

ABERDEEN CITY COUNCIL

COMMITTEE	Planning Development Management
DATE	19 September 2019
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Local Planning Policy: Draft Loirston Development Framework 2019
REPORT NUMBER	PLA/19/311
DIRECTOR	Angela Scott
CHIEF OFFICER	Gale Beattie
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TERMS OF REFERENCE	6. develop and adopt non-statutory development management guidance (supplementary planning guidance)

1 PURPOSE OF REPORT

- 1.1. This report presents an update to the Loirston Development Framework and seeks approval to consult on the Draft Framework over a minimum 4-week period.

2 RECOMMENDATION(S)

That the Committee: -

- 2.1. Approves the content of the Draft Loirston Development Framework (2019) (Appendix 1);
- 2.2. Instructs the Chief Officer of Strategic Place Planning to publish the Draft Loirston Development Framework (2019) for a minimum 4-week public consultation period; and,
- 2.3. Instructs the Chief Officer of Strategic Place Planning to report the outcomes of the public consultation on the Draft Framework back to a future meeting of this Committee, within the next 6 months.

3 BACKGROUND

- 3.1. On 3 May 2013 the Loirston Development Framework (2012) was approved as Supplementary Guidance to the Aberdeen Local Development Plan 2012. On 14 December 2016 Council was advised (Report Ref. CHI/16/158) that Local Development Plans and their associated statutory Supplementary Guidance have to be replaced at least every 5 years. At this meeting Members agreed to consult on a number of proposed replacement Supplementary Guidance documents, including a replacement Development Framework for Loirston.
- 3.2. The Aberdeen Local Development Plan 2017 was adopted on 20 January 2017. On 15 March 2017 Council was updated on the result of the public consultation exercise (Report Ref. CHI/17/015), including a representation from the agents representing the Loirston area advising that changes in circumstances would mean the Loirston Framework would benefit from a detailed review exercise. Members agreed that the Loirston Development Framework would not go forward to become replacement Supplementary Guidance at that time but would instead be subjected to detailed review and reported back to Members. This is the basis of this report.

Local Planning Policy

- 3.3. The Aberdeen Local Development Plan 2017 is currently supported by statutory Supplementary Guidance and non-statutory guidance such as Technical Advice Notes and Local Planning Advice. On 25 July 2019 the Planning (Scotland) Act 2019 was given Royal Assent and Section 9 of this Act has the effect of repealing the ability of Local Authorities to adopt Supplementary Guidance in connection with a Local Development Plan when that section comes into force. The date or timing of when this section will come into force is unknown. It is expected that the Scottish Government will give details of the 2019 Act's implementation in September 2019. As such, Officers within the Local Development Plan Team are currently considering how new policy guidance should be endorsed. There are two options: proceed to have the guidance adopted as Supplementary Guidance or alternatively to create a new type of guidance for the time being. For the latter option a new title is proposed to incorporate new policy documents and existing supplementary guidance when section 9 is enacted– 'Local Planning Policy'. These documents would not be part of the Local Development Plan but, should Members choose to adopt them, they would be treated as a material consideration in the determination of applications. Officers recommend that the Draft Loirston Framework should ultimately be taken forward as non-statutory Local Planning Policy rather than Supplementary Guidance.
- 3.4. The Draft Loirston Development Framework (2019) has been prepared following the Council's adopted 'Aberdeen Masterplanning Process'. It reflects material changes to adjacent and associated developments, however the vision for a high-quality new neighbourhood remains the same. The update also includes alterations to phasing and development block locations to reflect current site delivery options and external market factors. The overall number of units, street structure and landscaping remain the same.

Site Ownership

- 3.5. Land covered by the Draft Framework is in mixed ownership and includes land owned by Hermiston Securities and Aberdeen City Council. A plan of site ownership is shown in Section 2.2 (page 14) of the Draft Development Framework (Appendix 1). As such, the Council has a financial interest in the planning designation and future development of this site.

