



Amey



A98 Banff Bridge Scour Protection Works

Additional Information - Marine Licence Application

October 2024

Document Control Sheet

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PROJECT NAME:	Additional Information - Marine Licence Application

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1. Introduction

1.1. Scope of this Document

- 1.1.1 This report has been prepared by Amey Consulting to support the Marine Licence application for the scour protection works to Banff Bridge. Detailed within this document is a marine policy assessment, evidence of consultation correspondence and photographs of the proposed works location.

2. Marine Policy Assessment

- 2.1.1 The following information provides an assessment of the scour protection proposal against the relevant policies of Scotland's National Marine Plan (SNMP)¹ as required by Section 10 of the Marine Licence Application Form for Construction Projects.

2.2. GEN 1 General Planning Principle

- 2.2.1 *"There is a presumption in favour of sustainable development and use of the marine environment when consistent with the policies and objectives of this Plan."*

Assessment of Compliance

- 2.2.2 The principle of the proposed works seek to maintain the existing structure of Banff Bridge and to provide a more permanent solution to prevent future scour to the bridge. This will contribute to the long-term use of the structure within the marine environment and ensure its safety and continued operation as a vital local crossing between the towns of Banff and Macduff.
- 2.2.3 Overall, it is considered that the proposed works are consistent with the policies and objectives of SNMP and as such is considered to be **compliant with Policy GEN 1** of the SNMP.

2.3. GEN 5 Climate Change

- 2.3.1 *"Marine planners and decision makers must act in the way best calculated to mitigate, and adapt to, climate change."*

Assessment of Compliance

- 2.3.2 Compared to the do-minimum scenario where the project is not taken forward, greenhouse gas (GHG) emissions are not expected to increase as a result of the proposed works. The principle of the proposed works in maintaining an existing asset to ensure its long-term use is consistent with the objectives for climate change mitigation and adaptation identified at a national scale with respect to using existing assets, i.e. Banff Bridge.
- 2.3.3 Additionally, at operation the proposed works will not increase the daily traffic flows, average speeds of road traffic or have any effect on GHG emissions.
- 2.3.4 Furthermore, scour and erosion around the bridge and surrounding area has been ongoing and magnified with significant fluvial, and tidal flood events that may be attributed to climate change and increased extreme weather events. It is therefore pertinent that the proposed works, will provide permanent scour solutions to the bridge are undertaken in order for coastal communities within the surrounding area, and the infrastructure to be able to adapt to climate change in the long-term.
- 2.3.5 As such, the proposed works are considered to be **compliant with Policy GEN 5** of the SNMP.

2.4. GEN 6 Historic Environment

- 2.4.1 *"Development and use of the marine environment should protect and, where appropriate, enhance heritage assets in a manner proportionate to their significance."*

Assessment of Compliance

- 2.4.2 Banff Bridge is a Category 'A' listed building and located within the Banff Conservation area. The proposed scour mitigation works are necessary in order to provide long-term protection of the bridge and preserve it as a historically important asset. Temporary works including installation of a site access track will be required to facilitate the scour protection works, however, will not encroach onto the listed building. Furthermore, these

¹ [Contents - Scotland's National Marine Plan - gov.scot \(www.gov.scot\)](https://www.gov.scot/Content/consult/HTMLConsultationDocuments?lang=en&docId=63453)

temporary works will be removed following construction and thus there will be no long-term change, or anticipated impact to the conservation area or setting of the listed structure.

- 2.4.3 Overall, the scour works are not anticipated to result in a loss of any original fabric or compromise the historical, architectural, and cultural value of Banff Bridge. These works are required to secure the long-term stability of the structure.
- 2.4.4 Consultations with Historic Environment Scotland and Aberdeenshire Council's Planning and Built Heritage Team have been undertaken (Please see section 3 for details). As works are being undertaken within a Conservation Area and Category A Listed Building, Listed Building Consent (LBC) and Planning Permission are required. Such consents and applications are ongoing at the time of marine licence application submission.
- 2.4.5 Consultations with Aberdeenshire Council (Built Heritage) concluded that the proposed works will not impact on the architectural or historic merit of the category A listed structure and consequently not conflict with Policy 7c of National Planning Framework 4 and Policy HE1.1 of the 2023 Aberdeenshire Local Development Plan. Such permanent interventions are to secure the long-term stability of the historic structure that could be conceded by the Planning Service.
- 2.4.6 As such, the proposed works are considered to be **complaint with Policy GEN 6** of the SNMP.

