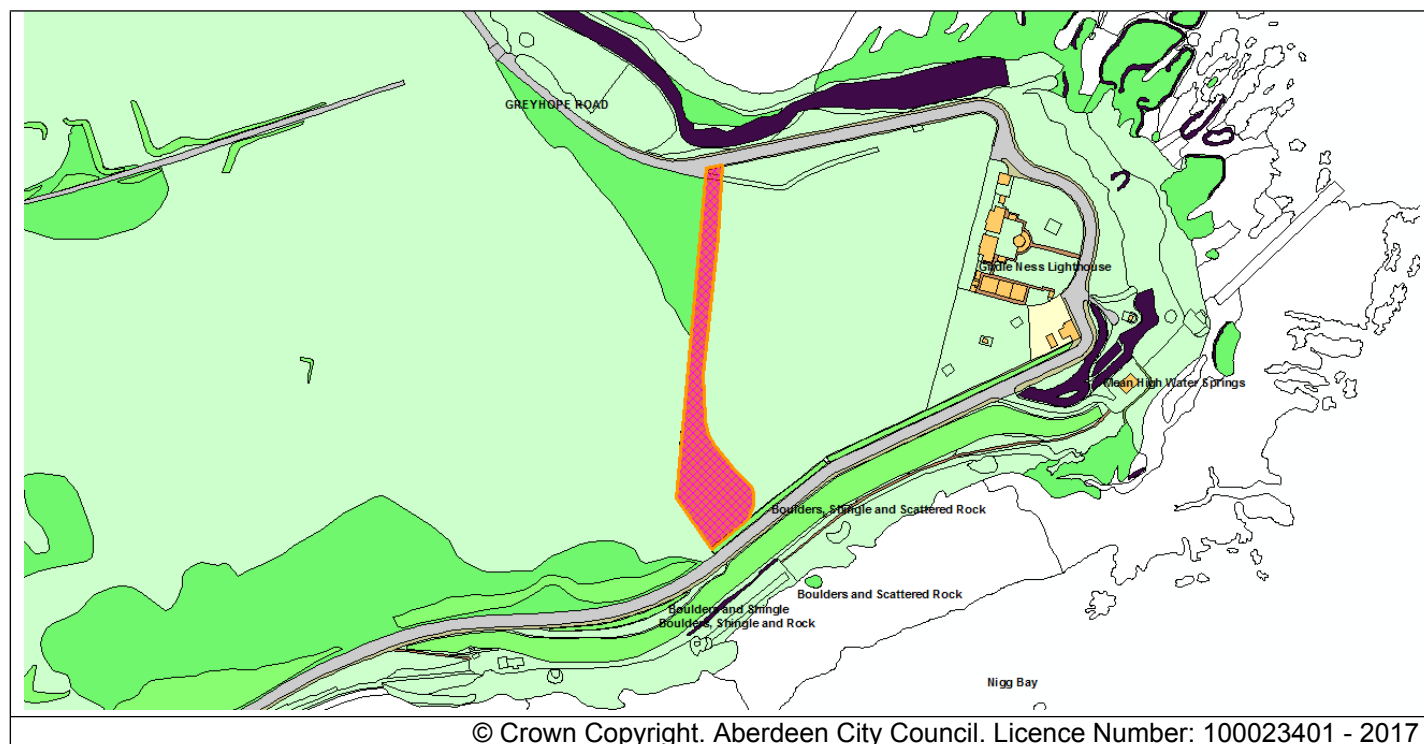


Planning Development Management Committee

Report by Development Management Manager

25 May 2017

Site Address:	Land At Bay Of Nigg, Coast Road / Greyhope Road, Torry, Aberdeen,
Application Description:	Partial approval of matters specified in Condition 4 (Temporary Visitor Centre) of PPIP Ref No: P151742 (Aberdeen Harbour Expansion Project)
Application Reference:	170369/MSC
Application Type	Approval of Matters Specified in Cond.
Application Date:	13 April 2017
Applicant:	Aberdeen Harbour Board
Ward:	Torry/Ferryhill
Community Council	Torry
Case Officer:	Andrew Miller



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RECOMMENDATION

Approve – Time Limited Period

APPLICATION BACKGROUND

Site Description

The site comprises a linear strip of land along the western boundary of Walker Park, currently under construction as a construction compound for the development of Aberdeen Harbour Expansion Project (AHEP).

Relevant Planning History

Application Number	Proposal
P151742	Planning Permission in Principle for infrastructure to facilitate construction of new deep water harbour granted consent 26 May 2016 by Council. Application was subject to a pre-determination hearing on 15 March 2016.

APPLICATION DESCRIPTION

Description of Proposal

Approval of matters specified in condition 4 of Planning Permission in Principle ref 151742 is sought.

Condition 4 states:

That, no development connected with any individual works referred to in the description of the development pursuant to the planning permission in principle hereby approved, and not otherwise addressed through respective conditions, shall be carried out until such time as a further application has been made to the Planning Authority, within 4 years from the date of the planning permission in principle hereby approved, for approval of the matters specified in this condition and such approval has been granted; these matters being full details of any additional, associated development that is required within and directly abutting the application site and as identified within the description of the development, including full details of any footpaths and cycle paths - in order to safeguard local amenity.

