

## ABERDEEN CITY COUNCIL

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COMMITTEE	Communities, Housing and Infrastructure
DATE	13 January 2015
DIRECTOR	Pete Leonard
TITLE OF REPORT	Aberdeen Local Development Plan 2016 – Draft Supplementary Guidance
REPORT NUMBER	CHI/14/064
CHECKLIST COMPLETED	Yes

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### 1. PURPOSE OF REPORT

This report presents draft Supplementary Guidance to the Proposed Local Development Plan for approval.

### 2. RECOMMENDATION(S)

It is recommended that Members:-

- (a) Approve the Draft Supplementary Guidance;
- (b) Authorise publication, subject to any minor drafting changes, of the Supplementary Guidance alongside the Proposed Local Development Plan for a 10 week period for representations and;
- (c) Authorise publication of the Environmental Report.

### 3. FINANCIAL IMPLICATIONS

There are no immediate financial implications arising from this report as the cost of preparing the Supplementary Guidance can be met from existing budgets.

New development leads to new infrastructure requirements. The Supplementary Guidance on Housing and Planning Obligations will set out in detail what these are and how costs are calculated. We expect the infrastructure requirements which arise from a development to be provided through planning obligations (previously called developer contributions). This is consistent with our current approach.

### 4. OTHER IMPLICATIONS

This is 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. The Local Development Plan and associated Supplementary Guidance provides

certainty for the public, development industry and businesses in Aberdeen as to where and what kind of development will take place, and is an important means of securing investment and funding for development.

## 5. BACKGROUND/MAIN ISSUES

The Proposed Local Development Plan was approved by this Committee on 28th October 2014. Local Development Plans focus on vision, the spatial strategy and key policies and proposals. Supplementary Guidance can be adopted by the planning authority in connection with a Local Development Plan and contains more detailed policy guidance. Supplementary Guidance forms part of the Local Development Plan and has the same status for decision making in line with section 25 of the Planning Act.

The current 2012 Local Development Plan has 30 associated Supplementary Guidance documents covering individual topic areas such as affordable housing, flooding, and householder development. The Scottish Government has recently raised concerns with planning authorities over the volume of Guidance that is being produced. We believe that the policy content of the documents we have remains relevant and helps to ensure a consistent approach in dealing with planning applications. However, having 30 separate documents means that there is currently a lot of repetition in terms of introductions, preambles, contact details and so on. We have therefore merged the Supplementary Guidance into one suite of documents, ordering the individual Supplementary Guidance into broader topic areas which reflect those in the Local Development Plan. This means that the detailed policy content of the Guidance remains intact, but the overall volume is much reduced.

As with the review of the Local Development Plan, much of the content of the Supplementary Guidance remains the same. Most changes are in respect of updates (for instance to reflect the new Scottish Planning Policy), rather than changes in policy direction, but a number of new issues have been covered. The main changes are detailed below.

### **Introduction**

A general introduction is provided to avoid repetition across all the Supplementary Guidance.

### **Topic Area 2 – Design: Townscape and Landscape**

Existing design related guidance has been streamlined to form the townscape and landscape topic area with new guidance added for big buildings. The guidance has been strengthened and made clearer, with guiding principles that are more prominent and with more explicit policy regarding what constitutes an acceptable proposal within designated areas, conservation areas and listed buildings, with a focus on scale, proportions and materials. New guidance includes policy on signs in

business and industrial areas, signs in the West End Office Area and signs for commercial premises in new build areas. Industrial/institutional, early modern metal and casement window guidance has also been added. The big buildings section outlines guiding principles for the design of tall and/or bulky building developments, focussing these building to the city centre and immediate area and to clusters.

### **Topic Area 3 – Design: Modifications to Existing Buildings and Curtilages**

The topic area pulls together information on existing design guidance, all of which relates to modifications of existing buildings and curtilages. The individual Guidance has been reworked to provide clearer guidance, in shorter more concise paragraphs. The principles within the individual guidance remain the same as the existing adopted documents. A new sub section has been added to the householder development guide outlining advice on ancillary buildings including garages, sheds, greenhouses etc.

### **Topic Area 4 – City Centre Masterplan and Delivery Programme**

Work on this is currently underway and will be incorporated into the document suite once completed and approved.

