

## **34 Policies and Plans**

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

The proposed scheme has been assessed in terms of compliance with the relevant plans, policies and guidance at a national, regional and local level. Appropriate mitigation measures to ameliorate the identified adverse impacts have been carefully formulated in accordance with relevant policy and guidance, but there are potential impacts in terms of the water environment, cultural heritage, landscape and visual impacts, ecology and access in particular, which conflict with planning policy. However, the proposed scheme as a major infrastructure development within the Green Belt is supported within the Structure Plan and Aberdeen City Local Plan (both Adopted and Finalised). The Aberdeenshire Local Plan, whilst not containing policies supportive of locating the development within the Green Belt, does include supportive transport and infrastructure policy.

### **34.1 Introduction**

- 34.1.1 This chapter addresses the implications of the proposed scheme in the context of national, regional and local planning policies.
- 34.1.2 The Scottish planning policy legislative framework is provided by the 'Town and Country Planning (Scotland) Act 1997' and the 'Planning and Compensation Act 1991'. Underpinning this legislation is the general principle that decisions on development and land use planning should be taken at the most local administrative level wherever possible.
- 34.1.3 The Scottish Executive influences the planning system through legislation, White Papers, National Planning Policy Guidelines (NPPGs), Circulars, Planning Advice Notes (PANs), 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), which identify key priorities for the planning system in respect of various aspects of land use. These documents are material considerations to be taken into account in the consideration of planning applications and other development proposals.
- 34.1.4 In terms of transport policy, the Scottish Executive published a Transport White Paper in 2004 (Scotland's Transport Future). The Executive also produces the Scottish Transport Appraisal Guidance (STAG), and it is a requirement that all transport projects, for which Scottish Executive support or approval is required, are appraised in accordance with this guidance. 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 Aberdeen Western Peripheral Route (AWPR) was highlighted in the STAG appraisal as a key element in the integrated transport strategy called the Modern Transport System (MTS). The outcome of the appraisal was that an integrated transport system incorporating a package of measures performed better in addressing the objectives of the MTS and existing congestion and traffic problems and demonstrated the need for provision of the AWPR. A STAG assessment is not required as part of this Environmental Impact Assessment (EIA), however details regarding the STAG assessments that have been undertaken are provided in Chapter 2 (Need for the Scheme) and Chapter 3 (Alternatives Considered).
- 34.1.5 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.
- 34.1.6 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.

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34.1.7 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. In this regard, the route of the proposed Southern Leg crosses the administrative boundary of two authorities, namely Aberdeen City Council and Aberdeenshire Council. Further discussion on the impact of the proposed scheme on development land allocations is also provided in Chapter 22 (Land Use).

### **34.2 Approach and Methods**

34.2.1 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.

34.2.2 This chapter:

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

### **34.3 Summary of Policies and Plans**

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

#### **National Policies**

34.3.2 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).

34.3.3 Paragraph 4.28 – 4.29 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.

34.3.4 STAG, published by the Scottish Executive, is specifically designed to aid transport planners and decision-makers in the development of transport policies, plans, programmes and projects.

34.3.5 It is a requirement that all transport projects, for which Scottish Executive support or approval is required, are appraised in accordance with this guidance. All major road projects are required to be subject to a full STAG appraisal.

34.3.6 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;

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

- 34.3.7 Details regarding the STAG assessments that have been undertaken are provided in Chapter 2 (Need for the Scheme) and Chapter 3 (Alternatives Considered).
- 34.3.8 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.
- 34.3.9 Paragraph 71 of the 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, ...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 AWPR project.
- 34.3.10 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 34.1, with a brief summary of each of these documents in Appendix A19.1.

**Table 34.1 – 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 SPP1 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.

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Policy	Title	Details
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.

34.3.11 In addition, PANs support the 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 34.2 and a summary of each is provided in Appendix A19.2.

**Table 34.2 – Relevant Planning Advice Notes**

Policy	Title	Overview
PAN 40	Development Control (Revised March 2001)	Provides detailed guidance on the procedures involved in the Development Control process, including a 'best practice' guide
PAN 42	Archaeology- the Planning Process and Scheduled Monument Procedures (1994)	This PAN supports NPPG 5: 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.
PAN 47	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 51	Planning and Environmental Protection (2006)	Supports existing policy on the role of the planning system in relation to environmental protection regimes, including pollution prevention and control, protection of the water environment and contaminated land amongst others.
PAN 56	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.
PAN 58	Environmental Impact Assessment (1999)	Provides an overview of the EIA process, together with guidance on the role and implementation of Environmental Statements.
PAN 60	Planning for Natural Heritage (2000)	This PAN supplements NPPG 14: National Heritage, 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'.

