

Public Document Pack



To: Councillor Milne; Convener; Councillor Finlayson, Vice Convener; and Councillors Boulton, Cooney, Corall, Cormie, Crockett, Greig, Jaffrey, Lawrence, Malik, Jean Morrison MBE, Nicoll, Jennifer Stewart, Sandy Stuart and Thomson

Town House,
ABERDEEN 13 April 2016

PRE-APPLICATION FORUM

The Members of the **PRE-APPLICATION FORUM** are requested to meet in Committee Room 2 - Town House on **THURSDAY, 21 APRIL 2016 at 2.00 pm.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

BUSINESS

- 1 Introduction and Procedure Note (Pages 3 - 6)

MINUTES

- 2 Minute of Previous Meeting of 17 March 2016 (Pages 7 - 12)

PRE APPLICATION REPORTS

- 3 North Last Quarry - 151407 (Pages 13 - 22)
Planning Reference – 151407

The documents associated with this application can be found at –
<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=151407>

Planning Officer - Paul Williamson

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Lynsey McBain, email lymcbain@aberdeencity.gov.uk or tel 01224 522123

PRE-APPLICATION FORUM **PROCEDURE NOTE AND GUIDANCE FOR MEMBERS**

1. Meetings of the Pre-Application Forum will be held in open public session to enable discussion of all national and major development proposals.
2. Forums will be held as soon as possible after the submission of a Proposal of Application Notice (POAN) for all national and major development proposals and, in all cases, prior to the lodging of any associated planning application (this allows a period of 12 weeks following submission of the POAN).
3. The members of the Planning Development Management Committee will constitute the members of the Pre-Application Forum.
4. Ward Members for the Ward in which a specific pre-application proposal under discussion is located will be invited to the Forum but will be allowed to participate in the Forum only in relation to the specific pre-application proposal in their ward.
5. The relevant Community Council for the prospective development proposal(s) to be discussed will be informed of the date and time of the Pre-Application Forum by Committee Services so that they have the opportunity to attend but will not be permitted to participate in the business of the Forum.
6. If a Forum is required it will take place after formal business of the Planning Development Management Committee is concluded - this will normally be 2pm on the same day as the Planning Development Management Committee. The Forum will be separate from the Committee to emphasise the clear differences in status, process and procedure between the two meetings.
7. The case officer for the pre-application proposal will produce a very brief report (maximum 2-3 sides of A4) for the Forum outlining the proposal and identifying the main planning policies, material considerations and issues associated with it and the key information that will be required to accompany any application. The report will not include any evaluation of the planning merits of the proposal.
8. Agents/applicants will be contacted by Committee Services immediately on receipt of a POAN (or before this date if notified by planning officers of the week that a forthcoming POAN is likely to be submitted) and offered the opportunity to give a 10 minute presentation of their development proposal to the members of the Forum. There will be an opportunity for Councillors to discuss these with the agents/applicants, to ask questions and indicate key issues they would like the applicants to consider and address in their eventual application(s). If an applicant/agent does not respond to this offer within 10 days, or declines the opportunity to give such a presentation, then their proposal will be considered by the Forum without a developer/applicant presentation. Committee Services will notify the case officer of the applicant's response.

9. Case officers (or Team Leader/Manager/Head of Planning) and, if considered necessary, other appropriate officers e.g. Roads Projects Officers, will be present at the Forum. The case officer will give a very brief presentation outlining the main planning considerations, policies and, if relevant and useful, procedures and supporting information that will have to be submitted. Officers will be available to answer questions on factual matters related to the proposal but will not give any opinion on, or evaluation of, the merits of the application as a whole.
10. Members, either individually or collectively, can express concerns about aspects of any proposal that comes before the Forum but (to comply with the terms of the Code of Conduct) should not express a final settled view of any sort on whether any such proposal is acceptable or unacceptable.
11. A minute of the meeting will be produced by Committee Services and made publicly available on the Council website.
12. Members should be aware that the proposal being discussed may be determined under delegated powers and may not come back before them for determination. Any report of handling on an application pursuant to a proposal considered by the Pre-Application Forum will contain a very brief synopsis of the comments made by the Forum but the report itself will be based on an independent professional evaluation of the application by planning officers.
13. Training sessions will be offered to Councillors to assist them in adjusting to their new role in relation to pre-application consultation and its relationship with the Code of Conduct.
14. The applicant/agent will be expected to report on how they have, or have not, been able to address any issues raised by the Pre-Application Forum in the Pre-Application Consultation Report that is required to be submitted with any subsequent planning application.

