

Aberdeen City Council

Local Development Plan Scheme 2: March 2010

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 and reviewing its Local Development Plan. This is our second Local Development Plan Scheme and replaces the first which was published in March 2009.

This document provides information on the following issues;

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

What Development Plans do we have now?

The Aberdeen City and Shire Structure Plan was approved by Scottish Ministers in August 2009. It covers both Aberdeen City and Aberdeenshire Council areas and looks at development up to 2030. It sets out in general terms how much development can happen and where it should be carried out. It replaced the 2001 Structure Plan North East Scotland Together.

Local Development Plans set out more detailed policies on where development should be allowed and they have to comply with the structure plan. They cover smaller areas within the area covered by the structure plan. The current local plan for Aberdeen is the Aberdeen Local Plan which was adopted in June 2008 and which covers the whole City Council area.

Why we need to prepare a new Local Development Plan

Under the new planning system, strategic development plans and local development plans for the Aberdeen City region will replace structure plans and local plans. Because we now have a new structure plan, it is important that our local development plan is brought up to date as soon as possible and in line with the new structure plan.

The structure plan specifies how land will be used up to 2030 to make sure there is a continuous supply of development land. Putting the new structure plan into practice will be achieved through new local development plans. This is why we intend to replace the 2008 Aberdeen Local Plan (which complies with the old structure plan) with a new Aberdeen Local Development Plan which will comply with the new structure plan and which will also cover the whole of the Aberdeen City area.

Preparing the Aberdeen Local Development Plan

Our first Development Plan Scheme set out a number of stages in preparing a new Aberdeen Local Development Plan, the first two of which have been completed

Stage 1: Publishing the Local Development Plan Scheme (COMPLETE)

Our first Development Plan Scheme was published in March 2009 and will be replaced by this version. The Development Plan Scheme should contain a Participation Statement saying when, how and with whom consultation will take place and a timetable saying when the various stages of the Local Development Plan will be published and submitted to Scottish Ministers. The Act 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 (COMPLETE)

In October 2009 we published a Main Issues Report. This is a discussion document that summarises the main planning issues facing Aberdeen. It discusses how much land is required for development and provides a number of options on where it could be located. In doing so it takes into account the requirements of the structure plan. It also outlines the major differences in approach to the current adopted Aberdeen Local Plan.

The Main Issues Report links closely to the process of Strategic Environmental Assessment (SEA). The alternative proposals put forward in the Main Issues Report were environmentally appraised and a draft environmental report was published alongside it.

Prior to its publication we invited people to submit options for development for the Main Issues Report. A development options form and a sustainability checklist were posted on the Council's website with a closing date for proposals of 16 March 2009. A newsletter outlining the development options process was sent to developers, landowners, agencies and community councils. All submissions were assessed against the sustainability criteria agreed by the Planning Committee and, following further consultation, informed the content of the Main Issues Report.

We published a Monitoring Statement with the Main Issues Report which looks at:

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

We also published the following documents alongside the Main Issues Report:

- A Development Options Assessment Report which details our assessment of the development options submitted to us in early 2009.
- A Brownfield Urban Potential Study which looks at brownfield housing development opportunities.
- An Equalities and Human Rights Impact Assessment of the Main Issues Report.

Stage 3: Preparing and publishing the proposed Aberdeen Local Development Plan

The proposed 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 development should and should not go) and policies to guide the development of Aberdeen up to

2023. Where appropriate, there will be indicative policies showing how Aberdeen may develop in the longer term up to 2030. 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.

In addition we are required to publish a proposed Action Programme alongside the proposed Local Development Plan. Action Programmes should set out how we propose to implement the 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: Preparing for the Examination of the proposed Aberdeen Local Development 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 it is therefore likely that the Council will do one of the following:

- A) Where there are no notifiable modifications (i.e. only minor modifications), we will publish the plan and submit it to Scottish Ministers.
- B) Where there are notifiable modifications, we will publish a modified plan, notify owners and neighbours of new or modified site-specific proposals and specify a date by which further representations may be made. We may then further modify the plan or submit it to Ministers.
- C) Where we make modifications that change the underlying aims or strategy of the proposed plan, we will be required to prepare and publish a new proposed Local Development Plan. If that is the case, we will have to go back to the beginning of Stage 3.

So the making of more significant modifications (termed 'notifiable modifications') brings with it a further opportunity for the public to make representations.

