

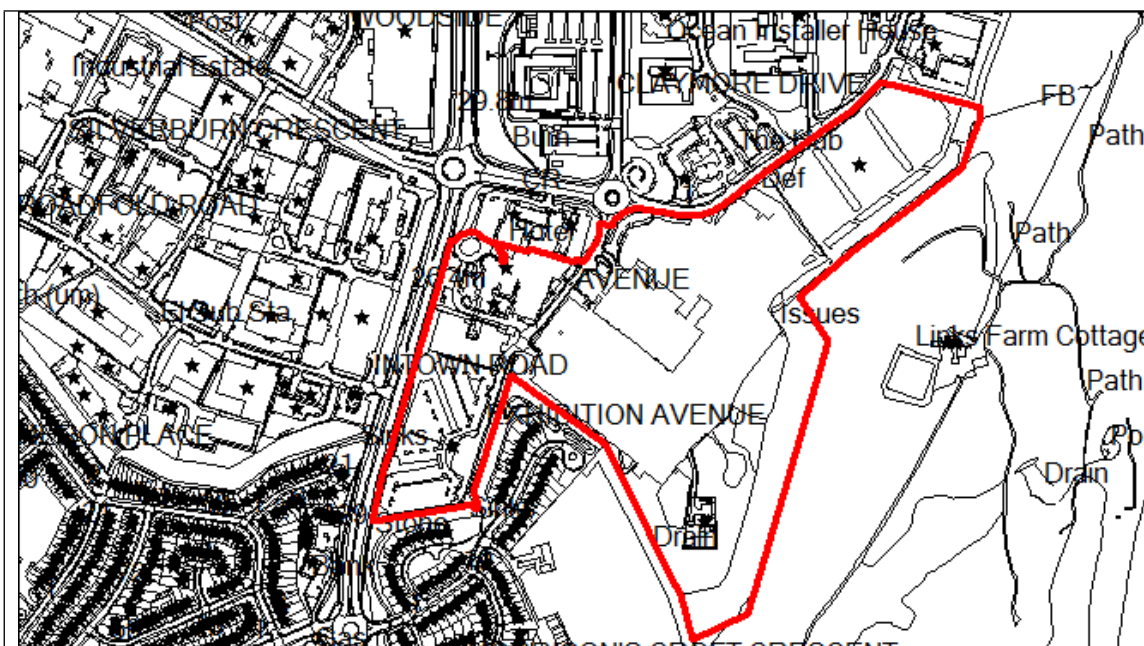


# Planning Development Management Committee

Report by Development Management Manager

**Committee Date: 24 May 2018**

<b>Site Address:</b>	Aberdeen Exhibition and Conference Centre, Exhibition Avenue, Bridge of Don, Aberdeen AB23 8BL
<b>Application Description:</b>	Proposed demolition of existing buildings and erection of a mixed use development to include (approximately 498) residential units, commercial and business use, recycling centre and park and ride facility.
<b>Application:</b>	150824
<b>Application Type</b>	Planning Permission in Principle
<b>Application Date:</b>	22 May 2015
<b>Applicant:</b>	Henry Boot Developments Ltd.
<b>Ward:</b>	Bridge of Don
<b>Community Council</b>	Bridge of Don
<b>Case Officer:</b>	Lucy Greene



© Crown Copyright. Aberdeen City Council. Licence Number: 100023401 - 2018

## **UPDATED RECOMMENDATION:**

**Approve conditionally with permission to be withheld until a legal agreement is entered into to secure: affordable housing; and developer obligations**

**relating to primary education, community facilities, sports and recreation, healthcare, transportation and open space.**

## **APPLICATION UPDATE**

---

Planning Development Management Committee of 10 December 2015 resolved to approve the application subject to conditions, and the securing of affordable housing and developer obligations. This update is due to a change in the developer obligations payable; there is now updated Supplementary Guidance on this resulting in a contribution towards healthcare provision being required.

The full report to the 2015 Committee is attached at the end of this update at Appendix 1.

There has been no change to any matters, other than those noted below:

### **Consultations:**

**Developer Obligations Team** – Affordable housing required. Contributions towards primary education, community facilities, sport and recreation, open space, healthcare and transportation.

(Contributions were previously required in relation to: primary school education, community facilities, sports and recreation, transportation and open space, as well as affordable housing being required.)

### **Reason for Referral to Committee**

The application has been referred to the Planning Development Management Committee because following adoption of a new Local Development Plan and updated Supplementary Guidance, developer contributions are sought towards healthcare needs created by the development. This was not included within the Committee resolution previously.

## **MATERIAL CONSIDERATIONS**

---

### **Legislative Requirements**

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

### **National Planning Policy and Guidance and strategic planning policy.**

Scottish Planning Policy (SPP)

### **Aberdeen Local Development Plan (2017)**

The application was previously assessed in the context of the (then adopted) Local Development Plan 2012, and also the Proposed Aberdeen Local Development Plan (PALDP). The PALDP was the early version of the current adopted Local Development Plan 2017 (LDP), and at that time constituted the Council's settled

view as to what should be in the final adopted LDP. In December 2015, some policies in PALDP were subject to representations and those areas of the plan were to be subject to examination.

The former AECC site was identified as an Opportunity Site (OP13) and was the subject of representations. The outcome of the examination in respect of the site is that wording was added to the OP13 site description. The following description is within the 2017 LDP, with the additional wording that was added underlined:

“Opportunity Site OP13

Redevelopment opportunity for mixed use development with masterplan required. The site will be required to accommodate an expansion of the Park and Choose to 999 spaces and a household waste and recycling centre to replace the facility at Scotstown Road. Any residential elements would need to address school capacity issues in the area. The site may be at risk of flooding. A Flood Risk Assessment will be required in order to assess its suitability for redevelopment. Development should respect the landscape setting and amenity of the course of the Royal Aberdeen Golf Club.”

There were no other relevant changes to PALDP policies that were material to the determination of the application. The policies listed below remain relevant to the determination of the application:

Policy H2 Mixed Use Areas

Policy NE2 Green Belt

Policy NE1 Green Space Network (GSN)

Policy R4 Sites for New Waste Management Facilities

Policy H1 Residential Areas

Policy H3 Density

Policy H4 Housing Mix

Policy H5 Affordable Housing

Policy T2 Managing the Transport Impact of Development

Policy T3 Sustainable and Active Travel

Policy T4 Air Quality

Policy NE5 Trees and Woodland

Policy NE6 Flooding, Drainage and Water Quality

Policy D2 Landscape

Policy I1 Infrastructure Delivery and Planning Obligations

Opportunity Site OP13

Appendix 1 – Brownfield Sites

Appendix 4 – Masterplans

### **Supplementary Guidance (SG) and Technical Advice Notes**

Development Framework for Aberdeen Exhibition and Conference Centre (DF)  
Supplementary Guidance: Planning Obligations

The SG on Planning Obligations forms part of the Development Plan and expands upon Policy I1 – Infrastructure Delivery and Planning Obligations.

The current SG includes healthcare provision amongst the deficiencies that may be made worse or created by a new development and therefore is to be considered as part of the assessment of developer obligations. This did not form part of the assessment under the SG in the Local Development Plan 2012.

The assessment in the report at Appendix 1 below remains relevant in all matters other than those described above.

## **EVALUATION**

---

No changes to the national and regional policy context in respect of this site.

The matters to be additionally considered in this update report are those related to the changes in policy and supplementary guidance identified above:

### **Landscape setting of the Royal Aberdeen Golf Club course**

This matter is referred to in the wording added to the Opportunity Site description. It is considered that the conditions recommended to be attached to this planning permission and which formed part of the 2015 Committee resolution sufficiently cover this matter. The conditions include requirement for submission of detailed site layout including landscaping planning and layout. The indicative layout plan submitted shows landscaping along the east boundary of the site.

It is considered that the proposal would comply in principle with the OP13 description.

### **Developer Obligations**

The current Supplementary Guidance has resulted in the addition of the requirement for a contribution towards healthcare.

All other developer obligations have been recalculated and revised by the Developer Obligations team to reflect the current situation with regard to infrastructure (education, community facilities etc) serving the proposed development.

The obligations sought would therefore be as follows:

#### **SUMMARY OF OBLIGATIONS**

Affordable Housing	As per policy and Supplementary Guidance requirement
Primary Education <i>(Scotstown Primary)</i>	£455,550.00
Secondary Education <i>(Bridge of Don Academy)</i>	Nil
Community Facilities	£910,593.00
Sport and Recreation	£246,510.00
Healthcare	£509,738.00
Core Path Network	Nil

Strategic Transportation	Advised direct by transport
Local Transportation	Advised direct by transport
Open Space	Provided on site (provision for commuted sum if under provision)
<b>Total</b>	<b>£2,122,391.00</b>

In respect of open space, this would be expected to be provided on site where the application relates to a site of this size. Where this cannot be delivered, then the SG allows for a commuted sum to be paid and this would be covered within the legal agreement.

It is considered that healthcare should be added to the developer contributions required, in accordance with the Supplementary Guidance and Policy I1.

## **RECOMMENDATION**

---

**Approve conditionally with permission to be withheld until a legal agreement is entered into to secure: affordable housing; and developer obligations relating to primary education, community facilities, sports and recreation, healthcare, transportation and open space.**

## **REASON FOR RECOMMENDATION**

---

This is an application for planning permission in principle and the proposal will be the subject of one or more further applications for the detailed scheme. At this stage it is the principle of the mix of uses that is under consideration. The proposal would accord with Policy H2 Mixed Use Areas in the adopted 2017 Aberdeen Local Development Plan (LDP) as amenity issues are capable of being resolved satisfactorily; the proposal accords with the opportunity site description for OP13, as it includes the household waste and recycling centre, is subject to flood risk assessment and landscaping (high level, but subject to condition); and, it involves residential development on a brownfield site, as identified for this particular site LDP.

