

## ABERDEEN CITY COUNCIL

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<b>COMMITTEE</b>	Planning Development Management
<b>DATE</b>	19 September 2019
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Draft Local Planning Policy: Development Along Lanes
<b>REPORT NUMBER</b>	PLA/19/305
<b>DIRECTOR</b>	Angela Scott
<b>CHIEF OFFICER</b>	Gale Beattie
<b>REPORT AUTHOR</b>	Nigel McDowell
<b>TERMS OF REFERENCE</b>	6) Develop and adopt non-statutory development management guidance

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### 1. PURPOSE OF REPORT

- 1.1. To seek approval to consult on the content of a new Draft Local Planning Policy entitled Development Along Lanes.

### 2. RECOMMENDATIONS

That the Committee:

- 2.1. Approves the content of the Draft Local Planning Policy: Development Along Lanes (Appendix 1), and associated map (Appendix 2), for a minimum four-week period of public consultation; and
- 2.2. Instructs the Chief Officer of Strategic Place Planning to report the findings of the public consultation, along with any recommended revisions to the draft policy, to this Committee within six months.

### **3. BACKGROUND**

#### **Local Planning Policy**

- 3.1. 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. The date or timing of when this section will come into force is as yet unknown and it is expected that the Scottish Government will give details of the implementation of the 2019 Act in the autumn. As such, Officers within the Local Development Plan Team are currently considering how new policy and guidance, such as this draft on Development Along Lanes, should be endorsed. A new title is therefore proposed to incorporate these documents 'Local Planning Policy'. These documents would not be part of the Local Development Plan but, should Members choose to adopt them, at a later date, they would be a material consideration in the determination of applications.

#### **Development Along Lanes**

- 3.2. This Draft Local Planning Policy provides planning and design parameters for new residential redevelopment along established lanes within the city centre and the Albyn Place / Rubislaw Conservation Area (see Appendix 2), as well as for new residential development along lanes in masterplanned areas as defined on page 45 of the Aberdeen Local Development Plan (2017).
- 3.3. The recent increase in supply of 21st century purpose-built office accommodation within the city is driving an increase in historic property, originally built for residential use but later converted for office accommodation, coming back onto the open market. As part of this context of change and adaption, a policy direction on the sympathetic remodelling of the historic fabric of these buildings, their curtilage and feus is necessary. This is the purpose of the Draft document presented to Members today.
- 3.4. The change in market demand for these proprieties comes at a time where Aberdeen City Council is enabling the recommendations of the City Centre Masterplan and investing in the amenities and place quality of the city centre at the heart of the city region. Proximity to shops and local services, coupled with a strong and valuable architectural legacy, means that the city centre and its surrounding areas should present attractive sustainable opportunities for quality residential redevelopment. The Draft Development Along Lanes document promotes opportunities to increase the residential population in the identified areas, as residents should be attracted by greater dwelling choice in a safe well-connected environment. This will in turn support greater diversity and urban intensity.
- 3.5. The parameters provided in this Draft document are however also applicable to development along new lanes within masterplanned areas where lane characteristics should form part of a well-designed hierarchy of place and

movement networks. In these areas encouragement should also be given to a greater range of different dwelling types providing greater choice and improve whole-life options in planning for sustainable communities.

### **Next Steps – Public Consultation**

3.6. This report seeks approval to proceed with public consultation on the Draft Local Planning Policy over a minimum 4-week period, and before being published for consultation will be graphically designed.

3.7. The Draft Local Planning Policy would be made available as follows:

- Publication of document on Aberdeen City Council 'Consultation Hub' <https://consultation.aberdeencity.gov.uk/>
- Advertisement in the P&J
- Hard copy of the document available for review at Marischal College, between 9am and 5pm Monday to Friday and in the Aberdeen Central Library.
- Issue a press release on the Council's website advertising the consultation period, how to view and comment on the Draft document.
- Availability of relevant Planning Officers to meet, discuss and present with any interested party.
- Notification (email) of the consultation will also be issued to statutory consultees and all Community Councils.

3.8. Subject to Committee approval, the results of the public consultation will be reported back to a future meeting of this Committee, within six months, including any recommended revisions to the Draft document.

### **Next Steps – Strategic Environmental Assessment**

3.9. A Strategic Environmental Assessment (SEA) may be required for the proposed Draft Local Planning Policy as it falls within the 'sets the framework for future development consent of projects' remit. A SEA Screening submission is currently underway which will assess whether the Draft Policy is likely to have significant environmental effects. The results of this process will be reported back to a future meeting of this Committee alongside the outcomes of the public consultation.

#### 4. FINANCIAL IMPLICATIONS

4.1. There are no financial implications arising from approval of this report. The cost associated with external consultation and engagement will be met within the existing provisions of the Strategic Place Planning budget.

