



## Proposed Aberdeen Local Development Plan 2015 Representation Form

Please use this form to make comments on the Proposed Aberdeen Local Development Plan, ensuring that your comments relate to a specific issue, site or policy in either the Proposed Plan, Proposed Supplementary Guidance, Proposed Action Programme or Strategic Environmental Assessment Environmental Report. Please include the relevant paragraph(s) and use a separate form for each issue you wish to raise.

The consultation period runs between Friday 20<sup>th</sup> March and Monday 1<sup>st</sup> June 2015. Please ensure all representations are with us by 5pm on Monday 1<sup>st</sup> June.

Name	Mr <input type="radio"/> Mrs <input checked="" type="radio"/> Miss <input type="radio"/> Ms <input type="radio"/> Theresa Hunt
Organisation	Burness Paull LLP
On behalf of (if relevant)	Aberdeen Football Club
Address	Union Plaza, 1 Union Wynd ABERDEEN
Postcode	AB10 1DQ
Telephone	[REDACTED]
E-mail	[REDACTED]

Please tick if you would like to receive all future correspondence by e-mail

What document are you commenting on?	Proposed Plan	<input checked="" type="checkbox"/>	
	Proposed Supplementary Guidance	<input type="checkbox"/>	
	Proposed Action Programme	<input type="checkbox"/>	
	Strategic Environmental Assessment Environmental Report	<input type="checkbox"/>	
Policy/Site/Issue	OP59 Loirston	Paragraph(s)	N/A

## What would you like to say about the issue?

Our client, Aberdeen Football Club ("the Club"), supports the ongoing allocation of site OP59 at Loirston as the location for a new football or community stadium, as referred to on page 87 of the Proposed Plan. Indeed the proposed stadium has acted as the catalyst from the related mixed use development.

Allocation of the site for the stadium is consistent with paragraph 226 of Scottish Planning Policy which indicates that LDPs "should identify sites for new indoor or outdoor sports, recreation or play facilities where a need has been identified in a local facility strategy, playing field strategy or similar document. They should provide for good quality, accessible facilities in sufficient quantity to satisfy current and likely future community demand."

The requirement for a new stadium is identified in the Strategic Development Plan 2014 as one of the projects, listed in Schedule 2, which will help achieve the vision for the North-East and which will bring economic, social and cultural benefits.

The site at Loirston was selected in conjunction with the Council after considerable public consultation.

The Club has already obtained a delegated approval from the Council of application reference P101299 for a 21,000 capacity sports and leisure stadium, including associated car parking, access arrangements and landscaping at the Loirston site. The proposal would allow the Club to relocate from Pittodrie Stadium, which site is allocated as OP87 Pittodrie Park for a residential development.

Although the substantive terms of the legal agreement which is required to secure release of the planning consent have been agreed with the Council as Planning Authority, it has not yet been possible to reach agreement with all the parties who require to sign the agreement, including the Council in its capacity as landowner. The Club hopes that the continuing allocation of the site for a stadium is evidence of the Council's commitment to work with the Club to help deliver the strategic vision for the City.

The Club remains committed to developing a new stadium at Loirston.

**What change would you like to see made?**

N/A

Please return the completed form by:

- post to the Local Development Plan Team, Aberdeen City Council, Business Hub 4, Ground Floor North, Marischal College, Broad Street, Aberdeen AB10 1AB; or
- email to [ldp@aberdeencity.gov.uk](mailto:ldp@aberdeencity.gov.uk)

The representation form can be filled in, saved, e-mailed and/or printed. You must "save as" to ensure the completed form is saved with the changes you have made. If you need more space, please fill out another representation form or send a word document attachment via e-mail with your completed representation form. **Please ensure all representations are with us by 5pm on Monday 1<sup>st</sup> June.**

Thank you. For more information, please visit [www.aberdeencity.gov.uk/aldp2016](http://www.aberdeencity.gov.uk/aldp2016) or to contact the Local Development Plan Team call 01224 523470.

#### **Data Protection Statement**

The comments you make on the Proposed Plan will be used to inform the Local Development Plan process and the Examination into the Local Development Plan by the Scottish Ministers' Reporter. You must provide your name and address for your representation to be considered valid, and this information will be made publicly available. Other personal contact details such as telephone and e-mail will not be made public, although we will share these with the Reporter, who may use them to contact you about the comments you have made. For more information about how Aberdeen City Council maintains the security of your information, and your rights to access information we hold about you, please contact Andrew Brownrigg (Local Development Plan Team Leader) on 01224 523317.



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<b>Postcode</b>	AB10 1DQ
<b>Telephone</b>	[REDACTED]
<b>E-mail</b>	[REDACTED]

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	Proposed Action Programme	<input type="checkbox"/>	
	Strategic Environmental Assessment Environmental Report	<input type="checkbox"/>	
<b>Policy/Site/Issue</b>	OP87 Pittodrie Park (page 89)	<b>Paragraph(s)</b>	N/A

## What would you like to say about the issue?

Our client, Aberdeen Football Club, welcomes the allocation of OP87 Pittodrie Park for a proposed residential development.