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Policy	Title	Overview
PAN 61	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.
PAN 65	Planning and Open Space (2003)	This PAN supports NPPG 11: 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.
PAN 69	Planning and Building Standards Advice on Flooding (2004)	Provides supplementary guidance and best practice advice in support of SPP 7: 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: Planning for Transport, 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.

**Strategic and Local Guidance**

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

Aberdeen City Council Area

- Aberdeen and Aberdeenshire Structure Plan 2001 – 2016 North East Scotland Together (NEST), Approved December 2001;
- Aberdeen City District - Wide Local Plan, Adopted September 1991; and
- Finalised Aberdeen Local Plan: Green Spaces - New Places, published August 2004, and Proposed Modifications, published August 2005.

Aberdeenshire Council Area

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

34.3.13 Policies and plans of relevance to the southern leg of the proposed scheme are listed in Tables 34.3 to 34.6.

**Strategic Planning Policy**

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

34.3.14 NEST was approved in December 2001 and sets out a shared strategic statement about the future use of land in the North East of Scotland.

34.3.15 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.

34.3.16 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,

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and, in particular, provides an indicative location for the Western Peripheral Route. Figure 1 of the Structure Plan contains the Strategic Diagram which indicates that the proposed route is a 'Major Communications and Development Corridor'.

- 34.3.17 In relation to the main communications network within the North East of Scotland, 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'.
- 34.3.18 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'.
- 34.3.19 Furthermore, in relation to transport infrastructure, Policy 32 states that land identified in Local Plans will be safeguarded for transport proposals. 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 will not be permitted.
- 34.3.20 The Key Diagram of the Structure Plan (Page 65) 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 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'.
- 34.3.21 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 34.3.

#### **Local Planning Policy**

##### Aberdeen City District-Wide Local Plan 1991

- 34.3.22 The Adopted Local Plan for the Aberdeen City Council area is the Aberdeen City District-Wide Local Plan (September 1991).
- 34.3.23 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.
- 34.3.24 The proposed route of the southern leg is located within the designated Green Belt where Policy GB1 states that there is 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 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.
- 34.3.25 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 34.4.

##### Finalised Aberdeen Local Plan: Green Spaces, New Places 2004

- 34.3.26 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

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Finalised Local Plan has been the subject of a Local Plan Inquiry with the Reporter's findings to be published later this year and the Council anticipates that the plan will be adopted by mid-2007.

- 34.3.27 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.
- 34.3.28 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 AWPR 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'.
- 34.3.29 The Proposals Map of the Finalised Local Plan identifies an indicative line for the AWPR, which illustrates the proposed route as it stood in March 2004. 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'. The route of the proposed scheme has evolved through the ongoing design process. Within the Aberdeenshire area, the Southern Leg of the proposed AWPR would follow an alignment to the south of that indicated on the proposals map to enter the area of Aberdeen City to the west of the settlement of Milltimber rather than to the east as indicated. The proposed scheme would then follow an alignment to the west of the route indicated towards the settlement of Kingswells and the commencement of the Northern Leg.
- 34.3.30 Paragraph 3.64.1 recognises that the AWPR should free up road capacity in the urban area. This would result in 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 vital for appropriate, sustainable development.
- 34.3.31 Policy 72: Land for Transport Proposals also safeguards land for transport purposes, including a park and ride site, railway land and an airport hotel.
- 34.3.32 The Proposals Map also designates the route of the proposed 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.
- 34.3.33 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 34.5.

#### Aberdeenshire Local Plan (2006)

- 34.3.34 As stated above, the Local Plan for the Aberdeenshire Council area is the Aberdeenshire Local Plan which was adopted in June 2006.
- 34.3.35 Policy Inf\12 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 Inf\12, it is stated that '...principal

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amongst these sites are the preferred routes for the Western Peripheral Route'. Indeed, Appendix 14 of the Local Plan shows the 'preferred route' of the AWPR as it stood at March 2004.

- 34.3.36 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 Southern Leg, and as stated above in paragraph 34.3.29, the route of the proposed scheme has evolved through the ongoing design process. Within the Aberdeenshire area, the Southern Leg of the proposed AWPR would follow an alignment to the south of that indicated to then enter the area of Aberdeen City to the west of the settlement of Milltimber rather than to the east as indicated. The proposed scheme would then follow an alignment to the west of the route indicated towards the settlement of Kingswells and the commencement of the Northern Leg.
- 34.3.37 The proposed route of the AWPR is located within the Green Belt where Policy Gen\13 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.
- 34.3.38 In addition to transport and Green Belt policies, Table 34.6 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**

- 34.3.39 The Design Manual for Roads and Bridges (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 Authorities on the impact of the preferred route on planning policy objectives. As previously detailed, the preferred route passes through the administrative control of two planning authorities namely, Aberdeen City Council and Aberdeenshire Council. In accordance with the requirements of DMRB, each Council was contacted in relation to the above objectives. Both planning authorities have provided views on the environmental issues associated with the proposed scheme but have not expressly provided views in relation to the impact of the proposed scheme upon planning policy objectives.

