

ABERDEEN CITY COUNCIL

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COMMITTEE	Enterprise, Planning and Infrastructure Committee
DATE	Tuesday 31 <sup>st</sup> January 2012
DIRECTOR	Gordon McIntosh
TITLE OF REPORT	Interim Guidance - Union Street Frontages
REPORT NUMBER:	EPI/12/043

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1. PURPOSE OF REPORT

- 1.1 The Planning etc. (Scotland) Act 2006 paragraph 22 (1) states that a planning authority may adopt and issue guidance in connection with a local development plan. Aberdeen City Council has already prepared a number of draft Supplementary Guidance documents and has consulted on 49 of these alongside the Proposed Aberdeen Local Development Plan for a period of 16 weeks (between 24<sup>th</sup> September 2010 and 17<sup>th</sup> January 2011).
- 1.2 This committee report relates to the Supplementary Guidance document, Union Street Frontages, which has been subject to minor amendments due to the Reporter's Recommendation following the Examination of the Proposed Aberdeen Local Development Plan. This report presents the amendments recommended by the Reporter's on the Supplementary Guidance. These are presented to the Council to approve the draft Supplementary Guidance as interim planning guidance.

2. RECOMMENDATION(S)

- 2.1 It is recommended that the Committee:
  - a) Note the representations received on the draft Supplementary Guidance;
  - b) Approve officers' responses to representations received on the draft Supplementary Guidance document; and
  - c) Adopt the Supplementary Guidance document as interim planning advice and, pending Council approval for adoption of the Aberdeen Local Development Plan, agree for officers to send the Supplementary Guidance documents to be ratified by the Scottish Government.

### 3. FINANCIAL IMPLICATIONS

- 3.1 There are no immediate financial implications arising from this report as the cost of printing the document can be met from the existing Local Development Plan budget.

### 4. OTHER IMPLICATIONS

- 4.1 This is the continuation of a significant piece of work that has involved and will impact upon many other council services, public bodies, the business and development industries and the citizens of Aberdeen.
- 4.2 As a major landowner in the city, proposals for the development of land and assets owned by Aberdeen City Council will be subject to assessment in line with the principles and standards set out in the Supplementary Guidance, where applicable.
- 4.3 The progression of this Supplementary Guidance document will provide a clear framework for decision making, allowing comprehensive guidance for both applicants and officers, thereby making a significant contribution towards the Council's aim of promoting and achieving sustainable development. Detailed topic-based Supplementary Guidance also has value in reducing officer time spent on pre-application discussions.
- 4.4 This document will be incorporated when updating the Strategic Environmental Assessment (SEA) environmental report at the end of the Local Development Plan process.

### 5. BACKGROUND/MAIN ISSUES

- 5.1 A previous draft of this Supplementary Guidance was presented alongside the Aberdeen Local Development Plan – Proposed Plan. The Council agreed to the content of the Proposed Plan and Supplementary Guidance on 18 August 2010. The Proposed Plan was a critical stage in the plan preparation process and represents the Council's settled view on what the final content of the adopted Plan should be. The production of the Proposed Plan and the draft Supplementary Guidance was a result of a significant amount of assessment and public consultation.
- 5.2 As part of the Local Development Plan process, a 16 week period of consultation was undertaken, during which representations from the public and other organisations were invited on the Proposed Plan and draft Supplementary Guidance documents. Representations received and the officer response related to the draft Supplementary Guidance can be found in Appendix 1.
- 5.3 The representations received on the Proposed Aberdeen Local Development Plan were presented to Council on 27 April 2011.

Council noted these representations and authorised the submission of the Aberdeen Local Development Plan – Proposed Plan and appropriate supporting documentation to the Scottish Ministers for Examination. The Examination commenced on 10 May 2011. We received the Reporter’s Report on 21 December 2011.

- 5.4 Council officers have taken into account the recommendations received by the Reporter in relation to the Proposed Aberdeen Local Development Plan. As a result of the recommendations received, a change has been made to draft Supplementary Guidance, Union Street Frontages.
- 5.5 Unlike other Supplementary Guidance documents that have recently gone to Committee, this specific document has had to wait for the Reporter’s Report. Representations (see Appendix 1) made by Mrs Lisa Russell of Rapleys LLP on behalf of HSBC Bank Plc (1553) and Mr Fraser Littlejohn of Montagu Evans LLP on behalf of Threadneedle Property Limited (843) made comments on Policy C2 – City Centre Business Zone and Union Street but referred to the percentages that form the content of the Supplementary Guidance document. Therefore, we sought the Reporter’s recommendation regarding the matter of retail frontages to clear any uncertainty. Although Mrs Theresa Hunt of Paull and Williamsons on behalf of Castlecall Ltd. (1574) comment referred to the Union Street Frontages Supplementary Guidance rather than Policy C2 – City Centre Business Zone and Union Street it was thought to be consistent to ask the Reporter for their recommendation.
- 5.6 The Reporter’s Report was received on 21 December 2011 and stated that the guidance does not form part of the local development plan however the Reporter agrees that the suggested reduction in the threshold for sector A is desirable as it would help reflect the more difficult retail trading conditions and the additional new floorspace that has come forward in the city centre. The Reporter also agrees that sector G is the most important sector for comparison shopping.
- 5.7 The Union Street Frontages Guidelines aim to maintain an appropriate mix and location of shopping, service and commercial leisure functions on Union Street. It does this by applying minimum percentages of ground floor retail frontage that are required in individual sectors of Union Street. The 8 individual sectors along the length of Union Street are shown at the end of the Supplementary Guidance document. Proposals for a change of use from retail (Class 1)\* to non-retail uses such as cafés, restaurants, hotels, leisure and financial and professional services are measured against these minimum percentages as well as other relevant criteria set out in this document.

