

19 Policies and Plans

This chapter addresses the implications of the proposed scheme in the context of national, regional and local planning policies.

The Northern Leg has been assessed in terms of compliance with the relevant plans, policies and guidance. The proposed scheme is generally supported by transport policies and with the exception of Aberdeenshire Local Plan, is considered an acceptable use within the Green Belt. Furthermore, the Northern Leg will not have an adverse impact on planning policies relating to land use and contaminated land.

However, there would be potential impacts in terms of ecology and nature conservation, landscape, cultural heritage, water management and public access. Despite mitigation, all of these impacts could conflict with planning policy to a greater or lesser extent.

19.1 Introduction

- 19.1.1 This chapter addresses the implications of the proposed scheme in the context of national, regional and local planning policies.
- 19.1.2 The Scottish planning policy framework is at present provided by the Town and Country Planning (Scotland) Act 1997 and the Planning and Compensation Act 1991, which is underpinned by the general principle that decisions of development and land use planning should be taken at the most local administrative level wherever possible. The Planning etc. (Scotland) Act 2006 (implemented December 2006), will update this existing and other primary legislation once enacted. The National Planning Framework 2 (NPF2) will be a statutory document under the new 2006 Act.
- 19.1.3 The Scottish Executive influences the planning system through legislation, White Papers, National Planning Policy Guidelines (NPPGs), Circulars, Planning Advice Notes, approval of strategic planning documents and through powers to call in planning applications. NPPGs are currently being replaced by a series of new guidance documents called Scottish Planning Policies (SPPs). These guidance notes identify key priorities for the planning system in respect of various aspects of land use. These documents may, so far as relevant, be material considerations to be taken into account in the consideration of planning applications or development proposals outwith the planning system.
- 19.1.4 In terms of transport policy, the Scottish Executive published a Transport White Paper in 2004. The Executive also produces the Scottish Transport Appraisal Guidance (STAG). It is a requirement that all transport projects for which Scottish Executive support or approval is required, shall be appraised in accordance with this guidance. As noted in Chapter 2 (Need for the Scheme), The North East of Scotland Transport Partnership (NESTRANS) was established in 2001 to promote an integrated transport system for the North East of Scotland based on the results of an appraisal of transport proposals undertaken using STAG. The AWPR was highlighted in the STAG appraisal as a key element in the Modern Transport System (MTS). A STAG assessment is not required as part of this EIA however, details regarding the STAG assessments that have been previously undertaken are provided in Chapter 2 (Need for the Scheme) and Chapter 3 (Alternatives Considered).
- 19.1.5 Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006 require that planning decisions be made in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, if a proposal accords with the Development Plan and there are no material considerations indicating that it should be refused, permission should be granted and *vice versa*.
- 19.1.6 The development plan system (Structure and Local Plans) forms the basis on which decisions about development and future land uses are made, and effectively incorporates national, regional and strategic policies within a local framework.

Aberdeen Western Peripheral Route

Environmental Statement 2007

Part B: Northern Leg

19.1.7 Structure Plans can be prepared by a single planning authority or by a collaboration of neighbouring planning authorities. These documents set out the strategic policies and major proposals for the development and use of land, and incorporate the principles of European and UK legislation and national planning policies.

19.1.8 Each planning authority is also required to prepare one or more Local Plans. These provide a framework of policies and proposals for land use to provide guidance and promote change in the locality, and to apply national and strategic planning policies at a local level.

19.1.9 In this regard, the proposed route of the Northern Leg crosses the administrative boundary of two authorities, namely Aberdeen City Council and Aberdeenshire Council. Within these areas, the following documents comprise the Development Plan:

Aberdeen City Council Area

- Approved Structure Plan: Aberdeen and Aberdeenshire Structure Plan 2001 – 2016 North East of Scotland Together (NEST 2001);
- Adopted Local Plan: Aberdeen City District-Wide Local Plan (Aberdeen City Council 1991); and,
- Finalised Aberdeen Local Plan: Green Spaces - New Places (Aberdeen City Council 2004).

Aberdeenshire Council Area

- Approved Structure Plan: Aberdeen and Aberdeenshire Structure Plan 2001 – 2016 North East Scotland Together (NEST 2001);
- Adopted Aberdeenshire Local Plan (Aberdeenshire Council 2006).

19.1.10 Tribal HCH analysed the context of the Development Plans with respect to the proposed scheme and undertook a detailed assessment of how the Northern Leg could potentially affect aspects of planning policy, particularly with respect to development land allocations. The report on these findings is provided in Appendix A7.1. Further discussion on the impact on development land allocations is also provided in Chapter 7 (Land Use).

19.2 Approach and Methods

19.2.1 The proposed scheme was considered in the context of relevant policies, proposals and guidance. The assessment was undertaken in accordance with DMRB (Volume 11, Part 12: Impact of Road Schemes on Policies and Plans). In addition to undertaking an assessment of the likely impacts of the proposed scheme on policies at a national, regional and local level, the views of the relevant planning authorities were sought on the impact of the preferred route on planning policy objectives.

19.2.2 This chapter therefore:

- describes the existing and, where appropriate, emerging Planning Policy guidance framework as applicable to the proposed scheme;
- highlights the aims and objectives of the STAG as relevant to the scheme;
- describes the existing, and where appropriate, emerging Development Plan framework as applicable to the proposed scheme;
- considers the likely conflicts or compliance of the scheme with key strategic and local planning policy objectives;
- sets out the expressed views of the relevant planning authorities on the impact of the preferred route on planning policy objectives.

Aberdeen Western Peripheral Route

Environmental Statement 2007

Part B: Northern Leg

19.3 Summary of Plans and Policies

19.3.1 This section presents the results of a review of the national and regional/local guidance of relevance to the proposed scheme, together with a summary of the consultation exercise undertaken with the affected planning authorities: Aberdeen City and Aberdeenshire Councils.

National Policies

19.3.2 The Scottish Executive White Paper, 'Scotland's Transport Future' (2004) establishes the policy framework for transport in Scotland with a clear overall aim to *'promote economic growth, social inclusion, health and protection of our environment through a safe, integrated, effective and efficient transport system'* (Page 17).

19.3.3 Paragraph 4.28 of the White Paper recognises that the trunk road network is vital because it serves public transport, other road users and freight. In this regard, the AWPR is specifically identified as a scheme in which the Scottish Executive is working with local authorities to deliver.

19.3.4 STAG (Scottish Executive 2003) is specifically designed to aid transport planners and decision-makers in the development of transport policies, plans, programmes and projects. It is a requirement that all transport projects for which the Scottish Executive support or approval is required, shall be appraised in accordance with this guidance. All major road projects are required to be subject to full STAG appraisal.

19.3.5 Central to the overall aims and objectives of STAG is an assessment of the overall sustainability of a transport project. The guidance requires that the impacts of a proposal are assessed against the following Government objectives:

- Environment;
- Safety;
- Economy;
- Integration; and
- Accessibility and Social Inclusion.

19.3.6 In April 2004, the Scottish Executive published the National Planning Framework (NPF) for Scotland. In essence this represents a framework to guide the spatial development of Scotland to 2025. This document is a material consideration in planning policy and is to be taken into account for decisions on relevant planning applications, appeals and spending decisions by the Executive and its agencies.

19.3.7 Paragraph 71 of the current NPF states that *'...[economic] success will bring more planning challenges than failure, with a growing economy generating increased traffic and transport capacity problems'*. Paragraph 72 suggests that *'...the trunk road network and public transport systems require investment to address problems of congestion and unreliability'*. In particular, Paragraph 98 recognises the importance of long term transport options as a key element of the spatial strategy to 2025. Paragraph 116 specifically states that the Scottish Executive is committed to the Aberdeen Western Peripheral Route project.

19.3.8 The NPF is not a statutory document, but as stated above NPF2 will become a statutory document under the 2006 Planning Act. A Paper which sets out the range of strategic alternatives that have been considered as part of the development of the Strategic Environmental Assessment (SEA) on NPF2 was published in June 2007. These findings will be used to inform the development of a 'preferred option' for the second NPF. With regards to the AWPR, Alternative 4 (Connectivity) (Page 26) states that as part of the consultation process several views have been raised in relation to improving connectivity. Many participants emphasised the importance of strengthening links between Scotland's City regions primarily by rail, but also in some instances by improving road links, including the AWPR.

Aberdeen Western Peripheral Route
Environmental Statement 2007
Part B: Northern Leg

19.3.9 National land use planning guidance in Scotland is provided through a series of documents which are material considerations in the assessment of planning applications and direct the form and content of Structure Plans and Local Plans. In this regard, NPPGs and SPPs were reviewed as part of this assessment. An overview of NPPGs and SPPs is provided in Table 19.1, with a brief summary of each of these documents in Appendix A19.1.

