

Public Document Pack



To: Councillor McRae, Convener; Councillor Greig, Vice-Convener; and Councillors Alphonse, Boulton, Clark, Copland, Farquhar, Lawrence and Macdonald.

Town House,
ABERDEEN 29 October 2025

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

The Members of the **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE** are requested to meet in **Committee Room 2 - Town House** on **THURSDAY, 6 NOVEMBER 2025 at 10.00 am.** 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
CHIEF OFFICER – GOVERNANCE

B U S I N E S S

MEMBERS PLEASE NOTE THAT ALL LETTERS OF REPRESENTATION ARE NOW AVAILABLE TO VIEW ONLINE. PLEASE CLICK ON THE LINK WITHIN THE RELEVANT COMMITTEE ITEM.

MOTION AGAINST OFFICER RECOMMENDATION

- 1.1. Motion Against Officer Recommendation - Procedural Note (Pages 5 - 6)

DETERMINATION OF URGENT BUSINESS

- 2.1. Determination of Urgent Business

DECLARATION OF INTERESTS AND TRANSPARENCY STATEMENTS

- 3.1. Members are requested to intimate any declarations of interest or connections

MINUTES OF PREVIOUS MEETINGS

- 4.1. Minute of Meeting of the Planning Development Management Committee of 25 September 2025 - for approval (Pages 7 - 14)
- 4.2. Minute of Meeting of the Planning Development Management Committee (Visits) of 9 October 2025 - for approval (Pages 15 - 24)

COMMITTEE PLANNER AND PLANNING DIGEST

- 5.1. Committee Planner (Pages 25 - 28)
- 5.2. Planning Appeal Digest - for noting (Pages 29 - 32)

GENERAL BUSINESS

WHERE THE RECOMMENDATION IS ONE OF APPROVAL

- 6.1. Approval of matters specified in Conditions 4 (phasing - Zone A) and 41 (phasing - Zone C) in relation to Planning Permission in Principle (Ref: 231371/PPP) for the Proposed business / industrial development (Class 4/5/6); road infrastructure; active travel connections; landscaping and environmental works including drainage and other infrastructure - Land at St Fittick's Park And Doonies Farm, Aberdeen (Pages 33 - 50)

Planning Reference – 250429/MS

All documents associated with this application can be found at the following link and enter the reference number above:-

[Link.](#)

Planning Officer: Lucy Greene

- 6.2. Approval of matters specified in conditions 5c,d,e (design, layout, siting), 8 (details of East Tullos burn works), 9 (biodiversity), 10 (landscaping), 12 (flood risk assessment), 16 (CEMP), 20a,c,d,g,h (mitigations) and 21 (archaeological works) of application ref. 231371/PPP for the realignment and enhancement of the East Tullos Burn, landscape works and biodiversity enhancement, path connections and associated mitigation works (Phase 1 of Zone A) - Land At St Fittick's Park, Aberdeen, (Pages 51 - 70)

Planning Reference – 250440/MS

All documents associated with this application can be found at the following link and enter the reference number above:-

[Link.](#)

Planning Officer: Lucy Greene

- 6.3. Detailed Planning Permission for the erection of single-storey extension to rear, installation of new rooflights, replacement garage roof to rear, enlargement of side window, and installation of external cladding to existing extension - 12 Salisbury Terrace Aberdeen (Pages 71 - 82)

Planning Reference – 250726

All documents associated with this application can be found at the following link and enter the reference number above:-

[Link.](#)

Planning Officer: Jan Frontzek

- 6.4. Detailed Planning Permission for the erection of secondary school community campus with associated external amenities, including landscaping, parking and sports pitches, including demolition of the existing school and associated buildings - Hazlehead Academy, Groats Road Aberdeen (Pages 83 - 102)

Planning Reference – 250479

All documents associated with this application can be found at the following link and enter the reference number above:-

[Link.](#)

Planning Officer: Dineke Brasier

WHERE THE RECOMMENDATION IS ONE OF REFUSAL

- 7.1. Detailed Planning Permission for the erection of battery storage units with associated infrastructure, control building, switch room, inverter containers, lighting, fencing and associated works including access road - land north of Aryburn Farm, Dyce, Aberdeen (Pages 103 - 126)

Planning Reference – 241197

All documents associated with this application can be found at the following link and enter the reference number above:-

[Link.](#)

Planning Officer: Gavin Clark

OTHER REPORTS

8.1. City Centre Affordable Housing Waiver - CR&E/25/227 (Pages 127 - 136)

DATE OF NEXT MEETING

9.1. Thursday 4 December 2025 - 10am

Integrated Impact Assessments related to reports on this agenda can be viewed [here](#)

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

Website Address: aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Lynsey McBain, Committee Officer, on 01224 067344 or email lymcbain@aberdeencity.gov.uk

Members will recall from the planning training sessions held, that there is a statutory requirement through Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 for all planning applications to be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. All Committee reports to Planning Development Management Committee are evaluated on this basis. It is important that the reasons for approval or refusal of all applications and any conditions to be attached are clear and based on valid planning grounds. This will ensure that applications are defensible at appeal and the Council is not exposed to an award of expenses.

Under Standing Order 29.11 the Convener can determine whether a motion or amendment is competent and may seek advice from officers in this regard. With the foregoing in mind the Convener has agreed to the formalisation of a procedure whereby any Member wishing to move against the officer recommendation on an application in a Committee report will be required to state clearly the relevant development plan policy(ies) and/or other material planning consideration(s) that form the basis of the motion against the recommendation and also explain why it is believed the application should be approved or refused on that basis. The Convener will usually call a short recess for discussion between officers and Members putting forward an alternative to the recommendation.

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 25 September 2025. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor McRae, Convener; Councillor Greig, Vice Convener; and Councillors Alphonse, Boulton, Clark, Copland, Macdonald and Malik (as substitute for Councillor Lawrence).

The agenda and reports associated with this minute can be located [here](#).

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

DECLARATIONS OF INTEREST OR CONNECTIONS

1. Councillor Malik noted as a transparency statement that in relation to item 6.1 on the agenda, 92 Crown Street Aberdeen, that should the application be approved, that he would use the mosque, however did not consider that the connection amounted to an interest which required a declaration to be made or would require him to leave the meeting for that item.

MINUTE OF MEETING OF THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 21 AUGUST 2025

2. The Committee had before it the minute of the previous meeting of 21 August 2025, for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE BUSINESS PLANNER

3. The Committee had before it the committee business planner, as prepared by the Chief Officer – Governance.

The Committee resolved:-

- (i) to agree to remove item 24 (Planning Guidance on drive throughs), as a Service Update was issued to Members in this regard; and
- (ii) to note the committee business planner.

PLANNING APPEAL DIGEST

4. The Committee had before it a report by the Chief Officer – Strategic Place Planning, which provided an update in relation to various planning appeals.

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The report informed Members about planning appeals and notifications in relation to Aberdeen City Council decisions that the Scottish Government's Division for Planning and Environmental Appeals (DPEA) had received or decided since the last Planning Development Management Committee meeting and also listed appeals that were still pending.

The Committee resolved:-

to note the information contained in the planning appeal digest.

92 CROWN STREET ABERDEEN - 250180

5. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for Detailed Planning Permission for the change of use from motorcycle garage and showroom to mosque (class 10 - non-residential institution) and class 1A (shops and financial, professional and other services) to ground floor; extensions to side, blocking up and formation of new doorways, and all associated works, at 92 Crown Street Aberdeen, be approved subject to the following conditions:-

Conditions

(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the Town and Country Planning (Scotland) Act 1997.

(02) CYCLE PARKING SPACES

That the change of use hereby approved shall not occur unless finalised details of the proposed cycle parking areas in accordance with the proposed plans have been submitted to and approved in writing by the planning authority, and evidence of their installation has been submitted to, and confirmed in writing by the planning authority.

Reason - to incentivise sustainable and active travel to the premises.

(03) HARD AND SOFT LANDSCAPING AND BIODIVERSITY ENHANCEMENTS

That the change of use hereby approved shall not occur unless all of the hard and soft landscaping measures, fixed seating and boundary treatment on the approved landscape scheme (as shown on Drawing 11B) have been implemented in their entirety, unless a variation to this scheme has been submitted to, and approved in writing by the planning

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authority. All soft landscaping proposals and biodiversity enhancements shall be carried out in accordance with the approved landscape scheme and shall be completed during the planting season immediately following the completion of the extension, or such other date as may be agreed in writing with the planning authority. Any planting which, within a period of five years from the completion of the development, in the opinion of the planning authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Reason - In the interests of enhancing green infrastructure, the character and appearance of the conservation area and biodiversity, as well as positively addressing the climate and nature crises.

(04) EXTERNAL MATERIALS

That no development shall take place unless specifications, samples, and finalised details, including a sample panel of the perforated metal cladding system of the walls, roof, window panels and doors of the extensions and exposed elevations, have been submitted to, and approved in writing by the planning authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason - In the interests of visual amenity and the character and appearance of the conservation area.

(05) NEW DOOR OPENING AND BLOCKING UP OF DOOR

That no development shall take place unless finalised details of the proposed door opening and the blocking up of the existing door on the north elevation of the flat roofed extension to the northwest of the application site has been submitted to, and approved in writing by, the planning authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason - In the interests of visual amenity and the character and appearance of the conservation area.

The Committee heard from Roy Brown, Senior Planner, who spoke in furtherance of the application and answered various questions from Members.

The Committee then heard from Altaf Panchbhaya, applicant, who spoke in support of the application. Finally, the Committee heard from Gillian Stuart, Academy Street Dance Studio, who objected to the application.

The Committee resolved:-

to approve the application conditionally.

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71 VICTORIA STREET DYCE ABERDEEN - 250485

6. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for Detailed Planning Permission for the change of use from veterinary practice [class 1A (shops, financial professional and other services) use] to hot food takeaway (sui generis) and installation of extract flue, at 71 Victoria Street Dyce Aberdeen, be approved subject to the following conditions:-

Conditions

(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

(02) BIRD MANAGEMENT

No development shall take place, nor shall the use operate, unless a Bird Hazard Management Plan has been submitted to and approved in writing by the planning authority. The submitted plan shall include details of:

- physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste;
- signs deterring people from feeding the birds.

The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the duration of the approved use. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority.

Reason: It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Aberdeen Airport.

(03) WASTE AND RECYCLING STORAGE

The use hereby approved shall not take place unless a scheme of segregated waste storage for the site, including food waste storage, has been submitted to and approved in writing by the Planning Authority. This shall include screening of the proposed refuse

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and recycling bin store, as specified on drawing no. PL01 G hereby approved and provision of gully and wash down facilities within the site. The approved use shall not take place unless the approved bin store has been provided and thereafter is retained and is available for use for the duration of the use of the premises as a hot food takeaway.

Reason – In order to ensure waste storage on site, preserve the amenity of the area and ensure that the bins do not obstruct the adjacent public road / footway.

(04) ODOUR MITIGATION

The use hereby approved shall not take place unless the odour mitigation measures specified in the approved Odour Impact Assessment (TKM Ventilation Services, 23rd July 2025) including the external flue shown on drawing ref. PL01 G, or such other assessment and drawing as may be approved in writing by the planning authority, have been implemented in full. Implementation of the following specific measures is required:

- Wall mounted extract canopy located directly above cooking appliances
- Canopy to include baffle type grease filters (washable)
- Extract ductwork routed to the external termination point incorporating sufficient access panels to permit cleaning/filter changeout
- 3-stage filtration comprising first stage G2 mesh filter (grease), second stage M5 disposable bag filter and third stage activated carbon filter for removal of grease and odour. Carbon filter to have minimum dwell time of 0.2 seconds. Suitable access will be required to the filters
- Exhaust to atmosphere via high velocity jet cowl discharging above eaves
- Fresh-air make-up via ducted system with filter/fan
- Both supply and extract fans operated via speed controllers
- Safety gas interlock required to isolate gas supply in event of ventilation fan failure

The approved use shall not take place unless evidence of implementation of the requisite physical measures to be installed on site has been submitted to and agreed in writing by the planning authority. Thereafter, the odour mitigation measures shall be retained for duration of the use of the premises as a hot food takeaway.

Reason – In order to preserve the amenity of adjacent residential premises by reason of the generation of odours.

(05) NOISE IMPACT / MITIGATION

The use hereby approved shall not take place unless the noise mitigation measures specified in the approved Noise Impact Assessment (FEC Acoustics, 23rd July 2025), or such other assessment as may be approved in writing by the planning authority, have been implemented in full. Implementation of the following specific measures is required:

- The intake/extract points are located as shown on the Proposed Plans and Elevations (Drawing No: PL01 G).

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- The Local Extract Ventilation system (LEV) has an intake fan with equivalent (or lower) noise emissions than the Vent Axia Quiet Pack Fan (as detailed in Appendix 8.1.1).
- The LEV has an extract fan with equivalent (or lower) noise emissions than the Soler & Palau CVAB/4-6000/450N D Fan (as detailed in Appendix 8.1.2).
- A silencer is fitted upstream of the intake ventilation fan that provides (as a minimum) dynamic insertion loss values equivalent to the Vent Axia 'Sonex' Silencer (400 mm diameter, 900 mm length) detailed in Appendix 8.1.3.
- A silencer is fitted downstream of the exhaust fan that provides (as a minimum) dynamic insertion loss values equivalent to the Vent Axia 'Sonex' Silencer (400 mm diameter, 900 mm length) detailed in Appendix 8.1.3.
- The LEV installer ensures all necessary measures are taken to reduce the effects of vibration on the internal and external building structure using various anti-vibration methods (e.g. pads/mats/mounts and flexible hose connections).

The approved use shall not take place unless evidence of implementation of the requisite physical measures to be installed on site has been submitted to and agreed in writing by the planning authority. Thereafter, the said measures shall be retained for the duration of the use of the premises as a hot food takeaway.

Reason – In order to preserve the amenity of adjacent residential premises by reason of the generation of plant noise.

(06) CYCLE PARKING / STORAGE

The use hereby approved shall not take place unless the proposed cycle parking, as specified on drawing no. PL01 G hereby approved has been implemented in full and thereafter is retained and is available for use for the duration of the premises as a hot food takeaway.

Reason – In order to ensure provision of adequate customer and staff cycle parking on site and reduce the risk of obstruction of the adjacent public road / footway.

(07) HOURS OF OPERATION

The use hereby approved shall not operate outwith the hours from 7.00am to 8.30pm on any day.

Reason - In order to protect the amenity of adjacent residential uses due to potential late night noise generation / disturbance associated with use of the premises

The Committee heard from Robert Forbes, Senior Planner, who spoke in furtherance of the application and answered various questions from Members.

The Committee then heard from Martin Gillespie, who objected to the application.

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The Convener moved, seconded by the Vice Convener:-

That the application be approved conditionally in line with the officers recommendation.

Councillor Boulton moved as an amendment, seconded by Councillor Alphonse:-

That the application be refused for the following reasons.

1. The proposed use would undermine the amenity of the area and health and wellbeing of the community by reason of the proximity of residential uses to the site and the generation of increased activity (e.g. delivery traffic and noise outwith normal shopping hours), to the detriment of existing residential amenity and thus conflicts with Policy 27 (City, town, local and commercial Centres) part C within National Planning Framework 4 and Aberdeen Planning Guidance (APG) regarding Harmony of Uses; and
2. The proposed use would result in an increase in vehicle trips to the site, and reduced vehicle dwell time relative to the authorised use. The increased reversing of vehicles across the footway on Victoria Street would result in unacceptable exacerbation of an existing public safety risk.

On a division, there voted – for the motion (5) – the Convener, the Vice Convener and Councillors Copland, Malik and Macdonald – for the amendment (3) – Councillors Alphonse, Boulton and Clark.

The Committee resolved:-

to adopt the motion and approve the application conditionally.

27 RUBISLAW DEN NORTH ABERDEEN - DETAILED PLANNING PERMISSION - 241426

7. This application was deferred for consideration until a site visit could place on Thursday 9 October 2025.

27 RUBISLAW DEN NORTH ABERDEEN - LISTED BUILDING CONSENT - 241427

8. This application was deferred for consideration until a site visit could place on Thursday 9 October 2025.

- **COUNCILLOR CIARAN MCRAE, Convener**

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

ABERDEEN, 9 October 2025. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS). Present:- Councillor McRae, Convener; Councillor Greig, Vice Convener; and Councillors Alphonse, Boulton, Clark, Copland, Farquhar, Lawrence and Macdonald.

The agenda and reports associated with this minute can be found [here](#).

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

27 RUBISLAW DEN NORTH ABERDEEN - DETAILED PLANNING PERMISSION - 241426

1. With reference to article 7 of the minute of the Planning Development Management Committee of 25 September 2025, whereby it was agreed to hold a site visit before determination, the Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for Detailed Planning Permission for the change of use from offices to form seven residential flats and two dwellinghouses including alterations to windows, formation of Juliet balconies, roof terraces with glass balustrade and roof extension; installation of roof lights, alterations to door and window openings blocking up door opening to form windows, opening up windows opening; erection of ancillary garages, formation of car parking and erection of single dwelling house with associated landscaping and infrastructure works at 27 Rubislaw Den North Aberdeen, be approved conditionally with a legal agreement.

Conditions

(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

(02) MATERIALS

That no development shall take place unless a scheme/samples detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed. For the

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avoidance of doubt, a sample panel with all external finishing materials showing their proportionate relationship shall be erected on site.

Reason - in the interests of visual amenity and to preserve the character and appearance of the Category B-listed building at 27 Rubislaw Den North.

(03) HARD LANDSCAPING MATERIALS

Notwithstanding any information provided in the hereby approved drawings, no development shall take place unless a scheme detailing all hard surfacing materials of the development hereby approved has been submitted to, and approved in writing by, the planning authority. The development shall subsequently be carried out in accordance with the agreed details.

Reason – in the interest of visual amenity and to preserve the setting of the Category B-listed building at 27 Rubislaw Den North

(04) GATE

Notwithstanding any information contained in the drawings submitted as part of this application, the development hereby approved shall not be occupied unless further details of the gate to be implemented across the vehicular and pedestrian access into the site from Rubislaw Den North have been submitted. The development shall subsequently be carried out in accordance with the agreed details.

Reason – to preserve the setting and character of the Albyn Place and Rubislaw Conservation Area and the Category B-listed building.

(05) LIGHTING

Notwithstanding any information provided in the hereby approved drawings, prior to the occupation of any residential unit hereby approved a scheme of external lighting for that unit shall be submitted to, and approved in writing by, the planning authority. The development shall subsequently be carried out in accordance with the agreed details.

Reason – to preserve the character and fabric of the Category B-listed building and to avoid any potential adverse impact on protected species.

(06) GARDEN HOUSE DETAILS

That no development on the Garden House shall take place unless details of foundations and a methodology for the construction for the Garden House have been submitted to, and approved in writing by, the planning authority. The development shall subsequently be carried out in accordance with the agreed details.

Reason – in the interest of the integrity of the listed terraces and to avoid any unacceptable impact on the Rubislaw Den Local Nature Conservation Site.

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(07) GARAGE DETAILS

That no development shall take place unless details of foundations and a methodology for the construction of the garage building have been submitted to, and approved in writing by, the planning authority. The development shall subsequently be carried out in accordance with the agreed details.

Reason – to minimise any adverse impact on the roots of protected trees along the northern site boundary.

(08) IMPLEMENTATION SOFT LANDSCAPING

That all planting, seeding and turfing comprised in the approved scheme of landscaping as set out in the hereby approved drawings 2294/RFB/XX/XX/DR/L/0001/RevD and 2294/RFB/XX/XX/DR/L/0003/revC 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.

Reason - in the interests of visual amenity of the area, to provide a good quality living environment for residents and to ensure a satisfactory replacement tree planting scheme is implemented.

(09) TREE PROTECTION (01)

That no development shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the Planning Authority and any such scheme as may have been approved has been implemented.

Reason - in order to ensure adequate protection for the trees on site during the construction of the development.

(10) TREE PROTECTION (02)

That no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the Planning Authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks.

Reason – in order to ensure. Adequate protection for the trees on site during the

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construction of the development.

(11) CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN

That no development shall take place unless a detailed site-specific Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by the planning authority. The approved plan shall be submitted in full for the duration of the works. For the avoidance of doubt, the CEMP shall contain details on:

- Air Quality (Dust) Risk Assessment;
- Dust Management Plan;
- A site waste management plan;
- Details of how pollution of the North Burn of Rubislaw and the Rubislaw Den Local Nature Conservation Site will be prevented;
- Details of the measures put in place to ensure workers on the site are aware of the requirement to avoid any impacts with protected species
- Details of any construction lighting that might be required in relation to works to the Garden House

Reason – in the interest of residential amenity of neighbouring properties and to ensure that construction of the development will not have an adverse impact on the qualities of the Rubislaw Den Local Nature Conservation Site.

(12) DRAINAGE DETAILS

Notwithstanding the information contained within Drainage Assessment 163925 undertaken by Fairhurst and submitted as part of this application, no development shall take place unless details of the surface water management system, including the exact location of the outfall to the North Burn of Rubislaw has been submitted to, and approved in writing by, the planning authority. The development shall subsequently be implemented in accordance with the agreed details.

Reason – in the interest of the integrity of the Rubislaw Den Local Nature Conservation Site.

Following the site visit, Members returned to deliberate the application and heard from Dineke Brasier, Senior Planner, who spoke in furtherance of the application and answered various questions from Members.

The Committee then heard from Michael Lorimer (on behalf of Mr and Mrs Barrack), Roger Laird (on behalf of Mr Sydney Fraser) and George Sismey-Durrant (on behalf of Mr Martin Ross). They all spoke against the application and asked that the proposed application be refused.

The Convener moved, seconded by Councillor Alphonse:-

That the Committee approve the application conditionally with a legal agreement in line with the officers' recommendation, with an extra condition added to read:-

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9 October 2025

That no development shall take place unless details of the route, foundation and materials details and a methodology for the construction of the path and steps from the communal garden ground in the southern part of the site down to the Den of Rubislaw, as shown on plan ref Raeburn Farquhar Bowen 2294-RFB-ZZ-ZZ-DR-L-D04 (or equivalent as has been agreed in writing by the Planning Authority) have been submitted to, and approved in writing by the Planning Authority. The development shall not be carried out other than in full accordance with the details thereby approved.

Reason – In the interest of the integrity of the listed terraces.

The Vice Convener moved as an amendment, seconded by Councillor Boulton:-
That the Committee refuse the application for the following reasons:-

The proposal would be contrary to Policy 7 of National Planning Framework 4 (NPF4) and Policy D6 of the Aberdeen Local Development Plan (ALDP) by virtue of the adverse impact of the proposal on the historic environment particularly by virtue of the materials, design, scale of the garden house and its anomalous position in relation to the Den of Rubislaw – resulting in an unacceptable impact on the setting of the listed building and character of the conservation area;

The proposal would be contrary to Policy D1 and D2 of the Aberdeen Local Development Plan and Policy 14 of NPF4 by virtue of the adverse impact of the proposal, particularly the garden house, on the residential amenity of adjoining property at 25A Rubislaw Den North and the amenity of recreational users of the Den of Rubislaw; and

The proposal would be contrary to Policy NE3 of the ALDP and Policy 4 of NPF4 by virtue of the adverse impact of light and noise on the wildlife of the Den of Rubislaw – a designated Local Nature conservation site.

On a division, there voted – for the motion (6) – the Convener and Councillors Alphonse, Copland, Farquhar, Lawrence and Macdonald – for the amendment (3) – the Vice Convener and Councillors Boulton and Clark.

The Committee resolved:-

to adopt the motion, therefore approve the application conditionally with a legal agreement and an extra condition.

27 RUBISLAW DEN NORTH ABERDEEN - LISTED BUILDING CONSENT - 241427

2. With reference to article 8 of the minute of the Planning Development Management Committee of 25 September 2025, whereby it was agreed to hold a site

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visit before determination, the Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for Listed Building Consent for the alterations to the former office building to form 7no residential flats and two dwellinghouses including alterations to windows, formation of Juliet balconies, roof terraces and roof extension; installation of roof lights, alterations to door and window openings; erection of garages with ancillary space, formation of car parking and erection of single dwelling house with associated landscaping, infrastructure works and internal alterations at 27 Rubislaw Den North Aberdeen, be approved subject to the following conditions:-

Conditions

(01) MATERIALS

That no development shall take place unless a scheme/samples detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority, and thereafter the development shall be carried out in accordance with the details so agreed. For the avoidance of doubt, a sample panel with all external finishing materials showing their proportionate relationship shall be erected on site.

Reason – To preserve the character and appearance of the Category B-listed building at 27 Rubislaw Den North.

(02) HARD LANDSCAPING MATERIALS

Notwithstanding any information provided in the hereby approved drawings, no development shall take place unless a scheme detailing all hard surfacing materials of the development hereby approved has been submitted to, and approved in writing by, the planning authority. The development shall subsequently be carried out in accordance with the agreed details.

Reason – To preserve the setting of the Category B-listed building.

(03) GATES

Notwithstanding any information contained in the drawings submitted as part of this application, the development hereby approved shall not be occupied unless further details of the gates to be implemented across the vehicular and pedestrian access into the site from Rubislaw Den North have been submitted. The development shall subsequently be carried out in accordance with the agreed details.

Reason – To preserve the setting and character of the Category B-listed building.

(04) LIGHTING

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

9 October 2025

Notwithstanding any information provided in the hereby approved drawings, prior to occupation of any residential unit hereby approved, a scheme of external lighting for that unit shall be submitted to, and approved in writing by, the planning authority. The development shall subsequently be carried out in accordance with the agreed details.

Reason – To preserve the fabric of the Category B-listed building.

(05) NOISE AND FIRE SEPARATION

Notwithstanding any information provided in the hereby approved drawings, prior to commencement of development, a detailed scheme setting out noise and fire separation measures shall be submitted and approved in writing by, the planning authority. For the avoidance of doubt, details shall include detailed drawings, including 1:10 cross-sections and, if a suspended ceiling is proposed, drawings must illustrate its relationship with any existing historic and architectural features and demonstrate how key features such as cornicing will be reinstated. The development shall subsequently be carried out in accordance with the agreed details.

Reason – To preserve the fabric and character of the Category B-listed building.

(06) VENTILATION AND FLUES

Notwithstanding any information provided in the hereby approved drawings, prior to commencement of development, a detailed scheme showing location and type of vents and flues to be installed shall be submitted and approved in writing by the planning authority. For the avoidance of doubt, information to be provided shall include brochure details of slate vents, elevation vents/grilles and flues. The development shall subsequently be carried out in accordance with the agreed details.

Reason – To preserve the fabric and character of the Category B-listed building

(07) WALL RESTORATION METHODOLOGY

That following demolition of the existing modern extension to the north of the original house no further development shall take place unless a detailed methodology for restoration of the north elevation wall following removal of the extension has been submitted to and approved by the planning authority. The development shall subsequently be carried out in accordance with the agreed details.

Reason – To preserve the fabric and character of the Category B-listed building.

(08) GARDEN HOUSE DETAILS

That no development on the Garden House shall take place unless details of foundations and a methodology for the construction for the Garden House have been submitted to, and approved in writing by, the planning authority. The development of the Garden House shall subsequently be carried out in accordance with the agreed details.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

9 October 2025

Reason – in the interest of the integrity of the listed terraces and to avoid any unacceptable impact on the Rubislaw Den Local Nature Conservation Site.

Following the site visit, Members returned to deliberate the application and heard from Dineke Brasier, Senior Planner, who spoke in furtherance of the application and answered various questions from Members.

The Committee then heard from Michael Lorimer (on behalf of Mr and Mrs Barrack), Roger Laird (on behalf of Mr Sydney Fraser) and George Sismey-Durrant (on behalf of Mr Martin Ross). They all spoke against the application and asked that the proposed application be refused.

The Convener moved, seconded by Councillor Alphonse:-

That the application be approved conditionally with an extra condition added to read:-

That no development shall take place unless details of the route, foundation and materials details and a methodology for the construction of the path and steps from the communal garden ground in the southern part of the site down to the Den of Rubislaw, as shown on plan ref Raeburn Farquhar Bowen 2294-RFB-ZZ-ZZ-DR-L-D04 (or equivalent as has been agreed in writing by the Planning Authority) have been submitted to, and approved in writing by the Planning Authority. The development shall not be carried out other than in full accordance with the details thereby approved.

Reason – In the interest of the integrity of the listed terraces.

The Vice Convener moved as an amendment, seconded by Councillor Boulton:-

That the Committee refuse the application as the proposal would be contrary to Policy 7 of National Planning Framework 4 (NPF4) and Policy D6 of the Aberdeen Local Development Plan (ALDP) by virtue of the adverse impact of the proposal on the historic environment particularly by virtue of the materials design, scale of the garden house and its anomalous position in relation to the Den of Rubislaw – resulting in an unacceptable impact on the setting of the listed building and character of the conservation area.

On a division, there voted – for the motion (6) – the Convener and Councillors Alphonse, Copland, Farquhar, Lawrence and Macdonald – for the amendment (3) – the Vice Convener and Councillors Boulton and Clark.

The Committee resolved:-

to adopt the motion, therefore approve the application conditionally with an extra condition.

