



Aberdeen
Recycling and Energy



East Tullis Energy From Waste
Planning Statement

March 2016



Report for

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Executive summary

Purpose of this report

This Planning Statement has been produced for the purpose of providing a detailed planning assessment of the proposed East Tullos Energy from Waste Facility in Aberdeen against applicable Development Plan, national and other relevant policies and considerations.

This Statement details the development context and rationale, before setting out the relevant policies and guidance against which the detailed planning application will be determined. The proposed East Tullos Energy from Waste Facility has been the subject of an Environmental Impact Assessment (EIA), as reported within an Environmental Statement (ES) which accompanies the planning application and other associated documents which have been submitted to Aberdeen City Council.

This Statement concludes that, overall, the planning application for the proposed East Tullos Energy from Waste Facility complies with relevant Development Plan, national and other relevant planning policies as a whole and is supported by other relevant material considerations, and as such provides the justification for the granting of planning permission.





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1. Introduction

1.1 Overview

- 1.1.1 This Planning Statement supports a planning application submitted to Aberdeen City Council under sections 28 and 32 of the Town and Country Planning (Scotland) Act 1997 (as amended) to erect an Energy from Waste (EfW) facility (the Proposed Development) on land at Greenbank Crescent, East Tullos Industrial Estate, Aberdeen.
- 1.1.2 This Statement outlines the characteristics of the Proposed Development at the Development Site and provides an assessment of the accordance of the Proposed Development with the Development Plan and other relevant material considerations. In doing so the Statement demonstrates the need for the Proposed Development and its compliance with relevant Development Plan and national planning policies and other considerations. Therefore this Statement provides a robust and comprehensive justification for the granting of planning permission.
- 1.1.3 In addition to this Planning Statement, the submitted planning application package comprises:
- ▶ Completed Planning Application Form and Ownership Certificate;
 - ▶ Planning Application Drawing pack;
 - ▶ Environmental Statement – Non-Technical Summary, Report (Volume 1), Figures (Volume 2, and Appendices (Volume 3);
 - ▶ Design and Access Statement (DAS);
 - ▶ Pre-application Consultation Report (PAC);
 - ▶ Heat and Power Plan; and
 - ▶ Health Impact Assessment.

1.2 Key Statutory Requirements Overview

- 1.2.1 The Town and Country Planning (Scotland) Act 1997 (as amended) is the 'Principal Act' which regulates land use planning matters in Scotland. All applications for planning permission must be determined in accordance with the provisions of this legislation. In particular, under section 25 of this Act, the determination of all planning applications must be made in accordance with the statutory Development Plan, unless material considerations indicate otherwise. This requirement is reinforced by section 37(2) of the Act.
- 1.2.2 The Proposed Development is classed as a 'major' development under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. Consequently, the planning application must be subject to a statutory pre-application consultation process and the submission should be accompanied by a PAC report and a DAS (see section 1.1).
- 1.2.3 The Proposed Development is categorised as a Schedule 1 (paragraph 10) development under the Town and Country Planning (Environmental Impact Assessment) Regulations (Scotland) 2011 (as amended) (the EIA Regulations). An Environmental Impact Assessment (EIA) is as such mandatory. The EIA is reported within the Environmental Statement (ES) which has been submitted with the planning application (see section 1.1). Of note, the Proposed Development has also been subject to a formal EIA Scoping process (see ES Volume 1, Chapter 4).
- 1.2.4 Schedule 4 of the EIA Regulations specifies the information that either must, or may, be provided within an ES to allow the determining authority (in this case, Aberdeen City Council) to assess the

likely environmental effects of the development. Recent amendments to the EIA Regulations¹ expressly require the determining authority not to grant planning permission for EIA development unless the determining authority has taken the environmental information into consideration in their determination.

- 1.2.5 Under section 44 of the EIA Regulations (as amended) all planning applications submitted in respect of EIA development attract a four month statutory determination period. Any extension to this period must be agreed between the relevant planning authority and the Applicant, otherwise the Applicant has a right to lodge an appeal with the Scottish Ministers (within specified time limits) on the grounds on non-determination.

1.3 Project Team

The Applicant

- 1.3.1 The legal applicant is Aberdeen City Council who is bringing forward the Proposed Development in partnership with the Moray Council and Aberdeenshire Council. The Proposed Development is being promoted under the banner of Aberdeen Recycling and Energy, a project entity of the Council.

Planning and EIA Project Team

- 1.3.2 Amec Foster Wheeler Environment & Infrastructure UK Ltd (Amec Foster Wheeler) is a firm of Environmental and Engineering Consultants, which has been responsible for all technical assessments, compilation of the ES and Non-Technical Summary (NTS).
- 1.3.3 This Planning Statement has been prepared by Amec Foster Wheeler on behalf of the applicant.

Project Engineers

- 1.3.4 Amec Foster Wheeler has also been responsible for the outline engineering design option which have informed the design of the Proposed Development.

Project Architects

- 1.3.5 Garry Stewart Design Associates (GSDA) are the project architects and responsible for final site layout and building design as detailed in the planning application drawings.

1.4 Structure of this Statement

- 1.4.1 The structure of the remainder of this Planning Statement is as follows:
- ▶ Section 2 provides an overview of the Development Site and the Proposed Development;
 - ▶ Section 3 provides an overview of the applicable policy context including Development Plan and national planning policy, waste management policy and climate change and renewable energy policies;
 - ▶ Section 4 provides an assessment of the Proposed Development against relevant national, Development plan and other planning policies and other relevant considerations; and
 - ▶ Section 5 sets out the overall conclusions as to why the Proposed Development should be granted planning consent.

¹ Regulation 5 of the Town and Country Planning (Miscellaneous Amendments) (Scotland) Regulations 2015

2. Development Proposal Overview

2.1 Introduction

- 2.1.1 This chapter provides an overview of the site context and development proposals. Full details can be found in the ES Volume 1, Chapter 2 Project Description and full baseline description can be found in Chapters 6-13 of the ES Volume 1.
- 2.1.2 The Planning Application Drawing pack and the ES Volume 2 Figures should be referred to for further site context and proposed designs.

2.2 Site Context

- 2.2.1 The site within which the Proposed Development would be located (the 'Development Site') extends to approximately 2 hectares (ha) and is located within the East Tullos Industrial Estate, on the south side of Aberdeen. The location of the Development Site, which is centred on National Grid Reference NJ 95426 03997, is shown on ES Figure 1.1 to Figure 1.3.
- 2.2.2 The Development Site is vacant brownfield land. It comprises a disused gas holder, associated structures and hard standing which are scheduled for demolition followed by site remediation works during 2016 by the current landowner SGN (formerly Scotland Gas Networks). The remediation works will include rerouting of all existing onsite utilities to the perimeter of the Development Site. These demolition and remediation works are being carried out independently of the Proposed Development and are therefore not assessed as part of this ES (these works will be complete prior to the Construction of the Proposed Development in the event that permission is granted).
- 2.2.3 The Development Site is currently accessed via existing site entrance point on Greenbank Crescent, which can be accessed from the A956 Wellington Road via Greenbank Road. The northern section of Wellington Road is designated as an Air Quality Management Area (AQMA).
- 2.2.4 The Development Site is bordered by the wider industrial estate in all directions, including the United Fish Industries (UFI) processing plant to the east and south, and the existing East Tullos Waste Transfer Station to the west. East Tullos Industrial Estate in general, comprises a mix of industrial storage, distribution and office buildings. In addition, Alten's Nursery is located approximately 600m west of the Development Site within the industrial estate. The East Tullos Industrial Estate is bordered by A956 Wellington Road to the west and the Aberdeen Dundee railway line to the north. The Loirston Country Park (Tullos Hill) covers a large elevated area to the south and east of the industrial estate, and St Fittick's Community Park is located north and east of the railway line.
- 2.2.5 Torry residential areas are located to the north of the industrial estate, approximately 300m from the Development Site. Tullos School is also located approximately 300m to the north. Beech House Nursery and Torry Nursing Home are located off Balnagask Road within Torry. There are also residential receptors along Wellington Road, approximately 600m to the west.
- 2.2.6 The Development Site is not subject to any statutory or non-statutory environmental designations. The nearest statutory designated sites of nature conservation interest to the Development Site are the River Dee Special Area of Conservation (SAC) and Kincorth Hill Local Nature Reserve (LNR). Both Tullos Hill Local Nature Conservation Site (LNCS) and Loirston Country Park are non-statutory nature conservation sites. There are a number of cultural heritage assets within the wider surrounding areas, with the closest being the Baron's Cairn (SM 4126) Scheduled Monument within Loirston Country Park.
- 2.2.7 The Development Site is allocated for general industrial uses within the adopted Aberdeen Local Development Plan 2012 (LDP) and is subject to a proposed waste site allocation, covering EfW or In Vessel Compost facility, within the Proposed Aberdeen LDP 2015.

2.3 Development Proposals

- 2.3.1 The Proposed Development is aimed at both contributing to sustainable waste management and providing a localised source of heat and power. The East Tullos EfW could operate as a Combined Heat and Power plant (CHP) producing up to 20MW thermal for export to a district heating system, or generate up to 11.1MW electricity for export, or a combination of both after taking into account the parasitic load of the facility. This would have wider climate change benefits by providing an alternative to fossil fuels as well as offering an energy source, partly renewable, close to centres of population and industry.
- 2.3.2 In terms of waste treatment, the Proposed Development would accept residual municipal waste from the three Council areas. There would be no pre-treatment of waste on site, as the waste received would be pre-treated at source as part of extensive recycling programmes. Currently, the waste to be processed at the East Tullos EfW facility is being disposed of to landfill, however with the Scottish Government 1st January 2021 ban on the landfilling of separated recyclables and biodegradable waste, this is changing.
- 2.3.3 The Proposed Development would have the capacity to process up to 150,000 tonnes of waste per annum (p.a.) and has been sized based upon predicted waste arisings for each of the three authorities. This capacity allows for 'future proofing' for any future municipal waste arisings as a result of economic growth and projected housing growth within the Council areas. The Proposed Development would not accept hazardous or clinical waste.

Site Layout

- 2.3.4 The development details can be found in the submitted planning application drawings pack, but to summarise the EfW facility is made up of the following principal elements:
- ▶ A main building – this would house the majority of process plant and would have a flue stack. All waste material would be unloaded inside the building. In addition, this building would house the offices and welfare facilities. At its highest point, the main body of the building would be ~47.5m high and be ~170m long by estimated maximum width of 51.4m. It is anticipated that the flue stack would extend to a maximum height of 80 m high;
 - ▶ Air Cooled Condensers & Combined Heat Power plant – these two elements would be combined into a separate building ~20m high, 66m long and 20m wide;
 - ▶ Substation compound – this would be a separate building ~7 m high, 15 m long and 10 m wide; and
 - ▶ Fire water tank – the tank would be ~ 15 m diameter and 12 m high.
- 2.3.5 In addition, the external site areas would include:
- ▶ Two weighbridges (in and out);
 - ▶ Site entrance off Greenbank Crescent and circulation roads;
 - ▶ 22 car parking spaces;
 - ▶ Drainage proposals; and
 - ▶ Landscaping.
- 2.3.6 Likely security and lighting arrangements based on similar developments are:
- ▶ Security gates and fencing around 2.4m in height around the full Development Site; and
 - ▶ Security and utility lighting and cameras on buildings and/or pole mounted along with manned personnel.

Operating Hours and Delivery/Dispatch

- 2.3.7 With the exception of an 'emergency situation', it is anticipated that the facility would generally accept the delivery of waste and the despatch of materials between: 0700 to 1900 hours during weekdays and 0700 to 1300 on Saturday. To accommodate for emergencies and potential future changes in waste delivery patterns, a 24 hour delivery despatch scenario has also been assessed within the ES which is based on 15% of Aberdeen City Council waste being delivered outwith normal hours.
- 2.3.8 The internal processing of materials would operate on a continuous (24 hour) basis, however, external onsite activities and internal tipping hall activities would be limited to the delivery and despatch hours set out above. Routine and non-routine maintenance operations within the buildings would take place as and when required. Routine maintenance operations outside the building(s) would be scheduled to take place during the daytime (delivery) hours and would only extend into the night time and/or weekends should this prove necessary to maintaining the continuity of the process. Any non-routine maintenance and repair operations would be undertaken as and when they arise.
- 2.3.9 It is envisaged that waste would be delivered to the Development Site via refuse collection vehicles from Aberdeen City Council and bulk heavy goods vehicles from Aberdeenshire and Moray Councils (collectively referred to as HGVs). It is estimated that the operational site with a 150,000 tonnes p.a. capacity would generate on average 111 HGV two-way movements between 7.00am and 7.00pm 5.5 days week. This includes vehicles required for the delivery of chemical reagents and export of ash residues and other materials once the facilities are fully operational.