### **Topic Area 5 – City Centre and Business**

This contains guidance on the hierarchy of centres, Union Street frontages, harmony of uses, serviced apartments and children's nurseries. Designated centres, in particular District Centres and Neighbourhood Centres, have been reviewed and rationalised, with some removed and others added. Four Retail Parks have also been designated and given protection for the first time. The 'zones' into which Union Street is split for the frontages guidance have also been rationalised (from 8 sectors to 6), to help improve flexibility in the implementation of the policy. The Harmony of Uses guidance has also been revised to make it more focused and concise, although there is no change in the main aims of the guidance. The same can be said for the Serviced Apartments and Children's Nurseries guidance.

### **Topic Area 6 – Housing and Planning obligations**

Minor changes to the Planning Obligations section are made to improve consistency with Circular 3/2012 and provide updates and clarity on contribution topic areas, costs and methodologies where appropriate. Information is given on how monies are held and used, development viability and indexing of contributions. The importance of pre-application discussions has been reinforced throughout the supplementary guidance to ensure that likely contribution costs are ascertained at the earliest possible stage. Costs have been reviewed where updated information has been provided by the relevant service or external body. Contribution topic areas have been rationalised to

remove overlap with other supplementary guidance and where contribution topic areas have been amalgamated (e.g. community facilities/libraries to reflect current approaches and recognition of shared community spaces). A new Water and Drainage topic area has been introduced in the event that developers choose to opt in to a regional Sustainable Urban Drainage System (SUDS).

The supplementary guidance on affordable housing has undergone a significant amount of change from the current document. In particular a review of the commuted sums, payable to the Council in circumstances where affordable housing cannot be delivered on site, has been undertaken. This review has seen a significant increase in the commuted sums payable in certain parts of the city, and the city itself divided into a series of sub housing market areas. Details of the sub markets and the corresponding commuted sums for each area are included in the guidance. These commuted sums will be reviewed on an annual basis and the supplementary guidance may be updated where it is deemed necessary. Criteria around the off-site provision of affordable housing have also been included. This option is included in Scottish Governments Planning Advice Note 2/2010 and is included in the supplementary guidance to help maximise the delivery of affordable housing in certain limited circumstances.

The current approach taken to certain types of specialist housing, such as student accommodation and housing for the elderly, is also now included. The aim of this section is to prevent ambiguity or confusion around this topic. Emphasis has also been placed on the Councils view that the delivery of affordable housing should always be onsite, and only in exceptional circumstances will the other options be considered.

There are no policy changes made to the gypsy traveller supplementary guidance as a result of the Local Development Plan review. Some minor corrections and formatting changes have been made, but the guidance remains the same as that currently adopted.

## **Topic Area 7 – Transport, Air Quality and Noise**

To streamline this area, rather than duplicating national policy and guidance, developers are instead, where appropriate, directed to the relevant documents that should be consulted (Designing Streets, National Roads Development Guide, Transport Assessment Guidance, and Travel Plan Guidance). Minor revisions are made to car parking standard zones to reflect the location of Controlled Parking Zones. Minor amendments are made to residential and non-residential car parking standards and cycle parking standards to better reflect current issues in Aberdeen and to align with Transport Scotland's Cycling by Design. Electric Vehicle Charging Infrastructure standards have been introduced for new developments. Minor amendments to the 'Parking in Conservation Areas' section are made to streamline the information and to separate out elements which are applicable across the City from elements that only apply to conservation areas.

Updated Air Quality Management Area (AQMA) maps have been included and a section on Biomass Installations has been included within the Air Quality section to reflect the Council's Biomass Installations Policy. Guidance specifically on Noise has been developed, outlining the issues to be considered when a noisy development is proposed near a noise-sensitive land use (or vice versa); when a Noise Impact Assessment will be required and what it should encompass; and acceptable noise levels and possible mitigation measures if these are likely to be exceeded.

## **Topic Area 8 – Natural Environment**

This incorporates guidance on natural heritage, trees and woodlands, flooding, drainage, water quality and open space. Information on natural heritage which was previously contained in a Technical Advice Note has now been given the material weight of Supplementary Guidance. Equally, some general best practice design advice which did not need to carry the weight of policy has also been removed from the open space section of the SG and will be put in a Technical Advice Note.

The section on Drainage Impact Assessment is updated to reflect current best practice, and also contains guidance on flood risk and sustainable drainage which were not previously covered. It provides for the development of catchment-level Regional SuDS schemes, which are aimed at helping to reduce the impact of flooding in downstream city centre areas. The remainder of the Supplementary Guidance contains minor revisions throughout to improve clarity and make it more concise.

## **Topic Area 9 – Resources**

Resources is a new supplementary guidance which sees the grouping of guidance on development density, energy use in new buildings, waste and water use efficiency.

Significant changes include guidance around passive design and siting of developments. There are also increased standards for new developments in relation to the provision of Low and Zero Carbon Generating Technologies (LZCGT). These have been updated in conjunction with Aberdeenshire Council and reflect the requirements in the Strategic Development Plan and Scottish Government targets. A checklist has also been included to help development management in assessing LZCGT provision.

The waste guidance has seen a significant change in conjunction with our Waste services. Requirements for new developments have been updated in a checklist format to make its assessment easier. Guidance on water use efficiency has been included to reflect the requirements set in the Strategic Development Plan.

The guidance on wind turbines has also seen a number of changes including more detailed guidance on noise impact and natural heritage comments from Scottish Natural Heritage. Changes made to the wind spatial framework have also been included. These come on the back of changes to Scottish Planning Policy which required local authorities to identify areas which may be considered for wind turbine development. The outcome of this guidance remains largely unchanged.

Energy mapping will be new guidance which will deal with heat mapping and district heating across the city. The work is currently underway and is expected to be complete prior to the adoption of the new plan.

#### Next Stages.

The Council must publicise Supplementary Guidance and give people the opportunity to comment on it. We propose to release the Guidance alongside the Proposed Local Development Plan for a 10 week period starting in March (the statutory minimum for LDPs is 6 weeks). This will allow people to scrutinise the Supplementary Guidance and Proposed LDP together. All representations to the Supplementary Guidance will need to be considered by the Council prior to adoption.

It should be noted that the Supplementary Guidance will not be considered at an Examination. This is because the principle of the policies will be scrutinised in the Examination into the Proposed LDP – the Supplementary Guidance will be limited to providing further detail on that. However, any changes to LDP policies arising from the Examination may require changes to the Supplementary Guidance and this is likely to require it to undergo a further round of public consultation once we know the outcome of the Examination (around summer 2016). The Supplementary Guidance can only be formally adopted by the Council following the adoption of the Local Development Plan to which it relates, and following a 28 day notice period to Scottish Ministers. We would anticipate this to be in late 2016 or very early 2017.

An Environmental Report has been prepared and this includes the Habitats Regulation Assessment for the River Dee Special Area of Conservation. These need to be released alongside the Guidance and they have been added as addendums to those prepared for the Proposed Plan for consultation. These are included as Appendix 3.

## 6. IMPACT

The Local Development Plan and Supplementary Guidance will support the vision of Aberdeen becoming an even more attractive place to live and in which to do business and will ensure that high quality housing and employment opportunities exist. This process aspires to improve the access that the people of Aberdeen have to high quality services that meet their needs. The Supplementary Guidance promotes the Smarter City high level priorities of supporting

sustainable transport, affordable housing, digital connectivity, business growth, energy efficiency, reducing waste and biodiversity.

Given the wide range of policy areas the Supplementary Guidance covers, an Equality and Human Rights Impact Assessment has been carried out (see Appendix 2). This shows that there will be some positive impacts of the Guidance on a range of equalities groups.

## 7. MANAGEMENT OF RISK

Local Development Plans and their associated Supplementary Guidance have to be replaced at least every 5 years. Supplementary Guidance contains detailed policy aimed to improve the quality of development and ensure a consistent approach in deciding planning applications. Not having this in place could cause deterioration in customer service and the quality of development.

## 8. BACKGROUND PAPERS

Proposed Aberdeen Local Development

Aberdeen City and Shire Strategic Development Planning Authority:  
Aberdeen City and Shire Structure Plan

<http://www.aberdeencityandshire-sdpa.gov.uk/nmsruntime/saveasdialog.asp?IID=1111&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 6/2013: Development Planning

<http://www.scotland.gov.uk/Publications/2013/12/9924>

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)

Development Plan Scheme January 2014

<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=54954&slD=22785>

## 9. REPORT AUTHOR DETAILS

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