

## ABERDEEN CITY COUNCIL

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COMMITTEE	Council
DATE	18 August 2010
DIRECTOR	Gordon McIntosh
TITLE OF REPORT	Aberdeen Local Development Plan – Proposed Plan, Supplementary Guidance and Action Programme
REPORT NUMBER:	EPI/10/193

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### 1. PURPOSE OF REPORT

- 1.1 This report presents the Aberdeen Local Development Plan – Proposed Plan, Supplementary Guidance and Action Programme for approval for publication on 24 September 2010 for a 12 week period for receiving representations. The Aberdeen Local Development Plan - Proposed Plan sets down the development land allocations and associated policies that will guide planning decisions in the City and are consistent with the Aberdeen City and Shire Structure Plan.

### 2. RECOMMENDATION(S)

It is recommended that Members:-

- (a) Approve the Aberdeen Local Development Plan – Proposed Plan, Supplementary Guidance and Action Programme;
- (b) Authorise publication, subject to any minor drafting changes, of the Aberdeen Local Development Plan – Proposed Plan for a 12 week period for representations and;
- (c) Authorise publication of the Environmental Report, Habitats Regulations Assessment and Technical Appendix which support the Proposed Plan.

### 3. FINANCIAL IMPLICATIONS

- 3.1 There are no immediate financial implications arising from this report as the cost of preparing the Aberdeen Local Development Plan can be met from existing budgets. However, the costs related to any potential Examination in Public are at this stage unknown and may impact on the budget for 2011/2012. This was highlighted as a budget pressure in the preparation of the 2010/2011 budget process.

#### 4. SERVICE & COMMUNITY IMPACT

- 4.1 The Local Development Plan 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 employment opportunities exist. This process aspires to improve the access that the people of Aberdeen have to high quality services that meet their needs.
- 4.2 Given the wide range of policy areas the Proposed Plan covers, an Equality and Human Rights Impact Assessment has been carried out (see Appendix 1). This shows that there will be some positive impacts of the Plan on a range of equalities groups.

#### 5. OTHER IMPLICATIONS

- 5.1 With such 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, it has been crucial to monitor the risks involved. A high level risk assessment is attached as Appendix 2.

#### 6. REPORT

##### Why we need a new Local Development Plan

- 6.1 The current Aberdeen Local Plan was adopted in June 2008 in conformity with North East Scotland Together, the approved structure plan at that time. That structure plan was replaced with the Aberdeen City and Aberdeenshire Structure Plan, approved by Scottish Ministers in August 2009.
- 6.2 The main aims of the new structure plan are to:-
- grow and diversify the regional economy;
  - tackle climate change;
  - ensure the area has enough people, homes and jobs to support the level of services and facilities needed to maintain and improve the quality of life;
  - protect valuable resources including the built and natural environment;
  - create sustainable communities; and
  - make most efficient use of the transport network.
- 6.3 It sets a target of increasing the population of the city region to 480,000 by 2030 and achieving an annual housebuilding rate of 3,000 per year by 2020.
- 6.4 The structure plan makes provision for sites to be identified for an additional 36,000 houses in the city over three phased periods (2007-2016, 2017-2023, 2024-2030) and for 105 hectares of employment land to be allocated up to 2023 with further provision of 70 hectares from 2024-2030. 21,000 of the housing allowances are for greenfield sites, 10,000 on brownfield sites and a further 5,000 within the regeneration areas.

- 6.5 Planning legislation requires that an up to date local development plan which is consistent with the new structure plan is in place. The new Aberdeen Local Development Plan must identify land to meet the housing allowances and employment land allocations. It must also contain policies which meet the aims and objectives of the Structure Plan.
- 6.6 When the Aberdeen Local Development Plan is adopted it will replace the 2008 Aberdeen Local Plan. Government guidance states that local development plans should be reviewed every five years but cover a time period of ten years from when the plan is likely to be adopted. We anticipate this Plan will be adopted in early 2012 and will cover the period up to 2023. However, with employment land and some of the larger land allocations, we do outline how the new Local Development Plan will meet the third phase of the Structure Plan requirements up to 2030.