Table 19.1 – Relevant National Planning Policy

Policy	Title	Details
SPP1	The Planning System (2002)	Provides an overview of the land use planning system in Scotland under current arrangements. In particular it highlights that planning decisions should favour the most sustainable option. When conflicts between objectives arise, decisions should be taken in line with the local priorities and needs as identified in the Local Plan.
SPP2	Economic Development (2002)	Examines how locational factors, including quality of life issues and the provision of infrastructure have a direct impact on Scotland's competitiveness and its ability to grow and prosper. In particular, it highlights the integration between transport and economic development.
NPPG5	Archaeology and Planning (1994)	Sets out the Government's planning policy for handling archaeological remains and discoveries.
SPP7	Planning and Flooding (2004)	This policy highlights that new development should not take place if it would be at significant risk of flooding from any source or if it would materially increase the probability of flooding elsewhere.
NPPG11	Sport, Physical Recreation and Open Space (1996)	This NPPG describes the role of the planning system in making provision for sports and physical recreation and protecting and enhancing open space. Although the NPPG is mainly concerned with the land use implications of sport and physical recreation, it also considers the key planning issues to be taken into account for developments on the urban fringe and within the Green Belt.
NPPG14	Natural Heritage (1999)	Indicates how the Government's policies for the conservation and enhancement of natural heritage should be reflected in land use planning. Information is also provided regarding international, national, regional and local designations and the legislative mechanisms that enable their protection.
SPP15	Planning for Rural Development (2005)	Sets out how the statutory land use planning system can assist the achievement of sustainable development in rural areas of Scotland. Its overarching aim is to have a prosperous rural economy, with a stable or increasing population that is more balanced in age structure and where rural communities have reasonable access to good quality services. States that prime agricultural land should continue to be protected but only used to meet strategic development objectives.
SPP17	Planning for Transport (2005)	Promotes an integrated approach to land use planning, economic development, transport and the environment. Provides support for sustainable economic development within a pattern of land use and integrated transport, which serves the economy and communities. It promotes a choice of transport modes, reduced car usage as well as increased walking, cycling and public transport.
NPPG18	Planning and the Historic Environment (1999)	Deals primarily with listed buildings, conservation areas, world heritage sites, historic gardens, designed landscapes and their settings. Notes the importance of the setting of the historic environment and advocates their protection and enhancement; or to minimise the impact from development through the consideration of new economic use that is viable over the long term.
SPP21	Green Belts (2006)	Aims to strengthen and enhance the role of existing green belts and encourage greater stability to increase their effectiveness. The stated key objectives are: to direct planned growth to the most appropriate locations and support regeneration; to protect and enhance the character, landscape setting and identity of towns and cities; and to protect and give access to open space within and around towns and cities, as part of the wider structure of green space.

19.3.10 In addition, Planning Advice Notes (PANs) support respective NPPGs and SPPs and provide advice on good practice and other relevant information to planning authorities. An overview of PANs is shown in Table 19.2 and a summary of each is provided in Appendix A19.2.

Aberdeen Western Peripheral Route
Environmental Statement 2007
Part B: Northern Leg

Table 19.2 – Relevant Planning Advice Notes

Policy	Title	Overview
PAN40	Development Control (Revised March 2001)	Provides detailed guidance on the procedures involved in the Development Control process, including a 'best practice' guide
PAN42	Archaeology- the Planning Process and Scheduled Monument Procedures (1994)	This PAN supports NPPG5: Archaeology and Planning, and includes advice on the handling of archaeological matters within the planning process. It sets out the importance of archaeology as a physical link to the past, and describes how positive planning can help reduce potential areas of conflict between development and preservation. The Note also provides detailed guidance on the processes by which planning authorities and developers should preserve archaeological sites, including appropriate protection policies in local plans.
PAN47	Community Councils and Planning (1996)	This PAN reflects an intention to involve local communities more closely in planning matters. It provides information on the role of Community Council's within the planning system, setting out key points of good practice to assist Councillor's, planning officers and local communities.
PAN 50	Controlling The Environmental Effects Of Surface Mineral Workings (1996)	Annex D of this document covers 'The Control of Blasting at Surface Mineral Workings', and is considered in the context of the proposed rock blasting requirements (Appendix A8.2: Blasting Assessment).
PAN51	Planning and Environmental Protection (1997)	Gives advice on the role of the planning system in controlling pollution and its relationship with a number of environment protection regimes, including Integrated Pollution Control (IPC) and Local Authority Pollution Control (LAPC).
PAN56	Planning and Noise (1999)	PAN 56 sets out government policy on the treatment of noise within development plans and planning applications. It stresses the role of Noise Impact Assessments in developments where noise is likely to be considerable, and emphasises the need for mitigation where noise is likely to require some form of control. Construction noise is also considered here with reference to the need for minimisation of construction impacts.
PAN58	Environmental Impact Assessment (1999)	Provides an overview of the EIA process, together with guidance on the role and implementation of Environmental Statements.
PAN60	Planning for Natural Heritage (2000)	This PAN supplements NPPG14, and aims to promote good practice in planning for natural heritage, and demonstrates how planning can contribute towards the realisation of natural heritage objectives, such as biodiversity, access and recreation and local designations. Its key themes are: encouraging local authorities to adopt positive and imaginative planning policies; planning for a diverse range of wildlife and habitats; maintaining landscape character and developing 'greenspace networks'.
PAN61	Planning and Sustainable Urban Drainage Systems (July 2001)	Provides information on the role and principle of SUDS in the planning system, together with guidance on its provision and implementation.
PAN65	Planning and Open Space (2003)	This PAN supports NPPG11: Sport, Physical Recreation and Open Space, and emphasises the importance of open space to our quality of life. It sets out the role of the planning system in protecting and enhancing existing open spaces and providing high quality new spaces
PAN69	Planning and Building Standards Advice on Flooding (2004)	Provides supplementary guidance and best practice advice in support of SPP7: Planning and Flooding. The PAN sets out the responsibilities of planning authorities in ensuring that future development is not located in areas with a significant risk of flooding. It also stresses that the flood risk from development can be minimised by the appropriate use of materials, good design and modern methods of construction.
PAN 75	Planning for Transport (2005)	Accompanies SPP17 and gives good practice advice on measures that planning authorities may consider in fulfilling their integrated land use and transport planning responsibilities in a sustainable manner. While it is aimed primarily at planning authorities, the PAN contains information that is of relevance to development proposals.

Aberdeen Western Peripheral Route
Environmental Statement 2007
Part B: Northern Leg

Strategic and Local Guidance

- 19.3.11 The following Development Plans are relevant and have been reviewed to identify policies and proposals relevant to the proposed scheme:

Aberdeen City Council Area

- Approved Structure Plan: Aberdeen and Aberdeenshire Structure Plan 2001 – 2016 North East of Scotland Together (NEST 2001);
- Adopted Local Plan: Aberdeen City District-Wide Local Plan (Aberdeen City Council 1991); and,
- Finalised Aberdeen Local Plan: Green Spaces - New Places (Aberdeen City Council 2004).

Aberdeenshire Council Area

- Approved Structure Plan: Aberdeen and Aberdeenshire Structure Plan 2001 – 2016 North East Scotland Together (NEST 2001); and
- Adopted Aberdeenshire Local Plan (June 2006).

- 19.3.12 Policies and plans of relevance to the proposed scheme are listed in Tables 19.3 to 19.6.

Strategic Planning Policy

Aberdeen & Aberdeenshire Structure Plan: North East Scotland Together 2001 (NEST 2001)

- 19.3.13 The Aberdeen & Aberdeenshire Structure Plan 2001 - 2016 (NEST 2001) was approved in December 2001 and sets out a shared strategic statement about the future use of land in the North East of Scotland.
- 19.3.14 It sets out the core strategic land use objectives for the area, as well as locational objectives for specific land uses, which set the guidelines for allocating development sites. In achieving its vision of a 'sustainable community' the Structure Plan is based on three principles of responsible management of natural, built and community resources; fairness in allocation of these resources between competing demands; and, the need to benefit both existing and future generations.
- 19.3.15 The Key Diagram of the Structure Plan provides an indication of locations for large scale, strategic developments, including housing allocations for 2000 - 2005 and 2005 - 2010, business parks and employment land allowances. It also provides an indicative plan of major transport infrastructure, and, in particular, provides an indicative location of the Western Peripheral Route. The Strategic Diagram within the Structure Plan indicates the proposed northern and southern legs of the proposed scheme as a 'Major Communications and Development Corridor'. In relation to the main communications network within the North East, Paragraph 5.6 recognises that the AWPR will '*...make northern areas more accessible from the south and enable appropriate transport measures to be introduced within Aberdeen*'. In this regard, Policy 30 states that '*...improvements to the main communications network must support the development framework, contribute to the modern transport system and reflect the need to reduce travel, particularly by car*'.
- 19.3.16 Furthermore, in relation to transport infrastructure, Policy 32 states that land identified in Local Plans will be safeguarded for transport proposals that contribute to the Modern Transport System (MTS). In addition, the best practicable environmental option not entailing excessive cost will be required to mitigate the impacts of transport proposals. Development proposals that result in a breach of National Air Quality Standards (AQS) will not be permitted.
- 19.3.17 The Key Diagram also indicates that the Western Peripheral Route is located within the Green Belt where Policy 28 states that '*no development will be permitted in the Green Belt for purposes other than those essential for agriculture, forestry, recreation, mineral extraction or restoration or landscape renewal*'. In relation to the general extent of the Green Belt, Paragraph 4.36 states that

Aberdeen Western Peripheral Route

Environmental Statement 2007

Part B: Northern Leg

it remains unchanged, however, it is recognised that *'...adjustments are necessary to allow for other plan policies to be accommodated such as park and ride sites and the western peripheral route'*.

