

Archibald B (Brian)

From: Archibald B (Brian)
Sent: 20 May 2016 14:29
To: Andrew Brownrigg (ABROWNRIGG@aberdeencity.gov.uk)
Cc: 'malcolm.campbell@knightfrank.com'; Donna Laing (DLaing@aberdeencity.gov.uk)
Subject: FW: PROPOSED ABERDEEN LOCAL DEVELOPMENT PLAN - FURTHER INFORMATION REQUEST 15 - ISSUE 03 – ALLOCATED SITES & GENERAL AREA STRATEGY BRIDGE OF DON & GRANDHOME & ISSUE 25 POLICIES B1, B2 & B3 SUPPORTING BUSINESS AND INDUSTRY

Tracking:

Recipient

Delivery

Andrew Brownrigg
(ABROWNRIGG@aberdeencity.gov.uk)

'malcolm.campbell@knightfrank.com'

Donna Laing (DLaing@aberdeencity.gov.uk)

[REDACTED]

[REDACTED]

[REDACTED]

Sent to: Aberdeen City Council

Cc: Moorfield Group (representee 094)
Buccmoor (representee 160)

For information only at this stage. No further information is being sought from parties beyond the council.

LDP-100-2

20 May 2016

Dear Andrew

**PROPOSED ABERDEEN LOCAL DEVELOPMENT PLAN
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT PLANNING) (SCOTLAND)
REGULATIONS 2008
NOTICE: FURTHER INFORMATION REQUEST 15 - ISSUE 03 – ALLOCATED SITES &
GENERAL AREA STRATEGY BRIDGE OF DON & GRANDHOME & ISSUE 25 - POLICIES B1,
B2 & B3 SUPPORTING BUSINESS AND INDUSTRY**

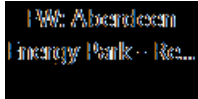
I am writing regarding the above plan which has been submitted to DPEA for examination by Scottish Ministers. Under Regulation 22 of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008, the appointed reporter can request, by way of notice, further information in connection with the examination. This request is a notice under Regulation 22.

The reporter has identified that further information, as listed below, should be provided by the council. It would be helpful if you could send this information to me to pass on to the reporter by 5pm on 3 June 2016.

Please e-mail your response, however, if it is more than 10 pages or in colour, please also provide a hard copy. Please note that DPEA cannot accept hyperlinks to documents or web pages. When replying to this request please quote the request number above.

Background

The attached information regarding a recent planning permission at Site OP3 has been submitted on behalf of Moorfield Group and Buccmoor LP.



Information requested

The council is invited to make any further comments regarding their preferred content of the plan as regards site OP3 and Policies B1 and B2 in the light of this new information.

Please acknowledge receipt of this request and confirm that your response will be provided within the time limit.

A copy of this request will be published on the DPEA website, together with a copy of the council's response.

<http://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=117092>

Please do not hesitate to contact me if there is anything you would like clarified.

Brian Archibald

Development Plan Officer

The Scottish Government
Planning and Environmental Appeals Division
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www.scotland.gov.uk/Topics/Built-Environment/planning/decisions-appeals/Appeals/dpea

Archibald B (Brian)

From: Archibald B (Brian)
Sent: 19 May 2016 13:00
To: 'malcolm.campbell@knightfrank.com' (malcolm.campbell@knightfrank.com)
Cc: Andrew Brownrigg (ABROWNRIGG@aberdeencity.gov.uk); Steph Rennie; Mr Mark Holmes
Subject: FW: Aberdeen Energy Park - Representations to the Aberdeen Local Development Plan
Attachments: mc725 Aberdeen Energy Park Issues 3 and 25 - Letter to Reporter 05-16.pdf; Energy Park Delegated Report P160107.pdf; Energy Park Consent P160107.pdf

Tracking:

Recipient

Delivery

'malcolm.campbell@knightfrank.com'
(malcolm.campbell@knightfrank.com)

Andrew Brownrigg
(ABROWNRIGG@aberdeencity.gov.uk)

Steph Rennie

Mr Mark Holmes

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Hello Malcolm

Thanks for sending through the e-mail and attachments. I have forwarded this to the reporters for their information

Thanks
Brian

From: Malcolm Campbell [<mailto:Malcolm.Campbell@knightfrank.com>]
Sent: 19 May 2016 09:52
To: Archibald B (Brian)
Cc: abrownrigg@aberdeencity.gov.uk; Steph Rennie; Mr Mark Holmes
Subject: Aberdeen Energy Park - Representations to the Aberdeen Local Development Plan

Brian

Please find attached for the attention of the Reporters a letter sent on behalf of my clients Buccmoor LP and the Moorfield Group regarding their representations (Numbers 94 and 160) to the Aberdeen Local Development Plan. This relates to a material change in circumstances in relation to Issues 3 and 25 which is explained in my letter. I have also attached for information a copy of a planning consent and the officers delegated report of handling for the consent both of which are referred to in my letter. I have copied this email to Andy Brownrigg at Aberdeen City Council.

If you require further clarification on this matter, please do not hesitate to contact me.

Kind regards

Malcolm



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Associate

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Brian Archibald
The Scottish Government
Planning and Environmental Appeals Division
4 The Courtyard
Callendar Business Park
Falkirk
FK1 1XR

19 May 2016

mc725/355409

Dear Mr Archibald

**Proposed Aberdeen Local Development Plan - DPEA Plan Ref No: LDP - 100-2
Issue 3 – Allocated Sites and General Area Strategy: Bridge of Don Grandhome
Issue 25 – Policy B1, B2 and B3: Supporting Business and Industry**

I am writing to you on behalf of my clients the Moorfield Group and Buccmoor LP regarding their unresolved representations to the Proposed Aberdeen Local Development Plan (94 and 160). I can confirm that I have instruction from both the Moorfield Group whom Knight Frank submitted representations on behalf of and Buccmoor LP whose representations were originally submitted by Montagu Evans. The LDP Issues relevant to this letter are the following:

- **Issue 3** – The part that deals with my clients request for the zoning of the Energy Park to be changed from Policy B2 to Policy B1 and the need for flexibility in terms of permitted uses; and
- **Issue 25** – The part that deals with my clients request for the need for more flexibility in the policy for the Energy Park.

