

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 29 August 2024. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Greig, Convener; and Councillors 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.

PLANNING PERMISSION IN PRINCIPLE FOR PROPOSED BUSINESS/INDUSRIAL DEVELOPMENT (CLASS 4/5/6); ROAD INFRASTRUCTURE, ACTIVE TRAVEL CONNECTIONS, LANDSCAPING AND ENVIRONMENTAL WORKS INCLUDING DRAINAGE AND OTHER INFRASTRUCTURE AT LAND AT COAST ROAD, ST FITTICKS PARK/ GREGNESS HEADLAND/ DOONIES FARM, ABERDEEN - 231371

1. The Committee conducted a site visit prior to the hearing. The Committee was addressed at the site by Ms Lucy Greene, Senior Planner, who summarised the proposal for the overall site.

The Convener explained that the Committee would return to the Town House to commence the hearing.

At the start of the hearing, the Committee heard from the Convener who began by welcoming those present at the hybrid Pre-Determination Hearing and providing information on the running order. The Convener explained that the site under review at the hearing was for the proposed business/ industrial development (class 4/5/6), road infrastructure, active travel connections, landscaping and environmental works including drainage and other infrastructure at land at Coast Road, St Fittick's Park/ Gregness Headland/ Doonies Farm Aberdeen, planning reference 231371. The Convener explained that the first person to address the hearing would be Ms Lucy Greene, Senior Planner and asked that speakers adhere to their allocated time in order for the hearing to run smoothly and in a timely manner.

The Committee then heard from Ms Lucy Greene, who addressed the Committee in the following terms.

Ms Greene advised that the application was for Planning Permission in Principle and as such further applications would be required for Matters Specified in Conditions prior to any commencement of development. If approved, development would consist of the erection of buildings, and laying of external hard surfaced yard areas in business, office, industrial and or storage and distribution use and this would include creating level areas and buildings of relatively large footprint. Ms Greene indicated that the site plan showed the three areas that were the subject of the application.

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Ms Greene advised that the application proposal included the following:

At St Fittick's (Zone A) indicative plans showed development platforms of overall size 73,000m² (7.3ha) to the north and south of the East Tullos Burn which provided indicative 13,600 m² gross floor area (GFA) in three buildings (the largest being a 10,000m² unit to the west of the Waste Water Treatment Works (WWTW). Indicative building heights, which were used as the basis for a series of photomontage viewpoints, were 12m for the two smaller units to the north of the burn and 15m for the larger unit adjacent to the WWTW. These were indicatively envisaged as single storey industrial type units.

This would involve removal of:

- An area of woodland to the west and north of the WWTW;
- A grassed recreational area to the west of the WWTW;
- The East Tullos Burn would be realigned along the stretch to the north of the WWTW;
- The Coast Road would be realigned into the area to the north of the burn, and would sweep west and then north, close to the south side of St Fittick's Church and through the area currently used as a laydown area for the South Harbour, which was part of St Fittick's Park. The northern development site would be created to the north east of the realigned road, i.e. alongside the harbour.

Mitigations and compensation were proposed in the form of:

1. Improvements to open spaces within Torry / Balnagask with final locations and design subject to community consultation;
2. St Fittick's Church interpretation and repair works;
3. Path network enhancements within St Fittick's Park outside the site;
4. Improving water quality in East Tullos Burn;
5. Improving the path network and access to Tullos Wood;
6. Enhancing play and recreational equipment and areas and habitats with pollinator planning and management for biodiversity in St Fittick's Park;
7. Replacement sports pitch at Tullos playing fields and enhancing recreational and leisure provision to complement existing Multi Use Games Areas (MUGA), subject to consultation with community;
8. Enhancement to coastal path connections leading northwards to Torry Battery and south via Gregness and
9. Compensatory tree planting on and off-site.

At Gregness (Zone B) indicative plans showed a developable area of 4.2 hectares with a building of 5,600m² Gross Floor Area (GFA), shown of the same maximum height (18m) and on a roughly similar footprint as the current portal frame industrial building (temporarily required for the South Harbour construction) and grassland around the edges of the headland area. Access to the harbour's southern breakwater would also be required to be taken through this site from the Coast Road. The indicative plans showed a site access at the north end and a reduction in 'bare ground' (formerly grassland and currently lay down area) from 6.21ha to 4.2ha. with grassland being

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proposed in the reinstated area. The coastal path around the eastern edge of the site would be restored. The site was in a prominent location on a headland with the land falling from an elevation of 40m Above Ordnance Datum (AOD) to 18m AOD on the east side, to the east of the site boundary there was a steep fall to the sea.

Linked off-site mitigation and compensation for Gregness was identified as enhancement to the coastal path between Doonies and Aberdeen South Harbour.

Ms Greene advised that at Doonies (Zone C) indicative plans showed a developable area of 5.34 ha, with five units of overall 30,650 m² GFA. Indicative building heights were 12m. This site area included roads links through to Peterseat Drive. The existing site contained Doonies Farm, with the farmhouse, steadings and yards within an area of approximately 1 hectare, and fields (improved grassland) covering 4.34 hectare and scrub / grassland covering 4.35 hectares. Ground contours fell from west to east with levels of roughly 60m AOD to the west, falling to around 33m AOD to the east.

The end users of the development were unknown and it was not therefore possible to provide further details about characteristics of the development at this stage. These details would be provided as part of any subsequent Matters Specified in Conditions applications. The land as OP61 was gently sloping and of an open agricultural character.

Linked off-site mitigation was indicated as enhancement of the coastal path between Doonies and Cove and improving paths to Tullos Wood from Doonies (mainly within the site). The proposals for the Coast Road / Aberdeen South Harbour Link Road (ASHLR), were the subject of a current planning application (240620/DPP) and were likely to impact the Coast Road edge of the site.

