

ABERDEEN CITY COUNCIL

COMMITTEE	Planning Development Management
DATE	10 December 2020
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Aberdeen Planning Guidance: Draft Loirston Development Framework (2020) – Consultation Results
REPORT NUMBER	PLA/20/233
DIRECTOR	
CHIEF OFFICER	Gale Beattie
REPORT AUTHOR	Rebecca Kerr
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 updated Loirston Development Framework, the findings of the public consultation and additional landowner engagement exercises and seeks approval to adopt the document as Aberdeen Planning Guidance (non-statutory planning guidance).

2 RECOMMENDATION(S)

That the Committee: -

- 2.1. Approve the responses proposed by Officers to those consultation responses that were received on the Loirston Development Framework, as approved for public consultation by the Planning and Development Management Committee on 19 September 2019 (Appendix 2).
- 2.2. Approve the content of the Loirston Development Framework (2020) (Appendix 1) as Aberdeen Planning Guidance (non-statutory planning guidance).

3 BACKGROUND

- 3.1. Appendix 1 contains the updated Loirston Development Framework in a 'red text edit' version, whereby changes to the previously approved document are

highlighted in red for ease of reference. A summary of the representations received, Officers' responses to these representations, and details of any resulting action as a result of the consultation is contained in Appendix 2. Full, un-summarised copies of representations are provided in Appendix 3. The EHRIA Summary and Habitats Regulations Assessment (HRA) are contained in Appendices 4 and 5 respectively.

- 3.2. 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.
- 3.3. 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.
- 3.4. On 19 September 2019 Members of the Planning Development Management Committee approved the content of the Draft Loirston Development Framework for a 4-week public consultation exercise and agreed to report back to this Committee within 6 months (Ref. PLA/19/311). Public consultation ran from Monday 11 November 2019 to Monday 9 December 2019. Due to the content of the representations received, particularly on behalf of landowners, officers recommended that additional engagement be undertaken by the lead masterplanning consultants and all landowners/developers within the Loirston Development Framework area. This was considered important to ensure overall site deliverability, taking into account phasing and additional design work undertaken by all interested parties/landowners. Members were informed of this delay in reporting back via a Committee service update on 19 March 2020. The surface update went on to advise that, once the further engagement exercise had been undertaken, and a revised and updated Loirston Development Framework has been completed, this would be reported back to a future meeting of this Committee for consideration. This is the basis of this report.

Local Planning Policy

- 3.5. 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 Scottish Government's original 'Transforming Planning in Practice' work programme aimed to implement most of the Act and other aspects of the reform programme

by 2021. However, much of this work has been paused as both the Scottish Government and their stakeholders have focused on responding to the Covid-19 emergency. The Scottish Government are now developing a revised work programme which will be published when available. A more detailed work programme for the development planning and housing policy strands will also be revised.

- 3.6. Within Aberdeen City Council a new title is proposed to incorporate new policy documents and existing supplementary guidance when Section 9 is enacted – ‘Aberdeen Planning Guidance’. These documents would not be part of the Local Development Plan but, should Members choose to adopt them, would be non-statutory planning guidance and treated as a material consideration in the determination of applications. Officers recommend that the updated Loirston Development Framework should ultimately be taken forward as non-statutory Aberdeen Planning Guidance rather than Supplementary Guidance given this context.
- 3.7. The updated Loirston Development Framework (2020) 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 as the original Development Framework approved in 2013. 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

- 3.8. Land covered by the updated Framework is in mixed ownership, with the majority of land owned by either Hermiston Securities, Aberdeen City Council or the A. Monro & Co. A plan of site ownership is shown in Section 2.1 (page 14) of the 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

- 3.9. The adopted Aberdeen Local Development Plan (2017) allocates the three Opportunity Sites as follows:
- OP59 Loirston 1500 homes (up to year 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.

3.10 The Proposed Aberdeen Local Development Plan (2020) includes Opportunity Sites OP59 Loirston (1500 homes, 11 hectares of employment land, potential to accommodate supermarket in a new district centre to meet convenience shopping deficiencies in south Aberdeen) and OP60 Charleston (20.5 hectares of employment land for the period 2033-40) within Masterplan 'Zone 7'.

Planning Application History

3.11 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.

3.12 The development at Loirston has a long-term vision, with the phasing schedule continuing until at least 2032. 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.

Public Consultation and Landowner Engagement

3.13 Stakeholders, the public 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 processes, 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 Development 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.