Process Description

- 2.3.10 All HGVs delivering residual waste would be weighed when entering the Development Site at the dedicated weighbridge for incoming traffic. The delivery vehicles would then enter the enclosed tipping hall where they would unload their material through internal openings into the waste bunker. The waste would be transferred from the waste bunker by overhead grab cranes.
- 2.3.11 The combustion facility would use a moving grate which comprises of inclined fixed and moving bars that would move the waste from the feed inlet to the ash discharger. The grate movement turns and mixes the waste along the surface of the grate to ensure that all waste is exposed to the combustion process. This ensures full combustion/burn out of the waste leaving an inert ash. The Proposed Development would be designed to meet the requirements of the Industrial Emissions Directive (IED).
- 2.3.12 The entire process and auxiliary systems are controlled and monitored by a complex telemetry system from a central control room which is manned during normal operating hours by skilled staff. This room contains computerised monitoring devices that measure and control conditions within the plant from many individual sensors located at key stages of the process.
- 2.3.13 The flue gas leaves the heat exchanger and enters the flue gas duct. Lime and activated carbon are pneumatically injected directly into the duct and react with the flue gas adsorbing and absorbing HF, HCl, SO₂, dioxins and heavy metals as solids that are then collected within bag filters. The clean flue gas is then emitted to the atmosphere via the flue gas fan and through the flue gas stack.
- 2.3.14 Waste residues from the process includes, Incinerator Bottom Ash (IBA) and Air pollution control residue (fly ash). IBA is generated from the grate combustion unit and can amount to 15-25% of input material (approximately 40,000 tonnes pa at the facility). This material can be used in the construction of concrete and concrete block construction, replacing up to 50% of the aggregate traditionally used. IBA has also been used successfully in the sub-base and roadbase layers in road construction, after a process of hot asphalt stabilisation and mixing with cement or bitumen.
- 2.3.15 The air pollution control residue (fly ash) is the residue from the flue gas treatment process prior to release of the cleaned flue gas into the atmosphere. Air pollution control residue represents about 3% - 4% by mass of the waste feedstock (approximately 4,500 tonnes per annum at the facility), and is disposed of safely by enclosed tanker to a designated hazardous waste landfill. The market

is growing for further treatment of the Fly Ash to render it inert so that it can also be used within construction materials.

Conversion of Waste to Steam/Electricity and Heat

- 2.3.16 The facility would recover energy from the waste in the form of heat from the combustion processes. The hot gases rise from the waste and pass through a heat exchanger which heats up water in a sealed system which then transfers to a high efficiency boiler to produce steam.
- 2.3.17 The steam produced is then fed into a steam turbine. If all supplied steam was used to generate electricity, then the Proposed Development would be capable of generating approximately 13.5 MWe of electricity in total, of which 2.1 MWe would be needed for plant requirements. The remaining 11.1 MWe could be fed to the local electricity network via an onsite substation. This correlates to a net electrical efficiency of 27% (Net CV basis) and a gross efficiency of circa 28% (Gross CV basis). The Proposed Development would also be designed to enable offtake of steam at the turbine in order to provide a source of hot water to deliver heat to a district heating network.
- 2.3.18 A district heating scheme does not form part of this planning application, but a Heat and Power Plan has been submitted.

Employment

- 2.3.19 The Proposed Development would contribute directly to the local economy, and it is estimated that it would provide around 20 staff comprising operating shift staff, maintenance employees, weighbridge operators, clerical and administrative staff and plant management staff and Security Staff.

Construction and Operation

- 2.3.20 Should planning permission be granted, it is anticipated that construction would commence early 2018 and last for 24 months, followed by a 6 month commissioning period. Operational date has been estimated for 2021.

Further Consents

- 2.3.21 It is important to note that if planning permission is granted other consents would also be required. Of particular importance is the need for a Pollution Prevention Control (PPC) Permit from SEPA that will control all operations associated with the plant based upon various risk assessments.
- 2.3.22 A connection to the National Grid and an underground pipe network to enable supply of heat to third party users would also be subject to separate application processes.

3. Applicable Policy Context

3.1 Overview

- 3.1.1 This section provides an overview of the applicable policy context including the waste management policy framework, climate change and renewable framework and national and local planning policies.

3.2 Development Plan: Adopted and Emerging

- 3.2.1 Under section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) the determination of all planning applications must be made in accordance with the statutory Development Plan for the relevant local authority area, unless material considerations indicate otherwise. This requirement is reinforced by section 37(1) of the same Act.
- 3.2.2 The current statutory Development Plan applicable to the Development Site comprises the approved Aberdeen City and Shire Strategic Development Plan (SDP) (March, 2014) and the adopted Aberdeen Local Development Plan 2012 (the LDP) and associated statutory Supplementary Guidance.
- 3.2.3 The Proposed Aberdeen Local Development Plan 2015 (the Proposed Plan) is currently undergoing a formal examination by a Reporter appointed by the Scottish Ministers. As such, the Proposed Plan is likely to be afforded significant weight in the determination of the planning application or could potentially have replaced the current LDP by the time of determination.

Aberdeen City and Shire Strategic Development Plan

- 3.2.4 The SDP (2014) sets out a vision statement and spatial strategy and identifies key objectives to shape the long term spatial development of the Aberdeen City and Shire city-region. No relevant policies are contained within the SDP, but a several strategic aims and objectives are of relevance. Two 'main aims' are identified within the introduction of the plan, namely to:
- ▶ *“Provide a strong framework for investment decisions which help to grow and diversify the regional economy, supported by promoting the need to use resources more efficiently and effectively; and*
 - ▶ *Take on the urgent challenges of sustainable development and climate change”.*
- 3.2.5 The SDP designates four strategic growth areas (SGA) where development should be focused, including Aberdeen City. The SDP identifies a need for new waste-management infrastructure including EfW facilities and states that such infrastructure should be located within Aberdeen or neighbouring SGAs (paragraph 3.12). The SDP sets a target of working towards “*at least an extra 300,000 tonnes of new waste-management infrastructure*” and calls for Aberdeen City and Aberdeenshire local authorities to work together “*to identify and put in place appropriate residual waste management solutions*”. SDP confirms that the waste hierarchy should guide all decisions regarding waste management strategies and proposals.
- 3.2.6 The SDP includes an objective of ensuring “*new development maintains and improves the region’s important built, natural and cultural assets*” and requires local planning authorities to take account of natural heritage matters in planning determinations. Similarly the SDP seeks to ensure the accessibility of all new developments from sustainable transport modes and includes a target that all development proposals should meet the accessibility standards detailed in the Nestrans Regional Transport Strategy 2013. The SDP also includes a target for all new buildings to be carbon neutral by 2020.

Aberdeen City and Shire SDP Supplementary Guidance: Strategic Transport Fund (August 2015)

- 3.2.7 The Strategic Transport Fund ('the STF'), which seeks to upgrade transport infrastructure to alleviate cumulative impacts at identified hotspots, was first approved in 2011. This adopted Supplementary Guidance supports the approved SDP (2014) by setting out mechanisms for the continued implementation of the STF, including a detailed methodology in Appendix 3 for calculating required contributions. This Supplementary Guidance clarifies that contributions to the STF do not negate the need for measures identified in a TA as necessary to make a development proposal on its own acceptable in planning terms still to be delivered.

Aberdeen Local Development Plan

- 3.2.8 The adopted LDP (2012) confirms that sites are required for energy recovery facilities (all available technology will be considered) and other new waste management facilities in order to meet the requirements of the Aberdeen Waste Strategy 2014-2025; and that industrial sites have the potential to accommodate these. It is also noted that the detailed Spatial Strategy within the LDP prioritises the redevelopment of brownfield sites to maximise the sustainability of new development and catalyse urban regeneration; and identifies Torry as one of seven Priority Regeneration Areas.
- 3.2.9 Of particular relevance to the Proposed Development is Policy BI1 – Business and Industrial Land, Policy R3 – Waste Management Facilities and Policy R5 – Energy from Waste. Policy BI1 offers a general support to the development of business and industrial land allocations. Policy R3 states that proposals must comply with the waste hierarchy and will be supported if they:
1. Conform to the Zero Waste Plan and Aberdeen Waste Strategy;
 2. Meet a clear need for the development to serve local and/or regional requirements for the management of waste;
 3. Represent the Best Practicable Environmental Option (BPEO) for that waste stream;
 4. Will not compromise health and safety; and
 5. Minimizes the transport of waste from its source".
- 3.2.10 This policy further states that proposals located on Business and Industrial Land (BI1) will, depending on operations involved, need to be located in a building.
- 3.2.11 Policy R5 states that "*industrial sites with the potential for connection to the electricity grid and with potential users of heat or power are likely to be suitable locations for energy from waste*". The policy confirms that proposals should be accompanied by an EIA, demonstrate compliance with Policy R3 and give consideration to treatment of residual wastes, SEPA's Thermal Treatment of Waste Guidelines (see 5.5), connectivity to grid, supply of heat and power to neighbouring uses and Regional Waste Facilities Supplementary Guidance.
- 3.2.12 Other relevant LDP policies and Supplementary Guidance (both Statutory and Non-Statutory) are outlined in **Table 4.1**.

Table 3.1 Other Relevant LDP Policies and Supplementary Guidance

Policy/Guidance	Overview
Policy I1: Infrastructure Delivery and Developer Contributions	This policy requires all development proposals to be supported by adequate existing or new infrastructure, services and facilities. Applicants are required to fund any necessary infrastructure improvements to make their proposal acceptable in planning policy terms.
Policy T2: Managing the Transport Impact of Development	This policy requires applicants to demonstrate, including through compliance with the Transport and Accessibility Supplementary Guidance, that proposals minimise traffic generation.
Policy D1: Architecture and Placemaking	This policy requires all proposals to demonstrate a high standard of design, taking account of context and setting. The policy states that “ <i>factors such as siting, scale, massing, colour, materials, orientation, details, the proportions of building elements, together with the spaces around buildings, including streets, squares, open space, landscaping and boundary treatments, will be considered... Landmark or high buildings should respect the height and scale of their surroundings, the urban topography, the City’s skyline and aim to preserve or enhance important views</i> ”.
Policy D2: Design and Amenity	This policy seeks to protect amenity from inappropriate development through setting out design related assessment criteria. Many of these criteria relate to residential developments, however criterion seven states: “ <i>External lighting shall take into account residential amenity and minimise light spillage into adjoining areas and the sky</i> ”.
Policy D5: Built Heritage	This policy sets out multiple assessment criteria for development proposals affecting different types of designated historic assets.
Policy D6: Landscape	This policy requires development proposals not to: result in significant adverse effects on landscape character or sense of place; obstruct important views of Aberdeen’s townscape; adversely affect recreational or woodland resources; result in urban sprawl; and to avoid significant adverse impacts on landscape elements “ <i>which contribute to local amenity</i> ”.
Policy NE5: Trees and Woodlands	This policy sets out a presumption against development proposals that would damage or destroy trees and woodlands with important ecological, landscape or local amenity values.
Policy NE6: Flooding and Drainage	This policy seeks to achieve satisfactory disposal of sewage to maintain and to improve standards of environmental quality, public health and amenity. Under this policy, development proposals will not be approved if they either increase flood risk or are themselves at risk of flooding.
Policy NE8: Natural Heritage	This policy requires development proposals with residual adverse effects on protected species or designated areas to satisfy relevant criteria in the SPP (2014). Where negative impacts are predicted, suitable mitigation measures must be proposed. This policy also sets out a “ <i>presumption against excessive engineering and culverting</i> ”.
Policy NE9: Access and Informal Recreation	This policy states that development proposals “ <i>should not compromise the integrity of existing or potential recreational opportunities including access rights, core paths, other paths and rights of way</i> ”.
Policy NE10: Air Quality	This policy requires development proposals with “ <i>the potential to have a detrimental impact on air quality</i> ” to be supported by an air quality assessment and to include suitable mitigation measures.

