

ABERDEENSHIRE COUNCIL**WOODHILL HOUSE, ABERDEEN, 27 AUGUST, 2015**

Present: Councillors W A Agnew, D R Aitchison, Anne M Allan, P J Argyle, A A Bews, G Blackett, A S Buchan, C C Buchan, G W Carr, R A Cassie, E H Chapman, R J Christie, G J Clark, K L Clark, L Clark, R Cowling, J B Cox, A J C Cullinane, I Davidson, A C Duncan, A Evison, K A Farquhar, M A Findlater, M A Ford, A Gardiner, J N Gifford, A S Grant, I W Gray, A Hendry, F C P Hood, M F Ingleby, J Ingram, P K Johnston, M C Kitts-Hayes, J J Latham, S M Lonchay, C R McKail, F McRae, T Malone, R J Merson, I J Mollison, C H Nelson, A K Norrie, P Oddie, G L Owen, H Partridge, L Pirie, S W Pratt, E A Robertson, M J Roy, W A C Shand, N J Smith, S W Smith, D Stewart, B H Stuart, R G Thomson, B A Topping, H W Vernal, I M Walker and J Webster.

Apologies: Councillors Amanda J Allan, P W Bellarby, J B Dick, W Howatson, D A Ross, I S Tait and M Watt.

Officers: Chief Executive, Director of Business Services, Director of Communities, Director of Education and Children's Services, Director of Infrastructure Services, Head of Finance, Head of Planning and Building Standards, Legal Service Manager (Governance).

CHAIR

Councillor H W Vernal, Provost of the Council, presided.

COUNCILLOR JOANNA STRATHDEE

The Provost spoke with great sadness of the death of Councillor Joanna Strathdee and paid tribute to Councillor Strathdee's service with Aberdeenshire Council since 1999. Councillor Thomson on behalf of The Partnership and Councillor Robertson on behalf of The Alliance then paid their own tributes to Councillor Strathdee.

The Council then observed a minute's silence as a mark of respect for Councillor Strathdee.

1. DECLARATION OF MEMBERS' INTERESTS

The Provost asked members if they had any interests to declare in terms of the Councillors' Code of Conduct. Councillor Webster declared an interest in Item 4 as a member of the Board of Aberdeen and Grampian Chamber of Commerce but did not consider the interest to be substantial and would remain in the meeting during discussion of the item

2. PUBLIC SECTOR EQUALITY DUTY

In making decisions on the following items of business, the Council **agreed**, in terms of Section 149 of the Equality Act, 2010:-

- (1) to have due regard to the need to:-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
 - (c) foster good relations between those who share a protected characteristic and persons who do not share it.

- (2) where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching their decision.

3. FULL PLANNING PERMISSION - NATIONAL FOR 1.4GW INTERCONNECTOR CONVERTOR STATION AND HIGH VOLTAGE ALTERNATING CURRENT (HVAC) CABLE CONNECTION TO PETERHEAD POWER STATION AT SITE AT FOURFIELDS, BODDAM, PETERHEAD (REFERENCE NO. APP/2015/1121)

With reference to the Minute of Meeting of the Buchan Area Committee of 23 June, 2015 (Item 5A), a report by the Director of Infrastructure Services had been circulated requesting consideration of an application for Full Planning Permission - National for a 1.4GW Interconnector Convertor Station and High Voltage Alternating Current (HVAC) Cable Connection to Peterhead Power Station at a Site at Fourfields, Boddam, Peterhead.

The report explained that this was a planning application which was a National Development under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, and was referred to Council under the provisions of Section A16 of the Scheme of Delegation which reserved authority to the Full Council to determine planning applications in such circumstances.

The Head of Planning and Building Standards introduced the application and stated that the proposal involved the installation of a 1.4GW Interconnector which would provide an electricity transmission link between Scotland (Peterhead) and Norway. The Interconnector would allow electricity to be transmitted in either direction across the North Sea, with hydro power from Norway being transferred to Scotland when local renewable sources such as wind power could not meet demand, and vice versa for periods where Norwegian sources needed to be supplemented. The main building would measure 190m long by 58m wide, with a curved roof reaching 26.6m tall at its highest point. The building would be finished with red granite and translucent cladding on the walls while the roof would consist of a "green" roof planted with grass and sedum. The project would have a number of impacts, but appropriate mitigation could be carried out to ensure that the localised impacts were of a level which could be accepted and the development could be delivered without unacceptable adverse impacts on the local community or surrounding environment. The Buchan Area Committee had agreed to confirm in principle their support for the approach taken regarding the application, and had also raised two further issues which the developer had addressed. He advised that the officer recommendation was for approval, subject to conditions.

