

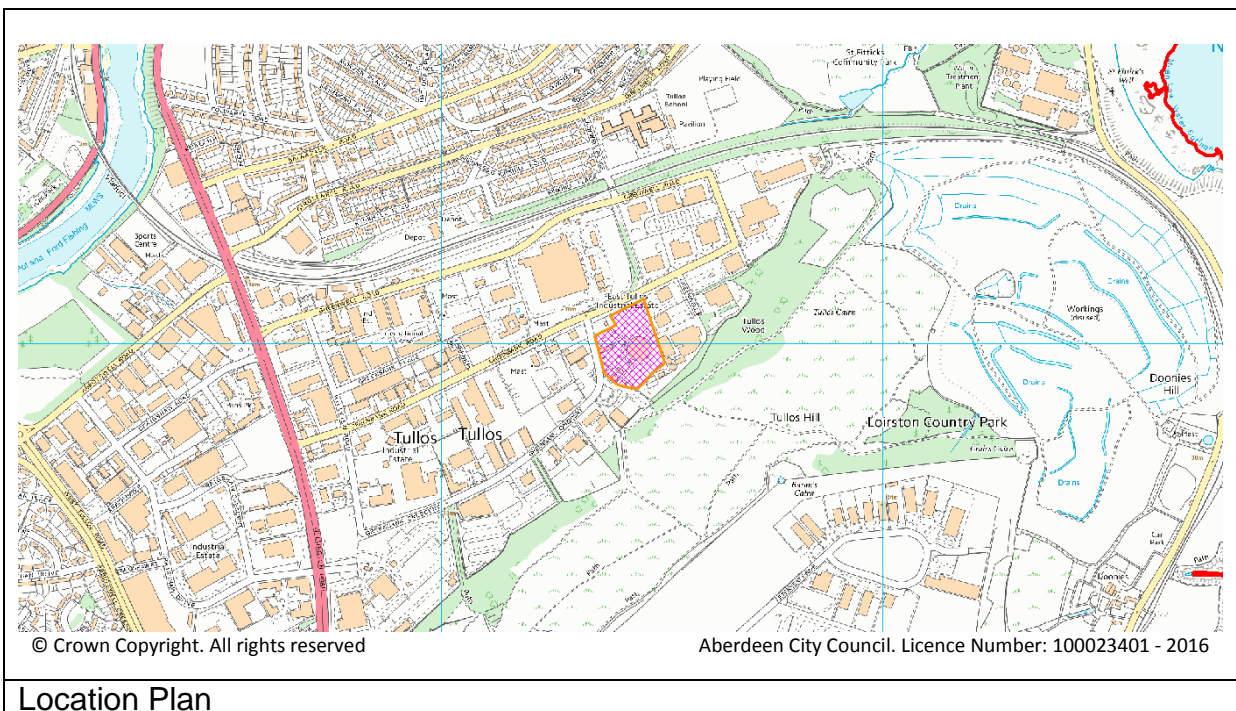
PRE-DETERMINATION HEARING

Detailed Planning Permission

160276: Erection of Energy from Waste facility, vehicular and non-vehicular accesses, ancillary buildings, associated infrastructure and landscaping at Scottish Gas Network, Greenbank Crescent, Aberdeen

For: Aberdeen City Council

Application Date:	14 March 2016
Officer:	Nicholas Lawrence
Ward:	Kincorth/Nigg/Cove



PURPOSE OF REPORT

This report provides information for the Pre-Determination Hearing to be held following the decision of the Planning Development Management Committee on the 24th of May 2016.

At their meeting on the 24th of May 2016 the Planning Development Management Committee resolved to exercise discretionary powers conferred by section 38(A)4 of the Town and Country Planning (Scotland) Act 1997 Act, as amended, (the Act) to hold a hearing at full Council thereby affording the Applicant and any other interested parties the opportunity to address the hearing prior to the determination of the application by the Local Planning Authority.