Policy/Guidance	Overview
Policy R2: Degraded and Contaminated Land	This policy requires degraded or contaminated land to be “ <i>restored, reclaimed or remediated to a suitable level for its proposed use</i> ”. In addition, “ <i>any actual or possible significant risk to public health or safety, or to the environment</i> ” arising from a development proposal must be considered.
Policy R7: Low and Zero Carbon Buildings	This policy requires the installation of low and zero-carbon generating technology (LZCGT) to reduce predicted carbon dioxide (CO ₂) emissions by at least 15% below Scottish Building Standards 2007 levels.
Policy R8: Renewable and Low Carbon Energy Developments	This policy provides support for appropriately sited renewable energy generation proposals and outlines criteria relating to local environment, air quality, tourism and residential amenity.
Air Quality Supplementary Guidance	This provides guidance on the need for certain development proposals to be supported by an Air Quality Assessment (AQA), the required content of an AQA, and potential air quality mitigation measures is provided. There are three designated Air Quality Management Areas (AQMA) in Aberdeen due to localised exceedance of limits on nitrogen oxide and/or particulate matter levels. Air quality is likely to be a significant consideration where: a development is inside or adjacent (buffer zone) to an AQMA; result in the designation of a new AQMA; conflict with the Air Quality Action Plan; or the development could lead to a measurable deterioration in air quality.
Archaeology and Planning Supplementary Guidance	<p>This provides guidance relating to the protection of scheduled monuments and other archaeological sites of national or local importance from unacceptable adverse impacts. Where an adverse impact is predicted, the Applicant must demonstrate that:</p> <ul style="list-style-type: none"> ▶ “<i>There are imperative reasons of overriding public interest, including those of a social or economic nature;</i> ▶ <i>There is no alternative site for the development; and</i> ▶ <i>Information is provided regarding the affected archaeological features</i>”. <p>Where adverse impacts are predicted, satisfactory mitigation must be proposed. In cases where full in-situ preservation of an archaeological site is not possible, this Supplementary Guidance requires “<i>the full excavation and recording of the site in advance of development</i>”.</p>
Bats and Development Supplementary Guidance	This provides detailed information regarding potential effects of development activities on bats and how this is addressed within planning. It identifies relevant statutory provisions and applicable licencing regimes, explains the need for bats surveys to be undertaken in some circumstances and sets out the required survey methodology.
Design Review Panel Supplementary Guidance	This explains the procedures to be followed by the Aberdeen City and Shire Design Review Panel in the consideration of development proposals. Any report produced by the Panel regarding a development proposal will be a material consideration in the determination of a relevant planning application.
Drainage Impact Assessments Supplementary Guidance	This provides guidance on the required scope, process and technical requirements to be followed in the preparation of a Drainage Impact Assessment (DIA) submitted under LDP Policy NE6 (see above). It advises that development proposals should incorporate Sustainable Urban Drainage Systems (SUDS) and, at section 3.1, states that “ <i>in general terms, the rate and volume of surface water run-off from the post development situation should not exceed the surface water run-off from the existing site</i> ”.
Infrastructure and Developer Contributions Manual Supplementary Guidance	This supports the implementation of LDP Policy I1 (see above) by setting out the methodologies used to identify infrastructure requirements and to calculate associated developer contributions. It notes that “ <i>windfall</i> ” planning applications for sites not allocated within the LDP may be liable for developer contributions to the Aberdeen City and Shire Strategic Transport Fund. This document should be read in conjunction with the adopted Aberdeen City and Shire SDP Strategic Transport Fund Supplementary Guidance (August 2015), as together they specify when and what level of site specific and strategic developer contributions would be required from development proposals..

Policy/Guidance	Overview
Landscape Guidelines Supplementary Guidance	<p>This sets out expected standards for landscaping (both hard and soft landscaping) to provide an attractive setting for new developments. The Supplementary Guidance notes that <i>“the relationship and appearance of a development to its surroundings, landscape and buildings, are material considerations in the determination of planning applications”</i>.</p> <p>In relation to landscape and townscape character the Supplementary Guidance states: <i>“Applicants must be able to demonstrate that they have taken all relevant environmental considerations into account, show how proposals relate to local landscape or townscape character, and indicate what physical and visual impacts developments may have upon them”</i>.</p>
Low and Zero Carbon Buildings Supplementary Guidance	<p>This explains the methodology which applicants should use to demonstrate the compliance of development proposals with LDP Policy R7 (see above).</p>
Transport and Accessibility Supplementary Guidance	<p>This sets out expectations and requirements regarding the accessibility of new developments and transport infrastructure provision. In particular, it requires new developments to be accessible using public transport and other modes of travel and to safeguard access rights. This Guidance also details the expected contents of Transport Assessments to support planning applications for certain development proposals.</p>
Trees and Woodland Supplementary Guidance	<p>This sets out the information required to assess the impacts of development proposals on trees and woodland. It also provides advice regarding the retention of existing trees in new developments.</p>
Technical Advice Note (TAN) 7 - Natural Heritage Guidance (non-statutory Supplementary Guidance)	<p>This supports the implementation of policy NE8 within the LDP (2012) by summarising the legal obligations, biodiversity principles and requirements for protected species and sensitive habitats which must be considered in the determination of relevant planning applications.</p>

Proposed Aberdeen Local Development Plan 2015

- 3.2.13 The Proposed Plan (2015) was consulted upon between 20th March and 1st June 2015 along with a number of draft Supplementary Guidance documents. In November 2015, the Proposed Plan was approved by Aberdeen City Council for submission to the Scottish Ministers to undergo a formal examination process. The current target date for the completion of the examination is August 2016. Once adopted, the Proposed Plan and its draft Supplementary Guidance will replace the existing LDP and statutory Supplementary Guidance.
- 3.2.14 The Development Site is identified within the Proposed Plan as a site to be safeguarded for 'waste-related' uses under Policy R4: Site for New Waste Management Facilities and specifically identifies the site as suitable for "an energy from waste facility or in-vessel composting plant" (OP107). Of relevance is proposed Policy R3: New Waste Management Facilities which, with the exception of removing reference to BPEO and highlighting the importance of supporting diversification of existing facilities, outlines matching criteria to the adopted LDP Policy R3. Proposed Policy R5: Energy from Waste also carries forward the criteria under adopted LDP Policy R5, but removes the reference to the Supplementary Guidance on Regional Waste Facilities and emphasis the need to supply heat and power to a 'mix' of neighbouring uses. Proposed Policy BI1: Business and Industrial Land is also applicable and its wording matches the adopted LDP Policy BI1.
- 3.2.15 Supporting proposed policies R3-R5, the Proposed Plan at paragraph 3.132 notes that waste should be considered as a resource and its value therefore extracted through energy capture when waste is not recycled or composted. This paragraph continues:
- "The means by which this waste could be treated will be determined through an analysis which will consider all available technologies including incineration, gasification and pyrolysis of waste. Heat derived from energy from waste processes should be used to generate heat and power and supplied to homes and businesses in the city. Energy from waste has great potential to contribute to the Renewable and Low Carbon Policy R8."*
- 3.2.16 Other Proposed Plan policies of relevance to the Proposed Development are outlined in Table 4.2 along with draft Supplementary Guidance. Where proposed policies contain similar criteria to adopted policies within the LDP (2012) this has been noted.

Table 3.2 Other relevant proposed plan policies and draft Supplementary Guidance

Policy/Guidance	Overview
Policy D1: Quality Placemaking by Design	In line with SPP (2014), this requires all proposals to demonstrate a high standard of design and “ <i>have a strong and distinctive sense of place</i> ”, taking into account their context and setting. It identifies the six essential qualities of successful places, namely: “ <i>Distinctive, Welcoming, Safe and pleasant, Easy to move around, Adaptable, and Resource efficient</i> ” and detailed criteria regarding these are provided.
Policy D2: Landscape	Previously LDP Policy D6, this Proposed Plan policy requires proposals to “ <i>have a strong landscape framework which improves and enhances the setting and visual impact of the development, unifies urban form, provides shelter, creates local identity and promotes biodiversity</i> ”. Planning applications for new developments must be supported by a landscape strategy and management plan including landscaping design specifications. In addition the policy sets out assessment criteria to define good quality developments.
Policy D3 Big Buildings	This new policy states that the most appropriate location for big buildings is within the city centre and its immediate periphery. It emphasises high quality design which complements and improves existing site context and should be demonstrated through a design statement (criteria listed). Whilst this policy states that it is not applicable to employment and industrial land areas, it has been considered in the design process for the Proposed Development due to its scale.
Policy D4: Historic Environment	Previously LDP Policy D5, this Proposed Plan policy seeks to ensure that development proposals protect, preserve and enhance the historic environment. Development proposals respecting “ <i>the character, appearance and setting of the historic environment</i> ” and which protect the special architectural or historic interests of designated historic assets will be supported. Conversely, “ <i>developments that would adversely impact upon archaeological remains...or on their setting will only be permitted in exceptional circumstances, where there is no practical alternative site and where there are imperative reasons of over-riding public need</i> ”. In such cases satisfactory mitigation measures must be proposed.
Policy I1: Infrastructure Delivery and Planning Obligations	This mirrors LDP Policy I1.
Policy T2: Managing the Transport Impact of Development	This is a revision of LDP Policy T2 and requires development proposals to “ <i>demonstrate that sufficient measures have been taken to minimise traffic generated and to maximise opportunities for sustainable and active travel</i> ”. Where thresholds set out in Supplementary Guidance are exceeded, planning applications must be accompanied by Transport Assessments and Travel Plans.
Policy T3: Sustainable and Active Travel	This is a revision of LDP Policy D3 and requires new developments to make suitable provision for active and sustainable transport modes, including protecting or improving existing pedestrian and cycle links.
Policy T4: Air Quality	This mirrors LDP policy NE10, though with the addition of some reference updates.
Policy T5: Noise	This new policy requires development proposals likely to result in significant noise emissions to be supported by a Noise Impact Assessment. It sets out a presumption against noise generating proposals being located close to noise sensitive receptors. The proposed policy also provides assessment criteria for developments proposals within or near to Candidate Noise Management Areas and Candidate Quiet Areas.

Policy/Guidance	Overview
Policy NE1 Green Space Network	This is a revision of LDP Policy NE1 and sets out the Council's aim to " <i>protect, promote and enhance the wildlife, access, recreation, ecosystem services and landscape value of the Green Space Network</i> ". It requires negative impacts on the existing Green Space Network to be mitigated through the provision of enhancement measures.
Policy NE5: Trees and Woodlands	This mirrors LDP Policy NE4 and sets out a presumption against development proposals that would damage or destroy important trees. In addition to the qualities stated in adopted LDP policy NE4, climate change adaptation and mitigation functions are referenced as additional valuable attributes of woodland assets. The proposed policy states that adverse impacts on trees should be minimised through careful siting, with appropriate mitigation measures deployed during and after construction. Details of proposed tree and hedgerow planting should be submitted as part of a development proposal's landscape strategy (required under proposed policy D2).
Policy NE6: Flooding, Drainage and Water Quality	This is a revision of LDP Policy NE6 and requires all new development proposals to incorporate suitable SUDS solutions and, as per adopted LDP policy NE8, sets out a " <i>presumption against excessive engineering and culverting</i> ". In addition, as per adopted LDP policy 6, development proposals will not be approved if they either increase flood risk or are themselves at risk of flooding.
Policy NE8: Natural Heritage	This is a revision of LDP Policy NE8 and seeks to protect natural heritage interests (including but not limited to designated sites, protected species and carbon rich soils) from unacceptable adverse impacts. The main policy variation proposed relates to survey requirements for suspected protected species, reference to carbon rich soils and relocation of water quality to Policy NE6. In relation to protected species, development proposals which may adversely affect a protected species must be supported by sufficient evidence to demonstrate " <i>both the need for the development and that a full range of possible alternative courses of action has been properly examined and none found to acceptably meet the identified need</i> ". This proposed policy includes a general requirement that " <i>no development will be permitted unless steps are taken to mitigate negative development impacts</i> ", and negative impacts may need to be addressed through a Construction Environmental Management Plan.
Policy NE9: Access and Informal Recreation	This mirrors LDP Policy NE9 and requires development proposals to safeguard general rights of access and existing or potential " <i>recreational opportunities</i> ".
Policy R2: Degraded and Contaminated Land	This mirrors adopted LDP Policy R2.
Policy R7: Low and Zero Carbon Buildings, and Water Efficiency	This is a revision of LDP Policy R7 and requires proposed new buildings, excluding unheated/uncooled buildings and small ancillary buildings, to reduce predicted CO ₂ emissions by at least 20% below applicable Scottish building regulations through the use of low or zero-carbon generating technologies (LZCGT). The proposed policy also requires all development proposals to deploy water saving technologies/techniques.
Policy R8: Renewable and Low Carbon Energy Developments	This mirrors LDP Policy R8.
Supplementary Guidance – Design: Townscape and Landscape	<p>Big Buildings: This draft Supplementary Guidance requires all proposals (including employment/industrial) for 'Big Buildings' to respond to their site context and to be supported by a Visual Impact and Analysis Assessment. It also sets out detailed considerations regarding setting, building design, detailed design issues and building maintenance.</p> <p>Landscape: This draft Supplementary Guidance requires new developments to conserve or enhance "<i>essential characteristics</i>" of landscape and townscape character. It also sets out detailed considerations regarding development layout, design, landscaping treatment, car parking, planting and landscaping maintenance.</p>

