



The Aberdeen Masterplanning Process

A Guide for Developers

Enterprise, Planning and Infrastructure
Planning and Sustainable Development
Aberdeen City Council
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July 2010



1. Introduction

- 1.1 The Aberdeen Masterplanning Process has been prepared as a guide for developers. Reflecting current national design guidance, the Process seeks to enable the delivery of sustainable places.
- 1.2 Successful places are sustainable and have distinct identity. **Designing Places** and **Designing Streets**, policy statements for Scotland, set the context for creating places. Successful places are safe, pleasant, easy to move around and welcoming to visitors. They are sustainable and adaptable to changing circumstances in social, economic and environmental conditions. Good street design must consider place before movement and should meet the qualities set out in Designing Places.
- 1.3 These policies are supported by **PAN 83: Master Planning** which promotes the use of masterplanning to create better places,
- 1.4 The Aberdeen City and Shire Structure Plan sets out the Spatial Strategy up to 2030, promoting development of sustainable mixed communities. The Aberdeen Local Development Plan translates this into a settlement strategy for Aberdeen allocating appropriate sites for development and highlights masterplanning as a means to achieve efficient and sustainable places.

2. Masterplanning

- 2.1 This process identifies the need to consider an integrated approach to site planning, urban design, sustainable transport, ecology, landscaping and community involvement. There is also a recognised need to raise the quality of design for new developments in Aberdeen, from the largest and most significant areas of change to smaller individual sites. Under the umbrella heading of 'Masterplanning' Aberdeen City Council (ACC) proposes tackling this through three design tools –
 - A) **Development Frameworks** – setting out a baseline, or two dimensional spatial framework, for the way in which large areas that may be in multiple ownerships, are to be developed. This will involve –
 - appraising local context;
 - reviewing whatever policy, guidance and regulations apply;
 - conceiving a vision for the place;
 - determining feasibility;
 - establishing planning and design principles; and
 - agreement on the development process.

Where developers decide to submit a detailed planning application on the basis of a development framework rather than proceed to the preparation of a full Masterplan, a visual assessment to demonstrate the three dimensional form of proposed development from at least three viewpoints located on public roads or places must be submitted to support two dimensional layout plans.

Development Frameworks can be prepared by ACC, landowners or developers.

- B) **Masterplans** – detailed guidance, in three dimensions, on design matters, specific topics, or land uses for sites in single ownership, or for buildings or external spaces within a larger development framework. For some sites a basic development framework may require to be developed into a more detailed three dimensional Masterplan, describing and illustrating the proposed urban form. The initial sites where this is expected are identified by the Local Development Plan. Masterplans may include Design Codes and will include a detailed timeline for delivery.

Masterplans will be developed for residential sites with an area over 2 hectares or 50 houses or more, for sites identified in the Local Development Plan, or other large scale sites deemed appropriate. Masterplans prepared in accordance with the Masterplanning Process will be recommended for adoption as Supplementary Guidance. Masterplans will be adopted before development will be considered for planning permission.

- C) **Planning Briefs** – site specific guidance highlighting planning policies, constraints and opportunities. A planning brief informs any planning application made for the site.

Planning Briefs can range from small sites in conservation areas up to the scale of a masterplan. Planning briefs will be prepared at the discretion of the City Council.

2.2 The City Council will produce development frameworks, masterplans or planning briefs for sites owned by the Council. For sites in other ownership, in order to make the most of limited staff resources, the City Council encourages the landowner or developer to commission consultants in co-operation with the planning authority. When the planning authority is in agreement with the content of the draft guidance it is reported to the relevant Committee

2.4 This hierarchy of design tools will set out proposals for land use, buildings and external spaces, and the efficient means of moving around and between them. They must ensure that development fits the local context and creates a meaningful sense of place. Proposals will be accompanied by a reliable delivery strategy, and include a programme for stakeholder consultation.

2.5 The Local Development Plan has been subject to Strategic Environmental Assessment, avoiding the need for further individual strategic environmental assessments for allocated sites. Some planning applications for large or sensitive sites may still require to be supported by individual Environmental Impact Assessment.

2.6 To aid the process of moving from initial conception towards implementation on the ground for each plan area, a lead officer within ACC will be identified to work directly with the landowner, developer or client's planning team. For this to work effectively initial contact should be made with the Team Leader for Masterplanning and Design.

3. Content of Supplementary Guidance

3.1 All guidance, irrespective of which of the above types it is, should consist of illustrative plans and a supporting written statement. The full scope of work, together with a robust communication plan, will be agreed between the planning authority and the developer at inception.

3.2 In mapped form a Development Framework, Masterplan or Planning Brief will illustrate –

- The site location, development boundaries and surrounding context
- Land ownership or control
- Significant site features and constraints (and how these are mitigated)
- Distribution and relationship of existing and proposed land uses, site plots
- Proposals for built form – e.g. massing, height, density, orientation, grids or blocks
- Movement routes (for both non-motorised and motorised use) and connection to wider strategic networks
- The framework and role of landscape and open space

3.3 The written part of a Development Framework, Masterplan or Planning Brief will be commensurate with the scale and complexity of the site and cover the following issues:

Context

- A) **Site Description** and appraisal (including the surrounding area) with a summary of baseline information
- B) **Planning Policy Review**
- C) **Vision Statement** - the stated aims and objectives of what the supplementary guidance will achieve
- D) **Feasibility Appraisal** - options appraisal and phasing diagram demonstrating how and when development will be delivered

Identity

- E) **Planning and Design Principles** –
 - (i) Description of the physical, economic and social elements of the area
 - (ii) Indicative design concepts and proposals that can help to create a successful place, and
 - (iii) the principles that can inform the more detailed stage including any sustainable design standards, e.g. –
 - Building design
 - Streets
 - Open spaces – parks, squares, civic, play

- Landscape, tree cover and structure planting
- Greenspace network
- Ecology / biodiversity
- Buildings
- Infrastructure and services
- Other facilities – e.g. education, employment, community facilities
- Sustainability issues
 - Energy efficiency (carbon + thermal)
 - Power generation
 - Renewable energy
 - Drainage
 - Materials
 - Waste disposal / pollution
 - Recycling
 - Health and wellbeing
 - Management
 - Green transport plans / travel planning

Connection

F) Accessibility

Footpaths, cycle paths, access to public transport and general access, areas of conflict, core paths and desire lines

G) External Links

Connection to surrounding neighbourhoods
 Access to services
 Access to open space/green space network

H) Infrastructure

Quantify impact on surrounding infrastructure
 Define infrastructure requirements
 Establish phasing and delivery

Communication and Engagement

I) General

- (i) It is essential that a communication and engagement plan is developed and agreed at inception to ensure appropriate levels of community involvement can be maintained throughout masterplan preparation.
- (ii) An Equalities and Human Rights Impact Assessment must be carried out.
- (iii) All planning applications for national or major development must comply with the Pre-Application Consultation (PAC) process outlined in the Planning etc (Scotland) Act 2006. If PAC is required applicants must submit a Proposal of Application Notice at least 12 weeks prior to the submission of the planning application. As there is no upper time limit, it is recommended that Notice be submitted early in the masterplanning process to enable all engagement to contribute to the consultation process and avoid duplication. Exact details will be agreed with the planning authority at inception.

J) Community

- (i) Local communities, community councils and other groups must be actively engaged throughout the Masterplan process.

- (ii) Neighbourhood Community Planning Officers maintain links to communities from the City Council and must be involved throughout the Masterplan process.

K) Elected Members

Elected Members represent constituents in the community, have detailed knowledge of issues affecting their wards and should be involved in the Process. This need not continue beyond information gathering and should not prejudice any Member's position in determining planning application.

L) Transport

Roads authorities, public transport operators (including bus and rail), NESTRANS and Transport Scotland must be involved as necessary throughout the development of the proposal.

M) Agencies

Scottish Environmental Protection Agency, Historic Scotland, Scottish Natural Heritage or other statutory or relevant consultees as appropriate will be involved in the early stages of planning to determine key issues. In addition, utilities, NHS Grampian, Grampian Police Architectural Liaison Officer, emergency and other services, should also be consulted.

N) Other

Landowners and tenants affected by proposals.

4. Post Preparation

4.1 Development Process - the key steps for implementation must be submitted to support the masterplan, outlining the development process and delivery strategy in respect of –

- Stakeholder and public consultation
- measures for submitting and assessing detailed proposals and for changing the Masterplan if circumstances change (including a return to the community if significant changes are to be made)
- an indication of any critical elements such as costs, phasing, funding, timing, and
- delivery organisations - the key partners in the development and their respective roles: ACC, regeneration agencies, developers, funders, designers, the community, tenants, transport providers, etc.

4.2 Commercially sensitive information relating to costs and funding will not be included in public documents, but will be necessary to assist in determining appropriate developer contributions. Information such as cost of development is normally included in planning applications.

4.3 Reporting

All supplementary guidance satisfying the criteria outlined above will be reported to the appropriate Council Committee(s), together with the results of full stakeholder and public engagement carried out by the client body.

Provided the Communication and Engagement process has been properly addressed throughout the development of

the masterplan and it is demonstrated that the community has been actively involved, and how their views have been taken into consideration in the final submission, the City Council will endeavour to adopt the masterplan without the need for further consultation.

However, if the City Council is not satisfied that adequate public engagement has taken place throughout the development of the masterplan, a 6 week consultation period will be required. A final draft masterplan will then be reported to Planning Committee detailing the consultation response.

Final Masterplans, once approved, will be adopted as supplementary guidance (SG) to the local development plan and will serve as material considerations in determination of planning applications.

4.4 Timeline

The length of time from inception to completion will depend on the size and complexity of the study area together with the resources the developer allocates to the project, particularly in terms of community engagement. The Masterplanning & Design Team of the Planning & Sustainable Development Service will co-ordinate the City Council's input into the preparation of masterplans and will agree reporting schedules with the developer at inception.

The progress of applications which conform to adopted supplementary guidance should be significantly shorter than those which do not. It should be noted that for those that do not, pre-application consultation reports for

significant developments are required to accompany planning applications under the Planning etc (Scotland) Act 2006.

Where the need for a Masterplan has been identified, planning applications affecting the area which are consistent with approved Masterplan guidance are likely to be considered favourably.

4.5 Supplementary Guidance

The Planning etc (Scotland) Act 2006 (part 2 section 22) stipulates that for a document to become supplementary guidance to a Local Development Plan, the council, in their opinion, must be sure that:

- it has been adequately advertised within the City,
- those who are entitled to make representation, have been made aware of it and allowed to do so,
- those who have right to make representation have had sufficient time to do so.

All proposed supplementary Guidance must be submitted to the Scottish Ministers for a minimum of 28 days, once this time has elapsed the Council may adopt the supplementary unless advised otherwise.

5. Bibliography

The following publications and guidance will be used to inform and support the Masterplan Process:

Aberdeen Local Development Plan
Aberdeen City and Shire Structure Plan Aug 2009
NESTRANS Regional Transport Strategy/2021
Aberdeen Local Transport Strategy 2008-2012
Core Paths Plan 2009

Designing Places – A Policy Statement for Scotland
Designing Streets
Policy Statement on Architecture - Building Our Legacy
SPP1 The Planning System
Scottish Planning Policy
PAN 59 Improving Town Centres
PAN 65 Planning and Open Space
PAN 67 Housing Quality
PAN 68 Design Statements
PAN 72 Housing in the Countryside
PAN 74 Affordable Housing
PAN 75 Planning for Transport
PAN 77 Designing Safer Places
PAN 78 Inclusive Design
PAN 81 Community Engagement - Planning With People
PAN 81 Summary Sheet - Examples of Community
Engagement in Land Use Planning
PAN 83 Masterplanning

6. Further Information

For further information please contact:

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Note – The Aberdeen Masterplanning Process is a revised version of the process adopted in November 2008, taking into account subsequently updated government guidance.



Supplementary Guidance

Topic: Archaeology and
Planning

Reference Number:

The City's rich archaeological heritage should be protected for the benefit of present and future generations, and where preservation is not feasible to ensure proper recording, analysis and public information. This policy follows Scottish Government guidelines and advice on the treatment of archaeology in the planning system.

ARCHAEOLOGY AND PLANNING

The City Council will refuse planning permission for development that would adversely affect any Scheduled Ancient Monument or its setting. (This will also apply to any other nationally important site, which at the time of application is unscheduled but has been identified by Historic Scotland in the non-statutory register for Aberdeen). Where a proposed development is otherwise acceptable but would affect any known or recorded archaeological site, or any archaeologically sensitive area, the City Council will require that provision be made at the developer's expense for appropriate recording of the site (before development takes place).

Where there is reason to believe that a development proposal may affect an area containing archaeological remains, the City Council will request that provide an assessment and archaeological field evaluation (prior to determination of any planning application). The findings of this assessment and evaluation will be taken into account in deciding whether planning permission should be granted with or without conditions, or refused.



Supplementary Guidance

Topic: Affordable Housing

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1. Introduction

1.1 Housing is a basic human need and it is important that everyone has access to housing of a reasonable quality that is affordable to those on modest incomes. There are severe affordability pressures in Aberdeen and the Aberdeen Housing Market Area and there are chronic levels of housing need, as identified by the Housing Need and Demand Assessment (June 2010). Given the affordability pressures of housing in Aberdeen, market housing will be unable to meet the needs of all housing requirements. Therefore, through the use of planning policy there is a need to deliver affordable housing. The policy in the Local Development Plan requires:

Policy H1

Housing developments of 5 units or more are required to contribute no less than 25% of the total number of units as affordable housing. Further guidance on the provision of affordable housing from new developments is available in Supplementary Guidance on Affordable Housing.

1.2 The process of securing affordable housing or contributions towards the provision of affordable housing requires negotiation between the Council and developer. These negotiations at the time of the application or pre-application discussion will determine the actual requirement and the form of provision. These negotiations will consider any exceptional servicing costs for the development, and the impact of the requirement on the viability of the development.

2. Affordable Housing Provision

2.1 Affordable housing requirements may be made on-site, off-site or by means of a commuted payment depending on the scale of development. The Council prefers affordable housing to be provided on-site. On-site provision encourages mixed communities and helps promote social inclusion. However, it is accepted that this may not always be possible. Off-site provision involves a developer providing an equivalent number of affordable units on another site within their ownership. Overprovision of affordable housing on a previous development cannot discount the required contribution for the submitted application. Commuted sums will be negotiated between the developer and the Council. The figure for commuted sums is set by the Council, and the figure per plot is currently £25,000 (as of August 2010). This figure is subject to change and the figure is reviewed annually. Any changes will be consulted on and published in advance of implementation at: www.aberdeencity.gov.uk/...

Possible categories of Affordable Housing

2.2 There are a number of different types of affordable housing, (see below). The most appropriate type of housing should be guided by the Council's Local Housing Strategy and through discussions with the Council's Planning Gain Officer. Delivering social rented housing is the Council's preference for affordable housing.

2.3 Through the Housing Need and Demand Assessment it has been demonstrated that intermediate housing will have a significant role to play in meeting housing need, but intermediate housing is sensitive to house prices, relative to incomes, and so is closely related to fluctuations in the housing market cycle, and for this reason no specific split between the provision of social rented and intermediate housing has been detailed. In instances where public subsidy is required to deliver the affordable housing there should always be a fall back position in the circumstances where subsidy is not available.

1. **Social rented** – Housing provided at an affordable rent and usually managed by a Registered Social Landlord (RSL) or the local authority.

2. Intermediate housing

- **Shared ownership** – The owner purchases part of the dwelling and rents the remainder usually from a RSL. The owner can buy tranches of 25%, 50% or 75% of the property.
- **Shared equity** – The owner purchases part of the dwelling, with the remaining stake purchased usually by a RSL using Scottish Government grant. Unlike shared ownership, the owner pays no rent for the equity stake which is retained by the RSL. While the RSL does not receive any rental income in respect of their stake, it benefits from any equity gain when the house is sold.

- **Discounted low cost sale (Low Cost Home Ownership)** – a dwelling sold by the developer at a percentage discount of its open market value to households in the priority client group determined by the local authority. A legal agreement can be used to ensure that subsequent buyers are also eligible buyers.
- **Housing without subsidy (low cost entry level)** – Non-subsidised affordable housing is likely to take the form of entry level housing for sale, some built at higher densities and with conditions attached to the missives designed to maintain the houses as affordable units to subsequent purchasers. Homes delivered without subsidy may be considered to fulfil part of the overall affordable housing requirement where it can be clearly demonstrated that they will meet the needs of, and be affordable to, groups of households identified through the housing need and demand assessment.
- **Mid Market Rented Accommodation** - Rented accommodation that is leased at a discounted level below the Local Housing Allowance, which is set by the Government. The rental price will be a maximum of 80% of the local housing allowance, but will be for the Council, developer and/or RSL to agree.

3. Other Options – At this point in time these are the only models for delivery of affordable housing that have been identified. However, this does not rule out the opportunity for new models for affordable housing delivery to be developed and meet the affordable housing requirement. Other options should either be supported by the Government or identified as being able to meet housing need in Aberdeen.

Affordable Housing Provision for Developments of less than 20 units

2.4 For developments of less than 20 units the provision of affordable housing may be on-site, off-site or commuted payments. It is accepted that for development of less than 5 units the management of social rented accommodation is more difficult. The delivery of other categories of affordable housing is not affected by the number of units and would be supported on-site.

Affordable Housing Provision for Developments of 20 units or more

2.5 For developments of 20 units or more the expectation is that the affordable housing contribution will be delivered on-site. With a target of 25% this will yield 5 affordable units from 20 units, which would allow for effective management of any category of affordable housing that is to be provided and integrates new affordable housing into new development.

Instances when Contributions may be reduced

2.6 The Council recognises that as a part of new development there is a need to provide or make financial contribution towards major new infrastructure, such as schools, drainage, water and roads. Where a

2.7 In order to assist the development industry in incorporating other costs into the land valuation, a list of developer contributions for each site has been prepared and is contained within the Local Development Plan Infrastructure Delivery manual – check with Scott). Therefore, it is expected that these requirements will have been planned into the development and will not normally be seen as exceptional costs. A particular constraint to the delivery of brownfield development in Aberdeen is the demolition and unknown contamination costs that need to be overcome.

2.8 In order to help the Council reach a view on the viability of the development, the developer will be required to provide a financial appraisal for the development that provides detailed financial information on the development costs and viability.

Integrated Development

2.9 Affordable housing should be designed and built to a good standard and built as a part of the development. Units should be built to the same design codes as the rest of the development site. There should be no discernable difference between affordable housing and market housing. In principle, the affordable housing element of new developments should be located close to public transport routes and community facilities.

3. Delivery of Affordable Housing

Delivery of affordable housing sites

3.1 The most appropriate mechanism for delivering affordable housing will vary, and the Council will seek to be flexible, working closely with developers, RSLs and others to maximise the number and quality of affordable homes provided. For the delivery of social rented accommodation the Council recommends that developers enter into agreements or discussions with RSLs before planning applications are submitted. By doing this applications are most likely to progress smoothly.

3.2 There are two methods in which the delivery of affordable housing can be delivered on-site: integrated development and transfer of land. The Council do not have a direct input into the valuation of units where a unit is transferred as this is agreed between the two parties involved.

1. Integrated development

Once an agreement is reached between a developer and RSL or the Council the developer will build the units of affordable housing themselves as an integral part of the development. These units would then be transferred (either as shells or as fully fitted units) to a RSL or the Council for onward management and maintenance. An alternative would be for a developer to build integrated units for discounted sale.

2. Transfer of Land to a RSL

In the instance where serviced land is transferred to a RSL or the Council for them to carry out the development of the affordable units, special care must be taken that the different parts of the overall development are successfully integrated and that the area earmarked for the affordable element is not subject to any particular development constraints.

Securing the Affordable Contribution

3.3 In the case of social rented housing, the Council will wish to ensure that the properties remain as such, in perpetuity and appropriate provisions to this effect will be inserted into a legal agreement to accompany the grant of planning permission.

3.4 Where social rented housing is the preferred means of affordable housing provision, the legal agreement will also set out:

- a. a period of time within which the developer is expected to enter into a contract of sale for the land/ units with an RSL or Local Authority;
- b. an alternative method of provision will be specified as a fallback position where social rented housing cannot be achieved; and
- c. the legal agreement will set out the requirements of how a developer evidences it cannot reasonably provide social rented housing.

3.5 In the case of private sector developments, the Council will aim to ensure that housing remains affordable, in perpetuity, by the use of legal

3.6 Where low cost home ownership is the preferred means of affordable housing provision, the legal agreement will set out the marketing strategy for the units, the reduced market value of the first sale, a percentage market value (based on a valuation at the developer's expense) to be applied for future sales or a mechanism for so doing at the time the units are to be marketed for sale, (if this will be relevant), restrictions on use, how the units can be disposed of and a requirement for the purchaser to grant a Standard Security in favour of the Council.

3.7 Care will be taken when drawing up legal agreements to ensure that lenders' interests are taken into consideration. Legal agreements will include clauses for lenders to be able to repossess houses where purchasers have defaulted on a mortgage. It will also include clauses that allow an RSL to dispose of a house with the written consent of Scottish Government if it cannot be tenanted.

3.8 Developers should note that subsidy for the provision of affordable housing is not guaranteed. Where subsidy is not available, the policy requirement to deliver affordable housing remains. If an acceptable development programme cannot be agreed with the RSL within an agreed time period, alternative means of providing the affordable element should be discussed with the Council at the earliest opportunity.

4. Monitoring and Review

4.1 Aberdeen City Council monitors the delivery of affordable housing. If it is clear that the objectives of the policy are not being met and the type of affordable housing that is being delivered is not meeting need then there will be a requirement to review this Supplementary Guidance. This review would include a consultation exercise involving key stakeholders and the general public.

5. Glossary

Aberdeen Housing Market Area is the geographical area around Aberdeen, which is relatively self-contained in terms of housing demand; i.e. a large percentage of people moving house or settling in the area will have sought a dwelling only in that area.

Affordability is a measure of whether housing may be affordable to certain groups of households.

Affordable housing is housing made available at a cost below full market value, to meet an identified need. It includes social rented housing, subsidised low cost housing for sale (discounted, shared ownership or shared equity) and low cost housing without subsidy (entry level housing for sale). Private rented accommodation available at lower cost than market rents, (mid-market rent), should also be considered within the affordable housing category.

Housing need refers to households lacking their own housing or living in housing which is inadequate or unsuitable, who are unlikely to be able to meet their needs in the housing market without some assistance.

Housing Need and Demand Assessment provides the evidence base upon which housing supply targets are defined in local housing strategies and suitable available land is allocated through development plans to meet these targets.

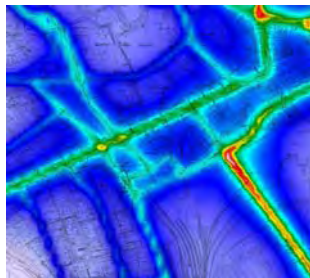
Intermediate affordable housing is housing available at a cost below full market value to meet an identified need and includes: subsidised low cost housing for sale (discounted, shared ownership or shared equity); low cost housing without subsidy (entry-level housing for sale); and mid market renting.

Registered Social Landlord (RSL) is a landlord that provides housing for rent (and shared ownership and shared equity and mid market rent). The commonest form of registered social landlord in Scotland is a housing association.

Supplementary Guidance

Topic: Air Quality

Reference Number:



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1. Introduction

Everyone has the right to live, work and relax in a healthy environment. Air quality is a measure of how good our air is in terms of the type and quantity of pollution contained within it. Good air quality is an important factor in protecting people's health.

Air Quality is a material planning consideration in the Development Management process. New developments may increase the emission of pollutants that are harmful to human health and impact on the quality of life. In contrast, well designed developments can actively help to enhance air quality, manage exposure and reduce overall emissions.

This Supplementary Guidance provides guidance on the way in which air quality and air pollution issues will be dealt with through the planning system. The guidance has the following objectives:

- To set out the policy framework
- To ensure air quality is properly considered in the planning process and highlight developments where air quality may be a material consideration
- To identify development proposals that will require an air quality assessment
- To provide guidance on the process of air quality assessment
- To set out the Council's approach to the use of planning conditions and S75 agreements in respect of air quality

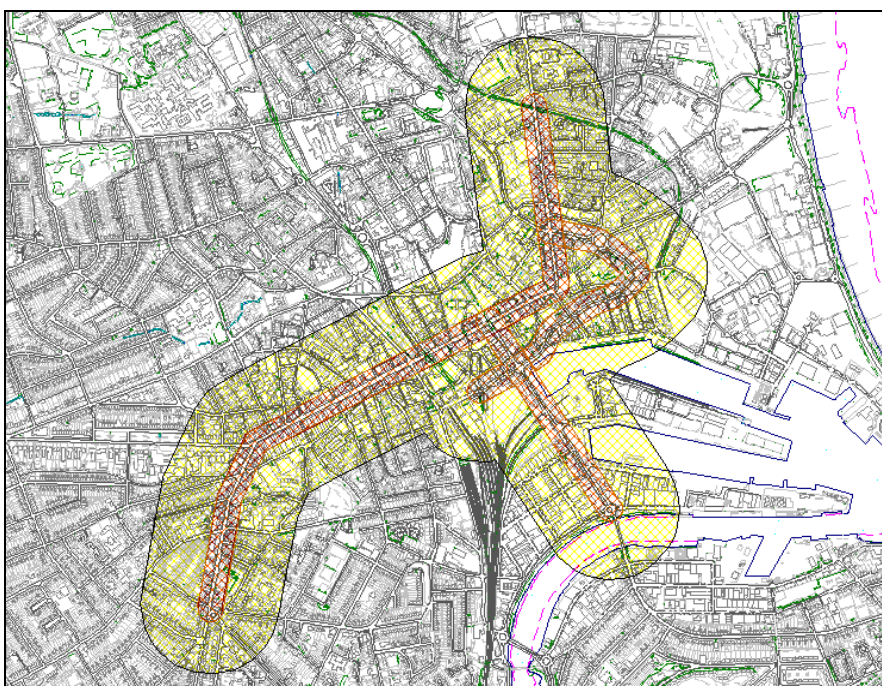
2. Air Quality and Planning

As part of its statutory duties under the UK Environment Act 1995 the City Council undertakes the monitoring and assessment of seven key pollutants recognised to impact on health. In Aberdeen only levels of nitrogen oxides and fine particulate matter are of concern. Where national objectives and European limits of these pollutants are being exceeded the Council is required to designate Air Quality Management Areas. Based on the monitoring and modelling work undertaken, the Council has declared three Air Quality Management Areas (AQMAs):

- City Centre (originally declared in 2001, last amended in 2005; including Union Street, Market Street, Virginia Street, Commerce Street, and parts of Holburn Street, Guild Street and King Street)
- Anderson Drive (declared December 2008, incorporating the whole of Anderson Drive and the area around the Haudagain roundabout); and
- Wellington Road (declared December 2008, from the Queen Elizabeth II Bridge to Balnagask Road)

Although sources of local air pollutants include shipping and biomass plant the air quality problem in Aberdeen is predominantly a result of emissions from road vehicles (causing around 90% of all NO₂ emissions within the City Centre) and this is reflected in the locations of the AQMAs. A draft Air Quality Action Plan (2010) for the three AQMAs has been prepared and recommends a wide range of initiatives to address the air quality problem. These focus on promoting sustainable transport in the city by reducing the need to travel, reducing existing emissions from vehicles, increased awareness of air quality issues and improved traffic management and infrastructure measures including a Low Emissions Zone.

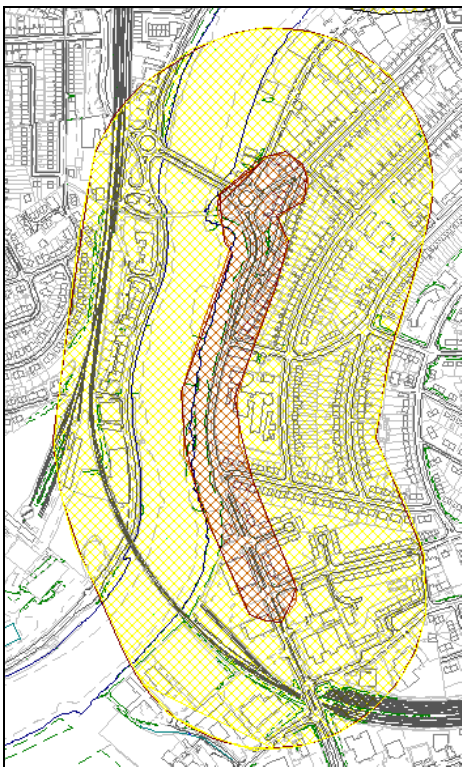
The maps below show the extent of the 3 Air Quality Management Areas and their buffer zones.



Map 1: City Centre AQMA



Map 2: Anderson Drive AQMA



Map 3: Wellington Road AQMA

Air quality issues must be given due weight when determining an application. An appropriate assessment of air quality must therefore be included with any application that may adversely affect local air quality or be significantly affected by existing levels. It is vital that the applicant considers the need for any assessment before any application is submitted. Failure to include appropriate information on air quality could result in an invalid application or the application being refused or delayed.