In terms of surface water drainage it was stated that discharges to coastal waters did not mandatorily require Sustainable Urban Drainage Systems (SUDS) however, there remained an obligation to avoid pollution. The submissions stated that final layout and end-use of sites would determine what was required.

Surface water from the northern area of the Doonies site was proposed to be drained to an existing pipe under the Coast Road and railway and into coastal waters, whilst a new pipe would be proposed from the southern area. At this point the railway was on an embankment where it crossed on a bridge over a field access track. It was proposed that an outfall would pass under the railway at this point.

Ms Greene advised that combined and foul sewers existed within or close to each site where connection could be made subject to any mitigations required by Scottish Water.

In terms of the application site, Ms Greene explained that the development site was approximately 35.35 hectares in total and consisted of three linked areas – St Fittick's Park (Zone A), Gregness (Zone B) and Doonies (Zone C). These areas were allocated for development in the Aberdeen Local Development Plan 2023 as follows: Zone A –

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OP56 (St Fittick's) and small section of OP62 (South Harbour); Zone B – OP62 (South Harbour / Gregness) and Zone C – OP61 (Doonies).

Ms Greene advised that the St Fittick's Park (A) area covered 15.5ha and included 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 was close to the northern boundary of this site. The River Dee Special Area of Conservation lay 630m to the north of St Fittick's Park and a large Waste Water Treatment Plant operated by Scottish Water bordered the site to the south east.

Ms Greene indicated that Gregness (B) covered an area of 8.67ha and was immediately adjacent to the coast and to Nigg Site of Special Scientific Interest (SSSI), designated for geological reasons, with the Coast Road forming the boundary to the west. It was formerly coastal grassland but had been used more recently as a storage and production area in association with the construction of the new South Harbour in Nigg Bay immediately to the north of the site and it contained an industrial type building. Gregness was also covered by the Balnagask to Cove (Site 1) Local Nature Conservation Site (LNCS) designation. The LNCS included mixed habitats supporting herb rich grasslands, heathland, rocky cliffs, insect fauna and nesting sea birds. Access onto the south breakwater was taken through this site.

Ms Greene advised that Doonies (C) covered approximately 10.5ha and included a granite farmhouse and steading together with fields previously used by Doonies Rare Breeds Farm and scrubland to the west/rear. Two linear areas connected the main site to Peterseat Drive which was within the northern part of the Altens Industrial Area, to allow for potential future access linkages. Along the northern site boundary a footpath provided access to Tullos Wood from an existing public car park on Coast Road.

Ms Greene explained that footpaths, including core paths, the railway, cycle routes and Coast Road ran through the sites and residential areas in Balnagask and Torry lay close to the St Fittick's Park site to the north west and Burnbanks Village lay further away to the south of Doonies.

Ms Greene advised that in terms of representations, 221 letters of objections were received with 12 in support. Torry Community Council objected to the proposals and SEPA requested modifications to the application which related to the site boundary to exclude the flood risk area. Roads Development Management had no major concerns and Environmental Health were generally in agreement with the proposal. Network Rail objected to the proposals, stating that further information was required and that the issues related to existing and new surface water drainage infrastructure proposed under the railway.

The Committee then heard from Mr Jack Penman, Engineer, in relation to the roads aspects.

Mr Penman explained that this application was for Planning Permission in Principle (PPiP) and as such many of the details would be required to be provided in any future

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Matters Specified in Conditions applications. Full Roads comments were available online, but Mr Penman provided a summary.

Mr Penman advised that in support of this application the applicant submitted a Transport Assessment which had been reviewed by Roads and been found to be acceptable. He explained that Members would be aware the External Transportation Links to Aberdeen South Harbour (ETLASH) project was being progressed by Aberdeen City Council, as Local Roads Authority. The project aimed to improve access to the Aberdeen South Harbour / Nigg bay area for all modes. Planning permission had been submitted for the Aberdeen South Harbour Link Road (ASHLR) project which would impact on this proposal. Roads advised the applicant to contact the ASHLR project team to discuss their proposal to ensure there would be compatibility between the two projects and no abortive works should they both proceed.

Mr Penman indicated that the three sites were in the outer city boundary and were not within a controlled parking zone.

In relation to walking and cycling, as part of the Traffic Assessment, the applicant undertook analysis of the accessibility of the site by walking and cycling modes. It was noted that there were existing pedestrian/cycle facilities around the sites but these were of mixed quality and desirability. These included shared use footway, shared use paths (including Core Paths 78, 95 and 108) and National Cycle Route 1. As previously noted the ASHLR project if progressed would bring benefits for travelling by these modes. Mr Penman advised that as this was a PPIP application, Roads Development Management were content that as part of any detailed applications, details of the safe walking and cycling routes to the site(s) should be provided for review and agreed by Roads. This could take into account any new infrastructure and would include any improvements the applicant was proposing such as those to core paths.

In regards to public transport, there were currently no public transport stops within 400m of any of the proposed sites. As part of any future detailed application the applicant would be required to submit a Public Transport access strategy plan for Roads to review.

In relation to car parking, the applicant had indicated that parking would be provided in line with Roads standards. Details would be considered at any future application, and this included aspects such as Electric vehicle parking, cycle parking and accessible parking.

In regards to site access, primary access to the site would be using the Hareness Road/Coast road route. Roads Development Management would be seeking measures to be in place that would ensure there were no inappropriate freight movements through Torry to or from the sites. Specific site access junctions were to be designed in coordination with ACC Roads and subject to the final Coast Road Upgrade alignment. The proposed Peterseat Drive link would require to be justified by the applicant to ensure that it did not cause any adverse impacts on the operating of Coast Road

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through increased traffic volumes using this route. All roads, accesses etc. would be required to be designed and built to ACC standards.