Planning Policy Context

- 3.6. The Aberdeen Local Development Plan (2017) allocates the three Opportunity Sites as follows:
- OP59 Loirston for 1500 homes (up to 2026), 11 hectares of employment land, with the potential to accommodate a Community Stadium and a Gypsy / Traveller site.
 - OP60 land at Charleston for 20.5 hectares of employment land for the period 2027-2035.
 - OP61 Calder Park for Lochside Academy and a new stadium and ancillary facilities for Cove Rangers Football Club.
- 3.9 In addition, a 2-hectare extension to the existing employment site OP53 Aberdeen Gateway is allocated adjacent to the Draft Framework area.

Planning Application History

- 3.10 Planning Permission in Principle (PPiP) (Ref. P130892) was granted in July 2015 for a proposed residential development at Loirston (OP59 and a small portion of OP61) of up to 1067 houses, 8 hectares of employment land, and a neighbourhood centre. Matters Specified in Conditions consent (Ref. P151073) was subsequently granted in September 2016 for a number of Conditions associated with this consent.
- 3.11 The development at Loirston has a long-term vision, with the phasing schedule continuing until at least 2026. As such, despite these consents, there remains a continued and essential need for an up-to-date Framework to guide future development across the whole area.

The Draft Framework

- 3.12 The main changes between the previously approved Framework (2012) and the updated Draft Framework (2019) are as follows:
- All Opportunity Site number and policy references updated to reflect the current policy and consent context.
 - Updated text and diagrams to reflect the status of surrounding plans / developments including Lochside Academy, Cove Rangers Football Club stadium and Aberdeen Football Club stadium (discussed further below).

- Updated 3D models, visuals and text to reflect changes to indicative development block layouts, specifically as follows:

B3 retail moves to B1 and B2	<p>Further site survey and infrastructure viability work was undertaken since the original PPiP consent and technical constraints necessitate the delivery of B3 as fully residential (as opposed to part residential and part retail).</p> <p>A significant water main traverses the B3 site which needs to be accommodated in-situ. The water main directly conflicts with the original layout, however an amended B3 layout can incorporate it into the street network and open space. This swap also allows for houses to be released for development at a quicker rate.</p> <p>Moving retail to B1 and B2 enables B3 for fully residential. B1 and B2 sites have good visibility from the existing and proposed street network, which is suited for retail use. In addition, their proximity to the road is more suited to non-residential uses. The plots have been tested in design terms to ensure the scale and form works.</p>
B1 and B2 employment uses move to E5 and A7	Employment uses relocated to the plots allocated for commercial uses adjacent to the proposed junction of the main two road routes running through the development.
E5 and A7 residential moves to B3 and E9	The residential units released from E5 and A7 to facilitate commercial uses are redistributed to blocks B3 and E9.
Adjusted primary school location from C2 to E9	Allow education facilities to be more closely aligned.

- Updated plans to reflect revision to road network and block layouts, resulting from the above changes to development blocks.
- Phasing updated to reflect delivery approach as per the Matters Specified in Condition application.

3.13 Comments received as part of the public consultation period in 2017 have also been considered as part of the review.

Updated Position of Surrounding Developments

Football / Community Stadium

- 3.14 As noted above, the Aberdeen Local Development Plan states for OP59 that a new football or community stadium may be accommodated within this site. In February 2011 Aberdeen City Council indicated their “willingness to approve” a new football stadium for Aberdeen Football Club at this location, subject to a Section 75 agreement being completed (Ref. P101299). However, this was never progressed to conclusion and ultimately the application was withdrawn by Aberdeen Football Club when the decision was made by the Club to promote and secure planning permission for a new stadium on land at West Kingsford, Kingswells. Aberdeen Football Club obtained planning permission for the construction of a new stadium on land at West Kingsford on 23 April 2018 (Ref. P170021). Work on Phase 1, comprising training and academy facilities, is currently underway and this change in circumstances is reflected in the updated Framework.

Cove Rangers Football Club

- 3.15 Cove Rangers Football Club obtained planning permission (Ref. P160246) for a new ground with synthetic 3G football pitch on land at Calder Park (OP61) on 24 August 2016. This facility is now fully operational. The Draft Framework incorporates this layout.

