example, a lack of management through the establishment phase was a factor.

Table of Species

| Species totals |       |     |
|----------------|-------|-----|
| Species        | Area  | %   |
| SS             | 16.47 | 50% |
| SP             | 3.16  | 10% |
| JL             | 1.05  | 3%  |
| NS             | 0.24  | 1%  |
| MB             | 1.17  | 4%  |
| Open           | 9.97  | 29% |
| Other land     | 0.86  | 3%  |
|                | 32.92 | 100 |

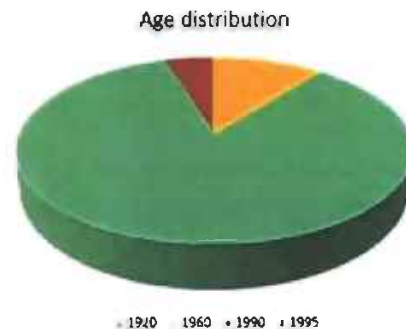


### Age

The age distribution is limited within the woodland and reflects two periods of new planting. There will be some opportunity to increase age diversity when areas are clear felled and restocked in the next plan period post 2029.

Table of Age Distribution

| Age Distribution |           |
|------------------|-----------|
| Year             | % of Area |
| 1920             | > 1%      |
| 1960             | 11%       |
| 1990             | 85%       |
| 1995             | 5%        |
|                  | 100%      |





# Management Plan



## 2.4 Constraints and designations

### Constraints include

1. Overhead powerlines both within and on the edge of the property
2. An underground high pressure gas pipeline within the property
3. Telephone cable on the western edge of the wood
4. Small water course/drain within the property a man made pond area within the wood. This pond, however, is dry most of the year.
5. Badger set and signs of red squirrel activity within the SP/NS area in compartment 2
6. Archaeology -Aberdeenshire councils HER database records previous findings of flint core, flint scrapers and stone axes at NJ839 180, these artefacts have been removed from the site. Also recorded is a small enclosure at NJ840 180 which would need protection during any operations.

The site also has remnants of old stone dykes.

7. Limited access – There are no forest roads within this woodland limiting ability to despatch harvested timber. There is a shared private road to the west of the woodland along with the owners have full right of access.
8. Timber transport – The public road is classified as a C class road and in line with the Grampian Timber Transport Group guidance this would be regarded as a consultation route for timber transport operations.

There are no significant designations within the woodland. The area is identified as being within the buffer zone for grey squirrel control though there have been no sightings of grey squirrels.

## 2.5 Public access

There is no formal public access provision within the woodland though the woodland is accessible by visitors wishing to access under the SOAC provisions.

| 2.6 Woodland Protection  |  |
|--|--|
| <b>Plant Health (including tree health and invasive or noxious plants)</b>   |  |
| Crops are of good health.  |  |
| An area of Himalayan Balsam was noted in Compartment 2 during 2018. This has been treated though further treatments are likely to be required.   |  |
| <b>Deer, Livestock and other mammals</b>   |  |
| Roe deer which are prevalent in this area and are clearly residing in the woodland. The surrounding land is improved grassland and arable crop and so will provide good opportunities for feeding deer, as will the extensive sheltered rides within this woodland.                          |  |
| Due to the established nature of the crop and limited access there is no current active control of deer within the woodland. A proactive plan for deer management will be required in advance of any clearfell & restocking (not within this plan period) to enable effective establishment. |  |
| <b>Grey Squirrels</b>  |  |
| The woodland is identified as being within the buffer zone for grey squirrel control however there are no recorded sightings of grey squirrels within this woodland.   |  |
| <b>Water &amp; Soil (soil erosion, acidification of water, pollution etc.)</b>   |  |
| The woodland has a number of open drains, probably remnants of the sites agricultural history prior to the current crop being planted.   |  |
| Flows of water in these drains are generally limited however all operations will be carried out to protect water quality in line with Forest and Water guidelines and SEPA general binding rules.  |  |
| <b>Environment (flooding, wind damage, fire, invasive species etc.)</b>  |  |
| There is no evidence of or likelihood of flooding.   |  |
| Himalayan balsam identified and ongoing programme of removal as above.   |  |
| There is a limited amount of windblow within the older Scots pine and Norway spruce  |  |
| <b>Climate Change Resilience (provenance, lack of diversity, uniform structure)</b>  |  |
| The current crops have good diversity, are showing good growth and are well suited to the ground. No impacts from climate change are expected within the current rotation.   |  |

## 3. Vision and Objectives

Tell us how you intend to manage the woodland in the long term and your goals for its development.

