

# **Aberdeen City Council**

## **Aberdeen Local Development Scheme:**

### **January 2013**

#### **Introduction**

The Planning etc. (Scotland) Act 2006 requires all Councils to prepare a Development Plan Scheme at least annually. This Development Plan Scheme sets out Aberdeen City Council's programme for preparing the new Aberdeen Local Development Plan. This is the first Local Development Plan Scheme for the new Aberdeen Local Development Plan.

This document provides information on the following issues;

- The development plans we have now;
- Why we need to progress a new Local Development Plan;
- The timetable for preparing this plan (the project plan); and
- The timetable for engaging people in the preparation of the plan and how we will do this (the participation statement).

#### **What Development Plans do we have now?**

The Development Plan system in Aberdeen consists of two core statutory documents:

- The Aberdeen City and Shire Structure Plan (2009) - the Structure Plan will be replaced by the Aberdeen City and Shire Strategic Development Plan (SDP) which is currently in preparation;
- The Aberdeen Local Development Plan (2012) – this will be replaced by the new Aberdeen Local Development Plan.

#### **Why we need to prepare a new Local Development Plan**

Planning Authorities are required to keep under review the Plans that they prepare.

As the Strategic Development Plan Authority (SDPA) are progressing a new Strategic Development Plan, it is important that our Local Development Plan is brought up to date as soon as possible to become in line with this emerging Plan

The emerging Strategic Development Plan specifies how land will be used up to 2035 to make sure there is a continuous supply of development land. Putting the new Strategic Development Plan into practice will be achieved through new Local

Development Plans within Aberdeen City and Aberdeenshire. As such, we intend to replace the Aberdeen Local Development Plan 2012 (which complies with the current Structure Plan) with the new Aberdeen Local Development Plan which will comply with the new Strategic Development Plan.

## **Preparing the Aberdeen Local Development Plan 2**

This Development Plan Scheme sets out a number of stages in preparing the new Aberdeen Local Development Plan.

### Stage 1 – Publishing the Development Plan Scheme

This Development Plan Scheme contains a Participation Statement saying when, how, and with whom consultation will take place and a timetable saying when the various stages of the emerging Aberdeen Local Development Plan will be published and submitted to Scottish Ministers.

The Planning etc. (Scotland) Act 2006 requires the adopted Development Plan Scheme to be published (including electronically), two copies to be sent to Scottish Ministers and copies to be placed in all libraries. We will also send it to, or inform, the key agencies and consultees.

### Stage 2 – Preparing the Main Issues Report

In January 2014 we will publish a Main Issues Report (MIR). This will be a discussion document that will summarise the main planning issues facing Aberdeen. It will outline the major differences in approach to the current adopted Aberdeen Local Development Plan (2012). In doing so it will also take into account the requirements of the emerging Strategic Development Plan.

The Main Issues Report will link closely to the process of Strategic Environmental Assessment (SEA). All proposals (preferred and alternative) put forward in the Main Issues Report, will be environmentally appraised and a draft Environmental Report will be published alongside it.

Prior to its publication we will invite people to submit comments and ideas for the Main Issues Report. These comments could be regarding new policy approaches for the Local Development Plan or land allocations for development. This process will likely take place between March – June 2013.

It is unlikely that the emerging Strategic Development Plan will require us to identify any further greenfield housing or employment allocations. However, we would like to hear about proposals to redevelop brownfield sites in the urban area. A development options form and a sustainability checklist will be used for any new sites that are suggested. The best time to submit proposals in the first

instance is at the pre-Main Issues Report stage. This would allow full engagement to take place on these proposals, which will be posted on the Council's website. All submissions will be assessed against sustainability criteria and, following further consultation, will inform the content of the Main Issues Report.

We will publish a Monitoring Statement alongside the Main Issues Report which will look at:

- Changes in the principal physical, economic, social and environmental characteristics of the area that have occurred since the preparation of the existing local development plan; and
- The impact of the policies and proposals of the existing local development plan.

We will also publish the following documents alongside the Main Issues Report:

- A Development Options Assessment Report which details our assessment of the development options submitted to us.
- An Equalities and Human Rights Impact Assessment of the Main Issues Report.

### Stage 3 – Preparing and Publishing the Proposed Plan

The proposed new Aberdeen Local Development Plan will be written by the Council and will respond to matters raised at earlier engagement and participation stages. The Proposed Plan will contain a Spatial Strategy (a plan showing where we consider development should and should not go) and policies to guide the development of Aberdeen up to 2026.

