

# Planning Development Management Committee

## LAND AT NIGG BAY PROPOSAL OF APPLICATION NOTICE

NATIONAL DEVELOPMENT COMPRISING CONSTRUCTION OF NEW INFRASTRUCTURE TO FACILITATE THE CREATION OF A NEW DEEP WATER HARBOUR, INCLUDING NEW ROADS, PARKING AND MEANS OF ACCESS, TEMPORARY CONSTRUCTION AND FABRICATION AREAS AND OTHER ASSOCIATED DEVELOPMENT WHICH MAY INCLUDE PUBLIC REALM AREAS, PATHS, LIGHTING AND SIGNAGE.

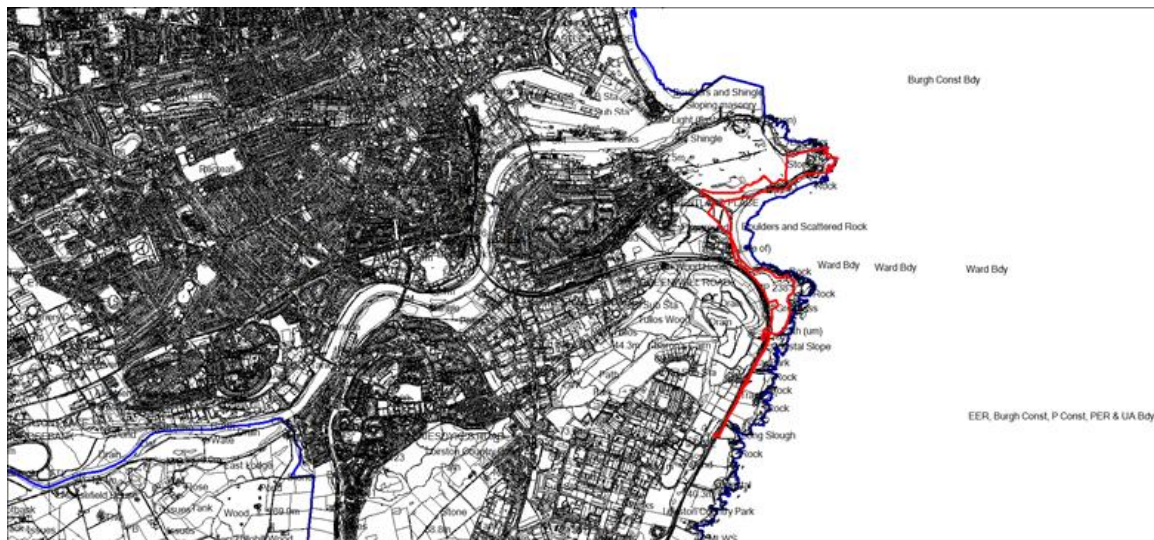
For: Aberdeen Harbour Board

Application Ref. : P151158

Officer: Garfield Prentice

Committee Date: 26<sup>th</sup> October 2015

Ward : Torry/Ferryhill (Y Allan/A Donnelly/J Kiddie/G Dickson)



## **SUMMARY**

This is a report to the Pre-Application Forum on a potential application by Aberdeen Harbour Board for development on land adjacent to the coast between Girdleness Lighthouse and Altens, including land adjacent to Nigg Bay.

The proposal would constitute a 'national' development being directly associated with the proposed Aberdeen Harbour Expansion Project at Nigg Bay. Therefore the applicant submitted a Proposal of Application Notice on 6<sup>th</sup> July 2015. The earliest date at which an application could have been lodged was 28<sup>th</sup> September 2015. However, the applicant has indicated that an application is likely to be lodged in early November.

## **RECOMMENDATION:**

**It is recommended that the Forum (1) note the key issues identified; (2) if necessary seek clarification on any particular matters; and (3) identify relevant issues which it would like the applicants to consider and address in any future application.**

## **DESCRIPTION**

The site extends from the Girdleness headland, including Girdleness Lighthouse and Walker Park to near to the road junction of the Coast Road and Hareness Road, which provides access to Altens Industrial Estate and encompasses various areas of land between those two points, including land adjacent to Balnagask golf course, an area immediately to west of the Nigg Bay, the majority of the headland to the south of the bay and a strip of land immediately to the east of the railway line. Other than the lighthouse and its single storey associated buildings, most of which have been converted to residential use, there are no buildings within the application site. For the avoidance of doubt, the application site does not include Nigg Bay or its shoreline.

## **RELEVANT HISTORY**

None

## **PROPOSAL**

The proposed development would comprise the construction of new infrastructure to facilitate the creation of a new deep water harbour at Nigg Bay. The development could potential include the construction of new roads, parking and the means of access to the harbour, temporary construction and fabrication areas and other associated development which may include public realm areas, paths and lighting. No further details are available at the time of writing. For the avoidance of doubt, the application would not be for the actual harbour, the consent for which would be sought through different consenting regimes under the Harbours Act 1964 and the Marine (Scotland) Act 2010.

## **CONSIDERATIONS**

The main considerations against which the eventual application would be assessed are outlined as follows:

### Principle of Development

The proposed new harbour is identified as a national development in Scotland's Third National Planning Framework (NPF3). NPF3 is the spatial expression of the Government Economic Strategy and identifies national developments and other strategically important development opportunities for Scotland. Statutory development plans must have regard to NPF3 and, importantly, the Scottish Ministers expect planning decisions to support its delivery. Whilst national development status establishes the need for a project, it does not grant development. Planning permission and any other necessary assessments and consent will still be required at the consenting stage.