### **34.4 Assessment of Compliance**

- 34.4.1 The Southern Leg of the proposed AWPR has been assessed in terms of whether would comply or conflict with the relevant plans, policies and guidance, discussed in section 34.3 above.

#### **Infrastructure and Transport**

- 34.4.2 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) are also supportive of the AWPR as a key potential transport route.
- 34.4.3 The provision of the Southern 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.
- 34.4.4 The infrastructure and transport policies are supportive of the proposed scheme and no conflict has been identified.



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#### **Sustainability**

- 34.4.5 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.
- 34.4.6 Through the EIA process, mitigation measures have been incorporated into the proposals to reduce the environmental impact of the scheme and where possible provide enhancement. At the same time, the proposed development would 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. The Southern Leg is, however, a major infrastructure development supported by policies contained in the Structure and Local Plan. No conflict with sustainability policies has been identified.

#### **Cultural Heritage**

- 34.4.7 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).
- 34.4.8 With the implementation of appropriate mitigation including geophysical surveys and trial trenching prior to works commencing, it is not envisaged that there will be significant direct impacts upon sites of cultural heritage importance.
- 34.4.9 Specific mitigation measures for landscape and visual impacts have not been fully detailed, therefore, it is not possible to assess the level of indirect residual impact significance on a site by site basis. However, there is potential for significant adverse impacts upon the setting of, and views from, several sites of cultural heritage significance, including two SAMs and two proposed SAMs.
- 34.4.10 The proposed scheme potentially conflicts with cultural heritage policies as there could be residual impacts upon identified sites of cultural heritage importance.

#### **Ecology and Nature Conservation**

- 34.4.11 Planning policies at all levels require the protection of sites of international, 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 or Ramsar site and a nationally important Site of Special Scientific Interest (SSSI) as well as protected species or valuable habitats, unless the benefits of the development outweighs the area's nature conservation value.
- 34.4.12 The proposed scheme would cross the internationally designated River Dee SAC. Extensive mitigation will be implemented to minimise the risk of impacts on this feature. Cleanhill Wood and Kingcausie is an important area that supports diverse woodland and parkland habitats and includes protected species: otters, red squirrels and bats. In this location, the proposed scheme would be likely to result in potential impacts that include habitat loss and fragmentation. Other sensitive areas where impacts on nature conservation are potentially significant include Hare Moss, where road drainage might potentially affect the hydrology of the moss. The proposed scheme might also create fragmentation impacts on existing woodland areas north of the Dee.
- 34.4.13 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.

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- 34.4.14 Despite mitigation, it is envisaged that the proposed scheme would result in residual impacts including habitat fragmentation and loss.
- 34.4.15 Elements of the proposed scheme conflict with planning policy, specifically where there would be impacts on existing UKBAP habitats resulting in habitat fragmentation, severance and loss. Further potential impacts are discussed within Chapter 25 (Ecology and Nature Conservation).

#### **Green Belt**

- 34.4.16 The proposed scheme would pass through land designated as Green Belt, in which there is a general presumption against development. NEST, which sets the framework for local plan policy, recognises that adjustments to the Green Belt are necessary to allow for the development of other plan policies, such as the AWPR, which due to locational and operational criteria cannot be accommodated outwith the Green Belt designation.
- 34.4.17 The adopted Aberdeen City District Local Plan (1991) and the Finalised Aberdeen Local Plan with modifications (2005) both state that there will be an embargo on all development within the Green Belt unless it concerns uses which must be located in the countryside, those directly related to nature conservation or to uses already existing in the Green Belt. Appropriate uses listed include the provision of utilities whereby because of the nature of the requirement of the utility as part of its normal operations, development cannot take place other than within the Green Belt. Again, the AWPR due to locational and operational criteria cannot be accommodated outwith the Green Belt. In addition, these Local Plans state that infrastructure development which cannot be accommodated other than in the Green Belt may be permitted, if identified in, and wholly compatible with, the Development Plan.
- 34.4.18 Infrastructure development is not identified as an acceptable use of the Green Belt within the adopted Aberdeenshire Local Plan (2006). However, separate provision is made for the principle of the AWPR and Appendix 14 of the document indicates a proposed route which is located within the Green Belt.
- 34.4.19 It can be considered that the Southern Leg of the proposed AWPR is broadly compatible with Green Belt policy.

