

# Public Document Pack



To: Councillor Henrickson, Convener; Councillor Bouse, Vice-Convener; and Councillors Alphonse, Blake, Boulton, Clark, Cooke, Copland, Crockett, Houghton, McRae and Thomson.

Town House,  
ABERDEEN 02 February 2023

## PRE-APPLICATION FORUM

The Members of the **PRE-APPLICATION FORUM** are requested to meet in **Council Chamber - Town House on THURSDAY, 9 FEBRUARY 2023 at 2.00 pm**. This is a hybrid meeting and Members may also attend remotely.

The meeting will be webcast and a live stream can be viewed on the Council's website. <https://aberdeen.public-i.tv/core/portal/home>

JENNI LAWSON  
INTERIM CHIEF OFFICER - GOVERNANCE

### BUSINESS

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

### MINUTES

2. Minute of Previous Meeting of 3 November 2022 (Pages 7 - 10)

### PRE APPLICATION REPORTS

3. Proposal of Application Notice - construction of Hydrogen Production and Re-fuelling facility, Solar Farm and connecting cable route - Hareness Road/ Ness Landfill Site To The West Of The Coast Road, Aberdeen (Pages 11 - 24)

Planning Officer: Lucy Greene

To access the Service Updates for this Committee please click [here](#)

Website Address: [aberdeencity.gov.uk](http://aberdeencity.gov.uk)

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

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

1. This procedure note will operate on a trial basis of the Forum and will be subject to review and amendment during this period.
2. Meetings of the Pre-Application Forum will be held in open public session to enable discussion of all national and major development proposals.
3. 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).
4. The members of the Planning Development Management Committee will constitute the members of the Pre-Application Forum.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.

10. 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.
11. 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.
12. A minute of the meeting will be produced by Committee Services and made publicly available on the Council website.
13. 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.
14. 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.
15. 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 11 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 28<sup>th</sup> 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, 3 November 2022. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE PRE-APPLICATION FORUM. Present:- Councillor Henrickson, Convener; and Councillors Blake, Boulton, Cooke, Copland, MacKenzie, MacGregor (as substitute for Councillor Alphonse), van Sweeden (as substitute for Councillor McRae) 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 1 SEPTEMBER 2022**

2. The Forum had before it the minute of its previous meeting of 1 September 2022, for approval.

#### **The Committee resolved:-**

to approve the minute as a correct record, subject to amending Councillor MacGregors name which was spelt incorrectly.

### **PROPOSAL OF APPLICATION NOTICE - LAND ADJACENT TO EXISTING ELECTRICITY SUBSTATION, WILLOWDALE PLACE, ABERDEEN - 220562**

3. The Forum had before it a report by the Chief Officer – Strategic Place Planning, on a submission of a Proposal of Application by Scottish Hydro Electric Transmission Plc for an extension to an existing 132kV electricity substation including grid supply point to be accommodated in a new building, associated plant and infrastructure, ancillary facilities (including handstanding area) and road alterations and improvement works at land adjacent to existing electricity substation, Willowdale Place Aberdeen, 220562.

The report advised that the application site comprised a 2-storey industrial warehouse building at 23-42 Willowdale Place with a footprint of approximately 1200sqm along with the Willowdale Place Road carriageway. The industrial building lies on the northern side of Willowdale Place at its eastern end, and it is bound to the north by the Willowdale Place electricity substation, operated by SSE. Further industrial and commercial buildings line both sides of Willowdale Place to the north and south, with a residential flatted development on King Street adjoining the site to the east.

The report explained that the applicant proposed to extend and upgrade the existing 132kV electricity substation on Willowdale Place. The substation extension would

## **PRE-APPLICATION FORUM**

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involve the formation of a new grid supply point, to be accommodated in a new building, replacing the existing warehouse, with associated plant and infrastructure, ancillary facilities (including an area of hardstanding), and road alterations and improvement works. As the proposed development would comprise the upgrade of an existing onshore substation directly linked to electricity transmission cabling of or in excess of 132 kilovolts, at present the proposal constitutes a National development, in accordance with Annex A (National developments) of National Planning Framework 3 (NPF3). It should be noted that in the event National Planning Framework 4 is adopted in its current form, the development proposal was likely to constitute a Local development, due to an amendment to relevant criteria. However it is not possible to confirm this presently.