### 3.1 Vision

Describe your long term vision for the woodland(s).

**To maintain a well-managed, productive and diverse small woodland offering good habitat for wildlife & flora.**

Immediate work will include improving access to the woodland to enable the programme of thinning to continue while crops are of a size where the risk of windblow in the younger crop remains reasonably low. The age of the crop means the window of opportunity to first thin is limited.

Through this thinning activity, there is significant opportunity to benefit wildlife by increasing light levels on the woodland edges adjacent to rides and indeed further into the crop. Regular subsequent thinning will help maintain and enhance this opportunity.

Berwick wood will remain a very much multi-purpose woodland with its timber production potential, provision of important habitat for red squirrels. The developing market garden business will continue to operate within the area defined as "other land".

### 3.2 Management objectives

Give your objectives of management and also how you will manage the woodland sustainably. Your objectives should be specific and you should also be able to measure their outcomes.

| No. | Objectives (including environmental, economic and social considerations)  |
|-----|---|
| 1   | Timber Production: optimise the productive potential of the woodland  |
| 2   | Biodiversity: Maintain and enhance the opportunities for wildlife notably red squirrel & badger.                    |
| 3   | Shelter: to provide shelter and windbreaks for owners onsite market garden business.                                |
| 4   | Amenity: to improve in-wood access, diversity and flora so providing amenity benefit for owners and other visitors. |



## 4. Stakeholder Engagement (if required)

This may be required depending on the work you intend on carrying out in the woodland and the constraints or designations that have been identified.

| Individual/<br>Organisation          | Date<br>contacted | Date<br>feedback<br>received | Response  | Action  |
|--------------------------------------|-------------------|------------------------------|---|---|
| National Grid                        | 9/10/18           | 1/11/18                      | Site visit to agree on crossing points and a method of crossing for the underground gas pipeline                        | Use bog mats and brash to establish safe crossing above the pipeline. |
| Openreach                            | 10/12/18          | 30/4/19                      | Overhead telephone line does not have sufficient clearance to permit lorry access at the proposed forest road junction. | Agreed installation of an additional pole to raise line height.       |
| Aberdeenshire Council - planning     | 2/5/19            | 21/6/19                      | Prior notification for forest road under consideration.   | Permisson to proceed received   |
| Aberdeenshire Council roads          | 5/6/19            |                              | Comment sought on use of consultation route to timber haulage   |   |
| Neighbours (Berwick house)           | 6/19              | 6/19                         | Verbal discussion with the woodland owner - No issues raised keen to see proactive management of woodland               |   |
| Fred & cath Cooper , Cairnfield Farm | 6/19              | 6/19                         | Verbal discussion - No issues raised  |   |

## 5. Analysis and Management Strategy

Analyse the information from the previous sections and identify how to make best use of your woodland and its resources to achieve your objectives.

### 5.1 Constraints and Opportunities

Using the table below analyse any issues raised or relevant features within your woodland and record the constraints and opportunities.

| Feature/Issue                           | Constraint  | Opportunity   |
|---|---|---|
| Increase Biodiversity/<br>Flora & fauna | Unthinned conifer   | Undertake regular thinning to increase light to the forest floor and access through the currently dense crop.<br><br>Maintain SP/NS area as long term retention to provide habitat/ refuge for Red Squirrel & Badger populations. Opportunity for red squirrels to expand into the adjacent crop as thinned and it matures. |
| Badger sett                             | Badger sett   | To be protected- Sett is within SP/NS area which will not be thinned within the life of the plan.   |
| Improve productivity of woodland        | Lack of lorry access to facilitate timber despatch from thinning                            | Install a new forest road to facilitate operations  |
| Archaeology                             | Enclosure at NJ 840 180 + Potential for flint finds around NJ839 180<br><br>Old stone dykes | Any operations to take account of the need for protection of identified archaeology and recognise the potential for further finds of flint artefacts in the surrounding area.<br><br>Old stone dykes are to be protected in so far as possible minimising   |

|        |   |                                    |
|--------|---|------------------------------------|
|        |   | crossing points during harvesting. |
| Access | Public road access is via consultation route for timber haulage |                                    |

## 5.2 Management Strategy

Following your analysis, provide a broad statement describing your management strategy. Consider all aspects (economics, access, biodiversity, landscape) and pay particular attention to your silvicultural strategy for meeting your management objectives.