- 19.3.18 Other policies contained within the Structure Plan that are relevant to the proposed scheme include those relating to wildlife, landscape and land resources; built heritage and archaeology; water management and forestry. Details of all relevant Structure Plan policies are provided in Table 19.3.

Local Planning Policy

Aberdeen City District-Wide Local Plan 1991

- 19.3.19 The adopted Local Plan for the Aberdeen City Council area is the Aberdeen City District-Wide Local Plan (September 1991).
- 19.3.20 With respect to road schemes, Paragraph 8.2.4 supports and encourages the creation of the Western Peripheral Route, with Plan 10 (of the Local Plan) showing an indicative route.
- 19.3.21 The proposed route of the Northern Leg within the area of Aberdeen City is located within the designated Green Belt where Policy GB1 states that there will be an embargo against all development *'...unless it concerns uses which must be located within the countryside, those directly related to nature conservation... or to uses already existing in the Green Belt'* (paragraph 9.3.1). Appropriate uses in the Green Belt are listed and reference is made to the provision of utilities as an acceptable use within the Green Belt *'...where because of the nature of the requirement of the utility the development cannot take place elsewhere other than within the Green Belt'*. It is further stated that such development shall be located as unobtrusively as possible and will have a minimal impact on the environment.
- 19.3.22 Other policies of relevance to the proposed scheme contained within the adopted Local Plan include those relating to design, flooding, trees and woodland, landscape, built heritage and archaeology. Details of all relevant adopted Local Plan policies are also provided in Table 19.4.

Finalised Aberdeen Local Plan: Green Spaces, New Places 2004

- 19.3.23 As the adopted Local Plan is significantly out of date, Aberdeen City Council is currently preparing a replacement Local Plan. The Finalised Aberdeen Local Plan: Green Spaces, New Places was published in August 2004 with further proposed modifications published in August 2005. The Finalised Local Plan has been the subject of a Local Plan Inquiry with the Reporter's findings anticipated to be published in August 2007.
- 19.3.24 The Finalised Aberdeen Local Plan sets the framework for land management within the City, by identifying detailed planning guidance to 2010 and giving direction to appropriate locations for development in the longer term beyond 2010.
- 19.3.25 In relation to emerging influences that have shaped the Local Plan, Paragraph 1.3.2 recognises that the funding announcement from the Scottish Executive on the Western Peripheral Route is a highly influential change since the approval of NEST in 2001. It is acknowledged that the WPR will change the character of the countryside surrounding Aberdeen and that *'...the certainty of the WPR provides the opportunity for longer-term consideration of sites around the City, allowing new sites to be accessed and released'*.
- 19.3.26 The Proposals Map of the Finalised Local Plan identifies an indicative line for the AWPR and in relation to the Northern Leg this closely resembles the proposed scheme. The junction with the A90 is predominately to be located within Aberdeenshire rather than Aberdeen City as indicated. In this regard, Policy 73 states that *'The City Council will work with the Scottish Executive to confirm and safeguard the road alignment. The final design of the road should reflect the best practicable option not entailing excessive cost'*.

Aberdeen Western Peripheral Route

Environmental Statement 2007

Part B: Northern Leg

- 19.3.27 Paragraph 3.64.1 recognises that the WPR should free up road capacity in the urban area. This will provide the opportunity for the reallocation of road space to buses and other priority modes of transport; the transfer of traffic to more appropriate distributor roads; the improvement of environments in terms of walking and cycling; the location of park and ride sites at the edge of the city; the improvement of air quality; and a potential means of releasing land that will be vital for appropriate, sustainable development.
- 19.3.28 Policy 72: Land for Transport Proposals also safeguards land for transport purposes, including a park and ride site, railway land and an airport hotel, which are discussed further in Appendix 7.1 and in Chapter 7: Land Use.
- 19.3.29 The Proposals Map also designates the route of the AWPR as within the Green Belt where Policy 27 states that '*...there will be an embargo against all development unless it concerns uses for which a countryside location is essential... infrastructure development that cannot be accommodated other than in the Green Belt and which has been identified in, and is wholly compatible with, the Development Plan*'. Furthermore, Policy 27 states that all development in the Green Belt should have regard to other Local Plan policies in relation to the protection of landscape, trees and woodlands and natural heritage.
- 19.3.30 Details of transport, Green Belt and other relevant policies to the proposed scheme, including those relating to design, flooding, trees and woodland, landscape; built heritage and archaeology are provided in Table 19.5.

Adopted Aberdeenshire Local Plan (June 2006)

- 19.3.31 The Local Plan for the Aberdeenshire Council area assessed in this chapter is the Adopted Aberdeenshire Local Plan.
- 19.3.32 Policy Inf12 states that '*...safeguarded sites have been identified on the Main Proposals Maps for transport infrastructure projects relating to a Modern Transport System in the North East. Proposals for development which would prejudice implementation of such projects will be refused unless a better alternative demonstrating compliance with the 'best environmental option not entailing excessive cost' is identified*'. The AWPR is not identified in the Main Proposals Maps. However, within the text providing the justification for Policy Inf12, it is stated that '*...principal amongst these sites are the preferred routes for the Western Peripheral Route*'. Appendix 14 of the Local Plan shows the 'preferred route' of the AWPR as it stood at March 2004. The Local Plan states that the alignment is shown for information purposes, since the choice of route is not part of the Local Plan process. In terms of the Northern Leg, the 'preferred route' in Appendix 14 closely resembles the proposed scheme.
- 19.3.33 The Local Plan shows the indicative route of the Northern Leg of the AWPR as located within the Green Belt where Policy Gen13 states a presumption against development unless it is necessary for the purposes of agriculture, horticulture, forestry, informal countryside recreation or mineral or landfill workings; or its uses are directly related to nature conservation.
- 19.3.34 In addition to transport and Green Belt policies, Table 19.6 summarises the other policies which are relevant to the proposed scheme. These include policies relating to land release and the green space network, design and landscape, water management, flooding, the built heritage and the natural environment.

Local Planning Authority Response to DMRB Requirements

- 19.3.35 DMRB Volume 11, Section 3 Part 12 'Impact of Road Schemes on Policies and Plans', states that one of the steps to be taken in the Stage 3 Assessment is to obtain the views of the Planning

Aberdeen Western Peripheral Route

Environmental Statement 2007

Part B: Northern Leg

Authority on the impact of the preferred route on planning policy objectives. As previously detailed, the preferred route passes through the administrative control of Aberdeen City Council and Aberdeenshire Council, who in accordance with the requirements of DMRB, were contacted in relation to the above objectives. Both Councils have provided views on the environmental issues associated with the scheme but have not expressly provided views in relation to the impact of the preferred scheme on planning policy objectives (Chapter 6: Scoping and Consultation).

19.4 Assessment of Compliance

- 19.4.1 The Northern Leg has been assessed in terms of whether it complies or conflicts with the relevant plans, policies and guidance discussed in Section 19.3.

Infrastructure and Transport

- 19.4.2 The National Planning Framework for Scotland (2004) specifically states that the AWPR is included within the Scottish Executive's transport infrastructure commitments to 2010. In addition, the principle and indicative location of the AWPR is identified in the Aberdeen and Aberdeenshire Structure Plan NEST (2001). The Adopted Aberdeenshire Local Plan (2006), Aberdeen City District-Wide Local Plan (1991) and the Finalised Aberdeen Local Plan (2004 and 2005) are also supportive of the AWPR as a key potential transport route.
- 19.4.3 The provision of the Northern Leg of the AWPR as part of a modern transport system is integral to Development Plan policy, in line with the objectives of developing a strategic transport network, providing a range of travel modes, promoting public transport, and alleviating problems such as congestion in the city centre and residential areas. It also supports the development framework by enabling more accessible and sustainable locations for future development.
- 19.4.4 The infrastructure and transport policies are supportive of the proposed scheme and no conflict has been identified.

Sustainability

- 19.4.5 Key to the Structure Plan Vision is the concept of a 'sustainable community' where the management of the environment is balanced with the fair allocation of resources and the benefit to existing and future generations.
- 19.4.6 Through the EIA process, mitigation measures have been incorporated into the proposals to reduce the environmental impact of the scheme. Some beneficial impacts will also accrue, as reported with the relevant chapters of the ES. At the same time, the proposed development will assist in the delivery of a transport network that is recognised by national, regional and local planning policy as beneficial to the future development of Aberdeen. A Sustainability Appraisal of the proposed scheme has been undertaken (refer to Chapter 58 for further details).

Cultural Heritage

- 19.4.7 Planning policy at all levels of the hierarchy require the protection of historic buildings, monuments and archaeological sites, including Listed Buildings and their settings and Scheduled Ancient Monuments (SAMs).
- 19.4.8 It has been assessed that the proposed scheme will have a substantial direct impact on three sites of regional importance, two of which are B Category Listed Buildings. However, mitigation measures will reduce the impact on each site to moderate.
- 19.4.9 In addition, the setting of four sites, two SAMs of national importance and two Category B Listed Buildings of regional importance has been assessed as substantial in terms of their setting (Sites 134,159,283 and 284 respectively). The impact on the setting of Aberdeenshire Canal SAM will be reduced to moderate through mitigation. However, the impact on the setting of Tyrebagger Hill Recumbant Stone Circle SAM and the two Listed Buildings will remain as substantial, although,

Aberdeen Western Peripheral Route

Environmental Statement 2007

Part B: Northern Leg

appropriate landscaping will result in a softening of views of the road. Negative impacts have been reduced, where possible, by the implementation of suitable mitigation in agreement with Historic Scotland and this is detailed in Paragraphs 13.5.21 - 13.5.23. The impacts on sites of cultural heritage interest, along with the appropriate mitigation, are further discussed in Chapter 13 (Cultural Heritage).

