

Planning Development Management Committee

Report by Development Management Manager

Committee Date: 6 November 2025

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



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RECOMMENDATION

Approve conditionally

APPLICATION BACKGROUND

Site Description

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

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

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

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

Relevant Planning History

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

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

The following is a current planning application:

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

Planning History:

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

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

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

Application Number

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

APPLICATION DESCRIPTION

Description of Proposal

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

St Fittick's / Zone A

The relevant condition for St Fittick's reads:

4. PHASING

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

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

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

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

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

The submitted phasing plan shows:

Phase 1

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

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

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

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

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

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

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

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

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

Phase 2

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

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

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

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

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

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

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

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

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

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

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

Phase 3

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

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

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

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

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

Doonies / Zone C

The relevant condition for the Doonies site reads:

41.PHASING

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

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

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

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

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

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

Amendments

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

Supporting Documents

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

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

These are:

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

Reason for Referral to Committee

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

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

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

Public Consultation

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

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

CONSULTATIONS

Aberdeen City Council (ACC) Internal Consultees

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

External Consultees

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

REPRESENTATIONS

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

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

Non-Material Considerations

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

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

MATERIAL CONSIDERATIONS

Legislative Requirements

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

Development Plan

National Planning Framework 4

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

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

Aberdeen Local Development Plan 2023

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

Aberdeen Planning Guidance

- Energy Transition Zone Masterplan

EVALUATION

Key Determining Factors

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

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

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

Key points at Doonies:

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

St Fittick's

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

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

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

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

d) On-plot landscaping;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Doonies

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

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

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

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

Matters Raised in Representations

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

Material Considerations:

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

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

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

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

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

This is covered above.

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

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

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

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

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

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

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

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

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

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

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

Non-Material Considerations

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

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

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

RECOMMENDATION

Approve conditionally

REASON FOR RECOMMENDATION

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

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

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

CONDITIONS

1.PHASING ORDER

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

Reason

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

2.FOOTPATH TO TULLOS HILL

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

Reason

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