- **COUNCILLOR CIARAN MCRAE, Convener**

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)
9 October 2025

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	A	B	C	D	E	F	G	H	I
1	PLANNING DEVELOPMENT MANAGEMENT COMMITTEE BUSINESS PLANNER The Business Planner details the reports which have been instructed by the Committee as well as reports which the Functions expect to be submitting for the calendar year.								
2	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
3			06 November 2025						
4	City Centre Affordable Housing Waiver	The report is to seek approval to extend the existing Affordable Housing Waiver in place across the City Centre area. The waiver was introduced in 2018, and is due to expire on 31 December 2025. A report to PDMC is therefore required in order to extend the waiver for a further period, and we are seeking this up to the adoption of the next Local Development Plan.		Lucy Alston	Strategic Place Planning	Place	5		
5	Land North Of Aryburn Farm, Dyce, Aberdeen - 241197	To approve or refuse the application for erection of battery storage units with associated infrastructure, control building, switch room, inverter containers, lighting, fencing and associated works including access road		Gavin Clark	Strategic Place Planning	Place	1		
6	ETZ (St Fitticks and Doonies) - 250429	To approve or refuse the application for approval of matters specified in Conditions 4 (phasing - Zone A) and 41 (phasing - Zone C) in relation to Planning Permission in Principle (Ref: 231371/PPP) for the Proposed business / industrial development (Class 4/5/6); road infrastructure; active travel connections; landscaping and environmental works including drainage and other infrastructure		Lucy Greene	Strategic Place Planning	Place	1		
7	ETZ (St Fitticks) - 250440	To approve or refuse the application for approval of matters specified in conditions 5c,d,e (design,layout,siting), 8(details of Eat Tullos burn works), 9(biodiversity), 10(landscaping) etc		Lucy Greene	Strategic Place Planning	Place	1		
8	12 Salisbury Terrace Aberdeen - 250726	To approve or refuse the application for erection of single-storey extension to rear, installation of new rooflights, replacement garage roof to rear, enlargement of side window, and installation of external cladding to existing extension			Strategic Place Planning	Place	1		
9	Hazlehead Academy - 250479	To approve or refuse the application for the erection of secondary school community campus with associated external amenities, including landscaping, parking and sports pitches, including demolition of the existing school and associated buildings		Dineke Brasier	Strategic Place Planning	Place	1		

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2									
10			04 December 2025						
11	Former AECC - 240850	To approve or refuse the application for MSC for the erection of 333 homes and associated infrastructure		Lucy Greene	Strategic Place Planning	Place	1		
12			Future applications to PDMC (date of meeting yet to be finalised).						
13	490 King Street - 241451	To approve or refuse the application for extension to form 21 Student Flats		Robert Forbes	Strategic Place Planning	Place	1		
14	99 Westburn Road Aberdeen - 250319	To approve or refuse the application for change of use to Cafe / hot food take way		Robert Forbes	Strategic Place Planning	Place	1		
15	Oldfold, Milltimber Block G - 250750/S42	To approve or refuse the application for variation of condition 3 of 220466/S42 to change the number units (increase from no more than 400 to 500) that shall be completed before the proposed mixed-use centre within block G has been completed and is available for		Matthew Easton	Strategic Place Planning	Place	1		
16	Oldfold, Milltimber Phase 5A (block U) - 250755	To approve or refuse the application for residential development comprising 49 houses, including infrastructure and open space		Matthew Easton	Strategic Place Planning	Place	1		
17	Oldfold, Milltimber Block G - 250754	To approve or refuse the application for 37 units + commercial space		Matthew Easton	Strategic Place Planning	Place	1		
18	Annual Effectiveness Report - Service Update	At the meeting of Council on 16 April 2025, it was agreed that Annual Effectiveness Report would now be a service update		Lynsey McBain	Governance	Customers Service			
19	Article 4 Directions	At the meeting on 19 September 2024, it was agreed to instruct the Chief Officer – Strategic Place Planning to report the outcomes of the public consultation and any proposed recommendations on the Article 4 Directions to a subsequent Planning Development Management Committee within the next six months.	Delayed consultation start due to begin early May. Will report back after this is completed.	Laura Robertson	Strategic Placing Planning	Place	5		

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2									
20	Draft Aberdeen Guidance - Wind Turbine	At the Council meeting on 3 November 2023, it was agreed to instruct the Chief Officer - Strategic Place Planning to update the draft Aberdeen Planning Guidance on Wind Turbine Development in light of consultation responses received and the policy shift within NPF4 and incorporate it within draft Aberdeen Planning Guidance on Renewable Energy Development, a draft of which should be reported to the Planning Development Management Committee within 12 months.	At the Committee meeting of 21 August 2025, it was noted that with the introduction of National Planning Framework 4, this would now be a Draft Aberdeen Planning Guidance on Energy. An update would be added to the planner once Scottish Government planning guidance on energy developments have been published, and officers would identify if there was a requirement for local guidance to be produced at this time.	David Dunne	Strategic Place Planning	Place	5		
21	Aberdeen Planning Guidance: Health Impact Assessments	At the meeting of 21 August 2025, it was agreed that a report be brought back to this Committee in one year, to provide details on how the guidance had been implemented		Donna Laing	Strategic Place Planning	Place	5		

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Planning Development Management Committee

6 November 2025

Planning Appeals Update

This report informs Planning Development Management Committee (PDMC) members about planning appeals and notifications in relation to Aberdeen City Council decisions that the Scottish Government's Division for Planning and Environmental Appeals (DPEA) has received or decided since the last PDMC meeting. It also lists appeals that are still pending.

Appeals decided

Type of appeal	Prior Approval	Application Reference	250224/PNT
Address	Footpath At Kings Gate		
Description	Installation Of 20 Metre High Monopole Supporting 6 No. Antennas And 1 No. Transmission Dish; 3No. Equipment Cabinets And 1 Electric Meter Cabinet With Ancillary Development.		
History	Prior approval refused under delegated powers in 25 April 2025 Appeal lodged 23 July 2025		
DPEA Decision	Appeal allowed and application approved Although contrary to the ALDP due to its prominence and creation of limited visual clutter, the somewhat adverse effects are justified in this case given the site search, the technical need for the mast, and the locational context		
DPEA weblink	Scottish Government - DPEA - Case Details		

Type of appeal	Enforcement Notice	Application Reference	ENF240224
Address	North Lasts Farm, Peterculter,		
Description	Alleged Material Change Of Use Of The Land From Agricultural Use To A Class 6 Use (Storage & Distribution) And Construction Of A Hardstanding, Without The Necessary Planning		

	Permission. Contributing To The Wider Unauthorized Commercial Use Of The Land.
History	Enforcement Notice served 17 June 2025 Appeal lodged 23 July 2025 Enforcement Notice withdrawn 14 October 2025
DPEADecision	Expenses awarded 14 October 2025
DPEA weblink	Scottish Government - DPEA - Case Details

Type of appeal	Advertisement Consent	Application Reference	250298/ADV
Address	34 South Mount Street		
Description	Installation Of 3 Illuminated Panel Signs (Retrospective)		
History	Refused under delegated powers on 12 June 2025		
DPEADecision	DPEA have no jurisdiction to consider this case as it was submitted out of time.		
DPEA weblink	Scottish Government - DPEA - Case Details		

Appeals Lodged

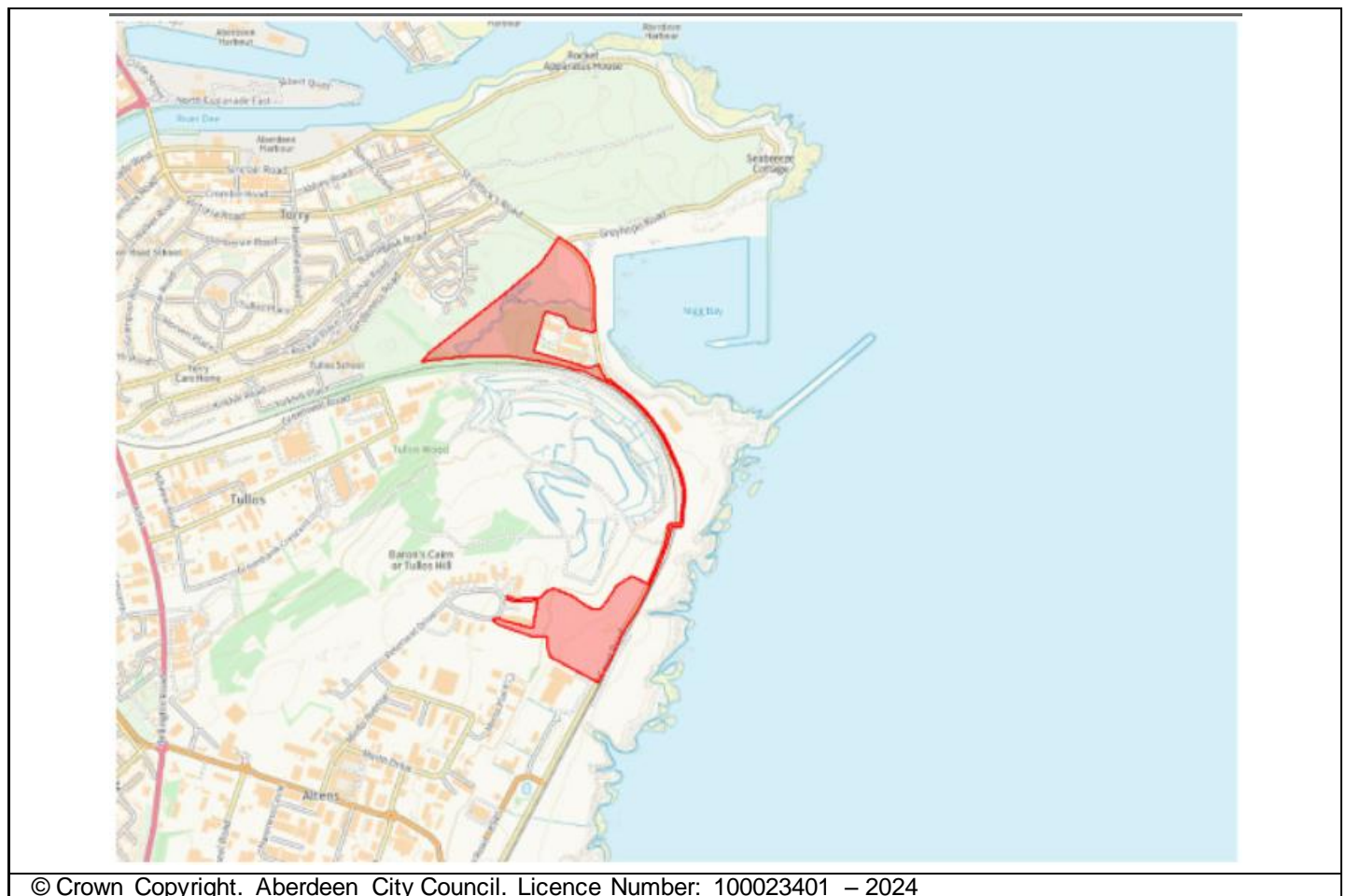
Type of appeal	Planning permission	Application Reference	250214/DPP
Address	33 Holburn Street		
Description	Change Of Use To Class 3 (Food And Drink) With Hot Food Take Away (Sui Generis), Including Installation Of Extract Duct, Replacement Fire Escape Door, New Doors, Access Ramp, Handrails And Associated Works		
History	Refused by Planning Development Management Committee on 27 August 2025 This case is ready for allocation to a reporter		
DPEA weblink	Scottish Government - DPEA - Case Details		

Type of appeal	Advertisement Consent	Application Reference	250835ADV
Address	Car Wash, Mugiemooss Road		
Description	Installation Of 1 Illuminated Free-Standing Double Sided Digital Display Sign		
History	<p>Refused under delegated powers on 1 September 2025</p> <p>The appeal is ready to be allocated to a reporter</p>		
DPEA weblink	Scottish Government - DPEA - Case Details		

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	Planning Development Management Committee
	Report by Development Management Manager
	Committee Date: 6 November 2025

Site Address:	Land at St Fittick's Park And Doonies Farm, Aberdeen
Application Description:	Approval of matters specified in Conditions 4 (phasing - Zone A) and 41 (phasing - Zone C) in relation to Planning Permission in Principle (Ref: 231371/PPP) for the Proposed business / industrial development (Class 4/5/6); road infrastructure; active travel connections; landscaping and environmental works including drainage and other infrastructure
Application Ref:	250429/MSC
Application Type	Approval of Matters Specified in Cond.
Application Date:	20 May 2025
Applicant:	ETZ Ltd
Ward:	Torry/Ferryhill
Community Council:	Torry



RECOMMENDATION

Approve conditionally

APPLICATION BACKGROUND

Site Description

The application site consists of two linked, but separate development areas – St Fittick's Park and Doonies. These areas (together with a site at Gregness Headland that does not form part of this application) are known as the Energy Transition Zone (ETZ) greenfield sites and were the subject of a Planning Permission in Principle (Ref 231371/PPP) that was granted in January 2025 following a decision by PDMC in November 2024. The approval was subject to a number of conditions that require to be the subject of further applications for Matters Specified in Conditions. This application is one such application, relating to the development phasing of the two sites.

The sites are allocated for development in the Aberdeen Local Development Plan 2023 (ALDP) as follows: Zone A – OP56 (St Fittick's) and a small section of OP62 (South Harbour); Zone B – OP62 (South Harbour / Gregness) and Zone C – OP61 (Doonies). All three are zoned in the ALDP under Policy B5 Energy Transition Zones, with the exception of the northern part of the Gregness site that is zoned under Policy B4 Aberdeen Harbours.

The St Fittick's Park area covers 15.5ha and includes the south east area of the park, with the East Tullos Burn and wetlands, woodland, open space and a recreational area. The Scheduled Monument of St Fittick's Church is close to the northern boundary of this site. The River Dee Special Area of Conservation lies 630m to the north of St Fittick's Park. A large Waste Water Treatment Plant operated by Scottish Water borders the site to the south east. There are a number of items of play equipment currently in the park, some in a state of disrepair.

Doonies lies west of the coast road and railway line and covers approximately 10.5ha and includes a vacant granite farmhouse and steading together with fields previously used by Doonies Rare Breeds Farm and scrubland to the west/rear. Two linear areas within the application site boundary are proposed to connect the main site to Peterseat Drive which is within the northern part of the Altens Industrial Area, to allow for potential future access road linkages. Along the northern site boundary a footpath provides access to Tullos Wood from an existing public car park on the Coast Road.

Relevant Planning History

The following planning application is on the application for this Committee:

Application Reference 250440/MSC: Approval of matters specified in conditions 5c,d,e (design, layout, siting), 8(details of East Tullos burn works), 9(biodiversity), 10(landscaping), 12(flood risk assessment), 16(CEMP), 20a,c,d,g,h (mitigations) and 21(archaeological works) of application ref. 231371/PPP for the realignment and enhancement of the East Tullos Burn, landscape works and biodiversity enhancement, path connections and associated mitigation works (Phase 1 of Zone A) on Land at St Fittick's Park

The following is a current planning application:

Application Reference 250429/DPP: Erection of an accessible entrance feature, path connections, social shelter, spectator seating, paved area and associated works on Land at St Fittick's Park

Planning History:

Planning permission in principle (PPP) 231271/PPP was granted on 24 January 2025 for Proposed business / industrial development (Class 4/5/6), road infrastructure, active travel

connections, landscaping and environmental works including drainage and other infrastructure on land at Coast Road, St Fittick's Park, Gregness Headland and Doonies Farm, Aberdeen. The PPP was approved subject to a number of conditions that require further applications to be submitted in the form of Matters Specified in Conditions applications (MSC).

A Masterplan for the ETZ was approved by Planning Development Management Committee on 18 January 2024 and is now Aberdeen Planning Guidance in support of the Aberdeen Local Development Plan 2023.

Application Number

	Proposal	Decision Date
230890/ESS	Proposed business / industrial development (Class 4/5/6) road infrastructure, active travel connections, landscaping and environmental works including drainage and other infrastructure	Screening opinion issued 9 August 2023, confirming that EIA is required.
230707/PAN	Proposed business/industrial development (class 4/5/6); road infrastructure; active travel connections; landscaping and environmental works including drainage and other infrastructure	Response issued 7 July 2023, confirming proposed consultation adequate
240620/DPP	Upgrade and realignment of link road to include walking, wheeling and cycling provision, new bridge over railway and associated works at Hareness Road and Coast Road	Approved 27 th May 2024

APPLICATION DESCRIPTION

Description of Proposal

The application seeks to discharge two conditions relating to the phasing of development at two of the ETZ sites: St Fittick's; and Doonies.

St Fittick's / Zone A

The relevant condition for St Fittick's reads:

4. PHASING

That no development shall take place within the St Fittick's/ Zone A, unless a phasing plan has been submitted to and approved in writing by the planning authority, by way of a matters specified in condition application. Development shall not take place other than in accordance with any such approved plan, or other as is subsequently approved through this condition. The phasing plan shall include the relative timings of:

- a) The erection of buildings on each individual plot including SUDS, car parking and other associated infrastructure and landscape planting;*
- b) The new/replacement section of St Fittick's Road / Coast Road through St Fittick's/Zone A;*
- c) The realignment of the East Tullos Burn, off site/on-site water quality enhancement and landscaping;*
- d) On-plot landscaping;*
- e) On-site (boundary of PPP application) tree and landscape planting;*
- f) Off-site compensatory and mitigatory tree and landscape planting;*
- g) Provision of off-site/on-site play equipment, including skate park, pump park and upgrade of existing play equipment;*
- h) Provision of replacement for existing MUGA equipment (west of Waste Water Treatment Works);*
- i) Parklets within residential areas (off-site mitigation);*
- j) Provision of replacement green space and/or qualitative improvements to brown or green space (off-site mitigation);*
- k) Provision of footpaths (on and off-site) including Tullos Gateway;*
- l) Provision of measures from detailed Biodiversity Protection and Enhancement Plan to be agreed through condition 9;*
- m) Measures identified within the Public Transport Access Strategy to be agreed through condition 13.*

All in accordance with details indicated in the approved plans listed below and approved as part of this application

Reason: In order to control and co-ordinate delivery of essential mitigations for the development

The submitted phasing plan shows three main phases of works, with these further ordered into sub-groups.

The submitted phasing plan shows:

Phase 1

Phase 1 relates to an area based around the Burn corridor and also includes the pitches at Tullos playing fields and the triangular playing field to the south of the Burn. The phase includes the re-alignment of the East Tullos Burn, and associated works to the wetlands and landscaping within and around the Burn corridor, as well as water quality enhancement measures.

It is anticipated that works within Phase 1 would be delivered in the following broad sequence, with some elements overlapping as combined works packages:

1. East Tullos Burn re-alignment / water quality improvements, wetland restoration and creation, and detention basin(s). Details to be submitted and agreed through Condition 8 and 20 including details of 6m buffer zone either side of the burn in line with condition 8 requirements. This

information is currently the subject of pending planning application 250440/MSC that is on the agenda of this meeting.

2. Off-Site Provision of replacement MUGA Equipment and sports pitch. Directly adjacent to St Fittick's Park at Tullos Playing Fields. Depending on the development details, this may be the subject of a separate planning application, as it lies outwith the PPP boundary.

3. On-site strategic landscaping. Within and around the Burn corridor and wetlands, including vegetation management to enhance habitats and water quality and new wetland species planting. Details to be submitted and agreed through Conditions 8, 10 and 11.

4. Off-Site (adjacent to red line planning application boundary) strategic landscaping in the vicinity of the Burn and wetlands. Including vegetation management to aimed to enhance habitats and water quality and new wetland species planting. Details to be submitted and agreed through Condition 10 and 11.

5. Provision of related biodiversity measures and enhancements, linked to the burn re-alignment and related wetland landscaping works. Details to be submitted and agreed through Condition 9. This information is currently the subject of pending planning application 250440/MSC.

6. Footpath re-alignment and enhancement through the Burn and wetland corridor, including works to maintain and improve public access through wetland areas. Details to be submitted and agreed through Condition 20. This information is currently the subject of pending planning application 250440/MSC.

Phase 2

Phase 2 relates to the development forming platforms and plots and also the remainder of the park outside the application site boundary (ie the area to the north west, closest to the housing). The works in this phase would include the formation of development plots, including the platforms, site accesses and core infrastructure. It also includes associated on and off-site landscaping (including mitigatory tree planting) and enhancement to play and recreation facilities within St Fittick's Park which would be directly linked to platform preparation and delivered where appropriate in part ahead of and in part parallel to ensure timely delivery of mitigation measures for the loss of open space. It is anticipated that works within Phase 2 would be delivered in the following broad sequence, with some elements overlapping as combined works packages.

7. On-Site Tree and Landscape Planting. Formation of landscape buffer areas along part of the west side of the development platforms through native species tree, grassland, and pollinator planting to development plot boundaries. Details to be submitted and agreed through Condition 10 and 11.

8. Off-Site Tree and Landscape Planting. Including mitigatory tree planting within St Fittick's Park and Tullos Wood and grassland / pollinator planting. Details to be submitted and agreed through Condition 10 and 11.

9. Provision of related biodiversity measures and enhancements. Linked to on-site and off-site landscape planting. Details to be submitted and agreed through Condition 9.

10. Footpath re-alignment enhancement within the Park. Footpath re-alignment and re-provision as required by plot formation. To maintain connectivity within and through the Park, including Core

Paths 104, 108, and local pathway connections. Works to enhance connectivity and access to Tullos Wood from St Fittick's Park / Torry. Details to be submitted and agreed through Condition 20.

11.Provision of Parklets within residential areas and qualitative improvements to existing green / brown space. Improving quality of under-utilised, open and vacant spaces within Torry.

12.Development plot earthworks and construction. To form surfaced development plots / platforms with core accesses and infrastructure. Details to be submitted agreed through Condition 2 and Condition 5, including information on proposed functional association of any occupant with the Harbour and renewable energy transition industries as required by LDP Policy.

13.Re-alignment and replacement of the Coast Road section (if required / implemented). Detail to be submitted and agreed through Condition 3.

14.Provision of on-site / off-site play equipment. Including skate park, pump track, and upgrade to existing play equipment. Details to be submitted and agreed through Condition 20.

15.St Fittick's Church interpretation and site repair works. Details to be submitted and agreed through Condition 20.

Phase 3

Phase 3: relates to the development plot areas and covers erection of buildings and on-plot landscaping, car parking, and other infrastructure to support development. It is anticipated that works within Phase 3 would be delivered in the following broad sequence, with some elements overlapping as combined works packages:

15. Erection of buildings and associated services and infrastructure. Details to be submitted agreed through Condition 5.

16. Landscaping measures and planting within development plots. Including potential green roofs / walls, native species trees, hedgerows and other features to support high quality of landscape and amenity. Details to be submitted and agreed through Condition 10 and 11.

17. Provision of related biodiversity measures and enhancements. Linked to plot-specific and off-site landscape planting. Details to be submitted and agreed through Condition 9.

18. Provision of measures identified within Public Transport Access Strategy. Details to be submitted and agreed through Condition 13.

Doonies / Zone C

The relevant condition for the Doonies site reads:

41.PHASING

That no development shall take place on any individual site within Doonies/ Zone C, unless there has been submitted to, and approved in writing by the planning authority via a MSC, a phasing plan. Development shall take place in accordance with such a plan, or other as is subsequently approved through this condition. The phasing plan shall include the relative timing of:

- a) The buildings on the individual development sites including SUDS, car parking and other associated infrastructure and landscape planting;*
- b) The new road between Peterseat Drive and Coast Road;*
- c) On-site strategic tree, shrub and plant planting;*
- d) Any off-site compensatory and mitigatory tree planting (if required);*
- e) Provision of footpaths on and off-site including improvement of the recreational path from the site onto Tullos Hill;*
- f) Provision of measures from Biodiversity plan.*

Reason: In the interests of avoiding pollution, flooding, access and biodiversity and to ensure that tree planting take place timeously.

Development at Doonies would be split into two main phases, each with a number of sub phases.

Phase 1 would include site preparation, construction of the Peterseat to Coast Road link road, strategic landscaping, tree, shrub and grass planting and biodiversity measures including buffers between plots, formation of the development plots with accesses for vehicles and pedestrians and access improvements to the Tullos Hill footpaths. The details of these works would be submitted through conditions 42 – 49, as MSC applications.

Phase 2 would include the erection of the buildings themselves, landscaping, planting and biodiversity measures on the individual plots.

Amendments

A revised Phasing Plan for St Fittick's was submitted with clarifications on the requirement to agree the end use of developments, demonstrating a functional relationship with the South Harbour at St Fittick's Park in association with laying out of development platforms.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SVA74JBZIAZ00>

These are:

Supporting Letter from agent – Ironside Farrar
St Fittick's Phasing Plans
Doonies Phasing Plan

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee (PDMC) because:

- There are more than 6 objections
- When considering the PPP application, the committee resolved that all further relevant (MSC) applications should be determined by PDMC.

Determination of the application therefore falls outwith the scheme of delegation.

Public Consultation

There is on-going stakeholder engagement in relation to the proposals and this includes public consultation on the mitigations. This consultation is not a statutory requirement at this stage and is outside the planning process.

A Community Consultation Report was submitted with application 250440 (Works to Burn) which is also on the agenda for this committee.

CONSULTATIONS

Aberdeen City Council (ACC) Internal Consultees

- **ACC - Roads Development Management Team** – There are no Roads concerns with this proposed phasing plan. Many of the Roads details required will be provided in future MSC applications.
- **ACC - Structures, Flooding and Coastal Engineering** – no comments on phasing application.

External Consultees

- **Scottish Environment Protection Agency** – SEPA made no comment on this MSC application.
- **Torry Community Council (TCC)** – object with the following points:
 1. That the development would take place in a public open space, the only natural open space in Torry with biodiversity not found elsewhere and is used by the local and wider community.
 2. TCC object to the industrial development, especially as there are vacant sites in the area.
 3. If approved, the planning authority would be accepting, without rigorous examination, a vague set of ambiguous statements and the open space would be lost for nebulous, speculative development without mitigating the loss, or providing enhancement.
 4. Meaningful community consultation has not taken place, with developers setting out case. No evidence of fulfilling the conditions has been presented.
 5. Health and safety of community would be seriously impacted.
 6. Refers to the background to the area it having been part of a course of the River Dee during the last ice age and evidence of two ice ages in the Nigg Bay SSSI; the unresolved odour issues caused by the Sewage Treatment Works that cause blight
 7. Tree planting, landscaping, wetlands and the re-profiling of the East Tullos Burn have taken place all within a flood plain and enhanced biodiversity.
 8. Application 250440/MSC relating to the Burn does not adequately deal with flooding issues and other conditions relating to this application are referenced.
 9. A full public hearing should be held.

REPRESENTATIONS

156 representations have been received (154 objections, 0 in support and 2 neutral). The matters are:

1. Mitigation measures must be agreed with the community and installed before the park is developed – the phasing plan is therefore premature.
2. Phasing plan should be rejected unless end users are established first. When mitigation measures are properly discussed with community, local people and councillors may suggest a different phasing plan. Previously promised community benefits such as the restoration of part of the park used for south harbour construction and the landscaping and handing back of Gregness have not taken place.
3. Proposals would destroy park for speculative use. Phase 2 allows for the development platforms and the development may never be built.
4. Previous mention of discussions and interest from various end users appear to have come to nothing and 750 Full Time Equivalent jobs mentioned in business plan by 2023 have not been created.
5. Phasing application should not be submitted with first application for first phase, implying presumption of approval.
6. In considering application proposals, park must be seen as a public open space, not a brownfield site.
7. The end user and lease arrangements must be known as this will affect the community benefits package, with different possible end users having a different impact (eg. Noise, odour, vibration and light).
8. The impacts must be known in order to carry out an equality impact assessment as required by the Judicial Review decision. It was stated that the EIA could not be carried out until an end user is known. This should take place prior to phasing being agreed.
9. All mitigation measures should take place in phase 1, including those off-site.
10. Queries goals of ETZ project and whether certain technologies such as hydrogen and carbon capture, are “green” or are to extend the fossil fuel era.
11. Project is not ‘Just Transition’ as it exacerbates existing inequalities and does not meet the key criteria of the Scottish Climate Change Act.
12. Community is against the proposals, has political support from some quarters and is being ignored.
13. Biodiversity will not be enhanced with the loss of plants and animals and will not be mitigated for local people. Loss of bird species, woodland and habitat will not be replaceable in the local area.
14. Development is premature before Coast Road project is open and will result in heavy vehicles through Torry. Queries whether there is funding for the road.
15. Public health, including mental health and amenity will be damaged by noise and air pollution. The impact is even greater in a deprived community, where life span is shorter due to existing industrial development. Replacement facilities will not be easily accessible by locals.
16. Biodiversity Plan is not by a suitably qualified professional and little weight should be put on the opinion that the loss of habitat can be mitigated.
17. Item e) involves creation of on-site boundary treatment.
18. If application is approved (contrary to objections) it must be conditional on a binding contract with a prospective user ensuring that it is used for a purpose identified as fulfilling the functional association criteria, before any commencement of works.

Non-Material Considerations

1. Matters relating to the independence of Scotland and sovereignty of the Scottish people.

2. References to the Council's decisions in its capacity as landlord relating to the lease of the park.
3. Principle of loss of park for development, including this being a short sighted decision. The park is well-used by the public, including dog walkers and it will be a significant loss.
4. Availability of alternative sites.
5. Legacy of displacement of local people, with Torry being surrounded by heavy industry.
6. Development site is a functional flood plain.
7. Realignment of burn is not 'restoration' and will damage amenity and biodiversity and construction of channels will release toxic sediments. It is unnecessary as work was done ten years ago.
8. Likely to be no funding for maintenance of park and off site mitigation sites given local authority funding cuts.
9. Imaginative plan for whole area around new port is required, with reuse of Altons buildings, rail connection was also previously mentioned.
10. References to conditions other than those that are the subject of this application
11. Bird species that use the park and wetlands, including species in decline and rare Spotted Crake.
12. Disturbance during construction.
13. Potential land take for security fences, services and security personnel and lighting will deter use of the area
14. Development likely to cause continuation the displacement of Torry residents, adding to the hundreds of Balnagask residents currently enduring grave treatment due to RAAC.
15. SEPA raised objection to development in flood plain.
16. Questionable economic benefits as job numbers will be insignificant compared to oil and gas industry.
17. The plots in St Fittick's are too small and burdened with constraints to be chosen against others such as Port of Nigg, Cromarty and Ardersier

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.

Development Plan

National Planning Framework 4

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan.

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 4 (Natural Places)
- Policy 6 (Forestry, Woodland and Trees)
- Policy 7 (Historic Assets and Places)
- Policy 11 (Energy)
- Policy 13 (Sustainable Transport)
- Policy 14 (Design, Quality and Place)
- Policy 15 (Local Living and 20 Minute Neighbourhoods)
- Policy 20 (Blue and Green Infrastructure)
- Policy 21 (Play, Recreation and Sport)
- Policy 22 (Flood Risk and Water Management)
- Policy 23 (Health and Safety)
- Policy 25 (Community Wealth Building)
- Policy 26 (Business and Industry)

Aberdeen Local Development Plan 2023

- Policy B5 (Energy Transition Zones)
- Policy NE2 (Green and Blue Infrastructure)
- Policy NE3 (Our Natural Heritage)
- Policy NE4 (Our Water Environment)
- Policy NE5 (Trees and Woodland)
- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)
- Policy D4 (Landscape)
- Policy D5 (Landscape Design)
- Policy D6 (Historic Environment)
- Policy D7 (Our Granite Heritage)
- Policy I1 (Infrastructure Delivery and Planning Obligations)
- Policy T1 (Land for Transport)
- Policy T2 (Sustainable Transport)
- Policy B1 (Business and Industrial Land)
- Policy WB1 (Healthy Developments)

Aberdeen Planning Guidance

- Energy Transition Zone Masterplan

EVALUATION

Key Determining Factors

The principle of development is established by the Planning Permission in Principle (Ref. 231371/PPP). This application relates to the phasing of development at St Fittick's Park and Doonies. Therefore, the relevant matters for consideration are the extent to which the sequencing and order of the various elements of the proposal as shown in the submitted phasing plans, would achieve the aims of development plan policies.

The key points in terms of St Fittick's Park are:

- Ensuring that at each stage of development appropriate community measures are provided to mitigate loss of features and open space within the Park.
- Ensuring that at each stage of development appropriate natural planting, landscaping and water management are put in place to suitably address the impacts of development. This would include replacement tree planting to compensate for the trees lost when the development platforms are created.
- Ensuring that works, most notably the laying out of development platforms and plots at St Fittick's, which would result in loss of the natural environment, do not take place without ensuring that the development end users are known, committed and fit the criteria within condition 2.

Key points at Doonies:

- Ensuring that mitigation measures to ensure biodiversity enhancement and address visual impacts are implemented as the development progresses.

St Fittick's

Condition 4 requires a phasing plan to include the relative timings of the items listed at a) – m) below and this has been submitted. In addition to the phasing plan indicating the order in which works will take place, the details of those works would need to be submitted through separate applications (Matters Specified in Conditions applications – MSCs). Any approval of the phasing plan does not imply the acceptability of details of each package of work, as the details have not yet been provided through MSC applications.

a) The erection of buildings on each individual plot including SUDS, car parking and other associated infrastructure and landscape planting;

b) The new/replacement section of St Fittick's Road / Coast Road through St Fittick's/Zone A;

**c) The realignment of the East Tullos Burn, off site/on-site water quality enhancement and landscaping;*

d) On-plot landscaping;

**e) On-site (boundary of PPP application) tree and landscape planting;*

**f) Off-site compensatory and mitigatory tree and landscape planting;*

g) Provision of off-site/on-site play equipment, including skate park, pump park and upgrade of existing play equipment;

**h) Provision of replacement for existing MUGA equipment (west of Waste Water Treatment Works);*

i) Parklets within residential areas (off-site mitigation);

j) Provision of replacement green space and/or qualitative improvements to brown or green space (off-site mitigation);

k) Provision of footpaths (on and off-site) including Tullos Gateway;

**l) Provision of measures from detailed Biodiversity Protection and Enhancement Plan to be agreed through condition 9;*

m) Measures identified within the Public Transport Access Strategy to be agreed through condition 13.