The Forum heard from Alex Ferguson, Planner, who addressed the Forum and provided details regarding the planning aspects of the application.

Ms Ferguson provided details on the relevant planning policies noting that the following policies were relevant to the proposed application:-

- H2 (Mixed Use Areas)
- D1 (Quality Placemaking by Design)
- NE6 (Flooding, Drainage and Water Quality)
- R2 (Degraded and Contaminated Land)
- R7 (Low and Zero Carbon Buildings, and Water Efficiency)
- T5 (Noise)

### **Supplementary Guidance**

- Noise
- Resources for New Development

Mr Ferguson also highlighted the Proposed Local Development Plan 2020 and noted the following policies as relevant:-

- H2 (Mixed Use Areas)
- D1 (Quality Placemaking)
- NE4 (Our Water Environment)
- R2 (Degraded and Contaminated Land)
- R6 (Low and Zero Carbon Buildings, and Water Efficiency)
- WB3 (Noise)

It was noted that as part of the application, the applicant had been advised that the following information would need to accompany the formal submission:-

- Design & Access Statement
- Noise Impact Assessment
- Drainage Impact Assessment



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- Pre-Application Consultation Report

The Forum then heard from the agent for the application, Mr Chris Gardener, SSE.

Mr Gardner began the presentation and provided background information on the site, noting that the substation transformer site was originally constructed in 1963 and had a significant role to play in supplying the distribution network for eastern Aberdeen. He advised that the proposed works formed part of a wider programme of upgrade and protection works at a number of SSEN sites within the wider area including Woodhill, Persley, Clayhills, Redmoss and Craigiebuckler substations.

Mr Gardner explained that SSEN had identified the need to replace Grid Transformers 1 and 2 and the existing 132kV circuit breakers. The external equipment had reached the end of its design life with the coastal environment having a considerable toll on its condition. The current electrical circuit configuration was also outdated and needed to be replaced. He advised that the replacement works would extend the life of the substation and improve network reliability as part of the Aberdeen ring which served large amounts of customer demands in the area.

Mr Gardner indicated that the key elements of the proposal comprised:-

- Demolition of the existing foundry buildings at 23-41 Willowdale Place;
- The construction of a new 15m high building to accommodate a new GSP substation and two new super grid transformers;
- Upgrades to the control systems and standby systems;
- Removal of the old outdoor equipment; and
- Upgrades to the site security and perimeter fencing;

Mr Gardner explained that the proposed works would reduce the total network risk, improve operational flexibility and resilience in line with SSEN's wider goal of 100% network reliability and use of innovative solutions.

In terms of public consultation, Mr Gardener explained that virtual consultation and face to face events were advertised using various media platforms and a flyer was delivered throughout the local area. Councillors and Community Councils were also emailed in advance. The face to face event was held at Aberdeen Arts Centre on 28 June 2022 and the online consultation was on 30 June from 1-3pm and 5-7pm. A feedback form was created to provide respondents with the option to provide feedback regarding their areas of interest.

In terms of noise, Mr Gardner highlighted that noise surveys had been undertaken and a Noise Assessment would be submitted with the application and noted that a voluntary Environmental Appraisal would also be undertaken to identify any potential environmental effects from the proposed development.

Members then asked a number of questions of both the applicant and the case officer and the following information was noted:-

**PRE-APPLICATION FORUM**

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- There would be no disturbance to the supply of electricity and would be a phased construction and switchover;
- The proposal development would mean that the outbuildings would be discontinued and the substation would be in an internal building which would be safer and would improve any safety concerns or issues;
- A design review will be carried out with the aim to reduce the height of the buildings;
- In terms of the properties in the surrounding areas, this new development would not cause any more noise than the current facilities and therefore no negative impact to local residents.

**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 they would like the applicant to consider and address in any future application.

