

## ABERDEEN CITY COUNCIL

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<b>COMMITTEE</b>	Planning Development Management
<b>DATE</b>	19 March 2020
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Technical Advice Note: Development Along Lanes
<b>REPORT NUMBER</b>	PLA/20/063
<b>DIRECTOR</b>	
<b>CHIEF OFFICER</b>	Gale Beattie
<b>REPORT AUTHOR</b>	Nigel McDowell
<b>TERMS OF REFERENCE</b>	5) Adopt non-statutory planning management guidance

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### 1. PURPOSE OF REPORT

- 1.1. To seek approval to adopt the new Technical Advice Note (TAN) 'Development Along Lanes'.

### 2. RECOMMENDATIONS

That the Committee:

- 2.1. Notes the consultation findings of the Draft 'Development Along Lanes' document approved for public consultation by the Planning and Development Management Committee on 19 September 2019; and subsequent revisions proposed by Officers to the Draft document (refer Appendix 1).
- 2.2. Approves the Technical Advice Note 'Development Along Lanes' as planning advice in the determination of relevant planning applications.

### 3. BACKGROUND

#### Planning Policy Status

- 3.1. The Aberdeen Local Development Plan 2017 is supported by statutory Supplementary Guidance (SGs) and non-statutory advice such as Technical Advice Notes (TANs) and Local Planning Advice (LPA). At the Planning and

Development Management Committee on 19 September 2019 the Draft document was provisionally called 'Local Planning Policy' to be a material consideration in planning matters. Further to discussions with the Local Development Plan Team in Strategic Place Planning, our advice to Members is that this document now to be progressed as a Technical Advice Note to the adopted Local Development Plan, and at the relevant time be proposed as Aberdeen Planning Guidance to the emerging Aberdeen Local Development Plan 2022. This is simply a change in terminology – from Local Planning Policy to Aberdeen Planning Guidance and the status of non-statutory planning guidance would apply to either term.

### **Context to Development Along Lanes**

3.2. Report PLA/19/305 to the Planning Development Management Committee of 19 September 2019 outlined the circumstances for the creation of the Draft Technical Advice Note. The Technical Advice Note is created as a planning response to the recent trend of historic property in use as office accommodation becoming redundant due to the supply of 21st century purpose-built office accommodation. The Draft Technical Advice Note recognises this context of change and provides a design-led planning advice on the sympathetic remodelling of these historic buildings, their curtilage and feus within the city centre and the Albyn Place / Rubislaw Conservation Area (See Appendix 2), as well as encouraging lanes and mews buildings within new development in accordance with the existing Technical Advice Note on Masterplanning. (All the Masterplanned Zones are illustrated on page 45 of the Aberdeen Local Development Plan 2017).

### **Public Consultation Programme**

3.3. In agreeing Report PLA/19/205 Members approved a minimum 4week period of public consultation on the Draft TAN, and for Officers to report back the findings of the public consultation exercise back to this Committee within 6 months, which is the purpose of this Report.

3.4. The public consultation on the Draft TAN ran for a period of four weeks from Monday 11 November 2019 to Monday 9 December 2019. The document was made available and publicised during the consultation by the following methods:

- Publication of the Draft document on the Aberdeen City Council 'Consultation Hub'  
<https://consultation.aberdeencity.gov.uk/>
- Press Advert in the P&J newspaper on 11 November 2019.
- Hard copy of the document available for review at Marischal College, between 9am and 5pm Monday to Friday and in the Aberdeen Central Library during their normal opening hours.

- Press release issued on the Council’s website advertising the 4-week consultation period, including how to view and comment on the Draft document.
- Notification (email) of the draft and its 4-week consultation period issued to statutory consultees and all Community Councils.
- Sent to Aberdeen Society of Architects for circulation to members.

### **Public Consultation Findings Summary**

3.5. The consultee comments received, the Officer responses and any revision made to the raft document are recorded in Appendix 1. Full versions of the representations received can be viewed upon request. The Draft ‘Development Along Lanes’ document was widely advertised, however, the consultation programme yielded four responses and therefore the assumption is that interested parties must have been generally content with the Draft. Nonetheless the comments received were positive and helpful in finalising the Technical Advice Note.

### **Strategic Environmental Assessment**

3.6. A Strategic Environmental Assessment (SEA) consultation request was submitted to the Scottish Government Gateway as the Draft document fell within the criteria of ‘sets the framework for future development consent of projects’ remit. A SEA Screening submission did not prompt a response therefore the Technical Advice Note is considered not likely to have significant environmental effects in its delivery.

