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**Sent:** 26 September 2017 10:35  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Conditions

[REDACTED]

Attached are some thoughts on draft planning conditions and 'heads of terms' in respect of the 170021 planning application.

You'll see that these are based on what was proposed on the 101299 Loirston application. We understand that you will be considering these matters irrespective of the Recommendation for the 11<sup>th</sup> October Council meeting, so hoped they would be of use.

We would be happy to discuss any aspect further.

Kind Regards  
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## 170021 KINGSFORD – DRAFT PLANNING CONDITIONS

### **Phasing**

(1) that no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority full details of the phasing of the proposed development, which shall include a description of the elements to be delivered in each phase, (Phase 1 – Training Facilities and Phase 2 – Stadium as shown on Drawing No. 10422-P(90)003 XX of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. - in the interests of the amenity of the area.

### **Landscaping (Phase 1)**

(2) that no development pursuant to Phase 1 (Training Facilities) of the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for Phase 1 (Training Facilities) of the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting - in the interests of the amenity of the area.

### **Landscaping (Phase 2)**

(3) that no development pursuant to Phase 2 (Stadium) of the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of hard and soft landscaping for Phase 2 (Stadium) of the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting - in the interests of the amenity of the area.

### **SUDS**

(4) that no development of either phase shall take place unless a scheme of all drainage works for that phase designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the Planning Authority. The scheme shall include details of the suitability of ground conditions for SUDS and calculations to demonstrate that the proposed detention basin is suitably sized. - to ensure that the development can be adequately drained.

### **Site Remediation (1)**

(5) No development shall take place unless it is carried out in full accordance with a scheme to address any significant risks from contamination on the site that has been approved in writing by the planning authority. The scheme shall follow the procedures outlined in "Planning Advice Note 33 Development of Contaminated Land" and shall be conducted by a suitably qualified person in accordance with best practice as detailed in "BS10175 Investigation of Potentially Contaminated Sites - Code of Practice" and other best practice guidance and shall include:

1. an investigation to determine the nature and extent of contamination Application Reference: 170021/DPP
2. a site-specific risk assessment, including a gas risk assessment that considers both onsite and offsite receptors
3. a remediation plan to address any significant risks and ensure the site is fit for the use proposed
4. verification protocols to demonstrate compliance with the remediation plan
5. a site-specific working plan detailing protocols to control/mitigate risks that may arise as a result of the remedial activities.

- reason: to ensure that the site is suitable for use and fit for human occupation

### **Site Remediation (2)**

(6) The facility shall not be brought into use unless:

1. any long term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning authority is being undertaken and
2. a report has been submitted and approved in writing by the planning authority that verifies that the remedial works have been carried out in full accordance with the remediation plan, unless the planning authority has given written consent for a variation.

- reason: to ensure that the site is suitable for use and fit for human occupation

### **CEMP**

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

### **Waste**

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

### **Noise and Vibration**

(9) that development shall take be occupied or brought into use unless there has been submitted and approved in writing by the planning authority a Construction Noise and Vibration Management Plan and in accordance with BS5228-1:2009 and any noise attenuation measures identified in the report have been implemented in full - in order to protect the amenity of residents in the surrounding area.

### **Dust**

(10) that development shall take be occupied or brought into use unless there has been submitted and approved in writing by the planning authority a Dust Risk Assessment and any dust attenuation measures identified in the report have been

implemented in full - in order to protect the amenity of residents in the surrounding area.

### **Construction**

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

- (a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays;
- (b) outwith the hours of 9.00 am to 4.00 pm Saturdays; or
- (c) at any time on Sundays,

except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery] - in the interests of residential amenity.

### **Lighting**

(12) That no development shall take place unless a scheme for all external lighting has been submitted to and approved in writing by the planning authority and thereafter the development shall not be occupied until the scheme has been implemented - in the interest of the amenity of the surrounding area.

### **Use of Training Pitches**

(13) that the training pitches shall not be used outwith the hours of 0900 – 2100 – in the interests of the amenity of the area.

### **Deliveries**

(14) that deliveries shall not take place outwith the hours of 0700-1900 – in the interests of the amenity of the area.

### **Hot Food**

(15) that sales of hot food shall not take place outwith the designated area within the Fanzone as shown on plan 10422 XXX – in the interests of the amenity of the area.

### **Fanzone**

(16) that the 'Fanzone' area shall not be brought into use until full details of the layout and usage time have been provided to and approved in writing by the planning authority – in the interests of the amenity of the area.

### **SBEM**

(17) that the stadium hereby approved shall not be brought into use unless details of the zero and low carbon equipment to be incorporated into the development and predicted carbon emissions, using SAP or SBEM calculations, have been submitted to and approved in writing by the planning authority and unless the equipment has been installed in accordance with those approved details - to ensure this development complies with requirement for on-site carbon emissions contained in Scottish Planning Policy (SPP) and specified in the the City Council's relevant published Supplementary Planning Guidance, 'Reducing Carbon Emissions In New Development'.