Air quality will be a significant consideration in the planning process where one or more of the following apply:

- The proposed development is inside or adjacent to an AQMA and its buffer zone
- The development could result in the designation of a new AQMA
- The granting of planning permission would conflict with, or render unworkable, elements of the Council's Air Quality Action Plan
- The application could lead to a measurable deterioration in air quality as a direct result of the development

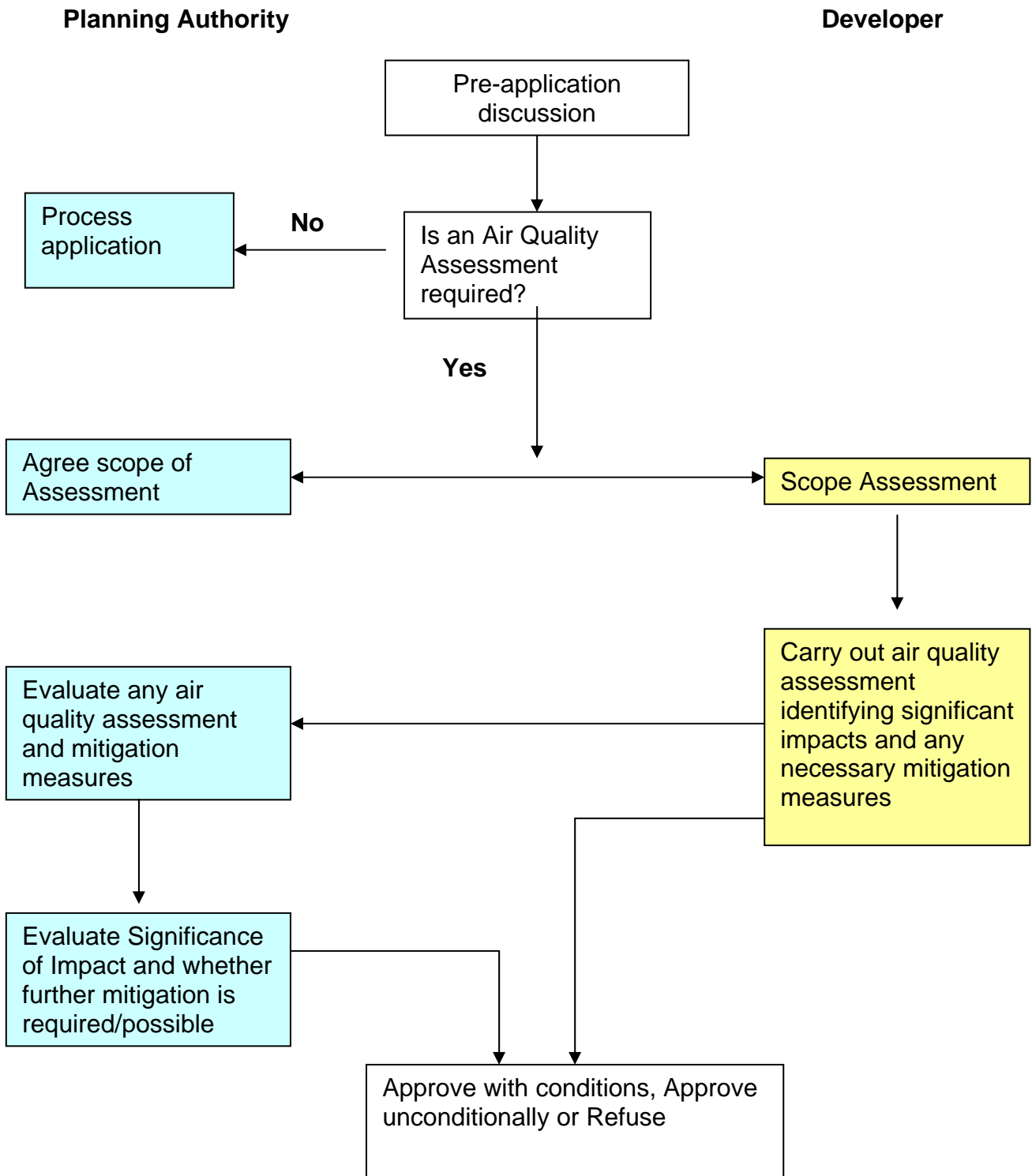
For the avoidance of doubt it is essential that developers contact the Environmental Protection Service to assist in the identification of any requirement and scope for an Assessment in the above circumstances.

Contact details for the Environmental Protection Service

Aileen Brodie
Principal Environmental Health Officer
Housing and Environment
Aberdeen City Council
4th Floor
St Nicholas House
Broad Street
Aberdeen
AB10 1BX

Tel 01224 523737
Email poll@aberdeencity.gov.uk

Figure 1: Air Quality and Planning Flowchart



3. Air Quality Assessments

Determining when an Air Quality Assessment is Required

Developments will need an air quality assessment where a significant change in air quality is expected. The change will include both construction and operational impacts. Professional judgement will be required when deciding when an air quality assessment is necessary, as it is not possible to apply an exact and precise set of criteria to all development management situations. However, the location of the development, the size of the development and the likely impact the development may have will help define when an assessment should be considered necessary and guidance is given by the table and criteria below. All three factors should be considered as part of any initial evaluation.

Location Type and Size

The Council's Air Quality Management Areas have determined the Location criteria.

Figure 2: Development Category Matrix

Development Category	Development within an AQMA	Development within buffer	Development outside both AQMA and buffer
Minor Works, Householder applications/ Tree Preservation Order	No action required	No action required	No action required
Small residential development; limited car parking	Inform Environmental Protection Service	Inform Environmental Protection Service	No action required
Medium/ large residential development (>80 dwellings or 1 ha site area)	Assessment required – consult Environmental Protection Service	Assessment required – consult Environmental Protection Service	Assessment required – consult Environmental Protection Service
Small industrial (<500m ² gfa), including biomass or combined heat and power unit	Assessment required – consult Environmental Protection Service	Assessment required – consult Environmental Protection Service	Assessment required – consult Environmental Protection Service
Major commercial (>500m ² gfa) development (e.g. superstore, food retail, office, commercial development)	Assessment required – consult Environmental Protection Service	Assessment required – consult Environmental Protection Service	Assessment required – consult Environmental Protection Service
Industrial development requiring PPC registration	Assessment required – consult Environmental Protection Service	Assessment required – consult Environmental Protection Service	Assessment required – consult Environmental Protection Service
Any new development with 50-99 parking spaces	Assessment required – consult Environmental Protection Service	Assessment required – consult Environmental Protection Service	No action required
Any new	Assessment required	Assessment required	Assessment required

development with >100 parking spaces	– consult Environmental Protection Service	– consult Environmental Protection Service	– consult Environmental Protection Service
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Impact of Development

In addition the following criteria may trigger the need for an air quality assessment even if they do not fall within the categories above:

- Proposals that may generate or result in increased congestion;
- Proposals that are likely to result in an increase in daily traffic flow or peak traffic flow (AADT – Annual Daily Traffic Flow) of 10% or more (5% within an AQMA) on a road with more than 10,000 AADT (5,000 if the road is narrow and congested);
- Proposals that would significantly alter traffic composition, for instance, increase the proportion of HGVs by 10%;
- Proposed developments located in, or adjacent to an AQMA where direct emissions to air occur, for example from sources other than traffic;
- Any other development proposals within or adjacent to an AQMA and not listed above which may be significant in terms of air quality impact and/or may impact on the working of measures detailed in an Air Quality Action Plan;
- Proposals that will result in new exposure close to existing sources of air pollutants, including road traffic and industrial operations;
- Proposals that could give rise to impacts during construction on nearby residents; and
- Other development that leads to >60 vehicle movements an hour.

This list is not exhaustive and there may be situations outwith the categories above where assessments will be required. Equally there may be border line circumstances which will not require a complete assessment. For the avoidance of doubt it is essential that developers contact the Environmental Protection Service where any of the criteria or thresholds are breached or where there is any doubt about whether an assessment may be required.

Content of an Air Quality Assessment

The intention of an air quality assessment is to demonstrate the likely changes in air quality or exposure to air pollutants, as a result of the development. Likely future pollution concentrations, both with and without the development in place, should be compared with relevant air quality objective levels. Given the technical nature of the assessment it should be undertaken by a professionally qualified engineer or air quality consultant with expertise in air quality assessment.

As a minimum the assessment should consider the following three scenarios:

- Existing air quality in the study area (base year);
- Predict the future air quality without the development in place (future baseline); and
- Future air quality with the development in place (with development).

A wide range of assessment methods are available for air quality assessment. The Local Air Quality Management Technical Guidance (TG09) and the Environmental Protection UK Development Control: Planning and Air Quality (2010 Update) should be considered when determining the assessment methodology.

The applicant should agree the proposed assessment methodology and datasets with the Council's Environmental Protection Service prior to the commencement of the assessment.

The assessment should contain such information as is necessary to allow a full consideration of the impacts of the proposal on the air quality of the area. As a minimum it should include the following information:

1. Details of the proposed development

- an overview of the development proposal;
- identification of on-site sources of pollutants;
- an overview of expected traffic changes or changes in emissions for the site for a specified year, e.g. year of opening;
- identification of local receptors, for example residential and other sensitive receptors, noting the presence of any AQMAs or other sources that may affect the site;

2. Set out the relevant air quality standards and objectives (these would normally be the Scottish air quality objectives and/or the EU Air Quality Limit Values);

3. Justification of the pollutants that require assessment;

4. The basis for determining significance of impacts. The descriptors used to describe impacts should be set out together with the basis for determining the significance of the air quality impact;

5. Details of the assessment methods, including the following local input data and assumptions:

- traffic data used in the assessment;
- emission data;
- meteorological data, including a description of how representative they are of the conditions in the vicinity of the proposed development;
- baseline pollutant concentrations;
- choice of baseline year and whether it is low, typical or a high pollution year;

- NO_x:NO₂ relationship used; and
- other relevant input data.

For point sources, the assessment should additionally include:

- Type of plant;
- Source of emissions data and actual emissions assumed;
- The stack parameters, height diameter, emission velocity and exit temperature.

For developments that include biomass or CHP plant, the application should provide specific details of the proposed installation within the council's Biomass Boiler Information Request Form. Information contained with the Environmental Protection UK leaflet 'Biomass and Air Quality Information for Developers' may be helpful.

6. Model verification (generally appropriate for traffic modelling only), including a comparison of predicted versus measured concentration used to derive adjustment factors to account for systematic errors;
7. Assessment of impacts, clearly showing in tabulated form, the differences in concentrations between 'with development' and 'no development' scenarios (further details can be found in Appendix A);
8. Description of construction phase impacts including likely activities, distance over which impacts are likely to occur and properties likely to be affected, duration and mitigation measures to be implemented;
9. Development mitigation measures
10. Summary of the results
 - Impacts during the construction phase of the development (usually dust and PM₁₀);
 - Impacts during operation (usually on concentrations of nitrogen dioxide, PM₁₀ and PM_{2.5});
 - Any exceedances of the air quality objectives or EU air quality limit values arising from the development, or any worsening of a current breach (including the geographical extent);
 - Whether the development will compromise or render inoperative the measures within an Air Quality Action Plan;
 - The significance of the impacts identified; and
 - Any apparent conflicts with planning policy.

The impact of changes in air quality requires to be set out and taken into account in the assessment. The Institute of Air Quality Management (IAQM) has recommended an approach to defining the magnitude of changes and describing the air quality impacts at specific receptors. Further detail on the IAQM approach can be found in Appendix A.

Whether a development proposal will have a significant on air quality is a matter for consideration by the Planning Authority. An examination of the significance of air quality in the context of a planning application requires the professional judgement of both the assessment authors and the environmental protection officers and planning officers within the Council reviewing the application. Further information on the process that will be followed is available in Appendix B.

What mitigation will be appropriate?

Mitigation should be considered as part of an air quality assessment in *all development proposals* where an air quality assessment has been required, particularly where it will give rise to an increase in particulate matter emissions/concentrations.

The type of measures proposed to improve air quality will depend on the nature and scale of the proposed development. Developers are encouraged to consider the following design issues and mitigation measures, particularly when developments are proposed with, or adjacent to, an AQMA or other areas of poor air quality:

- The need for travel by car should be minimised. Travelling distances can be reduced by encouraging mixed used development, where people have the opportunity to live, work and socialise within a relatively small geographical area;
- Levels of car parking should be appropriate for the area and compliant with the standards set out in the Transport Supplementary Guidance;
- Alternative modes of transport should be actively and positively encouraged through a travel plan the terms of which may be secured through a requirement for a legal agreement associated with any planning approval. This should include walking, cycling, public transport, car sharing, car clubs etc; and
- Heating and air conditioning systems should be designed to minimise energy consumption and reduce emissions.

Planning Agreements and Conditions, and the Air Quality Action Plan

All mitigation measures and developer contributions sought will be related to the scale of the impact of the development. Where the Council seeks the provision of infrastructure or a financial contribution by a developer, conditions can be attached to a planning permission and/or Planning Agreements can be agreed with the Council.

Mitigation measures should ensure that the development has no detrimental impact on local air quality. These could include transport related schemes agreed with the Planning Authority and, where a development is within or adjacent to an Air Quality Management Area or its buffer zones, mitigation

proposals should take account of the actions proposed in the Air Quality Action Plan (AQAP). The AQAP provides a package of measures to help mitigate the transport impact of developments aimed at reducing emissions of NOx and PM10.

Following review of an Air Quality Assessment, if the Planning Authority considers that the mitigation measures proposed do not fully mitigate the impact of development on air quality, further contributions may be sought by the Planning Authority to fully mitigate the transport derived emissions impact of development.

When a series of developments are coming forward in a particular location the Council will require a strategic approach to take into account the cumulative impacts of the developments on air quality.

Appendix A: Impact and Magnitude Assessment Tables

The magnitude of an impact should be described using the criteria set out in Table 1. These criteria are based on the change in concentration brought about by the scheme as a percentage of the relevant air quality objectives. Tables 2 and 3 translate these criteria into changes in concentration for nitrogen dioxide and PM10 for national objectives. Tables 2 and 3 should be presented in the assessment report rather than the generic values in Table 1.

Table 1: Definition of impact magnitude for changes in pollution concentration as a percentage of the assessment level

Magnitude of Change	Annual Mean
Large	Increase/decrease >10%
Medium	Increase/decrease 5-10%
Small	Increase/decrease 1-5%
Imperceptible	Increase/decrease <1%

Impact Magnitude and Impact Descriptors in Relation to Specific Objectives

Table 2: Definition of Impact Magnitude for Changes in Annual Mean Nitrogen Dioxide Concentrations

Magnitude of Change	Annual Mean
Large	Increase/decrease >4 ug/m ³
Medium	Increase/decrease 2 – 4 ug/m ³
Small	Increase/decrease 0.4 – 2 ug/m ³
Imperceptible	Increase/decrease <0.4 ug/m ³

Table 3: Definition of Impact Magnitude for Changes in Annual Mean PM10 Concentrations

Magnitude of Change	Annual Mean
Large	Increase/decrease >1.8 ug/m ³
Medium	Increase/decrease 0.9 – 1.8 ug/m ³
Small	Increase/decrease 0.2 – 0.9 ug/m ³
Imperceptible	Increase/decrease <0.2 ug/m ³

Impact Description

When describing an air quality impact at a specific receptor, the actual concentration at the receptor should be taken into account, in combination with the magnitude of change, using the approach in Appendix 1. Table 2 and 3 are specifically for the assessment of the annual mean nitrogen dioxide concentration and PM10 concentration.

Table 4: Air quality impact descriptors for changes to annual mean nitrogen dioxide concentrations at a receptor

Absolute Concentration in Relation to Objective/Limit Value	Change in Concentration ^{a b}		
	Small	Medium	Large
Increase with Scheme			
Above Objective/Limit Value <i>With Scheme</i> (>40ugm ³)	Slight Adverse	Moderate Adverse	Substantial Adverse
Just Below Objective/Limit Value <i>With Scheme</i> (36-40ugm ³)	Slight Adverse	Moderate Adverse	Moderate Adverse
Below Objective/Limit Value <i>With Scheme</i> (30-36ugm ³)	Negligible	Slight Adverse	Slight Adverse
Well Below Objective/Limit Value <i>With Scheme</i> (<30ugm ³)	Negligible	Negligible	Slight Adverse
Decrease with Scheme			
Above Objective/Limit Value <i>Without Scheme</i> (>40ugm ³)	Slight Beneficial	Moderate Beneficial	Substantial Beneficial
Just Below Objective/Limit Value <i>Without Scheme</i> (36-40ugm ³)	Slight Beneficial	Moderate Beneficial	Moderate Beneficial
Below Objective/Limit Value <i>Without Scheme</i> (30-36ugm ³)	Negligible	Slight Beneficial	Slight Beneficial
Well Below Objective/Limit Value <i>Without Scheme</i> (<30ugm ³)	Negligible	Negligible	Slight Beneficial

^a See Table 2 above for description of changes for annual mean nitrogen dioxide

^b An imperceptible change (Tables 2 and 3 above) would be described as 'negligible'

Table 5: Air quality impact descriptors for changes to annual mean PM10 concentrations at a receptor

Absolute Concentration in Relation to Objective/Limit Value	Change in Concentration ^{a b}		
	Small	Medium	Large
Increase with Scheme			
Above Objective/Limit Value <i>With Scheme</i> (>18ugm ³)	Slight Adverse	Moderate Adverse	Substantial Adverse
Just Below Objective/Limit Value <i>With Scheme</i> (16-18ugm ³)	Slight Adverse	Moderate Adverse	Moderate Adverse
Below Objective/Limit Value <i>With Scheme</i> (14-16ugm ³)	Negligible	Slight Adverse	Slight Adverse

Well Below Objective/Limit Value <i>With</i> Scheme (<14ugm ³)	Negligible	Negligible	Slight Adverse
Decrease with Scheme			
Above Objective/Limit Value <i>Without</i> Scheme (>18ugm ³)	Slight Beneficial	Moderate Beneficial	Substantial Beneficial
Just Below Objective/Limit Value <i>Without</i> Scheme (16-18ugm ³)	Slight Beneficial	Moderate Beneficial	Moderate Beneficial
Below Objective/Limit Value <i>Without</i> Scheme (14-16ugm ³)	Negligible	Slight Beneficial	Slight Beneficial
Well Below Objective/Limit Value <i>Without</i> Scheme (<14ugm ³)	Negligible	Negligible	Slight Beneficial

^a See Table 3 above for description of changes for annual mean PM10 concentrations

^b An imperceptible change (Tables 2 and 3 above) would be described as 'negligible'

Tables 4 and 5 should be used for describing the impact at each **specific receptor** to enable the evaluation of the overall significance of the development.

The assessment should consider the likely effectiveness of any, mitigation or compensating, measures to minimise air quality impacts. In many cases it will be difficult to quantify the benefits of mitigating measures; however the application should explore likely benefits in qualitative terms.

Appendix B: Assessing Significance

Significance is typically assessed at two stages in the overall process of examining air quality as a material consideration:

- within the air quality report accompanying the planning application using the professional judgement of the assessment authors:
- when the council's officer air quality specialist makes his/her recommendation to the planning officer

Developers are advised to adopt the approach recommended by the Institute of Air Quality Management (IAQM) to describe and then assess the significance of air quality of a new development. This process will help ensure the developer provides all the necessary information to enable the council determine the application.

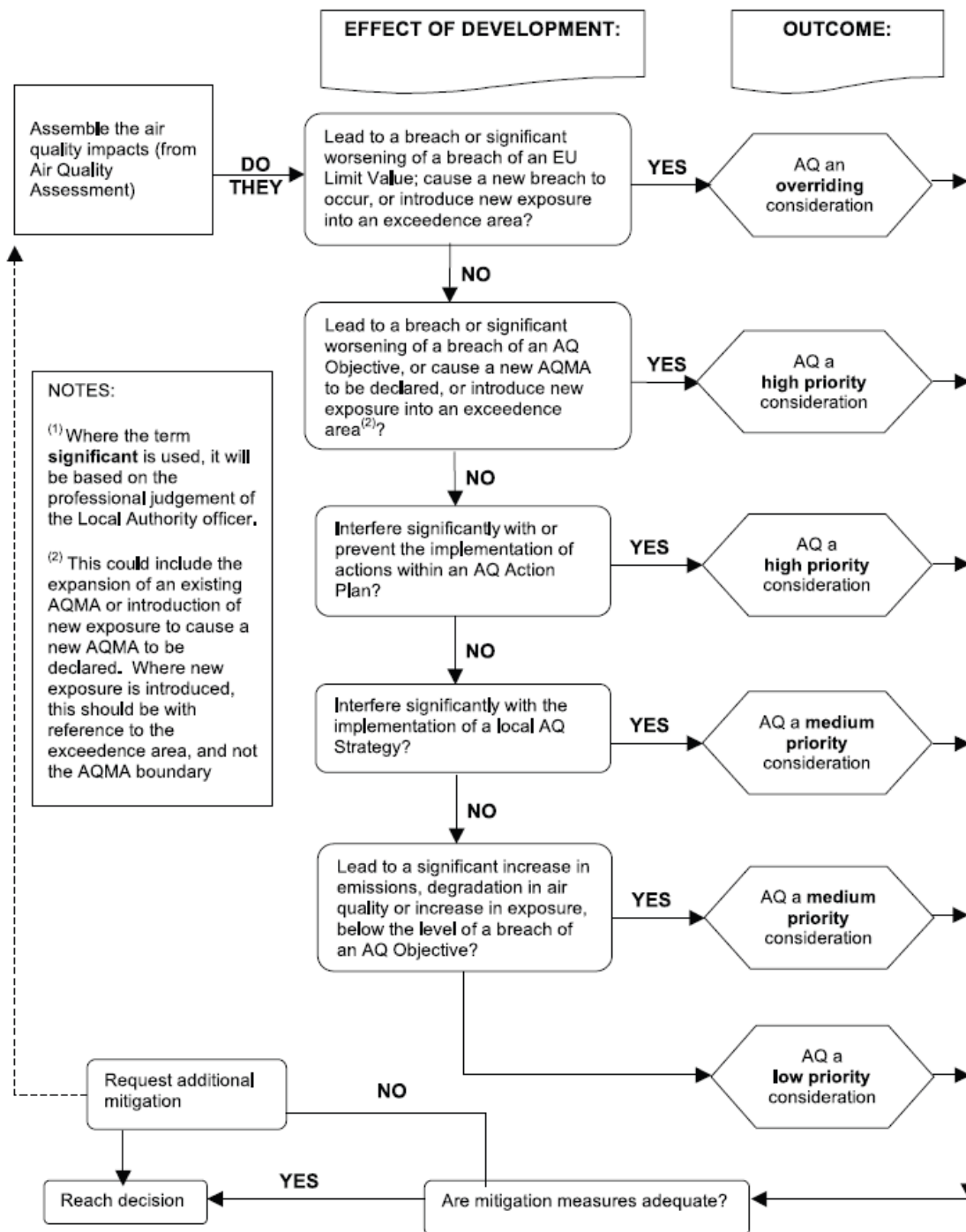
For many developments, in particular those involving new residential accommodation, the significance of the following impacts should be described separately:

- 1) Impacts of emissions related to the development on existing receptors
- 2) Impacts of emissions from surrounding sources on new exposure being introduced within the development

The following flow diagram (taken from the Environmental Protection UK guidance: Development Control: Planning for Air Quality (2010 Update)) will be used by the council for assessing significance. When using the flow chart the council will also consider the following:

- Air quality has the potential to be a "material consideration" in *all* planning applications. Whether it is a material consideration for any individual application will depend on the circumstances of the case, both in terms of the proposed development and its environment or location.
- The *significance* of the impacts depend very much on the *context* of the development
- The flow chart is equally applicable to a development which increases emissions or one whose main impact is the increase in exposure, such as residential development
- The weight given to the EU limit values reflects their status in law. The limit values are binding on the UK as a whole, whereas there is no legal obligation placed on central government or local authorities to meet UK air quality objectives, despite the fact that they are contained in regulation.

Figure 2: Flow Diagram showing how we will assess the significance of Air Quality Impacts of a Development Proposal



The extent to which air quality should influence the proposal will be governed by the degree of significance. Table 6 (also from the Environmental Protection UK guidance) provides recommendations following an assessment of significance by the council.

Table 6: Recommendations following our assessment of significance

Impact significance from flow chart	Recommendation
Overriding consideration	Requires mitigation measures to remove “overriding” impacts. If the impact is still “overriding”, there should be a strong presumption for a recommendation for refusal on air quality grounds.
High priority consideration	Ensure that measures to minimise “high priority” impacts are appropriate. Consideration may also be given to compensation/offsetting. Depending on the scale of the impacts, taking into account the number of people affected, the absolute levels and the magnitudes of changes, and the suitability of the measures to minimise impacts, it may be appropriate to recommend refusal.
Medium and Low priority consideration	It is unlikely that refusal would be recommended, but mitigation measures should be incorporated into the scheme design to ensure that the development conforms to best practice standards, and is “air quality neutral” as far as reasonably practicable.

An automatic recommendation to refuse an application on air quality grounds will not always be necessary or appropriate. Similarly, the presence of an AQMA does not mean that a development will not be allowed. Dealing with exceedances of Limit Values is a national obligation. There may be situations where large areas are in exceedance of the Limit Value, and a national blanket on new developments would risk sterilising large areas. In these circumstances account will be taken of the contribution of the new development to the exceedances. If this is small, and strong measures are incorporated in the proposal to minimise the impacts, then it would probably not be appropriate to recommend refusal on air quality grounds.

The Council does not wish to prescribe exact levels above which development proposals will be refused since each case will be assessed on its own merits and balancing the air quality impacts against other material considerations. However, the following factors will be considered in the overall judgement of significance

- Number of people affected by increases and/or decreases in concentrations and a judgement on the overall balance
- Where new exposure is being introduced into an existing area of poor air quality, then the number of people exposed to levels above the objective value will be relevant
- The magnitude of changes and impact at receptors
- Whether or not an exceedance of an objective is predicted to arise in the study area where none existed before or an exceedance is removed or the exceedance area is reduced

- Uncertainty, including the extent to which worst-case assumptions have been made
- The extent to which an objective value is exceeded e.g. an annual mean NO₂ of 41 $\mu\text{g m}^{-3}$ should attract less significance than an annual mean of 51 $\mu\text{g m}^{-3}$.

Related Links

Draft Air Quality Action Plan (2010)

<http://committees.aberdeencity.gov.uk/Published/C00000140/M00001560/AI00005639/AirQualityActionPlan.pdf>

The Local Air Quality Management Technical Guidance (09)

<http://www.defra.gov.uk/environment/quality/air/airquality/local/guidance/documents/tech-guidance-laqm-tg-09.pdf>

Environmental Protection UK Development Control: Planning and Air Quality (2010 Update)

[http://www.environmental-protection.org.uk/assets/library/documents/Air_Quality_Guidance_2010_\(final2\).pdf](http://www.environmental-protection.org.uk/assets/library/documents/Air_Quality_Guidance_2010_(final2).pdf)



Supplementary Guidance

Topic: Bats and Development

Reference Number:

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1. Introduction

This Supplementary Guidance provides information that will be needed for the consideration of the effects of planning and development on bats.

The detail outlined includes information about bats, how to identify bat roosts, the types of developments which usually require bat surveys, what information is required in the survey, and what happens once the survey is complete.

2. General Information about Bats

As the main predator of night-flying insects, bats are of major ecological importance. Bat populations are considered to be a good indicator of the broad state of wildlife and environmental quality due to their sensitivity to pressures experienced by other species.

They are small animals that roost in a variety of places and can be found in colonies, small groups or singly.

They do not usually damage property.

Bats require many different roosts depending on different conditions at different times of the year.

There are 17 resident bat species found in the UK, where 9 are found in Scotland.

The most common species which can be found in Aberdeen include the Common and Soprano Pipistrelle bats, and less frequently are the Brown Long-eared and Daubentons bats. Other species may be present and changing weather patterns may result in more species being discovered in north-east Scotland.

Bats have declined significantly. This is mainly due to the loss of suitable roost and feeding sites, reduced insect prey as a result of pesticide use, and mortality due to the use of highly toxic timber treatments in house roosts. Many species of bats are either threatened or endangered.

3. Bats and Legislation

Bats are European Protected Species (EPS) and are protected by European, UK and Scottish Law. The main piece of the legislation in the

UK for the protection of bats is the **Conservation (Natural Habitats, &c.) Regulations 1994 (as amended)**. These Regulations transpose the requirements of the EU Habitats Directive (92/43/EEC) and aims to protect and maintain the conservation status of EPS in Scotland. The following is a brief summary of the legislation.

Under these Regulations it is an offence to either deliberately or recklessly: -

- Capture, injure or kill a wild bat;
- Harass a wild bat or group of bats;
- Disturb a wild bat in a structure or place (roost) it uses for shelter or protection;
- Disturb a wild bat while it is rearing or otherwise caring for its young (maternity roost);
- Obstruct access to a bat roost or otherwise deny the animal use of the roost;
- Disturb a wild bat in a manner that is, or in circumstances which are, likely to significantly affect the local distribution or abundance of that species; and
- Disturb a bat in a manner that is, or in circumstances which are, likely to impair its ability to survive, breed or reproduce, or rear or otherwise care for its young.

The following is also an offence: -

- Damage or destroy a bat breeding site or resting place (roost).

A roost is any structure or place used for shelter or protection. As bats tend to return to the same roost every year, roosts are protected regardless if bats are present or not.

4. Bats and Licensing

Scottish Natural Heritage (SNH) - In some circumstances, actions that are otherwise an offence can be carried out under a licence. SNH has a power to grant licences for scientific, educational or conservation purposes including surveys.

Further information on licensing from SNH can be found at: -
<http://www.snh.gov.uk/protecting-scotlands-nature/species-licensing/mammal-licensing/bats-and-licensing/>

Scottish Government - The Scottish Government can grant licences in relation to bats for public health or public safety reasons for example.

Where an impact on bats cannot be avoided, the Scottish Government will only grant a licence if the proposal satisfies all 3 of the following tests:-

1. A licence may be granted 'to preserve public health or public safety or for reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'.

If this is satisfied 2 further tests must be satisfied: -

2. That there is no satisfactory alternative to the granting of a licence; and
3. That the action authorised will not be detrimental to the maintenance of the population of the EPS concerned at a favourable conservation status in their natural range.

The Scottish Government will not issue a licence unless the 3 tests, which ensure that the local bat population is not unduly threatened, have been met.

The Scottish Government will consult with SNH and, if the proposal requires planning permission, the Local Planning Authority. Please note that licences will not be granted until any planning position has been resolved.

Further information on licensing can be found from the Scottish Government on the 'European Protected Species, Development Sites and

the Planning System - Interim guidance for local authorities on licensing arrangements, 2001' at: -

<http://www.scotland.gov.uk/Resource/Doc/158490/0042962.pdf>

5. Bats and Land Use Planning

The presence of a bat roost, even when bats are apparently absent, is a material consideration when a planning authority is considering any development proposal.

Developers should consider the presence of bats and roosts at the beginning of the planning stage. Contact your Local Planning Office for more guidance on bats at the start of planning your development (see section 13 'Further Information' on page 13).

Scottish Planning Policy states that in relation to the presence or potential presence of EPS, this presence rarely imposes an absolute block on development, however, mitigation measures are often required which may affect the layout, design and timing of works.

Planning permission must not be granted for development that would likely have an adverse effect on an EPS unless the Local Planning Authority is satisfied that 3 tests have been met (see section 4 'Bats and Licensing' on page 3).

Applicants should submit supporting evidence for any development that meets these 3 tests, demonstrating both the need for the development and that a full range of possible alternative courses of action have been properly examined and none found to acceptably meet the need identified.

The **Local Development Plan** and **Structure Plan** (or **Strategic Development Plan**) must be referred to as they contain policies to protect priority habitats and species.

The **UK Biodiversity Action Plan** notes all bat species as 'Species of Conservation Concern', while seven are 'Priority Species'. The Priority Species are the Barbastelle; Bechstein's; Noctule; Soprano Pipistrelle; Brown Long-eared; Greater Horseshoe; and Lesser Horseshoe.

There is a **North East Scotland Local Biodiversity Action Plan** for the Daubentons bat.

Table 1 shows the list of bats species currently found in Aberdeen and their protection status.

Table 1: Bat Species in Aberdeen and their Protection Status.

BAT SPECIES	EPS	SCC	PS	NELBAP
Brown Long-eared	●	●	●	
Common Pipistrelle	●	●		
Daubentons	●	●		●
Soprano Pipistrelle	●	●	●	

EPS: European Protected Species
 SCC: Species of Conservation Concern
 PS: Priority Species
 NELBAP: North East Scotland Local Biodiversity Action Plan

When an application for development is received and it is suspected that a bat roost is present, **the Local Planning Authority should request a bat survey to establish the impacts on bats before the planning application is determined.**

A bat survey cannot be included as a condition of Planning Approval but must be completed prior to granting planning permission. This is a requirement of the EPS legislation.

The Local Planning Authority can refuse planning permission under its duty to protect EPS.