Berwick wood has to date not been managed to realise its full productive potential. A return to a regular thinning regime across the woodland seeks to maximise the potential of the key productive areas while leaving the key wildlife habitat area in the older Scots pine and Norway spruce undisturbed for as long as reasonably possible.

## 6. Management Proposals

Tell us the management operations you intend to carry out over the next 10 years to help meet your management objectives for the woodland. The submission of this plan will be considered as an application for permission to thin the woodland over the 10 year plan period, subject to the completion of Table 1 and the submission of appropriate maps. If you intend to carry out other types of felling you must apply for **permission separately**.

### 6.1 Silvicultural Practice

During this plan period the predominant silvicultural operation will be thinning, prescriptions for which are detailed at 6.3 below

As small area of cleafelling ( up to 0.13ha) will be required to clear a line for installation of a new forest road. Felling permission for this area will be sought separately from Scottish Forestry.

Crop health will be monitored on an ongoing but at least annual basis.

There will be a programme of invasive species removal (Himalayan Balsam). Initial treatment was completed in 2018 though further treatments will be applied as required to eradicate. Annual monitoring will be carried out thereafter for the remainder of the plan period.

## 6.2 Infrastructure requirements

A new forest road of approximately 300m length will be installed during 2019 to facilitate timber despatch from the site. This unsealed road will be constructed in line with specifications laid out in the Timber transport forum guidance: the design and use of the structural pavement of unsealed roads See map 5 for the route.

Aberdeenshire council have under the prior notification process deemed that this road does not require full planning permission (APP/2019/1266 - decision 21/6/19)

## 6.3 Thinning Prescription

Thinning has been delayed across the majority of the crop therefore first thinning in p1990 crops will seek only to open up racks with minimal thinning in the matrix. After allowing 2-3 years post initial thin for rack edge trees to stabilise a subsequent thinning of the matrix will follow.

Further thinnings will be undertaken at 5 year intervals following assessment of crop basal area to establish thinning requirements.

P1960 crop will not be thinned as this is considered to be beyond thinning without creating a significant risk of windblow.

