

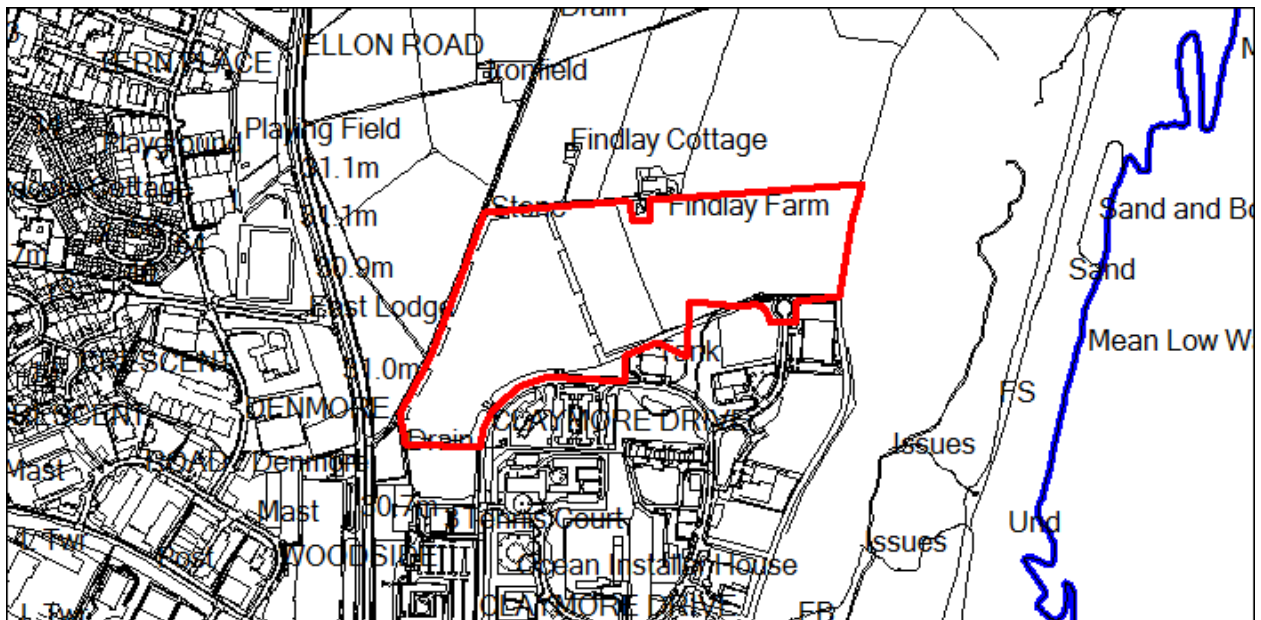
Planning Development Management Committee

LAND ADJ TO, CLAYMORE DRIVE, SCIENCE & ENERGY PARK

EXTENSION TO ABERDEEN ENERGY PARK TO PROVIDE 48,000SQM2 OF OFFICE/INDUSTRIAL/WAREHOUSE FLOOR SPACE

For: Aberdeen Science Parks LP

Application Type : Planning Permission in Principle	Advert : Can't notify neighbour(s)
Application Ref. : P131483	Advertised on: 30/10/2013
Application Date: 10/10/2013	Committee Date: 6 th November 2014
Officer: Kristian Smith	Community Council : no response received
Ward : Bridge of Don (M Jaffrey/J Reynolds/S Stuart/W Young)	



RECOMMENDATION: Approve subject to Conditions

DESCRIPTION

The site extends to some 17 hectares and is located to the north of the Aberdeen Energy Park at Claymore Drive, located to the north of Bridge of Don. The site comprises agricultural land, which generally slopes from the South West to the North East.

To the east is the Royal Aberdeen Golf Club, Murcar Links Golf Club and the Aberdeen coast. The north and west is agricultural land, with the A90 Trunk Road located just beyond to the west. There are a number of residential properties also located to the north.

RELEVANT HISTORY

88/1290: The first phase of the Science and Energy Park was granted Outline Planning Permission in March 1989 as an 'offshore technology park'. Particular care was taken with the landscaping of the site and to ensure that the buildings and plots were set within substantial structural planting.

92/0385: Granted outline planning permission, subject to conditions, for an extension to the Science and Energy Park in November 1992. That consent was restricted to: research, design, development of products or processes and ancillary educational activities/facilities only. No other uses were permitted, except with the prior written consent of the planning authority.

A5/2196: Granted outline planning permission, subject to conditions, for a further extension to the Science and Energy Park in November 2007. This consent was not implemented and expired on the 26th November 2010. This application related to the same 17ha site as the application subject of this report.

PROPOSAL

Planning permission in principle is sought for an extension to the Aberdeen Energy Park, to provide an additional 48,000 square metres of Class 4 (Office), Class 5 (Industrial) and Class 6 (Storage and Distribution / Warehouse) floor space.

A layout plan accompanying the application is for indicative purposes only, as other than the floor space proposed all other matters are to be reserved and considered via future Matters Specified in Conditions (MSC) applications.

Supporting Documents

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=131483>

On accepting the disclaimer enter the application reference quoted on the first page of this report.

1. Design and Access Statement
2. Planning Statement
3. Pre-Application Consultation Report
4. Landscape and Visual Impact Assessment (LVIA) (amended 01.11.2013);
5. Transport Assessment (amended 8th August 2013)
6. Sustainability Statement
7. Ecology Report
8. Archaeological Desk-Based Assessment.

PRE-APPLICATION CONSULTATION

The proposed development was the subject to pre-application consultation on 17th and 18th January 2013, between the applicant and the local community, as required for applications falling within the category of 'major' developments as defined in the 'Hierarchy of Development' Regulations. The consultation involved a public exhibition which was organised on behalf of the applicants.

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee because more than 5 objections have been received. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – No objection, subject to planning conditions. Advise that no Strategic Transport Fund contribution is required, given the site was identified within the 2008 Local Development Plan. Requested conditions are: no more than 15% of the proposed floor space (7,200m²) shall be developed until both the Aberdeen Western Peripheral Route (AWPR) and Third Don Crossing (TDC) are completed and open to traffic; submission of a Travel Plan for the site and each plot developed therein; submission of a Public Transport Strategy (PTS) incorporating the timing for a bus service link through the site, such timing to be agreed before more than 15% occupation; requiring that various junction mitigations be undertaken following 15% occupation; that improvements are made to the Ellon Road / Parkway roundabout before more than 45% occupation; that further junction mitigations be undertaken before more than 65% (31,200m²) occupation; that a 3m wide shared use foot/cycleway be provided on one side of a internal loop road, and also connecting to the costal path (Core Path 18); and, that a Drainage Impact Assessment (DIA) be submitted and approved prior to commencement of construction.

Trunk Roads Authority – No objection, subject to two conditions: (1) that the proposed development shall be limited to 15% of the total Gross Floor Area prior to the Aberdeen Western Peripheral Route being open to traffic, and the consequent removal of trunk road status for the A90 Parkway and A90 Ellon

Road; and (2) that no part of the development shall be occupied until a comprehensive Travel Plan that sets out proposals for reducing dependency on the private car has been submitted and approved in writing by the planning authority, after consultation with Transport Scotland, as the Trunk Roads Authority.

Environmental Health – No objections in principle. Advise that properties on the northern perimeter may be served by private drainage systems and that now is an opportune time to seek their connection to the main sewage disposal system, which may be improved as part of the proposed development. Conditions are requested in relation to: construction hours of work, because of the proximity of the houses to the north; that lighting does not affect existing properties: adequate bin storage within each unit area; that all proposals are connected to the mains sewage system; and, that measures to prevent deposit of mud or other debris on the public road are implemented.

Developer Contributions Team – Advise that the level of contributions required will be sought at the detailed (MSC or detailed planning permission) stages, when the: use class, gross internal floorspace and car parking detail is set out. Such contributions are to be secured by condition or legal agreement.