In regards to modelling, the applicant had utilised the TRICS data base to derive trip rates as per best practice. Owing to the uncertainty of end user for each site/building type the applicant had undertaken the assessment using the 'worst-case' land use in terms of traffic generation for each plot. (Worst case 220 AM peak and 201 PM Peak) This was agreed with officers during earlier scoping discussions and provided a robust assessment when exact end user / land class was not known. The conclusions of the applicant's modelling showed that the proposal would have no significant detriment on the local road network. There were periods of operational queues on Wellington Road which were highlighted by the modelling which would be reviewed at detailed design stage. The traffic modelling had been considered acceptable.

In conclusion, Mr Penman indicated that there should be travel plans for the sites to encourage sustainable trips and a waste management plan was required. A drainage impact assessment plan was also required and no water retaining features would be permitted within 5m of the public road (including footway). Mr Penman noted that Roads had no significant concerns with this proposal at this stage but many of the details would require to be addressed as part of future applications.

The Committee were then given the opportunity to ask questions of both Ms Greene and Mr Penman and the following was noted:-

- There was engagement with Scottish Forestry about compensatory tree planting and the conversation would continue with the Environmental Planning team;
- In regards to sports facilities, it was noted that there was a proposal for the replacement for the recreational ground at St Fittick's Park. Sportscotland responded to the second round of consultation and said they would be interested in seeing further details of the sports pitch replacement; and
- In terms of the Aberdeen South link road application and whether it would come before Committee for a decision, Mr Penman advised that it was not a major application and may not need to be determined at Committee, but it would likely be determined by the end of the year.

The Committee then heard from the applicant and the presenters consisted of Maggie McGinley, ETZ Ltd, Elaine Farquharson-Black, Brodies and Henry Farrar, Ironside Farrar. Neil Young and Kim McLaren were also available for questions.

Ms McGinley advised that she was the Chief Executive of ETZ Ltd and provided an update on the combined efforts which were being made to reposition the city and region at the very forefront of energy transition. Ms McGinley indicated that ETZ Ltd was a not-for-profit company that was enabled by significant funding from the private sector through Opportunity North East and public funding from both the Scottish and UK Governments. The majority of the funding was to be used to take forward the largest dedicated energy transition complex in Scotland – the Energy Transition Zone.

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Ms McGinley indicated that it was very fitting that this complex was to be built in Aberdeen given the region's ambition to be the net zero energy capital of Europe and it was a vital step in the City's ability to unlock the vast opportunities afforded by green energies in offshore wind, hydrogen and Carbon Capture Utilisation and Storage (CCUS).

As part of the energy transition, ETZ had already made a significant investment in revitalising brownfield sites in Altens, which included

- the National Floating Wind Innovation Centre, a world first,
- the W-ZERO 1 building which was now at capacity and home to a range of exciting and growing companies;
- The Energy Transition Skills Hub - which would equip future generations with the skills required, and
- the Energy Incubator and Scale-up Hub which ensured the North East retained its reputation for excellence in innovation and entrepreneurship.

Ms McGinley intimated that the big prize on offer, was for Aberdeen to become the port of choice for the high value manufacturing of components to deliver offshore renewables projects, particularly floating wind, things like moorings, anchorings, and cable manufacturing. It was noted that these technologies provided sustainable, long-term employment and career opportunities, jobs such as welding and fabrication, electricians, and engineers across a range of disciplines.

Ms McGinley also advised she aimed to provide an illustration of the scale of the opportunity, noting over 11,000 new moorings would be required to deliver the UK market demand associated with ScotWind and INTOG. This type of activity required manufacturing at scale and required direct access to a deep-water port, because the components were incapable of being transported by road.

Ms McGinley highlighted that the ability to connect land with port assets, and transport large components to and from the quayside, was a fundamental requirement to catalyse further investment, particularly for offshore wind. It was noted that the transformational, deep water Aberdeen South Harbour combined with the Energy Transition Zone allowed the City to attract investment, create jobs and positioned the City and wider region as a global hub for offshore renewables. Ms McGinley highlighted that these were opportunities the city could not afford to miss and the Council had already recognised this in allocating land for the Energy Transition Zone in the Local Development Plan and approving a masterplan for the overall area.

Ms Farquharson-Black then focused on the legal framework in which the decision must be taken.

Ms Farquharson-Black indicated that as confirmed by the courts, by National Planning Framework 4 (NPF4) and reconfirmed by the Chief Planner in recent guidance, the policies in the development plan must be read as a whole. Many of the objections to the

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application focused only on the loss of greenspace and impacts on biodiversity. Objections by their very nature focused on perceived negative issues from a development and were silent on the benefits.

Ms Farquharson-Black advised that as the Planning Authority, Elected Members needed to consider the overall development and how it complied, or not, with all relevant national and local policies. It was not only policies on greenspace and biodiversity, but also policies on climate change, energy transition, employment, community wealth building and how the proposals contributed to those policy objectives.

Ms Farquharson-Black highlighted that even if an application was considered to be contrary to one policy, the courts had confirmed that did not mean that the application was contrary to the development plan as a whole.

Furthermore, material considerations could support granting permission contrary to the development plan. The starting point for determining this application was that the application covered land which was allocated by the Council for the establishment of the Energy Transition Zone under Policy B5 in recognition of the importance of energy transition to the city, to the region and to Scotland and under Policy B4 Aberdeen Harbours.