GUIDANCE FOR MEMBERS

In relation to point 10 on the Procedure Note above, it might be helpful to outline a few points regarding the Councillors Code of Conduct and the Scottish Government's Guidance on the role of Councillors in Pre-Application procedures which will hopefully be helpful to the Members. These were discussed at the Training run by Burness Paull on the 28th of November, 2014.

So very briefly, The Code's provisions relate to the need to ensure a proper and fair hearing and to avoid any impression of bias in relation to statutory decision making processes. Having said that, in terms of the Scottish Government's Guidance on the role of Councillors in Pre-Application procedures:

- Councillors are entitled to express a provisional opinion in advance of a planning application being submitted but only as part of the Council's procedures (as detailed at item 1 to this agenda)

- No views may be expressed once the application has been submitted
- In terms of the role of the Forum, it meets to emphasise an outcome limited to the generation of a provisional view (on behalf of the Forum, rather than individual Members of the Forum) on the pre-application, this will allow:
 - Members to be better informed
 - An Early exchange of views
 - A greater certainty/more efficient processing of applications

Members of the Forum are entitled to express a provisional view, but should do so in a fair and impartial way, have an open mind and must not compromise determination of any subsequent planning application.

In terms of dealing with Pre-Applications, Members of the Forum should:

- Identify key issues
- Highlight concerns with the proposal/areas for change
- Identify areas for officers to discuss with applicants
- Identify documentation which will be required to support application

In terms of the Code of Conduct and any interest that Members of the Forum may have in a pre-application, it is worth reminding Members of the Forum that they must, however, always comply with the *objective test* which states “ *whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor.*”

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE PRE-APPLICATION FORUM

ABERDEEN, 17 March 2016 Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE PRE-APPLICATION FORUM.
Present:- Councillor Milne, Convener; Councillor Finlayson, Vice-Convener; and Councillors Boulton, Cooney, Corall, Cormie, Greig, Jaffrey, Jean Morrison MBE, Nicoll, Sandy Stuart and Thomson.

INTRODUCTION AND PROCEDURE NOTE

1. The Forum had before it the procedure note and guidance for members on the operation of Forum meetings.

The Forum resolved:-

to note the procedure note and guidance for members.

MINUTE OF PREVIOUS MEETING OF 14 JANUARY 2016

2. The Forum had before it the minute of its previous meeting of 14 January 2016 for approval.

The Forum resolved:-

to approve the minute as a correct record.

ATHOLL HOUSE - 160046

3. The Forum had before it a report by Planning and Sustainable Development on submission of a Proposal of Application Notice by Halliday Fraser Munro on behalf of Atholl Square Developments, which outlined the Atholl House site for a major mixed use development.

The report advised that the applicant had indicated the proposed mixed use development could include a class 7 hotel of approximately 150 bedrooms, serviced apartments and residential (including student accommodation and flats) of approximately 500 units, retail, financial, professional and other services including food and drink, offices and other uses appropriate to an urban mixed use block, associated demolition as well as potential linkages to the Railway Station.

The Forum heard from Richard Woods and Malcolm Fraser, Halliday Fraser Munro, acting on behalf of the applicant. Mr Woods explained that they had held the first round of public consultation on 18 February and 20 people attended the event. It was heavily advertised and they received six written comments which were mainly positive, especially from the neighbouring properties. Mr Woods advised that the next round of consultation would be on 24 March, with engagement with the public ongoing.

Mr Fraser then addressed the Forum in regards to the development, whereby he outlined the proposal in more detail and responded to questions from members. Mr Fraser advised that the development brief was in two parts, which included making the area more open and to have better connectivity. Mr Fraser highlighted that the

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development would be a positive contribution to the city, was an ideal site for student accommodation, and they envisaged an ambition for connectivity in the area. Various meetings had taken place with Network Rail in regards to the development and how the rail could be used to help with better connectivity throughout the development and the city.

