

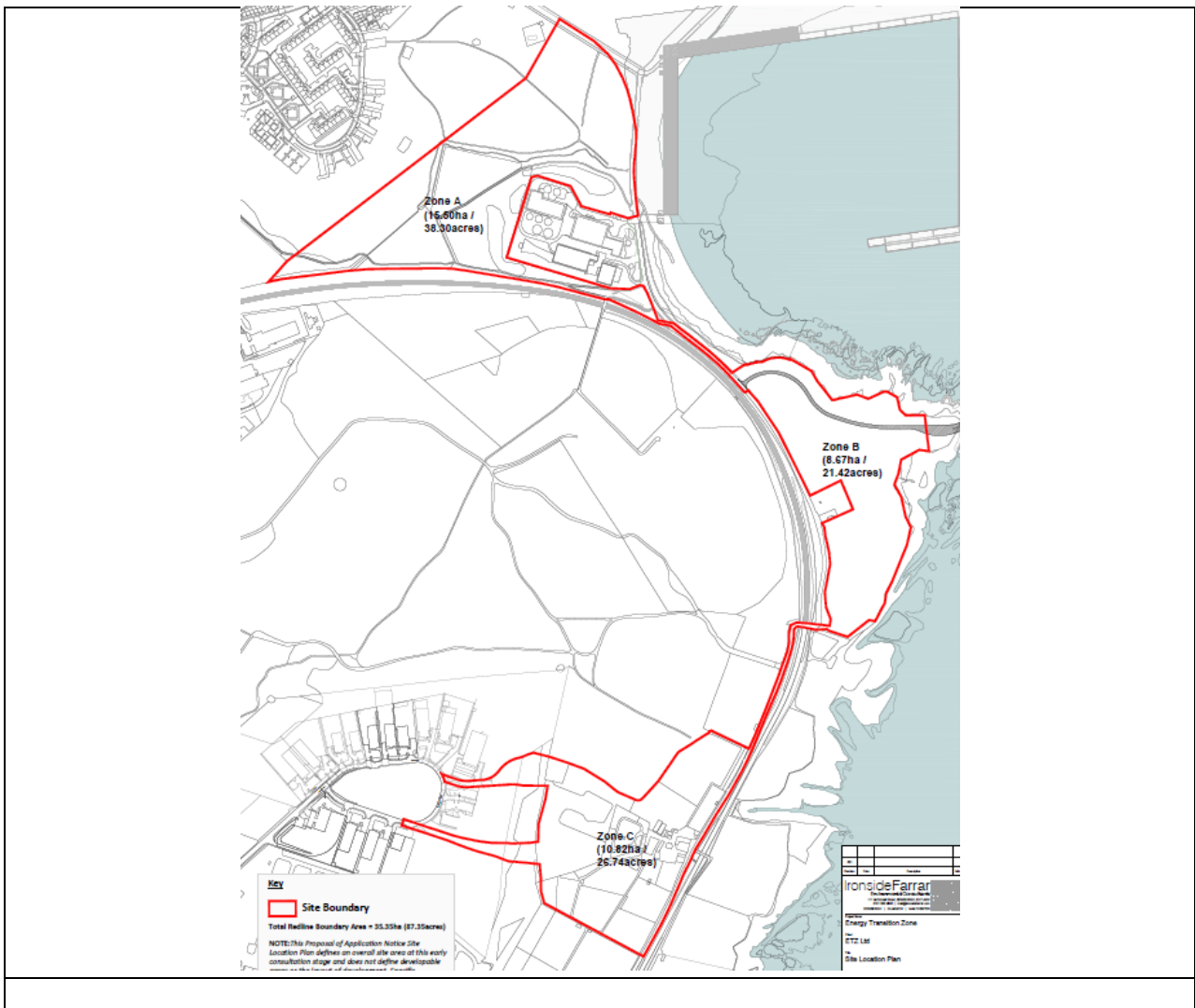


Planning Development Management Committee

Report by Development Management Manager

Date: 7 November 2024

Site Address:	Land At Coast Road, St Fittick's Park/ Gregness Headland/Doonies Farm, Aberdeen
Application Description:	Proposed business / industrial development (Class 4/5/6); road infrastructure; active travel connections; landscaping and environmental works including drainage and other infrastructure
Application Ref:	231371/PPP
Application Type	Planning Permission in Principle
Application Date:	1 November 2023
Applicant:	ETZ Ltd.
Ward:	Torry/Ferryhill
Community Council:	Torry



RECOMMENDATION

Willingness to Approve conditionally, subject to referral to the Scottish Ministers due to SEPA objection.

APPLICATION BACKGROUND

A Pre-Determination Hearing on the planning application was held with Members of the Planning Development Management Committee (PDMC) on 29th August 2024.

A number of members of public from the local community, as well as the applicant and their agents made verbal representations. The minutes of that meeting are available here:

<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MId=9460&Ver=4>

Since the PDH, further information and clarifications have been sought from the applicant to address matters raised at the PDH. This information is considered in the evaluation below.

Site Description

The development site is approximately 35.35ha in total and consists of three linked, but separate development areas – St Fittick’s Park (Zone A), Gregness (Zone B) and Doonies (Zone C). These areas 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 (A) 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.

Gregness (B) covers an area of 8.67ha and is 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 has 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. It contains an industrial type building, previously used for the manufacture of coastal defence accropodes used for the new Harbour breakwater. Gregness is also covered by the Balnagask to Cove (Site 1) Local Nature Conservation Site (LNCS) designation. The LNCS includes mixed habitats supporting herb rich grasslands, heathland, rocky cliffs, insect fauna and nesting sea birds. Access onto the south breakwater is taken through this site.

Doonies (C) lies west of the coast road and railway line and covers approximately 10.5ha and includes a 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.

Footpaths, including core paths, the railway, cycle routes and the Coast Road run through the sites. Residential areas in Balnagask and Torry lie close to the St Fittick’s Park site to the north west and Burnbanks Village lies further away to the south of Doonies.

Relevant Planning History

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 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 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 is for Planning Permission in Principle (PPP) and as such further applications would be required for Matters Specified in Conditions (MSC) prior to any commencement of development. 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. This would include creating level areas and buildings of relatively large footprint, representing a substantial change to the current undeveloped nature of most of the land. Plot boundary enclosures would also be formed. The buildings indicated in the photomontages provided as part of the current planning application are indicative in terms of building heights and reflect typical industry requirements, envisaging approximately 50,000m² of gross floorspace in total. The proposed uses, falling within Use Classes 4 (Business), 5 (General Industrial) and 6 (Storage / Distribution) are envisaged to relate to Energy Transition supply chain related activities and uses. Such uses might include the storage and distribution of large scale, high value components associated with this industry. It should be noted that the ALDP requires that any development within the St Fittick's Zone A is required to have a functional association with the Aberdeen South Harbour that means it cannot be located elsewhere. Strategic landscape planting and footpath and open space upgrades are also proposed.

The application proposal includes:

At St Fittick's (Zone A) indicative plans show development platforms of overall size 73,000m² (7.3ha) to the north and south of the East Tullos Burn providing an 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 are used as the basis for a series of photomontage viewpoints, are 12m for the two smaller units to the north of the burn and 15m for the larger unit adjacent to the WWTW. These are 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); and,
- A grassed recreational area to the west of the WWTW;
and,
- The East Tullos Burn would be realigned along the stretch to the north of the WWTW;
- Indicative plans show the realignment of the Coast Road into the area to the north of the burn, so that it 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 is part of St Fittick's Park. The northern development site would be created to the north east of the realigned road, ie alongside the harbour quayside.

Mitigations and compensation are proposed in the form of:

1. Improvements to existing green and brownfield 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 inside and outside the site;
4. Improving water quality and habitat in and around East Tullos Burn;
5. Improving the path network and access to Tullos Wood, including legible entrance(s);
6. Enhancing play and recreational equipment and areas;
7. Enhancing habitats with pollinator planning and management for biodiversity in St Fittick's Park;
8. Replacement sports pitch at Tullos School playing fields and enhancing recreational and leisure provision to complement existing Multi Use Games Areas (MUGA), subject to consultation with community;
9. Enhancement to coastal path connections leading northwards to Torry Battery and south via Gregness;
10. Enhancement / extension to the existing skate park;
11. Provision of 'pump' track;.
12. Compensatory tree planting on and off-site.

At Gregness (Zone B) indicative plans show a developable area of 4.2 ha with a building of 5,600m² Gross Floor Area (GFA), shown of the same maximum height (18 m) and on a roughly similar footprint (albeit larger) 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 show 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 proposed in the reinstated area. The coastal path around the eastern edge of the site would be restored. The site is 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 is a steep fall to the sea.

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

At Doonies (Zone C) indicative plans show a developable area of 5.34 ha, with circa five units of overall 30,650 m² GFA. Indicative building heights are 12m. This site area includes potential road links through to Peterseat Drive. The existing site contains Doonies Farm, now closed, with the farmhouse, steadings and yards within an area of approximately 1ha, and fields (improved grassland) covering 4.34ha and scrub / grassland covering 4.35ha. The land is gently sloping and

of an open agricultural character. Ground contours fall 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 are unknown, and it is 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. Linked off-site mitigation is 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), are the subject of a current planning application (240620/DPP) and are likely to impact the Coast Road edge of the site.

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

Surface water from the northern area of the Doonies site is 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 southern point the railway is on an embankment where it crosses on a bridge over a field access track. It is proposed that an outfall would pass under the railway at this point.

Combined and foul sewers exist within or close to each site where connection could be made subject to any mitigations required by Scottish Water.

Amendments

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

Supplementary information has been submitted. The indicative building at Gregness has been reduced in massing with a reduction in length and the height indicated as partially 8m and partially 18m, which is more closely comparable with the building that exists on site. Revised CGI viewpoints have been submitted accordingly.

Further plans and sections have been submitted that provide clarification of the proposals on all three site areas in terms of existing and proposed (indicative) ground levels, on and off site compensation and mitigation proposals.

A revised Biodiversity Protection and Enhancement Plan (BPEP) and associated EIA Report Chapter 8: Biodiversity, Ecology and Nature Conservation of the have been submitted.

A revised Tree Loss and Compensation Plan has been submitted.

A layout plan indicating the proposals for the Coast Road/Aberdeen South Harbour Link Road (ASHLR) as per the current planning application Re. 240620/DPP overlaid onto the ETZ application proposals. It should be noted that the ASHLR proposal has recently been revised and this very recent change is not reflected in the ETZ plan.

Following receipt of these amendments the application was re-advertised in the press (Evening Express on 31 July and Edinburgh Gazette on 2 August 2024), site notice posted and neighbours re-notified.

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=S3FQANBZH5900>

Environmental Impact Assessment Report (EIAR) by Ironside Farrar, October 2023, including need for the project, description of proposal, alternatives considered, summary of environmental commitments and environmental assessment with the following:

- Revised Chapter 8: Biodiversity, Ecology and Nature Conservation;
- Landscape Framework, Landscape and Visual Impact Assessment (LVIA) by Ironside Farrar, including updated viewpoints (July 2024);
- Biodiversity Protection and Enhancement Plan, Version 5, June 2024, by ECOS Countryside Services LLP;
- ETZ / Aberdeen South Harbour Link Road (as proposed) overlay drawing;
- Tree Survey by Struan Dalgleish Arboriculture;
- Population and Health Report by Dr Martin Birley ;
- Cultural Heritage Report by CFA Archaeology Ltd;
- Air Quality, Climate Change and Noise & Vibration by ITPEnergised Ltd.

Statement of Community Benefits by Ironside Farrar October 2023;

Planning Statement by Ironside Farrar;

Site Investigation - Doonies by Ironside Farrar;

Site Investigation – Gregness, by Ironside Farrar;

Site Investigation – St Fittick’s, by Ironside Farrar;

ETZ Masterplan (Draft) by Ironside Farrar;

Transport Assessment by Systra;

Pre-Application Consultation (PAC) report by Ironside Farrar, October 2023;

Flood Risk Assessment Version 2.0 by Kaya, August 2023;

Drainage Assessment V1 by Ironside Farrar.

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee (PDMC) because it is a Major Development in terms of the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009 and is recommended for approval whilst being the subject of more than 5 letter of objection and an objection from the local Community Council and Scottish Environment Protection Agency. The application therefore falls outwith the Council’s Scheme of Delegation

Pre-Application Consultation

The applicant presented to the Pre-Application Forum on 24 August 2023.

The applicant undertook statutory pre-application consultation which included:

Two public events:

Event 1- Thursday 29th June 2023, 3pm-8pm

The first consultation event included a series of boards which provided information on the site and emerging proposals with the opportunity to comment, raise issues or ask any questions to members of the Project Team.

Event 2- Thursday 3rd August 2023, 3pm-8pm

A second consultation event provided further developed proposals and responses to issues previously raised with the opportunity to comment, raise issues or ask any questions to members of the Project Team.

In addition, throughout the consultation period, questions or comments could be made by:

- Phone - (0131) 550 6500 (Mon - Fri, 9am - 5.30pm).
- Email – etz@ironsidefarrar.com
- Post to 111 McDonald Road, Edinburgh, EH7 4NW.

Consultation material was published online to a dedicated ETZ website (<http://www.ironsidefarrar.com/etz.htm>), allowing those unable to attend the event to review and comment on the proposals.

The event was advertised as follows:

- Proposal of Application Notice was sent to Aberdeen City Council, Torry Community Council, Cove & Altens Community Council and Local Members for Torry / Ferryhill Ward and Kincorth / Nigg / Cove Ward.
- A local flyer-drop advertising the event to c. 9,000 residential addresses within communities of Torry, Balnagask and Cove.
- Circulation of a consultation event flyer via email to all attendees of previous ETZ Consultation Events that have provided contact details and wish to be kept informed about further consultations.
- Circulation of a consultation event flyer to local community media and groups and organisations with capacity to circulate: SHMU/Torry Vision, Old Torry Community Centre, Altens Community Centre, Balnagask Community Centre, Tullos Management Committee, Torry Community Group, King's Community Church, Tullos Community Garden, Old Torry Heritage Group, Torry Library, Cove Library, Greyhope Bay, Cultivate Aberdeen, Torry People's Assembly, St Fittick's Church, Jesus House, Sacred Heart Roman Catholic Church, Friends of St Fittick's, Big Noise Torry, GREC, Balnagask Golf Club, Deeside Family Resource Centre.
- A newspaper notice advertising the consultation arrangements and events was published at least 7 days before the events took place in accordance with Regulations.

CONSULTATIONS

ACC - Roads Development Management Team – As this application is for 'Planning Permission in Principle', full details of much of the proposed shall be required to be conditioned and purified as part of future MSC applications. There are no significant concerns.

It is noted that the further information shows the potential direct access between Plot C at St Fittick's/Zone A and the South Harbour. Specific requirements would need to be agreed with ACC Roads and the Port of Aberdeen.

Other projects, notably upgrades to Coast Road in the form of the Aberdeen South Harbour Link Road (ASHLR) propose to bring substantial upgrades to the adjoining network which will improve/provide new active travel facilities and provide new links to these proposed development sites. The further information from the applicant notes that, as the current application ('ETZ application') and the Coast Road application progress, plans and drawings will be updated to combine the respective proposals. The Roads Team consider it acceptable that this could be managed via appropriately worded conditions requiring layout plans of the Doonies/Zone C and Gregness/Zone B sites showing locations of buildings, landscape and other infrastructure.

Noted that changes to core paths are proposed and these will be developed further through consultation and detailed applications.