My reason for writing to you is to draw the attention of the Reporter to a material change in circumstances at the Aberdeen Energy Park. A Section 42 planning application at the Energy Park to vary Condition 9 and remove Condition 10 of Planning Permission in Principle P131483 to allow Class 6 (Storage or Distribution) use in addition to Class 4 (Business) and Class 5 (General Industrial) uses was granted conditional planning permission on 29 April 2016. This now allows unrestricted Class 4, 5 and 6 uses on 17 hectares of land at the northern end of the Energy Park (Site OP3). There were no objections to the planning application (Reference P160107) which was dealt with by officers under delegated powers. In terms of the Local Development Plan policies which support business and industrial development, the land at the Energy Park would now more appropriately fall under Policy B1 Business and Industrial Land rather than Policy B2 Specialist Employment Areas. The Section 42 application only covers LDP Site OP3 as the planning consent being varied only covers that part of the Energy Park. I would suggest however that it would be logical for consideration to now be given to including both the existing part of the Energy Park (the land lying between Sites OP3 and OP13) and, the extension area (Site OP3) within a B1 policy designation in the new Local Development Plan.

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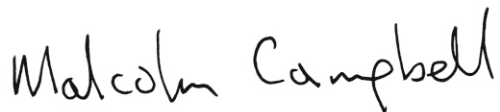
Knight Frank LLP is a limited liability partnership registered in England with registered number OC305934. Our registered office is 55 Baker Street London W1U 8AN where you may look at a list of members' names.

Previous Council concerns about loss of amenity at the Energy Park, with an increase in flexibility of permitted uses, are safeguarded by planning conditions covering strategic landscaping and visual impact along the eastern boundary of the site. My clients are also committed to ensuring high amenity levels are maintained at the Energy Park as part of their promotional and marketing strategy for the park. In considering this material change in circumstances I would ask that consideration also be given to the removal in the Local Development Plan to the references to the Energy Park in the section on Specialist Employment Areas.

I understand from speaking to Andy Brownrigg in the Council's Local Development Plan Team on 17 May 2016 that the Council have not yet written to you on this matter. I have therefore copied this information to the Council for their information. I have also attached to assist you, a copy of the Section 42 Consent for application P160107 and a copy of the officer's Delegated Report of Handling. More information on the application can be found on the Council's web site under planning application search.

If you require further clarification on this matter, please do not hesitate to contact me. I look forward to hearing from you.

Yours sincerely

A handwritten signature in black ink that reads "Malcolm Campbell".

Malcolm Campbell

Associate

malcolm.campbell@knightfrank.com

T 01224 415949

M 07769 565557

F 01224 639277

CC Steph Rennie, Buccmoor LP
Mark Holmes, Moorfield Group Limited



Application Ref No P160107

PLANNING & SUSTAINABLE DEVELOPMENT
Communities, Housing and Infrastructure
Business Hub 4, Marischal College, Broad Street,
ABERDEEN. AB10 1AB

The Town And Country Planning (Scotland) Act 1997

Conditional Planning Permission

Knight Frank LLP
4 Albert Street
Aberdeen
AB25 1XQ

on behalf of **Buccmoor LP**

With reference to your application validly received on 11 February 2016 for Planning Permission under the above mentioned Act for the following development, viz:-

Variation of Condition 9 and Removal of Condition 10 of Planning Permission in Principle P131483 to allow Class 6 (Storage or Distribution) Use in addition to Class 4(Business) and Class 5 (General Industrial) Uses at Claymore Drive, (Land adjacent to)

the Council in exercise of their powers under the above mentioned Act hereby GRANT Planning Permission for the said development in accordance with the particulars given in the application form and the plan(s) and documents docketed as relative thereto.

Permission is granted subject to the following condition(s), for which reasons(s) are stated viz:-

(1) That no development shall be undertaken in any phase of the development hereby approved unless a detailed phasing programme, outlining the delivery programme for the key elements of strategic infrastructure required for the entire site, has been submitted to, and approved in writing by the planning authority via a formal 'Matters Specified in Conditions' application. The phasing programme shall include any platforming/regrading, strategic landscaping, delivery programme for buildings, open space and roads infrastructure. The development shall not be implemented otherwise than in accordance with any such approved phasing programme unless the

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DIRECTOR

Continuation

planning authority has given written consent for a variation - 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) That none of the elements of the strategic infrastructure referred to in Condition 1, that are to be implemented prior to any development in direct connection with the construction of any individual building, shall take place unless the details of any such element (along with any supporting studies or information) have been submitted to and approved in writing by the planning authority. Development shall not occur otherwise than in full accordance with any such approval unless the planning authority has given written consent for a variation - in order to ensure development is progressively accompanied by appropriate associated infrastructure, and to enable the coherent development of the entire site.

(3) No development in connection with any individual building of the planning permission hereby approved shall take place until full details of the: siting, design, external appearance of buildings; hard and soft 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 respective site, subject to any individual application, 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, as well as sectional details giving a contextual position relative to surrounding land;
- 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

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DIRECTOR

Continuation

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 and how they will connect to wider such networks;
 - 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 buildings, including: energy centres, pumping stations, and water treatment works, throughout the relevant phase/block of development; and
 - i) Full details of all waste/recycling storage and collection points, for all plots/buildings.
- 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.

(4) The landscaping details to be submitted pursuant to Condition 1 and 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, particularly linear and boundary elements. Where trees are to be retained, measures for their protection and maintenance both during and after construction shall be provided ;
- 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

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Continuation

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.

(5) The details to be submitted pursuant to Condition 3 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.

(6) Prior to the commencement of any phase of development, as identified in the approved phasing programme required by condition 1, for each respective phase full details of the proposed road design, 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 roads and parking areas for the respective phase are complete and available for use - in the

Continuation

interests of road safety.

(7) No more than 7,200m² of the proposed floor space shall be occupied until: both the Aberdeen Western Peripheral Route (AWPR) and Third Don Crossing (TDC) are completed and open to traffic; and such time that the trunk road status of the A90 Parkway and A90 Ellon Road has been removed - as required by the Roads Authority.

(8) Unless otherwise agreed in writing by the Planning Authority, the following restrictions on the phasing of development shall apply:

No more than 7,200sq.m. of gross floorspace shall be occupied until such time as mitigation to the following has taken place, or contributions in lieu are made:

- A90 Parkway / Balgownie Road Junction Improvement (generally in accordance with Drg. No. 92071/sk1009);
- A90 Parkway / Whitestripwes Avenue / Buckie Farm Roundabout Improvement (generally in accordance with Drg. No. 96377/8001-1);
- A90 Parkway / Laurel Drive Junction Improvement (generally in accordance with Drg. No. 96377/8014-1);

Following this occupation in excess of 21,600sq.m. shall not take place until such time as mitigation to the following has taken place, or contributions in lieu are made:

- A90 Parkway / Ellon Road Roundabout Improvement (generally in accordance with Drg. No. 88000/1302); and

Thereafter occupation in excess of 31,200sq.m. shall not take place until such time as mitigation to the following has taken place, or contributions in lieu are made:

- A90 Ellon Road toucan crossing (at a location to be determined, unless it can be incorporated into the above A90 Parkway / Ellon Road Roundabout Improvement);
- A90 Murcar Roundabout Improvement (generally in accordance with Drg. No. 96377/8010-1A);
- A90 Parkway / Scotstown Road Roundabout Improvement (generally in accordance with Drg. No. 96377/8004-1B); and
- A90 Parkway / Laurel Drive Junction Improvement (contribution to improvement which will likely be required to be built by Grandholme developer prior to this threshold being met by Aberdeen Energy Park).