- 19.4.10 The proposed scheme potentially conflicts with cultural heritage policies.

Ecology and Nature Conservation

- 19.4.11 Policies require the protection of sites of international, national, regional and local importance for nature conservation. There is generally a presumption against development that would have a significant adverse impact on a designated area (such as an internationally important Natura 2000 site or Ramsar site and a nationally important Site of Special Scientific Interest (SSSI) as well as protected species or valuable habitats, unless the benefit of the development outweighs its nature conservation value. Specific provision is also made for the protection of existing trees and woodland with an appropriate replanting scheme implemented where development unavoidably involves the loss of trees.
- 19.4.12 There will be no impacts on sites of international importance as a result of the proposed scheme. Corby and Lily Lochs SSSI is the only site of national importance to nature conservation that will be affected, due to fragmentation and disturbance of wetland habitat, which will result in an impact of major significance that will be reduced to minor with mitigation. This area is also a District Wildlife Site (DWS) and a Site of Interest to Natural Science (SINS).
- 19.4.13 There will be impacts on other areas of ecological interest which provide habitats for species that include red squirrel, bats, otter, badger and breeding and wintering birds. In particular, there will be major impacts on red squirrels in the Craibstone area due to fragmentation of existing habitat and minor impacts on other protected species such as otters and bats.
- 19.4.14 Mitigation measures for protected species will include minimising disturbance to species during construction, habitat creation and the provision of appropriately designed culverts, underpasses and wildlife bridges. Mitigation measures, particularly habitat creation, will contribute to biodiversity targets identified in national and local Biodiversity Action Plans. Woodland loss has been minimised, where possible, through appropriate route alignment and replanting.
- 19.4.15 An examination of the relevant policies as they relate to nature conservation has established that there are elements of the proposed scheme which conflict with existing planning policies. Specifically there will be impacts on a SSSI and other locally designated sites as well as priority species within the UK Biodiversity Action Plan and those in the Local Biodiversity Action Plan. Assessment of significant adverse effects on the qualities for which the area has been designated must be weighed against potential social and economic benefits of national importance.
- 19.4.16 Potential impacts are discussed further in Chapter 10 (Ecology and Nature Conservation).

Green Belt

- 19.4.17 The proposed scheme will pass through land designated as Green Belt, in which there is a general presumption against development. The Aberdeen and Aberdeenshire Structure Plan, NEST (2001), which sets the framework for local plan policy, recognises that adjustments to the Green Belt are necessary to allow for other plan policies, such as the Western Peripheral Route, to be accommodated.
- 19.4.18 Infrastructure development is not identified as an acceptable use of the Green Belt within the Finalised Aberdeenshire Local Plan (2004). However, separate provision is made in this Local Plan for the principle of the AWPR and the Proposals Map indicates a proposed route which is located within the Green Belt. In addition, the Adopted Aberdeen Local Plan 1991 and the Finalised Aberdeen Local Plan 2004 (with Proposed Changes 2005) state that infrastructure

Aberdeen Western Peripheral Route

Environmental Statement 2007

Part B: Northern Leg

development which cannot be accommodated other than in the Green Belt may be permitted, if identified in and wholly compatible with the Development Plan. Further discussion on Green Belt issues is provided in Appendix A7.1.

- 19.4.19 It can be considered that the Northern Leg of the AWPR is broadly compatible with Green Belt policy.

Land Use

- 19.4.20 Policies require the protection of agricultural land, where possible. However, the loss of agricultural land is considered acceptable under certain conditions such as when land is allocated for development, there is no alternative site, the land is not of prime quality (Macaulay Land Use Classification 3₁ or above), or the importance of development outweighs its agricultural value. The protection of agricultural land is now less of a Government priority than it once was, and as stated in SPP15 Planning for Rural Development, although prime agricultural land should be protected, it can be used to meet strategic development objectives.

- 19.4.21 Although the majority of agricultural land required by the project will be of non-prime quality (3₂ or lower), there will be an approximate net loss of 46.94ha of Class 3₁ to the proposed scheme, mainly in locations at Lochgreens, Cranfield, Goval and Blackdog. The loss of agricultural land is assessed as having a moderate adverse residual impact.

- 19.4.22 Planning policies require the protection and enhancement of recreational areas. The Northern Leg has been designed so that areas designated as Country Parks, city and local parks have been avoided. Recreational areas affected are predominantly woodlands and associated footpaths and this will be mitigated through proposed new planting and the provision of path diversions. Further discussion on the impact on land use is provided in Chapter 7 (Land Use).

- 19.4.23 As the protection of agricultural land is less of a Government priority than before, and due to the mitigation for the recreational areas affected, no significant conflicts with the agricultural land and recreation use policies are envisaged.

Public Access

- 19.4.24 The protection and enhancement of pedestrian, cyclist and equestrian access routes are also required by planning policy at all levels. Where possible, the proposed scheme will address the severance of any access routes through the provision of diversions, overbridges and underpasses, although, overall the amenity value in these locations will be reduced due to the proximity of the new road.

- 19.4.25 Reduced amenity value where severance occurs or new accesses are proposed represents potential non-compliance with policies on public access within the Structure Plan and the Finalised Aberdeenshire Local Plan 2004 (with Proposed Changes 2005).

Landscape and Visual

- 19.4.26 Planning policies require the protection and enhancement of the landscape and avoid development which would harm the City's townscape and approaches. Policies also protect new and existing trees, woodland and hedgerows. Where existing features are affected, a tree survey and landscaping proposals are to be submitted.

- 19.4.27 Landscape and visual impacts of the scheme have been assessed in Chapters 11 and 12. A landscape assessment has been undertaken as part of the proposals and landscape mitigation is proposed which is sympathetic to landscape features and character.

- 19.4.28 There will be substantial impacts on the landscape character at areas along the Northern Leg, as a result of the proposed scheme. Whilst impacts on landscape character cannot be wholly avoided,

Aberdeen Western Peripheral Route

Environmental Statement 2007

Part B: Northern Leg

appropriate mitigation measures such as landscape planting will be provided to reduce the level of impact.

- 19.4.29 Potential conflict with some policies to protect the landscape is envisaged, particularly with respect to Policy 30 of the Finalised Aberdeen Local Plan, Green Spaces: New Places (2004 with Proposed Changes 2005) which seeks to prevent development that would adversely affect the landscape character.

Water Resources/Pollution

- 19.4.30 Policies aim to protect and enhance watercourses and the quality and quantity of water resources, and to minimise pollution. The importance of minimising flood risk is stated in the policies, as is avoidance of increased discharge to watercourses and refusal of development on floodplains or other areas prone to flooding. Policy requires that any development that generates surface run-off likely to affect watercourses is to be drained using Sustainable Urban Drainage Systems (SUDS).

- 19.4.31 A flood risk assessment was carried out for the proposed scheme and no significant issues concerning flooding have been raised (Appendix A9.2).

- 19.4.32 Watercourses significantly affected by the proposed scheme include Gough Burn, Craibstone Burn and Bogenjoss Burn. These watercourses will require extensive realignment and will be culverted to accommodate the proposed scheme. These changes are predicted to affect the existing hydrological regime, resulting in impacts on water quality and freshwater ecology. Mitigation measures to address impacts will include the use of SUDS, which will be incorporated into the drainage design.

- 19.4.33 As there will be potentially significant residual impacts on the above watercourses, it is envisaged that the proposed scheme may potentially conflict with water management policies.

Air Quality

- 19.4.34 Relevant planning policies have the objective of an overall improvement in air quality. The impacts of the proposed scheme are expected to range from moderate adverse to moderate beneficial. The adverse impacts would be caused by exhaust emissions from vehicles using the new road. The beneficial impacts would be due to reduced traffic on existing roads and in some cases the realignment of existing roads. These beneficial impacts would prevent the health-based air quality objective from being exceeded. Most locations within 500m of the Northern Leg would experience adverse impacts, but in these locations, air quality would remain good. This assessment has not identified any requirement to mitigate the air quality impacts, other than those measures that are already built into the scheme design. No conflict with air quality planning policies is, therefore, envisaged.

Contaminated Land

- 19.4.35 Areas of potentially contaminated land affected along the Northern Leg will be adequately remediated through mitigation, as discussed in Chapter 8 (Geology, Contaminated Land and Groundwater). No conflict with contaminated land policies is envisaged.

19.5 Overall Compliance

- 19.5.1 The proposed scheme has been assessed against a number of planning related documents from national to local level. This chapter has highlighted the key planning related documents that are considered material to the Northern Leg of the AWPR, and identified areas of policy conflict or compliance.

- 19.5.2 With respect to transport policy, the principle of the Northern Leg of the AWPR is supported at all levels of planning policy. The proposed scheme is specifically identified as a national priority within the National Planning Framework for Scotland and is also included within the policy objectives of

Aberdeen Western Peripheral Route

Environmental Statement 2007

Part B: Northern Leg

the Aberdeen and Aberdeenshire Structure Plan (NEST) 2001. With the exception of the Aberdeenshire Local Plan, the relevant Local Plans state that the proposed development is an acceptable use within the Green Belt. Furthermore, it is not considered that the Northern Leg will have an adverse impact on policies concerning land use and contaminated land.