Lochside Academy

- 3.16 On 28 March 2013 Aberdeen City Council agreed to close Kincorth Academy and Torry Academy and amalgamate to establish a new, purpose-built secondary school on a site at Loirston (OP61) (Report Ref. ECS/13/019). This new school, Lochside Academy, has now been completed and accommodates pupils from the Kincorth Academy and Torry Academy school catchment areas, as well as future provision to accommodate pupils arising from the Loirston development. The Draft Framework reflects the newly constructed academy and access arrangements.

Gypsy Traveller Site

- 3.17 The Aberdeen Local Development Plan requires that a gypsy/traveller site of approximately 0.5 hectares must be provided within the Loirston Framework area. The Planning Permission in Principle (PPiP) granted for Loirston (Ref. P130892) requires information on how this site will be delivered prior to any works being undertaken. This Information was subsequently submitted and approved conditionally in December 2015 (Ref. P141441).

Next Steps - Public Consultation

- 3.18 Stakeholders and other interested parties have had the opportunity to comment on the development of the Loirston site at many stages of the planning and design processes over the past decade. This includes the Aberdeen Local Development Plan preparation process, a programme of consultant-led community and stakeholder engagement, and through statutory planning application consultation. Further details of the consultant-led events can be

found on Pages 8-12 of the Draft Framework (Appendix 1). The public and stakeholder consultation to date has helped to shape and inform the content of the Draft Framework and development vision for Loirston.

3.19 This report seeks approval to proceed with public consultation on the Draft Loirston Development Framework (2019) over a minimum 4-week period. The Draft Framework would be made available as follows:

- Publication of document on Aberdeen City Council 'Consultation Hub' <https://consultation.aberdeencity.gov.uk/>
- Hard copy of document available at Marischal College, between 9am and 5pm Monday to Friday.
- Hard copy of document available for review in the Aberdeen Central, Cove and Kincorth libraries, during their normal opening hours.
- Issue press a press release on the Council's website advertising the consultation period, how to view and comment on the Draft Framework
- Notification (email) of the consultation will also be issued to statutory consultees such as Community Councils.
- Press advert placed in the P&J newspaper to advertise the consultation period.

3.20 Subject to Committee approval, the results of the public consultation will be reported back to a future meeting of this Committee (within the next 6 months) including any recommended revisions to the Draft Framework.

Next Steps - Strategic Environmental Assessment and Habitats Regulation Appraisal

3.21 A Strategic Environmental Assessment (SEA) for the Loirston site has been undertaken as a part of the Aberdeen Local Development Plan process (Report Ref. CHI/16/157).

3.22 The Draft Framework must also be subject to a Habitats Regulations Appraisal (HRA): Appropriate Assessment, which is an assessment of the potential impact of the Framework on protected habitats and qualifying species. This assessment is currently underway and involves consultation with Scottish Natural Heritage. Subject to Committee approval, the outcomes of the HRA will be reported back to this Committee at the same time as the outcomes of public consultation period.

4 FINANCIAL IMPLICATIONS

4.1 There is no direct cost to the Council for approval to proceed to public consultation on the Draft Framework other than the administration costs which can be met by the existing Strategic Place Planning budget.

- 4.2 The Draft Framework has been produced by planning and design consultants Optimised Environments Ltd. (OPEN) on behalf of the landowners (including Aberdeen City Council), who have met the cost for its preparation, including all consultation and engagement to date. The Framework has been developed 'landownership blind' with regard to density, land use and character. However, where delivery of key infrastructure is critical, ownership has been considered to ensure proposals are pragmatic. As such the Council has a financial interest in the planning designation and future development of the site.
- 4.3 The public consultation process will front-load any planning issues as a result of the revisions proposed and ultimately benefit Officer involvement and time in evaluating forthcoming planning applications.

5 LEGAL IMPLICATIONS

- 5.1 There are no direct legal implications arising from the recommendations in this report.

