

## ABERDEEN CITY COUNCIL

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COMMITTEE	Enterprise, Planning and Infrastructure
DATE	22 January 2013
DIRECTOR	Gordon McIntosh
TITLE OF REPORT	Adoption of Supplementary Guidance in support of the Aberdeen Local Development Plan
REPORT NUMBER:	EPI/12/262

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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 ALDP was adopted on 29 February 2012 with a number of SG documents adopted in the months following. It is intended that further tranches of approved SG will be forwarded to Scottish Ministers in due course for adoption, whilst other SG documents will be reported to Committee as they come forward.
- 1.2 The purpose of this report is to outline the results of several consultation periods that have been carried out on five draft SG documents 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. Full, un-summarised copies of representations are detailed in Appendix 2 of this report.

### 2. RECOMMENDATION(S)

- 2.1 It is recommended that the Committee:
  - a) Note the representations received on the draft Supplementary Guidance documents;
  - b) Approve Appendix 1, which includes officers' responses to representations received and any necessary actions to the draft Supplementary Guidance documents; and
  - c) Agree for officers to send the requested finalised Supplementary Guidance documents to be ratified by the Scottish Government

### 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 ALDP and SG.

- 4.2 The progression of these SG 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 SG also has value in reducing officer time spent on pre-application discussions.

### 5. BACKGROUND/MAIN ISSUES

- 5.1 This Committee Report relates to five draft SG documents which have recently been subject to a public consultation. These five draft SG documents and their respective public consultation periods are detailed below:

<b>SG Document Name</b>	<b>Public Consultation Period</b>
BP Headquarters Complex Development Brief	9 November to 21 December 2012
Friarsfield Development Framework	16 July to 27 August 2012
Loirston Development Framework	12 November to 10 December 2012
Maidencraig Masterplan	12 November to 10 December 2012
Oldfold Development Framework	16 July to 27 August 2012

It should be noted that both the Loirston Development Framework and the Maidecraig Masterplan were consulted on in accordance with the Council's adopted masterplanning process approved by the Enterprise, Planning and Infrastructure Committee at their meeting on 6 November 2012. Respective Community Council's for both areas were given advance copy of the proposed supplementary guidance on 19th October 2012. In addition, a requested extension to the closing date for responses was also granted to Nigg Community Council.

- 5.2 The Friarsfield Development Framework, Loirston Development Framework, Maidencraig Masterplan and Oldfold Development Framework have been prepared as a requirement of the ALDP and the BP Headquarter Complex Development Brief is an existing document which has been carried over from the previous Aberdeen Local Plan (2008) to the ALDP.

- 5.3 Due to the size of the draft documents, hard copies have not been attached to this report but are available on 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](http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_aldp_committee_reports.asp)
- 5.4 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.
- 5.5 Following analysis of the representations received during the consultation, 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.
- 5.6 It should be noted that all comments received as part of the consultation are shared with the developers and their design teams for consideration in the preparation of any necessary detailed phased masterplans and/or detailed planning applications.
- 5.7 BP Headquarters Complex Development Framework  
The BP Headquarters Complex Development Brief was produced in April 2008 to help guide the redevelopment of the former BP Headquarter Offices at Burnside Road, Dyce. This document covers OP16: BP Dyce (part) Centre as identified in the ALDP, which is zoned under the Mixed Use Policy (H2). No representations were received during the consultation period and therefore no amendments have been suggested to the document.
- 5.8 Friarsfield Development Framework  
The Friarsfield Development Framework was produced in January 2012 and covers OP51: Friarsfield as identified in the ALDP, this site is zoned under the Residential Policy (H1). Approximately 280-380 homes are planned for the site, in addition to roads, drainage infrastructure and open space. A total of three representations were received, one from SEPA, one from Camphill Communities (including the Waldorf School) and one from Ryden on behalf of CALA

Management Ltd. The issues raised through this representation were not felt to require any amendments to be made to the document.

#### 5.9 Loirston Development Framework

The Loirston Development Framework (November 2012) was prepared as a strategy for the future development of land identified in the Aberdeen Local Development Plan (ALDP) as Opportunity Sites OP77, OP80 and OP78, to inform development of a new residential community to the south of the City. The OP77 Loirston site is zoned under the Land Release Policy (LR1) and identified for provision of 1500 homes, 11 hectares of employment land, with the potential to accommodate a football or Community Stadium. The housing provision is split into land release phases, 1100 homes proposed for the period up to 2016 and 400 homes up to 2023.