Proposals to provide a sediment retention basin, works to the wetlands and realignment of the East Tullos Burn are the first works that would take place. A CAR licence would be required from SEPA for sediment management and would cover sediment removal and pollution prevention. The burn would be routed through the new basin, the aim of which is to remove sediment from the water before it enters the downstream stretch of the burn. The aim of the implementation of the works is to improve water quality in the Burn and the details are the subject of application 250440/MSC that is on the agenda of this Committee. The details submitted for that application, and required to be approved in order for the works to take place, set out that there would result in an overall ecological improvement to the burn, wetlands and environment in the area in question, this is detailed further in the report on that application. Setting aside the realignment itself, the works would be of environmental benefit whether commercial development goes ahead or not. In terms of the realignment, it is accepted that there is a benefit to carrying out the burn project in one set of work in order to minimise disruption to the environment and park and to allow flora and fauna to become re-established. The laying of the sediment basin would involve the loss of the triangular playing field in the southern part of the site and the phasing plan includes for a replacement provision on the Tullos School playing fields. Although this is not additional open space it would include a qualitative improvement to sports and recreation facilities. The details of this would be included within separate applications.

The phasing plan (Phase 1) also includes landscaping outside the application boundary in an area that is part of the wetlands and includes footpaths within the area of the burn and wetlands (also subject to approval of details through separate application).

These works within phase 1 would enhance the park and burn and are phased to take place ahead of the need to establish users for the development plots. Phase 1 preserves all existing open space and trees, except for a few trees needed to re-align Burn.

Phase 2 within St Fittick's includes significant tree planting both within St Fittick's and also off site, within Tullos Woods, related biodiversity enhancement, footpath re-routing and the improvement of existing spaces within the surrounding residential area would take place at the same time. These are the mitigation measures that would be required to address the loss of the park areas that would result from the creation of the development platforms, which are part of this phase.

These platforms would not be created without details of the end users being submitted and agreed through the submission of MSC applications for conditions 2 and 5. Condition 5 relates to the design and layout etc, whilst Condition 2 requires: *That the development sites and buildings in St Fittick's/Zone A shall not be used other than for uses that support renewable energy transition related industries in association with Aberdeen South Harbour and that have a functional association with the Aberdeen South Harbour, which precludes them from being located elsewhere such as the size of the infrastructure preventing transport from other locations or requiring 'roll on / roll off' level access to the South Harbour.*

Phase 3 includes works on the development plots themselves, including the buildings, landscaping and associated biodiversity measures on the plots and a public transport strategy (PTS). The PTS is required to be submitted prior to any development taking place and would include in the strategy the timing of the provision.

The phasing plan for St Fittick's requires that the mitigation including tree planting and measures to enhance the park for nature, recreation and play shall be provided ahead of the development. End users would also be agreed through a further application prior to any removal of natural features and access within the existing park.

Doonies

Condition 41 requires submission of a phasing plan for the provision of the items listed below. The phasing plan includes all these matters within two broad phases.

- a) The buildings on the individual development sites including SUDS, car parking and other associated infrastructure and landscape planting;*
- b) The new road between Peterseat Drive and Coast Road;*
- c) On-site strategic tree, shrub and plant planting;*
- d) Any off-site compensatory and mitigatory tree planting (if required);*
- e) Provision of footpaths on and off-site including improvement of the recreational path from the site onto Tullos Hill;*
- f) Provision of measures from Biodiversity plan.*

The new link road, strategic landscaping on the site, any off-site tree planting, footpaths and biodiversity measures would be provided in the early phase, with the development plot platforms also being laid out. The buildings themselves and further biodiversity measures would then be included in the second phase.

This order of development would ensure that strategic landscaping and associated biodiversity measures would be provided early on. Although there is the possibility that the platforms could be created ahead of known end users being in place, the site consists of fields and the magnitude of risk is limited. Public access is largely taken along the paths leading onto Tullos Hill and these would be laid out in the first phase. A condition is recommended to be attached requiring that during the construction works a public route be provided at all times onto Tullos Hill.

Matters Raised in Representations

These largely refer to the St Fittick's site, rather than Doonies.

Material Considerations:

1. Mitigation measures must be agreed with the community and installed before the park is developed – the phasing plan is therefore premature.

Condition 20 covers mitigation measures and includes a requirement for the applicant to submit an account of Community Consultation that has taken place.

2. Phasing plan should be rejected unless end users are established first. When mitigation measures are properly discussed with community, local people and councillors may suggest a different phasing plan. Previously promised community benefits such as the restoration of part of the park used for south harbour construction and the landscaping and handing back of Gregness have not taken place.

The phasing plan broadly requires mitigation measures prior to development, this ensures that no loss takes place without a replacement facilities or features being in place. It is acknowledged that the area of park mentioned and Gregness have not been restored, however previous reinstatement proposals have been overtaken by the ETZ allocations and granting of planning permission in principle, relative to future development proposals.

3. Proposals would destroy park for speculative use. Phase 2 allows for the development platforms and the development may never be built.

This is covered above.

4. Previous mention of discussions and interest from various end users appear to have come to nothing and 750 Full Time Equivalent jobs mentioned in business plan by 2023 have not been created.

The business plan is not part of the planning application. Discussions with end users are noted as being on-going, however, this is not part of the phasing application.

5. Phasing application should not be submitted with first application for first phase, implying presumption of approval.

The applications are entirely separate and the detailed applications will follow at varying stages. Both the phasing application and the MSC for the burn would need to be approved for any works to take place to the burn. There is a logic to the first MSC application setting out the phasing proposals.

6. In considering application proposals, park must be seen as a public open space, not a brownfield site.

Planning Permission in Principle has been granted and considered the proposals against policies including relating to open space. Mitigations are required accordingly and the details of such matters are not part of this phasing application.

7. The end user and lease arrangements must be known as this will affect the community benefits package, with different possible end users having a different impact (eg. Noise, odour, vibration and light)

Details of community benefits by way of mitigations are not under consideration in this application, Impacts of specific end uses will also be considered under future applications when those are known.

8. The impacts must be known in order to carry out an equality impact assessment as required by the Judicial Review decision. It was stated that the EIA could not be carried out until an end user is known. This should take place prior to phasing being agreed.

The Judicial Review related to the Council's role as land owner and is entirely separate to the planning process. An integrated impact assessment took place at PPIP stage and the impact on health will be considered as part of MSC applications for the mitigations.

9. All mitigation measures should take place in phase 1, including those off-site. *Phase 1 includes mitigation for the loss of the triangular playing field and in other respects the park would remain fully available for nature and recreation. The majority of mitigations would take place in phase 2 twin tracked or ahead of loss of green space and trees. This is covered in more detail above.*
10. Queries goals of ETZ project and whether certain technologies such as hydrogen and carbon capture, are “green” or are to extend the fossil fuel era. *This is a question that is much broader than the applications currently under consideration. Any end user will need to be justified in terms of condition 2, which will ensure that the technology is considered to be ‘renewable energy related’.*
11. Project is not ‘Just Transition’ as it exacerbates existing inequalities and does not meet the key criteria of the Scottish Climate Change Act. *Mitigations will be considered in detail by a future application, which will also require community consultation to be reported.*
12. Community is against the proposals, has political support from some quarters and is being ignored. *The principle of the development was established by the PPIp application and accords with development plan policy providing adequate mitigation is in place. Representations are given full consideration in the application process.*
13. Biodiversity will not be enhanced with the loss of plants and animals, and will not be mitigated for local people. Loss of bird species, woodland and habitat will not be replaceable in the local area. *Covered above.*
14. Development is premature before Coast Road project is open and will result in heavy vehicles through Torry. Queries whether there is funding for the road. *Funds are in place to cover current estimates for the project. Condition 3 requires either the Coast Road to be in place, or measures to prevent associated vehicles using routes through residential areas.*
15. Public health, including mental health and amenity will be damaged by noise and air pollution. The impact is even greater in a deprived community, where life span is shorter due to existing industrial development. Replacement facilities will not be easily accessible by locals. *Covered above.*
16. Biodiversity Plan is not by a suitably qualified professional and little weight should be put on the opinion that the loss of habitat can be mitigated. *Natural environment team colleagues are content with the proposals. This is covered in the report on application 250440/MSC.*
17. Item e) involves creation of on-site boundary *This is a mis-reading of the text, there are no boundary enclosures proposed on the site, it is a reference to works ‘on-site’ meaning within the red line boundary of the application.*

Non-Material Considerations

The matters set out below are not material to the application as they largely relate to either the principle of development, or the details under consideration in relation to the burn under

application 250440/MSC. Also to note are that Planning is a devolved matter and therefore covered by the powers of the Scottish Government.

1. *Matters relating to the independence of Scotland and sovereignty of the Scottish people.*
2. *References to the Council's decisions in its capacity as landlord relating to the lease of the park.*
3. *Principle of loss of park for development, including this being a short sighted decision. The park is well-used by the public, including dog walkers and it will be a significant loss.*
4. *Availability of alternative sites.*
5. *Legacy of displacement of local people, with Torry being surrounded by heavy industry.*
6. *Development site is a functional flood plain.*
7. *Realignment of burn is not 'restoration' and will damage amenity and biodiversity and construction of channels will release toxic sediments. It is unnecessary as work was done ten years ago.*
8. *Likely to be no funding for maintenance of park and off site mitigation sites given local authority funding cuts.*
9. *Imaginative plan for whole area around new port is required, with reuse of Altens buildings, rail connection was also previously mentioned.*
10. *References to conditions other than those that are the subject of this application*
11. *Bird species that use the park and wetlands, including species in decline and rare Spotted Crane.*
12. *Disturbance during construction.*
13. *Potential land take for security fences, services and security personnel and lighting will deter use of the area*
14. *Development likely to cause continuation the displacement of Torry residents, adding to the hundreds of Balnagask residents currently enduring grave treatment due to RAAC.*
15. *SEPA raised objection to development in flood plain.*
16. *Questionable economic benefits as job numbers will be insignificant compared to oil and gas industry.*
17. *The plots in St Fittick's are too small and burdened with constraints to be chosen against others such as Port of Nigg, Cromarty and Ardersier*

RECOMMENDATION

Approve conditionally

REASON FOR RECOMMENDATION

The sequence of works set out in the phasing plans would be acceptable in terms of conditions 4 and 41 of Application Reference 231371/PPP relative to St Fittick's Park / Zone A and Doonies / Zone C. They would ensure that at each stage of development appropriate measures are provided for the benefit of the health and well-being of people, to mitigate loss of features and open space within St Fittick's Park; and, that appropriate natural planting, landscaping and water management are put in place to suitably address the impacts of development on the natural environment, visual amenity and the landscape. This would include replacement tree planting to compensate for the trees lost when the development platforms are created. The proposal would thereby comply with policies 3 (Biodiversity), 4 (Natural Places), 6 (Forestry, Woodland and Trees), 14 (Design, Quality and Place) and Policy 20 (Blue and Green Infrastructure) of National Planning Framework 4 (NPF4) and policies NE5: Trees and Woodland, NE2: Green and Blue Infrastructure, NE3: Our Natural Heritage, WB1: Healthy Developments. The phasing would also ensure that the site repairs and interpretation features to St Fittick's Church would take place in Phase 2, in

accordance with Policy 7 (Historic Assets and Places) in National Planning Framework 4 (NPF4) and Policy D6 and D7 (Historic Environment) and (Our Granite Heritage) in the Aberdeen Local Development Plan 2023 (LDP).

The phasing would also ensuring that works for the laying out of development plots at St Fittick's, which would result in loss of the natural environment, do not take place without ensuring that the development end users are known, committed and fit the criteria within condition 2. This would comply with the Opportunity Site descriptions for OP56 (St Fittick's) and OP62 (South Harbour) and Policy B5: Energy Transition Zone in the LDP.

CONDITIONS

1.PHASING ORDER

That the works shall take place consecutively in the numerical order indicated on the Phasing Plans hereby approved for St Fitticks Zone A and Doonies Zone C, including allowing for overlap between adjacent sub-phases, unless otherwise agreed in writing by the planning authority. (Significant changes to the phasing would require approval through a Matters Specified in Conditions application.)

Reason

In order to ensure appropriate timing of provision of mitigation measures.

2.FOOTPATH TO TULLOS HILL

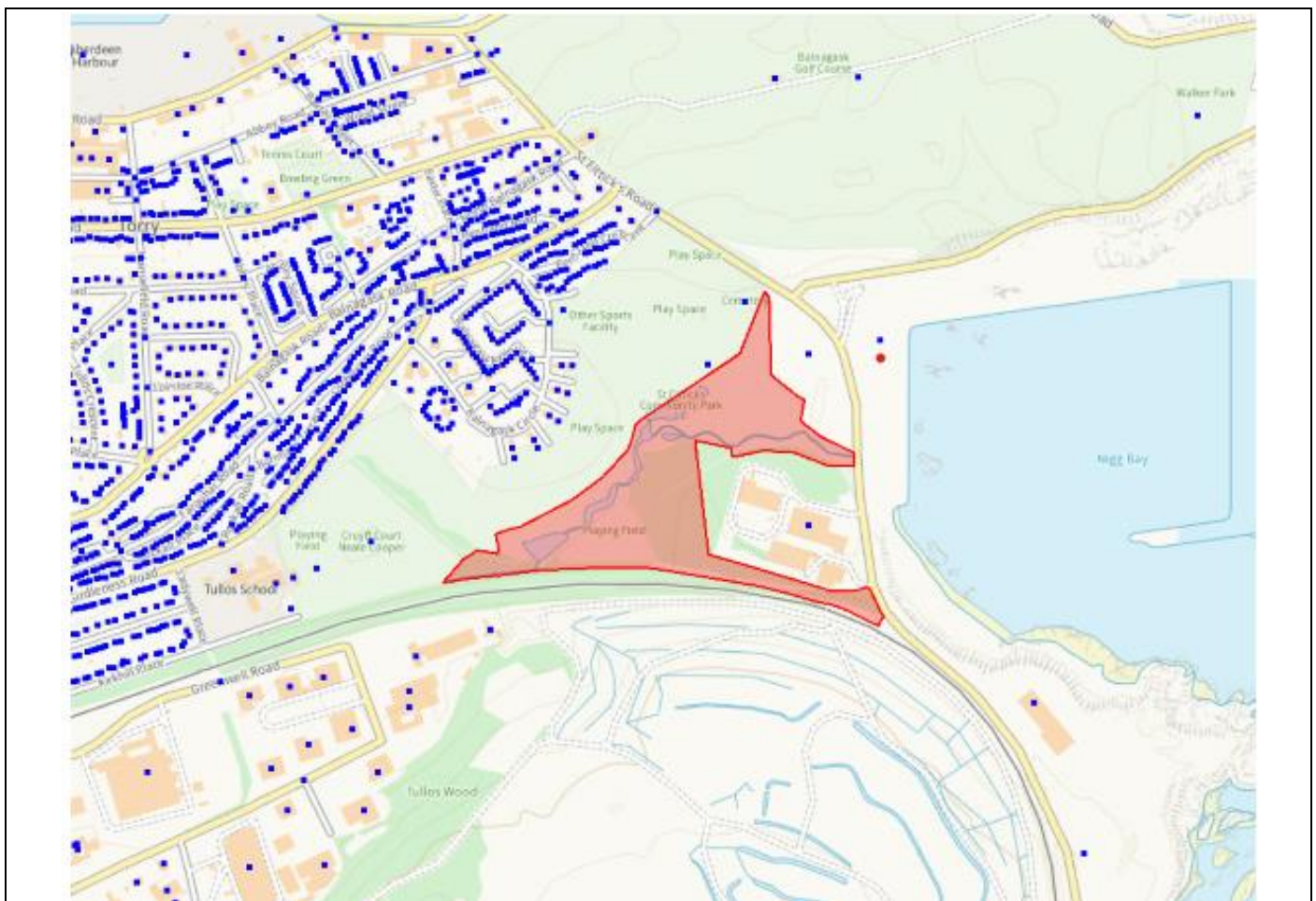
That during the period of any works there shall remain at all times a public footpath link to Tullos Hill including signage indicating any temporary diversion, unless otherwise agreed in writing by the planning authority. (For the avoidance of doubt this may include a number of temporary diversions).

Reason

In order to ensure that a recreational path is available during the construction period.

	Planning Development Management Committee
	Report by Development Management Manager
	Committee Date: 6 November 2025

Site Address:	Land At St Fittick's Park, Aberdeen,
Application Description:	Approval of matters specified in conditions 5c,d,e (design, layout, siting), 8 (details of East Tullos burn works), 9 (biodiversity), 10 (landscaping), 12 (flood risk assessment), 16 (CEMP), 20a,c,d,g,h (mitigations) and 21 (archaeological works) of application ref. 231371/PPP for the realignment and enhancement of the East Tullos Burn, landscape works and biodiversity enhancement, path connections and associated mitigation works (Phase 1 of Zone A)
Application Ref:	250440/MSC
Application Type	Approval of Matters Specified in Condition
Application Date:	20 May 2025
Applicant:	ETZ Ltd
Ward:	Torry/Ferryhill
Community Council:	Torry



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RECOMMENDATION

Approve unconditionally

APPLICATION BACKGROUND

Site Description

The application site is approximately 8.3ha and consists of part of St Fittick's Park (Zone A)). The area includes the East Tullos Burn and surrounding area, extending close to St Fittick's Road and Church to the north, across to Coast Road to the east and alongside the railway to the south. The site excludes the two proposed 'development platform' areas, those being: 1) area to the west and north of the Scottish Water Sewage Treatment Works; and, 2) area of St Fittick's Park adjacent to Coast Road/St Fittick's Road opposite the vehicle entrance to South Harbour (formerly used as lay down area during construction of South Harbour).

The application area (together with a further approximately 7 ha of St Fittick's and sites at Gregness Headland and Doonies, that do not form part of this application) is known as the Energy Transition Zone (ETZ) and was the subject of a Planning Permission in Principle (Ref 231371/PPP) that was approved earlier this year following a decision by PDMC in November 2024. The approval was subject to a number of conditions that require to be the subject of further applications for Matters Specified in Conditions. This is one such application, whilst a further application for phasing of development at St Fittick's and Doonies (Ref. 250429/MSC) is also on the agenda for this Committee.

The site is allocated for development in the Aberdeen Local Development Plan 2023 (ALDP) as Zone A – OP56 (St Fittick's) and a small section of OP62 (South Harbour). The St Fittick's site together with Gregness and Doonies is an allocation in the ALDP under Policy B5 Energy Transition Zones (ETZ). The St Fittick's Park (A) wider ETZ area covers 15.5ha and includes the south east area of the park, with the East Tullos Burn and wetlands, woodland, open space and a recreational area. The Scheduled Monument of St Fittick's Church is close to the northern boundary of this site. The River Dee Special Area of Conservation lies 630m to the north of St Fittick's Park. The large Waste Water Treatment Plant operated by Scottish Water borders the site to the south east.

Relevant Planning History

Also on the agenda for this Committee is:

Application 250429/MSC: Approval of matters specified in Conditions 4 (phasing - Zone A) and 41 (phasing - Zone C) in relation to Planning Permission in Principle (Ref: 231371/PPP) for the Proposed business / industrial development (Class 4/5/6); road infrastructure; active travel connections; landscaping and environmental works including drainage and other infrastructure.

There is a current planning application:

Application 250929/DPP: Erection of an accessible entrance feature, path connections, social shelter, spectator seating, paved area and associated works on Land at St Fittick's Park

Planning History:

Planning permission in principle (PPP) was granted on 24 January 2025 for:

Proposed business / industrial development (Class 4/5/6), road infrastructure, active travel connections, landscaping and environmental works including drainage and other infrastructure on land at Coast Road, St Fittick's Park, Gregness Headland and Doonies Farm, Aberdeen. The PPP was approved subject to a number of conditions that require further applications to be submitted in the form of Matters Specified in Conditions applications (MSC).

A Masterplan for the ETZ was approved by Planning Development Management Committee on 18 January 2024 and is now Aberdeen Planning Guidance in support of the Aberdeen Local Development Plan 2023.

A number of further applications relate to the site:

Application Number	Proposal	Decision Date
230890/ESS	Proposed business / industrial development (Class 4/5/6) road infrastructure, active travel connections, landscaping and environmental works including drainage and other infrastructure.	Screening opinion issued 9 August 2023, confirming that EIA was required.
230707/PAN	Proposed business/industrial development (class 4/5/6); road infrastructure; active travel connections; landscaping and environmental works including drainage and other infrastructure.	Response issued 7 July 2023, confirming proposed pre-application consultation adequate.
240620/DPP	Upgrade and realignment of link road to include walking, wheeling and cycling provision, new bridge over railway and associated works at Hareness Road and Coast Road.	Current pending application on adjacent land.

APPLICATION DESCRIPTION

Description of Proposal

The application seeks to discharge several conditions on the Planning Permission in Principle 231371/PPP relating only to the works to the East Tullos Burn watercourse and adjacent land within the application site area of the ETZ site at St Fittick's.

The full wording of the conditions is included in the Evaluation below, and is as follows:

- Condition 5 c), d) & e): design, layout, siting – requires cross sections through the site, existing and proposed levels surveys and details of cut and fill. The remaining sections of condition 5 are not relevant to the nature of the works proposed to the burn;
- Condition 8: details of East Tullos burn works - design, dimensions of channels and buffer zones, access for recreation, details of de-silting pond and technical details;
- Condition 9: biodiversity – detail biodiversity protection and enhancement plan required;
- Condition 10: landscaping – scheme of planting including trees, shrubs, hedges and seeding. To note also is that condition 11 requires the implementation of the landscaping and also a management and maintenance programme to be approved prior to commencing the landscaping;
- Condition 12: flood risk assessment – requires a detailed flood risk assessment (FRA) and plans showing the flood extents;

- Condition 16: Construction Environmental Management Plan (CEMP) – to include dust management, surface water management, an ecological clerk of works and other measures relating to biodiversity;
- Condition 20 a),c),d),g),h): mitigation measures including improvements to open spaces in Torry / Balnagask, paths, water quality improvements to burn, habitat enhancements, replacement sports pitch at Tullos Primary School playing fields;
- Condition 21: archaeological works.

The application proposal for this MSC includes the following:

1. Re-alignment and enhancement of the East Tullos Burn, seeking to improve the functionality of the existing wetlands and facilitate further development around the St Fittick's Park site:

- Installation of a dedicated sediment retention pond, to trap fine sediment and solid pollutants from entering the wetland. The pond would be on part of the existing triangular playing field area next to the railway and include an in-built bund to separate the inflow and outflow to/from the sediment retention pond. The water entering St Fittick's from the south would essentially be routed through this pond prior to flowing through the Park.
- Realignment of the burn channel into/out of the existing downstream wetland pond.
- Creation of new inset channel to increase flow capacity and habitat availability within the realigned channel.
- Infill of a section of the existing burn channel, re-using cut material from the other design elements.

2. Strategic site landscaping and biodiversity enhancement, including new planting designed to integrate into the existing St Fittick's Park.

- Provision of new path connections around the burn and wetlands, and partial re-alignment of existing path network to maintain connectivity through the site. Benches and interpretation boards would be provided adjacent to the paths.
- Planting, of coastal grassland, inland meadow mix grassland, amenity grassland mix alongside paths, wetland and burn channel planting inland meadow landscaping as well as the retention of existing high value habitat, retention of existing woodland,
- Biodiversity enhancement measures, including a sand martin bank structure, mink removal raft, conservation of Gypsywort in particular and the planting of native species.

In addition it should be noted that a separate application has been submitted for the following off-site mitigation measures:

- Path connections linking to the existing network and connecting sports pitches within Tullos Playing Fields to St Fittick's Park.
- New access ramp / steps / seating connecting into existing playing fields entrance to St Fittick's Park (NW corner) to improve accessibility and amenity.
- Grass football pitch markings and installation of new goalposts (2no. pitches / 4no. goalposts).
- Specimen tree planting along path corridors.
- Park benches and terraced spectator seating adjacent to sports pitches.
- New social shelter (1no.).

Amendments

Revised sediment management plan, Biodiversity Plan and landscape drawings were submitted.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SVL010BZIF100>

Design Report by CBEC Eco Engineering
Design Method Statement by CBEC Eco Engineering
Biodiversity Protection and Enhancement Plan by The Habitat People
Flood Risk Assessment by Kaya, with additions in August and September 2025
Sediment Management Plan by CBEC Eco Engineering
Landscape Management and Maintenance Plan by SLR
Written Scheme of Investigation by CFR Archaeology Limited
Construction Environmental management Plan by Environcentre

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because:

- There were more than six objections to the application.

Determination of the application therefore falls outwith the scheme of delegation.

CONSULTATIONS

Aberdeen City Council (ACC) Internal Consultees

- **ACC - Structures, Flooding And Coastal Engineering** – are now satisfied that the letter from KAYA demonstrates and explains the flood mechanism in the area close to the St Fittick's Church during low impact events on their model, similar to the events in October and December 2024 as captured on resident's photos and video submitted as a representation. It is also noted that an indicative land raising plan has been proposed for the area where the former harbour compound site is located. A future planning application for this area, may require an updated FRA depending on the boundary of the proposed land raising
- **Archaeology Service (Aberdeenshire Council)** – Satisfied with the Written Scheme of Investigation and CEMP which includes appointment of Archaeological Clerk of Works. These satisfy requirements of the condition. Condition can be part discharged as the on-site mitigation will need to be undertaken.
- **ACC - Environmental Health** – Satisfied with proposals for controlling and monitoring construction noise and vibration, dust vehicle and plant emissions.

External Consultees

- **Historic Environment Scotland** – No objection. Satisfied that landscaping near St Fittick's Church would not adversely affect the setting of the building.
- **Network Rail** – No objection. Advisories suggested.
- **Scottish Environment Protection Agency** – SEPA are providing technical advice on the Flood Risk Assessment (FRA) and further technical information at the request of the planning

authority.

Kaya have now provided additional information (letter dated 18 September 2025) in response to SEPA's comments and those provided by Aberdeen City Council flood team regarding historical flooding of the site. Further clarity has been provided on the modelling and outputs provided. The outputs provided did not show any flooding below 0.1m depth and as such some of the flow pathways were not shown. Clarification of this has been provided and it is outlined that the modelling indicates water flowing both north and south across the path.

A further review has been undertaken of the video evidence provided of the flood event and it is shown within the letter how the modelling represents the flow mechanisms within the video. SEPA confirms holding no further information to indicate that the modelling is not representative of that observed and documented and observes that it would appear from the outputs of the modelling that the only receptors at risk are the wetlands and park itself. SEPA therefore have no further comments to make.

- **Scottish Water** – No objection. Notifies of live Scottish Water infrastructure in the area.
- **Torry Community Council** – objection, making the following points:
 - Proposal threatens the benefits of the Park to residents, such as the landscape, sports and biodiversity features. The Park being the last large open natural space in Torry.
 - Unclear why two applications are required for seemingly related conditions.
 - The proposals relate to undefined, speculative, intense industrial proposal.
 - Turning a green space to concrete is not considered an environmentally friendly way to 'new' zero future, when so much industrial land lies vacant.
 - The Community Council has commented on many applications stating that there would be environmental and infrastructure impact. These have been implemented with resultant heavy road usage, congestion, bus delays, rat-running on residential streets. For this application, the Coast Road is promised but still without the consents required to build over the railway and funding does not appear to be secure. It is therefore questioned whether condition 3 (Provision of Coast Road Upgrade) can be achieved, including due to funding.
 - It is questioned whether the requirements of a range of conditions will be met with traffic management and environmental deterioration being particular concerns.
 - St Fittick's Park is a flood plain and the risk should be managed through natural solutions.
 - The proposals have little or no health and well-being benefit for the local community.
 - Condition 4 in respect of landscaping should not be discharged as the landscaping would not mitigate for the loss of green space and does not comply with Policy 4: Natural Places, of NPF4.
 - There should be a public hearing to air concerns and for the developer to present their evidence supporting loss of the well-used open space.

REPRESENTATIONS

140 representations have been received (140 objections, 0 in support and 0 neutral). The matters raised can be summarised as follows –

Material Considerations

1. Mitigation measures must be agreed with the community and installed before the park is developed.
2. Previously promised community benefits such as the restoration of part of the park used for south harbour construction and the landscaping and handing back of Gregness have not taken place.
3. Proposals would destroy park for speculative use. Phase 2 allows for the development platforms and the development may never be built.
4. Previous mention of discussions and interest from various end users appear to have come to nothing and 750 Full Time Equivalent jobs mentioned in business plan by 2023 have not been created.
5. In considering application proposals, the park must be seen as a public open space, not a brownfield site.
6. The end user and lease arrangements must be known as this will affect the community benefits package, with different possible end users having a different impact (eg. noise, odour, vibration and light).
7. The impacts must be known in order to carry out an equality impact assessment as required by the Judicial Review decision. It was stated that the EIA could not be carried out until an end user is known. This should take place prior to phasing being agreed.
8. All mitigation measures should take place in phase 1, including those off-site.
9. Queries goals of ETZ project and whether certain technologies such as hydrogen and carbon capture, are “green” or are to extend the fossil fuel era.
10. Project is not ‘Just Transition’ as it exacerbates existing inequalities and does not meet the key criteria of the Scottish Climate Change Act.
11. Community is against the proposals, has political support from some quarters and is being ignored.
12. Biodiversity will not be enhanced with the loss of plants and animals and will not be mitigated for local people. Loss of bird species, woodland and habitat will not be replaceable in the local area.
13. Development is premature before Coast Road project is open and will result in heavy vehicles through Torry. Queries whether there is funding for the road.
14. Public health, including mental health and amenity will be damaged by noise and air pollution. The impact is even greater in a deprived community, where life span is shorter due to existing industrial development. Replacement facilities will not be easily accessible by locals.
15. Biodiversity Plan is not by a suitably qualified professional and little weight should be put on the opinion that the loss of habitat can be mitigated.
16. If application is approved (contrary to objections) it must be conditional on a binding contract with a prospective user ensuring that it is used for a purpose identified as fulfilling the functional association criteria, before any commencement of works.
17. Development site is a functional flood plain
18. Realignment of burn is not ‘restoration’ and will damage amenity and biodiversity and construction of channels will release toxic sediments. It is unnecessary as work was done ten years ago.
19. Bird species that use the park and wetlands, including species in decline and rare Spotted Crake.
20. SEPA raised objection to development in flood plain.

Non-Material Considerations

1. Phasing plan should be rejected unless end users are established first. When mitigation measures are properly discussed with community, local people and councillors may suggest a different phasing plan.
2. Phasing application should not be submitted with first application for first phase, implying presumption of approval.
3. Matters relating to the independence of Scotland and sovereignty of the Scottish people.
4. References to the Council's decisions in its capacity as landlord relating to the lease of the park.
5. Principle of loss of park for development, including this being a short sighted decision. The park is well-used by the public, including dog walkers and it will be a significant loss.
6. Availability of alternative sites.
7. Legacy of displacement of local people, with Torry being surrounded by heavy industry.
8. Likely to be no funding for maintenance of park and off site mitigation sites given local authority funding cuts.
9. Imaginative plan for whole area around new port is required, with reuse of Altons buildings, rail connection was also previously mentioned.
10. References to conditions other than those that are the subject of this application.
11. Disturbance during construction.
12. Potential land take for security fences, services and security personnel and lighting will deter use of the area
13. Development likely to cause continuation the displacement of Torry residents, adding to the hundreds of Balnagask residents currently enduring grave treatment due to RAAC.
14. Questionable economic benefits as job numbers will be insignificant compared to oil and gas industry.
15. The plots in St Fittick's are too small and burdened with constraints to be chosen against others such as Port of Nigg, Cromarty and Ardersier.