6. Identifying Bat Roosts

The types of places that bats roost include buildings such as houses, churches and schools. Other structures include bridges; caves; mines; cellars; tunnels; plus, holes and crevices in mature trees.

The main feature to look for is the presence of droppings. They are dark brown or black and are between 4 and 8mm in length; they resemble the size and shape of a grain of rice. Unlike mouse droppings, bat droppings crumble into a fine powder when pressed between the fingers.

Bat droppings may be found on the outside walls of buildings below holes where bats enter and leave their roosts. Piles of droppings can also be found below ridge boards, hips and around chimneys or gable ends.

The quantity of droppings should not be relied upon to establish the number of roosting bats. Bats can be tucked away in crevices, therefore, only a small amount of droppings may be seen or none visible at all.

As well as droppings, a specific odour and discarded moth wings can also indicate the presence of bats. A polished or clean surface where light enters along with the absence of cobwebs can also indicate an area regularly used by bats.

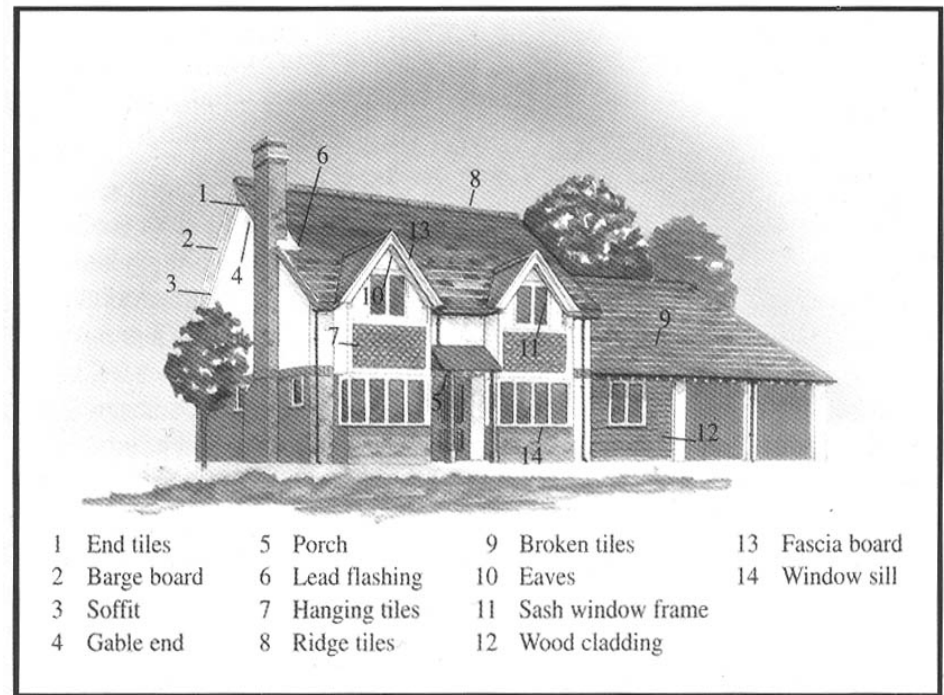
Summer roosts, frequently in buildings, are generally close to good feeding habitat and rich in insects. Good habitats include grassland, wetland, rivers and woodland.

With few insects around in winter, bats hibernate but wake occasionally to feed on milder evenings. Winter hibernation sites include caves, cellars, ice-houses, tunnels, bridges and other places which provide cool, stable conditions. Hibernating bats are very vulnerable to disturbance.

Tree holes can be used in both summer and winter.

The following Diagram 1 indicates areas in a house where bats may be found.

Diagram 1: Areas in Houses Where Bats May Be Found



Photograph Source: Scottish Natural Heritage (2003)

Wall cavities and flat roofs are also popular with Pipistrelle bats in Aberdeen.

Bats can be found in any kind of building old or new, and it is important to note that almost any roof or building, such as flat or pitched roofs, wall cavities and window frames, is a potential bat roost.

7. Establishing if a Survey is Required

As previously indicated, bats use a wide range of buildings, structures and trees as roosts and have different requirements at various times of the year (please refer back to section 6 'Identifying Bat Roosts' and Diagram 1 on page 8). **It is therefore difficult to predict accurately where bats are likely to be found.**

Development or demolition (where this requires planning permission) that would affect the types of buildings listed below may require a bat survey: -

- Any building or structure (domestic or non-domestic) with a known bat roost or where bats are known to be present. (This may be highlighted by a North East Scotland Biological Records Centre (NESBReC) data search or as notified by any competent authority (SNH) or other).
- Other than domestic homes, any constantly heated building such as residential homes, hospitals, schools and swimming pools.
- Traditional buildings including churches and castles, with complex roof spaces.
- Stone and slate buildings including farmhouses; steadings; estate lodges; gatehouses; mill buildings; and old school buildings with an intact or almost intact roof structure.
- Any building or structure close to freshwater and wetland habitats (such as rivers, burns, streams, ponds or wet grassland), woodland, hedgerows and/or lines of trees. This includes bridges and other structures over water features or wet ground.
- Underground and other structures such as tunnels, kilns, cellars, ice houses, or fortifications which provide stable winter temperatures can provide appropriate hibernation sites.

Buildings which are in a very exposed location by the sea with no suitable foraging habitat within 1km are unlikely to be used by bats and will not require a survey.

Other activities that may require a survey include proposed tree work (felling or lopping) and/or development affecting: -

- a. Old and veteran trees older than 100 years; and/or
- b. Trees with obvious holes, cracks or cavities; and/or
- c. Trees with a girth greater than 1m at chest height.

Young plantations of conifers are not likely to have bat roosts. Trees are more likely to be used by bats if they are linked by other trees or hedgerows to woodland or water bodies.

The Council's Geographical Information System (GIS) has an overlay which shows where bats have been noted in the City. Any development within these areas should be surveyed (see also Map **xx**).

It should not be presumed that bats will not be present outside these areas. Where development is proposed outside these areas, it will be up to the Local Planning Authority to determine if a survey is required or not.

If there are reports that bats have been seen flying over a site where development is proposed, this may mean that they are foraging in the area and will have a roost nearby. It does not necessarily mean that there will be a roost on the development site.

It is recommended that for outside known sites uses by bats, sightings can be used together with information on the type of building to be altered or demolished along with suitable habitat in the vicinity to determine whether a bat survey should be carried out.

Any sightings received from a member of the public should be passed to NESBReC to enable them to keep records up to date.

Remember, bats can be found in any structure and/or building both old and new if it is in the correct environment!

8. Survey Standards

Providing an adequate survey will save time in processing a planning application where bats may be affected.

Surveys must be carried out by a surveyor that is suitably experienced.

Surveys must be detailed, complete and the correct methodology must be used.

The minimum standard for bat surveys must be met, and any surveys which do not meet them, will not be accepted (full survey details are included in section 9 'Minimum Survey Details' page 13).

The following literature can also provide relevant survey standards: -

- a. Bat mitigation Guidelines – English Nature; and
- b. Bat Surveys Good Practice Guidelines – Bat Conservation Trust.

Surveys must be undertaken at the correct time of year. (See Diagram 1: Bat Activity Calendar.)

For householder applications and other small scale developments such as steading conversions, winter surveys may be acceptable to rule out the presence of bats but these will only be accepted where all relevant parts of the building can be adequately inspected.

If winter surveys find evidence of use by bats, or where they are inconclusive, a further survey during the summer months will be required to establish the extent of use and identify appropriate mitigation.

The survey and assessment should cover all phases of a phased development.

The Local Planning Authority will also liaise with NESBReC to obtain records of bat sighting and roost sites.

The following Diagram 1 presents the different activities by bats and at what time of year these activities occur. **Please note that unusual weather patterns can shift normal timings.**

Diagram 1: Bat Activity Calendar.

MARCH	APRIL	MAY	JUNE
Signs of limited activity: small numbers feeding on warmer nights.	Active and hungry. Become torpid ¹ again when cold.	Fully active. Females search for suitable nursery sites.	Young are born.
JULY	AUGUST	SEPTEMBER	OCTOBER
Mothers suckle young. Some young almost full-size; others still very small.	Females desert nursery sites and seek males. Juveniles begin catching insects.	Mating takes places. Fat begins to build up ready for winter.	More mating. Seeking suitable hibernation sites. Periods of torpor.
NOVEMBER	DECEMBER	JANUARY	FEBRUARY
Bats begin hibernation, becoming torpid for longer periods.	Hibernating.	Hibernating. Using stored fat as fuel.	Hibernating. Little fat left.

Mid May through to Mid August is the best time to carry out surveys.

¹ Torpid is when the body temperature lowers and the heart rate slows.

9. Minimum Survey Details

All surveys submitted for development proposals should include the following: -

1. Objectives of the survey.
2. Time and date of the survey, and who carried the survey out.
3. Brief descriptions of weather conditions at the time of the survey.
4. Description of the proposed works.
5. Sources of pre-existing information such as records from NESBReC or the National Biodiversity Network (NBN) together with local sightings of bats.
6. Description of the buildings (including type of structure and materials) and/or trees being surveyed and their suitability as a bat roost for all locally recorded species of bat.
7. Habitat description of the site and surrounding area for context. This should include information on exposure of the site, proximity to water courses and water features, trees/hedgerows/woodland or other semi-natural habitat.
8. Methods of survey i.e. dawn and dusk emergence survey or daytime inspection of building. Justification should be provided for the method of survey used and details of any equipment used.
9. Results of survey including sufficient evidence to justify conclusions in point 8 above. Results should include: -
 - Species present and approximate numbers;
 - Details found of signs of usage by bats; and
 - How habitats or features present are used by bats and an indication of level of use.
10. Interpretation and evaluation. These details should include: -
 - Presence or absence;

- Constraints and limitations on survey. This should include factors influencing the survey results such as temperature and weather, and any limitations on accessibility to areas of the building. Are any areas of the survey inconclusive, and if so, what is the worst case scenario?
 - Assessment of usage by bats including sex of bats present, type of roosts i.e. winter site or maternity roost, and approximate size of roost; and
 - Site status assessment – importance of roost to the local bat species population.
11. Impact assessment either at the time of development or long term. In order to assess this accurately, adequate information on the proposed development will have to be made available to the surveyor. If bats are present, a summary of impacts should be provided including details of type, magnitude and duration of long term and short term impact. This should consider impact at site level in a wider context.
 12. Mitigation and compensation – essential where bats are present and will be affected by the development. These details should include: -
 - Mitigation strategy – overview of how the impacts will be addressed with justification for timings of works if this is to be used to avoid disturbance to bats;
 - Roost creation or restoration and/or enhancement;
 - Exclusion – timing and methods;
 - Post development site safeguard and monitoring;
 - Work schedule with phasing; and
 - Relevant maps or plans or diagrams.
 13. References.
 14. Photographs and maps of key features of structure and surrounding habitat.
 15. Qualifications and experience of surveyor including relevant licences.

10. Once a Survey is Complete

When a detailed report is submitted and includes evidence of bats, the Local Planning Authority is likely to consult with SNH for specialist advice on the significance of impacts on the species and the likely effectiveness of any mitigation proposed.

The Council will then take the following action: -

- If no evidence of bats is discovered **AND** the survey has been completed in accordance with the guidelines above, no further action will be required.
- If a survey has been conducted during the winter and has reported suitable habitat for evidence of bats and is inconclusive, a further summer survey will probably be necessary **before** planning approval can be granted.
- If bats are present, appropriate action/mitigation will need to be discussed and agreed with the Local Planning Authority prior to the granting of planning permission.
- Where a direct impact on bats cannot be avoided, the developer will be advised to apply for a licence from the Scottish Government (see section 4 'Bats and Licensing' page 3).

11. Conditions or Obligations

Conditions or obligations can be imposed to highlight the applicant's legal responsibilities and give clear guidance on how to give protection to bats. Examples, which will depend on the individual situation, can include: -

- Restrictions on the timings when work can take place if a bat roost is present;
- Use of building materials such as bat bricks or special tiles which provide access points for bats;
- Management prescriptions to be agreed for habitats adjoining the development, e.g. grassland, scrub, woodland, hedgerows; and
- The creation of feeding habitats adjoining the development, e.g. grassland, meadows, large ponds.

12. What You Can Do To Help Bats

You can make your development bat friendly by incorporating provision for roosting and feeding. Bat boxes, placed on trees or buildings can attract bats. Bat bricks and bat slates into your house will allow access into the roof space. Landscaped gardens can be more bat friendly by including hedges, trees, ponds and night-scented flowers to attract insects for bats to feed on.

Demonstrating that this has been considered could form an important element of your planning application. More information can be obtained from the Bat Conservation Trust (see section 14 'Other Useful Contacts' page 17).

Remember, even if you do not require planning permission for any works on a building, or a survey has not been conducted, if you at least suspect the presence of bats, you must stop works immediately and seek the advice of SNH.

13. Further Information

Local Planning Office

Aberdeen City Council
St. Nicholas House
9th Floor
Broad Street
ABERDEEN, AB10 1GY

Tel: 01224 523470

Email: pi@aberdeencity.gov.uk

Web: www.aberdeencity.gov.uk/planning

14. Other Useful Contacts

Scottish Natural Heritage

Inverdee House
Baxter Street
Torry
ABERDEEN, AB11 9QA

Tel: 01224 266500

Email: grampian@snh.gov.uk

Web: www.snh.gov.uk/planning-and-development

Scottish Government

Species Management Team, Landscape and Habitat Division

Tel: 0131 2446549

Email: specieslicensing@scotland.gsi.gov.uk

Web: <http://www.scotland.gov.uk/Topics/Environment/Wildlife-Habitats>

Bat Conservation Trust

Tel: 0845 1300 228

Email: enquiries@bats.org.uk

Web: www.bats.org.uk



Supplementary Guidance

Topic: Buffer Strips Adjacent To Water Bodies

Reference Number:

Contents

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1. Introduction

A buffer strip is an area of land maintained in permanent vegetation that helps to control soil and water quality and has other environmental benefits.

Buffer strips alongside all types of water bodies are important in protecting and promoting biodiversity and in improving water quality and run-off.

The effectiveness of a buffer strip will be influenced by the width of the buffer, its characteristics and how it is managed.

2. Legislation

Buffer strips will help to achieve the Water Framework Directive's statutory aim of good ecological status of our water environment by 2015.

The Water Framework Directive is transposed into Scottish legislation through the Water Environment and Water Services (Scotland) Act 2003 (WEWS Act).

The Water Environment (Controlled Activities) (Scotland) Regulations 2005 (CAR) brings into effect the requirements of section 20 of the WEWS Act for controls over certain activities for the protection of the water environment. These can include: -

- a. Activities liable to cause pollution of the water environment;
- b. Abstraction of water from bodies of surface water or groundwater;
- c. The construction, alteration or operation of impounding works in bodies of surface water;
- d. Building, engineering or other works in, or in the vicinity of, any body of inland surface water; or
- e. Activities connected with any activities specified in paragraphs (a) to (d).

3. The Value of Buffer Strips

Buffer strips alongside water bodies are valuable for the following reasons: -

- They reduce run-off into water bodies by storing water and releasing it more slowly, and therefore reducing flooding.
- They are essential in allowing access for the maintenance and inspection of water bodies, and for dealing with pollution incidents;
- They provide space for natural fluvial processes such as channel shape and planform¹ adjustment which help restore and maintain the natural dynamic balance of river systems and associated habitats;
- Vegetation stabilises banks and reduces soil erosion;
- They provide a habitat for plants and animals and can form part of a habitat network;
- They provide opportunities for access;
- They can help to improve water quality by filtering run-off before it enters the water body;
- They provide opportunities to undertake restoration of straightened or realigned water bodies in the future; and
- They improve the visual landscape of the area.

Buffers strips can contribute towards open space allocations.

¹ The outline of the river viewed from above.

4. Recommended Width of Buffer Strips

The optimum width of a buffer strip adjacent to water bodies will be affected by the width of the water body, site conditions and topography.

Buffer strips should be proportional to the bed width of the water body and should be a **minimum of 6m with up to 20m+ on either side** for larger water bodies such as the Rivers Dee and Don (see Table 1). The general rule is that the bigger the water body, the more space will be required for restoration.

Semi-natural Habitat - if present and adjacent to a water body (e.g. riparian woodland), the whole of this habitat should be protected, regardless of width.

Steeply sloping ground – run-off will be faster and a wider buffer will be required.

Straightened/realigned water bodies - where there are opportunities to undertake restoration of straightened or realigned water bodies, a wider buffer may be required.

Still water – for example, lochs and ponds, the margin should be between 6m and 20m wide, depending on the size of the water body with larger areas having a wider buffer.

Ditches – for smaller ditches there is some discretion to reduce the buffer strip to a minimum of 3m depending on requirements for access for maintenance.

Bridge abutments - where possible bridge abutments must be a sufficient distance back from a river bank to allow for future river movement, and where appropriate access under the structure.

Areas at risk of disturbance by fluvial processes will require a geomorphological assessment in order to assess the appropriate buffer strip.

The following table 1 is supported by the Scottish Environment Protection Agency (SEPA) and Scottish Natural Heritage (SNH).

It provides guidelines only, as the width will be dependent on site size, plus, other conditions such as the nature and topography of the surrounding land.

Table 1: Guidelines for Width of Buffer Strips

Width of water Body	Width of Buffer Strip
Less than 1m	6m buffer
1-5m	6-12m
5-15m	12-20m
15m+	20m+

The Scottish Planning Policy states that development should not be permitted where there is a significant probability of it being affected by flooding, increase the probability of flooding elsewhere, or affect the storage capacity of a functional flood plain. This overrides the buffer width recommendations made in this supplementary guidance.

Further information on buffer widths can be found on the Forestry Commission's 'Forests and Water Guidelines' (page 25, 'Riparian forestry and buffer areas') at: -

[http://www.forestry.gov.uk/PDF/fcgl002.pdf/\\$FILE/fcgl002.pdf](http://www.forestry.gov.uk/PDF/fcgl002.pdf/$FILE/fcgl002.pdf)

Or on the Scottish Executive's 'Prevention of Environmental Pollution From Agricultural Activity' (PEPFAA) 'A Code of Good Practice' at: -

<http://www.scotland.gov.uk/Resource/Doc/37428/0014235.pdf>

5. Creating a Buffer Strip

The characteristics of a buffer strip will influence its effectiveness.

During the development phase buffer strips should be fenced off and vegetation should be left undisturbed and this is particularly so where wetlands, woodland, grassland or other semi-improved habitats are present. Only in exceptional circumstances should the vegetation within a buffer strip be removed, and only then for landscaping if required.

Within a buffer strip, all works should be carried out in accordance with SEPA Pollution Prevention Guidelines.

If the land forming the buffer strip is arable or improved grassland, there may be some merit in sowing with a grassland or wildflower mix. This should be made up of indigenous species, where possible from a local source.

Some planting of locally native trees and shrubs can enhance a buffer strip and can help to stabilise banks and limit erosion. However, care must be taken to ensure that new planted areas do not cause hydraulic issues downstream in a river.

Overhanging trees create shade and the leaf litter can provide shelter and food for invertebrates. Care should be taken to avoid too much planting with at least 50% of the water body left open to sunlight during the summer when leaves are on the trees.

It is important to avoid gaps in buffer strips in order to provide continuity of habitat.

The creation of hard standing such as vehicle access track should be avoided within buffer strips as this will increase run-off, however, pedestrian access with permeable surfaces is generally acceptable.

6. Management of Buffer Strips

Management prescriptions will be site specific and should be included in any Landscape Maintenance Plan.

In general, the preference would be to leave buffer strips as natural areas with limited management of the vegetation. This will avoid build up of leaf litter, development of scrub, and in the case of rivers, risk of blockages in the channel downstream.

More intensive management of some areas may be appropriate for particular uses such as access and recreation.

Wherever possible buffer strips should be retained with open space for the development to ensure long term protection.

Further information on creating and managing buffer strips can be found at SEPA's Good Practice Guide for 'Riparian Vegetation Management': -

http://www.sepa.org.uk/water/water_regulation/guidance/engineering.aspx

7. Further Information

Local Planning Office

Aberdeen City Council
St. Nicholas House
9th Floor
Broad Street
ABERDEEN, AB10 1GY

Tel: 01224 523470

Email: pi@aberdeencity.gov.uk

Web: www.aberdeencity.gov.uk/planning

8. Other Useful Contacts

Scottish Natural Heritage

Inverdee House
Baxter Street
Torry
ABERDEEN, AB11 9QA

Tel: 01224 266500

Email: grampian@snh.gov.uk

Web: www.snh.gov.uk/planning-and-development

Scottish Environment Protection Agency

Inverdee House
Baxter Street
Torry
ABERDEEN, AB11 9QA

Tel: 01224 266600

Web: www.sepa.org.uk

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Supplementary Guidance

Topic: Children's Nurseries and Sports Facilities

Reference Number:

Local Development Plan Policy CF2 on New Community Facilities explains that proposals for private children's nurseries or sports facilities shall be subject to supplementary guidance.

Supplementary Guidance on PRIVATE CHILDREN'S NURSERIES

There has been an expansion in the level of private nursery school provision in recent years and it is considered that policy guidance is required to provide advice on where such developments would, and would not, be acceptable.

Supplementary Guidance Policy on PRIVATE CHILDREN'S NURSERIES
New private nurseries should be located on sites which offer safe access, particularly for pedestrians and cyclists, and are within easy reach of public transport. Proposals for private children's nurseries will generally be acceptable in residential areas (Policy H1) or in mixed use areas (Policy H4) so long as the following criteria can be met:

- 1.** Housing is the predominant use in the area;
- 2.** Where conversion of a residential property is proposed, the nursery will occupy no more than one floor of a two storey house or 50% of any other house. The rest of the house shall remain in residential use.
- 3.** There shall be safe, lit pedestrian access, safe access for vehicles to drop off and collect children, adequate car parking and traffic impact issues should be resolved,
- 4.** The proposal does not prejudice other Local Development Plan policies. Approval, however, will not normally be granted if:-
 - a.** A flatted property is to be used;
 - b.** The proposal is within the countryside (including green belt and special reserve land) unless a particular local need exists.
 - c.** The proposal is within primarily industrial land unless an adequate level of amenity can be created, any other aspects of business and industry policies are not adversely affected and that the proposal complies with Local Development Plan Policies 68 and 69.

Supplementary Guidance on SPORTS FACILITIES

Regard should be taken of environmental and amenity considerations in dealing with proposals for sports facilities. Where green space is being developed, an alternative area should be made available in or immediately adjacent to the same community and should provide similar or improved benefits to the replaced area in line with the Local Development Plan policy on Urban Green Space.

Supplementary Guidance Policy on SPORTS FACILITIES
Sport and recreational facilities will be acceptable where it can be demonstrated that:-

- 1.** They are not detrimental to the natural or built environment or to residential amenity;
 - 2.** Locations are accessible to the catchment population, giving priority to walking, cycling and public transport;
 - 3.** Public access arrangements can be maintained, enhanced or, where appropriate, provided in a convenient location in the vicinity of the development;
 - 4.** The impact of floodlighting and appearance of any associated structures would not adversely affect the amenity of nearby residential properties or the character of the area; and
 - 5.** They meet the objectives of Aberdeen's Playing Pitch Strategy.
- Existing sport and recreation facilities shall be retained unless they are being replaced by an improved facility.



Supplementary Guidance

Topic: Design Review Panel

Reference Number:



Design Review Panel

January 2010



1. Background

1.1 Why Design Review?

The Design Review process embraces the new Modernising the Planning System agenda, which places greater emphasis on addressing issues earlier in the process, particularly at pre-application stage.

The Scottish Government is striving for high quality design in all new developments, which is apparent from publications such as Designing Places and Designing Streets, along with the Planning Advice Notes on Design Statements and Masterplanning. The Government also emphasise the importance of raising design awareness and improving skills with the focus and priority needing to be given to improving the design quality of new developments proposals.

The approved Aberdeen City and Shire Structure Plan (August 2009) makes it clear, that in order to improve the quality of developments in the north east, a design review process for masterplans and the most significant planning applications is required.



2. Introduction

2.1 What is a Design Review and what is the value of the process?

In order to raise awareness of design in the North East, a Design Review Panel has been set up. There needs to be improvements made to the quality of the built environment by securing well designed places and buildings that respect and contribute positively to their settings, promote aspiration, provide a sense of place, and use resources efficiently. The panel will consider a range of schemes (including masterplans and major applications) that are significant because of size, impact, public interest, location or set new standards for the future.

The Design Review will offer constructive and objective advice at an early stage in the process which should lead to a better output and a stronger working relationship between all those involved. The advice given will draw on professional knowledge and experience within a local context, offering the opportunity for comprehensive evaluation of development proposals. It should be noted that some schemes may be considered as good design, and therefore may not require any changes. This process is most effective at the pre- application stage when there is still time for changes and discussions. It should be noted that the Design Review Process does not supersede or prejudice the planning process.

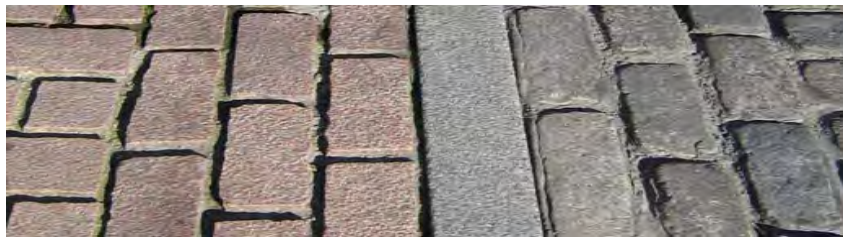


3. Design Review Panel

3.1 Panel Composition

The review team will be voluntary and chaired by the local authority Head of Service. The Chair will not contribute to discussions but will ensure that the review and discussions stay on track. In addition to the Chair, there will be a Design Review Manager. Relevant Planning Case Officer(s) will also be invited to attend the Design Review to provide a brief policy background. At the end of the review the Chair will provide a summary of points made.

The panel will consist of professionals from both the public and private sectors, chosen from areas of expertise relevant to each project. Panel member backgrounds will include relevant areas of knowledge such as Architecture, Urban Design, Landscape, Public Art, Community Engagement, Planning and Infrastructure. Knowledge of the local area is desirable. Each Panel will be composed of around 6 people, drawn from a pool of up to 20 members. Panel members must be able to offer a maximum of 6 days annually to attend panel meetings and associated site visits.



3.2 Appointment of Panel Members

Panel Members will be representatives from organisations. They will have expertise and a track record of achievement in one or more relevant professional fields, with the ability to offer objective, clear and independent advice. Prior to the appointment, panel members must confirm they are aware of what is required of them. The Panel membership will be reviewed on a 2 year cycle and additional skills may be recruited in the future where necessary.

3.3 Finance

The design review and the rest of the process is free to the proponent. The panel will be entirely voluntary with meeting accommodation and subsistence being the only cost implications for the local authority.



4. Design Review Procedure

4.1 Proposal of Schemes

Projects can be referred to the panel by the planning authority or any member of the project team. Referral of the project is encouraged as early as possible in the process, before a planning application has been submitted. Sufficient information on the proposal must be submitted, to allow the Design Review Manager to determine whether a review is appropriate.

4.2 Panel Meetings

The Panel will meet on a regular basis, approximately one morning every month, to coincide as best as possible with the Planning Committee cycles. Meetings will be timetabled at the start of every year, and held in a suitable location that can support presentations. The Panel will normally discuss between 1 and 3 projects at each meeting (dependent on the size of the project).

4.3 Projects for review

Projects to be considered will be circulated to panel members in advance. Any conflict of interest must be declared to the Design Review Manager (see guidance note). Prior to the meeting, the proponents will be required to complete a Pro-forma to brief panel members with background information. Where practical and appropriate the site will also be visited.

4.4 Review Minutes / Reports

Minutes of the meeting are taken by an Administrative Assistant, and then drafted to form a report. The draft report is then circulated to members of the Panel for agreement, before circulation to the proponent and/or publication. A report will be circulated within 10 working days of the Design Review meeting, outlining the panel's views and, if necessary, offering constructive advice on how the scheme might be improved. The report produced will reflect the general views of the panel and not any individual panel representative.

Where the scheme is already in the planning system, reports will be displayed on the website. If the review is at pre application stage, it will be subject to confidentiality procedures. (see guidance note)



5. Presentation to the Panel

These notes provide general background and advice to those making a presentation to the panel. It is essential the information presented is as comprehensive as possible in the time given, to allow the panel to make beneficial comments. The Design Review should occur during the Pre-Application Consultation process.

5.1 Prior to review

Prior to the review, the following background information on the project must be submitted to the Design Review Manager for circulation with the agenda:

- Written scheme description (pdf), including information described under 5.2 below, which will be included in the agenda to brief panel members (and other attendees) in advance of the meeting.
- Hard copies of drawings which will be used during the review presentation (along with copies in electronic format restricted to 5 Mb or less). NB if design has moved on since submission, these can be superseded on the day of the review.
- Names and roles of those who will attend the review.

5.2 At the Review

It will be the responsibility of the team backing the proposal to provide a presentation lasting a maximum 15 minutes, using appropriate illustrative materials (see list below). The review panel works best where there is an explanation the evolution of

the proposal combined with an appropriate level of detail demonstrating design, scale, massing, layout and context.

- Site and location plan within wider context
- Views (including views of the project in context)
- Photographs (aerial and site visits)
- Site Analysis (constraints and opportunities)
- Plans, sections, elevations, sketch and 3-d drawings
- Model(s), if appropriate
- Materials samples, if appropriate

Reviews will last approximately 1 hour, with a 15 minute break between submissions. The hour will be divided up as follows:

5 minutes	Introduction and policy background
15 minutes	Presentation by project team
35 minutes	Discussion
5 minutes	Feedback

5.3 After the Review

Developers and promoters of the proposals are encouraged to consider measures to accommodate the panel's suggestions and provide a written response to the points raised. This should be submitted with any subsequent planning application, forming part of the design statement. As part of the planning application process the case officer will evaluate the proposal in light of the review panel's findings and the way it responds to them. The Panel's views should be considered along with all other material planning considerations and not in isolation.

It is worth bearing in mind that some schemes may be considered as good design, and therefore do not require any changes.

6. Monitoring and evaluation

With appropriate follow-up evaluation, reports can highlight 'best practice' examples within the local context, aiding the determination of planning applications covering similar issues in the future. An annual performance review will determine if the advice given was acted upon and whether the scheme was better as a result. Furthermore, the result of the planning application process will be communicated back to the Review Panel.

It is important to review the process and procedures after 6 months, to address any issues that may have arisen or make any necessary amendments. This may include panel members, processes or reviewing the area covered by the panel.

