

ABERDEEN CITY COUNCIL

COMMITTEE	Enterprise, Planning and Infrastructure
DATE	6 November 2012
DIRECTOR	Gordon McIntosh
TITLE OF REPORT	Adoption of Masterplans, Planning Briefs and Development Frameworks as Supplementary Guidance in support of the Aberdeen Local Development Plan
REPORT NUMBER:	EPI/12/203

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to outline the results of this six week consultation period, and where appropriate the results of the consultation that was carried out alongside the Proposed Local Development Plan, by presenting a summary of the representations received on each document, officers' responses to these representations and to detail any resulting action from this. A summary of this information is attached at Appendix 1 of this report. Appendix 1 contains summarised versions of representations received. Full, un-summarised copies of representations are available on request from the Local Development Plan Team.

2. RECOMMENDATION(S)

- 2.1 It is recommended that the Committee:
- a) Note the representations received on the draft Supplementary Guidance documents;
 - b) Approve officers' responses to representations received on the draft Supplementary Guidance documents; and
 - c) Agree, where appropriate for officers to send the requested Supplementary Guidance documents to be ratified by the Scottish Government and
 - d) Agree, where appropriate that the requested Supplementary Guidance documents remain as Local Planning Advice and do not get sent to the Scottish Government for ratification

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 area-based Supplementary Guidance also has value in reducing officer time spent on pre-application discussions.

5. BACKGROUND/MAIN ISSUES

- 5.1 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.

- 5.2 This committee report relates to 12 draft SG documents (Masterplans/Planning Briefs/Development Frameworks) which have recently been subject to a public consultation. The draft documents were subject to a six week public consultation period which ran from 16th July to 27th August 2012, some of these documents have also been consulted on as part of the Proposed Local Development Plan.

- 5.3 These 12 draft SG consist of either new Masterplans/Development Frameworks/Planning Briefs which have been prepared as a requirement of the ALDP or are existing Masterplans/Development Frameworks/Masterplans which were carried over from the previous Aberdeen Local Plan (2008) to the ALDP. These 12 draft SG documents are:

- Bon Accord Baths Planning Brief;
- Cove Charette Report and Masterplan;
- Dyce Drive Planning Brief;
- Foresterhill Development Framework;
- Fire Station Site, North Anderson Drive Planning Brief;
- Greenferns Development Framework and Masterplan;
- Kingswells Development Framework;
- Murcar Development Framework;
- Pinewood Hazledene Planning Brief;
- Aberdeen Harbour Development Framework;
- Kingswells Development Framework and Phase One Masterplan (OP40) and
- Kingswells Prime Four Business Park (Phase Two and Three)

5.4 Due to the size of all of the draft documents, hard copies have not been attached to this report but are available at request from the Local Development Plan team. Full copies of the draft documents can also be accessed from

http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_aldp_committee_reports.asp

5.5 For the SG an assessment of the environmental impact was made alongside the ALDP. Since the adoption of the Plan there has been additional consultation undertaken, additional detail added and amendments made. Therefore, these documents will have to go through the Strategic Environmental Assessment Process. Given the assessment made at the Plan level and the mitigation incorporated into the Plan there would be no likely significant effect as a result of the SG. To ensure that this is properly documented a Screening report has been prepared and submitted to the SEA Gateway and the Consultation Authorities. In the case that any unforeseen issues are raised any affected SG will be reported back to committee.

5.6 The existing Masterplans/Planning Briefs/Development Frameworks were previously agreed by Council under the 2008 Aberdeen Local Plan or in some cases even earlier than this. The policies in these Plans and Briefs required to be updated in order to bring them up to date with current national, regional and local policy documents.

5.7 At the Enterprise, Planning and Infrastructure Committee on 31st January 2012 it was agreed that officers should update existing Masterplans and Planning Briefs and complete adoption procedures without reporting to Committee for approval. However, should the content of the Plans or Briefs require an alteration to their content, officers were instructed to report these back to Committee for approval. Please see Appendix 2 for a copy of this Committee Minute (para 26).

5.8 During the consultation period, representations were received on some of these existing documents which related to their content and so these

existing Masterplans/Planning Briefs/Development Framework have been brought back to this Committee for approval.