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.

Development Plan

National Planning Framework 4

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan.

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 4 (Natural Places)
- Policy 6 (Forestry, Woodland and Trees)

- Policy 14 (Design, Quality and Place)

- Policy 20 (Blue and Green Infrastructure)
- Policy 21 (Play, Recreation and Sport)
- Policy 22 (Flood Risk and Water Management)
- Policy 23 (Health and Safety)

Aberdeen Local Development Plan 2023

- Policy B5 (Energy Transition Zones)
- Policy NE2 (Green and Blue Infrastructure)
- Policy NE3 (Our Natural Heritage)
- Policy NE4 (Our Water Environment)
- Policy NE5 (Trees and Woodland)
- Policy D1 (Quality Placemaking)
- Policy D4 (Landscape)
- Policy D5 (Landscape Design)
- Policy I1 (Infrastructure Delivery and Planning Obligations)
- Policy WB1 (Healthy Developments)

Aberdeen Planning Guidance

- Open Space & Green Infrastructure
- Natural Heritage
- Flooding, Drainage & Water Quality
- Trees & Woodlands

Other National Policy and Guidance

- Energy Transition Zone Masterplan

EVALUATION

Key Determining Factors

The principle of development is established by the Planning Permission in Principle (Ref. 231371/PPP). This application relates to the phasing of development at St Fittick's Park and Doonies. Therefore, the relevant matters for consideration the acceptability of the details of the works to the burn and associated biodiversity and landscaping, and whether this would achieve the aims of development plan policies. In considering this, a key question will be the whether it would be justifiable to realign the downstream stretch of the East Tullos Burn at the same time as the proposed work to the wetland and creation of the filtration pond.

The application seeks to discharge various conditions noted below, only in so far as they relate to the application site and works to the burn.

Layout and Design

The main consideration in respect to condition 5 is the change in levels that would take place to install the sediment pond and realign the burn and, in respect to condition 8, the detailed design of the course of the burn and new pond. These would also have an impact on the usability of the park, in terms of people having access across natural open space and along paths. The whole site is covered by Policy NE2: Green Space Network, which supports the wildlife, biodiversity, ecosystem services & functions, access, recreation, landscape and townscape value of the Green Space Network. Development that does not achieve this will not be supported. The qualities of good design within policies D1 in the LDP and 14 in NPF4 are also considerations, in particular the park as a public realm as experienced by people, and the provision of a biodiverse open space.

Addressing the relevant parts of each of these two conditions in turn:

5. DESIGN, LAYOUT, SITING, MASSING

That no development of any individual plots / units shall take place unless a matters specified in conditions application has been submitted to the planning authority for the details listed below...

c) Cross sections through the site as necessary showing the proposed height of buildings, and site levels as proposed with an indication of the levels as existing, including a cross section through St Fittick's Church and the realigned St Fittick's Road and northern site area if within the St Fittick's/Zone A;

d) Existing and proposed topographical survey plans;

e) Details of cut and fill operations;

The details in respect of existing and proposed levels have been submitted within the Design Report by Cbec eco engineering, including cross sections through the burn channel and bank areas as existing and as proposed. These details show changes in ground levels of up to 2m to create the retention basin on the area which is currently the triangular recreation ground, at the south eastern extent of the site. A proposed path would be routed to skirt around the southern side of the sediment pond, with a bridge over the burn close to where it enters the pond. The cross sections largely show the creation of the channels to and from the sediment pond, the infill of the existing burn channel and the ground to either side remaining at the same level.

Further downstream and to the north, there would be level changes where the burn channel is realigned, this would also involve creating new burn channel with associated flood plain of a nature consistent with the existing. The proposals involve the realignment of the existing burn channel northwards into an existing wetland area, and the creation of a new channel exiting the wetland, running in a south easterly direction to join the existing culvert, adjacent to the Coast Road. The realignment takes place from a point approximately half way along the length of the burn within the site and is consistent with what is indicated within the ETZ Masterplan and the PPiP drawings. A proposed bridge over the new burn channel would link the existing paths to the north and west of the burn.

Within the central area an existing 'online' pond would be retained. Although no longer on the line of the burn, it would be linked to the wetlands via an existing pipe underneath the path. Much of the remainder of the existing burn channel would be infilled.

Longitudinal and horizontal cross sections are provided along the realigned burn channel and these indicate existing and proposed ground levels.

Cut and fill is indicated within the Cbec design report and the proposal for this application involves cut and fill as required to carry out the work described above. In addition, sediment would be removed from the existing wetland in the area at the southern end of the site. This is the wetland at the southern side of the park into which the burn flow when it first enters the park. Under the

proposal, the burn flow would enter the new sediment pond prior to flowing through this wetland. The purpose of the sediment pond is discussed in the sections below.

Network Rail does not object in relation to works near the railway line.

Overall, the details of level changes are acceptable as being required in connection with the new sediment pond which would improve water quality before water enters the wetland, and to enable the realignment of the burn. Justification for the realignment prior to approval of occupiers on the development platforms, is discussed below. The application does not include any other ground level changes extending closer to the St Fittick's Church and details of the realigned road are not proposed through this application.

8. DETAILS OF EAST TULLOS BURN WORKS

That no development shall take place within St Fittick's Zone A unless the details listed below have been submitted to and approved in writing by the planning authority by way of a matters specified in conditions application (the implementation of these works shall be controlled by condition 4 on phasing):

- a) Restoration design for the Burn to include a natural meandering course;*
 - b) Details of dimensions of the burn channel and buffer zones throughout length of Burn within the PPP application site;*
 - c) Details of how park users would access the burn for recreational purposes;*
 - d) Detailed plans and technical information showing the de-silting pond or other measures to improve water quality;*
 - e) Buffers to be a minimum of 6m wide to each side of Burn.*
- all in accordance with the Natural Heritage APG*

The designis for the burn to have a meandering course, with the realigned section being more constrained, although it meanders within the corridor which includes 'buffers' of 6m or wider. The rationale for carrying out all of the work to the burn in one project is outlined below.

The proposed East Tullis Burn works build on restoration started in 2014 by the Council, which realigned the burn and created wetlands, scrapes, and improved access. Led by the same designer (CBEC Eco-engineering), the new phase continues these efforts, delivering options previously delayed This stage will realign the burn through a more natural floodplain, aiming to reduce sedimentation and flood risk, improve water flow and quality, and boost species diversity through additional planting.

Starting these works early is crucial due to limited construction windows and their role in achieving long-term environmental goals, such as enhanced water quality, restored wetlands, and landscape improvements along the burn corridor. Early implementation ensures key ecological measures are integrated from the outset, securing both hydrological and environmental commitments regardless of future site development.

Design plans consider future site integration, with 6m wide buffer zones, maintained public access, and opportunities for further planting and biodiversity. The phased approach prioritises minimizing wildlife disturbance, delivering core landscape features and environmental enhancements ahead of other infrastructure, maintaining open space for as long as possible, and addressing the replacement of sports pitches and open spaces.

Maintenance of the wetland and sediment pond are covered by the Design Method Statement which provides assurance the maintenance has been fully considered and is appropriate. This is relevant to condition 8 and 10 (Landscaping).

SEPA have advised that sediment management, i.e. removing sediment from the existing wetlands, is included within a Controlled Activities Regulations (CAR) application that has been made to SEPA.

The public would be able to access the realigned section of the burn along an asphalt path to the north and the existing track, to the south. Park benches would be installed along with interpretation boards close to the wetlands and sections of boardwalk across the burn close to the wetlands.

The proposal supports and protects the functions of the Green Space Network in accordance with Policy NE2 and the submissions satisfy the requirements of condition 5 and 8.

The design of the works to the burn, footpaths and benches would provide an inclusive and accessible environment, allowing for people to have positive social interactions and connect with nature. This application does not include built structures, apart from benches and paths and the proposals would renew and improve the area around the burn.

Natural Environment

The following conditions are relevant. Policy 3: Biodiversity in NPF4 states that:

“Development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management.”

9. BIODIVERSITY PLAN

That no development shall take place of any individual plot / unit unless there has been submitted to and approved in writing by the planning authority by way of a matters specified in conditions application a detailed Biodiversity Protection and Enhancement Plan related to that plot/unit based on the principles and measures described in the BPEP Version 5, June 2024 and the ETZ Masterplan and including the requirements of Policy NE3: Natural Heritage in the adopted Aberdeen Local Development Plan 2023, or such other as is subsequently adopted.

The measures identified in the BPEP shall be implemented fully in accordance with the phasing plan agreed under condition 4.

The amended Biodiversity Plan was revised following discussions and is now considered acceptable.

A number of measures are proposed, including:

- Wetlands improved in terms of water quality to the benefit of flora and fauna, and botanical enhancement by way of the reintroduction of several regionally extinct and endangered species.
- Management and maintenance of reed beds to ensure they do not cause stagnation
- Conservation of Gypsywort, as this is the only known population in NE Scotland
- A mink raft, to humanely remove non-native species
- Creation of a Sand Martin bank – an artificial structure to assist in combatting declining numbers of this species of bird
- Reuse of plants from the old channel where possible, saving already developed ecosystems, with invertebrates being transplanted
- Seeding and planting to create coastal grassland and inland grasslands – supporting native butterflies and pollinators

Appendix A of the Design Method Statement sets out the Planting and Riparian Management Plan for the wetlands. The wetlands and sediment pond have been designed to deliver long-term sustainability while naturally minimising the need for intervention. The plan states that the proposed species are expected to establish and develop over time without the requirement for intensive management, enabling the area to evolve into a self-sustaining habitat.

The new sediment basin is a key addition, which prevents the transfer of sediment into the wetland by capturing the material upstream and allows for periodic removal. This ensures that downstream wetlands remain free from excessive sediment build-up, avoiding the need for regular maintenance interventions.

Active management is limited to the sediment basin, supported by monitoring such as walkovers. Wetland management will be integrated into the wider landscape maintenance program, overseen by ETZ and undertaken in close coordination with ACC, as part of the Council's ongoing St Fittick's Park maintenance obligations.

This provides assurance the maintenance has been fully considered and is appropriate.

10. LANDSCAPING SCHEME

That no development to any individual plot / unit pursuant to the planning permission hereby approved shall take place 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 and off site areas to be included as mitigation and compensation. Such a scheme shall include indications of all existing trees, hedges and landscaped areas on the land, and details (numbers and area of woodland) of those to be removed and any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting on-site and off-site including details of numbers, densities, locations, species, sizes and stage of maturity at planting.

No direct tree felling is proposed however some incidental and isolated tree loss would occur to facilitate the realignment of the burn and enhanced path connections. Significant planting is included as part of the proposed soft landscaping scheme, with 60no. new trees proposed to be planted in the western area of the Park covered under the separate detailed planning application 250929/DPP. In addition, 7no. existing small beech trees that have been recently planted will be relocated to a woodland edge location within the Park. The overall approach to Compensatory Planting remains as set out in the approved PPIP with offsite tree planting in St Fittick's.

The proposed landscape planting around the burn corridor, including the wetlands is considered appropriate. Historic Environment Scotland is satisfied in terms of impact on the St Fittick's Church Scheduled Monument. It is noted that tree planting would take place in this area at a later stage.

Flooding

12. FLOOD RISK ASSESSMENT

That no development shall take place unless there has been submitted to and agreed in writing by, the planning authority by way of a matters specified in conditions application, a detailed Flood Risk Assessment (FRA) based on the Kaya FRA V3 March 2024, including plans showing a range of flood extents of greater frequency than 1 in 200 years, and the development shall not be operational unless any recommendations contained therein have been implemented in full and are fully operational on site.

Reason: In order to avoid flood risk and pollution of the water environment in accordance with Policy NE4 of the LDP 2023 and Policy 22 of NPF4.

A FRA has been submitted by the applicant with this being expanded following discussions with Council's Flooding Team and SEPA. This additional information was partly in response to a video

and photographs submitted by a local resident showing a typical annual flood event. It has been clarified, and the consultees are content, that the modelling used for the FRA is accurate. Flooding takes place on a fairly regular basis (ie annually) and would be likely to cause standing water within the park to the north east of the existing and proposed wetlands and to the south west of St Fittick's Church. It has been established that this is highly unlikely to directly affect St Fittick's Church although it would affect areas of the park for a temporary period during and after heavy rain.

The application submissions comply with the Policy NE4 in the LDP as they would not increase the risk of flooding elsewhere, would not reduce the ability of the functional flood plain to store water and adequate provision *would* be made for maintenance access. In terms of Policy 22: Flood risk and water management, of NPF4, the proposal considered under this application includes only water compatible uses with no buildings. It can also be seen that the flood extent would not affect the development plots.

Environmental Protection

The following condition requires measures to manage impacts on the environment during construction:

16. CEMP

That no development shall take place to any individual plot unless there has been submitted to and approved in writing by the planning authority by way of a Matters Specified in Conditions application a detailed Construction Environmental Management Plan, including but not limited to, dust management, surface water management, ecological clerk of works and other measures noted within detailed Biodiversity Protection and Enhancement Plan. Construction shall not take place other than in full accordance with the CEMP as so agreed unless otherwise agreed in writing by the planning authority.

Reason: To prevent pollution and damage to environment and wildlife.

The submitted CEMP is acceptable. The plan provides a comprehensive framework for managing the environmental impacts associated with the Energy Transition Zone development. It covers a range of environmental aspects, including land contamination, water environment, noise, dust, cultural heritage, and biodiversity. It sets out the roles and responsibilities for various stakeholders, outlines mitigation measures, and establishes monitoring and reporting procedures. It also recognises the importance of ecological considerations and includes measures for habitat protection, species conservation, and biodiversity enhancement.

Environmental Health have reviewed plans for controlling dust and noise and are satisfied. An advisory informative note would be added to any permission granted, relating to construction hours.

Mitigation Measures

20.MITIGATIONS

That no development shall take place to any individual plot within St Fittick's / Zone A unless there has been submitted to, and approved in writing by, the planning authority by way of a matters specified in conditions application, details of the proposed mitigations for that development plot. (It is expected that all the listed mitigations, or similar as agreed based on the approved drawings, would be implemented for development of Zone A and they are split proportionately between the plots within the zone.). Mitigation works shall be carried out in accordance with the timing agreed in condition 4 (Phasing) above.

Details shall include a description of community consultation that has taken place on the proposed mitigations, a statement of the impact on public health based on the Population Health Chapter of

the EIA report, and location, layout and elevational plans as required, details of materials, planting, seed mixes and maintenance of landscaped spaces.

a) Improvements to existing green and brownfield open spaces within Torry / Balnagask; as indicatively shown on Illustrative Masterplan Visualisation Oct 2024-2391329

c) Path network enhancements and wayfinding features in St Fittick's Park inside and outside the site – details to include schedule of works to the paths as indicatively shown on Illustrative Masterplan Visualisation Oct 2024-2391329

d) Improving water quality in East Tullos Burn – details to be agreed through condition 8 as indicatively shown on Illustrative Masterplan Visualisation Oct 2024-2391329

g) Enhancing habitats with pollinator planting and management for biodiversity; as indicatively shown on Illustrative Masterplan Visualisation Oct 2024-2391329

h) Replacement sports pitch at Tullos Primary School playing fields and enhancing recreational and leisure provision to complement the existing Multi Use Games Areas (MUGA); as indicatively shown on Illustrative Masterplan Visualisation Oct 2024-2391329

Reason: To provide mitigation for loss of greenspace, recreational facilities, paths and path space; in accordance with Policies NE2 and NE3 in the LDP 2023 and the ETZ Masterplan.

Mitigations would be relevant where they relate to the element of the wider project that is covered by this MSC application. The loss of recreational land – part of the triangular area where it is proposed to locate the sediment pond - is the main item, whilst part of the application covers the mitigation works in respect of water quality noted at d) and discussed above in relation to condition 8.

Measures are included to enhance greenspaces, including the path network, benches, landscaping and biodiversity measures. A pitch is to be laid out close to Tullos School and upgrades carried out at the entrance to the park from Girdleness Road. These are the subject of a separate planning application (250929/DPP) as they are not within the site of this MSC application. Other measures are proposed that are linked to the development of the plots.

Section a) improvements to greenspaces - pollinator planting, grassland, wetland, tree, shrub and biodiversity measures have been included in this application within the area surrounding the burn as described above.

Section c) improvements to the path network are shown on the plans and include three crossings of the burn by boardwalk, with the existing bridge retained and repaired. Five benches and two interpretation boards are also included.

Section d) requires improvements to water quality and this is covered under condition 8.

Section g) requires pollinator planting and biodiversity measures, including sand martin bank and mink removal raft – these are covered under condition 9.

Section h) two replacement pitches for the recreation field, part of which would be lost for the sediment pond. These would be provided close to Tullos Primary School, outside the current application site, as noted above. These would be pitches laid out on the existing grassed area, with goals provided.

The timing of the delivery of mitigations is covered by the application for phasing also on the agenda for this Committee.

The submissions include a Community Consultation Report to inform the design of greenspace mitigation measures. This involves an online survey, which was promoted by a mail drop. Youth groups were targeted including groups that play football, and two events were held at local venues. To provide opportunities for community involvement, ETZ Ltd have an established Community and Coast Programme, that includes a Cultural Programme aimed at activating local greenspace. On completion of the works, through Community and Coast Programme ETZ would continue to identify partners to work with to deliver educational and recreational activities to encourage ownership and pride in the local environment.

Taking the foregoing into account the mitigations proposed in terms of improvements to open spaces, path networks, water quality, habitats and the replacement sports pitch are sufficient to satisfy the requirements of Condition 20.

21. PROGRAMME OF ARCHAEOLOGICAL WORKS

No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority by way of a matters specified in conditions application and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be brought into use unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: To safeguard and record the archaeological potential of the area.

The Archaeologist is satisfied with the Written Scheme of Investigation and CEMP which includes appointment of Archaeological Clerk of Works. The condition can be part discharged as the on-site mitigation will need to be undertaken.

Climate and Nature Crises, Mitigation and Adaptation

The proposals for the burn would enhance the natural environment within the site and the flood risk assessment ensures that the proposals take into account future climate change.

Matters Raised in Representations

Many of these are covered above, however, the following responses are made to the other matters raised:

- 1. Mitigation measures must be agreed with the community and installed before the park is developed.*
Further MSC applications require to be submitted and approved prior to any commercial development of the park.
- 2. Previously promised community benefits such as the restoration of part of the park used for south harbour construction and the landscaping and handing back of Gregness have not taken place.*
These are matters relate to the application for South Harbour and are not material considerations that can legitimately be taken into account when assessing this application.n.

3. *Proposals would destroy park for speculative use. Phase 2 allows for the development platforms and the development may never be built.*

Planning Permission in Principle has already been granted that establishes the principle of the wider development. The current application is restricted to landscape, biodiversity and recreational improvement related to the relevant planning conditions. Implementation would result in enhancements to water quality and the environment around the burn that are acceptable on their own merits whether the development platforms are built or not. It is considered justifiable to carry out the realignment of the burn together with the works to the wetland and sediment pond, as this would avoid prolonged periods of works affecting the burn and allows planting and biodiversity measures to become established.

4. *Previous mention of discussions and interest from various end users appear to have come to nothing and 750 Full Time Equivalent jobs mentioned in business plan by 2023 have not been created.*

It is understood that discussions are on-going regarding end users. However, the current application is for the burn works only and do not permit development plots to be formed.

5. *In considering application proposals, the park must be seen as a public open space, not a brownfield site.*

The proposals enhance the park and the burn.

6. *The end user and lease arrangements must be known as this will affect the community benefits package, with different possible end users having a different impact (eg. noise, odour, vibration and light).*

In terms of the current application the mitigations for the burn works are the only ones to be relevantly considered and do not permit development plots to be formed. This involves most significantly mitigating the loss of part of the recreation ground for the sediment pond.

7. *The impacts must be known in order to carry out an equality impact assessment as required by the Judicial Review decision. It was stated that the EIA could not be carried out until an end user is known.*

The Integrated Impact Assessment has been considered in the light of the current applications, which do not include the development plots.

8. *All mitigation measures should take place in phase 1, including those off-site.*

This relates to the phasing application (250429/MSC) mitigation measures for this application are covered above.

9. *Queries goals of ETZ project and whether certain technologies such as hydrogen and carbon capture, are “green” or are to extend the fossil fuel era.*

10. *Project is not ‘Just Transition’ as it exacerbates existing inequalities and does not meet the key criteria of the Scottish Climate Change Act.*

As noted above, the application is solely for works to the burn.

11. *Community is against the proposals, has political support from some quarters and is being ignored.*

All representations are taken into account. A public hearing was also held where elected Members listened to views.

12. *Biodiversity will not be enhanced with the loss of plants and animals and will not be mitigated for local people. Loss of bird species, woodland and habitat will not be replaceable in the local area.*

As noted above, biodiversity would be enhanced by the proposals currently under consideration.

13. *Development is premature before Coast Road project is open and will result in heavy vehicles through Torry. Queries whether there is funding for the road.*

Conditions on the planning permission in principle cover the requirements for the road network in order to avoid heavy vehicles passing through residential areas.

14. *Public health, including mental health and amenity will be damaged by noise and air pollution. The impact is even greater in a deprived community, where life span is shorter due to existing industrial development. Replacement facilities will not be easily accessible by locals.*

Conditions on the PPiP cover requirements for impact assessments for noise and air quality. The CEMP covers impacts from the works to the burn that are the subject of this application.

15. *Biodiversity Plan is not by a suitably qualified professional and little weight should be put on the opinion that the loss of habitat can be mitigated.*

The Biodiversity Plan has been reviewed by specialists within the Council, amended following discussions and is considered acceptable, as noted above.

16. *If application is approved (contrary to objections) it must be conditional on a binding contract with a prospective user ensuring that it is used for a purpose identified as fulfilling the functional association criteria, before any commencement of works.*

The current MSC application does not include approval of the end users, this will be the subject of a future application.

17. *Development site is a functional flood plain*

The application is for works to the burn only.

18. *Realignment of burn is not 'restoration' and will damage amenity and biodiversity and construction of channels will release toxic sediments. It is unnecessary as work was done ten years ago.*

The works are designed to enhance the burn in terms of water quality and management of reeds to create a balance of species. The works will require a CAR licence and a sediment management plan has been developed to ensure that toxins are not released.

19. *Bird species that use the park and wetlands, including species in decline and rare Spotted Crake.*

The biodiversity plan would enhance habitats for species in decline. Further MSC applications would be required, including surveys and biodiversity plans for development of the plots.

20. *SEPA raised objection to development in flood plain.*

This was in respect of the PPiP application, which was approved following referral to the Scottish Ministers. SEPA have confirmed contentment with the technical aspects of the proposal.

ADMINISTRATIVE MATTERS

Points 1. and 2. refer to the phasing plan application. The mitigation measures must be aligned with the elements of the development that cause a need for them, as they would not otherwise be justified in planning terms. The approval of the burn works application and / or the phasing application would not prejudice the outcome of the other application. The application is determined by the planning authority and the powers of the Scottish Government and Council's role as landowner are not relevant.

The principle of development has already been established by the granting of planning permission in principle and the Masterplan for the wider area approved.

Points 13. To 17. relate to the future development of the sites and would be relevant considerations at the time of further MSC applications for the end users and development plots.

RECOMMENDATION

Approve Unconditionally

REASON FOR RECOMMENDATION

The application submissions provide sufficient and acceptable details for works that would enhance water quality and biodiversity around the burn with planting of appropriate species

and transplanting from successful areas of the habitat. The burn realignment taking place as part of the works and ahead of the development on the plots, is justified due to the benefits of carrying out the works as a single project to reduce disruption. The proposal complies with policies relating to the natural environment, namely Policy 1 (Tackling the Climate and Nature Crises), Policy 2 (Climate Mitigation and Adaptation), Policy 3 (Biodiversity), Policy 4 (Natural Places), Policy 6 (Forestry, Woodland and Trees), Policy 20 (Blue and Green Infrastructure) and Policy 23 (Health and Safety) of National Planning Framework 4 (NPF4) and NE2 – Green and Blue Infrastructure, NE3 – Our Natural Heritage, NE5 – Trees and Woodland, D4 – Landscape, D5 – Landscape Design and WB1 – Healthy Developments of the Aberdeen Local Development Plan 2023 (LDP). In relation to Policy B5 (Energy Transition Zones) the proposal would provide enhancements as part of the open space and landscape for the wellbeing of people and wildlife, in compliance with the policy.

The area of recreational open space lost for the sediment pond would be mitigated by the creation of two grass football pitches close to Tullos School. It would therefore comply with Policy 21 (Play, Recreation and Sport) in NPF4 and NE2 – Green and Blue Infrastructure of the LDP. This is the subject of a separate detailed planning application (Reference 250929) which also includes tree planting and park entrance features. The implementation of these works would be controlled through the phasing plan submitted under Matters Specified in Conditions application (250429/MSC).

The application submissions satisfactorily discharge the relevant conditions in respect of the application site consisting of the area around the Burn and path to the south of the Waste Water Treatment Works and is consistent with the ETZ Masterplan.

ADVISORY NOTES FOR APPLICANT

1.To protect the amenity of neighbouring properties/occupants, development works (including site/ground preparation, demolition, and construction) causing noise beyond the site boundary should not occur outside the following hours:

- ☐ Monday to Friday 0700 hours to 1900 hours
- ☐ Saturday 0800 hours to 1300 hour

2.The EMP/CEMP is a key management tool during construction works and should be maintained as a live document throughout the construction phase to ensure that it remains appropriate/robust.

3.All construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

- Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact our Asset Protection Engineers regarding the above matters, either by [submitting an enquiry on the Network Rail website](#) or by writing to:

Network Rail Asset Protection Engineer
151 St. Vincent Street, GLASGOW, G2 5NW
E-mail: AssetProtectionScotland@networkrail.co.uk

Further information regarding working on or near the railway can be found on the [Network Rail website](#).

	Planning Development Management Committee
	Report by Development Management Manager
	Committee Date: 6th November 2025

Site Address:	12 Salisbury Terrace, Aberdeen, AB10 6QH
Application Description:	Erection of single-storey extension to rear, installation of new rooflights, replacement garage roof to rear, enlargement of side window, and installation of external cladding to existing extension.
Application Ref:	250726/DPP
Application Type	Detailed Planning Permission
Application Date:	15 July 2025
Applicant:	Ms Pamela Hoy
Ward:	Airyhall/Broomhill/Garthdee
Community Council:	Ashley and Broomhill



RECOMMENDATION

Approve Conditionally.

APPLICATION BACKGROUND

Site Description

The application site comprises the curtilage of a one-and-a-half storey detached dwelling. The dwelling is sited within the Great Western Road Conservation Area and features a distinct and traditional design of granite blockwork with two storey bay window projections to the principal, north-east facing elevation which fronts onto Salisbury Terrace. The front curtilage of the site has a low-level Fyfestone and granite front boundary wall, with non-original metal railings fixed on top. Low-level shrubbery also runs along the front boundary and flanks a centrally positioned entrance gate and gravel path. A high-level granite rubble wall bounds the side and rear boundaries of the site, with a large area of curtilage extending to the rear, bounded by a lane. The rear curtilage mostly consists of grass with a detached garage to the rear forming part of the side (south-eastern) and rear (south-western) boundaries. Two greenhouses are located to the centre of the rear curtilage. The rear elevation of the dwelling has a two-storey, flat-roofed extension covering the full width of the rear gable projection. The modern (c. mid-to-late 20th century) extension is of utilitarian design, finished with render, and it also incorporates a single-storey wraparound projection on its south-eastern corner. The surrounding area along Salisbury Terrace consists of generally uniform front gardens with low-level granite walls and greenery set in front of traditional one-and-a-half storey dwellings to the west and two-storey terraced dwellings to the east, with a mixture of detached, semi-detached and terraced dwellings. To the rear of the site along the lane, the surrounding curtilages are all large and enclosed with high-level granite rubble walls with single and double garages.

Relevant Planning History

Records of development relating to the existing extension to the rear of the application dwelling appear to date back to the 1950s and 1970s, with the following details found within the Council's planning archive:

- 54/6/27 – Extension to house
- 54/9/42 – Extension to house
- CP76/7/33 – Extension

APPLICATION DESCRIPTION

Description of Proposal

Detailed planning permission is sought for the erection of a single-storey extension to the rear which would project out from the single storey portion of the existing rear extension. The proposed additional ground-floor projection would be clad with silver grey Cedral cement cladding with the existing single, and two-storey extension to be reclad to match. It is also proposed to install two rooflights to the rear (west) facing roof plane on the main section of the dwelling as well as removing the sill of an existing ground-floor window on the side (south-eastern) elevation to enlarge the window downward. Additional works are also proposed to the rear garage, with the proposal seeking to replace an existing asbestos roof with dark grey metal sheet cladding and flashings, while works to the rear curtilage involve the formation of a patio area consisting concrete paving slabs.

Amendments

- The application description was changed following the removal of an originally proposed garden / sunroom outbuilding to the rear, a driveway to the front, fencing to the rear, and a flue / vent pipe to the front.

Supporting Documents

All drawings and supporting documents can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SZ4XOQBZKN100>

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because it is being recommended for approval and has been the subject of six or more timeous letters of representation containing material planning considerations that express objection or concern about the proposal. Determination of the application therefore falls outwith the scheme of delegation.

CONSULTATIONS

External Consultees

- **Ashley and Broomhill Community Council** – No comments received.

REPRESENTATIONS

In addition to the proposed works outlined in the 'Description of Proposal' of this report, the initially submitted application also included proposals for the erection of a garden room within the rear curtilage, the formation of a driveway to front, installation of fencing along the south-eastern boundary to the rear, and installation of a flue / soil pipe to the principal elevation. Following receipt of the initial proposal, neighbour notification as well as public advertisement occurred between 17th July 2025 and 20th August 2025. During this period, the planning authority received seven representations, six marked as objections and one as neutral.

Following the revisions to the proposals outlined above, a re-notification of neighbours and re-advertisement occurred between 26th September 2025 and 22nd October 2025, advising that the application description had been changed and several proposed elements had since been removed (outlined above under 'Amendments'). An additional representation, marked as neutral, was submitted during this period.

The concerns noted from all representations received are summarised as follows:

Material Considerations

Relating to proposals still included:

1. An existing window to the side elevation was previously changed from obscure to clear glazing and appears to have been made without the necessary planning consent. This

represents a material and unacceptable shift from the original design, in which frosted glass preserved privacy between properties.

2. A revised plan (25-483/02) identifies the central room on the front elevation of the building as a bathroom, whereas in reality this room is a bedroom/office.
3. Concerns regarding works that appear to have commenced between the time of the original application and the re-notification, comprising of the excavation of a trench from the main house to the middle of the garden, and the installation of drainage pipework and armoured electrical cabling.
4. There appears to be an ongoing intention to use the property as a House in Multiple Occupation (HMO) and to create a separate dwelling within the garden.

Relating to proposals no longer included:

5. Concerns that the formation of a driveway, removal of front boundary wall, and front shrubbery would impact the character and appearance of the conservation area, setting an inappropriate precedent.
6. Concerns that the formation of a driveway would pose a pedestrian and road safety hazard and would reduce availability of on-street parking.
7. Concerns the proposed driveway would exceed existing parking provision on the site, from the rear lane.
8. Concerns the combination of front parking and an additional dwelling to rear would possibly result in a splitting of the feu.
9. Concerns regarding the siting and scale of the proposed garden room and its impact on the character of the area.
10. Concerns regarding the amenity impact of the proposed garden room in terms of privacy, outlook, and noise.
11. Concern that the garden room is being positioned and designed as separate accommodation, either for guests, rental, or to be operated as an independent dwelling.
12. No location of fencing is specified in the originally submitted plans, however, the proposed fencing may impact the appearance of the surrounding area.
13. The proposed soil pipe to the front elevation could impact the appearance of the building and surrounding conservation area.
14. The submitted plans incorrectly identify site and elevation orientations.