7. Appendix

7.1 References

Aberdeen City and Shire Structure Plan
Scottish Planning Policy
Designing Places
Designing Streets
PAN 83 Masterplanning
PAN 68 Inclusive Design
PAN 67 Housing Quality
PAN 76 New Residential Streets.
Public Art Best Practice Guidance Note
Design Review Principles & Practice (CABE)
SHEP (Historic Scotland)

8. Further Information

More detailed information has been provided on protocol of meetings and possible conflicts of interest. These can be found on the website. **For further information or to enquire about submitting a scheme for the Panels consideration, please contact:**

Aberdeen City Council
Masterplanning and Design
9th Floor
St Nicholas House
Broad Street
Aberdeen
AB10 1GY

Aberdeenshire Council
Planning Policy & Environment
Woodhill House
Westburn Road
Aberdeen
AB16 5GB

www.aberdeencity.gov.uk

www.aberdeenshire.gov.uk

Tel: 01224 522246

Tel: 01224 664728

Email: design@aberdeencity.gov.uk



Appendix 1: Legal Issues

1. Conflict of Interest

Panel members and staff will be required to declare any conflict of interest in advance of meetings, based on either direct commercial interest or other non-commercial connections that might be considered by a third party. For example:

- Being involved in another scheme the proponent is putting forward for review.
- Being involved in a related project with bearing on the scheme being put forward for review.
- Being involved in a rival scheme.
- Involvement or member of another group which forms part of the scheme.
- Family relationship.

Any direct or indirect conflict of interest must be declared to the Design Review staff team. A decision will then be made by the Design Review Manager and the Chair as to whether the panel member should attend the meeting in question or not. Panel members' interests which have been declared will be recorded in the notes. Panel members may attend as part of the presenting team, however not any other part of the same meeting in their capacity as a panel member.

2. Confidentiality

The Design Review Panel undertakes to use its best endeavours to hold in confidence any information provided in the Design Review, subject to its obligations under law, including the Freedom of Information (Scotland) Act 2002.

Schemes that are received prior to a planning application being submitted will be dealt with in confidence until such a time as an application is received or the client/agent requests it be made public. The panels' comments regarding confidential schemes will be disclosed only restricted to the design team, the client, the Local Authority and the Design Review Panel members.

This information will be considered to be in the public domain and to be used in the decision making process when an application has been received.

3. Reserved Rights

The right to release comments on confidential schemes is reserved in the following circumstances:

- When the comments / views of the panel have been misrepresented.
- At a Public Inquiry.
- As a result of a valid Freedom of Information request.

Views expressed in the written letter of advice will not be attributed to individual panel members. Wherever possible the advice will be made available to the public.

Advice is given in confidence only where requested by the applicant and as part of the pre-application process.

Appendix 2: Protocol for Attendance

- 1 Membership of the Design Review Panel consists exclusively of groups, societies, and other organisations nominated by the Council.
- 2 When a representative is unable to attend a Panel meeting, it is their responsibility to send another representative or to submit an apology.
- 3 Where any representative has direct or indirect interest in the project (see below) then that individual should not attend the whole meeting. Compromising factors are:-
 - (a) Where that individual will take part in one of the presentations.
 - (b) Where that individual is closely associated with any of the presenters eg as an employee, work colleague, or as a relative.
 - (c) Where apart from the specific remit of their organisation, that individual has a financial or other interest in the development under discussion.
- 4 Should there be other reasons why the representative wishes to attend the meeting in question, this may be arranged at the discretion of the Chairperson.

The panel must also adhere to the seven principles of public life:

1 **Selflessness**

Recommendations should be made by the panel members solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

2 **Integrity**

Panel members should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

3 **Objectivity**

Panel members should always make decisions purely on merit.

4 **Accountability**

Panel members are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

5 **Openness**

Panel members should be as open as possible about all the decisions and actions that they take.

6 **Honesty**

Panel members have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

7 **Leadership**

Panel members should promote and support these principles by leadership and example.

Appendix 3: Roles and Responsibilities

1. The Chair will:

- Chair meetings.
- Provide a short summary of planning issues.
- Facilitate the Panel's discussion, and not allow individual opinions to dominate.
- Sum up the discussion with a short summary of points raised, reflecting the consensus view.
- Have the capability/ confidence to summarise what, at times, may be conflicting views.

2. The Design Review Manager will:

- Arrange contacts with external organisations, including the media.
- Decide on the proposals to be reviewed, and the composition of the Panel.
- Seek out projects for Review.
- Respond to FOI requests.
- Ensure presenters provide relevant information prior to and at the review
- Contribute to panel discussions.
- Prepare a written report to summarise the points raised.
- Keep well documented records of projects, processes and comments, and, ensure that there is adequate storage space for submission presentation materials.
- Provide feedback on how projects have developed since the Review.
- Monitoring and evaluation

3. The Panel Members will:

- Participate in approximately 6 review meetings per year, along with site visits where appropriate.
- Provide constructive, timely and objective advice, relevant to their expertise.
- Voice opinions and advice in front of the presenting team.
- Participate in a trial review meeting to familiarise themselves with the rules and process.

The panel will include members from:

RTPI

RIAS

RICS

Robert Gordons University

Landscape Institute

Historic Scotland

Scottish Natural Heritage

(this is not an exhaustive list - other members will be considered)

4. The Administrative Assistant will:

- Arrange the Panel's meeting places and times.
- Provide an agenda for meetings, with draft list of Panel members, 3 days prior to meeting.
- Take minutes of meetings.
- Arrange possible site visits.
- Circulate written reports



Supplementary Guidance

Topic: Gypsy and Traveller
Sites

Reference Number:

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1. Introduction

1.1 It is widely accepted that there is a national shortage of authorised sites for Gypsies and Travellers. This has led to an increasing incidence of both unauthorised encampments and has sometimes created tensions between Gypsies and Travellers and the settled community. The supply of authorised sites, in appropriate locations, will help address the cycle of eviction that can be costly, and does not address the underlying need for a home.

1.2 While they have yet to be legally recognised as a separate racial group, the Scottish Government formulates policy around the idea that Gypsies and Travellers are a racial/ethnic group in their own right. The term 'Gypsies and Travellers' includes Scottish Travellers, Irish Travellers, Roma/Romany, English or Welsh Travellers and those who identify as Gypsy Travellers/Scottish Gypsy Travellers. It excludes Occupational Travellers (Travelling Show People/Show Travellers or Circus People) and New Age/New Travellers.

1.3 Scottish Planning Policy also recognises that Gypsies and Travellers have specific housing needs, often requiring sites for caravans and mobile homes. The needs of all Gypsies and Travellers for appropriate accommodation have been considered through the Housing Needs and Demand Assessment. Given the typically transitory nature of Gypsies and Travellers, provision should be made for those communities which are in an area already and those who may arrive at a later date. Scottish Planning Policy requires authorities to identify suitable locations for meeting the needs of Gypsies and Travellers and set out policies about small privately owned sites.

1.4 Aberdeen City Council, Aberdeenshire Council and Moray Council jointly appointed Craigforth research to undertake an accommodation needs assessment for Grampian. The research found that pitch provision in Aberdeen was adequate, but recommended providing one alternative permanent site in Aberdeen for 6 to 8 pitches, 1 to 2 halting sites for high pressure areas, to be provided between Aberdeen and Aberdeenshire, and allowance for the development of private sites.

1.5 This process provides equity between Gypsies and travellers and the settled community, because we follow the same process for other types of housing need and homelessness. By not providing for the identified need Gypsies and Travellers may have to resort to unauthorised sites, which, aside from the tensions this causes, is equivalent to homelessness.

2. Local Development Plan Policy

Site Allocation

Permanent and Halting Sites

2.1 Within the Local Development Plan there is a requirement for the larger developments to contribute towards the provision of Gypsy and Traveller sites. Local Development Plan Policy **H8** states:

Policy H8 – Gypsy and Traveller Requirements for New Residential Developments

Sites listed below are required, as a part of the 25% affordable housing contribution, to make contributions towards the provision of sites for Gypsies and Travellers. The contribution will be for a small site of 6 pitches, with a net area of approximately 0.5ha.

Site
Grandhome
Newhills Expansion (Craibstone, Rowett South and Greenferns Landward)
Countesswells
Greenferns SHLR
Loirston

Within Grandhome, the Newhills Expansion and Loirston above, the provision must be provided on-site. Further guidance on the delivery of sites for Gypsies and Travellers is contained within Supplementary Guidance.

2.2 This policy will help to address shortages of site provision for Gypsies and Travellers. This provision is to be sought through negotiations to provide affordable housing within large new build developments. The contribution provided by each site equates, based on a density of 30 dwellings per hectare, to approximately 15 affordable units. Therefore, this provision would be subtracted from any affordable houses required to meet the provisions of policy X of the Local Development Plan.

Private Sites

2.3 Policy **H7**, below, sets the principle of development for Gypsy and Traveller sites. If a newly arising need can be proven and the relevant criteria can be satisfied then proposals for Gypsy and Traveller sites will be approved in principle.

Policy H7 Gypsy and Traveller Caravan Sites

Sites for Gypsies and Travellers seek to provide a residential environment and follow the same principle as mainstream housing developments. Applications for permanent or halting sites for Gypsies and Travellers will be approved in principle if they:

- Access to local services and schools can be provided.
- The development can be made compatible with the character and appearance of the surrounding area through appropriate landscaping and screening and does not negatively impact on the local environment or economy.
- The development makes provision for essential infrastructure such as water, sewage disposal and electricity. Provision of electricity and heat through sustainable means will be encouraged.
- It can be demonstrated that the site will be properly managed.

2.4 The development of sites for Gypsies and Travellers will be assessed in the same way as applications for the settled community. There is no requirement to justify demand, but the site must be suitable in planning terms, which are the relevant criteria contained within the policy. In addition to this all the other policies in the plan must also apply to the development. For clarification there will be no exception for the development of sites for Gypsies and Travellers in the Greenbelt.

2.5 In order to encourage private site provision, the Council will offer advice and practical help with planning procedures to Gypsies and Travellers who wish to develop their own land. It is strongly recommended that Gypsies and Travellers consult the Council's Planning and Sustainable Development Service on planning matters before buying the land on which they intend to establish any caravan site, for which planning consent will be required.

3. Designing Sites

Permanent Sites

3.1 Where possible, sites should be developed near to housing for the settled community as part of mainstream residential developments. Office of the Deputy Prime Minister (now Communities and Local Government) *Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites* provides advice on site location and selection. The factors that are important for the sustainability and suitability of a site are:

- Means of access, availability of transport modes and distances from services.
- Promotion of integrated co-existence between the site and local community.
- Easy access to General Practitioner and other health services.
- Near to a bus route, shops and schools.
- Suitable ground conditions and levels of land.
- Not locating sites in areas of high flooding risk.

- Visual and acoustic privacy, and have characteristics which are sympathetic to the local environment.
- When selecting locations for permanent sites, consideration needs to be given to the relatively high density of children likely to be on the site.

3.2 Sites should not be identified for Gypsy and Traveller use in locations that are inappropriate for ordinary residential dwellings, unless exceptional circumstances apply.

Spacing and layout of site

3.3 For practical reasons, caravan sites require a greater degree of land usage per household than for smaller houses. Gypsy and Traveller sites should be designed to provide land per household that is suitable for:

- One mobile home
- One touring caravan
- Access to a utility building
- Space for parking
- Easy manoeuvrability of vehicles

Boundaries and landscaping

3.4 Where a site may be located near an industrial area or process, or a main road, fencing and planting may be used to screen out unpleasant characteristics. A range of different boundaries may be used including fences, low walls, hedges and natural features. The aim should be to achieve a boundary that is sympathetic to, and in keeping with, the surrounding area. Boundaries can also be used to provide shelter for more exposed sites.

3.5 There is a need to provide privacy and a sense of security for the site. However, more open boundaries may be used in residential areas so as to promote integration and inclusion with the surrounding community. There is a need to strike a balance between providing privacy and security for the site residents and avoiding a sense of enclosure through, for example the use of high metal railings.

Health and Safety

3.6 When designing the layout of a site, careful consideration must be given to the health and safety of residents, and in particular children, given the likelihood of a high density of children on the site and relatively high levels of vehicle ownership amongst some groups of Gypsies and Travellers for towing caravans and employment purposes.

3.7 It is important to ensure that appropriate traffic calming measures are considered for all sites. Care should be taken when introducing speed humps and other measures, particularly to existing sites, to ensure that appropriate drainage is accommodated within the scheme to allow for the effective passage of surplus water.

3.8 Clear and effective signage should be introduced where a speed restriction or other traffic calming measure is to apply. Similarly, clear

3.9 The need for separate vehicular/pedestrian access should be considered.

Access for Emergency Vehicles

3.10 It is essential that consultation with local fire and rescue service officers take place at a very early stage of designing a site. In designing a site, all routes for vehicles on the site, and for access to the site, must allow easy access for emergency vehicles and safe places for turning vehicles.

Play Areas

3.11 It is recommended that the inclusion of a communal recreation area for children of all ages is considered where suitable provision is not available within walking distance on a safe route or using easily accessible public transport, and for larger sites. Specially designated play areas should be designed where possible in consultation with children and parents, to ensure they provide equipment which will be best used, together with the site manager in view of ongoing maintenance issues.

Mix of uses

3.12 Where significant commercial or other work activity is still envisaged for a site it is very important to ensure that the site is delineated so that residential areas are separated from areas for commercial or work use.

Infrastructure Requirements

3.13 The following services should be provided on site:

- Mains water supply, suitable for drinking, to be provided for each pitch on the site, sufficient to meet the reasonable demands of residents. Water pressure must be sufficient to enable the use of fire hydrants by the emergency services which should be at a convenient place near to the front of the site. Provision of an outside tap on each pitch is strongly recommended
- The provision of mains electricity to each pitch is essential, sufficient to meet the reasonable requirements of the residents, and with separate meterage for each pitch.
- Consideration may be given to providing more than one electricity and water access point on each pitch to allow for trailers to be realigned either through resident's choice, family expansion or to cater for visitors.
- It is essential that gas installations, supplies and storage meet statutory requirements, relevant standards and codes of practice. Storage facilities compliant with health and safety regulations for Liquid Propane Gas cylinders must be provided. Since the guidance on storage is complex, developers and managers of sites are advised to see advice from their local environmental health services.
- Surface water drainage and storm water drainage must be installed.
- Wherever possible, each pitch should be connected to a public sewer.

- Appropriate lighting to enable safe movement, but minimise light pollution.
- Waste disposal scrap and storage.

Halting Sites

3.14 Halting sites, or temporary stopping places as defined by Communities and Local Government¹, accommodate intermittent needs for site accommodation for which a charge may be levied as determined by the Council. Sites for use as halting sites should be for a maximum of 6 pitches. They are not occupied all year around but may be made available at times of increased demand. The following section provides guidance on the development of temporary stopping places for Gypsies and Travellers.

Site layout and design

3.15 The road to and from the site must be of sufficient quality and size to enable access onto and off the site by heavy vehicles such as trailers. There must be a clear barrier around the emergency stopping place to discourage unauthorised expansion of the site. Each pitch should provide space for:

- One towing caravan
- One parking space
- Easy maneuverability
- Access to a utility building

Services and Facilities

3.16 It is essential that the following services and facilities are provided:

- A cold water supply to be provided for the use of site residents which may be by use of water standpipe.
- Portable toilets must be provided for the use of residents, with separate provision for men and women. There must be at least one portable toilets for every four households on the site.
- It is essential for a sewerage disposal point to be provided.
- Refuse disposal facilities must be provided.
- Drainage infrastructure.
- Appropriate lighting to enable safe movement, but minimise light pollution.

Health and Safety

3.17 The guidance for permanent sites applies.

Boundaries and Landscaping

3.18 Landscaping should be used to reduce the visual and noise impact from any adjacent uses and ensure that the site is inconspicuous and does not detract from the amenity of adjacent businesses.

¹ Designing Gypsy and Traveller Sites

Site Management

3.19 Successful Gypsy and Traveller sites are: In good repair, Clean and tidy, Quiet and peaceful, Residents like it there, Freedom to carry on lifestyle, People at ease and not frightened, Children in school, Health and other services available, Social cohesion, Well maintained for the use of residents, Not causing the local authority major expense or trouble.

3.20 Effective site management is vital to achieving these outcomes. And below is a list of the key steps in implementing an effective site management plan:

- Get to know the site and residents
- Identify and meet all other stakeholders
- Agree site management outcomes and objectives with stakeholders as far as possible
- Recruit the right staff to manage the site

3.21 There are various different methods of managing sites, especially for permanent sites and transit sites, but whatever the arrangement, there should be a named individual who lives on or regularly visits the site, acts as the landlord's direct, or at least initial, point of contact with the residents, and has a general responsibility for the day to day operation of the site. In the context of this guidance that first and local point of contact is referred to as the "site manager".

3.22 Gypsy and Traveller Site Management Good Practice Guide (Communities and Local Government) provides further guidance on Good Practice Site Management at:

<http://www.communities.gov.uk/documents/housing/pdf/1284475>

3.23 A security regime should be in place to protect the infrastructure of the site when empty. Unused and unprotected sites can be subject to anti-social behaviour and vandalism and steps should be taken to ensure that access cannot be obtained without the owner's knowledge. Facilities should be left non operational in such circumstances with mains water and electricity supplies shut down, and bottled gas etc stored away and protected from tampering and damage. Regular inspections should be made to ensure that the site and its facilities are in order and ready to be opened and operational again at short notice.

Mixed Planning Use

Some Gypsies and Travellers their businesses from the site on which their caravans are stationed. Where joint commercial and residential use is proposed for a site it is important that the compatibility of both these uses with the surrounding land uses is given careful consideration.

4. Guidance to Gypsies and Travellers making Planning Applications

4.1 Gypsies and Travellers have the same rights and responsibilities within the planning system as members of other communities. Planning permission is normally required for any changes of use of land. As with developments submitted by anyone the only times permission would not be required are;

- If the land has already been granted planning permission for a particular type of land use; OR
- The use of the land has been established over a period of time without valid planning enforcement action having been taken by the local authority. This time period is 4 years for a single dwellinghouse or building, engineering, mining or other similar physical works which do not represent a change of land use, or 10 years in all other instances.

Pre-application procedure

4.2 When looking for a site, Gypsies and Travellers should consider whether: there are any existing sites in the area (with planning permission) available to rent or buy; the Council know of your need for land and, if so, have they identified any sites that may be available.

4.3 If there are no suitable sites available, and you are looking to buy and develop a new site, there is a need to ensure that the site you select is suitable to be granted planning permission. Therefore, you should:

- Identify your area of search. Is the reason for your looking for a particular location due to family circumstances, work or other requirements?
- Identify if there are any suitable, previously developed (i.e. brownfield), sites available?
- Consider means of access
- Consider closeness to the main road network
- Consider ground conditions and levels of land
- Consider accessibility of schools and other facilities
- Consider the existence of landscaping
- Consider the capability of being further screened
- Consider the respect for neighbouring uses

4.4 Once you have identified a possible site contact the local planning authority. Then consider the local plan policy relevant to Gypsy and Traveller site use – you can get help from the local authority, who will explain their policies and handle your enquiries.

4.5 You should establish whether the site you are interested in is in the Green Belt or other area of special protection. Development in such areas is subject to stricter control and the likelihood of getting planning permission for any development is much lower than if the site were on “ordinary” land.

4.6 You should consider undertaking a local search to establish whether there are any restrictions (such as injunctions) on the use of the land. If there are no such restrictions you should consider whether the site meets some or all of the criteria set out in the Local Development Plan.

Making a Planning Application

4.7 You should make your planning application and wait for planning consent before you go on the site. Entering a site without planning permission can be a breach of planning control under the Town and Country Planning (Scotland) Act 1997 and may be subject to enforcement action. When making your application you should provide as much background information, which may include:

- The efforts you have made to find a site,
- Why you have selected the particular site and
- Details of all the people who plan to live on the site

Along with all the required information to make a planning application

4.8 Guidance on the application process can be found at:

http://www.aberdeencity.gov.uk/planning/pla/pla_planning_applications.asp

Or alternatively you can contact the Application Support Team at:

Application Support Team

Enterprise, Planning and Infrastructure

Aberdeen City Council

8th Floor St Nicholas House

Broad Street

Aberdeen

AB10 1BW

Phone: 01224 523470

Fax: 01224 636181

Email: pi@aberdeencity.gov.uk

4.9 Normally a Gypsy and Traveller site development will require a full application. As much detail as possible on the site, including layout, landscaping, access and number of caravans should be provided at the outset.

What happens next?

4.10 In the case of a major development the Council will normally make a determination within 4 months and for all other developments within 2 months. If you are refused permission, or the application has not been determined within the relevant time period you may appeal to the Scottish Ministers. The Scottish Ministers may uphold or dismiss the appeal, or reverse or vary any part of the decision of the planning authority. This can include amending a condition previously attached to the grant of consent.

4.11 You must submit an appeal within six months of the initial application being refused. Details on how to submit an appeal and how the appeal process works is available at:

<http://www.scotland.gov.uk/Topics/Built-Environment/planning/decisions-appeals/Appeals/Q/editmode/on/forceupdate/on>

4.12 Gypsies and Travellers should be aware of Planning Aid for Scotland, a national charity offering free, independent and professional advice and support on town planning matters to community groups and individuals. For general enquiries about Planning Aid for Scotland contact:

Planning Aid for Scotland
11a South Charlotte Street
Edinburgh
EH2 4AS
Telephone: 0131 220 9730
Fax: 0131 220 9735
Email: office@planningaidscotland.org.uk

References

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/circulargy psytraveller.pdf>



Supplementary Guidance

Topic: Harmony of Uses –
Residential, Licensed Premises
and Commercial Uses

Reference Number:

Harmony of Uses – Residential, Licensed Premises and Commercial Uses

This Supplementary Guidance (SG) covers many licensing and mixed-use issues within and outwith the City Centre. It provides guidance on the circumstances where development proposals for specific uses may be permitted in the City, as well as the issues that might need to be addressed when a proposal has the potential to conflict with neighbouring land uses.

Several issues are covered in this report:

- Hot Food Takeaways;
- Liquor Licensed Premises (with exceptions to hotels, restaurants, cafes and off-licenses);
- Street cafes;
- Amusement Centres and Arcades;
- Living/ Working Above or Below a Business; and
- Residential Developments in the City Centre

Objectives and Revised Policy Guidelines

This SG has taken into account relevant Local Development Plan objectives for the City, with special reference to the City Centre vision. Therefore, this SG is required to work within these objectives and vision to achieve a degree of balance where there may be potential conflict between these aims and development.

Hot Food Takeaways

Introduction

Proposals for hot food take-aways require to be given careful consideration as they raise sensitive amenity issues for neighbouring properties and land uses, for example the adverse effect of noise, smell and litter on residential properties. This is particularly the case with the City Centre, where hot food take-aways have continued to increase in number along with a similar rise in the provision of additional housing in the City Centre. Therefore, there are potential conflicts between the different uses which may give cause for concern.

It is proposed in this SG to use the term ‘hot food shop’ as the definition of a premises for which the main use is selling hot food for take-away, although such businesses may also operate as a restaurant/cafe. It should be noted, however, that the review is not intended to apply to restaurant/cafes where there is no substantial take-away element.

Background

Hot food shops have continued to multiply in number in the City and, since 1983, planning permissions has been granted for many new premises in the City Centre. In the same period a similar number of hot food shops have been refused planning permission. Some of these refusals were challenged by way of appeal and a proportion of these were sustained and received planning permission.

Relevant Local Plan Policies

Local Development Plan policies are an important factor in determining the merits of hot food shop proposals.

Outwith the City Centre

In Residential Areas, H1, in the Local Development Plan, uses other than residential will not be permitted unless these are regarded as complementary to residential use, such as community facilities, schools, open space, churches, local shops (Class 1) etc. Other activities which would include hot food shops will not be permitted unless the Council can be satisfied that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

In Mixed Use Residential Areas, H4, there is a presumption against the introduction of other activities including hot food shops, unless the development would cause no conflict with or any nuisance to residential amenity.

In assessing hot food shop proposals within town centres, district centres and neighbourhood centres, consideration will be given to whether or not a proposal will:

- make a positive contribution to the overall viability of a centre
- bring into use a vacant unit with consideration given to the length of time a unit has been vacant
- provide a locally required service
- retain an acceptable level of 'live' frontage
- be strategically situated within a shopping centre e.g. it is important that corner shop units provide live shop window displays to enhance the attraction of a shopping centre

Within the City Centre

Within the City Centre, applications for the introduction of Class 3 uses at street level are assessed for their likely effect on the vitality of shopping.

Along Union Street, proposals are assessed against the recommended minimum retail percentages as set down in the Council's 'Union Street Frontages Policy Guidelines'.

Within the City Centre Business District (CCBZ) there is a presumption in favour of retaining and developing commercial uses which includes the provision of restaurants.

Planning applications for hot food shops located outside these specified areas will be considered on their individual planning merits and will be assessed against any other relevant planning policies.

Role of Other Council Departments

The Council's Licensing Committee has responsibility for granting licences in terms of the Civic Government (Scotland) Act 1982. With regard to the sale of hot food, the Committee's responsibility is confined to the granting of late hours catering licences and street trader licences. Street trader licences are required where hot food is sold for take-away from mobile vans and trailers located in a public place.

Food premises, including hot food shops, are required to be registered with Environmental Health in accordance with the Food and Safety Act 1990. Officers of this Section can enter catering premises to ensure that the provisions of the Act are being fully complied with. Offences include the selling of food which has been contaminated by extraneous matter, is unfit for human consumption and fails to meet food hygiene standards.

Environmental Health also has statutory obligations under a range of pollution control legislation. With regard to hot food shops the main area of concern to that Section are noise, air and litter pollution. The Government has published a Code of Practice in accordance with the Environmental Protection Act 1990 which lays down standards of cleanliness with regards to litter and refuse. Residential amenity can be adversely affected by fumes and odours generated by hot food shops or noise generated by customers, particularly where premises are open after 11pm. In this respect Planning & Infrastructure is assisted by Environmental Health on the likely effect of noise and smell arising from hot food proposals.

Issues

Amenity

The impact on amenity, and in particular residential amenity, is one of the major issues raised by hot food shop proposals. Factors which can adversely affect amenity include noise, smell and litter.

Noise nuisance can arise from both within and outwith hot food shop premises and may be generated by traffic, playing of music from radios and juke boxes, the operation of cooking and ventilation equipment, groups of people etc. Noise can be particularly intrusive late in the evening.

Nuisance from smells derives mainly from cooking, especially where frying operations are employed. Unpleasant odours however may arise from rubbish awaiting collection.

The impact of litter is recognised as being significant to planning control and therefore relevant in terms of amenity. This is of particular relevance, given that it would be unrealistic to suppose that litter could be prevented even by a cleansing service or hot food shop litter patrol.

The impact of ventilation ducting, attached to the exterior of buildings can be visually intrusive. This is of particular concern where the appearance of Listed Buildings and Conservation Areas may be adversely affected and where ducting passes close to windows in upper floors of premises containing a lower floor hot food shop.

Residential amenity can be adversely affected by the clustering of hot food shops, particularly in the City Centre, which is a reflection of the commercial and business nature of the area. It is also the case that hot food shops in the City Centre are generally open later, as permitted by their late hours catering license. Whilst levels of residential amenity in the City Center, outwith residential areas, are not expected to match those of more peripheral residential areas, a reasonable standard of amenity at all times is highly desirable. This is essential given that the Council's housing policies have consistently sought to encourage housing as a prominent land use in the City Centre. The proximity of hot food shops to housing, however, can lead to conflict, particularly where late hours of opening are involved. The conflict can also be directly related to licensed premises in the City Centre, whose patrons provide much of the business for hot food shops, especially in the late evening and early morning.

Outwith the City Centre hot food shops generally seek to locate in district or local shopping centres. In many cases such centres are located beside or within residential areas. The importance of residential amenity in such areas is generally higher than for a City Centre location, especially if there are no other potential amenity conflicts such as licensed premises or a busy road.

Traffic and Parking

Hot food shops attract a proportion of car borne customers, for which there is rarely adequate on or off-street parking available nearby. The consequence of this is often badly or illegally parked vehicles which can block visibility for both drivers and pedestrians, interfere with traffic signal controlled junctions and reduce the capacity of main roads. A major issue here is the threat to road safety. The attraction of car borne customers can also be to the detriment of residential amenity through noise, particularly in cases of late opening and through overspill parking in nearby residential streets. Whilst the problems of parking and traffic apply generally to hot food shops, the situation is less serious in the City Centre, where a greater proportion of customers arrive on foot and on-

street traffic restrictions act as a deterrent to illegal and indiscriminate parking, especially if it is believed that the restrictions will be enforced by the Police.

Late Hours Catering Licences and Street Traders

The Council's Licensing Committee, as stated earlier in the report, is responsible for the granting of late hours catering licences for hot food shops. It has guidelines restricting the terminal hours for trading. However, the planning authority may also, when granting planning permission, impose conditions limiting the opening hours of hot food shops on amenity grounds. In certain instances more onerous opening hours may be imposed in this way. However, it should be emphasised that such conditions would not be imposed without strong justification, e.g. to enable a development to proceed where it might otherwise be necessary to refuse planning permission.

The Licensing Committee also has responsibility for the granting of licences for street traders which are issued on an annual basis. In terms of the Licensing Committee's guidelines, all licence holders are required to specify precisely the location or locations, days and times at which they propose to trade. Though in many cases outwith planning control, street trader operations may adversely affect residential and visual amenity. It will be necessary, therefore, for representations to continue to be made by Planning and Infrastructure to the Licensing Committee where street traders operations may adversely affect amenity. Where a street trader's operation is considered to constitute development in terms of the Planning Acts, planning permission will be required otherwise enforcement proceedings will be initiated.

No planning permission is usually required for hot food vans as they are not permanent fixtures. However, several traders operate from retail and commercial operator's car parks, often occupying designated car parking spaces or traffic circulation space. This reduces the amount of spaces available and may also increase the volume of traffic attracted to the area. Depending upon the degree of permanency and whether or not the use by the trader can be considered to be ancillary to the overall use of the site, such situations may constitute a material change of use of the land or contravene a condition of planning permission in which case it may be necessary to take enforcement action under the Planning Acts.

Revised Hot Food Shop Policy Guidelines

The Council's aims and objectives for the City Centre differ from those for the rest of the City, in recognition of the different functions of these areas. This document takes account of the issues referred to earlier in this report and link closely with the Local Plan policies.

The following guidelines provide criteria to help assess the suitability of applications for hot food shops in the City Centre:

City Centre

(i) In order to safeguard residential amenity proposals for hot food shops in areas allocated as, and adjacent to, Residential Areas will not be permitted, unless the Council is satisfied that the use would cause no conflict with, or any nuisance to, the enjoyment of the existing residential amenity;

(ii) On Union Street, hot food shops at ground floor level will require, in the first instance, to comply with Policy C3: Union Street – Changes of Use and the Union Street Frontage Guidelines. Where the Frontages Guidelines allow, permission may be granted for a hot food shop provided none of the upper floors of the application property or adjacent properties are in residential use, in order to safeguard residential amenity. Special consideration may be given to granting permission where there are residential flats above if the operation involves only reheating of pre-cooked foods by means of microwave ovens. In such situations conditions may also be required regarding soundproofing and restrictions on hours of operation. Prior to granting approval, the Council requires to be satisfied that suitable arrangements have been made for litter disposal, in order to preserve the amenity of Union Street

(iii) Hot food shop proposals in streets in the City Centre Business Zone other than Union Street require in the first instance to comply with the City Centre Business Zone Policy C2. Where the policy allows, permission may be granted for a hot food shop provided none of the upper floors of the application property or adjacent properties are in residential use and/or the amenity of other existing housing, sites zoned for housing, or land identified as suitable for housing in the Local Development Plan, would not be adversely affected by such proposals.