2.5. GEN 7 Landscape/Seascape

- 2.5.1 *"Marine planners and decision makers should ensure that development and use of the marine environment take seascape, landscape, and visual impacts into account."*

Assessment of Compliance

- 2.5.2 The proposed works comprise of necessary scour protection to the Banff Bridge to provide long-term protection as a designated cultural heritage feature, and structure, and furthermore as a critical local link between the towns of Banff and Macduff. Failure of the structure would have an adverse effect on the social-economic well-being of the local community and the wider area served by the A98 carriageway.
- 2.5.3 The scenic value of the bridge and its setting contributes to the visual experience of users approaching the area from the northeast and the west (A98), the southeast (A947), the northwest (B9142). The existing riparian vegetation provides substantial visual screening, particularly during the summer months from the southeast and west however users would experience open views when approaching from the northeast and northwest.
- 2.5.4 Key landscape and visual receptors include:
- Duff House Golf Club set within Duff House Garden & Designed Landscape (GDL) (GDL00148);
 - Ancient Woodland (ID: 10053) located to the southeast of the Bridge.
 - Temple of Venus MacDuff, The Hill of Doune, a Category B Listed Building located approximately 200m east.
 - Neighbouring landscapes and habitats including Banff Beach, grasslands, Princess Royal Park, and Princess Royal Sports & Community Trust.
 - Recreational receptors such as walkers, cyclists, and horse riders (WCH) of surrounding paths.
 - Residential receptors of nearby properties with direct view of the Bridge and proposed work area. The closest is Doune Cottage located 25m east.
 - Motorists/public transport receptors of local road networks (A98, A947 and B9142).
- 2.5.5 There is potential for temporary minor, adverse visual landscape effects associated with the construction period, however, it is not anticipated that the works will have a significant visual impact or alter the picturesque qualities of the designated landscape area or wider surrounding area, and operationally, the enhanced protection of structure will contribute to sense of place for the coastal communities.

- 2.5.6 The necessity of scour protection outweighs the minor temporary visual impact, and there are no anticipated long-term, operational visual effects or impacts to the character of the designed landscape. The visual baseline will be restored once the proposed works are complete as the scour protection measures are designed to integrate naturally with the landscape surroundings.
- 2.5.7 As such, the proposed works are considered to be **complaint with Policy GEN 7** of the SNMP.

2.6. GEN 8 Coastal Process and Flooding

- 2.6.1 *“Developments and activities in the marine environment should be resilient to coastal change and flooding, and not have unacceptable adverse impact on coastal processes or contribute to coastal flooding.”*

Assessment of Compliance

- 2.6.2 During the construction phase, dams will be used to create dry working areas or to limit the depth of water in live working areas (exact working methods to be determined by the Principal Contractor). This has potential to alter flow patterns within the channel; however, works will be undertaken in carefully managed phases, with only one section of the channel being impacted at any given time. By maintaining unobstructed flow paths in the unworked sections of the river, the overall hydraulic capacity of the channel is preserved, ensuring that sufficient flow is maintained during each phase. This phased approach prevents localised increases in water levels and avoids exacerbating flood risk upstream or downstream and thus there are no anticipated adverse significant effects with regard to coastal processes, or contribution to flood risk.
- 2.6.3 The area of the proposed works is located within an area identified at risk of flooding; however, the location is essential for operational reasons and as these works involve maintenance to an existing structure, a lower risk location is not available. Furthermore, prior to the installation of the temporary works the Principal Contractor must undertake catchment studies and/or hydrological models as required to understand the extents of flooding and to ensure temporary work will not contribute to, or cause flooding and coastal processes such as further scour/erosion.
- 2.6.4 As such the proposed works are considered to be **compliant with Policy GEN 8** of the SNMP.

2.7. GEN 9 Natural Heritage

- 2.7.1 *“Development and use of the marine environment must: (a) Comply with legal requirements for protected areas and protected species; (b) Not result in significant impact on the national status of Priority Marine Features; and (c) Protect and, where appropriate, enhance the health of the marine area.”*

Assessment of Compliance

- 2.7.2 The proposed works are located approximately 2km south of the Southern Trench Marine Protected Area (MPA), an inshore marine area designated to further its conservation objectives with regards to various biodiversity and geodiversity features. These protected features include burrowed mud, minke whales, fronts, shelf deeps, quaternary of Scotland and submarine mass movement.
- 2.7.3 There are 81 Priority Marine Features (PMFs) identified in the seas around Scotland, with the following two PMFs being features of the Southern Trench MPA, and both found in territorial and offshore waters:
- Minkie whale (*Balaenoptera acutorsosrata*)
 - Burrowed mud
- 2.7.4 Due to the localised nature of the works, with physical separation of approximately 2km from the MPA, no significant impact to the MPA, or conservation status of its features will occur as a result of the proposed scour protection works.
- 2.7.5 Best practice pollution prevention measures, to be detailed within a Construction Environmental Management Plan (CEMP), and phased working methods will minimise sediment disturbance, protect water quality, and supporting the health of the marine environment, and thus no significant impacts on the national status of all PMFs.

2.7.6 Consultations with the Deveron District Salmon Fishery Board have been undertaken, with recommendations incorporated into designs and construction methodology. As such, the works will be undertaken as phased activities to ensure a sufficient flow is maintained for safe fish passage at all times, and thus enhancing the marine environment.

2.7.7 As such, the works are considered to be **compliant with Policy GEN 9** of the SNMP.

2.8. GEN 10 Invasive Non-Native Species

2.8.1 *“Opportunities to reduce the introduction of invasive non-native species to a minimum or proactively improve the practice of existing activity should be taken when decisions are being made.”*

Assessment of Compliance

2.8.2 A ‘Protected, Notable and Invasive Species Report’ was undertaken by Amey’s environmental subcontractor, EnviroCentre. During the survey, invasive non-native species of giant hogweed (*Heracleum mantegazzianum*), white butterbur (*Petasites albus*), three-cornered garlic (*Allium triquetrum*) and Japanese rose (*Rosa rugosa*) were recorded within the survey area along the east banks. However, the majority of the works will not take place within these areas. Good biosecurity measures and practice will be in place throughout the construction period, and furthermore, an INNS management plan is recommended to be undertaken by the Principal Contractor where there is unavoidable risk of spreading the species.