### What we've done so far

#### Early engagement

- 6.7 We have ensured that there have been substantial opportunities for individuals, community groups, community councils, developers, landowners, key agencies and business interests to submit views on what should be included in the new Aberdeen Local Development Plan. We initially offered an open invitation, in late 2008 - early 2009 for ideas about where new development should go. These 'development options' were discussed with local people at a series of eight consultation events in early summer 2009, five organised by the City Council and three by community councils. These meetings gave people an opportunity to make comments on the possible sites. We then assessed all the options against a number of factors, such as accessibility, environmental sensitivities and the capacity of roads and schools. We also took account of comments received before forming an opinion on which sites might be desirable.
- 6.8 A Main Issues Report was then published in autumn 2009 which suggested options for meeting the identified future housing and employment land needs of the city and explored options for other land use planning policies. We held ten consultation events about the Main Issues Report in different neighbourhoods and over 600 people attended and participated in a discussion about the options. Close to 1,000 people, businesses and/or other organisations submitted written comments. Almost 16,000 points were raised. These were analysed and our responses to the issues raised were considered by the Enterprise, Planning and Infrastructure Committee on 31<sup>st</sup> May 2010. The Committee agreed that our responses could be published and all those who made comments were informed of the outcome. The original submissions made in response to the Main Issues Report, and our responses, were all published on the Council's website. Paper copies of our responses were also available in public libraries. The outcomes of these consultation and engagement exercises have helped us in preparing the Proposed Plan.

## Current stage – Proposed Plan

- 6.9 The next stage in preparing the new Aberdeen Local Development Plan is the one we have now reached, which is for the Council to agree the content of the Proposed Plan and to publish it for public scrutiny (see below for details for details of the publicity and consultation process). The Proposed Plan is a critical stage in the process. Whereas the Main Issues Report contained officers' views as to future development options and policy matters, the Proposed Plan becomes the City Council's view as to the form and content of the final adopted Local Development Plan. Once the Proposed Plan has been published the Council must consider all the representations it receives and decide if it wishes to amend the Plan in response. If no significant changes are proposed, a summary of unresolved issues must be prepared before submitting the Proposed Plan to Scottish Ministers. The Scottish Ministers will appoint a person (a Reporter) to hold an Examination in Public on the Proposed Plan if there are unresolved representations.
- 6.10 The Reporter will decide what form the Examination will take. Most issues are expected to be handled without the need for further information, but where additional evidence is requested, this will normally be in written form. Where a face-to-face meeting is required, this will normally take the form of a discussion with questions led by the Reporter (called a hearing). Only in exceptional circumstances will a formal inquiry be necessary to test information through cross-examination.
- 6.11 After completing the Examination, the Reporter will present his or her conclusions and recommendations to the Council and to Scottish Ministers. The Council must take on board the conclusions and recommendations before proceeding to adopt the Plan. Only in very exceptional circumstances can the Council chose not to do this, these are...
- a) Would have the effect of making the LDP inconsistent with the National Planning Framework
  - b) Are incompatible with Part IVA of the Conservation (Natural Habitats etc) Regulations 1994; or
  - c) Are based on conclusions that could not reasonably have been reached based on the evidence considered at the examination.

## What's in the Proposed Plan?

- 6.12 Spatial strategy - The Proposed Plan contains a spatial strategy which explains our overall view of where development should go and the principles behind that. It identifies future development sites and the scale of development we expect to see on each of the identified sites.

Policies - We have also specified what developers need to do when designing and delivering development, emphasising the need for masterplans, drawn up with local community involvement, for all the major sites. Our policies set out additional requirements for different types of development and explain what uses are acceptable in different areas.