(iv) In all other areas of the City Centre zoned as mixed use (H4) in the Local Development Plan, proposals for hot food shops will be considered on their individual planning merits. Approval will not normally be granted however, if the upper floors of the application property or adjacent properties are in residential use and/or the amenity of other existing housing, sites zoned for housing, or land identified as suitable for housing in the Local Development Plan, would be adversely affected by proposals.

Remainder of the City

(i) There will be a presumption against the location of hot food shops in areas allocated as, and immediately adjacent to, Residential Areas and Mixed Use Residential Areas in order to safeguard residential amenity. Where fringe, linear, local or district shopping centres are located in Residential and Mixed Use Residential areas, proposals for hot food shops in such centres require in the first instance to be assessed against the criteria set down in the Local Development Plan Policy 2 - Town, District and Neighbourhood Centres. Where that policy allows, permission may be granted for a hot food shop provided no upper floors

of the application property or adjacent properties are in residential use and or the amenity of the Residential and Mixed Use Residential areas would not be adversely affected by such proposals.

(ii) In all other areas of the City outwith the City Centre, proposals for hot food shops will be considered on their individual planning merits. Approval will not normally be granted, however, if the upper floors of the application property or adjacent properties are in residential use and or the amenity of other existing housing, sites zoned for housing, H1 and H4, or identified as suitable for housing in the Local Development Plan, would be adversely affected by proposals.

(iii) Where the scale of operations of hot food sales from fuel filling stations is considered to be a material change of use and therefore requiring planning permission, applications will be considered on the basis of the Local Development Plan Policy Area within which they are located and reference will then be made to the sub-sections above.

In addition to satisfying the guidelines as set down above, applications for hot food shops should allow satisfactory arrangements for parking and access or, depending on the circumstances, an improvement on the current authorised situation. Proposals to locate hot food shops on principal and main distributor roads will be assessed against their potential to adversely affect road safety, particularly where they are proposed to be located in close proximity to pelican crossings. Car parking will be assessed on parking standards and their own merits in consultation with the Roads Section.

The Planning Authority will also require to be satisfied that hot food shop proposals can provide adequate means of extracting, treating and dispersing odours without an unduly adverse effect on residential and visual amenity. Details of the proposed ventilation system must be submitted as part of any planning application.

Hot food shop proposals require by law to be advertised as projects of “public concern”. The level of representation is a material consideration to take into account in assessing the merits of a particular proposal, providing that comments relate to planning matters and are received within the statutory consultation period.

Conclusions and Recommendations

Conclusions

The location of hot food shops is a sensitive issue with the public and the Planning Authority because of their potential impact on amenity. The Council is rightly proud of its high amenity standards. This care for environmental standards has to be carefully balanced against the need to make provision for hot food shops which offer a service to the public and whose products are much in

demand. The revised guidelines link closely with the Local Development Plan policies forming an important benchmark for determining planning applications within and outwith the City Centre.

Liquor Licensed Premises

Introduction

Similar to hot food take-aways, liquor licensed premises proposals require to be given careful consideration as they generally raise sensitive amenity issues such as noise. This is particularly the case with the City Centre, where liquor licensed premises have continued to increase in number. Along with this there has been the increased activity in the provision of additional housing in the City Centre. Therefore, there are potential conflicts between the different uses which may give cause for concern.

It is proposed in this SG to use the term 'liquor licensed premises' as the definition of a unit that sells alcohol for consumption on and/or off the premises. However, there is an exception for liquor licensed premises that take the form of a small hotel, restaurant, café and off-licensed premises.

Relevant Local Development Plan Policies

Local Development Plan policies are an important factor in determining the merits of liquor licensed premises proposals.

Outwith the City Centre

In Residential Areas, H1, in the Local Development Plan, uses other than residential will not be permitted unless these are regarded as complementary to residential use, such as community facilities, schools, open space, churches, local shops (Class 1) etc. Other activities which would include liquor licensed premises will not be permitted unless the Council can be satisfied that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

In Mixed Use Residential Areas, H4, there is a presumption against the introduction of other activities including liquor licensed premises, unless the development would cause no conflict with or any nuisance to residential amenity.

In assessing liquor licensed premises proposals within town centres, district centres and neighbourhood centres, consideration will be given to whether or not a proposal will:

- make a positive contribution to the overall viability of a centre
- bring into use a vacant unit with consideration given to the length of time a unit has been vacant
- provide a locally required service
- retain an acceptable level of 'live' frontage
- be strategically situated within a shopping centre eg it is important that corner shop units provide live shop window displays to enhance the attraction of a shopping centre

Within the City Centre

Within the City Centre Business Zone (C2) applications for the introduction of a non-Class 1 (Retail) uses at street level are assessed for their likely effect on the vitality of shopping.

Along Union Street, proposals are assessed against the recommended minimum retail percentages as set down in the Council's 'Union Street Frontages Policy Guidelines'.

Within the City Centre Business Zone areas there is a presumption in favour of retaining and developing commercial uses which includes the provision of restaurants.

In other Local Development Plan policy areas applications for liquor licensed premises are considered on their individual planning merits. Proposals require, however, to be in accordance with other approved planning policies of the Council.

Role of Other Council Services

The Council's Licensing Board has responsibility for granting liquor licences in terms of the Licensing (Scotland) Act 2005. With regard to these liquor licensed premises, the Board's responsibility is to determine a variety of applications in respect of premises and personal licences which are required for the sale of liquor.

Amenity Issues

The impact on amenity, and in particular residential amenity, is one of the major issues raised by liquor licensed premises proposals. Factors which can adversely affect amenity include noise and anti-social behaviour.

Noise nuisance can arise from both within and outwith liquor licensed premises and may be generated by playing of music from music sound systems and juke boxes, deliveries and groups of people etc. Noise can be particularly intrusive late in the evening.

Revised Licensed Premises Guidelines

The Council's aims and objectives for the City Centre differ in part from those for the rest of the City, in recognition of the different functions of these areas. This SG seeks to take into account of the issues referred to earlier in this report and link closely with the Local Development Plan policies.

The following guidelines are suggested to help assess the suitability of applications for licensed premises within the City Centre:

City Centre

(i) There will be a presumption against the location of liquor licensed premises in areas allocated as, and adjacent to, Residential Areas in order to safeguard residential amenity. Such proposals could only be permitted if the Council were to be satisfied that the use would cause no conflict with, or any nuisance to, the enjoyment of the existing residential amenity

(ii) On Union Street, liquor licensed premises at ground floor level will require, in the first instance, to comply with Policy 3: Union Street – Changes of Use and the Union Street Frontage Guidelines. Where the Frontages Guidelines allow, permission may be granted for a liquor licensed premises provided none of the upper floors of the application property or adjacent properties are in residential use, in order to safeguard residential amenity.

(iii) Liquor licensed premises in streets in the City Centre Business Zone other than Union Street require in the first instance to comply with the City Centre Business Zone policy. Where the policy allows, permission may be granted for a liquor licensed premises provided none of the upper floors of the application property or adjacent properties are in residential use and or the amenity of other existing housing, sites zoned for housing, or identified as suitable for housing in the Local Development Plan, would not be adversely affected by such proposals.

(iv) In all other areas of the City Centre zoned as mixed use in the Local Development Plan, proposals for liquor licensed premises will be considered on their individual planning merits. Approval will not normally be granted however, if the upper floors of the application property or adjacent properties are in residential use and or the amenity of other existing housing, sites zoned for housing, or identified as suitable for housing in the Local Plan, would be adversely affected by proposals.

The following guidelines are suggested to help assess the suitability of applications for liquor licensed premises outwith the City Centre.

Remainder of the City

(i) There will be a presumption against the location of liquor licensed premises in areas allocated as, and immediately adjacent to, Residential Areas and Mixed Use Residential Areas in order to safeguard residential amenity. Where fringe, linear, local or district shopping centres are located in H1 and H4 areas, proposals for liquor licensed premises in such centres require in the first instance to be assessed against the criteria set down in the Local Development Plan Policy 2 - Town, District and Neighbourhood Centres. Where that policy allows, permission may be granted for a liquor licensed premises provided no upper floors of the application property or adjacent properties are in residential use and or the amenity of the H1 and H4 areas would not be adversely affected by such proposals.

(ii) In all other areas of the City outwith the City Centre, proposals for liquor licensed premises will be considered on their individual planning merits. Proposals should, however, be in accordance with other Local Development Plan policies. Approval will not normally be granted, however, if the upper floors of the application property or adjacent properties are in residential use and or the amenity of other existing housing, sites zoned for housing, H1 and H4, or identified as suitable for housing in the Local Development Plan, would be adversely affected by proposals.

Conclusions

The location of liquor licensed premises is a sensitive issue with the public and the Planning Authority because of their potential impact on amenity. The Council is rightly proud of its high amenity standards. This care for amenity has to be carefully balanced against the need to make provision for licensed premises which offer a service to the public which are much in demand. The revised guidelines link closely with the Local Development Plan policies forming an important benchmark for determining planning applications within and outwith the City Centre.

Street Cafes

Introduction

Aberdeen City Council supports and encourages the provision of street cafes in the City Centre, as they make a positive contribution by adding vitality, colour, life and interest to the street scene. They can help maximise the use of public spaces, aid the local economy and add to the facilities offered to people who visit, live, and work in Aberdeen.

It is important that street cafes are properly designed, administered and managed to ensure that they meet the high standards expected in Aberdeen City Centre. They should not obstruct public space or create a hazard for pedestrians, especially for blind, partially sighted and other disabled people.

Relevant Local Development Plan Policies

For the purpose of this SG, street cafes are considered to be tables and chairs placed on public space as an extension of an existing ground floor use where food and drink is served to customers.

Before agreeing to planning permission for a street café, the Council must ensure:

1. They do not constitute a hazard; there should be enough pavement width or equivalent space to accommodate the seating, tables and café operation without causing hazard to, or invade the privacy of, other adjacent legitimate uses or impede access into or egress from nearby buildings or spaces or block a desire line.
2. If the development provides shelter from the elements, it should do so without permanently altering the physical fabric of the building to which they are attached or spaces in which they are located; and
3. They do not result in or contribute to an inadequate amenity for existing residential uses. Appropriate facilities to dispose of litter should be provided, without adversely affecting the quality, amenity or cleanliness of the City Centre.

Role of Other Council Services

As well as the Council's Planning Department, the Council's Licensing Committee has responsibility for granting licenses. Proposals for street cafes must also adhere to other regulations from the Council's Roads Department.

Amenity Issues

The impact on amenity, and in particular residential amenity, is one of the major issues raised by street cafes. Factors which can adversely affect amenity include noise, smell and litter.

Conclusions

The location of street cafes is a sensitive issue with the public and the Planning Authority because of their potential impact on amenity. The Council is rightly proud of its high amenity standards. This care for amenity has to be carefully balanced against the need to make provision for street cafes which offer a service to the public. These guidelines link closely with the Local Development Plan policies forming an important benchmark for determining planning applications within the City Centre.

Amusement Centres and Arcades

Introduction

Amusement centres and arcade proposals require to be given careful consideration as they generally raise sensitive amenity issues such as noise and other disturbances. This is particularly the case within the City Centre, where amusement centre and arcade proposals have continued to increase in number. Along with this there has been the increased activity in the provision of additional housing in the City Centre. Therefore, there are potential conflicts between the different uses which may give cause for concern.

It is proposed in this SG to use the term 'amusement centre' as the definition of a unit that's main use is to predominantly conduct games for chance of profit. The definition of 'amusement arcades' in this SG is a unit that's main use is to predominantly conduct games for amusement only.

Amusement centres and arcade proposals will only be considered within the City Centre boundary set down in the Local Development Plan.

Amenity Issues

The impact on amenity, and in particular residential amenity, is one of the major issues raised by amusement centres and arcades. Factors which can adversely affect amenity include noise and anti-social behaviour.

Noise nuisance can arise from both within and outwith licensed premises and may be generated by playing of music from music sound systems and juke boxes, arcade machines and groups of people etc.

Amusement Centres and Arcades Guidelines

This SG seeks to take into account of the issues referred to earlier in this report and link closely with the Local Development Plan policies.

The following guidelines are suggested to help assess the suitability of applications for amusement centres and arcades within the City Centre:

City Centre

(i) There will be a presumption against the location of amusement centres and arcades in areas allocated as, and adjacent to, Residential Areas in order to safeguard residential amenity. Such proposals could only be permitted if the Council were to be satisfied that the use would cause no conflict with, or any nuisance to, the enjoyment of the existing residential amenity

(ii) On Union Street, amusement arcades at ground floor level will require, in the first instance, to comply with Policy 3: Union Street and the Union Street Frontage Guidelines. However, no amusement centres or arcades will be permitted within sectors B and G identified in the Union Street Frontages Guidelines SG. Where the Frontages Guidelines allow, permission may be granted for a licensed premises provided none of the upper floors of the application property or adjacent properties are in residential use, in order to safeguard residential amenity.

(iii) Amusement centres and arcades in streets in the City Centre Business Zone other than Union Street require in the first instance to comply with the City Centre Business Zone policy. Where the policy allows, permission may be granted for an amusement centre or arcade provided none of the upper floors of the application property or adjacent properties are in residential use and or the amenity of other existing housing, sites zoned for housing, or identified as suitable for housing in the Local Development Plan, would not be adversely affected by such proposals.

(iv) In all other areas of the City Centre zoned as mixed use in the Local Development Plan, proposals for amusement centres or arcades will be considered on their individual planning merits. Approval will not normally be granted however, if the upper floors of the application property or adjacent properties are in residential use and or the amenity of other existing housing, sites zoned for housing, or identified as suitable for housing in the Local Plan, would be adversely affected by proposals.

Conclusions

The location of amusement centres and arcades is a sensitive issue with the public and the Planning Authority because of their potential impact on amenity. The Council is rightly proud of its high amenity standards. This care for amenity has to be carefully balanced against the need to make provision for amusement centres and arcades which offer a service to the public. These guidelines link closely with the Local Development Plan policies forming an important benchmark for determining planning applications within and outwith the City Centre.

Living/ Working Above or Below a Business

Introduction

Living and/ or working above or below a business can prove to be a challenge as both possess potential conflicts between the appropriate and necessary functions of a thriving commercial area and residential uses. The challenge is to reduce any conflict to a minimum through careful siting and design of new residential properties and new licensed or noisy activities and premises and through the Local Development Plan to attract commercial and employment uses to contribute to the vitality of the City.

This conflict is more apparent in the City Centre; however outwith the City Centre this conflict can also occur. Whilst it is reasonable to expect an adequate level of residential amenity; urban centres are lively and vibrant places and those who live there should not expect that the amenity would be comparable to that of a purely residential area.

Living/ Working Above or Below a Business Guidelines

The Council's aims and objectives for the City Centre differ in part from those for the rest of the City, recognition of the different functions of these areas. This SG seeks to take into account of the issues referred to earlier in this report and link closely with the Local Development Plan policies and City Centre Development Framework.

The following guidelines are suggested to help assess the suitability of applications for residential and office uses above or below a business throughout the City:

There will be a presumption in favour of proposals that bring into use and upgrade vacant, under-used and sub-standard upper and lower (basement) floor properties. Changes of use from residential to a non-residential use shall not be approved where:

1. there would be an unsatisfactory impact on the amenity of occupiers and users of surrounding premises, in terms of noise, fumes or other disturbance or inconvenience; or,
2. where the proposal would involve a stairwell giving access to existing residential property being shared with non-residential users.

Conclusions

The City Council encourages the use of upper and lower (basement) floor properties.



Supplementary Guidance

Topic: City Centre and Retailing
– Hierarchy of Centres

Reference Number:

The city's network of shopping centres has been arranged into a hierarchy and the role of each centre in the hierarchy has been set out (see Figures 1 and 2 below).

This provides a context for the assessment of new development proposals. Within this hierarchy, the City Centre is identified as being the preferred location for developments fulfilling a citywide or regional role. The designation and role of other centres within the network and hierarchy is set out below. A sequential approach to assessing retail proposals will be taken in accordance with this hierarchy and in line with Scottish Planning Policy.

Figure 1: Retail Hierarchy and Sequential Approach

Centre Type	Policy Approach			Centre Location
	Vitality & Viability	New Development	General principles for sequential approach	
City Centre/Regional Centre	Protection	Support all retail development; primary location for all developments serving city-wide or regional market – particularly for comparison goods.	Preferred location for large scale comparison goods retailing (general comparison and bulky goods). Preferred location for very large convenience/comparison units. Preferred location for all convenience goods retailing if the market area to be served included the City centre.	City Centre
Town Centres	Protection	Support all retail developments where the market area is the town or area but isn't citywide or regional.		Rosemount Torry
District Centres	Protection	Local retail provision only.	Preferred location for all convenience retailing where the market area covers the district centre.	Culter Cults Danestone Dyce Mastrick Middleton park Upper Berryden
Neighbourhood Centres	Protection	Local retail provision – primarily convenience and retail services		See list in Figure 3
Retail parks	No Protection		Appropriate for large bulky comparison if city centre/town centre sites are not available – i.e. subject to sequential test.	Garthdee Kittybrewster Links Road/Boulevard Lower Berryden

Figure 2: Sequential Approach Thresholds

	Sequential Approach							Centre
	Convenience Developments			General comparison		Bulky Goods		
	>15K sqm GFA	2-15Km sqm GFA	<2k sqm GFA	>5K sqm GFA	<5K sqm GFA	>5k sqm GFA	<5Ksqm GFA	
Development thresholds								
Regional centre	1	1	1	1	1	1	1	City Centre
Edge of regional centre	2	2	2	2	2	2	2	
Town centres and District Centres	3	1	1	3	1	3	1	Rosemount Torry Culter Cults Danestone Dyce Mastrick Middleton Park Upper Berryden
Edge of Town centres/District Centres	4	2	2	4	2	4	2	
Out of Centre (accessible by public transport)	6	4	4	6	4	5	3	
Neighbourhood Centres			1					See List in Fig 3
Other: Retail parks (provided site is easily accessible by public transport)	5	3	3	5	3	5	4	Garthdee Kittybrewster Links Road/Boulevard Lower Berryden

Figure 3: Neighbourhood Centres

Local/Neighbourhood Centres			
Abbotswell Crescent Balnagask Road Bankhead Barron Street Beach Boulevard Beattie Avenue Bedford Avenue Bielside Bon-Accord Street Braehead Way Bucksburn Byron Square/ Crescent Chattan Place Clifton Road Clunie Place Cornhill Road	Cornhill Cove Ellon Road Elmbank Terrace Finnan Place Fountainhall Road Gallowgate Gardiner Drive George Street Hayton Road Hazlehead Avenue High Street, Old Aberdeen Hilton/Five Roads Holburn The Hub	Jesmond Drive Kingswells Kittybrewster/Clifton Road Lang Stracht Leadside Road Logie Place Mannofield Millburn Street Moir Green Oscar Road Provost Watt Drive Ramsay Crescent Rosehill Drive Rosemount/ South Mount Street	Rousay Drive Ruthrie Terrace Sclattie Park Sclattie Park/Inverurie Road Scotstown Seafield Seaton Sheddocksley St Swithin Street Stockethill Avenue Summerhill Drive Urquhart Road Victoria Street, Dyce Woodside

Notes:-

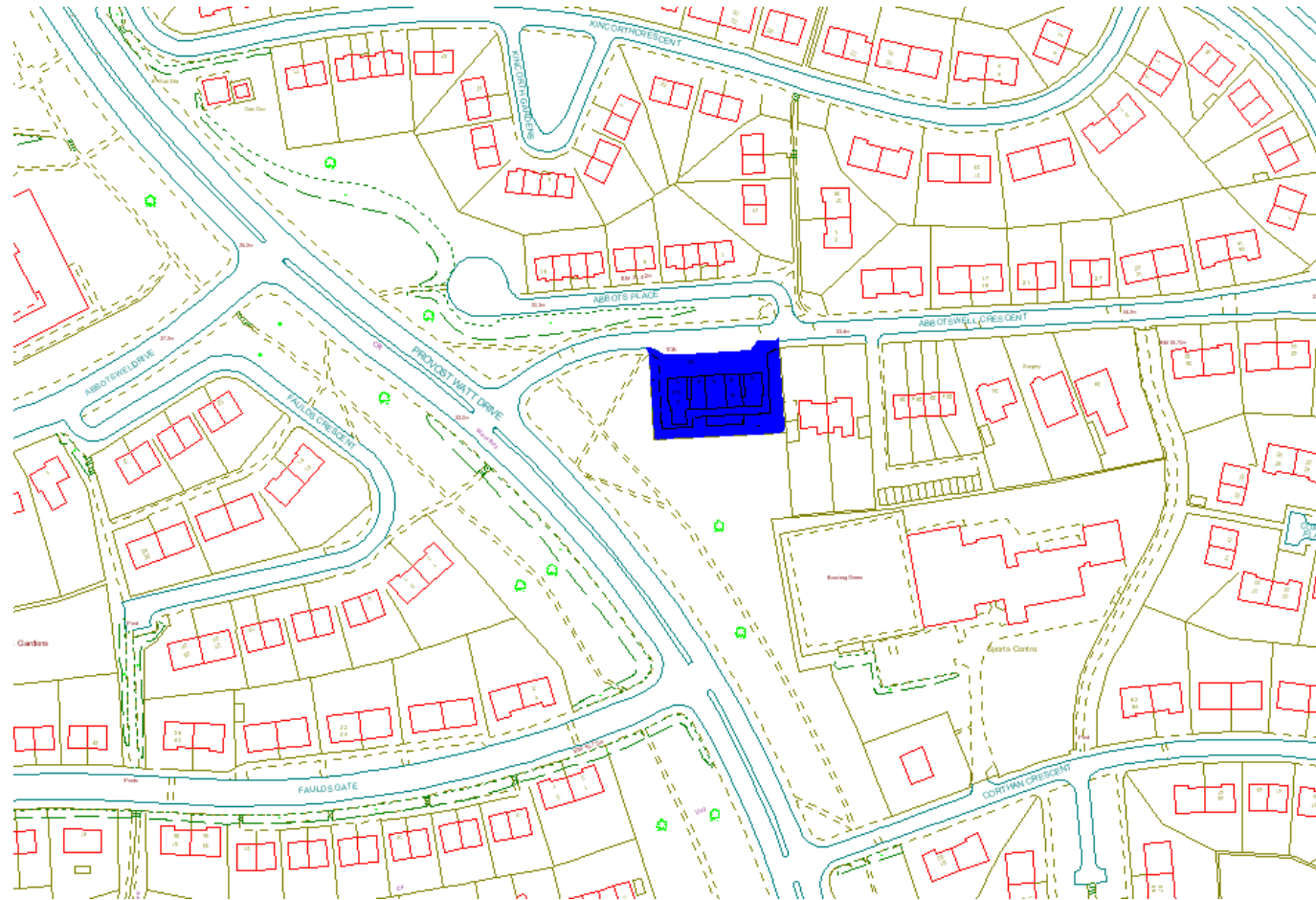
1) Threshold sizes are indicative. The test should also consider what market the development is expected to serve by referring to Figure 1. If a development is serving a city-wide market or is attracting customers from the citywide or wider area, then the City Centre is the preferred location.

2) The numbers in Figure 2 represent the preferred order in the sequential approach. e.g. the Regional centre is a first choice location for all forms of retail development. Neighbourhood centres are first choice locations for convenience developments of under 2,000sqm, although these would also be acceptable in the regional centre and town centres.

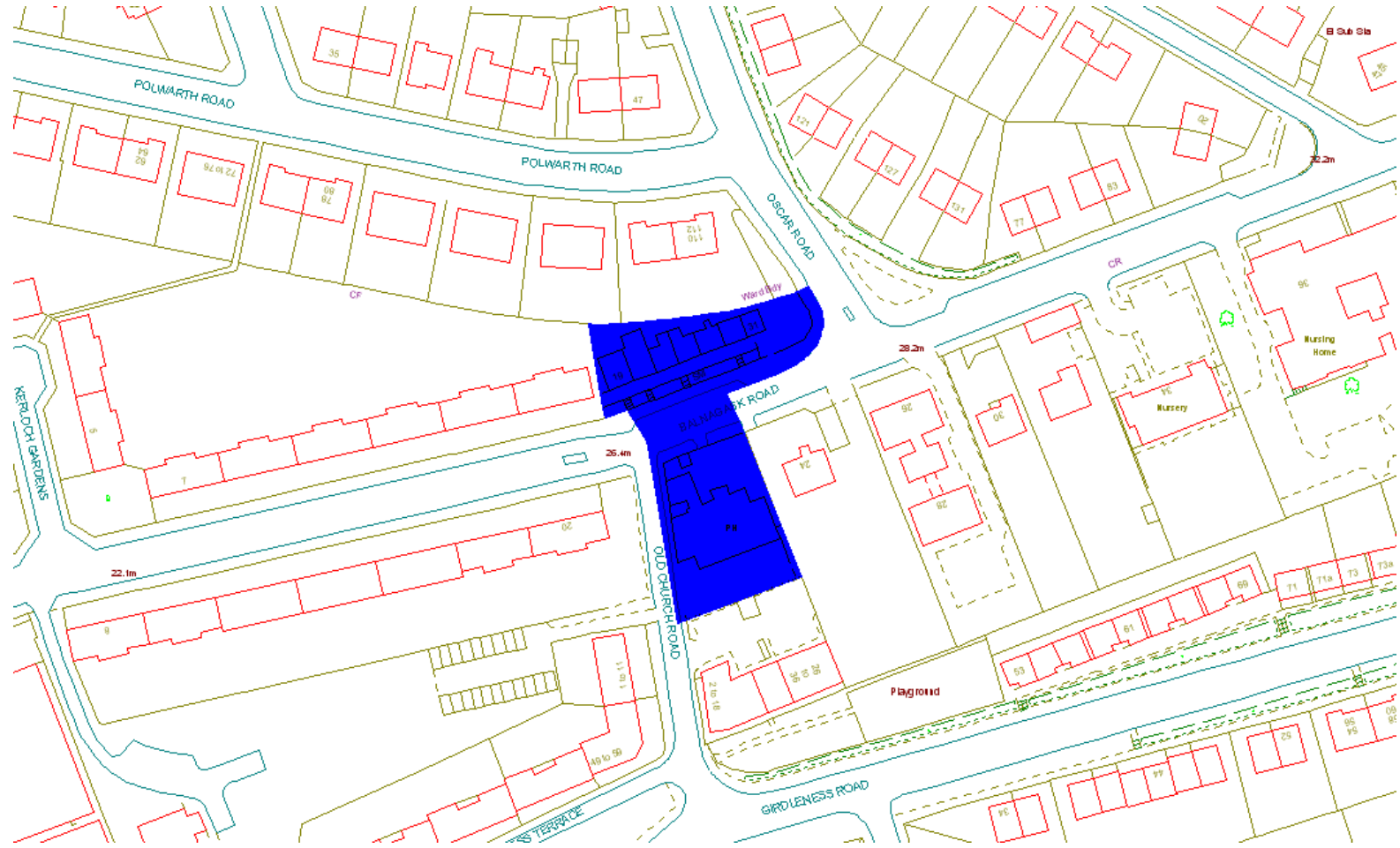
3) Development proposals should also consider, as required by Scottish Planning Policy, different built forms to better fit with opportunities which exist within centres in the hierarchy. For example, a retailer seeking 1,000sqm of single level comparison floorspace may have to consider utilising two levels of 500sqm or three levels of 333sqm within the city centre rather than moving to a retail park or out of centre site.

The City Centre Business Zone, Town Centres, District Centres and Retail Parks have been mapped on the Aberdeen Local Development Plan – Proposals Map. However, as some of the Neighbourhood Centres are relatively small a definitive boundary cannot be shown on the Proposals Map. Therefore, this Supplementary Guidance will show all the maps of Neighbourhood Centres referred to in Figure 3 above with regards to Policy R3 Town, District and Neighbourhood Centres.

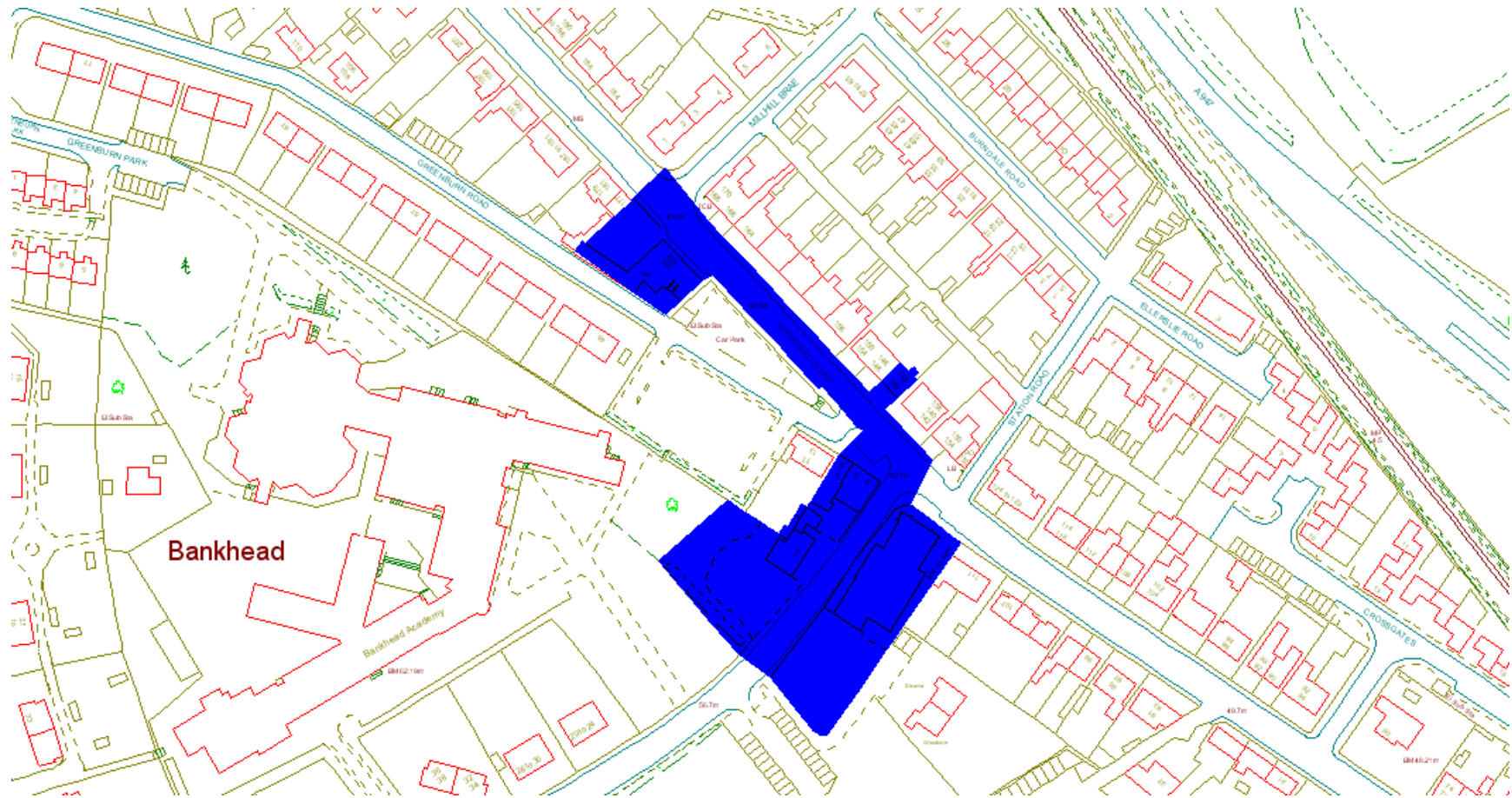
Neighbourhood Centre 1 – Abbotswell Crescent. A linear collection of approximately five purpose built two storey premises with retail units at ground level and residential accommodation above. A popular and busy neighbourhood centre that is placed within close walking distance to many bus stops.