Policy/Guidance	Overview
Supplementary Guidance – Housing and Planning Obligations	Planning Obligations: As per existing Infrastructure and Developer Contributions Manual Supplementary Guidance, this sets out the methodologies which should be used to identify infrastructure requirements and calculate associated developer contributions.
Supplementary Guidance – Transport and Infrastructure: Transport, Air Quality and Noise	<p>Transport and Accessibility: This draft Supplementary Guidance states that “<i>development proposals which could lead to a significant increase in road traffic, a worsening of air quality or an increase in exposure to potential sources of pollution and/or noise will not be permitted unless it can be demonstrated that measures will be implemented to minimise and/or manage the impacts to an appropriate level. In assessing planning proposals, the cumulative impact of development will also be taken into account</i>”. It also provides details on applicable roads development guidance, the required content of Transport Assessments and multi-modal parking standards.</p> <p>Air Quality: In support of proposed Policy T4, this draft Supplementary Guidance explains the importance of the EU’s Ambient Air Quality Directive (2008/50/EC), sets out the methodology to be used in air quality assessments and identifies potential mitigation measures to tackle poor air quality.</p> <p>Noise: This draft Supplementary Guidance provides information regarding designated Candidate Noise Management Areas and Candidate Quiet Areas in Aberdeen and sets out factors for consideration in noise impact assessments. Guidance is also provided regarding the treatment of noise impacts as a material consideration.</p>
Supplementary Guidance – Natural Environment: Land and Water	<p>Natural Heritage: This draft Supplementary Guidance supports proposed policies NE1-NE9, in particular proposed policy NE8: Natural Heritage. Similar to the approved non-statutory Supplementary Guidance, this document summarises the legal obligations, biodiversity principles and detailed requirements for protected species and associated sensitive habitats which must be considered in the determination of all relevant planning applications.</p> <p>Trees and Woodland: This draft Supplementary Guidance mirrors existing Statutory Supplementary Guidance which supports LDP policy NE5. It also states that compliance with BS 5837:2012 (tree retention) and BS 3998:2010 (tree management) are material considerations in the determination of relevant planning applications.</p> <p>Flooding, Drainage and Water Quality: This draft Supplementary Guidance explains the flood risk management regime, identifies when DIA and or Flood Risk Assessments (FRA) will be required to support planning applications, sets out the required content of FRAs and DIAs and encourages the use of SUDS.</p> <p>Open Space and Green Infrastructure: This draft Supplementary Guidance identifies open space and green infrastructure requirements for development proposals. In relation to brownfield redevelopment proposals, the draft Supplementary Guidance recognises the potential need for site remediation and states that “<i>if developers can satisfy the Council that there are exceptional development costs associated with a site it may not always be appropriate to apply the minimum standards for open space to such developments. The Council may instead seek a contribution towards off-site open space enhancements. The necessary contribution will reflect the scale and type of development</i>”.</p>
Supplementary Guidance – Resources: Energy and Resources	Resources for New Developments: This draft Supplementary Guidance provides guidance regarding density, energy use, waste and water efficiency to minimise resource usage in new developments. Of particular relevance, the draft Supplementary Guidance explains the benefits of and viability requirements for district heating schemes. The draft Supplementary Guidance also states that new development will “ <i>be deemed to have complied with the requirement to install LZCGT if it can be demonstrated that the development will achieve a CO₂ saving 15% greater than required by the current building standards</i> ”. Of note, whilst this required percentage reduction (15%) in CO ₂ emissions through the use of LZCGT is consistent with adopted LDP Policy R7, proposed Policy R7 requires a greater (20%) reduction.

3.3 Other Regional and Local Material Considerations

Regional Strategies

Aberdeen City and Aberdeenshire Regional Economic Strategy: Securing the future of the north east economy (December 2015)

- 3.3.1 Approved by Aberdeen City and Aberdeenshire Councils, this strategy provides a vision and investment plan to enable the North East's economy to respond to current economic challenges and realise long term growth. "*Investment in Infrastructure*" forms one of four 'economic strands' to implement this vision. In this regard the strategy identifies a need for both transport and utilities infrastructure (including waste) improvements across the region.
- 3.3.2 The Investment in Infrastructure economic strand seeks to regenerate urban areas, enhance connectivity, improve quality of life, maximise recovery of resources from the UK Continental Shelf, and modernise the city region's utilities infrastructure. A suite of 12 actions are linked these objectives, including Action vii which commits the Councils to the regeneration of a 2ha site (the Development Site) within East Tullos with the potential delivery of a £150m EfW facility by 2021. Following from this Action xi seeks to increase renewable energy generation capacity in the region, whilst the "Innovation" economic strand seeks to maximise the potential of energy from waste and renewable energy technologies, including through collaborative projects with Aberdeenshire and Moray Councils.

Regional Transport Strategy Refresh (Nestrans, January 2014)

- 3.3.3 This document provides a refresh of the Regional Transport Strategy (RTS) for Aberdeen City and Shire which was originally adopted in 2008. The refreshed RTS sets out a framework of integrated measures to enable the North East's transport system to facilitate "*a more economically competitive, sustainable and socially inclusive society*". Required measures identified in Table 5.1 of the document include junction upgrades on the A956/A90 corridor, including Wellington Road situated to the west of the Development Site, to improve traffic flow. The refreshed RTS also identifies a need for strategic road capacity improvements along the A90 and A96, as well as local road improvements.

Aberdeen City Local Transport Strategy 2016 – 2021

- 3.3.4 This document sets out Aberdeen City Council's policies, committed interventions and proposed future projects to guide the planning and improvement of the city's local transport network to 2021. As in the Regional Transport Strategy Refresh, the Aberdeen Western Periphery Route (AWPR) is considered as part of the reference case upon which new transport improvement projects can be developed.

3.4 National Planning Policies

- 3.4.1 The main national planning policy framework is contained within the National Planning Framework (NPF) 3 and the Scottish Planning Policy (SPP), both of which were published on 23rd June 2014. These documents are supported by a range of advice and guidance documents.

National Planning Framework

- 3.4.2 NPF3 provides a statutory framework around which to orientate Scotland's long-term spatial development. The Framework highlights the spatial planning implications of multiple national policy documents and commitments, including the binding decarbonisation targets enshrined within the Climate Change (Scotland) Act 2009.

- 3.4.3 Overall, the NPF3 emphasises the Scottish Government’s commitment to increasing sustainable economic growth across all areas of Scotland and therefore orientates the efforts of Scotland’s planning system towards this purpose. The national spatial strategy of the NPF3 is structured around four key themes, namely:
- ▶ *“A successful, sustainable place: paragraph 2.21 recognises the importance of brownfield redevelopment as a catalyst for wider regeneration and identifies a role for the planning system in identifying “new and beneficial uses for previously used land including, in the right circumstances, ‘green’ end uses”;*
 - ▶ *A low carbon place;*
 - ▶ *A natural, resilient place: paragraph 4.8 states “All of our resources, including our waste, require sustainable management to deliver on our climate change commitments and realise opportunities for business and employment. A decentralised network of processing facilities will be needed to achieve our vision for a circular economy where waste is recognised as an opportunity, not a burden. We expect planning authorities to work with the market to identify viable solutions and leave a sustainable legacy for future generations. Working together with the Zero Waste Plan, the Scottish Planning Policy provides a policy framework for achieving this within development planning and management.”; and*
 - ▶ *A connected place”.*

Scottish Planning Policy

- 3.4.4 The SPP sets out the Scottish Government’s expectations regarding the treatment of specific planning issues within development planning and development management. The document aims to contribute to the achievement of the Scottish Government’s overarching purpose of achieving sustainable economic growth. The SPP sets out a range of relevant policy provisions which are applicable to the LDP as well as the Proposed Development.
- 3.4.5 Overarching policies relating to Sustainability and Placemaking are of relevance. On Sustainability (paragraphs 24-35), the SPP includes a presumption in favour of development that contributes to sustainable development, which relates to the identification of the need for and acceptability of the development. Furthermore, the SPP identifies 13 sustainable development principles which should guide planning policies and decisions. In regards to Placemaking (paragraphs 36-57), the SPP seeks to direct new development to the right location and to encourage a design-led approach to development in order to create high quality places. It identifies six Placemaking qualities including: distinctive, safe and pleasant, welcoming, adaptable, resource efficient, and easy to move around and beyond. These are referenced in Proposed Policy D1: Quality Placemaking by Design (see Table 4.2).
- 3.4.6 Other relevant policy provisions relating to Furthermore policy provisions relating to: Supporting Business and Employment (paragraphs 92 – 108), Valuing the Historic Environment (paragraphs 135 – 151), Valuing the Natural Environment (paragraphs 193 – 233), Managing Flood Risk and Drainage (paragraphs 254-268), and Promoting Sustainable Transport and Active Travel (paragraphs 269-291) are noted.
- 3.4.7 Waste Management and the Energy Infrastructure policies are summarised in the following sections.

Waste Management

- 3.4.8 The SPP includes a Planning for Zero Waste Subject Policy (paragraphs 176 – 192), which sets out the planning implications of both Scotland’s Zero Waste Plan (2010) and the waste management aspirations detailed in the NPF3. The SPP identifies that the planning system should:
- ▶ *“Promote developments that minimise the unnecessary use of primary materials and promote efficient use of secondary materials;*

- ▶ *Support the emergence of a diverse range of new technologies and investment opportunities to secure economic value from secondary resources, including reuse, refurbishment, remanufacturing and reprocessing;*
- ▶ *Support achievement of Scotland's zero waste targets: recycling 70% of household waste and sending no more than 5% of Scotland's annual waste arisings to landfill by 2025; and*
- ▶ *Help deliver infrastructure at appropriate locations, prioritising development in line with the waste hierarchy: waste prevention, reuse, recycling, energy recovery and waste disposal".*

3.4.9 SPP states that development plans should align with the Zero Waste Scotland Plan and should *"enable investment opportunities in a range of technologies and industries to maximise the value of secondary resources and waste to the economy, including...anaerobic digestion, mechanical, biological and thermal treatment plants"*. The SPP also requires planning authorities to take account of annually updated waste management capacity requirements for local authorities and to ensure that Scotland as a whole has sufficient capacity to deal with all generated waste through developing a network of appropriately located waste management infrastructure. Whilst the SPP encourages the localised treatment of waste, it prioritises need ahead of proximity when a shortfall in capacity is identified, and it allows for cross (local authority) boundary transportation of waste.

3.4.10 With respect to proposed energy for waste facilities, the SPP states that such proposals *"should enable links to be made to potential users of renewable heat and energy"*.

3.4.11 The SPP emphasises the need to *"take full account of"* the planning principles identified at paragraph 176 in decision making and to consider SEPA's Thermal Treatment of Waste Guidelines 2013. The SPP states that planning authorities should consider the application of buffer zones between sensitive receptors dwellings and proposed facilities when siting waste management infrastructure, with a distance of 250m suggested as an appropriate buffer zone *"between sensitive receptors and operations such as outdoor composting, anaerobic digestion, mixed waste processing, thermal treatment or landfill gas plant"*.

Energy Infrastructure

3.4.12 Policies specific to energy infrastructure development (including renewables) are set out within the SPP at paragraphs 152-174. It is noted that taken together, the NPF3 and the SPP should *"facilitate the development of generation technologies that will help to reduce greenhouse gas emissions from the energy sector...efficient supply of low carbon and low cost heat and generation of heat and electricity from renewable energy sources are vital to reducing greenhouse gas emissions and can create significant opportunities for communities"*.

3.4.13 The SPP identifies four planning principles (paragraph 154) necessary to underpin the delivery of electricity and heat infrastructure:

- ▶ *"Support the transformational change to a low carbon economy...;*
- ▶ *Support the development of a diverse range of electricity generation from renewable energy technologies...;*
- ▶ *Guide development to appropriate locations and advise on the issues that will be taken into account when specific proposals are being assessed...; and*
- ▶ *Help to reduce emissions and energy use in new buildings and from new infrastructure by enabling development at appropriate locations that contributes to...energy efficiency, heat recovery, efficient energy supply and storage, electricity and heat from renewable sources; and electricity and heat from non-renewable sources where greenhouse gas emissions can be significantly reduced"*.

3.4.14 SPP states that development plans *"should seek to ensure an area's full potential for electricity and heat from renewable sources is achieved, in line with national climate change targets, giving due regard to relevant environmental, community and cumulative impact considerations"*.

- 3.4.15 Relevant considerations as identified by the SPP and considered applicable to the Proposed Development include:
- ▶ Net economic impact;
 - ▶ Contribution to renewable energy generation targets and effect on greenhouse gas emissions;
 - ▶ Cumulative impacts;
 - ▶ Impacts on communities and individual dwellings;
 - ▶ Landscape and visual impacts;
 - ▶ Impacts on natural environment, water environment, historic environment, tourism and recreation and aviation and defence interests;
 - ▶ Impacts on public access, road traffic including adjacent trunk roads;
 - ▶ Conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration; and
 - ▶ Opportunities for energy storage.

Other National Planning Policies, Advice and Guidance

Scottish Historic Environment Policy (SHEP) (2011)

- 3.4.16 This document sets out Scottish Ministers' policies for the historic environment and provides policy direction for Historic Scotland. A number of key principles underpin SHEP, including that "*there should be a presumption in favour of preservation of individual historic assets and also the pattern of the wider historic environment; no historic asset should be lost or radically changed without adequate consideration of its significance and of all the means available to manage and conserve it*".

Creating Places - A policy statement on architecture and place for Scotland (2013)

- 3.4.17 This document sets out the Scottish Government's overall policy statement on architecture and place. The document defines 'good design' as "*an innovative and creative process that delivers value*", in terms of:
- ▶ *Physical value – enhances a setting;*
 - ▶ *Functional value – meets and adapts to the long-term needs of all users;*
 - ▶ *Viability – provides good value for money;*
 - ▶ *Social value – develops a positive sense of identity and community; and*
 - ▶ *Environmental value - efficient and responsible use of our resources*".
- 3.4.18 The policy statement provides a detailed explanation of the six qualities of successful places which are now embedded within the SPP and the Aberdeen City LDP Proposed Plan.