- 5.9 Following analysis of the representations received during the consultation, 9 of these draft documents are now proposed for adoption as supplementary guidance to the ALDP. Each document is 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.

Adopt as Supplementary Guidance to the ALDP

5.10 Cove Charette Report and Masterplan

Stewart Milne Homes and Scotia Homes jointly commissioned the Princes Foundation for the Built Environment and Urban Design Associates to conduct a participatory planning process involving Cove Community Council and Aberdeen City Council which aimed to develop the most appropriate neighbourhood form for land that was zoned in the ALDP for residential development. This document reports this process and presents a Masterplan which covers OP72: Cove and OP75: Stationfields, Cove. A total of three representations were received, one from Scottish Environmental Protection Agency (SEPA) and two from members of the general public. The issues raised through these representations were not felt to require any amendments to be made to the document.

5.11 Foresterhill Development Framework

This Development Framework covers an area currently zoned as 'Existing Community Facilities' in the Local Development Plan. It proposes a long-term strategy for the future development of the Foresterhill Campus. One representation was received from SEPA. The issues raised through this representation were not felt to require any amendments to be made to the document.

5.12 Fire Station Site, North Anderson Drive Planning Brief

This Planning Brief provides guidance for the future development of the Fire Station Site on North Anderson Drive. This Brief covers an area currently zoned as 'Residential' in the Local Development Plan. One representation was received from Mastrick, Sheddocksley and Summerhill Community Council. The issues raised through this representation were not felt to require any amendments to be made to the document.

5.13 Greenferns Development Framework and Masterplan

The Greenferns Development Framework covers both OP39: Greenferns and OP45: Greenferns and sets out a 2-dimensional spatial framework for the way in which these sites should be developed. The Greenferns Masterplan covers only site OP39: Greenferns. One representation was received from SEPA. The issues raised through

this representation were not felt to require any amendments to be made to the document.

5.14 Kingswells Development Framework

This Development Framework covers OP41: Kingswells C and OP42 Kingswells D and West Huxterstone. It sets out a guide for the preparation of a masterplan for a new, attractive, high quality, and sustainable residential development. A total of three representations were received, two from SEPA and one from Kingswells Community Council. The first representation from SEPA resulted in the addition of a paragraph to the document regarding existing water features within and around the site and the pressures which apply to these features. The second representation from SEPA did not require any changes to be made. Some of the issues raised through the Kingswells Community Council representation resulted in some minor text changes being required to be made to the document.

5.15 Pinewood Hazledene Planning Brief

This Planning Brief covers OP52: Hazledene and OP57: Pinewood. The major component of the Brief is the creation of a residential development but the proposals also incorporate community facilities, neighbourhood shopping, community open space and a network of pedestrian and cycle paths. One representation was received from GVA Grimley on behalf of Dobbies Garden Centre. The issues raised through this representation were not felt to require any amendments to be made to the document.

5.16 Aberdeen Harbour Development Framework

This Development Framework was prepared by Aberdeen Harbour Board following engagement with Aberdeen City Council. The Framework explores how the Harbour and the City can develop in partnership over the next 20 years. One representation was received from SEPA. The issues raised through this representation were not felt to require any amendments to be made to the document.

5.17 The Aberdeen Harbour Development Framework has been subject to a Habitats Regulation Assessment (HRA). According to Article 6(3) and 6(4) of the Habitats Directive (92/43/EEC) any formally adopted Supplementary Guidance which would be likely to have a significant effect on an identified European Site shall be subject to an 'appropriate assessment' of its implications, also known as a Habitats Regulations Appraisal. The aim of the assessment was to assess the likely impacts of the Aberdeen Harbour Development Framework against the conservation objectives of the River Dee Special Area of Conservation (SAC) and the Moray Firth SAC. The screening process identified that some of the Framework proposals or objectives would be likely to have significant effects on the qualifying interests of the River Dee SAC and Moray Firth SAC, either in isolation or cumulatively. However, the Appraisal also suggested a number of mitigation measures. The inclusion of these mitigation measures (page 65 of the document) and

the potential need for further specific project-based assessment would ensure that the Framework would have no adverse affect on the integrity of the River Dee SAC and the Moray Firth SAC.