- 19.5.3 However, there are impacts in relation to landscape, cultural heritage, water management and public access, all of which conflict with planning policy to a greater or lesser extent.
- 19.5.4 Subsequent to the implementation of appropriate mitigation measures which have been carefully formulated in accordance with relevant policy and guidance, residual impacts in relation to landscape, cultural heritage, water management and public access in particular have been identified. These residual impacts conflict with planning policy at a national, regional and local level to a greater or lesser extent.

Aberdeen Western Peripheral Route
Environmental Statement 2007
Part B: Northern Leg

Table 19.3 – Approved Aberdeen and Aberdeenshire Structure Plan 2001 – 2016 North East Scotland Together (NEST 2001)

Topic	Policy	Purpose	Compliance	Conflict
Infrastructure and Transport	30 - The Main Communications Network within the North East and Beyond	Improvements to the main communications network must support the development framework, contribute to the modern transport system and reflect the need to reduce travel, particularly by car. Establishes Aberdeenshire and Aberdeen City Councils' commitment to improve the transport system both within and outside the Structure Plan area. The policy encourages local authorities to bid for funds and press other agencies to invest in transport infrastructure and services.	The Northern Leg of the AWPR supports the development framework by enabling more accessible locations for future development. It aims to contribute towards a modern transport system and will reduce congestion.	n/a
	32 - Transport Infrastructure: Safeguarding Land and Minimising Environmental Impacts	Requires that Local Plans safeguard land for transport proposals that contribute towards the modern transport system, (including the AWPR). The best practicable environmental option not entailing excessive cost is required to mitigate the impact of transport proposals.	Implements the requirement for Local Plans to safeguard land for transport proposals that contribute to the modern transport system. The proposed scheme was subject to a STAG appraisal, which considered a number of route options and the environmental and cost implications of each.	n/a
Cultural Heritage	20 - Built Heritage and Archaeology	To protect the integrity and setting of buildings and Scheduled Ancient Monuments; protect other archaeological sites and archaeologically sensitive areas but where this is not feasible, proper recording and analysis shall take place; protect and enhance conservation areas, historic gardens, designed landscapes, town centres and historic features.	Negative impacts on cultural heritage sites have been reduced, where possible, by the implementation of suitable mitigation.	With the implementation of appropriate mitigation, there will be substantial impacts on the setting of 2 sites of national importance and 3 sites of regional importance. In addition, there will also be a moderate impact upon 1 site of national importance.
Ecology and Nature Conservation	19 – Wildlife, Landscape and Land Resources	International Designations - Development which would have an adverse effect on a Natura 2000 site will only be permitted where there is no alternative solution and there are imperative reasons of overriding public interest, including those of a social, environmental or economic nature. National Designations - Development which would have an adverse effect on a SSSI, National Nature Reserve or habitat or species identified as priorities in the UKBAP will only be permitted where the objectives of the designation and the overall integrity of the area will not be compromised or any significant adverse effects are outweighed by social and economic benefits. Regional / Local Designations - Development which would have an adverse effect on local or non-statutory nature reserves, DWI's, wildlife corridors, species and habitats identified as priority in the LBAP, SINS or other sites will only be permitted where it can be demonstrated that any damaging impact is considered acceptable overall, or there is a public interest which outweighs the conservation interest. Where development is allowed, appropriate measures shall be taken to conserve and enhance the sites ecological, geological or geomorphological interest. Everywhere Else - Development shall be sited and designed to avoid adverse impacts on the biodiversity of the site and should take consideration of the character of the landscape in terms of scale, siting, form and design. Developers are encouraged to seek sites which would not entail permanent loss of productive agricultural land.	Mitigation measures for protected species will include minimising disturbance to species during construction, habitat creation and the provision of appropriately designed culverts, underpasses and wildlife bridges. Mitigation measures particularly habitat creation, will contribute to biodiversity targets identified in national and local Biodiversity Action Plans. Woodland loss has been minimised through appropriate route alignment and replanting.	Minor residual impacts include habitat fragmentation and loss at Craibstone Burn, Gough Burn, Craibstone Campus, the agricultural land surrounding Howemoss, Kirkhill Forest North, Standingstones Wood, East Woodlands, River Don, Goval Burn and Corby and Lily Lochs.

Aberdeen Western Peripheral Route
Environmental Statement 2007
Part B: Northern Leg

Topic	Policy	Purpose	Compliance	Conflict
Green Belt	27 - Development in the Green Belt	The area of Aberdeen Green Belt will be maintained. Local Plans will set the detailed boundaries so that the landscape setting of urban areas is protected and enhanced and coalescence prevented; development required by Structure Plan policies is accommodated; degraded land can be restored and opportunities are created for landscape renewal; and land safeguarded for long term development (Strategic Reserve Land) is identified and protected from development that would prejudice its eventual use.	n/a	The development of the AWPR is supported by other policies within the Structure Plan.
	28 - Development in the Green Belt	No development will be permitted in the Green Belt for purposes other than those essential for agriculture, forestry, recreation, mineral extraction or restoration or landscape renewal. Local plans may identify opportunity sites for other uses appropriate to the rural character of the area where specific locational or operational criteria mean that they cannot be accommodated outwith the Green Belt designation.	n/a	The development of the AWPR is supported by other policies within the Structure Plan and locational and operational criteria means that AWPR cannot be located outwith the Green Belt
Public Access	17 - Countryside and Open Space Access	To encourage and protect responsible access to the open space, countryside, coast and inland water by promoting and protecting a network of routes and facilities throughout the North East. Care must be taken, however, to minimise detrimental impact on the environment.	Mitigation has been developed so as not to hinder the development of future core path networks by Aberdeen City and Aberdeenshire Councils.	There will be an increase to journey lengths for pedestrians and other users where the proposed scheme severs existing paths. The visual, air quality and noise impacts combined will have a substantial impact on amenity at many of these locations.
Water Resources/ Pollution	22 - Water Management	Development shall be directed away from areas at significant risk from flooding. Functional floodplains should be allowed to flood naturally where appropriate. Development shall also be sited and designed to protect the natural heritage value and water quality of lochs, ponds, watercourses, aquifers and wetlands. Developers shall deal with surface water treatment in a sustainable manner and in ways that avoid flooding and pollution and provide Flood Risk Assessments, where appropriate.	Incorporation of SUDS in scheme drainage design and best practice will be implemented during construction. A Flood Risk Assessment has been undertaken which identifies no issues of concern.	Gough Burn, Craibstone Burn and Bogenjoss Burn will be significantly affected, requiring extensive realignment and culverting to accommodate the proposed scheme.

Aberdeen Western Peripheral Route
Environmental Statement 2007
Part B: Northern Leg

Table 19.4 – Relevant Policies of the Aberdeen City District-Wide Local Plan 1991

Topic	Policy	Purpose	Compliance	Conflict
Infrastructure and Transport	Paragraph 8.2.1 - Road Schemes	To support road construction and improvements where it can be demonstrated that these are justified in terms of relieving congestion and improving environmental conditions.	It is envisaged that the proposed scheme will assist in relieving congestion and improving environmental conditions in those areas where there is relief from congestion.	n/a
	Paragraph 8.2.4 - Road Schemes Supported by the Local Plan	To encourage the creation of the Western Peripheral Route (although description of route differs to the proposed scheme)	AWPR draws support from this policy.	n/a
Cultural Heritage	Paragraph 10.1.1 - Urban Conservation and Townscape – Strategy	Reflects the Council's desire to protect and enhance the City's unique heritage of historic areas, buildings and landscape features. Also seeks to generate a greater appreciation of listed buildings, Scheduled Ancient Monuments, Conservation Areas, archaeological features and important trees and woodlands.	Negative impacts on sites of cultural heritage interest have been reduced, where possible, by the implementation of suitable mitigation.	With the implementation of appropriate mitigation, there will be substantial impacts on the setting of 2 sites of national importance and 3 sites of regional importance. In addition, there will also be a moderate impact upon 1 site of national importance.
	Paragraph 10.2.15 - Proposals Affecting the Setting of Monuments	States that the City Council will resist development proposals which adversely affect the setting of Scheduled Ancient Monuments (SAM) and archaeological features.	Negative impacts on sites of cultural heritage interest have been reduced, where possible, by the implementation of suitable mitigation.	With the implementation of appropriate mitigation, there will be substantial impacts on the setting of 2 sites of national importance and 3 sites of regional importance. In addition, there will also be a moderate impact upon 1 site of national importance.
	Paragraph 10.2.16 - Access for Site Investigations	Requires that the developers of archaeological sites provide adequate opportunity for site investigations with the purpose of recording archaeological features.	Negative impacts on sites of cultural heritage interest have been reduced, where possible, by the implementation of suitable mitigation. This will include, where appropriate, the recording of archaeological features.	n/a
Ecology and Nature Conservation	Paragraph 9.2.9 - Sites of Natural Interest	To protect the natural interest of sites of value to nature conservation, especially SSSI's, where there will be a presumption against development which would be detrimental to the natural interest of the site.	Mitigation measures for protected species will include minimising disturbance to species during construction, habitat creation and the provision of appropriately designed culverts, underpasses and wildlife bridges. Mitigation measures particularly habitat creation, will contribute to biodiversity targets identified in national and local Biodiversity Action Plans. Woodland loss has been minimised through appropriate route alignment and replanting.	Minor residual impacts include habitat fragmentation and loss at Craibstone Burn, Gough Burn, Craibstone Campus, the agricultural land surrounding Howemoss, Kirkhill Forest North, Standingstones Wood, East Woodlands, River Don, Goval Burn and Corby and Lily Lochs.

