

## **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE PRE-DETERMINATION HEARING**

ABERDEEN, 17 January 2018. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE PRE DETERMINATION HEARING. Present:- Councillor Boulton, Convener; Councillor Jennifer Stewart, Vice Convener; Councillor Donnelly, the Depute Provost and Councillors Alphonse, Cooke, Copland, Cormie, Greig, Hutchison, Malik, McLellan, Sandy Stuart and Wheeler.

Also in attendance: Councillors Allard, Bell, Cameron, Delaney, Jackie Dunbar, Duncan, Flynn, Graham, Henrickson, Houghton, Imrie, Laing, Lumsden, McRae, Nicoll, Noble, Samarai and Townson.

### **DECLARATIONS OF INTEREST**

1. Members were requested to intimate any declarations of interest in respect of the item on today's agenda, thereafter, the following declarations of interest were intimated:-

- (a) Councillor Henrickson declared an interest by virtue of him being a season ticket holder with Aberdeen Football Club (the applicant) and also a shareholder for Aberdeen Football Club. Councillor Henrickson left the hearing and took no part in the consideration of the item;
- (b) Councillor Alphonse declared an interest by virtue of her having business dealings with Stewart Milne, Chairman of Aberdeen Football Club. Councillor Alphonse left the hearing and took no part in the consideration of the item;
- (c) Councillor Cooke declared an interest by virtue of him being a member of Aberdeen and Grampian Chamber of Commerce and also as a member of Strategic Development Planning Authority (SDPA);
- (d) Councillors Jackie Dunbar, McLellan and McRae declared an interest by virtue of their employment with Kevin Stewart MSP – Aberdeen Central, who had publicly supported the approval of the stadium;
- (e) Councillor Delaney declared an interest by virtue of him knowing some of the respondents who were due to address the committee;
- (f) Councillor Samarai declared an interest by virtue of her employment with Mark McDonald MSP who had publicly supported the approval of the stadium;
- (g) Councillor Hutchison declared an interest by virtue of (i) his employment with Kevin Stewart MSP who had publicly supported the approval of the stadium, (ii) his employment with the British Army regarding Gordon Barracks agreement with Aberdeen Football Club for the use of the training facilities at Gordon Barracks, (iii) his membership of Foundations of Hearts who partly owned Hearts of Midlothian Football Club, who had commented on the application and (iv) his small personal shareholding in Hearts of Midlothian FC who had commented on the application;
- (h) Councillor Copland declared an interest by virtue of him being a substitute member on SDPA; and

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

17 January 2018

- (i) Councillor Boulton declared an interest by virtue of her being the Chairperson for SDPA.

All Councillors remained in the hearing with the exception of Councillors Alphonse and Henrickson who left before any consideration was given to the application.

### SUSPENSION OF STANDING ORDER 37.2 (LENGTH OF MEETINGS)

2. The Convener proposed that the Committee suspend Standing Order 37.2 (Length of Meetings) to enable the meeting to continue beyond four hours, should it be needed.

**The Committee resolved:**

to agree to suspend Standing Order 37.2 (Length of Meetings).

### MINUTE OF THE PREVIOUS PRE DETERMINATION HEARING

3. The Committee had before it the minute of the previous Pre Determination Hearing of 13 September 2017, for information.

**The Committee resolved:-**

to note the previous minute.

### PROPOSED COMMUNITY AND SPORTS FACILITIES, FOOTBALL ACADEMY, ANCILLARY USES, FORMATION OF ACCESS ROADS, PARKING AND ASSOCIATED LANDSCAPING AND ENGINEERING WORKS - 170021

4. The Committee heard from the Convener who opened up the hearing by welcoming those present and providing information on the running order of the hearing. She explained that the first person to address the hearing would be Mr Gavin Evans and asked that speakers adhere to their allocated time in order for the hearing to run smoothly and in a timely manner. The Convener also asked that those presenting restrict their comments to the further information that was submitted by the applicant, and not comment on the information that was discussed at the previous hearing.

The Committee then heard from **Gavin Evans, Senior Planner, Aberdeen City Council** who addressed the Committee in the following terms:-

Mr Evans explained that the site was zoned as Green Belt land in the Local Development Plan and, in brief, the proposal involved the following:

- construction of a 20,000 capacity, all-seated stadium, to the western part of the site.

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

17 January 2018

- training facilities for the first-team – which included 3no full-size grass pitches, one of which would be floodlit; an additional half-size goalkeeper training area and various smaller drill areas.
- 2no all-weather 4G pitches, both of which would be floodlit.
- A ‘fanzone’ area immediately adjacent to the east stand, comprising a hard landscaped area between the stadium and the adjacent changing facilities, intended to act as a focal point for supporters on arrival to the site.
- A single-storey pavilion building incorporating office space and changing facilities.
- 1392 car parking spaces within the site contained within 3 main car parks: to the northern side of the stadium and adjacent to the pavilion building;
- A visitors’ coach parking area, to the west of the stadium, which could accommodate up to 60 coaches for away supporters; 32 home coaches and 8 outside broadcast trucks.

In regards to planning policies, Mr Evans explained that the report, along with the report from the previous Pre Determination Hearing, set out the relevant policy context in detail.

Aside from detailed consideration of the merits of the design and specific impacts of this proposal, Mr Evans advised that there were matters of principle that must be considered in the planning authority’s assessment. The site’s location within an area designated as Green Belt meant that there were restrictions on development, with only certain specified types permitted by the applicable policy NE2.

The Development Plan identified two potential sites for a new community stadium, these being at King’s Links and Loirston respectively. Scottish Planning Policy and the Aberdeen LDP set out a requirement that significant footfall-generating uses would be located in accordance with a sequential test which promoted a town centre first approach. As the proposed site was outwith any identified centres, the sequential test required sites which might otherwise be preferable in terms of a specified hierarchy of centres to be ruled out.

Mr Evans noted that consultation responses were included within the report in full, however summarised the following responses.

In regards to the Aberdeen City Council Economic Development team, the following was noted:-

- The conclusion that the further Aberdeen and Grampian Chamber of Commerce analysis did show that in the context of the scale of challenges in operating the club under a ‘do nothing’ scenario, the net benefit under the Kingsford option did offer a significant economic benefit of the project;
- Recognition that the quantitative analysis presented by AFC assumed (i) higher attendances at Kingsford; (ii) attracting additional sporting events and music

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

17 January 2018

concerts at Kingsford; and (iii) that the new stadium would attract additional functions and corporate events. A range of 'activity scenarios' had been considered to calculate and compare Gross Value Added (GVA) impacts;

- The likely scale of economic benefit at Kingsford was predicated on a range of activity scenarios driven by attendance volumes. In turn, attendance relied on the success of the team and the club. Therefore there was some uncertainty around the likely scale of the economic benefit of the Kingsford option. Similarly the ability of the club to convert opportunities for new and additional football or other sporting activity was not yet known and would form part of the club's business planning;
- The total additional economic contribution of delivering the Kingsford stadium compared with remaining at Pittodrie (assuming average 8,500 crowd) ranged from £8.535m to £9.529m of GVA per annum, equivalent to between 347 to 408 Full Time Equivalent additional jobs. These economic impacts would be at the Aberdeen City and Shire spatial area;
- The applicant had estimated a range of £0.51m to £1.78m per annum of spend in the city centre from being at Pittodrie according to assumptions made of the nature of spend by those who travelled by car. This range was estimated to be the maximum potential loss of spend in the City Centre, as a result of moving to Kingsford;
- That the impact on the city centre was likely to be around the lower end of the range at around £0.51m per annum.

In regards to the City and Shire Developer Obligations Team, they clarified a requirement for contributions in relation to Core Paths and confirmed that adequate provision of open space on-site was such that contributions towards off-site provision would not be warranted.

In regards to the City and Shire Strategic Development Planning Authority, they restated their earlier position that the development in its current form and location did not accord with the Strategic Development Plan (SDP), and would result in the loss of 25ha of Green Belt land and the coalescence of urban areas. The development would be inappropriately sited, giving rise to unsustainable travel patterns in a manner contrary to the modal shift sought by the SDP. Further, there would be a negative impact on the city centre.

In regards to Aberdeenshire Council, they maintained their objections on the grounds that:

*the proposal in its current composition and location would be contrary to the Aberdeen City and Shire Strategic Development Plan (2014) which was up-to-date and relevant to the application. The proposal would result in the loss of greenbelt land, the coalescence of urban areas, inappropriately located development giving rise to unsustainable travel patterns and have a negative impact on the City Centre in terms of its mix of uses and lost revenue. The application is contrary to the development plan*

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

*and it is not considered that sufficient material considerations have been demonstrated that indicates the application should be supported.*

In relation to representations received, Mr Evans noted that 1422 valid and timeously made representations were made in relation to the additional information lodged in November 2017. A proportion of those came from respondents who had already made representation in relation to the application. In such instances all comments from the same respondent would be counted as a single representation, in accordance with the Council's established practices.

The updated total of valid and timeously made representations received in relation to the application, which included accounting for multiple submissions by a single respondent, was 10,705.

Mr Evans reminded Members that they should be conscious that the number of representations received for and against any proposal was of less significance than the material planning considerations that were raised within any representations. The planning authority was required to have regard to the Development Plan, so far as material to the application, and to any other material considerations. He explained that a representation which did not refer to any material planning considerations would have nothing for the planning authority to have regard to in its assessment.

The Committee then heard from **Mr Mark Wilkie, Team Leader, Planning and Sustainable Development**, who addressed the Committee in the following manner.

Mr Wilkie explained that since the first Pre Determination Hearing, when the Roads position had been provided in a comprehensive response, further information had been submitted by the applicants and the following matters had been considered in further detail:-

1. The required width of the proposed pedestrian footbridge over the A944, next to the boundary between the City and the Shire;
2. How the 3 proposed development accesses could be designed and operated in order to strike a balance between catering for everyday and match day scenarios, whilst minimising disruption to the road network. Roads had previously said that they would be willing to accept a degree of congestion and delay on the network caused by the development, on the premise that this would be relatively infrequent and appropriate conditions could prevent peak event traffic from occurring at the network peaks and this was still the position of Roads Development Management.