Ensure that an active travel link is provided from the St Fittick's Park site, on core path 108 through to Girdleness Road and Kirkhill Place. This link would provide a route to Wellington Road and greater connectivity of existing active travel/core path network. This would further help facilitate active travel choices to and from the site.

A number of matters would need to be agreed at detailed stage:

- Transport Assessments where required in accordance with the APG: Transportation
- Bus stops should be provided and public transport access strategy;
- Vehicle and cycle parking, space sizes and electric vehicle charging;
- Access via upgraded Coast Road / Hareness Road is acceptable but contingent on upgrades progressing. Measures may be required to enforce the use of this route;
- Construction traffic routing;
- Accesses on the public road, possibly requiring level changes as part of the Coast Road upgrades;
- Visibility splays;
- Safe pedestrian routes within sites;
- Vehicles being able to enter and exit in forward gear;
- Access strategy for abnormal loads;
- Travel Plan;
- Waste Management Plan, including storage of refuse and access for collection vehicles;
- Drainage Impact Assessment – no water retaining features would be permitted within 5m of public road/footway.

The scope of traffic modelling was discussed with the Roads Team. The conclusion of the modelling work is accepted, and it is noted that the impact on the road network does not appear to be significant. It is noted that there are queues at Wellington Road junctions, and possible impact on junctions in Torry, these may require to be considered further.

Measures such as signage and calming measures may be required to ensure that larger vehicles do not travel west and north along St Fittick's Road. Previously it has been considered acceptable for smaller vehicles to use links to north and west, however, at detailed stage impacts on junctions in Torry will need to be considered.

Impacts of link through to Peterseat Drive will also require to be considered at detailed stage.

ACC - Environmental Health – The Air Quality Impact Assessment (ITP Energised, October 2023) has been reviewed and its findings are considered acceptable – “no mitigation measures are deemed to be required with regard to operational traffic emissions”.

Environmental noise (operational phase): generally in agreement with findings:

- no significant effects from road traffic
- noise limits set for proposed developments, assessment will be needed at detailed stage. Condition recommended.

Construction noise and dust:

- Construction Environmental Management Plan should be updated at detailed design stage.

ACC - Structures, Flooding and Coastal Engineering – Does not object following review of: 1) the updated Flood Risk Assessment Rev 3.0 dated March 2024 and 2) the Environmental Impact Assessment Report (EIAR) Chapter 10: Water Environment, Flood Risk and Drainage dated October 2023 and has the following comments:

- The proposed developed area of St Fittick's/Zone A sits partially within the baseline flood risk area, therefore according to Policy 22 of the NPF4 should not be acceptable unless it falls into one of the exceptions under the same policy. However, the proposed developed area of Zone A sits outside of the flood risk area after the proposed works. Proposed works include the realignment of East Tullos Burn and land raising. From a flooding perspective, the Flood team has no concern as the proposed realignment of East Tullos burn and land raising do not pose flood risk to a future development in Zone A or increase flood risk elsewhere outside the site. Any decision regarding NPF4 Policy 22 falls under the remit of the Council's Planning Service.
- The Water Environment, Flood Risk and Drainage document proposes that there will be no attenuation volumes and restriction on the forward discharge rate due to direct connection to coastal waters. From the flooding perspective, this is generally acceptable, however it is proposed that the new hardstanding areas would be connected to existing pipes (for example under the railway line). This may increase flood risk within the pipes or elsewhere so there may be a requirement for attenuation. The above is noted to be considered for any future planning applications and detailed drainage proposals.
- Encouragement is given to SUDS types / designs (Sustainable Urban Drainage Systems) that increase biodiversity and amenity.

Scottish Environment Protection Agency (SEPA) – commented as follows:

Flooding

Request a modification to any consent granted, if this is not made, SEPA object. The requested modification relates to the site boundary to exclude the flood risk area – this is detailed further below. SEPA state that if the planning authority propose to grant planning permission contrary to SEPA's advice, the proposal would be likely to require notification to the Scottish Ministers.

Policy 22 (Flood risk and water management) of NPF4 states that development will only be supported where it falls into one of the exceptions in section a). Any such development proposal would also need to provide adequate compensatory storage provision.

SEPA is satisfied that the Flood Risk Assessment (FRA) gives an appropriate representation of flood risk and accords with information held by SEPA. It is noted that work is ongoing between consultants to ensure and review data. The FRA shows that an area on the left/north bank of the burn is within the flood risk area. On the basis that none of the Policy 22 exceptions apply to the application proposal, the site boundary would need to be modified, with this feeding through to plans for the St Fittick's/Zone A area at the detailed planning stage.

The FRA includes proposals for realignment of the burn and compensatory flood storage which would allow development of the currently proposed site, such that SEPA are satisfied with the technical information provided. If the application proposal fell within one of the policy exceptions, SEPA would not object on technical grounds, although would require a condition for an updated FRA once the review noted above has been completed. SEPA confirm that it would not object (subject to FRA) if more limited works, of a nature compatible use (nature conservation and biodiversity) were proposed to the burn. .

SEPA's Hydromorphology team are broadly satisfied with what was proposed, ie that there would be no reduction in wetland area and that the channel works are potentially consentable under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR).

SEPA have no objection to the proposals at Gregness/Zone B and Doonies/Zone C. The objection relates to the inclusion of part of the northern area of St Fittick's/Zone A within the development / land raising area as this is a 1 in 200 year + climate change flood plain.

Water Quality in Tullos Burn

It is also noted that SEPA have been involved with a programme of measures to improve water quality in East Tullos Burn (some of which falls outwith the scope of the planning application). This may include proposals for an attenuation basin on the burn, to retain sediment and pretreat to address heavy metal and hydrocarbon pollution originating from the East Tullos Industrial Estate.

Air Quality

In terms of air quality, the site is not within an Air Quality Management Area (AQMA) However, there is potential cumulative impact upon local air quality particularly from changes to traffic density/ flow during the construction phase. Short-term particulate emissions associated with construction activities may also be an issue.

The Air Quality Assessment uses industry standard modelling (ADMS Roads) and Defra background modelled pollution concentration maps and validates the outputs against automatic and relevant passive nitrogen dioxide monitoring data to predict negligible impact on sensitive receptors and no exceedances of any National Air Quality Objective levels. SEPA agree with the adoption of this methodology.

SEPA notes that ACC, in their capacity as the Planning Authority will need to be satisfied that any subsequent impact on the surrounding road network, and in particular, the impact of this development on near-by receptors does not have the potential to lead to any future air quality issues and that conditions of the dust management plan are implemented in full.

Drainage

During the consultation stage, roadside SUDS were agreed with ACC, to ensure that roads would not drain without treatment to the sea. Detailed drainage proposals should be confirmed to the satisfaction of ACC.

Discussions included the use of filter trenches. With a road serving an industrial area, it would be difficult to ensure no pollution entered the environment without some form of quality treatment. While there is no requirement for SUDS to coastal waters, there is still an obligation to ensure that a discharge does not contain pollution. CAR General Binding Rule 10 subsections (b) - (h) still apply, even if SUDS are not required because the discharge is to coastal waters. Additionally, high risk areas should not drain to surface water, even where that surface water is the sea.

The SUDS proposals state that they will retain the existing hydrological regime, but without attenuation. It is unclear how a greenfield site can be developed and maintain the hydrological regime if no form of attenuation is proposed. Whilst this is a matter for ACC, we would highlight that the only proposal is for 'source control' without any specification as to what that might comprise.

Pollution Prevention

The Construction Environment Management Plan (CEMP) contains no details of soil type investigations or how the construction phase drainage will be designed. Lenses of highly charged fine clay soil were found during the south harbour works. There is the potential for additional lenses to be in the area.

Regardless of the requirement for SUDS, there remains an obligation to prevent pollution of the water environment, and construction phase drainage should be implemented to control pollution from construction activities. The Surface Water Drainage Scheme does not refer to construction phase drainage design. When detailed planning permission is sought more detailed drainage proposals, during the construction phase, will need to be brought forward to ensure regulatory compliance.

Historic Environment Scotland (HES) – HES do not object. Although there would be a significant impact on the integrity of the setting of the scheduled monument St Fittick's Church (SM10400) as a result of the proposals, the mitigation and compensatory measures proposed are welcomed. They would not fully mitigate, but would lessen, the adverse impact.

Agree that impact on Tullos Cairn Scheduled Monument is minor, although moderate when considered with the proposed consented solar farm at Ness Landfill.

Network Rail – Object - further information is required. Issue relates to existing and new surface water drainage infrastructure proposed under the railway. No further comments were received following re-consultation.

Scottish Forestry – National Forest Inventory identifies greater area of tree loss than the application submissions in Zones A (St Fittick's) and C (Doonies). In Zone A compensatory planting is insufficient to offset previous and proposed loss of woodland. The discrepancy between the figures should be ground truthed and corresponding compensatory planting areas should be sought. No response was received to the re-consultation.

Health and Safety Executive (Explosives) – The development site at St Fittick's falls within the consultation distances of the nearby Health and Safety Executive (HSE) licensed explosives site at South Harbour. HSE has considered the effect that the explosives operations permitted under the licence might have on the proposed development and has concluded that if the development is granted permission to proceed, the external population density permitted in the reference zone for the explosives site will be exceeded. Therefore, whilst the probability of a major accident involving explosives is low, the consequences for people at the development could be serious and so if permission were granted for the development at St Fittick's HSE would review the explosives site licence. This review may result in the facility's explosives capacity being significantly reduced, potentially impacting the commercial viability of the site.

HSE advised that the Planning Authority may wish to discuss the consequences of the proposed development with the licensee of the explosives facility before making its decision, see below. The Licensee is Aberdeen Harbour Board (XI/4811/92/9 – latest licence number)

Aberdeen Harbour Board / Port of Aberdeen – Notes recent correspondence from the Health and Safety Executive (HSE) in respect of this planning application.

Confirms that Port of Aberdeen's North Harbour has been a Health and Safety Executive (HSE) Licenced Explosives handling site since 2007. Following a robust and extensive evaluation process by the HSE, the port was granted the same status for its South Harbour in March 2024. The process considered the suitability of the location, risks to surrounding areas and structures and operations at South Harbour.

Advised that explosives licences are granted with specified maximum limits and are then routinely reviewed to take into account any future developments in the surrounding area. Vessel arrivals with explosives (e.g. well decommissioning) are risk assessed to consider existing activity in the port.

Port of Aberdeen continues to support the Planning Permission in Principle application and will review the impact of the license or comment accordingly as detailed applications come forward.

NatureScot – Object unless the proposal is made subject to certain measures to avoid adversely affecting the natural heritage interests of national importance at Bay of Nigg SSSI. It is noted that it is proposed to address these concerns through on-site surface water controls agreed as part of a Construction Environment Management Plan (CEMP) and SUDS.

Previously advised the proposal would have no adverse effect on the integrity of the River Dee Special Area of Conservation (SAC) – this was confirmed in response to the Council's Habitats Regulation Appraisal (HRA) on the Energy Transition Zone Masterplan (ETZ Masterplan).

Note findings of otter survey, however, aware that otters may make use of area, and pre-commencement surveys would be required for St Fittick's Park (Zone A).

ACC - Waste and Recycling – Business waste collections would be required for the uses proposed. Swept path analysis to show refuse vehicles accessing each site and bin storage, would be required.

ACC - Developer Obligations – Given the scale of development it is considered that the mitigation measures - core path enhancement, enhanced quantity/quality of open space and recreational facilities should be provided by the developer through new and enhanced infrastructure within the masterplan area and this would be preferred over financial contributions. The impacts on community infrastructure that require to be mitigated to make the application acceptable in planning terms should be recognised separately to that of the wider community benefits package. Further detail of the mitigation measures should therefore be provided as part of the planning application which sets out the type, location, timing and responsibilities for delivery of mitigation measures required to make the development acceptable under Policy I1 and how these interventions will be implemented in advance of, or alongside, future detailed planning applications for the individual sites across the ETZ area. The measures will need to be secured through either planning condition or, where that is not competent, then by a suitable legal agreement.

It should be noted that the further submissions include addition information about mitigation measures, and these will be the subject of further consultation in terms of Developer Obligations.

sportscotland – Site includes a recreational playing field within the St Fittick's Park area. Policy 21 of NPF4 states that loss of sports facilities will only be supported where replacement or upgrade of existing facilities is provided, in a convenient location, or there is a clear excess of provision. This should be informed by the authority's Open Space Strategy and/or Plan Sufficiency Assessment and in consultation with sportscotland. Proposal would need to be justified against the provisions of the policy.

There is an existing set of combination MUGA goal units within the playing field to the West of the Scottish Water Nigg treatment works. Given the existence of an outdoor sports facility at the site sportsotland would seek justification for the proposal against the provisions of policy 21 NPF4 and LDP Policy NE2 as detailed above.

The Planning Supporting Statement sets out local policy assessment against LDP Policy NE2 relating to the impact on green infrastructure within the site, including St Fittick's Park, under 'Green & Blue Infrastructure' p44-48. Reference is made to improvement and enhancement measures that will be made to off-set impacts and meet policy provisions, delivered by way of planning conditions/obligations. It states that further consultation with local communities and stakeholders will be undertaken. A list of measures is contained within the Planning Supporting Statement, this includes - "Provision of improved play and recreation facilities within St Fittick's Park, to improve the overall quality of infrastructure."

The principle of compensatory measures to off-set the impacts of the development on outdoor sports facilities is generally accepted, provided these are dealt with through a linked, robust delivery mechanism such as a time-limited planning condition or obligation and that compensation is adequate. sportsotland request further consultation on both the proposed measures and detailed wording of the planning condition.

In an advisory capacity, sportsotland state that the exercising of access rights is critical to participation in a range of outdoor sports and support measures where these are adequately protected.

Archaeology Service (Aberdeenshire Council) – Past archaeological trial trenching found limited remains, with further potential especially around St Fittick's church. A watching brief would be required. On other sites micro-siting of works around boundary stones would be required. A standing survey is required for Doonies farmhouse, which would be demolished.

Mitigation is required for the visual impact on the setting of the Scheduled Monument of St Fittick's Church – this is proposed in the EIA.

Agrees with the results, assessments, conclusions and recommendations in the EIA and requires conditions to be attached to any approval – requiring watching brief, survey of farmhouse and protective fencing to features during construction.

Scottish Water – No objection. Unable, at this stage, to confirm water supply capacity. Suggests applicant submits an enquiry. Currently there is sufficient capacity for foul water treatment only, at Nigg WWTW. Surface water typically would not be permitted into combined sewer system. There is live infrastructure in the proximity of the development area – various water mains, this may put restrictions on construction

North East Scotland Biological Records Centre – Responded with search data for all notable species records, habitats and conservation sites within a 200m radius of the site.

ACC - Land and Property Assets – No comments received.

ACC - City Growth – No comments received

Torry Community Council – Object in the strongest terms to allowing construction on part of St Fittick's Park. St Fittick's Park is green belt and is the only green space left in Torry for the use of the people of Torry.

Granting of this planning permission would have severe impact on the people of Torry, not only due to losing the last green space available, but also to their physical and mental well-being and due to losing the abundance of wildlife in this area. There are ample sites in the nearby area of Altens that can be used for the purpose of the ETZ.

Police Scotland – This is a medium crime area. Comments in relation to: crime reduction measures during construction phase; creating environments that reduce opportunities to commit crime with design led solutions as cost effective, resource efficient and highly impactful means of improving the quality of life. Attributes of sustainable communities should be incorporated. Vehicular and pedestrian routes should be open, direct and well used. Further detailed advice is provided.

