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To: All Members of the Council

Town House,
ABERDEEN, 15 February 2011

COUNCIL MEETING

The Members of the **COUNCIL** are requested to meet in Council Chamber - Town House on **WEDNESDAY, 23 FEBRUARY 2011 at 10.30am.**

JANE G. MACEACHRAN
HEAD OF LEGAL AND DEMOCRATIC SERVICES

B U S I N E S S

- 1 Members are requested to resolve that any exempt business on this agenda be considered with the press and public excluded
- 2 Admission of Burgesses
- 3 Requests for Deputations

MINUTES OF COUNCIL

- 4(a) Minute of Meeting of Council of 15th December 2010 - for approval (circulated separately)
- 4(b) Minute of Special Meeting of Council of 5th January 2011 - for approval (circulated separately)

MINUTES OF STANDING COMMITTEES

- 5(a) Pamphlet of Minutes - for information (circulated separately)

BUSINESS STATEMENT AND OTHER MINUTES

- 6(a) Business Statement (Pages 1 - 2)

REFERRALS FROM COMMITTEES

- 7 None to date

GENERAL BUSINESS

- 8(a) Land at Loirston Loch, Wellington Road - Proposal for 21,000 Capacity Sports and Leisure Stadium (Pages 3 - 96)

Members are requested to note that all letters of objection pertaining to this application will be circulated separately.

- 8(b) Robert Gordon's College Board of Governors - Appointment of Replacement Member for Councillor Kirsty West

- 8(c) Drinking in Public Places Byelaw - Temporary Suspension - Report by Director of Enterprise, Planning and Infrastructure (Pages 97 - 100)

- 8(d) Gordon Highlanders Commission - Report by Director of Education, Culture and Sport (Pages 101 - 104)

- 8(e) Additional School Closure Day - Report by Director of Education, Culture and Sport (Pages 105 - 106)

- 8(f) City Garden Project - Request for Nominations to the Council's Project Monitoring Group - Report by Director of Enterprise, Planning and Infrastructure (Pages 107 - 110)

- 8(g) Aberdeen City Council Business Plan 2011-2016 - Report by Director of Corporate Governance (to follow)

QUESTIONS

For the avoidance of doubt, one supplementary question, limited to clarifying any answer given, may be asked by the original questioner and one further supplementary question may be asked by one other member.

9(a) Councillor Young (Pages 111 - 114)

- (1) To ask the Chief Executive or Acting Chief Executive if he is aware of the report which went to Enterprise, Planning and Infrastructure on the 18th January 2011, if not the report stated "During the course of January 2011, Council Officers will launch a procurement process to locate suitable development/investment partners to initiate a Hotel development as part of a larger development plan for Council owned land in and around the AECC. In parallel with this activity, the Council's asset management and legal teams will commence negotiations with AECC Ltd. to acquire control of all land and buildings currently owned by, or leased to, AECC." Can the Chief Executive or Acting Chief Executive confirm that this has been done in January 2011 and give Council an update on any progress?
- (2) To ask the Depute Council Leader if he agrees with his partner Council Leader John Stewart who insisted compulsory job cuts will go ahead even if more savings are found and who said "until there is additional money from the Government specifically for avoiding compulsory redundancies any additional money we find in the Council I would rather spend on saving services. Unless Alex Salmond is going to come along with a bail out I don't see any other solution"?
- (3) To ask the Leader of the Council if he agrees with the criticisms made against Councillor Kevin Stewart, his partner, by the SNP Finance Minister in Edinburgh regarding the SNP/Lib Dem Coalition's proposals to cut 900 jobs - would he agree with the Finance Secretary John Swinney who said "I do not think that the steps that have been considered in Aberdeen City Council are required. What I think is important is that there is dialogue with the trade unions to find a constructive way through this."?
- (4) To ask the Chief Executive or Acting Chief Executive the total cost in respect of Solicitor/Advocates/Counsel fees in respect of defending the need to honour Increments to our employees?
- (5) To ask the Chief Executive or Acting Chief Executive why and on whose instructions was the description of the most loved Public Gardens Union Terrace Gardens changed on the City Council's website and would the Chief Executive agree or otherwise that by publically degrading this Public Garden to what one constituent described as "a pile of rubble" on its website does the city's credibility no good and undermines the credibility of the Council?

Councillor Young has requested that the above questions be placed on the agenda in terms of Standing Order 20(2)(i), as he feels that insufficient details have been provided within the answers.

MOTIONS

10(a) **Councillor Ironside**

“That this Council write to the condemn coalition government in Westminster, demanding they listen to the voices of the disabled communities and drop the proposal to remove the mobility component of the Disability Living Allowance for adults and children living in state-funded residential care, which will impact on many of our residents.”

10(b) **Councillor Boulton**

“That Aberdeen City Council writes to Mike Russell, the Cabinet Secretary for Education and Lifelong Learning, asking for a review of ‘The Parent’s Charter’.”

10(c) **Councillor Boulton**

“That Aberdeen City Council writes to Mike Russell, the Cabinet Secretary for Education and Lifelong Learning, requesting that a member of the National Parent Forum of Scotland be appointed to the McCormac Committee reviewing the McCrone deal.”

10(d) **Councillor Boulton**

“That Aberdeen City Council makes an official approach to the bus companies serving Aberdeen to negotiate a more appropriate fare structure for pupils still in full time education – raising the age at which children start paying an adult fare when still at school.”

10(e) **Councillor Boulton**

“That consideration is given to reducing the speed limit on the road from Countesswells to Kingswells due to the high level of accidents.”

BUSINESS THE COUNCIL MAY WISH TO CONSIDER IN PRIVATE

11(a) **Board of Sport Aberdeen - Approval of Preferred Candidate - Report by Director of Education, Culture and Sport (Pages 115 - 116)**

11(b) **Event Proposal - Report by Director of Enterprise, Planning and Infrastructure (Pages 117 - 120)**

11(c) 132 Wellington Road, Aberdeen - Report by Director of Enterprise, Planning and Infrastructure - referred by Finance and Resources Committee of 1st February 2011 (Pages 121 - 130)

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Should you require any further information about this agenda, please contact Martyn Orchard, tel. (52)3097 or email morchard@aberdeencity.gov.uk

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**COUNCIL
BUSINESS STATEMENT
23rd FEBRUARY 2011**

<u>No.</u>	<u>Minute Reference</u>	<u>Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>	<u>Report Expected (if known)</u>
1.	Council 16.12.09 Article 19	<p><u>50m Swimming Pool</u></p> <p>The Council approved a number of recommendations regarding design and procurement issues relating to the 50m Pool. The Council agreed that the management of the project be transferred to Aberdeen Sports Village subject to (a) the provision of further legal and financial advice in respect of any potential risks to the Council; and (b) the other partners confirming their financial contribution to the project.</p> <p>The Council requested that Aberdeen Sports Village provide the Council with a report within four months on how they planned to drive the project forward.</p>	<p>Tender documents were to be issued in November 2010 with a return date of February 2011. The design is continuing to proceed on a twin track basis, with both the 8 lane and 10 lane options being tendered. The additional design work involved in the twin track approach is being funded by Aberdeen University. Following a detailed evaluation exercise five contractors have now been selected to tender for the project.</p> <p>The application for Planning Consent for the development was submitted on 19th July 2010.</p> <p>A revised draft of the Transfer Agreement Document, which will formalise the transfer of responsibility for the procurement phase of the project to Aberdeen Sports Village, has been produced by the Council's legal advisers. This document has been issued to Aberdeen Sports Village and Aberdeen University for comment prior to the issue of the final</p>	Director of Enterprise, Planning and Infrastructure (Report to come from Aberdeen Sports Village)	24.03.10	

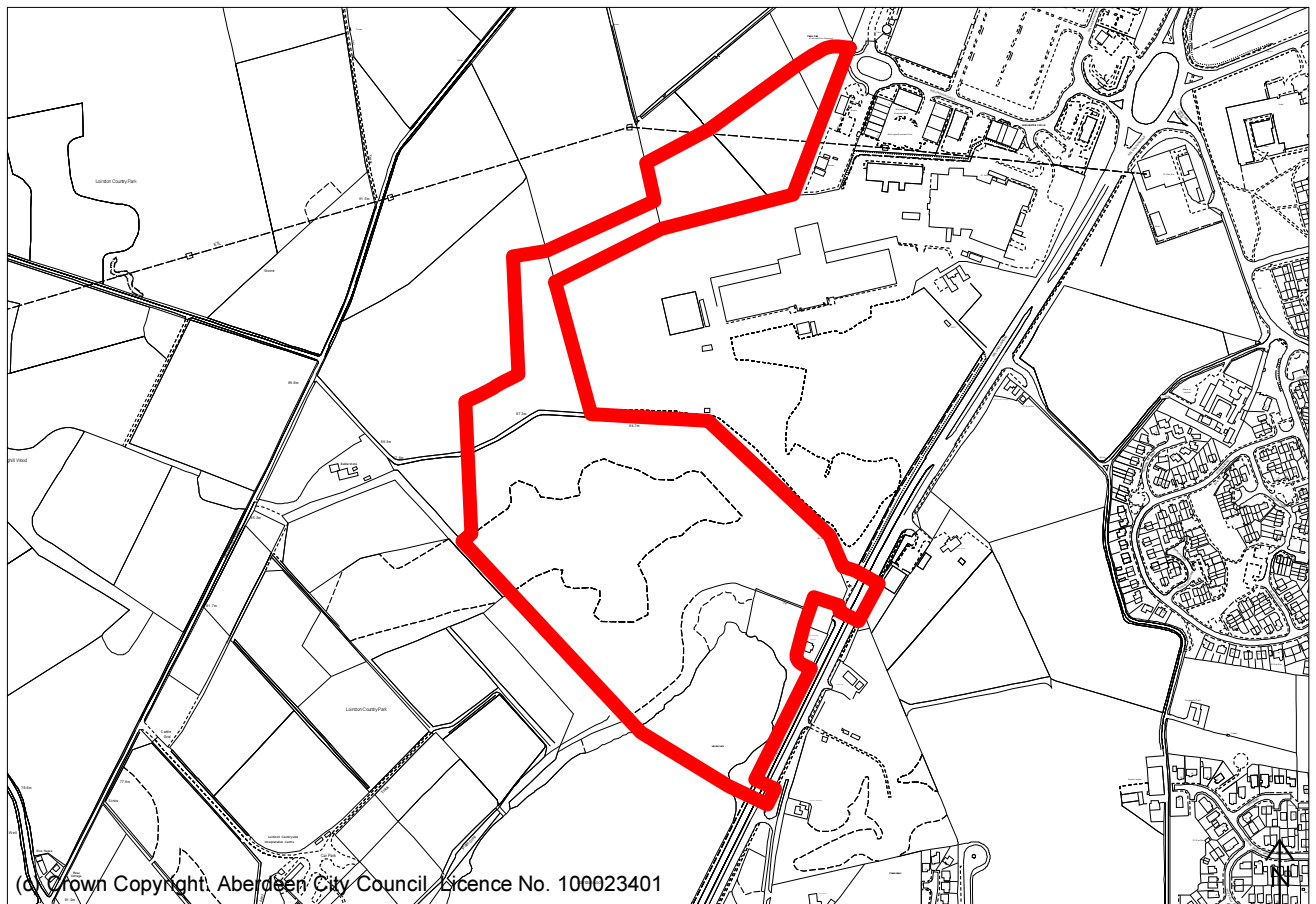
<u>No.</u>	<u>Minute Reference</u>	<u>Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>	<u>Report Expected (if known)</u>
			<p>agreement.</p> <p><u>The report from Aberdeen Sports Village is still awaited.</u></p> <p>At its meeting of 15th December 2010, the Council noted a progress report by the Director of Enterprise, Planning and Infrastructure and instructed officers to report back on the financial position in regard to the Stage 2 grant application and the VAT implications for the project.</p>	Director of Enterprise, Planning and Infrastructure	27.04.11	
2.	<p>Council 30.06.10 Article 16</p>	<p><u>The City Garden Project - Next Steps</u></p> <p>The Council agreed to receive quarterly progress reports on the matter.</p>	<p>A report is on the agenda.</p>	<p>Director of Enterprise, Planning and Infrastructure</p> <p>Project Director, Economic and Business Development</p>	23.02.11	23.02.11
3.	<p>Council 15.12.10 Article 13</p>	<p><u>Progress vis-à-vis the Accounts Commission Follow up Report</u></p> <p>The Chief Executive advised that a report would be submitted to Council on 29th June 2011 on the Council's progress since the publication of the Accounts Commission's follow up report in July 2009.</p>		Chief Executive	29.06.11	

LAND AT, LOIRSTON LOCH, WELLINGTON ROAD

PROPOSAL FOR 21,000 CAPACITY SPORTS & LEISURE STADIUM, INCLUDING ASSOCIATED CAR PARKING, ACCESS ARRANGEMENTS & LANDSCAPING

For: Aberdeen Football Club

Application Ref.	: P101299	Advert	: Dev. Plan Departure
Application Date	: 12/08/2010	Advertised on	: 18/08/2010
Officer	: Garfield Prentice	Council Meeting	: 23 February 2011
Ward: Kincorth/Loirston (N Cooney/K Dean/C McCaig)		Community Council	: Comments



RECOMMENDATION: (1) Indicate a willingness to approve the planning application subject to conditions and a legal agreement to secure (a) the funding and implementation of several transport related measures, (b) the planning gain contribution and (c) the extension of the public plaza in the event of the adjacent land being developed as a new community and (2) to notify the application to the Scottish Ministers for their consideration

DESCRIPTION

The site is located on the west side of Wellington Road (A956) at the northern end of Loirston Loch and to the south of the roundabout junction with Wellington Circle, Langdykes Road and Souterhead Road. It is approximately 1.3 km from the Charleston junction with the A90 (Aberdeen to Stonehaven) trunk road. The site extends westwards and northwards, wrapping round the business premises of The Balmoral Group, to join with the western extremity of Wellington Circle. It has an area of approximately 16 hectares and sits at between 80 and 90 metres above sea level. The general topography of the main part of the site is of a very shallow bowl, dipping down by some 3 metres towards the centre. The northern part of the site rises initially quite steeply from the shallow bowl before levelling out towards Calder Park, the difference in levels from the lowest to the highest part being some 10 metres. The site includes part of Loirston Loch and a number of gently undulating fields of low intensity agricultural and informal recreational use. A line of trees delineate the south west boundary of the site, while the west and north west boundaries are not defined. A chainlink fence runs along most of the east and north east boundaries, separating the site from the adjacent business premises. A short section of the east boundary adjoins Wellington Road.

Approximately 3 hectares of the application site (19% of the total site area) falls within the non-statutory locally designated Loirston Loch District Wildlife Site (DWS), specifically the northern part of the loch and the ground immediately adjacent to it. The eastern part of the site is also identified as a Site of Interest to Natural Science (SINS), also a non-statutory local designation. It covers approximately 7.5 hectares, or just over 45% of the application site. A right of way extends roughly east-west through the site from Wellington Road to Redmoss Road. The path follows a line close to the boundary with the industrial premises immediately to the north and then a field boundary taking it to Redmoss Road. The application site and surrounding area supports a number of informal recreational activities based around the loch, including walking, fishing and bird watching. The Aberdeen City Council Ranger Service currently operates from the nearby Lochinch Interpretation Centre, which is located some 400 metres to the south west.

The Cove residential area is located some 300 metres to the east of the site on the opposite side of Wellington Road. Approximately 1 km to the north east lies Altens industrial area, while to the north is the mixed use commercial area on Wellington Circle and the recreational area of Calder Park. The nearest business premises, which are located immediately to the north east of the site, contain extensive areas of external storage and a number of industrial buildings. To the west and north west are agricultural fields and the recreational area of Kincorth Hill, beyond which and some 750 metres at the nearest point, is the residential area of Kincorth. At the nearest point, the application site is 150 metres from Redmoss Road. To the south is Loirston Loch and to south west are agricultural fields and a number of small areas of woodland.

PROPOSAL

Detailed planning permission is sought for the construction of a 21,000 seat sports and leisure stadium, associated car parking and access arrangements and the provision of landscaping. In summary, the proposal comprises the following –

- 21,000 spectator capacity all-seated football stadium, which would include changing rooms, training facilities, gymnasium, office facilities for Aberdeen FC, an Aberdeen FC shop, museum, classroom, café, 1,000 capacity home supporters bar and mixed use commercial space
- 1,400 car and coach parking facilities
- A new signalised junction at the site access to Wellington Road and an access to Wellington Circle
- Ground maintenance accommodation
- Landscaped grounds with footpaths

Due to the topography of the site, existing ground levels would be altered in order to form a level surface on which the stadium would be constructed. This would involve raising ground levels on part of the site by up to 3.5 metres. On some other parts of the site, in particular close to west boundary, ground levels would be reduced by 2-3 metres in order to form the internal road and car parking areas.

The stadium

The proposed 21,000 spectator all-seated stadium has been designed to meet the UEFA Category 3 requirements. The grading system is specified in UEFA's Stadium Infrastructure Regulations: Edition 2010 – there are four categories, 1 to 4, with 4 being the highest category (a minimum covered capacity of 30,000). The stadium category classification governs the level of sport that can be played. The proposed stadium would be suitable for holding international football matches and club and international rugby matches. It could also host concerts. The applicant has indicated that it would be possible in the future to increase capacity of the stadium.

The stadium would be located approximately 160 metres from Wellington Road and 55 metres at the nearest point from the edge of Loirston Loch. The stadium would measure some 195 metres by 160 metres and attain a height of 24 metres. The pitch would be orientated east-west, which minimises low sun hampering the views from the main South stand. The stadium would have a footprint of approximately 26,000sqm. The stands would encircle the whole of the pitch, including the four corners, providing a fully enclosed arena and would be finished externally in a mix of materials. The stadium would generally be finished in grey smooth faced brick at the lower level, white cladding and polycarbonate cladding. Red cladding would also be used at three of the corners and on part of the south elevation. The south elevation would include substantial areas of glazing. The south west corner would comprise the main entrance to the stadium. It would be 5 storeys and finished predominantly in glass curtain walling. Polished granite panels would also be used. The club badge would be placed on the south east and north west corners. The west, north and east elevations would lean back at an angle of approximately 10 degrees from the vertical. The south elevation

would be vertical, except for the top section which would be angled. A metal and polycarbonate clad cantilevered roof would cover all of the seating. The floodlights would be provided on the leading edge of roof on the South and North stands, designed to meet the UEFA standard of 1400 lux. The lights would focus down onto the pitch to avoid light spill. At night, there would be a red glow behind the polycarbonate cladding at the top of each elevation of the stadium.

The South stand would be the main stand, housing all of the club and hospitality facilities. It would include office and boardroom facilities for the football club, changing rooms, hospitality/function suites, 26 hospitality boxes offering accommodation for between 6 and 14 people and concourse areas. There would also be space for community uses and/or commercial uses (approximately 5,000sqm). The West, North and East stands would include concourse and toilet facilities. A 1,000 capacity supporters bar would be provided in the north west corner (It would be for home supporters only and managed as a 'club' for members only. It would operate before and after match and would also be available for function hire). Police and stewards' facilities would be placed within the north east corner. The south west corner, which would be the main entrance to the stadium, would contain the club shop, club museum, café, ticket office, gymnasium, club offices and a classroom. Single tiered seating would be provided in all four stands; 40 rows of seats in the West, North and East stands and 29 rows in the South stand. It is proposed that the hospitality boxes and suites could be hired out for dinners, weddings, conferences and private meetings on non-match days. The unheated ground floor concourse would also be offered for hire or community use on non-match days. In addition to those uses, it is proposed that the stadium would be used to host rugby matches and to hold concerts (subject to obtaining the relevant licences).

The stadium has been designed as far as possible to facilitate access by disabled spectators. Space would be provided for over 150 wheelchairs located at various points around the stadium. Dedicated parking spaces would also be provided as close as possible to the external pedestrian circulation area.

It is proposed to include a range of measures in the design of the stadium, including powering the undersoil heating system to reduce carbon emissions. This would be a mix of energy efficiency measures to reduce the demand for energy and the use of low and zero carbon generating technologies. It is indicated in the Carbon Reduction Measures Report submitted by the applicant that the measures could potentially include air or ground heat pumps, combined heat and power plant, solar thermal hot water and high efficiency lighting.

On-site car and coach parking, cycle parking, bus provision, access arrangements and off-site parking controls

It is proposed to provide 1,400 car parking spaces within the site, mainly to the south and west of the stadium (256 and 636 parking spaces respectively) and in the northern part of the site next to the business premises on Wellington Circle (319 parking spaces). A further 43 parking spaces (including 23 disabled parking spaces) would be provided to the north of the stadium. The balance of the total parking provision would double up with the coach parking area, which would be located to the east of the stadium. That area could accommodate up to 81 coaches for away supporters. The car and coach parking is summarised below.

Car Park	Non Old Firm Matches	Old Firm Matches
Car Park 1	256 car spaces	256 car spaces
Car Park 2	35 car spaces	35 car spaces
Car Park 3	427 car spaces	427 car spaces
Car Park 4	174 car spaces	174 car spaces
Car Park 5	319 car spaces	319 car spaces
Car Park 6	22 coach spaces	22 coach spaces
Car Park 7	20 car spaces & 8 lorries	20 car spaces & 8 lorries
Car Park 8	12 coach & 146 car spaces	81 coach spaces
Car Park 9	23 disabled spaces	23 disabled spaces
Car Park 10	2 police/ambulance spaces	2 police/ambulance spaces
Total car spaces	1,400 spaces	1,254 spaces
Total coaches	34 spaces	103 spaces

Aberdeen FC has advised that the full coach parking capacity would be required only for 'Old Firm' football matches. Significantly fewer coaches for away supporters are required for non 'Old Firm' games and thus a substantial part of that area could be used for car parking. Parking for 22 coaches for home supporters would be provided in the northern part of the site, close to the access from Wellington Circle. A drop-off and pick-up area for the 'football specials' would be provided within the site. A TV compound, which would have a capacity for 8 lorries, would be located to the north of the stadium. It is proposed that all car parking spaces would be either pre-booked or allocated spaces and would be managed by Aberdeen FC. Preference would be given to high occupancy vehicles. Parking spaces would not be available for sale on the day of football matches. It is also proposed to set up a 'car club' for supporters to encourage car sharing. It is stated in the Transport Assessment Addendum Report that 520 parking spaces would be allocated for corporate fans and 140 parking spaces for club directors, staff, officials and players, press and photographers and visiting clubs. The balance, 710 spaces, would be available for fans.

It is proposed to construct two accesses into the site, one from Wellington Road and one from Wellington Circle. A new road junction would be formed on Wellington Road between the dwellinghouse known as Lochhead House and the premises of The Balmoral Group in order to provide access to the stadium and associated car and coach parking. The position and alignment of the road would be such that it could be extended, if required, to facilitate possible future development to the south of the application site. The junction would be controlled by traffic signals. Within the site a road would be constructed around the edge of the pedestrian concourse that would surround the stadium. The road would extend into the northern part of the site, linking to the existing roundabout at the western extremity of Wellington Circle. The road would provide access to all car and coach parking areas.

It is proposed to provide covered cycle parking for up to 60 cycles spread across three locations; two locations close to the main entrance to the stadium and one location on the north side of the stadium. A cycle path would be constructed within the site to provide safe access to the cycle parking facilities.

Pedestrian access would be via the two main access points on Wellington Road and Wellington Circle and from Redmoss Road along an existing right of way that runs east-west through the site. A new footpath would be formed along most of the line of the right of way through the site. A minor deviation to the right of way would be required in order to construct the car park on the west side of the stadium. A new shared footway/cycleway would be constructed on the west side of Wellington Road from the site access northwards to the Southerhead Road roundabout.

The cornerstone of the transport strategy proposed by Aberdeen FC is large-scale bus provision between the stadium and the City Centre. First Aberdeen has agreed to take on the role of bus coordinator, organising the provision of buses, drivers and on-site management. The bus strategy includes the provision of up to 80 coaches on matchdays (up to 120 coaches for special events, such as 'Old Firm' and European games) and 5 pick-up/drop-off locations within the City. The suggested locations are College Street, Shiprow, Rose Street, Bridge of Don Park & Ride site and Kingswells Park & Ride site, with services provided from 1.30 pm onwards. The estimated journey time from College Street, for example, is estimated at 15 minutes. Passengers would be dropped-off and picked-up within the site, close to the stadium.

In order to protect the amenity of the surrounding residential areas, in terms of vehicle parking and to minimise the impacts of unrestricted car access within the area, it is proposed to implement a Controlled Parking Zone (CPZ) around the stadium. Aberdeen FC has suggested that the scheme would be in the form of parking permits issued to residents within the zone and has agreed to fund the implementation, maintenance and enforcement of the CPZ. The extent of the CPZ would be based on a 30-minute walk time from the stadium. It would include the majority of the Cove and Altens residential areas. It would also cover Nigg and the southern part of Kincorth. Some of the streets within Altens Industrial Estate and the whole of Redmoss Road would also fall within the zone.

Ground maintenance accommodation

It is proposed to construct ground maintenance accommodation at the northern extremity of the site, adjacent to the access from Wellington Circle. The facility would be a L-shaped single storey building with a concrete service yard and would include 5 parking spaces. The building would be 21.5 metres and 37 metres respectively on the short and long axes and would attain a height of 4.5 metres. It would be finished mostly in a mix of profiled metal cladding and painted blockwork on the walls and aluminium sheeting on the mono-pitched roof. The building would include a store, a covered machine storage area and an accommodation area (office, store, lockers and kitchen).

Landscaping

The application is supported by a Landscape Design Statement, drawings showing areas of soft and hard landscaping and an indicative planting list. The largest area of soft landscaping would be at the main entrance from Wellington Road and in the area around Loirston Loch that falls within the application site. The landscaped area around that part of the loch would be between 40 and 100 metres wide. The proposals would retain as much of the existing vegetation as possible, with at least a 30 metres protected zone around the loch ensuring

minimal intervention and disturbance. New landform/mounding up to 3.5 metres high and planting would be included to provide screening to the car park areas from Wellington Road across the loch. The treatment of the site boundaries would, in the main, be a hedge comprising native species such as beech, hawthorn and blackthorn, with native trees in informal groups. Post and wire fencing would delineate most of the west and north west boundaries of the site. The landscaping would vary in width from approximately 6 to 20 metres. Avenues of trees would be located to denote the key pedestrian routes and to separate the car parking areas. The landscape proposals would also incorporate a Memorial Garden, the centre-piece being the relocated Merkland Road entrance gates, supported by a garden with ornamental lawn, shrub planting and feature trees. It is proposed to provide a number of seats at the Memorial Garden, the plaza next to the main entrance into the stadium and around the northern part of Loirston Loch.

In total, it is proposed to plant 432 trees (including 58 semi-mature trees) within the site. Over 2,000 linear metres of hedging would also be planted, mostly along the site boundaries. Some 12,000sqm of shrubs and ground cover planting would be provided at various places on the site. Almost 10,000sqm of grass would also be sown.

The hard landscaping (roads, car parking and circulation area around the stadium) would comprise of asphalt or tarmac on the roads, permeable concrete pavements on the car parking areas and 'Tegula' blocks (a manmade concrete paving block) on the pedestrian area around the stadium. The entrance plaza would be finished in similar material, but of a different colour. A proportion of the plaza would initially be landscaped. If further development takes place in the areas to the south and south west of the site following completion of the stadium, the plaza would then be extended in order to permit integration with that development.

Environmental Statement (ES)

The proposal was subject to an environmental impact assessment as a "Schedule 2 Development" by virtue of its scale and location, in terms of Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 1999 (as amended), in that the proposal falls within Table 10 Infrastructure Projects, sub-section (b) Urban development projects, specifically sports stadiums and it exceeds the specified site area threshold. An Environmental Statement (ES) was submitted with the planning application.

The ES reports on the findings of an environmental impact assessment (EIA) of the proposed development. EIA is the process of compiling, evaluating and presenting all of the significant environmental impacts of the proposed development, leading to the identification and incorporation of appropriate mitigation measures. The range of potential impacts considered in the ES fall under the following chapter headings: Land Use, Access & Recreation, Landscape Character & Visual Amenity, Cultural Heritage & Archeology, Ecology & Nature Conservation, Water Quality & Drainage, Geology, Hydrogeology & Contamination, Air Quality and Noise & Vibration. The ES also contains a description of the planning policy context and a brief account and assessment of alternative sites considered by the applicant, namely King's Links, Calder Park

and Bridge of Don. The ES also includes a description of the proposed mitigation measures.

The ES is supplemented by an Environmental Management Plan (EMP), which sets out the proposed environmental mitigation measures that would be undertaken by the applicant/contractor, or other parties, to avoid, reduce or offset environmental effects before, during and after construction and during the operation of the development.