In regards to the footbridge width, Mr Wilkie explained that recent work had been carried out to justify the proposed 3m wide footbridge being wide enough to accommodate demand, which would be greatest after a match, when almost everyone returning to Arnhall or Westhill would wish to do so straight away. The matter investigated was not an exact science, however Roads considered that enough evidence had been provided to justify a 3m wide crossing. In addition, the nearby

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

controlled pedestrian crossing would also serve to cater for some of the demand when the bridge was busiest. It would also be essential for use by less mobile pedestrians who would struggle, or be unable, to use the footbridge stairs which would be on either side of the road.

Mr Wilkie highlighted that through the roads construction consent procedure which would be required for all proposed A944 works, Roads would strive to achieve a safe design, for example by ensuring that additional pedestrian barriers be installed by the developer. This would be to ensure that people should only attempt to cross the dual carriageway via the footbridge, or the controlled crossing. Stewarding or policing of this location would also be expected.

In regards to the junction access strategy, the following information was noted:-  
The match day or event scenario had been developed as follows:-

- West access to be Left-In, Left-Out, with no traffic signals. It would be available for all coaches - and some home supporters with spaces allocated in the west car park, for convenient access by residents to the west of Kingsford. Access from the AWPR, for most coaches, would need to be signed towards the A944 / Straik Road Roundabout, where a U-turn would be required for arrivals only
- The main access for home supporters would be signalised, with a significant length of right-turn stacking lane to be added to the 2-lane westbound carriageway. Signals would accommodate right turns into the development and left turns out, in the same phase. This phase would be quite lengthy during peak arrivals period, and would cause most disruption to eastbound traffic on the A944.
- The east access would have part-time signals with a short right-turn stacking lane to be added to the 2-lane westbound carriageway, for use by shuttle buses only. These signals would give priority to shuttle buses exiting left out of the development after matches or events.

It was also noted that further work enabled Roads to arrive at the following everyday scenario:-

- East and west accesses to be closed by gates
- Traffic signals at main access to be activated on demand for right turns in, and left turns out of the development.

Westbound traffic flow would not be interrupted during the everyday scenario. There would be minimal disruption to eastbound traffic when the main access signals were activated by demand.

In conclusion, Mr Wilkie advised that Roads Development Management could support the development proposal, provided that appropriate conditions were attached to any consent provided.

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

Members then asked questions of Mr Evans and Mr Wilkie and the following information was noted:

- Any condition that should be added to an application must meet the six tests set out by the Scottish Government;
- The applicant must demonstrate the need for co-location and to provide evidence why the development cannot be split in two;
- The Controlled Parking Zone in Westhill would need to be in place prior to commencement of the development

The Convener then invited the applicant to address the Committee, and the speakers consisted of **Elaine Farquharson-Black, Partner at Burness Paull and Derek McInnes, Team Manager of Aberdeen Football Club.**

Mrs Farquharson-Black began and advised that she would focus on the four matters in respect of which additional information had been submitted. These being (a) capacity of the proposed footbridge over the A944, (b) the sequential test, (c) availability of land at King's Links and Loirston and (d) the public benefits of the development

In regards to the footbridge, Mrs Farquharson-Black explained that Aberdeen Football Club were asked to provide further details of the capacity of the proposed footbridge across the A944 and the detail of the footbridge did not form part of this application. In the event of approval, she advised a condition would be imposed that would require the detail to be worked up as part of a package of transport measures. Any bridge would require to comply with roads and bridges design standards. Using established methodology, Mrs Farquharson-Black highlighted it had been shown that the proposed bridge could accommodate 4,320 pedestrians in a 30 minute departure period, which was approximately 1000 more people than what was initially estimated and she indicated that the Council's Roads team had confirmed that the proposed bridge was adequately sized.

In regards to the legal requirements of site selection and sequential test, Mrs Farquharson-Black explained that at the last hearing, she provided detail on the football club's 17 year search for a site for a new stadium, community and training facilities. She highlighted that they had pursued both combined and split sites without success in their efforts to provide top class, modern facilities. Mrs Farquharson-Black highlighted that this application looked for permission for a stadium, community and training facilities on one site extending to 25 hectares. It had been demonstrated that there were no sequentially preferable, suitable and available sites within the city centre or edge of centre, hence the need to develop in the Green Belt at Kingsford. Due to the scale of the development, she indicated that the Council had been extremely thorough in the extent to which it had required justification of both the need for co-location and the availability of alternative sites. Mrs Farquharson-Black advised that three QCs had provided views on the correct approach to sequential testing and they had all agreed that there was no legal requirement for the Club to disaggregate the development. What was required was for the Club to show reasonable flexibility and to show that the

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

scale of development was appropriate and could not reasonably be altered or reduced in scale.

Mrs Farquharson-Black noted that objectors made a number of claims, none of which stood up to scrutiny. They claimed that the development was bigger than required, however she indicated that the plans highlighted that the entire site was required for the stadium, community and training facilities plus parking in accordance with Council standards. She also explained that objectors claimed that the stadium and training facilities could be split, but the Club had provided justification for co-locating the development. Co-location benefitted not just the team, but also the great work within the Community Trust, and the wider public. Co-location also allowed for economies of scale and reduced running costs. Mrs Farquharson-Black noted that many other clubs had training grounds divorced from their stadium; however that did not mean that Aberdeen was being unreasonable in seeking a site which accommodated both.

Mrs Farquharson-Black also stated that objectors claimed that if the stadium was separated from the training facilities there would be sites available for each part, however she indicated that the sequential test showed this was not the case. Mrs Farquharson-Black indicated that the football club's QC warned that if the Council rejected the football club's arguments, it would be saying that the Club was being unreasonable in seeking to have all of its activities on one site.

In regards to other sites, Mrs Farquharson-Black indicated that the two sites identified as potential locations for a community stadium in the Development Plan were King's Links and Loirston, and the football club were asked to provide more information to confirm that these sites were neither suitable nor available. In respect of King's Links, 10 hectares of Urban Green Space was previously highlighted as a potential stadium site. However, the Golf Range occupied 6 of those hectares under a long lease from the Council which ran until 2040. The Craig Group had advised that they were not prepared to break the lease early.

At Loirston, land owned by the Council which was required for car parking for the previous stadium proposals was no longer available. Some had been sold to the Balmoral Group; some had been developed for Lochside Academy; and some was being used as a peat store pending being sold to Balmoral, who had confirmed that they would not make land available to the Club.

Mrs Farquharson-Black also indicated that Hermiston Securities had various permissions for a mixed use development on most of the other land at Loirston, which would use up some of the parking. They had confirmed that they would not sell land to the football club other than at residential/commercial land values. A similar letter had been provided by Churchill Homes who owned the remaining land. The Club had provided financial information which demonstrated that the development was unviable at those prices.

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

Mrs Farquharson-Black advised that she had clearly demonstrated that there was no suitable and available land at King's Links or Loirston for the development, whether for one site of 25 hectares or 2 of 12.5.

In regards to the public benefit of the development, Mrs Farquharson-Black indicated that the Chamber of Commerce had provided information which showed that the total economic contribution of the development would be higher than previously estimated, ranging from £8.53 to £9.53 million, with the larger figure being based on a 15,000 crowd. This would equate to between 347 and 408 full time equivalent jobs. If larger crowds were to be achieved, or the stadium attracted more events than currently envisaged, the contribution would be even greater.

The assessment was carried out in accordance with the appropriate guidance and had been thoroughly reviewed by the Council's Economic Development team which had confirmed that the development would bring significant economic benefits to the city and region. Mrs Farquharson-Black noted that the GVA and jobs created would be in excess of what the new AECC was anticipated to deliver. The development would also bring social, health and wellbeing benefits in line with national and local sports and leisure strategies. The Club had repeatedly confirmed that the combined facilities at Kingsford would be available to the public. The football club wanted families to come and enjoy Kingsford all through the week, not just on match days. The Club provided details of when the training facilities would be available to the community.

Mrs Farquharson-Black also explained that there would also be close to 7000 square metres of floorspace available within the stadium for community use. The Club approached the local Community Councils and clubs to ascertain what leisure facilities were most needed. Further discussions would take place over the prospective uses if the development was approved and the internal design was progressed.

Mrs Farquharson-Black also highlighted that academic research had identified that a football club became a "*totemic representation of the surrounding community*". She noted that was consistent with the comments from the Principal of RGU at the previous hearing who spoke of the importance of having a successful football team to attract international students.

Approving a £50M new stadium, community and training facilities at Kingsford, along with the AECC, the harbour expansion and the city centre masterplan would send out a strong message about the confidence which the Council had in Aberdeen's future.

In conclusion, Mrs Farquharson-Black explained that the additional information should give Elected Members further confidence that the site selection process had been carried out properly and had demonstrated that there were no other suitable and available sites closer to the city centre.

She noted that the Club had provided detailed justification for co-locating the community stadium and training facilities at Kingsford with its concomitant economic

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

and public benefits and noted that the benefits provided the basis for members to approve the application as a departure from the Green Belt policy.

The Committee was then addressed by **Derek McInnes, Manager Aberdeen Football Club** and he advised that the application was not just about delivering a modern stadium and top class facilities for Aberdeen Football Club. It was also about what could be achieved if the Club and the city worked together. He explained that the Club was proud of the close relationships which it had with the Aberdeen public and noted that they were a Club for all.

Mr McInnes highlighted that through Ally Prockter and his team at the Community Trust, the Club worked with around 17,000 participants across the city and shire, which helped to improve their lives and life choices. The concourse within the stadium at Pittodrie was frequently used for lots of different activities by children, older people and those suffering from dementia, which were all linked by a common love of football. He indicated that the players enjoyed spending time with the various groups when they could and it was important to him that the team gave something back to the community in return for the tremendous support which they received every week. He advised that the opportunities for the team to work with the Trust were currently limited as the training facilities, where the players spent most of their time, were remote from the stadium itself.

Mr McInnes explained that should they move to Kingsford, they would be able to provide an environment which would have the potential to deliver much more than sporting excellence. With greater accessibility to the players, they could use the history, the passion, and the energy within the Club to inspire young and old to improve their health, fitness and general wellbeing.

Mr McInnes explained that they were an ambitious Club and he wanted them to be a top 100 rated club in Europe, to be challenging for league titles and cups. He indicated that he wanted to give the players and future generations of players in Aberdeen the best opportunity to fulfil their potential. He outlined that he had been pressing for better facilities for the players and for the fans, since the first day in the job. Mr McInnes stated that some things were too important to give up on and this project was one of those things. Mr McInnes highlighted that without new facilities, the team's current performance could not be sustained. Money would have to be spent on maintaining Pittodrie and not on attracting or retaining quality players.

In conclusion, Mr McInnes indicated that as a team and as a Club, they tried to represent and serve the Aberdeen community to the best of their abilities, be that on or off the pitch. He advised that they wanted to make the city proud every time they played.

Members were then given the opportunity to ask questions of the applicant and the various speakers who were present to answer questions. The extra speakers were noted as:-

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

17 January 2018

- Stewart Milne – Chairman, Aberdeen Football Club
- Raymond Edgar, Project Director, Aberdeen Football Club
- Ally Prockter – Chief Executive, AFC Community Trust
- Scott Leitch – Associate Planning Consultant, Halliday Fraser Munro
- Graham Martin – Design Director, Halliday Fraser Munro
- Alastair Scott-Kiddie – Partner, Fairhurst
- James Bream, Research & Policy Director, Aberdeen & Grampian Chamber of Commerce

In response to a question from Cllr Flynn, regarding the link between on field success of the club and the costs of a new stadium and facilities, Stewart Milne advised that the two were separate as the costs to deliver the new stadium were not taken from revenue funding.

The Committee then heard from **Ian Cox, Kingswells Community Council (KCC)**, who advised that some Kingswells residents were very passionate about the football club and appeared to want the application approved without question. Others did not share these views. As views were diverse KCC had encouraged residents to express their own views directly to the Council.

Mr Cox explained that the following planning issues need to be considered.

In regards to the Green Belt, NE2, Mr Cox advised that the applicant had tried to address many of the issues that had been identified during the course of the application, but there was one issue that could not be mitigated and that was the inappropriate use of green belt land.

He stated that the application breached Green Belt Policy. Mr Cox indicated that the stadium application did not meet any of the exemptions that would permit the use of the Kingsford site. The Development Plan policy was agreed after extensive public consultation, and had been recently approved by Council. Approving the planning application for a structure like the stadium, with its imposing size and appearance and the detrimental impact it had on the setting of the surrounding area, would give a clear indication that this area was now available for any development. He advised that it would set a precedent that would be exploited, and would result in ribbon development all along the A944.

In regards to economic benefit, Mr Cox noted that Aberdeen Chamber of Commerce had assessed the economic benefit of the stadium to be between £8m and £9m. This benefit was expressed as being equivalent to more than 350 full time jobs, but, in reality, as matches were fortnightly there would be very few new full time jobs created. The majority of the benefit would be generated at the stadium and would not greatly benefit the wider area.

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

The economic benefit did not account for the cost to the local community of having the stadium at Kingsford. This would include additional delays in travelling around the area at match times. He also indicated there would be a loss of amenity during match times when local car parks would be full. The traffic assessment was based on a 'least bad' basis, where the congestion was shown to be no worse than that experienced during peak times. Unlike a city centre location, the Kingsford site would be served by one main road – the A944, and the use of alternative routes was limited. Mr Cox advised that these costs were borne by the local community and should be deducted from any perceived economic benefit. He advised that KCC was not convinced that the economic benefits outweighed the loss of Green Belt, the visual impact the stadium would have on the approaches to both Aberdeen and Aberdeenshire and the implications ribbon development would have on the local area.

Mr Cox advised that there was no way to mitigate the loss of Green Belt; the stadium does not meet any criteria that could justify the use of Green Belt land; approval of the application would set precedents for ribbon development along the A944; and the perceived economic benefit did not outweigh the loss of Greenbelt.

Mr Cox explained that the applicant had provided calculations to show that a 3m wide footbridge would be sufficient to allow anticipated crowds crossing the A944 in 30 minutes. However KCC noted that the Roads Department had accepted a 3m wide structure to be appropriate. KCC had the following concerns:

- The proposed design walking speed was equivalent to going up or down 3 or 4 steps every second. This was unrealistic, as it could only be achieved when running or accessing the stairs two at a time. The capacity of the bridge did not include the use for annual concerts, which might require more offsite parking.
- The capacity of a 3m bridge had to be in doubt.
- The visual impact of the bridge structure could be significant
- The bridge and the stadium would define the entrance to Aberdeen and Westhill.
- The appearance of the structure should therefore reflect a European class stadium, a centre of excellence and the prominent location.

Mr Cox advised that the Council should determine if an overpass or underpass would provide the best solution from the point of view of safety, future proofing capacities, the visual impact and ease of maintenance. There should be some element of consultation on the final solution for this crossing. That should be prior to the formal planning application and should include options for an underpass, an overpass with stairs and an overpass with ramps.

In regards to the traffic assessment, KCC were concerned that there was reference to the potential use of Prime Four for additional car parking which would invalidate the Traffic Assessment. Despite claims by the club that concerts would be a rare occurrence, the economic assessment seemed to assume this was an annual event. Means of travel to a concert would be significantly different to a football match, and this was not included in the Traffic Assessment. The Traffic Assessment was based on the

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

17 January 2018

AWPR roundabout having 3 lanes on the approaches to the roundabout, and 3 lanes on the roundabout itself. Currently there were only 2 lanes. The road improvement required for the stadium's traffic was assumed to be provided by Prime Four. As all work had now stopped on site, the provision of the road improvement was in doubt, and this would invalidate the whole traffic assessment. Suitable conditions should be included in any approval to cover this issue.

In conclusion, Mr Cox advised that Kingswells Community Council remained concerned about the safety of crowds walking along the A944, and noted that the application did not address these issues.

Members then asked a number of questions of Mr Cox, and the following was noted.

- KCC did not feel that the figure quoted in regards to the amount of full time jobs that would be created, was realistic, as match days were only every second weekend;
- Mr Cox advised that residents would hide away when matches were on due to traffic issues and other concerns;
- Mr Cox noted that the stairs on the proposed bridge should be wider;
- A city centre location would be more suitable for a new stadium;
- Mr Cox felt that more parking facilities would be required for events such as concerts.

The Committee then heard from **John Hunter, Westhill and Elrick Community Council (WECC)**, who advised that WECC had previously objected to the application based on clear breaches of planning regulations and a number of local and regional development plans. On review of the new information presented, Mr Hunter explained that WECC saw nothing to change their overall opinion of the proposed development.

Mr Hunter advised that in regards to the published public comments, there were 3800 opposing submissions from the Westhill area, which was contrasted by around 400 supporting submissions. He noted that WECC believed they were representing a very concerned community, who were worried that the proposed stadium would have a serious effect on their lives.

Mr Hunter also explained that WECC had no objection to the applicant developing improved facilities and they would be fully supportive of any move that fitted within existing planning and development regulations. He noted that the work of the Community Trust was outstanding, and furthering this in the wider North East community should be encouraged. However he advised that this should only be when it was in line with other community, legislative and planning matters. He stressed that WECC and the community were not opposed to developing and enhancing the Westhill and Elrick areas, when plans presented provided real community benefit.

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

Mr Hunter spoke in regards to the green belt and location. He advised that the proposed Kingsford site was assigned as green belt and there was a very narrow point in the division between the city and shire. He presented the Committee with slides and highlighted that the AWPR ran close to the proposed development. Mr Hunter advised that the AWPR was not intended to be a catalyst for development around itself, and it was supposed to ease traffic congestion within the city and thus attract development back into the city, aiding regeneration and development in line with City Centre Masterplan.

Mr Hunter indicated that the city and shire groups had already identified that the A944 corridor infrastructure was already struggling with the current load, so any further development would increase these issues. A designation of green belt means that very little construction or development should be allowed.

Mr Hunter noted that the location chosen presented a number of issues in itself and did not subject itself as an ideal location for transport and amenities. The Kingsford and wider area had minimal facilities or infrastructure to support a significant development as proposed, whereas the city centre was already well suited with train and bus transportation for such large events.

Mr Hunter noted that the applicant had stated that 25ha was required for the development. Pittodrie was a 5.8ha and the total area required for the new additional training facilities was 3.2ha, and he concluded that even allowing for access roads and pavilions, that did not equal 25ha.

Mr Hunter highlighted that the applicant intimated they had been flexible and had considered all available sites with the site selection. He noted that without co-location the 5.8ha or 3.2ha jigsaw pieces were even easier to find space for elsewhere and should have been given greater consideration.

Mr Hunter advised that the applicant had stated their recognition that the Kingsford site was green belt and thus not normally suited to such development, however they chose to ignore this based on a number of factors, one being their inflexibility of the 25ha jigsaw piece. Mr Hunter indicated that other options did exist if the applicant was to be flexible.

In regards to economics, Mr Hunter advised that despite the new economic statements and data provided by AFC in the most recent submission, WECC did not see any evidence presented to support these. The economic benefits as a whole appeared to be based on maximum attendance and use of facilities, whereas transport and logistic calculations were based on average numbers. Mr Hunter also advised that another clear missing calculation was the division of the proposed economic returns from the development. No distinction was made between how much could be attributed to each sector, for example, existing commercial entities, new commercial entities, and the applicant.

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

Mr Hunter felt that it was clear that any increase in potential income generation for the applicant was good for the applicant but it was not so clear how this benefitted the wider community and business.

The economic benefits and full- or part-time jobs created by the applicant, whilst presented as fact had no references and did not refer back to any sound evidence provided by Aberdeen and Grampian Chamber of Commerce, or EKOS acting as professional consultants to the applicant. Mr Hunter advised that the applicant had been asked to provide further information to substantiate their claims, but in their review of the information no convincing further evidence had been presented.

Mr Hunter explained that WECC saw no significant economic benefit to the Westhill and Elrick area and felt the proposed development would be detrimental to Aberdeen City.

In regards to the footbridge, Mr Hunter advised that the proposed bridge spanned the city and shire and showed images of a similar bridge at the Hydro in Glasgow. He noted that the SSE Hydro had a much wider access funnel approx. 6m (AFC 3m), was covered from the elements and crossed a much smaller, narrower and less busy carriageway. He advised that WECC were convinced that people would wait in turn to cross the bridge when a hurdle over the roadside barriers would save them time. The calculations used by the applicant for persons flow were based on ground level and not bridges, and were typically applied to smaller numbers of people.

Mr Hunter noted that there had been no evidence presented of a single car parking space being agreed by any third party.

The bridge would present a gateway structure to Westhill and thus again present a significant change to the look and feel of the area. Mr Hunter felt that it would have a very negative impact on visual amenity, and be an eyesore at the entrance to Westhill from the A944.