## 6. IMPACT

- 6.1 The Local Development Plan continues to support the vision of Aberdeen becoming an even more attractive place to live and in which

to do business and will ensure that high quality employment opportunities exist. This process aspires to improve the access that the people of Aberdeen have to high quality services that meet their needs. The development and refinement of fit for purpose Supplementary Guidance to assist the Aberdeen Local Development Plan is paramount to supporting this vision and achieving the goals that Aberdeen aspires to.

- 6.2 The vision for Aberdeen is to be a city which is vibrant, dynamic, forward looking – an even better place to live and work, where people can expect high-quality services that meet their needs. For Planning and Sustainable Development this means making a visible difference to the quality of the city's urban and natural environment by promoting high quality development and providing an effective infrastructure to make us a world class strategic location.
- 6.3 To do this we must think strategically, facilitate development, engage positively with communities and the business sector and be open and transparent in our decision making. We also have a key role in delivering the vision for the City and Shire as expressed through regional plans and strategies. Planning and Sustainable Development is tasked with seeing that Aberdeen stays at the forefront of planning for the future.
- 6.4 The Supplementary Guidance represented in this report. relates to the following Single Outcome Agreement objectives: 1- We live in a Scotland that is the most attractive place for doing business in Europe; 2- We realise our full economic potential with more and better employment opportunities for our people; 10- We live in well-designed, sustainable places where we are able to access the amenities and services we need; 12- We value and enjoy our built and natural environment and protect it and enhance it for future generations; 13- We take pride in a strong, fair and inclusive national identity; and 15- Our public services are high quality, continually improving, efficient and responsive to local people's needs.
- 6.5 The Supplementary Guidance represented in this report meets the vision of the Community Plan in promoting a strong image of the City and a sense of civic pride.
- 6.6 The Supplementary Guidance represented in this report supports the Council's 5 year Business Plan in terms of protecting and enhancing the built environment, attracting visitors, workers and investment to protect the economic future of the city, and, to facilitate new development projects to improve Aberdeen's living and working environment.
- 6.7 An Equality and Human Rights Impact Assessment has previously been carried on the Supplementary Guidance. This shows that there

will be some positive impacts of the Plan on a range of equalities groups.

## 7. BACKGROUND PAPERS

- Appendix 1 – Table of Representations and Officer Responses
- Appendix 2 – Union Street Frontages Supplementary Guidance
- Aberdeen Local Development Plan – Proposed Plan  
[http://www.aberdeencity.gov.uk/Planning/ldp/pla\\_aldp\\_document\\_map.asp](http://www.aberdeencity.gov.uk/Planning/ldp/pla_aldp_document_map.asp)
- Aberdeen Local Development Plan – Proposed Plan Representations  
[http://www.aberdeencity.gov.uk/Planning/ldp/pla\\_aldp\\_proposed\\_plan\\_representations.asp](http://www.aberdeencity.gov.uk/Planning/ldp/pla_aldp_proposed_plan_representations.asp)
- Aberdeen Local Development Plan – Proposed Action Programme  
<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=31716&sID=14342>
- Aberdeen City and Shire Strategic Development Planning Authority: Aberdeen City and Shire Structure Plan  
<http://www.aberdeencityandshire-sdpa.gov.uk/nmsruntime/saveasdialog.asp?IID=423&sID=149>
- Planning etc. (Scotland) Act 2006  
[http://www.opsi.gov.uk/legislation/scotland/acts2006/asp\\_20060017\\_en\\_1](http://www.opsi.gov.uk/legislation/scotland/acts2006/asp_20060017_en_1)
- Scottish Planning Series: Planning Circular 1/2009: Development Planning  
<http://www.scotland.gov.uk/Resource/Doc/261030/0077887.pdf>
- The Town and Country Planning (Development Planning) (Scotland) Regulations 2008  
[http://www.opsi.gov.uk/legislation/scotland/ssi2008/ssi\\_20080426\\_en\\_1](http://www.opsi.gov.uk/legislation/scotland/ssi2008/ssi_20080426_en_1)

## 8. REPORT AUTHOR DETAILS

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