Where appropriate, there will be indicative policies showing how Aberdeen may develop in the longer term up to 2035. The Proposed Plan will also include a detailed proposals map which will show land allocations (zones) where development of particular kinds (such as housing or business) will be supported in principle. It will also include a schedule of land owned by the Council which will be affected by any of the policies and proposals which are proposed.

In addition we are required to publish a proposed Action Programme alongside the proposed new Aberdeen Local Development Plan. Action Programmes should set out how we propose to implement the new Local Development Plan through:

- A list of actions required to deliver each of the plan's policies and proposals
- The name of who is to carry out each action
- The timescale for carrying out each action

The regulations do not specify particular types of action that should be included; however they are expected to include:

- The delivery of key infrastructure
- Preparation of Supplementary Guidance

Actions are not limited to those by the planning authority. In preparing the proposed Action Programme, we will consult and consider the views of the key agencies and consultees, Scottish Ministers and anyone the Council proposes specifying by name in the Action Programme.

#### Stage 4 - Examination of the Proposed Plan

Up to this point, we will have tried to resolve as many objections as possible. However, we cannot guarantee that the Proposed Plan will match everyone's views. At this point, assuming there are no notifiable modifications, it is likely that the Council will publish the Plan and submit it to Scottish Ministers for Examination. The Examination will be carried out by independent reporters who are appointed by the Scottish Government.

#### Stage 5 - Adoption of the LDP

Depending on the outcome of the Examination, this is the stage at which we would expect the emerging Aberdeen Local Development Plan to be adopted (see Participation Statement).

## Development Plan Scheme Programme

<b>STAGE 1 - Publishing the Local Development Plan Scheme</b>	<b>TIMEFRAME</b>
<ul style="list-style-type: none"> <li>• Pre-consultation questionnaire sent out</li> </ul>	29 October 2012
<ul style="list-style-type: none"> <li>• Pre-consultation report released</li> </ul>	November 2012
<ul style="list-style-type: none"> <li>• Report Development Plan Scheme to Enterprise, Planning and Infrastructure Committee</li> </ul>	22 January 2013
<ul style="list-style-type: none"> <li>• Publish Development Plan Scheme</li> </ul>	January/ February 2013

<b>STAGE 2 - Preparing the Main Issues Report</b>	<b>TIMEFRAME</b>
<ul style="list-style-type: none"> <li>• Process and Assess pre-Main Issues Report comments and submissions</li> </ul>	March to June 2013
<ul style="list-style-type: none"> <li>• Draft Main Issues Report and Strategic Environmental Assessment Scoping Report</li> </ul>	June to October 2013
<ul style="list-style-type: none"> <li>• Draft Monitoring Statement</li> </ul>	June to October 2013
<ul style="list-style-type: none"> <li>• <b>Publish Main Issues Report and issue to persons and key agencies</b></li> </ul>	January 2014
<ul style="list-style-type: none"> <li>• Publish Monitoring Statement</li> </ul>	January 2014
<ul style="list-style-type: none"> <li>• Send Strategic Environmental Assessment Scoping Report to consultation authorities</li> </ul>	January 2014

<b>STAGE 3 - Preparing and publishing the Proposed Aberdeen Local Development Plan</b>	
<ul style="list-style-type: none"> <li>• Prepare and publish updated Local Development Plan Scheme and issue to Scottish Government</li> </ul>	January 2014
<ul style="list-style-type: none"> <li>• Process representations to the Main Issues Report</li> </ul>	March to June 2014

• Prepare Proposed Aberdeen Local Development Plan	March to November 2014
• Prepare draft Action Programme	March to November 2014
• Prepare Environmental Report	March to November 2014
• Report to Full Council	December 2014
• Prepare and publish updated Local Development Plan Scheme and issue to Scottish Government	January 2015
• <b>Publish Proposed Aberdeen Local Development Plan and notify to persons and key agencies</b>	February 2015
• Publish Proposed Action Programme	February 2015
• Publish Environmental Report and send to SEA Gateway under 2004 Regulations	February 2015
• Notification of Neighbours	February 2015
• Objection and representation period	February to April 2015

<b>STAGE 4 - Preparing for the Examination of the proposed Aberdeen Local Development Plan</b>	
• Consider Objections to Proposed Plan and draft Environmental Report	April to September 2015
• Response to representations	September 2015
• Report of Conformity with Participation Statement	September 2015
• Submit Proposed Plan, Action Programme and Statement of Conformity with Participation Statement (as modified if relevant) with Note of Representations and how these have been taken account of to Ministers.	November 2015
• Publicise submission of plan	