3.14 The public consultation on the Draft Loirston Development Framework ran for a period of 4 weeks from Monday 11 November 2019 to Monday 9 December 2019. The Draft Framework was 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.
- 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 issued to statutory consultees such as Community Councils.
- Press advert placed in the P&J newspaper to advertise the consultation period.

3.15 A total of 9 responses were received to the consultation, primarily from organisations, planning consultancies acting on behalf of landowners and an

individual landowner. Full, un-summarised copies of the representations received are provided in Appendix 3.

3.16 As discussed in para 3.3 (above), due to the content of some of the representations received, Officers recommended that additional engagement be undertaken by the lead masterplanning consultants and all landowners/interested parties within the Loirston Development Framework Opportunity Site boundaries.

3.17 The additional engagement occurred during the summer months of 2020. The process has taken longer than initially anticipated due to the impact of the Covid-19 pandemic. This engagement included 3 key parts:

1. The representatives for the land north of Redmoss Road and their respective planning consultancies were communicated directly by the masterplanning consultants in July 2020 outlining a review of the representations, which set out key issues, the implications of the Framework and the proposed actions to address them. This was communicated alongside a 'red text edit' version of the Development Framework.
2. The interested landowner from land within OP60 was contacted directly by the masterplanning consultants (August-November 2020) to provide further explanation on the production to date on the Loirston Development Framework (including consultation), and discussed key concerns raised surrounding landownership, access and connectivity, delivery and proposed building heights for OP60. The landowner has since indicated through communications that his concerns have been addressed and he thanks the consultant for their help and understanding in updating them on the Framework.
3. Letters were sent by recorded delivery to a total of 45 property addresses which fell within the Loirston Development Framework Opportunity Site boundaries. This letter from the masterplanning consultants outlined an overview of the Loirston Framework, how the updated version could be accessed for review, contact details for any comments and outlined the next steps were to report the Framework to Council's Planning and Development Management Committee for consideration late in 2020.

Summary of Key Issues Arising from Engagement and Consultation

3.18 A full and detailed list of comments received to the consultation and landowner engagement exercises is contained in Appendix 2, including Officer's responses to the matters raised. A summary of key issues is outlined below:

- Concern raised by both landowner and developers with lack of engagement on the updated version of the Development Framework.
- Discrepancies in road pattern illustrated on 'Access and Junction Strategy and other diagrams, and assurances sought regarding deliverability of access to land north of Redmoss Road, as per Condition 34 of Planning Permission in Principle (Application Reference P130892), and proposals for

remainder of Redmoss Road to ensure connectivity to the whole developable site.

- Alterations to phasing which removes land to the north of Redmoss Road into later phases, not as previously agreed in the 2012 and 2017 versions of the Development Framework.
- Inadequate replacement housing units from the proposed relocation of the primary school location site (from Block C2 to E9).
- Importance of Loirston Loch for protected species; species status can change over time as the development progresses and therefore surveys should adapt and use most up-to-date ecological data; importance of lochside buffers and high level of detail when developing any proposals close to edge of loch; and; importance that any required environmental mitigation and enhancement opportunities are implemented.
- Interest in the area for potential multi-use church centre.

3.19 As a result of the representations received and following the additional landowner engagement exercise, several actions and amendments were recommended to the Loirston Development Framework (Revision D). A full and detailed list of actions and recommended amendments is contained in Appendix 2 however a summary is provided below:

- Amend drawing error on the 'Access and Junction Strategy' plan (Plan 39).
- Amend phasing diagrams and associated text to revert to previously agreed phasing for land north of Redmoss Road.
- Landownership plan updated to reflect accurate ownerships as a result of additional engagement process.
- Acknowledgement referenced in the Framework that there is some flexibility in housing numbers as per the Local Development Plan allocation, provided any alterations accord with the layout and design principles of the Loirston Development Framework and the parameters of other key factors, such as transport assessments and developer obligations. Any proposed alterations to dwelling numbers will be evaluated alongside all other materials considerations through assessment of future masterplans and detailed planning applications processes.
- Update 'Access and Junction Strategy' plan and associated text to provide clarification of where the anticipated connection between Redmoss Road and the southern section of the site is proposed to be delivered.
- Advise masterplanning consultants and developer that the status of some protected species on the site may have changed and they should seek to obtain up-to-date ecological data with a view to continually update environmental studies associated with and to inform the development as it progresses and in line with the relevant licensing regime for protected species.
- Note that site specific Habitat Regulation Assessments may be required for planning applications as development on the site progresses.
- Updated planning context section, including reference to the Proposed Aberdeen Local Development Plan 2020.