Scottish Government – No comments received

Royal Society for the Protection of Birds (RSPB Scotland) – No comments received

REPRESENTATIONS

Following receipt of further information on 16th July 2024, neighbours were re-notified, re-consultation took place and the application was re-advertised. The period for receipt of representations expired on 2nd September 2024 and no further representations from third parties were received.

Representations have been made by a total of 233 people. This includes 221 letters of objection and twelve (12no.) letters of support.

The material planning considerations raised in objection can be summarised as follows:

- Loss of valuable green open space / St Fittick's Park;
- Impact on health and well-being of local community;
- Impact on wildlife;
- Impact on wetlands and Tullos Burn;
- Impact on historic environment;
- Appropriateness of sites and alternatives;
- Contrary to NPF4 and ALDP Policy;
- Lack of meaningful participation and consultation with local people;
- Inadequate mitigation measures;
- Insufficient information to properly assess the application – development details and community benefits;
- Aberdeen City Council is involved with the development and not an appropriate body to decide application;
- Inappropriate if Net Zero is to be achieved at the expense of social justice and biodiversity conservation;
- Preferable to use existing brownfield land rather than greenfield.

The material planning considerations raised in support can be summarised as follows:

- Essential development for NE Scotland to secure strategic investment in renewable energy;
- Would address shortage of commercial opportunities around the South Harbour;
- Addresses currently inadequate infrastructure for the renewable energy sector;
- Boost for local economy and positive message for a just transition.

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. Relevant policies are:

1. Tackling the climate and nature crises
2. Climate mitigation and adaptation
3. Biodiversity
4. Natural places
5. Soils
6. Forestry, woodland and trees
7. Historic assets and places
8. Green belts
9. Brownfield, vacant and derelict land and empty buildings
10. Coastal development
11. Energy
12. Zero waste
13. Sustainable transport
14. Design, quality and place
15. Local living and 20 minute neighbourhoods
18. Infrastructure first
19. Heat and cooling
20. Blue and green infrastructure
21. Play, recreation and sport
22. Flood risk and water management
23. Health and safety
24. Digital infrastructure
25. Community wealth building
26. Business and industry

Aberdeen Local Development Plan (2023) (LDP)

B5 – Energy Transition Zone B4 – Aberdeen Harbours
Zone A – OP56 (St Fittick's) and small section of OP62 (South Harbour)
Zone B – OP62 (South Harbour)
Zone C – OP61 (Doonies) WB1 – Healthy Developments
WB2 – Air Quality
WB3 – Noise
NE1 – Green Belt
NE2 – Blue and Green Infrastructure:

NE3: Our Natural Heritage
NE4: Our Water Environment
NE5: Trees and Woodland
D1 – Quality placemaking
D2 – Amenity
D3 – Big Buildings
D4 – Landscape
D5 – Landscape Design
D6 – Historic Environment
D7 – Our Granite Heritage
R5 – Waste Management
R6 – Low and Zero Carbon Buildings and Water Efficiency
R8 – Heat Networks
I1 – Infrastructure
T1 – Land for Transport
T2 – Sustainable Transport
T3 – Parking
C11 – Digital Infrastructure
B1 – Business

Aberdeen Planning Guidance

- [Energy Transition Zone Masterplan](#)
- Natural Heritage
- Open Space and Green Infrastructure
- Flooding, Drainage and Water
- Air Quality
- Waste Management Requirements for New Developments
- Resources for New Developments
- Landscape
- Big Buildings
- Transport and Accessibility
- Outdoor Access
- Trees and Woodland
- External Materials and Their Use – including on green roof and wall infrastructure

EVALUATION

Environmental Impact Assessment

An Environmental Statement (ES) was required as the development falls within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017. An ES has to identify the likely environmental effects of a project through the study and analysis of individual issues, predicting and assessing the projected impacts and proposing measures to mitigate the effects. Before determining the application, the planning authority must take into consideration the information contained in the ES, including any further information, any comments made by the consultation bodies and any representations from members of the public about environmental issues. The ES is submitted in support of the planning application, but it is not part of the application itself. However, provided it serves a planning purpose, any information from the Environmental Impact Assessment process may be material and considered alongside the provisions of the Development Plan.

Adequacy of the Environmental Statement

Before considering the merits of the proposed development it is appropriate to comment on the ES submitted in support of the application. There is no statutory provision as to the form of an ES but it must contain the information specified in Part II and such relevant information in Part I of Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 ("2017 Regulations") as is reasonably required to assess the effects of the project and which the developer can reasonably be required to compile. Whilst every ES should provide a full factual description of the development, the emphasis of Schedule 4 is on the 'main' or 'significant' environmental effects to which the development is likely to give rise. An ES must comply with the requirements of the 2017 Regulations, but it is important that it is prepared on a realistic basis and without unnecessary elaboration. It is for the planning authority to satisfy itself on the adequacy of the ES. If it is deemed to be inadequate, then the application can be determined only by refusal. In terms of the current application, overall, the ES is considered to be satisfactory, thus meeting the requirements of the 2017 Regulations.

As the application is for Planning Permission in Principle, together with future applications for Matters Specified in Conditions (MSC), it would be considered a 'Multi-Stage Consent' in terms of the EIA Regulations. As such, MSC applications linked to any permission granted would need to either fall within the scope of those environmental impacts considered in the EIA, or would need to be accompanied by additional supplementary information. Where that is not supplied by an applicant, the planning authority may require it to be provided.

Habitats Regulations Appraisal

It should be noted that a Habitat Regulations Appraisal (HRA) was carried out for the ETZ Masterplan and the current application falls within the scope of that appraisal, with the findings being that there would be no significant impact on a Special Area of Conservation (SAC)

Principles of Development

St Fittick's / Zone A is zoned under ALDP Policy B5 – Energy Transition Zones where there is a presumption in favour of the development, production, assembly, storage and/or distribution of infrastructure required to support renewable energy related industries; this includes offshore wind, tidal, hydrogen and solar.

Infrastructural/transport improvements directly related to the wider Energy Transition Zone will be permitted where they have a functional requirement to be located there. Development proposals will be required to include suitable open space and landscape enhancements for the wellbeing of people and wildlife.

St Fittick's is also covered by the OP56: Energy Transition Zone, and OP62: South Harbour land allocations is the ALDP. The OP56 description states that this site, along with OP61 (Doonies), will support renewable energy transition related industries in association with Aberdeen South Harbour. Any development at this site must have a functional association with the South Harbour which precludes it 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.

The OP56 description also states that appropriate environmental assessments will be required, including a Habitats Regulations Appraisal to accompany development proposals in order to avoid adverse effects on the qualifying interests of a range of European sites. A Flood Risk Assessment is also required. Other issues which need to be addressed include water quality and habitats

associated with the East Tullos Burn, heritage impacts, recreational access, habitat connectivity, compensatory planting and landscape buffering with residential areas.

The OP56 description also requires a joint masterplan for OP56, OP61 and OP62. This has been approved by committee and is a key document in the consideration of the application.

The indicative proposals within this PPP application at St Fittick's are similar to those in the ETZ Masterplan. In terms of Policy B5: ETZ, a condition is recommended, which would appropriately restrict the uses proposed under future MSCs, to those noted within the policy and quoted above. The realigned road which is indicated along the southern edge of the northern part of the site, would fall within the Policy as a transport improvement. Open space and landscape impacts are covered below.

In addition to the requirements of Policy B5, OP56 requires there to be a functional association with South harbour and this is also proposed to be controlled via condition. A Habitats Regulations Appraisal has been carried out and finds no impact on the qualifying interests of European sites of the River Dee SAC. A flood risk assessment has been submitted and this is covered below. Water quality of East Tullos Burn, and other matters are covered below.

A small section of St Fittick's Park, namely, the area to the north east which was used as a compound by the Harbour, is within the OP62 Bay of Nigg (Aberdeen South Harbour) site, and this has similar information requirements to OP56, with no similar requirement for a functional association with the Harbour which precludes it being located elsewhere. However, given that the northern area of the site partially extends into OP56 and the inter-relationship between the two areas, the recommended condition applies the requirement for a functional association with South Harbour to the full extent of St Fittick's/Zone A. Zone A has been treated as a single development area in both the Masterplan (known as the Marine Gateway) and supporting information as part of the current PPP application. It is also recognised that the future development area with the OP62 part of Zone A has the highest potential for a harbour related use, given its quayside location.

Gregness / Zone B is partly zoned under Policy B5 – Energy Transition Zones and partly under ALDP Policy B4 – Aberdeen Harbours. Within B4 areas there is a presumption in favour of harbour infrastructure and ancillary uses, which are required for the effective and efficient operation of the harbour, and which have a functional requirement to be located there. This may include administrative offices, warehousing and storage (including fuel storage), distribution facilities and car/HGV parking. Other harbour-related uses will be considered on their merits.

Mixed-use development within the area surrounding the harbour must take account of the character of the area and avoid undue conflict with adjacent harbour-related land uses. New development must not impinge upon the viability or operational efficiency of the harbour, or of existing businesses within the harbour zoned area. Mitigation measures may be required in order to permit uses which could otherwise give rise to such conflict.

The whole of the Gregness site falls within Opportunity Site OP62: Bay of Nigg (Aberdeen South Harbour) and is identified as part of Aberdeen Harbour expansion. As noted earlier it is covered by the ETZ Masterplan, and key issues are identified as re-instatement of the coastal path and recreational access.

The indicative proposals at Gregness are also similar to those in the Masterplan, with the exception of the indicative building heights, which have been reduced to those of the existing building on the site.

In terms of the use of the site, the northern portion is covered by Policy B4: Harbours and OP62, whereas the southern half of the site is covered by Policy B5: ETZ and OP62.

Policy B4 notes harbour related uses as being treated on merit, with a presumption in favour of harbour infrastructure and ancillary uses which are required for the effective and efficient operation of the harbour and have a functional requirement for a harbour location. This requirement would be covered by condition which requires renewable energy related uses with a relationship to the Harbour.

The southern portion of the site falls within Policy B5: ETZ and OP62. This area would therefore not be required by Policy B5 and OP62 to have a functional association with the Harbour, although it would be required to contain renewable energy related uses; however, the Masterplan states the site benefits from the proximity to the Harbour and the ability to transport materials downhill over a very short distance. The indicative plans show a building on the northern portion with small scale use or yard areas to the south it is also noted that plans submitted for the separate Coast Road project (under application Ref. 240620/DPP) show the southern area of Gregness as being required for the realigned Coast Road.

Doonies/Zone C is zoned under ALDP Policy B5 – Energy Transition Zone where, as previously noted, development must relate to renewable energy industries.

The Opportunity Site OP61 covers Doonies: it states that this area along with OP56 (St Fittick's) will support renewable energy transition related industries in association with Aberdeen South Harbour. Similar requirements apply as for OP56, in terms of Habitat Regulations and ecological surveys.

The principle of development on these sites is established by Policy B5 in the LDP and by the ETZ Masterplan. The indicative proposals, with conditions, would comply in principle with the development plan and it is the details of the extent of developable areas and suitable mitigations that fall to be considered below.

LDP Policy B1 – Business: supports development of business, industrial and storage and distribution uses. A Small area adjacent to Peterseat Drive falls into this designation.

Policy 11: Energy in NPF4 promotes all forms of renewable energy development, with its Policy Outcome aims being the expansion of such technologies. The ETZ policy B5 in the LDP requires development on the application site to be related to renewable energy and this is controlled by the conditions recommended. The proposals would therefore facilitate the aims of Policy 11, in principle, whilst not necessarily consisting of energy generation, distribution or storage in and of themselves.

In the NPF4 Annex B, National Development 14: Aberdeen Harbour, it is recognised that the Harbour can act as a cluster of port accessible services, including for manufacturing. It states that at South Harbour the focus should be on regenerating existing industrial land and reorganising land use around the Harbour in line with the spatial strategy of the LDP. It is recognised that environmental benefits such as enhancing access and improving quality of green space should be designed in to help off-set any potential impacts on the amenity of the local communities. However, the extent of inclusion of additional business and industrial development outwith the north and south harbours is to be determined by the LDP – as has been described above.

Flooding and Drainage

The St Fittick's/Zone A site includes an area shown as flood plain on SEPA's flood maps as noted above. The area in question is to the north east of the Burn and largely falls into the area used until recently as a construction compound for the ASH. It is currently being cleared of rubble and

materials. NPF4 Policy 22: Flooding, states at a) Development proposals at risk of flooding or in a flood risk area will only be supported if they are for:

- i. essential infrastructure where the location is required for operational reasons;
- ii. water compatible uses;
- iii. redevelopment of an existing building or site for an equal or less vulnerable use; or.
- iv. redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that long term safety and resilience can be secured in accordance with relevant SEPA advice.

It is considered that the proposal does not fall within any of the above exceptions, for the following reasons:

- i. The end users of the development sites are unknown, however, at St Fittick's these would be restricted (by condition) to renewable energy related uses with a functional locational requirement to be adjacent to the south harbour. Essential Infrastructure is defined in NPF4 as including: all forms of renewable, low-carbon and zero emission technologies for electricity generation and distribution. To accord with the condition proposed an end user would need to support renewable energy transition related industries. It is therefore concluded that, whilst development would not fall into the definition of 'essential infrastructure', it would be closely related.
- ii. The proposed uses are not water compatible, which includes uses such as harbours.
- iii. and iv. The proposal would not consist of redevelopment of an existing building or site, or previously used site within a built up area.

It is concluded that the proposal does not strictly fall within any of the categories of exceptions to the general presumption against development within flood plains in Policy 22 of NPF4. As a result, any decision by PDMC to approve the application would need to be subject to referral to Scottish Ministers due to the objection in principle from SEPA.

Policy NE4 in the ALDP contains a subtly different approach, stating: "Development on the functional floodplain will only be considered where its location is essential for operational reasons and for water compatible uses." As noted above the uses approved under future MSCs at St Fittick's would need to comply with the recommended condition in relation to energy transition related uses that have a functional association to be close to the Harbour and precludes them from being located elsewhere. Such uses would therefore have to justify why the location is essential for operational reasons, and it is considered that any use complying with the condition would also accord with the above noted requirement of Policy NE4 regarding flooding considerations.

In terms of evaluating the application against section a)i. of NPF4 there are a number of considerations:

- Indicative proposals for the area indicated as flood plain are for the locally realigned St Fittick's Road/Coast Road and two units with harbour side yard area.
- The functional relationship of end uses to the Harbour would be required by the attachment of condition.
- It is noted that the South Harbour itself is Essential Infrastructure in terms of NPF4 Policy 22 and that the proposal would be part of the clustering of intrinsically linked uses around the Harbour, as envisaged by the Energy Transition Zone allocations in the LDP. Such land adjacent the Harbour is a finite resource, with the site in question being in a key position to take advantage of the proximity of the harbour side.
- The applicant states in their letter of 14th June 2024 on this matter, that the area of floodplain arose from a local low point in the bank to the north of the Burn, associated with the 2014 restoration works and due to backing up of water from the culvert under the Coast Road downstream.
- As noted below, post development, this area would no longer be a flood plain and would not result in flooding elsewhere.

Policy 22 goes on to require that in the case of the exceptions noted above, where development within a flood risk area is accepted, all risks of flooding are addressed; there is no reduction in capacity increased risk for others, or need for future flood protection schemes; the development remains safe and operational during floods; flood resistant and resilient materials and construction methods are used; and future adaptations can be made to accommodate the effects of climate change.