Such mitigation works shall be in complete accordance with a scheme to be submitted to, and approved in writing by, the planning authority - In the interests of road safety.

(9) That the uses within the approved development shall be restricted to those falling within Classes 4, 5 and 6 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 or any subsequent replacement Order; or, the provision of services that can justifiably

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Continuation

be located on the application site, including ancillary support services related to the management and operation of the science and energy park; or ancillary educational activities/facilities; or other activities that can be demonstrated to be ancillary to, in support of, and provide enhancement to the development as a science and energy park - in order to preserve amenity levels and to ensure an appropriate focus and high standard of development within the Aberdeen Science and Energy Park.

(10) Prior to the commencement of development there shall be submitted a Public Transport Strategy (PTS) indicating the bus service provision to the site for each phase of the development and details of temporary bus stops within the site. The PTS shall also incorporate the timing for a bus service link through the site, such timing to be agreed before the occupation of more than 15% (7,200m²) of the hereby approved floorspace therein - In the interests of sustainable transportation.

(11) Prior to the commencement of development there shall be submitted details of a 3m wide shared use foot/cycleway which shall be provided along the length of one side of the internal loop road, as well as the link road to the north, and to the coastal path (Core Path 18), such details shall include a phasing plan, all of which shall require to be approved in writing by Aberdeen City Council as Planning Authority - In the interests of sustainable transportation, connectivity and as required by the Roads Authority.

(12) That the number of parking spaces (car/motorcycle/bicycle/etc.) laid out in each individual site shall be in accordance with the standards set out within the relevant Aberdeen City Council document at the time of consideration of each individual phase of development - in the interests of sustainability and to encourage the use of transport modes other than the private car, all to ensure appropriate parking standards.

(13) Prior to commencement of development on any one plot a 'vehicle routing plan' shall be submitted and approved in writing by the Planning Authority, detailing access and egress arrangements during the construction period and means put in place to avoid materials (Mud/Dust/Etc.) being transferred to the public road network - in the interests of road safety and to avoid adverse impacts on road drainage systems.

(14) That prior to the commencement of development, a Framework Travel Plan, setting out proposals for reducing dependency on the private car, shall be submitted to and approved in writing by the Planning

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DIRECTOR

Continuation

Authority - in the interests of reducing travel by private car.

(15) That no part of the development shall be occupied unless there has been submitted to and approved in writing by the Planning Authority, a comprehensive Travel Plan for that part of the development, setting out proposals for reducing dependency on the private car. Each Travel Plan shall identify measures to be implemented, the system of management, monitoring, review and reporting, as well as the duration of the plan - in the interests of reducing travel by private car.

(16) Prior to the commencement of development an assessment of any private drainage systems or private water supplies which occupy any part of the site, which is at that time to be developed, shall be undertaken and any potential impacts upon them mitigated, the preferred solution being their connection to the main sewage disposal system or water supply, which may be constructed/improved as part of the proposed development. Details of any such measures shall be submitted to and approved in writing by Aberdeen City Council as Planning Authority, in consultation with SEPA - to ensure no adverse impact on existing private drainage arrangements and water supplies.

(17) That no development of any individual plot shall take place unless there has been submitted to, and approved in writing by, the planning authority a scheme for the external lighting of that site both during and after construction. No individual site shall be occupied unless the approved scheme of external lighting has been implemented and is operational. None of the access roads shall be constructed unless a scheme of street lighting has first been submitted to, and approved in writing by, the planning authority and no individual site shall be occupied unless the street lighting thereto has been implemented and is fully operational - in order to preserve the amenity of the neighbourhood and in the interests of residential amenity and public safety.

(18) That no development shall take place on any individual site unless a detailed scheme for the storage (including recycling facilities) and collection of waste arising from within that site has been submitted to, and approved in writing by, the planning authority. No individual site shall be occupied unless the scheme approved in compliance with such an approved scheme has been implemented and is fully operational - in the interests of sustainability.

(19) All phases of the development shall be connected to the public mains sewage system - to ensure appropriate disposal of sewage.

(20) No development on any individual plot shall commence until full

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Continuation

agreement has been reached between the developer and the Planning Authority in terms of a signed Section 75 legal agreement or other agreement, or the developer has paid a cash contribution to cover the impact of the development as assessed against the Council's Policies and Supplementary Guidance on developer contributions in relation to core paths to the satisfaction of the Planning Authority - in order to ensure appropriate upgrades to the core path network, such that impacts associated to the development can be addressed.

(21) That no development shall take place unless a Flood Risk Assessment for the whole site has been submitted to, and approved in writing by, the planning authority. No part of the site shall be occupied unless any mitigation measures identified in the approved Flood Risk Assessment have been implemented and are fully operational - to ensure that the site is not adversely affected by flooding.

(22) No development shall take place within any individual phase 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 - in order to adequately address archaeological interests.

(23) That no development in any individual phase/block shall commence unless a detailed and finalised Construction Environment Management Plan (CEMP) including site specific construction method statements, measures to minimise the risk of sediment entering watercourses, and the mechanism for compliance, for that phase. The mitigation measures outlined in the CEMP shall be informed by the result of a full ground (water and soil) investigation study. All works on site must be undertaken in accordance with the approved CEMP unless otherwise agreed in writing with the planning authority - in order to prevent potential water pollution and to minimise the impacts of construction works on the environment - in the interests of protecting the environment.

(24) All development shall be carried out in general accordance with the recommendations outlined in the Ecology Report dated October 2013, but supplemented by site specific mitigations reflective of the individual development proposed. Full details of such mitigations shall be set out in relation to each phase of development and shall relate to both flora and fauna issues - in the interests of the environment.

(25) Unless otherwise agreed in writing by the planning authority the

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DIRECTOR

Continuation

water tower detailed on drawing number (SK)021 shall be retained - in the interests of preserving bat habitat.

(26) A detailed Badger Protection Plan shall be submitted prior to any development taking place, such a plan shall contain matters such as: details of suitable buffers during periods of construction, as well as post development; lighting arrangements; details for storage of chemicals; measures to deal with exposed trenches, open pipes, etc. Such a Plan shall be updated as necessary through the course of development - in the interests of protecting badgers.