Ms Farquharson-Black advised that Members could take comfort that the allocation of the land had already been through a thorough review process and the Council's allocation of the Energy Transition Zone was fully explored by an independent Reporter at the Local Development Plan examination. Many of the issues which had been raised by objectors to the current planning application were raised as in principle objections to the allocation of the land and were considered and addressed by the Reporter. As such, these issues should not be re-opened at this stage of the planning process.

Ms Farquharson-Black explained that the principle of the proposed development of the ETZ was not a matter for debate. The land had been allocated for the proposed use. The Reporter acknowledged that there were difficult choices to be made in order to strike a balance between the need to allow a transition in the economy and employment of the city region and the provision of open space and biodiversity. Having heard all the evidence, the Reporter highlighted that the land had been identified as part of a systematic process and agreed with the Council that the wider environmental, economic and societal benefits justified allocation of the land and those acknowledged benefits still applied.

Ms Farquharson-Black indicated that the Council's allocation of the land for the Energy Transition Zone in the adopted Local Development Plan (LDP) created a legal presumption in favour of granting planning permission for the specified purpose and this legal presumption in favour of the application was the starting point for determination of this application. She also advised that the LDP specified that a Joint Masterplan was needed for the development of sites OP56, 61 and 62 and the joint masterplan should consider the following matters:

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- The extent of the developable area within the B5 Energy Transition Zone zoning;
- Areas which should remain undeveloped and the extent of any buffer zones;
- Mitigation measures to ensure the continued viability of linear habitats including the East Tullos Burn, recreation and core path network;
- Options for the use of the wastewater treatment plant; and
- Measures to avoid, minimise, mitigate, and compensate potential impacts on biodiversity/greenspace that would ensure at least no net-loss of biodiversity across the masterplan area.

Ms Farquharson-Black advised that there would also be a fourth stage for the ETZ, as the current planning application only established the principle of development. Separate applications would be submitted for individual buildings within the development areas and so the detailed design and layout of each building was not an issue for this application.

SEPA had highlighted that part of the site was currently within a floodplain, which would contravene Policy 22 of NPF4, however SEPA were happy that the proposed realignment of the burn and compensatory flood storage would allow development of the site. Ms Farquharson-Black indicated that the proposed development complied with relevant development plan policies when considered as a whole and with the principles outlined in the 6 masterplan areas. Material considerations supported the granting of permission.

Mr Farrar then spoke about the approved masterplan. He advised that the planning application had emerged directly from the masterplanning process and confirmed that the proposed development was fully compliant with the principles, guidance, and key requirements that it established – most importantly around reducing development areas within St Fittick's Park, retaining and enhancing the East Tullos Burn and wetlands, and incorporating measures to improve the surrounding greenspace and connections across the Green Network.

The application related to three linked development zones at St Fittick's Park, Gregness and Doonies all of which were Local Development Plan allocated Opportunity Sites. Within each, the proposals were seeking to deliver flexible development plots which were purpose planned for high-value energy transition industries, including manufacturing for offshore wind, hydrogen production and distribution, and wider green energy supply-chain activity. Directly linked to this, and embedded within the application, the proposals included a range of place-making and landscaping measures, as well as supporting transport, drainage and other infrastructures.

In relation to St Fittick's Park, Mr Farrar noted that in keeping with the principles set out in the adopted masterplan, the proposed development provided for two development plots, separated by a potential re-alignment of the Coast 7 Road. Both plots were capable of being directly integrated and functionally associated with the South Harbour, and the scale of buildings and external working areas, represented typical requirements for energy transition users, especially those involving large-scale and heavy

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components which required proximity to quayside. Importantly, the proposed developable area was substantially reduced compared to the extents of the LDP Opportunity Site allocations, seeking to minimise impact on green space as far as possible and in keeping with the principles established by the Masterplan.

As well as avoiding and minimising the loss of greenspace, the proposals included commitments to a range of measures to enhance the quality and accessibility of local greenspace. Within St Fittick's Park this would include:

- Interpretation and restoration works to St Fittick's Church;
- Improving path network connections across the Park, Burn & wetlands;
- New wayfinding, lighting and pathway improvements to better connect Tullos Wood to communities; and
- Providing improvements to the existing play and recreation facilities and the provision of a replacement sports pitch to complement those existing playing fields.

Mr Farrar indicated that biodiversity enhancement was also delivered in line with the principles established in the masterplan, by retaining those most important and valuable assets, particularly the East Tullos Burn and wetlands, and enhancing them through water quality improvements, wetland habitat planting and landscape management, and partial re-alignment of the Burn which would replicate and lengthen the existing channel.

He stated that the unavoidable loss of some semi mature woodland and grassland would be addressed through compensatory native species tree and pollinator planting, both within the site and off-site in the close vicinity. Further biodiversity measures and landscaping would also be integrated into the development plots across the site as these came forward, in line with the principles set out in the submitted Biodiversity Protection & Enhancement Plan. Mr Farrar advised that it was important to highlight that the specific siting and design of the indicative proposals shown, which included mitigation and enhancement measures, would be secured via conditions, and developed with the Community, as well as Council officers, to ensure local priorities and needs were met and that this was appropriately coordinated across development.

Mr Farrar advised that at Gregness, industrial development was proposed at the northern end of the site, closest to the Harbour. Following discussion with officers the scale and footprint of the proposed building had been reduced since the original submission, now mirroring the existing temporary building on the site, plus a potential extension. The option of retaining and repurposing that building remained under consideration by ETZ, providing potential Circular Economy and embodied carbon benefits. In line with the Masterplan, the proposals were configured to ensure that operational requirements of the Harbour were maintained, the Coastal Path around the site could be reinstated, and that coastal heath habitats at the site fringes could be retained and supported as a key biodiversity feature.