This condition enables works associated with AHEP which were not identified at the earlier “in principle” stage to be accommodated as part of the Planning Permission in Principle. The development proposed in this instance is a temporary visitor centre, which forms part of the Mitigation and Compensation works for AHEP.

The proposed visitor centre would be sited in the south western corner of Walker Park and would be accessed from the north via a road leading to the north western entrance to Walker Park. The visitor centre would be a standalone single storey prefabricated cabin 12.2 x 6 metres, 2.7 metres high. It would be finished in light grey steel cladding, though the southern elevation would have floor to ceiling glazing looking over the proposed harbour. Two disabled parking spaces would be provided at the visitor centre, with a further parking space for maintenance.

Supporting Documents

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

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ONW4E2BZJXX00>.

The following documents have been submitted in support of the application –

- Covering Statement
- Visitor Centre Details

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee for determination because the application falls within the category of a national development (as defined in the Town and Country Planning (Scotland) 1997 (as amended by the [Planning etc. \(Scotland\) Act 2006](#))), and thus falls out with the Council's Scheme of Delegation. A national development is development designated in the Scottish Government's [National Planning Framework 3](#).

CONSULTATIONS

ACC - Roads Development Management Team

Following clarification on parking, no objections. Advisory notes recommended on RCC process.

REPRESENTATIONS

None

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 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.

National Planning Policy and Guidance

National Planning Framework 3

Identifies Aberdeen Harbour as being a “nationally-important” facility which:

- supports the oil and gas sector;
- provides passenger and freight links to Orkney and Shetland; and
- provides international freight links,

all of which make a significant contribution to the economy of the North East. It states that expansion is required in order to address current capacity constraints at the harbour.

Aberdeen Local Development Plan (2017)

B5: Aberdeen Harbour

D1: Quality Placemaking by Design

T2: Managing the Transport Impact of Development

Supplementary Guidance and Technical Advice Notes

Temporary Buildings

Other Material Considerations

None

EVALUATION

Principle of Development

National Planning Framework 3 (NPF) identifies an area of land surrounding the Bay of Nigg for the expansion of Aberdeen Harbour and associated infrastructure. OP62 – Nigg Bay is an opportunity site identified in the Aberdeen Local Development Plan 2017 (ALDP) for the provision of a harbour expansion project. The principle of the onshore infrastructure to support the harbour expansion has been established under Planning Permission in Principle (PPIP) ref. 151742.

Siting of Temporary Buildings

The Council's Supplementary Guidance on Temporary Buildings (SG) defines modular building as a unit that is erected using prefabricated sections to form a building within prepared foundations. In recognition of the greater durability compared with other portable building, the guidance recommends that permission can be granted for an initial period of no more than 5 years. The SG contains criteria which state temporary buildings must:

1. Be located appropriately, normally to the rear of existing buildings;
2. Must avoid loss of existing car parking spaces; and
3. Must not be sited on landscaped amenity areas, especially those with established tree and shrub planting.

In respect of the requirement of point 1, there are no buildings in the site however the visitor centre would be sited in a prominent location. Whilst this would not comply with point 1, located on the edge of the site in a prominent headland, the building would be sited adjacent to a large construction compound and would be relatively small when compared with this. The position of the building would enable views of the Bay of Nigg during construction of AHEP and would be temporary during the construction phase. A condition limiting the siting of the building to the construction period is recommended.

Relative to point 2 there would be no loss of car parking.

Regarding point 3 – the building would be sited on an area of open space, however the wider park will be closed during the construction process of AHEP and the building would be temporary during this period and would not conflict with this requirement.

Design

Policy D1 of the ALDP states all new development must ensure high standards of design. In this case the building would be a simple, functional modular building. Given its temporary nature and purpose, this is considered acceptable in this instance and would comply with policy D1.

Access and Parking

The access arrangement for the north of the site would enable access to the visitor centre whilst Greyhope Road is closed to the south of the site during construction of AHEP. In relation to parking provision, the level provided is considered to be acceptable. Roads Development Management have raised no objections to the application.

RECOMMENDATION

Approve – Time Limited Period

REASON FOR RECOMMENDATION

The provision of the temporary visitor centre would not conflict with the requirements of policy B5 – Aberdeen Harbour or policy D1 – Quality Placemaking by Design. Subject to conditions as recommended, the proposals accord with the Council's Supplementary Guidance on Temporary Buildings.

CONDITIONS

1. Temporary Consent

That the temporary building and its associated access, parking and drainage hereby granted planning permission shall not remain on the site following construction of Aberdeen Harbour Expansion Project, and shall be removed no later than 31 August 2020.

Reason - that the character and siting of the structure is not such as to warrant its retention for a period longer than that specified in this permission.

2. Site Restoration

That the site of the building and its associated access, parking and drainage hereby granted shall be fully restored to its original state comprising grassed ground within 4 weeks of its removal or no later than 28 September 2020 (whichever is the soonest)

Reason - in order to ensure the ground is reinstated to its original state, in the interests of the visual amenity of the local area.

ADVISORY NOTES FOR APPLICANT

Roads Construction Consent will be required for the construction of the access road junction. All design and construction should be done in accordance with the standards of Aberdeen City Council. The applicant should be advised to contact Colin Burnet of ACC in this regard.