Non-Material Considerations

15. Proposal would have a detrimental effect on the neighbour's property value.
16. Concern regarding accessing the rear lane garage of a neighbouring property during construction works.
17. Seeking information as to when and approximately how long this build conversion will take to be completed when approved.

Due to the receipt of a revised proposal, items 5 – 14 relate to works no longer included within this proposal and therefore are no longer applicable to the evaluation of the current proposal. The remaining items, 1 – 4, are addressed in the following 'Evaluation' while items 15 – 17 are addressed under 'Administrative Matters'.

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.

Development Plan

National Planning Framework 4

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan.

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 7 (Historic Assets and Places)
- Policy 14 (Design, Quality and Place)
- Policy 16 (Quality Homes)

Aberdeen Local Development Plan 2023

- Policy D1 (Quality Placemaking)
- Policy D6 (Historic Environment)
- Policy H1 (Residential Areas)

Aberdeen Planning Guidance

- Householder Development Guide
- Repair and Replacement of Windows and Doors

Other National Policy and Guidance

- Historic Environment Policy for Scotland

EVALUATION

Key Determining Factors

The key determining factors in the assessment of this application are whether the proposed development would:

- impact upon the character and appearance of the existing dwelling or the surrounding area; and

- impact upon the amenity of the area, including the residential amenity of immediately neighbouring properties; and
- preserve or enhance the character and appearance of the conservation area.

Policy Context

Policy 16 (Quality Homes), paragraph (g) of National Planning Framework 4 (NPF4) states that householder development proposals will be supported where they:

- do not have a detrimental impact on the character or environmental quality of the home and the surrounding area, in terms of size, design and materials; and*
- do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.*

The application site also lies within a Residential Area, as zoned in the Aberdeen Local Development Plan 2023 (ALDP) Proposals Map. Policy H1 (Residential Areas) of the ALDP states that within existing residential areas, proposals for new householder development will be approved in principle if it:

- does not constitute overdevelopment; and*
- does not have an adverse impact to residential amenity and the character and appearance of an area; and*
- does not result in the loss of open space.*

Impact on the Character and Appearance of the Area, and the Historic Environment

In determining whether the proposed development would adversely affect the character and appearance of the existing dwelling, and the surrounding area, Policy 14 (Design, Quality and Place) of NPF4 is relevant. Policy 14 encourages and promotes well-designed development that makes successful places by taking a design-led approach. Policy D1 (Quality Placemaking) of the ALDP substantively reiterates the aims and requirements of Policy 14. The Householder Development Guide (HDG), part of the Council's Aberdeen Planning Guidance, supports the above policies and outlines general principles and type-specific considerations to apply when considering householder development.

The application site also lies within the Great Western Road Conservation Area. Historic Environment Policy for Scotland (HEPS), Policy 7 (Historic Assets and Places) of NPF4 and Policy D6 (Historic Environment) of the ALDP all seek to ensure that new development in conservation areas either preserves or enhances the character and appearance of the conservation area.

Siting, Scale, Design, and Materials

General Principle 1 of the HDG outlines that extensions should be “*architecturally compatible in design and scale with the original house and its surrounding area*” and that they “*should not overwhelm or dominate the original form or appearance of the dwelling and should be visually subservient in terms of height, mass and scale.*”

The proposed single-storey extension would be sited to the rear of the application dwelling, projecting c. 2 m from the rear elevation of the single storey projection of the existing rear extension, matching its width and height. Its rear elevation would be predominantly glazed with vertical windows and sliding patio door, while its side (south-eastern) elevation would feature a single vertical window adjacent to the rear corner, with two additional narrow horizontal windows at a high level. The proposed and existing extensions would be clad with silver grey ‘Cedral’ fibre cement faux timber

cladding. The cladding to the existing extension would cover exposed plumbing and rainwater pipes that currently sit externally.

The existing extension, consisting of a prefabricated, off-white wall finish, has a utilitarian and unsympathetic appearance that is not complementary to the original granite dwelling, nor in keeping with the wider context. The proposed recladding of the existing extension with the proposed Cedral cladding would thus be a welcome alteration which would give the extension a higher quality, more contemporary aesthetic, whilst also having the benefit of covering the currently exposed plumbing and rainwater pipes. The additional c. 2 m ground-floor projection would be modest in scale and would not overwhelm the existing appearance of the dwelling's rear elevation.

The proposed window enlargement to the side (south-eastern) elevation of the original dwelling would see the removal of a sill and the expansion of glazing downward. The upper portion of the window in terms of dimensions would remain unaltered. In accordance with the Council's Aberdeen Planning Guidance for the Repair and Replacement of Windows and Doors in conservation areas, the proposed widening of existing openings will not usually be accepted on principal elevations and proposals should be located to avoid disruption to the characteristics of the surrounding context. The siting of the window, to the side elevation of the dwelling, and out of view from the nearby street, is appropriate and the proposed downward enlargement would not have an adverse impact on the character or appearance of the dwelling, nor that of the surrounding conservation area.

It is also proposed to install two rooflights on the rear (south-west) facing roof plane of the main section of the original dwelling. This section of roof plane is largely hidden from public view to the rear lane as the dwelling has two small gabled dormers projecting to either side from a central gable that extends to the rear of the dwelling. Nevertheless, the proposed rooflights would be of an appropriate size, design (conservation style, with central glazing bars) and siting within the roof plane such that they would preserve the character and appearance of the dwelling, and that of the surrounding conservation area.

The double-garage to the rear of the site has an existing corrugated asbestos roof which is proposed to be replaced with dark grey metal sheet cladding. The proposed material would be appropriate for the structure and in-keeping with the character and appearance of the rear lane.

Overdevelopment

General Principles 4 and 5 of the HDG outline overdevelopment considerations. These state that the built footprint of a dwellinghouse, as extended, should not exceed twice that of the original dwelling and no more than 50% of the rear curtilage of a dwelling should be covered by development.

In terms of the current proposal, the existing rear curtilage extends to c. 800 sqm, and whilst the proposed extension would add c. 14 sqm, the built area, including the existing extension, outbuildings, and areas of hard surfacing would result in c. 77% of the rear curtilage remaining unbuilt and the collective size of both existing and proposed extensions would not result in the original house being more than doubled in footprint. The proposal would therefore not be overdevelopment.

Open Space

The proposed householder development would be wholly contained within the existing residential curtilage of the application property, and no open space would be lost.

Summary

To summarise, the proposed development would be of an appropriate siting and scale, would not constitute over development, nor result in the loss of any open space. The proposed design of the additional rear projection and recladding of the existing extension, whilst not in-keeping with the context of the surrounding area, would have a positive impact compared with the existing situation, enhancing the appearance of the existing, utilitarian rear extension. The works would thus preserve the character and appearance of both the existing dwelling and the surrounding area, all in accordance with Policies 14 and 16 of NPF4 and Policies D1 and H1 of the ALDP, as well as the relevant guidance contained within the HDG. The proposed development would also preserve the character and appearance of the conservation area, in accordance with HEPS, Policy 7 of NPF4 and Policy D6 of the ALDP.

Impact on the Amenity of the Area

In relation to assessing impacts on residential amenity, General Principle 2 of the HDG states that *“no extension or alteration should result in a situation where the amenity of any neighbouring properties would be adversely affected. Significant adverse impact on privacy, daylight and general amenity will count against a development proposal.”* Section 2.3 (Rear House Extensions) of the HDG notes that: *“the maximum dimensions of any single-storey extension will be determined on a site-specific basis.”*

Daylight and Sunlight Receipt

Development relating to the addition of new structures only includes the c. 2 m projection to the existing rear single-storey extension. The additional proposed works relating to roof replacement and windows would not have any impact on the daylight or sunlight receipt of neighbouring properties.

The additional ground-floor extension to the rear would match the flat roof height of the existing extension at c. 3 m, with the existing side (south-eastern) elevation projecting further to the rear. Based on a 45° assessment, outlined in the HDG, the additional projection passes on both an elevation and plan view in terms of impact to daylight receipt for the nearest neighbouring windows (to the south-east). Using the same assessment to assess potential for overshadowing, the proposed extension also passes on an elevation view as it would be set in slightly from the mutual boundary. On this basis, while some degree of overshadowing and impact to daylight receipt may occur, the modest scale of the proposed extension, combined with the separation distances to the nearest neighbouring properties is sufficient to ensure that it would not adversely impact the amenity of neighbouring properties.

Privacy and Outlook

The proposed rooflights to the rear roof plane of the application dwelling would overlook the applicant's own rear garden and would not have any impact on the privacy or outlook of neighbouring properties.

The proposed enlargement of the existing window to the side (south-eastern) elevation of the original dwelling would introduce additional glazing to the lower section with the cill and existing masonry below to be removed. The existing window above would not be affected. The window is c. 3.7 m from the boundary wall. The boundary wall is 1.1 m high with an additional boundary fence on the neighbouring side rising to 1.8 m above the ground level of the application site. The midpoint of the existing window aligns approximately with the height of the existing boundary fence, with the newly proposed glazing below to be full obscured by existing boundary treatments. The proposed

window enlargement would thus not have an adverse impact on the privacy of the neighbouring property.

Additionally, as identified under *Item 1* raised in representations regarding previous obscure glazing, as the window is located to the side elevation of the dwelling, Class 7A of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended, permits the alteration of windows on side elevations that do not front a road for dwellings within conservation areas. Furthermore, there is no record of permitted development rights having been removed by condition specific to this property and as such the removal of obscure glazing would constitute permitted development.

The proposed ground-floor extension would include two narrow high-level windows along its side (south-eastern) elevation. Given the height and size of these windows, they would not provide for viewing out from the proposed extension and would thus not have an adverse impact on the privacy of the neighbouring property. An additional vertical window would be sited to the rear of the side elevation and would face towards the mutual boundary. The same dimensions of the boundary wall and fencing as mentioned above apply adjacent to this window, with the window height extending to c. 2.1 m from ground level adjacent to the 1.8 m high boundary fence. The boundary treatment would provide adequate screening between both properties, and the proposed window would thus not have an adverse impact on the privacy of the neighbouring property.

The rear elevation of the ground-floor extension would be predominantly glazed, overlooking the large rear curtilage of the application site. Given the rear siting, the glazing would not have an adverse impact on the privacy of neighbouring properties.

Summary

To summarise, the proposed development would not have an adverse impact on the amenity of the surrounding area, including the residential amenity of the neighbouring properties, in accordance with Policy 16 of NPF4 and Policy H1 of the ALDP, as well as the relevant guidance contained within the HDG.

Tackling the Climate and Nature Crises, Climate Mitigation, and Adaptation

Policy 1 (Tackling the Climate and Nature Crises) of NPF4 requires significant weight to be given to the global climate and nature crises in the consideration of all development proposals. Policy 2 (Climate Mitigation and Adaptation) of NPF4 requires development proposals to be sited and designed to adapt to current and future risks from climate change.

The proposed householder development would be sufficiently small-scale such that it would not make any material difference to the global climate and nature crises, nor to climate mitigation and adaptation. The proposals are thus acceptable and do not conflict with the aims and requirements of Policies 1 and 2 of NPF4.

Matters Raised in Representations

The following items, received from representations, are deemed material to the consideration of planning applications. Each item is addressed below:

2. A revised plan (25-483/02) identifies the central room on the front elevation of the building as a bathroom, whereas in reality this room is a bedroom/office.

While every effort should be made to ensure accuracy of submitted plans, the verification of internal layouts is not a requirement for the validation of planning applications. Furthermore, any internal alterations are not 'development' and thus fall outwith the remit of the planning authority as outlined in Part III, Section 26 of the Town and Country Planning (Scotland) Act 1997. It should be noted that for this specific application, the siting of the room in question and its identified use has no bearing on the works proposed.

3. Concerns regarding works that appear to have commenced between the time of the original application and the re-notification, comprising of the excavation of a trench from the main house to the middle of the garden, and the installation of drainage pipework and armoured electrical cabling.

Excavation of garden ground less than 0.5 m would not constitute development and would thus be outwith consideration by the planning authority. Evidence provided to the Council appeared to indicate at the time of receipt that the works did not constitute development. However, as a note, the Council's Planning Enforcement Charter outlines threshold's where works may become development, which may then either require planning permission or fall within permitted development rights. Should further evidence indicate a breach of planning, this would become a matter for the Council's Planning Enforcement team.

4. There appears to be an ongoing intention to use the property as a House in Multiple Occupation (HMO) and to create a separate dwelling within the garden.

The submitted planning application is for external alterations to the application site and not for a change of use and the use of the site is not a material consideration for this application. However, the applicant has been advised that should the use of the dwelling fall within the definition of an HMO (outlined under Policy D8 (Houses in Multiple Occupation) of the Aberdeen Local Development Plan 2023) or be operate as a short-term let, a separate planning application for a change of use and / or HMO License application would be required. Any operation outwith these requirements would be subject to enforcement action.

ADMINISTRATIVE MATTERS

The following items, received from representations, made are deemed non-material for the following reasons:

15. Proposal would have a detrimental effect on the neighbour's property value.

Impacts to property value are not a material planning consideration.

16. Concern regarding accessing the rear lane garage of a neighbouring property during construction works.

Construction operations and road usage are not directly a material consideration for the determination of planning applications. However, details regarding permitted hours of construction and potential requirements for road usage consents are outline below under 'Advisory Notes for Applicant.'

17. Seeking information as to when and approximately how long this build conversion will take to be completed when approved.

Unless otherwise stated, all planning approvals have a validity of three years in which applicants can begin development. There is no requirement for applicants to provide construction timelines once development commences. However, see above comment regarding hours of operation and road usage during construction.

RECOMMENDATION

Approve Conditionally.

REASON FOR RECOMMENDATION

The proposed development would not have an adverse impact on the character, appearance and amenity of the existing dwelling and the surrounding area, would not constitute overdevelopment and would not result in the loss of any open space, all in accordance with Policy 16 (Quality Homes) of National Planning Framework 4 (NPF4) and Policy H1 (Residential Areas) of the Aberdeen Local Development Plan 2023 (ALDP). The proposed works are also compliant with the relevant guidance set out in the Householder Development Guide.

The proposed works would be of an appropriate design, scale, siting and materials for the context of the application site, in accordance with Policies 14 (Design Quality and Place) of NPF4 and D1 (Quality Placemaking) of the ALDP. The works would also preserve the character and appearance of the conservation area, in accordance with Historic Environment Policy for Scotland, Policy 7 (Historic Assets and Places) of NPF4 and Policy D6 (Historic Environment) of the ALDP, as well as Aberdeen Planning Guidance: Repair and Replacement of Windows and Doors.

The proposed householder development would be small-scale and would not have any material impact on the climate and nature crises, nor on climate mitigation and adaptation, therefore the proposals do not conflict with the aims and requirements of Policies 1 (Tackling the Climate and Nature Crises) and 2 (Climate Mitigation and Adaptation) of NPF4.

CONDITIONS

(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

ADVISORY NOTES FOR APPLICANT

(01) HOURS OF DEMOLITION AND CONSTRUCTION WORK

Unless otherwise agreed in writing with Aberdeen City Council Environmental Health Service (poll@aberdeencity.gov.uk / 03000 200 292), demolition or construction work associated with the proposed development should not take place out with the hours of 07:00 to 19:00 Mondays to Fridays and 08:00 to 13:00 on Saturdays. No noisy work should be audible at the site boundary on Sundays.

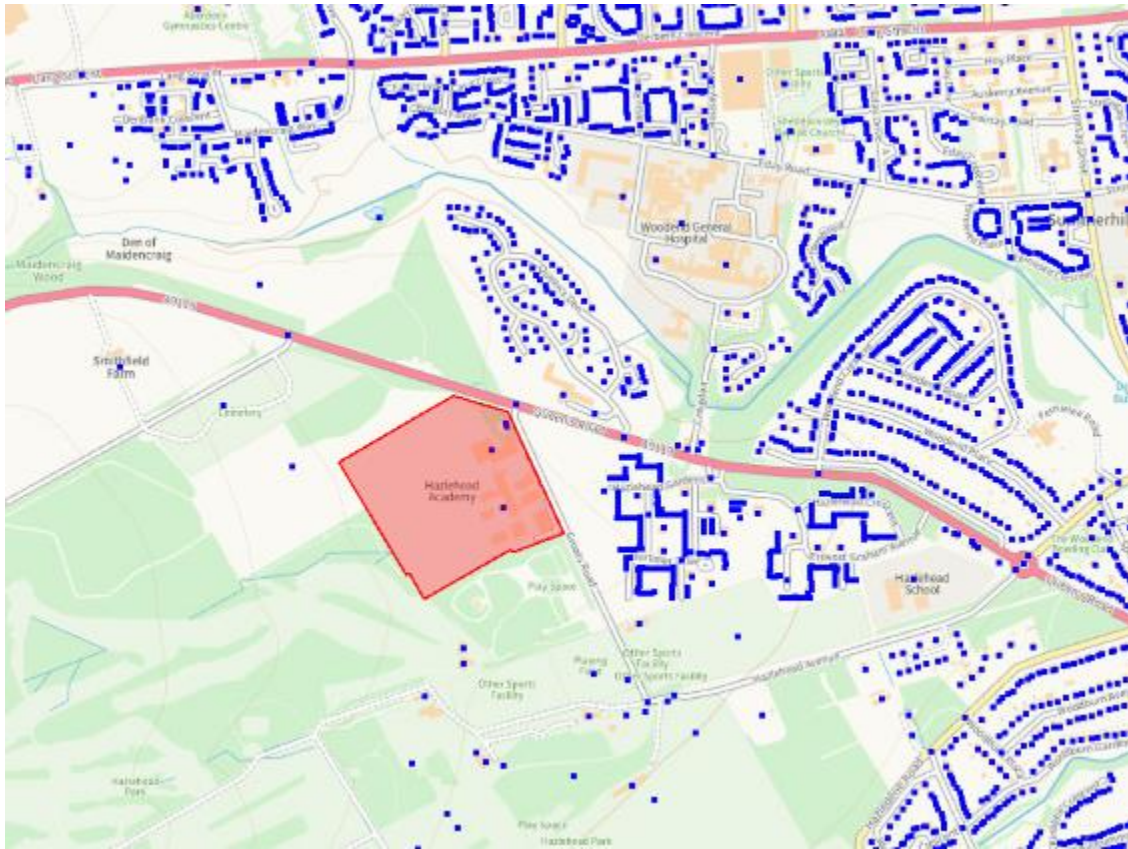
Where complaints are received and contractors fail to adhere to the above restrictions, enforcement action may be initiated under the Control of Pollution Act 1974.

(02) OCCUPYING OF ROADSPACE

Should construction equipment be required to be kept on a public road (i.e. a skip), an application to occupy a road or footpath should be submitted to the Council's Roadworks Coordination team at <https://www.aberdeencity.gov.uk/services/roads-transport-and-parking/apply-occupy-road-or-footpath>.

	Planning Development Management Committee
	Report by Development Management Manager
	Committee Date: 6 November 2025

Site Address:	Hazlehead Academy, Groats Road, Aberdeen AB15 8BE
Application Description:	Erection of secondary school community campus with associated external amenities, including landscaping, parking and sports pitches, including demolition of the existing school and associated buildings
Application Ref:	250479/DPP
Application Type	Detailed Planning Permission
Application Date:	15 May 2025
Applicant:	Aberdeen City Council
Ward:	Hazlehead/Queen's Cross/Countesswells
Community Council:	Craigiebuckler and Seafield


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RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The application site extends to c.8.7ha and contains the existing Hazlehead Academy, energy centre and disused swimming pool building, and associated playing fields and playgrounds. The site is bounded by Groats Road to the east, and two residential dwellings at 1 and 2 Groats Road, Skene Road to the north east; and public open space consisting of tree belts, woodlands and the Hazlehead golf course to the north west, west and south. The southern boundary includes an established tree belt, beyond which is the former caravan park.

The existing Hazlehead Academy consists of a collection of two, three and four storey educational buildings served by two car parks and a bus turning area, all with access from Groats Road. This collection of buildings and associated hardstanding covers approximately one third of the application site, with the remainder generally in use as grassed playing fields supplemented by a multi-use games area and hard surfaced tennis court to the north. There is an extensive grassed field area to the west of the buildings. The main school buildings date from 1970, with later additions of single storey detached classroom units sited in the southern area. Access and egress are taken from Groats Road to the east.

The site is well screened by mature trees along most boundaries, including in longer views from Skene Road.

Relevant Planning History

- 241379/PAN – A proposal of application notice for a major development of new campus with associated external amenities, including landscaping, parking and sports pitches was submitted on 9 December 2024.
- 250742/DPP – An application for detailed planning permission for a change of use and construction of low carbon energy centre, air source heat pumps (ASHP), thermal stores and excavation of trench and laying of district heating pipes is currently under consideration. This would be located on the site of two vacant residential dwellings at 1 and 2 Groats Road.
- 251103/PND – Prior notification for demolition of two residential dwellings at 1 and 2 Groats Road has been submitted. This application is under consideration.

APPLICATION DESCRIPTION

Description of Proposal

Detailed planning permission is sought for the erection of a secondary school community campus with associated external amenities, including landscaping, parking and sports pitches. The proposal further includes the demolition of the existing school and associated buildings.

The proposed replacement building would be located in the north west corner of the application site on part of the existing playing fields, multi-use games area and hard surfaced court. It would consist of a single building varying in height between two and three storeys. The main entrance would be to the east, accessed from Groats Road. This front part of the building would be two storeys in height and, on the ground floor, would contain the main entrance, reception and office space, and indoor sports facilities including the games hall, dance studio, fitness studio and changing rooms. The first floor of this part of the building would include the library and office and support spaces and some

classrooms.

This front part of the building would lead into the main school building, which would be three storeys in height and have a general U-shape with two projecting wings extending south. This part of the building would incorporate communal spaces for pupils, including the main student entrance, dining room, social space and café. It would further accommodate the main kitchen, assembly hall and drama studios on the ground floor, along with classrooms, toilets and further office spaces. The two upper floors would be predominantly used as classrooms, with some office space, storage, and toilets.

Externally, vehicular access from Groats Road would be maintained, and would lead to a car park and service yard to the north east and north of the building. Further to the south along this eastern site boundary, the existing bus turning area would also be retained. The main pedestrian entrance into the site would be between the two vehicular access points centrally within the east site boundary, and would lead directly to the main entrance in the east elevation of the building, and to various access points into the main playground to the south of the building providing a direct route to the main student entrance. Further pedestrian access points into the site are located in the south east corner and centrally along the western site boundary. Pupil and staff cycle shelters are proposed at pedestrian entrances and adjacent to the staff car park.

The main playing fields, including two full-size 3G pitches, an all-weather sports track and a grassed area for informal football, athletics and other sports would occupy the southern half of the site, whereas the area surrounding the building on all sides would be predominantly hard surfaced and act as spill out social space for students. Some outdoor teaching and performance spaces would be located to the north of the building.

Amendments

In agreement with the applicant, the following amendments were made to the application:

Additional information including a Safe Routes to School document submitted;
Refinement of elevational treatments.
Refinement of car park layout.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SW4ZIBBZIRN00>

- Biodiversity Net Gains Report
- Design and Access Statement
- Drainage Strategy Report
- Energy Statement
- Geotechnical Design and Environmental Risk Assessment Report
- Noise Impact Assessment
- Pre Application Consultation Report
- Preliminary Ecological Appraisal
- Safer Routes to School Assessment
- Transport Statement
- Tree Survey Report

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because the proposal is in the major category of development in the Hierarchy of Development Regulations. Determination of the application therefore falls outwith the scheme of delegation.

Pre-Application Consultation

The proposed development was the subject of pre-application consultation between December 2024 and March 2025 between the applicant and the community, as required for applications for major developments.

Prior to statutory pre-application consultation, early engagement events with parent councils of both feeder schools, (including pupils from Countesswells and Kingswells as are proposed to be zoned to the new Academy) and Hazlehead Academy, and design charettes with pupils, staff and the parent council. The design charettes took the form of two workshops focusing on key spaces within the school.

The applicant also undertook statutory pre-application consultation which included two public drop in and exhibition events, both at Hazlehead Academy. All attendees were offered a feedback form to be completed either at the event or emailed to the Council at a later date. The first event was attended by more than sixty visitors, and fifteen feedback forms were received. The second event attracted more than thirty visitors, and a total of 21 feedback forms were received.

Concerns raised by respondents during the first event included safe routes to school; capacity of the new school given current housing developments in the larger catchment area; environmental considerations in relation to maintaining outdoor spaces and encouraging biodiversity; and potential inclusion of a swimming pool. Other matters raised were non-material to the planning process, such as the integration of pupils from various catchment areas and the project's timeline. In response, the applicant confirmed that a safe routes to school assessment would be part of any application; that the project would need to meet green energy targets as set out by ACC Corporate Landlord; and that the inclusion of a swimming pool was not economically viable in this location.

Concerns raised by respondents during the second event included practical concerns in relation to the internal layout including the mezzanine floors and proposed use of white walls; further clarification required in relation to sports facilities; and impact on local community in relation to increased traffic, potential damage and vandalism and litter. In response, the applicant set out that the internal spaces would be further refined, provided further clarification on the extent of proposed sports facilities and that there is the hope that a new school would encourage community engagement.

CONSULTATIONS

Aberdeen City Council (ACC) Internal Consultees

- **Archaeology Service (Aberdeenshire Council)** – No objection. Recommends inclusion of a condition requesting a photographic survey of the existing buildings and structures on the site.
- **ACC - Environmental Health** – No objection. Satisfied that the proposed multi-use games

areas (MUGAs) shall not cause a noise nuisance provided that:

- o The MUGA's are located shown in the Proposed Site Plan (Drawing No. 8461-RYD-00-EX_00-D-L-001902);
- o The fencing surrounding the MUGAs is a proprietary weld mesh sports fence securely clamped with resilient fixings to avoid vibrations; and
- o That the MUGAs are not used after 22:00 hours.
- o It is recommended that a management plan is put in place to monitor and prevent inappropriate use.

Satisfied that noise impacts due to new building services plant can be suitably controlled and would recommend (in-line with report recommendations) a further review of plant noise breakout once the location and specification of the plant is known.

- **ACC - Roads Development Management Team – No objection.**

The site is located in the outer city, outwith any controlled parking zone. The proposed academy will have capacity for 1,600 pupils and 160FTE staff.

As this is a replacement school, the accessibility of the site will remain largely unchanged.

The catchment area of the school has changed as it now includes both Countesswells and Kingswells. Both of these sites are a considerable distance away (c.3.5km to each). Both sites have potential safe routes to the school, however, they are circuitous and, at worst, would take in excess of an hour to walk. For these reasons, it is envisioned that a bus service will be provided. The provision of such a service is outwith the remit of Roads Development Management. In summary, safe routes to school do exist, but they are either indirect or would take too long and a bus should instead be provided.

The applicant is proposing to provide the 'missing' section of footway on the east side of Groats Road, along with a new zebra crossing to allow pupils to cross Groats Road safely. This location is to be agreed with Aberdeen City Council.

The applicant has highlighted that adhering to the APG Cycle parking requirements will result in a huge overprovision of cycle parking. Instead, the applicant is proposing 192 long stay pupil spaces which will accommodate a 40% increase in cycle mode share compared to the existing school. It is noted that the layout of the site would allow for increasing this provision if required. The secure staff cycle store has a capacity of twenty spaces. Both are accepted.

Bus services are put on for pupils where required. The nearest public bus stops to the campus are on Skene Road/ Queens Road and are within 200m of the site.

The existing school has two car parks with a total capacity of 61 spaces. There is also a dedicated bus/taxi drop-off layby at the southern end of the campus. The applicant is proposing 133 parking spaces for 160 staff. Seven of these spaces are accessible, and fifteen of these spaces will have EV provision. A further five motorcycle spaces are provided. A pick up/ drop off layby for six buses is being provided in an inset road parallel to Groats Road. This is acceptable.

It is noted that the applicant states that 'the increased staff parking in the campus should reduce overspill onto Groats Road and surrounding roads and improve traffic flow on Groats Road. Much of the current congestion on Groats Road at the start and end of the school day arises from the conflict between overspill staff parking and vehicles wishing to pick up and drop off. Increasing staff parking inside the campus should reduce this overspill and improve traffic circulation on Groats Road. This is an existing issue which will be made better by the

proposals. To completely eradicate this issue, a large drop off area would be required within the site, however, this would go unused for the majority of the day and reduce amenity to the site. The proposal is thus accepted.

Submitted swept path analysis for refuse vehicles are accepted.

A successful Travel Plan should have an overarching aim, realistic modal share targets and a series of measures to obtain these targets set out in an Action Plan. Although the proposal is the same use on the same plot, this would be an appropriate time to refresh the travel plan and provide this to staff, and possibly to parents, to alert them to the different ways of accessing the school, and the benefits of not relying solely on private vehicle trips.

Roads Construction Consent will be required for elements of the proposed development, including the construction of the pavement and pedestrian crossing along the east side of Groats Road.

- **ACC - Structures, Flooding and Coastal Engineering** – No comments following submission of drainage information.
- **ACC - Waste and Recycling** – No objection. General comments provided in relation to waste collection and access to service yard.
- **ACC – Passenger Transport Unit** – Commented regarding the need for a safe walking route developed between Countesswells and Kingswells to the Hazlehead site to reduce the level of contracted school transport required. Already considerable pressure on school transport budget.

External Consultees

- **Craigiebuckler And Seafield Community Council** – No comments received.
- **Aberdeen International Airport** – No objection subject to a condition requesting details of a landscaping scheme to ensure species proposed would not increase bird hazard risk.
- **Police Scotland** – Encourages that the applicant attains the 'Secured by Design' award as this demonstrates that safety and security have been proactively considered and that this development will meet high standards in these respects.
- **Scottish Water** – No objection. General comments provided in relation to capacity at Invercarnie Water Treatment Works and Nigg Waste Water Treatment Works. Sets out that Scottish Water will not accept any surface water connections into the combined sewer system. Advises that live Scottish Water infrastructure is located in the proximity of the development area.
- **Sport Scotland** – No objection. Refers in their comments to Policy 21 (Play, Recreation and Sport) of NPF4. Provides guidance in relation to sports facilities to be provided for a school roll of 1600 pupils. In terms of outdoor provision, the construction of two full-size synthetic pitches alongside the retained natural grass pitch and track area would increase overall playing capacity at the site – as synthetic surfaces can be used in all weathers and withstand more wear than natural grass. Consideration of curricular and community needs should inform the selected surface type to ensure the appropriate mix of sports at the site.

It is presumed that the proposed synthetic pitches will be floodlit, although this is not shown on the drawings. Based on this understanding, a condition should be attached requiring submission of details of proposed floodlighting scheme and submission of pitch specification for natural grass pitch and 300m running track.

REPRESENTATIONS

One neutral letter of representation has been received. The matters raised can be summarised as follows –

Non-Material Considerations

1. Comments on internal layout of building and use of balconies.

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.

Development Plan

National Planning Framework 4

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan.