National Planning Advice and Guidance

- 3.4.19 National planning policy is supported by numerous Scottish Government Planning Circulars, Planning Advice Notes (PANs), Advice Sheets, Ministerial/Chief Planner Letters to Planning Authorities, as well as guidance documents prepared by Key Agencies of the Scottish Government. Annex A to Scottish Government Planning Circular 3/2013: Development Management Procedures (Revision 1.0) confirms that amongst other considerations, the types of documents listed below are all potential material considerations in the determination of planning applications. The following Scottish Government documents are considered to be of relevance to the planning application:

- ▶ Scottish Government's Chief Planner letter regarding Energy Targets and Scottish Planning Policy (November 2015);
- ▶ Online Planning and Waste Management Advice (updated July 2015) (see summary below);
- ▶ Online Planning Advice regarding Flood Risk (June 2015);
- ▶ PAN 1/2013: Environmental Impact Assessment (August 2013);
- ▶ Online Renewables Planning Advice (the 'Specific Advice Sheet) regarding Energy from Waste (May 2013) (see summary below);
- ▶ PAN 2/2011 Planning and Archaeology (July 2011);
- ▶ Planning Circular 3/2011: The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011;
- ▶ PAN 1/2011 Planning and Noise (March 2011);
- ▶ PAN 60 Planning for Natural Heritage (2000, revised January 2008);
- ▶ PAN 81 Community Engagement (March 2007);
- ▶ PAN 51 Planning, Environmental Protection and Regulation (Revised October 2006);
- ▶ PAN 79 Water and Drainage (September 2006);
- ▶ PAN 75 Planning for Transport (August 2005);
- ▶ PAN 68 Design Statements (August 2003); and
- ▶ PAN 61 Planning and Sustainable Urban Drainage Systems (July 2001).

3.4.20 Of particular relevance are the Scottish Government's Online Planning and Waste Management Advice (updated July 2015), Online Renewables Planning Advice regarding Energy from Waste (May 2013) and Chief Planner letter regarding Energy Targets and Scottish Planning Policy. These are considered further below.

Online Planning and Waste Management Advice (July 2015)

- 3.4.21 The document summarises the existing waste management policy context requiring the need to establish a network of waste management infrastructure, and then sets out the development planning and development management implications of this. The document clarifies that the SPP does not preclude local planning authorities from identifying the most appropriate sites for waste management infrastructure depending on their local context and does not prescribe the technology mix which should be used to deal with waste, providing that the waste hierarchy is adhered to.
- 3.4.22 In relation to development planning the document, paragraph 21 identifies the following sites as suitable for waste management activities:
- ▶ *“Industrial and employment areas;*
 - ▶ *Degraded, contaminated or derelict land;*
 - ▶ *Working and worked out quarries;*
 - ▶ *Sites that have the potential to maximise the potential for the re-use of waste heat through co-location with potential heat users;*
 - ▶ *Existing or redundant sites or buildings that can be easily adapted;*
 - ▶ *Existing waste management sites, or sites that were previously occupied by waste management facilities; and*
 - ▶ *Sites accessible to railways, waterways or the trunk and principal road network junctions”.*

- 3.4.23 The document requires planning applications for EfW plants to be supported by a sufficiently detailed heat plan, and in this regard it is supportive of the connection of EfW plants to district heating networks.
- 3.4.24 The following environmental considerations associated with waste management development proposals are of relevance:
- ▶ *“Effects on residential amenity, related to emissions to air, the control of odour, dust, noise, vermin, birds and litter;*
 - ▶ *Impacts related to site access and traffic movements;*
 - ▶ *Potential impacts related to the types of waste to be treated or deposited and the proposed method of treatment or disposal; and*
 - ▶ *Potential effects on the water environment or flood risk”.*

Online Renewables Planning Advice regarding Energy from Waste (May 2013)

- 3.4.25 This document advises that in the course of determining planning applications for EfW developments, planning authorities should:
- ▶ *“Ensure that key consultees are involved in meetings and site visits on the application to minimise impacts and to help ensure that constraints are overcome where possible; and,*
 - ▶ *Technical information and guidance on typical issues associated with EfW are provided below which planning authorities should draw upon in determining applications”.*
- 3.4.26 The document clarifies the Scottish Government’s position that to implement the principles within Article 16 of the Revised Waste Framework Directive (2008/98/EC) (see further details in Section 5.5) and to contribute to the achievement of the Scottish Government’s renewable energy generation targets, planning authorities have an *“obligation”* to consider suitable sites for EfW facilities and to develop a *“supportive”* planning policy framework for these developments.
- 3.4.27 The document identifies the following *“typical”* planning considerations in the determination of applications for EfW plants:
- ▶ Design and Visual Impact Considerations - visual impacts need to be considered, with *“careful attention”* given to layout, building design, boundary treatment and lighting matters;
 - ▶ Amenity Considerations – amenity factors including *“provision for storage of waste, odour and air quality issues, noise from engines, boilers and handling equipment, and the traffic involved in transporting waste/by-products to and from the site”* require consideration;
 - ▶ Defence Considerations: physical and radar safeguarding issues resulting from tall stacks require consideration. Consultation with the Ministry of Defence is therefore advised; and
 - ▶ Pollution Prevention: SEPA should be consulted *“at an early stage”* regarding thermal treatment and potential hydrological or associated ecological impacts. Whilst SEPA’s requirements must be *“proportionate”* they may have design related implications.

3.5 Waste Management Policy Overview

- 3.5.1 Safe, efficient and environmentally friendly collection and processing of municipal waste is one of the most basic statutory duties of all local authorities. A detailed legislative and policy framework has evolved and been cascaded through European, national and local levels over recent decades to ensure that local authority waste management activities align with wider societal objectives, particularly with regards to environmental protection, resource efficiency and sustainable development. In general terms, high level waste management targets have been set through European Union Directives and then transposed into detailed provisions within Scottish legislation. However, the Scottish Government has also introduced its own legislative and policy measures to

achieve the ambition of creating a 'Zero Waste Scotland'. In short, the Proposed Development is required to ensure that the waste management duties of the Applicant and Partner Councils can continue to be discharged in accordance with this legislative and policy framework, thereby allowing their waste management activities to contribute to sustainable development.

European Legislation

- 3.5.2 The applicable waste management legislative and policy framework is underpinned by EU 1999/31/EC – the Landfill Directive and European Union (EU) Directive 2008/98/EC – the revised Waste Framework Directive. The overarching purpose of these Directives is to minimise waste creation and maximise resource recovery.
- ▶ EU Directive 1999/31/EC requires the diversion of biodegradable waste from landfill to be undertaken by all EU member states and sets time limited binding targets to achieve this.
 - ▶ EU Directive 2008/98/EC reaffirms the importance of applying the waste hierarchy and therefore emphasises the need to recover maximum value from non-recyclable wastes. This Directive classifies municipal waste incinerators as “*recovery operations*” provided they contribute to the generation of energy with high efficiency and encourage innovation in waste incineration.
- 3.5.3 Other relevant European legislative drivers are Directive 2000/76/EC – the Waste Incineration Directive and Directive 2010/75/EU – the Industrial Emissions Directive, which seek to minimise environmental impacts from waste management and other industrial processes, in particular by setting air pollutant emissions limits. In addition the ‘Closing the loop - An EU Action Plan for the Circular Economy’ policy package (European Commission, 2015) refreshes the European Commission’s aim of significantly reducing waste landfilling, including through increased deployment of EfW facilities.

Scottish Legislation and Policy

- 3.5.4 European waste management legislation has been transposed into Scots law through multiple statutory instruments, including the Waste (Scotland) Regulations 2012 (as amended) which introduces a ban on the landfilling of biodegradable municipal waste from 1st January 2021 with limited exceptions. The stated purpose of this landfill ban (Scottish Government, 2012) is to maximise resource recovery in line with the waste hierarchy set out in EU Directive 2008/98/EC and Scotland’s Zero Waste Plan (see below). As well as a legal requirement to implement the landfill ban, other statutory influences on the Applicant’s approach to waste management are the Landfill Tax (devolved to the Scottish Government from 1st April 2015) and section 44(c) of the Climate Change (Scotland) Act 2009 (as amended), which requires all public bodies to act “*in a way that it considers is most sustainable*”. Aberdeen, Aberdeenshire and Moray Councils must satisfy this statutory provision when determining how to comply with the waste management legislative and policy framework.
- 3.5.5 Building upon these legislative drivers, Scotland’s Zero Waste Plan (Scottish Government, 2010) sets out a strategic direction for waste management policy and identifies specific policy objectives. The headline target within this Plan is that by 2025, only 5% of Scotland’s waste should be landfilled. To achieve this target and associated objectives (including compliance with EU Directives 1999/31/EC and 2008/98/EC) the Plan recognises the need for new waste management infrastructure across Scotland, provides support for waste management facilities which contribute to towards the achievement of Scottish renewable energy targets, and identifies a specific role for Energy from Waste facilities in recovering value from non-reusable and non-recyclable materials.
- 3.5.6 To support the implementation of Scotland’s Zero Waste Plan (2010), SEPA’s Thermal Treatment of Waste Guidelines 2014 (SEPA, May 2014) sets out SEPA’s approach to the planning and permitting of thermal treatment waste management facilities. This guidance confirms that, providing proposals are appropriately located, well managed and comply with applicable emissions standards, new EfW facilities “*should not cause significant pollution of the environment or harm to human health*”. In relation to proposed EfW facilities the guidance sets an expectation “*that where heat networks and heat generators do exist that any new development proposed in the vicinity will*

be connected to these sources". This guidance also sets out technical and environmental assessment criteria for new thermal waste treatment plants.

- 3.5.7 The Scottish Government's continued commitment to the minimisation of waste and maximisation of resource recovery is evidenced within the Making Things Last: Consultation on creating a more circular economy in Scotland (Scottish Government, 2015), which outlines proposals to develop a more circular economy. The draft strategy (page 31) notes that the thermal treatment of non-recyclable waste plays an important role in avoiding the landfilling of waste. It also emphasises the importance of embedding "good quality" Combined Heat and Power (CHP) facilities within thermal treatment facilities.

Local Level

- 3.5.8 At the local level, the Aberdeen City Waste Strategy 2014-2025 sets out Aberdeen City Council's (the Applicant's) long terms plans for sustainable waste management in line with Scotland's Zero Waste Plan (2010) and applicable statutory provisions. The strategy seeks to implement localised waste management solutions in accordance with the 'proximity principle', and fully endorses the use of the waste hierarchy. The strategy identifies numerous objectives and of direct relevance to the Proposed Development commits the Applicant to the development of "*residual treatment capacity in Aberdeen by using non-recycled waste to generate heat and power*". The specific rationale for the Proposed Development is outlined on page 22, where the strategy states:
- "We need an EfW plant. This will allow us to generate heat and power from our black bin waste. This will allow our city to benefit from heat and power produced from our waste resources; helping to tackle fuel poverty issues in our area, cutting our landfill costs and offering a sustainable energy resource"*.
- 3.5.9 This strategy notes that heat and electricity generated from an EfW facility could be used by local communities and businesses (page 23), whilst the Proposed Development would also deliver financial savings and contribute to climate change mitigation. Moray Council's Waste Strategy (2015) also identifies the need to develop an EfW facility within Aberdeen to treat residual municipal waste arising from the three council areas.

3.6 Climate Change and Renewable Energy Policy Overview

- 3.6.1 The Scottish and UK legislative and policy framework on climate change is shaped by international climate change legislation. These incorporate binding targets in reduction of greenhouse gas emissions and in generation of energy from renewable sources. At an EU level, there is a binding target for the UK to generate 15% of all energy consumed from renewable sources by 2020 (Renewable Energy Directive 2009/28/EC). Alongside this, there is the following commitments (EU 2030 Climate & Energy Policy Framework, October 2014):
- ▶ A binding EU target of an at least 40% domestic reduction in greenhouse gas emissions by 2030 compared to 1990 (i.e. without the use of international carbon trading);
 - ▶ A binding EU target of at least 27% of all energy consumed to come from renewable energy consumed in 2030; and
 - ▶ An indicative target at the EU level of at least 27% improvement in energy efficiency.
- 3.6.2 At a Scottish level, the Climate Change (Scotland) Act 2009 sets binding net carbon emission reduction targets of 42% by 2020 and 80% by 2050 compared with 1990 levels, and also requires Scottish Ministers to meet annual emission reductions targets in line with a trajectory towards the 2050 target. Specific provisions of relevance include a requirement of all public bodies to contribute to the delivery of these, and a duty on the Scottish Ministers to promote renewable heat.
- 3.6.3 The Scottish Government have published multiple plans, strategies and other documents regarding the role of Scottish renewable energy generation in climate change mitigation and the wider importance of the Scottish renewable energy sector.