In response to member's questions, Mr Fraser advised that in conjunction with Council officers they were investigating the possibility of pedestrianisation, and this would help with the principle of connectivity. They were also in discussions with the owners of the Trinity Centre to see how viable it would be to have an escalator connection to take pedestrians from the proposed application site, into the existing pedestrian connection over Wapping Street. Mr Fraser also explained that the development would be car free however an area on the development could be used for people with accessibility problems. There will also be an area for drop off. Mr Fraser also responded to queries about traffic congestion on Bridge Street. Mr Fraser advised that they would be having further discussions with road officers in regards to Bridge Street and also noted that they hoped to keep the historic granite setts on the road over the Category A Listed bow-bridge on Guild Street, after discussions with Historic Scotland.

Mr Paul Williamson, the case officer, then addressed the Forum, providing more detail regarding the planning aspects of the application and responded to questions from members. Mr Williamson explained that the existing building was approved in 1972 and the development would include the demolition of existing office block and the redevelopment of the site over the entire site area, and above the railway airspace. It was noted that the composition of the development had altered from the initial submission, in that the student accommodation now formed the dominant aspect of the proposal. Mr Williamson outlined that the land is currently allocated within the City Centre Business Zone within the Aberdeen Local Development Plan, as well as being at the edge of the wider opportunity site OP132 for the Bon Accord Masterplan. The site also forms one of the intervention areas identified within the City Centre Masterplan which has recently been out for consultation. Finally Mr Williamson highlighted the various aspects to the application, namely:-

- The principle of the development and any potential conflicts with existing adjacent uses;
- The linkages with the aforementioned City Centre Masterplan and the associated aims and objectives;
- The retention of the listed building on site and the potential impact upon the setting of the adjacent Listed Buildings and the proposals shall require to demonstrate how it complies or otherwise with Scottish Planning Policy and the Scottish Historic Environment Policy;
- Any potential transportation impact;
- The design and layout of the proposals; and
- Provision of appropriate infrastructure relating to drainage, and mediation of any potential flooding issues, together with potential mitigation to other infrastructure that may be deemed necessary.

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In response to questions from members, Mr Williamson advised that dialogue was ongoing with officers in the roads department and they are undertaking an exercise in regards to connectivity etc, and any update can be fed back in due course. Also Mr Williamson explained that he would liaise with officers in building standards in order to consult with member of disability groups to ask for their input to the development.

The report recommended:-

that the Forum-

- (a) note the key issues identified;
- (b) if necessary seek clarification on any particular matters; and
- (c) identify relevant issues which it would like the applicants to consider and address in any future application.

The Forum resolved:-

- (i) to request that the applicant consider further discussions with the roads department to investigate the best course of action for the use of Bridge Street and College Street;
- (ii) to request that the applicant investigate a facility for parking for people with accessibility issues within the development;
- (iii) to request that the applicant liaise with Disability Groups within the city for feedback on the development, and that a poster be placed in Shopmobility in Union Square to promote the next public consultation; and
- (iv) to otherwise note the key issues.

MERKLAND ROAD EAST AND SITE AT CORNER OF PITTODRIE LANE AND STREET - 151945

4. The Forum had before it a report by Planning and Sustainable Development on submission of a Proposal of Application Notice by the Manson Architects, on behalf of the Watkins Jones Group, which outlined a potential application for the provision of student accommodation of about 20,000 square meters gross floor area, including ancillary facilities, and noted that all existing buildings on the site would be demolished.

The report advised that the proposed site comprised industrial premises located to the east of King Street close to Pittodrie stadium, currently occupied by Robertson stone centre and granite yard. The application boundary includes two distinct sites which are separated by Pittodrie Street. The northern site, which is the smaller of the two sites, is next to a four storey tenement housing which was constructed in the 1990's and fronts onto the street, with the southern site adjacent to industrial/commercial premises located to the east. To the south and west of the site lies a three storey Victorian tenement.