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 4 (Natural Places)
- Policy 6 (Forestry, Woodland and Trees)
- Policy 12 (Zero Waste)
- Policy 13 (Sustainable Transport)
- Policy 14 (Design, Quality and Place)
- Policy 15 (Local Living and 20 Minute Neighbourhoods)
- Policy 19 (Heat and Cooling)
- Policy 20 (Blue and Green Infrastructure)
- Policy 21 (Play, Recreation and Sport)
- Policy 22 (Flood Risk and Water Management)
- Policy 23 (Health and Safety)

Aberdeen Local Development Plan 2023

- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)
- Policy H1 (Residential Areas)

- Policy NE2 (Green and Blue Infrastructure)
- Policy NE3 (Our Natural Heritage)
- Policy NE4 (Our Water Environment)
- Policy NE5 (Trees and Woodland)
- Policy R5 (Waste Management Requirements for New Developments)
- Policy R8 (Heat Networks)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)
- Policy WB3 (Noise)

Aberdeen Planning Guidance

Transport and Accessibility

EVALUATION

Key Determining Factors

The key determining factors to be considered as part of this application are:

- The principle of development;
- Scale, massing, design and proposed site layout;
- Impact on residential amenity;
- Impact on local highway conditions, including access and parking;
- Impact on the natural environment, including impact on trees and protected species.

Principle of Development

The application site is located in an area zoned as residential and Policy H1 (Residential Areas) of 2023 Aberdeen Local Development Plan (ALDP) applies. This policy sets out that non-residential development in residential areas can only be supported if:

1. It is considered complementary to the residential use; or
2. It can be demonstrated that the proposed use would not have an adverse impact on residential amenity of neighbouring properties.

In this case, the proposal is for a new secondary school community campus on a site that is currently in use as such. It would therefore be a continuation of an existing use, that is generally considered complementary, acceptable and appropriate in a residential area.

The principle of the development is therefore accepted.

Scale, Massing, Design and Layout

Policy 14 (Design, Quality and Place) of NPF4 sets out that all development proposals will be designed to improve the quality of an area and should be consistent with the six qualities of successful places: healthy, pleasant, connected, distinctive, sustainable, and adaptable. Policy D1 (Quality Placemaking) of ALDP sets out that all development must follow a thorough process of site context appraisal to arrive at an appropriate proposal, have a strong and distinctive sense of place and should meet the six essential qualities: distinctive; welcoming; safe and pleasant; easy to move around; adaptable; and resource efficient.

Policy 21 (Play, Recreation and Sport) of NPF4 provides guidance and criteria in relation to the

provision of sports facilities and play spaces. It sets out in part (a) on provision of outdoor sports facilities that:

'Development proposals which result in the loss of outdoor sports facilities will only be supported where the proposal:

- Is ancillary to the principal use of the site as an outdoor sports facility;*
- Involves only a minor part of the facility and would not affect its use; or*
- Meets a requirement to replace the facility which would be lost, either by a new facility or by upgrading an existing facility to provide a better quality facility. The location will be convenient for users and the overall playing capacity of the area will be maintained; or*
- Can demonstrate that there is a clear excess of provision to meet current and anticipated demand in the area, and that the site would be developed without detriment to the overall quality of provision.*

Part (f) on play provision sets out that any new or replacement play provision should provide a stimulating environment; be inclusive; suitable for different ages of young people; and be well overlooked.

The proposed site layout would see the construction of a single academy building located in the northern half of the larger site, with playing fields to the south, and vehicular and main pedestrian access points, including bus turning circle, retained from Groats Road. A car park would be situated in the north east corner, partly screened by new landscape planting and, in all likelihood, the proposed energy centre subject to planning application 250742/DPP.

The proposed building would be part two/part three storeys in height, with double valley pitched roofs to reduce its overall height and have a general U-shaped footprint with additional front entrance section. The front section would be two storeys in height, and would include the main entrance, main reception and associated office space, and sports facilities and changing rooms on the ground floor and facilities such as the library and staff room on the first floor. The taller three storey section to the rear would include social and dining spaces on the ground floor and the majority of classroom spaces on the ground, first and second floor. The building would generally be finished in facing brickwork to the ground and first floor with standing seam metal cladding to the second floor and roof. A brick colonnade would be formed leading up to the main entrance in the east elevation, providing a sense of arrival. A similar approach is used for the main pupil entrance to the south elevation, although the doors serving this entrance are less set back. Large full height glazed sections mark out the social spaces and main pupil entrances in the south elevation and parts of the east elevation leading up to the main entrance. Patterned brickwork would be used to break up large sections of brickwork and create additional interest, particularly in the gable ends on the south, east and west elevations.

Whilst large, due to the placement of the building within the extensive wider site, the building would be set at a considerable distance from Groats Road to the east and Skene Road to the north. It would further be somewhat screened by existing and proposed trees along both roads. Due to its location within the site and of the wider site itself, the building would generally be seen in isolation. There is a large public open space separating it from existing properties on Hazlehead Terrace to the east, whilst Skene Road forms a clear visual barrier to Denseat Court to the north. The building would therefore be set within its own context, which is an appropriate approach, given the educational campus use of the site, both existing and proposed. Its design and setting is well considered, and distinctive and, if implemented, would represent a significant improvement on the existing site layout and built form.

The building has been designed with the end users in mind, through features such as the projecting

wings to the south elevation which assist in creating a welcoming courtyard for pupils to use as a social space. Throughout the hard surfaced playground area, included in this southern courtyard would be a series of outdoor shelters and seating areas for use at break times. This is further supplemented by the proposed landscaping scheme for the wider site, which would create a series of outdoor education spaces, including a pupil support garden to the west, external demonstration spaces and outdoor performance space to the north in addition to the social courtyard space to the south. All these spaces would be close to, and directly accessible from, the building, and would make best use of the space immediately surrounding it.

Further to the south would be the outdoor sports facilities including an informal grassed area for various sports including football and athletics, a dedicated all weather sprint track and two full size 3G pitches. It would further provide an informal games court including 3x3 basketball fields and an outdoor gym. These latter facilities would provide a wider range of informal opportunities for physical exercise than the existing grassed area outside of dedicated PE lessons.

Due to its location in the northern half of the site, the building would be constructed on part of the existing playing fields. This would ensure that the existing school can continue to run efficiently on the site, whilst the new school building is under construction. This would therefore result in a temporary loss of some of the outdoor sports facilities currently serving the school. However, it is considered that the proposed detailed landscaping scheme which incorporates the facilities as set out above would be a betterment in terms of facilities available on the site following completion of the development.

The proposed combination of extended seating areas and opportunities for informal physical exercise through the 3x3 basketball fields, grassed area and outdoor gym would provide a good range of opportunities for young people to socialise before and after school and during breaktimes. These facilities are well considered and, taking into account that the proposal is for a secondary school, would cover the full range of ages generally using the building. All social spaces would be clearly visible within the wider site and would be easily overlooked by pupils and staff, creating a safe and healthy environment for pupils.

The entrances into the building and the wider site would be welcoming and there are clear routes from the various access points into the site towards the building and its various entrances, making it easy to move around. Bike store facilities would be provided at various entrance points into the site, which would again allow easy access for pupils and would provide opportunities for pupils to access the site in a sustainable manner.

As part of the strategy for its use, there is a clear separation between areas that could be used by the wider community, including both the indoor and outdoor sports facilities and changing rooms, dance studios, performance areas and some meeting rooms, and core teaching spaces which would be for school use only. This would ensure that, out of hours, the building could act as a community hub and could provide facilities for local sports clubs and other community groups whilst ensuring safety and restricting access to these core teaching areas. As such, the building would be adaptable to the needs of these various groups.

The building would meet the latest building regulation standards, and its design would incorporate an area for photovoltaic panels on the roof. The building would be linked to the district heating network covering this part of the city, which would provide a resource efficient means of heating the building.

Taking together, the proposed development would meet the six qualities of successful placemaking. The proposal would therefore meet the requirements of Policy 14 and Policy 21 of NPF4 and Policy D1 of the ALDP.

Impact on Residential Amenity

Amenity has a significant impact on the quality of life of individuals and communities. Consideration should therefore be given to ensure that development does not have an unacceptable impact on the amenity of neighbouring uses. Policy 23 (Health and Safety) of NPF4 sets out that development proposals that are likely to raise unacceptable noise issues will not be supported, and that a Noise Impact Assessment may be required where the nature of the proposal suggests that significant effects are likely. Policy WB3 (Noise) of ALDP generally reiterates this policy.

The site is located to the west of Groats Road and to the south of Skene Road. There are two residential properties in the north east corner of the wider application site. These properties are currently vacant, and a separate application for prior notification for their demolition has been received by the Planning Service, and this, alongside a separate planning application for the proposed energy centre, is currently under consideration. Given that these buildings are owned by the Council, and that an application for their demolition has been received as part of the wider redevelopment of the site, their residential amenity does not need to be considered.

Therefore, the nearest residential properties would be located on Hazlehead Terrace to the east and Denseat Court to the north east, both set at a distance of more than 100m from the application site. The site is currently in use as a secondary school and the proposal would thus not introduce a new use. It is further noted that the building would be set in the northern half of the application site, further away from residential properties than the existing school buildings. Finally, the application is supported by a Noise Impact Assessment focusing on building services plant and the use of the Multi-Use Games Areas serving the school. The Noise Impact Assessment concludes that the proposal would not cause unacceptable noise nuisance. Taking the foregoing into account it is considered that the proposal would not have an unacceptable impact on the residential amenity of any nearby residential properties.

It is understood that floodlighting will be proposed to serve the new external sports pitches, however no information regarding this has been provided through the current planning application, therefore any floodlighting proposals would require to be the subject of a future separate planning application.

Access and Sustainability

Sustainability and Safe Routes to School

Policy 13 (Sustainable Transport) of NPF4 and Policy T2 (Sustainable Transport) both support development proposals that are accessible by a range of sustainable transport options, including walking, cycling, wheeling and public transport, and aim to reduce reliance on the use of the private car. Policy 15 (Local Living and 20 Minute Neighbourhoods) seeks to ensure that people can meet the majority of their daily needs within a reasonable distance of their home, preferably through the use of sustainable transport methods.

The development is for a new secondary school campus on the same site as the existing Hazlehead Academy within an established residential area. It would thus continue to provide an essential facility for residents of this area in line with Policy 15 of NPF4.

Students living in the existing Hazlehead Academy catchment area would continue to use the same school site and it is expected that existing sustainable transport methods of walking, wheeling and public bus would be retained for this part of the catchment area. The catchment area serving the new school would however be increased to include Kingswells and Countesswells primary schools as additional feeder primaries. A Safe Routes to School Assessment (SRSA) has been submitted as part of the application, which sets out that parts of both settlements of Countesswells and

Kingswells would be within three miles of the site. In general, pupils living within three miles of a secondary school within their catchment area are not eligible for school transport. The SRSA sets out that a safe route would be available from both settlements along routes that are well lit, using dedicated pavements and cycle routes, principally using the Skene Road from the north. It is acknowledged that, whilst they meet the criteria for a 'safe route to school', these routes are long and circuitous and might not be particularly desirable for students, especially during the winter months. It is further noted that existing direct public transport routes run from both Countesswells and the edge of Kingswells along Skene Road/ Queens Road, with the nearest bus stop to the school located c.100m to the north east from the school site, with a safe route, including a controlled pedestrian crossing at the Queens Road/Groats Road junction.

Further pedestrian and cycle routes have been considered through the SRSA which pass through woodland and are adjacent to the golf course. It is considered not to be appropriate to promote these routes as it would not be possible to upgrade them to the necessary standard, when considering environmental and ecological impacts and student safety.

Taking consideration of these matters, whilst acknowledging that parts of the safe routes to school might not be appealing, they are available and given that there are alternative public transport options available, the combination of these will ensure that the site would be in a sustainable location and accessible through a range of transport options. It would therefore comply with Policy 13 (Sustainable Transport) of NPF4 and Policy T2 (Sustainable Transport) of ALDP.

Access and Parking

The proposed site layout would see three existing vehicular access and egress points reconfigured and reused. The northern access would lead into a staff and visitor car park with a total of 133 car and five motorcycle parking spaces. Policy T3 (Parking) sets out that sufficient parking should be provided as part of development. Maximum parking standards are set out in Aberdeen Planning Guidance: 'Transport and Accessibility' and require 0.5 space per member of staff plus 1 per 15 students. In practice it is considered that the 0.5 space per member of staff is on the low side, whereas in a secondary school, taking account of Policy 13 of NPF4 and Policy T2 of ALDP, it would be undesirable to provide student parking. The submitted Transport Assessment sets out that 160 staff would be working at the new school, resulting in a parking provision of 0.83 per member of staff. Out of the 133 spaces, seven would be marked up for accessible parking and a further fifteen would have EV provision. Given that no student parking would be provided, this overprovision for staff would be acceptable.

The proposed site layout would further see the two existing vehicular access points in the southern half of the site reconfigured to form a pick up/ drop off layby for six buses. This would be acceptable.

Natural Heritage

Trees

Policy 6 (Forestry, Woodland and Trees) of NPF4 and Policy NE5 (Trees and Woodlands) of ALDP are both restrictive policies that seek to protect and enhance tree cover throughout the city. The application is supported by a Tree Survey and tree removal plan. This shows that more than 150 trees would be removed from and in close proximity to the site. The vast majority of these trees are located in the north east corner and along the northern site boundary and mainly comprise coniferous trees. Many of these are in poor condition following storms in recent years. Other trees would be removed centrally within the site to allow for development. A prominent line of predominantly lime trees along the eastern site boundary adjacent to Groats Road would be generally maintained, dependent on the condition of the individual trees. A further prominent cluster in the south east corner would also be retained.

The detailed landscape drawing submitted as part of the application would see replacement tree planting in the north east corner, and in strategic locations along the main pedestrian routes into the site. Further trees would be located in the car park and along the building. Whilst it is acknowledged that the proposal would see a large amount of tree loss, especially in the north east corner, it is accepted that many of these trees were in poor condition, including from storm damage. Proposed replacement tree planting would be in excess of this number, and would thus see an increase in tree cover across the site. The proposal would thus suitably meet the requirements of Policy 6 of NPF4 and Policy NE5 of ALDP.

Natural Heritage

Policy 3 (Biodiversity) of NPF4 seeks to protect and improve biodiversity, and reverse biodiversity loss. Policy 4 (Natural Places) of NPF4 sets out that development that would have an adverse impact on the natural environment would not be supported. In part (d) it specifies that development affecting local nature conservation sites will only be acceptable where:

- a. *Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or*
- b. *Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.*

Part (f) of Policy 4 sets out that development proposals that are likely to have an adverse effect on protected species will only be supported where the proposal meets the relevant statutory tests.

Policy NE3 (Our Natural Heritage) of the ALDP generally reiterates this policy in respect of the potential impact of development on Local Nature Conservation Sites (LNCS) and seeks to protect protected species.

To the west and south of the application site is the Hazlehead LNCS, and to the north, across the Skene Road is the Den of Maidenraig LNCS. Given that the proposed building would be contained centrally within the northern half of the application site, it would have no direct impact on either LNCS. Two Multi-Use Games Areas (MUGAs) would be located in the south east corner of the application site, near the site boundary, adjacent to the edge of the Hazlehead Woods. Again, their position is sufficiently far away from the Hazlehead Woods, the Hazlehead LNCS and the Den of Maidenraig LNCS to not adversely affect these areas. Whilst it is anticipated that the pitches would be floodlit, no details of these have been submitted as part of this application. Any potential floodlighting scheme would therefore be subject to a further planning application.

The application is supported by a preliminary ecological impact assessment. This concluded that the three buildings located along the southern site boundary have moderate suitability for bat roosts via gaps under wooden soffits, and gaps around windows and flashing. It recommended that this was followed up by a preliminary roost assessment and summer bat activity survey. These have not yet been undertaken. The Planning Service is generally not able to condition a bat survey. A bat survey is generally valid for a period not exceeding 18 months. The existing buildings in that part of the site would only be demolished once the new school building has been constructed and is ready for occupation, which would be in 2027 at the earliest. The results of any bat survey undertaken prior to determination at this point of time would therefore no longer be valid when the relevant buildings were to be demolished. To pre-empt any potential necessary mitigation methods resulting from the bat survey, the applicant has committed to the installation of eight bat boxes in suitable locations within and near the application site. These should be installed during 2026 to allow migration of bats that might use the affected buildings as roosting sites to the bat boxes. Therefore, in this instance and on that basis, it is accepted that a condition could be used to secure a further bat survey and installation of bat boxes prior to demolition of the existing school buildings.

As part of wider biodiversity improvements across the site, a range of native trees and plant species are proposed, including areas of wildflower planting to the north and east of the building.

Taking account of the above, the proposal would suitably meet the requirements of Policy 3 (Biodiversity) and Policy 4 (Natural Places) of NPF4 and Policy NE3 (Natural Heritage) of ALDP.

Green Space Network

The majority of the application site, excluding the area currently covered in hardstanding and buildings, is part of the green space network. Policy 20 (Blue and Green Infrastructure) of NPF4 seeks to protect and enhance blue and green infrastructure and their network. Part (a) of this policy sets out that development resulting in a net loss of existing green infrastructure will only be supported where it can be evidenced that the proposals would not result in or exacerbate a deficit in green infrastructure and the overall integrity of the network is maintained. Policy NE2 (Green and Blue Infrastructure) of the ALDP seeks to protect, support and enhance the Green Space Network.

It is noted that the new building would be located on part of the area currently designated as green space network, which would subsequently be lost, and that the amount of hardstanding across the site, including the two proposed MUGA's, would be increased. However, given its location, where the site is surrounded by higher quality green space on all sides, this loss of part of the green space network in this location would not have an adverse impact on the integrity of the network in this general area.

Other Matters

Drainage

Policy 22 (Flood Risk and Water Management) of NPF4 sets out that development proposals should incorporate suitable sustainable urban drainage systems to manage rain and surface water. This is reiterated in Policy NE4 (Our Water Environment) of ALDP.

The application is supported by detailed drainage drawings and a Drainage Strategy Report. This information has been assessed and is considered suitable for the proposed development. The proposal thus suitably complies with the above policies.

Waste

Policy 12 (Zero Waste) of NPF4 sets out that all development should incorporate suitable storage facilities for waste management, including for recyclables. Policy R5 (Waste Management Requirements for New Development) of ALDP reiterates this policy.

The proposed site layout incorporates a dedicated, fenced service yard to the north of the building. This would be accessible from the northern vehicular access and through the staff car park. Swept path analyses have been submitted, demonstrating that a bin lorry could access this service yard through the car park without impeding on any of the marked out parking bays. Sufficient space is available in the service yard to accommodate all necessary bins, and this arrangement is therefore acceptable, and the above policies are met.

It is acknowledged that the demolition of the existing buildings on the site would result in the release of their embodied carbon. Policy 12 (Zero Waste) of NPF4 seeks to reduce waste and prioritises reuse of materials. To ensure compliance with this policy, a statement is required, as part of a Construction Environmental Management Plan, setting out what proportion of materials from the existing buildings would be recycled and what methods for recycling are proposed.

Heat Networks

Policy 19 (Heat and Cooling) of NPF4 supports development that includes decarbonised solutions to heat and cooling. Policy R8 (Heat Networks) of ALDP encourages and supports the use of heat networks throughout the city.

As part of the wider development of the current Hazlehead Academy site, an energy centre will be located in the north east corner. The future development of this energy centre is subject to planning application 250742/DPP which is currently under consideration and can be determined under delegated powers. This energy centre is intended to link into the district heating network, which will include the new Hazlehead Academy.

Tackling the Climate and Nature Crises and Climate Mitigation

Policy 1 (Tackling the Climate and Nature Crises) of NPF4 requires significant weight to be given to the global climate and nature crises in the consideration of all development proposals. Policy 2 (Climate Mitigation and Adaptation) of NPF4 requires development proposals to be designed and sited to minimise life-cycle greenhouse gas emissions as far as possible, and to adapt to current and future risks from climate change.

The proposal would consist of the demolition of a secondary school campus, with the main building constructed in the 1970s with further later additions. The building is in a poor condition and not fit for purpose. Whilst its demolition would result in the release of its embodied carbon, its replacement with a more energy efficient building meeting the latest building regulations would result in a significant reduction in carbon emissions from the site in the medium to longer term. Due consideration is therefore given to Policy 1 (Tackling the Climate and Nature Crises) and Policy 2 (Climate Mitigation and Adaptation) of NPF4.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The application site is located in an established residential area and has long been in use as a secondary school campus. The proposed replacement Hazlehead Academy would therefore be a continuation of this existing use and the principle of the proposal would comply with Policy H1 (Residential Areas) of the 2023 Aberdeen Local Development Plan.

The proposed positioning, scale, design, massing, (whereby the two to three storey building would be located in the northern half of the application site) is acceptable and, together with the proposed landscaping scheme and outdoor facilities, including outdoor social areas and sports facilities, would provide a well-considered design across the wider application site, taking account of its specific site context. Subject to a condition requiring specification of material details, the use of bricks and cladding is acceptable in this landscaped setting. Due to its location, the distance between the application site and the nearest residential properties at Denseat Court and Hazlehead Terrace, would ensure the proposed development would have no adverse impact on their residential amenity. The proposal thus suitably complies with Policy 14 (Design, Quality and Place), Policy 21 (Play, Recreation and Sport) and Policy 23 (Health and Safety) of National Planning Framework 4 (NPF4) and Policies D1 (Quality Placemaking), D2 (Amenity) and WB3 (Noise) of 2023 Aberdeen Local Development Plan.

Whilst it is acknowledged that a large number of trees would be removed, partly due to good tree

management and partly to accommodate the proposed development, a detailed landscaping scheme has been submitted, demonstrating that at least the same number of trees would be planted within the site. The landscaping plan and associated biodiversity net gains report sets out that the scheme would incorporate biodiversity enhancements in terms of planting and providing habitat and roosting and nesting opportunities for bats, birds and other species. Whilst the Preliminary Ecological Impact Assessment recommended a further bat survey, this was not undertaken as part of this application. Some potential for bat roosting features was found within some of the existing school buildings in the southern part of the site. Whilst it is not generally acceptable to condition a bat survey, in this instance, due to the timelines proposed where the new building would be constructed first and the existing buildings demolished at the end of the project, and the agreement of the applicant to install bat roosting boxes in close proximity to the potentially affected buildings in 2026, this is accepted in this instance. Given the location of the site, where it is surrounded on all sides by higher quality Green Space Network, the loss of some soft landscaping areas would not prejudice the functioning of the green space network in this location. The proposal thus complies with Policy 3 (Biodiversity), Policy 4 (Natural Places), Policy 6 (Forestry, Woodland and Trees) and Policy 20 (Blue and Green Infrastructure) of NPF4 and Policies NE2 (Green and Blue Infrastructure), Policy 3 (Our Natural Heritage) and NE5 (Trees and Woodlands) of 2023 Aberdeen Local Development Plan.

Given that the proposal would replace the existing Hazlehead Academy on the same site, it would contribute to the provision of essential local services in this location, in compliance with Policy 15 (Local Living and 20-Minute Neighbourhoods) of NPF4. Students living in the existing school catchment area can continue to use sustainable transport methods to get to school in line with Policy 13 (Sustainable Transport) of NPF4 and Policy T2 (Sustainable Transport) of 2023 Aberdeen Local Development Plan. The Safe Routes to School Assessment provided as part of this application sets out that a safe route to school with a distance of less than three miles would be available to students living in parts of Countesswells and Kingswells. It is acknowledged that these routes, which would use existing lit pedestrian and cycle routes, could be perceived as long and circuitous, but would meet the criteria for a safe route to school. A condition requesting submission of a School Travel Plan prior to occupation of the replacement school building is also necessary.

Sufficient vehicular and cycle parking would be provided in line with guidance as set out in Aberdeen Planning Guidance: Transport and Accessibility and thus in compliance with Policy T3 (Parking) of 2023 Aberdeen Local Development Plan. Acceptable drainage proposals and waste storage facilities have been provided, and the site would be connected into the existing district heating network serving the existing Hazlehead Academy and surrounding buildings. The proposal thus complies with Policy 12 (Zero Waste), Policy 19 (Heat and Cooling) and Policy 22 (Flood Risk and Water Management) of NPF4 and Policies NE4 (Our Water Environment), R5 (Waste Management Requirements for New Development), R8 (Heat Networks) and T3 (Parking) of the 2023 Aberdeen Local Development Plan.

Whilst the proposal would result in the demolition of the existing buildings, its replacement with a significantly more energy efficient building would ensure that the proposal would suitably consider the requirements as set out in Policy 1 (Tackling the Climate and Nature Crises) and Policy 2 (Climate Mitigation and Adaptation) of NPF4.

CONDITIONS

(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

(02) MATERIALS

That no development pursuant to the academy school building shall take place unless a scheme and/or samples detailing all external finishing materials to the roof, walls and windows of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed. This shall include clarification of colour of mortar and bonds used in the brickwork

Reason - In the interests of visual amenity.

(03) BAT SURVEY

That a preliminary bat roost assessment and summer bat survey shall be undertaken during the survey season in 2026, and that the recommendations as set out in that bat survey shall be implemented in full prior to demolition of the three school buildings located along the southern site boundary.

Reason – To ensure the demolition of the three buildings with moderate bat roosting potential will have no adverse impact on the bat population in the surrounding area.

(04) BAT MITIGATION MEASURES

That a detailed scheme providing as a minimum eight bat boxes in the proximity of the three school buildings located in the southern part of the site or in the woodland immediately to the south of the application site shall be submitted and approved in writing by the Planning Authority. The approved scheme shall subsequently be installed during 2026.

Reason – To ensure that the demolition of the three buildings with moderate bat roosting potential will have no adverse impact on the bat population in the surrounding area.

(05) BIODIVERSITY IMPROVEMENT MEASURES

That prior to occupation of the development hereby approved, biodiversity improvement measures as specified in section 4.4 of the Biodiversity Net Gain Feasibility Assessment by EnviroCentre, dated July 2025 shall be implemented in full and that photographic evidence of implementation of these measures have been provided to the Planning Authority.

Reason – To ensure an improvement to biodiversity across the site.

(06) LANDSCAPING SCHEME (IMPLEMENTATION)

That all planting, seeding and turfing comprised in the approved scheme of landscaping as shown in the hereby approved drawing 8461-RYD-00-EX_00-D-L-001906/Rev02 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.

(07) TREE PROTECTION (01)

That no development shall take place unless the scheme for tree protection as shown on drawing 'Tree Protection Plan' by Struan Dalgleish Arboriculture has been implemented. Subsequently, the tree protection shall remain in place during construction works on the site.

Reason – To ensure adequate protection for the trees on site during the construction of the development.

(08) TREE PROTECTION (02)

That no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the Planning Authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks

Reason - To ensure adequate protection for the trees on site during the construction of the development.

(09) OUTDOOR SEATING AND EQUIPMENT

That no development pursuant to the academy building shall take place unless details of outdoor seating, including canopies, and proposed external gym equipment as set out on the hereby approved drawing 8461-RYD-00-EX_00-D-L-001902/Rev04 have been submitted and approved in writing by the Planning Authority. Subsequently, the building shall not be brought into use until the approved details have been implemented.

Reason – To ensure a good quality environment for students and in the interest of visual amenity.

(10) CYCLE PARKING

That the academy building hereby approved shall not be occupied unless details of cycle parking storage areas have been submitted and approved in writing by the Planning Authority, and the approved details have been implemented in full.

Reason – To promote sustainable transport modes

(11) PHOTOGRAPHIC SURVEY

No demolition or any other works in connection with the development hereby approved shall commence unless a photographic survey of the existing buildings and structures on the application site has been submitted to and approved in writing by the Planning Service. All external elevations of the buildings and structures together with the setting of the buildings, structures and play areas shall be photographed, together with key internal spaces (a typical classroom, hall, canteen area etc). The photographic viewpoints must be clearly annotated on a plan to accompany the survey. The photographs and plan must be in a digital format and must be clearly marked with the planning reference number.

Reason – To ensure that a historic record of the building is made for inclusion in the National Record of the Historic Environment for Scotland and in the local Historic Environment Record, owing to its community role it has served since 1970.

(12) CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN

That no development shall take place until a Construction Environment Management Plan has been submitted to and approved in writing by the Planning Authority. As a minimum, this should cover:

- a. A Demolition Method Statement including details of the recycling of waste materials;
- b. An 'Air Quality (Dust) Risk Assessment' carried out by a suitably qualified consultant, to predict the likely dust levels resulting from the proposed development and its impact on air quality including a determination of it significant; and
- c. A 'Dust Management Plan', which shall be based on the results of the 'Air Quality (Dust) Risk Assessment'
- d. A 'Construction Noise Impact Assessment', which should:
 - i. Be undertaken by a suitably qualified noise consultant
 - ii. Demonstrate adherence to the guidance contained within: BS8228 - 1:2009+A1:2014 Code of practice for noise and vibration control on construction sites and open sites - Part 1 Noise and Part 2: Vibration
 - iii. Identify the sources of construction noise likely to impact on the existing residences.
 - iv. predict the impacts of the noise sources on the proposed residential development
 - v. Detail the noise mitigation measures to reduce noise from the construction noise sources to an acceptable level to reasonably protect the amenity of the occupants of the proposed residences.
 - vi. The methodology for the noise assessment should be submitted and agreed in writing with the Environmental Protection Team in advance of the assessment.

Any such scheme as has been approved shall subsequently be implemented during the construction works.

Reason: In the interest of public health.

(13) RESTRICTION ON HOURS – MULTI-USE GAMES AREAS

That the multi-use games areas hereby approved shall not be in use between 22:00 and 08:00 on any given day.

Reason – in the interest of residential amenity

(14) SCHOOL TRAVEL PLAN

That the academy building hereby approved shall not be brought into use unless a Travel Plan, incorporating suitable aims and measures to encourage the use of sustainable and active travel by staff and students to and from the site, has been submitted to and agreed in writing by the Planning Service. Thereafter the development shall be operated in accordance with the agreed Travel Plan.

Reason – In the interest of promoting the use of sustainable and active travel by staff and students

(15) PAVEMENT – GROATS ROAD

That the academy building hereby approved shall not be occupied unless a scheme detailing the installation of a footpath along the east side of Groats Road for a minimum distance of 125m in a southwards direction from its junction with Queens Road, and a parallel crossing into the school grounds has been submitted to and agreed in writing by the Planning Service. Any such scheme as

has been approved shall subsequently be implemented prior to opening of the academy building.

Reason – In the interest of promoting the use of sustainable and active travel by staff and students.

ADVISORY NOTES FOR APPLICANT

(1) ASBESTOS SURVEY

The development proposal includes the demolition of the existing school buildings. It is recommended that a specialist contractor is appointed to carry out an asbestos demolition survey prior to works starting on site with any asbestos containing materials (ACMs) removed by a licensed contractor in accordance with HSE guidelines.

(2) FLOODLIGHTING

The applicant is advised that a separate application for detailed planning permission will be required for the installation of any floodlighting. Further information can be found on the Aberdeen City Council website: www.aberdeencity.gov.uk/planning-and-building-standards

	Planning Development Management Committee
	Report by Development Management Manager
	Committee Date: 6th November 2025

Site Address:	Land North of Aryburn Farm, Dyce, Aberdeen, AB21 0HS
Application Description:	Erection of battery storage units with associated infrastructure, control building, switch room, inverter containers, lighting, fencing and associated works including access road
Application Ref:	241197/DPP
Application Type	Detailed Planning Permission
Application Date:	10 October 2024
Applicant:	Source Galileo Limited
Ward:	Dyce/Bucksburn/Danestone
Community Council:	Dyce and Stoneywood



RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

The site relates to an open agricultural field and associated access road extending to approximately 1.8 hectares (noting that the area on which the facility would sit is significantly smaller than this). The main part of the development site is located approximately 975 m to the west of Whitestripes Road and approximately 1 km to the east of the A947; the settlement of Dyce is located approximately 210 m to the south, separated by commercial woodland and the River Don. The surrounding area on the northern side of the river is predominantly agricultural and wooded in nature but does include a number of residential properties including South Lodge and Gean Cottage located to the north, along with the Parkhill Estate. A grouping of farm buildings and an associated farm cottage (Aryburn Farm) are located to the south-east and a number of additional residential properties are located along the access road to the site.