Stage 5: Adoption of the Aberdeen Local Development Plan Depending on the outcome of the Examination, this is the stage at which we would expect the Local Development Plan to be adopted (see Participation Statement in Appendix 1).

Development Plan Scheme Programme

STAGE 1 (COMPLETE)	TIMEFRAME
• Report Development Plan Scheme to Planning Committee	19 th March 2009
• Publish Development Plan Scheme	March 2009
• Process and Assess Development Options	March to June 2009

STAGE 2 (COMPLETE)	TIMEFRAME
• Draft Main Issues Report and Strategic Environmental Assessment Scoping Report	March to August 2009
• Draft Monitoring Statement	March to August 2009
• Publish Main Issues Report and issue to persons and key agencies	Published October 2009
• Publish Monitoring Statement	Published October 2009
• Send Strategic Environmental Assessment Scoping Report to consultation authorities	October 2009

STAGE 3	
• Process comments and Objections to the Main Issues Report	December 2009 to March 2010
• Prepare and publish Local Development Plan Scheme 2 and issue to Scottish Government	February to March 2010
• Prepare Proposed Aberdeen Local Development Plan	April to August 2010
• Prepare draft Action Programme	April to August 2010
• Prepare Environmental Report	April to August 2010
• Report to Full Council	August 2010
• Printing Proposed Aberdeen Local Development Plan	August/September 2010
• Publish Proposed Aberdeen Local Development Plan and notify to persons and key agencies	September 2010 (6 to 12 week consultation period begins)

• Publish Proposed Action Programme	September 2010
• Publish Environmental Report and send to SEA Gateway under 2004 Regulations	September 2010
• Notification of Neighbours	September 2010
• Objection and representation period	September to November 2010

STAGE 4	
• Consider Objections to Proposed Plan and draft Environmental Report	November 2010 to February 2011
• Response to representations	March 2011
• Report of Conformity with Participation Statement	March 2011
• Print Aberdeen Local Development Plan	April 2011
• Submit Proposed Plan, Action Programme and Statement of Conformity with Participation Statement (as modified if relevant) with Note of Representations and how taken account of to Ministers. • Publicise submission of plan	April 2011
• Request Scottish Ministers to appoint an Examination of the Proposed Plan and Environmental Report	
• Advertise Examination of Proposed Plan and serve Notice on known interested parties	
• Examination (at least 4 weeks after request is made but likely to be longer)	
• Receive the Report of Examination	Likely to be 35 weeks after submission, i.e. December 2011

STAGE 5	
• Consider recommendations and report to the Council	February 2012
• Publish Modifications and Proposed Plan as modified.	March 2012
• Advertise 'intention to adopt'	March 2012

<ul style="list-style-type: none"> • Notify each person who made representations of publication and intention to adopt 	
<ul style="list-style-type: none"> • The Aberdeen Local Development Plan is constituted as the local development plan (28 days after notification of intention to adopt) and Environmental Report 	April 2012
<ul style="list-style-type: none"> • Send two copies of the Aberdeen Local Development Plan and Environmental Report to Scottish Ministers 	April 2012
<ul style="list-style-type: none"> • Deposit copies of the Aberdeen Local Development Plan in libraries, notify each person who made representations and advertise it 	April 2012
<ul style="list-style-type: none"> • Publish Action Programme and Environmental Report Post Adoption Statement (within 3 months of adoption) 	July 2012

Appendix 1: The Participation Statement

Aberdeen City Council is strongly committed to encouraging interest and wide public involvement in the preparation of the new Local Development Plan. The preparation of a participation statement as part of the Local Development Plan scheme is a requirement of the 2006 Planning etc. (Scotland) Act where we have to explain how local communities and other stakeholders are engaged and have the opportunity to be involved in the preparation of the 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 2006 Act defines the following key agencies as:

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

While legislation cannot specify them individually, guidance suggests that the following bodies should have the same level of involvement in the development plan process:

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

We have also involved 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 been involved in the Local Development Plan process. A list of stakeholder groups appears in Appendix 2. 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 have and will engage, and the steps taken to involve the public. The schedules will be kept up to date on the Local Development Plan webpages of the Council's website so that stakeholders and the public know exactly how the preparation process for the Local Development Plan is to be conducted and what opportunities they will have to participate and engage with it.

The Local Development Plan preparation process involves 5 stages, the first two of which we have completed. Engagement with stakeholders and the public began early in these first two stages.