The Forum then heard from Craig Wallace from Jones Lang LaSalle, Lindsay Manson from Manson Architects and Jim Gray from the Watkins Group, who outlined the proposal in greater detail and responded to questions from members. Mr Wallace advised that they were having active dialogue about pre application consultation with a

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target for submission of end of April 2016. A consultation event was held on 10 February with 30 members in attendance, which included people from the local community and Community Council's and a wide range of views were expressed. Lindsay Manson provided detail on the proposed development and advised that the development would comprise two sites.

Mr Robert Forbes, the case officer, addressed the Forum, providing more detail regarding the planning aspects of the application and responded to questions from members, Mr Forbes explained that the main considerations against which the planning application would be assessed were outlined as:-

- The site is zoned as a Mixed Use area (Policy H2 of the adopted Aberdeen Local Development Plan) and D1 (Placemaking) and D2 (Design and Amenity) were both relevant to the development.
- H3 of the Adopted Local Development Plan (Density) and NE4 (Open space provision) were both relevant
- NE6 (drainage) and Transport Policy T2 were also relevant. Mr Forbes noted that King Street had good linages with the rest of the city.
- Technical Advice Note: Student Accommodation.

Members then asked a number of questions of both the applicant/agent and of Mr Forbes. In response to a question about connectivity with Robert Gordon University and Aberdeen College, Mr Forbes advised that no detailed transport study had been carried out at present but this would be undertaken in due course. It was also noted that Site A would comprise 503 units and Site B 122 units however this number may vary as the development progresses. Mr Wallace also explained that regarding holiday periods, the accommodation could be used for people attending various things such as summer schools and they would be flexible based on student needs. Mr Wallace also identified that due to parking issues in the surrounding area, the development would be car free and this would be included in the terms and conditions of a students lease. Mr Wallace also explained that the use of the public space was flexible and discussions were still on going whether it could be used by the local community. Mr Gray also provided detail on what each student would have included with their room, and this would comprise an en-suite, a kitchen cupboard and a shelf on the fridge to name but a few. Members asked about security surrounding the student accommodation and it was noted that a member of staff would be on site 24 hours a day and explained that it was not envisaged that a gate would be used on the premises which makes it difficult to engage with the local community.

Finally members discussed the use of granite within the development from the former workshop on which the site is to be developed. Mr Gray advised that discussions were already ongoing with Robertson's in regards to the use of granite stones on the development.

The report recommended:-

that the Forum-

- (a) note the key issues identified;

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- (b) if necessary seek clarification on any particular matters; and
- (c) identify relevant issues which it would like the applicants to consider and address in any future application.

The Committee resolved:-

- (i) to request that the applicant consider the inclusion of heritage interpretation within the site in light of the historic use as a granite yard; and to
- (ii) to otherwise note the key issues.

- RAMSAY MILNE, Convener.

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PRE APPLICATION FORUM

NORTH LASTS QUARRY, PETERCULTER, ABERDEEN

MAJOR DEVELOPMENT INCLUDING CONTINUATION OF EXISTING QUARRY AND PROPOSED EXTENSION, DEEPENING AND STORAGE OF OVERBURDEN MATERIAL.