Relevant Planning History

- 221557/ESC - A Screening Opinion was issued in January 2023 advising that an Environmental Impact Assessment would not be required in relation to a development comprising the erection of containerised battery storage units, control building, switch room, inverter containers, lighting and associated works.
- 230869/PAN – A Proposal of Application Notice was submitted in August 2023 for proposed battery storage units with associated infrastructure, control and switch building, containers and associated works including access. The Planning Authority responded advising that further consultation was required.

APPLICATION DESCRIPTION

Description of Proposal

The proposal seeks detailed planning permission for the construction of a grid scale battery energy storage system (BESS) with a capacity of up to 49.9 megawatts. The facility would consist of the siting of containers which would each house batteries together with inverters and electrical transformers, substation buildings, fencing and new planting. The development would be served by a road which also serves a number of residential properties and Aryburn Farm at its junction with Whitestripes Road. The equipment would comprise:

- 28 battery energy storage containers (8.5 metres x 4 metres) covering a total area of 952 square metres.
- 14 battery unit panels (1.9 metres x 0.8 metres) covering a total area of 88.5 square metres.
- 14 power conversion system kiosk units (3 metres x 2.2 metres) covering an area of 92.4 square metres.
- 7 ring main unit containers (6 metres x 3 metres) covering an area of 126 square metres.
- 1 customer compound (17.2 metres x 15 metres) covering 258 square metres.
- 1 district network operator compound (15 metres x 15.3 metres) covering an area of 258 square metres.

The BESS facility would be enclosed by 2.4 metre high palisade fencing (which would include landscaping around its boundary). The proposals would also include four close circuit television

cameras (maximum height of 4 metres – excluding the lighting) along with lighting which would only be activated if a person was within the compound.

The proposals are to utilise the existing access from Whitestripes Road along with a new access from the edge of the road to the compound, a length of around 240 metres. The applicant has also proposed widening of this road in parts for access reasons along with the provision of passing places. The access road would generally measure 4 metres wide and would involve around 300 millimetres of excavation.

The proposed development would be used to store excess electricity from the national grid and then release this energy in periods of high demand. Therefore, the development must be connected to the grid and in this instance, it is understood that the development's grid connection would be via the existing substation at the Dyce Grid Supply Point located around 1.2 kilometres to the north-west (as the crow flies) and around a minimum of 1.5 kilometres when taking into account land conditions and the River Don. It is anticipated that the connection would be via existing land and the existing road, however this information has not been formally submitted as part of the planning application. It should be noted that if the cable were to be located underground it may be deemed permitted development under the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 if installed by a statutory undertaker (such as Scottish and Southern Electricity Networks).

Amendments/ Additional Information

In agreement with the applicant, the following amendments were made to the application:

- Amendments to the layout and design of the structures;
- A number of additional assessments including a Fire Risk Management Plan, Landscape and Visual Impact Assessment, Sequential Impact Assessment, Noise Impact Assessment and responses to consultee comments have been provided along with a number of other supporting documents which were submitted in support of the application;
- A further public consultation event was required due to errors in the original submission.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SL4ZX3BZKFN00>

- Sequential Test Assessment
- Construction Traffic Management Plan
- Cultural Heritage Impact Assessment
- Drainage Impact Assessment
- Ecological Assessment & Biodiversity Management Plan.
- Fire Risk Management Plan
- Landscape and Visual Impact Assessment
- Noise Impact Assessment
- Pre-Application Consultation Report
- Supporting Statement – Land Quality
- Lighting Strategy

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because the proposal is in the major category of development in the hierarchy of developments as its capacity exceeds 20 megawatts. Determination of the application therefore falls outwith the scheme of delegation.

Pre-Application Consultation

The applicant undertook statutory pre-application consultation which, firstly, included an advertisement in the Press and Journal on 31 August 2023. Three public consultation events took place on 3 August, 17 September and 21st September 2023 at Dyce Boy's Club. The PAC Report indicated that no members of the public attended these events. There is some confusion in the submitted information as whilst the applicant has indicated that although no persons attended these events, it is stated that the development is being undertaken in line with feedback comments received. Clarification from the applicant was requested on this aspect but no amended document was provided.

The applicant presented to the Pre-Application Forum on 15 May 2024. The Committee asked various questions of the Planning Officer and the applicant and the following information was noted:-

- Cables routes and depth;
- Noise;
- Site selection and setting within the Green Belt;
- Flood risk and hydrology; and
- Biodiversity.

The report recommended that the Forum – (a) note the key issues identified; (b) if necessary, seek clarification on any particular matters; (c) and identify relevant issues which they would like the applicant to consider and address in any future application.

During the course of the planning application it was noted that there were a number of anomalies between the site plan submitted as part of the Proposal of Application Notice and that submitted as part of the formal planning application. Due to this, the planning service required that an additional public consultation event be held by the applicant. This event took place on 10 July 2025 and was attended by a number of those that had made comment on the application, in addition to a local Councillor. No updated PAC report detailing feedback received was provided by the applicant, although an email was provided which confirmed that the applicant presented *“their proposal to upgrade the access road and that attendees welcomed this element, despite their wider reservations about the development”*.

CONSULTATIONS

Aberdeen City Council (ACC) Internal Consultees

- **ACC - Structures, Flooding and Coastal Engineering** – have reviewed the Drainage Impact Assessment and have no comment to make on the proposed development.

- **Archaeology Service (Aberdeenshire Council)** – with the assessment that there are no known archaeological assets being directly impacted by the proposed works, and no setting issues with regard the wider historic landscape. Also note that there is low potential for previously unknown remains to exist within the development boundary, and as such agree with the recommendation of the Cultural Assessment for an archaeological watching-brief to be undertaken on all ground-breaking works during the construction stage. Note that this could be controlled via planning condition.
- **ACC - Developer Obligations** – given that there are no staff to be located on site and the scale of development will create less than 1000 square metres of commercial floorspace it is considered that infrastructure (core paths and open space) would not be impacted to the extent that further mitigation is required in the form of financial contributions.
- **ACC - Environmental Health** – has reviewed the Noise Impact Assessment (Neo Environmental Ltd, 23rd October 2025) submitted in support of the above development and consider it to be reasonable. They therefore accept the proposed development provided:

The Battery Energy Storage System (BESS) comprises the plant (28 battery storage units, 14 PCS and 7 transformers) and layout detailed in the Infrastructure Layout Plan (Document Ref: SCE0001_AryburnBESS_ILA), with A-weighted sound power levels not exceeding those detailed in Table 6-5; and

That prior to construction of the BESS, the warranted sound power levels, number of items and location of the chosen plant shall be checked against the assumptions considered in the assessment and, where the proposed items are found to vary (i.e., in sound power level, location or number), an updated assessment shall be undertaken to confirm that the operational noise levels meet the relevant criteria (noise limits). Confirmed no objection subject to the above being taken into account.

- **ACC - Roads Development Management Team** – have provided the following comments in relation to the application:

Access: note that the site is accessed from an un-adopted track approximately 1 km in length and would generate little traffic and have a negligible impact on the local road network. Also note that the track will be at least 4 m wide to accommodate fire tenders and the applicant will provide suitable passing places along the route, which could be controlled via planning condition. Note that they would reluctantly accept this and any condition should include a commitment to upgrading the surface of the access road and dimensions of passing places in accordance with National Guidance.

All vehicles should be able to enter and exit the site in a forward gear. The swept path analysis (SPA) provided only shows construction vehicles entering from the north (along Whitestripes Road), which owing to this linking to the AWPR is the likely route. The applicant as requested has also provided the SPA of a Fire Tender entering the site from the south which is acceptable.

Also note the site access junction which joins the public road appears to be in a poor condition and will need to be upgraded, which the applicant has agreed to. These works will require Roads Construction Consent (RCC).

The applicant has provided visibility splays using the 85th% speeds of the road as per survey work they have conducted. This is in line with relevant guidance and has been accepted by Roads subject to the applicant replacing the existing bend warning signs with junction on

bend warning signs. A condition should be attached to ensure these works are provided in line with an agreed plan with Roads and completed before the site is operational.

During the construction phase additional Temporary Traffic Management Measures are to be in place. This should be conditioned, along with a requirement to ensure the visibility splays are maintained which may require vegetation maintenance. The construction management plan is required to be agreed with the RCC team in advance of any works.

Other Matters: in terms of parking, they note that there is adequate room for a van to park once the site is operational and that the site is not anticipated to generate any waste. They also note that no water would be permitted to discharge onto the public road and as the site is remote from the public road there are no concerns.

In conclusion, they note that, subject to the provision of the above recommended conditions in any approval, Roads have no objections to this proposal. Their response will be discussed in greater detail in the below evaluation.

External Consultees

- **Aberdeen International Airport** – the development has been examined from an aerodrome safeguarding criteria and does not conflict with safeguarding criteria. They therefore have no objection to the application. Request the insertion of an informative in relation to the use of cranes.
- **Aberdeenshire Council** – have provided comments in relation to the green belt setting of the development, the landscape impact (from an Aberdeenshire perspective), archaeology, environmental impacts and access. They concluded that provided appropriate assessments are undertaken, taking account of receptors within the Aberdeenshire Council area, and no adverse impacts are identified and/or any resultant effects can be suitably mitigated by application of appropriate conditions, then Aberdeenshire Council Planning Service do not require to have any further input to the proposal.

However, should the above assessments not take into account the receptors within the Aberdeenshire Council area or should these assessments identify an adverse amenity impact on these properties, then the Planning Service would request that Aberdeen City Council revert back for further comment on the proposal.

- **Scottish Fire and Rescue Service** – no response received.
- **Dyce and Stoneywood Community Council** – no comments received.

REPRESENTATIONS

In the initial consultation process eleven representations were received (7 objections, 4 in support). The proposals were subject to re-notification on 5 February 2025. All of the original objectors submitted further comments and 1 additional objection was received and 1 further letter of support was received. A third round of neighbour notification was carried out on 23 July 2025 where 1 further objection was received from a party that had originally objected. The matters raised can be summarised as follows –

Material Considerations

Objections

1. The location of the development within the greenbelt, where it has not been demonstrated that a greenbelt location is essential for the proposed development. The site selection process is also not considered to be appropriate.
2. The proposals would set an undesirable precedent for developments of a similar nature.
3. The proposals would result in the loss of prime agricultural land.
4. The proposals would have an adverse impact on wildlife and biodiversity including on herons, bats and badgers. There are also further protected species on site.
5. The area is susceptible to flooding.
6. The proposals would have an adverse visual impact on the surrounding area and would be out of character with the surrounding area.
7. The proposals would have an adverse impact in terms of noise and the construction phase would have an adverse impact in terms of increased traffic, noise, impacts on properties and light pollution along with water contamination.
8. Construction traffic on the access track would have an adverse impact on an individual with a disability.
9. The site design does not follow best practice in that there would be insufficient space for the repair and maintenance of the facility and that a fire appliance would not be able to satisfactorily enter the facility. The proposed access to the site is also unsuitable for the proposed development.
10. Issues in relation to the construction phase of the development, in that it would be difficult for construction traffic to enter the site along the access road, where the 1.4km long track is not suitable for up to 15 HGV movements per day and passes close to existing residential properties. Also note errors in the submitted information where it states the access track is 4m wide, where in places it is a maximum of 2.5m wide.
11. Health and safety concerns. Insufficient drainage measures and mitigation measures for potential contamination of the surrounding area.
12. Missing information including details for the route of the cabling and the energy storage levels of the facility. Further information is required in this regard.
13. The location of the proposed tree planting could result in increased fire risk.
14. Object due to the size of the facility.
15. A full HSE Risk Assessment has not been submitted.
16. Fire risks associated with the proposed development and insufficient information submitted in terms of fire risk.

17. The proposals would have an adverse impact on the quality of life of residents in the surrounding area.
18. Concerns about the pre-application public consultation process, noting that residents did not receive invites to any of the pre-application events.
19. The Sequential Impact Assessment is inadequate in that it states that the need for development areas is 0.94 hectares, whereas the development site area is 0.22 hectares. Considered that there are suitable sites within industrial estates that would meet the criteria for development.

Support:

20. In the current climate of energy production, it is important that such facilities are supported where power production exceeds usage and meeting the net zero targets of the Scottish Government.
21. The proposed battery storage system represents technological innovation that will position Aberdeen City as a leader in modern energy solutions.
22. A reliable energy storage facility will contribute to a stable energy supply which is essential for the local business community.
23. The proposal is the nearest available to the Dyce connection and will cause the least possible disturbance.

Non-Material Considerations

- Issues in terms of land ownership in that the proposals would result in alterations to the road and result in the removal of trees within neighbouring land and there is no permission from the neighbour to alter the access to Whitestripes Road.
- Concerns with the consultation process, noting that 21 days is insufficient to respond to the information submitted.

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.

Development Plan

National Planning Framework 4

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan.

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 4 (Natural Places)
- Policy 5 (Soils)
- Policy 6 (Forestry, Woodland and Trees)
- Policy 7 (Historic Assets and Places)
- Policy 8 (Green Belts)
- Policy 11 (Energy)
- Policy 12 (Zero Waste)
- Policy 13 (Sustainable Transport)
- Policy 14 (Design, Quality and Place)
- Policy 22 (Flood Risk and Water Management)
- Policy 23 (Health and Safety)

Aberdeen Local Development Plan 2023

- Policy D1 (Quality Placemaking)
- Policy D4 (Landscape)
- Policy D5 (Landscape Design)
- Policy D6 (Historic Environment)
- Policy NE1 (Green Belt)
- Policy NE2 (Green and Blue Infrastructure)
- Policy NE3 (Our Natural Heritage)
- Policy NE4 (Our Water Environment)
- Policy NE5 (Trees and Woodland)
- Policy B3 (Aberdeen International Airport and Perwinnes Radar)
- Policy R7 (Renewable and Low Carbon Energy Developments)
- Policy WB3 (Noise)

Aberdeen Planning Guidance

- Landscape
- Natural Heritage
- Noise
- Transport and Accessibility

Other Material Considerations

- Battery Energy Storage Systems – Research Paper (House of Commons Library)
- Grid Scale Battery Energy Storage System Planning – Guidance for Fire and Rescue Services (National Fire Chiefs Council)
- Health and Safety Guidance for Grid Scale Electrical Energy Storage Systems (Department for Energy Security & Net Zero)
- The National Fire Chiefs Council - Grid Scale Battery Energy Storage System planning – Guidance for FRS

EVALUATION

Background

Renewable energy sources such as wind and solar power rely on the weather to generate electricity. This means that renewables cannot adjust to demand from consumers and businesses as easily as fossil fuels and nuclear power can. Therefore, with the energy system increasingly relying on renewable sources, it will need to be underpinned by technologies that can respond to fluctuations in supply and demand, such as battery energy storage, gas with carbon capture and storage, and hydrogen.

Grid scale battery energy storage systems ('BESS') store the energy that is produced when demand is lower than supply. The energy stored in batteries can be released when there is little wind and sun, to ensure the demand can always be met, a process known as "grid balancing". Without such facilities, excess energy is wasted as any surplus cannot be stored in the electricity network.

The Scottish Government's planning advice on energy storage states that *"A clear case has been made that, if the energy sector is to maximise environmental, economic and social benefits, renewable energy will need to be linked to energy storage. Energy storage technologies can counteract intermittency associated with certain energy supplies, can ensure excess power is not lost at times of high production, can provide energy on demand off-grid in a variety of ways. Oversupply is likely to become more prevalent the closer Scotland gets to realising its 100% electricity from renewables target. It is also expected that energy storage will be essential if Scotland is to realise its ambition to become a renewable energy exporter and to attract the economic advantages of ensuring that the energy storage supply chain locates in Scotland."*

According to the UK Government's Renewable Energy Planning Database, as of October 2025, in Scotland there were 19 operational BESS and 38 BESS that are subject to pending planning applications, awaiting or under construction. Across the UK there are 127 operational BESS and 1,728 have applications submitted, awaiting or under construction or operational.

Principle of Development

Green Belt Designation

The site is zoned as Green Belt where Policy 8 (Green Belts) of NPF4 applies and has the aim of encouraging, promoting and facilitating compact urban growth and use the land around our towns and cities sustainably. Development in the green belt is strictly controlled. For proposals to be supported, they must fall into one or more of the categories of development which are acceptable in the green belt. Thereafter, should they fall into one of these categories, they must also meet a range of other requirements to ensure the integrity of the green belt is retained.

In terms of being an acceptable development type, the proposal falls into two categories of development which are generally permitted in the green belt. The first relates to essential infrastructure, which under Policy 8 is described as *'essential infrastructure or new cemetery provision'* and in Policy NE1 Green Belt of the Aberdeen Local Development Plan 2023 (ALDP) as development that *"is directly associated with essential infrastructure such as telecommunications, electricity grid connections, transport proposals identified in the Plan or roads planned through masterplanning of sites, if they cannot be accommodated anywhere other than the Green Belt"*.

The second category relates to renewable energy, which under Policy 8 is categorised as *'minerals operations and renewable energy developments'* and in Policy NE1 as development that *'is related to the generation of renewable energy (wind turbine, solar farm, or hydro scheme) and/or heat;'*

Given the emphasis placed on achieving net-zero targets and the essential role BESS plays in decarbonising the UK's electricity network, such developments are therefore essential infrastructure and related to renewable energy development. Therefore, with it established that the development is of a type acceptable as an exception within the green belt, the second element of Policy 8 requires a range of other matters to be demonstrated –

1. *why a green belt location is essential and why it cannot be located on an alternative site outwith the green belt;*

The UK's electricity grid is highly constrained and therefore identifying a location where a BESS can be connected to the electricity grid is a challenge. Typically, for a grid scale BESS to be commercially viable it must be located within 2 km of a grid supply point that has available capacity. The greater the distance from the grid supply point, the greater the electricity transmission loss and greater the cost to lay a cable to the connection point. Even within 2 km, viability relies upon there being no significant physical obstacles which would make the laying of a cable between the two locations technically or financially unviable.

In this case, the applicant has indicated that the facility would be connected to Scottish and Southern Electricity Networks Dyce Substation, which serves as a major connection point for the national grid, including power from offshore wind farms and proposed energy storage facilities and which is situated on Cothal View at the northern end of Dyce, approximately 1.2 km to the north west of the application site (as the crow flies) and 1.5 km from the site when taking into account land conditions and the River Don.

At the request of the Planning Authority, the application included a Sequential Impact Assessment (SIA) which was updated on a number of occasions. The SIA identified what the applicant considered to be 29 alternative brownfield, greenfield and green belt sites. This document noted that a number of the sites were discounted for factors such as their green belt setting, surface water and river flooding, topography, proximity to railway lines, site size, local plan designations, cable routes, pylons and electricity lines.

The Planning Service has reservations regarding the rationale used by the SIA for discounting a number of these sites, noting that a number would appear more sequentially preferable and could reasonably accommodate the layout of the proposed development. It should also be noted that there are BESS storage facilities which have been approved within the Dyce area including one at Farburn Terrace (which is currently under construction under permission (210665/DPP) located approximately 1.6 kilometres to the south (as the crow flies) and a further BESS facility approved 780 metres to the west (permission 220026/DPP and currently being renewed by application 250282/S42) on Kirkton Drive within the business and industrial areas, which indicate that such areas would be suitable for a development of this type. It should be noted that site 3 was discounted in the SIA as being unsuitable for development due to the insufficient area of land available, despite consent having been granted for a BESS facility in this location (as referenced above). Furthermore, sites 7-9 are quoted by the SIA as being allocated in the ALDP as B2 (Business Zones) when in fact they are allocated as B1 (Business and Industry) where such a use would generally supported by planning policy.

The SIA also notes at paragraph 2.10 that the *“total ground disturbance from the proposed development is 2218.1 sqm (0.2218 hectares), whereas the SIA was using a significantly larger site as evidence – where a number of sites would potentially have been of a suitable size. A number of the brownfield sites mentioned above (including sites 7-9) were ruled out for being too small although they measured between 0.3 hectares and 0.45 hectares in size. Other sites were also ruled out as*

the proposed cabling would have to traverse the River Don, similar to the application site property and for their green belt setting, similar to the application property.

Given that there are potentially suitable sites within 1 km of the connection point that are on brownfield land zoned for business use, as well as other potentially preferable sites, and that there are inconsistencies in the recommendations of a number of sites within the SIA, it has not been adequately demonstrated by the applicant that a green belt location is essential for the development as proposed and therefore the proposals would be contrary to this first element of green belt policy.

2. the purpose of the green belt at that location is not undermined;

Policy NE1 (Green Belt) of the ALDP states that the aim of the Aberdeen green belt is to maintain the distinct identity of Aberdeen, and the communities within and around the city, by defining their physical boundaries clearly. Safeguarding the green belt helps to avoid coalescence of these settlements and sprawling development on the edge of the city, maintain Aberdeen's landscape setting, and provide access to open space. The green belt directs planned growth to the most appropriate locations and supports regeneration.

The site itself has not been developed previously and is utilised as agricultural land in a typical agricultural setting surrounded by areas of mature woodland. The proposals would introduce an "industrial" style of development to this setting which would have an adverse urbanising effect on the character of the area, resulting in the significant erosion of the rural, agricultural feel and providing a facility that would be at odds with the tranquil setting of the surrounding area, which has not previously seen developments of this type. The proposals would therefore undermine the setting of the green belt in this location and could not be supported.

3. the proposal is compatible with the surrounding established countryside and landscape character;

Policy D4 (Landscape) of the ALDP indicates that development should avoid adversely affecting the character of landscapes which are important for the setting of the city, including the coast, river valleys and hill landscapes.

As stated under point 2, this particular area of green belt is undeveloped and tranquil in nature, surrounded by both areas of woodland and agricultural fields, along with a small number of residential buildings and farm buildings, set within the Parkhill Estate. The site itself is relatively flat and is not visible from Dyce to the south due to the woodland belts. The structures would be seen against the backdrop of the said woodland and would be surrounded by landscaping to lessen the visual impact on the surrounding area. The impact on the wider landscape and visibility in longer range views would be limited due to the containment provided by the woodland but is not outweighed by the significant localised impacts mentioned under point 2. This has included an assessment of the impact from Aberdeenshire receptors, as noted by Aberdeenshire Council in their consultation response.

4. the proposal has been designed to ensure it is of an appropriate scale, massing and external appearance, and uses materials that minimise visual impact on the green belt as far as possible; and

Subject to the previously mentioned mitigation measures (landscaping), the development could be accommodated on site without having an adverse impact on the Green Belt setting and would be also be seen against the backdrop of woodland when viewed from the north/ north-east. Overall, the landscape and visual effects would be localised and limited in nature., but the proposals are unacceptable for the reasons detailed in points 1 and 2 above.

5. *there will be no significant long-term impacts on the environmental quality of the green belt.*

Policy 5 (Soils) of NPF4 is also of relevance and advises that “*development proposals on prime agricultural land, or land of lesser quality that is culturally or locally important for primary use, as identified by the ALDP, will only be supported where it is for: essential infrastructure and there is a specific locational need and no other suitable site*”.

The site is classified under the national scale land capability for agriculture at 3.2 “*land capable of average production though high yields of barley, oats and grass can be obtained. Grass leys are common*”. The applicant has also submitted information which indicates that this particular area of the field, which is of a poorer quality in terms of agricultural production due to its screening by trees and lack of sunlight meaning the area does not readily dry out. The Planning Authority are therefore content that the proposals would not result in the loss of prime agricultural land and there would be no conflict with Policy 5 of NPF4.

Green Belt Summary

The proposal is for a development type which is permitted within the green belt. However, due to its location, the locational requirement has not been justified, it would undermine the principle of the green belt setting, would have an unacceptable landscape impact and there would appear to be more sequentially preferable sites for the proposed development on non-greenbelt land the proposals are contrary to Policy 8 (Green Belts) of NPF4 and Policy NE1 (Green Belt) of the ALDP 2023.

Economic Benefit

Policy 11 (Energy) of NPF4 explains that development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business, and supply chain opportunities.

Battery energy storage makes an indirect but significant contribution to renewable energy generation targets and greenhouse gas emissions reduction targets, by increasing the productivity of renewable generators elsewhere on the grid. The provision of a secure electricity system brings economic benefits across the national economy. The construction and decommissioning of the development present supply chain opportunities for business and would contribute to local economic activity.

Energy Developments and Design Impacts

As well as supporting energy developments in general, Policy 11 (Energy) of NPF4 expects the design of projects and any associated mitigation measures to demonstrate how the following impacts are addressed. Many of these matters are aimed more towards considering large scale renewable projects, such as wind farms, nonetheless each is considered in relation to this proposal. Policy R7 (Renewable and Low Energy Developments) of the ALDP 2023 also contains such criteria, much of which reiterates that in Policy 11. Where Policy R7 has additional requirements, they are highlighted in the relevant part of the discussion or considered at the end of this section.

In considering all these impacts, Policy 11 requires significant weight to be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets. The significant weight required to be given to the global climate and nature crises by Policy 1 of NPF4 must also be considered. This substantial support for the principle of the development should not be outweighed by other matters unless it can be demonstrated that significant harm would be caused.

- i. *impacts on communities and individual dwellings, including, residential amenity, visual impact, noise, and shadow flicker.*

In considering these matters, Policy 14 (Design, Quality and Place) of NPF4, Policy D1 (Quality Placemaking and D2 (Amenity) of the ALDP 2023 are relevant and requires development proposals to be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

The site has a fairly open aspect and is relatively agricultural in nature being largely undeveloped and rural in character. The proposals would be industrial in nature and would be viewed against the backdrop of the woodland, which is located to the south.

BESS facilities are considered to have an industrial character and appearance, similar to that of an electricity substation. For the current proposals, the equipment and associated infrastructure would have a height of around 2.7 m and would be enclosed by a 2.4 m high steel palisade fencing along with native screen planting along its north-eastern boundary, which would help to lessen the visual impact of the development from the north.

The main area of the proposals (the compound) are also located a significant distance from residential properties, with those nearest being at South Lodge (280 m to the north-east), Gean Cottage (315 m to the north) and Aryburn Cottages (360 m to the east) and whilst they would be visible to these properties the visual impact (from a residential amenity impact) would be minimal. Impacts on residential amenity from a noise perspective will be covered further below.

The submitted Landscape Visual Impact Assessment considers the visual impact of the development from locations in the wider area (mainly to the south). It determines that there would be little to no visual impact from more distant views. However, the principle of development remains unacceptable, given that a location in the green belt has not been justified and therefore the landscape impact on this setting has also not been justified.

It is also important to note that the test within Policy R7 of the ALDP is that “*proposals will not have a significant adverse impact on the amenity of dwelling houses.*” In this case, although there would be an impact upon visual amenity, it would be relatively minor, rather than being significant. The distance between the site and any surrounding uses ensures there would be no impact on daylight availability or overshadowing. There would be no shadow flicker generated by the BESS.

In terms of noise, the applicants have submitted a Noise Impact Assessment in support of the application, which has been reviewed by colleagues in Environmental Health. This impact will be discussed in greater detail below, but EH have are content that the proposal would have no adverse impact on the amenity of any of the properties in the surrounding area.

The proposals would, therefore, be generally compliant with Policy 23 (Health and Safety) of NPF4, Policies D2 (Amenity), R7 (Renewable and Low Carbon Energy Developments) and WB3 (Noise) of the ALDP 2023 and its associated APG: Noise in respect of this aspect.

- ii. *significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable.*

As has been discussed elsewhere in the report, the proposed facility would be located on an existing area of agricultural land and would be seen against the backdrop of an area of woodland but as the principle is not acceptable from principle perspective the proposals are not accepted.

- iii. *public access, including impact on long distance walking and cycling routes and scenic routes.*

As operational agricultural land, there is no public access to the site at present, and this would remain the case. The formation of the access road, along with the proposed alterations to the existing road network would have no significant impact on the walking and cycling routes in the long term.

- iv. *impacts on aviation and defence interests including seismological recording.*

The proposals have been subject to consultation with Aberdeen International Airport, who have noted that the proposed development does not conflict with safeguarding criteria and therefore have no objection to the proposed development. If planning permission was approved for the proposed development they have requested the insertion of an informative in relation to the use of cranes. The proposals would not conflict with Policy B3 (Aberdeen International Airport and Perwinnes Radar) of the ALDP 2023.

- v. *impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised.*

No impacts on telecommunications and broadcasting installations are expected.

- vi. *impacts on road traffic and on adjacent trunk roads, including during construction.*

In terms of the above, it is noted that the access to the site is a rural road, which is narrow in certain sections and would involve a significant number of journeys particularly during the development phase. Whilst colleagues in Roads Development Management (RDM) have not objected to the proposals the Planning Service does have a number of concerns in regard to the proposed route and whether the access road could be adequately upgraded and accessed, in terms of physical space and land ownership. The applicant has submitted evidence that this could be done, and a condition *could* therefore be added to ensure that all necessary upgrade works are carried out prior to the commencement of development. These matters will be discussed in greater detail below.

- vii. *impacts on historic environment.*

The proposal was subject to consultation with Archaeology service, who have reviewed the submitted Cultural Heritage Impact Assessment and agree with its conclusions. They confirmed that no archaeological mitigation works are required ahead of the development and have no further comments to make on the application. The site is not within a conservation area and there are no historic assets, such as listed buildings or scheduled monuments, either within the site or in the immediate surrounding area that would be affected by the proposed development.

- viii. *effects on hydrology, the water environment and flood risk.*

Policy 22 (Flood Risk and Water Management) of NPF4 and Policy NE4 (Our Water Environment) of the ALDP 2023 relate to surface water drainage and in summary require all new developments to incorporate Sustainable Urban Drainage Systems (SUDS) to manage surface water; presume no surface water connection to the combined sewer; and to minimise the area of impermeable surface.

A Drainage Impact Assessment (DIA) was submitted in support of the application, which noted that a small area of the site has some pluvial and fluvial flooding constraints but would only be utilised for water compatible purposes (the formation of the access track). The drainage strategy for the proposals involves an underground piped system connecting to an attenuation structure to the west of the main battery compound. Finalised details of this could be controlled via planning condition. The DIA indicates that the development would not increase flood risk and Flooding & Coastal Protection are content with the findings of the report. The proposals would therefore be in general compliance with the aforementioned policies.

ix. *biodiversity including impacts on birds.*

Policy 4 (Natural Places) of the NPF4 aims to protect, restore, and enhance natural assets, making best use of nature-based solutions. It states that development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported. Policy NE3 (Our Natural Heritage) of the ALDP has similar provisions. In addition, Policy 2 (Climate Mitigation and Adaptation) of NPF4 requires development proposals to be designed and sited to minimise lifecycle greenhouse gas emissions as far as possible, and to adapt to current and future risks from climate change and Policy 3 (Biodiversity) of NPF4 requires proposals for local development *'to include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development.'*

A Biodiversity Management Plan (BMP) was submitted in support of the application along an Ecological Assessment. The Ecological Assessment looked at various aspects and noted that no direct ecology, hydrological or ornithological connectivity exists between the site and any designated sites. Any habitats found on the site are conservation priority habitats and whilst badger presence was found in the surrounding area none were considered to be present on the development site.