Stage 1: Publishing the Local Development Plan Scheme

This document raises awareness and understanding of the development plan review process and how long it will take. When the first Scheme was approved in March 2009 we:

- Sent it to Scottish Ministers
- Made copies available in all the City's libraries and at St Nicholas House
- Published it on our website www.aberdeencity.gov.uk, all in accordance with the 2006 Act.

In addition we also:

- Told other Council services about it
- Made a presentation to the Land Use and Environment Forum
- Sent copies to or informed the groups and agencies in Appendix 2
- Emailed a newsletter about it to agencies, developers and those who expressed an interest in the Local Development Plan.

We will do the same for the Development Plan Scheme 2.

Stage 2: Preparing the Main Issues Report

The Council released a Main Issues Report in October 2009. This is a discussion document that summarises the main planning issues facing Aberdeen. In preparing the Main Issues Report we:

- Involved Council services
- Held meetings and workshops with community groups and other stakeholders. We held these in different localities around the city. These were evening meetings which were open to all interested parties. In addition we held an open event in conjunction with an Aberdeen Equalities Action Network event as part of the Aberdeen City Alliance's Diversity and Equalities programme of events. We also discussed the Report with representatives of the Civic Forum and Youth Council.
- Made a presentation to the Land Use Forum which was also attended by representatives from the Homes and Environment Forums.
- Ensured that the Local Development Plan webpages of the Council's website continued to provide immediate access to Local Development Plan publications and allow responses to the Main Issues Report to be submitted
- Continued to use the telephone and email enquiry point allowing people to contact the Local Development Plan team
- Ran participation exercises and workshops for both stakeholders and Councillors throughout the Development Plan process where display material and Local Development Plan team members were available
- Emailed a newsletter about it to agencies, developers and those who expressed an interest in the Local Development Plan

When it was published we:

- Sent it to, or informed, the groups and agencies in Appendix 2
- Made copies available in all the City's libraries and at St Nicholas House
- Published it on our website www.aberdeencity.gov.uk
- Advertised it in newspapers
- Sent it to Scottish Ministers, in line with the new Act.

After its publication, there was an eight week period for representations on its content. Representation forms were made available in the libraries and at all consultation meetings, as well as online. Regular news releases were made to all local media during this period to publicise the consultation events and advise people of the process.

Stage 3: Preparing and publishing the proposed Aberdeen Local Development Plan

This is the stage we are progressing now (as of March 2010). Following the consultation period on the Main Issues Report, we received around 1000 representations. The proposed Aberdeen Local Development Plan will be written by the Council and will respond to matters raised in these representations. We will also prepare a proposed Action Programme. In preparing and publishing the proposed Plan we will:

- Notify any person who commented on the Main Issues Report that the Local Development Plan has been produced and send them the information contained in the notice
- Inform community groups and other stakeholders
- Make a presentation to the Land Use Forum and invite other Forums to this
- Send it to, or inform, the groups and agencies in Appendix 2
- Make copies available in all the City's libraries and at St Nicholas House
- Publish it on our website www.aberdeencity.gov.uk

- Advertise it in newspapers
- Notify the owners, lessees or occupiers of sites and the owners, lessees or occupiers 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
- Send it to Scottish Ministers
- Email a newsletter about it to agencies, developers and those who have expressed an interest in the Local Development Plan.

When published, the proposed Aberdeen Local Development Plan will be subject to a formal period of public consultation lasting at least 6 weeks, but potentially up to 12 weeks. During this period anyone will be able to make formal objections or expressions of support to the proposed plan. We will say at the time how, to whom and by when these representations should be made.

Stage 4: Preparing for the Examination of the Proposed Aberdeen Local Development Plan

Where objections to the Proposed Plan remain unresolved, they will be subject to an examination by a reporter appointed to act on behalf of the Scottish Government. The reporter will look at the objections, weighing up arguments from the Council, local people, developers and others before reaching conclusions and recommendations. Under the 2006 Act, the Council is generally required to accept the recommendations made by the reporter. We will

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

Stage 5: Adoption of the Aberdeen Local Development Plan

Once the reporter has made their recommendations on the Plan, formal adoption of the Aberdeen Local Development Plan would follow, making public our intention to adopt the plan and a 28 day submission period to Scottish Ministers – providing they do not wish to raise issues with the plan. At this point we would contact all interested parties and advertise the publication of the plan.