Supplementary Guidance - More information and advice is often contained in Supplementary Guidance and a list of these is shown in Appendix 5. This can relate to specific sites or to specific types of development. Supplementary Guidance and Masterplans which already exists and has previously been adopted are shown in Part 1 of Appendix 5. Because they are already adopted, paper copies have not been printed but they are available to view on the website or the Zone. Other new Supplementary Guidance will be made available for consultation before being adopted and a list of these are shown in Part 2 of Appendix 5. These are circulated with this report.

Action Programme - We have also prepared an Action Programme which sets out what actions are needed for the policies and proposals in the Plan to be delivered, who is responsible for delivering them and the expected timescale for doing this. The Action Programme will be monitored, updated and regularly published every two years and is circulated with this report.

- 6.13 In preparing the Proposed Plan a number of changes are suggested from the Main Issues Report. These were, for the most part, highlighted in the Enterprise, Planning and Infrastructure Committee Report of 31 May 2010. These changes and any others that have subsequently been made are shown in Appendix 3.
- 6.14 Members should note that copies of the proposals maps for the Plan will be on display during the Council meeting.

### Background Papers

- 6.15 During the production of the Local Development plan a large amount of background information has been used to inform the plan. These technical appendices and supporting documents used will be placed on the website. Appendix 6 contains a summary of how the technical appendices have been used to inform the Plan and at what stage in the process.
- 6.16 An Environmental Report has been carried out and this includes the Habitats Regulation Assessment for the River Dee Special Area of Conservation. These need to be released alongside the Plan for consultation and is included as Appendix 7.

## Publicity and consultation

- 6.17 As the Proposed Plan now contains the planning authority's view as to what the final adopted content of the Local Development Plan should be (subject to any modifications proposed after receiving representations), there would be no purpose in holding consultation events similar in form to those held at the Main Issues Report stage. We are no longer at the stage of consulting people about what should be in the Plan as the Council will have taken a decision on that. At this stage, therefore, our focus has to be on informing people of its content, and advising them of the process for making representations and the next steps in the process. There are certain legal requirements for publicising the Proposed Plan and these are set out in Appendix 4 to this report. We will also fulfil the requirements set out in our participation statement approved by the Enterprise, Planning and Infrastructure Committee in February 2010 (also itemised in Appendix 4). We are, however, proposing some further measures including:-
- a) Allowing 12 weeks for representations, rather than the statutory minimum of six weeks.
  - b) Publishing an advice note informing people of the procedures for representations and examination of the plan.
  - c) Holding a meeting with community council representatives to explain the process.
  - d) Holding a series of staffed exhibitions at venues across the city where people can ask questions and advice will be offered (details of these are shown in Appendix 4).

## Summary of Papers

6.18 The following list summarises the papers included with this report

- Aberdeen Local Development Plan – Proposed Plan
- Aberdeen Local Development Plan – Action Programme
- Aberdeen Local Development Plan – New and Updated Supplementary Guidelines
  
- Appendix 1 – Equalities and Human Rights Impact Assessment
- Appendix 2 – Risk Register
- Appendix 3 – Changes from the Main Issues Report
- Appendix 4 – Publicity and Consultation
- Appendix 5 – List of Supplementary Guidance and Masterplans
- Appendix 6 – Summary of Technical Appendices
- Appendix 7 – Environmental Report

## 7. REPORT AUTHOR DETAILS

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## 8. BACKGROUND PAPERS

Aberdeen Local Development Plan Main Issues Report

[http://www.aberdeencity.gov.uk/Planning/ldp/pla\\_aldp\\_main\\_issues\\_report.asp](http://www.aberdeencity.gov.uk/Planning/ldp/pla_aldp_main_issues_report.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&SID=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)

Development Plan Scheme 2: Aberdeen Local Development Plan

[http://www.aberdeencity.gov.uk/web/files/local\\_develop\\_frame/local\\_development\\_plan\\_scheme2.pdf](http://www.aberdeencity.gov.uk/web/files/local_develop_frame/local_development_plan_scheme2.pdf)