**The Forum resolved:-**

- (i) to thank Mr Gardner for his informative presentation; and
  - (ii) to request that the applicant consider the points raised above.
- **COUNCILLOR DELL HENRICKSON, Convener**

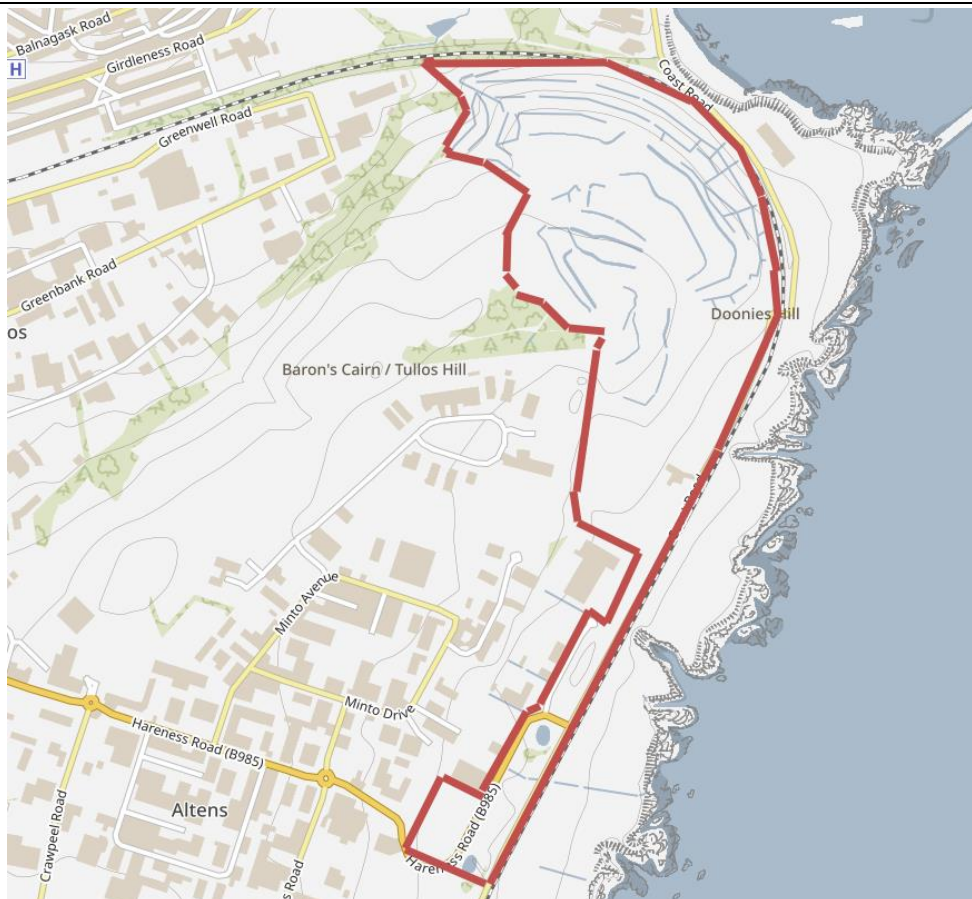


## Pre-Application Forum

Report by Development Management Manager

**Meeting Date: 9<sup>th</sup> February 2023**

Site Address:	Hareness Road/ Ness Landfill Site To The West Of The Coast Road, Aberdeen, ,
Application Description:	Construction of Hydrogen Production and Re-fuelling facility, Solar Farm and connecting cable route
Notice Ref:	221408/PAN
Notice Type	Proposal of Application Notice
Notice Date:	23 November 2022
Applicant:	Aberdeen Hydrogen Energy Ltd
Ward:	Kincorth/Nigg/Cove
Community Council:	Cove And Altens
Case Officer:	Lucy Greene



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## **RECOMMENDATION**

It is 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 they would like the applicants to consider and address in any future application.

## **APPLICATION BACKGROUND**

### **Site Description**

A large site covering 69 Ha has been identified, including Ness former landfill site, a corridor along Coast Road and site on Hareness Road.

The applicant's agent states that a smaller area would be required for the development, with a wider area being initially drawn for consultation purposes in order to allow in flexibility for the final design. The landfill site is a gently sloping hillside to the west of, and bounded by, the railway and Coast Road, which run roughly parallel to the sea. The landfill site is grassed and there are vents, manholes, ditches and swales dotted across the site. To the east is coastal land with the South Harbour to the north east and Nigg Wastewater Treatment Works to the immediate north. The Site of Special Scientific Interest (SSSI) at Nigg Bay lies on the opposite side of Coast Road to the north east. To the west is Tullos Hill, an area of heathland designated as a Local Nature Conservation Area, with Tullos industrial estate to the north east of that.