In summary, this national policy framework:

- ▶ Sets out the following renewable energy generation targets:
 - ▶ 100% of Scotland's electricity demand from renewable sources by 2020, which would require approximately 14-16 Gigawatts (GW) of electricity generation capacity;
 - ▶ 11% of Scotland's heat demand to be met from renewable sources from 2020, which would require approximately 2.1GW of renewable heat generation capacity;
 - ▶ 1.5TWh of Scotland's heat demand to be delivered by district or communal heating and to have 40,000 homes connected by 2020;
 - ▶ A carbon intensity of 50g CO₂/kWh for electricity generation by 2030;
 - ▶ A target of achieving a "*largely decarbonised electricity generation sector by 2030*", largely using renewable sources; and
 - ▶ In line with recommendations of the UK Committee on Climate Change, an ambition of realising a "*largely decarbonised heat sector by 2050 with significant progress by 2030*", involving "*a massive increase in the use of renewable or low carbon heating*".
- ▶ Confirms that the Scottish Government's renewable energy targets are time limited deadlines for the deployment of minimum levels of installed generating capacity.
- ▶ Supports the deployment of all scales and types of renewable energy technologies in appropriate locations and confirms that the deployment of renewable energy technologies, as a "*key aspect*" of Scotland's current economic strategy.

4. Planning Assessment

4.1 Introduction

4.1.1 This section of the Planning Statement provides an assessment of the Proposed Development relevant Development Plan, national and other policies and other relevant material considerations (as set out in Section 3).

4.1.2 Under section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended), the determination of all planning applications must be made in accordance with the statutory Development Plan applicable to the proposed site unless material considerations indicate otherwise.

4.2 Management of Waste

4.2.1 As noted in Section 3, the Scottish Government has banned the disposal to landfill of separated recyclables and biodegradable waste from 1st January 2021 in order to maximise resource recovery and assist in achieving Scotland's Zero Waste Plan (Scottish Government, 2010) targets for composting and recycling of 60% of all waste by 2020 and 70% by 2025.

4.2.2 The proposals seek to recover energy from 150,000 tpa of residual municipal waste; waste that is currently being landfilled by all three councils. It should be noted that residual waste is considered as the waste remaining once all other efforts to re-use and recycle have been exhausted. This leaves the options of recovery and landfill. It should be noted that failure to meet ever more stringent recycling and landfill diversion targets could result in substantial financial penalties being imposed on local Councils.

4.2.3 The vision of the Zero Waste Plan is carried forward in national planning policy as set out within NPF3 and SPP. Both documents advocate the development of sustainable waste processing facilities which will achieve the Government's vision for a circular economy. A vision where waste is recognised as an opportunity and not a burden. SPP further states that relevant infrastructure development should be prioritised in line with the waste hierarchy: waste prevention, reuse, recycling, energy recovery and finally, waste disposal. It is also noted that the adopted and emerging Development Plan emphasises the need to support new waste management infrastructure. The SDP (2014) as noted in section 3.2 above sets a target of at least an extra 300,000 tonne capacity of new facilities. SDP confirms that the waste hierarchy should guide all decisions regarding waste management strategies and proposals. Of relevance, is also the Aberdeen City Waste Strategy 2014-2025 which clearly commits to the development of an EfW facility in order to treat Aberdeen's residual waste.

4.2.4 In this regard, all three councils have well established recycling and sorting schemes in place and are seeking to further improve and maximise these whilst working towards achieving the 60% recycling target by 2020. Between them, Aberdeen City, Aberdeenshire and Moray Councils collected 278,000 tonnes of household waste in 2014 as well as a small amount of commercial/trade waste. Of the household waste, 117,000 tonnes (42.2%) was recycled and 161,000 tonnes of mixed untreated waste was sent to landfill.

4.2.5 The Proposed Development has been sized based upon predicted waste arisings for each Council. The capacity of the Proposed Development allows for 'future proofing' for any future municipal waste arisings as a result of economic growth and projected housing growth. Anticipated waste arisings from each council which would feed into the EfW plant are:

- ▶ Aberdeen City Council 60,000 tonnes;
- ▶ Aberdeenshire Council 70,000 tonnes; and
- ▶ Moray Council 20,000 tonnes.

- 4.2.6 The proposed capacity of 150,000 tonnes p.a. of residual municipal waste reflects the above inputs. However, should the Councils efforts to recycle result in less residual municipal waste, there are opportunities for the remainder to be sourced from local commercial/trade waste with a similar composition to household waste.

Existing Recovery Infrastructure

- 4.2.7 At present, there are no residual municipal waste treatment facilities within the three council areas. On a national scale, there is also a shortage of EfW infrastructure with capacity available to meet the council's needs.
- 4.2.8 The residual municipal waste is currently landfilled at Stoneyhill Landfill in Peterhead by Aberdeen and Aberdeenshire Councils, and Nether Dallachy Landfill in Spey Bay by Moray Council however this cannot continue beyond 2020.
- 4.2.9 There have been previous attempts to develop suitable facilities individually by Aberdeen City and Aberdeenshire Council's, and by other private developers but these have to date been unsuccessful. There are no current similar proposals for treatment of commercial waste.

Proximity Principle

- 4.2.10 As noted in section 3.4 above, the SPP (2014) states that a network of appropriately located waste management infrastructure should be developed and whilst localised treatment is encouraged, the treatment of waste is a priority over proximity where a shortfall in capacity is identified. The SPP specifically refers to opportunity for cross (local authority) boundary transportation of waste. This approach to waste management is evident in a number of Scottish Councils including Midlothian and Edinburgh, and Glasgow and Clyde Valley.
- 4.2.11 The Proposed Development has been developed with the aim to treat residual municipal waste streams from Aberdeen, Aberdeenshire and Moray Councils, offering a cross-boundary approach. This proposal is fundamentally in accordance with the proximity principle and has come forward to provide a regional waste management solution for the northeast taking account of the lack of existing infrastructure, concentration of waste arisings balanced with key economic drivers and opportunities to supply heat and power.

Alternatives

- 4.2.12 The Councils could attempt to procure capacity at existing EfW's in Scotland and beyond, however since these are predominantly being developed to service existing contract arrangements e.g. an EfW is being developed at Millerhill, Midlothian to accept waste from Edinburgh and Midlothian Councils and there's a similar arrangement for Glasgow at Polmadie, any spare capacity available would be limited and below the level required by the 3 Councils.
- 4.2.13 The other alternative is to process the residual municipal waste to produce a Refuse Derived Fuel (RDF) which can be shipped to other European Countries for use within their existing EfW's. Whilst this option is being exploited by Aberdeen City Council in the short term (until a local facility is built), there are a number of risks associated with this solution which prevent reliance on a long term basis. These risks were considered within the EfW Business Case developed by Aberdeen City Council (Aberdeen City Council Zero Waste Management Sub-committee, 4 December 2013).
- 4.2.14 Having determined that a local solution best met the Council's needs, the applicant carried out a review of various technologies capable of processing residual municipal waste and concluded that a solution such as energy from waste, developed as a high quality Combined Heat and Power Plant (CHP), meets with Scottish Government aspirations² and supports other Circular Economy initiatives.

² <http://www.gov.scot/makingthingslast>

- 4.2.15 Energy from Waste is a proven solution for the effective treatment of residual waste, with numerous operational facilities in the UK and continental Europe; in particular it is a strong solution for the diversion of biodegradable waste from landfill.
- 4.2.16 Mass Burn Incineration is the most common type of Energy from Waste Technology although others are available; pyrolysis and gasification, otherwise described as Advanced Thermal Treatment (ATT) plants. These three technology options are all available at the size and scale required for the waste produced by the three Councils and the chosen site, however Mass Burn incineration is by far the most common, with a significant track record of working efficiently and safely in the UK, processing residual municipal waste, therefore this technology has been selected.
- 4.2.17 In view of the need to develop new recovery facilities and to divert wastes from landfill, it is not considered that the 'do-nothing' option is a viable or sustainable one.
- 4.2.18 It should also be noted that a comprehensive site search exercise was carried out by the applicant to determine whether there are any suitable and available sites in Aberdeen or its periphery that would be suitable for the development of a strategic waste management facility. As detailed in the Site Selection Report (ES Volume 3, Appendix 2.A) 44 sites were identified and considered. Following a staged review against applicable policy criteria a final list of 11 sites were identified. Following further review, East Tullos Industrial Estate was identified as the preferred site, scoring well against identified policy criteria including environmental constraints, proximity to waste concentration, proximity to potential heat users, and site availability.

Best Practicable Environmental Option

- 4.2.19 The adopted LDP Policy R3 Waste Management Facilities, in line with the now superseded PAN 63 Waste Management Planning, requires that proposals represent the Best Practicable Environmental Option (BPEO) for that waste stream. BPEO was identified as a key principle which should inform all decisions on future waste management infrastructure, identifying the option which provides the least damage to the environment as a whole, recognising emissions to all media but at an acceptable cost.
- 4.2.20 A detailed BPEO assessment is no longer a national policy requirement as reflected within the Proposed Plan, however it should be noted that the applicant's decision to pursue an EfW solution for the residual municipal waste stream was considered in detail during the development of the Council's Waste Strategy 2014-2025³, which was the subject of a Strategic Environmental Assessment, completed in 2009.
- 4.2.21 In addition, it should be noted that the majority of the BPEO criteria have been addressed as part of the EIA process carried out for the development along with the site selection and public consultation.

4.3 Energy Recovery

- 4.3.1 Both NPF3 and the SPP confirms that the planning system has a key role in tackling climate change and working towards achieving the Government's target for renewable energy generation. They recognise the planning systems role in facilitating new development of electricity and heat infrastructure. The SPP confirms that EfW facilities should be located where the heat output can be maximised and is long term. It states that heat demand sites for particular consideration include high density developments, communities off the gas grid, fuel poor areas and anchor developments such as hospitals, schools, leisure centres and heat intensive industry.
- 4.3.2 The Proposed Development will have the capacity to generate both electricity and heat which aligns with both national and international policy requirements. The Proposed Development as set out in the Heat and Power Plan, is located in an area with strong long term heat demand which offers the opportunity to maximise the heat output. There are potential anchor developments, such as Tullos

³ http://www.aberdeencity.gov.uk/waste/strategy/rub_WasteStrategy.asp

Primary School located within 1km along with council own housing stock and fuel poor areas. There are also further opportunities to supply heat within the industrial estate and to link up to with existing district heating system.

4.4 Sustainability

4.4.1 The concept of sustainable development can be defined as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs” (Bruntland Commission, 1987)⁴. The SPP confirms that there is a presumption in favour of development that contributes to sustainable development. The aim being to support proposals that located in the right place providing a long term balance of costs and benefits. In terms of waste management the concept of sustainability centres on the resource recovery and an aim toward closed loop recycling of resources. Overall, the Proposed Development alongside the three Councils’ other re-use and recycling activities are considered to meet with the principles of sustainability as outlined within the SPP:

- ▶ It provides the best economic recovery waste management solution for the northeast;
- ▶ It is located on a brownfield site within an existing industrial estate and has been subject to a high standard of design responding to both its location and function;
- ▶ It will recover energy from the residual waste and provide a combined heat and power solution which can benefit the surrounding area, and area with identified fuel poverty;
- ▶ It has been subject to an EIA which concludes no significant environmental effects and is subject to landscaping, drainage and design enhancement measures; and
- ▶ It protects the amenity of existing residential areas having carried out detailed assessment of impacts relating to noise, traffic, air quality and visual.

4.5 Locational Criteria

4.5.1 The Development Site is within East Tullos Industrial Estate, an established industrial estate on the south side of Aberdeen. It is a brownfield site which incorporates a mothballed gas holder and associated infrastructure. The Development Site is flanked by an existing waste management site and a fish processing plant. There is continued support for industrial and business development within the estate as per the current and emerging Development Plan (Policy B1). In addition, the emerging Development Plan under Proposed Policy R4 identifies the proposed site as a site suitable to accommodate an EfW facility. Both plans in line with the SPP confirms that industrial and business site allocations have the potential to accommodate waste management infrastructure.

4.5.2 The SPP details that a 250m buffer could be appropriate between residential receptors and large scale EFW. The Development Site is located approximately 300m from the nearest residential receptor and other sensitive receptors. Nevertheless, the EIA has considered impacts on sensitive receptors taking account of noise, traffic, air quality and visual and has concluded no significant effects. It should be noted that the location of sensitive receptors and potential impact on these where an integral part of the design process and which is evident in the design embedded mitigation measures as detailed within the ES.

4.6 Design and Placemaking

4.6.1 The Proposed Development has been designed to ensure that it takes account of any site constraints, minimise effects on sensitive receptors, also for a functional form and incorporates high quality of design and finish that celebrates the building and its function.