Annex A – National Developments in NPF3 specifically identifies Aberdeen Harbour expansion as a national development. The listing in Annex A includes a description of the classes of development. Of potential relevance to the application following this Proposal of Application Notice are the classes *“the construction of new and/or road infrastructure from existing networks (and) the*

*provision of water supply and related infrastructure directly for new harbour facilities”*

The site boundary identified in the Proposal of Application Notice and therefore the development proposed in any subsequent planning application falls wholly within the boundary delineated in NPF3 and thus is categorised as a national development, for which the need for the project has been established through NPF3.

The whole of the application site lies with the green belt and is identified as Green Space Network, whereby Policies NE2 ‘Green Belt’ and NE1 ‘Green Space Network’ of the Aberdeen Local Development Plan are applicable.

Policy NE2 states *“No development will be permitted in the green belt for purposes other than those essential for agriculture, woodland and forestry, recreational uses compatible with an agricultural or natural setting, mineral extraction or restoration and landscape renewal.”* A number of exceptions are identified in the policy, the relevant exception being *“Essential infrastructure, such as electronic communications infrastructure and electricity grid connections, transport proposal identified in the Local Development Plan....”*

Policy NE1 states *“The City Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the Green Space Network. Proposals for developments that are likely to destroy or erode the character or function of the Green Space Network will not be permitted. Where major infrastructure projects or other developments necessitate crossing the Green Space Network, such developments shall take into account the coherence of the network. In doing so measures shall be taken to allow access across roads for wildlife and for access and outdoor recreational purposes. Development which has any impact on existing wildlife habitats or connections between them, or other features of value to natural heritage, open space, landscape and recreation must be mitigated through enhancement of Green Space Network.”*

The Proposal Local Development Plan designates part of the site as “Aberdeen Harbour”. The remainder of the site is identified as Opportunity Site 62 relating to the Aberdeen Harbour Expansion Project and as Green Space Network.

### Environmental Impacts

That part of the application site to the south of the bay lies within a Local Nature Conservation Site. Policy NE6 states *“Development that, taking into account any proposed mitigation measures, has an adverse effect on a protected species or an area designated because of its natural heritage value will only be permitted where it satisfies the relevant criteria in Scottish Planning Policy.”*

An environmental impact assessment for the new harbour, including the associated infrastructure, covering the whole of the site designated in NPF3 is currently being undertaken by environmental consultants appointed by the

applicant. The Environmental Statement will be prepared as part of that assessment.

The impact on the local environment would be determined at the planning application stage, when extent of the development proposals would be known.

#### Impacts on Open Spaces and the Green Space Network

The application site includes areas of open space and Green Space Network. In addition, there are expansive areas of public open space and a golf course immediately adjacent to the site. The impacts on existing open spaces and the Green Space Network would be determined at the planning application stage, when extent of the development proposals would be known.

#### Impacts on the Local Road Network and Traffic

The impacts of the new harbour proposal would be considered through the submission of a Transportation Assessment carried out on behalf of the applicant. The access arrangements would also be considered as part of that process. Any proposal would be expected to accord with the relevant transportation policies within the Local Development Plan and the Council's Supplementary Guidance 'Transport and Accessibility'.

#### Impacts on Residential Amenity

The application site is separated from the residential areas of Torry and Balnagask by an expansive area of open space. A small number of residential properties within the grounds of Girdleness Lighthouse are within the application site. The impact on residential amenity would be determined at the planning application stage, when extent of the development proposals would be known.

#### Impact on the setting Girdleness Lighthouse and St. Fittick's Church

Girdleness Lighthouse and associated cottages and St. Fittick's Church are listed buildings (Category A and Category B respectively). The impact on the setting of the listed buildings would be determined at the planning application stage, when extent of the development proposals would be known.

### **PRE-APPLICATION CONSULTATION**

The Proposal of Application Notice application detailed the level of consultation to be undertaken as part of the Pre-Application Consultation process. Consultation with the local community council (Torry Community Council) and with Cove and Altens Community Council has been carried out by the applicant. It is also proposed to consult with Nigg Community Council. Public consultation events took place on 16<sup>th</sup> and 23<sup>rd</sup> September 2015 at the Tesco store on Wellington

Road and on 17<sup>th</sup> and 24<sup>th</sup> September 2015 at Union Square Shopping Centre. On each occasions the events were from 10.00 am to 7.00 pm.

## **CONCLUSION**

This report highlights the main issues that are likely to arise in relation to the various key considerations of the proposed development. It is not an exhaustive list and further matters may arise when the subsequent application is submitted. Consultees will have the opportunity to make representations to the proposals during the formal application process.

## **RECOMMENDATION**

**It is recommended that the Forum (1) note the key issues identified; (2) if necessary seek clarification on any particular matters; and (3) identify relevant issues which would it would like the applicants to consider and address in any future application.**

A handwritten signature in black ink that reads "Daniel Lewis". The signature is written in a cursive, slightly slanted style.

**Daniel Lewis**  
Development Management Manager