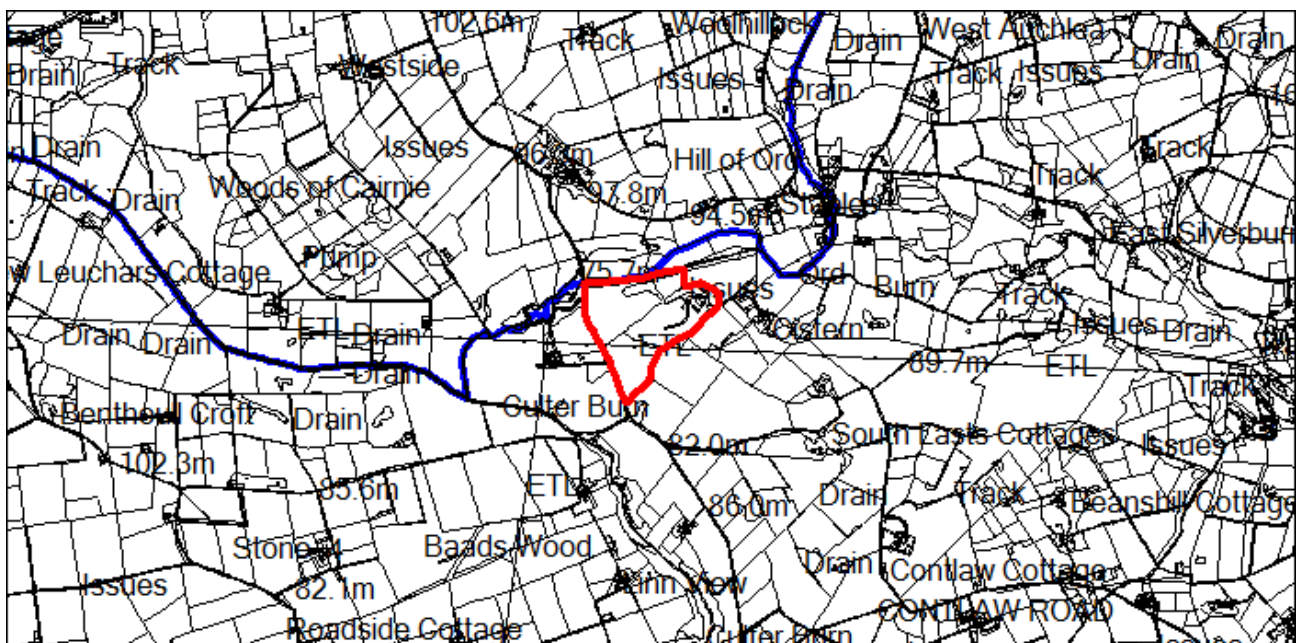
For: Leiths(Scotland)Limited

Application Ref. : P151407

Pre Application Forum Date: 21/04/2016

Officer: Paul Williamson

Ward : Lower Deeside (M Boulton/A Malone/M Malik)



SUMMARY

This is a report to the pre-application forum on a potential application by Leiths (Scotland) Limited for a major development including the continuation of the existing quarry operation and a proposed extension, comprising deepening of the quarry, with further storage of overburden material.

In accordance with the provisions of the Town & Country Planning (Scotland) Act 1997 as amended, the applicant submitted a Proposal of Application Notice on 26th

August 2015. The earliest date at which an application could have been submitted was 18th November 2015. However, in light of the applicant not having undertaken their Pre Application Consultation event to date, the application submission will require to take place after that point.

RECOMMENDATION:

It is recommended that the Forum (i) note the key issues identified; (ii) if necessary seek clarification on any particular matters; and (iii) identify relevant issues which they would like the applicants to consider and address in any future application.

DESCRIPTION

North Lasts Quarry is well established and has been used for the extraction of hard rock mainly for road construction. The quarry is located approximately 2.5 kilometres to the north west of Peterculter and 2.0 kilometres south of Elrick, Westhill. Vehicular access is taken by way of an existing surfaced track off the B979 which also serves a cluster of properties at North Lasts Farm, now converted to dwellings and an industrial unit. The site is immediately adjacent to the local authority boundary with Aberdeenshire Council.

RELEVANT HISTORY

Planning permission for the development of the quarry was initially granted subject to conditions in 1976 for a period of 10 years. This permission was extended in 1986 and then again under reference 96/2192 in 1996. Subsequently, a further planning application (Reference A7/0447) was granted on 16 August 2007 extended the life of the quarry for a further 10 years until August 2017.

On 28 October 2010 planning permission (Reference P101264) was granted, which sought the deepening to part of the quarry to a depth of 60m Above Ordnance Datum (AOD). The permission also contained all the conditions previously attached to permission A7/0447. Condition 8 further specified that quarrying shall cease on or before 28 October 2020.

An EIA Screening Opinion (Reference 141387) was submitted in respect of the proposal to form an extension to North Lasts Quarry.