Bird Hazard Management Plan (BHMP)

(27) Development in any individual phase shall not commence until a Bird Hazard Management Plan (BHMP) has been submitted to and approved in writing by the planning authority. The submitted plan shall include details of: any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds; SUDS scheme bird deterrent measures; and details of how landscaping schemes shall not include plants which would attract birds. The management plan shall comply with the Advice Note 8 'Potential Bird Hazards from Building Design'. The Bird Hazard Management Plan shall be implemented, as approved, on completion of the development and shall remain in force for the life of the development. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority - it is necessary to manage the site in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Aberdeen Airport.

(28) Prior to the commencement of development a strategic and plot enclosure framework, including a phasing plan for non-plot elements, shall be submitted for the prior written approval of Aberdeen City Council as Planning Authority - in the interests of visual amenity.

(29) That no individual plot within the application site shall be occupied unless there has been submitted to, and approved in writing by, the planning authority, a scheme showing details of the proposed boundary enclosures for that plot and the approved scheme has been implemented in full, such submissions shall demonstrate compliance with the plot enclosure framework required by condition 29 - in the interests of visual amenity.

(30) That no development within any individual phase shall commence 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

PETE LEONARD
DIRECTOR

Continuation

specified within that scheme for the reduction of carbon emissions shall thereafter be 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.

(31) That no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a detailed scheme of phased structural landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting. The landscaping scheme shall also include screen planting, of varying width but a minimum of 20 metres wide, unless otherwise agreed (such reductions below 20m shall be clearly indicated in any submissions), along the boundaries of the application site and proposals for the maintenance thereof. The scheme shall further include specific proposals for visual screening and sound attenuation through landscaping in the vicinity of the private house located adjacent to the north boundary of the application site - in the interests of the amenity of the area.

(32) That all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority - in the interests of the amenity of the area.

(33) That any buildings shall be of a height or design, or be set back from the eastern boundary of the site, in line with a visual impact and landscape assessment which shall be submitted to and approved by Aberdeen City Council as Planning Authority - in order to minimise the visual impact of the development in views from the adjacent golf course and dunes and to preserve the amenity of the coastal area.

The reason(s) on which the Council has based this decision are as follows:-

The proposal is seeking to vary condition 9 in order to allow Class 6 Use within the

PETE LEONARD
DIRECTOR

Continuation

application site, in addition to Classes 4 and 5; and to remove condition 10 which currently applies a restriction of 20% on Class 6 Use.

It is considered that removing the restriction on Class 6 Use would be acceptable, given that it would allow the introduction of a use which has already been deemed appropriate for the site, and which would neither adversely affect existing uses nor compromise future development. Policy B11 (Specialist Employment Areas) which applies to the application site currently allows for a mix of Class 4 (Business) and Class 5 (General Industrial), and it is considered that in removing the restriction of Class 6 Use to the site, and thereby allowing a wider mix of uses, there would be no detrimental impact either to existing occupiers of the Energy Park or of the surrounding area, nor would future development within the site be compromised. The removal of condition 10 and variation of condition 9 would allow proposals seeking a Class 4, 5 or 6 Use to be considered, and thus provide the change in focus of development on site which is being sought to better address market expectations.

The plans, drawings and documents that are the subject of this decision notice are numbered as follows:-

Document No: 172571

Detail: Location Plan; Drawing No: (PL)001 Rev C;

<http://planning.aberdeencity.gov.uk/docs/showimage.asp?j=160107&index=172571>

INFORMATIVES

ACC Roads - It will be expected that the landowners/developers will contact and work with other landowners/developers/interested parties in the formulation of proposals associated to matters such as bus route/penetration, shared footpath/cycleway routes and road network mitigations. Such processes should be set out in any submissions relating to these relevant matters which will require such co-operation between parties.

ACC Environmental Health - 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.

Date of Signing 29 April 2016



Daniel Lewis

PETE LEONARD
DIRECTOR

Continuation

Development Management Manager

Enc.

NB. EXTREMELY IMPORTANT INFORMATION RELATED TO THIS GRANT OF PLANNING APPROVAL

The development to which this notice relates requires to be commenced within 3 years of the date of this notice unless a condition of planning approval specifies otherwise.

This permission does not carry with it any necessary approval under the Building Standards Regulations or of the owner or superior of the land or property including, where applicable, the City Council. Please ensure that this permission is compatible with any building warrant obtained. The Planning Service does not cross check approvals in detail.

The applicant has the right to have the decision reviewed by the planning authority in certain circumstances (eg. if aggrieved by the conditions that have been attached) and further details are given in Form 2 attached below.

A person who has been granted planning permission under the terms of the foregoing notice and intends to start work to implement this planning approval must, once they have decided the date they will start work on the development, inform the Council in writing of that date as soon as is practicable, but in all circumstances prior to work commencing. Failure to do so is a breach of planning control under Section 123(1) of the 1997 Planning Act. The Council should be informed of the start date and other required information on the Notice of Initiation of Development Form attached below

A person who completes the development for which planning permission has been granted by the foregoing notice must, as soon as is practicable after doing so, give notice of completion to the Council on the Notice of Completion of Development form attached below. In common with the failure to submit an notice of initiation of development, the Council may take enforcement action if a notice of completion is not given.

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Continuation

Regulation 28(4)(a)

Form 1

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Notification to be sent to applicant on refusal of planning permission or on the grant of permission subject to conditions

1. If the applicant is aggrieved by the decision of the planning authority to –
 - a. refuse planning permission for the proposed development;
 - b. to refuse approval, consent or agreement required by condition imposed on a grant of planning permission;
 - c. to grant planning permission or approval, consent or agreement subject to conditions,

the applicant may require the planning authority to review the case under section 43A(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at <http://eplanning.scotland.gov.uk/>.

Notices of review submitted by post should be sent to –

Planning & Sustainable Development
Communities, Housing and Infrastructure
Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal College
Broad Street
Aberdeen AB10 1AB

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owners of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

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Continuation

NOTICE OF INITIATION OF DEVELOPMENT

The Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006 **Form X**

The Planning (Development Management Procedure)(Scotland) Regulations 2008

Notice under Sections 27 A,B and C of the above Act and Regulations 37 and 38, regarding the initiation (start) of work for which planning permission has been granted.

