

CULTER COMMUNITY COUNCIL



3, Station Brae
Peterculter
Aberdeen
AB14 0PX

22nd February 2013

Mr Tommy Hart
Local Development Plan Team
Enterprise, Planning and Infrastructure, Aberdeen City Council
Business Hub 4, Ground Floor North
Marischal College,
Broad Street
Aberdeen
AB10 1AB

Dear Mr Hart,

Culter Burn. Construction of proposed hydro-electric power generation scheme, fish-pass and access road. Application Ref: P121787

We recognize that, in general, planning policies have been adhered to in this application. However, we would like to draw your attention to the following concerns about inaccuracies, omissions and incomplete information that require clarification before we could fully support this scheme.

Connection to National Grid

No indication is given of the method and structure by which the generated power will reach the National Grid. This information is essential, as the scheme will be built on bedrock within a constricted heavily wooded site. Routes of cables and any pylons must be indicated.

Access and Road Safety

During construction, access to the site from the A93 (North Deeside Road) will present significant difficulties and seriously compromise traffic flow and safety. The conclusion in the Environmental Impact Statement on p106 is highly questionable:

"No significant issues are likely in terms of accidents and safety, disruption and driver delay; fear, intimidation and pedestrian/cyclist amenity; or severance during the construction and operational phases of the proposed development."

The steeply sloping nature of the site means that no heavy construction equipment will be able to be on site until the access road has been created after the stated 3 months. There will be nowhere on site for storage of materials and equipment, or for safe parking of vehicles of any sort. The lay-by and parking area in front of Borsalino Restaurant is privately owned and maintained and is not to be used.

Initial construction will have to be carried out from the roadside. This means that there will be one-way traffic flow over the bridge for a considerable time.

Following the completion of the access road, safety issues persist. The junction of the access road with the A93 is adjacent to a narrow bridge near a significant bend. Any lorry entering or leaving the site will need to swing right across both sides of the A93. A planning and contractual condition must be that no deliveries can be made during commuting hours.

The proposal also states that construction traffic will use Malcolm Road and the A93. The right turn at Malcolm Rd, towards the site, is difficult and dangerous in a car, let alone a 20 tonne truck. The return from the site back up Malcolm Rd is practically impossible in a lorry.

Inaccuracies and omissions in information provided

7 The photomontages in Appendix A do not match the *Tree Protection and Management Drawing PBD-1209-TP*. The photos are misleading, as they show a backdrop of trees behind the proposed access road, which is actually made up of the canopy of the trees that are being removed. The gable of 264 Clayhills Cottage will be significantly more exposed. Additionally, the large Cherry (No. 12) on the boundary of 264 Clayhills Cottages may suffer root damage and die. The Scots Pine (No. 25) is a central feature of the gorge and is to be removed, which would be detrimental to the visual impact of the gorge.

8 Additionally, there appears to be a contradiction to the proposed tree removal in Appendix B on p 4 of *An Extended Phase 1 & Protected Species Survey* where it states that "*The developer has indicated that the design of the hydro scheme will not require any trees to be felled*" with reference to loss of bat roosts.

9 The site *Sections Drawing No. 901 Rev 2* is titled "Temporary Access Road". Is there a separate plan for a permanent access road proposal? We also note that it has a gradient of 1: 4.13, which is very steep for heavy construction lorries. There also seems to be no adequate provision for turning of larger vehicles, nor any form of safety barrier at the foot of the access road above the river.

10 Table 10.1 (p 83 *Environmental Impact Statement*) "Construction Phase Pollution Mitigation Measures" appears to be a generic document with little or no reference to the particular problems of this restricted site, e.g. under movement and storage of soils it states "*soil to be stored on site a minimum of 10m distance from the river edge.*" It is not clear where this soil could be stored.

Security

10 There is no reference to security of the installation after construction. Presumably it will not be possible to prevent the public from entering this area, without a significant fence all along the boundary wall on the A93.