The BMP has proposed a number of opportunities including grassland with wildflowers, native species-rich hedgerows with trees, insect hotels and hibernaculum and a hedgehog house, all of which would offer shelter and a food source supporting a variety of wildlife. The recommendations were reviewed and accepted by Natural Environment Policy, who were content with the findings of the report, where implementation of the recommendations could be controlled via an appropriately worded planning conditions were planning permission approved for the proposed development.

x. *impacts on trees, woods and forests.*

Existing tree stock is unaffected by the proposed development.

xi. *proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration.*

The proposals are designed to operate for 25 years, after which they would be removed. The construction works would not require a significant physical intervention (other than those described elsewhere), so their removal would also be a relatively simple process.

xii. *the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and*

Due to the simple reversible nature of the installation, it is not considered necessary to have any site restoration plan. However, a condition could be inserted (were planning permission to be granted) which requires the proposals to be removed once they are no longer operational.

xiii. *cumulative impacts.*

There are no other developments in close proximity (although there are consented developments and others going through the planning process) which in combination with this development would generate any unacceptable impacts.

In addition to the matters covered by both Policy 11 of NPF4 and Policy R7 of the ALDP above, Policy R7 also requires that proposals for all energy developments –

- i. *will not negatively impact on air quality.*

The structures would not emit any emissions and their use in the wider scale would help reduce emissions and in turn air quality from non-renewable energy sources.

- ii. *will not negatively impact on tourism*

There are no tourist activities associated with the site or surrounding area.

In relation to such development specifically, Policy R7 requires proposals to meet the following requirements –

- i. *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.*

The proposal has been subject to consultation with the airport, who have raised no objections to the proposals and it is not anticipated that such facilities would have any impacts in terms of glint and glare (where this element of policy would relate to solar developments).

- ii. *Low impact vegetation management can be achieved (grazing).*

It is noted that the site is partially utilised for the grazing of animals, but the applicants have indicated that this particular area of land is of a particularly poor quality as regards to agricultural production, noting that the area of land is shaded by trees, which does not readily dry out and the lack of sunlight which means that crops never fully ripen at harvest (as discussed earlier in this report).

In summary, both Policy 11 of NPF4 and Policy R7 of the ALDP require decision makers to give significant weight to the benefit which the development of renewable energy project in terms of reducing carbon emissions. It is considered that the criteria contained within Policy 11 in terms of potential impacts because of the development could be satisfactorily addressed and that any impact as a result of the proposal would be localised and minor (although noting that the proposals would have an unacceptable impact on the setting of the green belt).

Transportation

Policy T2 (Sustainable Transport) of the ALDP 2023 seeks to minimise traffic generation, increase accessibility, encourage public transport and provide relevant infrastructure within developments. It also advises that existing routes, such as core paths should be enhanced and retained during development. Policy T3 (Parking) discusses matters such as parking within development and electric vehicle infrastructure. Similar guidance is provided by Policy 13 (Sustainable Transport) of NPF4.

The proposals, which include upgrade works to the unnamed access road including the provision of passing places, some widening works and upgrading works to the junction with Whitestripes Road have been subject to consultation with colleagues in Roads Development Management (RDM).

In terms of access, they have noted that the access track requires to be 4 m wide to accommodate fire tenders and that suitable passing places will be required and requested that these details be provided in advance of determination of the application. The applicant, however, requested that this information be covered by a suitably worded 'Grampian' style planning condition which should also include a commitment to upgrade the surface of the access road and locations and dimensions of the passing places which should be designed in accordance with National Roads Development Guidance, prior to any development taking place.

It is noted that a number of representations (objections) have been submitted in relation to this aspect of the proposal, including from Bridgefield House, where the proposed junction upgrade works would be required adjacent to Whitestripes Road. Queries were also raised as to whether the access track is sufficiently wide to accommodate the construction delivery vehicles for the proposed development, noting that it is around 3 metres wide in some locations. The Planning Service did request further evidence from the applicant to demonstrate that the access to the development site could be formed, and title plans were submitted to show the ownership of land required to provide passing places, confirming that they would be formed to the north of the existing road on fields in the ownership of the landowner and that no third party land would be required to form these. Evidence was also requested that the applicant had a right and opportunity to upgrade the development access (around Bridgefield House), although this was not forthcoming.

Notwithstanding, a "Grampian" style condition could be added to the consent, were planning permission to be granted, requiring further details of the development access and the required upgrade works prior to the commencement of development and that these were in place prior to the development being brought into use.

RDM have also noted that vehicles should only enter and exit the site in a forward gear and shows construction traffic entering the site from Whitestripes Road to the north only (accessing from the AWPR). Swept path analysis has also been provided for a fire tender entering the site, which was also considered to be acceptable.

In addition, the applicant was requested to provide visibility splays using the 85th% speeds of the road. This has been undertaken and is in line with guidance from the Design Manual for Roads and Bridges and National Roads Development Guide and can be accepted subject to the applicant replacing the existing bend warning signs with junction on bend warning signs (Diagram 512.1 of the Construction Traffic Management Plan). RDM have requested that a condition should be attached to ensure these works are provided in line with an agreed plan and completed before the site is operational.

RDM have also noted that during the construction phase additional Temporary Traffic Management measures will be in place. Were planning permission to be granted, a condition would also be required in this regard with a requirement to ensure that visibility splays are maintained which may require vegetation maintenance.

Parking/ Waste

No staff would be located on site on a permanent basis, and the submitted information notes that parking would be available within the curtilage of the site where permeable hardstanding is to be located. The site is not anticipated to generate any waste and therefore a waste management plan is not required.

In summary, it is noted that a number of the objectors have submitted comments and concerns in relation to access to the site. The applicant was requested to provide a response to this aspect and they have advised that they feel that the mitigation measures required to access the site can be achieved and that a Grampian style condition could be used to ensure that these were in place prior to the commencement of the use. It may be that if agreement is not reached with a landowner then the planning permission could not be implemented, but this would be a civil rather than a planning matter. Sufficient information has been submitted to demonstrate that the proposals could comply with Policy 14 of NPF 4 and Policies T2 and T3 of the ALDP.

Noise

Policy 23 (Health and Safety) of NPF4 indicates that *“Development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.”* In addition, Policy WB3 Noise of the ALDP 2023 requires that there will be a presumption against noise generating developments, being located to noise sensitive developments, such as existing or proposed housing, with suitable mitigation measures in place to reduce the impact of noise to an acceptable level.

As discussed earlier in this report, the proposals have been subject to consultation with Environmental Health, who have reviewed a number of Noise Impact Assessments submitted in support of the application, including the most recent revision. They have noted that they are content with the most recently submitted NIA, and have accepted its recommendations provided:

- The Battery Energy Storage System (BESS) comprises the plant (28 battery storage units, 14 PCS and 7 transformers) and layout detailed in the Infrastructure Layout Plan (Document Ref: SCE0001_AryburnBESS_ILA), with A-weighted sound power levels not exceeding those detailed in Table 6-5; and
- Prior to construction of the BESS, the warranted sound power levels, number of items and location of the chosen plant shall be checked against the assumptions considered in the assessment and where the proposed items are found to vary (i.e., in sound power level, location or number) an updated assessment shall be undertaken to confirm that the operational noise levels meet the relevant criteria (noise limits).

The above recommendations could be controlled via planning condition if the proposals were to be recommended for approval. This would ensure compliance with Policy 23 (Health and Safety) of NPF4 and with Policy WB3 (Noise) of the ALDP.

Health and Safety

Policy 23 (Health and Safety) of NPF4 aims to protect people and places from environmental harm and mitigate risks arising from safety hazards. The Planning Service is aware of concern surrounding battery storage and the associated fire risk, as well as recent incidents with such facilities in the UK and abroad. Therefore, as part of any planning application the applicant has been asked to submit details of the measures which would be employed to mitigate such a risk.

The National Fire Chiefs Council - Grid Scale Battery Energy Storage System planning – Guidance for FRS is also of relevance and provides guidance on information requirements, system design, construction, testing and decommissioning, detection and monitoring, suppression systems, site access, water supplies, emergency plans, environmental impacts and recovery.

In terms of access, it also notes that suitable facilities for safely accessing and egressing the site should be provided. Designs should be developed in close liaison with the local FRS as specific requirements may apply due to variations in vehicles and equipment. This should include:

1. At least 2 separate access points to the site to account for opposite wind conditions/direction.
2. Roads/hard standing capable of accommodating fire service vehicles in all weather conditions. As such there should be no extremes of grade.
3. A perimeter road or roads with passing places suitable for fire service vehicles.
4. Road networks on sites must enable unobstructed access to all areas of the facility; and
5. Turning circles, passing places etc size to be advised by FRS depending on fleet.

The applicants have submitted an updated Fire Risk Management Plan and have confirmed that they had contacted the Scottish Fire and Rescue Service (SFRS) to discuss the issues and the following advice was offered: *two separate access points to the site are to be provided with the access road separated a sufficient distance from the nearest BESS to ensure that any responding crews are not in an area that is above the workplace exposure limits. This would require to be the subject of a condition.*

The document noted that there is one 4 m wide access road via Whitestripes Road (which will likely need to be upgraded and widened as discussed above) and before it reaches the BESS compound it divides approximately 45 m from the closest container and then provides two separate access points into the compound. In reality, the split in the roadway would still come downwind of the prevailing winds, meaning that the two accesses as proposed are likely to be impractical. This is not considered to warrant refusal of the application, as an additional technical solution may be possible, such as a further access to the north, and also due to additional reasoning detailed below with regards to how fires could potentially be contained on site.

The access point adjacent to the construction compound also provides a turning head for SFRS vehicles. An emergency access plan would be required via planning condition, were planning permission to be approved.

In terms of fire risk, the Fire Risk Management Plan also noted that modern / contemporary BESS containers offer a fundamental shift towards self-contained thermal event management. Modern designs incorporate integrated fire suppression systems combining aerosol agents and dry-pipe sprinkler networks that operate independently of external intervention. Crucially, they are engineered with calculated containment capacity to retain all suppression media within the container structure through sealed construction, reinforced gaskets, and internal drainage systems with collection sumps. A water strategy, would require to be agreed with the SFRS as part of the emergency response plan. This matter could be controlled via condition.

Provided the mitigation measures and conditions (in the event of a planning approval) are adhered to the development would not conflict with Policy 23 (Health and Safety) of NPF4.

Cultural Heritage

Policy D6 (Historic Environment of the ALDP aims to ensure that *“proposals which have the potential to impact on historic environment, historic assets, and heritage assets, or a significant element thereof, will be required to ensure the effective recording, assessments, analysis, archiving and publication of any reports or records to an agreed timeframe”*. Policy 7 (Historic Assets and Places) of NPF4 provides similar guidance.

In response to the above, a Cultural Heritage Assessment was submitted in support of the application, which has been reviewed by colleagues in the Archaeology service. They agree with its

conclusions and have confirmed that no archaeological mitigation works are required ahead of the development and had no further comments to make on the application. Subsequently there would be no conflict with either Policy 7 of NPF4 or Policy D6 of the ALDP.

Public Sector Equality Duty

Section 149 of the Equality Act 2010 states that a public authority must, in the exercise of its functions, have due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. The Public Sector Equality Duty is engaged by this particular application because a letter of representation that has been submitted states that the proposals could potentially impact on the quality of life of an individual with a disability – particularly in relation to the resulting impact on that individual of construction traffic on the access track.

Having due regard to the need to advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share it involves having due regard, in particular, to the need to remove or minimise disadvantages suffered by such persons that are connected to the characteristic; take steps to meet the needs of such persons that are different from the persons who do not share it; and encourage such persons to participate in public life or any other activity in which participation by such persons is disproportionately low.

Construction traffic would utilise the access track for a relatively short period of time, during the construction of the premises and would have a relatively short term impact on the amenity of surrounding residents including those with a disability. Thereafter, traffic to the proposed facility would be very infrequent. Bearing this in mind it is considered that there would only be a small impact on the individual with a disability were planning permission to be approved and in this instance the proposals are being recommended for refusal.

Other than the above matter, it is considered that there are no direct implications with the Public Sector Equality Duty in determining this application. Taking the foregoing into account, it is concluded that the Planning Authority has considered all of the requirements/ needs in Section 159 of the Equality Act 2010 when assessing and determining this application.

Matters Raised in Representations

1. The location of the development within the greenbelt, where it has not been demonstrated that a greenbelt location is essential for the proposed development. The site selection process is also not considered to be appropriate. *Response: this matter has been addressed above. The Planning Authority agree that this particular green belt location is not acceptable for such a use.*
2. The proposals would set an undesirable precedent for developments of a similar nature. *Response: each application is assessed on its own merits.*
3. The proposals would result in the loss of prime agricultural land. *Response: this matter has been addressed earlier in this report. The Planning Authority are content that the proposals would not result in the loss of prime agricultural land.*
4. The proposals would have an adverse impact on wildlife and biodiversity including on heron, bats and badgers. There are also further protected species on site. *Response: supporting documents have been received that demonstrate that the development could proceed without having an unacceptable impact on any protected species or on biodiversity.*

5. The area is susceptible to flooding. *Response: Flooding and Coastal Protection have raised no concerns from a flooding perspective and are content with the findings of the DIA.*
6. The proposals would have an adverse visual impact on the surrounding area and would be out of character with the surrounding area. *Response: this issue has been assessed in greater detail in the above evaluation. The planning authority would agree that the proposals have an unacceptable visual impact.*
7. The proposals would have an adverse impact in terms of noise and the construction phase would have adverse impacts in terms of increased traffic, noise, impacts on properties and light pollution along with water contamination. *Response: these issues have been considered in the above evaluation.*
8. The site design does not follow best practice in that there would be insufficient space for the repair and maintenance of the facility and that a fire appliance would not be able to satisfactorily enter the facility. The proposed access to the site is also unsuitable for the proposed development. *Response: these issues have been considered in the above evaluation.*
9. Issues in relation to the construction phase of the development, in that it would be difficult for construction traffic to enter the site along the access road, where the track is not suitable for up to 15 HGV movements per day. Also note errors in the submitted information where it states the access track is 4m wide, where in places it is a maximum of 2.5m wide. *Response: the applicant has submitted information indicating that they are content that the site could be adequately service and colleagues in Roads Development Management are content with the proposals. Finalised details of the access track could be controlled via planning condition.*
10. Health and safety concerns. Insufficient drainage measures and mitigation measures for potential contamination of the surrounding area. *Response: the proposals have been subject to consultation with colleagues in Flooding & Coastal Protection who have raised no objections to the proposal. The other matters have been discussed elsewhere in the fire safety section of the report.*
11. Missing information including details for the route of the cabling and the energy storage levels of the facility. Further information is required in this regard. *Response: this matter has been discussed elsewhere, the route of the cabling would be permitted development and does not form part of the assessment of this application.*
12. The location of the proposed tree planting could result in increased fire risk. *Response: the location of the proposed landscaping is considered to be acceptable.*
13. Object due to the size of the facility. *Response: the size of the proposal is typical of such a facility.*
14. A full HSE Risk Assessment has not been submitted. *Response: this is not required for the assessment or determination of the planning application.*
15. Fire risks associated with the proposed development and insufficient information submitted in terms of fire risk. *Response: this matter has been discussed in the fire safety section of this report.*
16. The proposals would have an adverse impact on the quality of life of residents in the surrounding area, in particular those who use the access track. *Response: the proposals are*

located a sufficient distance away from residential properties and would have no adverse impact on residential amenity. The levels of journeys once the development was operational would be minimal and whilst there would be short term disruptions (were planning permission approved). An assessment of the Public Sector Equality Duty has been undertaken in the above evaluation.

17. Concerns about the pre-application process, noting that residents did not receive invites to any of the pre-application events. *Response: comments noted, errors were noted during the application process and a further consultation event was undertaken.*
18. The Sequential Impact Assessment is inadequate in that it states that the need for development areas is 0.94 hectares, whereas the development site area is 0.22 hectares. There are suitable sites within industrial estates that would meet the criteria for development. *Response: this matter has been considered in the above evaluation.*

Support:

19. In the current climate of energy production, it is important that such facilities are supported where power production exceeds usage and meeting the net zero targets of the Scottish Government. *Response: Comments noted, although the Planning Authority are supportive of such developments, the current location is not considered to be appropriate for development.*
20. The proposed battery storage system represents technological innovation that will position Aberdeen City as a leader in modern energy solutions. *Response: Comments noted.*
21. A reliable energy storage facility will contribute to a stable energy supply which is essential for the local business community. *Response: comments noted, although these are noted there are similar facilities which have been consented and under construction in the surrounding area.*
22. The proposal is the nearest available to the Dyce connection and will cause the least possible disturbance. *Response: there have been facilities approved (with one under construction) that are in closer proximity to the Dyce substation.*

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

1. That it has not been adequately demonstrated that a site within the green belt is essential for the proposed battery energy storage facility. It is considered that it would be possible to locate such a facility on a more sequentially preferable site in conjunction with more appropriate land uses in the surrounding area and in closer proximity to the Dyce Cothal View Grid Substation. In addition, the proposals would introduce an “*industrial*” style of development to this rural and agricultural setting which would have an adverse urbanising effect on the character of the area, resulting in the significant erosion of the rural, agricultural feel and providing a facility that would be at odds with the tranquil setting of the surrounding area, which has not previously seen developments of this type. The proposals would therefore undermine the setting of the green belt in this location and could not be supported. The proposals are therefore considered to be contrary to Policy 8 (Green Belts) of National

Planning Framework 4 and Policy NE1 (Green Belt) of the Aberdeen Local Development Plan 2023 and there are no material planning considerations that would warrant approval of planning permission in this instance.

ABERDEEN CITY COUNCIL

COMMITTEE	Planning and Development Management Committee
DATE	06 November 2025
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	City Centre Affordable Housing Waiver Extension
REPORT NUMBER	CR&E/25/227
EXECUTIVE DIRECTOR	Gale Beattie / David Dunne (acting)
CHIEF OFFICER	David Dunne / Claire McArthur (acting)
REPORT AUTHOR	Lucy Alston
TERMS OF REFERENCE	8

1. PURPOSE OF REPORT

- 1.1 This report seeks to extend the Council's Affordable Housing requirement waiver, which is due to expire in December 2025. The waiver currently applies to new planning applications for eligible residential development that are submitted in the City Centre area (Appendix 1).

2. RECOMMENDATION

That the Committee:

- 2.1 Note that on 25 August 2022 Council approved an extension of the Affordable Housing waiver until 31 December 2025;
- 2.2 Agree to further extend the Affordable Housing waiver until the adoption of the next Aberdeen Local Development Plan.

3. CURRENT SITUATION

Context

- 3.1 The "Town Centre First" approach is a policy principle adopted by the Scottish Government which prioritises the health and vibrancy of town and city centres when making decisions about public and private sector investment and development. The Town Centre First approach is embedded in National Planning Framework 4 (NPF4). The recognised benefits of delivering housing development in town centres are multiple, and underpin key policy aims around active travel, affordable and independent living, local living, the wellbeing economy, net zero, and the re-use of existing built and historic assets.
- 3.2 The City Centre and Beach Masterplan (CC&BMP) includes an objective of 3,000 extra people living in the City Centre by 2040. In working towards this objective, in 2024, Aberdeen Inspired was awarded funding from Aberdeen City Council's UK Shared Prosperity Fund for a feasibility study on the upper floors

of Union Street, with residential included as a potential use for current vacant or under-utilised spaces. A “technical panel” has since been established, which is supported by Aberdeen City Council officers.

Details of the waiver

- 3.3 Planning policy, in the adopted [Aberdeen Local Development Plan 2023](#), requires new development proposals of five or more housing homes to provide a minimum of 25% of proposed homes as an ‘Affordable Housing’ tenure (Policy H5: Affordable Housing). Further guidance on the types of Affordable Housing and delivery is set out in the Council’s [Aberdeen Planning Guidance 2023: Affordable and Specialist Housing](#).
- 3.4 At its meeting on 20 September 2018, Planning Development Management Committee (PDMC) approved the introduction of a two-year waiver on Affordable Housing requirements for developments within the City Centre area, until 31st December 2020 ([RES/18/178](#)), in order to support the enhanced delivery of residential development in the City Centre area.
- 3.5 In order to mitigate risk of the waiver leading to an increase in planning approvals but not housing delivery, PDMC also instructed, as a condition of the waiver, that the development is be required to commence within 12 months of the decision notice. This is secured via a direction applied to the grant of planning permission time limiting the relevant consent. For the avoidance of doubt, if the Committee agrees to extend the waiver, these terms will remain, and development is required to commence within 12 months of the decision notice for the Affordable Housing waiver to apply.

Timeline of the waiver

- 3.6 After a review of the effectiveness of the waiver in 2020, Members agreed to extend the waiver until June 2022 ([PLA/20/100](#)). This was extended again briefly to September 2022 ([PLA/22/091](#)), to allow a report to Council on the CC&BMP on 25th August 2022.
- 3.7 At its meeting on 25th August 2022, Council agreed to extend the waiver again until 31st December 2025 ([RES/22/173](#)). It is the expiration of the current extension that is the subject of this report.

Planning applications overview

- 3.8 The waiver was originally introduced in September 2018 to stimulate delivery of housing in the City Centre and has proved a successful measure in bringing forward new City Living developments.
- 3.9 The waiver is applied to new planning applications for i) proposed residential development of five or more homes, and ii) sites located within the identified City Centre area (Appendix 1). Sites for less than five homes are not required to make an Affordable Housing contribution and are therefore not assessed.

- 3.10 Since the waiver was introduced, 37 planning applications have met the criteria for this assessment. This has resulted in 1,101 homes being approved to date (Table 1).

Table 1: Summary of planning applications

Year application submitted	Applications approved	Homes approved	Homes implemented	Homes completed
2018	7	498	476	397
2019	7	92	39	12
2020	4	172	10	10
2021	8	186	68	44
2022	5	122	38	15
2023	2 (+1 pending)	21 (+9 pending)	0	0
2024	1	10	0	0
Total	34	1101	631	478
2025	3 pending	28 pending		

- 3.11 Planning applications for less than five homes are not included in this count. The count is limited to residential homes (flats and houses); other types of specialist accommodation are not included, such as student accommodation.

Proposed extension of waiver

- 3.12 It is recommended that, to continue supporting City Centre living, the Affordable Housing waiver in the City Centre be extended for a further period. This extension is sought to the date of adoption of the next Aberdeen Local Development Plan (expected Spring 2028) when, as discussed below, a complete review would be undertaken.
- 3.13 As part of the wider Local Development Plan process, two housing summits were recently hosted by officers (in October 2024 and March 2025), with attendance from the development industry, including housebuilders, Registered Social Landlords, and other construction professionals. Feedback from these events highlighted widespread support for the waiver. Moreover, the waiver was recognised as an effective and positive mechanism to support development in the city centre, with a broad consensus that an extension would be welcomed.
- 3.14 In terms of impact on affordable housing supply, it is considered that any impact associated with extending the waiver would be minimal. Delivery of affordable housing in the city centre is still being planned for and delivered, as there are sites that are 100% affordable that are still being delivered through the [Strategic Housing Investment Plan](#). The refreshed Strategic Housing Investment, which is due to be presented to Communities, Housing and Public Protection Committee (CHPPC) on 11 November 2025, identifies two sites which are both currently under development in the city centre; one on Union Street and another on Maberly Street.

Next Steps

- 3.15 Preparation of the next Aberdeen Local Development Plan is underway, and early proposals to review the scope of Policy I1 (Infrastructure Delivery and Planning Obligations) and Policy H5 (Affordable Housing) are being considered to look at a more permanent approach to developer contributions and affordable housing in the City Centre area, in order to support City Centre Living and assist the Development Management process when considering new planning applications in this area. Any changes to policy would be subject to consultation with relevant services and stakeholders via the Proposed Local Development Plan process; and expected timelines for consultation are set out in the Council's approved Development Plan Scheme 2025 ([CR&E/25/174](#)).
- 3.16 Previous extensions to the waiver have been welcomed by stakeholders, but officers recognise that the temporary nature of this position introduces an element of uncertainty. Considering this position through the Local Development Plan review process will offer greater certainty on the status of Affordable Housing requirements for new developments in the City Centre in the future.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications arising from the recommendations of this report.

5. LEGAL IMPLICATIONS

- 5.1 There is a risk that the decision to extend the waiver on Affordable Housing contributions for developments in the City Centre may be challenged by third parties; particularly from City Centre peripheral and non-City Centre developments who are required to make contributions towards Affordable Housing. However, the risk of a successful challenge is considered to be low, and no challenges have been received to date.
- 5.2 Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (as amended) require the Planning Authority, when determining applications for planning permission, to determine in accordance with the provisions of the development plan unless material considerations indicate otherwise. The Planning Authority will continue to determine applications in line with legislation.

6. ENVIRONMENTAL IMPLICATIONS

- 6.1 There are no direct environmental implications arising from the recommendations of this report.

7. RISK

Category	Risks	Primary Controls/ Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/co ntrol actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	None			
Compliance	Legal challenge to extended waiver on developer contributions for affordable housing.	As noted in the legal implications section there is a limited risk of legal challenge. However the measure has been in place since September 2018 with no challenges to date.	L	Yes
Operational	None			
Financial	None			
Reputational	None			
Environment / Climate	None			

8. OUTCOMES

<u>COUNCIL DELIVERY PLAN 2025-26</u>	
	Impact of Report
Aberdeen City Council Policy Statement Policy Statement 4 (Economy) - Increase city centre footfall through delivery of the City Centre Masterplan including the	The proposals in this report will help to deliver City Centre Masterplan objectives: • Changing perceptions - Promoting the view of Aberdeen city centre as an energetic, inclusive and fascinating place where people will want to live, work and visit. • Made in Aberdeen - Building on local distinctiveness and maximising local business

redesigned Union Terrace Gardens.	opportunities. This supports inclusive economic growth. This supports inclusive economic growth.
Local Outcome Improvement Plan	
Prosperous Economy Stretch Outcomes	<p>The proposals in this report will help to deliver LOIP objectives:</p> <p>Stretch Outcome 1. 20% reduction in the percentage of people who report they have been worried they would not have enough food to eat and/ or not be able to heat their home by 2026.</p> <p>Key Driver 1.1 Increase to 92% the number of homes that meet an EPC rating of C or better by 2026.</p> <p>The promotion of City Centre living will provide more housing choice in Aberdeen and contribute to quality homes.</p>
Prosperous People (Children & Young People) Stretch Outcomes	<p>The proposals in this report will help to deliver LOIP objectives:</p> <p>Stretch Outcome 4 90% of children and young people report they feel listened to all of the time by 2026.</p> <p>Key Driver 4.1-4.3 Improving timely access to support.</p> <p>The promotion of City Centre living will provide more housing choice, helping families with children access quality housing in the city centre, as well as services and transport links.</p>
Prosperous Place Stretch Outcomes	<p>The proposals in this report will help to deliver LOIP objectives:</p> <p>Stretch Outcome 14 Increase sustainable travel: 38% of people walking; 5% of people cycling and wheeling as main mode of travel and a 5% reduction in car miles by 2026.</p> <p>The promotion of City Centre living will provide more housing choice in Aberdeen, helping people to be supported to live as independently as possible with access to local services, and access to active travel links around the City.</p>

Regional and City Strategies	
City Centre Masterplan	<p>The proposals in this report will help to deliver City Centre Masterplan objectives:</p> <ul style="list-style-type: none"> · Changing perceptions - Promoting the view of Aberdeen city centre as an energetic, inclusive and fascinating place where people will want to live, work and visit. · Made in Aberdeen - Building on local distinctiveness
Aberdeen Local Development Plan	<p>The LDP's aim is to support the Council's vision of creating a sustainable and socially equitable future for the city, as the home to its residents, as the regional centre of the North East, and as one of Scotland's most important economic engines. Supporting City Centre living helps achieve this aim.</p>

9. IMPACT ASSESSMENTS

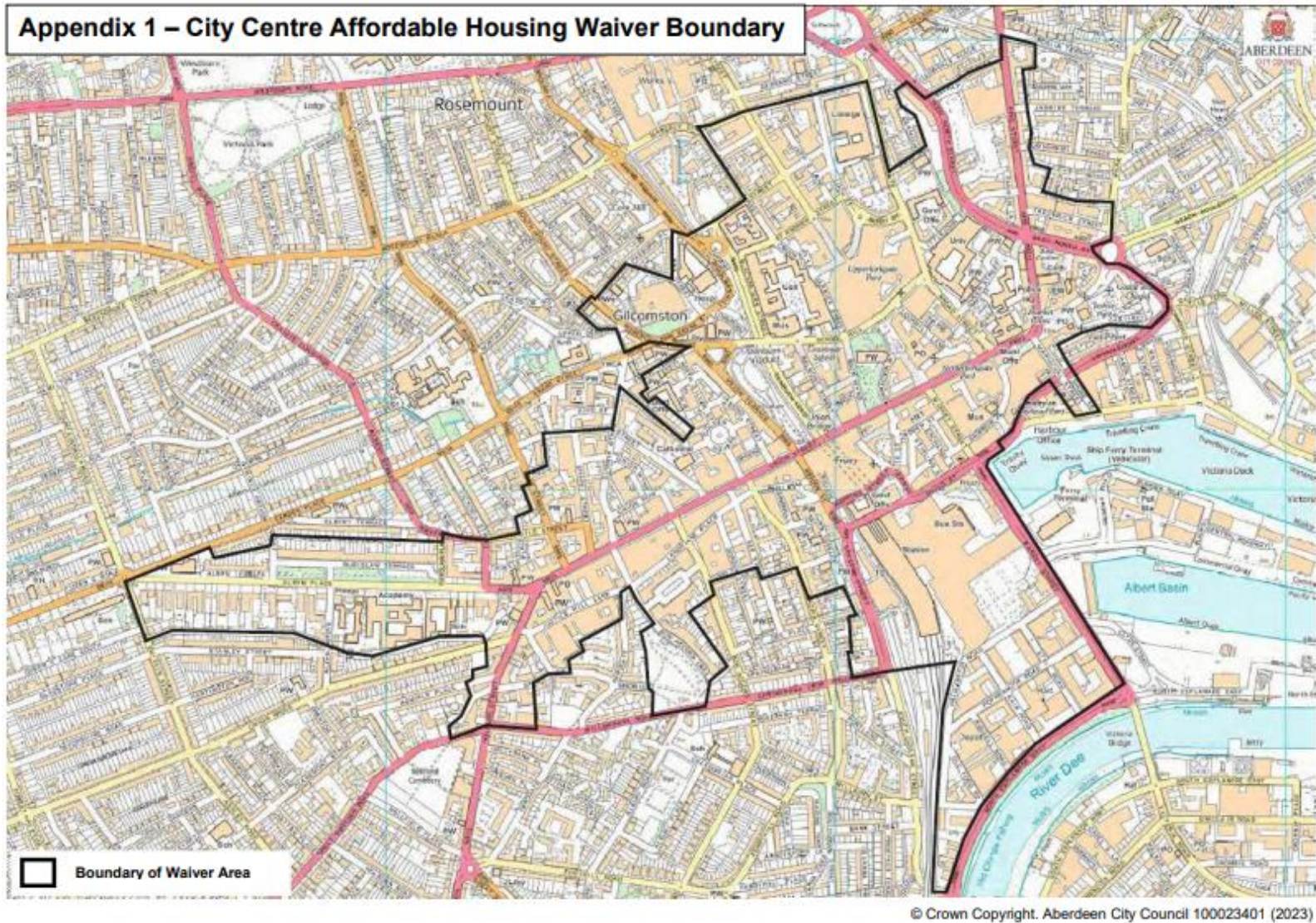
Assessment	Outcome
Integrated Impact Assessment	New Integrated Impact Assessment has been completed
Data Protection Impact Assessment	Not required
Other	Not required

10. BACKGROUND PAPERS

- 10.1 [RES/18/178](#): City Living Study – Developer Contributions
[PLA/20/100](#): Review of Two-Year Waiver on Affordable Housing in the City Centre
[PLA/22/091](#): Affordable Housing Waiver Extension
[RES/22/173](#): City Centre and Beach Masterplan
[CR&E/25/174](#): Development Plan Scheme 2025

11. APPENDICES

11.1 Appendix 1



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