## **4. FINANCIAL IMPLICATIONS**

4.1. There are no financial implications arising from approval of this report.

## **5. LEGAL IMPLICATIONS**

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

## **6. MANAGEMENT OF RISK**

<b>Category</b>	<b>Risk</b>	<b>Low (L) Medium (M) High (H)</b>	<b>Mitigation</b>
<b>Financial</b>	None	N/A	N/A
<b>Legal</b>	None	N/A	N/A
<b>Employee</b>	By not providing approved advice and direction Officers could over time provide inconsistent advice resulting in longer timescales to manage and	Low	The Technical Advice Note provides parameters to encourage acceptable forms of development in advance of planning applications being submitted. This enables

	process planning applications.		consistent advice for site-specific proposals.
<b>Customer</b>	By not providing advice the Customer is open to developing proposals that may not be appropriate to the site.	Low	Preparing planning advice provides greater clarity, consistency and certainty in the topic area.
<b>Environment</b>	Not providing this advice could result in lost opportunities to protect and enhance our built environment and encourage appropriate forms of development.	Medium	Technical Advice is prepared to give planning consideration and parameters and is a material consideration in the evaluation of planning proposals and is subject to Strategic Environmental Assessment screening.
<b>Technology</b>	None	N/A	N/A
<b>Reputational</b>	Not providing approved advice opens the possibility of inconsistency and delays in decision making.	Medium	The preparation and approval of Technical Advice illustrates the Council's approach to development matters in protecting and enhancing our city through consistent means.

## 7. OUTCOMES

<b>Local Outcome Improvement Plan Themes</b>	
	<b>Impact of Report</b>
<b>Prosperous Economy</b>	Approved planning advice provides a 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 and create attractive sustainable places in Aberdeen. <i>(Key Driver 1.3)</i>
<b>Prosperous People (Adult)</b>	Promoting planning advice 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 and advice 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 residential 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 advice 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 approved planning advice involves engagement and consultation with interested parties in order that they influence, shape and have ownership of material considerations that direct development in the city. This advice provides front-loaded technical considerations at an early stage in the development process when expenditure is relatively low, and the considerations of the Local Authority are known in order to plan for high quality development.
<b>Organisational Design</b>	Local Technical Advice follows a rigorous internal collaborative process with colleagues from teams across the Strategic Place Planning Service in order to reach a consensus prior to proceeding to Committee and seeking interested party involvement to shape the outcome.
<b>Governance</b>	The creation of Technical Advice is governed through the Council's Committee Reporting Procedure.
<b>Workforce</b>	Approved planning advice 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>	Approved planning advice 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>	Approved planning advice is available as an on-line and hard copy resource to any interested party involved in shaping development proposals in Aberdeen.
<b>Partnerships and Alliances</b>	Approved Technical Advice follows engagement and consultation with external interested parties including formally constituted groups in order that everyone interested shapes and can take ownership of the outcome.

## 8. IMPACT ASSESSMENTS

<b>Assessment</b>	<b>Outcome</b>
<b>Equality &amp; Human Rights Impact Assessment</b>	The EHRIA to the Draft TAN concludes a neutral impact on protected groups. Creating this Technical Advice Note has been inclusive inviting involvement from interested parties to influence and shape its design-led 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:

[https://www.aberdeencity.gov.uk/sites/default/files/LDP\\_WS\\_20170328.pdf](https://www.aberdeencity.gov.uk/sites/default/files/LDP_WS_20170328.pdf)

- 9.2 Planning and Development Management Committee 19 September 2019  
Report 19/305 'Development Along Lanes' draft Local Planning Policy.  
[http://councilcommittees.acc.gov.uk/documents/s102749/Committee%20Report%20PLA\\_19\\_305%20-%20Development%20Along%20Lanes.pdf](http://councilcommittees.acc.gov.uk/documents/s102749/Committee%20Report%20PLA_19_305%20-%20Development%20Along%20Lanes.pdf)
- 9.3 Proposed Aberdeen Local Development Plan 2020  
<https://committees.aberdeencity.gov.uk/documents/s107795/Appendix%201%20-%20Proposed%20Local%20Development%20Plan.pdf>

## **10. APPENDICES**

- 10.1. Appendix 1 – Consultation Comments and Responses
- 10.2. Appendix 2 – Technical Advice Note: Development Along Lanes
- 10.3. Appendix 3 – Mapped Area covered by the Technical Advice Note

## **11. REPORT AUTHOR CONTACT DETAILS**

Name: Nigel McDowell  
Title: Senior Planner – Urban Design  
Email Address: [nmcdowell@aberdeencity.gov.uk](mailto:nmcdowell@aberdeencity.gov.uk)  
Tel: 01224 523318