Under the provisions of the Act and attendant national guidance this report does not provide for any assessment of the proposed development. However, this report does describe the application site, abridge the proposed development, and it should be noted that consultee responses, save those of the Community Councils, are not cited as they form part of the assessment process that is not the subject of the hearing process.

This report will be augmented by presentations made at the hearing.

SITE DESCRIPTION

The Application Site is roughly a rectangular shaped parcel of land some 2.00 hectares in area on a north-south axis that is located to the east of the junction created by Greenbank Crescent and Greenbank Road on the East Tullos Industrial Estate. To the immediate south-south east of the site is waste refuse facility that is within the ownership and control of the Applicant (i.e. Aberdeen City Council).

The Application Site displays a number of remnants associated with its former use for the storage and distribution of natural gas and thereby constitutes previously developed land (i.e. a brownfield site).

With regard to context the industrial estate incorporates a diverse range of operators and uses (e.g. fish processing plant and waste refuse facility). Whilst industrial and commercial activities dominate to the north, west and east of the site the southern and eastern aspects is defined by the Loirston Country Park. In terms of the wider context the residential area of Torry, including educational and recreational facilities, is some 500 metres to the north of the proposed development. The residential area of Kincorth is to the west of the A956 (Wellington Road).

On the matter of designations the site is within the East Tullos Industrial Estate that under the scope of the extant Local Development Plan is zoned for business and industrial uses. Under the emerging replacement local development plan the current zoning remain extant; however the site is earmarked as an Opportunity Site (i.e. OP 107) whereby the site is deemed suitable for an energy from waste facility. Loirston Country Park is within the Green Belt and forms part of the Green Space Network.

DESCRIPTION OF PROPOSAL

In brief, the proposal comprises the demolition of the current gas holder on the site and its replacement with an Energy from Waste (EfW) facility comprising the following principle elements:

- 'Main' building measuring some 47.50 metres high, length of 170.00 metres with a depth of 51.40 metres that will house the processing plant, together

with office and welfare functions. This aspect of the scheme also incorporates the flue stack that extends to 80.00 metres in height;

- Air Cooled Condensers and Combined Heat and Power (CHP) building with a height of 20.00 metres, length of 66.00 metres and depth of 20.00 metres;
- Substation compound that measures 15.00 in length, depth of 10.00 metres and 7.00 in height; and
- Firewater Tank that has a diameter of 15.00 metres and height of 12.00 metres

Other developmental elements include two weighbridges, parking for 22 cars, landscaping, drainage, albeit no details have been submitted in respect of perimeter fencing, security and utility lighting,

With regard to the operation of the facility it would process domestic residue municipal waste from the administrative areas of Aberdeen City Council, Aberdeenshire and Moray Councils. There will be no pre-treatment of waste on site. The combustion process would recover energy from waste in the form of heat.

The scheme does not incorporate the exporting of electricity to the national grid, direct linkage to a consumer, or provide heat to the existing heat networks at Stokehill, Hazlehead, Seaton or Tillydrone. It should be noted that there is no heat network to service the Torry community.

Whilst the facility will operate on a continuous basis, it is proposed that the delivery of waste and dispatch of materials would only occur between 07:00 hrs and 19:00 hrs Monday to Friday and between 07:00 hrs and 13:00 hrs on a Saturday. The consequent vehicle movements associated with the operational capacity of the facility (i.e. 150,000 tonnes of waste per annum) would equate to some 222 heavy good vehicle movements per week (i.e. 40 movements per day).

SUPPORTING DOCUMENTS

All drawings and supporting documents listed below can be viewed on the Council's website at www.publicaccess.aberdeencity.gov.uk.

