

ABERDEEN CITY COUNCIL

COMMITTEE:	Enterprise, Planning and Infrastructure Committee
DATE:	Thursday 31 st May 2011
DIRECTOR:	Gordon McIntosh
TITLE OF REPORT:	Draft Supplementary Guidance on 'Infrastructure and Developer Contributions Manual', 'Children's Nurseries and Sports Facilities' and 'Bats and Development'.
REPORT NUMBER:	EPI/12/112

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 previously 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 24th September 2010 and 17th January 2011). Following examination the Aberdeen Local Development Plan was adopted on 29 February 2012 with 24 associated Supplementary Guidance documents adopted just over a month later. It is intended that further tranches of approved Supplementary Guidance will be forwarded to Scottish Ministers in due course for adoption, whilst other Supplementary Guidance documents, such as those contained in this report, will be reported to Committee as they come forward.
- 1.2 This committee report presents three revised draft Supplementary Guidance documents:
- Infrastructure and Developer Contributions Manual (Appendix 1),
 - Children's Nurseries and Sports Facilities (Appendix 2), and
 - Bats and Development (Appendix 3).
- 1.3 The revised documents have been subject to amendments as a result of analysis of the representations received during the consultation between September 2010 and January 2011. A number of other amendments and updates have also been made by officers to provide greater clarity and to update the guidance where necessary.

1.4 This report also presents the representations received on the Supplementary Guidance documents and the officer responses to these representations (Appendix 4). All three documents are presented to the Council for approval for a 6 week period of public consultation.

2. RECOMMENDATION(S)

2.1 It is recommended that the Committee:

- (a) Note the representations received on the draft Supplementary Guidance documents concerned with the consultation undertaken alongside the Aberdeen Local Development Plan;
- (b) Approve officers' responses to these representations received on the draft Supplementary Guidance documents; and
- (c) Approve the revised draft 'Infrastructure & Developer Contributions' Supplementary Guidance, 'Children's Nurseries and Sports Facilities' Supplementary Guidance, and draft Supplementary Guidance document – 'Bats and Development' for a 6 week consultation period.

3. FINANCIAL IMPLICATIONS

3.1 There are no immediate financial implications arising from this report as the cost of progressing the Aberdeen Local Development Plan can be met from existing budgets.

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 the Supplementary Guidance documents will provide clearer advice for decision making, with detailed topic-based Supplementary Guidance also having value in reducing officer time spent on pre-application discussions.

4.4 The Supplementary Guidance has been subject to Strategic Environmental Assessment (SEA) alongside the Local Development Plan.

5. BACKGROUND/MAIN ISSUES

- 5.1 The draft Supplementary Guidance documents presented alongside this report has previously been consulted upon as part of the Aberdeen Local Development Plan – Proposed Plan. The Council agreed to the content of the Proposed Plan on 18 August 2010. The Proposed Plan was a critical stage in the plan preparation process and represented 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 the result of a significant amount of assessment and public consultation. The Aberdeen Local Development Plan has since been adopted by the Council on 29th February 2012.
- 5.2 As part of the Local Development Plan process, a 16 week period of consultation was undertaken between September 2010 and January 2011, during which representations from the public and other organisations were invited on the Proposed Plan and draft Supplementary Guidance documents.
- 5.3 Council officers have taken into account representations that were received in relation to the draft Supplementary Guidance. Please see Appendix 4 for further details of the representations. As a result of the issues raised, a number of changes have been made to the draft Supplementary Guidance, as well as the updating of various policy and factual references. We are now seeking approval for the amended draft Supplementary Guidance to be issued for a further 6 week period of consultation.
- 5.4 The following section outlines the draft Supplementary Guidance documents, the responses received during consultation and the officer responses to these responses.
- 5.5 The aim of the 'Infrastructure and Developer Contributions Manual' Supplementary Guidance is to provide clear guidance to all stakeholders, in particular the development industry, on the infrastructure and developer contributions likely to be required to support development from an early stage in the preparation of the LDP. 11 representations were received. The comments received came from Bancon Developments Ltd, Dundas & Wilson CS LLP, Emac, GVA Grimley, Homes for Scotland, Kincorth/Leggart Community Council, Paull and Williamsons LLP, Scottish Water, SEPA, SportScotland and Stewart Milne Homes. The comments ranged from wholesale disagreement with the idea of the Manual to minor amendments requested to the text. Following detailed analysis of all the responses changes have since been made to the Infrastructure and Developer Contributions Manual.
- 5.6 The aim of the 'Children's Nurseries and Sports Facilities' Supplementary Guidance is to provide clear guidance for developers and planning officers so that they can ascertain the main

considerations involved in assessing the change of use of any land or building into a Children's Nursery or Sports Facility'. One representation was received in relation to this document from Sportscotland. This, and the officer response, can be seen in Appendix 1.

- 5.7 The aim of the 'Bats and Development' Supplementary Guidance is to provide information that will be needed for developers and planning officers so that they can consider the effects of planning and development on bats which are a European Protected Species. There were a number of comments concerned with section 7 'Establishing if a Survey is Required' and changes were made in order to make the section more clear for planning officers.

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 presented 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 presented 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 presented in this report supports the Council's 5 year Business Plan in terms of 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 which shows that there will be some positive impacts of the Plan on a range of equalities groups.

7. BACKGROUND PAPERS

- Appendix 1 - Draft Infrastructure & Developer Contributions Manual
- Appendix 2 - Draft Children's Nurseries & Sports Facilities
- Appendix 3 - Draft Bats and Development
- Appendix 4 - Summary of representations received and officers' responses.
- Aberdeen Local Development Plan 2012
<http://www.aberdeencity.gov.uk/localdevelopmentplan>
- Aberdeen Local Development Plan – Draft Action Programme
http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_aldp_action_programme.asp
- 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
- 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

8. REPORT AUTHOR DETAILS

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