The specific subject policies, in the adopted Local Development Plan, including the following: Policy NE1 Green Space Network, Policy NE2 Green Belt, Policy D2 Landscape, Policy H1 Residential Areas, Policy NE5 Trees and Woodland, Policy NE6 Flooding and Drainage and other policies relating to travel and transportation are not offended, with the attachment of conditions to require detailed assessment at a later stage, and mitigation measures. It is therefore concluded is acceptable, subject to the provision of affordable housing and developer contributions, in order to provide for its impact on education provision, community facilities, healthcare, sports and recreation facilities, open space and the road network.

## CONDITIONS

(1) That no development shall be undertaken in any phase unless a detailed phasing programme outlining the delivery of buildings, open space and roads infrastructure across the entire application site has been submitted to, and approved in writing by the planning authority via a formal 'Matters Specified in Conditions' application - in order to ensure development is progressively accompanied by appropriate associated infrastructure, and to inform the timescale for submission of further applications for 'Matters Specified in Conditions' specified in the planning authority's direction stated in this notice.

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

- a) A detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed datum point within the relevant phase/block of development;
- b) A detailed Drainage Plan for the relevant phase/block of development, including full details of the proposed means of disposal of surface water from the relevant phase/block of development, including how surface water run-off shall be addressed during construction, as well as incorporating the principles of pollution prevention and mitigation measures. The final location of SUDs, including ponds, should be appropriately positioned in accordance with an agreed flood risk assessment;
- c) Full details of the connection to the existing Scottish Water foul water drainage network for the relevant phase/block of development;
- d) Details of all cut and fill operations in the relevant phase/block of the development;
- e) The details of all roads, footpaths and cycleways throughout the relevant phase/block of the development;
- f) Details of any screen walls/fencing to be provided within the relevant phase/block of the development;
- g) Details of all landscaping, planting and screening associated with the relevant phase/block of the development;

h) Full details of the layout, siting, design and finish of all residential properties, throughout the relevant phase/block of development;

i) Full details of the layout, siting, design and finish of all non-residential properties throughout the relevant phase/block of development. This shall include but is not limited to: commercial premises, the Park and Choose, household waste and recycling centre (HWRC), local scale retail units; and,

j) Full details of all waste/recycling collection points, for residential and non-residential properties;

- In order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

(3) The landscaping details to be submitted pursuant to Condition 2 above shall include:

a) Existing and proposed finished ground levels relative to a fixed datum point;

b) Existing landscape features and vegetation to be retained. Tree survey, including layout plan showing proposed development together existing trees;

c) Existing and proposed services including cables, pipelines and substations;

d) The location of new trees, shrubs, hedges, grassed areas and water features;

e) A schedule of plants to comprise species, plant sizes and proposed numbers and density;

f) The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment;

g) An indication of existing trees, shrubs and hedges to be removed;

h) A Biodiversity Action Plan;

i) A Management Plan detailing appropriate management measures for all watercourse buffer strips;

j) A programme for the completion and subsequent maintenance of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of each respective phase of the development or such other date as may be agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of each phase of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted - in the interests of protecting trees and ensuring a satisfactory quality of environment.

(4) That the development shall not be brought into use and no residential units shall be occupied unless there has been implemented on site the works detailed below, in accordance with details submitted to and approved in writing by, the planning authority, unless otherwise agreed in writing with the planning authority. The works are:

- a) A shared use path alongside the frontage of the proposed site on Ellon Road;
- b) The repositioning of existing pedestrian crossing facilities on Ellon Road and their upgrading to include toucan crossing facilities (to provide linkage to the northbound bus stop on Ellon Road).
- c) Provision of dropped kerb crossing facility on Exploration Drive in the vicinity of the pedestrian access junction.
- d) Upgrading of existing bus stop infrastructure and the provision of dedicated bus layby.
- e) Provision of bus stops located at internal site on Exhibition Drive.
- f) Relocating of existing bus stop outside AECC (on Ellon Road) to a layby close to the Park and Choose, timing of this shall coincide with the relocation of the pedestrian crossing;
- g) Bus stops on the northern section of the upgraded Exhibition Avenue;
- h) Layout of the footpaths within the site to provide linkage with the existing path leading through to King Roberts Way to the south west of the application site.

- In the interest of road safety and connectivity.

(5) That no residential units shall be occupied unless there has been submitted, to and approved in writing by the planning authority, details identifying safe routes to schools within the proposed development. This shall include details of measures, including a timetable for implementation, required to help ensure safe travel to school. No residential units shall be occupied unless the works have been implemented on site including the works detailed below, unless otherwise agreed in writing with the planning authority. The works are in relation to providing safer routes to school and include the following:

1. Drop Kerb facilities with tactile paving at North Donside Road/ Broadfold Drive Junction
2. Drop Kerb facilities with tactile paving at North Donside Road/ Gordon Road Junction
3. Tactile pavers should be installed on pedestrian crossing link to Fraserfield Gardens.
4. A crossing point on Scotstown Road to allow safe crossing point from Fraserfield Gardens.

-in the interests of road safety and encouraging walking.

(6) that the existing Park and Ride service shall be retained on site and operational during the construction period on the wider application site, unless otherwise agreed in writing with the planning authority – in the interests of continuity of public transport provision.

(7) No part of the development shall be occupied prior to the Aberdeen Western Peripheral Route being open to traffic, and the consequent removal of trunk road status for the A90 Parkway / Ellon Road. - To restrict the scale of the development in order to minimise the interference with the safety and free flow of traffic on the trunk road.

(8) No part of the development shall be occupied until a comprehensive Travel Plan



for that part of the development that sets out proposals for reducing dependency on the private car has been submitted and approved in writing by the planning authority, after consultation with Transport Scotland, as the Trunk Roads Authority. In particular this Travel Plan shall identify measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan.- To be consistent with the requirements of Scottish Planning Policy (SPP) and PAN 75 Planning for Transport

(9) That no development shall take place unless there has been submitted to and approved in writing by the Planning Authority, a Framework Travel Plan, setting out proposals for reducing dependency on the private car. – in the interests of reducing travel by private car.

(10) No more than 498 residential dwellings and 2400sq.m. of office space, or other such development combination of equivalent traffic generating uses as demonstrated to the satisfaction of the Planning Authority shall be occupied unless the mitigation scheme for the A90(T) Parkway/ Ellon Road roundabout, generally in accordance with AECOM drawing number SKE001 (November 2015) has been implemented unless otherwise agreed in writing with the planning authority- in the interests of road safety.

(15) That no dwellings shall be occupied until such time as a public transport strategy, including proposals for the provision of either new or extended bus services linking the development with the existing public transport network, and details of the phased implementation of the strategy, have been submitted to and approved by the Planning Authority. Thereafter the agreed strategy shall be implemented in full in accordance with such a scheme, unless otherwise agreed in writing with the Planning Authority - in the interests of encouraging the use of public transport.

(10) That no development shall take place unless there has been submitted to and approved in writing by, the planning authority in consultation with SEPA prior to any works on site:

- The hydraulic model is re-run to incorporate an allowance for Climate Change as part of the sensitivity analysis
- Consideration is made of the flood events which have been documented at the Park and Ride car park on the site, by Aberdeen City Council in their 4<sup>th</sup> and 5<sup>th</sup> Biennial Flood Reports.
- No development will be permissible within the 1 in 200 year flood plain outline. With the present information provided this is defined in Figure 11 of the Flood Risk Assessment for Planning Application in Principle, dated 12 October 2015, by Kaya Consulting Ltd for Goodson Associates.
- In regard to the proposed opening up of a culvert on the site - detailed modelling of the new channel is provided.

- to protect people and property from flood risk in accordance with Scottish Planning

Policy.

(11) Prior to commencement of any work in any phase of the development, a detailed scheme for the protection and enhancement of the water environment shall be submitted to, and approved in writing by, the Planning Authority in consultation with SEPA [and SNH or other agencies as appropriate]. This shall include:

Confirmation of the location of all existing water bodies on site and demonstration of how they have been positively incorporated into the layout of the development, including appropriate buffer zones between the top of the bank of the watercourse and the development.

All works on site must be undertaken in accordance with the approved scheme unless otherwise agreed in writing with the Planning Authority in consultation with SEPA.

- to protect and improve the water environment.

(12) that no development in any individual phase/block shall take place unless a scheme detailing levels of sustainable drainage (SUDS) surface water treatment has been submitted for the written approval of the planning authority, in consultation with SEPA, and all work shall be carried out in accordance with the approved scheme. The scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C697) and should incorporate source control.

- to ensure adequate protection of the water environment from surface water run-off.

(13) No development shall take place on site in each independent phase/block pursuant to this planning permission unless a site specific Construction Environmental Method Plan (CEMP) has been submitted to, and approved in writing by, the Planning Authority in consultation with SEPA. All works on site must be undertaken in accordance with the approved CEMP unless otherwise agreed in writing with the Planning Authority.

Reason: In order to minimise the impacts of necessary demolition and construction works on the environment.

(14) The details to be submitted pursuant to Condition 2 for each respective phase of the development shall show the proposed means of disposal of foul and surface water from the relevant phase of the development within the form of a Sustainable Urban Drainage System and include a development impact assessment and detailed design and methodology statement. Unless otherwise agreed in writing by the Planning Authority, in consultation with SEPA, the development shall connect to the public sewer and the relevant phase of the development shall not be occupied unless the agreed drainage system has been provided in its entirety and maintained thereafter throughout the lifetime of the consent in accordance with the approved maintenance scheme. The details

required shall also include details of the future long term maintenance of the system covering matters such as:

- a) Inspection regime relating to matters such as outlets/inlets;
  - b) Frequency and method of cleaning of filter trenches, removal of silt etc.;
  - c) Grass cutting (and weeding) regime for swales;
  - d) Means of access for future maintenance;
  - e) How to ensure that planting will not be undertaken over perforated pipes;
  - f) Details of the contact parties for future factoring/maintenance of the scheme;
- to protect the water environment and help reduce flooding.