ALDP Policy NE4 – Our Water Environment states that development will not be supported if; it increases the current and/or future risk of flooding on site or elsewhere by reducing the ability of the functional flood plain to store and convey water; or through the discharge of additional surface water; or by harming flood defences. Nor would development be supported where it would be at risk of flooding itself; there would not be adequate buffer strips to watercourses, or it would require new flood defences.

In terms of technical matters, a recommended condition would require the submission of a detailed Flood Risk Assessment as part of MSC applications on the relevant site areas. This would ensure due to level changes that the development would not be at risk of flooding itself, and this aligns with indicative plans that have been submitted.

The submitted FRA demonstrates that there would be no reduction in capacity as a result of the development on St Fittick's Park as flood water would instead be accommodated in the wetland area of the Park, which would itself be configured as part of the works to the Burn. There would be no flood risk passed on to other sites or requirement for flood defences and from the flooding perspective there would be adequate buffer strips to the Burn.

In terms of Flooding Policy in the development plan, the proposal would not comply with the uses permitted in a flood plain by NPF4, although there are considered to be a number of mitigating factors. The proposal would comply with the principles in ALDP Policy NE4 and in technical terms

would be compliant with the requirements of both policies. Both SEPA and the Council's Flood Team agree that the technical aspects of the proposal in relation to flooding are acceptable, subject to condition requiring development specific details at MSC stage.

With regard to drainage details, this is the subject of conditions and would also be the subject of MSC applications. This would include clarifications sought by Network Rail on the Doonies' drains which pass underneath the railway to the coast. The applicant has confirmed that the southern drain is underneath a track which passes under the railway, whilst the northern Doonies drain requires further investigation regarding condition and capacity but passes underneath the railway close to the northern end of the Doonies' site.

Trees and Woodland

Trees are protected by Policy NE5 - Trees and Woodland of the ALDP. Development proposals must seek to increase tree cover and achieve the long-term retention of existing trees. The policy states that where removal takes place, replacement planting will be required to ensure an overall net gain in tree cover and that development that does not achieve this will not be supported. Structures should be sited to take into account the predicted growth of trees, with root protection areas established and protected during development. Policy 6 of NPF4 is similar in effect.

The overall totals of tree loss and planting across all three ETZ sites (St Fittick's, Gregness and Doonies) are set out in the table below, demonstrating a resulting net gain in tree cover: in accordance with ALDP Policy NE5

Existing On-Site Tree Removal	3.73 ha
Aberdeen South Harbour Planting (previously proposed / committed)	1.57 ha
TOTAL Tree Loss / Removal	5.29 ha
On-Site Tree Planting Zone A (St Fittick's Park)	1.39 ha
On-Site Tree Planting Zone C (Doonies)	0.90 ha
Off-Site Tree Planting (St Fittick's Park + Tullos Wood)	4.60 ha
TOTAL Proposed Tree Planting	6.89 ha

Looking in more detail at the individual sites, the proposals for St Fittick's/Zone A would result in significant loss of trees and woodlands. They lie within a public park and are of value for public health, wildlife, biodiversity, visual, landscape and climate change reasons.

The second row of the table indicates the area within St Fittick's/Zone A used as a construction compound by ASH, at the north east corner of the site adjacent to St Fittick's Road / Coast Road. This area contained newly planted trees prior to its temporary use by Port of Aberdeen. Were development not to take place on this area, it would be largely replanted with trees, as required by conditions on the South harbour permission. The area is therefore included within the areas of tree loss and the biodiversity 'baseline' assumes that it contains young trees.

Indicative areas of replacement and compensatory tree planting are proposed and shown on plans. The areas shown for tree planting are both on and off site and include: areas within St Fittick's Park alongside the Burn corridor and within the park outside the application site. Elsewhere, further compensatory areas of planting on Tullos Hill have been identified. Within the St Fittick's Park (on and off site) a total of 2.74ha of tree planting is indicated, with 3.25ha in Tullos Wood, making a total of 5.99ha. Tree loss at St Fittick's / Zone A is 5.29ha. Based on these indicative figures a net gain in tree cover would be achieved. The submissions indicate that this would be a broadleaved mix,

incorporating native species where feasible, resulting in a qualitative improvement in the wildlife/biodiversity value afforded by the tree planting as well as an increase in the planted area.

In terms of the initial comments from Scottish Forestry, a revised Tree Loss and Compensation Plan and Illustrative Site Plans have been submitted in pursuance of this issue. These provide an accurate 'ground truthed' assessment of the impact on trees and woodland.

There are no trees at Gregness/Zone B.

At Doonies/Zone C the tree survey report shows mixed hedges along the site boundaries to the base of Tullos Hill, sections of hedges along field boundaries and well established planting (up to 4m) along the southern boundary with the ACC/Suez Recycling Centre as well as areas of gorse with willow and elder within the bank to the west side of the site. The Tree Loss and Compensation Plan shows an area of trees to be lost by development lies to the west/rear of the site along the corridor which is included as potentially being required for a link to Peterseat Drive. Indicatively, 0.9ha of trees would be lost. Replacement planting is indicated along the Coast Road site boundary. The condition also requires that the hedges along the base of Tullos Hill remain, whilst the hedge to the south is outwith the application site.

A condition is recommended to be attached in respect of both St Fittick's / Zone A and Doonies /Zone C to require detailed assessment of the extent of tree loss at MSC stage and for the details of compensatory areas to be provided.

Natural Heritage and Biodiversity

The Biodiversity Protection and Enhancement Plan June 2024 (BPEP) describes the various habitats impacted by the development. The most significant of these is the coastal heathland at Gregness. The wetland running water and broadleaved woodland habitat at St Fittick's is also of importance. The report describes how the habitats most impacted are those of lesser value in terms of biodiversity and rarity – namely, mixed plantation, scrub/neutral grassland, unvegetated surface (former construction compound) and 'mosaic of developed and natural surface 'city farm' at Doonies. Plans illustrate areas of habitat, and thirteen different types are shown at St Fittick's/Zone A – the most diverse site.

NPF4 Policy 3 Biodiversity, seeks to protect biodiversity and reverse its decline by delivering positive effects from development and strengthening nature networks. All proposals must contribute to enhancing biodiversity, whilst major proposals will only be supported where they conserve, restore and enhance biodiversity and will have to meet the following criteria, which are listed below, with analysis. ALDP Policy NE3 – Our Natural Heritage also requires provision to achieve overall biodiversity gains for the site.

i. the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;

An EIAR has been submitted and this satisfactorily considers the characteristics of the site and its context. Relevant designations are noted in the Description section and the Gregness site is part of the coastal Local Nature Conservation Site (LNCS) which covers land east of the railway. A number of habitats exist especially within St Fittick's/Zone A, notably the wetlands and Burn.

ii. wherever feasible, nature-based solutions have been integrated and made best use of;

In terms of the development platforms, details of the proposals will be subject to MSC applications. SUDS and potential for green walls and roofs have been included in conditions. The potential for biodiversity enhancement lies within the mitigations, including onsite – the wetlands, burn realignment and planting, on and off site. These are detailed further below.

iii. an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;

iv. significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long-term retention and monitoring should be included, wherever appropriate; and

The ETZ Masterplan contains a mitigation hierarchy for each site. It identifies a number of mitigations and these are taken forward in the BPEP for the application, together with enhancements to biodiversity:

- The St Fittick's/Zone A site allocation (a combination of OP56 and OP62) is approximately 21ha. (It should be noted that OP56 includes the WWTW at approximately 3.4ha). The application site is 15.5ha (as it excludes the WWTW and strips of land including railway), with 7.3ha being development platforms and the remainder - a significant area of 8.2ha - would be undeveloped and contribute to biodiversity.
- A broad (75 – 100m wide) area of land within the site would remain undeveloped along the unaltered stretch of the Burn. Roughly half the length of the Burn within the site would remain as existing, with the remainder being realigned.
- The BPEP contains a number of measures to mitigate impacts. The requirement for detail to come forward as part of Biodiversity Plans for each development area is proposed to be controlled by conditions with the timing to be approved via a phasing condition. The measures include, amongst other things, new pre-treatment measures upstream to improve water quality and enhancements to Tullos Burn, planting and landscaping, including broadleaved trees and coastal heath, provision of an otter holt, bat boxes and seeding with specially selected mixes and wetland enhancement – all constituting a significant package of biodiversity improvements that, once fully established, is considered to represent a biodiversity net gain resulting directly from the development mitigations.

v. local community benefits of the biodiversity and/or nature networks have been considered.

A number of the mitigations and enhancements proposed would involve further consultation with the local community at MSC and detailed planning stage before the specific measures are finalised. Included are works to enhance small green areas within the residential area. These would include biodiversity, tree planting and amenity / open space / micro-recreational features. The existing hard

surfaced, brownfield area adjacent to 276 Girdleness Road is also identified as one of the areas for enhancement and is ideally located at an entrance point to St Fittick's Park from the north in terms of potential for beneficial use by local people.

Paths along the coast, through the Park and linking to Tullos Hill are included amongst the mitigations and enhancements, these would facilitate human enjoyment of the enhancements to the natural environment.

Paragraph d) of NPF4 Policy 3 states:

d) Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.

Adverse impacts have been identified above and most significantly would include impacts on the Burn and wetlands, trees and coastal heath. As noted in respect of iv. above, measures are included that would mitigate and enhance these habitats.

Policy 4. Natural places in NPF4 and Policy NE3 of the ALDP seek to protect natural places with a focus on designated areas and protected species. The River Dee Special Area of Conservation (SAC) lies to the north and a Habitats Regulation Appraisal (HRA) was carried out for the ETZ Masterplan, and it was concluded in agreement with NatureScot, that there would be no adverse effect on the integrity of the SAC.

The relevant points from Policy 4 and NE3 are:

Policy 4 a) 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 – where development is likely to affect natural heritage assets protected by law or designation, or of regional or local nature conservation value if must be demonstrated that alternative solutions have been considered and ruled out.

The St Fittick's / Zone A site is of local nature value, although not formally protected, whilst Gregness is a LNCS. Red list birds and badgers are recorded at St Fittick's and both St Fittick's and Doonies/Zone C are used by foraging bats. These are covered further below. In terms of alternative solutions, the sites are allocated for development in the ALDP 2023 following a process of considering alternatives. The ETZ Masterplan process then identified areas for development based on a number of factors, including (but not limited to) the proximity to residential areas, use of the Park, and the Burn. It is therefore considered that whilst adjustments may be made to the developable areas through this application process and the determination of further detailed MSC applications, alternatives were considered at an earlier stage.

However, taking into account the mitigations and enhancements noted above and below, it is considered that the development overall would not have an unacceptable impact. Impacts on designated sites are discussed below.

c) Proposals that will affect a Site of Special Scientific Interest will only be supported where: i. the objectives of the designation and its overall integrity will not be compromised; or ii. Significant adverse effects are outweighed by social, environmental or economic benefits.

NatureScot has noted that it would not object if the application is made subject to conditions requiring details of on-site surface water controls through a Construction Environmental Management Plan (CEMP) and Sustainable Urban Drainage Systems (SUDS) to protect the Bay of Nigg SSSI. Subject to the attachment of the relevant conditions, as recommended, the application proposal is considered to comply with Policy 4 c).

d) Proposals that affect a local nature conservation site (LNCS) will only be supported where: i. development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or ii. Significant adverse effects on the integrity of the area are outweighed by social, environmental or economic benefits of at least local importance.

Policy NE3 echoes d) stating that impacts on local designated sites should be minimised through careful design and mitigation measures, with any unavoidable impacts being outweighed by benefits of city-wide importance.

The Gregness site is within the Coastal LNCS and the development would potentially affect the coastal heathland for which it is designated. There is an existing building and yard area on site, which were used until recently for the construction of the South Harbour. Figure 6 in the BPEP shows the area of coastal grassland remaining. It is noted that conditions on the South Harbour application would require the site reinstatement, however, the ETZ intends to re-purpose the building or to erect a building and yard on similar development footprint. The indicative proposals include the potential loss of 0.02ha of coastal heath. The BPEP plan priorities table indicates that this could be prevented by detailed design at MSC stage. Measures for restoration, enhancement and compensation are also set out and involve re-seeding bare areas. Reinstatement of the coastal path is also identified in the indicative proposals, possibly on an alignment slightly in-land to allow for the retention of the coastal grassland that has re-grown during the use of the site for the South Harbour. The details would be approved through any future MSC application for the site.

Section f) of Policy 4 relates to protected species and require potential impacts to be considered. Surveys took place for bats, otter, badger, red squirrel, water vole and birds. The findings are:

Bats - a summer bat roost was identified in Doonies, with Zones A and C being valuable for five species for foraging and commuting.

Otter – no evidence at St Fittick's, although local reports of occasional use by otter at wetlands.

Red Squirrel and water vole – absent at time of survey

Badger – off site breeding presence and use of latrines and foraging at St Fittick's/Zone A. No setts found on site, not within 100m of boundaries.

Brown hare, toad and hedgehog – not recorded, however, noted as possibly overlooked as habitat is suitable.

Thirteen red list birds (extinction risk) were recorded in low numbers, as well as forty amber and green list birds.

Protection measures are the retention of their habitats, whilst enhancement and compensation are proposed in the form of bat roost boxes in Doonies/Zone C, native tree, hedge and scrub planting, bat friendly lighting, a log-pile otter holt to the Burn corridor, SUDS ponds, seed rich grassland, aim to introduce a breeding population of toad and possible introduction of Wych Elm, gorse for breeding linnet and yellowhammer and nest boxes for red list and common species of birds.

Measures are also recommended during construction to avoid displacing species across the whole site and to remove Invasive Non-Native species (INNS) that border Doonies/Zone C.

The recommended conditions require detailed Biodiversity Protection and Enhancement Plans for each development area at MSC stage, based on the BPEP submitted.

Green Space Network, access and core paths

LDP Policy NE2 – Blue and Green Infrastructure seeks to protect the Green Space Network, including its value for wildlife, biodiversity, ecosystems, access, recreation, landscape and townscape, with development not being supported where it does not achieve this. Where developments necessitate crossing the GSN they should maintain the coherence and quality of the network.

Policy NE2 also states that new development will maintain and enhance existing access rights, including during construction and operation phases. Where, in exceptional cases, routes are affected by development, it is necessary to provide an alternative path that is safe, high quality and convenient. New or improved provision for public access should be included in new developments.

The entire application site is within the GSN, other than the farmhouse, steadings and immediate yard area at Doonies. On all three site areas, developments would take place within the GSN. At St Fittick's, both the northern and southern sites are shown on indicative plans as being bound by natural green spaces. A tree belt would be retained and enhanced between the Waste Water Treatment Works (WWTW) and the southern site and a 15m wide strip of land containing the Burn and riparian buffers would be formed between the two sites and woodland planting to the west side of the northern site. With the attachment of the conditions recommended, mitigation and enhancement to green spaces on and off site, replacement pitch, habitat creation for wildlife and tree planting would take place, which would ensure there that there would be no overall detriment to the network of green spaces in terms of links remaining, albeit that green space would be developed.

Footpath links would remain, be restored and realigned so that the area can be crossed both north/south and east/west. The access link into the Park to the south of the Burn from Coast Road would however, be lost, with the pedestrian route from the east being only along the footway on the realigned road to the north of the Burn. However, access is maintained from the east and a network of footpaths would be provided within the Park, including crossing the Burn and with links to Tullos Hill and westwards to join up with Core Path 103, which leads through Tullos in a south westerly direction to Wellington Road and Kincorth Hill Local Nature Reserve the link from Doonies to Tullos Hill and along the coast southwards as far as Cove.