Supporting documents

In addition to the ES and EMP, the application is supported by the following documents: Pre-Application Consultation Report, Transport Assessment and Addendum (TA), Design and Access Statement, Landscape Design Statement (including indicative plant list and maintenance schedule), Planning Statement and Addendum and Carbon Reductions Measures Report.

Pre-Application Consultation Report

The proposed development was the subject of pre-application consultation during April to July 2010 between the applicant and the local community, as required for applications falling within the category of major developments in the hierarchy of applications. This consultation involved meetings with Nigg and Cove & Altens Community Councils, public exhibitions, “drop-in” sessions at the Thistle Altens hotel and Pittodrie Stadium, and displays at the Central and Cove libraries as well as the Trinity shopping centre. Information on the proposal was also made available on the AFC website. Letters were sent to all Aberdeen City Councillors announcing the public exhibitions. Letters were also sent to over 2,500 stakeholders inviting them to attend the event at Pittodrie Stadium.

In total the football club received 809 responses. The report summarises the club’s interpretation of the responses in terms of being positive, negative and undecided with the percentages being 38.3%, 29.1% and 32.6% respectively. On this basis, there were more respondents in favour than opposed to the proposed stadium. The feedback forms asked five specific questions, including whether respondents would attend major non-football events and whether they would be supportive of shuttle buses from the City Centre. 53% and 60% respectively of respondents said ‘yes’ to these questions.

REASON FOR REFERRAL TO COUNCIL

The planning application requires to be determined by the Full Council under new legislation introduced in August 2009 as part of the Scottish Government’s modernisation of the planning system. Section 14(2) of the Planning etc (Scotland) Act 2006 amends the Local Government (Scotland) Act 1973 to the effect that where a planning application has been the subject of a Pre-Determination Hearing under section 38A of the 2006 Act, the planning application must be decided by the Full Council.

The proposed development is classed a ‘major development’ in terms of The Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009. The proposal is considered to be a significant departure from the local plan

by virtue of it being a major development located on an undeveloped site within the Green Belt wherein Policy 28 'Green Belt' of the Aberdeen Local Plan applies.

Under Regulation 27 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 there was a requirement to hold a Pre-determination Hearing. The Hearing took place on 14th January 2011. The Hearing afforded the applicant and those people who submitted written representations on the proposed development the opportunity to present verbally their arguments/case directly to the Development Management Sub-Committee, which on this occasion, was open to all Members of the Council.

CONSULTATIONS

Nigg Community Council

- The Community Council objects to the application.
- The Community Council is dissatisfied with the manner in which the application has been registered by the Council. It was registered prior to the submission of several key documents which form part of the application. Several of those documents have only recently been available for public inspection on the Council's website.
- As a result of registering an incomplete application, the proper consultative process has been compromised and curtailed. It is suggested the Council reconsiders its decision to register the application, resolve that it was not properly registered and only consider the re-registration of the application when it has been submitted in a complete fashion so as to enable proper consultation within an appropriate time scale. If the Council does not adopt this course of action, an application for judicial review will be advanced on the basis of procedural deficiencies in the handling of the consultation.
- The pre-application consultation exercise is inadequate in a number of material respects. In particular, the "Feedback" form was drafted in such a way that it did not properly facilitate expressions of the opinion as to whether the proposed development is appropriate in this specific location. The opportunity for individuals to submit any view, other than to the specific questions, was limited to the generality of "any further comments". *(Note: the feedback form was produced by the applicant's agent and was used during the pre-application consultation process to gain the views of those who attended the public exhibitions.)*
- It is abundantly clear that there is no significant support for this proposal in this location. A very significant proportion of feedback form responses were opposed to the development (29.1%) and a significant proportion of those who objected did so on the basis of location. A further 32.6% of feedback forms were undecided. The consultation report wholly fails to justify and address the issue of location, despite acknowledging that there were many objections based upon location. In this material respect, the consultation exercise was inadequate.
- Consultation with the community councils consisted of an abbreviated and condensed exercise, without any real engagement in the actual issues. The inadequacies of the consultation should not be endorsed by the grant of planning permission.

- The proposed development is contrary to the adopted local plan in fundamental and widespread respects.
- The site is designated as green belt, the significance of which cannot be understated. The Reporter at the local plan inquiry made clear the importance of preserving this “effective wedge of green belt”.
- The adopted local plan identifies the King’s Links site as the only location for a community arena. Common Good issues are not a real obstacle.
- Whilst it is accepted that the structure plan identifies the Loirston site as a “potential community stadium” location, such development would conflict with other policies in the plan, for example sustainable development and the quality of the environment. The structure plan also identifies the King’s Links site for a community stadium. It is this site that is more in keeping with development plan policy.
- There are no very special circumstances which have been identified that would support the proposed development at Loirston. Proper analysis of the SIAS Transport Feasibility Study reveals that King’s Links is a better location for the stadium in transport terms. The SIAS report makes clear the Loirston site is remote, it has a significantly lower catchment, it will place additional stress on the already congested and polluted Wellington Road, it depends on the construction of the AWPR and it will require significantly greater public transport investment.
- Analysis of the environmental appraisal (March 2009) demonstrates that the Loirston site is less appropriate than King’s Links. Loirston involves the permanent loss of rural green belt land. Loirston is more sensitive in terms of landscape and visual impact, ecology and nature conservation, cultural heritage and archaeology, water quality, drainage, flooding, noise and air quality.
- The consideration of alternative sites is “unforgivingly brief”, wholly inadequate and misleading. There is no reference to King’s Links being identified in the adopted local plan and no reference to Opportunity Site OP51. The omission of a robust consideration of alternative sites is so significant as to render the ES incompetent.
- The ES gives inadequate attention to bats that frequent the Loirston Loch area and the mitigation measures are inadequate to address the harm that will occur.
- If an edge of city site is considered appropriate, why has consideration not been given to more appropriate locations in Aberdeenshire?
- The ES contains very little detail in relation to cumulative impacts.
- The ES makes clear that the landscape impact will be in the ‘Moderate to Major Adverse’ category and thus would be harmful in terms of landscape impact. The visual impact will be equally bleak.
- There has been no noise analysis with regard to the impact on existing farming activities in proximity to the stadium, including Parkhead Farm.
- The TA is deficient in a number of significant respects. It is posited on the basis that the AWPR will be built. It is advanced on the basis there will need to be an unrealistic modal change – 26% of supporters arriving by car compared to 72% who currently travel to Pittodrie by car. Comparative data for similar stadia should be examined. There is plenty of anecdotal evidence from around the UK of private companies letting out their car parks to car-borne sports fans (for example, cricket matches at Edgbaston, Birmingham). The Council will have little control over such adhoc private parking. The TA does not consider this issue. The model

used to determine the projected traffic is inadequate, in particular it takes no account of the effect of committed future developments in the vicinity. The impact on the Bridge of Dee has been ignored, being described as “sufficiently remote” from the proposed development. This is fatuous and is at odds with the applicant’s own data on the place of residence of fans, a large proportion of which live to the north of the City. It is wholly incredible that there will be a 20 fold increase use of Park and Ride facilities. The TA is based on four sites which are not in existence, which may not be developed in time for the opening of the stadium. There are significant concerns about the use of Kincorth Hill by young fans attempting to get to the stadium from Kincorth, which will involve them trespassing on private property (Parkhead Farm). An extremely widespread area of parking restriction is proposed, which will be difficult to enforce and will cause widespread inconvenience. The walk times have been significantly overstated with the consequences that the likelihood that a number of fans driving to areas that will not be subject to parking restrictions, such as Torry, before walking the rest of the way has been significantly understated.

- There are concerns regarding the TA Addendum. The stated figure of potentially 1,700 private off-site parking in Altens industrial estate parking spaces is considered to be an underestimate of the true situation, in that it does not include all the land available, such as Altens Lorry Park which could accommodate 300-400 cars. The distance related to the 30 minute walk time is not correct in that ‘time trials’ show that West Tullos would be within a 30 minute walk of the stadium. Fans could therefore park in West Tullos and East Tullos industrial areas. Likewise, the New Gateway Business Park at Charleston could be used, being no more than 20-22 minutes away. Use of these areas would critically undermine the transportation strategy and would lead to extraordinarily high levels of traffic on the River Dee crossings. The Garthdee roundabouts are already overloaded and the problems would be exacerbated very significantly. It is considered that the TA is still deficient and unsound and a more sophisticated methodology should be used. A new TA should thus be provided that fully audits all off-site parking and looks at a range of transport scenarios. It is considered that the bus strategy is not credible.
- The location of the stadium should be determined in the context of the ongoing emerging local plan process. It is at an important stage and is soon to be the subject of examination. Approval of the current application would be ‘premature’ to the finalisation of the local development plan and would prejudice the legitimate rights of landowners and local residents in the determination of the site selection of the new stadium. There are possible alternative sites.
- The application should be “called-in” by the Scottish Ministers in accordance with Circular 3/2009 – the Council retains an interest in the development site and the proposal amounts to a significant departure from the development plan.
- There has been little attempt to seek the opinion of the public in respect of the draft Strategic Environmental Assessment (SEA), which is a fundamental failing in the context of a major development such as a new stadium. (Note: there is no requirement to undertake a SEA for a planning application and thus none was carried out. The environmental impacts of the development were assessed and the results reported in the ES)

Cove and Altens Community Council – *(Note: although the application site lies wholly within the area covered by Nigg Community Council, given the close proximity to Cove and Altens and potential impacts of the development on the wider area Cove and Altens Community Council was formally consulted on the application.)*

- The Community Council objects to the application.
- The period allowed for the Community Council and the public to submit their comments is wholly inadequate considering the amount of plans and documents submitted in support of the application, which has seriously disadvantaged lay people wishing to make comments.
- The site is part of the Loirston Recreational Area, a District Wildlife Site and designated as green belt.
- The current proposals are totally different from that considered in the feasibility study which identified the area at Loirston Loch as the preferred site. This means its findings are invalid and it needs to be repeated based on the current stadium design.
- Public consultation was very limited and wholly inadequate. It appeared rushed to accommodate the developers self-imposed deadlines and was more of a tick box exercise rather than a genuine attempt to gauge public opinion.
- There is a dearth of facilities for supporters at Cove unlike the City Centre.
- It is unacceptable that a valuable green belt site will be lost to accommodate a private company profitably selling off its existing facility. It is the only natural landscape location within this area and of immense benefit to wildlife and local residents. The loch is a haven for wildlife, a regular overnight roost for migratory geese and is frequented by local residents and anglers. There is no analysis of the invertebrates living on the site or on their habitat.
- The development will result in the loss of a valuable community recreational amenity area and educational facility.
- There is a strong feeling that the Council has already given the nod to this scheme. The Council as owner of the land and also the planning authority should not have been promoting this scheme.
- A public inquiry, or at the very least a Departure Hearing, should be held.
- The ES must be impartial and this can only be achieved if carried out by an independent body. The statement submitted was paid for by the developer and in consequence is heavily biased in his favour. No proof has been provided for statements such as “minor impact”, “not significant” and “will be covered by the mitigation measures”.
- The natural land drainage to the loch will be totally destroyed, which will have a detrimental impact on the ecological balance. The surface water runoff will have a detrimental impact on water quality. Pollution of the loch will arise from the major earthworks.
- Noise generated from the development will have a detrimental effect on both existing and proposed housing.
- It is wholly unacceptable for the community to be subjected to parking restrictions and its inherent charges.
- The parking for the stadium is totally inadequate.
- The TA is aspirational, but it is unlikely to be practicable in real life. There is no indication of parking availability at the City Centre hub. There is no guarantee that First Bus will be able to provide all the services outlined. There is no control over public transport as it is run by a private company.

- There does not appear to any origin and destination data for supporters other than season ticket holders.
- The change in travel patterns will increase congestion in the City Centre, at the River Dee crossings and on Wellington Road.
 - It is environmentally undesirable to increase the distance that supporters will have to travel.
 - Aberdeen FC will have little control over match times as these will be dictated by TV companies and football authorities.

It should be noted that the Community Councils were the only statutory consultees to object to the application. The comments received by the other consultees are detailed below.

City Council Roads Service

- There is no objection to the proposed development provided the necessary planning conditions and legal agreement requirements set out below are included with any planning permission.
- The proposed development provides two principal points of vehicular access by way of a new signalised junction with the A956 Wellington Road, some 650 metres south of the roundabout junction with Southerhead Road, with a second access taken via Wellington Circle. A further pedestrian access is to be taken from Redmoss Road maintaining the current right of way through the site. The proposed accesses are acceptable in principle.
- An internal road network linking the access junctions and serving the car parking is proposed and is to be managed by the applicant on match days and will be subject to internal traffic management measures. The proposed link road will support the necessary public transport uses and bus stops, with laybys incorporated within the design. Preliminary internal traffic management proposals, particularly for major events have been discussed and are generally acceptable. A condition should be attached to any planning permission requiring the submission of traffic management details within the site.
- The proposed link to the wider masterplan area will require to be a public road and constructed to adoptable standards to meet future aspirations. A condition should be applied to any planning permission securing access by way of an adopted road.
- The applicant has submitted a preliminary layout indicating an integrated access arrangement for both the proposed stadium and the development for Cove Rangers FC at Calder Park. It is acceptable.
- Pedestrian and cycle access is to be provided via a network of footway links with pedestrian/cycle priority integrated within the design layout. The existing right of way is to be retained and upgraded to allow shared pedestrian and cycle use.
- Whilst a preliminary internal road layout has been provided and is generally acceptable, a detailed layout should be submitted for approval prior to works commencing.
- In line with both local and national parking standards a maximum of 1,400 on-site parking spaces is to be provided and is supplemented by adequate parking for disabled and cycle parking. An area of parking to the east of the stadium will be given over to coach parking for 'Old Firm' matches.

Parking for coaches for home fans and for service/broadcasting units will also be provided.

- A detailed Transportation Assessment (TA) has been submitted in support of the application and has been audited by officers. Supplements have been submitted to address concerns and to clarify issues raised.
- Pedestrian access has been considered assuming a maximum walk threshold of 30 minutes. The pedestrian facilities on Wellington Road are to be improved with the provision of a combined footway/cycleway on the west side from the new junction to the Southerhead Road roundabout. The capacity of the footway links has been assessed and been shown to cater for the volume of supporters that are anticipated to attend matches. Concern has been raised by the Cycle Forum with regard to the shared use of the existing footway by cyclists. Whilst the concern is noted it is recognised that there would be very limited occasions when conflicts may occur and the applicant is not in a position to address this concern. Given the low level of cycle movements and the frequency and duration of high pedestrian activity it is felt that the conflicting movements can be managed through due care and attention of the users.
- Pedestrian safety with respect to vehicular/pedestrian conflict on Wellington Road has been raised by Grampian Police and the installation of pedestrian barriers has been requested. The applicant has indicated a willingness to install pedestrian barriers in the interests of road safety. This should be secured by a condition to any planning permission. Wellington Circle will also serve as a principal point of pedestrian access. The existing infrastructure is considered to be adequate.
- Signal controlled pedestrian/cycle crossing facilities are proposed to be incorporated within the new access junction. It is to be supported by signal control crossings on Wellington Road immediately to the south of the roundabout and on Langdykes Road and Southerhead Road approaches to the roundabout. A condition or legal agreement should be used to secure the facilities including a 10 year capitalised maintenance payment.
- Pedestrian movements from the Kincorth area are likely to be generated and does raise a road safety concern, with the potential for conflict between vehicular traffic and pedestrians on match days. The applicant has indicated a willingness to reasonably fund the introduction of traffic restrictions that would limit the use of Redmoss Road by through traffic and improve the local environment and safety. A condition or legal agreement should be used to secure the funding for the works.
- The applicant has agreed to contribute to the core path network to improve accessibility to the site.
- Public transport on match days is vital to the delivery of a successful transportation strategy. A draft Bus Management Plan was submitted with the TA identifying 20 routes city wide that would require dedicated match day services to meet supporter demand and was supplemented by frequent city centre shuttle services. A revised Bus Management Plan was then submitted and reduced the number of services and indicated five principal pick up points – three centrally and at the park and ride sites at Kingswells and Bridge of Don. Concerns were raised that it may not meet service demands and may not be deliverable in its current form. First Aberdeen Ltd has confirmed that they will take the role of the bus co-ordinator and will provide the necessary buses and drivers to fulfil the requirements of the Bus Management Plan. The applicant has had further

- discussions with the bus operator following the Hearing and has confirmed that First Aberdeen Ltd will provide the services through local sourced operators.
- As part of the Bus Strategy the applicant has proposed that a Steering Group be established and include representatives of the City Council, Grampian Police, First Group and Aberdeen FC. It would develop the Bus Strategy prior to the opening of the development and review and revise the strategy once implemented. The principle of public transport provision is acceptable and through the Steering Group it is felt that a satisfactory Bus Strategy can be developed and implemented. With respect to the day to day use of the development, a shuttle bus funded by the applicant is proposed to operate at peak periods between the local bus services and the site until such times as a frequent service on the A956 is available.
 - When considering accessibility needs of the development, the delivery of the proposed transport strategy will be critical and will require a match day controlled parking zone (CPZ) to be implemented over an area of the surrounding road network approximating to a walk distance of some 30 minutes. This area would extend to and include all of the residential area within Cove/Altens and the southern part of Kincorth. The implementation of the CPZ is critical, not only for the delivery of a sustainable transport solution, but also to ensure that traffic generation levels are maintained at a level that would not have a largely detrimental impact on road congestion and delay that would otherwise occur. Significant local problems of obstruction, amenity and environment will occur were the application to proceed without a CPZ being in place. The applicant has agreed to fund the implementation, maintenance and enforcement of the CPZ which would be subject to the progression and approval of a Traffic Regulation Order outwith the planning process. The legal procedure would take some 12-15 months to conclude. A review of the CPZ and the implementation of amendments, where necessary, for a period of 5 years after opening should be secured, all at the cost of the applicant.
 - Concerns were raised at the Hearing that fans could park in and walk from the industrial areas of Tullos and Altens. Should that occur, the match day restrictions would be extended to address this problem. Concern was also raised with regard to the use of private car parks within the industrial areas. Whilst it is acknowledged that private off-street parking does exist and could potentially be utilised it is considered unlikely to be significant. The incentive to use public transport will offer direct service from the City Centre and surrounding area and should, in practice, be seen to be more convenient. Also, the use of private car parks would raise private company health and safety issues, which would be discouraging for the car park owners.
 - Whilst the transport access strategy proposed is in line with guidance and policy the applicant should submit a detailed Travel Plan for all uses.
 - A detailed traffic impact assessment has been carried out for the road network, utilising the Council's "Access from the South" Paramics model. The emphasis is on football and major events traffic. Other ancillary uses would not have a negative impact on the local road network. The traffic analysis examined an evening match or event with a capacity of 21,000 that would start at 7.00 pm. Existing network flows for a Saturday and evening event were compared and indicated the critical period to be that of the evening peak.

- The Paramics modelling has been revisited since the Hearing and has predicted that additional delays to journey times would occur on the A90 at the Bridge of Dee (southbound) and on Wellington Road (southbound). The additional delays are in the order to 9 minutes and 73 seconds respectively. The delay at the Bridge of Dee indicated by the traffic modelling is considered to be excessive and is a function of the model's constraints. In practical terms this level of additional delay is unlikely to be realised and is influenced by the lack of route choice due to its location at the perimeter of the model. It is considered that queuing and congestion levels on both the local and wider network could be managed with the exception of the A90/Bridge of Dee junction. However, the scenario considered is that for a 7.00 pm kick off which would unlikely be realised as evening matches are generally scheduled for 8.00 pm. Network traffic flows for the Saturday peak and after 6.00 pm midweek are significantly less than that of the peak period modelled. Traffic flows associated with the later start would extend the peak period and would minimise potential delays to the majority of commuting traffic. The match/event scenario that has been modelled and analysed is considered to be robust and would have a maximum frequency of some 4 events per year. The anticipated attendance for a standard SPL match would be 14,000, 30% below the modelled scenario. It can therefore be reasonably concluded that the traffic impact of a standard SPL match would be of a reduced scale with the predicted journey time delays reduced. It is recommended that a condition be applied to any planning permission that evening matches do not commence prior to 7.45 pm, but that earlier events may be considered subject to the consent of the Council.
- Following discussions with the applicant it has been agreed that strategically placed CCTV cameras linked to the Urban Traffic Signal Control system operations room would be used by roads officers to monitor and prioritise traffic movements to efficiently manage traffic. The applicant would be expected to fund the necessary infrastructure and meet any staff costs.
- A detailed design for the new signalised junction with the A956 should be the subject of a condition of any planning permission.
- A Clear Way should be introduced on Wellington Road between Langdykes Road and the Charleston flyover, the cost of which should be met by the applicant.
- Discussions with representatives of Grampian Fire & Rescue have indicated that they have a concern there may be an impact on access arrangements and emergency response times due to additional traffic. To address this concern it is suggested that a scheme to provide priority access for emergency fire response to be subject of a condition. This could be a "Green Wave" through the traffic signals on the A956 similar to the operational arrangements at the North Anderson Drive and Mounthooly Way fire stations.

Transport Scotland (comments on the TA)

- Transport Scotland has no objection to the proposed development, but advised that a condition be applied to the planning permission requiring the submission of a Travel Plan/ Transport Management Strategy which addresses, *inter alia*, access by walking and cycling, public transport provision, car parking management and traffic management. The condition

is required to comply with the requirements of SPP with regard to transport.

Transport Scotland (comments on the ES)

- Noise modelling has been undertaken to assess the potential noise impacts at the operational phase of the development. It is accepted that there will be no significant adverse impacts due to changes in road traffic on the A90.
- With regard to air quality, it is noted that all receptors are predicted to experience a detrimental impact due to the development at the construction and operational stages. However, it is agreed that the magnitude of these impacts can be considered to be imperceptible and can be described as being of negligible significance overall. Therefore, it is anticipated that the proposed development will have a negligible effect on air quality associated with the trunk road network.

Historic Scotland

- Content with the findings of the ES which show that there are no scheduled monuments and their settings, Category A listed buildings and their settings or designed landscapes within the vicinity of the development which would be significantly affected by the proposals. Consequently, there is no objection to the proposal.

Scottish Government Rural and Environment Directorate

- In relation to the Scottish Ministers' responsibilities for air quality and noise, on the basis of the information available there are no comments on the ES.

Sportscotland

- There is no objection to the proposed development. It is noted that the redevelopment of the existing Pittodrie Stadium is necessary for the football club to further develop. It is also noted that there will be a loss of informal recreation ground in the area.
- The ES outlines mitigation measures and it is for the Council to be satisfied that these are appropriate mitigation for the development proposed.

Scottish Natural Heritage (SNH)

- It is unlikely that the proposal will have a significant effect on any qualifying interests of the River Dee Special Area of Conservation either directly or indirectly. An appropriate assessment is therefore not required. With regard to the potential impacts on bats and otters, provided the development is carried out strictly in accordance with the mitigation proposed in Chapter 8 of the ES, the proposal is unlikely to result in an offence under Regulations 39/43 of the Habitats Regulations 1994 (as amended).
- The development site drains into Lorston Loch which eventually discharges via an un-named burn into the River Dee, approximately 1.6km away. Provided the systems and guidelines set out in the ES are implemented and maintained, SNH is satisfied that runoff and sedimentation during construction and operation will not enter the River Dee and therefore there is unlikely to be any significant impacts to the

qualifying interests of the site. Surveys carried out to inform the ES found evidence of otters and bats, which are both European Protected Species. Mitigation measures to prevent disturbance of otters include the removal and realignment of proposed footpaths to ensure a minimum 30 metre buffer zone from suitable resting habitat. The ES indicates that pre-construction surveys will be required.

- No bat roosts were found within the development site. However, the loch and surrounding scrub habitats provide good foraging habitat. Lighting during construction and operation of the development could potentially impact upon foraging behaviour and mitigation to reduce disturbance caused by artificial lighting will be required. The detailed design of the lighting system will need to take bats into account.
- The development of additional footpaths around Loirston Loch and the surrounding area is welcomed, provided that the paths are kept at least 30 metres from suitable otter resting areas to prevent disturbance.

Scottish Environment Protection Agency (SEPA)

- There is no objection to the application provided the recommended conditions are applied to any planning permission granted. The conditions recommended by SEPA relate to the submission of (i) detailed Sustainable Urban Drainage System (SUDS) calculations and the suitability of ground conditions prior to the commencement of the development, (ii) an appropriate gas risk assessment relating to the gas produced by the nearby closed landfill site, including any required mitigation and remediation measures deemed as necessary which shall be implemented prior to the commencement of the development and (iii) a full site specific Construction Environmental Management Document.
- Foul drainage from the site must be discharged to a public sewerage system. From a water quality perspective the proposed levels of SUDS treatment are acceptable to SEPA. Charleston Landfill is located within 250 metres of the proposal. The Waste Management Licence for the site has not yet been surrendered and the site is still producing gas. Therefore, the recommended condition noted above is required.
- In accordance with Scottish Planning Policy and the Aberdeen Local Plan, space for collection, segregation, storage and possibly treatment of waste (eg bin stores, composting facilities and waste treatment facilities) should be allocated within the site layout.
- Large scale development such as this has the potential to generate large volumes of traffic with associated impacts on air quality. Consideration should be given to such impacts and to any potential interactions with the adjacent Air Quality Management Areas.
- The applicant's consideration of environmental management, pollution prevention and construction methods within the submitted information is welcomed.

Scottish Water

- A review of records indicates that there are Scottish Water wastewater and water assets in the area that may be affected by the proposed development. It is therefore essential that these assets are protected from the risk of contamination and damage. This also applies to watercourses that feed into reservoirs.

- Technical advice is also given on the precautions that should be taken to ensure that the aforementioned does not occur.

Health and Safety Executive (HSE)

- HSE's principal concerns are the health and safety of people affected by work activities and has no comments to make on the ES.

Grampian Police

- From a policing point of view, the primary areas of interest are - (i) the safety of all those making their way to and from the proposed stadium, (ii) the safety of all persons within the proposed stadium, (iii) the management of traffic in the vicinity of the proposed stadium and in the surrounding area, and (iv) the minimising of disruption and inconvenience to those who live and work in the vicinity of the stadium.
- Grampian Police have concerns in respect of the safety of pedestrians making their way to and from the proposed site of the new stadium. In particular, the interaction of pedestrians, some of whom may be under the influence of alcohol, with traffic travelling on the A956 (Wellington Road) dual carriageway causes a significant concern. Whilst the transport plans of Aberdeen FC rely heavily on buses and cars dropping off spectators in proposed drop-off areas to the north and east of the stadium, it is anticipated that considerable numbers of fans will make their way to the stadium on foot. There is a need for footpaths on both sides of the A956 and those footpaths should be separated from the roadway by pedestrian barriers and suitable crossing points should be provided, controlled by traffic signals. These measures should reduce the likelihood of fans attempting to cross the road at other points. Experience shows that fans on their way to/from a football match may have scant regard for the dangers caused by moving vehicles. Even at 40 mph, a pedestrian struck by a vehicle travelling at that speed is likely to have fatal consequences. It is suggested that consideration be given to the imposition of a temporary speed limit for times immediately before and after an event at the stadium of 30 mph. This would considerably reduce the severity of any injury in the event of a collision with a pedestrian.
- A City Centre location must be identified from which shuttle buses would operate to the stadium. An early suggestion of the Northlink Ferries terminal would be a safety concern. Fans would have to cross Market Street (a dual carriageway) from the west side to the ferry terminal and would be required to wait for the buses in proximity of the deep water of the harbour. An alternative suggestion of South College Street, adjacent to the multi-storey car park appears at first examination to be more suitable.
- Grampian Police will require adequate facilities (for example, a control room and CCTV facilities) at the stadium to ensure an efficient and effective policing operation can take place.
- The management of traffic moving around the internal road is critical, as any obstruction to the roadway would cause very significant disruption to vehicular and pedestrian traffic flows. Such management must be the responsibility of Aberdeen FC and will require significant, effective stewarding. Any lapse in the smooth flow of traffic could cause large traffic accumulations on the A956 and could result in home and away fans coming into closer contact with another, with the potential for resulting disorder.