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Mr Farrar indicated that at Doonies, again in accordance with the approved masterplan, the proposals provided for a multi-user Campus focused on the hydrogen sector, with a flexible mix of industrial buildings, set around a new link road connecting from the Coast Road to Altens Industrial Estate. This would complement the planned Coast Road upgrade as well as supporting revitalization of brownfield land within Altens.

Mr Farrar highlighted that the application had been supported by detailed environmental and technical assessments, including an Environmental Impact Assessment (EIA), Transport Assessment, and Flood Risk Assessment. A Health Impact Assessment was also undertaken as part of the EIA and considered the potential for impacts to local health and wellbeing. It concluded that the proposed development would have a positive impact on a range of health determinants especially around local economic activity and job creation, as well as active travel and exercise. It recognised the importance of local greenspace to local health outcomes and the potential for impacts from development, but concluded that the proposed measures committed within the application to improve the quality and accessibility of surrounding greenspace would provide appropriate mitigation and ensure that the Park continues to contribute positively to health and wellbeing.

Mr Farrar indicated that these assessments had been reviewed and consulted on extensively, and the application had no objections from key consultees including Historic Environment Scotland, and Scottish Water, as well as the Council Roads officers, Flooding, Archaeological and Environmental Health Officers. SEPA had submitted an objection in relation to Flood Risk matters, on the basis that a small area of the site was within an existing floodplain. However, both SEPA and the Council's Flooding Officers acknowledged that this objection arose due to the interpretation of policy in NPF4, rather than any direct concern over the proposals for flood management. The approach in the Flood Risk Assessment was accepted and this set out clearly that the proposals provided a nature-based solution that would increase resilience and capacity through the re-alignment of the Burn, and ensure that neither the proposed development nor any other receptors would be at increased risk of flooding.

In summary the proposed development complied fully with the adopted Masterplan for the site, and directly met the requirements of Local Development Plan policies and Opportunity Site allocations which designated and provided a presumption in favour of Energy Transition Zone use. The proposals represented balanced, sustainable, and masterplanned development that would realise the significant economic opportunity for job-creating, high-value development around the South Harbour, whilst also providing for enhancement to local greenspace and biodiversity, with ETZ committed to the long-term delivery of those benefits to the community.

In conclusion, Ms McGinley highlighted that the proposals showed how they would develop the Energy Transition Zone in a sustainable, integrated and balanced way, which protected key elements of the surrounding environment whilst realising the significant potential of the land to deliver jobs and investment. It was noted that approving the application would help the city achieve its over-riding goal of protecting

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and creating as many jobs as possible and delivering a sustainable just transition and vibrant future for the North East and the people who live and work there.

The Committee then had the opportunity to ask questions of the applicants, and the following was noted:-

- It was noted that 11000 moorings would be required to be made on site, and a detailed Noise Impact Assessment had been undertaken as part of the Environmental Impact Assessment and Council officers were satisfied with the methodology and the approach that had been taken in regards to the moorings;
- In terms of the operating hours of the sites, this could not be determined at this stage, as it would depend on what investment came forward, and once that was known, they would be part of a separate planning application.

The Committee then heard from Richard Caie, on behalf of Torry Community Council. Mr Caie advised that he was there to oppose the masterplan that had been prepared for St Fittick's Park, noting he vividly remembered the anger that was felt from residents in Torry following a presentation from Ms McGinley in regards to the Energy Transition Zone, and felt that, the presentation would linger negatively in a lot of people's minds for a long time.

Mr Caie advised that the idea that a zone should be the place for energy transition was fanciful, stating that energy transition should be all around. He also queried why new homes which had been built in Aberdeen in recent years had not been fitted with mandatory solar panels and the highest standards of insulation.

Mr Caie indicated that granting permission to this masterplan would also be breaking the bond of trust with the Torry Community. He stated that in the early 2000's, community pressure and involvement led to the first makeover of St Fittick's Park, and thousands of trees were planted by community members, many of them children.

Mr Caie advised that through Community Council meetings and the Citizens and People's Assembly which had taken place in recent years, the overwhelming feeling was that Torry residents were disenfranchised and felt that things were done to Torry, not with the people of Torry.

In regards to the statement above, Mr Caie explained how residents opposed the incinerator being built in Torry, noting that it went ahead and puffed out its smoke daily, only a few hundred yards from Tullos Primary School. A campaign against the new harbour was also unsuccessful and the beach was lost. He also mentioned RAAC and the constant threat for Torry pupils having to walk to Lochside Academy. He noted that there was now this vague masterplan which would destroy the wild natural spaces of St Fittick's Park with unknown and unquantified pollution of all sorts, which would include lights and noise, probably on a 24/7 basis.

Mr Caie indicated that during COVID, St Fittick's Park had been a wonderful source of comfort for a lot of residents who maybe did not have private garden ground, helping

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individuals with their physical and mental health. He also felt it was a lovely wild space for children to explore and was recently enhanced by an outdoor classroom which was championed for by Friends of St Fittick's Park. Mr Caie advised that a lot of people did not have cars to escape to nature, and many homes did not have garden space, and they were now being faced with replacing their local park with 60,000 sqm of factories or industrial sites.

Mr Caie also queried how Aberdeen City Council could be the decision makers on the proposed application, when they were the applicant for the proposals.

Mr Caie also discussed a few other aspects and stated that there was an investment zone being talked about but he had found it really difficult to find information on it and queried if there would be consultation with the public.

Mr Caie also indicated that there was no evidence to support the merits or benefits of the proposal under their terms. He advised that ETZ had been founded by taxpayers to the sum of £53,000, to then destroy large areas of greenspace in one of the poorest communities in Aberdeen in the vague name of climate action and on public land owned by the citizens of Aberdeen.

Mr Caie concluded on behalf of Torry Community Council and asked that the proposed application be refused when it was determined.

Members then had the opportunity to ask Mr Caie questions.

The Committee then heard from Javier Dominguez who objected to the proposed application.

Mr Dominguez advised that his presentation would be short and stated that the proposal was going against the will of locals and it represented a threat. It had been proposed in the wrong place and in the wrong location. He stated that he did not feel it was about the project but of the location.

Mr Dominguez advised that transitioning to being more green was very important, but the Energy Transition could not start by concreting up a wetland of incredible ecological value and felt the proposal was wrong and unwanted in Torry.

Members then had the opportunity to ask questions of Mr Dominguez.

The Committee then heard from Scott Herrett who also objected to the proposed application.

Mr Herrett explained that he had lived in Aberdeen for eight years, and the last three years as a resident in Torry, noting that he worked for 15 years in the civil engineering industry project managing mitigation infrastructure.

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Mr Herrett concentrated his objection on flooding risks and the biodiversity mitigation measures in St Fittick's Park, advising that the site regularly flooded and the impact from raising and concreting over a large section of the park would be very difficult to mitigate. Mr Herrett advised that for the last two years after winter storms, he had witnessed flooding in the park larger in extent than that shown on the one and 200 year flood extent plans. He indicated that climate change was here, stating that impacts were often underestimated.

Mr Herrett explained that the development itself would be at severe risk from flooding, even with the stated mitigation measures and any land raising would displace water and cause problems and restrict use to the public elsewhere in the park. National Planning Framework 4 noted that if development did go ahead, there should be no reduction in the floodplain capacity and increased risks to others.

Mr Herrett advised that the method in which ETZ wished to get around this was to essentially move the floodplain, which would involve extensive earthworks and would be catastrophic to nature. According to National Planning Framework 4 (NPF4), Mr Herrett advised that no new developments should be built on a flood risk area unless the development met at least one of the exceptions described in policy 22 of NPF4.

Mr Herrett indicated that two exceptions most relevant were essential infrastructure, where the location was required for operational region reasons and there was no other suitable site or water compatible uses. He felt that Aberdeen City Council's position was the proposal did not qualify for an exception and therefore the plans before members were not fit for purpose because the proposals fell within the flood zone. Therefore he felt there was no alternative than to refuse the application.

Mr Herrett advised that there was the possibility pressure would be placed on officers to change this position and he urged members to monitor this and if the position did change, then an independent review should be carried out into the veracity of the claims by ETZ Ltd that the numerous brownfield sites were unsuitable for this plans.

Mr Herrett indicated that you could offset the damage caused by concreting over the park by creating new habitat elsewhere, using concepts such as biodiversity net gain, but he urged Councillors to fully understand what these concepts were and look at case studies elsewhere. He advised that biodiversity net gain or its related concept to biodiversity offsets was not a new idea and there were many UK examples and around the world where these schemes did not deliver on their own merits.

Mr Herrett advised that the plans did not acknowledge or mitigate for potential deep losses and encouraged members to consider this in the decision making.

Members were given the opportunity to ask questions of Mr Herrett.

The Committee then heard from Frieda Burns who also objected to the application.

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Ms Burns advised that she was there to speak on behalf of the underdogs, and stated that having access to greenspace was a human right, and removing the greenspace for the residents was immoral. If ETZ were given permission to remove half of Torry's greenspace, it would impact both physically and mentally on the Torry Community.

Ms Burns intimated that the citing of the incinerator, very near to Tullis Primary School, had been acknowledged by members of the medical profession that this would have a negative effect on longevity. Ms Burns questioned how much the people of Torry had to endure and lose, effectively taking away half of the greenspace in the local area.

Members were given the opportunity to ask questions of Ms Burns.

The Committee then heard from Dr Adrian Crofton who also objected to the application. Dr Crofton advised that he was a GP in Torry and spoke about the health impact of the local residents and how there were no adequate mitigations that could be carried out.

Dr Crofton advised that the health impact assessment from the applicant should have been at the very highest standard according to the national and international guidance, given the size and likely impacts of the project and should have included extensive dialogue with the most impacted communities like Balnagask from the very beginning of the project. Dr Crofton intimated that Councillors should not rely on the health impact assessment as a useful document for their decision making.

Dr Crofton intimated that the assessment understated the existing health inequalities in the area and he along with a group of city clinicians wrote an open letter that was covered in the national and local press that outlined these differences in mortality and the importance of greenspace for tackling these health outcomes. Dr Crofton advised that sadly, national data indicated that those differences had only got worse, noting that there was a 13 year life expectancy difference between the area boundaries and the west of the city, and 25 years of unhealthy life expectancy.

Dr Crofton noted that whether elected members were looking at the health of the local population or the finances of the region, he asked that Councillors humbly firstly did no harm and also asked them to imagine if this application was proposed in their ward and for their constituents, querying what members would do, and questioning why it was happening yet again to the residents in Torry.

Members were then given the opportunity to ask questions of Dr Crofton.

The Committee then heard from Chris Aldred who also objected to the application. Ms Aldred advised that she moved to Scotland more than 50 years ago and settled in Torry in 1980. Ms Aldred indicated that Torry felt like a proper community and had wild and wonderful views with a dramatic coastline. The formal grounds for her objection were set out in her letter of objection and she wished to highlight the points that mattered to her.

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Ms Aldred explained that 20 years ago her children played in the triangle park, and at that time the burn was polluted and a stinking stream. She never realised how much it had changed until the COVID lockdown meant that she explored the area once again, where she found a wonderful wetland which was rich with species and teemed with birds and wildlife. She felt it was unlike any other space she had seen before in the city.

Ms Aldred advised that sadly, her discovery coincided with the realisation that there were plans for the further development in the park already being defiled by spoil heaps and debris from the harbour construction. Ms Aldred indicated that she had began chatting to other regular users of the park, noting that one gentleman had lost his view of the sea, one workmate who stated that her walks in the park had helped her with the stress of living in one of the RAAC houses and excited children careering down the hill from the flats to ride scooters and bikes or play in the woods or fields.

Ms Aldred felt that the voices of the residents of Torry had not been heard as consultees at events managed by ETZ, and the organisation had already made up their minds about their masterplan. Ms Aldred also indicated that the rezoning of the park snuck into the Local Development Plan at the last minute was a pre-emptive strike at morale and potential fight back in Torry. Consultation was never framed in terms of development.

Ms Aldred indicated that her objection was based on the failure of the consultation to hear the views of Torry people and the emotional investment residents had with the park. She also highlighted that the park was such an important wild area to so many people and was a unique and strategic importance to so many people of Torry.

Members were then given the opportunity to ask Ms Aldred questions.

The Committee then heard from Jean Boucher who also objected to the application. Dr Boucher indicated that he was an environmental sociologist and often carried out research at the James Hutton Institute. Dr Boucher advised that Torry seemed to be the gift that just kept giving, with the incinerator being built, becoming an industrial area, the 13 years of life expectancy difference, the taking of the bay for the new harbour and now the proposal to take away St Fittick's Park. He stated that in America, this was known as a sacrifice zone, and felt that if this was what Torry was becoming, that a warning should be highlighted so that residents were aware if they moved here their life expectancy could be lower.

Dr Boucher said he felt nervous for what was to come and felt that residents' views had not be listened to and questioned how residents could get involved with this kind of governance, noting that residents had been depoliticised and disenfranchised. They were not part of the decision making, but these decisions affected them and were happening to them. Dr Boucher advised that he had been door to door knocking on residents' doors and was often told he was wasting his time as there was nothing they could do to change things, stating that people felt they fought and fought, then things just happened to them.

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Dr Boucher highlighted that the transition was going to create winners and losers and the winners would be lining up to make a lot of money. He noted that he was not against transition and felt that it would be lovely to see the north east of Scotland to be a world leader, but questioned why it had to be at the expense of residents in Torry, and why you would take a park away from a poor community. He felt there had been a lack of imagination and a lack of creativity and was not inspired and felt that it was not aligned with being a well-being economy.

Dr Boucher concluded that history was happening right here right now and asked that members did the right thing, and asked that no more be taken from the residents of Torry.

Members were then given the opportunity to ask Dr Boucher questions.

The Committee then heard from Richard Caie, speaking as an individual, who also objected to the proposed application. Mr Caie explained that he lived a few hundred yards from St Fittick's Park and also had relatives buried in St Fittick's Park so this proposal was very personal to him. He indicated that the future of the greenspace was of upmost importance, noting that it was not only important to the residents of Torry but to all Aberdonians and the very reputation of the Granite City itself.

Mr Caie indicated that due to the work carried out by the Friends of St Fittick's Park, their campaign had gone global and the eyes of the world were on the decision. Mr Caie advised that the application was for permission for developers to build huge factories but queried what their purpose was, as no one knew. He also queried the building of moorings and the potential noise impact. He also indicated that the buildings would be on the floodplain.

Mr Caie also highlighted that most of the mature trees from the sewerage works would be felled and replaced with saplings, and questioned how anyone could do this. He also indicated how much biodiversity would be concreted over, noting the park was a vital ecosystem, a haven for wildlife, especially migratory birds, and the source of immeasurable joy and tranquillity for countless residents of Torry and Aberdeen.

Mr Caie advised that by preserving the ecosystem, Members would be doing their bit to safeguard the future of our planet for generations to come. He stated that there were individuals who would like to see this natural treasure transformed into an industrial wasteland, sacrificing its beauty and ecological significance for short term economic gains. Mr Caie outlined that we all despair when we see Amazon forests being fouled and destroyed, so questioned why we were not angry about all the trees that would be lost in St Fittick's Park.

Mr Caie concluded that the green space extended far beyond monetary considerations, and it enriched so many people's lives in countless ways. It provided a much needed escape from the stresses of urban life, fostered a sense of community, and contributed to the overall health and well being for all citizens in the city. It was also only ten

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minutes from the city centre on three different bus routes. Mr Caie asked that the proposal be rejected.

Members were then given the opportunity to ask questions of Mr Caie.

The Committee then heard from Dr Ishbel Shand, who also objected to the proposed application.

Dr Shand advised that property developers in the oil industry wanted to make money and maintain power. Members of the public did not want to lose a public park for private profit and stated that elected members should be serving the public interest. Dr Shand indicated that a FOI request had revealed that many had worked behind closed doors to advance business interests and stated that a planning advice note had indicated the obligation on local authorities for community engagement and planning authorities must ensure that the Community was given the opportunity, as early as possible in the preparation of the Local Development Plan and engagement must be meaningful and proportionate.

Dr Shand advised that wherever local authorities had a land ownership or financial interest, development proposals should be handled with greater transparency and rigour, but despite this, the people of Aberdeen were excluded from the decision to rezone. As an example, Dr Shand indicated that a bid for all of the land around the South Harbour was made by Port of Aberdeen at 13.45 on the last day of a ten week consultation on the main issues report and felt the public were kept in the dark. 13 days later, Dr Shand advised that a senior officer commissioned a feasibility study for the Energy Transition Zone on the land, the harbour that they had asked for. This was done under delegated powers and without the involvement of Councillors. Dr Shand indicated that long established policies were then altered to allow the rezoning of greenbelt.