Natural Water Environment

This section is only relevant to St Fittick's/Zone A as the other site areas do not contain watercourses.

LDP Policy NE3 – Our Natural Heritage states that Buffer Strips are required alongside watercourses, for protection and enhancement, including of biodiversity. Further guidance is provided in Aberdeen Planning Guidance and NatureScot Guidance.

LDP NE4: Water Environment also states that development will not be supported if adequate provision is not made for watercourses to be maintained as naturalised channels with riparian buffer strips for maintenance access and erosion prevention.

Aberdeen Planning Guidance: Natural Heritage contains technical advice on buffer strips for water bodies. This states that buffers are to help protect from the physical and polluting impact of adjacent land uses, whilst they are also valuable habitats and recreational opportunities. The recommended width of the buffer strip depends on the width of the Burn, site conditions and topography. In this case a minimum of 6m on either side of the watercourse is considered appropriate. East Tullos Burn is shown in cross sections as 3m wide as realigned, and the guidelines are for a 6m-12m buffer,

however, here where is steeply sloping ground, run-off will be faster, and a wider buffer will be required. The APG also states that where there is a semi natural habitat the whole of this should be protected and encouragement is given to the re-meandering of straightened water bodies.

The proposal includes the realigning of approximately 364m length of meandering burn, which currently winds its way across an area of ground measuring roughly 327m in length. The realignment would move the course north eastward before following a less meandering course within a roughly 15m wide strip of land to the point where it exits under Coast Road and into the Harbour (at the same culvert as existing). Two cross sections have been submitted. One of these is through the burn at a point close to the upstream/western extent of the burn channel that would run between the two development areas. At this point the Burn is 3m in width, with the water channel being contained within steep banks of 2m in height. To either side of the burn channel the banks flatten out to lesser gradients with the steeper side being to the south where the bank rises a further 1.5m to the level of the development area. The Burn is indicatively shown as 1m deep, with a 3.5m height difference between its bed and the developable area to the south. The road level to the north is indicated as roughly 1.8m above the Burn bed. It is also noted that the width and bed level of the Burn would increase/lower as it flows eastwards, and the cross section is therefore taken at the point where the banks would be least steep along this realigned channel. The plans are indicative at this stage; however, it can be noted that for the width of Burn at 3m and a reasonably steep bank to the south side, there would be tensions with Policy NE3 and NE4 and the Natural Heritage APG in respect of allowance for physical separation, ensuring against pollution and erosion prevention. In order to address this a condition is recommended, which requires that buffers be provided in accordance with the APG, which would require a minimum of 6m buffers to either side of the Burn. The details approved through MSC would allow for adjustment of the development sites to allow for the buffers at an appropriate width, allowing for the constraints of the site.

In terms of maintenance access, this would be adequately provided due to the proposal for the road to be realigned along the north side of the Burn. Even without the road, provision may still be made at MSC stage for yard areas to make allowance for maintenance access to the Burn.

Open Space and Recreation

LDP Policy NE2 – Blue and Green Infrastructure seeks to protect urban green space (parks, playing fields, sports pitches, outdoor sports facilities and woods) which includes open space, woodlands, food growing areas (green infrastructure).

Policy 21 in NPF4 states;

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

- i. is ancillary to the principal use of the site as an outdoor sports facility; or*
- ii. involves only a minor part of the facility and would not affect its use; or*
- iii. 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*
- iv. 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.*

This should be informed by the local authority's Open Space Strategy and/or Play Sufficiency Assessment and in consultation with sportscotland where appropriate.

Within St Fittick's/Zone A there are various types of open space as follows:

Grassland, including the triangular recreational area with multi use goals west of the WWTW and the area south of St Fittick's Church where there is scattered play equipment. There are also areas of rough grassland with scattered scrub, woodlands crossed by paths, marshy ground and standing water with a bridge crossing. The area of former construction compound would be tree planted if reinstated as per conditions on the South Harbour planning permission and its reinstatement is taken into account as part of the land that would be available.

The areas that would be lost for development are as follows:

- One hectare of modified grassland – includes recreation area, playing field, and play equipment areas;
- 0.55 hectares of neutral grassland – rough grassland closer to the wetland area;
- 0.51 hectares of neutral grassland / scrub;
- 0.03ha of broadleaved woodland (5% of the total);
- 3.34 ha of mixed woodland / plantation (54% of total);
- 2.18 ha of unvegetated surface and 0.53ha of road (former construction compound, reinstatement required under Harbour permission approved as mainly tree planting across this area).

It is not possible to entirely replace the open space to be lost in the immediate vicinity of the site. To compensate for this the proposals include measures to improve the quality of open space within the allocated sites and improve access to, and environmental enhancements to other spaces in the Balnagask / Torry / Tullos areas, and this approach accords with the ETZ Masterplan. The indicative plans show the replacement of the triangular recreation area on an alternative area of existing grassland close to the Cruyff Court pitches near Tullos Primary School. This is indicated as a MUGA pitch and details would be submitted as a MSC application required by the recommended conditions. This element requires assessment under Policy 21 of NPF4 (see above). The proposal would comply with part iii. as it would result in the upgrading of an existing area of grass playing field to provide a better-quality facility, with MUGA goals. The location would be convenient for users and the overall playing capacity of the area would be maintained. However, the details of the provision would be subject to community consultation as specified in the recommended condition. SportsScotland's consultation response notes the proposal and states that SportsScotland should be consulted on the details of the provision.

A range of mitigation and compensatory measures are proposed to replace the recreation and play function of the open spaces that would be lost. These are shown on the 'Illustrative Plan & Recreation Masterplan Visualisation – Zone A' and would include a range of facilities that would be required to be agreed as part of MSC(s) and be subject to community consultation. More specifically these would include an upgrade or extension to the Skate Park, a pump track, improvements and additions to existing play equipment and improvements to under-utilised open spaces within the surrounding area to provide small-scale locally accessible greenspace close to housing. An area of brownfield land, consisting of an unadopted road / car park is included in the indicative plans as one of the areas for local green spaces / parklets. These are subject to MSC applications and community consultation, however, the reuse of this area of land, which is located between Girdleness Road and St Fittick's Park, would comply with Policy 9, as it would result in the sustainable reuse of brownfield land that is currently unused.

Taking the foregoing into account it is concluded that the proposal meets a requirement of Policy 21 a) of NPF4 in that it compensates for the loss of existing recreational facilities by upgrading existing

facilities and providing better-quality facilities in locations that are convenient for users and the overall playing capacity of the area would be maintained

Replacement footpaths and trees are considered separately in other sections of this report and are covered by similar conditions.

Gregness/Zone B would be reinstated as coastal heath under conditions on the South Harbour should permission not be granted for development, or implementation take place, in either scenario public access is mainly along the coastal path rather than use as public open space of the central area of the site. Doonies/Zone C consists of yards to buildings, fields and grassland/scrub. Paths provide access to Tullos Hill. The latter two sites are considered under the biodiversity and core paths sections.

Soils and Geology

Policy 5. Soils in NPF4 and Policy NE3 seek to protect areas of peatland or other carbon rich soil and sites designated for geodiversity value.

Figures 9.1 – 9.3 in the EIAR show the solid and drift geology and land capability for agriculture. These show that the site does not include peat and carbon rich soil and is not prime quality agricultural land.

Part of the coastal cliffs of the former Bay of Nigg are adjacent to the Gregness site and is designated as a SSSI for its geological interest. A condition is recommended to be attached to any approval which requires details of the management of surface water run-off to avoid the SSSI. This accords with the requirements requested by NatureScot in their consultation response.

Green Belt

Only a very small area of the application site is designated as Green Belt, this lies between the Doonies ETZ designation and the Peterseat Drive Industrial Area. The policy contains a presumption against development with certain exceptions. One of these exceptions notes roads that are planned through masterplanning of sites. These areas are included with the aim of providing roads linking Doonies to Peterseat Drive and reflect what is shown the Masterplan. With the foregoing in mind the application is acceptable in principle in terms of development plan policy on the green belt. Landscaping and design / layout are dealt with above.

Historic Environment

LDP Policy D6 – Historic Environment: Requires assessment of impact on setting of nearby Scheduled Ancient Monuments (SAMs), including St Fittick's Church and the Cairns on Tullos Hill.

NPF4 Policy 7. Historic assets and places seeks to protect and enhance historic assets, with neglected buildings being brought back into use and recognises the social, environmental and economic value of the historic environment to the economy and cultural identity.

In accordance with development plan policy the proposals are accompanied by an assessment of the significance and likely impact on the historic environment.

There are no Scheduled Monuments, listed buildings within the proposed development zones, nor are the zones covered by any heritage designations. However, St Fittick's Church, a Scheduled Monument, lies immediately to the west of the St Fittick's/Zone A. Indicative plans show the edge of

the development site relatively close to the churchyard and it is acknowledged in the EIA Report (Chapter 15) that the proposal would have a medium-magnitude adverse impact on the setting of St Fittick's Church. Mitigation measures are proposed in the form of tree planting in the area between the Church and the development area. The setting of the Church has already been impacted adversely by the construction of the South Harbour, however, it currently remains within an open landscape with views to, and from, the coast. This would change under the proposal, with both the development itself and landscape screening. The Monument is in a poor state of repair and the development would present an opportunity to improve its condition. A condition is recommended that would require approval and implementation of a Conservation Plan for repairs, and also installation of on-site interpretation information for visiting members of the public.

Heritage assets within the wider surrounding area are identified in the EIA Report. Tullos Primary School is a Category B listed building and lies to the west of St Fittick's Park, facing north onto Girdleness Road. Its setting would not be significantly affected by development. The Girdleness Lighthouse is a Category A listed building on the headland to the northeast of the St Fittick's/Zone A and directly north of Gregness/Zone B, across the bay. Its setting would not be significantly affected by development. The Cairns on Tullos Hill are Scheduled Monuments, with Tullos Cairn on the north side and Crab's Cairn to the east, as the closest. These are of national importance and their setting would be impacted.

Various undesignated historic assets and archaeological finds lie, or were found, within the surrounding area and development zones. The proposal at Doonies / Zone C would also result in direct adverse impact on Doonies Farmhouse, and the Gregness/ Zone B proposal may impact upon boundary stones at Bridge of One Hair (Coast Road bridge over railway). There is also potential for further archaeological finds.

Section h) of NPF4 Policy 7 is relevant and states that: *proposals affecting scheduled monuments will only be supported where:*

- i) *Direct impacts are avoided – there are no direct impacts*
- ii) *Significant adverse impacts on the integrity of the setting are avoided*
- iii) *Exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting and impacts on the monument or its setting have been minimised.*

There would be a significant impact on the integrity of the setting of the St Fittick's Church Scheduled Monument as a result of the proposals. Mitigation and compensatory measures would lessen but not fully address the impact. Historic Environment Scotland's consultation response is in agreement with this analysis and the approach taken in the EIA Report. In terms of the Cairns, and in particular Tullos Cairn, HES agrees with the findings of the EIAR that given the distance and location of development from the Cairn, and including taking into account cumulative impact with the solar farm proposed on the former Ness landfill, there would not be a significant impact on key views from the monuments. The conclusion is similar for Girdleness Lighthouse.

It is considered that the extent of impact on Scheduled Monuments and listed Girdleness Lighthouse is justified taking into account the mitigations and given the allocation of the St Fittick's/Zone A site for renewable energy and harbour related uses for which this location is critical and taking into account that, in respect of historic environment, the proposals follow the approach set out in the ETZ Masterplan.

Section o) seeks the protection of non-designated historic environment assets, places and their setting where feasible, and where there is potentially buried archaeology, developers should provide an evaluation. Impacts should be minimised, with records taken.

The Archaeology Service agreed with the findings of the EIA Report and conditions are recommended requiring a programme of archaeological works to take place, protective fencing around historic features and a standing building survey for Doonies Farmhouse.

LDP Policy D7: Our Granite History, seeks retention of all granite buildings. Doonies Farmhouse and Steading require to be considered under this policy. In addition, NPF4 Policy 9: Brownfield, vacant and derelict land and empty buildings encourages reuse of buildings and states:

d) Development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Given the need to conserve embodied energy, demolition will be regarded as the least preferred option.

Doonies Farmhouse and associated steadings are unlisted and do not lie within a Conservation Area. The buildings are granite built and typical of the style of traditional buildings of this type. Whilst the policies noted above favour retention for sustainability and historic environment reasons, the buildings would not suit usual modern requirements for Class 4/5 or 6 use, which is the LDP allocation for the site. The Masterplan also envisages that these buildings would be removed rather than reused. The detailed MSC application for this area of the site will need to provide justification for removal of the buildings in terms of the proposed use, as well as details of the reuse of the granite and these matters are the subject of a condition.

Transportation

LDP Policy T2 – Sustainable Transport requires new developments to demonstrate that sufficient measures have been taken to minimise traffic; developments must be accessible by a range of modes; existing access rights including core paths and other paths will be protected and enhanced.

Traffic modelling took place based on a worst case scenario for each use class as end users are not known. The Roads Team are satisfied that the impact of the development on the road network would not be significant. Once end users are known further detailed assessment would be required to consider whether there would be an impact on the local network and junctions. In accordance with the Transportation APG the size of units would require Transport Assessment and these would need to include assessment of the impact on junctions at Wellington Road and in Torry.

Conditions are recommended to be attached to require that either the ASHLR (Coast Road upgrade) is in place (as is expected) or that any missing links in the active travel provision along this route are infilled, so that in either scenario the development sites would be accessible by all modes of transport.

Core paths and footpaths have been covered above.

Parking would also be subject to detailed consideration via future MSC applications, with electric vehicle charging and cycle parking also being subject to conditions. Proposals would thus accord in principle with Policy T3 – Parking and the Transportation APG.

LDP Policy T1 – Land for Transport Aberdeen South Harbour and associated infrastructure as a transport project and the Aberdeen South Harbour Link Road is the subject of a current planning application (Ref. 240620/DPP). The widening and local realigning of the road with new railway bridge to the south of Gregness is likely to require a portion of the south end of the Gregness site. An indicative plan of the line of the road works submitted with the application shows that the

development of the site would not be compromised by the ASHLR project. The ASHLR project would also incorporate active travel measures which would benefit users of the ETZ sites and the two developments would be complementary in terms the aims of climate change mitigation.

Public Health

LDP Policy WB1: Healthy Developments states that developments are required to provide healthy environments, reduce environmental stresses, facilitate physical activity and promote physical and mental wellbeing. It requires a Health Impact Assessment (HIA) to be submitted for major developments to enhance health benefits and mitigate any impacts on the determinants of health.

NPF4 Policy 23: Health and Safety states that proposals likely to have a significant adverse effect on health will not be supported.

A HIA has been submitted as part of the EIA with the application, as Chapter 7 of the EIAR, with further submissions in the Ironside Farrar letters of 27 June 2024 and 26 September. Health impact has been raised in a large number of objections.

The HIA looks at how determinants of health would be altered by the proposed development, given that the site is allocated for development in the LDP. The local community experiences significant levels of socio-economic deprivation, with outcomes well below local and national averages and a high level of concern has been expressed in representations over the impact of the development proposals on health and well-being. The HIA notes that looking at the proposals and mitigations most of the changes are benign, with negative impacts low or negligible and makes recommendations for safeguarding, mitigating and enhancing population health.