#### **Land Use**

- 34.4.20 Policies require the protection of quality 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 3.1 or above), or the importance of development outweighs its agricultural value. Overall, the Southern Leg of the proposed AWPR would incorporate a total loss of 154.51ha of agricultural land. However, there would be no loss of prime agricultural land of Grade 1, 2 or 3.1 as a result of the development of the proposed scheme.
- 34.4.21 Planning policies also require the protection and enhancement of recreational areas. The Southern Leg has been designed so that areas designated as country, city or local parks have been avoided. Recreational / community areas affected are predominantly woodlands and associated footpaths, and this will be mitigated through proposed new planting which will overall provide a net gain of woodland within the scheme extents. Further discussion on the impact on land use is provided in Chapter 22 (Land Use).
- 34.4.22 No significant conflicts with agricultural land and recreation use policies are envisaged.

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##### **Public Access**

- 34.4.23 The protection and enhancement of pedestrian, cyclist and equestrian access routes are 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, over bridges and underpasses, although, overall the amenity value in these locations would be reduced due to the proximity of the new road.
- 34.4.24 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 (2002) and Proposed Modifications (2005) and the adopted Aberdeenshire Local Plan (2006).

##### **Landscape and Visual**

- 34.4.25 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.
- 34.4.26 Landscape and Visual impacts of the proposed scheme have been assessed in Chapters 26 and 27 respectively. A landscape assessment has been undertaken as part of the proposals and landscape mitigation is proposed which is sympathetic to landscape features and character.
- 34.4.27 There would be substantial impacts on the landscape character at areas along the Southern Leg, in particular the Dee Valley, as a result of the proposed scheme. Whilst impacts on landscape character cannot be wholly avoided, appropriate mitigation measures such as landscape planting will be provided to reduce the level of impact.
- 34.4.28 Conflict with policies which seek to protect landscape character is envisaged.

##### **Water Resources / Pollution**

- 34.4.29 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. Planning policy requires that any development that generates surface runoff likely to affect watercourses is to be treated using Sustainable Urban Drainage Systems (SUDS).
- 34.4.30 Despite the implementation of mitigation such as SUDS drainage design and best practice to prevent pollution during construction and operation of the scheme, significant adverse impacts on the water environment could remain. These mostly relate to changes in geomorphology arising from culverting and/or realignment of the numerous watercourses affected by the route. For this reason, it is envisaged that the proposed scheme may potentially conflict with water management policies.

##### **Air Quality**

- 34.4.31 Policies have the objective of an improvement in air quality and require that development does not exacerbate a recorded air pollution problem identified in the Local Air Quality Strategies. The Finalised Aberdeen City Local Plan states that the problems associated with the Air Quality Management Area (Nitrogen Dioxide) Order made in 2001, (which is outside the study area), could be potentially reduced by the implementation of the AWPR by removing much of the through traffic from the area affected.
- 34.4.32 Across the wider area the impacts of the proposed scheme would range from Moderate adverse to Substantial beneficial and most of the adverse effects would be close to the proposed scheme

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where relatively few people live. Beneficial air quality impacts are expected across much of the city, including the Air Quality Management Area, and also near to roads outwith the city that would be relieved by the proposed scheme.

34.4.33 An increased number of people would benefit from improved air quality than would suffer worsened air quality. Even where air quality is worsened, it would remain very good by national standards.

34.4.34 No conflict with air quality planning policies is, therefore, envisaged.

#### **Contaminated Land**

34.4.35 The main evidence of contamination along the proposed scheme corridor is the former Brodaich Quarry which lies adjacent to the proposed route and has been backfilled with a material of an unknown type. A further quarry which is shown on the OS map as two water bodies is located at Whistlebrae. Outside of the land directly required for the proposed scheme, but within the study area, can be found two further quarries and a landfill operation. Bankhead Landfill is noted to have been filled under licence in 1998 with inert waste and then domestic and commercial waste from 2004. Fairley Quarry and Gairnhill Quarry have also potentially been backfilled with a material of unknown nature.

34.4.36 The proposed scheme is not anticipated to have any direct interaction with areas of contamination located away from the proposed scheme. However any areas of potentially contaminated land identified along the corridor of the Southern Leg will be adequately remediated through mitigation, as discussed in Chapter 23 (Geology, Contaminated Land and Groundwater).

34.4.37 The residual impact is, therefore, assessed as Slight (beneficial) where any existing contaminated land will be treated and removed as a result of the proposed scheme. No conflict with contaminated land policies is envisaged.

### **34.5 Overall Compliance**

34.5.1 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, the water environment, ecology and public access in particular have been identified. These residual impacts conflict with planning policy to a greater or lesser extent. Nonetheless, the AWPR as a major infrastructure development within the Green Belt is supported within the Structure Plan and Aberdeen City Local Plan (both Adopted and Finalised). Furthermore, the Aberdeenshire Local Plan, while not containing policies supportive of locating the development within the Green Belt, does include an indicative route of the AWPR and is supportive transport and infrastructure policy.