Enterprise, Planning & Infrastructure (Flooding) – No objection, subject to planning conditions requiring: a drainage impact assessment (DIA); surface water drainage (SuDS) proposals; and a flood risk assessment (FRA).

Education, Culture & Sport (Archaeology) – No objection, subject to a condition requiring a written scheme of investigation detailing: a programme of archaeological work, including all necessary post-excavation and publication work. It is noted that an archaeological desk-based assessment was submitted, in support of the application, but the report fails to make reference to the Bronze Age presence which was discovered just to the north. Given the sensitivity of the site, it is required that archaeological evaluation work be done in advance of any development.

Scottish Environment Protection Agency (SEPA) – No objection, subject to the imposition of conditions requiring: details of SUDS; a site specific construction method statement; details of existing private water supplies and appropriate mitigation to their sources.

Scottish Natural Heritage (SNH) – No objection, but note that the development should be carried out in accordance with the species protection plan outlined in the Ecology Report. The proposed control and removal of Japanese Knotweed and Giant Hogweed is welcomed.

Scottish Water – No objection.

Aberdeen International Airport (AIA) – No objection, subject to conditions to secure: a Bird Hazard Management Plan (BHMP); a SUDS scheme, including

bird deterrent measures; landscaping details (ensuring plants not attractive to birds).

National Air Traffic Service (NATS) – No objection, advise that the proposal does not conflict with safeguarding criteria.

Police Scotland (Architectural Liaison Service) – No comments at this stage. However, as plans become more detailed would welcome the opportunity to comment, to ensure the development is a safe and secure environment.

Community Council – No response received.

REPRESENTATIONS

6 letters of objection have been received. The objections raised relate to the following matters –

Principle:

1. The Aberdeen Science and Energy Park (ASEP) was established as an R&D (Research and Development) centre of excellence, whereas this application makes no distinction as to the nature of potential occupiers;
2. The proposal is contrary to development plan, where the site is zoned as Specialist Employment Land (policy B12) and should only be diverted from R&D use in exceptional circumstances. Given the strong supply of general industrial land in Aberdeen there is no valid justification for departing from this policy position; to do so is a departure from the local plan.
3. The R&D function should be protected for the site for the wider benefit of the City and Shire economy.
4. Indicative layout shows many of the plots as a mix of office and industrial uses where the offices generally appear ancillary. Therefore the reality is that the proposal is for Class 5 (General Industrial) rather than Class 4 (Offices).
5. Given the application seeks permission in principle, it is possible that the exact balance of uses could alter over time, as future Matters Specified in Conditions (MSC) applications are lodged, which could create the potential for a general industrial development site. The opportunity to move away from R&D should be avoided.
6. The fact that the proposal seeks permission in principle, suggests that the proposal is speculative, combining this with the indicative layout and use types will dilute the importance and impact of the ASEP and undermine its aim to support energy related R&D uses.

7. Policy BI2 only allows the Council to consider other uses than Class 4 in exceptional circumstances and in all circumstances the merit of that change must be clear, justifiable and considered. The fact that this proposal seeks permission in principle does not allow the Council to consider the proposals properly and on their merits.
8. The Murcar Development Framework (SG) was examined in the preparation of the Local Development Plan (LDP) 2012, and found to be up to date and relevant. It states that development on the extension to the ASEP at Findlay Farm will be restricted to companies that are significantly engaged in research and development. The application is contrary to this and therefore contrary to the LDP.
9. The application is contrary to the aims and objectives of Energetica.
10. The ASEP is considered unique in the oil and gas industry worldwide as the only single site facility which can cater for most of the industry's R&D requirements. The proposal is contrary to this aim.
11. Policy allows for a mix of uses (BI2) but only where the merits of such uses can be justified and are exceptional. There are no exceptional circumstances presented.
12. The City and Shire Structure Plan sets out pre-requisites prior to the building within the Aberdeen to Peterhead corridor, including delivery of vital infrastructure such as AWPR, duelling of A90 between Balmedie and Tipperty, etc. until the infrastructure is in place development in the southern part of the corridor will be limited. None of these works have started, let alone delivered.
13. Note that the AECC will be relocating so why is there a need for all this development on greenfield land when a very sizeable area will become available?
14. Within the whole proposed site, and specifically in the case of the plots surrounding Findlay Farm, are not suitable for Class 5 development given the close proximity to residential development.

Design

15. The supporting documents suggest that the development will be a high quality landscaped park, but this is not reflected in the indicative layout. The layout is likened to a general industrial layout accessed off a central road. An inappropriate layout to attract R&D type uses.
16. Lack of significant structural landscaping around the edges and the access roads.

17. There is limited public or private open space within the development. The layout is not an inward facing landscaped park.
18. Object to three storey high building which would dominate the landscape and spoil the area from views at the adjacent golf club. The building would appear incongruous with existing buildings in ASEP which are generally no higher than two storeys in height; all the other proposed buildings are no higher. This building would be contrary to Policy D6 – Landscape, as it would create a significantly adverse landscape impact which would be to the detriment of the recreational enjoyment of the golf course. It is contrary to the Murcar Development Framework (SG) which states that all new building is expected to be responsive to context and integrated within a landscape structure and particular regard is required in the areas that lies adjacent to the two golf courses
19. Lack of significant landscaping along the eastern boundary adjacent the golf course. Figure 8 of the LVIA shows an absence of any screening; the landscape masterplan shows very few trees, being largely grassed, thus providing little or no visual barrier on the boundary, or acoustic boundary.
20. The proposal as submitted would cause a detrimental impact on the golf clubs ability to attract major events and tourists in the future (such as Walker Cup, Scottish Open, which generates significant money to the economy, and as a destination of golf tourism).

Residential Amenity

21. Impact on amenity of neighbouring dwellings to the north in terms of no screening measures, buffer zones and noise mitigation.
22. The submitted LVIA notes that Findlay Farm would experience high adverse visual impacts, the effects are substantial adverse, and there are no mitigation measures set out.
23. Areas of green space along the northern boundary would further mitigate the impact of the proposal to the residential properties on the northern boundary.
24. The submitted LVIA fails to take into account views from residential property closest to the proposal, but has considered others.
25. The proposal could be amended to minimise impact on the residential developments to the north, by relocating the largest buildings from the northern boundary, and moving the single storey height buildings to the north from the middle of the site. The larger buildings are more likely to give rise to noise pollution, being used for longer periods including possible night shifts, and visual impacts.

26. External lighting should take into account residential amenity and minimise light spillage into adjoining areas and the sky (policy D2). No measures have been identified to take into account the impact of lighting on adjacent residential properties.
27. Water supplies to residential properties run through the application site, but there have been no assurance that no damage would be caused.

Ecology

28. The proposal fails to consider impact on the wildlife that occupy and surround the area. Objector indicates that deer, foxes, squirrels, heron and birds of prey, and bats within the water tower to the north.

Traffic/Transport

29. Traffic in Bridge of Don, and Aberdeen in general, already suffers serious congestion and a small incident, such as accident or adverse weather, puts the entire city at gridlock.
30. Mention is made to improvements to public transport and re-opening of outlying community railways stations to alleviate cars on the road. The existing public transport has not improved, with increased fares and reduced service, and believe no local railway stations has re-opened in the last five years. Fail to see how this would happen when funds are being cut and local residents lose existing services.
31. Submitted Transport Assessment (TA) is unacceptable, does not present an accurate picture of the potential impact of traffic from the proposed development.
32. Consider the infrastructure network will be unable to support further open class 4, 5 and 6 developments without further major upgrades.
33. The submitted TA considers that as permission was previously approved in 2007 that no regard has to be given to that previously committed; however in response the previous consent has since expired. Referred to as 'uplift', i.e. the TA only assesses the traffic impact based on the additional level of development now sought above that which was approved in 2007 (since elapsed), and not the whole proposal.
34. The Strategic Transport Fund should be applied to the whole development, not just the 'uplift'.
35. Over provision of car parking, when taking into account Supplementary Guidance Transport and Accessibility (SG- TA) of 8 car parking spaces.