Planning Permission reference number:- Date of Issue :-

P160107	29 April 2016
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Address of site to which permission applies :-

Claymore Drive, (Land adjacent to)

I hereby give notice that it is intended to **start** the above development on the following date:-
(see notes 1 – 3 below)

--/--/--

	<u>Name</u>	<u>Address</u>
(see note 4 below) Person Intending to Carry Out Development		
Landowner of Site (If different)		
Site Agent appointed for development		Mobile or landline tel. number

Date of Submission of Notice

--/--/--

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DIRECTOR

Continuation

Address to which you should send this notice :-

Planning & Sustainable Development
Communities, Housing and Infrastructure
Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal College
Broad Street
Aberdeen AB10 1AB

Should you require any help in completing this notice, please contact us :-

Telephone: **03000 200 292**
Fax: **01224 636181**
E-mail: **pi@aberdeencity.gov.uk**
Web-site: **www.aberdeencity.gov.uk**

Notes

1. Notice of start of work **must** be given **prior to** commencement of the development (i.e. before starting work on site).
2. Failure to submit this notice to the planning authority is a breach of planning control under section 123 (1) of the 1997 Act.
3. Work may lawfully be commenced at some point after the start date given above, provided that it is undertaken in complete accordance with the planning permission and any related planning conditions which have been imposed.
4. Data Protection Act 1998 - For the purposes of processing this information Aberdeen City Council is the Data Controller. The information on this form will be recorded on computer and also stored and processed automatically for planning purposes. Information will be disclosed only in accordance with the requirements of the Town and Country Planning (Scotland) Act 1997, as amended, or otherwise as required by law, including disclosure to other agencies.

Continuation

NOTICE OF COMPLETION OF DEVELOPMENT

The Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006 **Form X**

The Planning (Development Management Procedure)(Scotland) Regulations 2008

Notice under Sections 27B of the above Act, regarding the completion of work for which planning permission has been granted.

Planning Permission reference number:- Date of Issue :-

P160107	29 April 2016
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Address of site to which permission applies :-

Claymore Drive, (Land adjacent to)

I hereby give notice that the above development was completed on the following date:- (see notes 1 and 2 below)

--/--/--

(see note 3 below)	<u>Name</u>	<u>Address</u>
Person Carrying Out Development		
Landowner of Site (If different from above)		
Site Agent appointed in respect of the development		Mobile or landline number

Date of Submission of Notice --/--/--

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Continuation

Address to which you should send this notice :-

Planning & Sustainable Development
Communities, Housing and Infrastructure
Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal College
Broad Street
Aberdeen AB10 1AB

Should you require any help in completing this notice, please contact us :-

Telephone: **03000 200 292**
Fax: **01224 636181**
E-mail: **pi@aberdeencity.gov.uk**
Web-site: **www.aberdeencity.gov.uk**

Notes

1. Notice of completion of development on site **must** be given as soon as practicable thereafter.
2. The planning authority may take enforcement action if such a notice is not given. When the last phase of a phased development is completed, the requirement to give notice of completion of development applies.
3. Data Protection Act 1998 - For the purposes of processing this information Aberdeen City Council is the Data Controller. The information on this form will be recorded on computer and also stored and processed automatically for planning purposes. Information will be disclosed only in accordance with the requirements of the Town and Country Planning (Scotland) Act 1997, as amended, or otherwise as required by law, including disclosure to other agencies.

Signed (authorised Officer(s)):

Claymore Drive, (Land adjacent to)

Variation of Condition 9 and Removal of Condition 10 of Planning Permission in Principle P131483 to allow Class 6 (Storage or Distribution) Use in addition to Class 4 (Business) and Class 5 (General Industrial) Uses

For: Buccmoor LP

Application Type : Section 42 Variation
Application Ref. : P160107
Application Date : 11/02/2016
Advert : Can't notify neighbour(s)
Advertised on : 24/02/2016
Officer : Jane Forbes
Creation Date : 29 April 2016
Ward: Bridge of Don (M Jaffrey/J Reynolds/S Stuart/W Young)
Community Council: No response received

RECOMMENDATION:

Approve subject to conditions

DESCRIPTION

The site extends to some 17 hectares and is located to the north of the Aberdeen Energy Park at Claymore Drive, Bridge of Don. It comprises agricultural land which generally slopes from south-west to north-east. To the east is Royal Aberdeen Golf Club, Murcar Links Golf Club and beyond, the Aberdeen coast. To the north and west is further agricultural land, with the A90 Trunk Road located just further west. A number of residential properties lie close to the north.

RELEVANT HISTORY

88/1290: The first phase of the Science and Energy Park was granted Outline Planning Permission in March 1989 as an 'offshore technology park'.

92/0385: Conditional outline planning permission granted for an extension to the Science and Energy Park in November 1992. The uses were restricted to: research, design, development of products or processes and ancillary educational activities/facilities. Prior written consent of the planning authority was required for any other uses.

A5/2196: Conditional outline planning permission granted for a further extension

to the Science and Energy Park in November 2007. This consent expired, prior to implementation, on 26 November 2010.

P13/1483: Conditional planning permission in principle was granted on 7 November 2014 for an extension to the Aberdeen Energy Park, to provide an additional 48,000m² of Class 4 (Office), Class 5 (Industrial) and Class 6 (Storage and Distribution/ Warehouse) floor space, with the Class 6 Use limited, by condition, to 20% of the floorspace on any individual site.

PROPOSAL

This application has been submitted under the provisions of section 42 of the Town and Country Planning (Scotland) Act 1997 to allow the continued implementation of planning permission in principle P131483, with a variation to condition 9 and removal of condition 10 thereof.

Condition 9 states –

“that the uses within the approved development shall be restricted to those falling within Classes 4 and 5 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 or any subsequent replacement Order; or, the provision of services that can justifiably be located on the application site, including ancillary support services related to the management and operation of the science and energy park; or ancillary educational activities/facilities; or other activities that can be demonstrated to be ancillary to, in support of, and provide enhancement to the development as a science and energy park - in order to preserve amenity levels and to ensure an appropriate focus and high standard of development within the Aberdeen Science and Energy Park.”

The application seeks to vary the use class restriction to allow for Class 6 Use to be included alongside Classes 4 and 5.

Condition 10 states –

“that the level of any Class 6 use, of the Town and Country Planning (Use Classes) (Scotland) Order 1997, or the equivalent Classes in any subsequent replacement Order, within any individual plot shall be limited to 20% of the floor/operational site area, any breach of this limitation shall require to be considered on their merits by way of a further application for planning permission - in order to preserve amenity levels and to ensure an appropriate focus and high standard of development within the Aberdeen Science and Energy Park.”

The application seeks to remove condition 10 in order to allow unrestricted Class 6 Use.

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.=160107>

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

- A planning statement has been submitted in support of the proposed amendments detailing the reasoning behind the request.

CONSULTATIONS

Roads Development Management - No objection.

Environmental Health – No observations.

Communities, Housing and Infrastructure (Flooding) – No observations.

Community Council – No response.

REPRESENTATIONS

None

PLANNING POLICY

Aberdeen Local Development Plan

LR1 – Land Release Policy

BI2 – Specialist Employment Area

Proposed Aberdeen Local Development Plan

The following policies substantively reiterate policies in the adopted local plan stated above:

LR1 – Land Release Policy

B2 – Specialist Employment Area

EVALUATION

Section 42 of the Town and Country Planning (Scotland) Act 1997 (as amended) requires the planning authority in determining the application only to consider the question of the condition(s) subject to which the previous planning permission should be granted. The planning authority has the option to approve the permission subject to new or amended conditions or to approve planning permission unconditionally. Alternatively the planning authority can refuse the application, which would result in the conditions on the original application remaining.