- Grampian Police consider the proposed away-support bus park with a capacity for 81 coaches should be adequate. The bus park is well located adjacent to the away-support section of the stadium and close to the proposed traffic light junction with the A956. The management of these traffic signals will be a significant consideration at a high category event and it is important that the signals are assigned an 'automatic' event setting with the 'SCOOT' traffic management system for days when an event is to take place. It is equally important that manual override control of the traffic signals can be established if this is required.
- The provision of 1,400 parking spaces appears to be a low parking allocation. Grampian Police believe the number of parking spaces on the site should be increased. The relative lack of parking facilities, in particular the absence of any parking facilities for away-support fans, is likely to have a knock-on effect for residents and businesses in the surrounding area. Unless this is managed effectively, it will cause disruption and disturbance to the local community, resulting in an increase on demand for policing services and adversely impacting on the reputation of Aberdeen FC. A temporary parking restriction, similar to that at Pittodrie Stadium, will be required and will need to include a wide area around the proposed stadium. Consideration must be given as to whether residents will be permitted to park their vehicles on-street subject to residents' permits, or whether all on-street parking should be prohibited. Local businesses may need to take steps to prevent their car parks being used by fans on the day of an event and those who are most enterprising may seek to capitalise on a potential revenue-generating opportunity. The possibility that the facilities may cause disruption at times other than when major events are taking place cannot be discounted. For example, the proposed roadway and associated car parks may attract anti-social drivers.
- Grampian Police have concerns regarding the park and ride scheme. It is unknown what the uptake of such schemes might be and if fans decide not to make use of the facilities provided, traffic congestion and irresponsible parking is very likely to result. Considerable marketing of the park and ride facilities will be required.
- The effects of other future developments in the area are unknown. Grampian Police have already expressed some concerns to Aberdeen FC with regard to the possibility of Cove Rangers and Aberdeen football matches taking place on the same day, something which would be undesirable from a policing perspective.
- The proposed route of the AWPR is nearby and it seems likely that such close proximity would be a positive development in terms of assisting traffic flow.
- Whilst it is a matter for the Council's Licensing Committee, the opening times and management of the proposed 1,000 person capacity bar is a significant consideration. It is Grampian Police's understanding that the facility would only be available to home support fans.
- Additional comments are provided on the TA Addendum. Incorporating the traffic signals into the Council's SCOOT system is welcomed. The pedestrian crossing element should also be included. Appropriate CCTV facilities should be provided. Grampian Police would have considerable concerns if the access road to the stadium was also used to provide access to any future residential development in the area because of the potential for conflict and congestion on match days. The additional details

(including the provision of guardrails) on the proposed pedestrian facilities on Wellington Road now show that safe access to the site can be achieved. There are concerns regarding the heavy reliance on only one service provider for the buses. Further consideration must be given to the bus pricing policy. The suggested three pick-up locations in the City Centre raise some concerns and thus require further consideration. Grampian Police considers two locations would be sufficient to meet the need. Reducing the speed on Wellington Road near the stadium at match times to 30 mph should be considered. There is a lack of emphasis on rail travel. Considerable numbers of fans, both home and away, are likely to choose to travel by train.

Grampian Fire and Rescue

- There are no comments at this stage in the process.

Aberdeenshire Council *(comments agreed by the Kincardine & Mearns Area Committee)*

- It is appreciated that the maximum car parking standard has been applied to minimise reliance on the private car, in line with the objectives of Scottish Planning Policy. However, more detailed and accurate bus information, including enhancements should be provided. The ability of the public bus service to cater adequately for its primary customers on a Saturday afternoon (or around match times) could be prejudiced. Some of Aberdeenshire's settlements to the south of Aberdeen are within cycling distance of the site and therefore should be included in the TA. Aberdeenshire Council raises concerns on the basis that the TA fails to fully take account of areas to the south of the site, fails to take account of the increase in journey time from Aberdeen to Aberdeenshire of peak use of the development and fails to fully assess the impact on Aberdeenshire residents who use public transport during times of peak use of the development.
- The proposal is potentially supported through the structure plan and Aberdeenshire Council recognises the lasting benefit of having a major sporting venue in the area.
- The findings of the ES are acceptable to Aberdeenshire Council in that only short term impacts are anticipated. The site, layout and design of the proposal is unlikely to pose any impact to Aberdeenshire or its residents. There will likely be significant environmental, landscape and visual impacts in the immediate vicinity of the site, however, it is not anticipated that these shall be experienced in Aberdeenshire. The ES identifies a major adverse impact on the existing landscape character and visual amenity. Impacts on ecology and nature conservation will be localised.
- The proposal will result in the creation of jobs and due to the location of the site, this will likely provide job opportunities to residents in Aberdeenshire, which is something Aberdeenshire Council supports.
- The previous application in 2002 at Kingswells included various community facilities. It is disappointing that these elements do not form part of this proposal as the benefits to the wider community would have been well received.

BAA Airports

- The proposed development has been examined from an aerodrome safeguarding perspective and there is no objection to the proposal provided any planning permission granted is subject to a condition requiring the submission of a Bird Hazard Management Plan (BHMP) prior to the commencement of the development. The BHMP is necessary to manage the site in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Aberdeen Airport.

City Council Environmental Health Service

- Air quality in the vicinity of the proposed development is currently good and there would be no risk of exceedance of national air quality objectives at this location. Additionally, there are a minimal number of sensitive receptors close to the proposed development. Buses, coaches and cars associated with football matches and other events have the potential to impact on residential properties on the routes to and from the stadium. However, the impacts are classed to have negligible significance on air quality. Nevertheless, any deterioration in air quality should be discouraged. There will be an increase in traffic within the Wellington Road Air Quality Management Area (AQMA) during event days. Although it is predicted that air quality will be affected, the impact is not significant. However, there will still be an impact on areas of existing poor air quality. The assessment makes no reference to the removal of the existing Pittodrie Stadium and the positive impact on air quality in the City Centre AQMA and King Street. However, there is potential for some additional traffic travelling through the city centre. Depending on the use of the Pittodrie site, there is potential for an improvement in air quality in these areas.
- Having regard to the intermittent nature of the facility for its primary purpose and to the low density of the local population, it is considered that the potential for disturbance arising from noise and vibration is not significant.
- The ES mentions the potential impact on wildlife from artificial lighting associated with the proposal, but there is no assessment in relation to disturbance of local residents. The Public Health etc. (Scotland) Act 2008 now allows impact from artificial lighting to be considered as a statutory nuisance. However, with careful design this matter should not be a significant concern.
- Preliminary ground investigations reveal no significant contamination on the site. However, it would be prudent for controls to be put in place to ensure monitoring and disposal of material showing significant contamination during the construction phase.
- In summary, there will be no significant impacts in relation to air quality, noise, lighting and contamination resulting from the proposed development. Any planning permission granted should be subject to conditions relating to mitigating the environmental impacts during construction, an assessment of noise from plant and machinery, an assessment of the impact of artificial lighting, a detailed site investigation and remediation strategy to deal with any contaminated material and controlling the hours of construction. If possible a condition/Section 75

Agreement should also be applied requiring the use of only Euro 3 emission buses and construction vehicles.

City Council Education, Culture and Sport (Archaeology)

- A condition should be applied to any planning permission granted requiring the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Council prior to development commencing.

Strategic Development Plan Authority

- The Aberdeen City and Shire Structure Plan (2009) was approved by Scottish Ministers in August 2009 and forms part of the development plan for Aberdeen City. Six aims of the structure plan are promoted; including the need to provide a strong framework for investment decisions, protect and improve our valued assets, help create sustainable mixed communities and make the most efficient use of the transport network.
- A new community stadium is one of the proposals set out in the structure plan. It is seen as a regionally important facility which will bring economic, social and cultural benefits. Two possible locations are shown on the key diagram, reflecting their ongoing consideration at the time the structure plan was submitted to Scottish Ministers. Proposals identified in the plan were selected on the basis of their importance in helping achieve the vision for the North-East and implementing the plan's strategy.
- The structure plan is action orientated and delivery driven, it aims to work with developers to ensure that developments are realistic and viable and that proposals and projects identified make a real contribution to the region. The provision of a community stadium is such a project.
- This proposal is identified as a key project in the structure plan, recognising the positive impact it will have on Aberdeen Football Club and as an asset for community use. There must also be recognition of the significant potential a new stadium, built to modern standards, will offer to attract other sporting events and tournaments, and as a venue for alternative uses.
- As the structure plan identifies two potential locations for such a stadium and for the reasons above, in principle the proposal is supported. However, the structure plan must be read in its entirety and each proposal judged on its merits against the objectives and targets contained within it.
- The planning statement submitted by the applicant does not address why the decision to choose Loirston over Kings Links is preferable in planning terms. It may be that this justification can be found in the 2009 Business Case considered by the Policy & Strategy Committee and Council in 2009.
- This being the case, there remains a number of potential conflicts with the objectives of the structure plan; particularly the accessibility and quality of the environment objectives. The location appears less sustainable in terms of the potential options for public transport use (bus and rail), walking and cycling. Despite the laudable predictions for a 46% modal shift from private car to public transport, patronage of the shuttle bus from a central hub and other components of the bus strategy contained in the TA, this concern must be raised. The developer must satisfy the council that the proposed measures are realistic and can be sustained over the long-term.

- The reports presented to the Policy & Strategy Committee and Full Council in 2009 “underlined the need for Aberdeen Football Club to resolve the significant transport and environmental issues associated with the Loirston site, as part of the process of producing a detailed design and planning application.” As with transportation above, the advice of relevant environment experts must inform the determination of this application. It may be that the mitigation of these two issues can be achieved through the use of planning conditions and / or developer contributions.
- Several sustainability issues are highlighted in the ‘Design and Access Statement’, but it is unclear what consideration has been given to the use of renewable energy sources on the site. This could potentially be a significant source of income as well as address the climate change impact of heating and lighting the stadium.
- The structure plan provides strong support for the development of a new community stadium and the benefits this will bring to the north-east. In terms of the current proposal, the Council should balance the importance to be given to each aim of the structure plan in the decision-making process. It is important that the Council is satisfied that the proposal meets the needs of the whole community, both now and in the future and that appropriate mitigation measures (for example, addressing transport and environmental impacts) are put in place to ensure the proposed development is acceptable.

Architecture & Design Scotland (A+DS)

- The A+DS Design Review Panel considered an earlier draft of the proposals for the proposed stadium. This was prior to the planning application being lodged with the Council. The Panel acknowledges the design of a new sports arena for Aberdeen FC presents an exciting development opportunity for the City and focus for a new neighbourhood.
- The Panel considers the stadium to be a significant project for Aberdeen, with the potential to act as a catalyst for further development. The Council has a key role to play in initiating and co-ordinating an overarching vision for the wider area. The project benefits from a fabulous landscape setting and careful consideration should be given to the conceptual approach to the siting and location of the stadium in order to fully exploit the natural assets of the site.
- The Panel considers it critical that a strong vision for this area be established to exploit the area's inherent natural qualities and to allow for a coherent masterplan to be developed for the stadium site and the adjacent future neighbourhood. The Panel encourages the Council and the respective design teams to work together to establish a context for this and other future development. This led to two workshops taking place in February and March 2010.
- The workshops, independently facilitated by A+DS, involved Council officers, landowners and their respective agents, and resulted in establishing key principles to inform future development of the area. These included setting out agreed principles for a future development framework for the area to be developed as supplementary guidance to the Aberdeen Local Development Plan.
- The principles included the relationship of the stadium to the future new neighbourhood, the relationship to the natural environment, design and

accessibility in order to ensure that the stadium contributes positively to potential future development of a new neighbourhood at Loirston Loch.

Aberdeen City and Shire Design Review Panel

- The Panel considers the proposed stadium design to be iconic and to make a positive impression as a gateway to the City, celebrating monumentality and simplicity in design through a limited palette of materials. The impact of the proposal from Wellington Road is an important consideration and 3D images of this would be useful in understanding how the gateway will be reinforced, whilst screening the parking areas.
- The panel welcomed the boldness of the proposal and that landscaping was integrated with the scheme rather than trying to hide it. It was noted that there is a large area of parking to the east of the stadium which could be unsightly. The landscaping around this area must be carefully considered to minimise the visual impact of parking in order not to detract from the positive, bold statement of the stadium, particularly as viewed from Wellington Road. The panel noted that there is a large slope on site. How the building and site layout deals with topography and the relationship with the future new community must be clearly demonstrated.
- The design of the stadium building itself is an iconic and strong statement. The simplicity of the stadium roofline is considered a very positive aspect but the purity of form may be compromised by breaking this in an effort to integrate with potential future development. The perception of a floating roof is commendable and will be particularly effective at night, when illuminated. The different treatment to the principle entrance may erode the purity of the design and consideration should be given to the roof continuing around the whole stadium. It is acknowledged that this corner was designed to aid integration with the future development of the adjacent community. It is recognised that the proposal has developed significantly and positively since the first A+DS review.
- The panel questions the relationship between the stadium and adjacent future housing development. It was confirmed that the plaza will link into the potential new community to the south, west and north of the site.
- The panel recommends that the relationship of future development adjacent to the stadium will have to demonstrate how and where it is best situated in further masterplanning work for the Loirston Loch area.
- The Panel reiterates that they consider the stadium to be a thoughtful building and a successful response to the given brief. The stadium has the potential to strike a balance between achieving both Aberdeen Football Club's vision and the wider vision for the future development of the south side of Aberdeen City.

REPRESENTATIONS

144 letters of objections have been received, including from Aberdeen and District Angling Association, Aberdeen Friends of the Earth and Transform Scotland.

A letter has also been received from Brian Adam MSP (Aberdeen North). He states the stadium will be an important and well used facility in the region.

However, he highlights the issue of insufficient on-site parking, indicating that the Government's maximum parking standards should be adapted to meet local circumstances and parking should be based on the full capacity of the stadium and not against average attendances. He also raises a concern about relying on public transport and Park and Ride schemes.

The objections and concerns raised by the representations can be summarised as set out below under the following headings.

Pre-application consultation, registration of application and procedure matters

- The planning application should not have been registered – it was incomplete and was registered prior to several key documents being available and being on the Council's website
- Proper consultative process has been compromised and curtailed by registering an incomplete application and thus was unlawful
- The pre-application consultation was inadequate/"a sham" – there was no real engagement with the community councils, there was a severe lack of consultation with local people, the "feedback" form did not facilitate expression of opinion and the Pre-consultation Report fails to address the issue of location, despite there being many objections based upon location
- Pre-consultation exercise demonstrated there is no significant support for the proposal
- Difficulty in finding information on the proposal on the Council's website
- The planning application should be "called-in" in accordance with Circular 3/2009 – there is a local authority interest in the site
- The project will go ahead no matter what objections are raised as "the decision has already been made"
- The project "does not have the support of the full Council" as evidenced by the recent meeting on the Local Development Plan
- Cove Rangers' planning permission has lapsed – the proposal should not be determined in isolation of a new application for Cove Rangers
- The proposal is a breach of human rights (right for clean air, freedom to access green space, quality of life) and the decision will be appealed to the highest UK and European levels.

Planning policy

- The proposal is premature pending the proper examination/ adoption of the Local Development Plan
- The proposal is contrary to the structure plan – although identified as a possible site (for a stadium only), it would be contrary to the sustainable development and quality of environment objectives/ policies
- The proposal is contrary to the local plan - the land is green belt and Green Space Network and should be preserved ("the last green space in the south of the City" which was described by the Reporter as "an effective wedge of green belt" in his recommendations on the 2008 local plan)
- The loss of farmland
- The proposal is contrary to national planning guidance – SPP (168), SPP3: Planning for Housing Consultative Draft and SPP21: Green Belts
- There is no overall vision for developing the area which has resulted in over development of the south part of Aberdeen

- Approval would set a precedent which would “open the floodgates” for more development in the area.

Site selection

- Loirston is “the wrong location” for a new stadium. The site selection report shows no clear reason why Loirston is the preferred site - there are better alternative sites for the stadium. The suggestions made are remaining at and refurbishing/rebuilding Pittodrie, a site to the south of Loirston Loch, in the city centre, at Kings’ Links, to the north of the City, at Cults, at Bielside, at Dyce, at Duff’s Hill, at Portlethen, at Westhill)
- Loirston has been chosen for financial reasons only, it is about making money for developers
- Very few people in the area want the stadium
- AFC has not made a compelling case for a new stadium
- The adopted local plan identifies King’s Links for a community stadium
- SIAS Transport Feasibility Study reveals that King’s Links is a better location in transport terms and the Environmental Appraisal (2009) also demonstrates that that King’s Links is preferable
- The proposal is radically different to that in the feasibility study in 2009
- There is no legal difficulty in using Common Good land at King’s Links
- AFC and Cove Rangers could share a stadium
- Two stadia (i.e. Aberdeen FC and Cove Rangers FC) should not be built in the same part of town.

The environmental statement and environmental impacts

- Deficiencies in the ES – it is not comprehensive, it is inaccurate and misleading, it does not refer to Opportunity Site OP51, it does not deal with the cumulative impacts (emerging local plan designations), the comparison of sites in ES is “unforgivably brief” and misleading and thus any decision based on it would be unlawful.
- The proposal is not compatible with and will destroy the District Wildlife Site, Kincorth Hill Nature Reserve and “Loirston Country Park”, which has a high amenity value and is an important educational resource. It will destroy wildlife and endanger bird life
- The proposal is contrary to the ‘conservation strategy’
- Impact on fishing at Loirston Loch (no proposal to compensate Aberdeen & District Angling Association for possible loss or disruption to fishing)
- Impact on the flight path of bats
- A significant part of Loirston Loch will be built over
- The proposal would contaminate the loch and cause pollution
- The proposal would cause light pollution, in particular from the “red glow at night”
- Litter, bottles etc will be thrown into the loch
- Impact on air quality
- Impact on drainage and sewage systems
- Redeveloping Pittodrie would cause less CO2 emissions
- Loss of a tranquil area.

Visual impact

- The loch is “an iconic emblem to the gateway to Aberdeen for visitors”
- The “soft edge” of the proposed adjacent business park should be retained with an open aspect to the loch
- The proposal would be harmful to the landscape
- Visual intrusion – loss of view across the Dee valley and beyond, floodlight pylons, height of stadium.

Transport and accessibility

- Concerns regarding the TA – it may not be accurate, the traffic model used is outdated, it takes no account of the effect of committed future significant developments in the vicinity and it states Bridge of Dee is “sufficiently remote” and thus impact will be “ignored”
- The impact on road safety and public safety due to additional traffic
- The impact on the already congested local road network (new junction will seriously interrupt traffic flows on Wellington Road) and the wider road network (Bridge of Dee, Wellington Road, Charleston flyover, Redmoss Road)
- The developer should have to pay for all infrastructure / road improvement costs
- Local transport links are inadequate (bus, walking, cycling and rail) and thus will be inaccessible for many supporters
- First Bus cannot provide enough buses
- Additional travel to the site would cause greenhouse gas emissions
- AWPR should be built before consideration is given to a stadium on this site
- Staff buses should be provided
- During match times access for emergency vehicles will be impeded
- The suggested modal shift away from the car is utterly unrealistic (comparative data for other similar stadia should be examined)
- Insufficient on-site car parking
- There will be overspill car parking into adjacent residential areas
- How could the extensive parking control zone be enforced?
- Parking restrictions should not be imposed on residents – inconvenience to residents
- The proposed on-site car parking layout is contrived – the remote area to the north should be omitted (it could encourage fans to take a direct route across the Balmoral Group premises – health and safety risk)
- The use of Park & Ride sites would be at the expense of others
- The TA depends upon four Park & Ride sites that are not in existence
- The industrial estates could be used for car parking
- Threatens a public right of way and core paths
- Fans trespassing on Parkhead Farm.

Residential amenity

- Impact on residential amenity due to noise disturbance from concerts, anti-social behaviour, violence and drunkenness of football fans/concerts goers, increased traffic, overspill parking and litter

- The stadium would be too close to houses
- Security concerns
- Operators of mobile catering facilities would come into the neighbouring residential areas, “drawing the trouble to our very doorsteps”.

Design and size of stadium

- Over development of the small site
- The stadium is a “monstrosity”, a “blot on the landscape”
- The size and height of the development
- The bright colour of the façade
- A 21,000 seat stadium is too small – a larger stadium 30,000 to 40,000 would provide the City and North East with a facility to host major events
- The stadium should include a running track
- Insufficient on-site facilities for fans
- There should be no external lighting or under pitch heating in order to reduce carbon footprint.

Other matters

- Difficulties of policing fans in and around the stadium for concerts
- The social aspects of a stadium in City Centre will be lost
- Detrimental impact on city centre shopping
- The term “community stadium” is misleading – it will not be a community facility, but a commercial enterprise for Aberdeen FC
- Possible conference and other events would compete with AECC
- Public money should not be used to fund the stadium, which would go against Government competition principles
- No analysis of the noise impact on farming (Parkhead Farm)
- Insufficient infrastructure (water and sewer) to serve the development
- Proximity to recently approved Balmoral Park – it would adversely affect the “attractiveness and operation of the business park”, additional events will impact on the business park due to noise, nuisance and traffic congestion.

ADDITIONAL ISSUES RAISED AT THE PRE-DETERMINATION HEARING

The applicant

The case in favour of the proposed stadium made by the representatives of Aberdeen FC at the Hearing can be summarised as follows. The current home of the football club, Pittodrie Stadium, is long past its sell by date and is major burden, in terms of ongoing maintenance, on the running costs of the club. The stadium is “not fit for purpose in the 21st Century” and does not give the right image for the club or Scotland’s third largest City. A new modern stadium capable of attracting and staging major national and international events is required that demonstrates the club and the City have real ambitions. The City and the North East has ambitious plans for growth and now there is a need to start delivering on those plans. A new inspirational stadium with community facilities would be beneficial for everyone in the City and the North East. It can be delivered in a way that has minimal cost and risk for the Council. A survey in

2006 demonstrated the club contributes in the region of £8 million to the local economy each year and directly supports around 350 full time equivalent jobs. A new stadium would increase this substantially. The redevelopment of Pittodrie was ruled out many years ago. To meet the standards in the “Green Guide” for new stadia, the resultant capacity of a new stadium at Pittodrie would be around 12,000. The build cost would be close to that of a new stadium at Loirston. It would need to be phased over 3-4 years and would cause major disruption to the club. It would be virtually impossible for the club to fund the redevelopment of Pittodrie as the potential development value of the site would be lost. With the success of the new Sports Village, the new stadium, combined with the Calder Park development, would give Aberdeen and the North East one of the best sporting facilities in UK and one of the best soccer centres in Europe. If planning permission is not granted there would be severe consequences for Aberdeen FC, which would face a very bleak future. Loirston is the right location and is supported by the structure plan and emerging local development plan. There is a robust business case. Despite the comprehensive consultation there are less than 150 objections.

The position of the new stadium was informed through discussions with Architecture & Design Scotland and other stakeholders. Its location, which would be set away from the loch, would ensure it forms a landmark gateway to the City and would allow its design to be celebrated. The findings of the EIA was used to ensure the design has been integrated into the existing landscape setting, retaining existing features where possible. The ecological value of the site has also been considered carefully and where significant impacts are anticipated, there would be mitigation measures to avoid, reduce or offset the impacts. The design of the stadium is a fantastic opportunity to create something special for Aberdeen FC, its supporters, the City and the North East. The club wants to create a landmark which is unique and inspirational. Simple, bold shapes and colour have been used to make a strong and bold statement which would be instantly recognisable and synonymous with Aberdeen FC and the City. The stadium would deliver significant improvements in facilities for supporters – all seated (and covered), no columns to obstruct sightlines, improved safety and comfort, better legroom, quicker access and egress to/from seats safer and quicker escape in an emergency better quality and quantity of catering and toilet facilities, increased space for wheelchair users and improved hospitality and bar facilities. Aberdeen FC has in the region of 1,000 corporate fans, which proportionally is considerably more than any other Scottish club. There would be access to the facilities for local people. Space would be made available for community uses (some 20-30,000 sq ft), although during the consultation exercise no specific uses were identified. Space for community use would in some cases be provided free. Other space would be at low cost.

Nigg and Cove & Altens Community Councils

The presentations made by the respective representatives of the Community Councils summarised and reiterated the objections, concerns and comments made in their written consultation responses. No new substantive issues were raised.

The objectors who appeared at the Hearing

13 members of the public appeared at the Hearing to express their objections to the proposed stadium. In general, the speakers reiterated the objections and concerns expressed in their written representations. However, the following matters were raised in addition to those listed under the section above on representations.

- The Opportunity Site identified in the Proposed Aberdeen Local Development Plan does not specifically mention a stadium.
- The proposed Controlled Parking Zone cannot control parking on private land.
- The planning application for the redevelopment of Pittodrie for housing should not have been lodged at this stage.
- There is a legal prohibition on building within 50 metres of the loch.
- The planning process is developer-led and not impartial or independent.
- There are concerns regarding the safety of cyclists on Wellington Road.
- The RSPB should have been consulted on the impact on birds.
- The proposal would not benefit the whole of Aberdeen as less than 5% of the population attend football matches.

PLANNING POLICY

National Policy and Guidance

The second National Planning Framework for Scotland (NPF2) is a material consideration in determining planning applications. NPF2 recognises that Aberdeen has a key role as a driver of economic activity and states that the primary aim for Aberdeen and Aberdeenshire is to grow and diversify the economy, making sure the region has enough people, homes, jobs and facilities to maintain and improve its quality of life.

Scottish Planning Policy (SPP) is the statement of Government policy on land use planning and includes the Government's core principles for the operation of the planning system and concise subject planning policies. The general policies on sustainable economic growth and sustainable development and the subject policies relating to economic development, landscape and natural heritage, open space and physical activity, green belts and transport are relevant material considerations.

Designing Places is the statement that sets out the Government's expectations of the planning system to deliver high standards of design in development projects and is a relevant material consideration.

Aberdeen City and Shire Structure Plan

The structure plan sets out the following key objectives:

Economic growth – to provide opportunities which encourage economic development and create new employment in a range of areas that are both appropriate for and attractive to the needs of different industries

Quality of the environment – to make sure new development maintains and improves the region’s important built, natural and cultural assets

Sustainable mixed communities – to make sure that new development meets the needs of the whole community, both now and in the future and makes the area a more attractive place for residents and businesses to move to.

Accessibility – to make sure that all new developments contribute towards reducing the need to travel and encourage people to walk, cycle or use public transport by making these attractive choices.

The structure plan proposes a number of specific projects that will help achieve the vision for the North East. A new community stadium is one such project, being a regionally important facility which will bring economic, social and cultural benefits. Two potential sites are identified on the Key Diagram - one in the City Centre and one near to the southern edge of the City.

Aberdeen Local Plan

Clearly with a project of this scale a significant number of local plan policies are relevant in the consideration of the proposal. The most relevant policies are set out below.

Policy 1 ‘Design’ – To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. Factors such as scale, massing, colour, materials, details, the proportions of building elements and landscaping will be considered in assessing this.

Policy 2 ‘Landscape Design’ - The City Council will require details of a landscape design scheme compatible with the scale and character of the overall development to be submitted as part of any planning application.

Policy 8 ‘Design and Policy Guidance’ - All development is expected to be designed with regard to any of the City Council’s published supplementary guidance which is relevant to it.

Policy 20 ‘Waste Facilities in New Development’ - Planning permission will not be granted for developments unless proper provision has been made within or close to the application site for source segregation for recyclables, compostible matter and residual waste and adequate access thereto.

Policy 23 ‘Eco Development’ - In assessing planning applications for new developments the City Council will give favourable weight according to the degree to which they further the interests of sustainable development.

Policy 27 ‘Air Quality’ - Air quality assessments shall be required for proposed developments which could have significant effects on local air quality. The requirement will be assessed on a case-by-case basis throughout the City but will apply particularly to major developments on or adjacent to the streets which form the Air Quality Management Area, or which would not be adjacent to that area but could generate additional motor vehicle traffic passing through it. There shall

be a presumption against developments which would have significantly adverse impacts on air quality in the Air Quality Standards.

Policy 28 'Green Belt' - No development will be permitted in the green belt for purposes other than those essential for agriculture, forestry, recreation, mineral extraction or restoration or land renewal. All proposals for development in the green belt must be of the highest quality in terms of siting, scale, design and materials. All developments in green belt should have regard to other policies of the local plan in respect of protection of landscape, trees and woodlands, natural heritage and pipelines and control of major accident hazards.

Policy 29 'Green Space Network' – The City Council will protect and enhance the wildlife, recreational, landscape and access value of the green space network. Proposals for development that is likely to destroy or erode the character or function of the green space network will not be permitted.