Aberdeen Western Peripheral Route
Environmental Statement 2007
Part B: Northern Leg

Topic	Policy	Purpose	Compliance	Conflict
Green Belt	GB1 - Green Belt Areas	Stresses that there will be an embargo against all development within the green belt, unless it is required in the countryside, or are directly related to nature conservation. Appropriate uses in the Green Belt are listed and reference is made to the 'provision of utilities' as an acceptable use within the Green Belt where development cannot take place elsewhere other than within the Green Belt.	n/a	The development of the AWPR is supported by other policies within the Structure Plan and Adopted Local Plan and locational and operational criteria means that AWPR cannot be located outwith the Green Belt
	GB2 - Countryside Around Town Areas	States that there will be an embargo against all development in areas designated as Countryside Around Towns, except development that is permitted by Policy GB1.	n/a	The development of the AWPR is supported by other policies within the Structure Plan and Adopted Local Plan and locational and operational criteria means that AWPR cannot be located outwith the Green Belt
Land Use	Paragraph 6.2.1 - Recreational Areas	To protect areas which are available to the public for the purposes of recreation from development other than that which is related to recreational usage and will seek to maintain and enhance the environmental quality of such areas.	The Northern Leg of the AWPR has been designed so that areas designated as Country Parks, city and local parks have been avoided. Any impact on recreational areas will be mitigated through planting and the provision of paths.	Loss of land used for recreation, including woodland and associated footpaths.
	Paragraph 6.2.6 - Open Space	To protect open space areas within the urban area, such as formal parks and gardens, playing fields, children's play areas, allotments, walkways etc from development other than those which are related to recreational usage.	The Northern Leg of the AWPR has been designed so that open space within urban areas will not be affected.	n/a
	Paragraph 9.2.1 - Agricultural Land	There will be a presumption against development on Grade 1, 2 and 3.1 quality agricultural land and on other land important for the maintenance of agriculture except where development is in conformity with the Structure Plan and Local Plan.	Majority of land affected is non-prime agricultural land. Protection of agricultural land is less of a Government priority than before. Development is in conformity with the Structure Plan and Local Plan.	Overall net loss of 46.94ha Class 3, quality agricultural land.
	Paragraph 9.2.6 - Woodland Management	The City Council will impose a Tree Preservation Order or enter into a management agreement to ensure the conservation of groups or trees or individual trees which are considered to be of importance for amenity or ecological reasons. Also encourages the planting of new woodland or hedgerows.	The proposed scheme has been sited and designed to minimise adverse impacts upon trees and woodland for reasons of amenity and ecology.	n/a
	Paragraph 10.2.18 - Tree Preservation	Gives the local authority the power to protect importance trees by the imposition of Tree Preservation Orders, where the continued presence of trees is assessed to be at risk.	Replanting / landscaping proposals incorporated into scheme design.	One Tree Preservation Order at Parkhill will be affected.
Landscape & Visual	Paragraph 9.2.10 - Areas of Landscape Value	To protect and enhance the landscape of the City. The Council will determine areas of landscape quality and afford them appropriate protection.	The Northern Leg has been designed to reduce the loss of landscape elements and the visual impact on settlements, wherever possible. Mitigation includes achievement of best fit of scheme design wherever possible and retention of existing vegetation, combined with new landscape planting.	There will be substantial impacts on landscape character and substantial visual impacts as a result of the proposed scheme.

Aberdeen Western Peripheral Route
Environmental Statement 2007
Part B: Northern Leg

Topic	Policy	Purpose	Compliance	Conflict
	Paragraph 9.2.11 - Approaches to the City	States a presumption against development which would adversely affect the amenity of the main approaches to the City by road and rail. The Council will also support opportunities to enhance approaches to the City as they arise.	Any impact on the amenity will be mitigated by planting and lighting design at City gateways to help assimilate the new structures into the surrounding landscape and to provide a screen to visual impacts of the road.	n/a
	Paragraph 9.4.1 - Green Belt and Countryside Around Town Areas	Requires all development which is permitted in the Green Belt and Countryside Around Town Areas to be positioned as unobtrusively as possible or sited in a way which would improve the landscape.	Mitigation includes achievement of best fit of scheme design wherever possible and retention of existing vegetation, combined with new landscape planting.	There will be substantial impacts on landscape character and substantial visual impacts as a result of the proposed scheme.
	Paragraph 10.2.6 - Landscape Setting	To emphasise that it is important to recognise the contribution that landscape and open spaces make to the setting of listed buildings, and the contribution of trees to the character of buildings, streets and areas.	Measures to mitigate impacts on the setting of the two listed buildings affected include improving the landscape fit of the scheme through the return of adjacent land to agriculture, and landscape planting. Landscape mitigation is proposed in scheme design.	The proposed scheme will affect the setting of two listed buildings.

Aberdeen Western Peripheral Route
Environmental Statement 2007
Part B: Northern Leg

Table 19.5 - Relevant Policies of the Finalised Aberdeen Local Plan – Green Spaces – New Places (2004 with Proposed Changes 2005)

Topic	Policy	Purpose	Compliance	Conflict
Infrastructure and Transport	73 - Western Peripheral Route	Confirms the Council's support for the Western Peripheral Route and states that the final design should reflect the best practicable option not entailing excessive cost.	Accords with the Council's support for the WPR. The proposed scheme was subject to a STAG appraisal, which considered a number of route options and the environmental and cost implications of each.	n/a
	74 - Aberdeen Airport and Aberdeen Harbour	States that there is a general presumption against certain types of development within Public Safety Zones (shown on the proposals map), as set out in Circular 8/2002. The Circular requires that the planning of new transport links within these zones is given careful consideration, and that proposals for major roads and motorways are carefully assessed in terms of the average density of people that might be expected to be exposed to risk.	The proposed scheme intersects a small section of the northern edge of the Public Safety Zone. Discussions with the appropriate authorities are such that potential conflict with the safety zone is not envisaged.	n/a
Sustainability	Sustainable Development (New policy proposed within Proposed Changes August 2005)	Proposals will be permitted if they promote and support the efficient use of land and infrastructure and provide essential services to the public.	The Northern Leg of the AWPR is major infrastructure development and provides essential services to the public. The development of the AWPR is supported by other policies contained within the Structure and Local Plan.	n/a
Cultural Heritage	16 - Archaeology and Planning	To protect Scheduled Ancient Monuments, and any other nationally important sites, from inappropriate development. Developers should provide for the recording of any archaeological site, where development is acceptable.	Negative impacts on sites of cultural heritage interest have been reduced, where possible, by the implementation of suitable mitigation. This will include the recording of archaeological sites, where appropriate.	With the implementation of appropriate mitigation, there will be substantial impacts on the setting of 2 sites of national importance and 3 sites of regional importance. In addition, there will also be a moderate impact upon 1 site of national importance.
Ecology and Nature Conservation	32 - Natural Heritage	To ensure that development that would have an adverse impact on international, national, regional or local designations will not be permitted unless there are imperative reasons of overriding public interest, and that no suitable alternative sites are available. For regional and local designations, steps must be taken to mitigate negative impacts. Development will not be permitted if it causes significant damage to species and habitats identified as national priorities for conservation as summarised in the North East Biodiversity Audit or those in the Local Biodiversity Action Plan except where public interest outweighs its nature conservation value and no suitable alternatives exist.	Mitigation measures for protected species will include minimising disturbance to species during construction, habitat creation and the provision of appropriately designed culverts, underpasses and wildlife bridges. Mitigation measures particularly habitat creation, will contribute to biodiversity targets identified in national and local Biodiversity Action Plans. Woodland loss has been minimised through appropriate route alignment and replanting.	Minor residual impacts include habitat fragmentation and loss at Craibstone Burn, Gough Burn, Craibstone Campus, the agricultural land surrounding Howemoss, Kirkhill Forest North, Standingstones Wood, East Woodlands, River Don, Goyal Burn and Corby and Lily Lochs.
Green Belt	27 - Green Belt	Establishes a presumption against all development unless it cannot be provided outwith the Green Belt. Acceptable uses may include agriculture, forestry, outdoor recreation, mineral extraction, landscape renewal, indoor sports uses or necessary infrastructure development. Also permits infrastructure development that cannot be accommodated other than in the Green Belt and which has been identified in and is wholly compatible with the Development Plan	The proposed scheme is infrastructure development that cannot be accommodated other than in the Green Belt and has been supported by other policies within the Development Plan.	n/a

Aberdeen Western Peripheral Route
Environmental Statement 2007
Part B: Northern Leg

Topic	Policy	Purpose	Compliance	Conflict
Land Use	28 - Green Space Network	To provide Aberdeen with a linked and enhanced leisure, recreation and green space resource. Provides an extra layer of protection on top of Policy GB27 and supports landscape, wildlife and recreational enhancement. Allows for 'major infrastructure projects', although they should take into account the coherence of the Network.	The proposed scheme is infrastructure development which cannot be accommodated other than in the Green Belt.	The road may restrict the provision of the green space network in some locations however; this is limited to some areas of woodland and associated footpaths.
	31 - Protecting Trees and Woodland	The City Council will protect and enhance Aberdeen's trees and woodland with the aim of doubling the existing tree cover within the City. Where loss is unavoidable, replanting schemes should be put in place.	The proposed scheme has been sited and designed to minimise adverse impacts.	n/a
Public Access	33 - Access and Recreation	To support the development of an inter-connected network of informal recreation areas throughout Aberdeen, and the improvement of footpaths, cycle paths and bridle ways. Also requires that new development does not adversely affect existing or potential recreation areas.	Mitigation has been developed so as not to hinder the development of future core path networks by the local Councils. The Northern Leg has been designed so that areas designated as Country Parks, city parks and local parks have been avoided. Any impact on recreational areas will be mitigated through planting and the provision of alternative routes where paths are affected.	There will be some severance of footpaths, cycleways and bridleways. Areas of woodland that are used for amenity purposes will be affected, particularly at Kirkhill, West Woods at Craibstone and East Woodland.
	67 - Pedestrian and Public Transport to Development	Development should be linked by the most direct, attractive, safe and secure pedestrian links possible to potential trip sources of 800m of the development.	With the implementation of appropriate mitigation no key routes will be closed.	There will be an increase to journey lengths for some pedestrians and other users where the scheme severs existing paths. The visual, air quality and noise impacts combined will have a substantial impact on amenity at many of these locations even with proposed landscape mitigation.
Landscape and Visual Impact	1 - Design	To ensure that new developments are of the highest possible standards, and make a positive contribution to the landscape setting.	The design of structures along the length of the route has been informed by a combination of specialist aesthetic advice, design workshops and consultation with Architecture and Design Scotland.	n/a
	2 - Landscape Design	To ensure that landscape design schemes are compatible with new developments, and that details are submitted as part of the planning application.	Landscape design associated with the development has been developed taking cognisance of the appropriate guidance.	n/a
	8 - Design Policy and Guidance	States that all development is expected to conform, where appropriate, to the City Council's published supplementary guidance including Maintenance of Aberdeen's Landscape Setting.	Landscape guidelines have, where appropriate, been considered in the development of the scheme.	n/a

Aberdeen Western Peripheral Route
Environmental Statement 2007
Part B: Northern Leg

Topic	Policy	Purpose	Compliance	Conflict
	30 - Landscape Protection	To prevent development that would adversely affect the landscape character, obstruct views of the City's townscape, disturb recreation, wildlife or woodland resources, or result in sprawl into green spaces between communities	Landscape character affected by the development will be mitigated by a number of measures, including returning land to agriculture, use of earthworks and planting to provide screening, replacement of severed stone walls to reinforce field boundaries and landscape character, individual tree planting along boundaries to reflect landscape character and replacement of mature trees lost to the proposed scheme. Loss of woodland used for recreational purposes mitigated through measures such as planting and path diversions.	There will be substantial impacts on landscape character and substantial visual impacts as a result of the proposed scheme. There will be a loss of woodland, particularly at the eastern edges of Kirkhill Forest, and from areas of West Woods at Craibstone and at East Woodlands, with an associated loss of footpaths.
Water Resources & Pollution	25 - Planning and Flooding	To ensure that planning authorities take precautions against the risk of flooding by refusing permission for developments which: reduce the capacity of the flood plain; harm flood defences; fail to provide access to watercourses for maintenance or is itself at risk from flooding.	The Northern Leg is not predicted to raise any flooding issues.	n/a

Aberdeen Western Peripheral Route
Environmental Statement 2007
Part B: Northern Leg

Table 19.6 – Relevant Policies of the Adopted Aberdeenshire Local Plan (2006)

Topic	Policy	Purpose	Compliance	Conflict
Infrastructure and Transport	Inf\1 - Roads and Access	To ensure that new accesses and those of which intensified use will be made are safe, convenient, resource efficient and well designed. Satisfactory arrangements should be made for maintenance and a transport assessment undertaken to show that the development and any mitigation measures proposed will not have significant transport impacts on existing transport infrastructure or services.	New accesses designed in accordance with appropriate standards. The Northern Leg of the proposed AWPR is major infrastructure development and provides essential services to the public. The development of the AWPR is also supported by other policies within the Structure Plan and Aberdeenshire and Aberdeen City Local Plans.	n/a
	Inf\11 - Airports and Airfields	To prevent unnecessary dangers to low flying aircraft and to safeguard presently unused airfields from development which may prejudice their future re-use for air traffic.	No impacts identified	n/a
	Inf\12 - Safeguarding Land for the Modern Transport System	To ensure that development does not prejudice the ability to provide for the needs of the future, and that potential transport routes (including the AWPR), corridors and facilities are safeguarded from speculative development.	Supports the principle of the proposed scheme and the requirement to safeguard land for transport proposals that contribute to the modern transport system.	n/a
Sustainability	Gen\1 - Sustainability Principles	Development will be assessed against sustainability indicators that relate to the local environment, community and economy.	The Northern Leg of the AWPR is major infrastructure development and provides essential services to the public. The development of the AWPR is also supported by other policies contained within the Structure and Local Plans.	n/a
Cultural Heritage	Env\18 - Listed Buildings	To protect listed buildings against works which do not conform to current guidance and legislation.	Mitigation measures for the two Listed Buildings directly affected will reduce both impacts to moderate. Measures include topographic survey and photographic recording.	Direct substantial impacts on two Category B Listed Buildings and substantial impacts on the setting of a further two Category B Listed Buildings.
	Env\19 - Archaeological Sites and Ancient Monuments	To give archaeological sites and Scheduled Ancient Monuments strong protection from any development which could damage them. Development which would have an adverse effect on a monument or site of either national or local importance will be refused unless there are imperative reasons of overriding public interest or there is no alternative site.	Negative impacts on sites of cultural heritage interest have been reduced, where possible, by the implementation of suitable mitigation	With the implementation of appropriate mitigation, there will be substantial impacts on the setting of 2 sites of national importance and 3 sites of regional importance. In addition, there will also be a moderate impact upon 1 site of national importance.
	Env\20 - Historic Gardens and Designed Landscapes	To protect and enhance Historic Gardens and Designed Landscapes from development that would damage their special character. Development which would have an adverse effect will be refused unless the overall integrity and character of the designated area will not be compromised and any significant adverse effect	No Designed Landscapes or Historic Gardens identified in the Inventory of Gardens and Designed Landscapes are affected by the proposed scheme.	n/a

Aberdeen Western Peripheral Route
Environmental Statement 2007
Part B: Northern Leg

Topic	Policy	Purpose	Compliance	Conflict
Ecology and Nature Conservation	Env\1 - International Nature Conservation Sites	Development likely to have a significant impact on a site designated or proposed under the habitats or birds directive (Special Area for Conservation and Special Protection Area) or on a Ramsar site and not directly connected with or necessary to the conservation management of the site, must be the subject of an appropriate assessment for the implications for the site's conservation objectives. Development will then only be permitted where the assessment indicates that it will not adversely affect the integrity of the site, or there are no alternative solutions and there are imperative reasons of over-riding interest including those of a social or economic nature.	Mitigation measures for protected species will include minimising disturbance to species during construction, habitat creation and the provision of appropriately designed culverts, underpasses and wildlife bridges. Mitigation measures particularly habitat creation, will contribute to biodiversity targets identified in national and local Biodiversity Action Plans. Woodland loss has been minimised through appropriate route alignment and replanting.	Minor residual impacts include habitat fragmentation and loss at Craibstone Burn, Gough Burn, Craibstone Campus, the agricultural land surrounding Howemoss, Kirkhill Forest North, Standingstones Wood, East Woodlands, River Don, Goval Burn and Corby and Lily Lochs.
	Env\2 - National Nature Conservation Sites	Development that would have an adverse effect on a SSSI or a National Nature Reserve will be refused unless the developer proves any significant adverse effects on the quality for which the area has been designated are clearly outweighed by social and economic benefits of national importance, the objectives of the designation and overall integrity of the area will not be compromised and there is no alternative site for the development.	Mitigation measures for protected species will include minimising disturbance to species during construction, habitat creation and the provision of appropriately designed culverts, underpasses and wildlife bridges. Mitigation measures particularly habitat creation, will contribute to biodiversity targets identified in national and local Biodiversity Action Plans. Woodland loss has been minimised through appropriate route alignment and replanting.	Minor residual impacts include habitat fragmentation and loss at Craibstone Burn, Gough Burn, Craibstone Campus, the agricultural land surrounding Howemoss, Kirkhill Forest North, Standingstones Wood, East Woodlands, River Don, Goval Burn and Corby and Lily Lochs.
	Env\3 - Other Recognised Nature Conservation Sites	Development that would have an adverse effect on a Site of Interest to Natural Science, a Local Nature Reserve, an Ancient Long Established or Semi-Natural Woodland, a raised peat bog, wetland or a non-statutory Nature Reserve will be refused unless the developer proves its public benefits at a local level clearly outweigh the nature conservation value of the sites, and there is no suitable alternative site for the development.	Mitigation measures for protected species will include minimising disturbance to species during construction, habitat creation and the provision of appropriately designed culverts, underpasses and wildlife bridges. Mitigation measures particularly habitat creation, will contribute to biodiversity targets identified in national and local Biodiversity Action Plans. Woodland loss has been minimised through appropriate route alignment and replanting.	Minor residual impacts include habitat fragmentation and loss at Craibstone Burn, Gough Burn, Craibstone Campus, the agricultural land surrounding Howemoss, Kirkhill Forest North, Standingstones Wood, East Woodlands, River Don, Goval Burn and Corby and Lily Lochs.
	Env\4 - Biodiversity	Development that would have an adverse effect on habitats or species protected under British or European Law or identified as a priority in UK or Local Biodiversity Action Plans or on other valuable habitats and species will be refused unless the developer demonstrates that the public benefits at a local level clearly outweigh the value of the habitat for biodiversity conservation, that the development will be sited and designed to minimise adverse impacts on the biodiversity of the site, including its environmental quality, ecological status, and that there will be no fragmentation or isolation of habitats as a result of the development.	Mitigation measures for protected species will include minimising disturbance to species during construction, habitat creation and the provision of appropriately designed culverts, underpasses and wildlife bridges. Mitigation measures particularly habitat creation, will contribute to biodiversity targets identified in national and local Biodiversity Action Plans. Woodland loss has been minimised through appropriate route alignment and replanting.	Minor residual impacts include habitat fragmentation and loss at Craibstone Burn, Gough Burn, Craibstone Campus, the agricultural land surrounding Howemoss, Kirkhill Forest North, Standingstones Wood, East Woodlands, River Don, Goval Burn and Corby and Lily Lochs.
Green Belt	Gen\13 - Green Belt	Within the Green Belt, there is a presumption against development unless it is necessary for the purposes of agriculture, horticulture, forestry, informal countryside recreation, or mineral or landfill workings or its uses are directly related to nature conservation.	Policy Inf\12 supports the principle of the AWPR and Appendix 14 shows an indicative route of the Northern Leg.	Infrastructure development is not identified as an acceptable Green belt use.