Planning Permission in Principle was granted (Reference P101517) for a residential development comprising circa 350 town houses, apartments and duplex units including demolition of the existing stadium and ancillary buildings at Pittodrie Stadium on 13 November 2013. This Planning Permission in Principle consent is still live. Redevelopment of the Pittodrie stadium is linked to the construction of a new stadium on site OP59 Loirston. Separate representation has been submitted in support of that allocation.

Whilst the allocation of OP87 is welcome, the extant planning permission should be noted in the description of OP87 on page 89.

### Supporting Documents

AFCI – Consent reference P1017517

**What change would you like to see made?**

The extant planning permission should be noted in the description of OP87 on page 89.

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**ABERDEEN**  
CITY COUNCIL

**PLANNING & SUSTAINABLE DEVELOPMENT**  
Business Hub 4, Marischal College, Broad Street,  
ABERDEEN. AB10 1AB

Application Ref No P101517

**AFC1**

## **The Town And Country Planning (Scotland) Act 1997**

# **Planning Permission in Principle**

Halliday Fraser Munro  
Carden Church  
6 Carden Place  
Aberdeen  
Aberdeen City  
AB10 1UR

on behalf of **Aberdeen Football Club**

With reference to your application validly received on 16 September 2010 for Planning Permission in Principle under the above mentioned Act for the following development, viz:-

**Residential development comprising circa 350 No.town houses, apartments and duplex units including demolition of existing stadium and ancillary buildings  
at Pittodrie Stadium, Land North of Pittodrie St,**

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) (1) that no development pursuant to the planning permission in principle hereby approved shall be carried out until such time as a further application has been made to the planning authority for approval of the matters specified in this condition and such approval has been granted; these matters being details of the (i) means of access and internal road layout designed to meet the principles of "Designing Streets", (ii) the provision of car parking and cycle parking (iii) the siting of all buildings and areas of public and private open space, (iv) design and external

GORDON McINTOSH  
DIRECTOR

**Continuation**

appearance of the buildings, (v) the landscaping of the site and (vi) all boundary enclosures - 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.

(2) that this planning permission in principle shall lapse unless a further application for approval of the matters specified in condition(s) attached to this grant of planning permission in principle has been made before whichever is the latest of the following;

(i) the expiration of 3 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;

- 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) that this planning permission in principle shall lapse on the expiration of 2 years from the approval of matters specified in conditions 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 to which the permission relates is begun before that expiration - - 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) that the building hereby approved 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'.

(5) that, except as the Planning Authority may otherwise agree in writing, no construction or demolition work shall take place:

- (a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays;
- (b) outwith the hours of 9.00 am to 4.00 pm Saturdays; or
- (c) at any time on Sundays, except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery] - in the interests of residential amenity.

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DIRECTOR

**Continuation**

(6) that no development shall take place unless a scheme of all drainage works, in the form of a detailed Drainage Impact Assessment (DIA), designed to meet the requirements of Sustainable Urban Drainage Systems (SUDS) has been submitted to and approved in writing by the Planning Authority in consultation with SEPA and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme. The DIA should demonstrate that a single level of SUDS treatment, designed in accordance with CIRIA 697 'The SUDS Manual', shall be provided for roof water run-off and two levels of SUDS treatment shall be provided for roads and car parking areas - in order to safeguard water qualities and protect the water environment and to ensure that the development can be adequately drained.

(7) 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.

(8) that no development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work which shall include post-excavation and publication work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority - in the interests of protecting items of historical importance as may exist within the application site.

(9) That the use hereby granted planning permission shall not take place unless provision has been made within the application site for refuse storage and disposal, including recycling facilities in accordance with a scheme which has been submitted to and approved in writing by the planning authority - in order to preserve the amenity of the neighbourhood and in the interests of sustainability and public health.

(10) that at least two months prior to the commencement of the development, a full site specific Environmental Management Plan (EMP) shall be submitted to and approved in writing by the planning authority in consultation with SEPA and thereafter all works associated with the development shall be carried out in accordance with the approved EMP - in the interests of pollution prevention.

(11) that no development shall take place unless it is carried out in full accordance with a scheme to deal with contamination on the site that has been approved in writing by the planning authority. The scheme shall follow the procedures outlined in Planning Advice Note 33 Development of Contaminated Land and shall be conducted by a suitably qualified person in accordance with best practice as detailed in BS10175 Investigation of Potentially Contaminated Sites - Code of

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DIRECTOR

Continuation

Practice and other best practice guidance and shall include:

- (i) an investigation to determine the nature and extent of contamination,
- (ii) a site-specific risk assessment,
- (iii) a remediation plan to address any significant risks and ensure the site is fit for the use proposed.