During discussion, members raised concerns and sought clarification concerning the effects of Electric Magnetic Fields upon fish stock and associated monitoring. The Head of Planning and Building Standards advised that written clarification would be provided to members on this issue.

Thereafter, the Council **agreed**:-

- (1) to GRANT Full Planning Permission, subject to:-
- (a) The following conditions:
1. No development shall take place unless, a full site specific Construction Environmental Management Plan (CEMP) has been submitted to and agreed, in writing, by the Planning Authority in consultation with SEPA and identified consultees. The CEMP should address and include the following details:
 - Schedule of Mitigation
 - Site Waste Management Plan
 - Dust Management Plan

- Drainage Management Plan including specification of wheel/vehicle wash plant and monitoring
- Construction Communications Plan
- Species Specific and Protected Species Management Plan
- Spill Response Plan
- Noise and Vibration Management Plan.

For the avoidance of doubt, further information on the scope of the above details is contained within Informative number 1 of this permission.

Reason: In the interests of the amenity of the area and protecting the natural habitat.

2. No development shall take place unless, an Environmental Management Plan including:

- Detailed method statements for on-going, operational mitigation and environmental controls
- On-going Community Consultation Plan
- Recreation Network Management and Maintenance Plan.

Has been submitted to and agreed, in writing, by the Planning Authority in consultation with SEPA and Infrastructure Services (Environment). The development shall operate in full accordance with the approved Environmental Management Plan during its operational lifespan unless otherwise agreed, in writing, by the Planning Authority.

Reason: In the interests of protecting the natural environment.

3. The rating level of the noise from the development and its associated plant and equipment shall not exceed the measured background noise level by more than 5dB when measured at 3.5 metres from the external façade of any noise sensitive premises. The rating level and background noise level are defined in BS 4142:2014 and the measurement period for assessment is any hourly period, between the hours 0700 to 2300 and any 15 minute period during the hours 2300 and 0700.

Reason: In the interests of the amenity of the area.

4. No development shall take place unless, full details and samples of the finish and specification of materials to be used on the Interconnector Station and associated plant or ancillary buildings have been submitted to and approved, in writing, by the Planning Authority. The building shall thereafter be finished in full accordance with the agreed specification.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

5. No development of the underground cables shall take place unless details and confirmation of the finalised cable route and any associated infrastructure or plant have been submitted to and agreed, in writing, by the Planning Authority. The cable, infrastructure and plant shall then be installed in full accordance with the agreed routing and specification.

Reason: In the interests of the amenity of the area.

6. That the proposed foul and surface water drainage systems shall be carried out in accordance with the approved plans and the building shall not come into operation unless the approved drainage system has been implemented in full, unless otherwise agreed, in writing, with the Planning Authority. Following provision of the drainage system it shall thereafter be maintained by the developers or their successors in accordance with an approved maintenance scheme to be agreed, in writing, with the Planning Authority prior to the operation of the development.

Reason: In order to ensure that adequate drainage facilities are provided, and maintained, in the interests of the amenity of the area.

7. No development shall take place unless, off-street parking for six cars, surfaced in hard standing materials has been provided within the site.

Reason: To ensure the provision of a means of parking to an adequate standard in the interests of road safety.

8. Prior to the commencement of any abnormal load deliveries to the site, the proposed route for any abnormal loads on the trunk road network must be approved by the Planning Authority in consultation with Transport Scotland. Any accommodation measures required including the removal of street furniture, junction widening, traffic management must similarly be approved prior to any abnormal load deliveries.

Reason: To minimise interference and maintain the safety and free flow of traffic on the Trunk Road as a result of the traffic moving to and from the development.

9. No development shall take place on site unless, a Construction Stage Traffic Management Plan has been submitted to and approved, in writing, by the Planning Authority in consultation with Transport Scotland. The Traffic Management Plan shall include details relating to:

- a) Traffic Management measures including accommodation works to manage construction traffic
- b) Measures to minimise traffic impacts on existing road users
- c) Measures to accommodate pedestrians and cyclists
- d) Details of temporary signage
- e) Details of construction vehicle routing.