**Table 1 – Thinning**

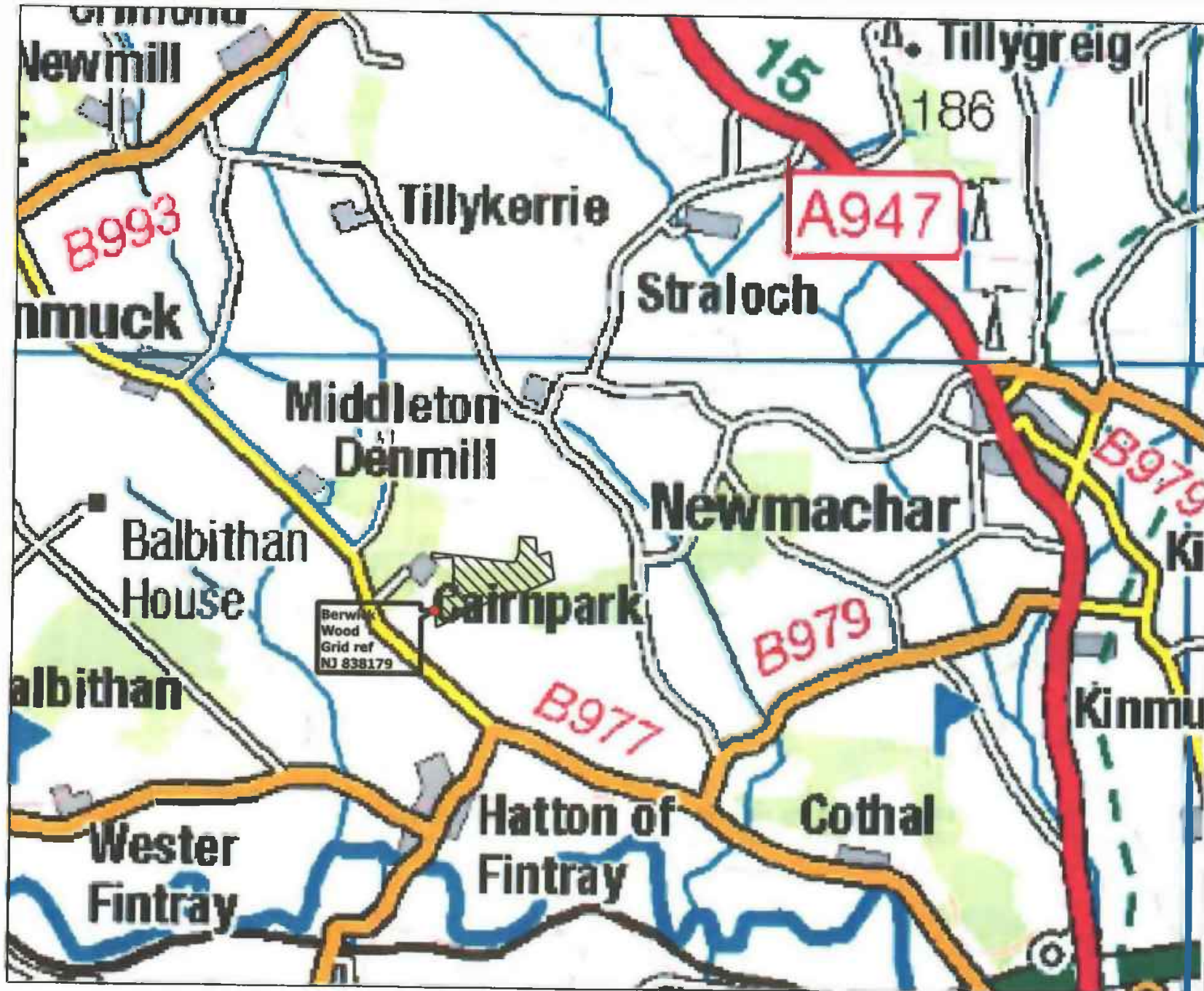
This table shows the total management plan area as well as the thinning compartments proposed for management. The felling site/compartment in this table must be shown as the same on the thinning map(s). Please select method of displaying thinning regime:

Pre/Post stocking density

Pre/Post basal area

Volume to be removed

| Total Plan Area:     |           | 32.9 | hectares                           |             |                  |             |                                   |                           |                             |      |
|----------------------|-----------|------|------------------------------------|-------------|------------------|-------------|-----------------------------------|---------------------------|-----------------------------|------|
| Thinning Compartment | Area (ha) | %    | Species to be felled (one per row) | Age (Years) | Marking of Trees | No of Trees | Volume (m <sup>3</sup> )          | Thinning Density (per ha) | Total                       |      |
|                      |           |      |                                    |             |                  |             |                                   | Pre                       | Post                        |      |
| a                    | 17.35     | 100  | SS                                 | 29          | Feller select    | 8000        | 1000                              | 1900                      | 1450                        | 450  |
| a                    | 1.05      | 100  | JL                                 | 29          | Feller select    | 367         | 50                                | 1900                      | 1600                        | 350  |
|                      |           |      |                                    |             |                  |             |                                   |                           |                             |      |
|                      |           |      |                                    |             |                  |             |                                   |                           |                             |      |
|                      |           |      |                                    |             |                  |             |                                   |                           |                             |      |
|                      |           |      |                                    |             |                  |             |                                   |                           |                             |      |
|                      |           |      |                                    |             |                  |             |                                   |                           |                             |      |
|                      |           |      |                                    |             |                  |             |                                   |                           |                             |      |
|                      |           |      |                                    |             |                  |             |                                   |                           |                             |      |
| <b>Total Area</b>    | 15.85     | 100  |                                    |             |                  |             | <b>Total Volume m<sup>3</sup></b> | 1050                      | <b>Total to be removed:</b> | 8367 |



Berwick wood  
 Hatton of Fintray  
 NJ 838179

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Location Map

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Date: 7/6/19  
 Scale: 1:75000