Policy 31 'Landscape Protection' - One of the objectives of planning for future development will be to maintain and manage aspects of Aberdeen's unique landscape setting. Development will not be acceptable unless it avoids: (i) adversely affecting landscape character and elements which contribute to, or provide, a distinct 'sense of place' which point to being either in or around "Aberdeen" or a particular part of it; (ii) obstructing views of the City's townscape, landmarks and features when seen from publicly accessible vantage points such as roads, railways, recreation areas and pathways and particularly from the main city approaches or 'gateways'; (iii) disturbance, loss or damage to recognised recreation, wildlife or woodland resources or to the physical links between them; or (iv) sprawling onto green spaces or buffers between places or communities with individual identities and those which can provide opportunities for countryside activities. All developments shall respect the quality of the local landscape character and contribute towards its maintenance and enhancement in terms of siting, scale, massing, colour, design, density, orientation, materials, planting/landscaping and boundary treatment. They should otherwise be capable of being absorbed within sites without significant adverse impacts upon existing landscape elements, including linear and boundary features or other components, which contribute to local amenity, and provide opportunities for conserving, restoring or enhancing them.

Policy 34 'Natural Heritage' - Development that has a significant adverse impact on a local or regional designation will not be permitted unless its public interest at a regional level clearly outweighs the ecological value of the area and that no alternative area can be found for the development by means of a sequential approach. Development will not be permitted if it causes significant damage to species and habitats identified as national priorities for conservation as summarised in the North East Biodiversity Audit or those included in the North East Local Biodiversity Action Plan (LBAP). The only exception is where the public interest of a proposal clearly outweighs any adverse impacts on nature conservation interests and where it is demonstrated that no suitable alternative areas are available. In all cases, satisfactory steps must be taken to mitigate negative development impacts on designated areas and priority habitats and species. Outwith areas hosting these priority species and habitats and where potentially damaging impacts are identified, developers will be required to modify their proposals in terms of location, design or layout in order to minimise damage or in order to enhance the management regime for the relevant area to support

the aims of the LBAP. The landscaping of new developments shall incorporate a proportion of native species to maintain and enhance wildlife interest, and provide habitats for wildlife that might otherwise be disturbed as a result of development activity.

Policy 35 'Access and Recreation Areas' - The City Council will protect and enhance access to the green space within and around Aberdeen through the protection and improvement of footpaths, cycle paths and bridle-ways. The City Council will designate a Core Path Network and protect it and other informal routes from development. Development around the edge of Aberdeen must ensure that links between rural and urban areas are maintained. New development should not compromise the integrity of existing or potential recreation areas. Where development is proposed, every opportunity should be taken to improve pathway access and links to green space.

Policy 48 'Sports Facilities' - Sport and recreational facilities will be acceptable where it can be demonstrated that: (i) they are not detrimental to the natural or built environment or to residential amenity; (ii) locations are accessible to the catchment population, giving priority to walking, cycling and public transport; (iii) public access arrangements can be maintained, enhanced or, where appropriate, provided in a convenient location in the vicinity of the development; and (iv) the impact of floodlighting and appearance of any associated structures would not adversely affect the amenity of nearby residential properties or the character of the area.

Policy 72 'Use of Appropriate Transport Modes' - There shall be a presumption against developments, including transport developments not required for urgent safety reasons, which would be likely to increase the proportion of trips made in the City by private car. In assessing likely modal split account must be taken of the quality of linkages of a site to all parts of the City by public transport, cycling and walking, and not just of the physical possibility of access to a site by other means than the private car.

Policy 73a 'Vehicular Access to New Development' - Applicants will be required to mitigate adverse impacts that are created by traffic accessing new developments. Mitigating measures may include green transport plans and other traffic-reducing measures. Applicants will require to demonstrate to the satisfaction of the Council that new developments will not compromise road safety or unduly disrupt the flow of traffic, particularly on trunk roads and primary distributor routes.

Policy 75 'Transport Provision within Development' - Non residential development should provide up to the maximum number of parking spaces permitted in the Supplementary Guidance on Transport. Developers will be required to mitigate adverse effects outwith the development that will arise as a result of providing fewer spaces than the maximum permitted. Developers must provide secure bicycle and motorcycle storage and goods vehicle delivery space in line with the standards set down in the supplementary guidance on transport. Walk and cycle routes within a development should be direct, attractive, safe and secure.

Policy 77 'Green Transport Plans' - A green transport plan must be submitted with all proposals for major development and with other proposals where such a

plan is likely to be particularly beneficial. Green transport plans will include targets for minimization of travel and reduction in reliance on private car trips.

Aberdeen Local Development Plan - Proposed Plan

The Aberdeen Local Development Plan - Proposed Plan was published for consultation on 24th September 2010, with comments on the plan invited until 17th January 2011. The Proposed Aberdeen Local Development Plan is a material planning consideration. In accordance with Circular 1/2009 'Development Planning', the Proposed Plan represents the Council's settled view as to what should be the final adopted content of the plan.

The majority of the application site falls within Opportunity Site OP77: Loirston. The Proposed Plan states "*Loirston is considered suitable for a new community stadium and a site has been identified to accommodate this as part of a mixed use area. The site can also accommodate 1,500 homes and 11ha of employment land.*" A small section of the site lies within Opportunity Site OP80: Calder Park. The Proposed Plan identifies that site for a new stadium and sports facility.

The following policies are relevant to the consideration of the proposal.

Policy LR1 'Land Release Policy' – Housing and employment development on sites allocated in Phase 1 will be approved in principle within areas designated for housing or employment. Development on an allocated site or in close proximity to an allocation that jeopardises the full provision of the allocation will be refused.

Policy I1 'Infrastructure Delivery and Developer Contributions' – Developments must be accompanied by the infrastructure, services and facilities required to support new or expanded communities and the scale and type of developments proposed.

Policy T2 'Managing the Transport Impact of the Development' – New developments will need to demonstrate that sufficient measures have been taken to minimise the traffic generated.

Policy D1 'Architecture and Placemaking' – To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. Factors such as siting, scale, massing, colour, materials, details, the proportions of building elements, together with the spaces around buildings, including streets, squares, open space, landscaping and boundary treatments will be considered in assessing that contribution.

Policy D3 'Sustainable and Active Travel' – New development will be designed in order to minimise travel by private car, improve access to services and promote healthy lifestyles by encouraging active travel. Development will maintain and enhance permeability, ensuring opportunities for sustainable and active travel are both protected and improved. Access to and movement within and between new and existing developments will prioritise transport modes in the following order – walking, cycling, public transport, car and other motorised vehicles. Existing access rights, including core paths, rights of way and paths in the wider network will be protected and enhanced.

Policy D6 'Landscape' – Development will not be acceptable unless it avoids (1) adversely affecting landscape character and elements which contribute to, or provide, a distinct 'sense of place' which point to being either in or around Aberdeen or a particular part of it; (2) obstructing views of the City's townscape, landmarks and features when seen from publicly accessible vantage points; (3) disturbance, loss or damage to recognised recreation, wildlife or woodland resources or to the physical links between them; and (4) sprawling onto green spaces or buffers between places or communities with individual identities and those which can provide opportunities for countryside activities.

Policy CF2 'New Community Facilities' – Proposals for new community facilities shall be supported, in principle, provided they are in locations convenient to the community they serve and are readily accessible, particularly to public transport, pedestrians and cyclists.

Policy RT1 'Sequential Approach and Retail Impact' – All retail, commercial, leisure and other development appropriate to town centres should be located in accordance with the hierarchy and sequential approach as set out in the supplementary guidance. Proposals serving a catchment area that is city-wide or larger shall be located in the City Centre.

Policy RT2 'Out of Centre Proposals' – Retail, commercial, leisure and other development appropriate to town centres, when proposed on a site that is out-of-centre will be refused planning permission if it does not satisfy all of the following requirements: (1) no other suitable site in a location that is acceptable in terms of policy RT1 is available or is likely to become available in a reasonable time; (2) there will be no significant adverse effect on the vitality or viability of any retail location listed in the supplementary guidance; (3) there is, in qualitative or quantitative terms, a proven deficiency in provision of the kind of development that is proposed; (4) the proposed development would be easily and safely accessible by a choice of means of transport using a network of walking, cycling and public transport routes which link with the catchment population; and (5) the proposed development would have no significantly adverse effect on travel patterns and air pollution.

Policy NE8 'Natural Heritage' – Development that, taking into account any proposed mitigation measures, has an adverse effect on a protected species or an area designated because of its natural heritage value will only be permitted where it addresses the criteria set out in Scottish Planning Policy. These include local designations, European Protected Species and species protected under the Wildlife and Countryside Act 1981. An ecological assessment will be required on a designated site or where there is evidence to suggest that a habitat or species of importance exists on the site. No development will be permitted unless steps are taken to mitigate negative development impacts.

Policy NE9 'Access and Informal Recreation' – New development should not compromise the integrity of existing or potential recreational opportunities including access rights, core paths, other paths and rights of way. Where development is proposed, every opportunity should be taken to improve public access, permeability and links to green space for recreation and for active travel.

Policy NE10 'Air Quality' - Planning applications for development which has the potential to have a detrimental impact on air quality will not be permitted unless

measures to mitigate the impact of air pollutants are proposed and can be agreed with the planning authority

Policy R7 'Low and Zero Carbon Buildings' – All new buildings, in meeting building regulations energy requirements, must install low and zero carbon generating technology to reduce the predicted carbon dioxide emissions by at least 15% below 2007 building standards.

Supplementary Planning Guidance (SPG)

The following SPGs are relevant material considerations – “Nature Conservation Strategy 2010-2015”, “Reducing Carbon Emissions in New Development” and “Supplementary Guidance on Transport”. The Local Transport Strategy is also a material consideration.

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where, in making any determination under the planning acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise. The development plan comprises the Aberdeen City and Shire Structure Plan and the Aberdeen Local Plan. The proposed development comprises a new 21,000 capacity all-seated sports and leisure stadium, associated car parking, access roads and landscaping on land which is currently designated as green belt in the Aberdeen Local Plan wherein there is an embargo against all development unless it falls within the categories of development specified in Policy 28 'Green Belt' of the plan or concerns uses which must be located in the countryside.

The proposed development is classed a 'major development' in terms of The Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009. The proposal is considered to be significantly contrary to the local plan by virtue of being a major development on an undeveloped site within the green belt wherein Policy 28 of the local plan applies. The application requires to be assessed in the context of that policy and the other policies mentioned above and any other relevant material considerations, including the issues raised in the comments from the consultees and in the written representations and those raised at the Pre-determination Hearing. Scottish Planning Policy (SPP) sets out the Government's core principles that underpin the modernised planning system. It states *“The system should be genuinely **plan-led** with succinct development plans setting out ambitious, long-term visions for their area (and)....provide a practical framework within which decisions on planning applications can be made with a degree of certainty and efficiency.”* It states further *“There should be a clear focus on the **quality of outcomes**....”* Notwithstanding, there is a degree of flexibility in the system. The House of Lords ruled in its judgement on *City of Edinburgh Council v Secretary of State for Scotland 1998 SLT120* that *“although priority must be given to the Development Plan in determining a planning application, there is a built in flexibility depending on the facts and circumstances of each case”*. The judgement also indicates that the development plan should be interpreted carefully looking at the aims and objectives of the plan as well as the detailed wording of policies.

An Environmental Statement (ES) was required as the development falls within Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 1999 (as amended) and exceeds the thresholds set down in the Regulations. An ES has to identify the likely environmental effects of a project through the study and analysis of individual issues, predicting and assessing the projected impacts and proposing measures to mitigate the effects. Before determining the application the Council must take into consideration the information contained in the ES, including any further information, any comments made by the consultation bodies and any representations from members of the public about environmental issues. The ES is submitted in support of the planning application but it is not part of the application itself. However, provided it serves a planning purpose, any information from the environmental impact assessment process may be material and considered alongside the provisions of the development plan. Where alternative approaches to development have been considered, the applicant is required to include in the ES an outline of the main alternatives and the main reasons for his choice. The Regulations do not expressly require an applicant to study alternative proposals and/or locations and thus the planning application must be considered in terms of the merits of the proposal and not on the merits of potential alternatives, although the existence of other feasible alternatives can be a material consideration.

Main Considerations

The main determining issue is whether the proposed development accords with the relevant provisions of the development plan and if not, whether granting planning permission would still be justified by any other material consideration including (1) Government policy as contained in the second National Planning Framework for Scotland (NPF2) and SPP, (2) the provisions of the Aberdeen Local Development Plan – Proposed Plan and (3) the economic, social and cultural benefits of a new major sports facility in Aberdeen. In assessing the acceptability or otherwise of the proposal and in relation to the development plan, the following issues require to be taken into account insofar as they are material to the consideration of the environmental impacts of the development – (a) the traffic and transportation impacts of the development, (b) the layout, scale and design of the development, (c) the visual impact on the landscape character of the area and the landscape setting of the City, (d) the impact on cultural heritage, (e) the effects on ecology, habitats and wildlife, (f) the impact on water quality and air quality, (g) the impact on residential amenity in relation to noise, light pollution and disturbance and (h) whether any adverse impacts can be adequately mitigated.

Adequacy of the Environmental Statement

Before considering the merits of the proposed development it is appropriate to comment on the ES submitted in support of the application. There is no statutory provision as to the form of an ES but it must contain the information specified in Part II and such relevant information in Part I of Schedule 4 of the Environmental Impact Assessment (Scotland) Regulations 1999 (as amended) as is reasonably required to assess the effects of the project and which the developer can reasonably be required to compile. Whilst every ES should provide a full factual description of the development, the emphasis of Schedule 4 is on the 'main' or

'significant' environmental effects to which the development is likely to give rise. An ES must comply with the requirements of the Regulations, but it is important that it is prepared on a realistic basis and without unnecessary elaboration. It is for the Council to satisfy itself on the adequacy of the ES. If it is deemed to be inadequate, then the application can be determined only by refusal. In order to establish the adequacy of the ES it has been assessed using the review package Lee N, Colley R, Bonde J and Simpson J (1999) "Reviewing the Quality of Environmental Statements and Environmental Appraisals". This involves a detailed and systematic appraisal of the content of the ES and is a widely recognised methodology. The appraisal concluded that the main environmental effects of the development have been considered sufficiently and that despite some omissions, overall the ES can be considered to be satisfactory, thus meeting the requirements of the Regulations.

Planning Policy Context

National Policy and Guidance

As stated previously the second National Planning Framework for Scotland (NPF2) is a material consideration in determining planning applications. NPF2 recognises that Aberdeen has a key role as a driver of economic activity and states that the primary aim for Aberdeen and Aberdeenshire is to grow and diversify the economy, making sure the region has enough people, homes, jobs and facilities to maintain and improve its quality of life. A new stadium would support that primary aim and could act as a catalyst for new inward investment into Aberdeen.

A core principle in SPP is "*The system should be genuinely **plan-led**....*". The Loirston Loch site is currently identified as green belt. The underlying purpose of the development plan is to guide the future use of land and the appearance of cities, towns and rural areas and indicate where development should happen and where it should not. The Aberdeen Local Plan sets out the spatial strategy for development within the City and the policies required to deliver that spatial strategy and to control inappropriate development. The local plan identifies where new development should be directed. A major sports and leisure development of the size proposed should ideally be delivered through the development plan process in accordance with Government policy for a genuinely plan-led system. Notwithstanding, the House of Lords ruling mentioned above supports flexibility in the determination of planning applications. The application must be determined on its merits in the context of the existing development plan and any other material considerations.

Increasing sustainable economic growth is the overarching purpose of the Scottish Government. SPP advises that the planning system should proactively support development that will contribute to sustainable economic growth and that planning authorities should take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals. The Government Economic Strategy sets out how sustainable economic growth should be achieved and identifies five strategic priorities that are critical to economic growth, one of which is "skills and wellbeing". Providing a new high quality sports facility to which the community would have access should contribute to an improvement in the health and wellbeing of the citizens of

Aberdeen. In this regard SPP provides strong support in principle for the proposed development.

SPP sets out the purpose of green belts, which is to direct planned growth to the most appropriate locations and support regeneration, to protect and enhance the quality, character, landscape setting and identity of towns and cities and to protect and give access to open space within and around towns and cities. However, SPP allows for some flexibility with regard to development in the green belt and advises that green belt designations “*should be used to direct development to suitable locations, not to prevent development from happening*”. It states further “*Where a proposal would not normally be consistent with green belt policy, it may still be considered appropriate.....to meet an established need if no other suitable site is available. Development in a designated green belt should be of a high design quality and a suitable scale and form*”. There is a need for Aberdeen FC to provide a new stadium given the problems there are with Pittodrie Stadium, in particular with regard to the condition of the main stand. Given the amount of land required, there is currently no other suitable site available, other than within the green belt that could accommodate the development as currently proposed. The proposed stadium has been designed to a high standard.

The detailed advice in SPP on sustainable development, economic development, landscape and natural heritage, open space and physical activity, green belts and transport are considered later in this report.

Structure Plan

A new community stadium is one of the proposals set out in the structure plan. It is seen as a regionally important facility which would bring economic, social and cultural benefits to Aberdeen and the North East. The structure plan aims to ensure that developments are realistic and viable and that proposals and projects identified make a real contribution to the region. The provision of a new stadium is such a project. It is identified as a key project, recognising the positive impact it would have on Aberdeen FC and as an asset for community use. The structure plan also recognises the significant potential a new stadium, built to modern standards, would offer to attract other sporting events and tournaments and as a venue for alternative uses.

Two possible sites are identified on the Key Diagram, which at the time the structure plan was approved by the Scottish Ministers were being investigated. The structure plan requires a site for a new stadium in identified in the local development plan and given the very size and nature of a stadium it will have to be in green belt. Although the local development plan has not yet ‘caught up’ with this structure plan requirement, a specific site for a stadium at Loirston has been identified in the Proposed Aberdeen Local Development Plan. A comprehensive and robust feasibility study and business case for the two sites was carried out and concluded that the Loirston Loch site is the only deliverable option and therefore the optimum location in Aberdeen for a new stadium. Although “deliverability” is not in the strictest sense a planning consideration, it cannot be dismissed as irrelevant, otherwise the planning system becomes merely a theoretical desktop exercise. It would make no sense if decisions were made only on this basis without taking into account the realities of whether or not developments can actually be delivered. Whilst the Loirston Loch site potentially

presents some tension with the structure plan objectives relating to accessibility and quality of the environment, it is considered that Aberdeen FC has demonstrated clearly and robustly in the supporting documents submitted with the planning application, that these matters can be satisfactorily addressed through the proposed transportation and accessibility strategy and the environmental mitigation. Also and importantly, the site at Loirston falls within one of the three Strategic Growth Areas identified in the structure plan, which are to be the main focus for development in the area up to 2030. Accordingly, the structure plan provides strong support for a new stadium at Loirston Loch, which would bring significant economic, social and cultural benefits to the whole community of Aberdeen and the North East.

Aberdeen Local Plan

The site is located within the green belt. The proposal is contrary to the terms of Policy 28 'Green Belt' as a sports stadium does not fall within the categories of acceptable developments listed in the policy. It is considered that the proposal is significantly contrary to that policy by virtue of being a major development on an undeveloped site within the green belt. Policy 29 'Green Space Network' seeks to protect and enhance the wildlife, recreational, landscape and access value of the green space network and to prevent development that would erode its character or function. The proposal would conflict with this policy on the basis that it would change significantly the natural landscape character of the site and its current function. An assessment of the proposal against the other relevant policies in the local plan is set out later in this report.

The local plan identifies land at King's Links, which also incorporates Pittodrie Stadium, as a site for a new community stadium – Opportunity site OP51. The assessment of the merits of the proposal at Loirston Loch must therefore consider whether there are other relevant material considerations to support the development at that location.

Aberdeen Local Development Plan – Proposed Plan

The Proposed Aberdeen Local Development Plan, although subject to objections, is a material planning consideration in the assessment and determination of the application. In accordance with Circular 1/2009 'Development Planning', the Proposed Plan represents the Council's settled view as to what should be the final adopted content of the plan. The application site lies primarily within Opportunity Site OP77: Loirston, with a small part being within Opportunity Site OP80: Calder Park. The Proposed Plan states "*Loirston is considered suitable for a new community stadium and a site has been identified to accommodate this as part of a mixed use area. The site can also accommodate 1,500 homes and 11ha of employment land.*" Opportunity Site OP80 is identified in the plan as a site for a new stadium and sports facility. It is considered that as Loirston has been identified for a new stadium the Proposed Plan provides strong support for the proposal. An assessment of the proposal against the other relevant policies in the Proposed Plan is set out later in this report.

Loirston is identified in Policy LR1 'Land Release Policy' as being land to be released for the development during Phase 1: 2007 – 2016.

It has been argued by the two Community Councils and a number of the objectors that consideration of the planning application is premature pending the full examination and adoption of the Proposed Plan. However, the Council has an obligation to determine the application before it in terms of the development plan and any other relevant material considerations. The Proposed Plan is a relevant material consideration.

Site Selection and Consideration of Alternative Sites

The concept of a community stadium as a joint venture between the football club and the Council was first explored in the North Beach Planning Study in 2003. The Study recommended a masterplan and feasibility study be carried out, which in due course suggested the project was possible. This was superseded by a Council decision in 2005 relating to the subsequent draft beach masterplan that no major development should take place on the King's Links. In 2006 it was agreed to develop proposals, without commitment, for a community stadium and three areas were selected for consideration – Bridge of Don, King's Links and Cove (two sites at Cove were considered – Loirston Loch and Calder Park). An Outline Business Case was carried out for each location and recommended Loirston Loch as the preferred option to be taken forward for a full feasibility study and business case.

In December 2007 the Council agreed that both Loirston Loch and King's Links should be subject to further analysis. The detailed feasibility and business case concluded that the site at Loirston Loch was the only deliverable option and therefore the optimum location in Aberdeen for a new stadium. The King's Links presented a good option in terms of sustainable transport and environment but site capacity, existing long terms leases, ground conditions and common good land issues combined to form a significant obstacle to the site being a realistic option. Loirston Loch emerged as the most deliverable option in terms of land assembly, finance and risk mitigation, as well as providing an opportunity for Aberdeen FC to locate an iconic stadium at the gateway to the City and offering space for Cove Rangers FC, training and five-a-side pitches, thereby providing the basis for a "Football Academy". The report underlined the need for Aberdeen FC to resolve the significant transport and environment issues associated with the Loirston site, as part of the process of producing a detailed design and planning application. Although the precise site assessed in the feasibility study differed from that currently being considered, the general findings of the study are nevertheless still relevant.

In May 2009 the Council resolved to note the results of the feasibility study identifying the selection of Loirston Loch as the preferred option for the location of the community stadium and agreed not to provide capital funding for a new stadium. As a result, the current planning application was lodged solely by Aberdeen Football Club. If granted planning permission, the stadium would be developed and funded by the football club.

Although the Environmental Impact Assessment (Scotland) Regulations 1999 (as amended) do not expressly require the developer to study alternatives, where such alternative approaches to development have been considered they should be outlined in the ES. In addition, SPP and Policies RT1 and RT2 of the Proposed Aberdeen Local Development Plan advocate a sequential approach to site selection for all commercial/leisure uses, unless the development plan

identifies an exception. However, SPP states there should be *“flexibility and realism from planning authorities....to ensure that different types of retail and commercial uses are developed in the most appropriate location.”* In terms of Policy RT2, it is considered that Loirston Loch is an appropriate location for a stadium, it would not significantly adversely affect any retail location, there would be qualitative and quantitative improvements in the stadium facilities, it would be accessible by walking, cycling and public transport and would have no significant impact on air pollution, thus meeting the tests listed in the policy. The ES summarises the main advantages and disadvantages of the potential alternative sites at Bridge of Don, Calder Park and King’s Links. Whilst the commentary in the ES on the analysis of these alternative sites is not particularly detailed, it was based on the comprehensive and robust analysis and feasibility study carried out by independent experts as part of the previous exploration by the Council and Aberdeen FC for a community stadium.

Several alternative sites were suggested in the written representations, including the re-development of Pittodrie, at King’s Links, at Kingswells and at Duffshill, near Portlethen, Aberdeenshire. In response to those suggestions the applicant submitted an Addendum report to its Planning Statement. Although planning permission was sought in 2002 for a site at Kingswells, it has not been considered as an option by Aberdeen FC since that time. The Council also stated earlier that Kingswells should not be reinstated as a site for a stadium. Duffshill has never been considered by the football club as it is outwith the City boundaries. Aberdeen FC has stated it would not wish to sever its links to the City and is committed to relocating within the City boundaries.

Aberdeen FC has advised that the re-development or partial re-development of Pittodrie was ruled out some considerable time ago before investigations into a new location were carried out, on the basis that it would not offer a viable or sustainable future for the club. To meet the standards in the “Green Guide” for new stadia, it is stated that the resultant capacity of a new stadium at Pittodrie would be around 12,000 and would need to be phased over 3-4 years which would cause major disruption to the club. There is insufficient space to construct a new 21,000 capacity stadium. With the build cost being close to that of a new stadium at Loirston, it would be virtually impossible for the club to fund the redevelopment of Pittodrie as the potential development value of the site would be lost. At present there are significant ongoing maintenance costs at Pittodrie which are a major burden on the club. The state of repair of the main stand has been declining for several years. The club has advised that it would unlikely be economical to refurbish the existing stand and there is insufficient space available for a replacement stand built to modern design and safety standards. A number of objectors have argued that Aberdeen FC has not made a compelling case for a new stadium. However, it is accepted that the redevelopment or partial redevelopment of Pittodrie would pose major problems for the club for the reasons set out above.

Opportunity Site OP51 (King’s Links) in the adopted local plan, which includes Pittodrie Stadium, has an area of 14.6 hectares. The site area for the current planning application is 16 hectares. It is unlikely that the current proposal could be easily adapted to fit within the OP51 boundaries. The football club has stated that finance raised through the sale of Pittodrie would be required to fund a new stadium. If area occupied by Pittodrie Stadium is not included within the boundaries of the Opportunity Site, the area available for development would be

only approximately 10 hectares, some 37% less than the area required for the current proposal. In addition, the restricted size of the King's Links site is not sufficient allow the club to provide its training facilities close to a new stadium.

Whilst the analysis of alternative sites does not demonstrate conclusively that Loirston Loch is the only site, it is the only deliverable option and therefore the optimum location in Aberdeen for a new stadium. Alternative locations can be a material consideration, but those sites would also likely encounter significant potential obstacles. It is important to emphasise that this application must be considered and determined on the basis of the merits of the proposal and not on the merits of potential alternative sites.

Economic, Social and Cultural Impacts

SPP advises that increasing sustainable economic growth is the overarching purpose of the Scottish Government. It also advises that the planning system should proactively support development, recognising and responding to economic and financial conditions in considering proposals. Specifically in relation to economic development, SPP advises that planning authorities should respond to the diverse needs and locational requirements of different sectors of businesses and take a flexible approach to ensure that new economic opportunities can be realised.

A key objective of the structure plan is to provide opportunities which encourage economic development and create new employment in a range of areas. A new modern stadium capable of attracting and staging major national and international events would have a significant positive effect on the economy of the City and support and contribute to the ambitious plans for growth set out in the structure plan. A survey in 2006 demonstrated the club contributes in the region of £8 million to the local economy each year and directly supports around 350 full time equivalent jobs. Currently, Aberdeen FC employs around 130 people. Given the expanded and improved facilities that would be provided in a new stadium it can be realistically expected that the number of full time equivalent jobs would increase substantially. Aberdeen FC estimate that an additional 15 full time direct jobs would be created at the stadium, due to the increased facilities and that the development would support an increase of least 25% full time equivalent jobs above the current 350 jobs in the wider local economy. These would be in addition to the considerable number of jobs created during the construction of the development, which the football club estimate would be over 200 jobs at the peak of construction, the majority of which would be from the North East. It is estimated that in the region of £25 million would be expended in the local economy during the construction phase. Aberdeen FC has indicated that the contractors would be directed to maximise community benefits arising during the construction of the stadium through engaging with local businesses, recruiting local apprentices and operatives and delivering life long learning opportunities.

Staging international football and rugby matches and concerts would attract large numbers of people to Aberdeen from outwith the City and region, delivering significant boosts to the local economic. For example, a report commissioned by Scottish Enterprise Grampian to examine the economic benefits of a friendly international football game between Scotland and Nigeria in 2002 concluded that the gross expenditure in the Aberdeen economy was £450,000. It was further

estimated that the expenditure generated some £700,000 in terms of increased output for the economy. Allowing for inflation, those figures would be substantially greater today. The football club estimate that hosting one major event (a football or rugby international match or a pop concert) per season would generate in excess of £1 million for the local economy. From evidence of other new stadia around the UK it can be anticipated that in the initial years following the opening of the stadium there would be a significant increase in the number of supporters attending football matches. It is reasonable to expect a resultant increase in expenditure in the local economy.

The commitment by Aberdeen FC to provide space within the stadium for community use at either no or low cost to users is welcomed and would be beneficial to not only local residents but potentially to the whole community of Aberdeen. Although no specific community uses have yet been identified, the stadium offers the opportunity for a wide of range of uses and social activities.