Existing Structures

11 The existing concrete lade is unsightly. Although the pipe within it is being removed, it would provide a better environmental improvement to remove the lade completely, back as far as the bridge. The ground could then be naturally reclaimed as riverbank.

The Fish Pass

12 We understand that it is advisable for the fish pass to be located adjacent to the area of maximum flow, which in this case is beside the new Archimedes Screw and not beside the opposite bank. This should be considered in more detail.

Silt Removal

12 We understand that significant extensive silt removal will be required in the entire "lake" area above the dam to facilitate fish migration. Silt has been building up behind the dam since the mid-1980s. Previously, the silt was flushed out annually using the sluice gate in the centre of the dam. This gate was concreted up when the mill closed. The proposal states (p 85) that "*a silt-management plan should be prepared for the operational phase of the works in accordance with the best practice advice given in the SEPA (2010) Sediment Management Guide*". No indication is given as to how silt will be removed and how the entire area is accessed for that removal either during construction or particularly during operational use. We draw attention to the fact that the only time suitable for sediment removal appears to be in August and September (p 85).

However, the timing for silt removal of August/September would be a disaster for the downstream fisheries whose prime clients are fishing at this time until mid October with the prolific Autumn run in progress and fish 'filling up' the lower reaches and spawning areas. We are then into salmon spawning up to the end of November/ early December. Our local expert strongly recommends that any silt removal be timed such that spawning is past and before the spring runs start to build in late January. Brown trout in the systems upstream of the Dam are also spawning from October onwards but generally in higher, silt-free areas. The real 'window' of opportunity is right across the Christmas & New Year holiday period. This requires DSC and Fisheries confirmation and 'buy-in'. Commercially for developer, this timing is the most unattractive, with potentially low and difficult access, high water, bad weather, short days and long holidays.

13 A possible attractive low impact alternative would be in the salmon fishing 'low' season of April/ early May, but avoiding the smolt migration and build-up of the sea-trout run (again DSC & Fisheries input essential). There are likely to be lower water levels, easier access, longer working hours and fewer holidays. The coarse fish (pike, perch, minnows, sticklebacks and the like) and our resident toads, frogs, newts and lizards plus birds (especially waterfowl in this location – not mentioned in the impact assessment which was likely done outside nesting time) and mammals in and around the water courses spawn/ lay eggs/ have young at this time, so there will be collateral damage but probably less 'high profile' than any impact on the salmon and trout fishing.

Noise

We can find no details of noise levels during the operation of the turbine. This is of concern to local residents. Information regarding this should be provided. Environmental Health have made standard comments about noise during construction. We are concerned about the use of any blasting/vibration equipment on granite bedrock, which we have been advised can directly damage surrounding structures.

In summary, we are in support of this scheme with the reservations listed above. However, we remain extremely concerned for the long-term implications for the local development of Peterculter, particularly with reference to plans associated with this scheme, for further housing in the Green Belt.

Philippa Matthew

Chair and Planning Sub-Committee
Culter Community Council
Cc. Councillors Boulton, Malone and Malik

Rev2: Addition of detailed notes regarding timing of silt removal.

PI - Re: Culter Burn Hydro-Electric Power Scheme and Fish Pass

From: Philippa Matthew [REDACTED]
To: Tommy Hart <TomHart@aberdeencity.gov.uk>
Date: 22/02/2013 09:08
Subject: Re: Culter Burn Hydro-Electric Power Scheme and Fish Pass
Attachments: CCCcommentsHydroSchemeRev2.doc

Please find attached Revision 2 of the Culter Community Council response. Please delete the previous submission.

Many thanks
 Philippa

On 22 February 2013 08:54, Philippa Matthew [REDACTED] wrote:

Heaven preserve me from souls who don't check who they are replying to!

On reflection, I will just cut and paste this into our response, as it is useful information for the development. I'll do that now and resubmit.