2.8.3 As such the proposed works are considered to be **compliant with Policy GEN 10** of the SNMP.

2.9. GEN 11 Marine Litter

2.9.1 *“Developers, users and those accessing the marine environment must take measures to address marine litter where appropriate. Reduction of litter must be taken into account by decision makers.”*

Assessment of Compliance

2.9.2 Appropriate, full containment and other pollution prevention and control measures will be implemented to prevent pollution or debris from entering the water environment, which will be documented within a CEMP to be undertaken by the Principal Contractor.

2.9.3 As such the proposed works are considered to be **compliant with Policy GEN 11** of the SNMP.

2.10. GEN 12 Water Quality and Resource

2.10.1 *“Developments and activities should not result in a deterioration of the quality of waters to which the Water Framework Directive (WFD), Marine Strategy Framework Directive or other related Directives apply.”*

Assessment of Compliance

2.10.2 Best practice and site-specific pollution measures, including spill response procedures and sediment control, such as silt nets will be in place to prevent potential contamination of the watercourse. Phased working methods will minimise sediment disturbance, and water quality and site control measures will be detailed within a CEMP to be undertaken by the Principal Contractor, which will be followed throughout the construction phase.

2.10.3 These working methods, measures and mitigations will ensure no adverse impact or deterioration to the River Deveron/Deveron Estuary’s high WFD status.

2.10.4 As such the proposed works are considered to be **compliant with Policy GEN 12** of the SNMP.

2.11. GEN 13 Noise

2.11.1 *“Development and use in the marine environment should avoid significant adverse effects of man-made noise and vibration, especially on species sensitive to such effects.”*

Assessment of Compliance

- 2.11.2 The proposed scour protection works will have a minor adverse effect on the noise levels of the environment, for example through excavation of existing rip-rap material and installation of new scour protection. Ambient noise levels within the area are primarily influenced by vehicle traffic from the A98 carriageway and surrounding local roads, with secondary sources from recreational, residential, and urban activities.
- 2.11.3 Best practice and construction mitigation measures to minimise the effects of noise and vibration on wildlife and noise-sensitive receptors will be in place. This will include, but is not limited to:
- The Best Practicable Means, as defined in Section 72 of the Control of Pollution Act 1974, will be employed at all times to reduce noise to a minimum.
 - On-site construction tasks will be programmed to be as efficient as possible, with a view to limiting noise disruption to local sensitive receptors. This includes the employment of 'soft starts' to the works whereby plant and machinery are started sequentially as opposed to simultaneously.
 - Effects from noise will be kept to a minimum through the use of appropriate mufflers and silencers fitted to machinery.
 - Use rubber linings in, for example, chutes and dumpers to reduce impact noise.
 - Baseline noise monitoring should be undertaken by the Principal Contractor.
- 2.11.4 Following best practice and mitigation measures it is considered that any adverse noise or vibration effects associated with construction of the proposed works are unlikely to be significant.
- 2.11.5 As such, the works are considered to be **complaint with Policy GEN 13** of the SNMP.

2.12. GEN 14 Air Quality

- 2.12.1 *"Development and use of the marine environment should not result in the deterioration of air quality and should not breach any statutory air quality limits."*

Assessment of Compliance

- 2.12.2 There may be localised, temporary and short-lived changes in emissions and dust from construction activities, and associated plant/machinery. However, with best practice measures followed from the Institute of Air Quality Management and further dust control and mitigation measures to be outlined in a construction dust assessment undertaken by the Principal Contractor, no significant air quality impacts are anticipated.
- 2.12.3 Furthermore, no traffic management is anticipated to be required to facilitate the works, and as such there is no expected increase in traffic vehicle emissions during the construction phase.
- 2.12.4 Due to the nature of the works, operationally, there will be no significant air quality effects as traffic flow, speed and composition of vehicles on the carriageway will not be impacted/changed, thus increased vehicle emissions and pollutant release is not anticipated.
- 2.12.5 As such the proposed works are considered to be **compliant with Policy GEN 14** of the SNMP.

3. Consultation Correspondence

- 3.1.1 Consultations have been undertaken with various stakeholders and statutory bodies regarding the proposed scour protection works surrounding the A98 Banff Bridge. This section details the correspondence with each consultee.

3.2. Aberdeenshire Council Planning Team

From: [redacted]@amey.co.uk>
Sent on: Wednesday, June 5, 2024 8:17:42 AM
To: planning@aberdeenshire.gov.uk
Subject: Amey Consulting - A98 Banff Bridge Scour Works Consultation
Attachments: RE A98 Banff Bridge Scour Protection Works.msg (184.5 KB)

Good morning,

I refer to the attached email sent last year regarding scour protection designs that Amey Consulting (appointed by Aberdeenshire Council) propose to undertake to the A98 Banff Bridge, Aberdeenshire ([NGR NJ 69481 63783](#)). Since this initial contact, more detailed designs (see below) have been developed and so we are consulting with yourselves to obtain any comments on design proposals and commence the process of obtaining listed building consent.

The Bridge is a 125m long seven span masonry arch bridge, carrying the A98 carriageway over the River Deveron/Deveron Estuar and has experienced ongoing erosion and scour issues that have been magnified with significant flooding events. Scour remediation works have been undertaken in the past; however, permanent design solutions are required to maintain the Bridge as a structure and heritage feature for the long-term.

We note that the Bridge itself is a **Category A Listed Building (LB21893)** and is wholly located within **Banff Conservation Area**.

The designs proposed to mitigate against further scour include:

- Installation of a temporary access track from the West green bank to allow access to all areas of the Bridge.
- Phased removal of the existing riprap from around the pier plinths and abutments.
- Phased re-grading/excavation of the river channel (300-500mm depth, from 16.4m upstream to 16.4m downstream of the outer face of the longest plinth).
- Re-grading of the formation level to create a level surface.
- Phased installation of specially designed scour mitigation – placing rock mattresses (marine suitable polyethylene nets filled with stone) to form a continuous mattress over the river channel around the piers (from 16.4m upstream to 16.4m downstream of the outer face of the longest plinth).
- Installation of a geogrid over the face of the mattress.
- Phased installation of ground anchors to hold the mattress in place.
- Where the mattress is to be installed over historic concrete repairs, dowels will be installed into the concrete.
- Re-use a small volume of site won riprap to fill scour holes downstream of the mattress.
- Any undercutting below the existing plinths found during the works will be reinstated with underwater suitable concrete and concrete filled sandbags.

The works are required to maintain the Bridge as a structure and designated heritage feature and designs have been considered in terms of optimal scour protection, whilst also considering the surrounding landscape (and other environmental factors) with an aim to minimise the physical and visual impacts to the Bridge as far as possible.

Please note that consultations with Historic Environment Scotland are too being undertaken regarding the works falling within a Garden & Designed Landscape, and the structures listed building status; however, I understand you are the overall decision-maker with regard to **Listed Building Consent**.

Please do not hesitate to get in contact with any questions, and any comments would be greatly appreciated!

Kind regards,

From: [redacted]@aberdeenshire.gov.uk> on behalf of [redacted]@aberdeenshire.gov.uk>
Sent on: Wednesday, June 5, 2024 11:45:47 AM
To: [redacted]@amey.co.uk>
CC: [redacted]@aberdeenshire.gov.uk>
Subject: FW: Amey Consulting - A98 Banff Bridge Scour Works Consultation
Attachments: RE A98 Banff Bridge Scour Protection Works.msg (106 KB)

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Hannah

I refer to your email regarding proposed works to the A98 Banff Bridge.

Please can you submit a pre-application enquiry through our website at the link below.

This will be logged as an enquiry and we can consult as appropriate and provide a response ahead of any application submission. This will also give us an opportunity to identify any supporting information we would wish to see with any forthcoming application for listed building consent

[Check if you need planning permission - Aberdeenshire Council](#)

Please can you

Kind regards

From: [redacted]@amey.co.uk>
Sent on: Monday, June 10, 2024 1:36:46 PM
To: planningonline@aberdeenshire.gov.uk
Subject: Local Development Pre-Application Enquiry Form - A98 Banff Bridge Amey Consulting
Attachments: FW Amey Consulting - A98 Banff Bridge Scour Works Consultation.msg (324 KB), DRAFT CON2500416-DR-0100-003 Site Extents.pdf (3 MB), Supplementary Information .pdf (111.01 KB), Local (Non-Householder) Development Enquiry_A98 Banff Bridge Scour Protection Works.pdf (240.79 KB)

Good afternoon,

I refer to the above email regarding an enquiry for consent (listed building and conservation area) regarding scour protection works to the A98 Banff Bridge.

Please see attached the completed **pre-application enquiry form**, **supplementary information** and **drawing** as part of this enquiry submission.

Should you require any further information please do not hesitate to contact me.

Kind regards,

Our Ref: ENQ/2024/0842
Your Ref:

Ask for:
Tel:
Email:

Amey Consulting

13 June 2024

Dear Sirs

**Pre-Application Advice Request
Phased Installation of Specially Designed Scour Mitigation at A98 Banff Bridge,
Banff, Aberdeenshire, AB45 1HE**

I am writing to inform you that your pre-application advice request has been assigned to the case officer named at the top of this letter.

You will receive a written response by 12 July 2024, however, if further information or a meeting is required, the case officer will be in contact. Please be advised, the case officer may need to visit the site.

Yours faithfully

Our Ref: ENQ/2024/0842
Your Ref:

Ask for:
Tel:
Email:

Amey Consulting

5 July 2024

Dear Sir/Madam

**Pre-App Advice Request - Local for Phased Installation of Specially Designed
Scour Mitigation at A98 Banff Bridge, Banff, Aberdeenshire, AB45 1HE**

I write with reference to your request for pre-application advice for the above development dated 10 June 2024.

Please find attached the pre-application advice report.

If you have any further questions, please contact the above named officer.

Yours faithfully

PRE-APPLICATION REPORT

Planning Reference: ENQ/2024/0842

Outcome

For the reasons outlined below, the Planning Service concludes that the proposed development does accord with the Aberdeenshire Local Development Plan 2023 and National Planning Framework 4 and is likely to be supported.

Reasoning

The key planning issues and constraints for this proposal are the principle of development, the layout, siting and design of the proposed works, along with consideration of the relevant technical matters.

Any planning application will primarily be assessed against National Planning Framework 4 and the Aberdeenshire Local Development Plan 2023. National Planning Framework 4 is available via this [link](#). The Aberdeenshire Local Development Plan 2023 supplementary guidance, settlement statements, associated maps, appendices and any relevant planning advice are available online via this [link](#).

Based on the information available at the time of writing, the proposal is considered to comply with the following policies:

National Planning Framework 4

Policy 7 Historic assets and places
Policy 14 Design, quality and place
Policy 22 Flood risk and water management

Aberdeenshire Local Development Plan 2023

Policy P1 Layout, siting and design
Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land
Policy HE1 Protecting Listed Buildings, Scheduled Monuments and Archaeological Sites (including other historic buildings)
Policy HE2 Protecting Historic, Cultural and Conservation Areas
Policy C4 Flooding

In some cases, other material considerations such as national policy, supplementary guidance, planning advice or recent planning history can be taken into account in reaching a recommendation.

Principle of Development

Policy HE1 Protecting Listed Buildings, Scheduled Monuments and Archaeological Sites (including other historic buildings) of the ALDP 2023 states that alterations to listed buildings should be of the highest quality, and respect any features of special

architectural, cultural or historic interest in terms of design, materials, scale, and setting. NPF4 Policy 7 Historic assets and place also states that development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting.

ALDP 2023 Policy HE2 Protecting Historic, Cultural and Conservation Areas states that the design, scale, layout, siting and materials used in development within a conservation area must be of the highest quality and respect the individual characteristics for which the conservation area was designated. NPF4 Policy 7 historic assets and places also states that development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced.

The Banff Bridge is 'A' listed and located within the Banff Conservation area. The proposed works to perform scour mitigation works on the bridge which includes the formation of a temporary access track is an acceptable development as the proposed works would help to preserve the bridge. The addition on the temporary access is also acceptable since it is only temporary and will be removed following the conclusion of the works, not having an adverse impact on the conservation area or setting of the listed structure. Overall, with the information available at this stage, if an application was submitted, it would likely be supported by the Planning Service. The suggested stabilisation works will not impact on the architectural or historic merit of the category A listed structure and consequently not conflict with and ALDP 2023 Policy HE1 and NPF4 Policy 7.

Built Heritage

Built Heritage were consulted on the proposal noting that the acceptability of works to a listed building should be assessed on the basis of potential loss of original fabric and whether the proposed interventions will undermine its architectural significance or historic interest.

The proposed scour mitigation measures would appear not to result in the loss of any original fabric or compromise the perceived merit of the late 18th century bridge. A series of remediation works to address ongoing problems connected with the scouring of the riverbed through a number of defensive interventions to secure the long term stability of the 7 span structure. In conclusion, the suggested stabilisation works will not impact on the architectural or historic merit of the category A listed structure and consequently not conflict with ALDP 2023 Policy H1 or NPF4 Policy 7.

Historic Environment Scotland noted that they understand that the bridge has ongoing issues with scouring. While there have been previous remediation works, this pre-application inquiry is for a permanent solution. The information provided does not include an assessment of the bridge's current condition. However, they welcome the principle of proposed investment to maintain and help protect its future.

The suggested measures include removing the existing riprap, excavating and re-grading the river channel, and installing rock mattresses around the piers. The proposals appear to involve minimal intervention to the bridge, excluding the

potential concrete infilling underneath (which they accept may be necessary), and they are broadly content with them. It is unclear how visible the mattresses are likely to be depending on the level of the river. Whilst they do not anticipate these having a major visual impact, they suggest it would be helpful if any future applications clarified this.

They anticipate the most visually impactful aspect of the proposals would be the decks installed to provide access during the works. They consider the necessity of scour protection outweighs this temporary impact and are content that there should be no or minimal long-term harm to the character of the designed landscape.

Hazardous Developments

ALDP 2023 Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land states that in determining planning applications for development within the consultation zones for hazardous installations (including oil and gas pipelines), we will consult with, and take full account of advice from the Health and Safety Executive (HSE), the Competent Authority (in the case of Control of Major Accident Hazardous sites) and the facility's owners and operators, and will seek to ensure that any risk to public safety is not increased. Prospective applicants should check whether their proposed development is within the consultation zone of a major hazard site or a major accident hazard pipeline, and should seek further advice if this is the case.

NPF4 Policy 23 Health and safety notes that development proposals within the vicinity of a major accident hazard site or major accident hazard pipeline (because of the presence of toxic, highly reactive, explosive or inflammable substances) will consider the associated risks and potential impacts of the proposal and the major accident hazard site/pipeline of being located in proximity to one another.

Information was requested from NEOS Networks on the location of their assets. They provided a plan showing the location of NEOS Networks apparatus in the proposed work area. They have noted that if the works involve laying your own services, please use the map provided showing their apparatus and follow your safe dig procedures. There is no need to contact them for permission to dig or arrange any supervision. Scottish and Southern Electricity Networks also sent plans to their network records within the area of the enquiry site.

SGN provided an extract from their mains records for the proposed work area, any SGN assets are described in the map legend. The information shown on this plan is given without obligation or warranty and the accuracy cannot be guaranteed. Service pipes, valves, siphons, stub connections etc. are not shown but their presence should be anticipated. Your attention is drawn to the information and disclaimer on the plans. On the mains record you may see the low/medium/intermediate pressure gas main near your site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes.

A colour copy of these plans and the gas safety advice booklet enclosed should be passed to the senior person on site in order to prevent damage to our plant and potential direct or consequential costs to your organisation. Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas pipes. It must be stressed that both direct and consequential damage to gas plant can be dangerous for your employees and the general public and repairs to any such damage will incur a charge to you or the organisation carrying out work on your behalf. Your works should be carried out in such a manner that we are able to gain access to our apparatus throughout the duration of your operations.

Overall, from the current consultee responses it is evident that the proposal is unlikely to be refused due to the proximity to various hazards, however the applicant should be made aware of the potential hazards. All of the above mentioned plans and maps will be forwarded to the agent.

Flooding

ALDP 2023 Policy C4 Flooding states that development should not increase flood risk vulnerability and should avoid areas of medium to high risk, functional floodplain or other areas where the risks are otherwise assessed as heightened or unacceptable except where it is essential infrastructure. The location is essential for operational reasons for example for water-based navigation, agriculture, transport or utilities infrastructure and an alternative lower risk location is not available." NPF4 Policy 22 Flood risk and water management also states that development proposals at risk of flooding or in a flood risk area will only be supported if they are for essential infrastructure where the location is required for operational reasons.

Flood Risk and Coast Protection were consulted on the proposal and have noted that due to the nature of the works they have no objection on the grounds of flood risk. However, they would like to highlight that the site compound area is within the indicative floodplain and may be at risk from flooding. They would not object on these grounds as the compound would be temporary, but the developer should be made aware of this risk.

Conclusion

Overall, with the information provided at this stage, the principle of development is acceptable for this development and is likely to be supported by the Planning Service. The development is necessary to preserve the A listed Banff Bridge from further degradation. Further information on the current condition of the bridge may be requested if the decision is taken to submit a planning application. The proposal is likely to be in compliance with ALDP 2023 Policy P1 Layout, siting and design, Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land, Policy HE1 Protecting Listed Buildings, Scheduled Monuments and Archaeological Sites (including other historic buildings), Policy HE2 Protecting Historic, Cultural and Conservation Areas and Policy C4 Flooding as well as NPF4 Policy 7 Historic assets

and places, Policy 14 Design, quality and place and Policy 22 Flood risk and water management.

If you decide to proceed with an application details of fees can be found [here](#) and you can apply using the ePlanning Scotland [Portal](#) or alternatively you can print off the forms and return these to us with the relevant fee, plans and supporting information (see Appendix). Please note that any need to place an advertisement in the press will require an additional fee that must be paid before any decision can be issued. Further guidance on how to submit a planning application can be found via [this link](#).

Please note that the above comments and advice are given strictly without prejudice to the eventual decision of Aberdeenshire Council on any formal planning application. Whilst every effort has been made to provide you with accurate professional advice, the Council is not bound by this advice in the event of submission of a formal application.

Only at that stage will the Council be in receipt of all the necessary information and received all technical consultations. Furthermore, neighbours and other members of the public have a right to make representations. Such representations and consultation responses will be taken into account when a planning application is determined. Please be aware that the decision may be taken by a planning officer or by the relevant committee. Aberdeenshire Council aims to determine applications of this type within the statutory 2 month period from the date of validation. Where this is not possible, for whatever reason, we will endeavour to keep you updated on the progress of your application.

If you require clarification on any points covered in this response, please do not hesitate to contact the officer named at the top of the letter. Please note that a substantially different proposal or site, or a significant delay in coming back to us, may require submission of a new enquiry. If there has been a change in planning policy or interpretation, our advice may also be different.

3.3. Historic Environment Scotland

From: [redacted]@amey.co.uk>
Sent on: Friday, May 31, 2024 12:28:25 PM
To: Heritage - Designations <designations@hes.scot>; HMEquiries@hes.scot
Subject: Amey Consulting - A98 Banff Bridge Scour Works Consultation
Attachments: RE FW A98 Banff Bridge Scour Protection Works.msg (245 KB)

Good afternoon,

I refer to the attached email sent last year regarding scour protection designs that Amey Consulting (appointed by Aberdeenshire Council) propose to undertake to the A98 Banff Bridge, Aberdeenshire ([NGR NJ 69481 63783](#)).

The Bridge is a 125m long seven span masonry arch bridge, carrying the A98 carriageway over the River Deveron/Deveron Estuary and has experienced ongoing erosion and scour issues that have been magnified with significant flooding events. Scour remediation works have been undertaken in the past; however, permanent design solutions are required to maintain the Bridge as a structure and heritage feature for the long-term.