The Local Development Plan identifies land at Charleston (OP78) to the south Wellington Road for 20.5 hectares of employment land for the period 2024-2030; and land at Calder Park OP80 for a new stadium and sports facilities for Cove Rangers Football Club. The Development Framework also considers the surrounding ALDP allocations and sites, including a 2 hectare extension to the existing employment site OP69 Aberdeen Gateway, the Cove Masterplan and existing Aberdeen Football Club planning permission. A total of 12 representations were received from the following:

- Aberdeen Cycle Forum,
- Cove and Altens Community Council,
- Historic Scotland,
- Scottish Environmental Protection Agency,
- Scottish Natural Heritage,
- Scottish Water,
- Nigg Community Council,
- Kincorth Hill LNR Management Committee,
- Mr George Urquhart (x2),
- Nestrans and
- Transport Scotland

The issues raised through representations resulted in some minor text changes to the Development Framework document as detailed in Appendix 1 'Action as a result of representation' column.

#### 5.10 Maidencraig Masterplan

The Maidencraig Masterplan was also produced in November 2012 and covers OP43: Maidencraig South East and OP44 Maidencraig North East as identified in the ALDP. These sites are zoned under the Land Release Policy (LR1) and together provide an opportunity for 750 homes. A total of 8 representations were received from the following:

- Nestrans,
- Historic Scotland,
- Transport Scotland,

- Scottish Natural Heritage,
- Scottish Water,
- Management Committee of Maidencraig LNR,
- Hazlehead Academy Eco-Committee and
- Mr Ian Mitchell

The issues raised through these representations were not felt to require any amendments to be made to the document.

#### 5.11 Oldfold Development Framework

The Oldfold Development Framework was produced in January 2012 and covers OP62: Oldfold as identified in the ALDP, this site is zoned under the Land Release Policy (LR1). The Oldfold site provides an opportunity for the development of 550 homes and 5ha of employment land. A total of two representations were received, one from SEPA and one from Keppie Planning and Development on behalf of CALA Management Ltd. Both representations were supportive and did not require any amendments to be made to the document.

#### Habitats Regulation Assessment (HRA)

- 5.12 The Friarsfield, Oldfold and Loirston Development Framework documents have all been subject to a Habitats Regulation Assessment (HRA) in accordance with 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.

The aim of these HRA's was to assess whether the Development Frameworks has the potential to have any likely significant effect on the qualifying interests of the River Dee Special Area of Conservation (SAC) (Natura site). The impacts of any likely significant effects which cannot be avoided need to be considered in terms of their impacts on the conservation objectives of the site through a stage known as an 'appropriate assessment'.

- 5.13 The screening process for Friarsfield, Oldfold and Loirston concluded that some aspects of the Development Framework documents do have the potential to have likely significant effects on the qualifying interests of the River Dee Special Area of Conservation, either in alone or in combination with other elements of the document or other projects or plans in the River Dee catchment. All documents do however include positive policies and use of buffer zones which would minimise or eliminate the potential for likely significant effects. For Loirston, the document included details of mitigation measures and topics for examination during the forthcoming Environmental Impact Assessment process. Scottish Natural Heritage (SNH) were consulted on the sufficiency of the proposed measures to avoid a likely significant effect, for all 3 Development Framework documents.

- 5.14 With reference to the Friarsfield and Oldfold Development Frameworks SNH suggested some further project level mitigation measures to take into account when considering applications which would further minimise or avoid the potential for likely significant effects and these have been incorporated in the appraisal. It was concluded that if the mitigation proposed in the HRA is implemented then the Friarsfield Development Framework and Oldfold Development Framework are not likely to have a significant effect on the River Dee Special Area of Conservation, either alone or in combination with other plans or projects. An appropriate assessment is therefore not required.
- 5.15 For the Loirston Development Framework it was also concluded that if the mitigation proposed within the HRA is implemented then the Loirston Development Framework is not likely to have a significant effect on the River Dee Special Area of Conservation, either alone or in combination with other plans or projects. An appropriate assessment is therefore not required. Final consultation results from SNH to support this conclusion will be verbally reported to Committee on the day, along with any suggested additional mitigation measures for inclusion.
- 5.16 At this stage the Masterplans and Development Framework represent a guide as to how development will take shape on the respective sites. As the detail of each proposal progresses, it is essential that other Council services are involved in that process, including appropriate services from the Education, Culture & Sport and Housing & Environment Directorates.

## 6. IMPACT

- 6.1 The Local Development Plan and associated SG contribute to the following Single Outcome Agreement priorities:
1. We live in Scotland that is the most attractive place for doing business in Europe
  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.
  14. We reduce the local and global environmental impact of our consumption and production.
  15. Our public services are high quality, continually improving, efficient and responsive to local people's needs.
- 6.2 The Local Development Plan and associated SG 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 SG 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 ALDP and associated SG covers, an Equality and Human Rights Impact Assessment (EHRIA) 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. Alongside this, the Masterplans and Development Frameworks have individually received EHRIA’s through previous committee cycles.

## 7. BACKGROUND PAPERS

- Appendix 1 - Summary of representations received, officers’ responses and any resulting amendments
- Appendix 2 – Full un-summarised representations

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](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](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

Kathryn Hossack

Planner

[khossack@aberdeencity.gov.uk](mailto:khossack@aberdeencity.gov.uk)

01224 523733