## **EMP**

(18) That the development hereby approved shall be implemented in full accordance with the procedures, protocols, restrictions and mitigation measures specified in the Environmental Management Plan prepared by Brindley Associates unless otherwise agreed in writing by the planning authority.

### **Car Parking on Site (1)**

(19) that no Phase of the development shall take place unless there has been submitted to and approved in writing by the planning authority detailed drawings of the roads and footpaths within the site, including the bus laybys and drop off points and all car parking areas for that Phase - in the interests of the free flow of traffic through the site and the safety of all road users.

### **Car Parking on Site (2a)**

(20) that Phase 1 (Training Facilities) of the development hereby approved shall not be brought into use unless the car parking areas associated with Phase 1 hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with Drawing No. 10422-P(90)003 RevC of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval - in the interests of public safety and the free flow of traffic.

### **Car Parking on Site (2b)**

(21) that Phase 2 (Stadium) of the development hereby approved shall not be brought into use unless the car parking areas associated with Phase 2 hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with Drawing No. 10422-P(90)003 RevC of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval - in the interests of public safety and the free flow of traffic.

### **Cycle Storage (Phase 1)**

(22) that Phase 1 (Training Facilities) of the development hereby approved shall not be brought into use unless there has been submitted and approved in writing by the planning authority a detailed scheme of the cycle storage facilities for Phase 1 (Training Facilities) and thereafter the said scheme has been implemented in full – in the interests of encouraging more sustainable modes of travel.

### **Cycle Storage (Phase 2)**

(23) that Phase 2 (Stadium) of the development hereby approved shall not be brought into use unless there has been submitted and approved in writing by the planning authority a detailed scheme of the cycle storage facilities for Phase 2 (Stadium) and thereafter the said scheme has been implemented in full – in the interests of encouraging more sustainable modes of travel.

### **Weekday Matches**

(24) that football matches played by Aberdeen FC, international football matches, international rugby matches and concerts held on Mondays to Fridays shall not commence before 1900 hours unless otherwise agreed in writing by the planning authority - in the interests of the free flow of traffic on the local road network.

### **Footway / Cycleway Upgrade**

(25) that Phase 2 (Stadium) of the development hereby approved shall not be brought into use until details have been submitted to and approved in writing by the planning authority for the provision of an upgraded combined footway/cycle way to the north of the A944 between Prime Four Business Park and proposed pedestrian site access opposite Crommie Cottage. Thereafter, Phase 2 (Stadium) of the development hereby approved shall not be brought into use unless the said scheme has been implemented in full - in order to provide appropriate and safe access to the development for pedestrians and cyclists and in the interest of road safety.

### **Shuttle Buses**

(26) that Phase 2 (Stadium) of the development hereby approved shall not be brought into use unless there has been submitted to and approved in writing by the planning authority a scheme for the provision of shuttle buses to and from the site when a match or other major event is taking place. - in order to encourage the use of more sustainable means of travel.

### **Travel Plan and Transport Management Strategy**

(27) that Phase 2 (Stadium) of the development hereby approved shall not be brought into use until a Travel Plan and Transport Management Strategy, which on match days and other major events addresses inter alia:

- Access by walking and cycling (including the safe crossing of the A944 into the western part of the application site);
- Public transport provision;
- Car parking management (including the use of Park & Ride facilities, provision of any Controlled Parking Zone required and parking provision in Arnhall Business Park);
- Traffic management

has been submitted to and approved in writing by the planning authority following consultation with Aberdeenshire Council, Police Scotland and Transport Scotland - in order to comply with the requirements of SPP with regard to transport and to minimise interference with the safety and free flow of traffic on the trunk road network.

### **Road Signage**

(28) that Phase 2 (Stadium) of the development hereby approved shall not be brought into use until details of match day advanced directional and warning signage have been submitted to, and approved by, the Planning Authority, following consultation with Transport Scotland, and thereafter erected in accordance with the agreed plans. - To minimise interference with the safety and free flow of traffic on the trunk road network.

**Junction Details**

(29) No part of the development shall become operational until details of the proposed main access into the site from the A944, including inter alia: traffic signals and timings have been submitted to, and approved by, the Planning Authority, following consultation with Transport Scotland and Police Scotland, and thereafter erected in accordance with the agreed plans. - To minimise interference with the safety and free flow of traffic on the trunk road network.

## **HEADS OF TERMS**

### **Planning Application 170021 at Kingsford**

- (A) Funding for the implementation, maintenance, administration and enforcement of a Controlled Parking Zone, including its review, for a period of five years after the opening of the stadium and where necessary, any amendments to the extent of the CPZ.
- (B) Provision of traffic signals or other traffic management measures on the AWPR/A944 roundabout.
- (C) Provision/funding of upgrading/provision of footpath/cycleway from the west side of Prime 4 to Crommie Cottage.
- (D) Setting up and commitment to fully participate in a Steering Group to develop a Bus Strategy and Bus Management Plan prior to the opening of the stadium, the implementation of the Strategy and Plan and a mechanism for reviewing and revising the Strategy and Plan following the opening of the stadium.