⁴ Bruntland Commission, Our Common Future, 1987

- 4.6.2 A form follows function approach has been the underlying design of the buildings, however, from the outset it has been recognised that due to the scale of the Proposed Development it will be impossible for it to be hidden. Instead this opportunity has been embraced and the Proposed Development results in a positive and confident design which celebrates its presence.
- 4.6.3 To assist in reducing the overall visual scale the main building is horizontally layered, having a lower level 'plinth' which relates to the scale of the structures on the adjacent sites, and an upper level 'shell' which offers a strikingly confident architectural form. Both levels are differentiated in their materials and colour with the upper 'shell' being clad in light reflecting mill finished aluminium shingle cladding, and the 'plinth' in composite metal cladding in a contrasting dark grey colour. The proposed site layout has the main building aligned north to south as it best mitigates the scale and visual impact of the facility as it ensures that its narrowest width faces the residential areas to the north of the Development Site.
- 4.6.4 This approach is aligned with the SPP's Placemaking policy and as set out in the DAS, the Proposed Development has embraced the applicable six qualities as identified by the SPP and incorporated into the emerging Development Plan, Proposed Policy D1.
- 4.6.5 In addition, the Proposed Policy D3 Big Buildings confirms that the most appropriate location for big buildings are within the city centre and its immediate periphery, and that design should be of a high quality which seeks to complement and improve the area within which the proposal is located. The Proposed Development falls within the category of a big building and as noted above, it has been a design led approach which has sought to not only provide a highly functional building but also one which raises the quality of architectural finish within the surrounding area.

4.7 Transport

- 4.7.1 An accompanying Transport Statement describes the anticipated impacts that the Proposed Development will have on the neighbouring roads and also within the wider vicinity of the Development Site.
- 4.7.2 The existing access off Greenbank Crescent will be upgraded for HGV vehicles and a new staff/visitor access will be constructed off Greenbank Road. Both Greenbank Crescent and Greenbank Road are in their current form suitable to serve the traffic that would be generated by the Proposed Development. Removal of car parking space along Greenbank Crescent has been proposed to improve the access arrangements from Greenbank Road. The junction between Greenbank Road and Wellington Road can also accommodate the traffic in its current form.
- 4.7.3 The Transport Statement concludes that the Wellington Road/Greenbank Road junction would continue to operate satisfactorily. The overall traffic impact on the local highway network is considered to be negligible. The assessment of road/junction capacity has taken account of existing traffic, future anticipated traffic increases along with cumulative traffic. It should also be noted that the existing traffic associated with the adjacent waste transfer site will cease during 2017 as part of the relocation to Alten's Industrial Estate. The Aberdeen Western Peripheral Route has also been taken account of. Opportunities for waste to be delivered by rail has been considered and discounted due to practicality and the location of origin facilities in proximity to the rail sidings.
- 4.7.4 A traffic management plan will be in place during construction.
- 4.7.5 Finally, the assessment of environmental effects including severance, driver delay, pedestrian amenity, fear and intimidation, accidents and safety and hazardous loads concludes that the Proposed Development would not result in significant effects.

4.8 Other Environmental Policy Matters

Noise

- 4.8.1 As detailed within Chapter 10 of the ES, it is anticipated that the operational noise of the Proposed Development would be at most the same as existing background noise, including at night time. Predicted noise levels are also below the World Health Organisation guideline for external amenity areas. Recommended internal noise criteria levels for non-residential properties would also be met. Construction noise levels will be below applicable limits at residential properties, however some disruption is anticipated during construction at neighbour commercial properties although this would be temporary.

Air Quality

- 4.8.2 Chapter 11 of the ES sets out the assessment of air quality effects relating to facility emissions, dust and odour have been assessed. Detailed dispersion modelling of point source emissions to air has demonstrated that, predicted increases in concentrations of relevant pollutants at existing receptor locations would be considered not significant, on the basis of the proposed EfW Facility's negligible contribution to baseline concentrations, when the facility is operating normally. No exceedances of the relevant Air Quality Objectives are predicted at the human receptor locations in either the normal or abnormal operational scenarios. The Proposed Development is predicted to have a 'negligible' impact on all three of the modelled AQMA. The dust and odour assessment concludes that, with appropriate mitigation measures in place, there would be negligible, and not significant, effects beyond the site boundary.
- 4.8.3 The Health Impact concludes that the risk of adverse human health effects occurring due to polychlorinated dibenzo-p-dioxins (PCDDs) and polychlorinated dibenzofurans (PCDFs) emissions from the Proposed Development is low or effectively zero.

Contamination

- 4.8.4 The Development Site is scheduled for demolition and remediation during 2016 and is subject to appropriate consents. Initial site investigation work has confirmed potential for localised contamination to be present in soil and groundwater, and these are scheduled to be addressed as part of the planned remediation works. A material improvement of site conditions are anticipated following the remediation works as reported in Chapter 6 of the ES. It is further noted that for the construction of the Proposed Development any residual risks can be managed and mitigated as part of the proposed works.

Flood Risk and Drainage

- 4.8.5 A Flood Risk Assessment (FRA) and a Drainage Impact Assessment have been submitted with the planning application have been completed and is appended to the ES Chapter 7.
- 4.8.6 A site specific drainage system is proposed as part of the Proposed Development which has been designed, in accordance with Sustainable Urban Drainage Principles and, in liaison with Aberdeen City Council's Floods and Drainage Team. It involves the creation of a detention basin, with additional storage provided in below ground tanks. This would allow for up to the 1 in 200 year rainfall event plus a 20% allowance for climate change to be managed at the Development Site. The discharge would be made to the East Tullos Burn culvert. These measures would ensure that there is no increased flood risk to third parties. No significant effects are anticipated.
- 4.8.7 Of note, separate to this application a re-routing of the East Tullos Burn, currently culverted beneath the Development Site is scheduled for 2016 as part of the site clearance and remediation, and will be subject to appropriate consents including a FRA.

Natural Environment

- 4.8.8 A review of the site confirmed that the existing site some potentially to provide suitable habitat for badgers, breeding birds and reptiles, although no notable habitats or species were identified. Chapter 8 of the ES concludes that the Proposed Development would not result in significant effects on legally protected species and that supporting air quality assessment concludes negligible effects (not significant) on designated site.

Landscape

- 4.8.9 Chapter 12 of the ES concludes on the landscape assessment carried out for the Proposed Development. Taking account of townscape character, landscape and seascape character, surrounding landscape designations and locally valued landscapes, it concludes that the Proposed Development would result in no significant effects on landscape receptors.
- 4.8.10 Landscaping proposals have been submitted in support of the planning application taking account existing planting within the industrial estate.

Historic Environment

- 4.8.11 Chapter 13 of the ES report on the historic environment assessment. This concludes that the Proposed Development would not result in significant effects and taking account of its industrial location and setting it would not change the understanding, appreciation or key characteristics of surrounding historical assets.

5. Conclusion

- 5.1.1 This Planning Statement clearly demonstrates that the full planning application for the erection of the East Tullos Energy from Waste facility which will provide Combined Heat and Power is consistent with both the current and the emerging development plans, and applicable material considerations.
- 5.1.2 The rationale behind the Proposed Development is defined by the waste management policy framework combined with the climate change and renewable energy framework. The Proposed Development will make a significant contribution to sustainable waste management within the three council areas by providing an alternative method to landfill. The Proposed Development will recover both heat and electricity from residual waste and provide.
- 5.1.3 The location of the proposed development on brownfield land which is subject to an industrial and business allocation and a proposed waste allocation is supported through the adopted and emerging development plan and national planning policy. Furthermore, the proposed combined heat and power potential of the Proposed Development will allow energy to be recovered from the residual waste in line with national policy and in support of renewable energy and heat targets.
- 5.1.4 The application is also accompanied by a series of supporting documents which have confirmed the sites suitability for development. The ES reporting on the EIA carried out for the Proposed Development, taking account of design and embedded mitigations, concludes that the effects can be minimised to conform to relevant standards, guidance and policy. It is recognised that the Proposed Development would result in localised visual impact, however on planning grounds this is not considered unacceptable in regards to residential amenity. The Proposed Development would also result in positive effects through site regeneration, high standard of design, economic benefits and potential to supply low-cost heat to surrounding areas. It is evident from the design and the investigative reports that have been undertaken, that the Proposed Development is in of an appropriate type and scale, and in an appropriate location.
- 5.1.5 It is therefore requested that full planning permission be granted subject to appropriate and relevant conditions.

6. References

- Aberdeen City and Shire Strategic Development Planning Authority (2014). The Aberdeen City and Shire Strategic Development Plan. Available at: <http://www.aberdeencityandshire-sdpa.gov.uk/nmsruntime/saveasdialog.asp?IID=1111&sID=90> (Accessed 13/01/2016).
- Aberdeen City and Shire Strategic Development Planning Authority (2015). Aberdeen City and Shire Strategic Development Plan Supplementary Guidance: Strategic Transport Fund (August 2015). Available at: <http://www.aberdeencityandshire-sdpa.gov.uk/nmsruntime/saveasdialog.asp?IID=1205&sID=1309> (Accessed 03/03/2016).
- Aberdeen City Council (n.d.). Technical Advice Note (TAN) 7 - Natural Heritage Guidance. Available at: <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=31830&sID=14394> (Accessed 13/01/2016).
- Aberdeen City Council (2012). Aberdeen Local Development Plan 2012. Available at: http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_local_development_plan.asp (Accessed 13/01/2016).
- Aberdeen City Council (2012). Air Quality Supplementary Guidance. Available at: <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=31822&sID=14394> (Accessed 13/01/2016).
- Aberdeen City Council (2012). Archaeology and Planning Supplementary Guidance. Available at: <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=31788&sID=14394> (Accessed 13/01/2016).
- Aberdeen City Council (2012). Bats and Development Supplementary Guidance. Available at: <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=47678&sID=14394> (Accessed 15/02/2016).
- Aberdeen City Council (2012). Design Review Panel Supplementary Guidance. Available at: <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=31780&sID=14394> (Accessed 13/01/2016).
- Aberdeen City Council (2012). Drainage Impact Assessments Supplementary Guidance. Available at: <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=31828&sID=14394> (Accessed 13/01/2016).
- Aberdeen City Council (2012). Infrastructure and Developer Contributions Manual Supplementary Guidance. Available at: <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=47676&sID=14394> (Accessed 13/01/2016).
- Aberdeen City Council (2012). Landscape Guidelines Supplementary Guidance. Available at: <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=31802&sID=14394> (Accessed 13/01/2016).
- Aberdeen City Council (2012). Low and Zero Carbon Buildings Supplementary Guidance. Available at: <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=55244&sID=14394> (Accessed 13/01/2016).
- Aberdeen City Council (2012). Transport and Accessibility Supplementary Guidance. Available at: <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=31774&sID=14394> (Accessed 13/01/2016).
- Aberdeen City Council (2012). Trees and Woodland Supplementary Guidance. Available at: <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=31830&sID=14394> (Accessed 13/01/2016).

- Aberdeen City Council (2014). Aberdeen City Waste Strategy 2014-2025. Available at: <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=56656&sID=24896> (Accessed 13/01/2016).
- Aberdeen City Council (2015). Design: Townscape and Landscape Draft Supplementary Guidance. Available at: <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=62570&sID=26047> (Accessed 13/01/2016).
- Aberdeen City Council (2015). Design: Townscape and Landscape Draft Supplementary Guidance. Available at: <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=62570&sID=26047> (Accessed 13/01/2016).
- Aberdeen City Council (2015). Housing and Planning Obligations Draft Supplementary Guidance. Available at: <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=62576&sID=26047> (Accessed 13/01/2016).
- Aberdeen City Council (2015). Natural Environment: Land and Water Draft Supplementary Guidance. Available at: <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=62578&sID=26047> (Accessed 13/01/2016).
- Aberdeen City Council (2015). Proposed Aberdeen Local Development Plan. Available at: http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_2016_proposed_plan.asp (Accessed 13/01/2016).
- Aberdeen City Council (2015). Resources: Energy and Resources Draft Supplementary Guidance. Available at: <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=62582&sID=26047> (Accessed 13/01/2016).
- Aberdeen City Council (2015). Transport and Infrastructure: Transport, Air Quality and Noise Draft Supplementary Guidance. Available at: <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=62578&sID=26047> (Accessed 13/01/2016).
- Aberdeen City Council (2016). Local Transport Strategy 2016-2021. Available at: <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=68616&sID=2866> (Accessed 15/02/2016).
- Aberdeen City Council, Aberdeenshire Council and Opportunity North East (One). Approved Regional Economic Strategy: Securing the future of the north east economy. Available at: <http://committees.aberdeencity.gov.uk/documents/s52770/Regional%20Economic%20Strategy.pdf> (Accessed 25/01/2016).
- Barton Wilmore on behalf of Aberdeen Harbour Board (2015). Draft Nigg Bay Development Framework. Available at: <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=65982&sID=27115> (Accessed 15/02/2016).
- Department for Energy & Climate Change. (2011) Overarching National Policy Statement for Energy (EN-1). Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/47854/1938-overarching-nps-for-energy-en1.pdf (Accessed 22/01/2016).
- Department for Energy & Climate Change. (2011) National Policy Statement for Renewable Energy Infrastructure (EN-3). Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/47856/1940-nps-renewable-energy-en3.pdf (Accessed 22/01/2016).
- Department for Energy & Climate Change (2011) The Carbon Plan: Delivering our low carbon future. London: HM Government. Available at: <https://www.gov.uk/government/publications/the-carbon-plan-reducing-greenhouse-gas-emissions--2> (Accessed 22/01/2016).
- Department for Energy & Climate Change (2013). UK Renewable Energy Roadmap. Available at: <https://www.gov.uk/government/collections/uk-renewable-energy-roadmap> (Accessed 22/01/2016).