- Planning Statement
- Design and Access Statement
- Environmental Statement (including executive summary)
- Health Impact Assessment
- Heat and Power Plan
- Pre-Application Consultation Report
- Drawing No. 1319 PL101 Rev A Site Layout
- Drawing No. 1319 PL102 Rev A Fencing Layout
- Drawing No. 1319 PL110 Rev A EfW Floor Plan -6.00m
- Drawing No. 1319 PL111 Rev A EfW Floor Plan +0.00m
- Drawing No. 1319 PL112 Rev A EfW Floor Plan +9.23m

- Drawing No. 1319 PL113 Rev A EfW Floor Plan +14.03m
- Drawing No. 1319 PL114 Rev A EfW Floor Plan +20.00m
- Drawing No. 1319 PL115 Rev A EfW Floor Plan +32.04m
- Drawing No. 1319 PL116 Rev A EfW Roof Plan
- Drawing No. 1319 PL120 Rev A Office Accommodation Plans
- Drawing No. 1319 PL201 Rev A Proposed Site Sections
- Drawing No. 1319 PL300 Rev A EfW North Elevation
- Drawing No. 1319 PL301 Rev A EfW East Elevation
- Drawing No. 1319 PL302 Rev A EfW South Elevation
- Drawing No. 1319 PL303 Rev A EfW West Elevation
- Drawing No. 1319 PL310 Rev A District Heating and Air Cooled Condenser Elevations
- Drawing No. 1319 PL311 Rev A District Heating and Air Cooled Condenser Elevations
- Drawing No. 1319 PL312 Rev A Freshwater Tank and Pump House Elevations
- Drawing No. 1319 PL313 Rev A Step Up Transformer Substation Elevations
- Montages/visual images

PRE-APPLICATION CONSULTATION

As the proposal constitutes a major development it is subject to the provisions of the Proposal of Application Notice procedure that provides for public engagement on the proposed planning application to be undertaken by the Applicant.

The first round of public events were held on the 16th of November 2015 at Torry St Fittick's Parish Church of Scotland between 10:00 and 21:00 hrs, with a subsequent event held on the following day at the Aberdeen Althens Hotel on Southerhead Road between 12:00 and 21:00 hrs.

A second round of consultation events were held on:

- 29th February 2016 at Torry St Fittick's Parish Council between 12:00 and 20:00 hrs
- 1st March 2016 at Aberdeen Althens Hotel between 12:00 and 20:00 hrs
- 2nd March 2016 at Tullos Primary School between 15:30 and 19:00 hrs

These events were held to coincide with the submission of the planning application and the responses to these meetings were not reported in the Pre-Application Consultation Report (PAC) on the basis that these events "*are not strictly pre-application consultation events which informs the design process*".

Aside from the aforementioned public events the Applicants addressed the Pre-Application Forum meeting on the 14th of January 2016. In addition, a series of

meetings were held with the Case Officer and the Master Planning, Design and Conservation Team on design aspects of the proposed facility.

The planning application for the proposed development was validated by the Local Planning authority on the 15th of March 2016 and all relevant parties were duly notified. As the proposal constitutes a Schedule 1 development as set out in The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 (the Regulations) the statutory newspaper advert on the proposed development sought the submissions of representations on the application by the end of the 27th of April 2016. The Community Councils of Torry, Nigg, Cove and Althens, and Kincorth/Leggart were given to the end of the 16th of May 2016 to submit their representations allowing for the meeting schedules of each of the Councils.

The Applicants submitted further information to the Environmental Statement that was advertised under the Regulations with submission of further comments to be received by the end of the 10th of August 2016

REPRESENTATIONS

The Application has attracted a significant number of objections compromising:

- Pro-forma letter/e-mail of objection – 208 submissions
- Individual letters of objection - 25

It should be noted that 1 representation in support of the proposed development was received on the basis that it is *an excellent idea to lessen landfill and provide cheaper energy* and is therefore a qualified representation of support. One further representation supported the principle of the development but raised concerns with regard to traffic impact and odour emissions.