Condition 9 - Restrictions on Approved Uses

Condition 9 currently only allows for Class 4 and 5, reflecting the adopted ALDP zoning and associated policy BI2 (Specialist Employment Area), which states that a mix of Class 4 (Business) and Class 5 (General Industrial) uses shall be permitted at the Aberdeen Science and Energy Park, with the latter being considered on its merits. Condition 10, which was applied to the planning permission in principle through Ref P131483 in November 2014, allowed for the introduction of Class 6 (Storage or Distribution) uses to the northern extension of

the Energy Park (ALDP Opportunity Site: OP4), but limited this on any individual plot to 20% of the floor/operational area, with any breach of this limit to be considered on its own merits. Thus a degree of Class 6 use is permissible, although uncertain in its extent beyond the 20% limit.

In support of this current application the applicant has highlighted the marketability difficulties which the absence the option to deliver Class 6 use on the original site has caused in more recent years, with an increasing number of prospective occupants of business/industrial space both within the city and in Aberdeenshire seeking a more flexibility across Classes 4, 5 and 6. Whilst accepting that condition 10 would allow for up to 20% of Class 6 use to be considered as part of any new proposal, the applicant feels that this limit nevertheless remains overly restrictive in comparison to other similar locations, including those immediately adjacent to the north, in what is an increasingly competitive market.

As background to both the condition and the ALDP allocation, in the late 1980's, Scottish Enterprise, the original owners of the Aberdeen Science and Energy Park, sought to deliver the site as a niche area of development for Aberdeen, to specifically serve a then increasing number of research and development companies linked to the oil, gas and energy sector and operating in the area.

Present circumstances have changed quite considerably, with Scottish Enterprise no longer directly involved with the Energy Park; a significant increase in the level of business and industrial land availability within Aberdeen and beyond; and, as in the current economic circumstances, a change in the level of demand for this type of development within the oil, gas and energy sector, never mind only a limited section. As a result, the expectation that the Energy Park continues to serve only specialist Class 4 and 5 focused businesses has become less sustainable a proposition.

The restriction on use classes within the Science and Energy Park was essentially promoted by Scottish Enterprise, and accepted by the planning authority, who established the Park over 25 years ago. At that time this limitation was based on their specific economic strategy which sought to focus occupation of the Park with those companies involved in research and development linked to oil, gas and energy development. However, a change in ownership of the Park and the delivery of a significant amount of high quality business and industrial land across the city in recent years (including at Dyce Drive and Prime Four) has resulted in the previous focus market of the Park being dispersed across other market opportunities, almost all of which have no restriction on the individual spread of classes within plots. This change in market circumstances was clearly acknowledged as part of the planning permission in principle in November 2014 (Ref P131483) for an extension to the Energy Park, with a condition applied which would allow any individual plot within the extension area

to include up to 20% of class 6 use. This was essentially a move to make the restrictions on the park less obstructive in its marketability, whilst still recognising the ALDP policy position

Policy BI2 (Specialist Employment Area) in the Aberdeen Local Development Plan 2012 states that 'a mix of Class 4 (Business) and 5 (General Industrial) uses shall be permitted at Aberdeen Science and Energy Park, with the latter being considered on their merits.' It continues by outlining that 'research, design and development activities, together with related educational/training activities are encouraged.' This policy is effectively reiterated in the Proposed Aberdeen Local Development Plan. It is however worth noting that Planning Permission in Principle (Ref P131483) already allows for 20% of Class 6 use to be considered for any future development on the site.

In this context, and with an understanding of the evolving economic factors, it is accepted that the intention to lift this 20% restriction, to allow consideration of any mix of Class 4, 5 and 6 Use, is seeking to address a need to change the historic focus of the site for future development. All such that it can be competitive by adapting to market conditions, and that the historic focus does not seem to serve a current planning purpose. It is accepted that the proposal is somewhat in conflict with both the current and future LDP underlying land use policy, however, on the basis that a mix of Class 4, 5 and 6 Uses are generally deemed appropriate for business and industrial purposes, and these uses typically co-exist without raising any significant issues, it is not considered that its approval would constitute a significant departure. It is also worth noting that a large unrestricted allocation has emerged immediately to the north, and is partially developed by or sees planning approvals in place with a mix of Class 4, 5 and 6 operators.

Condition 10 – Permitted Class 6 Element

Removal of any restriction of a Class 6 Use for future development proposals would allow for development involving a more varied mix of uses to be considered. Whilst this could see the submission of proposals incorporating more than a 20% level of Class 6 use, alongside existing business and industrial uses, the requirement to deliver suitably high quality design and landscaping for such proposals would remain, as would the need to suitably address any resulting impact on the existing infrastructure or amenity levels. The Roads Development Management Team has raised no objection to the proposal and is satisfied that all traffic/infrastructure related conditions which would continue to apply to any future proposal for plot specific development would allow for a suitable degree of assessment of such development. It is clear that the removal of any restriction on Class 6 Use for future development proposals within this northern section of the Energy Park would not lessen the degree of scrutiny given to such proposals, and these would continue to be assessed and determined on their own merits, within the context of the Development Plan and

any other material circumstances. It is also worth noting that the removal of any restriction on Class 6 Use applies solely to the extension to the Energy Park (OP4), with the existing built out area of the original Aberdeen Science and Energy Park to the south continuing to operate under Class 4 and 5 Uses, separate planning approval would be required to address any change to that situation.

Other Conditions

A total of 34 conditions were attached to Planning Permission in Principle Ref P131483, and whilst this application seeks to remove Condition 10, the remaining 33 conditions attached to the original PPIP (Ref P131483) are to be retained until such time as they have been suitably discharged or are no longer relevant.

Proposed Aberdeen Local Development Plan

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 are regarded as unresolved issues 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. In relation to this particular application the following policies are of relevance: LR1 – Land Release Policy and B2 – Specialist Employment Area. These policies substantively reiterate those in the adopted local development plan and the proposal is therefore acceptable in terms of both plans for the reasons already previously given.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

The proposal is seeking to vary condition 9 in order to allow Class 6 Use within the application site, in addition to Classes 4 and 5; and to remove condition 10 which currently applies a restriction of 20% on Class 6 Use.