The site extends south and includes a linear area of land between Coast Road / the railway and the edge of industrial sites on Hareness Place and Road. At the south extremity of the red lined area is a vacant site within the industrial area, on the corner of Hareness Road.

## **APPLICATION DESCRIPTION**

### **Description of Proposal**

The proposal is for a solar farm generating 8MW on the former Ness landfill site, with hydrogen production and fuelling facility on the industrial zoned site on the corner of Hareness Road at the southern extremity of the red lined area. Between the two would be laid a connecting cable to carry electricity from the solar farm to the hydrogen plant.

The solar farm would include: photovoltaic panels, electrical transformers, DC to AC inverters, switchgear, metering system and small sub-station with connection point to a solar grid connection. Early conceptual work indicates the solar panels as being located around the upper areas of the hill side, as these are flatter, with the gradient of the sides being less suitable.

The solar farm would provide energy for hydrogen production, with any excess being provided to the grid.

The hydrogen facility would include: three (3no.) vehicle hydrogen dispensers, one or more electrolyser – which splits water molecules (H<sub>2</sub>O) into hydrogen (H<sub>2</sub>) and oxygen (O<sub>2</sub>), compressor(s), low pressure storage, station module with fuelling storage and local electrical substation.

The hydrogen facility would also be connected to the grid for back up.

It is indicated that the cable would be below ground and would carry 33Kv. The precise route for the cable is not yet established, however, it is indicated that it would be within the soft road verge where carried along Coast Road.

## **Pre-Application Consultation**

The Pre-application notice for this application was submitted on 23<sup>rd</sup> November 2022 and was agreed on 14 December 2022. The first public consultation event took place on 10<sup>th</sup> December 2022 at St Fittick's Church. The event consisted of presentation boards with members of the applicant's project team available to answer questions. Feedback forms were available for feedback to be either left at the event or sent later, including by email.

A second event was held at St Fittick's Church on 28<sup>th</sup> January 2023. Feedback forms may be completed on the website below, until 11<sup>th</sup> February.

The consultation material is available on the applicant's website:

<https://www.bpaberdeenhydrogenhub.com/publicconsultation/>

## **Relevant Planning History**

221466/PREAPP – A pre-application enquiry for the same development proposal.

221532/ESC – An EIA screening application for the same development proposal.

## **MATERIAL CONSIDERATIONS**

### **Legislative Requirements**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where making any determination under the planning acts, regard is to be had to the provisions of the Development Plan; and, that any determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

### **National Planning Policy and Guidance**

#### **National Planning Framework 4**

National Planning Framework 4 (NPF4) was given final Parliamentary approval on 11th January 2023 and is anticipated to be adopted in February 2023. The weight to be given to NPF4 prior to its adoption is a matter for the decision maker. Although NPF4 has not yet been formally adopted it has now been approved by Parliament and is, therefore, now considered to be a significant material consideration in the assessment of planning applications. The relevant provisions of NPF4 that require consideration in terms of this application are -

Historic Assets and Places

Design, quality and place

Local living and 20 minute neighbourhoods

Health and safety

Community Wealth Building

### **Development Plan**

#### **Aberdeen City and Shire Strategic Development Plan (2020)**

This plan will fall following adoption of NPF4 this month.

Aberdeen Local Development Plan (2017)

Section 16 (1)(a)(ii) of the Town and Country Planning (Scotland) Act 1997 requires that, where there is a current local development plan, a proposed local development plan must be submitted to Scottish Ministers within five years after the date on which the current plan was approved. From 21 January 2022, the extant local development plan will be beyond this five-year period. Therefore, where relevant, weight should be given to paragraph 33 of the Scottish Planning Policy (2014) which states: “Where relevant policies in a development plan are out-of-date or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration.