36. The parking layout should be informed with clarification on the proposed uses. Warehousing for example would equate to 96 spaces, not 192 as proposed in accordance with SG-TA
37. No modelling results on the Parkway East/Exploration Drive/Claymore Drive have been presented within the TA.
38. The already congested network in the Bridge of Don area can only be exacerbated by the expansion proposals.
39. The private road which serves the domestic properties to the north has been maintained at cost to those properties. Seek assurances that the road will remain private and no traffic associated with pre or post construction will use it; or if it is agreed that it can be used that it would be upgraded and tarred at no expense to the occupiers of the residential properties.

Other travel modes

40. Note that the TA identifies a need for enhanced crossing facilities for pedestrians and cyclists;
41. The link from Berryhill development to the north and the existing Aberdeen Science and Energy Park is only possible with co-operation of the developers of the Berryhill development, the TA makes no indication of the accessibility of the site without this provision coming forward for which the developer is benefitting without having to make a fair contribution to its delivery.
42. Consider that the TA over estimates the modal share for public transport, and consequently an optimistic view of the trip generation.

Other

43. The TA disadvantages other developers in a number of ways: in that a fair comparison of impacts at the respective sites cannot be derived; with respect to development viability, sharing the burden of mitigation costs, and compliance with Circular 3/2012 Planning Obligations and Good Neighbour Agreements.
44. Aberdeen is already well served by general industrial land, no need to release other non-industrial land for that purpose;
45. A different approach in the TA compared with the Berryhill TA which is adjacent.
46. No mention within the TA of traffic surveys being undertaken to inform an observed level of traffic.

47. No mention within the TA of the origin and year of the baseline data has been submitted. Questions relevance of some of the data given time elapsed.
48. Questions a number of statements made within the TA relating to the Berryhill TA, which are considered inaccurate.
49. There are industrial developments taking place across the city, whilst existing buildings stand empty in Altens, Tullos and Kirkhill industrial estates. In addition the High Speed rail network will not serve Scotland, let alone Aberdeen, to the impacted sum of several millions. Understand need to ensure that Aberdeen is viable and attractive place to do business and that the city offers opportunities for employment and future investment but need to make sure that at the onset have the infrastructure in place and that there is demand in the pipeline for investment in the city.
50. Flooding – seek assurances that any damage caused as a result of inadequate maintenance and inefficient drainage would be repaired at no cost to neighbouring residents.
51. The watercourse that runs between the site and the private lane has remained as an unresolved ownership issue, but it has been blocked and caused flooding in the past causing damage to adjacent property. The proposal could impact on the watercourses adjacent. Drainage and the issue of flooding should be investigated and clarified to ensure that the developers are accountable for maintenance to ensure it accords with planning policy NE6 (Flooding and Drainage).
52. Environmental Impact Assessments (EIA) are used to establish the acceptability of a proposal, even in principle. In such cases the level of detail of the proposal must be sufficient to enable a proper assessment of the likely environmental effects and mitigation. This application is deficient in terms of mitigation measures.
53. Security measures for the site should be considered to prevent illegal encampments during and post construction, which have already occurred at Claymore Drive and within the ASEP.

PLANNING POLICY

National Policy and Guidance

SPP (Revised June 2014) – SPP is the statement of Scottish Government Policy on land use planning, and includes the Government's core principles for the operation of the planning system, subject planning policies, and how they should be exercised to contribute to the objective of sustainable development. The principle policies relating to: sustainability and placemaking; and subject policies

relating to: a Successful, Sustainable Place; a low Carbon Place; a Natural, Resilient Place; and, a Connected Place, are all relevant material considerations.

Aberdeen City and Shire Strategic Development Plan (SDP)(March 2014)

Recognises Aberdeen as the principal strategic growth area within the region, as is the Energetica corridor, which the site sits within, at its southern end. Sustainable travel is promoted, as are improvements to transport infrastructure, all to support and enable new development. The southern end of the Energetica corridor is recognised as a focus for developing energy technology and energy efficiency, whilst the corridor itself is recognised for its important strategic assets, high environmental quality and significant potential for development. The creation of a global hub for the energy sector is a strong focus. It is also recognised that until significant infrastructure improvements are made, including the AWPR and 3rd Don crossing, that development will be restricted. Further focus issues are: diversifying the economy; and quality of environment.

The SDP sets out the following key objectives for the growth of the City and Aberdeenshire:

- Economic Growth – to provide opportunities which encourage economic development and create new employment in a range of areas that are both appropriate for and attractive to the needs of different industries, while at the same time improving the essential strategic infrastructure necessary to allow the economy to grow over the long term.
- Sustainable Development and Climate Change – to take the lead in reducing CO2 emissions, adapts to the effects of climate change and limits the amount of non-renewable resources it uses.
- Population growth – to increase the population of the city region and achieve a balanced age range to help maintain and improve people’s quality of life.
- Quality of the environment – to make sure new development maintains and improves the region’s important built, natural and cultural assets.
- Sustainable Mixed Communities – to make sure that new development meets the needs of the whole community, both now and in the future and makes the area a more attractive place for residents and businesses to move to;
- Accessibility – to make sure that all new development contributes towards reducing the need to travel and encourages people to walk, cycle or use public transport by making attractive choices.

Aberdeen Local Development Plan

Policy LR1 Land Release Policy

Opportunity Site OP4 Findlay Farm, Murcar, which is the subject of this application, has been zoned under this policy for 16.4ha of specialist employment land and as an opportunity to extend the Aberdeen Science and Energy Park. The site was similarly identified in the 2008 Local Development Plan and is considered to be suitable for commencement immediately.

Policy BI2 Specialist Employment Area

Indicates that a mix of Class 4 (Business) and 5 (General Industrial) uses shall be permitted, the latter being considered on their merits. Research, design and development activities, together with related educational/training activities are encouraged. Ancillary facilities aimed primarily at meeting the needs of businesses and employees may be permitted where they enhance the attraction and sustainability of the specialist employment area for business investment.

Policy I1 Infrastructure Delivery and Developer Contributions

Development must be accompanied by the infrastructure, services and facilities required to support new or expanded communities and the scale and type of developments proposed. Where development either individually or cumulatively will place additional demands on community facilities or infrastructure that would necessitate new facilities or exacerbate deficiencies in existing provision, the Council will require the developer to meet or contribute to the cost of providing or improving such infrastructure or facilities.

Policy T1 Land for Transport

Transport infrastructure required to facilitate new development will also be supported in principle, including walking and cycling facilities, new and extended public transport services, and new and improved roads.

Policy T2 Managing the Transport Impact of Development

New developments will need to demonstrate that sufficient measures have been taken to minimise the traffic generated.

Transport Assessments and Travel Plans will be required for developments which exceed the thresholds set out in the Transport and Accessibility Supplementary Guidance. Planning conditions and/or legal agreements may be imposed to bind the targets set out in the Travel Plan and set the arrangements for monitoring, enforcement and review.

Maximum car parking standards are set out in Supplementary Guidance on Transport and Accessibility and detail the standards that different types of development should provide.

Policy D1 Architecture and Placemaking

To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. To ensure that there is a consistent approach to high quality development throughout the City with an emphasis on creating quality places, the Aberdeen Masterplanning Process Supplementary Guidance will be applied. Landmark or high buildings should respect the height and scale of their surroundings, the urban topography, the City's skyline and aim to preserve or enhance important views.

Policy D3 Sustainable and Active Travel

New development will be designed in order to minimise travel by private car, improve access to services and promote healthy lifestyles by encouraging active travel. Development will maintain and enhance permeability, ensuring that

opportunities for sustainable and active travel are both protected and improved. Access to, and movement within and between, new and existing developments will prioritise transport modes in the following order – walking, cycling, public transport, car and other motorised vehicles.

Street layouts will reflect the principles of Designing Streets and will meet the minimum distances to services as set out in Supplementary Guidance on Transport and Accessibility, helping to achieve maximum levels of accessibility for communities to employment, essential services and areas of recreation.