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

(16) No development shall take place until an assessment of emissions to air from road traffic associated with the whole development has been submitted to and approved in writing by the planning authority. The assessment shall be undertaken in accordance with a method approved by Council's Environmental Health Service and take into account additional traffic associated with other consented or proposed developments in the area, including the 3<sup>rd</sup> Don Crossing and Aberdeen Western Peripheral Route. Where the development is assessed as having an adverse impact on local air quality mitigation measures shall be specified in the report. The approved mitigation measures shall thereafter be implemented in accordance with a timetable agreed with the planning authority. Reason – in order to mitigate the impact of road traffic associated with the development on local air quality.

(17) Prior to the occupancy of each block, parking spaces, surfaced in hard standing materials shall be provided within the site in accordance with the agreed parking strategy in accordance with the Council's Car Parking Standards, unless otherwise agreed in writing with the planning authority - in the interests of road safety.

(18) No development in any particular phase of the development hereby approved shall take place unless surveys for protected species (red squirrel / bats /badgers) for that phase have been carried out and submitted to and approved in writing by the Planning Authority. Thereafter no development shall take place within the relevant phase of the development unless detailed mitigation measures to safeguard any identified protected species have been submitted to and approved in writing by the Planning Authority. No development shall take place within the relevant phase unless the mitigation measures which have been agreed in writing by the Planning Authority are carried out in accordance with the agreed scheme - to ensure the protection of protected

species.

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

(20) that no development within any individual phase/block shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full - to ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance document, 'Low and Zero Carbon Buildings'.

(21) that no development in any individual phase/block shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the Planning Authority and any such scheme as may have been approved has been implemented - in order to ensure adequate protection for the trees on site during the construction of the development.

(22) that no part of the development hereby approved shall be occupied unless a plan and report illustrating appropriate management proposals for the care and maintenance of all trees to be retained and any new areas of planting (to include timing of works and inspections) in any individual phase/block has been submitted to and approved in writing by the Planning Authority. The proposals shall be carried out in complete accordance with such plan and report as may be so approved, unless the planning authority has given prior written approval for a variation - in order to preserve the character and visual amenity of the area.

(23) that there shall be no development involving hard surfaces or buildings within the area of the application site zoned as green belt under Policy NE2 of the adopted Local Development Plan 2012. No development or works shall take unless details have been submitted to and approved in writing by the planning authority – in the interests of the green belt and landscape areas setting of adjacent areas.

(24) That any overlap in operation of the existing AECC and the proposed facility at Rowett North (including event testing) shall be implemented only in accordance with an operational and transportation statement to be agreed in writing with the planning authority – in the interests of ensuring that there is no detrimental impact on the capacity of the road network

## INFORMATIVE 1

### DIRECTION UNDER SECTION 59 OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997:

that the subsection (2)(a)(i) of section 59 shall apply as respects the permission with the substitution for the period of 3 years referred to in that subsection, of 5 years, as is considered appropriate by the planning authority in this instance on the basis of the scale of the development.

The provisions of section 59(2) shall therefore be read as follows:

1) that this planning permission in principle shall lapse unless a further application or applications for approval of the matters specified in all condition(s) attached to this grant of planning permission in principle in respect of phase 1 (as defined in terms of condition 1) has been made before whichever is the latest of the following:

(i) the expiration of 5 years from the date of this grant of planning permission in Principle;

(ii) the expiration of 6 months from the date on which an earlier application for the requisite approval of matters specified in conditions was refused;

(iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed;

2) that this planning permission in principle shall lapse unless a further application or applications for the requisite approval of the matters specified in all condition(s) attached to this grant of planning permission in principle in respect of each phase subsequent to phase 1 (as defined in terms of condition 1) has been made before whichever is the latest of the following:

(i) the expiration of 3 years from the date of the last grant of requisite approval for the previous phase;

(ii) the expiration of 6 months from the date on which an earlier application for the requisite approval of matters specified in conditions for the phase in question was refused;

(iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed;

- pursuant to Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

3) that this planning permission in principle shall lapse on the expiration of 2 years from the approval of matters specified in conditions on the final phase (as defined in condition 1 of this permission) being obtained (or, in the case of approval of different matters on different dates, from the requisite approval for the last such matter being obtained) unless the development of the final phase to which the permission relates is begun before that expiration – pursuant to Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

## INFORMATIVE 2:

For the avoidance of doubt, the term 'phase' within any condition shall refer to the phases as have been approved under the terms of Condition 1 of the planning permission in principle hereby approved.

**INFORMATIVE 3.**

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

**INFORMATIVE 4**

It is advisable that the developer contact the Council's Waste Aware Team to discuss the appropriate waste storage and uplift arrangements for the residential developments.

**INFORMATIVE 5**

The applicant is advised that should any contamination of the ground be discovered during development the Planning Authority should be notified. The extent and nature of the contamination should be investigated and a suitable scheme for the mitigation of any risks arising from the contamination should be agreed and implemented to the satisfaction of the Planning Authority. This is in order to ensure that the site is suitable for use and fit for human occupation

## Appendix 1: Planning Development Management Committee

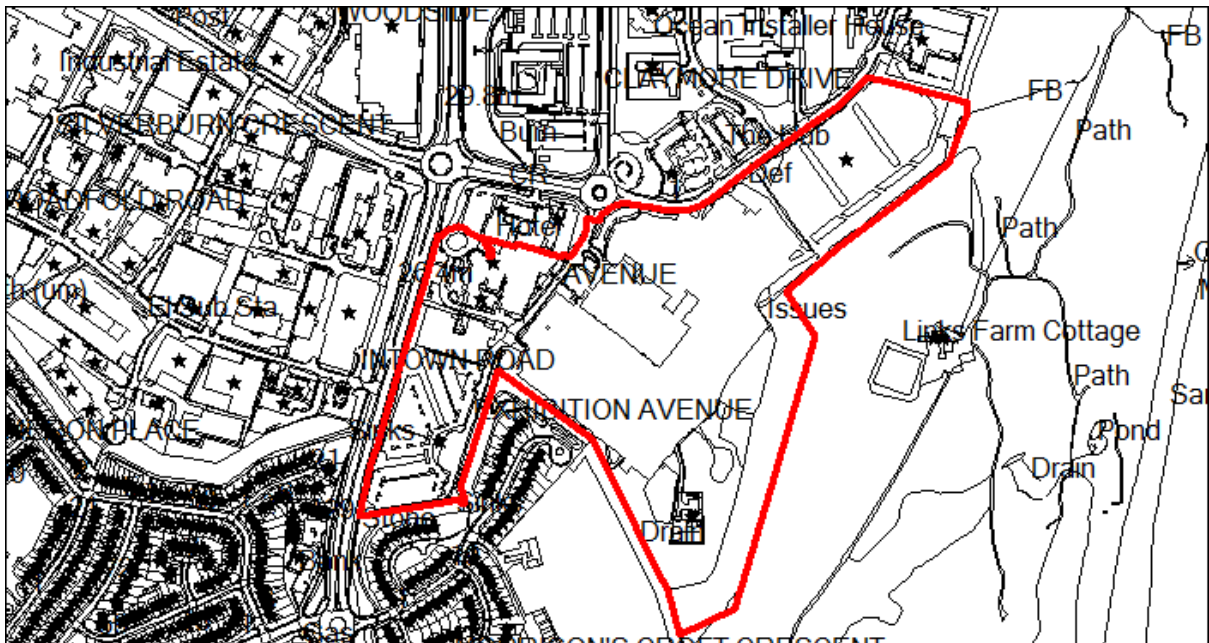
ABERDEEN EXHIBITION AND CONFERENCE CENTRE, EXHIBITION AVENUE, BRIDGE OF DON

PROPOSED DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF A MIXED USE DEVELOPMENT TO INCLUDE (APPROXIMATELY 498) RESIDENTIAL UNITS, COMMERCIAL AND BUSINESS USE, RECYCLING CENTRE AND PARK AND RIDE FACILITY.

For: Henry Boot Developments Ltd.

Application Type : Planning Permission in Principle  
Application Ref. : P150824  
Application Date: 22/05/2015  
Officer: Lucy Greene  
Ward : Bridge of Don (M Jaffrey/J Reynolds/S Stuart/W Young)

Advert : Dev. Plan Departure  
Advertised on: 10/06/2015  
Committee Date: 10/12/2015  
Community Council : no comments



### RECOMMENDATION:

Approve conditionally, with permission to be withheld pending suitable arrangements being in place to facilitate the securing of: affordable housing; and developer obligations relating to primary education, community facilities, sports and recreation, transportation (including travel plan), Strategic Transport Fund, and open space

## **DESCRIPTION**

The application site is approximately 16.65 hectares, lying in the north east of Aberdeen, approximately 5 miles from the city centre. Currently occupied by the Aberdeen Exhibition and Conference Centre and associated car parking, the 'Park and Choose' site, a satellite communications centre, and areas of plantation and self seeded planting, including tree belts, mainly around the site boundaries.

The site is bounded to the west by the Ellon Road (A90) trunk road, a dual carriageway; a residential area to the south; the Royal Aberdeen Golf Course to the east, and beyond, the North Sea; Exploration Drive and Parkway East provide access to the northern end; to the northwest are two existing hotels (on the south east side of the Parkway / Ellon Road roundabout); also to the north is the Aberdeen Science and Energy Park.

The western portion is more elevated and uneven than the east. There are two watercourses that cross the site, these run north to south (the Silver Burn) and northeast to southwest; both are presently culverted.

## **RELEVANT HISTORY**

The AECC opened in 1985 and is to be replaced by a new exhibition centre at Rowett North.

## **PROPOSAL**

The application is for planning permission in principle for a development of approximately 498 residential units, commercial and businesses uses, a household waste and recycling centre (HWRC), an enlarged 'Park and Choose' (c.999 spaces). Development would follow the erection of a new Exhibition Centre at Rowett North, Bucksburn and the planning application for that development is reported elsewhere on this agenda.

The Council provided a statement about the HWRC site emphasising the need to replace the existing facility in Bridge of Don, which is too small and no longer fit for purpose. There has been great difficulty experienced over a number of years to deliver this key priority of the City Waste Strategy. A similar facility to that at Hazlehead is proposed.

An indicative layout plan has been submitted and this shows a layout including the enlarged 'Park and Choose' on the site of the existing (a two storey structure would be required), business use to the north, the HWRC in the north east corner and residential uses across most of the remainder. The indicative layout shows existing areas of trees, that act as buffers around the site boundaries remaining, together with a large group of sycamore and wych elm within an area of green belt adjacent to the eastern boundary towards the southern end. Also shown is a realigning of the existing road that currently leads to the Exhibition Centre and Balgownie One.

The submissions include agreement to provide 25% of the residential units as affordable housing.

## **Supporting Documents**

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=150824>



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

The supporting documents are:

- Planning Statement by Ryden, dated May 2015
- Design and Access Statement by Cooper Cromar, dated May 2015
- Extended Phase 1 Habitat Survey by Wild Surveys Ltd, dated May 2015
- Tree Survey Report (Revision B) by Brindley Associates
- Pre-application Consultation Report by Streets – UK, dated May 2015
- Drainage Strategy Plan, by Goodson Associates, dated May 2015
- Transportation Assessment by AECOM, dated May 2015
- Noise survey and assessment by Sandy Brown, dated April 2015
- Air Quality Assessment by ARUP, dated May 2015
- Landscape Statement by Hirst Landscape Architects, dated May 2015

## **PRE-APPLICATION CONSULTATION**

The proposed development was the subject of pre-application consultation between April 2014 and April 2015 between the applicant and the local community, as required for 'major' developments. The consultation (joint consultation on the proposals for the exhibition centre and for the future of the site that is the subject of this application) involved:

- a) Consultation Exhibitions in three locations on consecutive days in May 2014; a further three similar exhibitions were held in September 2014; and, a further two in March 2015. All were subject to the following:
- b) Publicity for the exhibitions included adverts in the Press and Journal, letters to individuals and organisations and posters in local libraries and shops;
- c) Postcard invitations to 20,000 residents, including 10,000 in Bridge of Don;
- d) Press releases and media coverage;
- e) Electronic invitations to the exhibitions to all AECC customers on the database;
- f) A website was set up: [www.aeccevolves.co.uk](http://www.aeccevolves.co.uk)

A total of over 4000 visits were made to the exhibitions and over 500 written responses received.

As a result of the consultation, the proposal was altered to include the HWRC, with a resultant reduction in housing numbers. Road infrastructure was the main concern raised, as well as public transport provision and whether the Transportation Assessment covers the possible range of uses. The provision of adequate amenities such as schools was also raised. More recreation / open space was also commented on and requested by respondees.

## **REASON FOR REFERRAL TO COMMITTEE**

The application has been referred to the Planning Development Management Committee because it is a major development that was deemed to be a departure from the development plan. Accordingly, the application falls outwith the scope of the

Council's Scheme of Delegation.

## **CONSULTATIONS**

**Roads Development Management** – Expect that there would be a planning condition requiring the new exhibition centre to be operational prior to the existing centre being demolished; the internal street pattern would be designed in accordance with Designing Streets and would be audited at the time of a detailed planning application.

A Transport Assessment (TA) has been prepared for the site and the following infrastructure has been identified:

- Implementation of a shared use path alongside the frontage with Ellon Road;
- Existing pedestrian crossing facilities on Ellon Road would be repositioned and upgraded to include toucan crossing facilities. This would provide linkage to the northbound bus stop on Ellon Road;
- Provision of a dropped kerb crossing facility on Exploration Drive;
- Upgrading of existing bus stop facilities and provision of dedicated bus lay-by;
- Provision of bus stops on Exploration Drive; and
- Provision of footways alongside the realigned Exhibition Avenue and on the proposed residential access, to provide connectivity to Exploration Drive.

In respect of bus stops, the following works have been identified in the TA:

- The existing bus stop located at front of the AECC would be relocated to a dedicated layby located immediately adjacent to the proposed park and ride facility;
- The relocation of the bus stop mentioned above would be undertaken at the same time as the relocation of puffin crossing facilities; and
- Additional bus stops will be installed on the northern section of upgraded Exhibition Avenue.

Works to provide safer routes to school should be required by condition, these would be off site works related to road crossings.

Conditions would be required in relation to the provision of the works detailed above.

Junction modelling work has been carried out on the A90 Ellon Road / Parkway junction and mitigation has been proposed in the form of a developer contribution towards required works.

A public transport strategy for the site would be required by condition. This would take account of all bus services along Ellon Road, as well as those serving the Park and Choose.

It is noted that parking for cars, cycles and motorcycle would be proposed in accordance with the adopted parking standards.

Designs of junction layouts off Exploration Drive would need to be the subject of conditions.

It is noted that the internal site layout would be developed in accordance with Designing Streets and this would be the subject of conditions and further applications, including details of how refuse vehicles would move and operate within the development.

A framework travel plan has been submitted and this would be the subject of further

applications and / or conditions, as well as the subject of legal agreement to ensure that the measures contained therein, are implemented.

Drainage Impact Assessment should be required by condition.

Strategic Transport Fund contribution would be required.

**Transport Scotland** – Do not object, subject to conditions being attached, relating to: no occupation of the development prior to the Aberdeen Western Peripheral Route being open to traffic and consequent removal of truck road status for the A90 Parkway / Ellon Road; and, submission of a Travel Plan.

**Environmental Health** - the development can proceed without causing an unacceptable air quality impact. A detailed assessment will be required to predict impacts at receptors and potential mitigation. As the sufficient detail is not available at PPiP stage, based on the more recent monitoring results in the area and the general trend across the city, EH are agreeable to the determination without the detailed assessment. It is assumed that the traffic data takes account of already permitted developments, including the 3<sup>rd</sup> Don Crossing.

Condition is recommended to require detailed air quality assessment to take place and any mitigation measures recommended to be implemented.

An informative is recommended in relation to any contaminated land that may be discovered in the course of the development.

**Developer Contributions Team** – Contributions are required in relation to: primary school education, community facilities, sports and recreation, transportation and open space.

**Communities, Housing and Infrastructure (Flooding)** - As the Flood Risk Assessment (FRA) and Drainage Impact Assessment (DIA) are written in support of a Planning Application in Principle, it is requested that conditions requires a detailed FRA and DIA.

**Education, Culture & Sport (Archaeology)** Requests attachment of a condition requiring archaeological works and recording prior to development taking place.

**Scottish Environment Protection Agency** – Finalised Flood Risk Assessment (FRA) has been submitted and a further FRA should be submitted at the detailed stage. Condition required in this respect.

**Scottish Natural Heritage** - Welcome the undertaking to include increased water efficiency measures and that this should be included within the Sustainability Statement. Water abstraction is an important issue within Aberdeen as most of the city's water is drawn from the River Dee SAC.

Opening up the Silver Burn culvert will allow the creation of a wildlife and green space corridor running through the development. SNH suggests that other green spaces link to this and the existing tree belts to the south and west of the site.

**Police Scotland** – Makes recommendations as to design principles in relation to reducing crime. Recommends that the applicant keeps in contact with the Architectural Liaison Officer at each stage of design.

**Community Council** – No comments received.

## **REPRESENTATIONS**

Four letters of representation have been received. The objections raised relate to the following matters –

- a) That Aberdeen Energy and Innovation Park (AEP) should have been notified as a neighbour and that a representation has been made in relation to the application site, to the Aberdeen Local Development Plan Proposed Plan.
- b) It is considered premature to consider the planning application prior to finalisation of the Development Framework (DF). Although the accompanying Planning Statement states that the DF was approved as Interim Supplementary Guidance, it was actually approved for consultation. Therefore the timing of submission of this planning application undermines the DF process. The timing of the submission is confusing and limits the applicant's ability to reflect feedback from the DF.
- c) Whilst there is support for the principle of residential use at the site, there are strong reservations about the incorporation of the HWRC to replace the Scotstown Road facility. This is due to the potential amenity impact, including on the golf course.
- d) Do not wish to see a recycling centre located on the AECC site and consider that if the facility is required it would be better located centrally within Bridge of Don. Notwithstanding that, the objector would prefer the HWRC to be located adjacent to Ellon Road, though it is acknowledged that the layout is indicative only.
- e) It is noted that the current LDP 2012 identifies the Denmore Road site for the HWRC however, this has not been delivered and the Council intend to delete this site. It is noted that the Main Issues Report identifies the Bridge of Don site for a HWRC, however, the application does not seek to qualify the nature of the waste recycling centre, its scale nor indeed any environmental effect potentially prejudicing and undermining the significant investment on nearby high amenity business and industrial development sites. Specifically, there are no details of measures to be taken to monitor vermin, insects, noise, dust, spillages, odours, mud, litter and fires. There is the potential to adversely affect the existing business and industry allocations. It is therefore suggested that the Council should formally request information as to the nature and extent of the proposed HWRC use.
- f) Detailed comments on the Transportation Assessment (TA), including trip rates, peak hours, reduction for the existing use on the site, claims relating to impact on the A90 Parkway roundabout are challenged, reliance on the future delivery of 'committed' improvements by others and there are queries about the public transport accessibility. It is trusted that the Council's Roads Team will comment on these matters.
- g) Although the TA states that development can be accommodated on both the existing network and on that which will be constructed as a result of other developments, the results in the report contradict that. Further, it is considered reasonable that the application/ development pay its fair share towards mitigation on the local network, especially where the TA is reporting junctions operating well above capacity.
- h) The Royal Aberdeen Golf Club states that the car parks on the application site are used during major golf tournaments, with the application area also used as a main access route into the golf course for associated spectators.
- i) The Golf Club has hosted several competitions in recent years and this has

generated thousands of pounds for the local economy. The proposal may well hamper the ability of the golf club to host future events, due to the loss of parking area and access into the site.