The following policies are relevant –

NE1 – Green Space Network  
 NE2 – Green Belt  
 B1 – Business and Industry  
 D1 – Quality Placemaking by Design  
 D2 – Landscape  
 D4 – Historic Environment  
 I1 – Infrastructure Delivery and Planning Obligations  
 T2 – Managing the Transport Impact of Development  
 T3 – Sustainable and Active Travel  
 T5 – Noise  
 NE6 – Flooding, Drainage and Water Quality  
 NE8 – Natural Heritage  
 NE9 – Access and Informal Recreation  
 R2 – Degraded and Contaminated Land  
 R8 – Renewable and Low Carbon Energy Developments

Opportunity Sites

OP64 – Nigg Solar Farm  
 OP62 – Nigg Bay – Aberdeen Harbour  
 OP54 – Altens East and Doonies

**Proposed Aberdeen Local Development Plan (2020)**

The Report of Examination on the Proposed Aberdeen Local Development Plan 2020 (PALDP) was received by the Council on 20 September 2022. All the recommendations within the Report have been accepted and the modifications made to the PALDP were agreed by Full Council on 14 December 2022. The PALDP constitutes the Council’s settled view as to the content of the final adopted ALDP and is now a material consideration in the determination of planning applications. The exact weight to be given to matters contained in the PALDP (including individual policies) in relation to specific applications will depend on the relevance of these matters to the application under consideration.

The following policies are relevant –

NE1 – Greenbelt  
 NE2 – Green Space Network  
 B5 – Energy Transition Zone  
 B1 – Business and Industry  
 WB1 – Healthy Developments

WB3 – Noise  
NE2 – Green and Blue Infrastructure  
NE3 – Our Natural Heritage  
NE4 - Our Water Environment  
D1 – Quality Placemaking  
D2 - Amenity  
D4 – Landscape  
D5 – Landscape Design  
D6 – Historic Environment  
R2 – Degraded and Contaminated Land  
R5 – Waste Management  
R6 – Low and Zero Carbon Buildings, and Water Efficiency  
R7 – Renewable and Low Carbon Developments  
I1 – Infrastructure Delivery and Planning Obligations  
T2 – Sustainable Transport

Opportunity Sites

OP64  
OP61  
OP62

### **Other Material Considerations**

Chief Planner Letter: NPF4 – Stakeholder update, January 2023

This letter confirms that NPF4 is a significant material consideration in the determination of planning applications.

### **Policy Considerations**

#### **Renewable and Low Carbon Developments**

Renewable and low carbon energy schemes will be encouraged and supported in principle, where the technology can operate efficiently, and the environmental and cumulative impacts can be satisfactorily addressed.

Proposals will not:

1. cause significant harm to the local environment, including landscape character and the character and appearance of listed buildings and conservation areas; or
2. negatively impact on air quality; or
3. negatively impact on tourism; or
4. have a significant adverse impact on the amenity of dwelling houses.

Solar energy developments will need to meet the following specific requirements ensuring that:

1. Development does not result in significant negative cumulative visual impact, and consideration has been given to glint and glare issues and it has been demonstrated that any significant impacts will have a duration of less than five minutes in any one day, and
2. Associated infrastructure does not result in a negative cumulative effect on landscape and natural heritage, and
3. Low impact vegetation management can be achieved (grazing).

The production of hydrogen on an installation on land requires to be permitted by SEPA under the Pollution Prevention and Control (Scotland) Regulations 2012 [PPC]. This means that emissions to air, water (including discharges to sewer) and land, plus a range of other environmental effects, must be considered together.

### **Natural Heritage**

The site is not designated. However, a thorough assessment of all natural heritage assets would be required to be submitted with an application. This would include proposals to mitigate any adverse effects and consideration of the contribution of the site to the surrounding habitat network and proposals to prevent fragmentation, and create and restore links.

Biodiversity net gain would be required.

A Construction Environmental Management Plan (CEMP) would be required as part of an application.

### **Transportation**

A Transport Statement will be required to accompany the application. The landfill site is not currently available to the public for access. Wherever possible, developments should include new or improved public access, permeability and / or links to green space and open space for recreation and active travel.

### **Landscape and Design**

A landscape visual impact assessment and a landscape strategy would be required to be submitted.

### **Historic Environment**

There are three cairns which are Scheduled Ancient Monuments, to the south, west and south west of the site.

### **Healthy Developments**

Major developments must submit a Health Impact Assessment to enhance health benefits and mitigate any identified impacts on the wider determinants of health.

### **Noise**

Details of operational noise sources may indicate the need for a noise impact assessment.