<ul style="list-style-type: none"> <li>Request Scottish Ministers to appoint an Examination of the Proposed Plan and Environmental Report</li> <li>Advertise Examination of Proposed Plan and serve Notice on known interested parties</li> </ul>	
<ul style="list-style-type: none"> <li>Examination in Public</li> </ul>	November 2015 to July 2016
<ul style="list-style-type: none"> <li>Receive the Report of Examination</li> </ul>	July 2016

<b>STAGE 5 - Adoption of the Aberdeen Local Development Plan</b>	
<ul style="list-style-type: none"> <li>Consider recommendations and report to the Council</li> </ul>	August/September 2016
<ul style="list-style-type: none"> <li>Publish Modifications and Proposed Plan as modified.</li> </ul>	September 2016
<ul style="list-style-type: none"> <li>Advertise 'intention to adopt'</li> <li>Notify each person who made representations of publication and intention to adopt</li> </ul>	September 2016
<ul style="list-style-type: none"> <li>Notify Scottish Ministers of our intention to adopt the Aberdeen Local Development Plan</li> </ul>	October 2016
<ul style="list-style-type: none"> <li><b>The Aberdeen Local Development Plan is constituted as the local development plan (28 days after notification to Scottish Ministers)</b></li> </ul>	November/December 2016
<ul style="list-style-type: none"> <li>Send two copies of the Aberdeen Local Development Plan and Environmental Report to Scottish Ministers</li> </ul>	November/December 2016
<ul style="list-style-type: none"> <li>Deposit copies of the Aberdeen Local Development Plan in libraries, notify each person who made representations and advertise it</li> </ul>	November/December 2016
<ul style="list-style-type: none"> <li>Publish Action Programme and Environmental Report Post Adoption Statement (within 3 months of adoption)</li> </ul>	December 2016/January 2017

## Participation Statement

Aberdeen City Council is strongly committed to encouraging interest and wide public involvement in the preparation of the new Local Development Plan. This Participation Statement explains how local communities and other stakeholders will be engaged and have the opportunity to be involved in the preparation of the new Aberdeen Local Development Plan. In line with the Planning Advice Note on Community Engagement and the National Standards on Community Engagement, Aberdeen City Council will continue to ensure that:

- arrangements for participation are inclusive, open and transparent;
- information is provided in a manner which allows for full consideration of its implications;
- communication is provided through a range of formats and locations, including easily understood jargon-free formats;
- all representations are fully considered;
- feedback is provided promptly on the conclusions drawn; and
- we add to our consultation list anyone who wishes to be involved with this process.

The selection of participants is representative of the public, private, voluntary, academic and community sectors and of the various equality groups. Regulation 28 of the Planning etc. (Scotland) Act 2006 defines the key agencies as:

- Scottish Natural Heritage;
- Scottish Environmental Protection Agency;
- Scottish Water;
- Health Boards;
- NESTRANS; and
- Scottish Enterprise

Guidance suggests that the following bodies should have the same level of involvement in the development plan process:

- Historic Scotland;
- Transport Scotland;
- ACSEF; and
- The Forestry Commission

We will also involve the following groups at the same level:

- Aberdeenshire Council;
- Aberdeen City and Shire Strategic Development Planning Authority;
- Health and Safety Executive; and
- Community Councils



In addition, community groups and the general public have and will continue to be involved in the Local Development Plan process. We will continue to email newsletters to developers, agents and those who have expressed an interest in the Aberdeen Local Development Plan. We can add contacts to this list on request.

This participation statement highlights the methods of consultation which are used to ensure full and effective engagement with the community and stakeholders. Efforts have been made to reach beyond the constituency of organisations normally involved in planning consultations to a wider range of public interests such as young people, pensioners, ethnic minorities and the disabled.

The schedules below set out in as much detail as is known at this stage when, how and with whom we will engage, and the steps that will be taken to involve the public. It distinguishes between our statutory duties, as laid down by Scottish legislation and the additional non-statutory actions we will carry out.

The schedules will be kept up to date on the Local Development Plan webpages of the Council's website ([www.aberdeencity.gov.uk/localdevelopmentplan](http://www.aberdeencity.gov.uk/localdevelopmentplan)) so that stakeholders and the public know exactly how the preparation process for the new Local Development Plan is to be conducted and what opportunities they will have to participate and engage with it

The new Local Development Plan preparation process involves 5 stages, which we are currently at the beginning of. Engagement with stakeholders and the public is set to begin early in the first two stages.