We note that the Bridge itself is a **Category A Listed Building (LB21893)** and is located within **Duff House Garden & Designed Landscape (GDL00148)**.

The designs proposed to mitigate against further scour include:

- Installation of a temporary access track from the West green bank to allow access to all areas of the Bridge.
- Phased removal of the existing riprap from around the pier plinths and abutments.
- Phased re-grading/excavation of the river channel (300-500mm depth, from 16.4m upstream to 16.4m downstream of the outer face of the longest plinth).
- Re-grading of the formation level to create a level surface.
- Phased installation of specially designed scour mitigation – placing rock mattresses (marine suitable polyethylene nets filled with stone) to form a continuous mattress over the river channel around the piers (from 16.4m upstream to 16.4m downstream of the outer face of the longest plinth).
- Installation of a geogrid over the face of the mattress.
- Phased installation of ground anchors to hold the mattress in place.
- Where the mattress is to be installed over historic concrete repairs, dowels will be installed into the concrete.
- Re-use a small volume of site won riprap to fill scour holes downstream of the mattress.
- Any undercutting below the existing plinths found during the works will be reinstated with underwater suitable concrete and concrete filled sandbags.

Designs have been considered in terms of optimal scour protection, whilst also considering the surrounding landscape (and other environmental factors) with an aim to minimise the visual and physical impacts to the Bridge as far as possible.

I understand there will likely be adverse temporary visual impacts with regard to the works period, with receptors within Duff House Garden & Designed Landscape (GDL) having high visual sensitivity due to the area's regional importance. However, it is not anticipated that the works will have a significant visual impact or alter the picturesque qualities of the designated landscape area, and operationally the enhanced protection of the Category A structure will likely contribute to the area's sense of place.

Please note that consultations with **Aberdeenshire Council Built Heritage Team** are too being undertaken regarding Listed Building Consent and works located within a Conservation Area, as I understand they are the overall decision-maker, however, we are consulting with yourselves to determine whether you have any specific mitigations, or comments to make on design proposals.

Please do not hesitate to get in touch with any questions, and any comments would be greatly appreciated!

Kind regards,

By email to:
planningonline@aberdeenshire.gov.uk

Aberdeenshire Council (Banff)
Winston House
39 Castle Street
Banff
AB45 1DQ

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMC consultations@hes.scot

Our case ID: 300067214
Your ref: ENQ/2024/084
28 June 2024

Dear Aberdeenshire Council

A98 Banff Bridge, Banff, Aberdeenshire AB45 1HE - App Advice Request - Local for Phased Installation of Specially Designed Scour Mitigation
Statutory Designation: BRIDGE OF BANFF OVER RIVER DEVERON, Duff House
Designation Reference: LB21893, GDL00148

Thank you for your pre-application consultation which we received on 13 June 2024.

The Bridge of Banff is a 7-span bridge that crosses the River Deveron within the Duff House Inventory Garden and Designed Landscape. The proposals physically affect the Category A-listed bridge and have the potential to have an impact on the character of the designed landscape.

We understand that the bridge has ongoing issues with scouring. While there have been previous remediation works, this pre-application inquiry is for a permanent solution. The information provided does not include an assessment of the bridge's current condition. However, we welcome the principle of proposed investment to maintain and help protect its future.

The suggested measures include removing the existing riprap, excavating and re-grading the river channel, and installing rock mattresses around the piers. The proposals appear to involve minimal intervention to the bridge, excluding the potential concrete infilling underneath (which we accept may be necessary), and we are broadly content with them. It is unclear how visible the mattresses are likely to be depending on the level of the river. Whilst we do not anticipate these having a major visual impact, we suggest it would be helpful if any future applications clarified this.

We anticipate the most visually impactful aspect of the proposals would be the decks installed to provide access during the works. We consider the necessity of scour protection outweighs this temporary impact and are content that there should be no or minimal long-term harm to the character of the designed landscape.

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**



Detailed guidance on the application of national policy is set out in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.engineshed.org.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is and they can be contacted by phone on

Yours faithfully

Historic Environment Scotland

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**

3.4. Sustrans

From: [redacted]@amey.co.uk>
Sent on: Tuesday, July 23, 2024 12:02:29 PM
To: scotland@sustrans.org.uk
Subject: Amey Consulting - Notification of Works

Good afternoon,

I am contacting you to notify of scour protection works that Amey Consulting (appointed by Aberdeenshire Council) propose to undertake to the A98 Banff Bridge, Aberdeenshire ([NGR NJ 69481 63783](#)). The structure has experienced ongoing erosion with various scour remediation works undertaken in the past; however, permanent design solutions are required to maintain the Bridge as a structure and heritage feature for the long-term.

The structure carries the A98 carriageway and National Cycle Network Route 1 over the Deveron Estuary and as such we are contacting yourselves to notify of the works with regard to the NCN route. We are currently in the detailed design phase and as such there is not a confirmed start date, or traffic management arrangements. However, it is not anticipated that the bridge will be restricted or closed due to this a vital connection between neighbouring towns and areas on the north coast.

Please do not hesitate to get in contact with any comments.