Existing access rights, including core paths, rights of way and paths within the wider network will be protected and enhanced. Where development proposals impact on the access network, the principle of the access must be maintained through the provision of suitable alternative routes.

D5 Built Heritage

Development affecting archaeological resources should comply with the further details set out in the SG on 'Archaeology and Planning'.

Policy D6 Landscape

Development will not be acceptable unless it avoids:

1. Significantly adversely affecting landscape character and elements which contribute to, or provide, a distinct sense of place which point to being either in or around Aberdeen or a particular part of it;
2. Obstructing important views of the City's townscape, landmarks and features when seen from busy and important publicly accessible vantage points such as roads, railways, recreation areas and pathways and particularly from the main city approaches;
3. Disturbance, loss or damage to important recreation, wildlife or woodland resources or to the physical links between them;
4. Sprawling onto important or necessary green spaces or buffers between places or communities with individual identities, and those which can provide opportunities for countryside activities.

Development should avoid significant adverse impacts upon existing landscape elements, including linear and boundary features or other components, which contribute to local amenity, and provide opportunities for conserving, restoring or enhancing them.

Policy NE5 Trees and Woodlands

Presumes against development which would see the loss of or damage to established trees and woodlands which contribute significantly to nature conservation, landscape character or local amenity. Appropriate measures should be taken to protect and thereafter manage existing and new trees both during and after construction. A tree protection plan should accompany detailed applications. Native species should be used in new planting.

Policy NE6 Flooding and Drainage

Development will not be permitted if:

1. It would increase the risk of flooding;
2. It would be at risk itself from flooding;
3. Adequate provision is not made for access to water-bodies for maintenance; or
4. It would result in the construction of new or strengthened flood defences that would have a significantly damaging effect on the natural heritage interests within or adjacent to a watercourse.

Applicants will be required to provide an assessment of flood risk where a development is likely to result in a material increase in the number of buildings at risk from flooding.

Where more than 100m² of floorspace is proposed, the developer will be required to submit a drainage impact assessment. Surface Water Drainage associated with development must:

1. Be the most appropriate available in term of SUDS; and
2. Avoid flooding and pollution both during and after construction.

Connection to the public sewer will be a pre-requisite of all development where this is not already provided.

Policy NE9 Access and Informal Recreation

New development should not compromise the integrity of existing or potential recreational opportunities including access rights, core paths, other paths and rights of way. Core Paths are shown on the Proposals Map. Wherever appropriate, developments should include new or improved provision for public access, permeability and/or links to green space for recreation and active travel. Further guidance is available in the Infrastructure and Developer Contributions Manual, Supplementary Guidance on Transport and Accessibility, and Open Space Supplementary Guidance.

Policy NE10 Air Quality

Planning applications for development which has the potential to have a detrimental impact on air quality will not be permitted unless measures to mitigate the impact of air pollutants are proposed and can be agreed with the planning authority. Such planning applications should be accompanied by an assessment of the likely impact of development on air quality and any mitigation measures proposed (see Air Quality Supplementary Guidance).

Policy R6 Waste Management Requirements for New Development

Details of waste storage facilities and means of collection must be included as part of any planning application for development which would generate waste.

Policy R7 Low and Zero Carbon Buildings

All new buildings, in meeting building regulations energy requirements, must install low and zero carbon generating technology to reduce the predicted carbon

dioxide emissions by at least 15% below 2007 standards. This percentage requirement will be increased as specified in Supplementary Guidance.

Supplementary Guidance

- Murcar development framework
- Infrastructure and developer contributions manual
- Energetica
- Air Quality
- Archaeology and Planning
- Drainage Impact Assessments
- Landscape Strategy Part 2 – Landscape Guidelines
- Low and Zero Carbon Buildings
- Transport and Accessibility
- Trees and Woodlands
- Waste Management Requirements in New Development

Other Relevant Material Considerations

The previous grant of outline planning permission (Ref: A5/2196) is a strong material consideration.

EVALUATION

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

Principle of Development

The submitted Planning Statement accompanying the application summarises the proposal seeks planning permission in principle 48,000m² of floorspace across use Classes 4 (Business), 5 (General Industrial) and 6 (Storage and Distribution / Warehouses), with the predominant use being Class 4. The Class 6 use will primarily be ancillary to Classes 4 and 5 (para 4.8).

The site is allocated within the Local Development Plan as a Specialist Employment Area (BI2). This policy states that proposals at the Aberdeen Science and Energy Park for a mix of Class 4 Business and Class 5 General Industrial, the latter of which will be considered on their merits.

The Murcar Development Framework Supplementary Guidance notes that Opportunity Site 4: Findlay Farm, Murcar, is a 16.4 hectare extension to the Science and Energy Park. “Development on the extension to the Science and Energy Park at Findlay Farm will be restricted to companies that are significantly engaged in research and development”.

As such the principle of Class 4 and 5 uses is considered acceptable. However, it is not considered appropriate to include Class 6 as a standalone alternative. This reflects the Local Development Plan intention to restrict the site to a 'Specialist Employment Area', rather than general business and industry. As the existing Science and Energy Park has passed through the planning process it has been restricted to encourage primarily Class 4 uses, in particular those related to research and development. On the basis of the above it is not considered appropriate to grant an 'open' or unrestricted consent allowing for any mix of Class 4, 5 or 6 uses.

The developers have requested that consideration be given such that up to 20% of the floorspace could be used for Class 6 purposes, and this has come forward in various formats including: stand alone plots for warehousing, and as ancillary to Class 4 and 5 development. The latest indicative layout plan has not included any reference to Class 6 Use. However, it is acknowledged that the developer would like this to be considered.

In giving this matter consideration it is not felt appropriate to allow an uncontrolled 20% allocation for Class 6 development, so as to avoid the development of individual plots coming forward as principally for Class 6 purposes. However, in recognition of the fact that there may be elements of warehousing associated with Class 4 or 5 uses, it is accepted that an element of related class 6 development could be permitted. It is noted that The Town and Country Planning (Use Classes) (Scotland) Order 1997 and General Permitted Development Order allows changes of use from Class 4 and/or 5 to Class 6 up to a maximum of 235 square metres, without a requirement for planning permission. Extrapolating this permitted development right across to the indicative plan, and taking a flexible and proportionate approach, it is considered that allowing 20% of the yard or floorspace to be used for Class 6 purposes (within each plot) is reasonable and likely to reflect what potential occupiers would require. That way such a condition ensures that the warehousing element remains ancillary, and importantly is also not too far beyond what can be done without planning permission. This approach would not prevent any submission of a detailed application being made and be assessed on its own merits, should the developer of any plot require more than 20%.

Although a number of the representations raise concern about the nature of the proposal and refers to the Murcar Development Brief outlining that "Development on the extension to the Science and Energy Park at Findlay Farm will be restricted to companies that are significantly engaged in research and development." and primarily Class 4 Use. As such, subject to suitable planning conditions, the proposal is considered to comply with the aims and objectives of strategic development plan in this regard, and accords with the general principles contained within the Land Release Policy LR1 and Policy B12 (Specialist Employment Areas), as well as the Murcar Development Framework Supplementary Guidance.

Traffic and Road Safety

The Trunk Roads Authority (TRA) response notes no objections, but requests two conditions seeking limiting the proposed development to 15% of the total Gross Floor Area (7,200m²) for the period prior to the Aberdeen Western Peripheral Route being open to traffic, and the consequent removal of trunk road status for the A90 Parkway and A90 Ellon Road; and (2) a Travel plan (considered as being for the site and each plot developed therein).