The loss of greenspace at St Fittick's Park/Zone A is a key issue because greenspace loss may contribute to detriment to physical and mental health. The mitigations in the form of improving the quality and accessibility of remaining greenspace within St Fittick's and off-site within the area, as proposed by the applicant (and to be the subject of community consultation) would, it is concluded, result in an overall positive contribution to the determinants of health associated with environment, climate, economy, diet, active transport, exercise and health inequality. The implementation of the full range of mitigation and compensation measures proposed at MSC stage will be key to supporting improvements to health.

After the submission of the application the presence of Reinforced Autoclaved Aerated Concrete (RAAC) has been identified in about 504 homes in Balnagask in close proximity to the site. This issue will clearly have a significant impact on the health and well-being of the community and there would be a cumulative affect with the proposed development. However, it is considered that the mitigation and enhancement measures proposed through this application are considered to provide a positive contribution to a range of health determinants. Specific health determinants such as air quality, noise, flooding and drainage and environmental impacts have been assessed and these will be subject to further detailed assessments once end users are identified. Assessments in principle find that there would be either a low or negligible impact.

An Integrated Impact Assessment (IIA) has been carried out and informed the consideration of the planning application. The IIA has confirmed that the development will have low negative impact or no direct impact on groups with protected characteristics and that the impact is capable of being fully mitigated, via the mitigation measures identified.

Explosives Licence

Policy 23: Health and Safety in NPF4 covers protecting people from risks arising from safety hazards. As noted above HSE has concluded that, if the development is granted permission to proceed, the external population density permitted in the reference zone for the explosives site at Aberdeen South Harbour would be exceeded. Therefore, whilst the probability of a major accident involving explosives is low, the consequences for people at the development could be serious. Consequently, if permission were granted for the development at St Fittick's, HSE would review the explosives site licence. This review may result in the facility's explosives capacity being significantly reduced, potentially impacting the commercial viability of the site. Since the HSE explosives licence is for storage of substances in quantities that do not require Hazardous Substances Consent there is no remit for the planning authority. The control of these hazardous substances, the granting of the licence and ensuring that there is no health and safety risk is therefore the responsibility of the HSE and the Port of Aberdeen.

Air Quality

Policy WB2 requires an air quality impact assessment, together with mitigation measures. An air quality impact assessment has been submitted with the application, and the potential impacts identified are considered acceptable by Environmental Health. As the end users of the development are not yet known and the details of the use and physical works would be subject to MSC applications, conditions are recommended requiring the submission of air quality impact assessments for the individual uses.

Noise

Policy WB3 requires an noise impact assessment, together with mitigation measures. A noise impact assessment has been submitted with the application, covers all three site areas, and its conclusions are accepted by Environmental Health. As the end users of the development are not yet known the details of the use and physical works would be subject to MSC, conditions are recommended requiring the submission of noise impact assessments for the individual uses.

Waste

In accordance with LDP Policy R5: Waste Management, sufficient space is required for storage and collection of refuse and recycling. The indicative plans include sufficient space that waste storage could be accommodated and the details of this provision are the subject of condition as part of MSC application(s).

Design, Landscape and Visual Amenity

Policy D1 requires high standards of design and layouts with design strategy to be submitted. Particular consideration needs to be given to visual impact, including consideration of materials and green roofs and walls. Policy D2 Amenity: Including ensuring that refuse and recycling, cycle storage, low and zero technology and plant and services are sensitively integrated. Policy D3: Big Buildings requires assessment of impact of such buildings on their context although usually related to the city centre, this is of relevance in terms of visual impact. Policy D4 – Landscape – requires consideration of the impact on landscape setting of the city. Policy 14. Design, quality and place refers to the Six Qualities of Successful Places and supports prioritising women's safety, improving physical and mental health, creating pleasant spaces that are well connected, distinctive and sustainable.

At this stage indicative buildings have been shown on submitted plans, in order to assess their visual impact from various viewpoints. Seventeen viewpoints were selected based on a 'Zone of Theoretical Visibility' with photomontages provided at year one of the development and after fifteen years. A detailed Landscape and Visual Impact Assessment has been carried out and is contained within Chapter 11 of the EIAR. This notes the network of Core Paths, coastal paths, park and greenspace, with nearby residents and users of the area, as receptors to the visual impact. Overall, it is noted that remaining and proposed landscape features would assist with integrating the proposed development, however, there would be a significant adverse effect on the local landscape character of the development zones and immediate surroundings. Those most affected would principally be the residents of Balnagask to the north of the St Fittick's/Zone A area, users of nearby greenspaces and roads and the golf course at Balnagask. It is noted that all significantly affected receptors would lie within a 1.2km distance of the proposed development. There would also be a cumulative impact with the consented solar farm on the former NESS landfill to the west of Gregness.

Viewpoints submitted are from: St Fittick's Road to the north of St Fittick's Church, Pentland Place (the edge of residential area to north west, Balnagask Circle (3 storey flatted blocks on the western edge of the park), Balnagask Golf Course to the north, Tullos School and from two points on Tullos Hill, Greyhope Road by Girdleness lighthouse, at two points along the coastal path, two points close to Doonies are from the railway bridge and the coast at Souter Head Two more distant viewpoints were selected, from Kincorth Hill and Aberdeen Esplanade at King's Links.

The character of the area is a mix of residential flats and houses to the north and west, with the introduction of South Harbour having a significant impact with the large ships and other infrastructure forming a dramatic and dynamic view to the east. To the south west, the industrial area of East Tullos Industrial Estate is visible, with the Energy from Waste Centre being highly visible, noise and fumes from the engine test facility and smells emanating from the Waste Water Treatment Works, which sit fairly low in the landscape. The rising ground of the former landfill site terminates the view to the south, with extant permission for a solar farm, albeit mainly on the south and east facing slopes, rather than the slopes directly facing St Fittick's Park.

As can be seen on the Zone of Theoretical Visibility modelling plan, the areas potentially visually impacted by the units at St Fittick's/Zone A and Gregness/Zone B would be the Park itself, the immediately adjacent area of Balnagask, to the south of Girdleness Road, Balnagask Golf Course / Walker Park, the former Ness landfill site, the north slopes of Tullos Hill and also views along streets and from within amenity spaces within residential areas to the west and north.

From St Fittick's Road and Balnagask to the north west, the proposed units on the northern side of the Burn would be highly visible and dominate the view to the south. The relatively recent construction of the Harbour brought a significant change in the character and visual appearance of the surrounding area, although only a temporary construction area had direct impact on the Park. The two units to the north of the Burn would be erected on approximately the same area as the former construction compound, with the locally realigned St Fittick's Road running along the edge of the park. There would be a significant change to the character of the landscape within this area. Tree planting between the church and the site would partially screen the units at year fifteen. However, the trees themselves would also screen the currently open views to the sea and create a much more enclosed setting to the Church and this area of the park.

Development at Gregness would be highly visible on the coastline especially from the north and on approach to the Harbour from the sea. The EIAR notes the strong coastal character of this area of coastline, albeit influenced by Altens Industrial Estate, with medium/high sensitivity to the proposed development.

Proposed development at Doonies would result in large scale industrial buildings on the west side of Coast Road and mainly against a backdrop of industrial buildings. The impact would be significant within the immediate locality, with receptors being mainly walkers and cyclists on the coast and road users.

From existing housing areas at Burnbanks Village and Cove there would be no visibility of the proposals, whilst Torry and Balnagask would be impacted with flats on Balnagask Circle at 60m from St Fittick's/Zone A. From Tullos Hill the EIAR notes that impacts would be indirect and substantially screened by topography and other development.

In terms of building massing, elevational design, detailed siting and materials, these matters are covered by conditions and would be considered at the stage of MSC applications. At that stage Police Scotland would also be consulted and the proposals considered in terms of guidance on planning out crime. This together with conditions requiring details of external lighting would cover the requirements of NPF4 Policy 23 on Health and Safety and Policy 14 on women's safety.

Landscape

D5 – Landscape Design – requires design to be informed by a framework strategy.

The ETZ Masterplan sets out the broad parameters of the landscape strategy whilst highlighting that each site or plot would be subject to a landscape plan at detailed MSC stage. The proposals indicate the broad principles for landscaping, which also complement biodiversity enhancement measures. Landscape planting and maintenance plans are required by conditions.

Low and Zero Carbon Emissions and Water Efficiency

LDP Policy R6 – Low and Zero Carbon Buildings and Water Efficiency requires that all new buildings provide a proportion of the carbon emissions reductions required by Buildings Standards via low and zero carbon generating technology. Water efficiency measures are also required. Further details on this policy are provided in the Aberdeen Planning Guidance: Resources for New Developments. These matters are the subject of recommended conditions whereby details would be submitted via MSC.

Heat Network

LDP Policy R8 – Heat Networks requires that major developments connect to existing networks or provide an independent network within the site, or to prove that these are not financially viable, whilst providing a network of routes within the site for a future heat network. Developments with large demand or excess heat will be encouraged to develop networks, designed to enable connections and provide routes within developments for the future and to safeguard strategic routes. The submissions detail review work that is ongoing in relation to industrial uses within the site potentially connecting to the existing heat network within Torry and potentially to waste heat capture at the WWTW. This will depend on the nature of end users and will be the subject of conditions.

Digital Infrastructure

Policy C11 – Digital Infrastructure in the LDP requires that all new commercial development is expected to have access to high speed communications. Conditions are recommended which require confirmation of this.

Climate Change, Nature Crisis and Mitigation

In considering all development proposals, significant weight will be given to the global climate and nature crises in accordance with Policy 1 in NPF4.

Climate change and nature crisis mitigation run through consideration of the subject matters above.

Matters Raised in Representations

Many of the material planning considerations raised through third party representations have been addressed in the above evaluation and commentary. Specific points can be responded to as follows:

- Appropriateness of sites and alternatives;

The proposed development sites have been allocated for the proposed uses in the ALDP, it is not therefore necessary to consider alternatives as the principle has been established through the ALDP preparation and adoption process.

- Lack of meaningful participation and consultation with local people;

The current planning application and agreed ETZ Masterplan have been subject to extensive consultation with local communities, as required by legislation.

- Insufficient information to properly assess the application – development details and community benefits;

Sufficient information has been provided through the current PPP application to adequately assess the proposals. Further information and details will be provided and considered at the MSC application stage.

- Aberdeen City Council is involved with the development and not an appropriate body to decide application;

It is recognised that Aberdeen City Council is landowner, however this is not unusual and the planning process operates entirely independently of land ownership considerations.

- Preferable to use existing brownfield land rather than greenfield.

The proposed development sites have been allocated for the proposed uses in the ALDP, it is not therefore necessary to consider alternatives as the principle has been established through the ALDP preparation and adoption process.

RECOMMENDATION

Approve conditionally, subject to referral to the Scottish Ministers for confirmation of whether they wish to call-in the application due to the objection by SEPA.

Reason for Recommendation:

The application is for planning permission in principle (PPP) for renewable energy related uses on land allocated in the adopted Aberdeen Local Development Plan 2023 (ALDP) under Policy B5: Energy Transition Zones (St Fittick's/Zone A, southern half of Gregness/Zone B and Doonies/Zone C) and Policy B4: Aberdeen Harbours (northern half of Gregness). Policy B5 supports renewable energy related uses and Policy B4 considers harbour related uses on their merits. LDP Opportunity Sites 'OP56: St Fittick's', OP61: Doonies and OP62: Bay of Nigg also cover the entire site between them, supporting renewable related uses; OP56 requires a functional association with the Harbour, while OP61 supports such uses that are associated with the Harbour and OP62 requires a joint masterplan with the former two.

St Fittick's is covered by OP56 and Policy B5 which together support renewable energy related uses that have a functional association with the Harbour; Gregness is covered by OP62, Policy B5 and B4, it therefore supports renewable energy related use and activities related to the Harbour; Doonies is covered by Policy B5 and OP62, with the exception of the road links into Peterseat which are Policy NE1: Greenbelt and B1: Business and Industry. Policy NE1 allows for infrastructure which has a locational justification and Policy B1 supports the uses proposed.

The approved ETZ Masterplan promotes the application site for renewable energy related uses with the relationships to the Harbour as prescribed by the LDP and these two factors would be controlled and ensured by the attached conditions, with details of uses to be provided in detail via Matters Specified in Conditions applications. The proposal for renewable energy related uses furthers the aims of Policy 11: Energy in National Planning Framework 4 (NPF4) which seeks the expansion of renewable energy generation, distribution and storage.

The proposal is therefore considered acceptable in principle, in line with the aforementioned adopted development plan policies and the approved ETZ Masterplan, subject to detailed consideration of the boundaries of the development areas and the proposed mitigation, compensation and enhancement that is considered to outweigh the impacts including the impacts on nearby residents, recreational users and the natural and historic environment. Renewable energy transition is a key issue in combatting climate change, with measures to ensure that biodiversity is enhanced within the wider area, the proposal is considered acceptable in relation to policies 1 and 2 of NPF4 on Tackling the climate and nature crises and Climate mitigation and adaptation.

Part of the northern area of the St Fittick's Zone A site is a floodplain related to East Tullos Burn and the proposal therefore does not comply with Policy 22 in NPF4 as it is not essential infrastructure. In considering Policy 22, factors taken into account were: the key location of this site area in terms of proximity to the Harbour with the site having been allocated for its specific location for energy transition supply chain companies with a functional relationship with Aberdeen South Harbour requiring direct access to the quayside for the movement of large and/or heavy components and that preclude it being located elsewhere. NPF4 also recognises that the South Harbour can act as a cluster of port accessible offshore renewable energy research, manufacturing and support services. Whilst not essential infrastructure, the application proposal at St Fittick's is intrinsically linked to the presence of the Harbour. Conditions require there to be operational reasons for any development to be located on the application site, and the proposed development will not result in flood risk, therefore the proposal complies with LDP Policy NE4: Our Water Environment.

Conditions require development on each site (or sub-site) to come forward via MSC applications that include on and off-site mitigations proportionate to that site and to be detailed following community consultation. Dependent on the impact of the particular site, these would include replacement multi use sports pitch, greenspace creation and enhancement within residential areas ('parklets'), additional and replacement play equipment within St Fittick's Park, skate park extension and pump track, repairs and interpretation boards at St Fittick's Church, biodiversity enhancements including tree planting and landscape planting, water quality and wetland enhancement off site to the East Tullos Burn, as well as improvements to core path and footpath links, including the coastal path. The HIA identifies qualitative improvements that would be implemented to improve the quality, wildlife habitat, recreational facilities and accessibility of remaining green space within the surrounding area to be key to ensuring a positive outcome in respect of health and wellbeing of the local community and other users of the area. Taking into account the mitigation and enhancement measures the proposals are considered to comply with development plan policies including: LDP policies NE5: Trees and Woodland, WB1: Healthy Developments, NE2: Green and Blue Infrastructure, NPF4 policies 23: Health and Safety. The outcome of an Integrated Impact Assessment has been taken into account, considering the potential impacts of the development on protected characteristics, including those with socio-economic inequalities. The strategic decision

to allocate the site for development was taken at the LDP preparation stage and the approved ETZ Masterplan set the broad development areas. The mitigation and enhancement measures proposed will be subject to further community consultation at detailed/MSA application stage.

On the basis of the Biodiversity Protection and Enhancement Plan (BPEP), further detailed biodiversity plans would be required by MSA for each development site and delivery controlled by conditions. However, in principle, it is considered that biodiversity enhancement is achievable and capable of delivery based on the variety and quantity of biodiversity enhancements proposed in the submitted BPEP. Buffer strips to either side of the realigned Burn would be required by condition in accordance with the Aberdeen Planning Guidance: Natural Heritage. The proposal therefore accords with Policy 3: Biodiversity in NPF4 and LDP Policy NE3 – Our Natural Heritage.