In conclusion WECC maintained its objection to the development based on both the new and previous information as submitted by the applicant, based on planning grounds. They did not feel that the additional information addressed any of the concerns in a manner that would change their decision. There had been no convincing case made by the applicant to convince WECC that the development should be approved since it was in contravention of planning, local and regional development plans. Mr Hunter urged the Council to work with AFC to develop a more flexible plan that could be accommodated within the city. Mr Hunter noted that they understood the applicant's desire to have new facilities but they felt this proposal was in the wrong location and did not see the need for co-location on the one site.

Mr Hunter urged Councillors to listen to the local people most affected by this application.

Members then asked questions of Mr Hunter and the following information was noted.

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

- Residents of Westhill were in support of better leisure facilities for the community but not in support of the development as an entirety;
- The development was unsuitable;
- Greenbelt land should be retained and residents would be against any development on Greenbelt land.

The Committee then heard from **Professor Ferdinand von Prondzynski, Principal of Robert Gordon University**, who advised that he was in support of the application and wished to address the economic benefit as well as the co-location element. Professor von Prondzynski advised that there was a history of football stadiums moving from city centre locations to out of town locations and he explained that it was now thought to be beneficial to move to an out of town location. He provided details on other football clubs who had moved their stadiums and also advised about clubs who had co-located their facilities. He also explained that should this development go ahead, it would help the university to attract more students. Professor von Prondzynski indicated that co-location would soon be the normal practise for football clubs and noted the commercial and sport science benefits of co-location.

Members then asked questions of Professor von Prondzynski and the following was noted:-

- He advised of the huge benefits gained by RGU, due to the co-location of all of their separate buildings to Garthdee;
- Co-location brought many benefits and brought so much together.

The Committee then heard from **Paul Clarkson, Operations Director of PBDevco**, a family run business, which operated eight bars/restaurants in the city and had over 30 years' experience running hospitality venues in the city. He advised that as a company they benefitted hugely from trade directly associated with football.

Mr Clarkson advised that he believed that moving the stadium to the outskirts of the city would not have a detrimental impact on the city centre bar trade, and he explained that at present, people who frequented the bars before and after the match generally used some form of transportation to get to their premises in the centre and then on to the match. He noted that whilst there would be a slightly longer journey time, it was not significant enough to deter people from socialising in the city centre. He advised that fans would still arrange to meet in the city centre before and then come back into town after a game.

Mr Clarkson also advised that several traditional AFC supporters' bars would be organising shuttle buses for their customers to Kingsford and noted that this worked well in other cities where the stadium was more than a few miles away.

Mr Clarkson indicated that Kingsford was less than six miles from the city centre and, with the AWPR in place, the impact on traffic was not going to be that significant. With a maximum of 25 home games every year, he noted that was only 25 days out of 365

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

where there might be an increase in traffic on the roads to and from Westhill. He advised that would mean 25 days where traffic chaos in the city centre and in and around Pittodrie would be alleviated.

Mr Clarkson explained that if traffic issues were a reason for not granting permission, then it would be a poor reflection on the region's infrastructure and would also open up questions on other developments such as the new exhibition centre at Dyce, which was likely to attract far more crowds on a more regular basis.

Mr Clarkson advised that the updated information and analysis from EKOS and Aberdeen Chamber of Commerce showed that Kingsford would be of major economic significance to the city and wider region and noted that the Council's own economic development experts claimed it could be greater than the economic contribution of the new AECC – which unlike Kingsford: a privately funded project – would be funded by taxpayers.

Mr Clarkson indicated that Aberdeen should not be turning away a £50million private investment at this time when the economy was still suffering from the oil and gas downturn. The city and its business community required all the confidence they could get through projects that demonstrated a forward-looking approach. The additional information in the economic analysis demonstrated that construction of the stadium would support and sustain over 400 jobs. However, the on-going economic and social benefits that would stem from facilities at Kingsford would lead to further, sustainable jobs. Using the power of football and the brand of AFC, the Community Trust had made a meaningful contribution to the lives of thousands of people from all walks of life in the city. It was probably one of the most effective social enterprises in the city with a powerful agenda of making lives better for those with illness, disability and from deprived backgrounds. With purpose built facilities, linked to the stadium and therefore the football operation, the reach and impact of the trust could be doubled or trebled.

In conclusion, Mr Clarkson highlighted the feel good factor and the positive impact of a successful one city club had on the economy and how this could not be underestimated. PBDevco could testify to the increase in trade as a direct result of the Club being on a winning streak. For the Club to continue to challenge at the top-flight of Scottish football, they must have dramatically improved training facilities and a modern stadium. They could not afford to wait any longer for those. Equally, city businesses wanted to start sharing in the economic benefits the stadium would bring.

Members then asked questions of Mr Clarkson and the following was noted:-

- Mr Clarkson did not have any concerns that trade would be taken away from the city centre, should the stadium move to Kingsford and felt that fans would migrate back to the city centre after the match;
- He was confident people would not revert to driving to the match rather than visit city centre establishments first, followed by public transport to Kingsford;

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

- In regards to the establishments near Pittodrie who may suffer if the stadium was to move, Mr Clarkson stated that people tended to be creatures of habit and as a result would still visit their usual establishments before a match.

The Committee then heard from **Russell Borthwick, on behalf of Aberdeen and Grampian Chamber of Commerce**. Mr Borthwick began by stating that sometimes it was worthwhile taking a step back and looking at yourself through the eyes of others, namely, what did people elsewhere think about Aberdeen and what Aberdeen did.

He advised that he had been speaking to someone in Leeds in the last week who represented a major inward investor in the retail sector. Mr Borthwick stated that he had been working hard to talk up the economic outlook, and that the representative had a copy of an investment tracker and had seemed impressed, however he had then stated, "Why should my client believe any of that when it's taken you 50 years to build a road and your football team can't even get a new stadium approved?" Mr Borthwick stated that it was not often he was stuck for a reply.

He advised that he knew first-hand from the two decades he had spent south of the border that other city regions in the UK were making bold decisions, reinventing themselves, embracing culture, hosting major events and creating modern spaces where people wanted to spend time. He knew this because he had been involved.

He noted that despite the financial challenges of the last few years Aberdeen was starting to play catch-up, and stated that the Council had shown great leadership with investment in the Art Gallery, the new conference centre, getting the future of UTG back on track and Marischal Square. Mr Borthwick stated that if the new Harbour and the opening of the AWPR were taken into consideration, these should be exciting times. Yet he added that there still seemed to be an in-built reticence to change and progress.

He advised that his hairdresser was based around the corner in Netherkirkgate and had stated that he had seen a real change over the last couple of months, stating, "People that were calling Marischal Square a monstrosity are now eating waffles in Mackies and saying 'It's nae nearly as bad as I thought.'" Mr Borthwick added that this was proof that reality was regularly better than the prospect.

In March 2016, the Chamber's democratically elected policy council had endorsed the position, stating:

"We are in full support of the plans to re-invent Aberdeen as the amazing, unique 21<sup>st</sup> century city that it can be. Some of the individual developments will not meet with universal approval but we accept this is inevitable and agree we must proceed in the pursuit of the greater civic good".

Mr Borthwick advised that the Chamber's position on the Kingsford development had been clear since May 2017, with members believing that it was one of the major infrastructure projects that was key to the future of Aberdeen's economy. Mr Borthwick

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

added that the scheme was privately funded, economically visible and could help support the delivery of Aberdeen's economic renaissance. He stated that people's leisure options and preferences were changing and they wanted to be entertained in comfortable surroundings. In response, the clear direction of travel was that the future for top football clubs would include more participation outside of domestic leagues with matches played in modern stadia. Mr Borthwick noted that the future was uncertain for those that missed that opportunity, therefore the Chamber was supportive of AFC's ambition to be one of the top 100 teams in Europe. He noted that staying at Pittodrie would make that all but impossible and that tradition and emotion should not get in the way of progress.

Mr Borthwick added that having a stadium, training complex and community facilities all on a single site would position Aberdeen alongside clubs like Barcelona, Manchester City and Lyon and noted how fantastic this would be.

He stated that the Council's own officials had validated the detailed economic case that had been presented, but more than that, there was anecdotal evidence from around the world that suggested a successful and engaged local sports team could have a positive effect on morale and productivity in the work place.

Mr Borthwick noted that he was a fan of the Club, but that was not why he was present at the hearing. He was in attendance as he was a massive supporter of the region. He had been born in Aberdeen and was proud of it. He stated that he hated when the region was criticised or if he thought it was not being the best it could be. The opportunity to play a small part in trying to design a place that Aberdonians could be proud of for future generations was the motivation for him to come home.

Mr Borthwick stated that in two weeks, Members were being asked whether they supported the development. The letter submitted outlined the Chamber's view of the decision they thought Members should make. He asked if a city would really choose to reject £50m of private investment. Would somewhere that wanted to create new world class events turn down the opportunity to host its nation's football and rugby teams. Would the Council deny the chance for disadvantaged young people to play sport in the same place that elite athletes train.

He concluded by stating that saying no would create confusion, slow the positive momentum for change that had begun to build and simply reinforce the view of the investor in Leeds that Aberdeen was complacent and not open for business. Aberdeen was already a great place to live, work, study, visit, invest and do business but was certainly not the finished article. He added that Members could be the Councillors who made Aberdeen the place everyone knew it could be, and finished by asking Members to approve the new community, training and stadium facilities for Aberdeen.

Members then asked questions of Mr Borthwick and the following was noted:-

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

- The Chamber did not have any concerns in regards to loss of trade to the city centre;
- They undertook research to understand match day analysis and it was concluded that supporters were going largely to a parking place so would not spend any time or money in the city centre;
- Mr Borthwick intimated that supporters, who currently use facilities on match day would continue to do so, should the stadium move to Kingsford;
- The Chamber had not conducted additional research since the last hearing, where it was noted that they had not contacted the individual members of the chamber, but rather the members of the public.

The Committee then heard from **Mr Keith Sinclair, who spoke on behalf of Mike Forbes, Westhill and Kingswells for Kingsford**. Mr Sinclair stated that he had heard a number of times from objectors that the stadium should not be built at Kingsford, but rather at Kings Links or Loirston. Indeed, he advised he recalled an Aberdeenshire Councillor based in Westhill saying that “We want a stadium, just not here”. He noted that most of the objections were from residents of Westhill who simply did not want the development in their ‘backyard’. He stated that this was an understandable response, but not one that should hold any weight in a planning decision.