Aberdeen City Council as Local Roads Authority raise no objections, subject to a number of matters to be controlled via suitable planning conditions. These conditions reflect the advice of the TRA, but also relate to: limiting development to 15% of GFA until the Third Don Crossing is open to traffic; submission of a Public Transport Strategy (PTS) incorporating the timing for a bus service link through the site, such timing to be agreed before more than 15% occupation; requiring that various junction mitigations be undertaken following 15% (7,200m²), 45% (21,600m²) and 65% (31,200m²) occupation; that a 3m wide shared use foot/cycleway be provided on one side of a internal loop road, and also connecting to the costal path (Core Path 18); and, that a Drainage Impact Assessment (DIA) be submitted and approved prior to commencement of construction.

Subject to these conditions it is considered that the principle of the proposed development is acceptable in terms of traffic and road safety, in that: infrastructure to serve the development will be made available, and that development levels will be restricted accordingly.

Detailed matters associated to the means of access, layout, design, parking arrangements, etc. will be considered via applications for Matters Specified in Conditions (MSC) or detailed planning permission.

In principle the development does not conflict with the aims of Policies T1 (Land for Transport) or T2 (Managing the Transport Impact of Development).

Flooding and Drainage

The Councils flood officers, raise no objections, subject to conditions requiring: a drainage impact assessment (DIA); surface water drainage (SuDS) proposals; and a flood risk assessment (FRA). Similarly SEPA have no objection, subject to conditions requiring: SuDS; a site specific construction method statement; details of existing private water supplies and appropriate mitigation to their sources.

Subject to satisfying these conditions the principle of the development would comply with the requirements of Policy NE6 (Flooding and Drainage). The details of such matters shall be assessed via MSC or detailed planning applications for developments within the site.

Ecology

Issues have been raised about the possibility of bats being present within the water tower which is in the north western corner. The water tower is located within the landscape strip on the edge of the development. The agents have confirmed that the tower will be retained. On that basis it is not considered necessary to seek a bat survey. However, it is considered prudent to apply a condition which seeks the retention of the water tower (as detailed on drawing number (SK)021).

Equally Giant hogweed and Japanese Knotweed have been identified and a suitable condition can ensure that suitable control measures are undertaken, via the submission of a method statement, at both a strategic level and then in relation to each plot.

Conditions can also be applied to ensure that watercourses are suitably treated and incorporate suitable landscaped buffers along them, in the interests of providing suitable habitats and links between existing habitats. Such submissions can be guided by the SG relating to Landscape Strategy.

A detailed Badger Protection Plan is also required, to: detail suitable buffers during periods of construction; lighting arrangements; storage of chemicals; exposed trenches; open pipes; etc. Such matters can be required via a suitable condition.

As such it is considered that the principle of the development is acceptable, in terms of Policy D6 (Landscape), again matters of detail shall be assessed in due course and guided by the above conditions.

Design

As this proposal seeks approval of planning permission in principle only, and the submitted layout and other plans showing detail are simply for illustrative purposes only. Subsequent detailed submissions will be subject to compliance with any attached conditions, which would be reflective of the context of relevant Development Plan policies (T1, D1, D6, R6 and R7) and guidance (Landscape Strategy Part 2 – Landscape Guidelines; Low and Zero Carbon Buildings; Trees and Woodlands; and, Waste Management Requirements in New Development).

Air Safety

Both Aberdeen International Airport (AIA) and the National Air Traffic Service (NATS) have been consulted and have no objections. However, AIA require that conditions be attached requiring: a Bird Hazard Management Plan (BHMP); a SUDS scheme, including bird deterrent measures; landscaping details (ensuring that plants do not attract birds).

Archaeology

The Councils Archaeology advisors raise no objections, subject to the submission of a written scheme of investigation, setting out a programme of archaeological work, including all necessary post-excavation and publication work. This action is to be undertaken in advance of any development.

Such an approach would comply with the principles of the SG (Archaeology and Planning)

Planning Contributions

The Developer Contributions Team advise that contributions required will be sought at the detailed (MSC or detailed planning permission) stages, when specific information relating to the detail of each element of any proposal will be available and can be used to provide accurate advice. Such contributions can be secured by condition or legal agreement.

Discussion of earlier approval Ref: A5/2196

As indicated above the site has previously been subject of a grant of outline planning permission in November 2007, however this was not implemented and expired three years later in 2010.

At the time of that applications consideration, it was considered compliant with the then Structure Plan, but contrary to the Green Belt zoning in the adopted Local Plan. However, the site was allocated for an extension to the Science and Energy Park in the then Finalised Local Plan (the 2008 LDP), and complied with the broad principles of the then relevant 1991 Aberdeen City District-Wide Local Plan. This emerging situation was also supported by the then Community Plan, Scottish Planning Policy and the National Planning Framework Also a consideration was the fact that there was considered to be an imminent shortfall of land on the existing Science and Energy Park.

This 2007 permission was to be phased, with appropriate junction improvements, to minimise traffic impacts on the A90(T) and Ellon Road to the south of the Parkway roundabout. However, it is anticipated that this would still cause additional delays at the Balgownie Road and Beach Esplanade junctions until such time as either the AWPR or Third Don Crossing have been completed.

There were no significant environmental impacts considered to arise from the proposal.

Matters raised through Representations

In respect of matters raised through representations responses are as follows:

Issues

1. Suitable conditions can control the use classes considered appropriate for development within the site, as discussed in the above discussion on the principle of development. Specific users and the nature of their operation will not be known until MSC or detailed applications come forward. It is not considered that the principles set out in the recommendation on this application are inappropriate.
2. As indicated in 1. a suitably restrictive recommendation is put forward, which will limit the level of Class 6 use permitted. It is considered that this approach is justified, taking account of the circumstances and notwithstanding the detailed narrative of Policy BI2 or the Murcur Development Framework SG.
3. See 2.
4. See 1, 2 and 5.
5. See 1 and 2. Otherwise, it is considered that accepting the principle of both Class 4 and 5 uses would allow R&D occupiers to locate within the Park. It is not considered necessary to be overly onerous by further restricting the nature of occupiers.
6. See 1, 2 and 5.
7. See 2.
8. See 10.
9. See 10.
10. The relationship between the site and adjacent land uses will be considered at the detailed application stage. At this time it is not known what the physical detail of the proposals are, thus the impacts cannot be fully considered. It is not considered that the principle of the sites development is unacceptable. Overall it is not considered that the proposals are contrary to the purpose of the SG, the Energetica Corridor, nor the Energy Park itself, as it would: facilitate an extension to the Aberdeen Energy Park, thus provide opportunity to expand and attract energy technology and energy efficiency businesses; result in the improvement of the corridors strategic assets, all within a development of high environmental quality, and acting on the significant potential for development within Energetica. All these factors would improve the potential to create a global hub for the energy sector.
11. See 1, 2, 5 and 10..
12. As detailed in the above, conditions can be applied, limiting the extent of development to 15% prior to the completion of the AWPR and Third Don Crossing and thereafter require suitable road network interventions on reaching specified trigger points (45 and 65% occupation).
13. SGThe future of the AECC site is not subject to this application and thus is not a material planning consideration.
14. The layout plan submitted in support of the application has been provided for illustrative purposes only; as such the details shown therein are not subject to assessment through this application for planning permission in principle. Subsequent detailed applications will assess the impact of proposed layouts and uses on residential property.
15. As indicated above this application is for PPIp and landscaping proposals at both strategic and plot levels will be considered via subsequent detailed applications. Planning conditions can require such details
16. See 15.
17. See 15.