Conditions are attached relating to further detailed air quality assessment, noise assessment and a Construction Environmental Management Plan, including for dust management. However, on the basis of the assessments it is considered that there is unlikely to be an adverse impact and that the proposal is capable of complying in this respect with Policies WB2: Air Quality and WB3: Noise in the LDP and Policy 23: Health and Safety.

Although subject to MSA applications relating to massing, siting and design of built fabric and associated yard and boundary infrastructure, the size of buildings likely to be required by the uses envisaged would have a significant adverse impact on the landscape character within the surrounding area. Whilst the foregoing factors result in tensions with LDP Policy D4 on Landscape, tree and landscape planting would, in time, act to soften and partially screen the buildings, and the character of the existing area is already impacted by the Harbour and nearby industrial areas. Furthermore, the impact is localised and the land is allocated for the uses proposed and is in a key location adjacent to the South Harbour. These material considerations weigh in favour of the proposed development.

It is concluded that the proposals would have an impact on the setting of St Fittick's Church, which is a Scheduled Monument, however, the impact would be mitigated to some extent by tree planting in the adjacent area and repairs. Conditions require a programme of archaeological work, recording and protecting. The proposal is therefore considered acceptable and compliant with LDP Policy D6: Historic Environment, Policy D7: Our Granite Heritage and NPF4 Policy 7. Historic assets and places.

On the basis of the traffic modelling, it is considered that there would not be a significant impact on the transport network, however, MSA applications would require transport assessment, parking, access from Coast Road and active travel are subject to conditions that would ensure there is no adverse impact due to traffic, on residential areas and the site is accessible by all modes of transport. The proposal would accord in principle with LDP policies T1: Land for Transport, T2: Sustainable Transport and T3: Parking.

An Integrated Impact Assessment has confirmed that the development will have low negative impact or no direct impact on groups with protected characteristics and that the mitigation measures identified would result in a neutral or positive impact.

Having regard to the foregoing, the application is recommended for conditional approval.

Conditions:

1. LENGTH OF PERMISSION

That applications for the approval of all matters specified in conditions of the Planning Permission in Principle hereby approved must be made before whichever is the latest of the following dates:

- a) The expiration of ten years beginning with the date of this planning permission in principle; or,
- b) The expiration of six months from the date on which an earlier application (Matters Specified in Condition) for the requisite approval was refused or dismissed following an appeal or review.

In relation to any matter under part (b) above, only one application for approval of matters specified in conditions may be made after the expiration of the planning permission in principle. The development of a subsequent phase hereby granted shall be begun before the expiration of two years from the final approval of the matters specified in conditions or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason: to ensure compliance with section 59 (planning permission in principle) of the Town and Country Planning (Scotland) Act 1997 (as amended).

ST FITTICK'S / Zone A (as defined on Illustrative Masterplan Visualisation 2366907 ^[OBJ])

2. USE AND FUNCTIONAL ASSOCIATION WITH HARBOUR

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. Details of such a functional association and preclusion shall be set out in a statement as part of any application for Matters Specified in Conditions (MSC) for approval by the planning authority. -

Reason: in accordance with the Opportunity Site description for OP56 and Policy B5 in the Aberdeen Local Development Plan 2023 (or subsequent plan) as land adjacent to the Aberdeen South Harbour is a finite resource justifying restricting its uses with the functional locational requirement. The quayside location for such development is the justification for development within the floodplain.

3. PROVISION OF COAST ROAD UPGRADE

That no development within St Fittick's/Zone A shall be occupied unless the Coast Road upgrade works (known as Aberdeen South Harbour Link Road: [External Links to Aberdeen South Harbour | Aberdeen City Council](#)) (as per application 240620/DPP or a subsequently approved related planning permission) are substantially complete and the road open to vehicular, foot and wheeled traffic, unless otherwise agreed in writing with the planning authority following submission of an access strategy and the implementation of:

- a) works to complete any missing links in safe walking and cycling routes.

In either case there shall be implemented :

- b) measures to prevent vehicular traffic associated with the construction and operation of the site from using routes through nearby residential areas

Both a) and b) above shall be in accordance with details submitted to, and approved in writing by, the planning authority by way of an application for matters specified in condition.

Reason: In the interests of residential amenity, public health and safety.

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 formal 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 Gatteway;
 - 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.
- 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

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.

- a) A description of the proposed use(s), including in relation to the Use Classes Order;
- b) Elevational design and layout of all built structures, including external materials, boundary enclosures and external lighting, with details of measures to avoid light spill into adjoining areas to protect wildlife;
- 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;

- f) Details of external finishing materials, including any green walls and samples where requested by the planning authority.
- g) Site plan and details of vehicle, motorcycle and short and long term cycle parking, yards, electric vehicle charging points, pedestrian routes and other hardstanding external storage and surface water drainage features, identifying the use of all external spaces.
- h) Details of refuse storage areas and swept path analysis showing access for refuse collection vehicles
- i) Layout and finish of roads and access junctions onto the adopted road network, including details of any direct access and integration between any individual plot and Aberdeen South harbour via a managed crossing of the Coast Road;
- j) Enabling works and infrastructure.

Reason: Permission for the development has been granted in principle only and subsequent approval is required for these matters in accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

6. CYCLE PARKING AND OTHER PRE-OCCUPATION REQUIREMENTS

That the use of any individual unit shall not take place unless the matters listed below have been provided in accordance with plans that have been submitted to and approved in writing by the planning authority by way of a matters specified in conditions application:

- a) Cycle parking on site (long stay and covered);
- b) Core paths, and informal footpaths on and off-site, including an active travel link between Core Path 108 and Core Path 103, to ensure that a direct link is provided to Wellington Road;
- c) Vehicle parking in accordance with a parking strategy;
- d) Electric Vehicle charging;
- e) Surface water drainage systems (SuDS);
- f) High-speed communications infrastructure;
- g) Refuse storage facilities.

Unless otherwise agreed in writing with the planning authority.

Reason: In the interests of encouraging sustainable and active travel and to avoid surface water flooding.

7. REALIGNMENT OF ST FITTICK'S/ COAST ROAD

The northern development site in St Fittick's/Zone A (area to north of East Tullos Burn) shall not be occupied unless the realigned St Fittick's/Coast Road within Zone A is substantially complete and is open to foot, wheeled and vehicular traffic (or other such road arrangement to the satisfaction of the planning authority), in accordance with detailed plans that have been submitted to and approved in writing by the planning authority by way of a matters specified in condition application.

Reason: In the interests of road safety and to ensure that development related traffic is routed via the Coast Road

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

Reason: In the interests of the water environment and biodiversity mitigation and enhancement.

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.

Reason: To ensure biodiversity mitigation and enhancement in accordance with Policy NE3 and the ETZ Masterplan.

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 as 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

Reason: In order to ensure adequate protection for the trees on site during the construction of the development and mitigate, compensation and enhance the tree coverage in the area.

11. LANDSCAPE PLANTING AND MAINTENANCE

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme agreed through Condition 10 and shall be completed during the planting season immediately following the commencement of the development or as otherwise agreed in writing with the Planning Authority. Any planting which, within a period of 5 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.

In addition, prior to the commencement of the implementation of the approved scheme, detailed proposals for a programme for the long term management and maintenance of all the approved landscaped and open space areas within the development shall be submitted for the further written approval of the Planning Authority. Thereafter, all management and maintenance of the

landscaped and open space areas shall be implemented, in perpetuity, in accordance with the approved programme.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area and to ensure that the landscaping is managed and maintained in perpetuity.

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 and the development shall not be operational unless the recommendations 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.

13. PUBLIC TRANSPORT ACCESS STRATEGY

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 Public Transport Access Strategy and Travel Plan with the aim of increasing access to public transport options.

Reason: To increase access to public transport

14. TRANSPORT ASSESSMENT

That no development shall take place to any individual plot unless there has been submitted to and agreed in writing with the planning authority by way of a matters specified in conditions application a Transportation Assessment of the impact on the local network and junctions on the A956 Wellington Road and in Torry and and access strategy including a strategy for abnormal loads, in accordance with an agreed scope. Thereafter development shall not be brought into use unless any recommendations of transport assessment and access strategy have implemented to in accordance with a timetable submitted to and approved through a MSC application.

Reason: In the interests of road safety.

15. HEIGHT OF BUILDINGS

That no buildings on the site shall exceed the heights indicated on the Land Use and Development Capacity Plan (16 July 2024) above existing ground level (AOD) unless otherwise agreed in writing with the planning authority following submission of a justification including photomontage viewpoints via a Matters Specified in Conditions application. Existing ground levels on a sloping site shall be taken to be the lowest level of ground within the building footprint.

Reason: In the interests of visual amenity and to minimise the impact of the development on landscape character.

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 MSC 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.

17. SURFACE AND FOUL DRAINAGE

No development shall take place to any individual plot unless a matters specified in conditions application comprising a detailed scheme for surface water drainage and foul water drainage has been submitted to any approved in writing with the Planning Authority. The scheme shall include:

a) A detailed drainage plan for the relevant phase of development, including full details of the proposed means of disposal of surface water from the development, including how surface water run off shall be addressed during construction, as well as incorporating the principles of pollution prevention and mitigation measures.

b) A scheme for the connection of buildings to the public waste water system has been submitted to any approved in writing by the Planning Authority.

c) Details showing how drainage infrastructure will cross/crosses underneath the railway line.

Thereafter development shall be implemented in accordance with the agreed scheme and no building shall be used unless connection has been made to the public wastewater network in accordance with the approved details.

SUDS measures for sites adjoining the Tullos Burn corridor shall be located adjacent to the burn unless otherwise agreed in writing with the planning authority.

Reason: in order to ensure adequate protection of the water environment from surface water run-off and maximise the visual, landscape and biodiversity benefits of SUDS measures. In the interests of rail safety.

18. NOISE

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 an appropriate noise assessment by a suitably qualified consultant to predict the impact on sensitive receptors and specify control measures. The assessment should be undertaken in accordance with Planning Advice Note (PAN) 1/2011 Planning and Noise and its accompanying Technical Advice Note. (The methodology should be submitted and agreed in writing with the Environmental Protection Team in advance.)

The use shall not take place unless the recommendations of the noise assessment have been implemented in full and are fully operational, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of the amenity of nearby residents and occupiers

19. AIR QUALITY

Development shall not take place to any individual plot unless there has been submitted to and approved in writing by the planning authority an appropriate air quality assessment by a suitably qualified consultant to predict any impact on sensitive receptors and specify control measures, unless otherwise agreed with the planning authority based on the proposed use. (The methodology should be submitted and agreed in writing with the planning authority in advance.)

The use shall not take place unless the recommendations of the air quality impact assessment have been implemented in full and are fully operational, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of public health

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, 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
- b) St Fittick's Church interpretation and repair works- details to include Conservation Management Plan and plans of interpretation board(s); 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
- e) Tullos Wood – access and pathway improvements, including more direct and legible entrance(s) and landscaping; as indicatively shown on Illustrative Masterplan Visualisation Oct 2024-2391329
- f) Enhancing play and recreational equipment and areas, based on the list of off-site mitigation and compensation on the 'Illustrative Play and Recreation Masterplan Visualisation – Zone A Oct 2024 2391330' which includes enhancement / extension to the existing skate park and provision of 'pump' track – details to include specifications and layout plans.
- 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 existing Multi Use Games Areas (MUGA); as indicatively shown on Illustrative Masterplan Visualisation Oct 2024-2391329

- i) Enhancement to coastal path connections leading northwards to Torry Battery and south via Gregness. 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.

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.

22.PROTECTIVE FENCING DURING CONSTRUCTION

No works in connection with the development hereby approved shall commence unless a site protection plan has been submitted to and approved in writing by the planning authority. by way of a matters specified in conditions application. Site protection measures shall be shown on a layout plan accompanied by descriptive text and shall include:

- a) The location of the historic environment features to be protected during construction works; and
- b) The position and details of the warning signs and protective fencing to be erected.

No works in connection with the development hereby approved shall commence unless the site protection measures have been implemented in full in accordance with the approved details. All protective fencing and warning signs shall be retained during the construction period in accordance with the approved details and no works shall take place at any time within the protected areas.

Reason: In the interests of protecting known features of the historic environment.

23.LOW AND ZERO CARBON TECHNOLOGY, WATER EFFICIENCY AND HEAT NETWORKS

That no buildings shall not be occupied unless a scheme detailing:

- a) compliance with the Aberdeen Planning Guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions and water efficiency have been implemented in full
- b) an Energy Statement in compliance with Policy R8: Heat Networks has been submitted to, and approved in writing by the planning authority and any measures as so agreed have been implemented in full

Reason: to ensure that this development complies with requirements for reductions in carbon emissions

GREGNESS / ZONE B (as defined on 'Illustrative Masterplan Visualisation' received 16 July 2024)

24. PROVISION OF COAST ROAD UPGRADE

That no development within Gregness / Zone B shall be occupied unless the Coast Road upgrade works (known as Aberdeen South Harbour Link Road: [External Links to Aberdeen South Harbour | Aberdeen City Council](#) and as per application 240620/DPP or a subsequently approved related planning permission) are substantially complete and the road open to vehicular, foot and wheeled traffic, unless otherwise agreed in writing with the planning authority following submission of an access strategy and the implementation of:

a) works to complete any missing links in safe walking and cycling routes.

In either case there shall be implemented:

b) measures to prevent vehicular traffic associated with the construction and operation of the site from using routes through nearby residential areas

Both a) and b) above shall be in accordance with details submitted to, and approved in writing by the planning authority by way of an application for Matters Specified in Conditions.

Reason: In the interests of residential amenity, public health and safety.

25. DETAILS OF BUILDING, SITE LAYOUT AND DESIGN, INC COAST ROAD

That no development shall take place unless there have been submitted to and approved in writing by the planning authority matters specified in conditions application the details listed below. Thereafter the development shall take place in accordance with the details as so agreed, or other as is subsequently approved through this condition.

a) A description of the proposed use (s) of the unit(s), including in relation to the Use Classes Order and justification in terms of relationship to renewable energy and need for a location which is close to the harbour;

b) Elevational design and layout of all built structures, including boundary enclosures and external lighting;

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 cross sections through the site showing the relationship with the coastal edge and the Coast Road (including the upgrade project);

d) Existing and proposed topographical survey plans;

e) Details of any cut and fill operations;

f) Details of external finishing materials, including any green walls and samples where requested by the planning authority.

g) Site plan and details of siting of buildings, vehicle, motorcycle and short and long term cycle parking car parking areas, yards, electric vehicle charging points, pedestrian routes and other hardstanding and external storage and surface water drainage features, identifying the use of all external spaces and including the layout of the ASHLR/Coast Road upgrade project.

h) Details of refuse storage areas;

- i) Layout and finish of roads and access junctions onto the adopted road network, including the ASHLR (upgrade of Coast Road) where appropriate;
- j) Enabling works and infrastructure;
- k) Marine Noise modelling, or a statement justifying why this is not required.

Reason: Permission for the development has been granted in principle only and subsequent approval is required for these matters in accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

26.CYCLE PARKING AND OTHER PRE-OCCUPATION REQUIREMENTS

That the occupation of the development shall not take place unless there has been provided and implemented the matters listed below in accordance with plans that have been submitted to and approved in writing by the planning authority by way of a matters specified in conditions application:

- a) Cycle parking on site (long stay and covered);
- b) Coastal path upgrades, including linkages to paths off site, improvements to the Coastal Path south as far as the settlement of Cove Bay and details of arrangement for crossing the access to the South Breakwater;
- c) Vehicle parking in accordance with a parking strategy;
- d) Electric Vehicle Charging;
- e) Surface water drainage systems (SuDS);
- f) High-speed communications infrastructure.