5.18 Kingswells Development Framework and Phase One Masterplan (OP40)

This Development Framework and Phase One Masterplan was prepared by Drum Property Group to guide development of a new employment destination to the West of Kingswells. This document covers OP40: West Hatton and Home Farm, Kingswells. One representation was received from SEPA. The issues raised through this representation were not felt to require any amendments to be made to the document.

5.19 Kingswells Prime Four Business Park (Phase Two and Three)

This Masterplan was also prepared by Drum Property Group and represents further detailed information on Phases Two and Three of OP40: West Hatton and Home Farm, Kingswells. One representation was received from Kingswells Community Council. Some of the issues raised through this representation resulted in some minor text changes being required to be made to the document.

5.20 Following analysis of the representations received during the consultation period and the status of each document in terms of its connection to the ALDP, 3 of these documents are proposed to be kept as Local Planning Advice. Each of these documents is named and detailed below along with the reason for not adopting it as SG to the ALDP.

Keep as Local Planning Advice and do not take forward as Supplementary Guidance to the ALDP

5.21 Bon Accord Baths Planning Brief

This Planning Brief was approved by Council in October 2009 and covers the Bon Accord Bath site, which was declared surplus to Council requirements in 2008. This Brief sets out the planning framework that will guide the development process. No representations were received on this document during the consultation process. This document cannot be adopted as SG to the ALDP as there is no definitive link between this document and the ALDP. Under the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 SG may only deal with the provision of further information or detail in respect of the policies or proposals set out in that Plan and only deal with those matters which are expressly identified in a statement contained in the plan. It is therefore recommended that this document is not sent to the Scottish Government for ratification as SG to the ALDP, but instead remains as a Local Planning Advice document. Local Planning Advice can still be used as a material planning consideration during the determination of

planning applications; however, it does not carry as much weight as the ALDP or its associated SG.

5.22 Dyce Drive Planning Brief

This Planning Brief was approved by Council in March 2004 and covers an area of land to the south west of Aberdeen Airport. A total of four representations were received during the consultation period, three from a member of the public and one from Miller Developments. This Brief was written prior to the adoption of both the Aberdeen Local Plan 2008 and the Aberdeen Local Development Plan 2012. It covers part of the site now zoned as OP32: Dyce Drive in the ALDP, but does not show the full extent of surrounding development and allocations and does not represent the up to date boundary of OP33:A96 Park and Rides site. This Brief requires to be updated to bring it in line with the current land zonings and allocations. It is therefore recommended that this document is not sent to the Scottish Government for ratification as SG to the ALDP, but instead remains as a Local Planning Advice document until such time as it is revisited and updated. The need to update this document would not affect any current Planning Applications. Local Planning Advice can still be used as a material planning consideration during the determination of planning applications; however, it does not carry as much weight as the ALDP or its associated SG.

5.23 Murcar Development Framework

This Planning Brief was approved by Council in June 2008 and covers an area of land to the north east of Bridge of Don. Two representations were received during the consultation period, one from Montagu Evans on behalf of Buccleuch Property and one from Paull and Williamsons on behalf of Stewart Milne Homes. This Brief was written prior to the adoption of the Aberdeen Local Development Plan 2012. It covers OP4: Findlay Farm, Murcar, OP3: Berryhill, Murcar and part of OP2: Murcar, but does not show the full extent of surrounding development and allocations. This Brief requires to be updated to bring it in line with the current land zonings and allocations. It is therefore recommended that this document is not sent to the Scottish Government for ratification as SG to the ALDP, but instead remains as a Local Planning Advice document until such time as it is revisited and updated. Local Planning Advice can still be used as a material planning consideration during the determination of planning applications; however, it does not carry as much weight as the ALDP or its associated SG.

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 or a hard copy can be obtained from the Local Development Plan Team.

7. BACKGROUND PAPERS

- Appendix 1 - Summary of representations received, officers' responses and any resulting amendments
- Appendix 2 – Minute from the Enterprise, Planning and Infrastructure Committee (31st January 2012)

Aberdeen Local Development Plan

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

Aberdeen Local Development Plan –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&slD=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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