The design of the stadium would allow concerts to be held. A new, modern and large facility would be a welcome addition to the range of existing music and cultural venues in the City and could potentially make Aberdeen a more attractive destination for performers and bands. Holding concerts would undoubtedly attract many people from outwith Aberdeen and the North East, contributing to and supporting jobs in the local economy.

The Traffic and Transportation Impacts

SPP advises *“Development should be supported in locations that are accessible by walking, cycling and public transport, making best use of or adding to existing networks and creating new networks”*. It also advises that the amount of car parking should be controlled in order to encourage more sustainable travel choices and reducing reliance on the car. Structure plan objectives and local plan policies also seek to ensure that all new developments contribute towards reducing the need to travel, in particular by private car and to encourage people to walk, cycle or use public transport. Crucial to this is ensuring that walking, cycling and using public transport are attractive choices. Key objectives of the Council’s Local Transport Strategy and Supplementary Guidance on Transport is to limit car parking to the maximum number specified in the Council’s parking standards and to put in place measures to enhance the opportunities for people to walk, cycle or use public transport. As is explained below, an integral part of the proposal is a significant enhancement to the existing pedestrian and cycling facilities in the vicinity of the stadium. There would also be extensive bus provision delivered through the Bus Management Plan. As a result of these measures and the overall transportation strategy for the development, it is considered that the proposal complies with the underlying aims and objectives of SPP, the Local Transport Strategy and the transport policies in the development plan.

Traffic Impact Assessment

A detailed traffic impact assessment has been carried out for the road network. It considered the impact on the immediate and wider road network. The transportation consultant utilised the Council’s “Access from the South” Paramics model in the assessment of the extended network and analysed the local network performance of the A956 Wellington Road between the proposed junction and

the roundabout junction of Langdykes Road and Southerhead Road using a traditional modelling application. The emphasis in the analysis was on the use of the stadium for football and major events. Although the planning application also includes a small element of general office use which would attract daily trips to the site, that use is considered to be ancillary to main use and would not have a negative impact on the local network.

When considering matches and events at the proposed stadium the highest level of existing background traffic occurs in the evening peak with the exception of the A90 / Bridge of Dee which has comparable volumes for the evening peak and Saturday mid day peak period. The traffic modelling that has been carried out considered an evening match with a maximum attendance 21,000, commencing at 7.00 pm when general traffic levels on the A956 and wider network are at their highest. The Paramics modelling was revisited after the Pre-determination Hearing. It has predicted that additional delays to journey times will occur on the A90 at the Bridge of Dee (southbound) and on Wellington Road (southbound). The additional delays would be in the order of 9 minutes and 73 seconds respectively. However, the delay on the A90 southbound approach to the Bridge of Dee indicated by the recent traffic modelling is considered to be excessive and is a function of the model's constraints. In practical terms this level of additional delay is unlikely to be realised and is influenced by the lack of route choice due to its location at the perimeter of the model. In reality, drivers would have a number of options for crossing the River Dee. It is considered that queuing and congestion levels on both the local and wider road network could be managed with the exception of the Bridge of Dee. Notwithstanding, Transport Scotland has not raised any objections or concerns regarding the additional traffic on the A90 trunk road. Also, the traffic modelling was carried out without the Aberdeen Western Peripheral Route, which when implemented, would result in less congestion and improvements to the traffic flows.

Although the traffic modelling was carried out for a 7.00 pm kick off, most evening games are scheduled to commence at 7.45 or 8.00 pm. As a result the impact on the road network of traffic generated by matches would be significantly reduced. In addition, the modelling and analysis carried out considered the worst case scenario of the stadium being full. With the exception of 'Old Firm' matches, which would be likely to occur 4-5 times a year, it is anticipated that the attendance for standard SPL matches would be in the region of 14,000. This is 30% below the modelled scenario and thus it can reasonably be concluded that the traffic impact for the majority of matches would be of a considerably reduced scale. Thus the predicted delays to journey times would also be reduced. Given that matches and events would be likely to occur on only 25-30 occasions per year and that the impact on the road network in terms of congestion and delays to journeys is predicted not to be substantial, it is considered that the traffic impacts arising from the use of the stadium would be within acceptable limits.

Public Transport - Access Strategy

The cornerstone of the transportation strategy for the stadium is extensive bus provision to take supporters from and back to the City Centre before and after matches. It is considered that public transport on match days is vital to the delivery of a successful transportation strategy for the proposed application. A revised Bus Management Plan was submitted as part of the supplementary TA submission. It identified five principal pick up points – three centrally within the

City Centre with a further two at the park and ride sites of Kingswells and Bridge of Don. For normal match attendances some 80 buses would be required with this increasing to a maximum of 120 for 'Old Firm' matches. First Aberdeen has confirmed that it would take the role of the bus co-ordinator and would provide the necessary buses and drivers through locally sourced operators to fulfil the requirements of the Bus Management Plan. Given that the opening of the stadium for use would likely be 2-3 years after the granting of planning permission, it is not realistic at this stage to develop a detailed Bus Management Plan. Notwithstanding, the principles of the Bus Strategy already established are acceptable. The football club has proposed that a Steering Group be established which would include representatives of the City Council, Grampian Police, First Group and Aberdeen FC. The Steering Group would develop an agreed Bus Management Plan prior to the opening of the development and would review and revise the strategy once implemented. This approach is acceptable and can be delivered through a legal agreement entered into by Aberdeen FC.

With respect to the day to day uses of the stadium and ancillary uses, a shuttle bus, funded by the applicant, is proposed to operate at peak periods between the local bus services and the site until such times as a frequent service on the A956 Wellington Road is available.

On-site Car Parking and Parking Controls

In line with both local and national parking standards a maximum of 1,400 on site car parking spaces would be provided within the site. This would be supplemented by adequate parking for the disabled users. An area of parking to the east of the site would be given over to coach parking for 80 coaches during 'Old Firm' matches, which would reduce the number of car parking spaces during those matches to approximately 1,250 spaces. Separate coach parking for home fans would be provided in the northern part of the site. The number of car and coach parking spaces is acceptable. The location, design and layout of the parking areas are satisfactory.

The level of traffic that would be generated by the proposed stadium would be directly related to parking controls both internal and external to the site. In order for the proposed transportation strategy to be delivered successfully it would require a match day Controlled Parking Zone (CPZ) to be implemented over an area of the surrounding local road network approximating to a walk distance of some 30 minutes. This area would extend to and include all of the residential area within Cove / Altens and a southern portion of Kincorth. The football club has indicated it would fund the implementation, maintenance and enforcement of the CPZ. The implementation of the CPZ is critical, not only for the delivery of a sustainable transport solution, but also to ensure that traffic generation levels are maintained at a level that would not have a largely detrimental impact on the level of network congestion and delay that would otherwise occur. Without a CPZ local roads would be utilised for parking by supporters, potentially causing significant problems of obstruction and adversely affecting residential amenity. It should be noted that the progression and approval of a Traffic Regulation Order falls out with the planning process and the legal procedures would take some 12-15 months to conclude.

Concerns have been raised by a number of objectors that supporters could park within the industrial areas of Tullos and Altens. If that was to occur, the match

day restrictions could be extended to address this potential problem. Concerns have also been raised with regard to the ability of those attending the stadium to park in private car parks within the industrial area. It is acknowledged that private off street parking does exist and could potentially be utilised by those attending events at the stadium, but it is considered unlikely to be significant. The incentive to use public transport that would offer direct services from the City Centre and surrounding areas should, in practice, be seen to be more convenient for supporters. A 15 minute bus journey from the City Centre would be quicker than driving to the industrial estates, searching for a parking space followed by a 30 minute walk.

Match Day / Event Traffic Management

Concerns have been raised by both Grampian Police and roads officers with regard to the management of the road network on match days and in particular the ability to respond effectively to changing road conditions. The proposed junction on the A956 would be incorporated within the Councils Urban Traffic Signal Control (UTC) system that would monitor and manage network changes. Strategically placed CCTV cameras, funded by the football club, linked to the UTC operations room would be used by roads officers to monitor and prioritise movements to efficiently manage traffic. Drop off and pick up facilities would be incorporated within the internal road layout for the development. However, there is a concern regarding vehicles stopping on Wellington Road to drop off and pick up attendees at the stadium. It would therefore be prudent to introduce a Clear Way over the section of Wellington Road from its junction with Langdykes Road to the Charleston flyover in order to address this matter.

As a result of the additional traffic during matches and events there might be potentially an impact on access arrangements and emergency response times with regard to the fire station on Souterhead Road, although Grampian Fire & Rescue has not raised any objections to the proposal. However, this could be addressed by a scheme to provide priority access for emergency fire response vehicles. This could be a "Green Wave" through the traffic signal installations on Wellington Road, similar to the operational arrangements at the North Anderson and Mounthooly Way fire stations.

An internal road network linking the access junctions and serving the car parking is proposed and would be managed by the applicant on match days and would be subject to internal traffic management measures. The proposed link road would support the necessary public transport uses. Bus stops and laybys have been incorporated within the layout to meet the significant match day demands. Preliminary internal traffic management proposals, particularly for major events, are generally acceptable.

Pedestrian and Cycle Facilities

Pedestrian and cycle access would be provided via a network of footway links with pedestrian and cycle priority integrated within the design layout. The right of way that traverses the site from Wellington Road to Redmoss Road would be retained and upgraded to allow shared pedestrian and cycle use. Secure and covered storage facilities for 60 cycles would be provided within the site.

The pedestrian infrastructure on the main corridor of the A956 Wellington Road would be improved with the provision of a combined footway/cycle way on the west side, from the proposed new junction on the A956 to the roundabout junction of Southerhead Road / Langdykes Road. The capacity of the footway links on the A956 has been assessed and been shown to cater for the volume of supporters that are anticipated to attend matches. Given the low level of cycle movements and the frequency and duration of high pedestrian activity it is felt that the any conflicts between cyclists and pedestrians could be managed through due care and attention of the users with nominal delay to cyclists.

Pedestrian safety with respect to vehicular/pedestrian conflict on Wellington Road was initially raised by Grampian Police. However, that concern has now been addressed following the football club confirming its willingness to install pedestrian barriers over the section of the A956 from the proposed junction to the Southerhead Road / Langdykes Road roundabout, in recognition of the concern and in the interest of road safety. Wellington Circle will also serve as a principal point of pedestrian access. The existing pedestrian infrastructure on this link is considered adequate to accommodate the likely pedestrian movements during match days. Signal controlled pedestrian/cycle crossing facilities are proposed to be incorporated within the new access junction on Wellington Road and would be designed with crossing widths to cater for the pedestrian demand. Pedestrian/cycle access and safety would be supported by signal controlled crossings on the Wellington Road immediately to the south of Langdykes Road and on Langdykes Road and Southerhead Road approaches to the roundabout junction. The proposed provision of the pedestrian and cycle facilities would provide safe and adequate access to the stadium. Pedestrian movements from the Kincorth area are likely to be generated and this matter does raise a road safety concern with the potential for conflict between pedestrian movements and vehicular traffic on Redmoss Road on match days. The football club has indicated a willingness to fund the introduction of traffic restrictions that would limit the use of Redmoss Road by through traffic and improve the local environment and safety. There would also be improvements to the core path network in order to enhance pedestrian and cycle accessibility to the development.

The Layout, Scale and Design of the Development

A design statement was lodged in support of the planning application. It explains the rationale behind the design and layout of the development arising from the overall vision of creating an iconic gateway from the south, constructing a state of the art sports and leisure stadium which would also be a community resource, providing a catalyst for regeneration and an opportunity for economic development and creating a facility that could attract national and international events. Architecture & Design Scotland (A+DS) were consulted at an early stage in the design process. Its Design Review Panel considered it critical that a strong vision for this area be established to exploit the area's inherent natural qualities and to allow for a coherent masterplan to be developed for the stadium site and the adjacent future neighbourhood. The Panel acknowledged the design of a new sports arena for Aberdeen FC presents an exciting development opportunity for the City and focus for a new neighbourhood. This led to two workshops independently facilitated by A+DS and involved Council officers, landowners and their respective agents and resulted in establishing key principles to inform future development of the area. These included the principles for a future development framework for the area to be developed as supplementary guidance to the

Aberdeen Local Development Plan. The principles included the relationship of the stadium to the potential future new neighbourhood, the relationship to the natural environment, design and accessibility in order to ensure that the stadium contributes positively to potential future development of a new neighbourhood at Loirston Loch.

The overall design concept of the proposed stadium is well executed. The concept outlined in both the workshops and the draft development framework contains key issues that should be addressed: “A prominent building with iconic architecture” and “A source of civic pride”. This has been achieved. The overall building form is simple, elegant and clutter-free. The sparing use of colour complements the football club’s identity and aids in signposting and orientation, and in determining the principal façade of the building. The simplicity of the stadium roofline is considered a very positive aspect. The perception of a floating roof is commendable and will be particularly effective at night, when illuminated. The different treatment to the principal entrance may erode the purity of the design but it is recognised that this corner was designed to aid integration with the potential future development of the adjacent community. The design is bold and iconic and would make a positive impression as a gateway to the City, celebrating monumentality and simplicity in design. The design is unique and would become instantly recognisable and synonymous with Aberdeen FC and the City of Aberdeen. The stadium would, by necessity, be a large building with a significant visual impact. However, given the quality of the design of the stadium and the landscape setting, it should be a prominent feature in the landscape. The views from Wellington Road across Loirston Loch would be of a striking and quite stunning landmark building.

Strong support for the proposal has come from A+DS and Aberdeen City and Shire Design Review Panel, describing the proposal respectively as an exciting development opportunity for the City and focus for a new neighbourhood and an iconic building that would make a positive impression as a gateway to the City.

The general layout of the development and the position of the stadium relative to Wellington Road, Loirston Loch and adjacent business premises are considered to be acceptable.

The Climate Change (Scotland) Act 2009 requires planning authorities to act in a way best calculated to contribute to the delivery of the emissions targets in the Act and in a way that it considers is most sustainable. SPP advises “*The design of new development should address the causes of climate change by minimising carbon and other greenhouse gas emissions*“. In addition to the use of microgenerating and renewable energy systems, SPP highlights the significant contribution that energy efficient designed buildings can make towards reducing emissions. The stadium has been designed to allow the incorporation of a range of measures to reduce carbon emissions. This would be a mix of energy efficiency measures to reduce the demand for energy and the use of low and zero carbon generating technologies. It is indicated in the Carbon Reduction Measures Report submitted by the applicant that the measures could potentially include air or ground heat pumps, combined heat and power plant, solar thermal hot water and high efficiency lighting. It is estimated that the percentage reduction in carbon emissions from the 2007 Building Regulations standard would be 32%, thus exceeding the reduction required in the Council’s SPG

“Reducing Carbon Emissions in New Development” and Policy R7 of the Proposed Aberdeen Local Development Plan.

“Designing Places” sets out the Government’s expectations of the planning system to deliver high standards of design. It lists what the Government considers to be successful places, including being ‘distinctive’, ‘safe and pleasant’, ‘easy to get to and move around’ and ‘welcoming’. The design of the stadium and the layout of the development generally meets these broad objectives. The proposal also complies with the aims of Policy 1 of the adopted local plan and Policy D1 of the Proposed Aberdeen Local Development Plan.

Policy 28 of the adopted local plan requires all proposals in the green belt to be of the highest quality in terms of siting, scale, design and materials. Notwithstanding the acceptability or otherwise of the principle of a stadium on this site, a development of this scale would inevitably be difficult to be unobtrusive. However, the quality of the design and the choice of external finishes, together with the extensive landscaping are such that the proposal would be of high quality. Whilst the impact on the character of the green belt would be significant, it would be localised.

Landscaping

The application is supported by a Landscape Design Statement, drawings showing areas of soft and hard landscaping and an indicative planting list. Extensive landscaping is proposed which would soften the visual impact of the stadium and help it to integrate with the existing landscape setting. New mounding up to 3.5 metres high and planting would be included to provide screening to the car park areas when viewed from Wellington Road. In total, it is proposed to plant over 430 trees, 2,000 linear metres of hedging and some 12,000sqm of shrubs and ground cover planting. The proposal complies with Policy 2 ‘Landscape Design’ of the adopted local plan.

There would also be extensive areas of hard landscaping (roads, car parking and circulation area around the stadium). A ‘plaza’ next to the main entrance to the stadium would be provided. It has been designed to be initially landscaped on its south west edge, but with a proposal to extend the plaza up to the site boundary to allow integration with any future new community that may be developed on the adjacent land. This proposal is welcomed in that meets the one of the recommended key objectives of A+DS for a future development framework for the Loirston area and would ensure the stadium, in the longer term, would not be an isolated and inward looking development, but a facility that would be fully integrated into the community.

Summary of Findings in the Environmental Statement

The ES reports on the findings of the environmental impact assessment of the proposed development. The range of issues considered in the ES and the potential impacts are summarised in the table below. These impacts are discussed in more detail in the following sections of the report. It is to be expected and is accepted that some disruption and disturbance would inevitably occur during the construction of the development, so this assessment concentrates on the longer term impacts following the stadium becoming operational.

Topic	Impacts During Construction	Impacts During Operation
Land use, access and recreation	Moderate adverse, Significant	Minor adverse, Not significant
Landscape character and visual amenity	Moderate adverse, Significant	Major adverse, Significant
Cultural heritage and archaeology	Moderate adverse, Significant	Moderate adverse, Significant
Ecology and nature conservation	Not significant	Significant
Water quality and drainage	Minor adverse, Not significant	Minor adverse, Not significant
Geology, hydrogeology and contamination	Minor adverse, Not significant	Minor adverse, Not significant
Air quality	Negligible, Not significant	Negligible, Not significant
Noise and vibration	Minor adverse, Not significant	Negligible, Not significant

Land Use, Access and Recreation

In the longer term there would be a permanent loss of existing grazing land and a permanent impact on the existing informal recreational use of the land. In designing the layout of the development the applicant has endeavoured to ensure outdoor activities could continue around the whole of Loirston Loch post construction. It is predicted that the permanent impacts on land use would be minor and thus are not significant. New paths are proposed which would improve accessibility.

SPP advises that planning authorities should consider access issues and should protect core paths and other important routes when making decisions on planning applications. The existing right of way through the site would be retained and improved. Policy 35 of the adopted local plan seeks to protect and enhance access to the green space around Aberdeen. The proposal would do that and thus complies with the SPP and local plan policy.

Although the informal recreational use of the site would be lost, overall the recreational use and opportunities would be substantially enhanced through the provision of a new sports and leisure stadium which would potentially benefit the whole of the community. Policy 48 of the adopted local plan supports the provision of new sports and recreational facilities provided they are not detrimental to the natural and built environment or to the residential amenity of

the area and that they are accessible to the catchment population. As is explained later in this report, the overall impact on the natural environment would not be significant, except for the effect on wintering waterfowl. Likewise, the impact on residential amenity would be negligible. The measures proposed for transporting supporters to matches and the proximity of the development to a main road, a cycle route, bus routes and a core path would ensure that the facility would be accessible not only on match days, but every day of the week. The proposal therefore complies with Policy 48 of the adopted local plan and Policy CF2 of the Proposed Aberdeen Local Development Plan.

Landscape Character and Visual Impact

SPP advises *“Different landscapes will have different capacity to accommodate new development and the siting and design of development should be informed by the local landscape character”*. The Landscape Character Assessment of Aberdeen, a document produced in 1996 by SNH and partner Councils reviews and classifies the various landscape areas and types. The site falls within the Loirston Landscape Character Area which is classified as Open Farmland. Open Farmland is described as *“an extensive character type that forms much of the immediate hinterland of the City outwith the river valleys....the relatively even topography and open character with few trees are distinguishing characteristics”*. Whilst the landscape at Loirston is essentially rural in character the urban edge of Aberdeen has a strong influence on its character with industrial areas and residential development being visually apparent. It is considered that the overall landscape scenic quality is good, although it is tempered by the backdrop of the industrial premises, in particular the extensive external storage yard immediately to the north. Although the actual site and its immediate environs would be irrevocably changed, given its landscape character and setting, it is considered that the site can be developed without significantly adversely affecting the wider landscape setting of the City.

The proposed stadium would be screened to a degree by the large industrial buildings immediately to the north and by the tree belt to the south west. The extensive landscaping of the site would soften the visual impact and effect on the landscape character, but nevertheless there would be a permanent major and significant impact on the overall landscape quality and setting of the local area. The ES considered nine viewpoints in its visual assessment. Of the nine, seven are predicted to experience significant long term impacts. Given the size of the stadium, it is inevitable that it would, at least in part, be visible from many viewpoints in the surrounding area. Policy 31 of the adopted local plan and Policy D6 of the Proposed Aberdeen Local Development Plan seek to maintain and manage Aberdeen’s landscape setting and character. The development would irretrievably change the existing landscape character of the locality rather than maintaining it. This should not necessarily be seen as a negative impact but given the quality of the design, it should be celebrated as having a positive impact as a landmark gateway to the City. In relation to the other criteria set out in Policy 31 and Policy D6, the proposal would not obstruct views of any existing important landmarks or features and the impact on wildlife would be limited. However, it would involve developing what is currently an area of green space. Accordingly, the proposal complies in part to Policy 31 and Policy D6.

Cultural Heritage and Archaeology

The ES indicates that there are a number of sites of potential archaeological or heritage significance within the vicinity of the proposed development. The sites range from features which date from the Prehistoric period up to the present day. This includes cropmarks of uncertain date and 19th Century consumption dykes. The evaluation of these features indicates they are of local or regional importance. However, the only features that fall within the application site are cropmarks, which would be affected by the development. In this regard, it is predicted that there would be a moderate effect in terms of cultural heritage and archaeology. Notwithstanding, Historic Scotland, which was consulted on the ES, raised no objections or concerns. It is recommended that a condition be applied to the planning permission requiring a programme of archaeological work to be carried out prior to development commencing.

Ecology and Nature Conservation

There is duty on planning authorities to further the conservation of biodiversity under the Nature Conservation (Scotland) Act 2004 and this should be reflected in development plans and development management decisions. The Loirston area is identified in the Proposed Aberdeen Local Development Plan as a location for the expansion of the City, having had regard to the impact on biodiversity and natural habitats. There is also duty on planning authorities to prevent development that would adversely affect species protected under the Wildlife and Countryside Act 1981. As noted below, the proposal would not adversely affect any protected species found on or close to the application site.

Policy 34 of the adopted local plan states development that has a significant adverse impact on a locally designated habitat will not be permitted unless its public interest at a regional level clearly outweighs the ecological value of the area and that no alternative area can be found for the development. It also states that development will not be permitted if it causes significant damage to species and habitats identified as national priorities for conservation as summarised in the North East Biodiversity Audit or those included in the North East Local Biodiversity Action Plan. The only exception is where the public interest of a proposal clearly outweighs any adverse impacts on nature conservation interests and where it is demonstrated that no suitable alternative areas are available. In all cases, satisfactory steps must be taken to mitigate negative development impacts on designated areas and priority habitats and species. As set out below, the impact on wildlife habitats would be limited provided the mitigation measures proposed in the EMP are implemented. Loirston Loch and its immediate environs are designated as a District Wildlife Site and a Site of Interest to Natural Science, which are non-statutory local designations. Policy 34 does not preclude development where locally designated sites are affected where the public interest at a regional level clearly outweighs the ecological value of the area and that no alternative can be found for the development. The provision of a new major sports facility in the City is undoubtedly a development of regional significance which would be beneficial to the whole of the North East. Whilst Loirston Loch is an important ecological resource at the local level and would be affected to some extent by the development, the benefits accruing from the proposed development are considered to outweigh the limited impacts on the habitats and wildlife in and around the loch. Given the applicant's commitment to carrying out measures to

mitigate as far as possible any negative ecological impacts, it is considered that the proposal generally accords with Policy 34.

The Council's Nature Conservation Strategy's overall aim is to conserve Aberdeen's natural heritage for the benefit of biodiversity, citizens and visitors, for current and future generations. To achieve this aim decisions that may impact on the natural environment should be made with sustainable development in mind. Sustainable development involves the consideration of all environmental, social and economic aspects which are inextricably linked. Although the Nature Conservation Strategy states that land use development is generally detrimental to biodiversity, it acknowledges that adverse impacts can be offset and mitigated by implementing measures as part of the development to enhance biodiversity, for example, the provision of buffer strips next to waterbodies, the use of SUDS and the planting of native tree species and hedging. The proposed development would include all of these measures to enhance biodiversity.

The ES assessed in detail the ecological and nature conservation impacts arising from the proposed development. Habitats and notable flora are not predicted to be significantly adversely affected by the proposal due to the avoidance of loss of sensitive areas, such as the reed beds around the loch. There is potential for small areas of Local Biodiversity Action Plan habitats to be lost, although there is also the potential for reinstatement of these areas. The loss of rush areas could impact upon, for example, breeding reed bunting, but with similar habitat being available in the wider area it is predicted that the residual impact would not be significant. The ES also predicts the impact on aquatic habitats and species to be not significant due to inclusion of appropriate mitigation measures to reduce and limit the potential for pollution and disturbance of the loch.

Otters, which are a European Protected Species, are known to frequent Loirston Loch with resting places having been identified during the most recent survey. With appropriate mitigation measures and ensuring that a minimum 30 metre wide buffer zone around the loch is maintained, it is predicted that the impact on otters would not be significant. Evidence of bats using the site has been noted, although there are no known bat roosts in the immediate working area. It is acknowledged in the ES that increased lighting over Loirston Loch and the plantation woodland to the south of the site would likely impact upon commuting and foraging bats in the area, in particular Pipistrelle and Daubenton's bats. However, with suitable mitigation measures adopted, in particular in relation to the precise design of all lighting, the residual impacts on bats is predicted to be not significant. The ES reports that there is no evidence of badger activity and no setts have been identified within or close to the site. SNH has indicated that provided the development is carried out strictly in accordance with the mitigation proposed in the ES, it has no objection to the proposal. The impact on notable spider species is predicted to be not significant as the reedbed habitat on which they depend would not be lost during the construction or operation of the development. The ES does not identify any impacts on the fish in the loch. Given that the proposed development does not directly affect the loch, other than changing its setting, there should be no impact on fishing arising from the proposal.

Loirston Loch has a history of use as a wintering site for many species of birds, with the loch being one of the few sizeable waterbodies in Aberdeen able to support flocks of waterfowl. Surveys identified a total of 22 species of bird and

indicates that the loch has become an established roost site during the latter part of the winter for Pink-footed Goose and Greylag Goose. The ES predicts that there is the potential for a significant adverse impact on all wintering waterfowl at Loirston Loch. Regionally important populations of greylag goose are predicted to be affected as regionally significant numbers (approximately 19% of the population wintering in the North East) of this species roost at the loch over winter. Locally important populations of pink-footed goose (less than 1% of the total wintering in the North East) and other wildfowl species using the loch are also predicted to be affected. Increased disturbance and lighting would be likely to displace wintering waterfowl to other waterbodies in the region. However, there is a limited number of inland open water habitat sites in the North East and thus the development would be likely to result in a significant reduction in the habitat available to geese.

Water Quality and Drainage

Within the application site there are two surface water bodies: a small field drain adjacent to Wellington Road and part of Loirston Loch. The loch is fed by a combination of runoff from the site and a small burn which drains into it approximately 0.5 km south west of it. A conceptual drainage strategy incorporating SUDS has been developed. It includes measures that would assist with attenuating surface water runoff from the development and treating runoff by removing potential pollutants and sediment prior to discharge. In the main, treated water would be discharged to Loirston Loch. Mitigation measures are proposed in the EMP during and post construction that should prevent any significant impacts on the surface water environment. SEPA raises no objection or concerns with regard to water quality provided a condition is applied to the planning permission requiring the submission of a detailed SUDS scheme. No objections have been raised by Scottish Water. Although Loirston Loch eventually drains into the River Dee (designated as a Special Area of Conservation), SNH is satisfied that provided the systems and guidelines set out in ES are implemented and maintained, there would unlikely be any significant impacts on the river.

Geology, Hydrogeology and Contamination

There are no sensitive geological features on the site. There is the potential for peat deposits immediately north of Loirston Loch to be lost. It is predicted in the ES that the impact on geology would not be significant. There is the potential for a minor to moderate impact on local groundwater flow regimes. However, the adoption of mitigation measures to protect the quality of groundwater and surface water, such as through the use of SUDS, would reduce the impact to the extent it would not be significant. SEPA has raised no objection or concerns with regard to the impact on groundwater. Preliminary ground investigations reveal no significant contamination on the site. However, it would be prudent for controls to be put in place to ensure a more detailed site investigation to be carried out and for the monitoring of the site during the construction phase. A condition that addresses this matter is recommended.