Reason: In the interests of encouraging sustainable and active travel and to avoid surface water flooding.

26.HEIGHT OF BUILDINGS

That no buildings on the site shall extend more than the heights indicated on the Land Use and Development Capacity Plan (16 July 2024) above existing ground level (AOD) unless otherwise agreed in writing with the planning authority following submission of a justification including photomontage viewpoints via a MSC application. Existing ground level on a sloping site shall be taken to be the lowest level of ground within the building footprint.

Reason: In the interests of visual amenity and to minimise the impact of the development on landscape character.

27.BIODIVERSITY PLAN

That no development shall take place 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 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.

Reason: To ensure biodiversity mitigation and enhancement.

28.LANDSCAPING

That no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning

authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees, hedges and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting

Reason: in the interests of the amenity of the area.

29.LANDSCAPE PLANTING AND MAINTENANCE

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development or as otherwise agreed in writing with the Planning Authority. Any planting which, within a period of 5 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.

In addition, prior to the commencement of the implementation of the approved scheme, detailed proposals for a programme for the long term management and maintenance of all the approved landscaped and open space areas within the development shall be submitted for the further written approval of the Planning Authority. Thereafter, all management and maintenance of the landscaped and open space areas shall be implemented, in perpetuity, in accordance with the approved programme.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area and to ensure that the landscaping is managed and maintained in perpetuity.

30.PUBLIC TRANSPORT ACCESS STRATEGY

That no unit of the development shall be occupied unless there has been submitted to and approved in writing by the planning authority by way of a matters specified in conditions application a Public Transport Access Strategy and Travel Plan with the aim of increasing access to public transport options

Reason: To increase access to public transport.

31.TRANSPORT ASSESSMENT

That no development shall take place unless there has been submitted to and agreed in writing with the planning authority by way of a matters specified in conditions application a Transportation Assessment of the impact on the local network and junctions on the A956 Wellington Road and in Torry and access strategy including for abnormal loads, in accordance with an agreed scope. Thereafter development shall not be brought into use unless any recommendations have been carried out or are implemented to the satisfaction of the planning authority in accordance with a timetable for implementation submitted to and approved through a MSC application.

Reason: In the interests of road safety.

32.CEMP

That no development shall take place 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 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.

33.SURFACE AND FOUL DRAINAGE

No development shall take place unless a matters specified in conditions application comprising a detailed scheme for surface water drainage and foul water drainage has been submitted to any approved in writing with the Planning Authority. The scheme shall include:

- a) A detailed drainage plan for the relevant phase of development, including full details of the proposed means of disposal of surface water from the development, including how surface water run off shall be addressed during construction, as well as incorporating the principles of pollution prevention and mitigation measures.
- b) Details of measures to ensure that surface water would be discharged away from the Nigg Bay SSSI,
- c) A scheme for the connection of buildings to the public waste water system has been submitted to any approved in writing by the Planning Authority.

Thereafter development shall be implemented in accordance with the agreed scheme and no building shall be used unless connection has been made to the public wastewater network in accordance with the approved details.

Reason: in order to ensure adequate protection of the water environment from surface water run-off and protecting the Nigg Bay SSSI.

34.NOISE

Development shall not take place unless there has been submitted to and approved in writing by the planning authority an appropriate noise assessment by a suitably qualified consultant to predict the impact on sensitive receptors and specify control measures. The assessment should be undertaken in accordance with Planning Advice Note (PAN) 1/2011 Planning and Noise and its accompanying Technical Advice Note. (The methodology should be submitted and agreed in writing with the Environmental Protection Team in advance.)

The use shall not take place unless the recommendations of the noise assessment have been implemented in full and are fully operational, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of the amenity of the occupiers of nearby buildings.

35.AIR QUALITY

Development shall not take place unless there has been submitted to and approved in writing by the planning authority an appropriate air quality assessment by a suitably qualified consultant to predict any impact on sensitive receptors and specify control measures, unless otherwise agreed with the planning authority based on the proposed use. (The methodology should be submitted and agreed in writing with the planning authority in advance.)

The use shall not take place unless the recommendations of the air quality impact assessment have been implemented in full and are fully operational, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of public health

36.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 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.

37.PROTECTIVE FENCING DURING CONSTRUCTION

No works in connection with the development hereby approved shall commence unless a site protection plan has been submitted to and approved in writing by the planning authority. Site protection measures shall be shown on a layout plan accompanied by descriptive text and shall include:

- a) The location of the historic environment features to be protected during construction works; and
- b) The position and details of the warning signs and protective fencing to be erected.

No works in connection with the development hereby approved shall commence unless the site protection measures have been implemented in full in accordance with the approved details. All protective fencing and warning signs shall be retained during the construction period in accordance with the approved details and no works shall take place at any time within the protected areas.

Reason: In the interests of protecting known features of the historic environment."

38.LOW AND ZERO CARBON TECHNOLOGY, WATER EFFICIENCY AND HEAT NETWORKS

That no buildings shall not be occupied unless a scheme detailing:

- a) compliance with the Aberdeen Planning Guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions and water efficiency have been implemented in full
- b) an Energy Statement in compliance with Policy R8: Heat Networks has been submitted to, and approved in writing by the planning authority and any measures as so agreed have been implemented in full

Reason: to ensure that this development complies with requirements for reductions in carbon emissions

DOONIES / ZONE C (as defined on 'Illustrative Masterplan Visualisation' received 16 July 2024)

39. PROVISION OF COAST ROAD UPGRADE

That no development within Doonies/Zone C shall be occupied unless the Coast Road upgrade works (known as Aberdeen South Harbour Link Road: [External Links to Aberdeen South Harbour | Aberdeen City Council](#) (as per application 240620/DPP or a subsequently approved related planning permission) are substantially complete and the road open to vehicular, foot and wheeled traffic, unless otherwise agreed in writing with the planning authority following submission of an access strategy and the implementation of:

a) works to complete any missing links in safe walking and cycling routes.

In either case there shall be implemented:

b) measures to prevent vehicular traffic associated with the construction and operation of the site from using routes through nearby residential areas

Both a) and b) above shall be in accordance with details submitted to, and approved in writing by, the planning authority by way of an application for matters specified in condition.

Reason: In the interests of residential amenity, public health and safety.

40. PHASING

That no development shall take place on any individual site within Doonies/ Zone C, unless there has been submitted to, and proved 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.

41. DETAILS OF BUILDING, SITE LAYOUT AND DESIGN, INC COAST ROAD

That no development shall take place of any individual plot until there have been submitted to and approved in writing by the planning authority by way of a matters specified in condition application the details listed below. The development shall be implemented fully in accordance with the details as so agreed.

- a) A description of the proposed use of the unit, including in relation to the Use Classes Order and the relationship of the use to the renewable energy industry and association with the South Harbour;
- b) A statement of justification in terms of Policy 9 in NPF4 for the demolition of Doonies Farmhouse and granite steadings and suitability for conversion to the proposed use, or reuse of those buildings;

- c) Elevational design and layout of all built structures, including boundary enclosures and external lighting;
- d) Cross sections through the site showing the height of buildings and ground levels;
- e) Existing and proposed topographical survey plans;
- f) Details of cut and fill operations;
- g) Details of external finishing materials including green walls and roofs where appropriate, including samples as requested.
- h) Details of the reuse of granite from Doonies Farmhouse and steading, where these are to be demolished as part of the development.
- i) Site plan showing siting of buildings, vehicle parking areas, yards, electric vehicle charging points, pedestrian routes, other hardstanding and external storage and surface water drainage arrangements and with the use of all external spaces identified;
- j) Layout and finish of roads and access junctions onto the adopted road network, and including the links to Peterseat Drive;
- k) Locations, siting and design of refuse storage areas and swept path analysis showing access for refuse collection vehicles;

Reason: Permission for the development has been granted in principle only and subsequent approval is required for these matters in accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

42.CYCLE PARKING AND OTHER PRE-OCCUPATION REQUIREMENTS

That the occupation of individual units shall not take place unless there has been provided the matters listed below in accordance with plans that have been submitted to and approved in writing by the planning authority by way of a matters specified in condition application:

- a) Cycle parking on site (long stay and covered);
- b) Core paths, and informal footpaths on and off-site, including footpath link to the path to Tullos Hill;
- c) Vehicle parking strategy;
- d) Electric vehicle charging;
- e) SUDS;
- f) Refuse storage facilities;
- g) High-speed communications infrastructure.

Reason: To help facilitate active travel choices to and from the site and prevent pollution.

43.HEIGHT OF BUILDINGS

That no buildings on the site shall exceed more than 12m above existing ground level (AOD) unless otherwise agreed in writing with the planning authority following submission of a justification including photomontage viewpoints via a matters specified in condition application. Existing ground level on a sloping site shall be taken to be the lowest level of ground within the building footprint.

Reason: In the interests of visual amenity and to minimise the impact of the development on landscape character.

44.BIODIVERSITY PLAN

That no development of any individual plot shall take place 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 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.

Reason: To ensure biodiversity mitigation and enhancement.

45.LANDSCAPING SCHEME

That no development pursuant to the planning permission hereby approved shall be carried out on any individual plot unless there has been submitted to and approved in writing for the purpose by the planning authority by way of a matters specified in condition application a further detailed scheme of landscaping for the on site and off site areas to be included as mitigation and compensation, which scheme shall include indications of all existing trees, hedges and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting

The existing hedges along the northern site boundary, along the base of Tullos Hill (shown as G22 in the Tree Survey report by Struan Dalgleish Arboriculture, June 2023) shall remain unless otherwise agreed in writing by the planning authority.

Reason: in the interests of the amenity of the area.

46.LANDSCAPE PLANTING AND MAINTENANCE

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development or as otherwise agreed in writing with the Planning Authority. Any planting which, within a period of 5 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.

In addition, prior to the commencement of the implementation of the approved scheme, detailed proposals for a programme for the long term management and maintenance of all the approved landscaped and open space areas within the development shall be submitted for the further written approval of the Planning Authority by way of a matters specified in condition application. Thereafter, all management and maintenance of the landscaped and open space areas shall be implemented, in perpetuity, in accordance with the approved programme.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area and to ensure that the landscaping is managed and maintained in perpetuity.

47.CEMP

That no development on any individual plot at Doonies/Zone C shall take place unless there has been submitted to and approved in writing by the planning authority as part of an matters specified b in condition application, a Construction Environmental Management Plan, including but not limited to, dust management and surface water management. The measures shall be implemented in full and thereafter remain in place and fully operational throughout the construction period.

Reason: In the interests of avoiding pollution.

48.SURFACE AND FOUL DRAINAGE

No development shall take place on any individual plot unless a matters specified in conditions application comprising a detailed scheme for surface water drainage and foul water drainage has been submitted to any approved in writing with the Planning Authority. The scheme shall include:

- a) A detailed drainage plan for the relevant phase of development, including full details of the proposed means of disposal of surface water from the development, including how surface water run off shall be addressed during construction, as well as incorporating the principles of pollution prevention and mitigation measures.
- b) Details of all drainage infrastructure to be utilised that passes under the railway
- c) A scheme for the connection of buildings to the public waste water system has been submitted to any approved in writing by the Planning Authority.

Thereafter development shall be implemented in accordance with the agreed scheme and no building shall be used unless connection has been made to the public wastewater network in accordance with the approved details.

Reason: in order to ensure adequate protection of the water environment from surface water run-off

49.NOISE

Development shall not take place on any individual plot unless there has been submitted to and approved in writing by the planning authority by way of a matters specified in condition application an appropriate noise assessment by a suitably qualified consultant to predict the impact on sensitive receptors and specify control measures. The assessment should be undertaken in accordance with Planning Advice Note (PAN) 1/2011 Planning and Noise and its accompanying Technical Advice Note. (The methodology should be submitted and agreed in writing with the Environmental Protection Team in advance.)

The use shall not take place unless the recommendations of the noise assessment have been implemented in full and are fully operational, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of the amenity of the occupiers of nearby buildings.

50.AIR QUALITY

Development shall not take place on any individual plot unless there has been submitted to and approved in writing by the planning authority by way of a matters specified in condition application an appropriate air quality assessment by a suitably qualified consultant to predict any impact on sensitive receptors and specify control measures, unless otherwise agreed with the planning

authority based on the proposed use. (The methodology should be submitted and agreed in writing with the planning authority in advance.)

The use shall not take place unless the recommendations of the air quality impact assessment have been implemented in full and are fully operational, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of public health

51.TRANSPORTASSESSMENT

That no development shall take place on any individual plot unless there has been submitted to and agreed in writing with the planning authority by way of a matters specified in conditions application a Transportation Assessment of the impact on the local network and junctions on the A956 Wellington Road and in Torry and access strategy including for abnormal loads, in accordance with an agreed scope. Thereafter, development shall not be brought into use unless any recommendations in the approved assessment have been carried out or are implemented to the satisfaction of the planning authority in accordance with a timetable submitted to and approved through a MSC application.

Reason: In the interests of road safety.

52.PUBLIC TRANSPORT ACCESS STRATEGY

That no unit of the development shall be occupied unless there has been submitted to and approved in writing by the planning authority, by way of a matters specified in condition application, a Public Transport Access Strategy and Travel Plan with the aim of increasing access to public transport options

Reason: To increase access to public transport

53.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 condition 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.

54.PROTECTIVE FENCING DURING CONSTRUCTION

No works in connection with the development hereby approved shall commence unless a site protection plan has been submitted to and approved in writing by the planning authority by way of

a matters specified in condition application. Site protection measures shall be shown on a layout plan accompanied by descriptive text and shall include:

- a) The location of the historic environment features to be protected during construction works; and
- b) The position and details of the warning signs and protective fencing to be erected.

No works in connection with the development hereby approved shall commence unless the site protection measures have been implemented in full in accordance with the approved details. All protective fencing and warning signs shall be retained during the construction period in accordance with the approved details and no works shall take place at any time within the protected areas.

Reason: In the interests of protecting known features of the historic environment

55.STANDING BUILDINGS SURVEY (Doonies)

No works in connection with the development hereby approved shall commence unless a Level 1 archaeological standing building survey of the extant buildings and structures associated with Doonies Farm on the application site has been undertaken and has been submitted to and approved in writing by the planning authority by way of a matters specified in condition application. The standing building survey shall not be undertaken unless its scope has been approved in writing by the planning authority. The survey 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 and in the local Historic Environment Record.

56.LOW AND ZERO CARBON TECHNOLOGY, WATER EFFICIENCY AND HEAT NETWORKS

That no building hereby approved shall be occupied unless a scheme has been submitted by way of a matters specified in condition application detailing:

- a) compliance with the Aberdeen Planning Guidance: Resources for New Development has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions and water efficiency have been implemented in full
- b) an Energy Statement in compliance with Policy R8: Heat Networks has been submitted to, and approved in writing by the planning authority and any measures as so agreed have been implemented in full

Reason: to ensure that this development complies with requirements for reductions in carbon emissions

ADVISORIES

1. To protect the amenity of existing receptors, it is recommended that 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 hours
2. For the avoidance of doubt, all conditions that require submission of further information for the approval of the planning authority shall be by way of a formal application for Matters Specified in Condition in terms of Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended)