

ABERDEEN CITY COUNCIL

COMMITTEE	Enterprise, Strategic Planning & Infrastructure
DATE	3 June 2014
DIRECTOR	Gordon McIntosh
TITLE OF REPORT	Supplementary Guidance – Infrastructure and Developer Contributions Manual
REPORT NUMBER:	EPI/14/050
CHECKLIST RECEIVED	Yes

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to obtain Committee approval of Supplementary Guidance for Infrastructure and Developer Contributions for adoption as Supplementary Guidance to the Local Development Plan. Some amendments have been made to the Supplementary Guidance following public consultation and details of these are contained within this report. A copy of the Supplementary Guidance is contained in Appendix 1.
- 1.2 It should be noted that this is an interim revision of the document providing immediate clarity on the Education, Open Space and Core Path sections and the introduction of Flood Protection Schemes. The whole document will be reviewed as part of the Proposed Aberdeen Local Development Plan which will be undertaken towards the end of 2014.

2. RECOMMENDATION(S)

- 2.1 It is recommended that the Committee approve Supplementary Guidance: Infrastructure and Developer Contributions Manual and agree that officers undertake the statutory process for adoption of supplementary guidance.

3. FINANCIAL IMPLICATIONS

- 3.1 There will be financial implications for the Council as a result of the change to the payment levels proposed within the draft Supplementary Guidance, as the level of contribution for secondary pupils has been revised to £30,000 per pupil from £44,000 per pupil. This revision in contribution rate reflects the cost of constructing secondary schools within the Council area as part of the 3Rs programme. Officers from Education, Culture and Sport will continue to monitor the contribution rates for

both secondary and primary pupils to ensure that the rates being used within the revised Supplementary Guidance remain at satisfactory levels. Comparison will be made with the construction cost of future primary school projects and the new Academy in the south of the City.

4 OTHER IMPLICATIONS

- 4.1 Developer contributions, in the majority of cases, are agreed through a Section 75 agreement which is facilitated by the Council's legal service. Changes to the Supplementary Guidance will have an effect on these agreements.

5 BACKGROUND / MAIN ISSUES

- 5.1 Aberdeen Local Development Plan Policy I1 – Infrastructure Delivery and Developer Contributions requires development to be accompanied by the infrastructure, services and facilities required to support new or expanded communities. Where development, either individually or cumulatively, places additional demand on community facilities or infrastructure that would necessitate new facilities or exacerbate deficiencies in existing provision, the Council will require the developer to meet or contribute to the cost of providing or improving such infrastructure or facilities. The Infrastructure and Developer Contributions Manual gives further detail on contributions developers may need to meet, such as core paths, education and transport mitigation.
- 5.2 The existing Infrastructure and Developer Contributions Manual was consulted on in May 2012 (see Committee Report EPI/12/112) and was then approved to be sent to Scottish Ministers for ratification in November 2012 (see Committee Report EPI/12/204). It was subsequently adopted as Supplementary Guidance to the Aberdeen Local Development Plan. Although the Supplementary Guidance was recently adopted there were a number of changes proposed to the document which required the Supplementary Guidance to go out for public consultation again.
- 5.3 Changes were made to the Education, Open Space, Core Paths and Water sections of the Supplementary Guidance, as well as a general rationalisation of information contained within the document to aid clarity. Appendix III shows the track changes made from the adopted Supplementary Guidance (January 2013) and the proposed version (June 2014).
- 5.4 Changes are proposed to the education section as a result of new information received from Education, Culture and Sport on the pupil per household ratios used, build cost of new schools and an arising issue of functional and operational capacities of schools.
- 5.5 The change to the Open Space section now aligns the information regarding open space requirements with the Open Space Supplementary Guidance.

- 5.6 Changes made to the Core Paths section removes the reference of developer contributions being taken per household. Contributions should always be taken for the per-household equivalent.
- 5.7 Due to the approval of Committee Report ESPI/13/245 Flood Risk Management (Scotland) Act 2009 – Progress Report, information was included in the Supplementary Guidance on flood protection schemes that have been identified as an opportunity by Aberdeen City Council and will also serve a purpose as regional Sustainable Urban Drainage Systems (SUDS). Further information on the flood protection schemes and regional SUDS will be made available in the review of the Supplementary Guidance scheduled in late 2014.
- 5.8 This follows up on a report to Enterprise, Strategic Planning and Infrastructure Committee on 21 January 2014 (see Committee Report ESPI/13/258) requesting approval of draft Supplementary Guidance: Infrastructure and Developer Contributions Manual for consultation.
- 5.9 The revised draft Supplementary Guidance was subject to eight weeks of public consultation from 27 January – 17 March 2014. Details of the consultation were made available online and statutory key agencies and Community Councils were notified. Seven representations were received in response to this consultation from the Scottish Government, Scottish Natural Heritage, SEPA, Historic Scotland, Scottish Water, Emac Planning LLP on behalf of Scotia Homes Ltd. and Stewart Milne Homes.
- 5.10 A number of comments were raised by the seven respondents (please see Appendix 2 for the comments raised through the consultation and officers responses to these comments). There are no significant modifications proposed for the Supplementary Guidance.
- 5.11 This version of the Supplementary Guidance is an interim revision of the document. The Supplementary Guidance will be revisited towards the end of the year, as part of the Supplementary Guidance suite, which will accompany the Proposed Aberdeen Local Development Plan that will be subject to consultation early 2015.

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.

- 6.3 The Local Development Plan and associated Supplementary Guidance contribute to “Aberdeen – A Smarter City” and the Smarter Environment by maximising the use of low carbon technology and materials, increasing energy efficiency and introducing carbon reduction measures in our processes and our housing and non housing assets to reduce our carbon footprint, save money and to bring people out of fuel poverty.
- 6.4 The proposal is consistent with the Planning and Sustainable Development Service Plan, in particular Adoption of Supplementary Guidance to Local Development Plan and production of Technical Advice Notes.
- 6.5 There will be no impact on equalities and human rights resulting from this report.

7 RISK MANAGEMENT

- 7.1 If the recommendations above are not agreed then the Council will be less likely to collect efficient amounts of developer contributions for future planning applications.
- 7.2 If the recommendations are agreed there is a chance that developers may challenge the contributions sought through the planning application process. However, this will be less likely if the document is adopted as statutory Supplementary Guidance.

8 BACKGROUND PAPERS

Aberdeen Local Development Plan (2012) –
www.aberdeencity.gov.uk/localdevelopmentplan

9 APPENDICES

- Appendix I – Supplementary Guidance - Infrastructure and Developer Contributions Manual
- Appendix II – Consultation Comments and Officer Responses
- Appendix III - Supplementary Guidance - Infrastructure and Developer Contributions Manual (Track Changes)

10 REPORT AUTHOR DETAILS

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