Aberdeen Western Peripheral Route
Environmental Statement 2007
Part B: Northern Leg

Topic	Policy	Purpose	Compliance	Conflict
Land Use	Env\8 - Trees and Woodland	Development that would cause the loss, of or serious damage to trees or woodland which are of significant ecological and recreational value will be refused, unless its public benefits at a local level outweigh the value of the habitat, the development will be sited and designed to minimise adverse impacts upon biodiversity, there will be no further fragmentation or isolation of habitats as a result of the development and the development incorporates appropriate enhancement and replacement measures.	The proposed scheme has been sited and designed to minimise adverse impacts upon biodiversity. Mitigation measures to reduce impacts on habitats and species affected include habitat creation, which will contribute to biodiversity targets identified in national and local BAP's.	n/a
	Env\11 - Agricultural Land	To protect productive agricultural land by steering development towards land of lower quality. Outlines the importance of safeguarding prime agricultural land so that it can benefit present and future generations.	Majority of land affected is non-prime agricultural land. Protection of agricultural land now less of a Government priority.	Overall net loss of 46.94ha of Class 3 ₁ quality agricultural land.
Public Access	Env\22 - Public Access	To ensure that existing public access is protected and future development does not restrict future opportunities for the extension of the public access network.	Mitigation has been developed so as not to hinder the development of future core path networks by the local Councils. Footpaths affected in recreational areas such as woodlands will be re-routed or maintained.	A number of existing footpaths will be affected through severance and adverse impacts on amenity.
Landscape and Visual Impact	Env\5B - Areas of Landscape Significance	Development within or adjacent to an Area of Landscape Significance will not be permitted where its scale, location or design will detract from the quality or character of the landscape, whether in part or in whole. In all cases the highest standard of design will be required.	The proposed scheme has been designed to minimise detraction from the quality of the Area of Landscape Significance. Mitigation includes achievement of best fit and retention of existing vegetation, combined with new landscape planting.	There will be substantial impacts on landscape character and substantial visual impacts as a result of the proposed scheme.
Water Resources & Pollution	Env\15 - River Engineering Works	To provide water bodies with adequate protection against insensitive engineering works that could result in unacceptable ecological impacts.	No river engineering works (i.e. canalisation etc) are proposed.	n/a
	Env\16 - Water Catchment Areas	To ensure that discharges or impacts from developments do not contaminate water bodies or affect their ecological status.	SUDS will be incorporated into the design of the proposed scheme.	n/a
	Gen\8 - Flooding	To ensure that developments likely to increase the risk of flooding or be at risk from flooding themselves are properly considered, and to introduce 'softer' methods of flood risk management wherever possible.	The proposed scheme is not predicted to raise any flooding issues.	n/a
	Inf\4B - Surface Water Drainage Standards: Sustainable Urban Drainage Systems (SUDS)	To address pollution and flooding problems which may result from directly discharging surface water into sewers and watercourses.	SUDS will be incorporated into the design of the proposed scheme.	n/a
Contaminated Land	Gen\7 - Contaminated Land	To support new development on contaminated land, thereby effectively reducing the number of such sites within Aberdeenshire whilst ensuring public health and safety is not compromised.	Areas of potential contaminated land have been identified and contaminated material will be treated or removed and the areas adequately remediated prior to works commencing..	n/a

Aberdeen Western Peripheral Route

Environmental Statement 2007

Part B: Northern Leg

19.6 References

Aberdeen and Aberdeenshire Structure Plan 2001 – 2016 (2001). North East Scotland Together – NEST.

Aberdeen City District-Wide Local Plan (1991). Aberdeen City Council.

Adopted Aberdeenshire Local Plan (2006). Aberdeenshire Council.

Circular 10/1999 Planning & Noise. The Scottish Office Development Department. Crown Copyright.

Circular 15/1999 The Environmental Impact Assessment (Scotland) Regulations 1999. The Scottish Office Development Department. Crown Copyright.

Circular 18/1987 (amended by 29/88, 25/94) Development Involving Agricultural Land. The Scottish Office Development Department. Crown Copyright.

Circular 21/1991 Planning and Compensation Act 1991 Land Compensation and Compulsory Purchase. The Scottish Office Development Department. Crown Copyright.

Circular 22/1991 Planning and Compensation Act 1991. The Scottish Office Development Department. Crown Copyright.

Circular 24/1985 (amended by NPPG3) Development in the Countryside and Green Belts. The Scottish Office Development Department. Crown Copyright.

Circular 3/2003 Environmental Impact Assessment (Water Management) (Scotland) Regulations 2003. Scottish Executive Development Department. Crown Copyright.

Circular 4/2003 Title Conditions (Scotland) Act 2003: Consequential Amendments to Planning and Compulsory Purchase Legislation. Scottish Executive Development Department. Crown Copyright.

Circular 8/2002 Control of Development in Airport Public Safety Zones. Scottish Executive Development Department. Crown Copyright.

Finalised Aberdeen Local Plan: Green Spaces - New Places (2004 with Proposed Changes 2005). Aberdeen City Council.

NPPG 5: Archaeology and Planning (January 1994). The Scottish Office Development Department. Crown Copyright.

NPPG14: Natural Heritage (January 1999). The Scottish Office Development Department. Crown Copyright.

NPPG15: Rural Development (February 1999). The Scottish Office Development Department. Crown Copyright.

NPPG17: Transport and Planning (April 1999). The Scottish Office Development Department. Crown Copyright.

NPPG18: Planning and the Historic Environment (April 1999). The Scottish Office Development Department. Crown Copyright.

Aberdeen Western Peripheral Route

Environmental Statement 2007

Part B: Northern Leg

PAN 42 Archaeology- the planning process & scheduled monument procedures (1994). The Scottish Office Development Department. Crown Copyright.

PAN 47 Community Councils and Planning (1996). The Scottish Office Development Department. Crown Copyright.

PAN 50 Controlling the Environmental Effects of Surface Mineral Workings (1996). Annex D: The Control of Blasting at Surface Mineral Workings. The Scottish Office Development Department. Crown Copyright.

PAN 51 Planning & Environmental Protection (1997). The Scottish Office Development Department. Crown Copyright.

PAN 56 Planning and Noise (1999). The Scottish Office Development Department. Crown Copyright.

PAN 57 Planning for Transport (2004). Scottish Executive Development Department. Crown Copyright.

PAN 58 Environmental Impact Assessment (1999). Scottish Executive Development Department. Crown Copyright.

PAN 60 Planning for Natural Heritage (2000). Scottish Executive Development Department. Crown Copyright.

PAN 61 Planning and Sustainable Urban Drainage Systems (July 2001). Scottish Executive Development Department. Crown Copyright.

Planning Advice Note (PAN) 40 Development Control (Revised March 2001). Scottish Executive Development Department. Crown Copyright.

Scottish Transport Appraisal Guidance STAG. (September 2003). Scottish Executive Development Department. Crown Copyright.

SPP1: The Planning System (November 2002). Scottish Executive Development Department. Crown Copyright.

SPP2: Economic Development (November 2002). Scottish Executive Development Department. Crown Copyright.

SPP7: Planning and Flooding (February 2004) Scottish Executive Development Department. Crown Copyright.

This Common Inheritance: Britain's environmental strategy. Presented Sessional Paper (September 1990). Subsequent Sessional Papers 1991-1992.