Parallel Assessments of the Aberdeen Local Development Plan

It will be necessary to undertake a number of parallel assessments of the Local Development Plan both as legislative requirements and as good practice.

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 was published for consultation alongside the Main Issues Report and provides 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 should assess 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 is included as part of the draft Environmental Report.

Equality Impact Assessment

At each stage of the 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.

Supplementary Planning Guidance

We will prepare supplementary planning guidance alongside the Aberdeen Local Development Plan. This will provide more detail on what is set out in the plan. Supplementary Planning Guidance will be a legal part of the plan and allows the plan itself to be shorter and easier to understand. We believe we may need to prepare or review Supplementary Planning Guidance on the following issues, although this list may not be exhaustive.

- Affordable Housing
- Developer Contributions
- Green Space
- Development Frameworks and Masterplans
- Conservation Area Appraisals
- Detailed design guidance and development management policies
- Flooding and Drainage
- City centre and retailing
- Transport

In doing so we will:

- Publish the draft Supplementary Planning Guidance, giving a date before which representations may be made
- Make copies available in all the City's libraries and at St Nicholas House
- Publish it on our website www.aberdeencity.gov.uk
- Advertise it in newspapers
- Advise community groups and other stakeholders
- Make presentations to the Land Use Forum and invite other Forums to attend

We must consider any comments made on the supplementary planning guidance, and then send Scottish Ministers a copy of the guidance we wish to adopt. In addition, we will send Ministers a statement setting out the publicity measures undertaken, the comments received, and an explanation of how these comments were taken into account. After 28 days have elapsed, the Council may then adopt the guidance unless Scottish Ministers have directed otherwise.

APPENDIX 2

Stakeholder Groups

Aberdeen & Grampian Chamber of Commerce
Aberdeen Airports Ltd.
Aberdeen City and Shire Strategic Development Planning Authority
Aberdeen City Centre Manager
Aberdeen City Heritage Trust
Aberdeen Civic Society
Aberdeen College & Gallowgate Library
Aberdeen Council of Voluntary Organisations
Aberdeen Harbour Board
Aberdeen Renewables Energy Group
Aberdeen Solicitors and Property Centre
Aberdeen Trades Council
Aberdeenshire Council
Aberdeenshire Council
ACSEF
Association of Builders & Developers
BAA Scotland
Bridge of Don Partnership
BT Notice Handling Centre
Centrica
Civil Aviation Authority
Federation of Small Businesses
Forestry Authority
Forestry Commission Scotland
Freight Transport Association
Friends of the Earth
Grampian Fire Brigade
Grampian Forum of Voluntary Organisations
Grampian Police
Grampian Primary Care NHS Trust
Health and Safety Executive
Historic Scotland
Homes for Scotland
National Grid
National Grid Property Ltd
NESTRANS
Network Rail
NHS Grampian
North East Scotland Joint Public Sector Group
North East Scotland Waste Strategy Group
Regional Ecumenical Team
RICS North East Branch
Robert Gordon University
Rowett Research Institute
Royal Town Planning Institute (Scotland)
RSPB

Scottish Agricultural College
Scottish Ambulance Service
Scottish and Southern Hydro Electric
Scottish Enterprise Grampian
Scottish Gas plc.
Scottish Government Housing Investment Team
Scottish Hydro Electric plc.
Scottish Natural Heritage (Grampian)
Scottish Water
Scottish Wildlife Trust
SEPA
SportScotland
Transport Scotland
University of Aberdeen

Community Councils
Ashley and Broomhill
Braeside and Mannofield
Bridge of Don
Bucksburn and Newhills
Cove and Altens
Culter
Cults, Bielside and Milltimber
Dyce and Stoneywood
Froghall
Garthdee
George Street
Kingswells
Mastrick and Sheddocksley
Nigg
Northfield
Old Aberdeen
Queens Cross and Harlaw
Rosemount and Mile End
Tillydrone
Torry

Communities of Interest Forums
Ethnic Minority Forum
Aberdeen Women's Alliance
Youth Action Committee
Disability Action Group
Lesbian, Gay Bisexual and Transgender Forum
Aberdeen Senior Citizens Forum
Community Regeneration Forum
Gypsy Traveller Community

Challenge Forums
Leading the City
Community Engagement
Locality Planning
Health and Social Care
Homes
Land Use
Environment
Transport and Communications
Prosperity and Jobs
Image
Lifelong Learning
Arts, Heritage and Sport
Equality Action Network