#### 5. LEGAL IMPLICATIONS

5.1. There are no legal implications arising from approval of this report.

#### 6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
<b>Financial</b>	None	N/A	N/A
<b>Legal</b>	None	N/A	N/A
<b>Employee</b>	By not providing policy direction Officers could over time provide inconsistent advice resulting in longer timescales to manage and process planning applications.	Low	The Draft Local Planning Policy is to encourage acceptable forms of development in advance of planning applications being submitted. This enables consistent advice for site-specific proposals.
<b>Customer</b>	By not providing a policy direction the Customer is open to developing proposals that may not be appropriate to the site.	Low	Preparing Local Planning Policy will provide greater clarity, consistency and certainty in the topic area.
<b>Environment</b>	Not providing this policy direction could result in lost opportunities to protect and enhance our built environment with appropriate forms of development.	Medium	Local Planning Policy is prepared in to give planning direction and is a material consideration in evaluation and subject to Strategic Environmental Assessment screening.
<b>Technology</b>	None	N/A	N/A
<b>Reputational</b>	Not providing direction opens the possibility of inconsistency and delays in decision making.	Medium	Draft Local Planning Policy illustrates the Council's approach to development matters to protect and enhance our city through clear and consistent means.

## 7. OUTCOMES

<b>Local Outcome Improvement Plan Themes</b>	
	<b>Impact of Report</b>
<b>Prosperous Economy</b>	Local Planning Policy provides a policy direction to front-load planning matters, and stimulate ideas, at the earliest stages of the development process. This advice promotes the technical requirements for development opportunities along lanes in the city centre, and in part of the Albyn Place / Rubislaw conservation area as well as in masterplanned areas to promote dwelling choice. <i>(Key Driver 1.3)</i>
<b>Prosperous People (Adult)</b>	Promoting planning policy, that is subject to an inclusive approach of public engagement and consultation gives the opportunity for interested parties to shape and take ownership of policy that guides development in Aberdeen. The consideration of residential development opportunities along lanes within the city centre and in part of the Albyn Place / Rubislaw Conservation Area should provide further residential choice in locations that are closest to the greatest concentration of amenities and facilities in Aberdeen. Increasing the resident population of these identified areas increases the urban density and positive intensity of the city as the heart of a wider city region. <i>(Key Driver 7.1)</i>
<b>Prosperous Place</b>	The Draft policy promotes sympathetic forms of development in suitable locations to support an attractive city where development opportunities are capitalised upon for the benefit of the city. <i>(Key Driver 14.1)</i>

<b>Design Principles of Target Operating Model</b>	
	<b>Impact of Report</b>
<b>Customer Service Design</b>	The process of creating Local Planning Policy involves engagement and consultation with interested parties in order that they influence, shape and have ownership of planning policy that directs development in the city. This Draft provides front-loaded technical considerations at an early stage in the development process when expenditure is relatively low, and the considerations of the planning section are known in order to plan for development.
<b>Organisational Design</b>	Local Planning Policy follows a rigorous internal collaborative process with colleagues from teams across the Strategic Place Planning Service.
<b>Governance</b>	Local Planning Policy is governed through the Council's Committee Reporting Procedure.

<b>Workforce</b>	Local Planning Policy is developed and taken forward by an in-house multi-disciplinary team in order to best utilise the in-house skills available.
<b>Process Design</b>	Local Planning Policy is generated as a specific response to an identified trend in change of use in certain parts of the city centre and inner city, as well as the potential to be realised in parts of the Albyn Place / Rubislaw conservation area and new masterplanned sites.
<b>Technology</b>	Local Planning Policy is available as an on-line and hard copy resource to any interested party involved in the public consultation, and in freely accessing Policy on-line.
<b>Partnerships and Alliances</b>	Local Planning Policy would be ultimately approved following engagement and consultation with external interested parties including formally constituted groups.

## 8. IMPACT ASSESSMENTS

<b>Assessment</b>	<b>Outcome</b>
<b>Equality &amp; Human Rights Impact Assessment</b>	The completed EHRIA, Appendix 3, concludes that there is a neutral impact on protected groups. The process of creating Local Planning Policy is inclusive and invites involvement from interested parties to influence and shape policy content and direction.
<b>Data Protection Impact Assessment</b>	Not required
<b>Duty of Due Regard / Fairer Scotland Duty</b>	Not applicable

## 9. BACKGROUND PAPERS

- 9.1. Aberdeen Local Development Plan 2017 hyperlink:  
[https://www.aberdeencity.gov.uk/sites/default/files/LDP\\_WS\\_20170328.pdf](https://www.aberdeencity.gov.uk/sites/default/files/LDP_WS_20170328.pdf)

## 10. APPENDICES

- 10.1. Appendix 1 – Draft Local Planning Policy: Development Along Lanes  
10.2. Appendix 2 – Mapped Area covered by the Draft Local Planning Policy  
10.3. Appendix 3 – EHRIA Summary

## 11. REPORT AUTHOR CONTACT DETAILS

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