Department for Energy and Climate Change. (2014) Annual Energy Statement 2014. Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/371387/43586_Cm_8945_accessible.pdf (Accessed 22/01/2016).

European Council (1999). Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste. Available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31999L0031&from=EN> (Accessed 22/01/2016).

European Council and European Parliament (2000). Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the incineration of waste. Available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32000L0076&from=EN> (Accessed 22/01/2016).

European Commission (2014). Communication: A policy framework for climate and energy in the period from 2020 to 2030. Available at: http://ec.europa.eu/clima/policies/2030/docs/com_2014_15_en.pdf (Accessed 22/01/2016).

European Commission (2015). Communication from The Commission To The European Parliament, The Council, The European Economic And Social Committee And The Committee Of The Regions: Closing The Loop - An EU Action Plan For The Circular Economy. Available at: http://eur-lex.europa.eu/resource.html?uri=cellar:8a8ef5e8-99a0-11e5-b3b7-01aa75ed71a1.0012.02/DOC_1&format=PDF (22/01/2016).

European Council of Ministers (2015). 2030 Climate and Energy Policy Framework. Available at: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/145356.pdf (Accessed 22/01/2016).

European Council and European Parliament (2008). Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives. Available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32008L0098&from=EN> (Accessed 13/01/2016).

European Council and European Parliament (2009). Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC. Available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009L0028&from=EN> (Accessed 13/01/2016).

European Council and European Parliament (2010). Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control). Available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32010L0075&from=EN> (Accessed 13/01/2016).

Great Britain Parliament (1997). The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. (c.9). Available at: <http://www.legislation.gov.uk/ukpga/1997/9/contents> (Accessed 22/01/2016).

Great Britain Parliament (1997). The Town and Country Planning (Scotland) Act. (c.8). Available at: <http://www.legislation.gov.uk/ukpga/1997/8/contents> (Accessed 22/01/2016).

Great Britain Parliament (2008). Climate Change Act. (c.27). London: HMSO. Available at: <http://www.legislation.gov.uk/ukpga/2008/27/contents> (Accessed 22/01/2016).

Historic Scotland (2011). The Scottish Historic Environment policy. Available at: <http://www.historic-scotland.gov.uk/shep-dec2011.pdf> (Accessed 13/01/2016).

HM Government (2007). Meeting the Energy Challenge: A White Paper on Energy. Available at: http://webarchive.nationalarchives.gov.uk/20121205174605/http://www.decc.gov.uk/assets/decc/publications/white_paper_07/file39387.pdf (Accessed 13/01/2016).

HM Government (2009). The UK Low Carbon Transition Plan. Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/228752/9780108508394.pdf (Accessed 22/01/2016).

HM Government (2009). The UK Renewable Energy Strategy. Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/228866/7686.pdf (Accessed 22/01/2016).

HM Government (2010). National Renewable Energy Action Plan for the United Kingdom. Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/47871/25-nat-ren-energy-action-plan.pdf (Accessed 22/01/2016).

Moray Council (2015). Report to Moray Council on 11th November 2015: Waste Strategy – Consolidation of Waste Management Facilities. Available at:

<http://www.moray.gov.uk/minutes/data/MC20151111/Item%2010-Waste%20Strategy%20and%20Depot%20Rationalisation-R.pdf> (Accessed 15/02/2016).

Nestrans (2013). Regional Transport Strategy Refresh 2013. Available at:

http://www.nestrans.org.uk/db_docs/docs/RTS_Refresh_FINAL_APPROVED_BY_MINISTER.pdf (Accessed 25/01/2016).

Scottish Environment Protection Agency (2014). Thermal Treatment of Waste Guidelines 2014. Available at: http://www.sepa.org.uk/media/28983/thermal-treatment-of-waste-guidelines_2014.pdf (Accessed 13/01/2016).

Scottish Executive (2000). Planning Advice Note (PAN) 33: Development of Contaminated Land. Available at: <http://www.gov.scot/Publications/2000/10/pan33> (Accessed 22/02/2016).

Scottish Executive (2000). Planning Advice Note (PAN) 60: Planning for Natural Heritage. Available at: <http://www.scotland.gov.uk/Publications/2000/08/pan60-root/pan60> (Accessed 22/01/2016).

Scottish Executive (2001). Planning Advice Note (PAN) 61: Planning and Sustainable Urban Drainage Systems. Available at: <http://www.scotland.gov.uk/Publications/2001/07/pan61> (Accessed 22/01/2016).

Scottish Executive (2003). Planning Advice Note (PAN) 68: Design Statements. Available at: <http://www.scotland.gov.uk/Resource/Doc/47133/0026407.pdf> (Accessed 22/01/2016).

Scottish Executive (2005). Planning Advice Note (PAN) 75: Planning for Transport. Available at: <http://www.scotland.gov.uk/Resource/Doc/57346/0016795.pdf> (Accessed 22/01/2016).

Scottish Executive (2006). Planning Advice Note (PAN) 51: Planning, Environmental Protection and Regulation. Available at: <http://www.scotland.gov.uk/Resource/Doc/152228/0040973.pdf> (Accessed 22/01/2016).

Scottish Executive (2006). Planning Advice Note (PAN) 79: Water and Drainage. Available at: <http://www.scotland.gov.uk/Resource/Doc/149784/0039881.pdf> (Accessed 22/01/2016).

Scottish Government (2009). Climate Change Delivery Plan: Meeting Scotland's Statutory Climate Change Targets. Edinburgh: Scottish Government. Available at:

<http://www.scotland.gov.uk/Resource/Doc/276273/0082934.pdf> (Accessed 22/01/2016).

Scottish Government (2009). Low Carbon Scotland: Meeting the Emissions Reduction Targets 2010-2022: The Report on Proposals and Policies (RPP1). Edinburgh: Scottish Government. Available at:

<http://www.scotland.gov.uk/Resource/Doc/346760/0115345.pdf> (Accessed 22/01/2016).

Scottish Government (2009). Renewables Action Plan. Edinburgh: Scottish Government. Available at: <http://www.scotland.gov.uk/Resource/Doc/278424/0083663.pdf> (Accessed 22/01/2016).

Scottish Government (2010). A Low Carbon Economic Strategy for Scotland. Edinburgh: Scottish Government. Available at: <http://www.scotland.gov.uk/Publications/2010/11/15085756/12> (Accessed 22/01/2016).

Scottish Government (2010). Renewable Heat Action Plan (2010). Available at:

<http://www.gov.scot/Resource/Doc/290657/0089337.pdf> (Accessed 13/01/2016).

Scottish Government (2010). Planning Advice Note (PAN) 3/2010: Community Engagement. Available at: <http://www.scotland.gov.uk/Resource/Doc/322754/0103851.pdf> (Accessed 22/01/2016).

Scottish Government (2010). Scotland's Zero Waste Plan. Available at:

<http://www.gov.scot/Resource/0045/00458945.pdf> (Accessed 13/01/2015).

Scottish Government (2011). Low Carbon Scotland – Meeting the Emissions Reduction Targets 2010-2022: The First Report on Policies and Proposals (RPP1). Edinburgh: Scottish Government. Available at: <http://www.gov.scot/Topics/Environment/climatechange/scotlands-action/lowcarbon/rpp> (Accessed 22/01/2016).

Scottish Government (2011). Planning Advice Note (PAN) 1/2011: Planning and Noise. Available at: <http://www.scotland.gov.uk/Resource/Doc/343210/0114180.pdf> (Accessed 22/01/2016).

Scottish Government (2011). Planning Advice Note (PAN) 2/2011: Planning and Archaeology. Available at: <http://www.scotland.gov.uk/Resource/Doc/355385/0120020.pdf> (Accessed 22/01/2016).

Scottish Government (2011). Planning Circular 3/2011: The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011. Available at: <http://www.gov.scot/Publications/2011/06/01084419/0> (Accessed 22/01/2016).

Scottish Government (2011). Zero Waste Regulations Policy Statement. Available at: <http://www.gov.scot/Resource/Doc/360341/0121809.pdf> (Accessed 13/01/2016).

Scottish Government (2011). 2020 Routemap for Renewable Energy in Scotland (original version). Edinburgh: Scottish Government. Available at: <http://www.scotland.gov.uk/Publications/2011/08/04110353/0> (Accessed 22/01/2016).

Scottish Government (2012). Draft Executive Note – The Waste (Scotland) Regulations 2012. Available at: http://www.legislation.gov.uk/sdsi/2012/9780111016657/pdfs/sdsien_9780111016657_en.pdf (Accessed 22/01/2016).

Scottish Government (2012). 2020 Routemap for Renewable Energy in Scotland – Update 30th October 2012. Edinburgh: Scottish Government. Available at: <http://www.scotland.gov.uk/Resource/0040/00406958.pdf> (Accessed 22/01/2016).

Scottish Government (2013). 2020 Routemap for Renewable Energy in Scotland – Update 19th December 2013. Edinburgh: Scottish Government. Available at: <http://scotland.gov.uk/Resource/0044/00441628.pdf> (Accessed 22/01/2016).

Scottish Government (2013). Creating Places: A policy statement on architecture and place for Scotland. Available at: <http://www.gov.scot/Resource/0042/00425496.pdf> (Accessed 22/01/2016).

Scottish Government (2013). Online Renewables Planning Advice regarding Energy from Waste. Available at: <http://www.gov.scot/Resource/0042/00423076.pdf> (13/01/2016).

Scottish Government (2013). Planning Advice Note (PAN) 1/2013 Environmental Impact Assessment. Available at: <http://www.scotland.gov.uk/Resource/0043/00432581.pdf> (Accessed 22/01/2016).

Scottish Government (2014). National Planning Framework 3. Available at: <http://www.scotland.gov.uk/Resource/0045/00453683.pdf> (Accessed 22/01/2016).

Scottish Government (2014). Scottish Planning Policy. Available at: <http://www.scotland.gov.uk/Resource/0045/00453827.pdf> (Accessed 22/01/2016).

Scottish Government (2015). Chief Planner Letter regarding Energy Targets and Scottish Planning Policy (dated 11th November 2015). Available at: <http://www.gov.scot/Resource/0048/00488945.pdf> (Accessed 01/12/2015).

Scottish Government (2015). Planning Circular 3/2013: Development Management Procedures (Revision 1.0). Available at: <http://www.gov.scot/Publications/2013/12/9882/0> (20/12/2015).

Scottish Government (2015). Online Planning Advice regarding Flood Risk (2015). Available at: <http://www.gov.scot/Topics/Built-Environment/planning/Policy/Subject-Policies/natural-resilient-place/Flood-Drainage/Floodrisk-advice> (Accessed 22/01/2016).

Scottish Government (2015). Online Planning and Waste Management Advice (2015). Available at: <http://www.gov.scot/Resource/0048/00481407.pdf> (Accessed 22/01/2016).

Scottish Government (2015). Scotland's Economic Strategy. Edinburgh: Scottish Government. Available at: <http://www.gov.scot/Resource/0047/00472389.pdf> (Accessed 22/01/2016).

The Scottish Parliament (2006). Planning etc. (Scotland) Act. a.s.p.17. Available at: <http://www.legislation.gov.uk/asp/2006/17/contents> (Accessed 22/01/2016).

The Scottish Parliament (2007). The National Waste Management Plan for Scotland Regulations 2007. Available at: <http://www.legislation.gov.uk/ssi/2007/251/contents/made> (Accessed 22/01/2016).

The Scottish Parliament (2009). Climate Change (Scotland) Act. a.s.p.12. Available at: <http://www.legislation.gov.uk/asp/2009/12/contents> (Accessed 22/01/2016).

The Scottish Parliament (2009). The Town and Country Planning (Development Hierarchy) Regulations (Scotland) 2009. Available at <http://www.legislation.gov.uk/sdsi/2009/9780111001714/contents> (13/01/2016).

The Scottish Parliament (2011). The Town and Country Planning (Environmental Impact Assessment) Regulations (Scotland) 2011. Available at: <http://www.legislation.gov.uk/ssi/2011/139/contents/made> (Accessed 22/01/2016).

The Scottish Parliament (2011). The Waste (Scotland) Regulations 2011. Available at: <http://www.legislation.gov.uk/ssi/2011/226/contents/made> (Accessed 22/01/2016).

The Scottish Parliament (2011). The Waste Management Licensing (Scotland) Regulations 2011. Available at: <http://www.legislation.gov.uk/sdsi/2011/9780111012147/contents> (Accessed 22/01/2016).

The Scottish Parliament (2012). The Waste (Scotland) Regulations 2012. Available at: <http://www.legislation.gov.uk/sdsi/2012/9780111016657/contents> (Accessed 22/01/2016).

The Scottish Parliament (2013). The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. Available at: <http://www.legislation.gov.uk/ssi/2013/155/contents/made> (Accessed 22/01/2016).