Air Quality

The ES considered and assessed the impact the development would have in terms of air quality both during construction (predominantly dust generation) and

post construction arising from travel to the site. With appropriate mitigation measures the impacts during construction are predicted to be negligible. Air quality in the vicinity of the site is currently good and there would be no risk of exceedance of national air quality objectives at this location. Additionally, there are a minimal number of sensitive receptors close to the proposed development. Buses, coaches and cars associated with matches and events at the stadium would have the potential to impact on residential properties on the routes to and from the site. However, the impacts would have negligible significance on air quality. Although it is predicted that air quality would be affected in the Wellington Road Air Quality Management Area due to increased traffic, the impact would not be significant. The proposal therefore complies with Policy 27 of the adopted local plan and Policy NE10 of the Proposed Aberdeen Local Development Plan.

Noise, Light Pollution and Disturbance.

A detailed noise assessment was undertaken as part of the environmental impact assessment. Inevitably there would be noise disturbance during the construction phase. However, adherence to best practice should mitigate to some extent the impact of noise. The noise impacts arising during the operation of the stadium were also assessed, including noise from traffic, football matches and concerts. With regard to noise from concerts, there is an obligation to adhere to the guidance contained in the Code of Practice on Environmental Noise Control at Concerts. Also, the design of the stadium would minimise the escape of noise. The seating deck would form a continuous bowl around all four sides and corners. The bowl would be fully enclosed by an external wall and roof, so that it would only open to pitch side. This would be unlike many traditional grounds, including Pittodrie for example, where there are four straight stands with open corners. In addition, the continuous, unbroken roof would point downwards, angled towards the pitch and would overhang the seating by some 4.5m. The effect of these measures would be to focus the noise downwards, so that much of it would be retained within the bowl. This would maximise the atmosphere within the arena, while minimising the escape of noise. In addition, noise generating activities would generally not be continuous sources of noise, being restricted to the days and times of matches and other events. Consequently, it is predicted there would be no significant adverse impact arising from the use of the stadium. Noise arising from traffic going to and from the site would not have a significant impact.

Precise details of external lighting throughout the site have not been provided. Details would be secured by a condition on the planning permission. The scheme of lighting would be designed to ensure access to and through the site is safe, to be energy efficient, to minimise the spill of light outwith the site and to minimise the impact upon commuting and foraging bats in the area. There would be no floodlight towers as the football pitch would be floodlit by light fixtures on the leading edge of the roof of the stadium. The lights would be angled down to maximise illumination of the pitch and to minimise light pollution. The 'red glow' would be limited to a wash of light on the polycarbonate finished part of the elevations and would be subtle addition at night to the design of the stadium, enhancing its overall appearance.

Mitigation

A detailed schedule of the mitigation measures that have informed the design of the development and that would be implemented prior to, during and post construction is contained in the ES and accompanying EMP. These include extensive landscaping, retention of existing vegetation, the protection, where possible, of sensitive ecological features and habitats, temporary ditches and other drainage measures to intercept water runoff, measures to minimise disturbance and a commitment to adhere to best practice guidance and risk management procedures. The EMP, which would be binding on the applicant through a legal agreement, would require compliance by the football club and all contractors and sub-contractors before, during and post construction. SNH and SEPA were consulted on the EMP and both bodies are satisfied with the mitigation measures contained therein.

Impact on Residential Amenity

There is only one house in close proximity to the proposed development, that being the property known as Lochhead House, which is located on Wellington Road adjacent to where the new entrance would be formed. No objections have been received from that address. There are a few houses on the opposite side of Wellington Road to the south of the location of the new entrance. There is one house, accessed off Redmoss Road some 120 metres to the west of the site. Inevitably the residents of the few houses that are quite close to the development would experience a change in the amenity they currently enjoy resulting from the substantial increase in activity on the site. The outlook from these properties would be affected as a result of the change from open fields to a large urban-type development. There may be some overspill of light into the nearest house, but this could be kept to a minimum through the design and sensitive siting of lighting columns. The properties on Wellington Road are likely to currently experience significant noise disturbance on a daily basis from the traffic. The peak activity at the stadium would be likely to occur only on some 25-30 occasions per year and for relatively short duration. Thus, the impact on residential amenity is considered not to be of such magnitude to justify refusal of the application.

There has been no objection from Grampian Police with regard to the policing of football supporters. Concerns about anti-social behaviour etc. have been raised by a number of objectors. However, such behaviour should be addressed through good management procedures of the facility and site by stewards employed the football club. The layout of the development has been designed specifically to allow easy segregation of home and away supporters, with away supporters generally being restricted to the parking area on the east side of the stadium and to the east stand within the stadium. It would be unlikely for supporters to go into the residential areas near to the site, except for those who live in those areas. The majority of home supporters would be taken to and from the City Centre by bus. Away supporters generally arrive on organised coaches and would be likely to leave immediately after a match has finished.

As explained above, it is proposed to implement a controlled parking zone in the surrounding residential areas which would prevent football supporters or those attending other major events from parking in those areas. Consequently, there should be no impact on residential amenity arising from problems of overspill parking.

Precedent

Several objectors have raised a concern that approval of the application would set a precedent that would “open the floodgates” for development in the area. There are quite specific reasons for supporting a stadium on the site that would not apply to other developments and thus approval of the application would not set a precedent. However, the Loirston area is identified as an area for development in the Proposed Aberdeen Local Development Plan.

Other Relevant Planning Matters Raised in Written Representations

The planning application should not have been registered - Nigg Community Council and a number of objectors have stated the planning application, when lodged, was invalid. The planning application was valid in that it fulfilled the legal requirements set out in Article 9 “Form and content of an application for planning permission” of The Town and Country Planning (Development Management) (Scotland) Regulations 2008. All the relevant supporting documents were submitted at the same time as the planning application. Although there is no legal requirement to do so, the vast majority of all of the documents and drawings were available to view on the Council’s website within 5 days of the application being lodged, with the remainder being available a few days thereafter. The time period for the public to lodge written comments, which in this case was approximately 5 weeks, was in accordance with the Regulations.

Deficiencies on the pre-application consultation process - Although the two Community Councils and a number of objectors are dissatisfied with the pre-consultation process undertaken by the applicant, it was carried out in accordance with the Regulations. Indeed, the extent of consultation and the number of public events exceed greatly the minimum requirements specified in the Regulations.

The planning application should not be determined in isolation of the proposal by Cove Rangers FC at Calder Park - Planning permission was granted in August 2009 for that development at Calder Park, which will remain valid until August 2012. The current proposal has been designed with regard to that planning permission and both facilities could co-exist satisfactorily.

The proposal breaches human rights – The Courts have ruled previously that the Scottish planning system complies fully with human rights legislation.

Conflicts with national guidance - Reference is made in the written representations to SPP3 and SPP21. Both of these documents have been superseded by Scottish Planning Policy (SPP) against which the proposal has been assessed.

No overall vision for south part of Aberdeen – The Proposed Aberdeen Local Development Plan sets out the Council’s strategy and vision for growing the City.

Two stadia should not be allowed together – There is no objection from Grampian Police to Aberdeen FC and Cove Rangers FC being located side by side. It would be unlikely that matches would be played at the same time. There are no planning policies for preventing stadia being located close together.

Significant part of loch would be built over – No part of Loirston Loch would be built over. The stadium and car parking areas would be more than 50 metres from the edge of the loch.

Litter, bottles etc. would be deposited in the loch – Football supporters would be unlikely to converge on the edge of the loch given the position of the stadium relative to the loch, the access points to the stadium and location of the bus laybys where most people would arrive and leave the site. Suitable and sufficient litter bins would be provided around the stadium.

The stadium should have a capacity of 30-40,000 and include a running track – The proposed stadium has been designed to meet the operational requirements of Aberdeen FC. Its capacity would be sufficient for hosting international football and rugby matches and other major events.

Insufficient on-site facilities - Whilst clearly not as extensive as in the City Centre, a range of facilities would be provided within the development.

Impact on city centre pubs/shops – It is anticipated that the majority of supporters would travel out from and return to the City Centre by bus providing opportunities both before and after matches to frequent pubs and shops in the City Centre.

There should be no underoil heating to reduce CO2 emissions – The Rules of the Scottish Premier League state there is a requirement to have “an adequate winter pitch protection system” which “must be of an underground or under pitch heated type”. Also, Pittodrie Stadium currently has an underoil heating system which would be removed when that site is redeveloped. A new system within the proposed stadium would be more energy efficient and would be powered by a sustainable energy source and thus there would be a net reduction in CO2 emissions. The football club has advised it would be powered either by the waste heat from a Combined Heat and Power system or a ground source heat pump making use of geothermal energy. The underoil heating would be controlled through an energy management system to ensure it operates intermittently when required, i.e on match days when frost, ice or snow has occurred.

Competition with AECC – The planning system operates in the long term public interest. It does not exist to protect the interests of one person or business against the activities of another. Thus competition between potentially competing businesses is not a relevant planning consideration.

Impact on Parkhead Farm – It is anticipated that the proposed development would not directly affect the farm or its operation.

Proximity to Balmoral Park – As stated above, the planning system does not exist to protect the interests of one business against the activities of another and thus the alleged impact on the “attractiveness of the business park” is not a relevant material consideration. Any impacts relating noise disturbance and traffic congestion would not be sufficient to warrant refusal of the application.

There is a legal prohibition on building within 50 metres of the loch – There is no knowledge of such a prohibition. Aberdeen FC has advised that the title deeds for the land around the loch do not include such a provision. Notwithstanding, the

proposed stadium and car parking areas would be more than 50 metres from the edge of the loch. In any case this is not a material planning consideration.

RSPB should have been consulted on the impact on birds – RSPB is not a statutory consultee. SNH was consulted on the ES, which included the impact on birds using Loirston Loch. SNH raised no objection with regard to this issue. RSPB would have had the same opportunity as any other organisation or member of the public to make representations on the application and didn't do so. Also RSPB has not submitted comments on the Opportunity Site identified in the Proposed Aberdeen Local Development Plan.

The planning application for redeveloping Pittodrie for housing should not have lodged – Property or land owners are within their rights to lodge a planning application at any time and the Council has a statutory duty to determine any such application.

Proposed Legal Agreement – Heads of Terms

A legal agreement is required to secure (1) the funding and implementation of several transport related measures, (2) the planning gain contribution and (3) the extension of the public plaza in the event of the adjacent land being developed as a new community. Aberdeen FC has indicated its agreement to enter such a legal agreement based generally on the following Heads of Terms –

- (a) funding for the implementation, maintenance, administration and enforcement of the Controlled Parking Zone, including its review for a period of 5 years after the opening of the stadium and where necessary, any amendments to the extent of the zone;
- (b) securing the opportunity for a road built to adoptable standards to be extended through the site into the adjacent land if required to facilitate future development on that land;
- (c) the provision of traffic signals at the new junction on Wellington Road and signal controlled pedestrian/cycle crossing facilities on the A956 south of Langdykes Road and on the Langdykes Road and Souterhead Road approaches to the A956 roundabout, including a 10 year capitalised maintenance payment;
- (d) funding for the implementation of traffic management measures on Redmoss Road;
- (e) the setting up and commitment by Aberdeen FC to fully participate in a Steering Group to develop a Bus Strategy and Bus Management Plan prior to the opening of the development, the implementation of the Strategy and Plan and the mechanism for reviewing and revising the Strategy and Plan following the opening of the development;
- (f) funding for the provision of CCTV cameras linked to the Council's Urban Traffic Signal Control system operations room to be used to monitor and prioritise traffic movements on the road network, including the staff costs required to manage matches and events;
- (g) funding required to introduce a Clear Way over the section of the A956 Wellington Road from its junction with Langdykes Road to the Charleston flyover;
- (h) a scheme, including funding, to provide priority access to the development and on the local road network for emergency fire response vehicles;
- (i) securing the planning gain contribution to be utilised for environmental and access improvements; and

(j) securing the extension of the public plaza next to the main entrance to the stadium in order to integrate with and link into any future development of the land to the south west of the application site.

Conclusion and Reason for the Recommendation

The proposed stadium represents a significant departure from Policy 28 of the Aberdeen Local Plan. Planning legislation requires that the application be determined in accordance with the development plan unless there are material considerations that indicate otherwise. The proposal has been assessed both in terms of the site specific issues and its impact on the wider area. Notwithstanding the provisions of the development plan, it is entirely reasonable to identify and consider relevant material considerations, for and against the proposal and to assess whether these considerations warrant a departure from the development plan. The weight to be attached to any material consideration is for the judgement of this authority.

The development plan must be considered as a whole. Most developments will comply with some policies and conflict with others. Therefore, a judgement needs to be made about the weight to be given to and the balance between each policy.

As set out in the evaluation, the proposal does not comply with the local plan policies relating to the green belt and green space network. The most significant impact on the wildlife and habitat of Loirston Loch would be adverse impact on wintering waterfowl. However, for the reasons set out earlier in this report the proposed development complies with the majority of the policies in the adopted local plan and emerging local plan. The structure plan recognises the significant potential a new stadium, built to modern standards, would offer to attract other sporting events and tournaments and as a venue for alternative uses. It provides strong support for a new stadium at Loirston Loch, which would bring significant economic, social and cultural benefits to the whole community of Aberdeen and the North East. The proposal would provide a prestigious and regionally important, modern, high quality sports, leisure and community facility in Aberdeen, complementing the recently constructed Sports Village at Linkfield. It would bring significant long term benefits to the economy of Aberdeen, in particular through the potential to attract major events. SPP advises that planning authorities should proactively support sustainable economic growth and take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals. It also places a clear focus on the quality of outcomes. In addition to the quality of the facilities within the stadium, the proposed development would also be an iconic landmark building at an important gateway to the City.

As such, it is considered that notwithstanding the conflict with green belt policy, the fact that the development complies with and supports other provisions within the development plan and the economic, social, sports and cultural benefits for the whole community of Aberdeen that would arise from the proposed development justify approving the application contrary to the provisions of Policy 28 'Green Belt' of the Aberdeen Local Plan.

As part of application lies within Calder Park and the Council has an interest in that land, there is a requirement under the provisions of the Town and Country

Planning (Notification of Applications) (Scotland) Amendment Direction 2007 to notify the application to the Scottish Ministers.

RECOMMENDATION

(1) Indicate a willingness to approve the planning application subject to conditions and a legal agreement to secure (a) the funding and implementation of several transport related measures, (b) the planning gain contribution and (c) the extension of the public plaza in the event of adjacent land being developed as a new community and (2) to notify the application to the Scottish Ministers for their consideration

(1) that no development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work which shall include post-excavation and publication work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority - in the interests of protecting items of historical importance as may exist within the application site.

(2) that development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the planning authority. The submitted plan shall include details of management of the stadium roof within the site which may be attractive to nesting, roosting and 'loafing' birds. The management plan shall comply with Advice Note 8 "Potential Bird Hazards from Building Design". The Bird Hazard Management Plan shall be implemented as approved on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless they have been approved in writing by the planning authority - in order to manage the site to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Aberdeen Airport.

(3) that no development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the Planning Authority. The scheme shall include details of the suitability of ground conditions for SUDS and calculations to demonstrate that the proposed detention basin is suitably sized. Thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme - in order to safeguard water qualities in Loirston Loch and adjacent watercourses and to ensure that the development can be adequately drained.

(4) that no development shall take place unless there has been submitted to and agreed in writing by the planning authority a gas risk assessment report of the potential ingress and accumulation of landfill gas within the application site from the nearby Charleston Landfill site. Any necessary mitigation or remediation measures identified in the report shall be implemented in full prior to the commencement of the development or any other timescale that may be agreed in writing by the planning authority - in the interests of the amenity of the surrounding area and to protect the users of the proposed development from the ingress and accumulation of landfill gas.

(5) that at least two months prior to the commencement of the development, a full site specific Construction Environmental Management Plan (CEMD) shall be submitted to and approved in writing by the planning authority and thereafter all works associated with the development shall be carried out in accordance with the approved CEMD - in the interests of pollution prevention.

(6) That the use hereby granted planning permission shall not take place unless provision has been made within the application site for refuse storage and disposal, including the provision of litter bins and recycling facilities, in accordance with a scheme which has been submitted to and approved in writing by the planning authority – in order to preserve the amenity of the neighbourhood and in the interests of public health.

(7) that development shall take be occupied or brought into use unless there has been submitted and approved in writing by the planning authority a noise assessment report prepared by a suitably qualified consultant of the noise likely to be generated by plant equipment installed in the stadium and any noise attenuation measures identified in the report have been implemented in full - in order to protect the amenity of residents in the surrounding area.

(8) that, except as the Planning Authority may otherwise agree in writing, no construction or demolition work shall take place:

(a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays;

(b) outwith the hours of 9.00 am to 4.00 pm Saturdays; or

(c) at any time on Sundays,

except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery] - in the interests of residential amenity.

(9) That no development shall take place unless a scheme for all external lighting has been submitted to and approved in writing by the planning authority and thereafter the development shall not be occupied until the scheme has been implemented - in the interest of the amenity of the green belt, public safety and to prevent disturbance to bats foraging in the surrounding area.

(10) That no development shall take place unless a scheme for all external lighting to be installed during the construction of the development has been submitted to and approved in writing by the planning authority and thereafter implemented in full accordance with said scheme - in the interest of public safety and to prevent disturbance to bats foraging in their surrounding area.

(11) that no development shall take place unless it is carried out in full accordance with a scheme to deal with contamination on the site that has been approved in writing by the planning authority.

The scheme shall follow the procedures outlined in Planning Advice Note 33 Development of Contaminated Land and shall be conducted by a suitably qualified person in accordance with best practice as detailed in BS10175 Investigation of Potentially Contaminated Sites - Code of Practice and other best practice guidance and shall include: (i) an investigation to determine the nature and extent of contamination, (ii) a site-specific risk assessment, (iii) a remediation plan to address any significant risks and ensure the site is fit for the use proposed.

No building(s) on the development site shall be occupied unless (i) any long term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning authority is being undertaken and (ii) a report specifically relating to the building(s) has been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination issues related to the building(s) have been carried out, unless the planning authority has given written consent for a variation.

The final building on the application site shall not be occupied unless a report has been submitted and approved in writing by the planning that verifies that completion of the remedial works for the entire application site, unless the planning authority has given written consent for a variation.

- reason: in order to ensure that the site is fit for human occupation

(12) that the stadium hereby approved shall not be brought into use unless details of the zero and low carbon equipment to be incorporated into the development and predicted carbon emissions, using SAP or SBEM calculations, have been submitted to and approved in writing by the planning authority and unless the equipment has been installed in accordance with those approved details - to ensure this development complies with requirement for on-site carbon emissions contained in Scottish Planning Policy (SPP) and specified in the the City Council's relevant published Supplementary Planning Guidance, 'Reducing Carbon Emissions In New Development'.

(13) that no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting - in the interests of the amenity of the area.

(14) that all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority - in the interests of the amenity of the area.

(15) that the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with Drawing No. AL(00)004G of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of

cars ancillary to the development and use thereby granted approval - in the interests of public safety and the free flow of traffic.

(16) That no development shall take place unless there has been submitted and approved in writing by the planning authority a detailed scheme of the cycle storage facilities and thereafter the development shall not be occupied unless the said scheme has been implemented in full – in the interests of encouraging more sustainable modes of travel.

(17) that football matches played by Aberdeen FC, international football matches, international rugby matches and concerts held on Mondays to Fridays shall not commence before 1945 hours unless otherwise agreed in writing by the planning authority - in the interests of the free flow of traffic on the local road network.

(18) that the development hereby approved shall not be occupied unless there has been submitted to and approved in writing by the planning authority a scheme for CCTV throughout the development and that any such scheme as may have been approved has been implemented in full - in the interests of public safety.

(19) that the development hereby approved shall not be occupied unless there has been submitted to and approved in writing details of the public address system for the stadium - in order to preserve the amenity of the area and to minimise disturbance to the adjacent District Wildlife Site.

(20) that no development shall take place unless there has been submitted to and approved in writing by the planning authority detailed drawings of the roads and footpaths within the site, including the bus laybys and drop off points and all car parking areas - in the interests of the free flow of traffic through the site and the safety of all road users.

(21) that no development shall take place unless there has been submitted to and approved in writing by the planning authority and detailed scheme for the provision of a combined footway/cycle way on the west side of the A956 Wellington Road between the new junction into the development and the Souterhead Road/Langdykes Road roundabout junction. The said scheme shall include the provision of pedestrian barriers over this length on both the west and east side of the A956. Thereafter, the stadium shall not be brought into use unless the said scheme has been implemented in full - in order to provide appropriate and safe access to the development for pedestrians and cyclists and in the interest of road safety.

(22) that the development hereby approved shall not be occupied unless there has been submitted to and approved in writing by the planning authority a scheme for the provision of a shuttle bus to operate a peak periods between the local bus services and the development and the said scheme has been implemented - in order to encourage the use of more sustainable means of travel.

(23) that the development hereby approved shall not become operational until a Travel Plan and Transport Management Strategy, which addresses inter alia, access by walking and cycling, public transport provision, car parking

management and traffic management has been submitted to and approved in writing by the planning authority following consultation with Transport Scotland - in order to comply with the requirements of SPP with regard to transport.

(24) That the development hereby approved shall be implemented in full accordance with the procedures, protocols, restrictions and mitigation measures specified in the Environmental Management Plan prepared by AECOM Limited, dated November 2010, unless otherwise agreed in writing by the planning authority.

Dr Margaret Bochel

Head of Planning and Sustainable Development

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N I G G C O M M U N I T Y C O U N C I L

A B E R D E E N

Aberdeen City Council
Planning Department

16th September 2010

Dear Sir,

Re. App. ref 101299. Proposal for 21,000 capacity sports & leisure stadium, incl. assoc. car parking, access arrangements & landscaping – detailed planning permission.

This objection to the above planning application for a sports and leisure stadium at Loirston Loch is made by Nigg Community Council.

Before detailing our grounds for objection it is useful to provide some context to the formation of the community council. In 1998, residents in Nigg were made aware that a planning application had been submitted for a Football Stadium to be built within the area. At that time, the closest Community Council was that of Cove and Altens, and it was after attending one of their meetings, that several residents of Nigg, decided to firstly form an action group against the proposal, and to pursue the idea of forming a Community Council which would represent the area of Nigg.

The Nigg Community Council was established in 1999, and continues to hold meetings every second Thursday of the month, to discuss all matters pertaining to the Nigg area. Our members attended drop-in sessions held by ACC in connection with The Main Issues Report, on the proposed new Local Development Plan which included proposals for large scale developments around Loirston Loch, and our views were made known. Members also attended the Pre-Application Consultation meetings which we will refer to later in this letter.

Please reply to -

Mr. Alan Strachan
Chairman
Nigg Community Council
18, Redmoss Road,
Nigg, Aberdeen
AB12 3JN
Telephone 01224 897638

Mr. James Brownhill
Vice Chairman
Nigg Community Council
The Lodge, Charleston
Nigg, Aberdeen
AB12 3LL
Telephone 01224 897273

Mrs. Jenny Gall
Secretary
Nigg Community Council
Lochinch Cottage, Charleston
Nigg, Aberdeen
AB12 3LL
Telephone 01224 897511

Nigg Community Council has acted on the views of local residents, by continuing to voice their objections to this proposal and to that end, we now wish to register our formal objection to this development as detailed below.

We submit that this proposal for a major development in the greenbelt is, in fundamental terms, not in accordance with development plan policy and that there are no (or no sufficient) material considerations which outweigh that clear conflict with development plan policy. For those reasons, this application should properly be refused by the local planning authority.

There are a number of other relevant matters that we wish to raise in relation to this application.

Registration of application and consultation.

At the outset, we wish to make clear that we are dissatisfied with the manner in which this application has been registered by the local planning authority. It is clear from the City Council website, that the application was registered prior to the submission of several key documents which form part of the application; and several of those documents have only recently been available for public inspection on the website.

This is an application of great significance and complexity, comprising a number of detailed studies and reports. The local residents have had little or no opportunity to digest and consider this complex material within a proper and reasonable time frame; and we query the decision by the local planning authority to register this application at a time when it appears clear that it was incomplete in several material respects.

Clearly, as a result of this failure by both the applicant (to submit a complete application) and the local planning authority (to register an incomplete application), the proper consultative process of this application has been compromised and curtailed.

We therefore invite the local planning authority to (a) reconsider its decision to register this application for planning permission, and (b) resolve that the application was not properly registered in light of the significant omissions from the original submission, and (c) only to consider the re-registration of the application when it is properly satisfied that the application has been properly submitted in a complete fashion so as to enable proper consultation to take place within an appropriate time scale for an application such as this. We submit, that anything less than this approach will not enable the local planning authority to conclude that there has been a lawful consultation exercise in relation to this application.

In the event that the local planning authority does not adopt the course that we have proposed, we hereby give notice that, in the event of a grant of planning permission, an application for judicial review will be advanced on the

basis of the procedural deficiencies in the handling of the consultation on this application.

Further, in the event that the local planning authority proceeds to determine this application in light of the current inadequate consultation, we will closely examine, the extent to which the material within this application has been properly and fully examined and considered by the local planning authority. Clearly, any such inadequacies will also be relevant to any claim for judicial review.

The pre-application consultation exercise.

The pre-application consultation exercise is inadequate in a number of material respects. It is very far from being the "*comprehensive consultation exercise*" which is referred to in the "Aberdeen Community Arena – Options Appraisal and Site Selection" report ("the site selection report") at section 3.3.

In particular, the "Feedback" form, which was distributed to members of the public and was available to download, was drafted in such a way that it did not properly facilitate expressions of the opinion as to whether proposed development is appropriate in this specific location. Rather, the Feedback form set out a series of specific questions which were peripheral to the core issues with regard to this proposed development. The opportunity for individuals to submit any view which might be contrary to the interests of the developer was limited to the generality of "any further comments" at the end of the Feedback form. The Feedback form does not enable a true and accurate reflection of the public opinion to be expressed.

However, even accounting for those inadequacies, it is clear that a very significant proportion of responses by means of the feedback form were opposed to the development (29.1%) and that a significant proportion of those who objected, did so on the basis of location (as will be seen below, the issue of alternative locations has not been properly addressed in light of this consultation response). Further, 32.6% of the feedback forms were undecided. It is abundantly clear that there is no significant support for this proposal in this location; the application has failed to readdress and substantiate the selection of this site for the proposed development upon the basis of this consultation response. Indeed, the CBRE consultation report, wholly fails to address the issue of location, despite acknowledging that there were many objections based upon location. Those objections are all the more compelling, given that the feedback form did not include a specific entry or "tick box" for location.

In this material respect, the consultation exercise was inadequate; further the response to the consultation compounds this inadequacy, by failing to address and justify the selection of this site for the proposed development; and especially so, when a clear preference has been expressed for other locations within the city (and, indeed, when such alternative locations are identified in the local plan).

Further, the consultation exercise with the local community councils, in our opinion, consisted of an abbreviated and condensed exercise, which sought to give the appearance that proper consultation had been undertaken, but without any real engagement in the actual issues. The forum with Nigg Community Council was abbreviated at short notice because of double booking of a similar session with the Cove Community Council. This is not an appropriate way in which to conduct community consultation.

These inadequacies are all the more worrying, when one considers that this a major proposed development on green belt land, and thereby constitutes a very significant departure from existing development plan policy. For experienced advisers to consider that this is an appropriate way in which to conduct a consultation exercise in relation to such a development is a worrying state of affairs. It is a matter which the local planning authority should not endorse by the grant of planning permission. Adopting a recently coined but very apposite expression, what has occurred in this case is not a consultation but a "*nonsultation*".

In light of what we submit has been a self-evident failure to engage in the real issues with regard to this proposed development, it is our view that this proposed application has failed to have any, or any proper regard, to the relevant views of local residents and the wider population of Aberdeen.

The proposed development – contrary to the development plan.

The proposed development is contrary to existing adopted local plan 'Green Spaces - New Places' 2008, in fundamental and widespread respects. We do not propose to list every relevant policy which the development is contrary to, save to observe that it is contrary to a raft of relevant policies. For present purposes it is sufficient to observe that the site is currently designated as green belt. The significance of this designation cannot be understated. Indeed, the conclusions of the Reporter at the previous development plan inquiry made clear the importance of preserving this "*effective wedge of green belt*".

The adopted local development plan, identifies the King's Links site as the only location for a community arena. It is a site that "*received significant public support*" (consistent with the pre-application consultation in relation to this application). In development plan terms, there is a clear preference for the community stadium to be located at this alternative Kings Link site.