The developer shall conform with the agreed Construction Stage Traffic Management Plan and shall then carry out the works in line with the agreed specification and all construction traffic associated with the development shall conform to the requirements of the agreed plan.

Reason: To maintain the safety and free flow of the trunk road network.

10. No development shall take place unless, the proposed means of access to the A90 has been constructed to a layout, type and method of construction as agreed with the Planning Authority in consultation with Transport Scotland prior to the commencement of development.

Reason: To minimise interference with the safety and free flow of the traffic on the trunk road.

11. No development shall take place unless, details of wheel washing facilities (or an alternative appropriate solution as agreed, in writing, by the Planning Authority in consultation with Transport Scotland) are agreed, in writing, with the Planning Authority in consultation with Transport Scotland. The agreed plant and facilities shall be provided within the construction site and shall remain in place for the duration of the construction period, unless otherwise agreed, in writing, by the Planning Authority.

Reason: To ensure that material from the site is not deposited on the trunk road to the detriment of road safety.

12. No development shall take place unless, the developer has implemented a programme of archaeological works in accordance with a written scheme of investigation and recovery which has been submitted to, and agreed by, Infrastructure Services (Archaeology) in consultation with the Planning Authority. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken in accordance with the approved written scheme.

Reason: To safeguard and record the archaeological potential of the area.

13. All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme (North Connect Landscape Design and Maintenance Plan dated 11.6.15) and shall be completed during the planting season immediately following the completion of the development or as otherwise agreed, in writing, with the Planning Authority. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

14. No development shall take place unless, finalised specification including size, scale, materials and content of information signs and shelters along the Stirlinghill Access Network have been submitted to and approved, in writing, by the Planning Authority. These features shall then be installed prior to the operation of the development.

Reason: In the interests of the amenity of the area.

15. No development shall take place unless, a Survey and Report assessing any hydraulic continuity between the North Connect development site and the Braeside Trout Fishery Pond, including any proposed mitigation has been submitted to and agreed, in writing, by the Planning Authority.

Reason: In the interests of the amenity of the area and protecting the natural environment.

- (b) The following Direction:

DIRECTION UNDER SECTION 58 (2) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 as amended by Planning etc. (Scotland) Act 2006:

That subsection (1) of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended) shall apply in respect of the permission with the substitution of the period of three years referred to in that subsection with the period of seven years, as is considered appropriate by the Planning Authority in this instance on the basis of the scale of the development. The provisions of section 5(1) shall therefore be read as follows:

The planning permission is to lapse on the expiration of a period of seven years (beginning with the date on which the permission is granted) unless the development to which the permission relates is begun before that expiration.

- (2) that the reason for the decision is that the proposal is consistent with the Development Plan's aims of reducing carbon emissions and adapting to climate change. It also contributes to the Scottish Government's National Planning Framework's aim to move Scotland towards creating a low carbon place.

4. CITY REGION DEAL - UPDATE

With reference to the Minute of Meeting of 12 March, 2015 (Item 6, Page 1538), a report dated 5 August, 2015, by the Director of Infrastructure Services had been circulated providing an update on progress of development of the Aberdeen City Region Deal with public and private sector organisations. The report stated that a considerable amount of work had been done by officers through a series of thematic workshops to develop proposals in conjunction with stakeholders and engagement with elected members and that Aberdeenshire Council and Aberdeen City Council had been invited to submit a written proposal to the UK Government on 4 September as a statement of intent.

The Council **agreed**:-

- (1) to note the progress of the Aberdeen City Region Deal, and
- (2) to delegate authority to the Chief Executive, in consultation with the Co-Leaders of the Council and the Leader of the Main Opposition, to work in partnership with the Chief Executive of Aberdeen City Council to conduct direct negotiations with both the UK Government and the Scottish Government over the submission and agreement of an Aberdeen City Region Deal bid.

5. ABERDEENSHIRE CENTRAL DIVISIONAL LICENSING BOARD

With reference to the Minute of Meeting of 17 May, 2012 (Item 8, Page 21), a report dated 28 July, 2015, by the Director of Business Services had been circulated requesting the Council to elect a Member to the Central Divisional Licensing Board for the purposes of the Licensing (Scotland) Act 2005 following the resignation of Provost Vernal.

The Council **agreed** to elect Councillor B H Stuart to the Central Divisional Licensing Board for the purposes of the Licensing (Scotland) Act 2005.