Mr Sinclair noted that the additional information supplied by the Club made it clear that Kingsford was the best viable option for the development in its current form. He stated that it had been well explained why it was not possible to consider Kings Links and Loirston as options, to the point where he felt the argument should now be dropped.

He advised that there were many reasons why co-locating the community and training facilities with the stadium made sense, not only in terms of economies of scale and cost savings, but also for local people and the wider region.

Mr Sinclair stated that the Community Trust had been very successful, and that this was in no small part down to the inspiration that arose from linkages with the Club. He noted that this was true for all ages, and not only for the younger participants. He added that he felt it was important to recognise that to many thousands of people, football was not just a day out to the match. Being a supporter had a much deeper emotional connection, and it therefore followed that by having the Trust and community facilities on the same site, there would be much more opportunity for direct access to the AFC playing staff who clearly demonstrated on a daily basis their willingness to engage with the community during their own time, through both public appearances and support of North East organisations.

Mr Sinclair advised that from information he had gathered through conversing with the applicant, it appeared that the Club and the Community Trust had been working with various local sports and community groups to further develop their plans for community-spirited sports facilities at Kingsford.

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

Mr Sinclair noted that there were over 20 local sports clubs and a shortage of suitable outdoor / indoor sports facilities in the area, and coupled with the availability and condition of existing facilities, this was constraining local participation. He added that the current main facilities were at Westhill Academy, Ashdale Hall and Westdyke Centre, however he noted that these were dated and in need of maintenance and were often not fit for purpose, which resulted in many local clubs travelling to and from Aberdeen in search of suitable facilities.

Mr Sinclair advised that the following requirements from local sports clubs could be accommodated on the Kingsford site:-

- Westhill Swimming Club required a large area for 'land training'
- The netball club could benefit from additional space and more sessions
- The running club required access to a track
- The rugby club required an outdoor, floodlit area for training
- Westdyke Football Club needed floodlit pitches for training and games

He noted that many of the above also required a gymnasium for weight and strength and stated that the community facilities at Kingsford could provide them with that along with more suitable and purpose-built indoor and outdoor spaces. In addition, there were various local events which could flourish by using the proposed new community facilities, such as the Westhill 10K which attracted more than a thousand runners, and the Westhill Bike Ride. Mr Sinclair noted that both of these events could use the AFC complex as start and finish points with access to parking, a concourse for registration and potentially races and activities for children.

Mr Sinclair advised that the gala football tournament for school children took place annually but availability and condition of existing pitches often constrained the event. However, he believed that hosting the event at Kingsford would provide certainty and a larger space to improve and increase the tournament along with revenue. These were only some of the possibilities.

He explained that in his view the perception that there would be limited community facilities or that they would only cater for football activities could not be further from the truth. The applicant had been criticised for not being more explicit in their plans for the community aspect of the proposed development but the applicant had deliberately not been prescriptive so they could work up this part of the proposal through engagement with the local community and their sports' groups, making sure they met real need.

He went on to advise that during the consultation period, in the run up to lodging their plans, the applicant invited the neighbouring Community Councils to put forward suggestions for local sports and activities which could benefit from utilising the community spirited facilities. The applicant had to proactively approach these clubs directly as sadly there had been no response to the invitation to engage from either Community Council.

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

17 January 2018

Mr Sinclair advised that he along with Mike Forbes, Aleen Shinnie set up Westhill and Kingsford for Kingsford up on the basis that they felt these communities were being misrepresented by their Community Councils and the decision to blank the applicant left us feeling hugely vindicated in doing so.

He stated that as well as their own communities they claimed to represent, he believed the Community Councils were showing a complete disregard towards engagement with the applicant and through their own selfish and insular actions appeared ready to deny not only to local residents and, particularly the next generation, the chance to have a facility which would provide multi-use space for a range of activities that promoted sport, health and wellbeing.

Mr Sinclair ran out of his allocated time, however when it came to the questioning of Mr Sinclair, Councillor Hutchison asked what Mr Sinclair would have said should he be allowed to finish. Mr Sinclair concluded it was encouraging to learn that over 53% of all representations on Kingsford were supportive. Given that those in support of a project typically do nothing while those objecting were most active, he felt that this was a huge endorsement for the project and underlined the overwhelming support it commanded.

Mr Sinclair highlighted that neither his group, or the objectors group, or even the Community Councils had quantitative evidence of the feelings for and against the project in Westhill and Kingswells but he wished to convey to Councillors that there were significant numbers in favour of Kingsford in both Kingswells and Westhill and that these people should not be denied the opportunities and the benefits the community sports hub, training facilities and stadium would present.

There were no questions for Mr Sinclair.

The Committee then heard from **Mark Kummerer, MKA Economics (speaking on behalf of No Kingsford Stadium Group)** who indicated that he specialised in undertaking independent economic impact assessments for private sector clients who were seeking funding and/or planning approvals, and that he led the business case and economic impact assessment for the Judy Murray Tennis Academy which secured planning in August 2017.

Mr Kummerer explained that in December 2017, at the request of No Kingsford Stadium Ltd, he had been asked to conduct an independent review of Aberdeen FC's own economic impact assessments related to their proposed relocation to Kingsford.

He made reference to the key findings as follows:-

- There were various iterations of the economic impact assessment completed throughout 2017, and it was a challenge in itself reconciling these changes and rationale for changes within each iteration of the impact assessments. Furthermore they did not have access to the economic impact models, which had been expected to be provided;

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

- The initial economic impact assessment did not comply with Green Book Guidance in that it did not assess any options other than the relocation option. The second version introduced two options, a 'Do Nothing' and 'Relocation' option. They would have expected a wider range of options to have been assessed. Although technically compliant, the Do Nothing option was a simplistic, pessimistic and unrealistic option in which to measure the 'Relocation' option against. They would have expected a more realistic base case, such as a 'Do Minimum' or 'Do Something' option to be fully appraised;
- The reports stated that the club was valued at around £9.3m in GVA terms based on average crowds of just under 13,000 fans. Aberdeen FC's economic impact was likely to be even greater currently, with average, for the season to date, around 16,000 fans, suggesting its economic value being over £11.5m per annum;
- They had challenged the 'Do Nothing' option, as the club, like all professional sport clubs would 'Do Something' and at least 'Do Minimum'. The likelihood of losing half of the current crowd numbers was seen as overly pessimistic and unrealistic;
- In terms of the 'Relocation' option, they recognised the £50m capital investment would create temporary construction jobs, some of which would benefit non-local firms;
- However the vast majority of the additional impact was not derived from Aberdeen FC's regular domestic football matches but linked to the significant (£5.5m per annum) impact derived from hosting, and selling-out seven major additional events per annum;
- These 'Relocation' assumptions were overly optimistic, and were measured against an overly pessimistic and unrealistic 'Do Nothing' scenario in the Pittodrie context;
- In terms of the 'Relocation' option, the reports referenced the potential regeneration benefits and drew upon examples from other city centre relocations in Manchester and London. These were not pertinent to the proposal as they were based on the regeneration of brownfield sites;
- The socio-economic audit indicated that the local area was a prosperous area, which had grown in population and employment terms. Thus, the 'Relocation' option was unlikely to have a regeneration role in the location and the net impact at the local level was recognised as being of a low value; and
- The proposed relocation, some seven miles out of the city centre, would have an adverse economic impact in the city centre on event days. The Halliday Fraser Munro report confirmed that there would be a loss ranging from between £500,000 to £2m to city centre businesses. The research around this matter lacked clarity as it drew on transport related assumptions to make claims around losses to the city centre.

In summary, Mr Kummerer advised that the 'Do Nothing' assessment suggested the economic value of the club would fall to around £6m per annum, with crowds dwindling

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

to 8,500 fans, when in fact at current attendance levels, it would rise (pro rata) to around £11.5m.

He indicated that the overly pessimistic 'Do Nothing' option, which was used as a base for the economic benefit at Kingsford was significantly flawed.

He intimated that the base case of crowds reducing to 8,500 fans generated the unrealistic new job figures which were quoted within the economic submission. Basing economic benefits on crowds of 8,500 fans, while the current season's average attendance to date was around 16,000 fans was simply not credible.

Mr Kummerer advised that new events that had been included within the economic submission, which played a crucial part in estimating economic benefit, were aspirational and could not be relied upon. Notwithstanding the fact that the assessments did not consider a wider range of options, his view was that the economic research was open to challenge.

In conclusion, Mr Kummerer explained that based on the information, the applicants had not presented a credible economic case, which would justify deviation from the Local Development Plan and the loss of 25 hectares of Green Belt.

In response to questions from Members, Mr Kummerer advised that no other events at the stadium had been confirmed and no scenario testing had been undertaken. He indicated that the research from Aberdeen and Grampian Chamber of Commerce's research was over optimistic. He explained that he did not review the Community Trust's impact as part of his assessment, but could not recall whether there was any reference to it in the two reports submitted. He also advised that he was surprised that the club had 'done nothing' in terms of appraising alternative sites or investing in Pittodrie, specifically if crowds would fall if they remained. He also accepted that increased attendance at matches was linked to the success of the team and better facilities, but advised that crowds this season were up across Scotland.

The Committee then heard **Heather Brock, Director of No Kingsford Stadium Ltd**, who also provided a short video presentation.

Ms Brock advised that the Local Development Plan for Aberdeen City was adopted in 2017 after many years of consultation. She made reference to Policy NE2 within the plan, which protected areas of Green Belt within the Aberdeen City area. She quoted the following from the policy, which stated:-

"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/quarry restoration; or landscape renewal"

She made reference to an email obtained by No Kingsford Stadium Ltd via a Freedom of Information request stating that Planning officers said "Policy only supports certain

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

limited and specified development proposals, the scheme proposed would not fit into any of those categories, even by stretching the imagination”.

Ms Brock intimated that Kingsford was a large 25 hectare Green Belt site, seven miles from Aberdeen City Centre. She referred to the video presentation outlining areas which were developed or would be developed in the near future and the proposed stadium location. She advised that the space between communities on the A944 was under significant threat. Prime Four had approval for additional phases of business development which would see the land within the AWPR line developed.

She explained that the applicants’ stadium development would occupy an unreasonably large 25 hectare site outside the line of the AWPR, which would lead to a continuous ribbon development of the north-side of the A944. The remaining small area of Green Belt would no longer be able to perform the required function of defining the space between communities.