 Berwick wood

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 Survey  
 AL1000018344






Berwick wood  
Hatton of Fintray  
NJ 838179

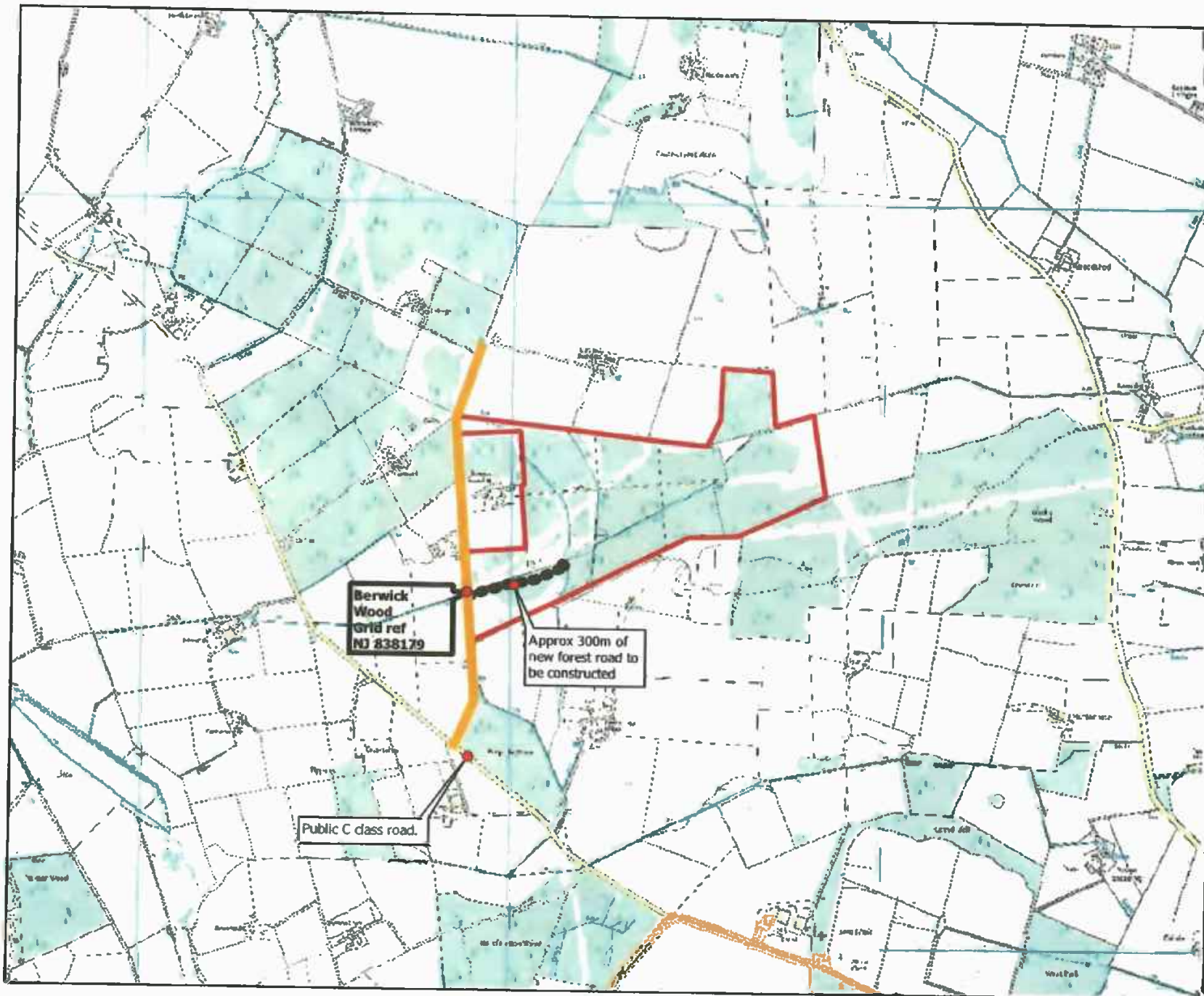
Roads & access

Date: 7/6/19  
Scale: 1:25000

### Legend

-  Plan Boundary
- Roads / tracks
  -  road
  -  Private road - main access

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Berwick wood  
Hatton of Fintray  
NJ 838179