- j) Maximising the development value of the site is understandable, however, the longer term benefits of hosting major sporting events should also be assessed.
- k) Plans show little or no landscaping along the eastern boundary at the northern end. Retention of the woodland boundary to the south is supported and a more substantial boundary should be created along the entire eastern boundary. The Murcar Development Framework stipulated a 20metre wide buffer strip and this would be a suitable guide for the golf course. It is stated that these comments were also made in the consultation on the Development Framework.

## **PLANNING POLICY**

### **National Policy and Guidance**

Scottish Planning Policy (SPP)

As a Policy Principle, the SPP introduces a presumption in favour of development that contributes to sustainable development.

Paragraph 29 states that decisions should be guided by principles, including:

- Supporting delivery of accessible housing, business, retailing and leisure development.

In the paragraphs relating to Development Management and the status of the development plans, the SPP states:

“The presumption in favour of sustainable development does not change the statutory status

of the development plan as the starting point for decision-making. Proposals that accord with

up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising. For proposals that do not accord with up-to-date development plans, the primacy of the plan is maintained and this SPP and the presumption in favour of development that contributes to sustainable development will be material considerations.

Where relevant policies in a development plan are out-of-date or the plan does not contain

policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration.

Decision-makers should also take into account any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the wider policies in this SPP. The same principle should be applied where a development plan is more than five years old.

Where a plan is under review, it may be appropriate in some circumstances to consider whether granting planning permission would prejudice the emerging plan. Such circumstances are only likely to apply where the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new developments that are central to the emerging plan. Prematurity will be more relevant as a consideration the closer the plan is to adoption or approval.”

## **Aberdeen City and Shire Strategic Development Plan 2014 (SDP)**

At paragraph 3.5, the SDP strategy focuses development in places where there are clear opportunities to encourage people to use public transport.

The sustainable mixed communities objective advocates priority being given to development on brownfield sites. The target within this objective is for 40% of all new housing in Aberdeen City to be on brownfield sites.

## **Aberdeen Local Development Plan**

### Policy BI2 - Specialist Employment Area

In areas that are identified as Specialist Employment Areas, only Class 4 Business uses shall be permitted. The exception being, proposals at the Aberdeen Science and Energy Park for a mix of Class 4 Business and Class 5 General Industrial which will be considered on their merits. The Aberdeen Exhibition and Conference Centre is reserved for exhibition centre purposes and uses compatible with the exhibition centre and the park & ride.

### Policy NE2 – Green Belt

No development will be permitted in the Green Belt other than for specified purposes, including those essential for agriculture, woodland and forestry; and recreational uses compatible with an agricultural or natural setting.

### Policy NE1 – Green Space Network (GSN)

This policy seeks the protection, promotion and enhancement of the wildlife, recreational, landscape and access value of the GSN. Proposals likely to erode the character of the GSN will not be accepted.

### Policy H1 – Residential Areas

Within new residential areas, proposals will be permitted subject to various criteria, including :

1. Whether the proposal constitutes over development;
2. Impact on character and amenity of the surrounding area;
3. Whether there would be loss of open space;

### Policy H3 – Density

On sites over one hectare, there must be a density of over 30 dwellings per hectare.

### Policy H4 – Housing Mix

Developments of more than 50 dwellings must contain an appropriate mix of dwelling types and sizes.

### Policy H5 – Affordable Housing

Housing development of more than five units must contribute at least 25% of the total number of units as affordable housing.

### Policy NE5 – Trees and Woodlands

There is a presumption against development that will result in the loss of or damage to established trees and woodlands that contribute significantly to nature conservation, landscape character or local amenity. Appropriate measures should be taken to protect trees during and after construction, with buildings and services being sited so as to minimise adverse impacts.

### Policy NE6 – Flooding and Drainage

Development will not be permitted in various circumstances, including: if it would increase the risk of flooding, or be at risk of flooding itself. Flood Risk Assessment (FRA) to be required, as well as Drainage Impact Assessment (DIA).

#### Policy NE10 – Air Quality

Where air quality may be affected by developments mitigation measures will be required.

#### Policy I1 – Infrastructure Delivery and Developer Contributions

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

#### Policy T2 – Managing the Transport Impact of Development

New developments will need to demonstrate that sufficient measures have been taken to minimise the traffic generated. Transport Assessments and Travel Plans will be required for developments which exceed the thresholds set out in the Transport and Accessibility Supplementary Guidance. Planning conditions and/or legal agreements may be imposed to bind the targets set out in the Travel Plan and set the arrangements for monitoring, enforcement and review.

#### Policy D3 - Sustainable and Active Travel

New development will be designed in order to minimise travel by private car, improve access to services and promote healthy lifestyles by encouraging active travel. Development will maintain and enhance permeability, ensuring that opportunities for sustainable and active travel are both protected and improved. Access to, and movement within and between, new and existing developments will prioritise transport modes in the following order - walking, cycling, public transport, car and other motorised vehicles. Street layouts will reflect the principles of Designing Streets and will meet the minimum distances to services as set out in Supplementary Guidance on Transport and Accessibility, helping to achieve maximum levels of accessibility for communities to employment, essential services and areas of recreation.

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

#### Policy D6 - Landscape

Development will not be acceptable unless it avoids:

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

opportunities for countryside activities.

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

### **Proposed Aberdeen Local Development Plan (PALDP)**

The application site is zoned in the PALDP under Policy H2 'Mixed use' and identified as an Opportunity Site. Part of the site is also zoned under Greenbelt Policy NE2 and Policy NE1 Green Space Network.

#### Policy H2 Mixed use Areas

Applications must take into account the existing uses and character of the surrounding area and avoid undue conflict with adjacent land uses and amenity. Where new housing is proposed, a satisfactory residential environment should be created which should not impinge upon the viability or operation of existing businesses in the vicinity. Where new industrial, business or commercial uses are permitted, development should not adversely affect the amenity of people living and working in the area.

#### Policy NE2 Green Belt

No development will be permitted in the Green Belt other than for various purposes, including those essential for agriculture, woodland and forestry; and recreational uses compatible with an agricultural or natural setting.

#### Policy NE1 Green Space Network (GSN)

The policy protects, promotes and enhances the wildlife, access, recreation, ecosystem services and landscape value of the GSN and is similar to policy in the extant LDP.

#### Policy R4 Sites for New Waste Management Facilities

Aberdeen Exhibition and Conference Centre site (part) at Bridge of Don (OP13) is cited as being safeguarded for a household waste recycling centre to replace the facility currently on Scotstown Road.

#### Opportunity Site OP13

Redevelopment opportunity for mixed use development with masterplan required. The site will be required to accommodate an expansion of the Park and Choose to 999 spaces and a household waste and recycling centre to replace the facility at Scotstown road. Any residential elements would need to address school capacity issues in the area. The site may be at risk of flooding. A Flood Risk Assessment will be required in order to assess its suitability for redevelopment.

#### Appendix 1 – Brownfield Sites

The application site is listed as one of the brownfield sites with potential for housing / planning consents from the Brownfield Potential Study 2014. It is listed as being 13.15 hectares and part identified for housing.

#### Appendix 4 – Masterplans

Lists 'Existing AECC Site at Bridge of Don (OP13) as one of the new masterplans and / or Development Frameworks that will be adopted as Supplementary Guidance.

The following policies are similar to those in the adopted LDP in relation to their application to this application site:



- Policy H1 Residential Areas
- Policy H3 Density
- Policy H4 Housing Mix
- Policy H5 Affordable Housing
- Policy T2 Managing the Transport Impact of Development
- Policy T3 Sustainable and Active Travel
- Policy T4 Air Quality
- Policy NE5 Trees and Woodland
- Policy NE6 Flooding, Drainage and Water Quality
- Policy D2 Landscape
- Policy I1 Infrastructure Delivery and Planning Obligations

## **Supplementary Guidance**

### **Development Framework for Aberdeen Exhibition and Conference Centre (DF)**

The Development Framework has been agreed by the Communities, Housing and Infrastructure (27<sup>th</sup> October 2015) and has the status of interim planning advice. Following adoption of the LDP this will be sent to the Scottish Ministers with the aim of being adopted as Supplementary Guidance. The DF has been subject to a consultation process and it is a material consideration in the determination of the application.

Based on background site analysis, the development framework outlines three options. These include residential units, commercial / business use, extended Park and Ride (999 spaces over two storeys) and the household waste and recycling site. The framework states that discussions are on-going to determine the most suitable mix. The framework identifies the need for landscaped buffer zones between the waste and recycling site and golf course, and residential use.

The development framework contains design principles for the site based on Designing Streets principles and taking into account site specific factors. These include consideration of building types, heights, layout and strategic landscaping.

Options for phasing of the site are also identified within the framework.

## **EVALUATION**

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

The application was advertised as a departure to the development plan, specifically to the zoning policy BI2 – Specialist Employment Areas.