### **Contaminated Land**

The Ness Landfill Site still has a Water Management License and is regulated by the Scottish Environment Protection Agency (SEPA). SEPA would be consulted on any application.

### **Drainage and Flooding**

Drainage Impact Assessment would be required. The site is not identified on the SEPA flood maps.

### **Low and Zero Carbon Buildings, and Water Efficiency**

If buildings are heated or cooled, other than for frost protection, and more than 50m<sup>2</sup>, they will require to submit details of carbon emission reductions.

In terms of water efficiency, water saving technology is required. To extract water for hydrogen production, SEPA is the licencing authority.

### **Energy Transition Zone (ETZ)**

Areas of the site fall within the area allocated as the ETZ, although the final design will identify the extent of this. The ETZ will be subject support renewable energy transition related industries and be subject to a Masterplan.

### **Opportunity Sites**



The Ness Landfill is identified as OP64: It is identified for a Solar Farm. This development proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of this process an adequate Construction Environmental Management Plan (CEMP) may be required although it is possible that this may be addressed subject to planning conditions. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.

The site also includes areas of OP61 and OP62, which are Doonies and Bay of Nigg.

### **NECESSARY INFORMATION TO SUPPORT ANY FUTURE APPLICATION**

As part of any application, the following information would need to accompany the formal submission

- 
- Landscape and Visual Impact Assessment, including of glint and glare
- Landscape Framework
- Ecology Assessment
- Transportation Statement
- Design & Access Statement
- Noise Impact Assessment
- Drainage Impact Assessment
- Pre-Application Consultation Report

### **RECOMMENDATION**

It is 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 they would like the applicants to consider and address in any future application.







## **National Planning Policy and Guidance**

### National Planning Framework 4

National Planning Framework 4 (NPF4) was given final Parliamentary approval on 11th January 2023 and is anticipated to be adopted in February 2023. The weight to be given to NPF4 prior to its adoption is a matter for the decision maker. Although NPF4 has not yet been formally adopted it has now been approved by Parliament and is, therefore, now considered to be a significant material consideration in the assessment of planning applications. The relevant provisions of NPF4 that require consideration in terms of this application are – *(or state otherwise)*

## **Development Plan**

### Aberdeen City and Shire Strategic Development Plan (2020)

The current Strategic Development Plan for Aberdeen City and Shire was approved by Scottish Ministers in September 2020 and forms the strategic component of the Development Plan. No issues of strategic or cross boundary significance have been identified. *(or state otherwise)*

### Aberdeen Local Development Plan (2017)

Section 16 (1)(a)(ii) of the Town and Country Planning (Scotland) Act 1997 requires that, where there is a current local development plan, a proposed local development plan must be submitted to Scottish Ministers within five years after the date on which the current plan was approved. From 21 January 2022, the extant local development plan will be beyond this five-year period. Therefore, where relevant, weight should be given to paragraph 33 of the Scottish Planning Policy (2014) which states: "Where relevant policies in a development plan are out-of-date or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration.

The following policies are relevant –

### **Supplementary Guidance and Technical Advice Notes**

- 

### **Proposed Aberdeen Local Development Plan (2020)**

The Report of Examination on the Proposed Aberdeen Local Development Plan 2020 (PALDP) was received by the Council on 20 September 2022. All the recommendations within the Report have been accepted and the modifications made to the PALDP were agreed by Full Council on 14 December 2022. The PALDP constitutes the Council's settled view as to the content of the final adopted ALDP and is now a material consideration in the determination of planning applications. The exact weight to be given to matters contained in the PALDP (including individual policies) in relation to specific applications will depend on the relevance of these matters to the application under consideration.

The following policies are relevant –

### **Other Material Considerations**

## **EVALUATION**

### **Principle of Development**

### **Proposed Aberdeen Local Development Plan**

The Report of Examination does not affect policies in a manner that is relevant to this application. The relevant PALDP policies substantively reiterate those in the adopted ALDP and therefore the proposal is acceptable in terms of both plans for the reasons previously given. *(or state otherwise)*

**Heads of Terms of any Legal Agreement**

**Time Limit Direction**

**RECOMMENDATION**

Further Consultation Required

**REASON FOR RECOMMENDATION**

**CONDITIONS**

**ADVISORY NOTES FOR APPLICANT**

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