Current Species

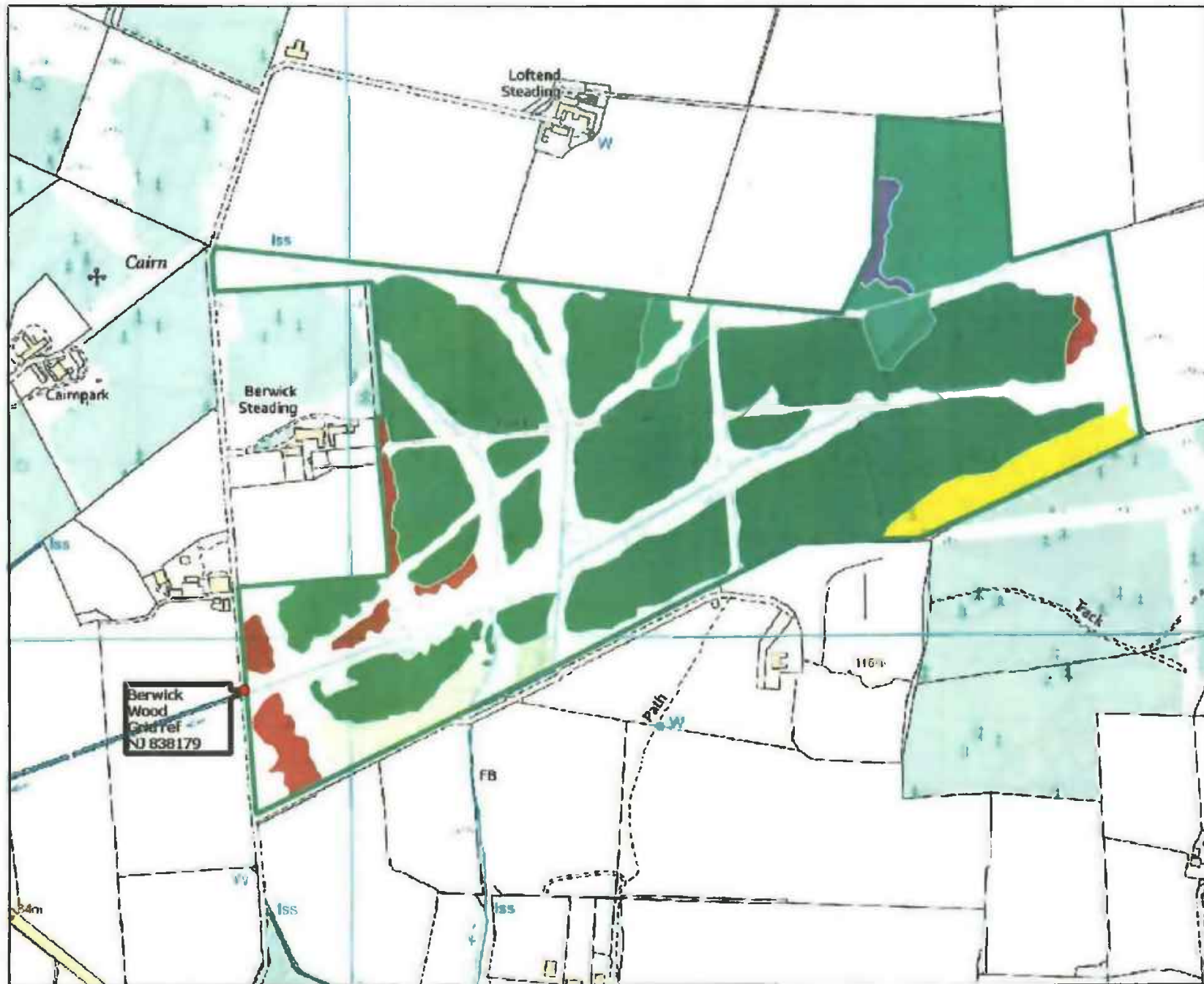
Date: 7/6/19

Scale: 1:10000

### Legend

- Plan Boundary
- Current Species**
- Sitka spruce
- Norway spruce
- Scots pine
- Japanese larch
- Mixed broadleaves
- Other land**
- Open