No building(s) on the development site shall be occupied unless

- (a) any long term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning authority is being undertaken and
- (b) a report specifically relating to the building(s) has been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination issues related to the building(s) have been carried out, unless the planning authority has given written consent for a variation. The final building on the application site shall not be occupied unless a report has been submitted and approved in writing by the planning that verifies that completion of the remedial works for the entire application site, unless the planning authority has given written consent for a variation - in order to ensure that the site is fit for human occupation

(12) that no development shall take place unless a full Site Waste Management Plan has been submitted to and approved in writing by the planning authority in consultation with SEPA and thereafter all works associated with the development shall be carried out in accordance with the approved plan - in order to ensure that the waste on the site is managed in a sustainable manner

(13) that no development shall take place unless there has been submitted to and approved in writing by the planning authority a noise assessment report prepared by a suitably qualified independent noise consultant that identifies all potential sources of noise disturbance for the residents of the development and recommends any measures necessary to ensure satisfactory noise attenuation in the buildings. Thereafter the properties shall not be occupied unless the said measures have been implemented in full - in the interests of residential amenity

(14) that the residential development hereby approved shall not comprise more than 350 residential units - in the interests of the amenity of the area and to ensure that sufficient car parking can be accommodated within the site

(15) that the ratio of houses to flats in the residential development hereby approved shall comprise a minimum of 50% of houses - in order to comply with the Aberdeen City and Shire Structure Plan requirement for sustainable mixed communities with a range of property types and sizes

(16) that the planning permission hereby granted shall not be implemented unless and until a replacement stadium and playing pitch for use by Aberdeen Football Club have been constructed and brought into use – in order to comply with the requirements of Scottish Planning Policy and Policy 48 of the Aberdeen Local Plan

**Continuation**

(17) that no development shall take place unless there has been submitted to and approved in writing by the planning authority a traffic management scheme for the section of Golf Road adjacent to the application site, designed to meet the principles of "Designing Streets". The said scheme shall be implemented in full prior to the occupation of the first residential unit or in accordance with any other timescale as may be agreed in writing by the planning authority - in the interests of road safety and public safety and in order to improve pedestrian facilities on Golf Road

The reasons on which the Council has based this decision are as follows:-

The proposed development complies with the Aberdeen Local Plan in that the residential use is compatible with the existing surrounding land uses and therefore is acceptable in terms of Policies 40 and 41. The proposal is further supported by the Proposed Aberdeen Local Development Plan which identifies Pittodrie Stadium as an Opportunity Site for residential use. It also meets the aim of the structure plan to create sustainable mixed communities and generally accords with SPP. It is also considered that up to 350 residential units could be provided in a form and mix of property types that would create a distinctive, high quality living environment.

The applicant requires to enter into a legal agreement in relation to this application and a summary of the required terms of the legal agreement are given in the Report of Handling on this application which can be inspected by viewing the documents associated with this application via the City Council's website (<http://planning.aberdeencity.gov.uk/planningsearch.asp>)

The plans, drawings and documents that are the subject of this decision notice are numbered as follows:- SK-001, 101517-01, 101517-02, 101517-03, 101517-04, 101517-05

**Informative**

Applicants and developers should note that (as specified by Section 59 of the Town and Country Planning [Scotland] Act 1997 {as amended by the Planning etc. (Scotland) Act 2006} all conditions of this planning permission in principle that require the submission of information of any sort for further approval, agreement or consent of the planning authority require to be subject a formal application for approval in terms of the condition on a planning permission in principle as laid down in the Town and Country Planning [Development Management Procedure] [Scotland] Regulations 2008).

**Date of Signing 13 November 2013**



**GORDON McINTOSH  
DIRECTOR**

application Ref No P101517

**Continuation**

**Dr Margaret Bochel**  
Head of Planning and Sustainable Development

Enc.

GORDON McINTOSH  
DIRECTOR

**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 appeal to the Scottish Ministers in certain circumstances (eg. if aggrieved by the conditions that have been attached) and further details are given in Form 1 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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DIRECTOR

Form 2

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

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

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

the applicant may appeal to the Scottish Ministers under section 47 of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice.

Applicants may obtain information on how to submit an appeal by visiting <http://www.scotland.gov.uk/Topics/Built-Environment/planning/Appeals> or contacting –

Directorate for Planning & Environmental Appeals  
Scottish Government  
4 The Courtyard  
Callendar Business Park  
Callendar Road  
Falkirk  
FK1 1XR

Telephone: 01324 696 400  
E-mail: [DPEA@scotland.gsi.gov.uk](mailto:DPEA@scotland.gsi.gov.uk)

2. 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 it's existing state and cannot be rendered

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DIRECTOR



**Continuation**

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.

1.

GORDON McINTOSH  
DIRECTOR