Whilst it is accepted that the Structure Plan identifies the Loirston site as a "potential community stadium" location, such development would conflict with other policies in the Structure Plan which are designed, for example, to ensure sustainable development and the quality of the environment. Consistent with the adopted local development plan, the Structure Plan also

identifies the King's Links site for a community stadium. The Structure Plan is specifically silent, as to which of the two sites is the preferred location. It is our considered view, that when the alternative potential sites are considered by reference to Structure Plan Policy, the site which is clearly more in keeping with development plan policy is the King's Links site. Further, on a proper interpretation, the Structure Plan envisages that the preferred location, as between the sites identified within the Structure Plan, will be identified as part of the now emerging local development plan process (as is set out in detail below, we submit that this application for planning permission, is premature and should be refused on such grounds).

In summary, if the proposed application is to be properly determined in accordance with the development plan, it should be refused. There are no, or no sufficient material considerations, which militate in favour of this development so as to displace the clear infringement of policy and obvious harm that this development would cause.

Site selection.

There are no very special circumstances, which have been identified which would support proposed development at Loirston. Indeed, the "Aberdeen Community Arena – Options Appraisal and Site Selection", is singularly lacking in any clear evidential basis for preferring Loirston to any other potential site.

In fact, a proper analysis of the SIAS Transport Feasibility Study, (prepared as a comparative exercise), reveals that the King's Links is a better location for the stadium in transport terms. This is the case, even without taking account of certain failures in the SIAS report e.g. the overstatement of number of people within walking distance of the Loirston site (which includes large sections of Kincorth with no suitable pedestrian access across the privately owned farm land on the south side of Kincorth Hill).

In any event, as the SIAS report makes clear, when compared with the King's Links site, the Loirston site is remote; it has a significantly lower catchment in material categories; it will place additional stress on the already congested – and polluted - Wellington Road; it depends upon the construction of the AWPR, which is presently far from assured in light of existing and lengthy legal proceedings; and it will require significantly greater public transport investment.

Of course, there is the further point that location of the site at the King's Links is a known quantity (in that there will be little difference in transport terms between the current use of Pittodrie and that which would transpire if the nearby King's Links site were developed). The Loirston site, on the other hand, is very much an unknown quantity, and there is no guarantee, that the current transport assessment is sufficiently accurate, to provide assurance that the transport implications of this proposal, might not be worse than is

presently predicted (detailed criticism of the assessment submitted with the application is set out below). There are, of course, good recent examples of development within the city, where the transport consequences have proved to be far worse than were originally predicted at the time planning permission was granted.

An analysis of the comparative Environmental Appraisal (March 2009), also demonstrates that the Loirston site is less appropriate for the proposed development than the King's Link site. In terms of existing land uses, development of Loirston, will result in the permanent loss of rural green belt land. The existing uses at the King's Links (i.e. golf driving range and other sports facilities), can be accommodated elsewhere - at the very least, it has not been demonstrated that they cannot be accommodated elsewhere). In terms of landscape and visual assessment, the importance of the Loirston green belt area has already been referred to above, and was confirmed by the Reporter at the last local plan inquiry. By contrast, the King's Links site has already been designated as appropriate for stadium development (and has significant public support). In terms of ecology and nature conversation, the balance against development lies firmly in favour of the Loirston site, for the reasons set out in para 7.6 of the comparative Appraisal. The Loirston site is also more sensitive in terms of cultural heritage and archaeology, water quality, drainage and flooding. In terms of noise impact, there will inevitably be a greater impact upon the Loirston site and its surroundings when compared with the existing uses at both sites. In terms of air quality, the Appraisal concludes that the King's Links is the preferred site for development of a stadium.

The approach to this matter in the Environmental Statement (ES) submitted with the application does nothing to address the real issues, save to observe that "Loirston provides the optimum location" (para 1.2). The consideration of alternative sites (at para 2.5.1) is unforgivably brief: it is restricted to one paragraph and a table, which provides no clear distillation of why Loirston is said to be the optimum location. There is no map; no overall comparative evaluation. This is a wholly inadequate response to the consultation responses referred to above. The statement in para 2.5.1 that the appraisals (i.e. including the environmental and transport appraisals) revealed Loirston was the preferred location is simply untenable, i.e. the transport and environmental appraisals, for the reasons set out above, demonstrate the opposite. Para 2.5.1 is therefore wholly misleading, in terms of consideration of alternative sites and any decision based upon such a misleading assessment of this key aspect of this application is likely to be unlawful.

Further, the cross-reference to the full business case study in para 2.5.1 of the ES is wholly inadequate. The case for this site should be fully set out in the ES itself, otherwise the relevant factors in favour (and against) this development, cannot be fully evaluated and properly consulted upon. It is our view that the omission of a robust consideration of alternative sites is so significant as to render the ES incompetent for the purposes of informing determination of the planning application.

Significantly, the ES omits reference to the fact, that Kings Links is the only site identified in the extant Aberdeen local development plan as appropriate for a stadium (OP51). The table at para 4.2 of the ES simply fails to address this important aspect of development plan policy. There appears to be no reference to OP51 within the ES. It is difficult to see how the ES can be said to have been properly evaluated relevant to development plan policy.

In summary, upon examination of all of the separate criteria by which to judge the relative environmental acceptability of the proposed stadium development, there is not one criterion in which the Loirston site emerges as the preferred location. Indeed, in all material respects, the comparative appraisals demonstrate that the King's Links site would be less environmentally harmful. Further, the present application, wholly fails to present any, or any convincing case, for the selection of this site in preference to others.

Other matters relevant to site selection.

In relation to other considerations relevant to site selection, no clear case for the Loirston site has been demonstrated. In terms of land assembly, the King's Links site may be more problematic (although this is not particularised), but there is no evidence to suggest that any such problems would be insuperable. Advice from leading Counsel has not suggested that Common Good issues are a real obstacle – on the contrary, the considered and senior legal opinion confirmed that there was no difficulty presented by that issue.

Although mention is made in the ES of size limitations in relation to the Kings Link site, this is wholly unparticularised and unsubstantiated.

Further, no case has been made to suggest, that the existing uses at the King's Links site could not be relocated elsewhere. Even if the development of the King's Links would be more prolonged than the development of the Loirston site, there is no evidence to suggest that the differential would be significant (the Aberdeen Community Arena – Options Appraisal and Site Selection suggests that it would take an extra year to complete the King's Links site – see para 12.0). In terms of site costs, the difference between the costs of the two sites is marginal (circa 10%); it has not been demonstrated that the extra expense of the King's Links site makes it impossible to deliver. Nor has it been demonstrated that the present site at Pittodrie is on the verge of imminent collapse – it has a lifespan of at least another 5 years.

Further, whilst it is clear that the applicants propose an edge of city stadium development, it does not appear that the logical consequence of this approach has been fully analysed. If it is considered that an edge of city site is appropriate, it is difficult to see, why consideration should not be given to more appropriate locations in Aberdeenshire. It appears that the developer invites fundamental conflict with existing green belt policy, without exploring more suitable sites which are, in real terms, no worse in terms of their location and environmental impact.

In summary, the decision in relation to site selection, has been arrived at when there are preferable sites in terms of planning, environmental and transport considerations; the only features which appear to militate in favour of the Loirston site, is that it is cheaper (by a marginal amount) and can be delivered sooner (by a marginal period). These are wholly inadequate material considerations (even allowing for the concession that they amount to lawful and legitimate material considerations) and they do not displace the clear conflict with development plan policy, which is at the heart of this application. In any event, wholly inadequate consideration has been given to this issue in the ES, submitted in support of this application.

Cumulative Impacts.

The ES contains very little, by way of detail in relation to cumulative impacts (see para 3.4.6). Given that there is an ongoing emerging plan process, it is more appropriate for the issue of the location of the stadium, to be determined within the context of the emerging local plan process. It is submitted that this lends significant weight to the prematurity issue set out below. Moreover, although there is no detailed assessment of cumulative impacts it should be noted that at various stages in the ES the consultants posit benefits which they claim will derive from the anticipated large scale development in the area (such as the claim that public transport links to the area will improve as a result of the anticipated housing development at Loirston).

Landscape & Visual Impact.

Table 6.3 of the ES makes clear that the landscape impact of the proposed development will be in the Moderate to Major Adverse category; those are ratings which are defined as significant and it is clear that the development would therefore be harmful in terms of landscape impact. Indeed, it is accepted in the conclusions to Chapter 6 of the ES, that "*both Loirston LCA*

and Kincorth and Tullos Hills LCA are predicted to experience significant adverse impacts after mitigation measures are taken into account. Loirston LCA, will be directly affected by the replacement of open agricultural land with the Arena development."

As regards visual impact, the position is equally bleak (again, see the conclusion to Chapter 6 of the ES): "*of the nine viewpoints assessed, seven are predicted to experience significant adverse long term impacts for at least one of the receptor types at each of the seven locations.*"

It is accepted, that there will be significant landscape and visual harm; it follows that the proposal is clearly contrary to development plan policy.

Noise.

It appears that no noise analysis has been conducted with regard to the impact of the proposal, upon existing farming activities in close proximity to the stadium, including Parkhead Farm. There are concerns that cattle may be subject to harm.

Bats – Habitats Directive.

Despite conclusions in the ES which would tend to suggest the contrary (see Chapter 8), we are aware that bats frequent the Loirston Loch area. We are able to make this assessment having lived in the area for decades. We understand that bats have the highest degree of protection under the Habitats Directive. We have also been informed that a recent case before the Court of Appeal (*R (on the application of Morge) v Hampshire County Council*) confirms that interference with the flight path of bats, contravenes the European Habitats Directive. In our view, the ES gives inadequate attention to this aspect of the development and the mitigation measures are inadequate to address the harm that will flow from the proposed stadium.

Transport assessment.

The Transport Assessment (TA) submitted as part of the application is deficient in a number of significant and material respects.

Firstly, the TA is posited on the basis that the AWPR will be constructed. There is currently a legal challenge in relation to the AWPR and there is doubt as to realistic delivery of this major transport project, which is considered to have a major impact upon accessibility to the proposed stadium at Loirston (it should be noted that this is a further factor in support of the prematurity argument set out below).

Secondly, the TA is advanced, on the basis that given the restricted parking spaces at the proposed site, there will need to be an utterly unrealistic modal change i.e. that 72% of supporters currently travel to Pittodrie by car, but that this will reduce to 26% travelling by car to the Loirston site. Such a complete change in the transport habits of supporters is extremely unlikely in our view. We specifically request the Council, to enquire whether there is any comparative data which suggests that such a change has been achieved at any similar stadium development in the short to medium term. It is also pertinent to note that, although there will be restricted parking, at and around the development site, there are any number of large private business sites in reasonable proximity to the site which will no doubt offer parking facilities on match days.

There is plenty of anecdotal evidence from around the UK of private companies letting out their car parks to car-borne sports fans on match days. Of course, the availability of such ad hoc private parking arrangements, does not appear to have been considered in the TA when assessing the traffic

impact of this development. Obviously, the Council will have little, if any, ability to control the availability of such ad hoc private parking. Further, it is also likely that private householders in the areas around Loirston will rent out their driveways for spectator parking. Such practice is common, for example, by residents in Edgbaston (Birmingham) during cricket test matches. It is our view that the failure of the TA to give consideration to these matters is, on its own, more than a sufficient basis for refusing the application since we believe that it will be inevitable that fans will continue to travel to matches by private car and so render the applicant's bus based transport strategy utterly irrelevant.

Thirdly, and perhaps most significantly, the model which has been used to determine the projected traffic of the proposal (see TA part 7) is accepted as being inadequate in fundamental respects (see TA paragraph 7.1.4). It is of grave concern, that Council officers appear to have connived, or consented in the production of the TA traffic modelling assessment in relation to this proposal, when it is conceded that the model used is outdated. In particular, the model takes no account of the effect of committed future significant developments in the vicinity. The TA concedes (at paragraph 7.1.5) that despite the efforts of the experts, it has proved impossible to account for the effect of those committed development.

Further, the TA goes on to observe (at paragraph 7.1.6) that there are profound traffic issues associated with the Brig O'Dee. Indeed, the TA states that there are "*... no agreed set of mitigation measures resulting in sufficient improvements in this part of the network capable of accommodating the wider impacts of even the phased implementation of the committed developments in advance of the implementation of the WPR.*"

As result, on the basis that the wholly spurious conclusion that Brig O'Dee is considered "*sufficiently remote*" from the proposed development, the TA proceeds on the basis, that the up to date impact upon the Brig O'Dee, will simply be ignored for the purposes of the TA (see paragraph 7.1.7 of the TA). It is, we repeat, of grave concern that this inadequate approach, appears to have been endorsed by the Council officers.

In our submission, such a state of affairs is wholly unacceptable for a development of such significance, where the traffic impact of the proposal is one of the key features under consideration, and where the proposal demands a complete change in modal transport choices, in order to operate without significant harm to the existing stressed traffic system. Of course, the concession that the model being used to determine the traffic impact of the proposal is inadequate, calls into serious question, all of the data and estimates produced by application of the model. Clearly, we will expect the Council, in the consideration of what is conceded to be an inadequate TA, to demonstrate that very close scrutiny has been applied to this key aspect of the TA. At present, Council officers seem prepared to condone an analysis which is based upon no more than a leap of faith.

We would also submit that the conclusion that the Brig O'Dee is "sufficiently remote" is fatuous and is at odds with the applicant's own data on the place of residence of fans. This shows that a large proportion of Aberdeen FC fans live north of the city. We submit, for reasons given above, that these fans would travel to Loirston by car and would, in all probability, travel south around the city along Anderson Drive to the Brig O'Dee before turning left and heading towards the car parks at the industrial estate at Altens.

What is also evident, is that more accurate and up to date modelling data will be available by 2011 (see TA paragraph 7.1.4). The availability of such data within the very near future, lends further significant weight, to the prematurity argument set out below. In summary, given the parlous state of the TA, based as it is on an inadequate model, the appropriate course, is for this application to be refused, and for the issue of the location of the stadium to be addressed in the proper context of the emerging local plan process and considered in light of up to date modelling data.

Fourthly, it is clear that a significant factor in the proposed transport strategy contained within the TA, is the use of Park and Ride facilities. It is proposed that these would account for almost one third of home supporters (i.e. nearly 5,000 individuals) at Old Firm games (see Table 6-5 of the TA). It is to be observed that current use of Park Ride facilities are estimated to attract 1.9% of supporter (i.e. a maximum of 380 individuals at full capacity games). It is, with all due respect to the experts, wholly incredible that there will be a 20 fold increase in the use of such facilities.

This is especially the case when one considers the availability of Park and Ride facilities. The TA is based upon the availability of four sites (TA table 5-1), which are not in existence. There is no guarantee that any of these sites will be developed in time for the opening of the stadium; indeed, it is unlikely that any progress will be made in relation to those sites, until the AWPR decision is positively resolved. Of course, those "hoped for" P & R sites account for 60% of the available P & R capacity (i.e. 2,500/4,100) upon which the TA relies in seeking to achieve a transformational change in modal transport habits. In blunt terms, it is wholly unrealistic. Once again, these are matters best determined and addressed within the context of the emerging local plan and lend further weight to the prematurity argument set out below.

Fifthly, we have significant concerns about the use of the Kincorth Hill, by young fans attempting to get to the stadium from Kincorth. This seems to us to be very likely, and will involve them trespassing on private property (Parkhead Farm in particular). This is an existing problem which will be seriously aggravated on match days if the development proceeds. The TA fails to address this very real concern.

Sixthly, we would observe that the TA, proposes an extremely widespread area of parking restriction; it is difficult to see how this will be properly enforced across such a wide area. Additionally, it will cause widespread inconvenience for the friends and family of local residents in the area.

Finally, we would question the accuracy of the pedestrian isochrones identified in Appendix E of the TA. We suggest that the walk times have been significantly overstated (i.e. that the isochrones have been drawn too tightly) with the consequence that the likelihood that the number of fans driving to areas that will not be the subject of parking restrictions such as Torry (as opposed to taking the bus) before walking the rest of the way to Loirston has been significantly underestimated. As an example of the level of overstatement of the walk times we would point to the implicit assertion from the map that it would take a pedestrian around 25 minutes to walk to Loirston from the northern end of Redmoss Road. We contend instead that it would take around 10-12 minutes.

In summary, the TA submitted as part of the application, suffers from fundamental inadequacies. There is the clear and obvious risk of significant harm to the existing traffic system as a result of this proposal and, on that basis, it is contrary to planning policy and should be refused. The proper course of action, is for the stadium to remain in its present location in the short term, until traffic impact can properly be assessed as part of the emerging local plan process and the outcome of other proposed development (such as the AWPR).

“Call in” by Ministers.

We submit that this application for planning permission, should be “called in” in accordance with the circular 3/2009. We understand that the local planning authority retains an interest in the proposed development site. Further, this proposal amounts to a significant departure from development plan policy. In any event, this application should not be determined without a local hearing at which local residents and interested parties can state their case to the council.

Comparisons with other stadia.

It is appropriate to note, that a number of new stadia have been held up by the developer as examples of development which is said to be similar to the Loirston proposal. It is submitted that those analogies are wholly inappropriate. By way of demonstration, the Aberdeen Community Arena – Options Appraisal and Site Selection contains reference to the following stadia:

- KC Stadium, Hull – built on a previous athletic track within walking of the city centre and the mainline city station.
- Ricoh Arena, Coventry – built on a former gasworks.
- Liberty Stadium, Swansea – built on a former copper works.
- Madejski Stadium, Reading – built on a former household waste dump.

Patently, the planning history for none of these stadia, provides any support for what is proposed at Loirston. On the contrary, they demonstrate the

obvious: that a green belt site is wholly inappropriate for development of this type, when other options are available.

It is not unreasonable to observe, that the developer should know this, given that their professional advisers were involved in the development of at least one these other stadia which are referred to in the Appraisal document.

Prematurity.

The emerging local development plan is at an important stage, and is soon to be the subject of examination. The submission of this proposed application at this stage in the emerging local plan process, will run the clear risk of pre-empting the proper consideration of the possible location of Aberdeen community arena, as part of the local development plan process (especially when the existing local plan identifies the King's Links site as the appropriate location for this development).

There have been a series of local 'drop in' sessions held around the city, including Cove, to which local residents, were invited and positively encouraged by the City Council, to express their views on various developer bids. Residents and representatives of Cove CC and Nigg CC participated in that process in good faith and made representations to the City Council in relation to various development bids within their areas. Those representations were generally resistant to any form of development in the Loch Loirston area.

Approval of the current planning application would be 'premature' to the finalisation of the local development plan, in that it would prejudice the legitimate rights of land owners, local residents and other affected parties in the determination of the site selection for the new community football stadium. It is understood that there are a number of possible alternatives for a community football stadium, including land at Duffs Hill to the south of the City boundary, as well as the King's Links site identified in the current local plan (OP51).

It is clear from the various appraisals referred to above, comparing the suitability of the Kings Links site and Loch Loirston sites that, at the very least, no definite conclusions were arrived at regarding the relative planning merits of the sites, save that Kings Links was more appropriate.

It is an essential element of natural justice, that local residents and other affected parties, including any competitor land owners, should have the opportunity to present their case for and against various potential sites within the context of a local plan process.

It is clear, that the proposed application in this case would have the effect, if it were permitted, of pre-determining the outcome of the local plan process in relation to one of the single most significant site specific issues which will

need to be (and should properly be) addressed as part of the local plan process. For that reason alone this application should be refused on the grounds of prematurity.

Conclusion.

In summary, when proper consideration is given to this application, it is clear that the proposal is in fundamental conflict with local development plan policy and there are no very special circumstances which militate in favour of development in Loirston. The application should be refused.

Yours Faithfully

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Alan Strachan (Chair)
Nigg Community Council

NIGG COMMUNITY COUNCIL

A B E R D E E N

Aberdeen City Council,
Planning and Infrastructure,
8th Floor,
St. Nicholas House,
Broad Street,
Aberdeen

21st December 2010

Subject :- P101299 -- Addendum TA
(Aberdeen FC stadium at Loirston)

Dear sirs,

I attach a copy of Nigg CC's response, in respect of the Addendum Traffic Assessment which was submitted in support of the above planning application. We would appreciate an early response to the attached.

Yours faithfully,

Alan Strachan (chair)

for and on behalf of Nigg Community Council

Ask	1/1	22651	Asst. Dir.
Recd	1/1	23 DEC 2010 2A	Asst. Dir.
Imp	Strategy	Build Con	Admin
Asst. Dir.	DL		GP

Please reply to -

Mr. Alan Strachan
Chairman
Nigg Community Council
18, Redmoss Road,
Nigg, Aberdeen
AB12 3JN
Telephone 01224 897638

Mr. James Brownhill
Vice Chairman
Nigg Community Council
The Lodge, Charleston
Nigg, Aberdeen
AB12 3LL
Telephone 01224 897638

Mrs. Jenny Gall
Secretary
Nigg Community Council
Lochinch Cottage, Charleston
Nigg, Aberdeen
AB12 3LL
Telephone 01224 897511

21st December 2010

Dear Sir,

Re: P101299 – Addendum TA – Nigg CC Response

On behalf of Nigg Community Council I write to comment on the Addendum to the Transport Assessment submitted in support of the planning application by Aberdeen FC for a new football stadium at Loch Loirston.

As you will see we consider the current Transport Assessment to be methodologically deficient to the extent that it does not permit the Council to make an informed and safe consideration of the traffic issues relevant to the relocation of the football stadium. For this reason we believe that the planning application should be withdrawn until such time as a more robust TA is prepared. We set out what we would want to see included in such a revised TA towards the end of this letter. With the above points in mind – given the need to revise the TA and consult further - we would suggest that the Hearing scheduled for 14th January 2011 be postponed.

Nigg CC wishes to make clear that it is highly unimpressed that some of the matters raised in the addendum were not included within the initial Transport Assessment. Although it is not stated in the Addendum it is clear that the submission of the Addendum was in large part prompted by observations and comments included in our letter of objection to the planning application. We consider the shortcomings of the Transport Assessment highlighted in that letter to cast significant doubt upon the ability of the firm in question to undertake this type of work.

We turn now to section 5 'Parking Strategy' and in particular to 5.2 'Off-Site car parking'. In our letter we highlighted the very real possibility that fans would drive in private cars to the Loch Loirston area and park in some of the surrounding industrial estates. We wish to remind the Council that Aberdeen FC's defence for selecting a Greenfield site on the periphery of the city - as opposed to a city centre site such as King's Links - was premised almost entirely on its stated belief that it would be able to affect a complete about turn in the modal usage of fans from car to bus through a strategy of parking restrictions applied across the Nigg and Cove residential areas. In short it amounted to a view that Loch Loirston is not, on first principles a suitable location, but that it can be made to be so through forcing a change in the travel behaviour of fans. Such a change would be vital if the application were to comply with stated policy objectives on the need to reduce car based emissions and the need to avoid locating development where it will materially add to traffic congestion

levels.

Aberdeen FC, through its consultants, has now acknowledged that there are around 1,700 car parking spaces potentially available on the Altens Industrial Estate. However, we believe that this figure is almost certainly an understatement of the true position.

First, we doubt that it includes all of the areas of land available at Altens Industrial Estate for parking. We are aware that there is an area known as 'Altens Lorry Park' to the south east of the Shell Head Quarters. Through casual observation we believe that this rough area of land, which has long been used for lorry parking, could accommodate around 300-400 cars. We are aware of other areas of land between units on the Altens Industrial Estate where fans will be able to park – off the road and pavements – without the fear of fines or clamps.

Second, it is our view that the West Tullos Industrial Estate will also be used by fans for vehicle parking. We note that according to Appendix E of the Transport Assessment this area is just outwith the 30 minute walk time from the site of the proposed stadium. According to our own 'time trials', allowing for varying levels of fitness, we estimate that the West Tullos industrial estate is within 30 minutes of the stadium. But irrespective of the precise time we have no doubt that this area will be used by fans for parking. There are no highway parking restrictions on the industrial estate and again, many firms that we believe would be willing to hire out parking to football fans. We have not produced an estimate of the number of parking spaces available at West Tullos but it is safe to say that it would be several hundreds.

Third, it is our view that some fans will be willing to walk from East Tullos Industrial Estate although this is a little further. Again, we believe that there is capacity for several hundred cars around this area.

Fourth, it is our view that the new Aberdeen Gateway Business Park located due east of the Charleston grade separated junction on the A90 will also be used by football fans for vehicle parking. Again, according to our own 'time trials' we estimate that this area is comfortably within the 30 minute walk time set as a limit by Aberdeen FC's consultants. It is no more than 20-22 minutes walk from the site of the proposed stadium. We do not believe that the need to cross the Wellington Road dual carriageway will act as a barrier to fans. As per West Tullos Industrial Estate we have not produced an estimate of the capacity of the area but again we believe that it would be several hundreds of vehicles.

Central to our views is our experience of visiting football matches and our own

research on the subject matter via fans web sites. It is clear that for many fans part of the ritual of watching live football is walking back to a car after the match to put on the radio and hear the other results and comments from around the grounds. What one might call 'informal' car parking is now the norm at many football stadia and other sports arenas around the UK. Large scale bus use is not evident. You will recall that in our initial submission we requested evidence of such a dramatic modal shift from car to bus from elsewhere in the UK. It is telling that the consultants acting on behalf of Aberdeen FC have not been prepared to adduce any such evidence.

Perhaps more significantly, Aberdeen FC fans have also indicated that the majority of them would travel to a new stadium at Loch Loirston by car. Our analysis of the findings of a survey conducted in 2009 by Aberdeen FC – and posted on its web site – shows that just over 50% would continue to travel to the stadium by car. It is our view that these fans would inevitably find areas to park, such as those noted above, within walking distance of the new stadium.

We believe that the use of these areas by fans for parking on match days / match evenings will critically undermine the transportation strategy which is central to the stated rationale of Aberdeen FC for selecting the Loch Loirston site. It will inevitably lead to extraordinarily high levels of traffic congestion at bridges over the River Dee and along the Wellington Road corridor and bring the network to a halt.

Evidence for this view is found in the data supplied by the consultants acting on behalf of Aberdeen FC. If we turn to Tables 1 and 2 of Appendix K of the Transport Assessment we find ratio-flow capacity (or RFC) readings for the current levels of traffic congestion at the Garth Dee north and Garth Dee south roundabouts (commonly known as Bridge of Dee). We are not traffic experts but we understand that traffic engineers generally regard an RFC of around 0.85, which provides for a certain amount of leeway in poor conditions, as being the upper end of acceptability. We understand that an RFC of greater than 1.0 is problematic. We understand that RFC readings of above 1.5 are cause for very serious concern since they show that a junction has to operate at a level well beyond its design or operational capacity.

According to Tables 1 and 2 in Appendix K it is clear that both the Garth Dee roundabouts are currently overloaded on Saturdays 1200-1300 and 1700-1800. This is most acute on the Garth Dee south junction with Great Southern Road (which leads in the direction of Altens). These levels would be exacerbated very significantly by the proposed football stadium at Loch Loirston.

Notably, we do not find any comparable data for either the Wellington Road /

Queen Elizabeth Bridge roundabout or the roundabouts located either side of the King George VI Bridge. The Council must remember that according to Aberdeen FC the majority of its fan base is located north of the City and so would have to travel through the urban core en route to Loch Loirston.

In the light of the above we are of the view that the original Transport Assessment submitted by Fairhurst is critically deficient and is fundamentally unsound for the purposes of determining the planning application. It is premised upon travel decisions which – as we have shown and is now acknowledged by Aberdeen FC – are not safe to assume given the many parking options in the Loch Loirston area available to fans. Since it is not possible to predict travel behaviour with any certainty – nor force change simply through the implementation of planning conditions or agreements - we believe a different, more sophisticated approach should be used.

A completely revised Transport Assessment should be prepared. It should include a full audit of the amount of off-site car parking available in the broad vicinity of the Loch Loirston including the industrial / business parks at Altens, West Tullos, East Tullos and Aberdeen Gateway. It should include revised RFC calculations for the roundabouts adjacent to the Bridge of Dee and RFC calculations for the roundabouts adjacent to the King George VI Bridge and Queen Elizabeth Bridge. It should include RFC calculations for roundabouts and junctions along the Wellington Road corridor.

The revised TA should include RFC calculations for each arm of the above named roundabouts under each of the following transportation scenarios:

70% travel by bus / 30% travel by car (for each different crowd attendance scenario);

50% travel by bus / 50% travel by car (for each different crowd attendance scenario);

30% travel by bus / 70% travel by car (for each different crowd attendance scenario);

10% travel by bus / 90% travel by car (for each different crowd attendance scenario).

By incorporating the above 'sensitivity' tests the Transport Assessment will provide a far more robust analysis than the current version which does no more than assess one extremely optimistic – and highly unlikely - transport scenario which it asserts, with little or no supportive evidence, can be implemented. It does not allow transport planners to assess the implications for the transport network of the (likely)

failure to affect such a modal transfer. This failure to consider the risks inherent in such an application is not acceptable and it would not be sensible or responsible for the Council to judge the application on this basis.