On 18 December 2014, an application (Reference 14/1836) was submitted for permission for an extension to the quarry, extending to approximately 1.95 hectares. It also sought to extend the quarry to the north with a basal level of approximately 72m AOD. It was calculated that the proposed extension would contain approximately 250,000 to 300,000 tonnes of rock. The applicant indicated at that time that the output would be maintained at approximately 125,000 tonnes per annum, extending the life of the quarry by approximately 2 ½ years. Dry

aggregates and coated roadstone products would continue to be made and manufactured within the quarry and hauled off site utilising the existing surfaced haul road to its junction with the B979. That application was approved subject to a number of conditions on 29 May 2015. This included a condition restricting operations until 1 June 2025.

PROPOSAL

This proposal constitutes a major application for the continuation of the existing quarry operation, a proposed extension, and deepening of the existing quarry, together with the storage of overburden material. The applicant's agent has indicated that they intend to apply for a quarrying period of 30 years to 2046 to quarry approximately 4.0Mt of rock. This tonnage includes the recovery of the existing consented rock tonnage that has planning permission to 2025.

In addition, the overburden materials which presently overlie the rock reserve contains a significant quantity of sand. The applicant has therefore calculated that approximately 260,000 tonnes of recoverable sand could be processed over a period of 6 – 10 years should planning permission being granted.

To date quarrying operations and asphalt production generates on average 4 total (in and out) vehicle movements per hour. This equates to 21 arrivals each day Monday – Friday and 17 arrivals on a Saturday, and formed part of the considered of the previous planning application (Ref: 141836). The recovery of sand as proposed would increase vehicle movements from 4 to 6 in total per hour.

With respect to the planning application boundary this will extend to approximately 23 hectares in total and contains the existing planning area of some 10 hectares.

CONSIDERATIONS

The main considerations against which a planning application would be assessed are outlined as follows:

Principle of Development

In respect of the principle of development, the proposal must be assessed against Policy R1 (Minerals) and Policy NE2 (Green Belt) of the Aberdeen Local Development Plan. Consideration shall therefore have to be given to whether the proposed extension to the quarry, and other associated aspects of the proposal accord with the principle policies with particular regard to the potential impact on the character and amenity of the surrounding landscape/areas and the ecology of the area.

In addition, it is important to note that the land associated to this application has already been identified within the Aberdeen Local Development Plan as an opportunity site associated to mineral extraction, processing, manufacture of

asphalt and bituminous macadam, as well as noting that the area contains future mineral reserves (OP 56 – North Lasts Quarry).

Pre-Application Screening Opinion / EIA Development

A pre-application screening opinion (Ref: 141387) was submitted in September 2014 in relation to the extension to the quarry. The decision advised that an EIA was not required to accompany the subsequent application (Ref: 141836).

However, this substantially increased proposal falls under Schedule 2 (2, (a)) of the Environmental Impact Assessment (Scotland) Regulations 2011 as it relates to the extractive industry (including quarrying) and includes all development except the construction of buildings or other ancillary structures where the floor space does not exceed 1,000 square metres.

Taking the scale and form of development proposed into account and having regard to the selection criteria in Schedule 3 of the aforementioned regulations, it is considered in this instance that there is potential for a significant effect upon the environment either due to the characteristics of the development, the development's location, the characteristics of the potential impact, and due to the extent of the impact and size of the proposed development. Following the submission of the Proposal of Application Notice (PoAN), dialogue with the applicant's agent acknowledged that the forthcoming planning application, shall require to be accompanied by an EIA. While an EIA Scoping Request was submitted in January, this was withdrawn at the agent's request, as it was indicated that the composition of the development elements may alter. It is therefore expected that a subsequent Scoping Opinion (which shall identify the necessary aspects to be considered) shall be submitted shortly.

National Policy/ Guidance

Scottish Planning Policy provides a statement of Government policy in respect of minerals and confirms that an adequate and steady supply of minerals is essential to support sustainable economic growth. SPP confirms that in order to ensure that there is adequate continuity of supply to meet demand planning authorities should ensure a land bank of permitted reserves for construction of a minimum 10 year extraction is available at all times in all market areas. It shall therefore be a requirement to consider the other existing reserves available within the City, such as at Blackhills Quarry (which has consent run until 2050).

