

## ABERDEEN CITY COUNCIL

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COMMITTEE	Enterprise, Planning and Infrastructure
DATE	6 November 2012
DIRECTOR	Gordon McIntosh
TITLE OF REPORT	Adoption of draft Supplementary Guidance to the Local Development Plan
REPORT NUMBER:	EPI/12/204

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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. During the preparation of the Aberdeen Local Development Plan (ALDP 2012) Aberdeen City Council prepared a number of draft Supplementary Guidance (SG) documents in support of the ALDP. Following examination, the Aberdeen Local Development Plan was adopted on 29 February 2012 with a number of Supplementary Guidance documents adopted in the months following. 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 will be reported to Committee as they come forward.

1.2 This committee report relates to 4 draft Supplementary Guidance documents which have recently been subject to public consultation which was agreed at the Enterprise, Planning and Infrastructure Committee on 31<sup>st</sup> May 2012 (Agenda item 23). The draft Supplementary Guidance documents were subject to a six week public consultation period which ran from 19<sup>th</sup> June to 31<sup>st</sup> July 2012. The 4 draft Supplementary Guidance documents consist of:

- Infrastructure and Developer Contributions Manual (Appendix 1),
- Bats and Development (Appendix 2),
- Children's Nurseries and Sports Facilities (Appendix 3), and
- Gypsy and Travellers Sites (Appendix 4).

All documents have been prepared in relation to the ALDP. These documents (appendices 1 to 4) are available to view on the Council's website at:

[http://www.aberdeencity.gov.uk/planning\\_environment/planning/local\\_development\\_plan/pla\\_aldp\\_committee\\_reports.asp](http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_aldp_committee_reports.asp)

1.3 At the Enterprise, Planning and Infrastructure Committee on 31<sup>st</sup> May 2012 the representations received from the previous consultation in 2010 were noted, the officers responses to those representations were approved and permission was given for the documents to be consulted upon. The consultation period has now concluded and all representations received taken into account. The representations, officer's responses and subsequent changes made to the documents are available to see in Appendix 5. The changes made to the documents are minor and relate only to matters of clarification, formatting and to update the guidance where necessary. The alterations do not change the policy direction of the documents and the context remains the same. This report presents to Committee the representations received, officer responses and subsequent alterations. In addition to this the documents are also presented as appendices.

## 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;
- (b) Approve officers' responses to representations received on the draft Supplementary Guidance documents;
- (c) Approve the revised draft 'Infrastructure & Developer Contributions Manual' Supplementary Guidance, 'Children's Nurseries and Sports Facilities' Supplementary Guidance, 'Gypsy and Traveller Sites' draft Supplementary Guidance and draft Supplementary Guidance document – 'Bats and Development' to allow officers to submit the documents to Scottish Ministers for ratification as Supplementary Guidance to the Aberdeen Local Development Plan.

## 3. FINANCIAL IMPLICATIONS

3.1 There are no direct financial implications arising from this report. Any future publication costs can be met through 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. An Action Programme has been prepared to consider the implementation of the Aberdeen Local Development Plan and Supplementary Guidance.

- 4.2 The progression of these Supplementary Guidance documents 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.

## 5. BACKGROUND/MAIN ISSUES

- 5.1 The 4 documents that are proposed for ratification by Scottish Ministers as Supplementary Guidance are named and detailed below with a summary of any amendments that have been made to the document, either as a result of representations received during the public consultation period or by officers to provide greater clarity. *Please see Appendix 5 for a table outlining a summary of the representations received the responses to these and any other minor amendments officers have made.*

### Infrastructure and Developer Contributions Manual

- 5.2 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. 10 representations were received. The comments received came from Turnberry Planning, Dundas & Wilson CS LLP, Turley Associates, Scottish Enterprise, Aberdeenshire Council, Aberdeen City Council, Scottish Water, SEPA, SportScotland and SNH. 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.

### Bats and Development

- 5.3 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. Changes have been made to provide further clarity to all potential user groups of the guidance, whilst the policy direction has remained as before.

### Children's Nurseries and Sports Facilities

- 5.4 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, the officer response, and amendment can be seen in Appendix 5.

### Gypsy and Travellers Sites

5.5 The aim of the 'Gypsy and Travellers Sites Supplementary Guidance is to provide guidance on the provision of new Gypsy and Traveller sites in identified areas and how these are expected to be delivered. The Guidance also sets out the policy on how applications for private sites are to be dealt with and what facilities would be expected for permanent site and halting sites. Two responses were received from Turnberry Planning and Aberdeenshire Council. Changes made to the document have been to provide further clarity to the information currently displayed in the guidance.

## 6. IMPACT

6.1 The Local Development Plan and associated Supplementary Guidance contribute to the following Single Outcome Priorities:

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 and enhance it for future generations.

6.2 The Local Development Plan and associated Supplementary Guidance supports the Council's Corporate Plan, in particular the aim of delivering high levels of design from all development, maintaining an up to date planning framework, promoting sustainable development and ensuring an appropriate open space provision.

6.3 The Local Development Plan and associated Supplementary Guidance contribute to "Aberdeen – A Smarter City" in terms of providing a clean, safe and attractive streetscape and by promoting biodiversity and nature conservation, encouraging wider access to green space in our streets, parks and countryside, improving access to affordable housing in the private sectors by working with developers to maximize the effective use of developer contributions.

6.4 The proposal is consistent with the Planning and Sustainable Development Service Plan, in particular engaging the community in the planning process, and the delivery of Masterplans/Development Frameworks in line with the Aberdeen Masterplanning Process.

6.5 Given the wide range of policy areas the Aberdeen Local Development Plan and associated Supplementary Guidance covers, an Equality and

Human Rights Impact Assessment was carried out on the Proposed Plan, it showed that there will be some positive impacts of the Plan on a range of equalities groups. The Equality and Human Rights Impact Assessment is available to view on the City Council's website at [http://www.aberdeencity.gov.uk/Planning/ldp/pla\\_aldp\\_tech\\_appendix.a\\_sp](http://www.aberdeencity.gov.uk/Planning/ldp/pla_aldp_tech_appendix.a_sp) or a hard copy can be obtained from the Local Development Plan Team.

## 7. BACKGROUND PAPERS

Appendices 1 to 4 are available on the Council's Website at:

[http://www.aberdeencity.gov.uk/planning\\_environment/planning/local\\_development\\_plan/pla\\_aldp\\_committee\\_reports.asp](http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_aldp_committee_reports.asp)

Appendix 1 - Infrastructure and Developer Contributions Manual

Appendix 2 - Bats and Development

Appendix 3 - Children's Nurseries and Sports Facilities

Appendix 4 Gypsy and Travellers Sites

Appendix 5 - Summary of representations received, officers' responses and a list of all other minor amendments

Aberdeen Local Development Plan

<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=42278&SID=9484>

Aberdeen Local Development Plan –Action Programme

[http://www.aberdeencity.gov.uk/planning\\_environment/planning/local\\_development\\_plan/pla\\_aldp\\_action\\_programme.asp](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](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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