## Participation Programme

Feedback on Previous Consultation (November 2012)	
NON- STATUTORY ACTIONS	
<p>In preparing this Development Plan Scheme, we have also sent out a questionnaire to people who were involved in the consultation process for the last Local Development Plan. This invited their feedback on the engagement activity we carried out as well as any suggestions for improvements that could be implemented during the preparation of the new Plan.</p> <p>A report was then drafted that detailed the responses we received. This was made available on our webpage and was also advertised through the newsletter, and via social media.</p>	
Stage 1: Publishing the Local Development Plan Scheme (January 2013)	
<p>This document raises awareness and understanding of the development plan review process and how long it will take.</p>	
STATUTORY OBLIGATIONS	NON- STATUTORY ACTIONS
<p>When this Development Plan Scheme is approved and published, we are required to:</p> <ul style="list-style-type: none"> <li>• Send it to Scottish Ministers</li> <li>• Make copies available in all the City's libraries and at Marischal College</li> <li>• Publish it on our website <a href="http://www.aberdeencity.gov.uk">www.aberdeencity.gov.uk</a></li> </ul>	<p>In addition to our statutory obligations, we will:</p> <ul style="list-style-type: none"> <li>• Tell other Council services about it;</li> <li>• Send copies to or inform interested parties;</li> <li>• Provide Community Councils with Toolkits consisting of various materials to encourage participation and facilitate discussion, potentially leading to an exhibition at the end of the period.</li> <li>• Email a newsletter about it to agencies, developers and those who have expressed an interest in the Local Development Plan.</li> <li>• Publicise on our website and via social media sites (Facebook and Twitter)</li> </ul>

## Stage 2: Preparing and Publishing the Main Issues Report (from early 2013)

### STATUTORY OBLIGATIONS

In preparing the Main Issues Report, we are required to consult with and have regard to any views expressed by:

- the key agencies,
- Scottish Ministers,
- Aberdeenshire Council and;
- The SDPA.

To publicise the Main Issues Report, we are required to publish a notice in one or more local newspapers, setting out:

- That the document has been produced and where/when it may be viewed
- A brief description of the content and purpose of the document
- Details of how further information may be obtained and
- A statement of how representations may be made, to whom and by when

We also have to send this information to:

- The key agencies
- Aberdeenshire Council
- The SDPA
- Community Councils
- Scottish Ministers

We must also:

- Make a copy available to inspect at Marischal College and in public libraries
- Publication on the internet
- Send the report to Scottish Ministers

The Planning etc. (Scotland Act 2006

### NON- STATUTORY ACTIONS

In addition to our statutory obligations in preparing the Main Issues Report, we will also carry out the following engagement activities:

- Hold meetings and workshops with community groups, key agencies and stakeholders
- Involve other Council Services
- Send out and publish online a questionnaire inviting responses and suggestions;
- Ensure that the Local Development Plan webpages of the Council's website continue to provide immediate access to Local Development Plan publications and allow responses to the Main Issues Report to be submitted
- Continue to use the telephone and email enquiry point allowing people to contact the Local Development Plan team;
- Run participation exercises and workshops for both stakeholders and Councillors throughout the Development Plan process where display material and Local Development Plan team members will be available;
- Investigate engagement with young people through School visits by members of the Local Development Plan Team

In addition to our statutory obligations for publicising the Report, we will also:

- Employ social media websites such as Twitter (@AberdeenLDP) and Facebook (Aberdeen Local Development Plan) as a means of publicising Local Development Plan documents and

<p>requires authorities to ensure that people who may want to comment on the Main Issues Report are made aware that they can do so and are given such an opportunity.</p>	<p>events;</p> <ul style="list-style-type: none"> <li>• Email a newsletter to key agencies, developers and those who have expressed an interest in the Local Development Plan updating them on the process. The Newsletter will also be available on the Local Development Plan pages of our website and publicised over social media.</li> </ul> <p>Once the Main Issues Report is published, there will be a 10 week consultation period for representations to be made on its content. Representation forms will be made available in Libraries and at all consultation meetings, as well as online. Regular news releases will be made to local media during this period to publicise the consultation events and advise people of the process.</p>
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**Stage 3: Preparing and Publishing the Proposed Aberdeen Local Development Plan and Supplementary Guidance**