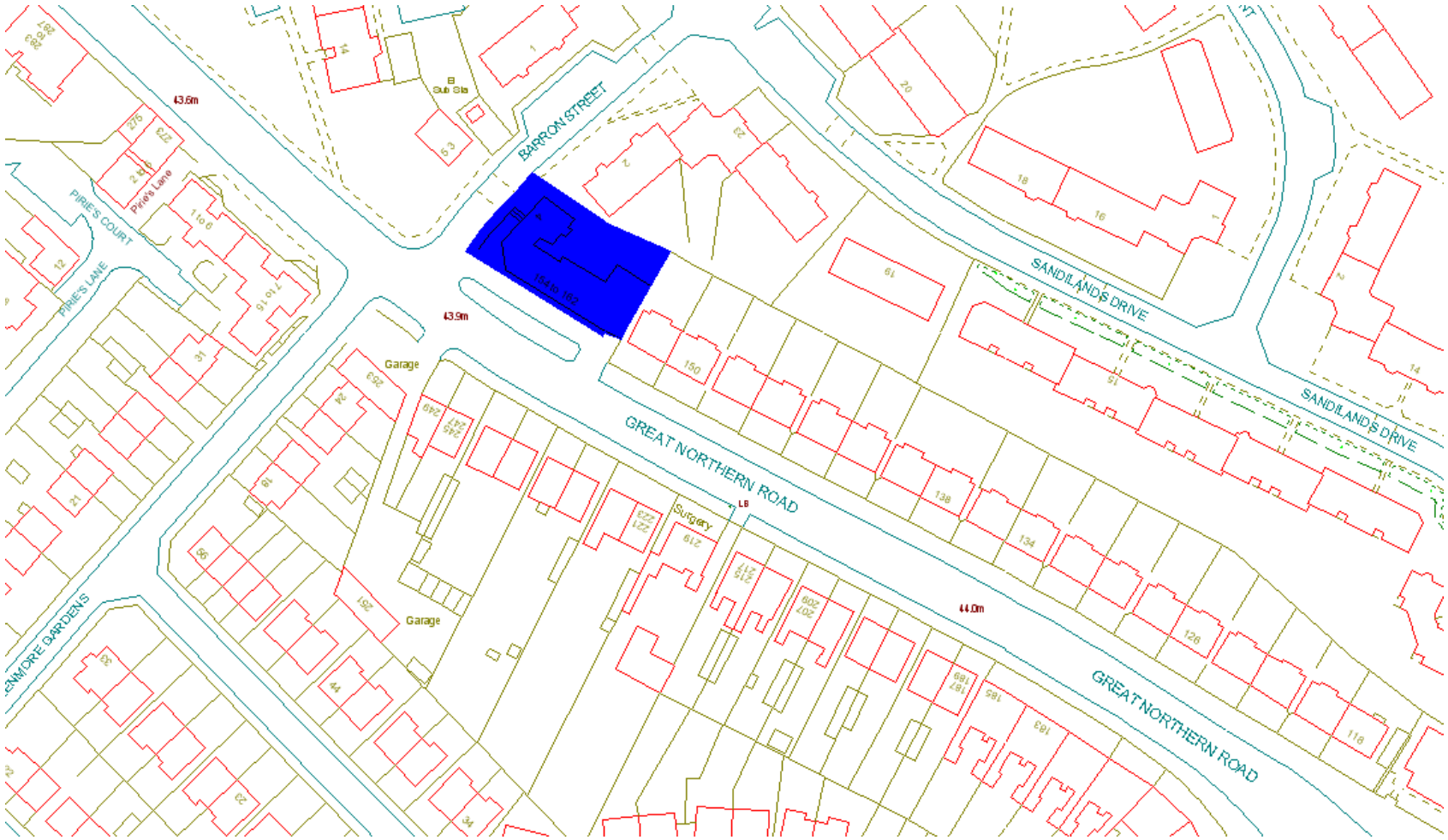
Neighbourhood Centre 2 – Balnagask Road. A linear collection of approximately six units, with one unit situated across the road from the majority. The premises are purpose built and one storey in height.



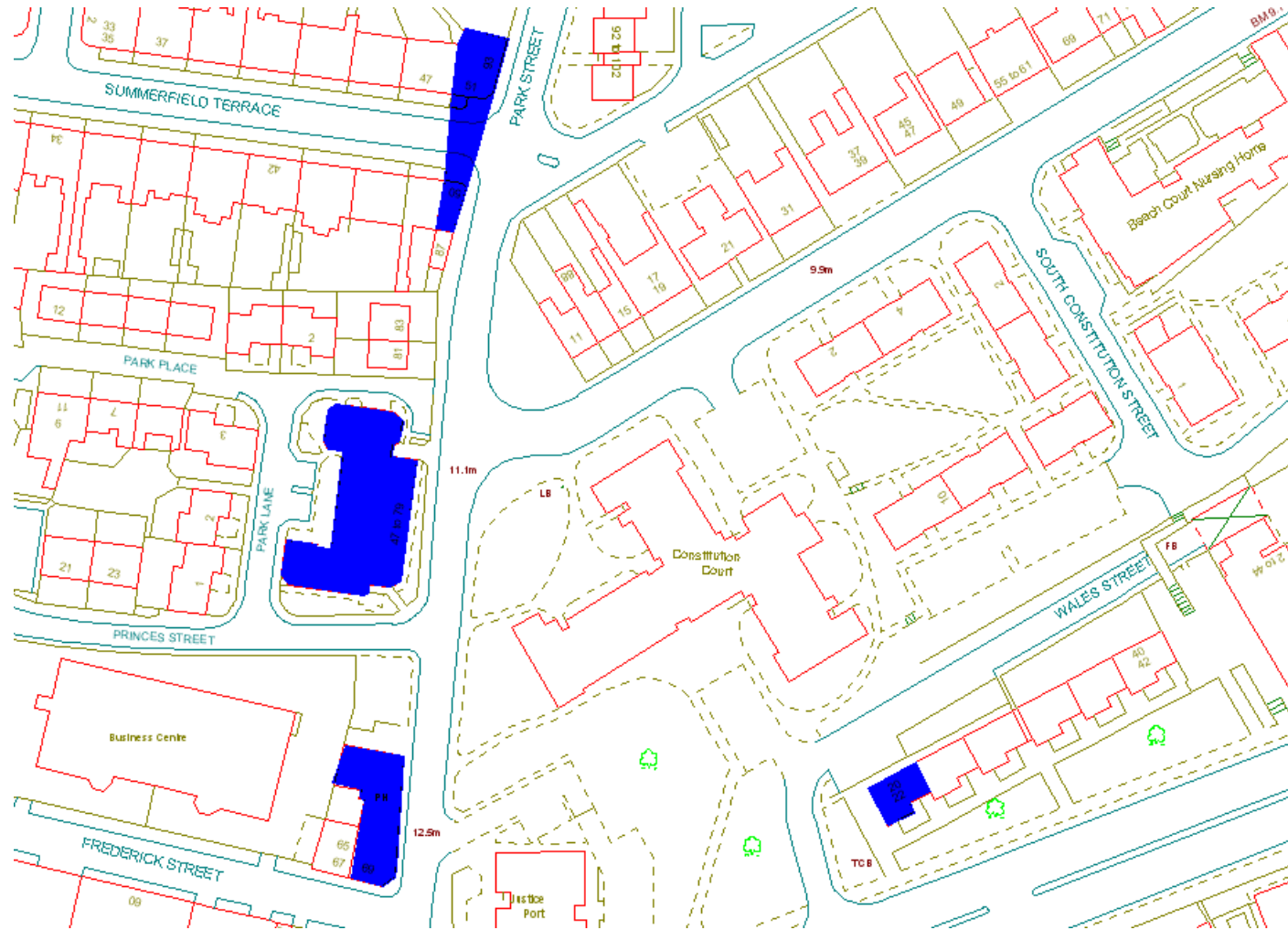
Neighbourhood Centre 3 – Bankhead. A collection of retail units situated round the Bankhead Road – Station Road junction. Most premises are converted residential accommodation of one and a half storeys high. A number of retail units are situated in the converted Old Stonewood Church.



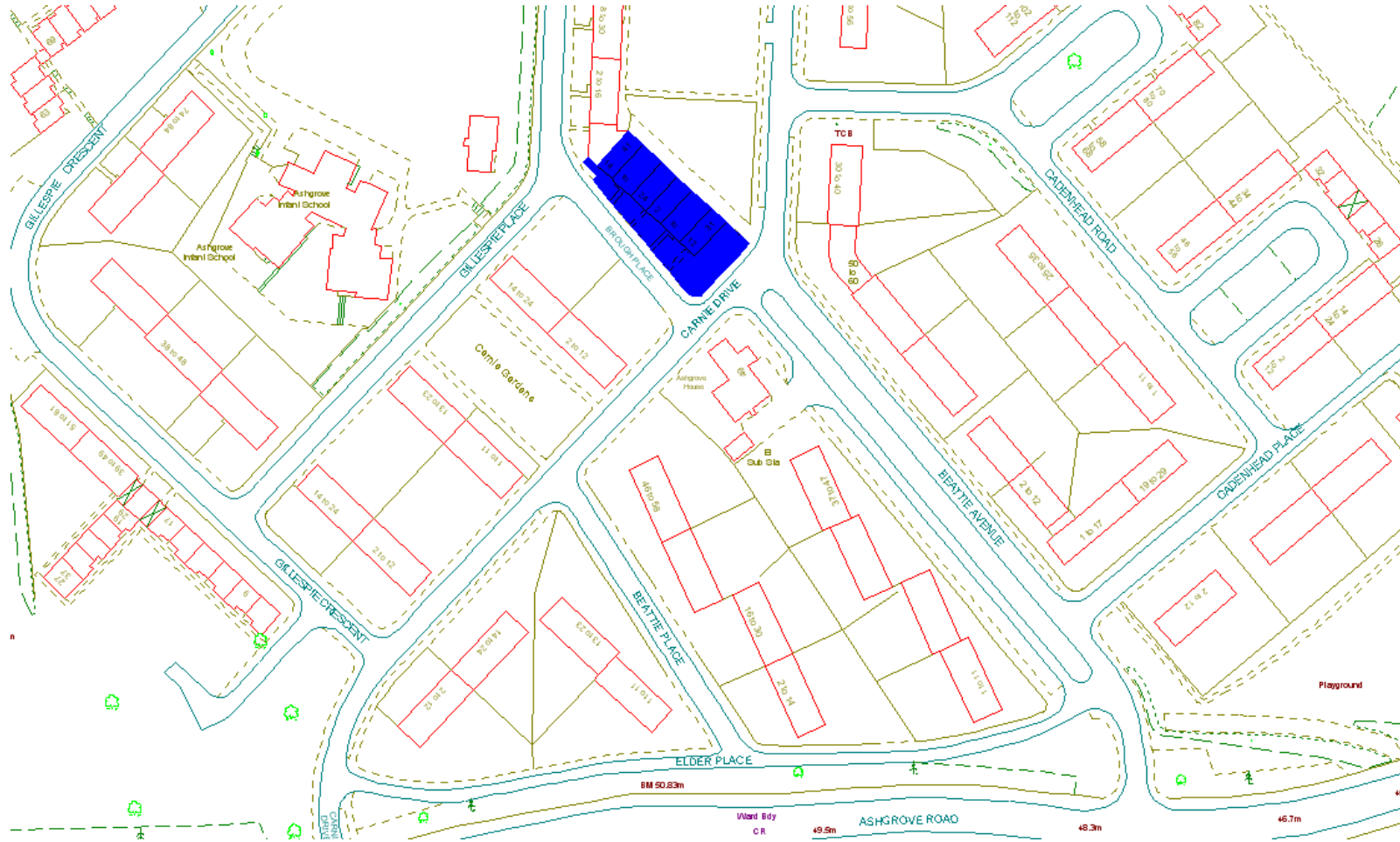
Neighbourhood Centre 4 – Barron Street. A linear row of approximately five retail premises that are one storey high and purpose built. The Neighbourhood Centre is suited close to a trunk road and many bus routes service the area.



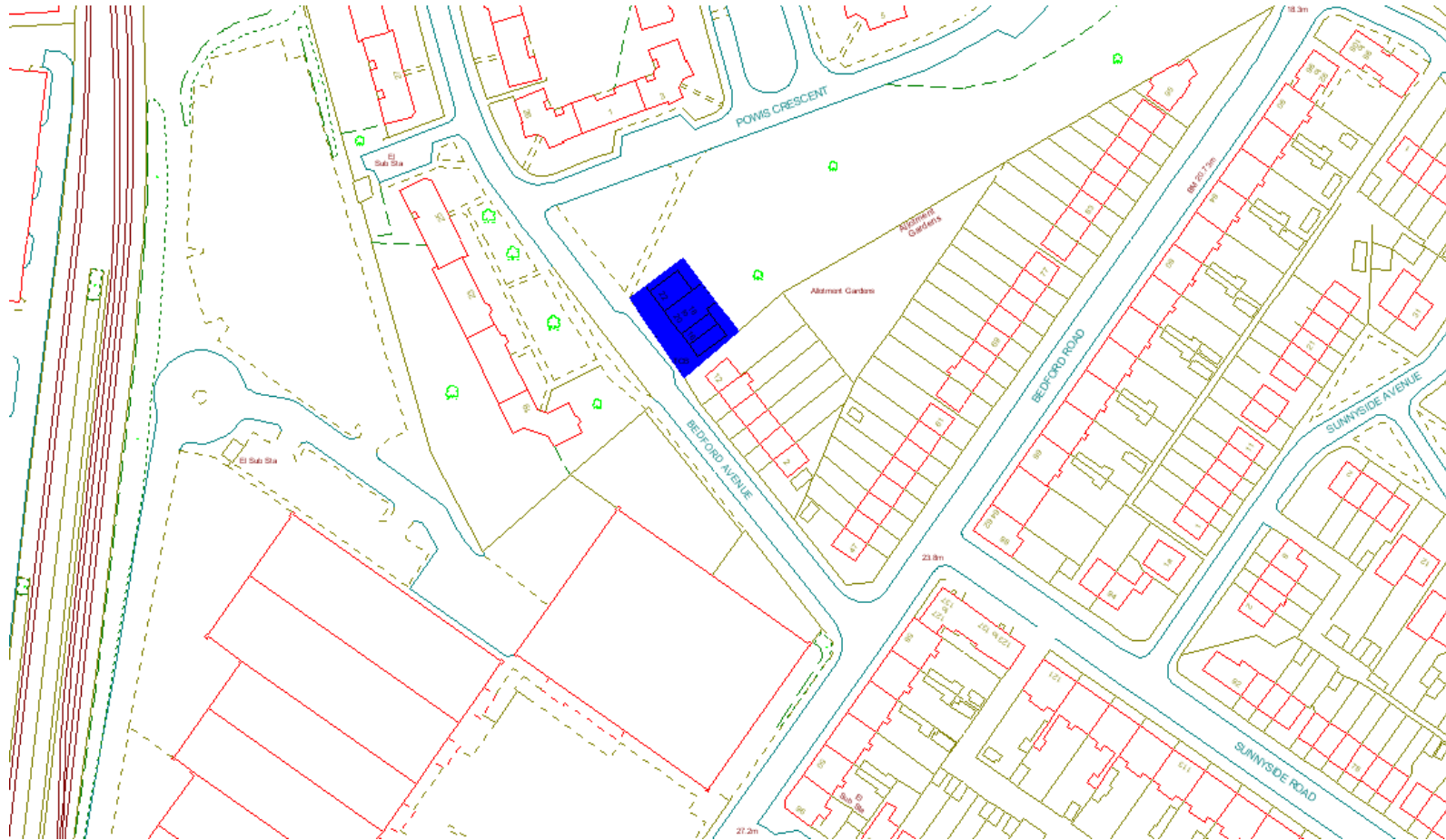
Neighbourhood Centre 5 – Beach Boulevard. 5 units located on Park Street and Beach Boulevard



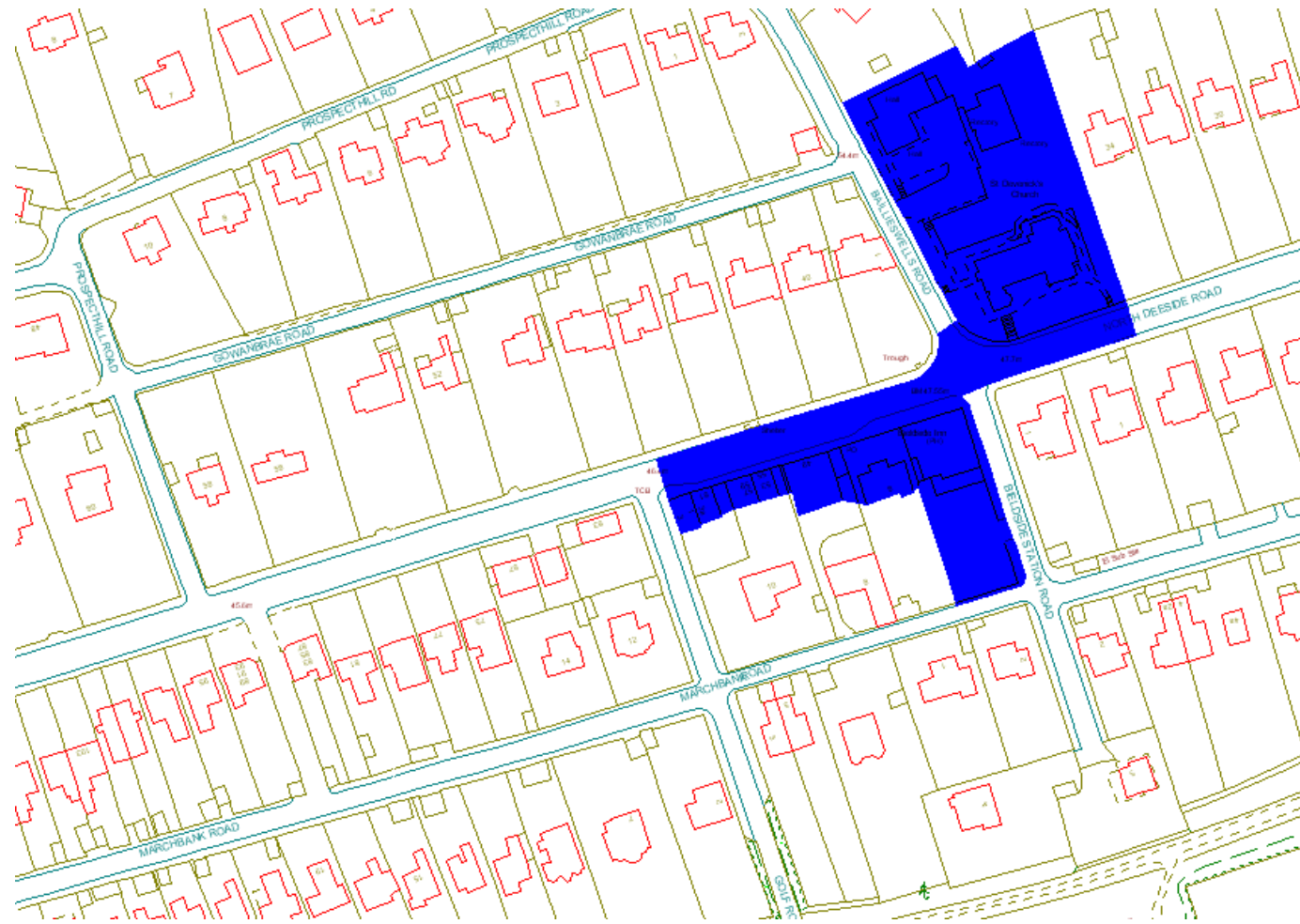
Neighbourhood Centre 6 – Beattie Avenue. A linear row of approximately six units located on the ground floor of a tenement block of residential accommodation.



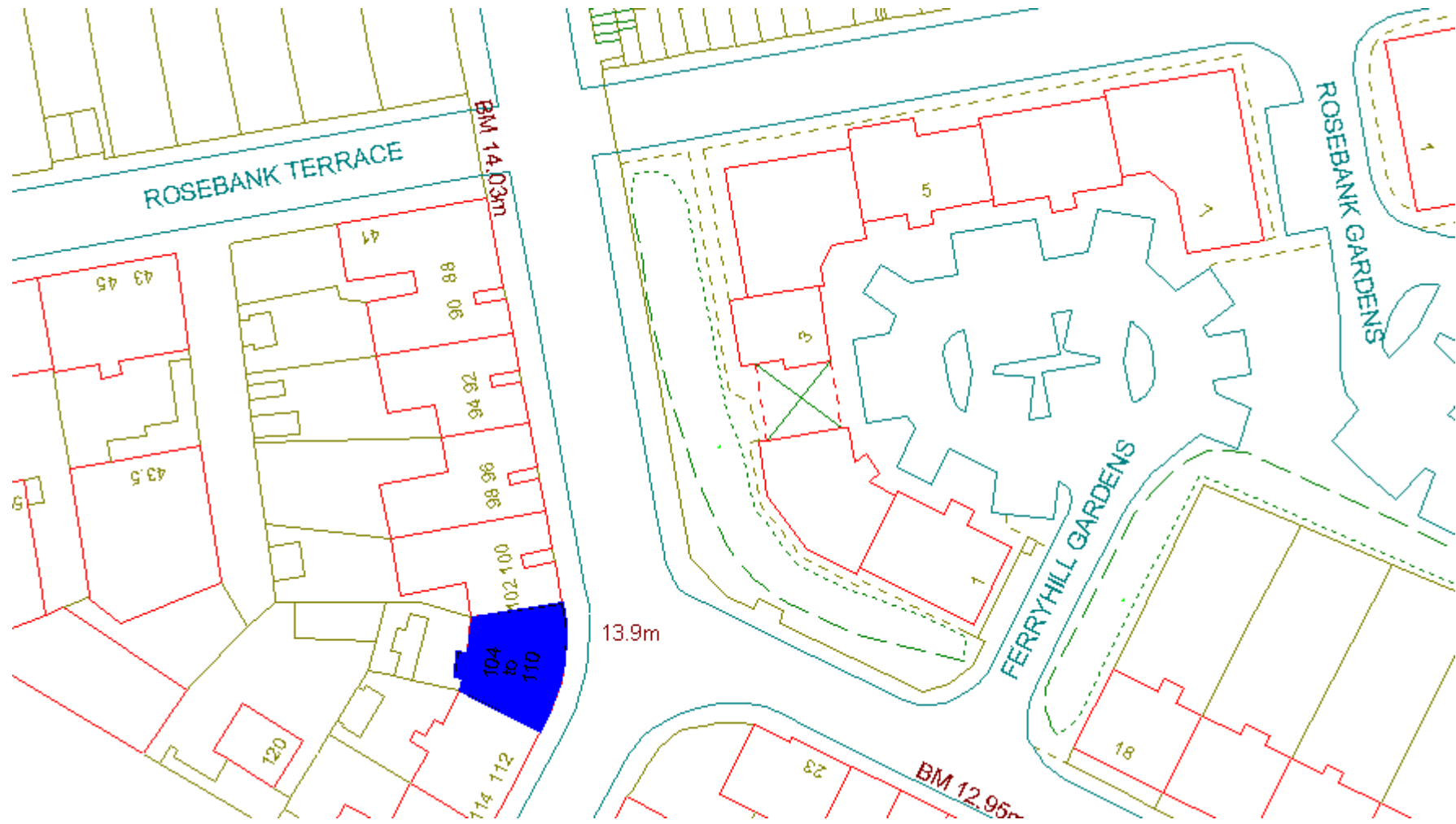
Neighbourhood Centre 7 – Bedford Avenue. A small row of approximately four purpose built units on the main road into the housing estate. The shops are one storey high and run along one side of Bedford Avenue. Public transport links are available from Bedford Road.



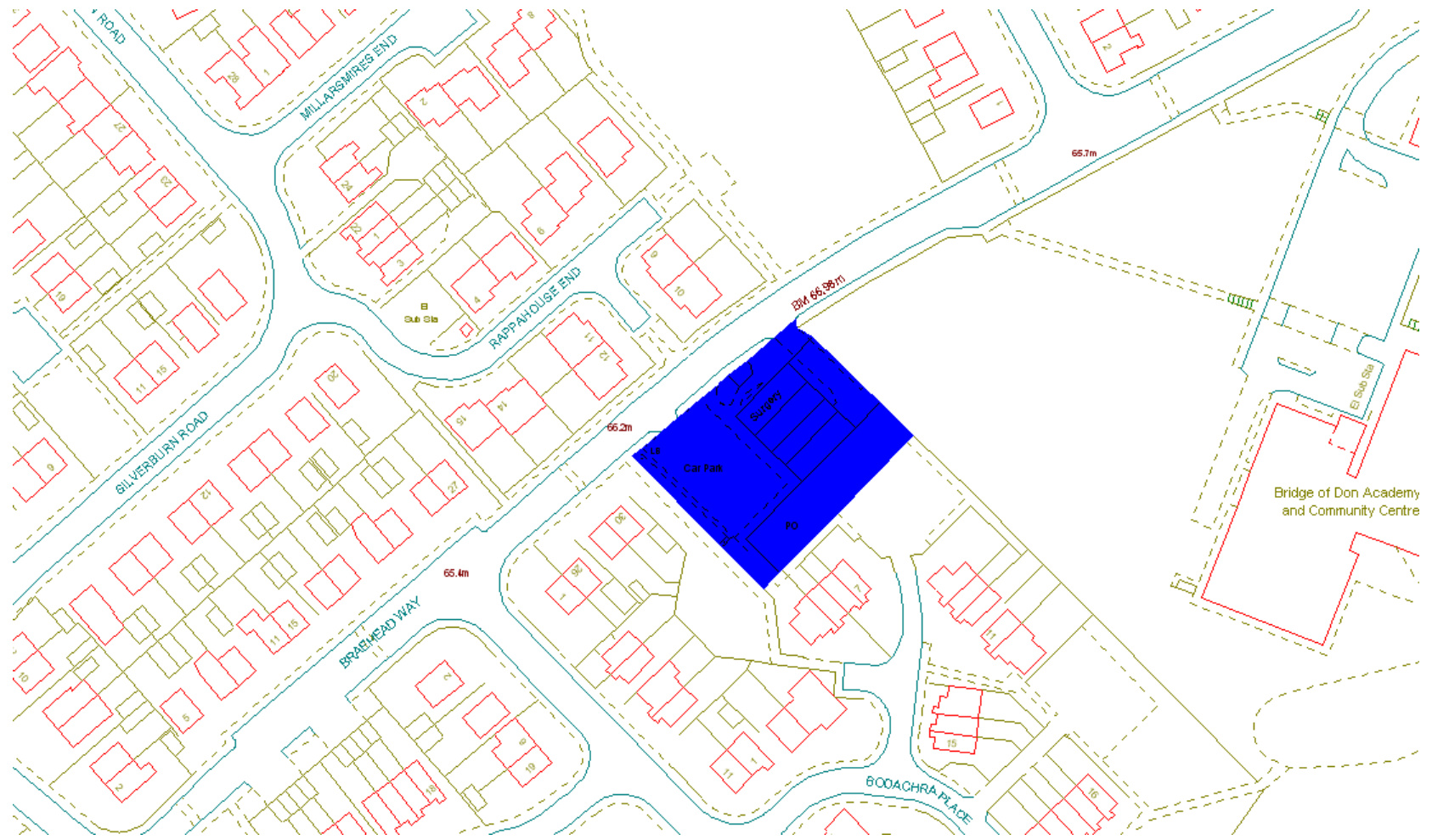
Neighbourhood Centre 8 – Bielside. A collection of approximately 10 units situated beside a heavily used road. Most premises are one and a half storeys high with the upper floor being a mixture of storage space and residential accommodation.



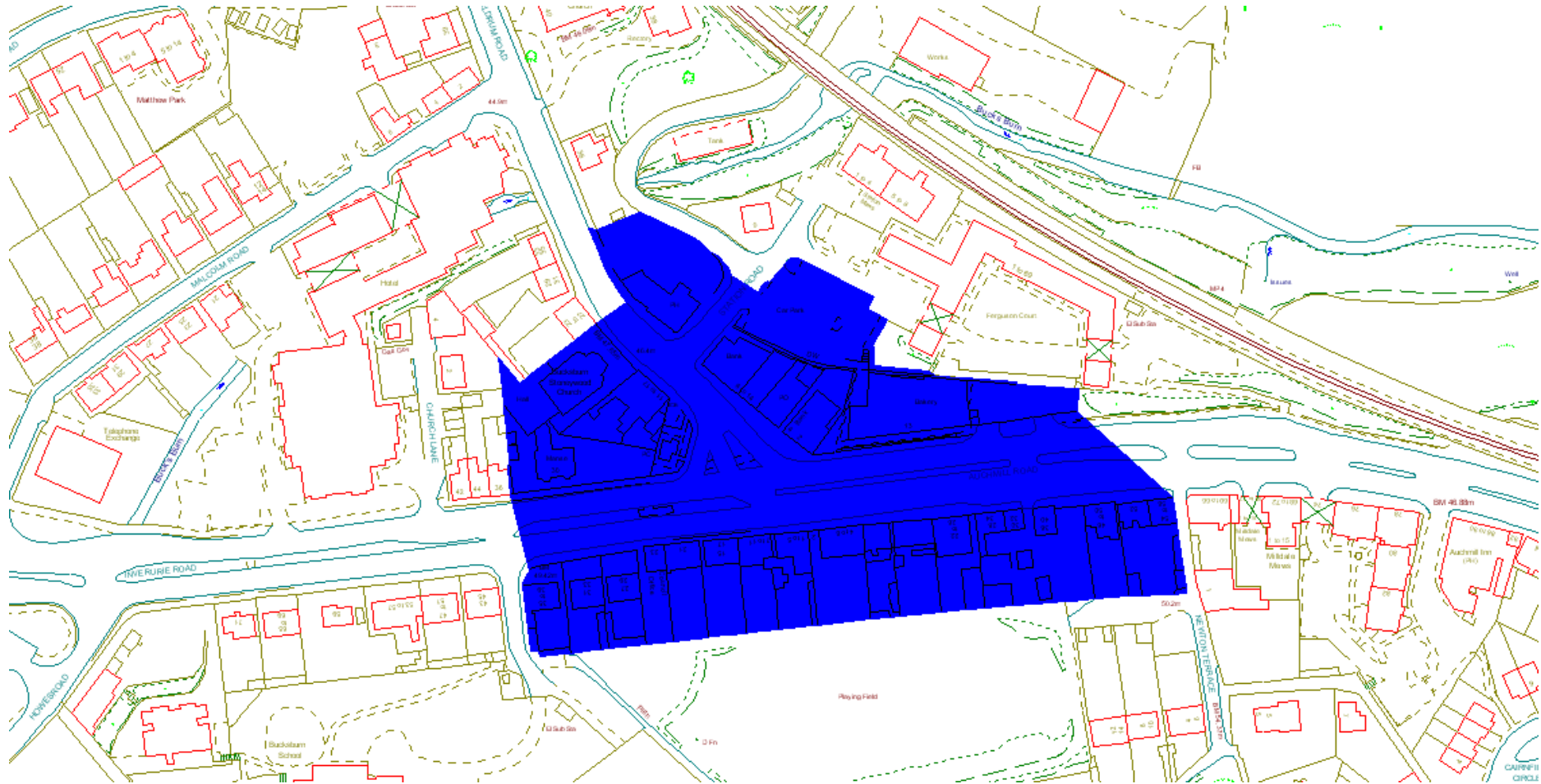
Neighbourhood Centre 9 – Bon Accord Street. 2 retail units within tenement blocks with residential use above.