It is considered that removing the restriction on Class 6 Use would be acceptable, given that it would allow the introduction of a use which has already been deemed appropriate for the site, and which would neither adversely affect existing uses nor compromise future development. Policy B11 (Specialist Employment Areas) which applies to the application site currently allows for a mix of Class 4 (Business) and Class 5 (General Industrial), and it is considered that in removing the restriction of Class 6 Use to the site, and thereby allowing a wider mix of uses, there would be no detrimental impact either to existing occupiers of the Energy Park or of the surrounding area, nor would future development within the site be compromised. The removal of condition 10 and variation of condition 9 would allow proposals seeking a Class 4, 5 or 6 Use to be considered, and thus provide the change in focus of development on site which is being sought to better address market expectations.

CONDITIONS

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

Overall Phasing Programme and Preparatory Works

(1) That no development shall be undertaken in any phase of the development hereby approved unless a detailed phasing programme, outlining the delivery programme for the key elements of strategic infrastructure required for the entire site, has been submitted to, and approved in writing by the planning authority via a formal 'Matters Specified in Conditions' application. The phasing programme shall include any platforming/regrading, strategic landscaping, delivery programme for buildings, open space and roads infrastructure. The development shall not be implemented otherwise than in accordance with any such approved phasing programme unless the planning authority has given written consent for a variation - 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) That none of the elements of the strategic infrastructure referred to in Condition 1, that are to be implemented prior to any development in direct connection with the construction of any individual building, shall take place unless the details of any such element (along with any supporting studies or information) have been submitted to and approved in writing by the planning authority. Development shall not occur otherwise than in full accordance with

any such approval unless the planning authority has given written consent for a variation - in order to ensure development is progressively accompanied by appropriate associated infrastructure, and to enable the coherent development of the entire site.

Primary Reserved Matters

(3) No development in connection with any individual building of the planning permission hereby approved shall take place until full details of the: siting, design, external appearance of buildings; hard and soft 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 respective site, subject to any individual application, 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, as well as sectional details giving a contextual position relative to surrounding land;
- 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 and how they will connect to wider such networks;
- 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 buildings, including: energy centres, pumping stations, and water treatment works, throughout the relevant phase/block of development; and
 - i) Full details of all waste/recycling storage and collection points, for all plots/buildings.
- 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.

Landscaping

(4) The landscaping details to be submitted pursuant to Condition 1 and 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, particularly linear and boundary elements. Where trees are to be retained, measures for their protection and maintenance both during and after construction shall be provided ;
- 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.

Foul and Surface Water Drainage

(5) The details to be submitted pursuant to Condition 3 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.

'Roads' Layout

(6) Prior to the commencement of any phase of development, as identified in the approved phasing programme required by condition 1, for each respective phase full details of the proposed road design, 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 roads and parking areas for the respective phase are complete and available for use - in the interests of road safety.

Limits on Development (Roads)

(7) No more than 7,200m² of the proposed floor space shall be occupied until: both the Aberdeen Western Peripheral Route (AWPR) and Third Don Crossing (TDC) are completed and open to traffic; and such time that the trunk road status of the A90 Parkway and A90 Ellon Road has been removed - as required by the Roads Authority.

(8) Unless otherwise agreed in writing by the Planning Authority, the following restrictions on the phasing of development shall apply:

No more than 7,200sq.m. of gross floorspace shall be occupied until such time as mitigation to the following has taken place, or contributions in lieu are made:

- A90 Parkway / Balgownie Road Junction Improvement (generally in accordance with Drg. No. 92071/sk1009);
- A90 Parkway / Whitestripwes Avenue / Buckie Farm Roundabout Improvement (generally in accordance with Drg. No. 96377/8001-1);
- A90 Parkway / Laurel Drive Junction Improvement (generally in accordance with Drg. No. 96377/8014-1);

Following this occupation in excess of 21,600sq.m. shall not take place until such time as mitigation to the following has taken place, or contributions in lieu are made:

- A90 Parkway / Ellon Road Roundabout Improvement (generally in accordance with Drg. No. 88000/1302); and

Thereafter occupation in excess of 31,200sq.m. shall not take place until such time as mitigation to the following has taken place, or contributions in lieu are made:

- A90 Ellon Road toucan crossing (at a location to be determined, unless it can be incorporated into the above A90 Parkway / Ellon Road Roundabout Improvement);
- A90 Murcar Roundabout Improvement (generally in accordance with Drg. No. 96377/8010-1A);
- A90 Parkway / Scotstown Road Roundabout Improvement (generally in accordance with Drg. No. 96377/8004-1B); and
- A90 Parkway / Laurel Drive Junction Improvement (contribution to improvement which will likely be required to be built by Grandholme developer prior to this threshold being met by Aberdeen Energy Park).

Such mitigation works shall be in complete accordance with a scheme to be submitted to, and approved in writing by, the planning authority - In the interests of road safety.

Restrictions on Approved Uses

(9) That the uses within the approved development shall be restricted to those falling within Classes 4, 5 and 6 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 or any subsequent replacement Order; or, the provision of services that can justifiably be located on the application site, including ancillary support services related to the management and operation of the science and energy park; or ancillary educational activities/facilities; or other activities that can be demonstrated to be ancillary to, in support of, and provide enhancement to the development as a science and energy park - in order to preserve amenity levels and to ensure an appropriate focus and high standard of development within the Aberdeen Science and Energy Park.

Public Transport Strategy

(10) Prior to the commencement of development there shall be submitted a Public Transport Strategy (PTS) indicating the bus service provision to the site for each phase of the development and details of temporary bus stops within the site. The PTS shall also incorporate the timing for a bus service link through the site, such timing to be agreed before the occupation of more than 15% (7,200m²) of the hereby approved floorspace therein - In the interests of sustainable transportation.

Shared Use Foot/Cycleway

(11) Prior to the commencement of development there shall be submitted details of a 3m wide shared use foot/cycleway which shall be provided along the length of one side of the internal loop road, as well as the link road to the north, and to the coastal path (Core Path 18), such details shall include a phasing plan, all of which shall require to be approved in writing by Aberdeen City Council as Planning Authority - In the interests of sustainable transportation, connectivity and as required by the Roads Authority.

Parking Provision

(12) That the number of parking spaces (car/motorcycle/bicycle/etc.) laid out in each individual site shall be in accordance with the standards set out within the relevant Aberdeen City Council document at the time of consideration of each individual phase of development - in the interests of sustainability and to encourage the use of transport modes other than the private car, all to ensure appropriate parking

standards.

Routing Plan

(13) Prior to commencement of development on any one plot a 'vehicle routing plan' shall be submitted and approved in writing by the Planning Authority, detailing access and egress arrangements during the construction period and means put in place to avoid materials (Mud/Dust/Etc.) being transferred to the public road network - in the interests of road safety and to avoid adverse impacts on road drainage systems.

Framework Travel Plan

(14) That prior to the commencement of development, a Framework Travel Plan, setting out proposals for reducing dependency on the private car, shall be submitted to and approved in writing by the Planning Authority - in the interests of reducing travel by private car.