18. See 14. Similar assessments will be made at detailed application stages in respect of impacts on the landscape, and that proposals (buildings and landscaping) are appropriate in their context.
19. See 18.
20. See 18. Subject to these issues being suitably addressed the impact on the adjacent Golf Club, although changing would be considered to be acceptable.
21. See 10 and 14.
22. See 14 and 18.
23. See 14 and 18.
24. See 14 and 18.
25. See 14. .
26. A suitable condition can require that a lighting plan guides the design of any external lighting.
27. A suitable condition can require information detailing private water supplies running through the site and any proposed mitigations, to ensure that adequate supplies are maintained.
28. Scottish Natural Heritage (SNH) have been consulted and raise no objection. Specifically conditions can require that the development follows the species protection plan within the submitted Ecology Report.
29. Both Transport Scotland and Aberdeen City Council as Roads Authority have been consulted and have no objections, subject to conditions which include the phasing of development, to reflect the available capacity of the road network, etc. Although this position has followed a period of discussion on the scope and methodology of the originally submitted Transport Assessment (TA), which resulted in subsequent updates.
30. An increased service level by public transport operators is outwith the scope or control of this application. However, suitable conditions can require that a bus route connection is provided through the site to the land to be developed to the north (a similar requirement has been placed on the planning consent relating to that site). Subsequent use of such a route is subject to the business plans of public transport operators
31. See 29.
32. See 29.
33. See 29.
34. As the site has been identified in the Local Development Plan since 2008, no STF contribution is required.
35. Parking provision within subsequent applications will be considered at detailed application stage. Presently the Councils Maximum Parking Standards as set out in the transport and Accessibility SG will apply.
36. See 35.
37. See 29.
38. See 29.
39. A suitable condition can be attached to any planning permission requiring that a 'routing plan' be submitted detailing access and egress arrangements during the construction period, in advance of upgrades to the road network. Otherwise, the suitability of the road network has been considered and there is no indication that the private roads referred to are to be used, whether pre or post development.

40. Policy T2 requires that a Travel Plan be submitted, this can be secured via a suitable planning condition, equally the exact layout of roads and footpaths will be considered at detailed application stage. A suitable condition can also ensure that a shared foot/cycleways are provided within the development, and link to external routes, as required by Policy T1.

41. Again the RPT consultation response advises that a road link with the development to the north is required and that details shall be required, via a suitable planning condition, to be submitted for prior approval of the planning authority.. It is accepted that the developers of both sites will require to agree a solution to the routing and timing of the bus route connection and an informative can be attached to remind the applicants that it is expected that negotiation with interested parties will inform any submissions relative to the link.

42. See 29.

43. See 29. Additionally plot related S75 agreements, as required by a suitable planning condition, will ensure an equitable share of mitigation costs and compliance with Circular 3/2012.

44. Suitable conditions can restrict the level of use, falling outwith Class 4/5, and into Class 6. It must also be remembered that a reasonable and flexible approach must be taken, such that sustainable economic development can be supported and that unnecessary barriers are not placed in the way of otherwise appropriate development.

45. See 29.

46. See 29.

47. See 29.

48. See 29.

49. The site has been identified as an opportunity site within the Local Development Plan since 2008 and was subject to an outline planning consent in 2007. As such its development has been accepted and expected for a considerable time. The impact of High Speed Rail on the development is not considered particularly relevant.

50. An 'Assessment of Flood Risk' and 'Drainage Impact Assessment', at both strategic and plot by plot level, can be required by suitable planning conditions, as would: details of SuDS; a site specific construction method statement; details of existing private water supplies and appropriate mitigation to their sources. This approach would reflect the consultation responses from SEPA and ACC's Flood Team.

51. See 50.

52. No Environmental Statement was considered necessary to support this application, as such the proposals are not considered EIA development. Notwithstanding an Ecology Report has been submitted in support of the application. It is also noted that Scottish Natural Heritage (SNH) have been consulted and raise no objections, advising that the development should be carried out in accordance with the species protection plan outlined in the Ecology Report, this can be controlled via a suitable planning condition. The proposed control and removal of Japanese Knotweed and Giant Hogweed is also welcomed.

53. The control of unauthorised 'encampments' is a matter for the landowner to control. Should such 'encampments' remain in place for more that 28 days the

planning authority could consider formal enforcement action, although such action would be upon the landowner and any other interested parties.

Other Matters

Suitable arrangements for waste can be controlled via a suitable planning condition, to address the requirements of Policy R6 of the ALDP, and the associated SG.

As is discussed above it is considered that the proposals, controlled via suitable conditions would adequately address the thrust of the Murcar Development Framework.

A suitable condition can control the level of relevant Infrastructure and Developer Contributions, in line with the advice from consultees, Policy I1 of the ALDP and the associated SG.

Environmental Health do not raise any issues regarding 'Air Quality', as such it is considered that the application complies with NE10 and the associated SG.

Education, Culture & Sport (Archaeology) have been consulted and recommend a suitable condition to address archaeological issues, as such it is considered that the application complies with D5 and the associated SG.

A suitable planning condition can be applied to the consent to address the issues set out in Policy R7 – Low and Zero Carbon Buildings and the associated SG.

CONCLUSION

It is concluded that the proposal, subject to a conditions restricting: the range and nature of uses permitted to be developed; the level of development permitted prior to infrastructure improvements being in place, complies with the underlying land use policy (BI2).

Matters raised by objectors have been dealt with above, and it is felt that the various conditions, would satisfactorily mitigate the impacts of the development.

The details of each phase of the development will be dealt with by the separate applications for either Matters Specified in Conditions or Full Planning Permission. The proposal complies with Scottish Planning Policy and the relevant policies within the Aberdeen Local Development Plan relating to: Delivering Infrastructure; Transport and Accessibility; Promoting High Quality Design; Protecting and Enhancing the Natural Environment, together with supporting the aims and objectives of the Strategic Development Plan.

RECOMMENDATION

- 1. Willingness to approve subject to conditions**

REASONS FOR RECOMMENDATION

The proposal complies with policy LR1 (Land Release Policy) and site specific policy BI2 (Specialist Employment Area), within the Adopted Local Development Plan (ALDP), in that it proposes an extension to the Aberdeen Science and Energy Park and conditions can control the nature of uses such that they are reflective of the aims of the Park. The matters raised by objectors have been fully considered, and various conditions proposed, including limiting the level of occupation of the development prior to the completion of the AWPR and Third Don Crossing. Additional Developer Contributions will be determined at MSC of detailed planning application stage. All such as the impacts of the development will be mitigated. As details of each phase of the development will be dealt with by further separate applications, there will be further opportunities for stakeholders to comment on the full details. The proposal, again subject to the listed conditions, also complies with ALDP policies: I1 (Infrastructure Delivery and Developer Contributions); T1 (Land for Transport); T2 (Managing the Transport Impact of Development); D1 (Architecture and Placemaking); D3 (Sustainable and Active Travel); D5 Built Heritage; D6 (Landscape); NE5 (Trees and Woodlands)?; NE6 (Flooding and Drainage); NE9 (Access and Informal Recreation)?; NE10 (Air Quality); R6 (Waste Management Requirements for New Development); and R7 (Low and Zero Carbon Buildings), within of the Aberdeen Local Development Plan.

It is recommended that permission is approved subject to the following Conditions:

Overall Phasing Programme and Preparatory Works

(1) That no development shall be undertaken in any phase of the development hereby approved unless a detailed phasing programme, outlining the delivery programme for the key elements of strategic infrastructure required for the entire site, has been submitted to, and approved in writing by the planning authority via a formal 'Matters Specified in Conditions' application. The phasing programme shall include any platforming/regrading, strategic landscaping, delivery programme for buildings, open space and roads infrastructure. The development shall not be implemented otherwise than in accordance with any such approved phasing programme unless the planning authority has given written consent for a variation - in order to ensure development is progressively accompanied by appropriate associated infrastructure, and to inform the timescale for submission of further applications for 'Matters Specified in Conditions' specified in the planning authority's direction stated in this notice.