Ms Brock intimated that there was no doubt that the development would result in the coalescence of communities and result in a sprawling development on the edge of the city. She explained that the site was not some inner-city brownfield site as AFC would like to believe; it was a former landfill but had been fully reinstated as agricultural land for many years. In fact the Council insisted that the land be reinstated and had recognised it as Green Belt.

Ms Brock advised that the images displayed in the presentation showed the site as it was now, beautiful rural Aberdeen fields, acting as a buffer between the communities of Westhill and Kingswells and which clearly defined them through the use of green space.

She indicated that AFC and their representatives did not want Members to see the images and they had threatened legal action against No Kingsford Stadium group when the images were made available on the NKS website because they showed the devastating impact of the development on the local landscape. The development would sit like an alien presence on the land and which was entirely out of keeping with the setting.

Ms Brock advised that the development would establish a number of dangerous precedents for Aberdeen City, the stadium would have a retail and entertainment function, and if approved, it would then be used as a justification for the Prime Four change of use. Both the Kingsford and Prime Four applications if approved would significantly undermine the City Centre Master Plan and the focus on rejuvenating Aberdeen. She explained that if approved, the stadium development seven miles outside the city would diminish Aberdeen as a regional centre.

She intimated that it had been stated that the AWPR was not a development corridor, however if approved, the development would establish a dangerous precedent for development to the West of the AWPR.

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

She advised that as other members of the Scottish Development Planning Authority (SDPA) already knew, there were major concerns about transport infrastructure across the A944 corridor. The SDPA in their 'Main Issues' workshop meeting of 10<sup>th</sup> November 2017, declared that Westhill and the A944 corridor could not be a strategic development growth area because of these transportation concerns.

Ms Brock explained that it was also highlighted that modelling of the AWPR impacts would see congestion in the area increase when the AWPR opened. Kingsford was an unsuitable location, it would mean the development of Green Belt land resulting in unsustainable transport patterns impacting on congestion and air quality. If approved the site would undermine the purpose and function of the Green Belt, particularly by sprawling into important and necessary greenspaces and the buffer between spaces.

She advised that the Councillors were the stewards of the Green Belt and environment of Aberdeen and were duty bound to protect it. The policies within the Local Development Plan were clearly set out to protect the Green Belt and the spaces between communities.

She intimated that there was no justification in the application to merit deviation from the development plan.

Ms Brock concluded by requesting that the members must uphold Policy NE2 and ensure that the Green Belt was protected. She urged Councillors to refuse the application.

The Committee then heard from **Diane Priestley, a resident in Westhill**, who advised that traffic and parking around the proposed Kingsford Stadium on match days was a huge concern to Westhill residents.

She indicated that the latest information stated that there would be an average of 22 home games played either in the evenings or at the weekends plus a number of additional events, 7 of which would be major events with capacity crowds.

Ms Priestley indicated that the applicants did not present any transport arrangements for these additional events.

She advised that the applicants had requested car parking on site which was just over the allowed maximum. The Park and Rides and Arnhall Car Parks were effectively satellite car parks providing parking spaces excessively over that allowed, and defeated the aims of transportation and planning policy. These Arnhall car parks represented an allocation of between 600 and 800 parking spaces, however there was no confirmation of where they were or indeed if any agreements were in place to deliver them.

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

Ms Priestley intimated that the Council's Roads Development Management Team stated in their letter of 6 September 2017, that there was nothing to stop businesses in Arnhall from removing agreements in the future.

Ms Priestley made reference to the survey produced by Aberdeen and Grampian Chamber of Commerce, which stated that 61% of fans would travel by car to the stadium, however given the likely travel times from Aberdeen and the inconvenient shuttle and public transport arrangements, it was likely that the transport strategy would fail and supporters would move to private cars as happened in Perth, where the Park and Ride for McDiarmid Park failed.

She indicated that according to the figures provided, there would be 3 people per car, however this would appear to be a gross under-estimation of the likely car usage. The Development of Transport National Survey stated car occupancy of 1.7 persons per car when attending sporting and leisure events.

Ms Priestley advised that AFC had agreed to enter into discussions about the delivery of a controlled parking zone (CPZ) within Westhill, which would be allocated with the condition that there was no public parking within a 30 minute walking radius of the stadium. The proposed CPZ area identified in the application would be inadequate as it did not cover a 30 minute walking distance from the stadium.

She intimated that Police Scotland informed the Council on 6 September 2017 that enforcement of parking restrictions would be resource intensive and would not feature highly in terms of priority. It was highly unlikely that Police Scotland would be in a position to enforce the CPZ as proposed, let alone a CPZ of the size required to protect the residential parking of Westhill and Kingswells.

Ms Priestley indicated that despite the additional information, the application was a breach of planning policy and would result in the loss of 25 hectares of Green Belt land. It did not comply with the Local development Plan or Strategic Development Plan and was contrary to the City Centre Master Plan.

She concluded by intimating that the Traffic Assessment was weak and unsustainable as was the economic case, therefore urged the Councillors to refuse the application.

In response to questions from Members, Ms Priestley reiterated that the Transport Assessment would fail and made reference to the failure of the Park and Ride at McDiarmid Park, Perth, and noted there were also no Traffic Wardens in Westhill and that people preferred using their cars to travel. She also said that she was aware of the parking restrictions on Merkland Road at present, although the controlled parking zone would cover the whole of Westhill.

The Committee then heard from **John Mann, a resident of Westhill**, who advised that he moved to the area in 1981 due to the rural nature of the community and which was still close to the city.

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

Mr Mann explained that having read the new information provided by AFC in support of its application, he saw nothing that changed his objection to the development.

He advised that AFC maintained that it was necessary to co-locate the stadium, AFC Community Trust and training facilities, however few clubs found it necessary to do this, in fact some clubs maintained training facilities a significant distance from the stadium to accommodate their players' choice of location and none of these clubs suffered from this separation.

Mr Mann indicated that AFC used co-location to determine the amount of land required for their development (25 hectares) and in doing so were then able to discount other identified locations in the Local Development Plan for the development of the stadium.

He intimated that AFC were unable to make credible justification for co-location in their submission and stated it would cost £1.9m to build in separate locations, this sum was minimal and would be within the uncertainty of costs in the stadium build, it would foster a club family spirit and local children would be able to get near the players. He explained that none of these were compelling reasons for co-location and the loss of Green Belt. They also maintained it would reduce their carbon footprint which he felt was a ridiculous assertion given their unsustainable travel plan and the reliance on cars and buses to serve the stadium.

Mr Mann advised that even separating the developments, AFC maintained there would be nowhere to build the stadium notwithstanding the Local Development Plan which identified sites, and the planning permission they gained for Loirston, 12.5 hectares was bigger than most, if not all football stadia in Scotland. A significant part of the area would be taken up with an external fan zone which had been added to support their unsustainable travel plans. The fan zone would be a major nuisance and no noise assessment had been submitted in support of that part of the development.

He indicated that AFC were dismissive of the Green Belt status and chose Kingsford because it was cheap and had no value for housing or commercial development. Mr Mann stated that the Green Belt may not have an economic value in terms of development because it was Green Belt, but its value as a Green Belt barrier to the coalescence of Westhill with Aberdeen City was immeasurable. He explained that the Kingsford Green Belt was a major factor in maintaining the rural character of Westhill. AFC used Green Belt status and nearby housing when it supported their case, for example dismissing Bellfield Farm as an option due to the proximity of existing and proposed housing and Green Belt status.

Mr Mann advised that 12.5 hectares had been allocated for AFC Community Trust and training facilities, although he had never heard of the Trust prior to this application and he was sure that they did sterling work in the communities that needed it. He indicated that it was ironic that AFC wanted to locate the Trust's facilities between two of the most favoured communities in the region (Westhill and Kingswells), noting that they

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

could not locate it further from areas of need. Included in the area were the training pitches, and some clubs managed with training facilities totalling 2 hectares. Given that a football pitch including its end zones takes an area of around ½ hectare, Mr Mann stated that there could be no justification to allocate so much area. Westhill did not require more football pitches as Aberdeenshire Council had made a good job of providing these facilities which were not fully utilised.

Mr Mann indicated that nothing in the new information presented by AFC allayed the fears of the traffic and parking chaos that would ensue if the stadium development was given the go ahead at Kingsford. The A944 was already at capacity at peak times with, on some days, stationary traffic stretching between Kingswells and Westhill. This would only get worse on the completion of the AWPR as the A944 would become a main arterial route into Aberdeen from north, south and the west.

Mr Mann intimated that AFC had not presented any information on how they were going to keep control of additional parking facilities in the industrial estate in perpetuity. A CPZ was proposed for Westhill which was a tool for city environments, not for rural communities. He advised that there was not a current parking problem in Westhill, parking was not de-criminalised in Aberdeenshire and it would fall to the Police to control the CPZ, however all resources were likely to be tied up on traffic and crowd control duties. Much more Police resources would be used than were currently used at Pittodrie due to the lack of CCTV coverage in Westhill, Kingswells and the areas in-between.

He explained that in addition, an unwanted pedestrian bridge at the important entrance to Westhill would be required which was not deliverable by the Council and would rely on Aberdeenshire Council approval.

Mr Mann concluded by advising that there was much more that was wrong with the application which could not be covered in the limited time available, but urged Councillors to refuse the application and send AFC back to the drawing board to design a facility which they could afford to build in a sustainable location.

In response to questions from Members, Mr Mann explained why he thought Westhill was still a rural location. He also indicated that although it may be beneficial to co-locate the stadium and training facilities, the club did not have to do this.

The Committee then heard from **Graham Wildgoose** who advised that the Strategic Development Planning Authority (SDPA) was funded by the Council tax payer and were the Council's experts in development plans including the Strategic Development Plan, the Local Development Plan, and the City Centre Master Plan agreed by the City and Aberdeenshire Councils, and had been praised as being benchmark standards by the local authorities in Scotland, if not the UK.

He indicated that the governance and adherence to these plans were part of the detailed audit carried out by Moody's which led to Aberdeen becoming the first Scottish

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

17 January 2018

Local Authority to gain a public credit rating. This rating allowed Aberdeen access to loan bonds which had assisted in the building of the new AECC, school and housing developments and road construction, therefore it was crucial Aberdeen maintained its current rating.