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**Table 34.3 – 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. Aberdeen and Aberdeenshire Councils will encourage the Trunk Roads Authority and other agencies to improve road infrastructure both in and outside the Structure Plan area. The Local Authorities will bid for funds and press other agencies to invest in transport infrastructure and services.	The Southern Leg of the proposed AWPR supports the development framework by enabling more accessible locations for future development. The development aims to contribute towards a modern transport system and will reduce congestion.	n/a
	32 – Transport Infrastructure: Safeguarding Land and Minimising Environmental Impacts	Land identified in Local Plans will be safeguarded for transport proposals that contribute to the modern transport system (including the AWPR). The Best Practicable Environmental Option not entailing excessive cost will be required to mitigate the impacts 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.	Adverse impacts on cultural heritage sites have been reduced where possible by the implementation of appropriate mitigation.	Significant impacts on the setting on several cultural heritage features is possible, although will be mitigated through development of detailed mitigation.

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Topic	Policy	Purpose	Compliance	Conflict
Ecology and Nature Conservation	19 – Wildlife, Landscape and Land Resources	<p>International Designations: Development which would have an adverse effect on a Natura 2000 or Ramsar site will only be permitted where there is no alternative solution and there are imperative reasons of over-riding public interest, including those of a social, environmental or economic nature.</p> <p>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.</p> <p>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.</p> <p>Where development is allowed, appropriate measures shall be taken to conserve and enhance the sites ecological, geological or geomorphological interest.</p> <p>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.</p>	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.	Significant residual impacts include habitat fragmentation and loss at Hare Moss, Cleanhill Wood, Kingcausie, Milltimber Wood, Guttrie Hill Wood and Rotten O'Gairn District Wildlife Site.
Green Belt	27 – Development in the Green Belt	The area of the 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 contained within the Structure Plan

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Topic	Policy	Purpose	Compliance	Conflict
	28 – Development in the Green Belt	Clarifies the types of development that may be permitted within the Green Belt. Local Plans may identify opportunity sites for sport, recreation and countryside uses and other such uses appropriate to the rural character of the area where specific locational or operational criteria mean that they cannot be accommodated within the existing urban area or within areas outwith the Green Belt designation.	n/a	Due to locational and operational criteria the AWPR cannot be located outwith the Green Belt designation.
Public Access	17 – Countryside and Open Space Access	Local Plans should 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 to minimise the detrimental impact upon 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 would be an increase to journey lengths for some pedestrians and other users where the proposed scheme severs existing paths. The visual, air quality and noise impacts combined would have a substantial impact on amenity at many of these locations.
Landscape and Visual Impact	19 – Wildlife, Landscape and Land Resources	Development which would have an adverse effect on Areas of Landscape Significance or other sites identified in Local Plans 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 site's ecological, geological or geomorphological interest.	Appropriate mitigation measures including careful alignment and planting will be implemented.	There is an Area of Landscape Significance south of the Dee. The Dee Valley has been assessed as of high sensitivity. With the implementation of mitigation measures the residual impact during the summer 15 years after opening has been assessed as Substantial to Severe adverse.
Water Resources / Pollution	22 – Water Management	Development shall be directed away from areas at significant risk of flooding. Functional floodplains should be allowed to flood naturally where appropriate. Developments shall also be sited and designed to protect the natural heritage value of 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.	SUDS has been incorporated into the scheme design and best practice will be implemented during construction.	The numerous culverts and realignments proposed will have a significant adverse effect on geomorphology.

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**Table 34.4 – 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	The City Council will support road construction and improvements where it can be demonstrated that these are justified in terms of relieving congestion and improving environmental considerations.	It is anticipated that the proposed scheme will improve environmental conditions in those areas where there will be a relief from congestion.	n/a
	Paragraph 8.2.4 – Roads Schemes Supported by the Local Plan	The City Council supports and encourages the creation of the Western Peripheral Route.	The route of the proposed scheme has changed since the publication of the Adopted Local Plan; however the implementation of the AWPR is supported by this Policy.	n/a
Cultural Heritage	Paragraph 10.1.1 – Urban Conservation and Townscape	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.	Adverse impacts on cultural heritage sites have been reduced, where possible by the implementation of appropriate mitigation.	Significant impacts on the setting on several cultural heritage features is possible, although will be mitigated through development of detailed mitigation.
	Paragraph 10.2.15 – Proposals Affecting the Setting of Scheduled Ancient Monuments	The Council will resist development proposals which adversely affect the setting of Scheduled Ancient Monuments.	No Scheduled Ancient Monuments will be directly affected by the proposed scheme.	There may be adverse impacts on the settings of two Scheduled Ancient Monuments and two proposed Scheduled Ancient Monuments.
	Paragraph 10.2.16 – Access for Site Investigations	The Council will encourage owners or developers of archaeological sites to provide adequate opportunity for site investigations with the purpose of recording archaeological features.	Adverse impacts on cultural heritage sites have been reduced where possible by the implementation of suitable mitigation which includes as appropriate site investigations and 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.	Significant residual impacts include habitat fragmentation and loss at Hare Moss, Cleanhill Wood, Kingcausie, Milltimber Wood, Guttrie Hill Wood and Rotten O'Gairn District Wildlife Site.