Dr Shand advised that in January 2020, Sir Ian Wood, the Council's partner in the City Region deal, unveiled his plans for a so-called Energy Transition Zone at South Harbour and the feasibility study commissioned by the Council was used to validate the rezoning of St Fittick's Park. Dr Shand indicated that the SNP learned of this in late February 2020 and tried and failed to have St Fittick's and Doonies removed at the Full Council meeting in March 2020. This was when the public heard about the plan for the first time.

Dr Shand highlighted that evidence that plans were already advanced came to them from the strategic infrastructure report produced by a former Director of Corporate Governance produced in April 2020, with reference to the rezoning and the siting of a hydrogen storage and distribution centre on the land. Dr Shand felt that there had been no successful or meaningful community engagement, no transparency and no rigour.

Dr Shand also indicated that Aberdeen City Council, Scottish Enterprise and Port of Aberdeen produced a business plan with the assistance of the Scottish Government, which came out in February 2021. However public access to this was only obtained

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following the intervention of the Information Commissioner. The plan was used to draw down public funding from Westminster to Holyrood and this money was used to create ETZ Ltd to carry out the development agenda to employ consultants to masterplan the area. The masterplan was adopted as non statutory planning guidance and Councillors were now being asked to approve Planning Permission in Principle, which she felt was a theft of a public good.

Dr Shand concluded that a great deal of taxpayers' money had been spent on speculative schemes that had come to nothing and asked that permission for this application be refused.

Members were given the opportunity to ask Dr Shand questions on her presentation.

The Committee then heard from Julia Strickland, on behalf of the Aberdeen Civic Society, who also objected to the application.

Ms Strickland advised that Aberdeen Civic Society was founded in 1964 and their role in the city as an amenity group was to stimulate public interest in and care for the beauty, history and character of the city of Aberdeen and its surroundings. Also to encourage the preservation, development and improvement of features of general amenity and historic interest.

Ms Strickland indicated that they believed the beauty, history and character of Aberdeen was not just in its buildings but also in the quality of its parks and green open spaces. She highlighted that we were fortunate to have a great variety of these in the city, large and small and these included celebrated landscapes such as Duthie and Victoria Parks but also expanses of grassy fields, edged by mature trees that were visible all over the city. Ms Strickland highlighted that parks were not just nice to have in cities but were also necessary for building urban resilience in the face of climate change and provided environmental services that helped sequester carbon and manage flooding. They provided habitat for imperilled biodiversity and this understanding was reflected in the recent flood prevention improvements made by Aberdeen City Council to the Aberdeen Burn.

Ms Strickland indicated that the proposed industrial development in the park would take half its area into private hands and a section of the East Tullos Burn would be removed and re-channelled alongside a new Harbour access road. 3 and a half hectares of existing woodland would be cut down to create new development platforms on raised land, which would alter the hydrology of the entire park. Ms Strickland advised that the applicant insisted that the park would be improved by their interventions but removing large areas of wood and grassland, covering sections of existing wetland and disturbing what remained would destroy resident animals and plants.

Ms Strickland concluded that given the challenges to urban liveability posed by climate change, Aberdeen Civic Society urged decision makers to carefully consider the prioritisation of nature, which was foregrounded in the Aberdeen Local Development Plan and the National Planning Framework 4. Whilst industrial development may serve

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private economic interests, she suggested that the existing park should remain in its entirety, with its successful mixture of amenity and greenspace. Ms Strickland felt that the park made Aberdeen a better place to live and would only become more valuable in the future, into an environmentally uncertain future.

Members were given the opportunity to ask Ms Strickland questions based on her presentation.

Finally, the Committee heard from Dr Susan Smith, who also objected to the planning application.

Dr Smith advised that she wanted to touch on the defective community consultation and the non evidence based claims of economic and climate change mitigation benefits made for the project and the lack of capacity for offshore wind development in St Fittick's Park. Dr Smith indicated that innovative consultation methods were promised in the instructions to tender but felt these did not materialise in spite of several consultation events. The community had been completely excluded from the decision making process. Dr Smith highlighted the proponents had reassured them that concessions had been made in the face of their comments and feedback.

Dr Smith indicated that the area allocated in OP56 was for half of St Fittick's Park, but noted that the ETZ feasibility study in February 2020, identified more than 30 hectares of land, with a figure given of 66% of the park.

Dr Smith advised that their view was that the environmental damage after mitigation would be moderately severe and therefore the damage was so great that even mitigation and compensation method measures would be quite separate from and in addition to the developer obligations that would be required. She felt the mitigation measures needed to be established before the developer obligations were negotiated.

Dr Smith highlighted that the authority had requested further information from the applicant and from statutory consultees, but the details were still missing. The report also required that these compensation measures were enforced by time bound periods by legal agreement.

Dr Smith then spoke about major economic benefits and energy transition opportunities that had been repeatedly cited by proponents of the project. She felt they were not evidence based and it was unclear what the jobs were and these had not been known since the proposal was cited in 2020, with mentions of hydrogen and offshore wind. Dr Smith indicated that predictions previously for offshore wind jobs in Scotland made in 2014 had been notoriously over optimistic and she felt it seemed likely that these ones would be as well.

Members were given the opportunity to ask questions of Dr Smith.

The Convener thanked all those who attended the hybrid hearing, specifically those who had presented their case, submitted representations and provided information. He

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advised that the Chief Officer – Strategic Place Planning would prepare a report for submission to a meeting of the Planning Development Management Committee (PDMC) for subsequent consideration and determination.

- **Councillor Martin Greig - Convener**