- Various minor textual and factual document reference text changes made.
- 3.20 On completion of the above proposed changes, the lead masterplanning consultant contacted both the landowner and developer with interest in the majority of the land to the north-west of Redmoss Road (OP59) as well as an interested landowner from within OP60, to ask them to agree that the changes being proposed were acceptable. Table 2 in Appendix 2 summarises the additional comments received during this exercise.

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 was subject to a Habitats Regulations Appraisal (HRA): Appropriate Assessment, which assessed the potential impact of the Framework on protected habitats and qualifying species of the River Dee Special Area of Conservation. This assessment has been completed, including consultation with NatureScot. A copy of the full assessment can be found in Appendix 5. In summary, the assessment noted key sections of the Framework and development proposal which were likely to have significant effects, primarily due to construction of new paths and/or roads and building on or near to the unnamed burn within the Loirston site which has connection to and is within 2km of the River Dee. The nature of effect was determined to be primarily from construction (run-off) and operational (water quality affected by increased sedimentation). With the application of appropriate mitigation measures (as detailed in the HRA), the assessment concluded that the proposal will not adversely affect the integrity of the River Dee Special Area of Conservation (SAC). NatureScot have noted the contents of the assessment and in view of the mitigation outlined, agreed with the conclusion that the proposal will not adversely affect the integrity of the River Dee SAC, noting it will be important to ensure that mitigation measures identified in the assessment are implemented.

4 FINANCIAL IMPLICATIONS

- 4.1 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, consultation and engagement to date – including the additional landowner engagement. Where delivery of key infrastructure is critical, land 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.

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	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	Not having an approved document which has been subject of public consultation and review.	L	Agree the content of the Development Framework, including revisions made as result of public comment.
Environment	Plans do not adequately consider potential risks to qualifying species or sites.	M	Ensure a masterplanned approach for the area so development proceeds in the right areas, taking due consideration of the environment and the mitigation measures outlined in the completed HRA process.
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 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 possible area no longer required for a community stadium also allows flexibility of provision as per Key Driver 1.1. The 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 Framework includes indicative location for provision of primary school education (in accordance with the Aberdeen Local Development Plan 2017 Infrastructure Delivery requirements) to service the development. The Framework area includes the recently completed Lochside Academy site. Both thus allowing children to be educated in their community (Key Driver 5.1). The relocation of the indicative primary school site now allows for co-location of facilities to better adapt and explore the introduction of new flexible educational campuses.
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 well-being of all ages (Key Driver 11.3, 11.4 and 15.1).
Prosperous Place	The 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).

Design Principles of Target Operating Model

	Impact of Report
Customer Service Design	Being Digital – if Committee are minded to approve the Loirston Development Framework as 'Aberdeen Planning Guidance', the document will be available publicly and digitally on the Council's website. Review of a paper copy can be requested from the Planning Service reception.
Governance	Transparent – the outcomes of the consultation and additional landowner engagement exercise have been reported to this Committee; and shows how Officers have responded to concerns raised. Inclusive – the consultation has been open to representations from all and anyone with an interest in the development of the Loirston site. Informed – the Habitats Regulations Assessment (HRA) to support the Framework have involved organisations such as NatureScot.

8 IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	EHRIA completed (see Appendix 4 Summary) – 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).
Data Protection Impact Assessment	Not required
Duty of Due Regard / Fairer Scotland Duty	Not applicable

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 Proposed Aberdeen Local Development Plan 2020
<https://www.aberdeencity.gov.uk/sites/default/files/2020-05/Proposed%20Aberdeen%20Local%20Development%20Plan%202020.pdf>
- 9.3 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 – Loirston Development Framework (November 2020)
Appendix 2 – Table 1: Summary of consultation responses and Table 2: Further comments received during landowner/developer sign-off; including officer responses and recommend actions
Appendix 3 – Full, un-summarised copies of consultation responses received
Appendix 4 – EHRIA Summary
Appendix 5 – Habitats Regulations Assessment (HRA)

11 REPORT AUTHOR CONTACT DETAILS

Rebecca Kerr
Planner – Masterplanning, Design and Conservation
01224 522241 / 07919 691540
rekerr@aberdeencity.gov.uk