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Topic	Policy	Purpose	Compliance	Conflict
Green Belt	GB1 – Green Belt Areas	Stresses there will be an embargo against all development unless it concerns uses which must be located in the countryside, those directly related to nature conservation or to uses already existing in the Green Belt. Appropriate development in the Green Belt is listed and includes the provision of utilities; where because of the nature of the requirement of the utility as part of its normal operations development cannot take place other than within the Green Belt.	n/a	Due to locational and operational criteria the AWPR cannot be located outwith the Green Belt designation.
	GB2 – Countryside Around Town Areas	States that there will be an embargo against development within such areas designated as Countryside Around Town Areas, except in the case of a land use which may be permitted under GB1.	n/a	Due to locational and operational criteria the AWPR cannot be located outwith the Green Belt designation.
Land Use	Paragraph 6.2.1 – Recreational Areas	The City Council will 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 Southern Leg of the proposed AWPR has been designed to avoid areas designated as country, city and local parks. Any impact on recreational uses will be mitigated through the provision of planting, which will result in a net gain of planting within the scheme extents.	n/a

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Topic	Policy	Purpose	Compliance	Conflict
Land Use Continued	Paragraph 6.2.6 – Open Space	Open spaces within the urban area such as formal parks and gardens, playing fields, children’s play areas, allotments, walkways etc will continue to be protected from development other than those which are related to recreational usage.	The Southern Leg of the AWPR has been designed so that open spaces 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 proposed is in conformity with the Structure and Local Plan.	No quality agricultural land of Grade 1, 2 or 3.1 would be affected by the proposed scheme, plus the development is in accordance with other policies in the Structure and Local Plan.	None
	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 of trees or individual trees which are considered to be of importance either 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. Mitigation planting results in a net gain of planting within the scheme extents.	n/a
Landscape and Visual Impact	Paragraph 9.2.10 – Areas of Landscape Value	The City Council will endeavour to protect and enhance the landscape, determine areas of special landscape quality and afford these areas appropriate protection.	The Southern Leg of the proposed AWPR 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.
	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.	The Southern Leg of the proposed AWPR 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.
	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 indirect impacts include improving the landscape fit of the scheme through the return of adjacent land to agriculture, and landscape planting. Landscape mitigation is proposed within the scheme design.	The proposed scheme may affect the setting of several listed buildings, although impacts will be reduced through the development of detailed mitigation measures.

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**Table 34.5 - Relevant Policies of the Finalised Aberdeen Local Plan – Green Spaces – New Places (2004)**

Topic	Policy	Purpose	Compliance	Conflict
Infrastructure and Transport	73 – The Western Peripheral Route	The City Council will work with the Scottish Executive to confirm and safeguard the road alignment. The final design of the road should represent the best practicable option not entailing excessive cost.	The development of the AWPR is supported by this Policy and a STAG appraisal considered a number of route options and the environmental and cost implications of each.	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 Southern Leg of the proposed AWPR would be a major infrastructure development and provide 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	16 – Archaeology and Planning	The Council will refuse planning permission for development that would adversely affect any Scheduled Ancient Monument or other nationally important site or their setting. Where a proposed development is otherwise acceptable, the developer must make provision for appropriate recording prior to works commencing.	No Scheduled Ancient Monuments or nationally important sites would be affected by the proposed scheme.	None.

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Topic	Policy	Purpose	Compliance	Conflict
	Historic Gardens and Landscapes (New policy proposed within Proposed Changes August 2005)	Development that would have an adverse effect on the character or setting of a site listed on the Inventory of Gardens and Designed Landscapes will be refused, unless the objectives and overall integrity of the designation will not be compromised and significant adverse effects are clearly outweighed by social, economic and strategic benefits of national importance. In either case appropriate mitigation must be taken.	Adverse impacts on cultural heritage sites have been reduced, where possible by the implementation of appropriate mitigation.	With the implementation of appropriate mitigation there would be Slight residual impacts upon Site 156 (Kingcausie House Designed Landscape) which is of regional 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 is refused unless the public benefits outweigh the ecological value of the site, and that no suitable alternative sites are available. For regional and local designations, steps must be taken to mitigate adverse 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 to those in the Local Biodiversity Action Plan except where benefits outweigh 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.	Significant residual impacts include habitat fragmentation and loss at Hare Moss, Cleanhill Wood, Kingcausie, Milltimber Wood, Guttrie Hill Wood and Rotten O’Gairn District Wildlife Site.
Green Belt	27 – Green Belt	Stresses that there will be an embargo against all development within the Green Belt unless it concerns uses for which a countryside location is essential. Appropriate development within the Green Belt is listed as agriculture, forestry, outdoor recreation, mineral extraction or restoration and landscape renewal, expansion of existing activities, indoor sports and institutional uses on specific identified opportunity sites and 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 AWPR is an infrastructure development which due to locational and operational criteria cannot be located outwith the Green Belt. The implementation of the AWPR is also supported by other policies contained within the Finalised Local Plan.	n/a