Landscape and Visual Impact

Consideration shall be given to Policy D6 (Landscape) of the Local Development Plan, and specifically the likely impacts of the proposal in relation to the this area of open landscape surrounding Aberdeen and to the east of the B979, and whether it can be accommodated into the landscape without any detriment, or whether mitigation may be necessary

Transportation/Access, Water and Drainage

While it is acknowledged that the operation from site is existing, and is consented to continue until at least 2025, consideration shall be given to the proposed levels and frequency of vehicular movements, and whether or not the proposals comply with Policy T2 (Managing the Transport Impact of Development of the Adopted Local Development Plan. Furthermore the proposals shall also require to demonstrate that the development adequately addresses the policy requirements relating to Policy D6 (Flooding and Drainage) as well as potential impact on water quality given to close proximity to the Ord Burn.

Natural Environment, Wildlife and Habitats

In light of the rural location, and the extension into what is otherwise Green Belt land, the proposals have potential to have impacts upon the natural environment, together with its associated wildlife and habitats. It will therefore be necessary for appropriate studies/supporting information to be submitted with the application to demonstrate compliance with Policy NE8 (Natural Environment) of the Local Development Plan. Details of any mitigation/restoration are also likely to be assessed as part of the application process.

Trees and Woodland

A belt of trees runs along the northern boundary of the site adjacent to the Ord Burn. An assessment of the likely impact upon those trees shall be necessary as part of the application, given their assistance in partially screening the site, and their associated landscape benefits. In addition, there is also potential for additional planting as part of the development proposals. The relevant policy within the Adopted Local Development Plan is NE5 (Trees and Woodland).

Blasting and Residential Amenity

A condition of the extant planning consent advises that “ground vibration shall not exceed a peak particle velocity of 6mms per second on 95% of all blasts measured over a six month period and no individual blast shall exceed a peak particle velocity of 12 mms per second unless the written consent of the planning authority is obtained - in the interests of protecting the environment”. Consideration would have to be given to the frequency of blasting proposed, and whether it could have any detriment on the surrounding area, and particularly upon neighbouring residential amenity. Such blasting can be adequately controlled by planning condition, and ensure compliance with the most stringent limit detailed within PAN50 Annex D: The Control of Blasting at Surface Mineral Workings, with the quarry operator continuing to provide prior notification of planned blasting to BP and Shell UK, whom operate pipelines in the vicinity of the site.

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy: Paragraph 225 of SPP states that “An adequate and steady supply of minerals is essential to support sustainable economic growth. The minerals industry provides raw material for construction, manufacturing, agriculture and other sectors. Continuity of supply to meet demand depends on the availability of land with workable deposits having planning permission for extraction”.

Paragraph 226 goes on to state: “Planning Authorities should have regard to the availability, quality, accessibility, and requirement for mineral resources in their area when preparing development plans. Authorities should liaise with operators and neighbouring planning authorities and use verifiable sources of information to identify appropriate search areas. These search areas, or where appropriate, specific sites should be identified and safeguarded in development plans and the criteria to be satisfied by development proposals set out. The same safeguarding principles should apply to land allocated for development which is underlain by minerals and where prior extraction of the mineral would be beneficial”.

Paragraph 227 further comments: “Planning authorities should ensure a land bank of permitted reserves for construction aggregates of a minimum 10 years extraction is available at all times in all market areas... This is particularly important in the city regions”.

Finally Paragraph 231 states: “Development plans and development management decisions should aim to minimise significant negative impacts from minerals extraction on the amenity of local communities, the natural heritage and historic environment and other economic sectors important to the local economy, and should encourage sensitive working practices during extraction. Extraction should only be permitted where impacts on local communities and the environment can be adequately controlled or mitigated. Wherever possible, haulage should be by rail, or coastal or inland shipping, rather than by road. Where there are significant transport impacts on local communities, routes which avoid settlements as far as possible should be identified. Advice on mineral workings is provided in PAN 50: Controlling the Environmental Effects of Surface Mineral Workings, PAN 50 Annexes A-D and PAN 64: Reclamation of Surface Mineral Workings”.

PAN 50 (Controlling the Environmental Effects of Surface Mineral Workings) with Annex A (Noise), B (Dust), C (Traffic) and D (Blasting) provides advice on these issues and how they should be addressed when assessing mineral applications.