The development plan consists of the Strategic Development and the adopted LDP. The emerging LDP is a material consideration. In the case of this site, the LDP zoning policy in the emerging LDP is different to that in the adopted LDP, it is therefore particularly important to consider the weight to be attached to the emerging LDP:

The Proposed ALDP was approved for submission for Examination by Scottish Ministers at the meeting of the Communities, Housing and Infrastructure Committee of 27 October 2015. It constitutes the Council's settled view as to what should be the content of the final adopted ALDP and is now a material consideration in the determination of planning applications, along with the adopted ALDP. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether:

- these matters have been subject to representation and is regarded as an unresolved issue to be determined at the Examination, and
- the relevance of these matters to the application under consideration

Policies and proposals which have not been subject to objection will not be considered at Examination. In such instances, they are likely to be carried forward for adoption. Such cases can be regarded as having greater material weight than those issues subject to Examination. The foregoing can only be assessed on a case by case basis.

There are three submissions in respect of this site, therefore this site will be subject to Examination by the Reporter. Two of the submissions were from business and one from the Royal Aberdeen Golf Club. All objections related to the recycling centre with all three questioning the appropriateness of its location with regard to impact on the business park and the golf course. The golf course also questioned the loss of carparking and as such were the only party to question the overall development of the site.

The following is a summary of the representations made in respect of the Proposed LDP:

**OP13 Aberdeen Exhibition and Conference Centre (AECC), Bridge of Don**

Proposed recycling facility should be located more centrally to serve the whole community and reduce the need to travel. Suggests Grandhome as a suitable location (close to eastern edge). If considered acceptable at OP13 then high standards of landscaping and amenity (which apply to the Energy Park) must be applied regardless of where it is located.

Does not support the formation of a recycling centre in this location. Concern raised regarding the proposed location of the recycling centre being adjacent to the 14th hole of Royal Aberdeen Golf Course. Setting and amenity of golf course should be protected. Support retention of existing woodland buffer along southern half of the eastern boundary - request more substantial strategic landscape belt. Concern regarding loss of public parking as a result of developing the site and the impact this may have on attracting high profile golf tournaments.

Strong reservations in respect of inclusion of a household waste recycling centre within the site. Limited reference to potential amenity impacts of the inclusion of the facility. Proposed Plan does not qualify the nature of the waste recycling centre, its scale, or any environmental effect potentially prejudicing and undermining significant investment on nearby high amenity business and industrial development sites.

While statements will likely be made within any planning application submission regarding regulatory guidance and pollution control, it is not considered appropriate to allocate a site for this use if there has been no assessment.

The following modifications are sought by the submitted representations:

- Consequential changes to Policy R4 and Appendix 2: Opportunity Sites, due to requested removal of reference to a household recycling centre being located at OP13 (AECC site) and replace with OP9 Grandhome.
- Deletion of household waste recycling centre from the allocation. If this is not favoured then under the "Other Factors" section in Appendix 2 include text: "The Household Waste Recycling Centre shall be sited to ensure that no adverse impact on the amenity of the neighbouring golf course arises" and "A strategic landscaping belt at least 20 metres in width shall be planted along the eastern boundary of the development."
- Remove reference to OP13 being appropriate for waste recycling centre (to replace facility at Scotstown Road) and make more explicit reference to the nature and appropriateness of any such uses across the site being determined/guided by the Development Framework. This process may determine that other sites are more appropriate for such development.

### Proposed Uses

The application is for Planning Permission in Principle (PPiP) for a development to include approximately 498 residential units, business / commercial uses (Class 4), household waste and recycling centre (replacement for the Scotstown Road facility) and the enlarged park and ride facility.

Zoning policy in the adopted LDP is Policy BI2 – Specialist Employment Area. The proposed uses, other than business use, do not therefore, comply with this policy.

There are several material considerations to be taken into account in considering the proposed uses on the site:

- a) Committee will be aware that the existing exhibition centre (existing AECC) is proposed to be demolished following the erection of a new exhibition centre and associated facilities that is the subject of a report on the agenda for this committee.
- b) Development plan policy, including the objective relating to sustainable mixed communities prioritises residential development on brownfield sites,
- c) The site is zoned within the proposed LDP under Policy H2 – Mixed Use Areas. This policy allows for residential and business uses providing that issues relating to amenity are satisfactory (these are dealt with below).
- d) A Development Framework for the site has been agreed. This has been the subject of a consultation exercise and contains options that include the uses proposed under this current application.

It is therefore considered that, in principle, although the proposed uses do not comply with the zoning policy in the adopted LDP, there are material considerations that outweigh this and taking into account the overall picture, the proposal does not run counter to the development plan strategy.

The proposed HWRC would accord with proposed LDP Policy R4: Sites for New Waste Management Facilities, which safeguards part of the application site for such a use, to replace the Scotstown Road facility. As noted above this policy is subject to objection

to the proposed LDP in respect of the application site. The representation also notes the need for a substantial buffer between the HWRC and surrounding uses, if it were to be located at the application site.

In terms of the policies relating to residential use, the following is noted:

- The indicative layout accords with the Development Framework and does not constitute over development. However, an assessment of this matter would be made on the detailed layout submitted as part of a future application. The proposal accords with the Development Framework, which was itself based on an assessment of the site characteristics, including open space and areas of landscape and planting. Areas of landscape value are indicated as being retained, but would be subject to detailed design and assessment as part of future applications.
- The proposals comply in principle with the Development Framework which proposes densities in line with Policy H3.
- Impact on amenity and character of the surrounding area is dealt with below;
- There is a mix of housing types and sizes within the site, although the precise mix would be the subject of further applications and assessments.
- Affordable housing is proposed on site, in accordance with policy. Again, this would be subjected to detailed assessment as part of future applications.

#### Amenity

The proposed LDP zoning policy requires that an adequate level of amenity is capable of being achieved for the residential use, whilst for business and commercial uses, the development should not adversely affect the amenity of people and working in the area. The application site is surrounded by a mix of uses, including the heavily trafficked A90/Ellon Road, existing residential uses to the south, green belt and open space, office and workshop uses within the specialist employment area.

The development framework identified options for the development of the site for a mix of uses, as proposed in this PPIp application. The indicative plans submitted, show how the uses might be accommodated on the site and the layout matches one of the options within the DF.

The layout shown is indicative only, however, the following are noted in terms of amenity:

- Indicative plans show that the Park and Ride in its current location albeit increased in size. Areas of existing trees and landscaping create a buffer between this and the existing housing to the south, as well as the proposed housing;
- It would be possible to provide a degree of separation between the proposed business use and the existing hotels, and the proposed residential uses, as the non-residential uses could be accommodated within the western area of the site, closer to the A90;
- The household waste and recycling site shown on the indicative plans is based on a facility of similar size to that at Hazlehead. In line with the Development Framework, the indicative plans show how a considerable landscape buffer could be accommodated between this and the golf course. It should also be noted that the facility is intended household waste users only.

The indicative layout shows how the range of uses could be accommodated on site, in such a way so that, with mitigation measures, a suitable level of residential amenity could be achieved. Similarly the business uses would have a degree of separation from residents so as their use would not be compromised.

It is considered that with the planting of landscaped buffer strips, together with existing tree belts, the proposed mix of uses would be acceptable in terms of its impact on existing uses. These matters are recommended to be covered by conditions attached to any permissions granted.

#### Green Belt and Green Space Network (GSN)

The indicative plans show the area of green belt within the application site as remaining undeveloped. The layout indicates how development could be arranged on the site with this area remaining as it is. The area of green belt contains woodland. Whilst the trees are individually not high quality specimens, as a group they have value for wildlife, also as part of a wider area of trees and green space, and as a landscaped setting to development on the site. Any permission granted would be conditional upon the recommended conditions that surveys of the trees take place to inform the layout at the time of the applications for the detail of the development.

The indicative plans show, in line with the Development Framework, a layout whereby development is capable of being accommodated on the site without buildings or hardsurfaces being located on the area zoned as greenbelt. Linkage would remain between this woodland area and the GSN beyond the site and the proposal therefore complies with policies relating to both Green Belt and Green Space Network.

#### Trees, Woodland and Landscape

Trees surveys have been undertaken and no trees are protected. There are very few trees that are individually of high quality, however, there are areas of woodland and tree belts. These are of value as buffers between the application site and surrounding areas, and to provide a landscape setting to development. The indicative plan shows a layout that matches options within the DF. These layouts were worked up following background work looking at the locations and quality of tree groups. The existing landscaped buffer strips to the east and south would remain, including the woodland on the area of site within the green belt.

Under the indicative layout, less mature trees within the Park and Choose would be lost for its enlargement, as well as smaller landscaped areas within the wider site.

Planning conditions are recommended to be attached to any permission, requiring the submission of plans showing trees surveyed and plotted on the detailed layout plans. The agreed DF would be a material consideration in the determination of applications for the detailed site layout. The indicative plans show how the level of development proposed could be accommodated together with the important existing landscaped buffer strips. It is therefore considered that the proposal is not at odds with existing and proposed LDP policy in relation to trees, woodland and landscape.

#### Traffic and Transportation

The Development Management Roads Team have assessed the submitted TA, and subsequent revisions, and held discussions in relation to the net impact on the Ellon Road (A90) / Parkway roundabout. Other development in the surrounding area that already has planning permission is already required to facilitate mitigation measures to this roundabout at particular trigger points. It is recommended that if the development proposed under this current application goes ahead and those mitigation measures are not in place, then contributions would be required to implement mitigation to the roundabout. A suitable condition is recommended to be attached to require the mitigation to take place at the point at which it is triggered by the development proposed under this PPIp application.

The TA contains recommendations for measures to improve facilities for pedestrians and public transport users from the development. These are listed within the Consultation section above and would be required by condition.

Similarly measures are required off site and more remotely within the area, to ensure safer routes to school for those living within the residential areas of the development. Again these would be the subject of condition.