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Topic	Policy	Purpose	Compliance	Conflict
Land Use	28 – Green Space Network	To provide a Green Space Network within Aberdeen with a linked and enhanced leisure, recreation and green space resource. Other policies such as Policy 27 still apply but Policy 28 adds a further layer of protection and advocates landscape, wildlife, recreational, landscape and access value of the Green Space Network. Development that destroys or erodes the character and function of the Green Space Network will not be permitted. Where major infrastructure development necessitates crossing the Green Space Network, such development shall take into account as far as practicable, the coherence of the Network.	The proposed AWPR is an infrastructure development which due to locational and operational criteria cannot be located outwith the Green Belt.	The proposed scheme would affect community land predominately woodland; however mitigation planting would result in a net gain of planting within the scheme extents.
	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. Mitigation measures which will contribute to biodiversity targets result in a net gain of planting within the scheme extents.	n/a
Public Access	67 – Pedestrian and Public Transport to Development	Developments should be linked by the most direct, attractive, safe and secure pedestrian links possible to potential trip sources of 800m of the development.	With mitigation the proposed scheme will not close any key routes.	There would 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 would have an adverse impact on amenity at many of these locations even with proposed landscape mitigation.

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Topic	Policy	Purpose	Compliance	Conflict
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 due cognisance of 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 proposed scheme.	n/a
	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.	Mitigation to reduce impacts on landscape character include 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 and replacement of mature trees. The loss of woodland will be mitigated through the provision of replacement woodland planting.	There would be Substantial impacts on landscape character and Substantial visual impacts as a result of the proposed scheme. There would also be a loss of woodland; however mitigation planting would result in a net gain of planting within the scheme extents.
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 capacity of the flood plain, harm flood defences, fail to provide access to watercourses for maintenance or is itself at risk of flooding.	The Southern Leg is not predicted to raise any flood issues.	n/a

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**Table 34.6 – Relevant Policies of the Adopted Aberdeenshire Local Plan (2006)**

Topic	Policy	Purpose	Compliance	Conflict
Infrastructure and Transport	Inf\1 – Roads and Accesses	A new road will be approved if it is designed to be safe, convenient for pedestrians, cyclists and public transport, resource efficient, and cause minimal impact on the character of the site and surrounding area, satisfactory arrangements are made for its subsequent maintenance and a transport assessment shows that the development and any mitigation measures proposed will not have significant transport impacts on existing transport infrastructure or services.	The Southern 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 contained within the Structure and Local Plans and an indicative route of the AWPR is provided within Appendix 14.	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.	The proposed scheme is supported by this Policy.	n/a
Sustainability	Gen\1 – Sustainability Principles	Development will be assessed against sustainability indicators that relate to the local environment, community and economy.	The southern 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	All works which would have a detrimental effect on the character, integrity or setting of a Listed Building will be refused listed building consent / planning permission.	No Listed Buildings will be directly affected.	The proposed scheme may affect the setting of several listed buildings, although impacts will be reduced through the development of detailed mitigation measures.

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Topic	Policy	Purpose	Compliance	Conflict
Cultural Heritage Continued	Env\19 – Archaeological Sites and Ancient Monuments	Development which would have an adverse effect on an Ancient Monument or other archaeological site of either national or local importance or on their settings will be refused unless there are imperative reasons of overriding public interest or there is no alternative site.	No Scheduled Ancient Monuments or national sites would be directly affected by the proposed scheme. Adverse impacts on local cultural heritage sites have been reduced, where possible by the implementation of appropriate mitigation.	Significant impacts on the setting on several cultural heritage features is possible, although will be mitigated through development of detailed mitigation.
	Env\20 – Historic Gardens and Designed Landscapes	Development that would have an adverse effect on the character or setting of a Historic Garden or Designed Landscape will be refused, unless the overall integrity and character of the designated area will not be compromised and any significant adverse effects are clearly outweighed by social, strategic and economic benefits and appropriate mitigation is taken.	Adverse impacts on cultural heritage sites have been reduced, where possible by the implementation of appropriate mitigation.	With the implementation of appropriate mitigation there would be Slight residual impacts upon Site 156 (Kingcausie House Designed Landscape) which is of regional importance.
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 overriding 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.	Significant residual impacts include habitat fragmentation and loss at Hare Moss, Cleanhill Wood, Kingcausie, Milltimber Wood, Guttrie Hill Wood and Rotten O'Gairn District Wildlife Site.