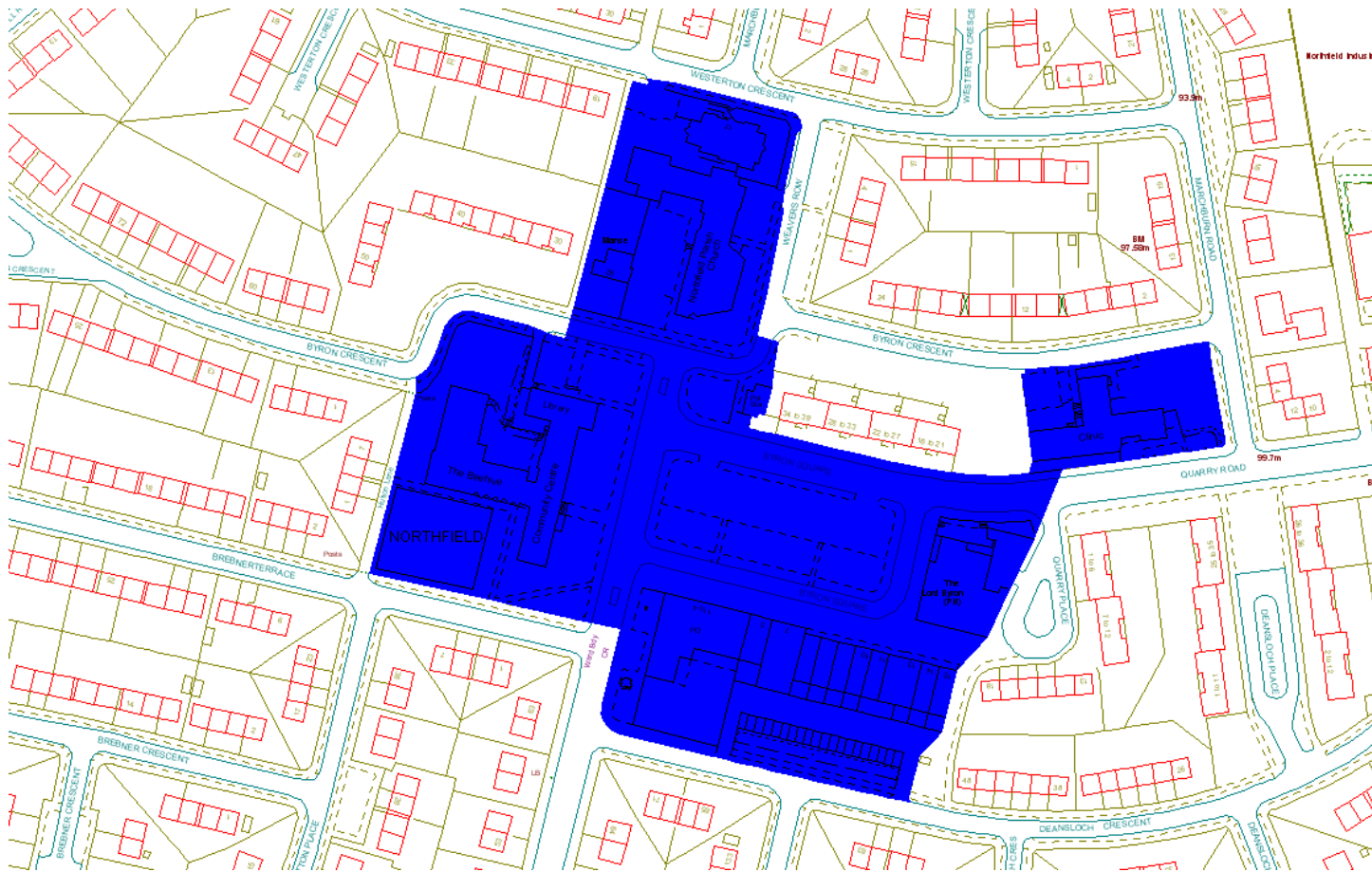
Neighbourhood Centre 10 – Braehead Way. A shopping area of approximately eight two-storey premises with retail premises on both floors. There is a car park in the middle of the neighbourhood centre.



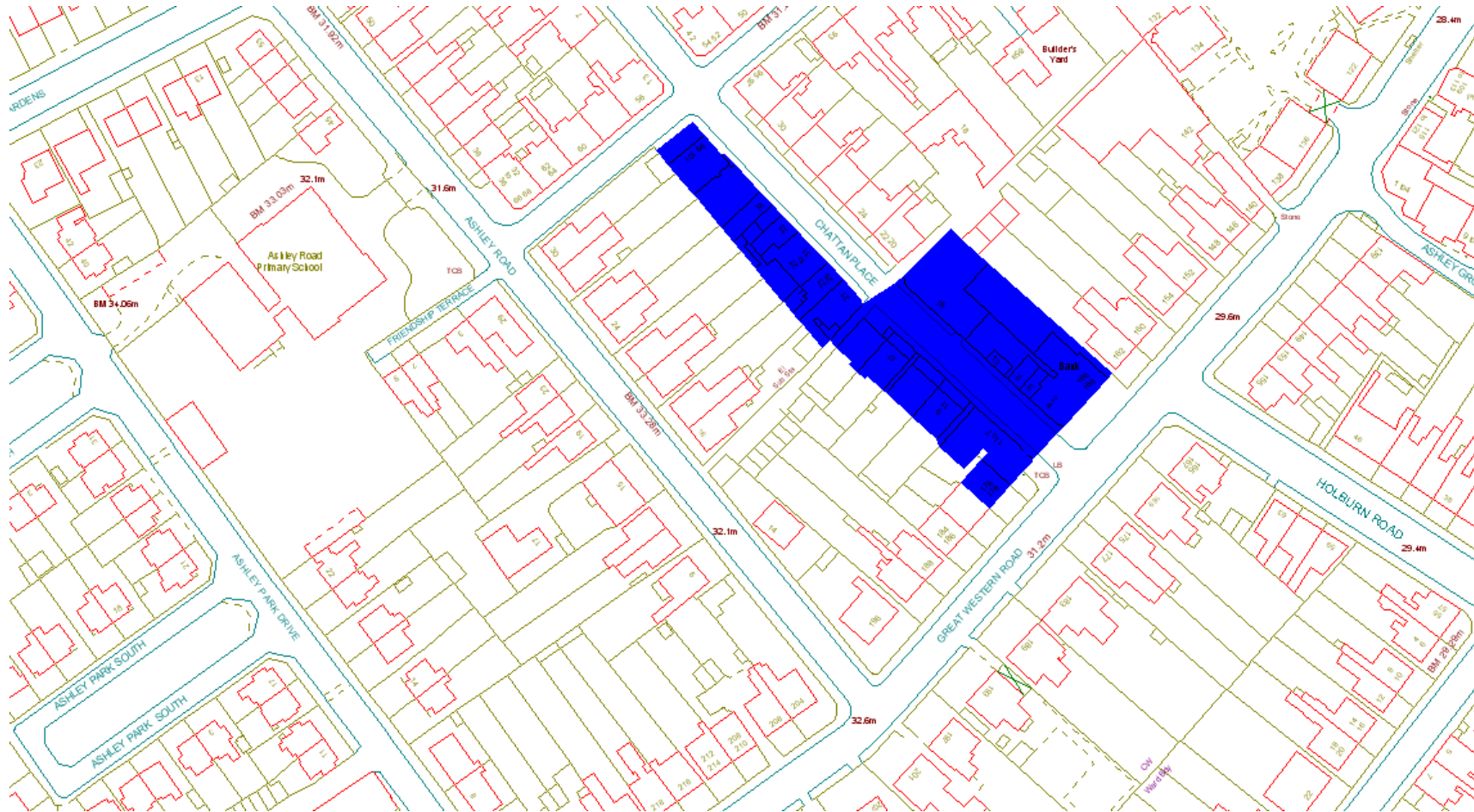
Neighbourhood Centre 11 – Bucksburn. A concentration of approximately 18 retail units around the Oldmeldrum Road – Auchmill Road junction. The retail premises are situated down both sides of Oldmeldrum Road and Auchmill Road. The premises are located in converted residential accommodation.



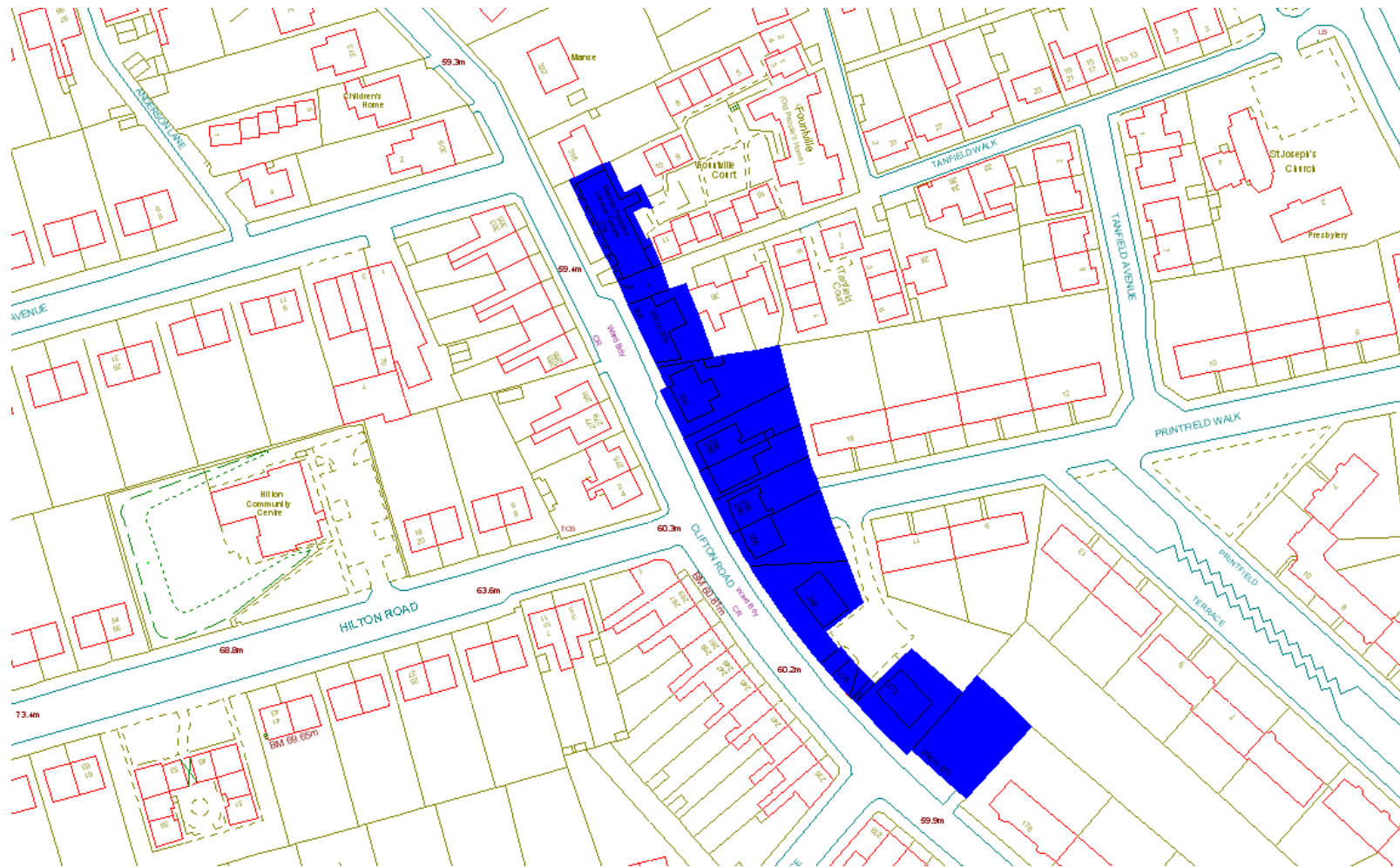
Neighbourhood Centre 12 – Byron Square/ Crescent. A large purpose built Neighbourhood Centre of approximately 18 premises complete with a car park. Most premises are one to one and a half storeys high. The main shopping premises are concentrated in a line, with community facilities leading off from these.



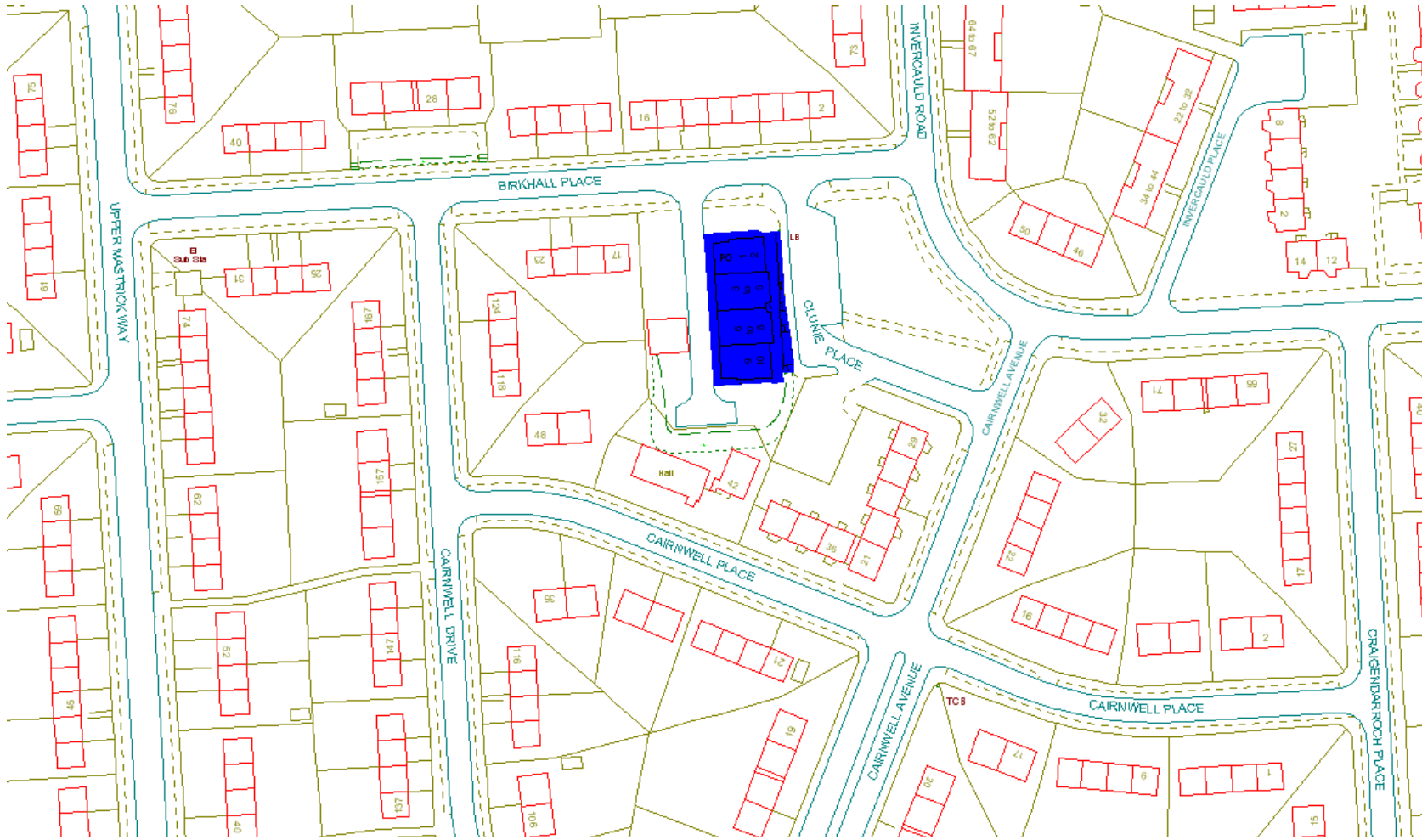
Neighbourhood Centre 13 – Chattan Place. The neighbourhood centre consists of a linear row of approximately 16 units running along both sides of Chattan Place. The shops are all ground level with residential accommodation above.



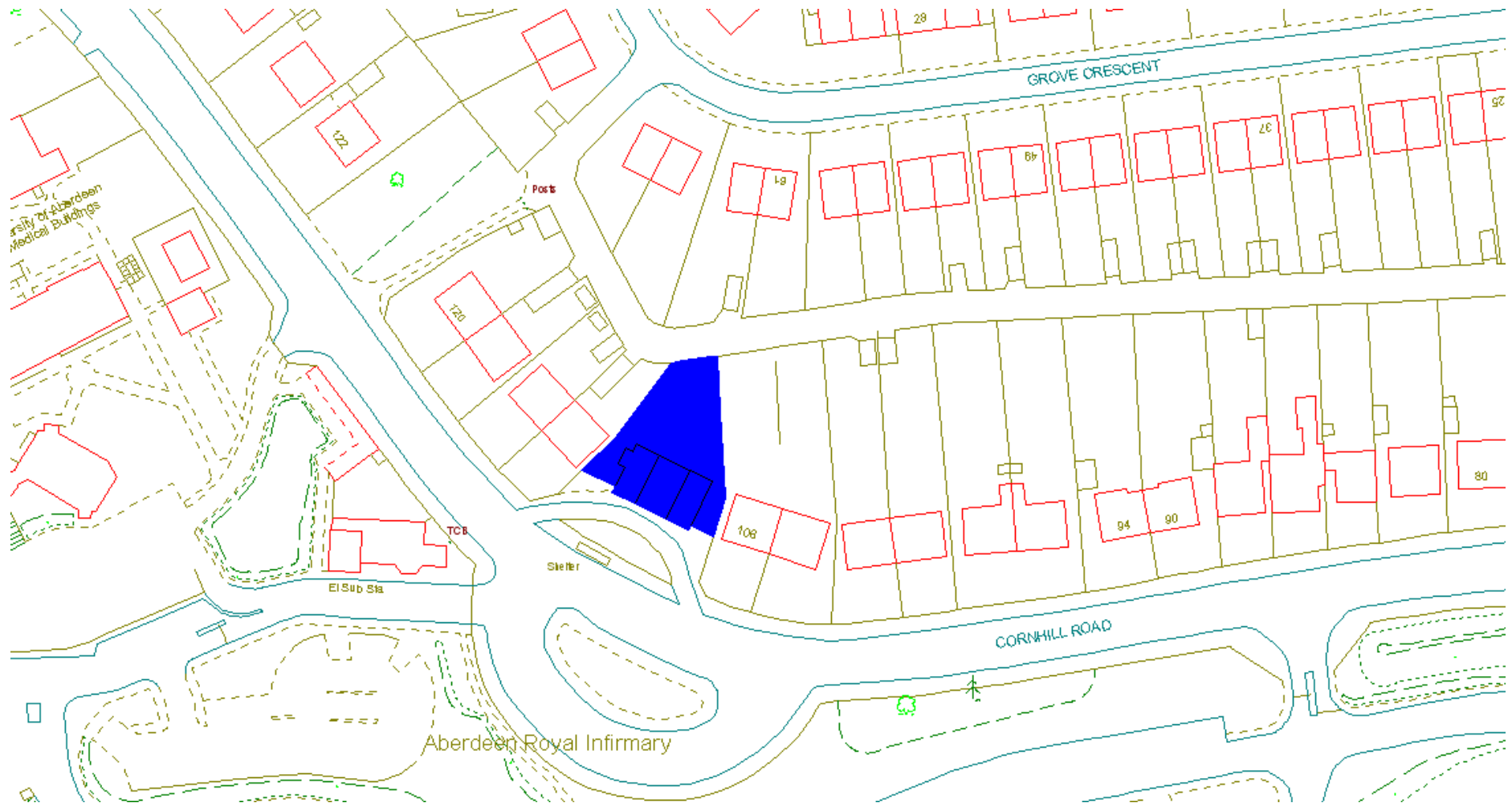
Neighbourhood Centre 14 – Clifton Road. The neighbourhood centre runs along the quiet residential area of Clifton Road and is concentrated where Clifton Road meets Hilton Terrace. The 6 retail premises are purpose built with most being one and a half storeys high.



Neighbourhood Centre 15 – Clunie Place. A linear purpose built parade of approximately six premises with flats above situated where Clunie Place meets Birkhall Road. Most units are two storeys high.



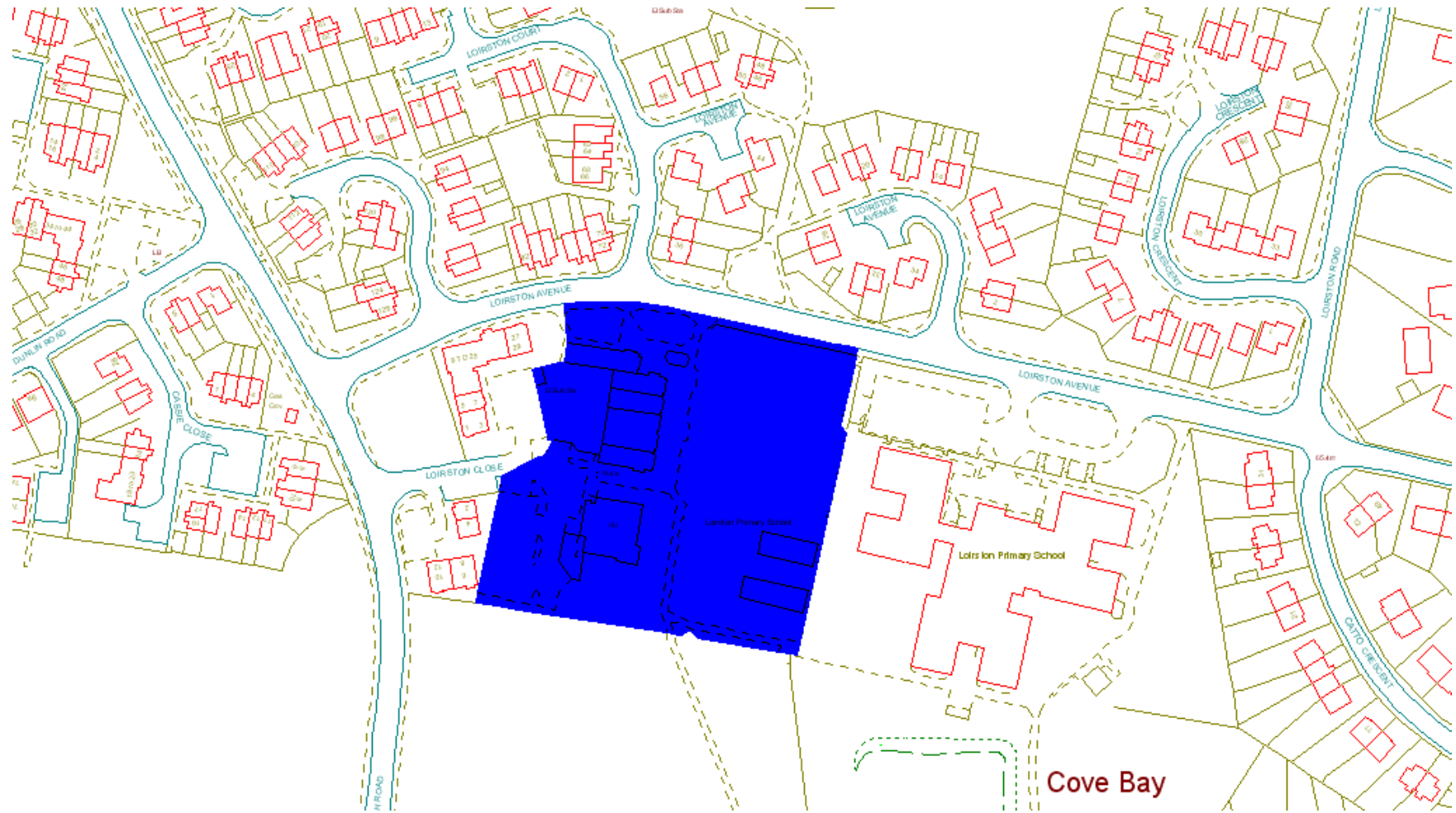
Neighbourhood Centre 16 – Cornhill Road. Situated opposite Aberdeen Maternity Hospital on Cornhill Road, this centre consists of three adjacent one storey high purpose built sites.



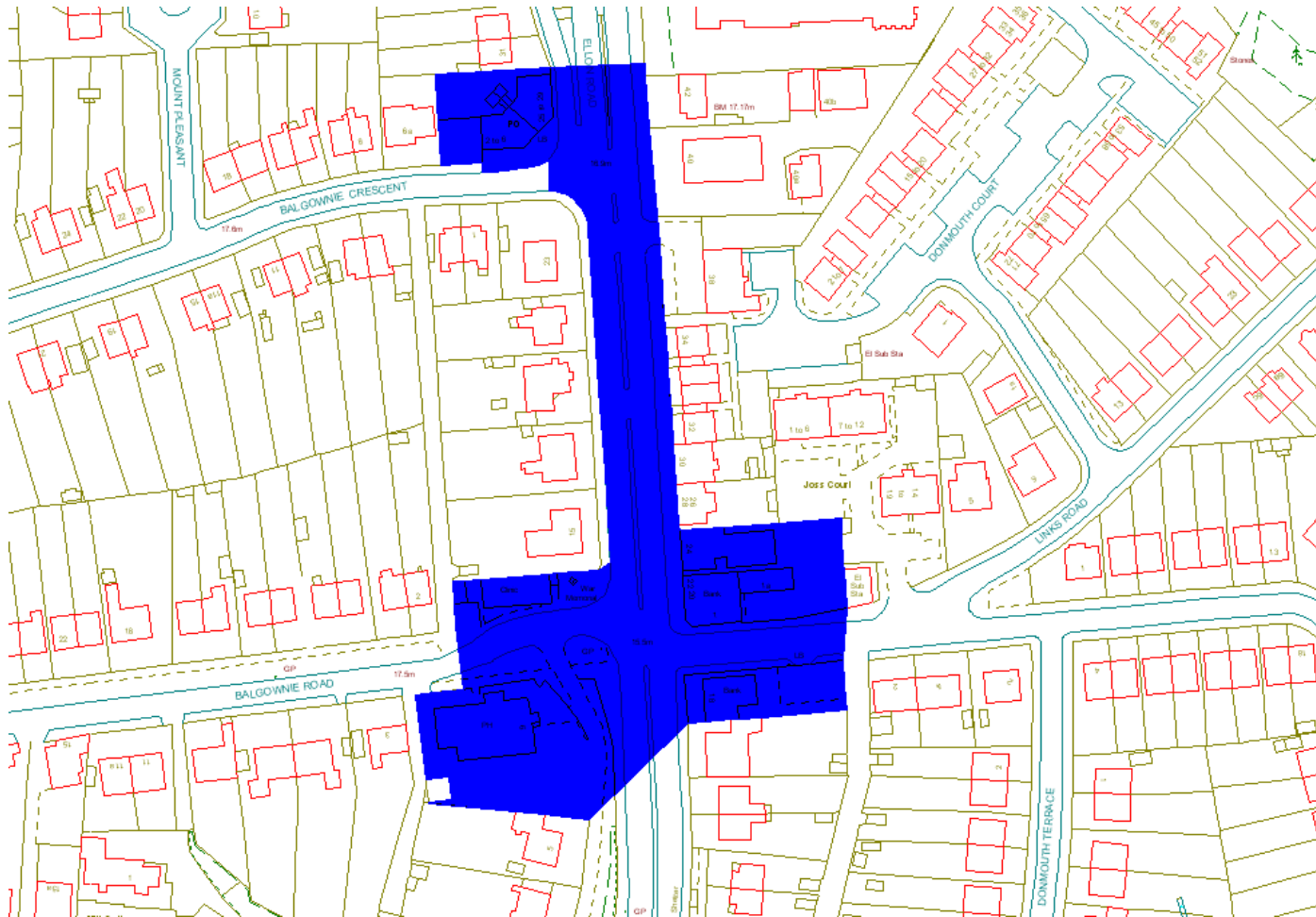
Neighbourhood Centre 17 – Cornhill. A purpose built shopping complex with 11 different retail premises and a large car park, and access to bus routes. The Cornhill Community Centre and also the Cornhill Library are situated within the complex. Most premises are one and a half storey high.