Regards,

3.5. Deveron District Salmon Fishery Board

3.5.1 Consultations with the Deveron District Salmon Fishery Board were undertaken by Amey's environmental subcontractor, EnviroCentre.

From: [redacted]@envirocentre.co.uk>

Sent on: Thursday, August 8, 2024 8:28:10 AM

To:

CC:

Subject: 379596: Banff Bridge - Deveron DSFB Update

Hi [redacted]

Please find an update below from the meeting (telecon) with [redacted] of the Deveron District Salmon Fishery Board on 24th July 2024.

Fish Passage Report

1. The fish passage assessment report was issued to the Deveron DSFB in advance of our call, and main comments were:
 - i. *Report was useful for pre- and post- works conditions.*
 - ii. *Queried whether the design would prevent scour at the toe of the mattress potentially causing a 'step' in the bed.*
 - iii. *Could the design details be referenced within the report.*
 - iv. *Could the expected conditions during construction be included within the report.*
2. The scope of the report was to identify the key features in relation to fish passage to inform the design and construction, so was produce in advance of design details (points 2 & 3 above) and construction plan being available (point 4 above).

Design Update

3. Gabion mattress to be adopted that would span entire channel width and extend upstream and downstream of the bridge.
4. Top level of mattress would be set at same level as existing bed to ensure existing flow regime maintained.
5. Downstream toe to be anchored into the bed with armour stone above it.
6. Rock armour fill to scour pool below western end of bridge.

Outline Construction Method

7. The anticipated progression of the works was discussed.
8. Access to the works is limited to the west bank (Banff) with no access from the east bank.
9. Works would likely start from the east and work back towards the west.
10. A temporary track would be formed across river from the west across the main channel and would be removed incrementally as works progress.
11. Temporary track would be set above existing bed level by 1-1.5 m and drowned out at high tide. Culverts included to prevent trapping of fish.

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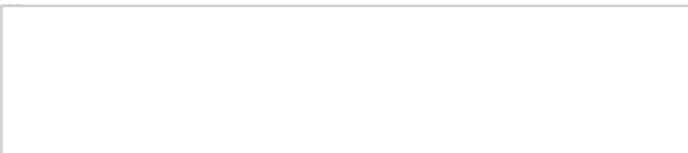
Works Programme

- 12. The approximate timings of the works were discussed.
- 13. In the absence of a formal programme and from previous discussions with the design team a rough timescale of around 9 months was provided noting that it could vary from this (based on 1 month per span for 7 spans, plus 1 month either side for mobilisation/demobilisation).
- 14. Assuming a Feb 25 start (in advance of the end of Mar 25) this would take construction to the end of 2025.
- 15. *The Deveron DSFB would prefer minimal works undertaken during May-July due to the migration of salmon into the river.*
- 16. *Bankside working during this period was discussed and subject to more detail on what this may involve and the extents, it may be acceptable.*
- 17. The anticipated progression of the works was discussed (temporary track across river from west and starting works from the east bank working back to the west).
- 18. Temporary track would be set above existing bed level by 1-1.5 m and drowned out at high tide. Culverts included to prevent trapping of fish.
- 19. Depending on the construction programme, it may be possible to be out of the main channel (central three spans) by May, but timing could be tight.
- 20. Conditions can be included within the contract to limit works in certain areas during defined periods to provide reassurance to the Devero DSFB

Actions Arising

- 21. Deveron DSFB asked if they could see the design details.
- 22. Check the projected surface of the mattress below the bridge to see whether main flow continues to be focused? (i.e. is there a slightly deeper channel?)
- 23. Draft a form of wording for in-river works to be included within the contract to limit works during May-July and send to Deveron DSFB for comment.
- 24. Consider whether to update fish passage report or provide an addendum to cover design and construction.

Best regards,



3.6. Scottish Environment Protection Agency (SEPA)

From: [redacted]@SEPA.org.uk>
Sent on: Monday, June 10, 2024 10:04:46 AM
To: [redacted]@amey.co.uk>
Subject: RE: ENG - Amey Consulting - A98 Banff Bridge Scour Works

You don't often get email from [redacted] [Learn why this is important](#)

WARNING: This email originated from outside of Amey Limited. Exercise caution when opening attachments or clicking links, especially from unknown senders. If you suspect this message is not legitimate, report it to the **Phishing mailbox**.

OFFICIAL

Hello [redacted]

Thank you for contacting SEPA regarding the proposed work at the A98 bridge. However, as the site is below the national tidal limit (NTL), SEPA wouldn't authorise the work under CAR and Marine Scotland would be the appropriate regulatory authority. SEPA's remit for engineering works at a watercourse only covers inland waters (i.e only works above the NTL).

If you have any queries regarding this, please let me know.

Kind regards

4. Photographs of the Location of the Proposed Works

4.1.1 General View of Banff Bridge (taken from the northwest bank, looking southeast and upstream)



4.1.2 General View of Banff Bridge (taken from the northeast bank, looking south, and upstream)



4.1.3 General View of Banff Bridge (taken from the southeast bank, looking north, and downstream)



4.1.4 View looking west beneath a single span of Banff Bridge, showing existing rip-rap material surrounding the bridge