The pro-forma representation raised the following issues:

- Contrary to national policy on zero waste and will contribute to climate change
- Damaging to the environment
- Loss of amenity
- Damaging to heath and the wellbeing of communities
- Financial implications
- Does not address the source of waste and contrary to policy R3 [New Energy from Waste Facilities] of the extant Aberdeen Local Development Plan (ALDP)
- Incinerate waste in one building in the North East is contrary to policy NE10 [Air Quality]of the ALDP

- Will lower air quality
- Size and design of the building contrary to policies D1 Architecture and Placemaking] and D6 [Landscape] of the ALDP
- Add to traffic congestion and air-pollution
- Data flawed
- Contrary to policy CF1 [Existing Community Sites and Facilities] of the ALDP and will adversely affect the health and mental wellbeing of the residents of Torry
- Too close to many thousands of family homes and one of the local primary schools

The policy headings have been added for clarification within the [] brackets.

Whereas; the individual letters of objection related to some 19 matters:

- Impact upon public health
- Proximity to primary school
- Increase in pollution
- Wrong location/site selection
- Should focus upon recycling
- Next to local nature reserve
- Road safety
- Increase in traffic
- Proximity to residents
- Damage to the environment
- Decrease property value
- Community problems
- Odour emissions
- Affect standard of living
- Lower house prices
- Does not supply heating
- Contribute to climate change
- Loss of amenity
- Design

In response to the advertisement of the further information to the Environmental Statement, one additional response has been received supporting of the scheme and wishing the securing of monitoring of the plant to ensure the health and safety of all local residents.

The responses from the Community Councils are appended to this report

PLANNING POLICY

Whilst this report does not provide for any assessment of the proposed development; however, to assist Members in considering any references to planning policies and documents made either by the Applicant and/or other interested parties a list of the relevant policies/documents is set out below:

EU Planning Guidance

Directive 1999/31/EC	Landfill
Directive 2008/98/EC	Waste Framework

National Planning Policy and Guidance

- 3rd National Planning Framework
- Scottish Planning Policy
- Scotland's Zero Waste Plan
- Planning Advice Note 33 Development of Contaminated Land
- Planning Advice Note 51 Planning, Environmental Protection and Regulation (Revised 2006)
- Planning Advice Note 68 Design Statements
- Planning Advice Note 75 Planning for Transport
- Planning Advice Note 82 Local Authority Interest Developments
- Planning Advice Note 3/2010 Community Engagement
- Planning Advice Note 1/2011 Planning and Noise
- Planning Advice Note 2/2011 Planning and Archaeology
- Planning Advice Note 1/2013 Environmental Impact Assessment
- Circular 3/2011 The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011
- Circular 6/2013 Development Planning
- On-line Planning and Waste Management Advice
- On-line Energy from Waste Advice

Aberdeen City and Shire Strategic Development Plan 2014

- Sustainable development and climate change

Aberdeen Local Development Plan (ADLP) 2012

- T2 Managing the Transport Impact of Development
- D1 Architecture and Placemaking
- D3 Sustainable and Active Travel
- D6 Landscape

- NE2 Green Space Network
- NE6 Flooding and Drainage
- NE8 Natural Heritage
- NE10 Air Quality
- R2 Degraded and Contaminated Land
- R3 New Waste Management Facilities
- R5 Energy from Waste
- R8 Renewable and Low Carbon Energy Developments

Proposed Aberdeen Local Development Plan (PALDP)

- D1 Quality Placemaking by Design
- D2 Landscape
- T2 Managing the Transport Impact of Development
- T3 Sustainable and Active Travel
- T4 Air Quality
- T5 Noise
- NE1 Green Space Network
- NE6 Flooding, Drainage and Water Quality
- NE8 Natural Heritage
- R2 Degraded and Contaminated Land
- R3 New Waste Management Facilities
- R4 Sites for New Waste Management Facilities
- R5 Energy from Waste
- R8 Renewable and Low Carbon Energy Developments

Other Material Considerations

- Aberdeen City Waste Strategy 2014-2025

THE NEXT STEP

A report will be prepared for the Planning Development Management Committee with a recommendation assessing the proposed development in accordance with Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, as amended, (the Act) that requires that proposals are determined in accordance with the Development Plan unless other material considerations indicate otherwise. Other material considerations include, albeit not limited to, all matters raised in written representations and comments/matters raised at the hearing.