(2) that none of the elements of the strategic infrastructure referred to in Condition 1, that are to be implemented prior to any development in direct connection with the construction of any individual building, shall take place unless the details of any such element (along with any supporting studies or information) have been submitted to and approved in writing by the planning authority. Development shall not occur otherwise than in full accordance with any such approval unless the planning authority has given written consent for a variation - in order to ensure development is progressively accompanied by appropriate

associated infrastructure, and to enable the coherent development of the entire site

Primary Reserved Matters

(3) No development in connection with any individual building of the planning permission hereby approved shall take place until full details of the: siting, design, external appearance of buildings; hard and soft landscaping within the relevant phase of the development and the means of access serving the relevant phase/block of development have been submitted to and approved in writing by the Planning Authority. The development shall then be implemented in complete accordance with the approved details, or those subsequently approved. Depending on the phase/block, and unless otherwise agreed in writing with the planning authority, the MSC applications shall include:

- a) A detailed levels survey of the respective site, subject to any individual application, and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed datum point within the relevant phase/block of development, as well as sectional details giving a contextual position relative to surrounding land;
 - b) A detailed Drainage Plan for the relevant phase/block of development, including full details of the proposed means of disposal of surface water from the relevant phase/block of development, including how surface water run-off shall be addressed during construction, as well as incorporating the principles of pollution prevention and mitigation measures. The final location of SUDs, including ponds, should be appropriately positioned in accordance with an agreed flood risk assessment;
 - c) Full details of the connection to the existing Scottish Water foul water drainage network for the relevant phase/block of development;
 - d) Details of all cut and fill operations in the relevant phase/block of the development;
 - e) The details of all roads, footpaths and cycleways throughout the relevant phase/block of the development and how they will connect to wider such networks;
 - f) Details of any screen walls/fencing to be provided within the relevant phase/block of the development;
 - g) Details of all landscaping, planting and screening associated with the relevant phase/block of the development;
 - h) Full details of the layout, siting, design and finish of all buildings, including: energy centres, pumping stations, and water treatment works, throughout the relevant phase/block of development; and
 - i) Full details of all waste/recycling storage and collection points, for all plots/buildings.
- In order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

Landscaping

(4) The landscaping details to be submitted pursuant to Condition 1 and 2 above shall include:

- a) Existing and proposed finished ground levels relative to a fixed datum point;
- b) Existing landscape features and vegetation to be retained, particularly linear and boundary elements. Where trees are to be retained, measures for their protection and maintenance both during and after construction shall be provided ;
- c) Existing and proposed services including cables, pipelines and substations;
- d) The location of new trees, shrubs, hedges, grassed areas and water features;
- e) A schedule of plants to comprise species, plant sizes and proposed numbers and density;
- f) The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment;
- g) An indication of existing trees, shrubs and hedges to be removed;
- h) A Biodiversity Action Plan;
- i) A Management Plan detailing appropriate management measures for all watercourse buffer strips;
- j) A programme for the completion and subsequent maintenance of the proposed landscaping.

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 each respective phase of the development or such other date as may be agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of each phase 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 the interests of protecting trees and ensuring a satisfactory quality of environment.

Foul and Surface Water Drainage

(5) The details to be submitted pursuant to Condition 3 for each respective phase of the development shall show the proposed means of disposal of foul and surface water from the relevant phase of the development within the form of a Sustainable Urban Drainage System and include a development impact assessment and detailed design and methodology statement. Unless otherwise agreed in writing by the Planning Authority, in consultation with SEPA, the development shall connect to the public sewer and the relevant phase of the development shall not be occupied unless the agreed drainage system has been provided in its entirety and maintained thereafter throughout the lifetime of the consent in accordance with the approved maintenance scheme. The details required shall also include details of the future long term maintenance of the system covering matters such as:

- a) Inspection regime relating to matters such as outlets/inlets;
- b) Frequency and method of cleaning of filter trenches, removal of silt, etc.;
- c) Grass cutting (and weeding) regime for swales;
- d) Means of access for future maintenance;

- e) How to ensure that planting will not be undertaken over perforated pipes;
 - f) Details of the contact parties for future factoring/maintenance of the scheme;
- to protect the water environment and help reduce flooding.

'Roads' Layout

(6) Prior to the commencement of any phase of development, as identified in the approved phasing programme required by condition 1, for each respective phase full details of the proposed road design, which shall contain, but not be limited to, a parking strategy, road junctions and visibility splays, cycleway provision, gradients, level details, finishing/surfacing materials and crossing points, shall be provided for the further written approval of the Planning Authority in consultation with the Roads Authority. The development shall be carried out in complete accordance with such a plan and buildings shall not be occupied unless the roads and parking areas for the respective phase are complete and available for use - in the interests of road safety.

Limits on Development (Roads)

(7) no more than 7,200m² of the proposed floor space shall be occupied until: both the Aberdeen Western Peripheral Route (AWPR) and Third Don Crossing (TDC) are completed and open to traffic; and such time that the trunk road status of the A90 Parkway and A90 Ellon Road has been removed – as required by the Roads Authority.

(8) Unless otherwise agreed in writing by the Planning Authority, the following restrictions on the phasing of development shall apply:

No more than 7,200sq.m. of gross floorspace shall be occupied until such time as mitigation to the following has taken place, or contributions in lieu are made:

- A90 Parkway / Balgownie Road Junction Improvement (generally in accordance with Drg. No. 92071/sk1009);
- A90 Parkway / Whitestripwes Avenue / Buckie Farm Roundabout Improvement (generally in accordance with Drg. No. 96377/8001-1);
- A90 Parkway / Laurel Drive Junction Improvement (generally in accordance with Drg. No. 96377/8014-1);

Following this occupation in excess of 21,600sq.m. shall not take place until such time as mitigation to the following has taken place, or contributions in lieu are made:

- A90 Parkway / Ellon Road Roundabout Improvement (generally in accordance with Drg. No. 88000/1302); and

Thereafter occupation in excess of 31,200sq.m. shall not take place until such time as mitigation to the following has taken place, or contributions in lieu are made:

- A90 Ellon Road toucan crossing (at a location to be determined, unless it can be incorporated into the above A90 Parkway / Ellon Road Roundabout Improvement);
- A90 Murcar Roundabout Improvement (generally in accordance with Drg. No. 96377/8010-1A);

- A90 Parkway / Scotstown Road Roundabout Improvement (generally in accordance with Drg. No. 96377/8004-1B); and
 - A90 Parkway / Laurel Drive Junction Improvement (contribution to improvement which will likely be required to be built by Grandholme developer prior to this threshold being met by Aberdeen Energy Park).
- Such mitigation works shall be in complete accordance with a scheme to be submitted to, and approved in writing by, the planning authority - In the interests of road safety.

Restrictions on Approved Uses

(9) that the uses within the approved development shall be restricted to those falling within Classes 4 and 5 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 or any subsequent replacement Order; or, the provision of services that can justifiably be located on the application site, including ancillary support services related to the management and operation of the science and energy park; or ancillary educational activities/facilities; or other activities that can be demonstrated to be ancillary to, in support of, and provide enhancement to the development as a science and energy park - in order to preserve amenity levels and to ensure an appropriate focus and high standard of development within the Aberdeen Science and Energy Park.

Permitted Class 6 Element

(10) that the level of any class 6 use, of the Town and Country Planning (Use Classes) (Scotland) Order 1997, or the equivalent Classes in any subsequent replacement Order, within any individual plot shall be limited to 20% of the floor/operational site area, any breach of this limitation shall require to be considered on their merits by way of a further application for planning permission - in order to preserve amenity levels and to ensure an appropriate focus and high standard of development within the Aberdeen Science and Energy Park.

Public Transport Strategy

(11) Prior to the commencement of development there shall be submitted a Public Transport Strategy (PTS) indicating the bus service provision to the site for each phase of the development and details of temporary bus stops within the site. The PTS shall also incorporate the timing for a bus service link through the site, such timing to be agreed before the occupation of more than 15% (7,200m²) of the hereby approved floorspace therein – In the interests of sustainable transportation.

Shared Use Foot/Cycleway

(12) Prior to the commencement of development there shall be submitted details of a 3m wide shared use foot/cycleway which shall be provided along the length of one side of the internal loop road, as well as the link road to the north, and to the costal path (Core Path 18), such details shall include a phasing plan, all of which shall require to be approved in writing by Aberdeen City Council as

Planning Authority – In the interests of sustainable transportation, connectivity and as required by the Roads Authority.