PAN 64 (Reclamation of Surface Mineral Workings) provides planning advice on ensuring that satisfactory reclamation procedures are in place before, during and after extraction, in order to bring land back to an acceptable condition.

Aberdeen City and Shire Structure Plan

Aberdeen City and Shire is a region of global significance. As the energy capital of Europe it has the ambition, skills and resources to lead the move towards a more secure and sustainable supply of energy and lead Scotland forward on a path of economic recovery.

The main aims of the plan are to:

- provide a strong framework for investment decisions which help to grow and diversify the regional economy, supported by promoting the need to use resources more efficiently and effectively; and
- take on the urgent challenges of sustainable development and climate change.

Paragraph 3.45 also advises that “in some cases, developments which aim to meet more than local needs may need to be based in this area, such as mineral extraction. In these cases, developers will need to justify this against the aims, strategy, objectives and targets of this plan. Meeting regeneration needs could be one part of this justification

Aberdeen Local Development Plan

Policy I1: Infrastructure Delivery and Developer Contributions

Policy T1: Managing the Transport Impact of Development

Policy R1: Minerals

Policy BI5: Pipelines and Controls of Major Accident Hazards

Policy NE2: Green Belt

Policy NE5: Trees and Woodland

Policy NE6: Flooding and Drainage

Policy NE8: Natural Heritage

Policy D6: Landscape

Opportunity Site 56: North Lasts Quarry: on going mineral extraction. Planning permission granted in February 1997 to continue hard rock extraction. Permission given for 10 years with conditions on re-instatement. The site lies within a pipeline consultation zone and all development should conform to the terms of Policy BI5 – Pipelines and Controls of Major Accident Hazards.

Proposed Aberdeen Local Development Plan

Policy D2: Landscape

Policy I1: Infrastructure Delivery and Planning Obligations

Policy T2: Managing the Transport Impact of Development

Policy B6: Pipelines, Major Hazards and Explosive Storage Sites

Policy NE2: Green Belt

Policy NE5: Trees and Woodland

Policy NE6: Flooding, Drainage and Water Quality

Policy NE8: Natural Heritage

Policy R1: Minerals

OP 44: North Lasts Quarry

Other Material Considerations

Supplementary Guidance:

Air Quality

Drainage Impact Assessments

Infrastructure and Developers Contribution Manual

Landscape Guidelines

Transport and Accessibility

Trees and Woodlands

PROPOSED LOCAL DEVELOPMENT PLAN

The Proposed ALDP was approved for submission for Examination by Scottish Ministers at the meeting of the Communities, Housing and Infrastructure Committee of 27 October 2015. It constitutes the Council's settled view as to what should be the content of the final adopted ALDP and is now a material consideration in the determination of planning applications, along with the adopted ALDP. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether:

- these matters have been subject to representation and are regarded as unresolved issues to be determined at the Examination; and
- the relevance of these matters to the application under consideration.

Policies and proposals which have not been subject to objection will not be considered at Examination. In such instances, they are likely to be carried forward for adoption. Such cases can be regarded as having greater material weight than those issues subject to Examination. The foregoing can only be assessed on a case by case basis. In this case, the policies of the Proposed LDP largely reiterate those of the extant LDP, and therefore no new material considerations are raised.

PRE APPLICATION CONSULTATION

The proposal of application notice detailed the level of consultation which is to be undertaken and that comprised:

- A public drop-in event is to be held on 21 April 2016 between 2 and 7 pm at the Culter Village Hall.
- The developer wrote to Culter Community Council advising of the proposal. The developer also contacted the Westhill and Elrick; and Echt and Skene Community Council's in light of the boundary being in close proximity to the application site.
- The developer wrote to the Lower Deeside ward Councillors, advising of the proposal and extending an invite to the public event.

CONCLUSION

This report highlights the main issues that are likely to arise in relation to the various key considerations of the proposed development. It is not an exhaustive list and further matters may arise when the subsequent application is submitted.

Consultees will have the opportunity to make representations to the proposals during the formal application process.

RECOMMENDATION

It is recommended that the Forum (i) note the key issues identified; (ii) if necessary seek clarification on any particular matters; and (iii) identify relevant issues which they would like the applicants to consider and address in any future application.

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