Mr Wildgoose explained that in December 2017 and for the fourth time of reviewing its investigation into the proposals for the Kingsford Development, the SDPA report was in agreement as follows:-

- The proposals did not meet any of the exemptions stated in the Local Development Plan and would result in the loss of 25Ha of Green Belt and would be an inappropriately located development;
- The economic statements provided by the applicant were over optimistic and this was supported by other independent economic reports provided to the Council;
- The moving of such a large footfall generating opportunity 7 miles from the City Centre was contrary to the City Centre Master Plan and would damage many small businesses especially in deprived areas in and around King Street and Seaton;
- The Traffic Assessment was unsustainable in regard to car parking, unrealistic in regard to bus transport and timetables and, in some instances, unsafe in regard to pedestrian walkways; and
- Contrary to the applicant's statement, there was still a viable alternative site option at King's Links as stated in the North Beach Development Plan of 2003 and the Aberdeen Community Arena Full Business Case of 2008.

Mr Wildgoose advised that the report was vitally important for the following several reasons:-

- (1) It was produced by an expert authority funded by the North East Council Tax Payer, therefore there was an expectation by constituents that it should be adhered to. If the Council rode roughshod over and ignored the views of the SDPA at the first opportunity then the plans they had produced were a waste of public money;
- (2) The report made it exceptionally easy for Councillors to justify the decision to refuse the application, as the shortfalls in meeting the current development plans and planning regulations were detailed in the report; and
- (3) Finally, refusal of the application demonstrated to both the local population and to external agencies, like Moody's, that Aberdeen City Council adhered strictly to its policies, procedures and due process and did not bow to pressure from either property developers, vocal minorities or biased media to deviate from its development plans and how those plans were implemented. Councillors should not be afraid to say no to large scale developments if those developments did not meet the agreed long term plans of the city. Robust procedures and the strength to implement these procedures, was what was recognised and valued and it was this that would bring financial investment and install confidence in investors in the city.

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

17 January 2018

Mr Wildgoose indicated that he heard people saying, and he would be concerned if the Councillors would fall for this argument, that if the developer was refused planning permission that it sent out a message that Aberdeen was not open for business and would become a backwater which was absolutely nonsense.

He explained that in recent years, work that was completed or was ongoing included:-

- The AWPR infrastructure;
- A new AECC;
- The airport extension/refurbishment;
- Aberdeen Art Gallery and Music Hall refurbishment;
- The Union Terrace Gardens development looking as though it would finally progress;
- The Union Square development;
- Marischal College development;
- Marischal Square;
- Provost Skene House clean up;
- Aberdeen Science Centre modernisation; and
- Extension of Aberdeen Harbour.

Mr Wildgoose intimated that there was plenty of development showing Aberdeen was open for business without the addition of a football stadium on Green Belt land.

He explained that other stadiums located within the city were Hampden Park in Glasgow and Murrayfield in Edinburgh, which were proven examples of thriving city centres when sporting events take place and Aberdeen should follow these examples.

Mr Wildgoose concluded by urging Councillors to read the SDPA report and note the concerns raised and vote to refuse the proposed development on 29 January 2018.

The Committee then heard **Diane Reid, Director of No Kingsford Stadium Ltd** who advised that it was her intention to highlight the considerable issues of law which were relevant to the application to make Elected Members aware that the application before them, which was contrary to the law and vulnerable to challenge should it be given approval.

Ms Reid indicated that the application must be resolved in accordance to law and the Local Development Plan, adopted in January 2017 was very current and relevant to the application.

Ms Reid, aided by a powerpoint presentation, advised that Case Law established that interpretation of planning policy was not a matter which a planning authority "was entitled to determine from time to time as it pleases". The Council must consistently implement its policies regarding the determination of the application. One application for land adjacent to the site for a Golf Driving Range had already been refused and

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

Councillors would be aware of the recommendation of refusal for the Prime Four change of use. She stated that the Council must refuse the application to be consistent in how it applied policy.

She explained that legal guidance provided by Ailsa M Wilson, QC suggested that there were not only issues of planning judgement to be addressed, but there were also questions of law.

She advised that the first was the sequential test must be applied, there were allotted sites within the Local Development Plan at Loirston and King's Links and the applicants had not presented sufficient evidence to discount the use of either of these sites.

She explained that the 8.3 hectares of land available at Loirston was more than adequate to deliver a stadium and it was simply the applicants' inflexibility and fixation on co-location of facilities which was preventing the adoption of this site.

Ms Reid indicated that the King's Links site identified within the current strategic plan, continued to be a sequentially preferable site and in keeping with the City Centre Master Plan. The applicants had presented a letter from Craig Group, indicating they did not wish to sell the lease. This situation was understood as part of the 2003 North Beach Planning Study and the Aberdeen Community Arena Full Business Case in 2008 prepared by the Council, and both stated that this leasehold was not a barrier to development of the site at King's Links.

She advised that the SDPA also indicated that the matters of land use for the King's Links site could be addressed to make the site available.

Ms Reid explained that it was very significant that there was a recently adopted Local Development Plan which reflected the approach in the Strategic Development Plan to the spatial planning framework for Aberdeen. Development Plan policy was not just one of many material considerations to be put in the mix when considering the sequential approach. The determination of the application should first and foremost be governed by the development plan. The Kingsford site therefore failed the sequential test as there were other available and potentially available sites allocated within the development plan on which development could proceed in a reasonable timeframe.

She intimated that the second matter of law related to perversity and the unreasonable nature of the proposed development. There was no legal requirement per se to "disaggregate the development". However it was not purely a question of planning judgement but she stated that one must consider whether the applicants had correctly considered policy.

She advised that the applicants' requirement for a 25Ha site, when compared to the land use of other successful clubs across Europe, was unreasonable and therefore susceptible to legal challenge. Equally the out-of-town location, the failure to conform to

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

planning or transport policy and the poor economic and public benefit case were all grounds on which the application could be challenged.

Ms Reid referred to emails between officers of the Council obtained under the Freedom of Information requests, which stated the following opinions of the applicant's proposals as follows:-

"The scale, type and form of development now proposed is way beyond what we are likely to be in a position to reasonably support, and would have a particularly high and negative impact on the remaining Green Belt which frames Aberdeen. Even promoting the scheme through the next Local Plan which is some 5 or so years away, is unlikely to pass through the scrutiny process."

She intimated that it was clear that officers were fully aware of the key issues in the application and the need to recommend refusal.

Ms Reid concluded by urging Councillors not to be swayed by emotive words like 'Pride' and 'Feelgood Factor', but to defend the Green Belt and intentions of the 2017 Local Development Plan and to refuse the application.

The Committee then heard **John Thornton, a resident in Westhill for 35 years**, who wished to cover three areas in relation to the development and footbridge, namely location and sizes, volumes and other traffic.

Mr Thornton, aided by a powerpoint presentation, made reference to the proposed footbridge which he advised would straddle the Brodiach Burn and would be a huge edifice, being 66m long, 9.5m high, have 64 stairs with a 21% gradient for 60% of its span, but was only 3 metres wide which would limit flow on both width and incline. He intimated that the footbridge was not adequately sized.

He made reference to a 2006 study on stairs which was carried out at the Dutch pavilion at Expo 2000 in Hanover, Germany. He explained that a variety of scenarios were analysed, producing detailed tables of data, however AFC had used figures from the Department of Transport without any back up data. He advised that those figures primarily related to walking rates on pedestrian crossings, therefore the estimated flow rate was up to four times faster than the German study.

Mr Thornton intimated that it assumed that fans marched upstairs 3-abreast, military style, but fans did not behave that way. Instead of 30 minutes for 3,000+ fans to cross the bridge, it would become two hours, therefore these figures lacked credibility and fans would be disinclined to use it as they would exit the stadium in their usual droves and the 6 to 10 metre crowd width would try to narrow to only 3 metres.

He advised that many fans would not queue up to enter the bridge, particularly if there was a hold-up on the bridge. They would simply flock across the A944 causing traffic chaos and raising serious safety issues. In terms of road bridges it would only take one problem to quickly cause massive tailbacks.

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

He indicated that according to the Traffic Assessment addendum, section 4.6, between 300-800 cars would be trying to leave the western exit at the average rate of one per minute carefully synchronised to traffic lights, but stated that this somehow defied the law of physics. It would be the same problem before matches when that access point would become the western entrance.

Mr Thornton advised that according to the same Traffic Assessment report, 202 cars would be arriving at an average rate of 1 to 9 seconds, again synchronised to traffic lights, and asked whether they just ploughed through the walking fans.

He intimated that the footbridge, like so much else of the transport plan was in his opinion unworkable and was indeed a bridge too far.

He concluded by urging the Councillors to leave the A944 entrance to Westhill as it was and refuse the application.

In response to questions from Members, Mr Thornton reiterated that the Traffic Assessment timings in relation to crowd flow for the footbridge and emptying the stadium were not accurate. He also intimated that he could not consider the potential for an underpass on the A944 as it was not in the plans.

The Committee then heard from **Heather Cook, a resident of Westhill** who advised that she had been involved in Sports and Sporting Clubs in Westhill for many years.

She explained that when the first set of plans were submitted, she could see no real public benefit to the community in having a football stadium (with community sports facilities) in the Westhill area and that she highlighted these at the first Pre-Determination Hearing.

Ms Cook advised that she had reviewed the AFC and Community Trust's additional paperwork which had been submitted on 21 November 2017 and could see very little change to the original documents.

She indicated that in the press, it had mentioned that the SPL and SFA had expressed support for AFC's plans, however looking at the detail of the statements made, the support of these organisations was for a new facility for AFC and not for the Kingsford location.

She made reference to the Etihad Stadium in Manchester which was developed on a brown field site and which was completely different from this application as it was only one mile from the city centre.

She explained that she had looked at other stadium developments across the country and these were often sited in areas of social deprivation and used as a focus for regeneration, but when she thought of Aberdeen, she considered the site at King's

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

Links to be the perfect location for such a facility i.e. in a location which supported the aspirations of the City Centre Master Plan, complimented the excellent Aquatics Centre and Sports Village and could be used as a focus for regeneration in the area, similar to that of Tottenham Hotspur's new stadium in London.

Ms Cook indicated that AFC had not presented any demonstrable public benefit for the local community or those served by the AFC Community Trust. She advised that she would have expected there to be some indication of the likely uptake of community trust offerings at the stadium site with some market research to demonstrate how realistic it was to transport service users seven miles out of Aberdeen for an input and then transport them back in which made little sense.

She explained that anyone wishing to come out from Aberdeen to Westhill by public transport could take up to 1 hour 20 minutes to get in and out and that she would not travel 2 hours 40 minutes in order take part in a dance or fitness class.