Sorry about the confusion

Philippa

On 22 February 2013 07:46, Tommy Hart <TomHart@aberdeencity.gov.uk> wrote:

Phillipa

is this to be included in the CCC response? If so can you update and resubmit.

Many thanks

Tommy

Tommy Hart

Senior Planner (Development Management)

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>>> David Wakefield [REDACTED] 21/02/2013 17:11 >>>

Philippa,

Many thanks for this excellent response crafted after our meeting on Monday in collaboration with Judy.

My only comment is that the timing for silt removal of August/ September would be a disaster for the downstream fisheries whose prime clients are fishing at this time until mid October with the prolific

Autumn run in progress and fish 'filling up' the lower reaches and spawning areas. We are then into salmon spawning up to the end of November/ early December. I strongly recommend that any silt removal be timed such that spawning is past and before the spring runs start to build late January. Brown trout in the systems upstream of the Dam are also spawning from October onwards but generally in higher, silt-free areas. The real 'window' of opportunity is right across the Christmas & New Year holiday period but we must get DSC and Fisheries confirmation and 'buy-in' and of course commercially for developer the this timing is commercially most unattractive with potentially low and difficult access, high water, bad weather, short days and long holidays!

A possible attractive low impact alternative would be in the salmon fishing 'low' season of April/ early May but avoiding the smolt migration and build-up of the sea-trout run (again DSC & Fisheries input essential). We are likely to have lower water levels, easier access, longer working hours and fewer holidays! The coarse fish (pike, perch, minnows, sticklebacks and the like) and our resident toads, frogs, newts and lizards plus birds (especially waterfowl in this location – not mentioned in the impact assessment which was likely done outside nesting time) and mammals in and around the water courses spawn/ lay eggs/ have young at this time so there will be collateral damage but probably less 'high profile' than any impact on the posh 'big-bucks' earning denizens of our environment.

I salute your and Judy's consummate professionalism and analytical skills – we are indeed in 'safe' hands planning review wise for the moment.

David

From: Philippa Matthew [REDACTED]
Sent: 21 February 2013 09:32
To: Tommy Hart
Cc: Lavina Massie; Judy Dack; David Wakefield; Marie Boulton; Aileen Malone; mmalik@aberdeencity.gov.uk
Subject: Culter Burn Hydro-Electric Power Scheme and Fish Pass

Dear Tommy,

Please find attached comments from Culter Community Council.

Kind Regards

Philippa

Chair

Culter Community Council

[REDACTED]

PI - Planning Application Reference Number 121787

From: Natalie Croft [REDACTED]
To: "pi@aberdeencity.gov.uk" <pi@aberdeencity.gov.uk>
Date: 21/02/2013 10:01
Subject: Planning Application Reference Number 121787
Attachments: SKMBT_C22013022110260.pdf

Dear Sirs

We refer to the above planning application and now enclose letter on behalf of our client for consideration. We note that comments are now closed however when we were originally advised by our client to review the planning application the planning section of your website was down and therefore we were unaware of the closing date for comments. We would there for be obliged if you would consider our clients comments in line with the above planning application.

Yours faithfully,

andersonbain LLP

Solicitors & Estate Agents



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Enterprise, Planning and Infrastructure
Aberdeen City Council
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Marischal College
Broad Street
Aberdeen

Our Ref: AB10 1AB

Your Ref:

Date:

SB/NC

21 February 2013

Dear Sirs

Planning Application Reference Number: 121787

We refer to the above planning application and write on behalf of Mrs McAleese the owner of number 264 North Deeside Road, Peterculter. Our client would like it noted that she lives in close proximity to the proposed planning site and that she has not received any information on the level of noise the hydro pass will create and is concerned that this will have an effect on the personal enjoyment of her property.

We would therefore like to note our client's objection until further information can be provided on the decibel measurements of the proposed development.

Yours faithfully



STUART M. BAIN
Partner & Member
andersonbain LLP
Email -

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