It is our view that the bus based transportation strategy put forward by Aberdeen FC is simply not credible. If the current application is approved then we have no doubt that there will be traffic gridlock at the various bridges over the River Dee and along the Wellington Road corridor as fans travel in their cars to park at business premises located on any one of a number of industrial estates in close proximity to Loch Loirston. This state of gridlock will not be in the interests of the local communities, Aberdeen FC or the Council.

Yours faithfully

Alan Strachan

Chairman – Nigg Community Council

Aberdeen City Council,
Planning and Infrastructure,
8th Floor,
St. Nicholas House,
Broad Street,
Aberdeen.

17th January 2011

Subject :- P101299 – Addendum SEA objection
(Aberdeen FC Stadium at Loirston)

Dear sirs,

Nigg Community Council contends, that there was very little attempt to seek the opinion of the public, with respect to the contents of the draft Strategic Environmental Assessment. The document was not evident on the Council's website. We are not aware, of any reference being made to it by the Council's Officers at any of the local 'drop-in sessions'. There was no attempt by the Council, to raise the public's awareness of it through the local press. There was no attempt, to explain to the public what it's purpose was. There was no attempt, to explain what the requirements of the SEA were. There was no attempt, to explain the techniques that were used to collect and assess data that underpins the document. Nigg CC contends, that this is a fundamental failing, in particular in the context of a major development proposal such as a proposed new stadium, since this is where we would expect to find some justification for the proposal, consideration of alternative sites, and an explanation of why they were rejected. The document fails to achieve these objectives.

We respectfully request this Addendum be added to our previous objections.

Regards,

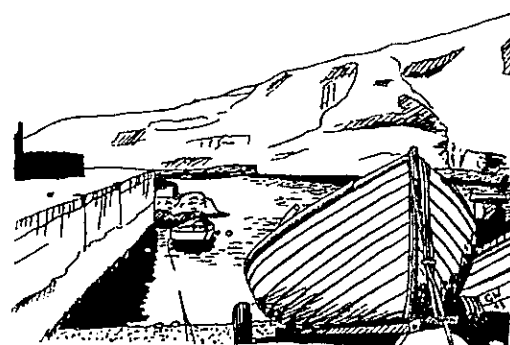
Alan Strachan (chair)
for and on behalf of Nigg Community Council

COVE AND ALTENS COMMUNITY COUNCIL

Chairman: Mr A. W. Finlayson
1 Partan Skelly Avenue
Cove Bay
Aberdeen AB12 3PU

Secretary: Mrs. S. Porter
12 Stoneyhill Terrace
Cove Bay
Aberdeen AB12 3NE
Tel:

Web Site: www.cove-bay.com



16 September 2010

Planning and Infrastructure
Aberdeen City Council
St Nicholas House
Broad Street
Aberdeen AB10 1BW

Dear Sirs,

101299
Planning Application P171 / 299

New Stadium for Aberdeen Football Club at Loirston Loch Aberdeen

Cove and Altens Community Council wish to object to the above Planning Application on the following grounds:

Period for Comments

1. The period of time allowed for Community Councils and the general public to submit their comments is wholly inadequate considering the amount of plans and documents submitted in support of the application all of which have to be studied in depth before any comments can be made. This seriously disadvantages lay people wishing to make comments.

General

2. The site is part of the Loirston Recreational Area, a District Wildlife Site and designated Green Belt in the current Local Plan.
3. The current proposals for the stadium are totally different from that considered in the feasibility study which identified the area at Loirston Loch as the preferred site. This means that its findings are invalid and it needs to be repeated based on the current stadium design and include community involvement which was absent from the original study.

4. Public consultations on the scheme were very limited and wholly inadequate considering the impact of this major and complex project on the Community. The continuing ongoing variations to the proposed scheme helped to confuse the issue. Consultation appeared rushed to accommodate the developers self imposed deadlines and was more of a tic box exercise rather than a genuine attempt to gauge public opinion.
5. All publicity, particularly in the media, was very strongly biased to favour the project which clouded the public perception of the scheme.
6. There is a total dearth of facilities for supporters at Cove unlike the City Centre /Pittodrie area.
7. It is unacceptable that a valuable Green Belt site will be lost to accommodate a private company profitably selling off its existing facility.
8. There is a strong feeling that the City Council had already, prior to the planning application, given the nod to this scheme. This was highlighted during a joint meeting with Cove and Altens and Nigg Community Councils by a statement from D. Fraser Director of AFC that they had been directed to the Loch of Loirston site by Aberdeen City Council.
9. Aberdeen City Council as one of the landowners and also the planning authority should not have been promoting this scheme
10. A Public Enquiry or at the very least a Departure Hearing is requisite because of the nature, magnitude and impact of this major application.

Environmental

1. It is the only remaining natural landscape location within this area and of immense benefit to wildlife and local residents.
2. The loch and its environs are a District Wildlife Site in which the Royal Society for Protection of Birds and Scottish National Heritage have an interest. It is a haven for wildlife, a regular overnight roost for migratory geese and is frequented by local residents and anglers. All this will be lost if the stadium with its associated infrastructure and impact is allowed to proceed
3. An Environmental Impact Assessment must be impartial and this can only be achieved if it is carried out by an independent body.
4. The Environmental Impact Assessment submitted in support of the development was paid for by the developer and in consequence is heavily biased in his favour. The report is littered with statements such as of minor impact, not significant or will be covered by the mitigation measures. Where is the proof of these statements?

5. The natural land drainage to the loch will be totally destroyed by the development and this will have a detrimental effect on the ecological balance within the loch.
6. Surface water run off from the roof and hard standing, notwithstanding the suds basins, will have a detrimental effect on the quality of water in the loch.
7. Pollution of the loch will arise from the major earthworks necessitated by this development.
8. There is no analysis of the invertebrates living on the site or the effect of the development on their habitat
9. This development will result in the loss of a valuable community recreational amenity area despite Government agencies policies stressing the need, from a health point of view, to participate in outdoor activities It is currently used by walkers, bird watchers and anglers.
10. The development will result in the loss of a valuable educational facility
11. The development will result in the loss of a variety of wildlife habitats.
12. Concern is expressed that the noise generated by the development will have a detrimental effect on both existing and proposed housing.

Transportation

1. There was no "extensive" consultation with local communities.
2. It is wholly unacceptable that in order to accommodate the Transport Strategy requirements for the proposed new stadium a whole Community will be subjected to parking restrictions and its inherent charges.
3. The Transport Strategy is an aspiration but unlike to be practical in real life.
4. There is no indication of parking availability at the suggested City Centre Hub location.
5. First Bus state that they will work closely with AFC to develop a transport strategy but there is no guarantee from them that they will provide all the services outlined in the transport assessment.
6. There is no control over the provision of Public Transport as it is run by a private monopolistic company
7. The parking provision for the proposed stadium is totally inadequate

8. There does not appear to be any origin and destination data for supporters other than season ticket holders. This needs to be addressed.
9. We trust you will give full consideration to our objections when determining this Application.
10. It is environmentally undesirable to increase the distance that supporters have to travel to reach the stadium
11. The change of travel patterns will increase congestion in the City Centre and at the River Dee Crossings particularly at Bridge of Dee.
12. There will be considerable additional congestion on Wellington Road with its Bus Lane and numerous traffic light and roundabout junctions.
13. AFC will have little control over match times as these will be dictated by TV companies and Football Authorities.

Yours faithfully

A.W.Finlayson
pp Cove and Altens Community Council

ABERDEEN CITY COUNCIL

COMMITTEE	Full Council
DATE	23 rd February 2011
DIRECTOR	Gordon McIntosh, Enterprise, Planning and Infrastructure
TITLE OF REPORT	Drinking in Public Places Byelaw Temporary Suspension

REPORT NUMBER:

1. PURPOSE OF REPORT

The purpose of the report is to seek permission to suspend the operation of the Aberdeen City Council Drinking in Public Places Byelaw 2002 to permit the responsible consumption of alcohol within the boundaries of the Duthie Park for the following event on the date and times detailed:

BP Summer Big Screens on Monday 4 July 2011 from 1800 to 2300hrs.

2. RECOMMENDATION(S)

Members are asked to instruct the City Solicitor to undertake the processes necessary to enact the suspension of the byelaw currently in operation, of the existing Aberdeen City Council Drinking in Public Places Byelaw 2002 within the boundaries of the Duthie Park for the following event on the date and times detailed:

BP Summer Big Screens on Monday 4 July 2011 from 1800 to 2300hrs.

3. FINANCIAL IMPLICATIONS

Advertising costs associated with the publicising of the suspension for 28 days. These costs are included within the existing budget for the delivery of this event.

4. OTHER IMPLICATIONS

Health and Safety

Relevant health and safety audits and associated risk assessments will be carried out prior to the staging of this event.

Risk Management

Appropriate control measures will be put in place. Audience members will be asked to drink in a responsible manner and be discouraged from bringing glass bottles and cans.

Environmental

Efforts will be made to recycle the waste accumulated at this event.

Economic

This event creates a positive attitude in the city, assisting with the promotion of the area as a vibrant place in which to live, work and visit.

5. BACKGROUND/MAIN ISSUES

The BP Summer Big Screens will once again return to Aberdeen on Monday 4 July 2011 from 7.00pm to 10.30pm. The live transmission of the opera, Madame Butterfly, will be relayed direct to Aberdeen from the Royal Opera House, Covent Garden, London. The event is sponsored by BP and will be displayed on a 40 square foot screen complete with sound. The event is free and is expected to attract up to 3000 people of all ages and abilities.

This will be the 6th year, this event has taken place in Aberdeen and each year, the success of the event has grown alongside its popularity. Limited catering will be provided and although alcohol will not be on sale, it is expected that members of the public will bring a picnic with them which may include alcohol. A toilet, event steward and medical and welfare service will be provided alongside passing attention from Grampian Police.

In all previous years, this event has passed with no noted incidents reported in relation to alcohol.

The BP Summer Big Screens concept is :

1. to introduce opera in relaxed surroundings to new audiences
2. give people an opportunity to see the world's best
3. to provide free world class entertainment to families who might otherwise not be able to purchase tickets

The existing Aberdeen City Council Drinking in Public Places Byelaw 2002 will require to be suspended to allow the consumption of alcohol at this event. This will involve the creation of a new byelaw which enacts a temporary suspension of the existing byelaw. The new byelaw must be advertised to allow members of the public an opportunity to comment on the proposed suspension. The new byelaw will also require the approval of the Scottish Government.

IMPACT

Corporate - The report contributes to the delivery of the policies as outlined in the *Vibrant, Dynamic & Forward Looking* document:

Culture Arts and Sport

Develop Aberdeen as a culturally vibrant city through a range of excellent festivals and venues that attract the best in music, dance and theatre.

1. Support arts venues to bring the best and most innovative performances to the city.
2. Continue to support the best city festivals.
3. Recognise the contribution of sport, culture and the arts to promoting the area as a tourist destination.

Public-There are no human rights or equalities implications.

7. BACKGROUND PAPERS

There are no background papers.

8. REPORT AUTHOR DETAILS

Dawn Schultz
City Promotions Manager
Email: dschultz@aberdeencity.gov.uk
Tel: 01224 522767

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ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	23rd February 2011
DIRECTOR	Annette Bruton
TITLE OF REPORT	Gordon Highlanders Commission
REPORT NUMBER:	ECS/11/007

1. PURPOSE OF REPORT

This report provides Elected Members with an update on progress regarding the commission and seeks approval for the artist to proceed with the manufacture of maquettes, and to inform Elected members of visits by appropriate Regimental representatives and Elected Members to view the progress of the Commission.

2. RECOMMENDATION(S)

- i) The approval of permissions for the contracted artist (Mark Richards) to produce and market, as discussed in the body of the report, maquettes of the commission; and to delegate powers to the Director of Education, Culture and Sport to agree the preferred option for a limited edition maquette and the loan of the original maquette, and the Head of Legal and Democratic Services to ensure that satisfactory legal agreements are in place;
- ii) To agree that any profits arising to the Council from the share of the sale of reproductions is returned to the Common Good.

3. FINANCIAL IMPLICATIONS

£125,000 has already been allocated over two years (2010/11 and 2011/12) from the Common Good Fund. All other costs will be met from existing staffing resource.

There are no state aid implications arising from this report.

4. OTHER IMPLICATIONS

Legal implications for the sale of limited edition maquettes have been considered and addressed as part of this report. There are no other implications.

5. BACKGROUND/MAIN ISSUES

Progress on commission

The Council meeting on 24 June 2009 agreed a motion requesting that 'Aberdeen City Council funds and erects a commemorative statue to the Gordon Highlanders'.

The Gordon Highlanders working group, consisting of Elected Member and Regimental representation, on 4th August 2010, after a formal selection process, chose Mark Richards, a sculptor with a history of public commissions, to create the work. The sculpture will consist of two figures from different periods of the Gordon Highlanders history and will be sited in the Castlegate area early in October 2011. The artist is working closely with costumiers, the Gordon Highlanders Museum and representatives of the regiment on the technical detail required.

Work is currently underway to ascertain which utilities on the site may need to be relocated to make way for the statue and plinth. The two full size figures will be ready for inspection and comment by members of the working group in early April. This will necessitate a visit to the artists studio in Shropshire. Following this, the figures will be sent to the foundry. The figures will be complete by 1st September ready for the October installation.

Sale of maquettes

The artist has requested that consideration be given to the sale of limited edition maquettes. This requires the approval of Aberdeen City Council due to the nature of the contract for the commission, whereby '*Copyright and all intellectual property rights in relation the work shall vest with the artist. However, the artists undertakes not to sell editions of the work or maquettes relating to the work without the co-operation and permission of the Commissioner*'

Aberdeen City Council will not make any financial contribution to the marketing or production of the maquettes: however, subject to a formal agreement, on the basis of a 50:50 income split the Council can expect some income to be made from this venture. The following aspects are to be agreed with the artist:

- Potential buyers and the market
- Maquette sizes: 9" or 18" is proposed
- Numbers in edition
- Marketing, and an agent to undertake the work
- Timing of the sales

The cost involved in the making of the maquettes and casting will be borne by the artist if approval is given. The artist's proof copy will be photographed and exhibited with orders taken. No further casts will be made without orders mitigating the risk of producing work which will remain unsold.

Loan of the maquette

The original scale model remains, following the completion of the commission, the ownership of Aberdeen City Council. The working group seeks the permission of the Council to discuss the loan of the work to the Gordon Highlanders Museum, with the relevant City Council officers ensuring the appropriate loan agreement and credits are in place prior to the model being loaned. Delegated powers are sought in this regard, as reflected in the recommendations.

Visits to the artist studio

The artist has begun work on the full size figures and these are due for completion early April 2011. Following a visit from members of the Gordon Highlanders Commemorative Working Group, the work will be sent to the foundry for casting. Whilst a regular blog has kept members informed of ongoing progress, a visit is needed to ensure the work meets the working group's satisfaction. It is anticipated that one further visit in September will be required in advance of installation. Two representatives from the working group will attend each visit, and the Council is asked to approve the attendance of an elected member on the working group on both of these visits.

6. IMPACT

The report links to Outcome 13 in the Single Outcome Agreement, 'We take pride in a strong, fair and inclusive national identity'

The report relates to the key aims set out in the arts, heritage and Sport strand of the Community Plan, in particular:

- To encourage access to and participation in the City's cultural life
- To support cultural activities which have a positive impact on the social, economic, and cultural development of the City
- To strengthen support for and ownership of the city's distinctive cultural character

The report also links to the cultural objectives set out in 'Vibrant, Dynamic and forward looking'

- Promote the City as a tourist destination

The City's cultural strategy 'Vibrant Aberdeen' has five strategic objectives:

- Establish a cohesive cultural sector
- Increase community engagement in cultural activity
- Improve the City's cultural profile

- Increase investment in culture
- Effectively monitor and evaluate the impact of culture

There is likely to be considerable public interest in this report given the City's longstanding history with the Gordon Highlanders. Representatives from the regiment have been heavily involved and will continue to be in the process of managing this project through to completion.

7. BACKGROUND PAPERS

Reports from the Gordon Highlanders Working group 1st October 2009 – 24th March 2011

8. REPORT AUTHOR DETAILS

Lesley Thomson
Strategist (Arts, Heritage, Culture and Sport)
lthomson@aberdeencity.gov.uk
01224 522499

ABERDEEN CITY COUNCIL

COMMITTEE	Full Council
DATE	23 rd February 2011
DIRECTOR	Annette Bruton
TITLE OF REPORT	Additional School Closure Day
REPORT NUMBER:	ECS/11/014

1. PURPOSE OF REPORT

To seek Council approval for an additional school closure on Tuesday 3rd May 2011 to be used as an In Service training day for teachers. This would replace the existing in service training day on the 29th April 2011. This date has now been agreed by Council as an additional holiday for staff in respect of the royal wedding.

2. RECOMMENDATION(S)

Council approves an additional school closure on 3rd May 2011 to be used as an In Service training day for teachers.

3. FINANCIAL IMPLICATIONS

There are no financial implications

4. OTHER IMPLICATIONS

Officers would require to seek Scottish Government approval for an additional school closure day. Scottish Government has indicated that they would support the 29th of April as a national holiday and therefore are likely to support any implications of this decision.

5. BACKGROUND/MAIN ISSUES

The Council agreed to make the 29th April 2011 in a flexible holiday for staff in Aberdeen city in respect of the royal wedding. As a consequence of this decision all schools will be closed on that day.

This was already a designated in service day for school staff, one of the days nationally agreed and locally allocated in each academic session. Normally there are 5 in-service days however in recent years additional days have been allocated to support the implementation of

the Curriculum for Excellence. The 29th April 2011 was therefore already a school closure day for pupils.

The consequence of the council's decision is that we now need to identify an alternative in-service training day for school staff and an additional closure for pupils.

The proposal would be to use Tuesday 3rd May 2011 and thereby create a long weekend which is in line with our principles in agreeing school holidays. The principle is that we minimise disruption to parents and families by trying where possible to begin and end holidays adjacent to weekends.

In order to progress this we require the agreement of the local authority and the Scottish Government. As indicated above there is an agreed protocol for requesting additional school closure days from the Scottish Government which we can progress quickly once we have agreement from the local authority.

6. IMPACT

The in-service training day is required to support school staff in implementing the Curriculum for Excellence. If this was not provided we would be in breach of a national agreement and there would be a negative reaction from school staff and trade unions.

We require to advise parents and families as soon as possible if there is to be an additional school closure so that they can make their plans accordingly.

7. BACKGROUND PAPERS

School Terms and Holiday Dates 2010 – 2015

http://www.aberdeencity.gov.uk/SchoolsColleges/scc_SchoolHols.asp

8. REPORT AUTHOR DETAILS

David Leng
Head of Schools and Education Establishments
dleng@aberdeencity.gov.uk
523517

ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	23 rd February 2011
DIRECTOR	Gordon McIntosh
TITLE OF REPORT	City Garden Project – Request for nominations to the Council's Project Monitoring Group
REPORT NUMBER:	EPI/11/070

1. PURPOSE OF REPORT

To inform Council of the timetable for key decisions and arrangements for short-listing design proposals, relating to the City Garden Project.

2. RECOMMENDATION(S)

That Council:

- i.) Nominates five members to sit on the Project Monitoring Group, comprising 2 Lib Dem members, 1 SNP members, 1 Labour member and 1 Conservative member – one of which should be nominated as the Chair.
- ii.) Agrees that the Project Monitoring Board reports back to Council via EP&I Committee
- iii.) Instructs the Chair to convene an inaugural meeting of the Project Monitoring Group before 24 March 2011.

3. FINANCIAL IMPLICATIONS

This will have no financial impact on the Council.

4. OTHER IMPLICATIONS

Apart from the input of member and officers time, there will be no other implications associated with the recommendations included in this paper.

5. BACKGROUND/MAIN ISSUES

At their meeting on Wednesday, 6th October, 2010 (Item 13, Ref: EPI/10/240), Council was presented with a report outlining an indicative timetable for the City Garden project. Council agreed to a) note the timetable for key decision points of the City Garden project; and b) note the proposed arrangements for short-listing design proposals relating to the City Garden project.

Council also asked for quarterly progress reports to be provided to Council and agreed to establish a cross party Project Monitoring Group, to oversee the project's progress and ensure that Council's interests, and that of the majority of Aberdeen citizens, are protected as the project progresses.

In response to Council's request for quarterly progress report, a Bulletin report has been included within the Business Statement for this Council Meeting.

This report therefore deals specifically with the request to establish a cross party Project Monitoring Board.

Although Council requested the establishment of such a Board, however, no clear decision was taken as to the composition and membership of this Board – other than a suggestion that it should mirror the cross party Project Monitoring Board established to oversee the Marischal College Project.

The composition of the Marischal Project Monitoring Board comprises 2 Liberal Democrat members, 1 SNP member, 1 Labour member, 1 Aberdeen Conservative member and 1 external member

However, the majority of the existing City Garden Project Management Board comprises external representatives (with only two Council members – John Stewart (Chair) and Kevin Stewart).

Therefore, it is suggested that there is no need for external representation on the Council's Project Monitoring Board for the City Garden Project.

Accordingly, Council is asked to nominate five members to sit on the Council's proposed Project Monitoring Board, comprising;

- 2 Lib Dem members
- 1 SNP member
- 1 Labour member
- 1 Conservative member

The Project Monitoring Board would be supported by Senior Officers from EP&I who would prepare agendas, report on progress in relation to each of the project's main strands and answer relevant questions.

It is recommended that the first meeting of the Project Monitoring Board be held before 24 March and that future meetings be held within 10 days of each City Garden Project Management Board, or six weekly - whichever is the shorter period.

6. IMPACT

Corporate

This project is seen as a critical project with regard to the future attractiveness, vitality and connectivity of the City Centre and links to both the **Single Outcome Agreement** and **Community Plan 2008**, which outline a vision for Aberdeen City which wealthier, greener and safer and delivers the following National Outcome's:

- 1 We live in a Scotland that is the most attractive place for doing business in Europe
- 2 We realise our full economic potential with more and better employment opportunities for our people
- 10 We live in well-designed, sustainable places where we are able to access the amenities and services
- 12 We value and enjoy our built and natural environment and enhance it for future generations.
- 13 We take pride in a strong, fair and inclusive national identity
- 15 Our public services are high quality, continually improving, efficient and responsive to local people's needs.

The project also contributes to the City's **Vibrant, Dynamic & Forward Looking: policy document**, since a fully functioning and well utilised City Gardens represents a vital piece of social, cultural and leisure infrastructure that can contribute to the delivery of the Aberdeen City and Shire Economic Future's '**Building on Energy - An Economic Manifesto for Aberdeen City and Shire**'. This in turn supports the strategic vision of Aberdeen City and Shire, which is to be recognised as one of the most robust and resilient economies in Europe with a reputation for opportunity, enterprise and inventiveness that will attract and retain world-class talent of all ages.

Public

This report, like all reports pertaining to the City Garden Project will be of interest to the general public.

It is anticipated that the project will have a positive impact in terms of the Equalities and Human Rights Impact Assessment, as a direct result of linkages to the Economic Development theme of **Vibrant Dynamic and Forward Looking** and it's expected impact on the future sustainable development of the Aberdeen City and Shire economy, by making a major contribution to Aberdeen's business and social infrastructure that supports local businesses and provides a venue for major social, leisure and cultural events for all Aberdeen citizens.

7. BACKGROUND PAPERS

None applicable.

9. REPORT AUTHOR DETAILS

Gerry Brough
Project Director, Economic and Business Development
52(3197)
gbrough@aberdeencity.gov.uk

QUESTIONS FROM COUNCILLOR YOUNG

(1) To ask the Chief Executive or Acting Chief Executive if he is aware of the report which went to Enterprise, Planning and Infrastructure on the 18th January 2011, if not the report stated "During the course of January 2011, Council Officers will launch a procurement process to locate suitable development/investment partners to initiate a Hotel development as part of a larger development plan for Council owned land in and around the AECC. In parallel with this activity, the Council's asset management and legal teams will commence negotiations with AECC Ltd. to acquire control of all land and buildings currently owned by, or leased to, AECC." Can the Chief Executive or Acting Chief Executive confirm that this has been done in January 2011 and give Council an update on any progress?

With regard to the proposed procurement process, this is underway. A draft Pre-Qualification Questionnaire (PQQ) has been prepared and submitted to the Council's procurement team. Subsequent meetings have been held to discuss this document and determine what staff resources were available to support and manage the tender process. During these meetings, it was determined that external legal advice would be required and that EP&I would need to meet the cost of obtaining this advice from within EP&I budgets. Officers are therefore currently assembling the resources needed to initiate, support and manage the procurement process. The likelihood is that the PQQ will be issued at the beginning of March.

With regard to the reversion of leases and assets to the Council, this process is also underway. Discussions have been held between the Council's external legal advisers and officers from our Asset Management, Legal and Economic and Business Development teams to determine the resource inputs required from each team, to complete this task. Once this is clear, AECC will be informed of any assistance required from them to complete the transfer process. There is no immediate pressure to complete the transfer process, providing this is done in time to enable completion of the proposed development agreement, with a suitable development partner.

(2) To ask the Depute Council Leader if he agrees with his partner Council Leader John Stewart who insisted compulsory job cuts will go ahead even if more savings are found and who said "until there is additional money from the Government specifically for avoiding compulsory redundancies any additional money we find in the Council I would rather spend on saving services. Unless Alex Salmond is going to come along with a bail out I don't see any other solution"?

The question does not make sense, but I will try to answer.

The Cabinet Secretary for Finance, John Swinney announced recently that councils would receive a flat cash settlement until 2015, which changed the circumstances that we face. The objective of the SNP Group has always been to avoid compulsory redundancies and we believe that Mr Swinney's announcement meant that VS/ER packages were affordable, achievable and desirable.

The Council Leader and I do not always agree on every issue, if we did we'd be in the same party, but we share common ground in trying to do our best for the council, our city and its citizens by being prudent with our finances and by protecting frontline services during tough times. It is a great pity that the Labour Group have failed to deliver a budget during this term, have failed to tell the citizens of this city what their priorities are and have failed to recognise that their government in Westminster caused the economic chaos that this country now has to face.

(3) To ask the Leader of the Council if he agrees with the criticisms made against Councillor Kevin Stewart, his partner, by the SNP Finance Minister in Edinburgh regarding the SNP/Lib Dem Coalition's proposals to cut 900 jobs - would he agree with the Finance Secretary John Swinney who said "I do not think that the steps that have been considered in Aberdeen City Council are required. What I think is important is that there is dialogue with the trade unions to find a constructive way through this."?

No. Mr Swinney is entitled to his opinion, though I would prefer he turn his attention to addressing the unfair distribution formula that sees Aberdeen City Council receive 83% of average Scottish per capita funding. The issue of costs of Voluntary Severance and Early Retirement will be dealt at the Council's Budget meeting on 10th February.

(4) To ask the Chief Executive or Acting Chief Executive the total cost in respect of Solicitor/ Advocates/Counsel fees in respect of defending the need to honour Increments to our employees?

The total cost excluding VAT is £23,372.

(5) To ask the Chief Executive or Acting Chief Executive why and on whose instructions was the description of the most loved Public Gardens Union Terrace Gardens changed on the City Council's web site and would the Chief Executive agree or otherwise that by publically degrading this Public Garden to what one constituent described as "a pile of rubble" on its website does the city's credibility no good and undermines the credibility of the Council?

The website does not describe Union Terrace Gardens as “a pile of rubble”.

The description on the website is:

This is a one-hectare park and is located right in the heart of the city, to one side of Union Terrace, off the city’s main thoroughfare of Union Street.

Contrary to popular belief, it is not a natural amphitheatre but instead a valley that has had a Victorian Viaduct built (1888) at its North end. The amphitheatre shape and the pocket park are only the covered remains of Denburn Terrace that was reduced to rubble when the viaduct was being constructed.

Union Terrace Gardens are used for occasional concerts and leisure activities as well as providing an oasis for relaxation in the city centre. On the north side is a magnificent floral crest depicting the city's coat of arms. At the Union Street end of the gardens a group of mature elms, approximately 200 years old, are a remnant of a site known as Corbie Woods. ‘Corbie’ is the traditional Scots word for ‘crow’, and indeed crows nest there to this day.

Park Details

Address: Union Terrace Gardens, Rosemount Viaduct, Aberdeen.

Opening Times: 8.00am until 1 hour before dusk.

This is a city centre park with a large grass area, banking, floral crests and a formal garden area.

For bus information please click the following link:

www.firstgroup.com/ukbus/scotland/nescot/home/

Union Terrace Gardens Location map

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