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AL1000018344



Berwick  
Wood  
Gridref  
NJ 838179



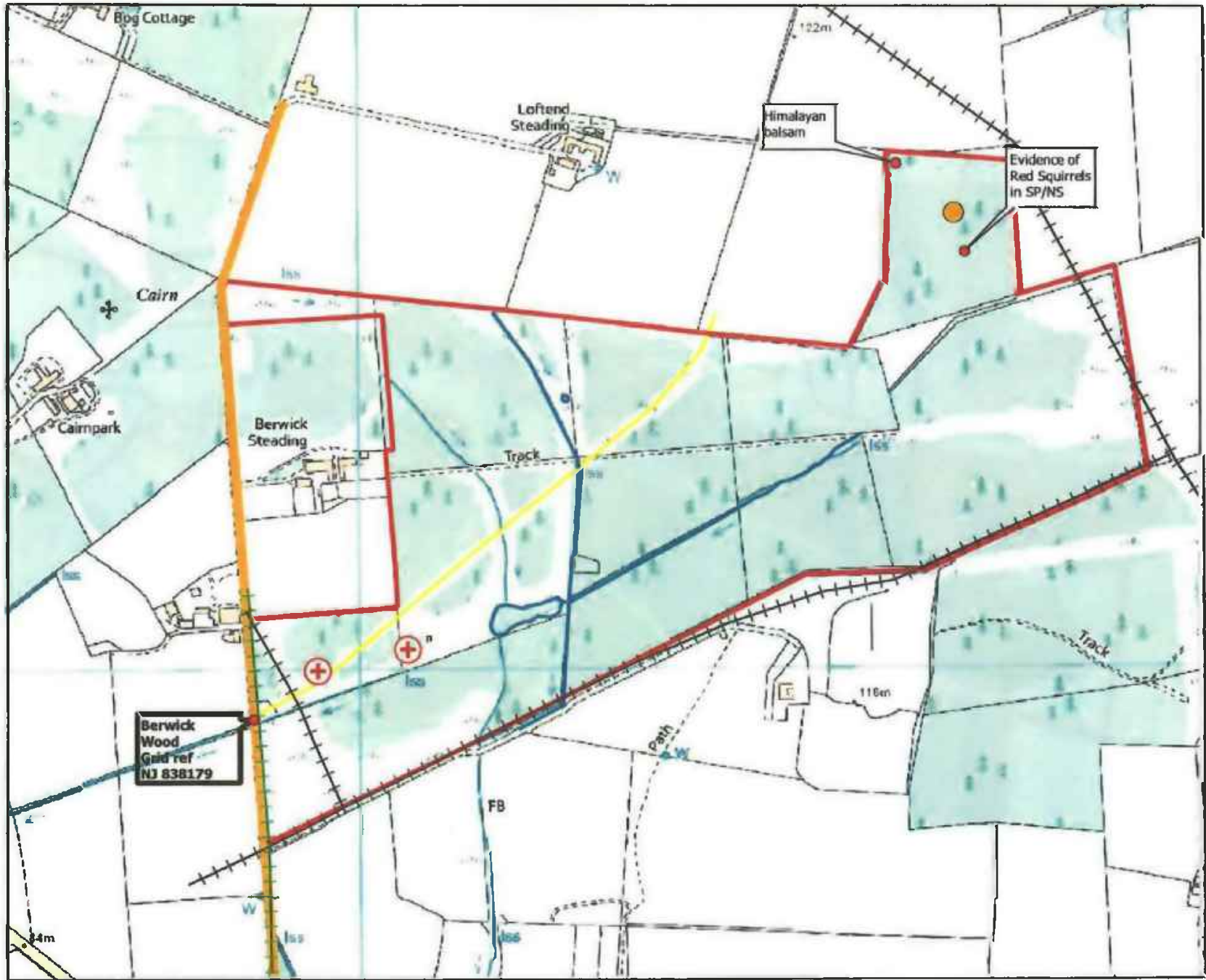
**Berwick wood  
Hatton of Fintray  
NJ 838179**

**Constraints  
& hazards**

Date: 7/6/19  
Scale: 1:10000

- Legend**
- Plan Boundary
  - Private road/  
main access
  - + Archeo
  - ⊙ badger set
  - Gas Main
  - OHPL
  - ⦿ Telephone Cable  
(overhead)
  - watercourse

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AL1000018344



**Berwick wood  
Hatton of Fintray  
NJ 838179**


**Operations plan**

**Date: 7th May 2019  
Scale: 1:10000**

**Legend**

 **Boundary**

**Operations**

 **Thin**

 **Clearfell**

**Current Species**

- Agricultural**
-  **Mixed broadleaves**
-  **Norway spruce**
-  **Scots pine**
-  **Sitka spruce**
-  **Japanese larch**
- Open**

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