Parking Provision

(13) that the number of parking spaces (car/motorcycle/bicycle/etc.) laid out in each individual site shall be in accordance with the standards set out within the relevant Aberdeen City Council document at the time of consideration of each individual phase of development - in the interests of sustainability and to encourage the use of transport modes other than the private car, all to ensure appropriate parking standards.

Routing Plan

(14) Prior to commencement of development on any one plot a 'vehicle routing plan' shall be submitted and approved in writing by the Planning Authority, detailing access and egress arrangements during the construction period and means put in place to avoid materials (Mud/Dust/Etc.) being transferred to the public road network – in the interests of road safety and to avoid adverse impacts on road drainage systems.

Framework Travel Plan

(15) That prior to the commencement of development, a Framework Travel Plan, setting out proposals for reducing dependency on the private car, shall be submitted to and approved in writing by the Planning Authority – in the interests of reducing travel by private car.

Travel Plan

(16) That no part of the development shall be occupied unless there has been submitted to and approved in writing by the Planning Authority, a comprehensive Travel Plan for that part of the development, setting out proposals for reducing dependency on the private car. Each Travel Plan shall identify measures to be implemented, the system of management, monitoring, review and reporting, as well as the duration of the plan - in the interests of reducing travel by private car.

Impact on Private Drainage Water Supplies

(17) Prior to the commencement of development an assessment of any private drainage systems or private water supplies which occupy any part of the site, which is at that time to be developed, shall be undertaken and any potential impacts upon them mitigated, the preferred solution being their connection to the main sewage disposal system or water supply, which may be constructed/improved as part of the proposed development. Details of any such measures shall be submitted to and approved in writing by Aberdeen City Council as Planning Authority, in consultation with SEPA – to ensure no adverse impact on existing private drainage arrangements and water supplies.

Lighting Plan

(18) that no development of any individual plot shall take place unless there has been submitted to, and approved in writing by, the planning authority a scheme for the external lighting of that site both during and after construction. No individual site shall be occupied unless the approved scheme of external lighting has been implemented and is operational. None of the access roads shall be constructed unless a scheme of street lighting has first been submitted to, and approved in writing by, the planning authority and no individual site shall be occupied unless the street lighting thereto has been implemented and is fully operational - in order to preserve the amenity of the neighbourhood and in the interests of residential amenity and public safety.

Waste Facilities

(19) that no development shall take place on any individual site unless a detailed scheme for the storage (including recycling facilities) and collection of waste arising from within that site has been submitted to, and approved in writing by, the planning authority. No individual site shall be occupied unless the scheme approved in compliance with such an approved scheme has been implemented and is fully operational - in the interests of sustainability.

Connect to Public Sewer

(20) all phases of the development shall be connected to the public mains sewage system – to ensure appropriate disposal of sewage.

Developer Contributions

(21) no development on any individual plot shall commence until full agreement has been reached between the developer and the Planning Authority in terms of a signed Section 75 legal agreement or other agreement, or the developer has paid a cash contribution to cover the impact of the development as assessed against the Council's Policies and Supplementary Guidance on developer contributions in relation to core paths to the satisfaction of the Planning Authority – in order to ensure appropriate upgrades to the core path network, such that impacts associated to the development can be addressed.

Flood Risk Assessment

(22) that no development shall take place unless a Flood Risk Assessment for the whole site has been submitted to, and approved in writing by, the planning authority. No part of the site shall be occupied unless any mitigation measures identified in the approved Flood Risk Assessment have been implemented and are fully operational - to ensure that the site is not adversely affected by flooding.

Archaeology

(23) No development shall take place within any individual phase until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. The programme of archaeological work will include all necessary post-excavation and publications – in order to adequately address archaeological interests.

Construction Environment Management Plan (CEMP)

(24) That no development in any individual phase/block shall commence unless a detailed and finalised Construction Environment Management Plan (CEMP) including site specific construction method statements, measures to minimise the risk of sediment entering watercourses, and the mechanism for compliance, for that phase. The mitigation measures outlined in the CEMP shall be informed by the result of a full ground (water and soil) investigation study. All works on site must be undertaken in accordance with the approved CEMP unless otherwise agreed in writing with the planning authority - in order to prevent potential water pollution and to minimise the impacts of construction works on the environment – in the interests of protecting the environment.

Ecology

(25) All development shall be carried out in general accordance with the recommendations outlined in the Ecology Report dated October 2013, but supplemented by site specific mitigations reflective of the individual development proposed. Full details of such mitigations shall be set out in relation to each phase of development and shall relate to both flora and fauna issues – in the interests of the environment.

(26) Unless otherwise agreed in writing by the planning authority the water tower detailed on drawing number (SK)021 shall be retained – in the interests of preserving bat habitat.

(27) A detailed Badger Protection Plan shall be submitted prior to any development taking place, such a plan shall contain matters such as: details of suitable buffers during periods of construction, as well as post development; lighting arrangements; details for storage of chemicals; measures to deal with exposed trenches, open pipes, etc. Such a Plan shall be updated as necessary through the course of development – in the interests of protecting badgers.

Bird Hazard Management Plan (BHMP)

(28) Development in any individual phase shall not commence until a Bird Hazard Management Plan (BHMP) has been submitted to and approved in writing by the planning authority. The submitted plan shall include details of: any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds; SUDS scheme bird deterrent measures; and details of how landscaping schemes shall not include plants which would attract birds. The management plan shall comply with the Advice Note 8 'Potential Bird Hazards from Building Design'. The Bird Hazard

Management Plan shall be implemented, as approved, on completion of the development and shall remain in force for the life of the development. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority - it is necessary to manage the site in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Aberdeen Airport.

Strategic Plot Enclosure Framework

(29) Prior to the commencement of development a strategic and plot enclosure framework, including a phasing plan for non-plot elements, shall be submitted for the prior written approval of Aberdeen City Council as Planning Authority – in the interests of visual amenity.

Plot Enclosure

(30) that no individual plot within the application site shall be occupied unless there has been submitted to, and approved in writing by, the planning authority, a scheme showing details of the proposed boundary enclosures for that plot and the approved scheme has been implemented in full, such submissions shall demonstrate compliance with the plot enclosure framework required by condition 29 - in the interests of visual amenity.

LZCB

(31) that no development within any individual phase shall commence unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary 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 shall thereafter be implemented in full - to ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance document, 'Low and Zero Carbon Buildings'.

Phased Structural Landscaping

(32) 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 detailed scheme of phased structural landscaping for the site, which scheme shall include indications of all existing trees 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 landscaping scheme shall also include screen planting, of varying width but a minimum of 20 metres wide, unless otherwise agreed (such reductions below 20m shall be clearly indicated in any submissions), along the boundaries of the application site and proposals for the maintenance thereof. The scheme shall further include specific proposals for visual screening and sound attenuation through

landscaping in the vicinity of the private house located adjacent to the north boundary of the application site - in the interests of the amenity of the area.

Provision of Landscaping and Maintenance

(33) that all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority - in the interests of the amenity of the area.

Buildings close to Eastern Boundary

(34) that any buildings shall be of a height or design, or be set back from the eastern boundary of the site in line with a visual impact and landscape assessment which shall be submitted to and approved by Aberdeen City Council as Planning Authority - in order to minimise the visual impact of the development in views from the adjacent golf course and dunes and to preserve the amenity of the coastal area.

Informatives

ACC Roads

It will be expected that the landowners/developers will contact and work with other landowners/developers/interested parties in the formulation of proposals associated to matters such as bus route/penetration, shared footpath/cycleway routes and road network mitigations. Such processes should be set out in any submissions relating to these relevant matters which will require such co-operation between parties.

ACC Environmental Health

Unless otherwise agreed in writing with the Planning Authority, during the construction of any phase of the development, the normal hours of operation for all activity audible at the boundary of the nearest noise sensitive premises shall be between 07:00 to 19:00 hours Monday to Friday; 07:00 to 12:00 hours on Saturday, with no working on Sundays.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