She also indicated that a taxi journey one-way took one hour from the city centre to Kingsford and cost £20.

She advised that Elaine Farquharson-Black had intimated that Community Councils had been contacted regarding the use of the facilities by the community, however she indicated that she was involved with Westhill and Elrick Community Council and had not received any such communication.

Ms Cook explained that the club and trust had presented no evidence to support the operation of the community trust on this site other than a single page in the new information which just listed activities that could be offered in any space, anywhere within the city and were not dependent on the Kingsford site and there was no evidence to support this.

She advised that Councillors should not be afraid to refuse the application, which was a football stadium in the wrong location and denying this application would ensure that AFC revisited the King's Links and Loirston sites and delivered a facility for the benefit of the city in the allocated location.

She concluded by advising that the applicants had not presented sufficient material considerations which would justify deviating from the current and recently adopted Local Development Plan and as such, the application should be refused.

In response to a question from a Member regarding the sport facilities in Westhill, particularly that a previous speaker had indicated that they were poor and residents were travelling into the city to use better facilities, Ms Cook indicated that she used the facilities in Westhill including the swimming pool.

The Committee then heard from **James Yule, a resident in Westhill**, who advised that his garden overlooked the proposed development.

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

He indicated that the applicant was attempting to overturn planning policy and steal Green Belt land for commercial development. For the Council to approve the application, AFC had to come up with a compelling case. He explained that the applicants had made a big deal about co-location and it was this single issue that blinded them to any other location. He stated that AFC may find financial economies from co-location, however every claim regarding public benefits arising from co-location applied equally to non co-located sites.

Mr Yule indicated that the Kingsford site would have a negative economic effect for city traders and would potentially disrupt retail sales in Westhill.

He intimated that he was pleased to see that the SDPA suggested that the King's Links site was still an issue that could be addressed. Nearly 10 years had passed since AFC were granted permission for a new stadium in Loirston. At that time the result of a questionnaire by Aberdeen Supporters Trust had suggested that over 80% of fans were against the move and over 60% said they would attend fewer matches.

He explained that he got the feeling that this was always going to be a lukewarm move, judging by the catalogue of lost development opportunities often blaming the Council. The applicants finally pulled out of Loirston altogether in late 2016.

He advised that higher attendances at Kingsford was the main argument for an increase in the club's revenue, but this was borne out of optimism and was compared to a "Do Nothing" scenario at Pittodrie. He stated that the day out experience of a trip to the country at Kingsford might not compare well with the match day experience at Pittodrie and Aberdeen City Centre.

Mr Yule indicated that he had parked his car last week near the location of a proposed footbridge and walked across the road and up the hill to the Arnhall Business Park. It took 10 minutes to reach the Tesco Filling Station, another 5 minutes took him to the Tesco Supermarket car park, Costco car park, Doctor Surgery car park, Shepherds Rest car park and a multitude of small car parks dotted throughout the business park and somewhere in there, 600 official parking spaces. He intimated that undoubtedly this would be the preferred location for leaving the car and did not see any provision for controlled parking in this area.

He advised that the only way to get to Kingsford was by bus or car and if someone had a bad experience waiting for buses, the next time they would take the car.

He intimated that a high volume of people would use this route and they would all have to cross the busy A944. The proposed footbridge would undoubtedly cause a bottleneck with obvious problems.

He made reference to the supporting statement from AFC and indicated that it only served to highlight the flaws and shortcomings of the proposal. Comprehensive

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

documents submitted by the No Kingsford Stadium Group, the two Community Councils, Aberdeenshire Council, the SDPA and many well written individual objectors all testified to this.

Mr Yule advised that by pulling out of Loirston and Balgownie, and disregarding King's Links, AFC were attempting to pressure the Council into approving the planning application. The applicant said there was no Plan B, but there was always another plan.

Mr Yule explained that the Council would be doing AFC a favour by rejecting the application and perhaps King's Links which was the natural home for a new revamped Pittodrie, would have been the Plan A that should have been pursued 10 years ago thereby keeping the development in the city and at the forefront of Aberdeen City's rejuvenation.

He concluded by urging the Council to do right by the City and Shire.

The Committee then heard from **John Gerrie**, who advised that the additional information submitted by AFC had not changed the original application but simply suggested clarity information as back-up to that application.

Mr Gerrie made reference to the covering letter by Halliday Fraser Munro and stated that the original concept of Green Belt was agreed over 4 decades ago and all was still relevant today, as amenity areas that Central Government now promoted were around an ever increasing demand for development. He indicated that this Freedom Land (of which this application area was part) was developed to the benefit of all Aberdeen citizens and not the lesser as in this application.

He advised that the proposal site would fill in the last Green Belt length between the Arnhall roundabout and the AWPR by over 65% given that planning permission in principal existed between the AWPR and Kingswells at Prime Four.

Mr Gerrie explained that given the original details provided by AFC, there was evidence to show that the Planning Application was in fact a staged first development with future proposals to allow constructed buildings over the Trust's all-weather pitches. These buildings would be proportionate to the buildings at the Aberdeen Sports Village and would be the size of an aeroplane hangar.

Mr Gerrie made reference to Appendix C, wherein Elaine Farquharson-Black suggested that despite the area being Green Belt, a development of this type could be acceptable thereon. He explained that this was a Green Belt amenity which successfully identified the existing communities and must continue as such. In Appendix D, he advised that any reference to *Tesco v Dundee* was irrelevant. This was a one off application that must be considered on its own merit.

Mr Gerrie made reference to Appendix O, wherein it stated that the case for the application now included a table of further activities and a list of further sports that

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

transferred the application as originally marketed to a seven day commercial use that would exacerbate the development on the Green Belt. In Appendix P, he advised that the Economic Analysis by Aberdeen Chamber of Commerce stated that the financial benefits to the area (originally some £60m then reduced to some £9m) would be mixed and was a confusing statement which should be discounted as speculative, with the Football Club only themselves benefitting. He explained that Kingswells and Westhill villages had no infrastructure to deal with up to 20 thousand fans as suggested and the day to day further activities, identified that those participating would simply travel directly to the site. Development on that scale would actually create a negative benefit locally.

Mr Gerrie advised that the additional Supporter Travel Strategy information did not alleviate the underlying problem of moving these supporters to and from the proposal on a match day basis along the A944, being one of five critical roads accessing Aberdeen City. Further fears on road safety were vested in travelling motorists looking into the site while driving. After one transfer experience, supporters would revert to private transport and park at the plethora of supermarket, school, church and shopping centre car parks, alongside office spaces at the Arnhall Commercial buildings and unencumbered residential roads around Westhill.

Mr Gerrie indicated that a 3 metre wide overbridge suggested, would never provide adequate capacity to transfer supporters in such quantities across the A944 in the times indicated. The reality identified supporters rather walking from their own transport in Westhill swamping the A944 in large numbers well beyond crossing times. The problem created by supporters spilling on to the A944 between Kingswells and Westhill had not been addressed. The overall Transport assessment was still in disarray.

He advised that the redevelopment of a football stadium for AFC and stand-alone sports trust was admirable in its concept, however the siting of the application at Kingsford was not proportional to the amenity and did not benefit the whole population.

In closing, Mr Gerrie intimated that the redevelopment of Pittodrie was within design and financial parameters that also currently incorporated European matches, but the planning permission determined in 2013 for 350 properties thereon, was a more lucrative option. It was also not mandatory but a convenience should the stand-alone Trust be part of that development.

The Committee then heard from **Nicola Seal, a resident in Westhill**, who advised that Aberdeen City Council had recently borrowed £370m in the form of index-linked bonds, the first Scottish Authority to do this.

Ms Seal indicated that to secure a good credit rating, the Council had to demonstrate that they had good governance and economic prospects and this money was being used to fund Aberdeen's new exhibition centre and the city centre masterplan.

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

Ms Seal advised that a stadium at Kingsford would not only compete with a new exhibition centre for large events, it would also take trade and football away from the city centre in direct contravention of the city centre masterplan, potentially harming the city's economic prosperity. She asked whether the city could afford to have its credit rating negatively affected.

Ms Seal indicated that the Council's own Economic Adviser had reviewed both economic analyses prepared for the Club, and still concluded that the economic benefits of developing the stadium at Kingsford were uncertain. She also intimated that an independent economist had given their opinion that the economic benefits had been grossly overstated, and there may be more losses than gains by building at Kingsford.

Ms Seal asked whether Councillors could approve the application when the only material consideration which would support building at Kingsford, the suggested economic benefit to the local economy from this development, had been dismissed.

Ms Seal intimated that she was aware that Pittodrie was ageing and AFC needed new training facilities, however she asked whether this meant that they should be allowed to ride roughshod over all the city and Aberdeenshire Council's planning policies.

Ms Seal made reference to the recently approved new Local Development Plan which stated that the land at Kingsford should continue to be part of the Green Belt, therefore should AFC (which was a much loved football team), get away with the audacious argument that Green Belt land was cheaper and therefore they should be allowed to build on it. She explained that Green Belt land was cheap, however it was cheap because it was not meant to be built on. She asked whether there was one rule for AFC and one rule for everyone else.

She advised that the Strategic Development Planning Authority, which was part funded and supported by the Council had consistently maintained their strong concerns and Aberdeenshire Council had also consistently maintained their objection. She indicated that Westhill and Elrick Community Council and Kingswells Community Council representing the communities most directly affected also objected.

Ms Seal intimated that approximately 5000 people had written objections to the Council, giving material considerations in their objections, which was the highest ever number of objections submitted to the Council for any planning application.

She explained that if the city did not have good governance and did not follow its own due process, then the Council would put its credit rating at risk, therefore she requested that Councillors follow the planning process to uphold the planning policies, to adhere to the Local Development Plan, back the city centre masterplan and keep big developments like this in the city centre where they could bring real opportunities for regeneration.

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

17 January 2018

Ms Seal advised that everyone wanted to see AFC do well, to see Aberdeen do well, but building a new stadium seven miles from the city centre, with all the problems that brought with it, would achieve the exact opposite of these aims.

In summing up, Ms Seal asked Councillors to reject the application and to work with AFC in partnership, to develop the allocated sites for their new stadium and training facilities.

That being the last speaker present, the Convener closed the hearing by thanking all those in attendance and for the presentations received.

- **COUNCILLOR MARIE BOULTON, Convener**

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**  
18 January 2017