STATUTORY OBLIGATIONS	NON- STATUTORY ACTIONS
<p>In preparing the Proposed Plan, we are required to:</p> <ul style="list-style-type: none"> <li>• Consult the key agencies and Scottish Ministers</li> </ul> <p><b>In addition to the same minimum publicity requirements for the Main Issues Report (above),</b> we are also required to:</p> <ul style="list-style-type: none"> <li>• Send a copy of the Proposed Plan to/inform each key agency and Scottish Ministers</li> <li>• Notify any person who commented on the Main Issues Report that the Proposed Plan has been produced and send them the relevant information</li> <li>• Notify the owners, lessees or occupiers</li> </ul>	<p>Once the Proposed Plan has been published, we will also:</p> <ul style="list-style-type: none"> <li>• Inform community groups and other stakeholders;</li> <li>• Run drop-in events to give people the chance to meet and discuss the proposed Plan with members of the Local Development Plan Team.</li> <li>• Make a presentation to key agencies, stakeholders and interested groups</li> <li>• Hold a consultation period of 10 weeks, 4 weeks longer than the statutory minimum</li> <li>• Publish it on our website <a href="http://www.aberdeencity.gov.uk">www.aberdeencity.gov.uk</a> and publicise it through social media;</li> <li>• Email a newsletter about it to agencies, developers and those who have</li> </ul>

of sites and the owners, lessees or occupiers, within 20m, of neighbouring sites which the proposed plan specifically proposes to be developed and which would have a significant effect on the use and amenity of the site;

- On the rare occasion that a Proposed Plan is republished following changes to the underlying aims or strategy of an earlier Proposed Plan, consult people who made representations on the original plan

Once the Proposed Plan has been published, we will hold a consultation period of at least 6 weeks to allow representations from any interested party to be made (although we intend to consult for 10 weeks).

expressed an interest in the Local Development Plan. The Newsletter will also be available on the Local Development Plan pages of our website and publicised over social media.

#### **Stage 4: Preparing for and Responding to the Examination of the Proposed Aberdeen Local Development Plan**

In the event of an Examination, we will

- Advertise the Examination;
- Make the Examination proceedings available on the website as soon as practicable;
- Keep all interested parties informed about the Examination procedures.

#### **Stage 5: Adoption of the Aberdeen Local Development Plan**

Once the Reporter(s) has made their recommendations on the Plan, and any modifications have been made, formal adoption of the Aberdeen Local Development Plan would follow. At this stage we will make public our intention to adopt the plan following a 28 day submission period to Scottish Ministers – providing they do not wish to raise issues with the plan. At this point we are required to:

- Advertise the intention to adopt the Plan, as modified according to the Reporter's Report if appropriate, in newspapers, describing any modifications;
- Contact all interested parties and advertise the publication of the Plan to them;

- Notify those who made representations;
- Place copies of the Plan as modified in public libraries and in Marischal College.

## **Parallel Assessments of the Aberdeen Local Development Plan**

It will be necessary to undertake a number of parallel assessments of the Aberdeen Local Development Plan both as legislative requirements and as good practice. These documents will be made available for comments and representations on our website, local libraries and at Marischal College.

### ***Strategic Environmental Assessment***

Under the Environmental Assessment (Scotland) Act 2005 it is a legal requirement to undertake a Strategic Environmental Assessment (SEA). This is because the Local Development Plan, along with other supplementary guidance, is likely to have a significant effect on the environment. This is being undertaken throughout the review process and will have its own stages of consultation on a draft and final Environmental Report. A draft Environmental Report will be published for consultation alongside the Main Issues Report and provide an assessment of the impact on the environment of sites and policies within it.

### ***Appropriate Assessment***

Development plans should be subject to an Appropriate Assessment according to Article 6(3) and 6(4) of the Habitats Directive (92/43/EEC). This assesses the likely significant effects that the Aberdeen Local Development Plan may have on the River Dee Special Area of Conservation (SAC) - the only European site within the Aberdeen City boundary. This is to ascertain whether the Plan will have an adverse impact alone, or in combination with the other plans and projects on the site's integrity. The Appropriate Assessment will be included as part of the draft Environmental Report.

### ***Equality and Human Rights Impact Assessment***

At each stage of the Aberdeen Local Development Plan we will continue to consider how our ways of involving people, as well as the policies in the plan, might affect different groups in different ways.