Transport Scotland have required that the site would not be brought into use prior to the Aberdeen Western Peripheral Route (AWPR) being completed and in use; and the submission and implementation of a travel plan to encourage and maximise use of sustainable forms of transport.

Subject to the securing of the measures noted above and in the Consultation section, which will also require the submission of further detailed applications, the proposal complies with policies T2 and D3 in both the adopted LDP, and in the proposed LDP. These relate to managing the transport impact of developments, and encouraging and maximising sustainable travel.

The expanded Park and Choose use on the site makes it ideally positioned to maximise the use of public transport in particular and the requirement of a full Public Transport Strategy by condition, will ensure that this opportunity is taken.

#### Flooding and Drainage

On the basis of initial assessments, both SEPA and the Council's Flooding Team are satisfied, in principle, that both flooding and drainage issues are capable of being satisfactorily dealt with. Provided that conditions would be attached to any consent granted, requiring the submission of detailed FRA and DIA, then there is no objection on this basis.

In addition, it is noted that the indicative plans show watercourses and sustainable urban drainage measures incorporated within the layout. It is accepted that the layout would be subject to detailed design, however, the indicative plans accord with the Development Framework in showing how the approximate level of development envisaged could be accommodated on the site together with these measures.

#### Air Quality

With the attachment of a condition requiring a detailed air quality assessment at MSC stages, the application would comply with the requirements of policy NE10 and T4 in the adopted and proposed LDPs respectively.

#### Matters raised by representations

The following is noted, in response to comments and objections:

- a) Neighbour notification was correctly carried out. This report outlines the representations made to the proposed LDP, and apportions weight accordingly.
- b) The Development Framework has been subjected to a consultation process and has now been agreed by CH&I Committee. It is considered not to be premature to consider this planning application.
- c) Impact of the HWRC on amenity has been dealt with above and is capable of being mitigated with appropriately sized landscape buffers, there is space available on the site for this. The matter has been conditioned.
- d) As above, suitable landscape buffer is capable of being achieved.
- e) This is noted and the matter is dealt with above.
- f) The nature of the HWRC has been described in the statement from the Council.

The specific matters raised are capable of being mitigated and this matter is covered by condition.

- g) Transport related matters are dealt with in the Evaluation section above and in the Consultation Section.
  - h) As above.
  - i) It is acknowledged that there is a benefit to the local economy of the any large events held at the Royal Aberdeen Golf Course. The park and choose facility on the application site is to be enlarged and would contain a large number of spaces that could potentially be used.
  - j) and l) As above.
- m) Landscaping along the northern site boundary is capable of being incorporated as part of the detailed layout of the site and is the subject of condition.

### Conclusion

At this stage it is the principle of the mix of uses that is under consideration. Although the application proposal would largely discord with the zoning policy in the adopted LDP, relating to specialist employment uses, it can be seen that the wider direction of development plan policy is towards a mix of uses on the site. The proposal would accord with the Mixed Use policy in the proposed LDP as amenity issues are capable of being resolved satisfactorily; the proposal accords with the opportunity site description as it includes the household waste and recycling centre, is subject to flood risk assessment (high level, but subject to condition); and, it involves residential development on a brownfield site, as welcomed in principle in the Strategic Development Plan and as identified for this particular site in the proposed LDP.

As noted above, the specific subject policies are not offended, with the attachment of conditions to require detailed assessment at a later stage, and mitigation measures. It is therefore concluded that the proposal does not depart from wider development plan policy and is acceptable, subject to the developer contributions noted above, in order to provide for its impact on education provision, community facilities, sports and recreation facilities, open space and the road network.

### **RECOMMENDATION**

**Approve conditionally with permission to be withheld pending suitable arrangements being in place to facilitate the securing of affordable housing and developer obligations relating to primary education, community facilities, sports and recreation, transportation, including travel plan, Strategic Transport Fund and open space.**

### **REASONS FOR RECOMMENDATION**

This is an application for planning permission in principle and the proposal will be the subject of one or more further applications for the detailed scheme. At this stage it is the principle of the mix of uses that is under consideration. Although the application proposal would largely discord with the zoning policy in the adopted LDP, relating to specialist employment uses, it can be seen that the wider direction of development plan policy is towards a mix of uses on the site. The proposal would accord with Policy H2 Mixed Use in the proposed LDP as amenity issues are capable of being resolved satisfactorily; the proposal accords with the opportunity site description for OP13, as it includes the household waste and recycling centre, is subject to flood risk assessment (high level, but subject to condition); and, it involves residential development on a brownfield site, as welcomed in principle in the Strategic Development Plan and as identified for this particular site in the proposed LDP.

The specific subject policies, in both the adopted and proposed Local Development

Plans, including the following: Policy NE1 Green Space Network, Policy NE2 Green Belt, Policy D6 / D2 Landscape, Policy H1 Residential Areas, Policy NE5 Trees and Woodland, Policy NE6 Flooding and Drainage and other policies relating to travel and transportation are not offended, with the attachment of conditions to require detailed assessment at a later stage, and mitigation measures. It is therefore concluded that the proposal does not depart from wider development plan policy and is acceptable, subject to the provision of affordable housing and developer contributions, in order to provide for its impact on education provision, community facilities, sports and recreation facilities, open space and the road network.

it is recommended that approval is granted subject to the following conditions:-

(1) That no development shall be undertaken in any phase unless a detailed phasing programme outlining the delivery of buildings, open space and roads infrastructure across the entire application site has been submitted to, and approved in writing by the planning authority via a formal 'Matters Specified in Conditions' application - in order to ensure development is progressively accompanied by appropriate associated infrastructure, and to inform the timescale for submission of further applications for 'Matters Specified in Conditions' specified in the planning authority's direction stated in this notice.

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

a) A detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed datum point within the relevant phase/block of development;

b) A detailed Drainage Plan for the relevant phase/block of development, including full details of the proposed means of disposal of surface water from the relevant phase/block of development, including how surface water run-off shall be addressed during construction, as well as incorporating the principles of pollution prevention and mitigation measures. The final location of SUDs, including ponds, should be appropriately positioned in accordance with an agreed flood risk assessment;

c) Full details of the connection to the existing Scottish Water foul water drainage network for the relevant phase/block of development;

d) Details of all cut and fill operations in the relevant phase/block of the development;

e) The details of all roads, footpaths and cycleways throughout the relevant phase/block of the development;



- f) Details of any screen walls/fencing to be provided within the relevant phase/block of the development;
- g) Details of all landscaping, planting and screening associated with the relevant phase/block of the development;
- h) Full details of the layout, siting, design and finish of all residential properties, throughout the relevant phase/block of development;
- i) Full details of the layout, siting, design and finish of all non-residential properties throughout the relevant phase/block of development. This shall include but is not limited to: commercial premises, the Park and Choose, household waste and recycling centre (HWRC), local scale retail units; and,
- j) Full details of all waste/recycling collection points, for residential and non-residential properties;

- In order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

(3) The landscaping details to be submitted pursuant to Condition 2 above shall include:

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

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of each respective phase of the development or such other date as may be agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of each phase of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted - in the interests of protecting trees and ensuring a satisfactory quality of environment.

(4) That the development shall not be brought into use and no residential units shall be occupied unless there has been implemented on site the works detailed below, in accordance with details submitted to and approved in writing by, the planning authority,

unless otherwise agreed in writing with the planning authority. The works are:

- a) A shared use path alongside the frontage of the proposed site on Ellon Road;
- b) The repositioning of existing pedestrian crossing facilities on Ellon Road and their upgrading to include toucan crossing facilities (to provide linkage to the northbound bus stop on Ellon Road).
- c) Provision of dropped kerb crossing facility on Exploration Drive in the vicinity of the pedestrian access junction.
- d) Upgrading of existing bus stop infrastructure and the provision of dedicated bus layby.
- e) Provision of bus stops located at internal site on Exhibition Drive.
- f) Relocating of existing bus stop outside AECC (on Ellon Road) to a layby close to the Park and Choose, timing of this shall coincide with the relocation of the pedestrian crossing;
- g) Bus stops on the northern section of the upgraded Exhibition Avenue;
- h) Layout of the footpaths within the site to provide linkage with the existing path leading through to King Roberts Way to the south west of the application site.

- In the interest of road safety and connectivity.

(5) That no residential units shall be occupied unless there has been submitted, to and approved in writing by the planning authority, details identifying safe routes to schools within the proposed development. This shall include details of measures, including a timetable for implementation, required to help ensure safe travel to school. No residential units shall be occupied unless the works have been implemented on site including the works detailed below, unless otherwise agreed in writing with the planning authority. The works are in relation to providing safer routes to school and include the following:

5. Drop Kerb facilities with tactile paving at North Donside Road/ Broadfold Drive Junction
6. Drop Kerb facilities with tactile paving at North Donside Road/ Gordon Road Junction
7. Tactile pavers should be installed on pedestrian crossing link to Fraserfield Gardens.
8. A crossing point on Scotstown Road to allow safe crossing point from Fraserfield Gardens.

-in the interests of road safety and encouraging walking.

(6) that the existing Park and Ride service shall be retained on site and operational during the construction period on the wider application site, unless otherwise agreed in writing with the planning authority – in the interests of continuity of public transport provision.

(7) No part of the development shall be occupied prior to the Aberdeen Western Peripheral Route being open to traffic, and the consequent removal of trunk road status for the A90 Parkway / Ellon Road. - To restrict the scale of the development in order to minimise the interference with the safety and free flow of traffic on the trunk road.

(8) No part of the development shall be occupied until a comprehensive Travel Plan for that part of the development that sets out proposals for reducing dependency on the private car has been submitted and approved in writing by the planning authority, after consultation with Transport Scotland, as the Trunk Roads Authority. In particular this Travel Plan shall identify measures to be implemented, the system of

management, monitoring, review, reporting and the duration of the plan.- To be consistent with the requirements of Scottish Planning Policy (SPP) and PAN 75 Planning for Transport

(9) That no development shall take place unless there has been submitted to and approved in writing by the Planning Authority, a Framework Travel Plan, setting out proposals for reducing dependency on the private car. – in the interests of reducing travel by private car.