Travel Plan

(15) That no part of the development shall be occupied unless there has been submitted to and approved in writing by the Planning Authority, a comprehensive Travel Plan for that part of the development, setting out proposals for reducing dependency on the private car. Each Travel Plan shall identify measures to be implemented, the system of management, monitoring, review and reporting, as well as the duration of the plan - in the interests of reducing travel by private car.

Impact on Private Drainage Water Supplies

(16) Prior to the commencement of development an assessment of any private drainage systems or private water supplies which occupy any part of the site, which is at that time to be developed, shall be undertaken and any potential impacts upon them mitigated, the preferred solution being their connection to the main sewage disposal system or water supply, which may be constructed/improved as part of the proposed development. Details of any such measures shall be submitted to and approved in writing by Aberdeen City Council as Planning Authority, in consultation with SEPA - to ensure no adverse impact on existing private drainage arrangements and water supplies.

Lighting Plan

(17) That no development of any individual plot shall take place unless

there has been submitted to, and approved in writing by, the planning authority a scheme for the external lighting of that site both during and after construction. No individual site shall be occupied unless the approved scheme of external lighting has been implemented and is operational. None of the access roads shall be constructed unless a scheme of street lighting has first been submitted to, and approved in writing by, the planning authority and no individual site shall be occupied unless the street lighting thereto has been implemented and is fully operational - in order to preserve the amenity of the neighbourhood and in the interests of residential amenity and public safety.

Waste Facilities

(18) That no development shall take place on any individual site unless a detailed scheme for the storage (including recycling facilities) and collection of waste arising from within that site has been submitted to, and approved in writing by, the planning authority. No individual site shall be occupied unless the scheme approved in compliance with such an approved scheme has been implemented and is fully operational - in the interests of sustainability.

Connect to Public Sewer

(19) All phases of the development shall be connected to the public mains sewage system - to ensure appropriate disposal of sewage.

Developer Contributions

(20) No development on any individual plot shall commence until full agreement has been reached between the developer and the Planning Authority in terms of a signed Section 75 legal agreement or other agreement, or the developer has paid a cash contribution to cover the impact of the development as assessed against the Council's Policies and Supplementary Guidance on developer contributions in relation to core paths to the satisfaction of the Planning Authority - in order to ensure appropriate upgrades to the core path network, such that impacts associated to the development can be addressed.

Flood Risk Assessment

(21) That no development shall take place unless a Flood Risk Assessment for the whole site has been submitted to, and approved in writing by, the planning authority. No part of the site shall be occupied unless any mitigation measures identified in the approved Flood Risk

Assessments have been implemented and are fully operational - to ensure that the site is not adversely affected by flooding.

Archaeology

(22) No development shall take place within any individual phase 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 - in order to adequately address archaeological interests.

Construction Environment Management Plan (CEMP)

(23) That no development in any individual phase/block shall commence unless a detailed and finalised Construction Environment Management Plan (CEMP) including site specific construction method statements, measures to minimise the risk of sediment entering watercourses, and the mechanism for compliance, for that phase. The mitigation measures outlined in the CEMP shall be informed by the result of a full ground (water and soil) investigation study. All works on site must be undertaken in accordance with the approved CEMP unless otherwise agreed in writing with the planning authority - in order to prevent potential water pollution and to minimise the impacts of construction works on the environment - in the interests of protecting the environment.

Ecology

(24) All development shall be carried out in general accordance with the recommendations outlined in the Ecology Report dated October 2013, but supplemented by site specific mitigations reflective of the individual development proposed. Full details of such mitigations shall be set out in relation to each phase of development and shall relate to both flora and fauna issues - in the interests of the environment.

(25) Unless otherwise agreed in writing by the planning authority the water tower detailed on drawing number (SK)021 shall be retained - in the interests of preserving bat habitat.

(26) A detailed Badger Protection Plan shall be submitted prior to any development taking place, such a plan shall contain matters such as: details of suitable buffers during periods of construction, as well

as post development; lighting arrangements; details for storage of chemicals; measures to deal with exposed trenches, open pipes, etc. Such a Plan shall be updated as necessary through the course of development - in the interests of protecting badgers.
Bird Hazard Management Plan (BHMP)

(27) Development in any individual phase shall not commence until a Bird Hazard Management Plan (BHMP) has been submitted to and approved in writing by the planning authority. The submitted plan shall include details of: any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds; SUDS scheme bird deterrent measures; and details of how landscaping schemes shall not include plants which would attract birds. The management plan shall comply with the Advice Note 8 'Potential Bird Hazards from Building Design'. The Bird Hazard Management Plan shall be implemented, as approved, on completion of the development and shall remain in force for the life of the development. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority - it is necessary to manage the site in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Aberdeen Airport.

Strategic Plot Enclosure Framework

(28) Prior to the commencement of development a strategic and plot enclosure framework, including a phasing plan for non-plot elements, shall be submitted for the prior written approval of Aberdeen City Council as Planning Authority - in the interests of visual amenity.

Plot Enclosure

(29) That no individual plot within the application site shall be occupied unless there has been submitted to, and approved in writing by, the planning authority, a scheme showing details of the proposed boundary enclosures for that plot and the approved scheme has been implemented in full, such submissions shall demonstrate compliance with the plot enclosure framework required by condition 29 - in the interests of visual amenity.

LZCB

(30) That no development within any individual phase shall commence 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 shall thereafter be 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.

Phased Structural Landscaping

(31) That no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a detailed scheme of phased structural landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting. The landscaping scheme shall also include screen planting, of varying width but a minimum of 20 metres wide, unless otherwise agreed (such reductions below 20m shall be clearly indicated in any submissions), along the boundaries of the application site and proposals for the maintenance thereof. The scheme shall further include specific proposals for visual screening and sound attenuation through landscaping in the vicinity of the private house located adjacent to the north boundary of the application site - in the interests of the amenity of the area.

Provision of Landscaping and Maintenance

(32) That all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority - in the interests of the amenity of the area.

Buildings close to Eastern Boundary

(33) That any buildings shall be of a height or design, or be set back from the eastern boundary of the site, in line with a visual impact

and landscape assessment which shall be submitted to and approved by Aberdeen City Council as Planning Authority - in order to minimise the visual impact of the development in views from the adjacent golf course and dunes and to preserve the amenity of the coastal area.

INFORMATIVES

ACC Roads

It will be expected that the landowners/developers will contact and work with other landowners/developers/interested parties in the formulation of proposals associated to matters such as bus route/penetration, shared footpath/cycleway routes and road network mitigations. Such processes should be set out in any submissions relating to these relevant matters which will require such co-operation between parties.

ACC Environmental Health

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.