ABERDEEN CITY COUNCIL

COMMITTEE   Enterprise, Planning and Infrastructure

DATE   15th March 2011

DIRECTOR   Gordon McIntosh

TITLE OF REPORT   Supplementary Planning Guidance – Open Space

REPORT NUMBER: EPI/11/056

1.   PURPOSE OF REPORT

The purpose of this report is to replace the Open Space Development Guidelines for Greenfield Sites 2001, with new Supplementary Guidance to support the Proposed Aberdeen Local Development Plan (LDP). The document also includes guidance on the implementation of the Green Space Network policy in the Proposed LDP. The revision takes into account legislative and policy changes as well as findings from Aberdeen's Open Space Audit 2010.

2.   RECOMMENDATION(S)

That the Committee:
i)   approve the Open Space Supplementary Guidance as a draft for eight weeks' public consultation
ii)   instruct officers in Planning and Sustainable Development to develop an internal process for recovering and allocating sums of money received from developers for maintaining open spaces, in collaboration with Finance and Environment Services.

3.   FINANCIAL IMPLICATIONS

The guidance seeks to promote a suitable procedure for the maintenance of new open spaces within new developments, meeting the needs of communities, being financially sustainable for the Council and being reasonable for the development industry. This is explained further in section five of this report. The guidance also encourages a shift towards the provision of open space types and materials that are less costly to maintain and more environmentally friendly, where possible.

4.   OTHER IMPLICATIONS

Consultations undertaken to date on the Open Space Audit 2010, draft Open Space Strategy and the revised Standards for the Provision of

New Open Space have sought the views of a wide range of stakeholders, including local communities and partners such as Grampian Police, the Scottish Environmental Protection Agency (SEPA) and Scottish Natural Heritage (SNH). Safety and environmental considerations have been key considerations throughout the development of the Guidance.

5.   BACKGROUND/MAIN ISSUES

The need for reviewing the existing open space development guidelines was identified by an audit of Aberdeen's open spaces which was carried out by the Planning and Sustainable Development service during 2009 and 2010. The audit, along with draft revised standards for the development of new open space, was reported to this Committee on 20th April 2010. As a recommendation of that report the revised standards were circulated for consultation with the public, partners and the development industry. This Supplementary Guidance contains these standards, amended where necessary as a result of consultation responses, along with further explanation and advice on their implementation.

A review of the Adopted Local Plan 2008's policies relating to the environment and open space was undertaken as part of the development of the Proposed Local Development Plan. A need was identified for a clearer explanation of the rationale for the selection of Green Space Network, as well as guidance on the implementation of the policy. This is also addressed by this Guidance document.

The development of the section of the document that covers play was led by the Aberdeen Play Forum, who consulted children and young people within the city and considered national best practice guidance and examples.

At present there is no consistent approach to maintaining public open space in new developments and several forms of arrangement exist within Aberdeen. These can include responsibility being written into the title deeds of residents, given to a third party organization, or to the Council, through a commuted sum payment from the developer, which includes the cost of 18 years' maintenance. As reported to this Committee on 20th April 2010, consultation on the Open Space Audit included seeking views on the three main arrangements for maintenance. This showed that where responsibility for public open space lies with residents, or with third parties, problems arise later, which frequently result in the Council being asked to step in to maintain what residents see as a public resource, or to resolve conflicts over the standards of maintenance. These problems involve time-consuming negotiations, with significant impacts on staff time, with the outcome often being that the Council takes responsibility for the land anyway after being paid the commuted sum from residents. There was general agreement through internal and external consultation that, provided

that the costs of maintenance are reasonably accurately calculated and paid to the Council by the developer through commuted sum, the preferred option is for the Council to take responsibility for the maintenance of new open space. There is however a need to ensure that our internal process for recovering, distributing and monitoring these funds is appropriate for this arrangement to work and avoid creating additional burdens on the Council's finances. The second recommendation of this report relates to this task.

6.   IMPACT

This report links with the Vibrant, Dynamic and Forward Looking commitment to "adopt and implement policies which safeguard Aberdeen's green belt and green wedges". It will also assist the Council in delivering the Single Outcome Agreement's National Outcome 12 - "We value and enjoy our built and natural environment and enhance it for future generations" and contributes to outcomes relating to living longer, healthier lives, tackling inequalities and living in well-designed, sustainable places. The Guidance has been developed in parallel with the Open Space Strategy, which is also presented to this Committee (report number EPI/11/055), and has the current financial climate as a central consideration. The Open Space Strategy has undergone an Equalities and Human Rights Impact Assessment.

7.   BACKGROUND PAPERS

Appendix 1 – Open Space Supplementary Planning Guidance
Local Development Plan - Proposed Plan
Open Space Audit 2010 www.aberdeencity.gov.uk/openspace

8.   REPORT AUTHOR DETAILS

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