(10) No more than 498 residential dwellings and 2400sq.m. of office space, or other such development combination of equivalent traffic generating uses as demonstrated to the satisfaction of the Planning Authority shall be occupied unless the mitigation scheme for the A90(T) Parkway/ Eilon Road roundabout, generally in accordance with AECOM drawing number SKE001 (November 2015) has been implemented unless otherwise agreed in writing with the planning authority- in the interests of road safety.

(15) That no dwellings shall be occupied until such time as a public transport strategy, including proposals for the provision of either new or extended bus services linking the development with the existing public transport network, and details of the phased implementation of the strategy, have been submitted to and approved by the Planning Authority. Thereafter the agreed strategy shall be implemented in full in accordance with such a scheme, unless otherwise agreed in writing with the Planning Authority - in the interests of encouraging the use of public transport.

(10) That no development shall take place unless there has been submitted to and approved in writing by, the planning authority in consultation with SEPA prior to any works on site:

- The hydraulic model is re-run to incorporate an allowance for Climate Change as part of the sensitivity analysis
- Consideration is made of the flood events which have been documented at the Park and Ride car park on the site, by Aberdeen City Council in their 4<sup>th</sup> and 5<sup>th</sup> Biennial Flood Reports.
- No development will be permissible within the 1 in 200 year flood plain outline. With the present information provided this is defined in Figure 11 of the Flood Risk Assessment for Planning Application in Principle, dated 12 October 2015, by Kaya Consulting Ltd for Goodson Associates.
- In regard to the proposed opening up of a culvert on the site - detailed modelling of the new channel is provided.

- to protect people and property from flood risk in accordance with Scottish Planning Policy.

(11) Prior to commencement of any work in any phase of the development, a detailed scheme for the protection and enhancement of the water environment shall be submitted to, and approved in writing by, the Planning Authority in consultation with SEPA [and SNH or other agencies as appropriate]. This shall include:

Confirmation of the location of all existing water bodies on site and demonstration of

how they have been positively incorporated into the layout of the development, including appropriate buffer zones between the top of the bank of the watercourse and the development.

All works on site must be undertaken in accordance with the approved scheme unless otherwise agreed in writing with the Planning Authority in consultation with SEPA.

- to protect and improve the water environment.

(12) that no development in any individual phase/block shall take place unless a scheme detailing levels of sustainable drainage (SUDS) surface water treatment has been submitted for the written approval of the planning authority, in consultation with SEPA, and all work shall be carried out in accordance with the approved scheme. The scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C697) and should incorporate source control.

- to ensure adequate protection of the water environment from surface water run-off.

(13) No development shall take place on site in each independent phase/block pursuant to this planning permission unless a site specific Construction Environmental Method Plan (CEMP) has been submitted to, and approved in writing by, the Planning Authority in consultation with SEPA. All works on site must be undertaken in accordance with the approved CEMP unless otherwise agreed in writing with the Planning Authority.

Reason: In order to minimise the impacts of necessary demolition and construction works on the environment.

(14) The details to be submitted pursuant to Condition 2 for each respective phase of the development shall show the proposed means of disposal of foul and surface water from the relevant phase of the development within the form of a Sustainable Urban Drainage System and include a development impact assessment and detailed design and methodology statement. Unless otherwise agreed in writing by the Planning Authority, in consultation with SEPA, the development shall connect to the public sewer and the relevant phase of the development shall not be occupied unless the agreed drainage system has been provided in its entirety and maintained thereafter throughout the lifetime of the consent in accordance with the approved maintenance scheme. The details required shall also include details of the future long term maintenance of the system covering matters such as:

- a) Inspection regime relating to matters such as outlets/inlets;
  - b) Frequency and method of cleaning of filter trenches, removal of silt etc.;
  - c) Grass cutting (and weeding) regime for swales;
  - d) Means of access for future maintenance;
  - e) How to ensure that planting will not be undertaken over perforated pipes;
  - f) Details of the contact parties for future factoring/maintenance of the scheme;
- to protect the water environment and help reduce flooding.

(15) Prior to the commencement of any phase of development, as identified in the approved phasing plan required by condition 1, for each respective phase full details of the proposed street design for each block, which shall contain, but not be limited to, a parking strategy, road junctions and visibility splays, cycleway

provision, gradients, level details, finishing/surfacing materials and crossing points, shall be provided for the further written approval of the Planning Authority in consultation with the Roads Authority. The development shall be carried out in complete accordance with such a plan and buildings shall not be occupied unless the streets and parking areas for the respective block are complete and available for use - in the interests of road safety.

(16) No development shall take place until an assessment of emissions to air from road traffic associated with the whole development has been submitted to and approved in writing by the planning authority. The assessment shall be undertaken in accordance with a method approved by Council's Environmental Health Service and take into account additional traffic associated with other consented or proposed developments in the area, including the 3<sup>rd</sup> Don Crossing and Aberdeen Western Peripheral Route. Where the development is assessed as having an adverse impact on local air quality mitigation measures shall be specified in the report. The approved mitigation measures shall thereafter be implemented in accordance with a timetable agreed with the planning authority. Reason – in order to mitigate the impact of road traffic associated with the development on local air quality.

(17) Prior to the occupancy of each block, parking spaces, surfaced in hard standing materials shall be provided within the site in accordance with the agreed parking strategy in accordance with the Council's Car Parking Standards, unless otherwise agreed in writing with the planning authority - in the interests of road safety.

(18) No development in any particular phase of the development hereby approved shall take place unless surveys for protected species (red squirrel / bats /badgers) for that phase have been carried out and submitted to and approved in writing by the Planning Authority. Thereafter no development shall take place within the relevant phase of the development unless detailed mitigation measures to safeguard any identified protected species have been submitted to and approved in writing by the Planning Authority. No development shall take place within the relevant phase unless the mitigation measures which have been agreed in writing by the Planning Authority are carried out in accordance with the agreed scheme - to ensure the protection of protected species.

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

(20) that no development within any individual phase/block shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full - to ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance document, 'Low and Zero Carbon Buildings'.

(21) that no development in any individual phase/block shall take place unless a

plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the Planning Authority and any such scheme as may have been approved has been implemented - in order to ensure adequate protection for the trees on site during the construction of the development.

(22) that no part of the development hereby approved shall be occupied unless a plan and report illustrating appropriate management proposals for the care and maintenance of all trees to be retained and any new areas of planting (to include timing of works and inspections) in any individual phase/block has been submitted to and approved in writing by the Planning Authority. The proposals shall be carried out in complete accordance with such plan and report as may be so approved, unless the planning authority has given prior written approval for a variation - in order to preserve the character and visual amenity of the area.

(23) that there shall be no development involving hard surfaces or buildings within the area of the application site zoned as green belt under Policy NE2 of the adopted Local Development Plan 2012. No development or works shall take unless details have been submitted to and approved in writing by the planning authority – in the interests of the green belt and landscape areas setting of adjacent areas.

(24) That any overlap in operation of the existing AECC and the proposed facility at Rowett North (including event testing) shall be implemented only in accordance with an operational and transportation statement to be agreed in writing with the planning authority – in the interests of ensuring that there is no detrimental impact on the capacity of the road network

**DIRECTION UNDER SECTION 59 OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997:**

that the subsection (2)(a)(i) of section 59 shall apply as respects the permission with the substitution for the period of 3 years referred to in that subsection, of 5 years, as is considered appropriate by the planning authority in this instance on the basis of the scale of the development.

The provisions of section 59(2) shall therefore be read as follows:

1) that this planning permission in principle shall lapse unless a further application or applications for approval of the matters specified in all condition(s) attached to this grant of planning permission in principle in respect of phase 1(as defined in terms of condition 1) has been made before whichever is the latest of the following:

- (i) the expiration of 5 years from the date of this grant of planning permission in Principle;
- (ii) the expiration of 6 months from the date on which an earlier application for the requisite approval of matters specified in conditions was refused;
- (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed;

2) that this planning permission in principle shall lapse unless a further application or applications for the requisite approval of the matters specified in all condition(s)

attached to this grant of planning permission in principle in respect of each phase subsequent to phase 1 (as defined in terms of condition1) has been made before whichever is the latest of the following:

- (i) the expiration of 3 years from the date of the last grant of requisite approval for the previous phase;
- (ii) the expiration of 6 months from the date on which an earlier application for the requisite approval of matters specified in conditions for the phase in question was refused;
- (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed;

- pursuant to Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

3) that this planning permission in principle shall lapse on the expiration of 2 years from the approval of matters specified in conditions on the final phase (as defined in condition 1 of this permission) being obtained (or, in the case of approval of different matters on different dates, from the requisite approval for the last such matter being obtained) unless the development of the final phase to which the permission relates is begun before that expiration – pursuant to Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

INFORMATIVE 2: For the avoidance of doubt, the term 'phase' within any condition shall refer to the phases as have been approved under the terms of Condition 1 of the planning permission in principle hereby approved.

#### INFORMATIVE 3.

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

#### INFORMATIVE 4

It is advisable that the developer contact the Council's Waste Aware Team to discuss the appropriate waste storage and uplift arrangements for the residential developments.

#### INFORMATIVE 5

The applicant is advised that should any contamination of the ground be discovered during development the Planning Authority should be notified . The extent and nature of the contamination should be investigated and a suitable scheme for the mitigation of any risks arising from the contamination should be agreed and implemented to the satisfaction of the Planning Authority. This is in order to ensure that the site is suitable for use and fit for human occupation