6 MANAGEMENT OF RISK

	Risk	Low (L), Medium (M), High (H)	Mitigation
Financial	N/A		
Legal	N/A		
Employee	Not having an up-to-date Framework could result in longer timescales to manage and process planning applications for the area and affect the planning authority's obligation to determine applications within a set time period.	L	Draft and agree the content of a Development Framework for the area to publicly agree acceptable forms of development upfront and in advance of planning applications being submitted.
Customer	Delaying consultation could affect the potential for public comment on the Loirston Framework.	L	Proceed with consultation on the Draft Framework as part of the review process.
Environment	Plans do not adequately consider potential risks to qualifying species or sites.	M	Complete HRA as part of the consultation process. Ensure a masterplanned approach for the area to ensure development proceeds in the right areas, taking due

			consideration of the environment.
Technology	N/A		
Reputational	In the absence of a Framework, development could be piecemeal and result in missed opportunities to maximise development potential in a cohesive way.	L	Agree the content of a Framework to guide future development and maximise land use efficiency.

7 OUTCOMES

Local Outcome Improvement Plan Themes	
	Impact of Report
Prosperous Economy	The Draft Framework identifies 11 hectares of employment land within OP59 and 20.5 hectares at OP60, thereby supporting a ready supply of employment land (Key Driver 1.3). The area no longer required for a community stadium also allows flexibility of provision as per Key Driver 1.1. The Draft Framework also allows for retail and community uses which will encourage economic activity within the site. This is alongside provision of at least 25% affordable housing (Key Driver 2.1).
Prosperous People (Children & young people)	The Draft Framework includes provision for primary school education, in addition to the recently completed Lochside Academy, thus allowing children to be educated in their community (Key Driver 5.1). Provision of health facilities is also included to support Key Drivers 3.1 and 3.4.
Prosperous People (Adult)	All new developments are designed in accordance with 'Secured by Design' principles (Key Driver 9.2). The Framework has been designed to include a series of green spaces to support health and well0-being of all ages (Key Driver 11.3, 11.4 and 15.1). Consultation on the Draft Framework allows people to have a voice in decisions affecting them at a local level (Primary Driver 2: People).
Prosperous Place	The Draft Framework supports the delivery of attractive and welcoming new communities and environments, including green spaces and neighbourhoods which support active travel options (Key Driver 13.2 and 15.1). All new development is required to reduce emissions and the development included electrical charging points to future proof (Key Driver 14.1).

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Design Principles of Target Operating Model	
	Impact of Report
Customer Service Design	Being Digital – the Draft Framework consultation will be available and publicised digitally on the Council’s ‘Consultation Hub’, however it is recognised that digitally excluded customers may still wish to view a paper copy of the document so it will be made available at the local libraries (Aberdeen Central, Cove and Kincorth) and within the Marischal College Reception. Community Councils and other key statutory consultees will also be alerted to the consultation.
Governance	Transparent – the outcomes of the consultation will be reported to a future meeting of this Committee; Inclusive – the consultation is open to representations from all; Informed – environmental assessments to support the Draft Framework has involved organisations such as Scottish Natural Heritage, Scottish Environment Protection Agency and Historic Environment Scotland.

8 IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	<i>EHRIA completed (see Appendix 2) – the assessment shows positive impact on age (provision for health and education facilities); race (gypsy/traveller site); other (25% affordable housing to meet variety of needs).</i>
Data Protection Impact Assessment	<i>Not required</i>
Duty of Due Regard / Fairer Scotland Duty	<i>Not applicable</i>

9 BACKGROUND PAPERS

- 9.1 Aberdeen Local Development Plan 2017
<https://www.aberdeencity.gov.uk/services/planning-and-building/local-development-plan/aberdeen-local-development-plan>
- 9.2 Technical Advice Note: Aberdeen Masterplanning Process
<https://www.aberdeencity.gov.uk/services/planning-and-building/local-development-plan/aberdeen-local-development-plan/supplementary-guidance-and-technical-advice>

10 APPENDICES

Appendix 1 - Draft Loirston Development Framework (2019)
Appendix 2 – EHRIA Summary

11 REPORT AUTHOR CONTACT DETAILS

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