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Topic	Policy	Purpose	Compliance	Conflict
Ecology and Nature Conservation Continued	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.	Significant residual impacts include habitat fragmentation and loss at Hare Moss, Cleanhill Wood, Kingcausie, Milltimber Wood, Guttrie Hill Wood and Rotten O'Gairn District Wildlife Site.
	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.	Significant residual impacts include habitat fragmentation and loss at Hare Moss, Cleanhill Wood, Kingcausie, Milltimber Wood, Guttrie Hill Wood and Rotten O'Gairn District Wildlife Site.

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Topic	Policy	Purpose	Compliance	Conflict
Ecology and Nature Conservation Continued	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.	Significant residual impacts include habitat fragmentation and loss at Hare Moss, Cleanhill Wood, Kingcausie, Milltimber Wood, Guttrie Hill Wood and Rotten O'Gairn District Wildlife Site.
Green Belt	Gen\13 – Green Belt	There is a presumption against development within the Green Belt, unless it is necessary for the purposes of agriculture, horticulture, forestry, informal countryside recreation, or mineral and landfill workings, or its uses are directly related to nature conservation and in any of these cases conforms to the design criteria for new development within Aberdeenshire.	The implementation of the AWPR is supported by other policies contained within the Finalised Local Plan and Appendix 14 provides an indication of the route of the proposed scheme.	n/a
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. Mitigation planting results in a net gain of planting within the scheme extents.	n/a

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Topic	Policy	Purpose	Compliance	Conflict
Land Use Continued	Env\11 – Agricultural Land	Development that would cause the permanent loss of productive agricultural land will be refused unless it has been allocated for development in the Plan or the developer demonstrates that its social and economic benefits clearly outweigh the agricultural value of the site and there is no suitable alternative for the development.	No quality agricultural land of Grade 1, 2 or 3.1 would be affected by the proposed scheme, plus the development is in accordance with other policies in the Structure and Local Plan.	None
Public Access	Env\22 – Public Access	Development that would have an adverse effect on any existing or potential public access for walking, cycling or horse riding will be refused unless it retains the existing or potential public access while maintaining or enhancing the amenity value or alternative access is provided which is no less attractive, safe or convenient for the user.	Mitigation has been developed so as not to hinder the development of future core path networks by Aberdeen City and Aberdeenshire Councils. Of the 40 key routes identified for pedestrians, cyclists and equestrians the overall assessment of the proposed scheme is a Slight to Moderate adverse impact.	With mitigation the proposed scheme would not close any key routes but there would 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 would have an adverse impact on amenity at many of these locations even with proposed landscape mitigation.
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, either in part or in whole. In all cases the highest standard of design will be required.	The Southern Leg of the proposed AWPR 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.	The Dee Valley is particularly sensitive and has been assessed as of high sensitivity. With the implementation of appropriate mitigation measures including careful alignment and planting, the residual impact during the summer 15 years after opening has been assessed as Substantial to Severe adverse.
Water Resources / Pollution	Policy Env\15 – Aquatic Engineering Works	Engineering works that would result in the deterioration of the ecological status or potential of a river, wetland, standing, tidal or coastal water or prejudice the ability to restore such water bodies to good ecological status will be refused.	No major aquatic engineering works (i.e. canalisation etc) are proposed.	Culverting and realignments are proposed throughout the route, and may have an adverse residual impact on geomorphology in some locations

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Topic	Policy	Purpose	Compliance	Conflict
Water Resources / Pollution Continued	Policy Env\16 - Water Catchment Areas	Development that would generate discharges or other impacts which would have an adverse effect on the water quality, quantity, flow rate, ecological status, riparian habitat, protected species or flood plains of water bodies including their catchment areas will be refused unless the criteria set out within other environment policies is met.	SUDS have been incorporated into the scheme design and best practice will be implemented during construction.	Kingcausie Burn would be Substantially impacted upon due to its required realignment. During the construction phase Moderate residual impacts have also been identified for the River Dee due to the construction of a bridge and the Blaikiewell Burn due to the movement of plant in its vicinity. Residual impacts of Moderate to Substantial have also been identified for the Burnhead Burn and Crynoch Burn sub-catchment.
	Policy 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 Southern Leg is not predicted to raise any flood issues.	n/a
	Policy 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 water courses.	SUDS will be incorporated into the design of the proposed scheme.	n/a
Contaminated Land	Gen\7 – Contaminated Land	Development on land that is contaminated or suspected of contamination will be approved in principle if the necessary site investigations and assessment are undertaken and effective remedial action is taken to ensure that the site is suitable for the new use.	Areas of contaminated and potentially contaminated land have been identified and contaminated material will be treated or removed and the areas adequately remediated prior to works commencing.	n/a

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**34.6 References**

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