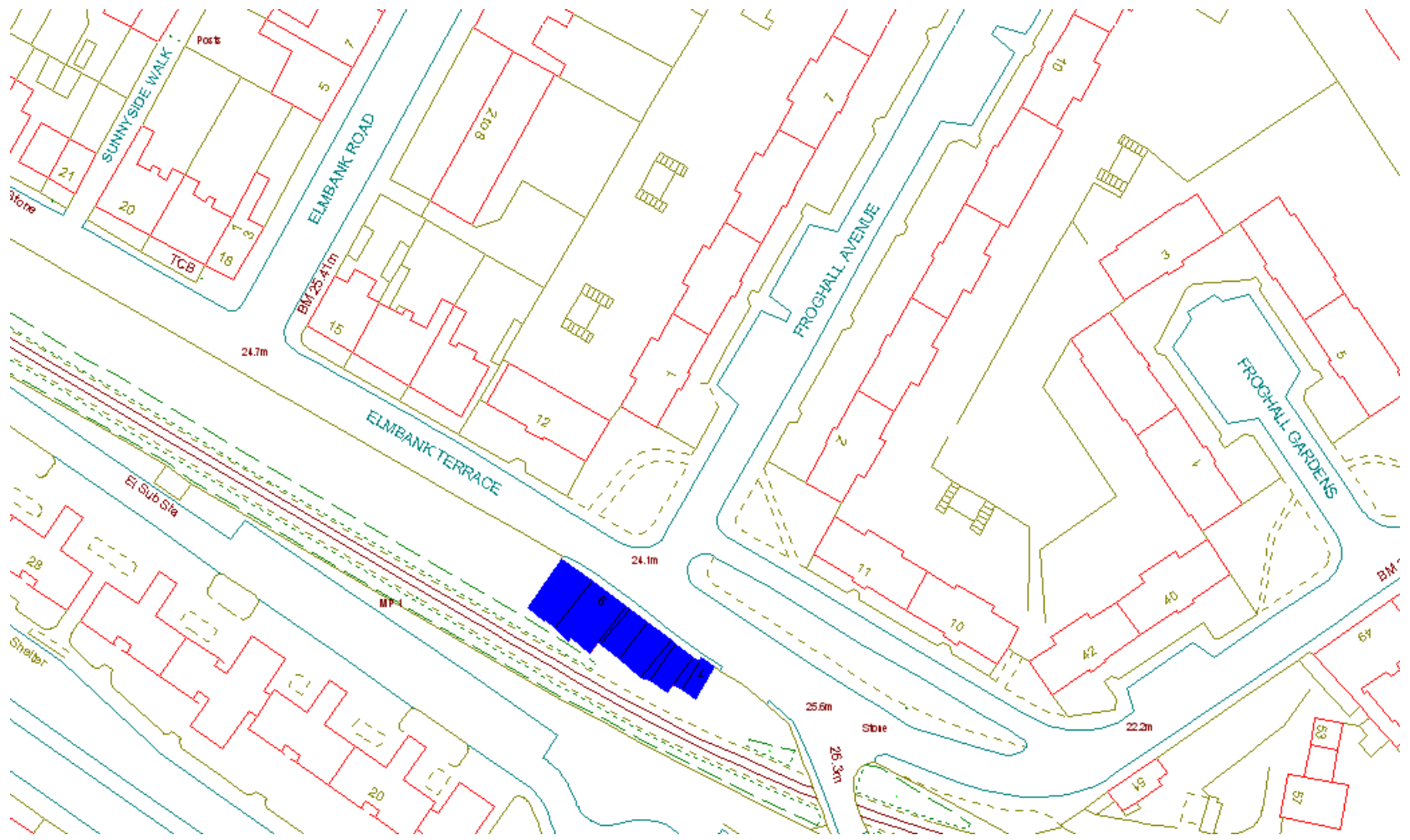
Neighbourhood Centre 18 – Cove. A one storey high purpose built neighbourhood centre consisting of approximately seven units, which sits close to Loirston School. The area has a carpark and is serviced by buses



Neighbourhood Centre 19 – Ellon Road. A linear spread of premises that run along Ellon Road. There are approximately 7 premises in all, most of which are two storeys high.



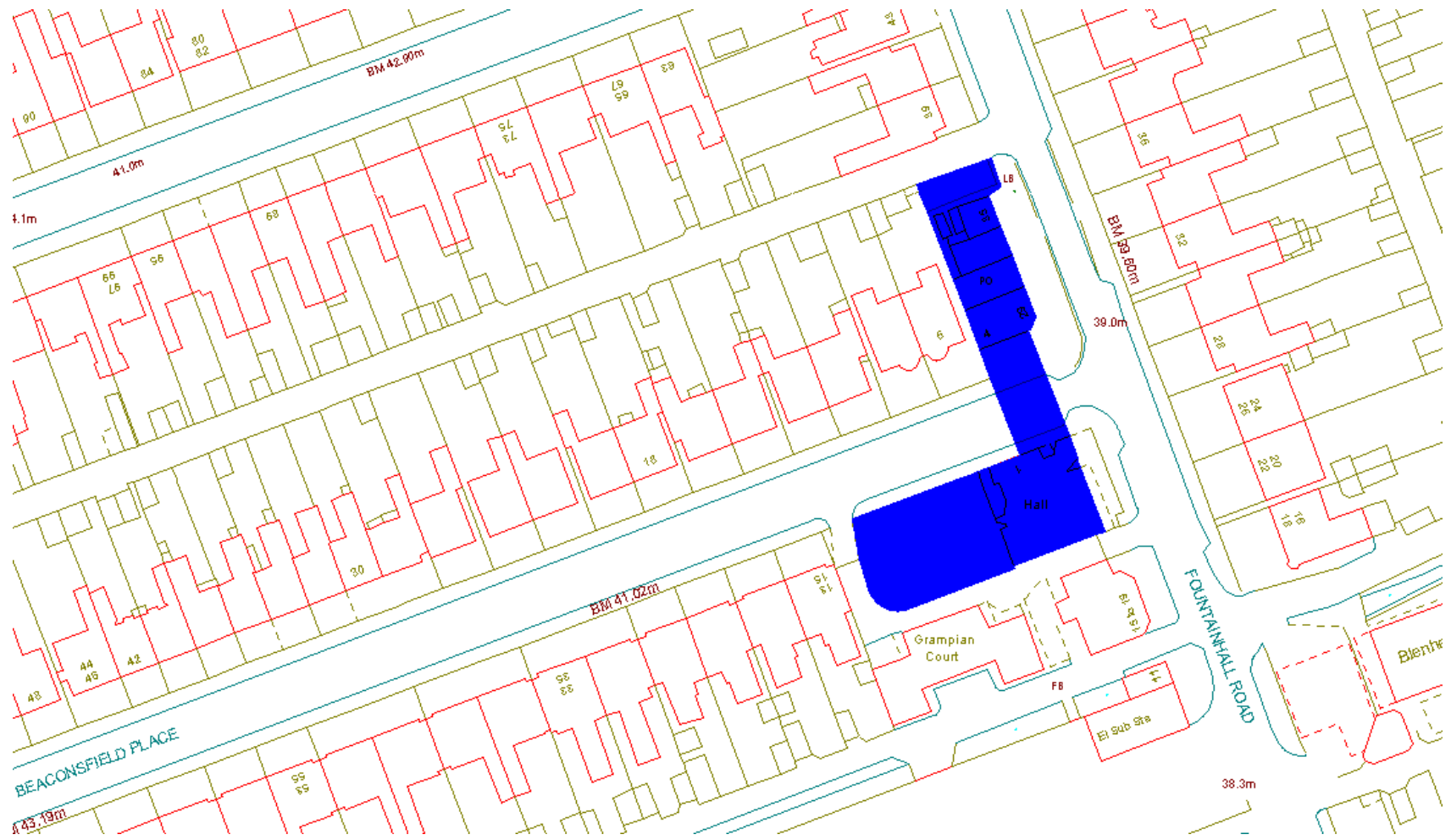
Neighbourhood Centre 20 – Elmbank Terrace. The 5 units are one storey high, and are linear in form. They are situated along one side of Elmbank Terrace.



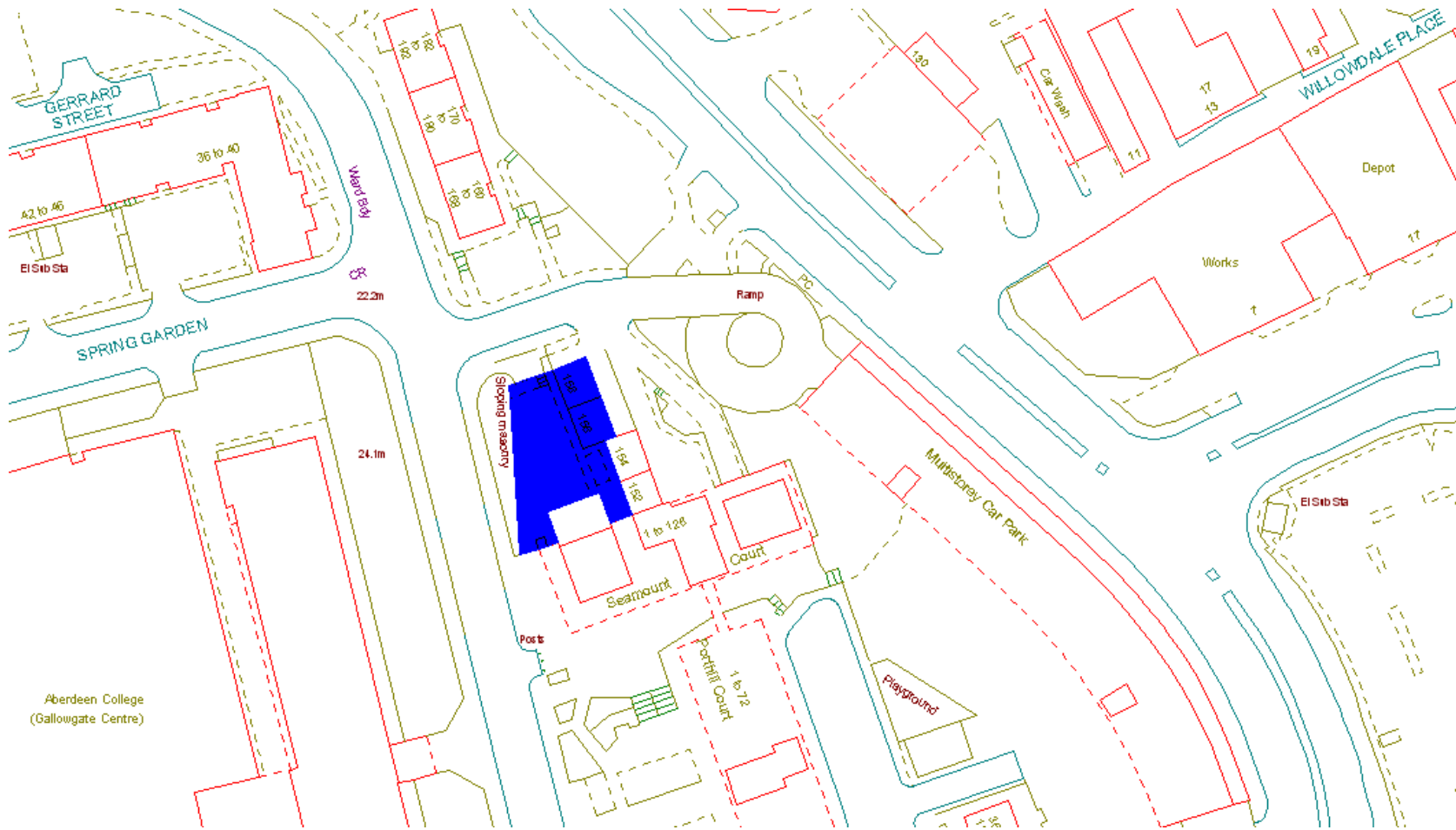
Neighbourhood Centre 21 – Finnan Place. A collection of approximately six retail units within a residential setting. The retail units are two storeys high. The area is serviced by the number 12 bus.



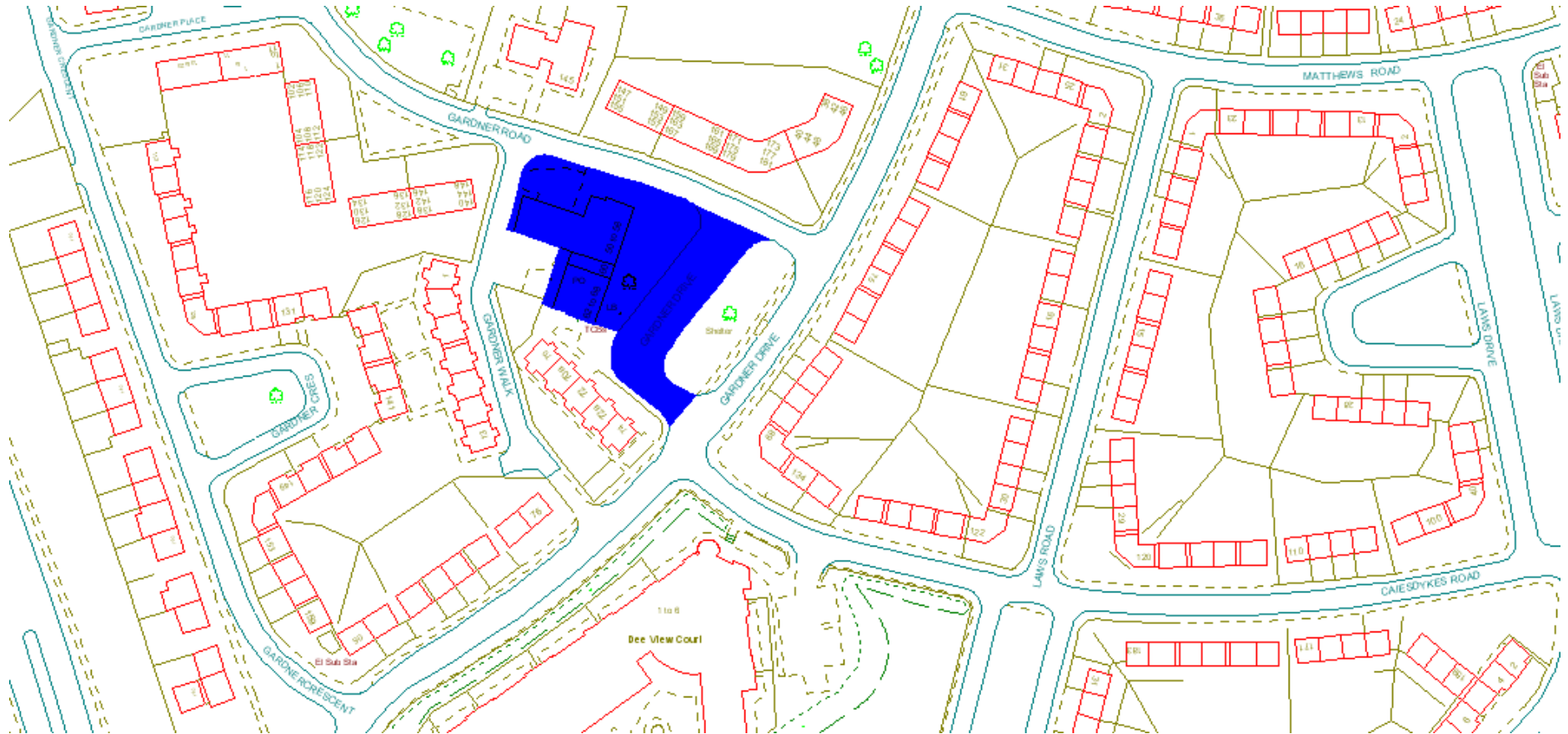
Neighbourhood Centre 22 – Fountainhall Road. A linear row of approximately seven units, with residential accommodation above. The majority of retail units are located on the ground floor of a tenement block.



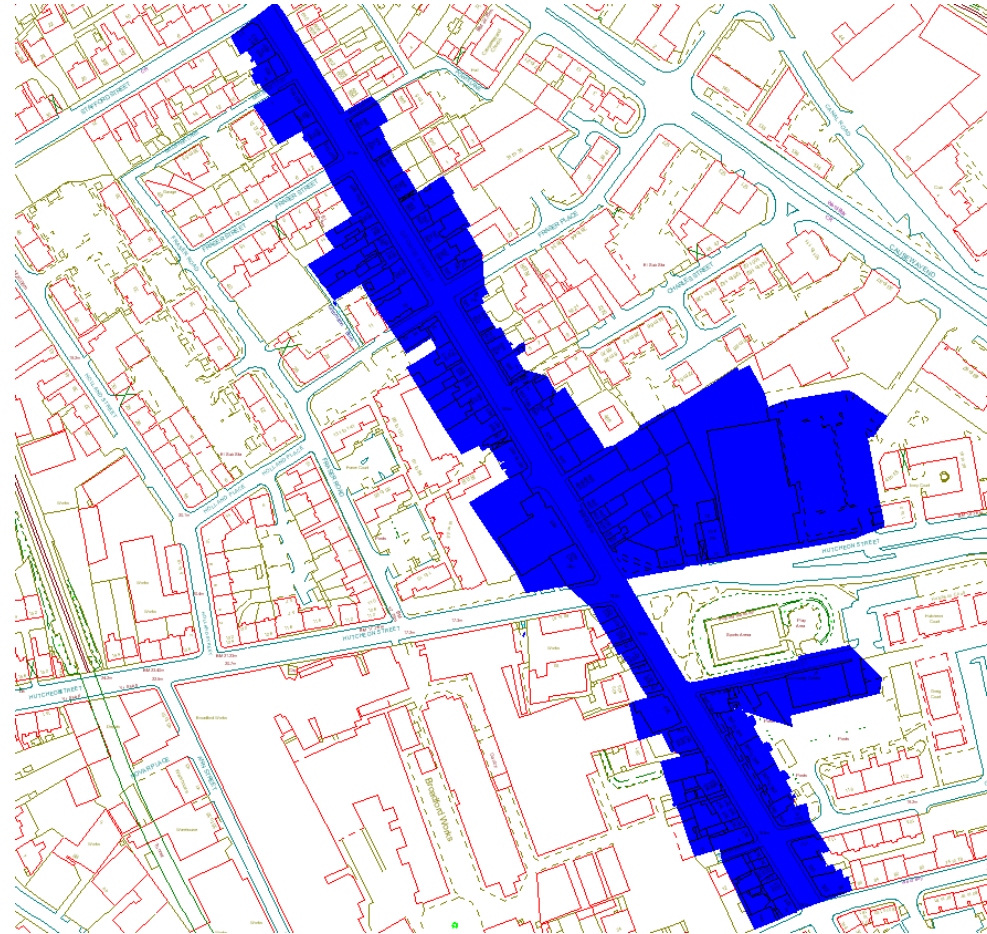
Neighbourhood Centre 23 – Gallowgate. A linear stretch of premises situated close to a large tower block and across from Aberdeen College. The premises are purpose built and are mostly one storey high. There is only one convenience shop; the other premises are business addresses. Bus stops are situated close by.



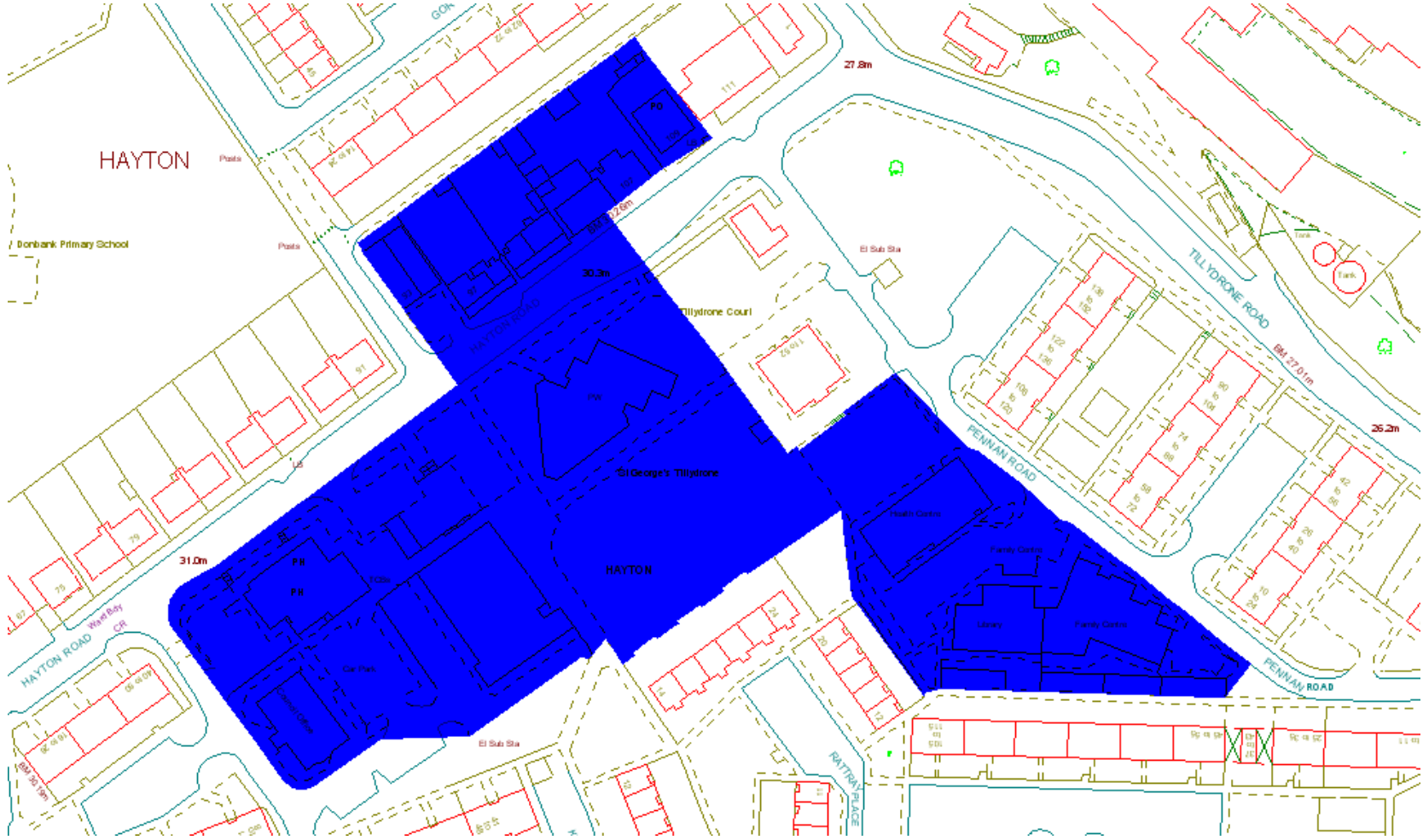
Neighbourhood Centre 24 – Gardiner Drive. There are four purpose built one and half storey premises with retail units at ground level and residential accommodation above. There is a car park in front of the neighbourhood centre and a recycling point. The number 17 bus services the area.



Neighbourhood Centre 25 – George Street. A large neighbourhood centre that runs along both sides of George Street and consists of tenement buildings with retail units on the ground level and residential accommodation above. The area is served well by public transport.



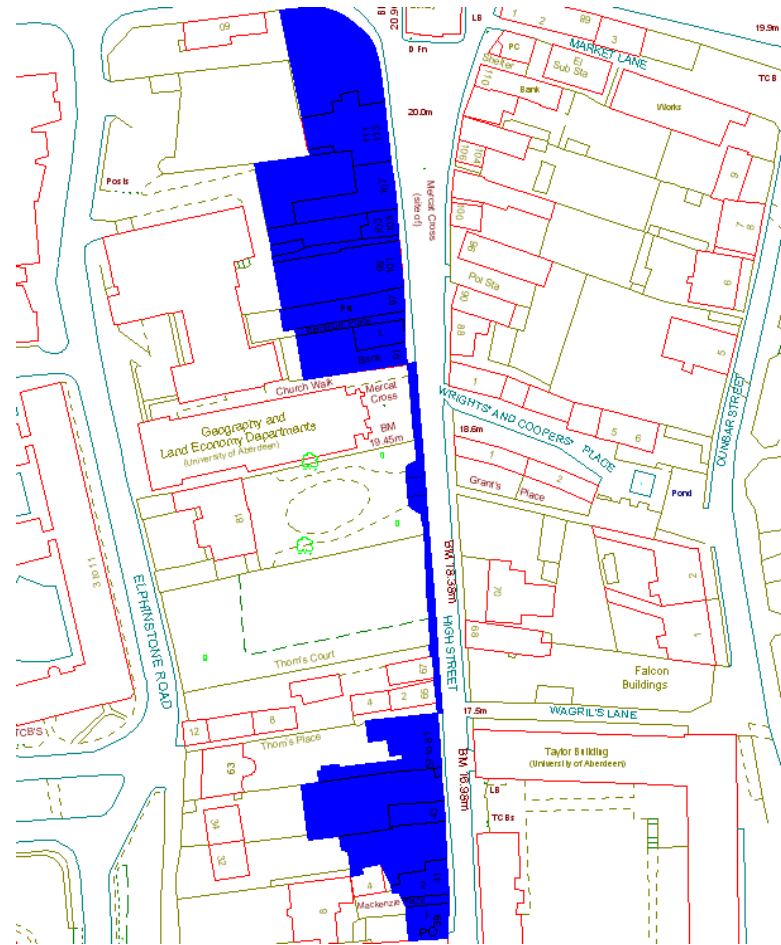
Neighbourhood Centre 26 – Hayton Road. A collection of shops on both sides of Hayton Road, with many community facilities close by. Most retail premises are one storey high and purpose built.



Neighbourhood Centre 27 – Hazelhead Avenue. A linear row of approximately four units. The retail premises sit on the ground floor of a two-storey block, with residential accommodation above. The number 14 bus service runs close to the neighbourhood centre on the B9119.



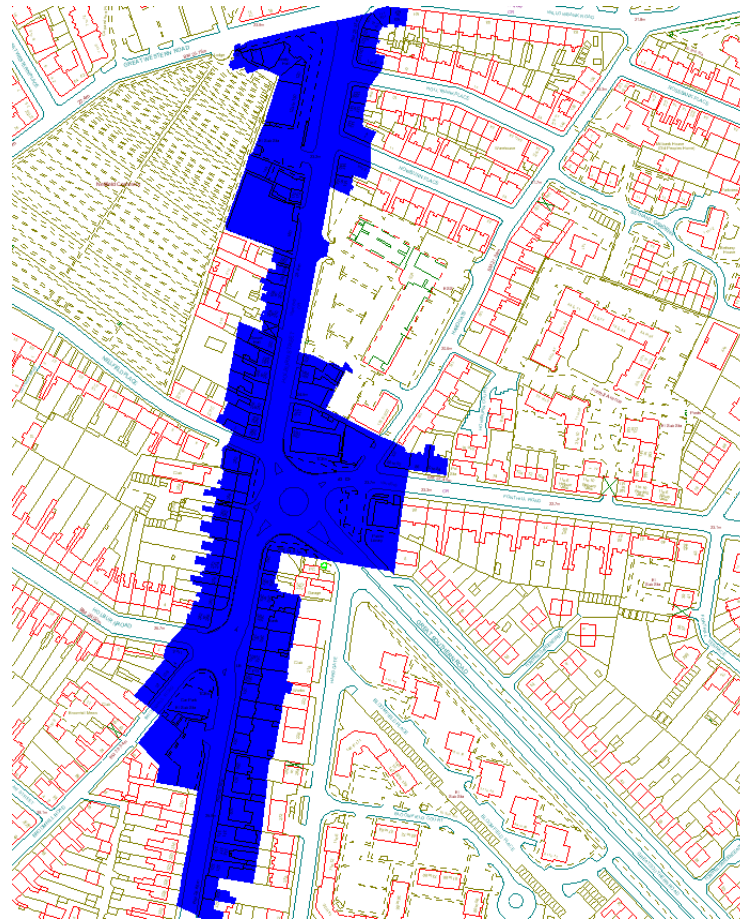
Neighbourhood Centre 28 – High Street, Old Aberdeen. A linear progression of seven retail units that sit within a conservation area, mostly made of residential houses and university premises. The retail premises sit on ground level and are one store high at most; the majority have storage space on the higher level.



Neighbourhood Centre 29 – Hilton/ Five Roads. A collection of four single storey retail premises that run along a short section of one way street and a church.



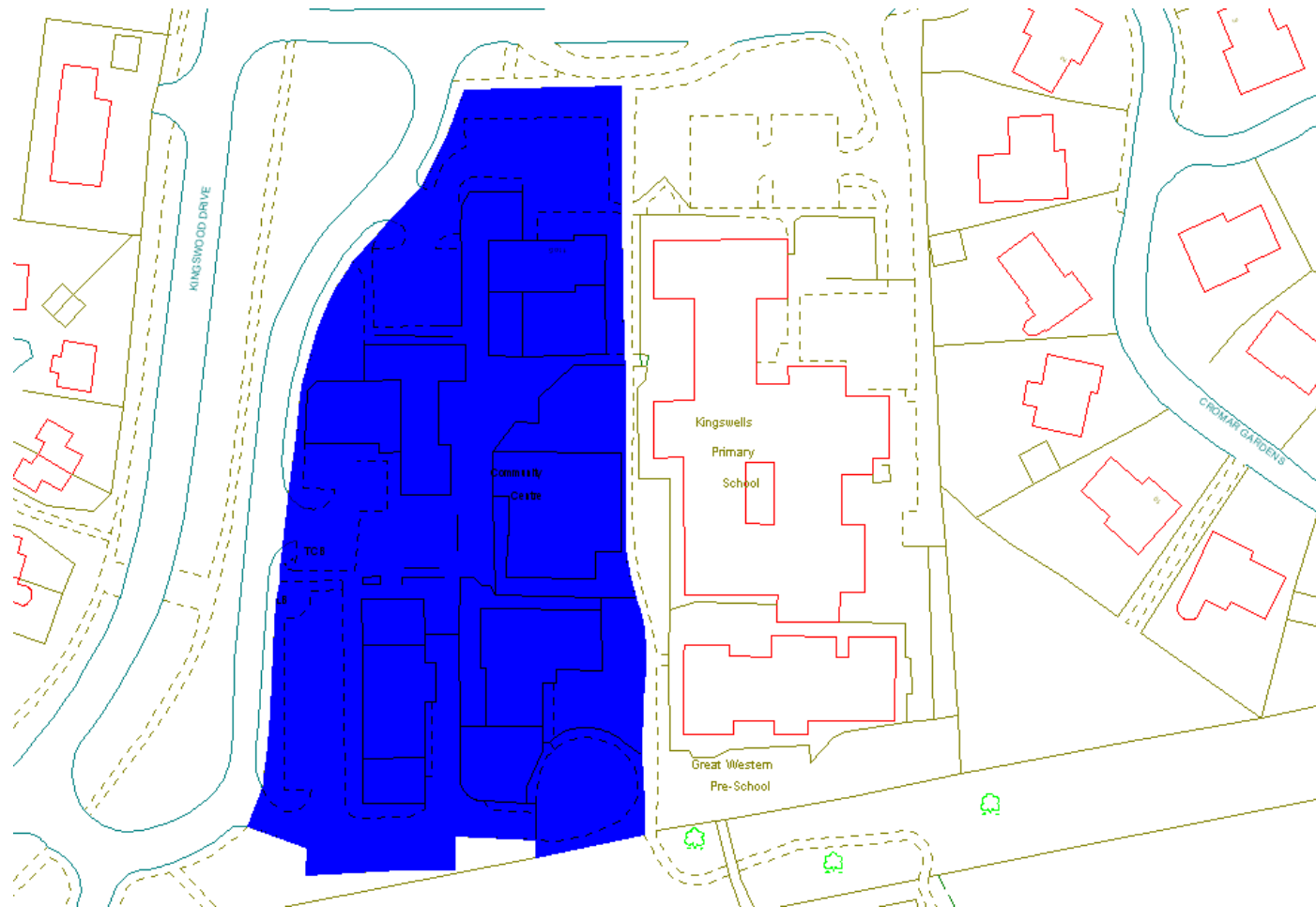
Neighbourhood Centre 30 – Holburn. A linear row of approximately 70 units running down both sides of Holburn Street. Most units are on the ground floor of tenement blocks, although some have storerooms above. The neighbourhood centre is focused on a roundabout with both pelican and zebra crossings for pedestrians to access each side of Holburn Street. Shops have good public transport links with the 1, 2 and 9 routes all stopping nearby.



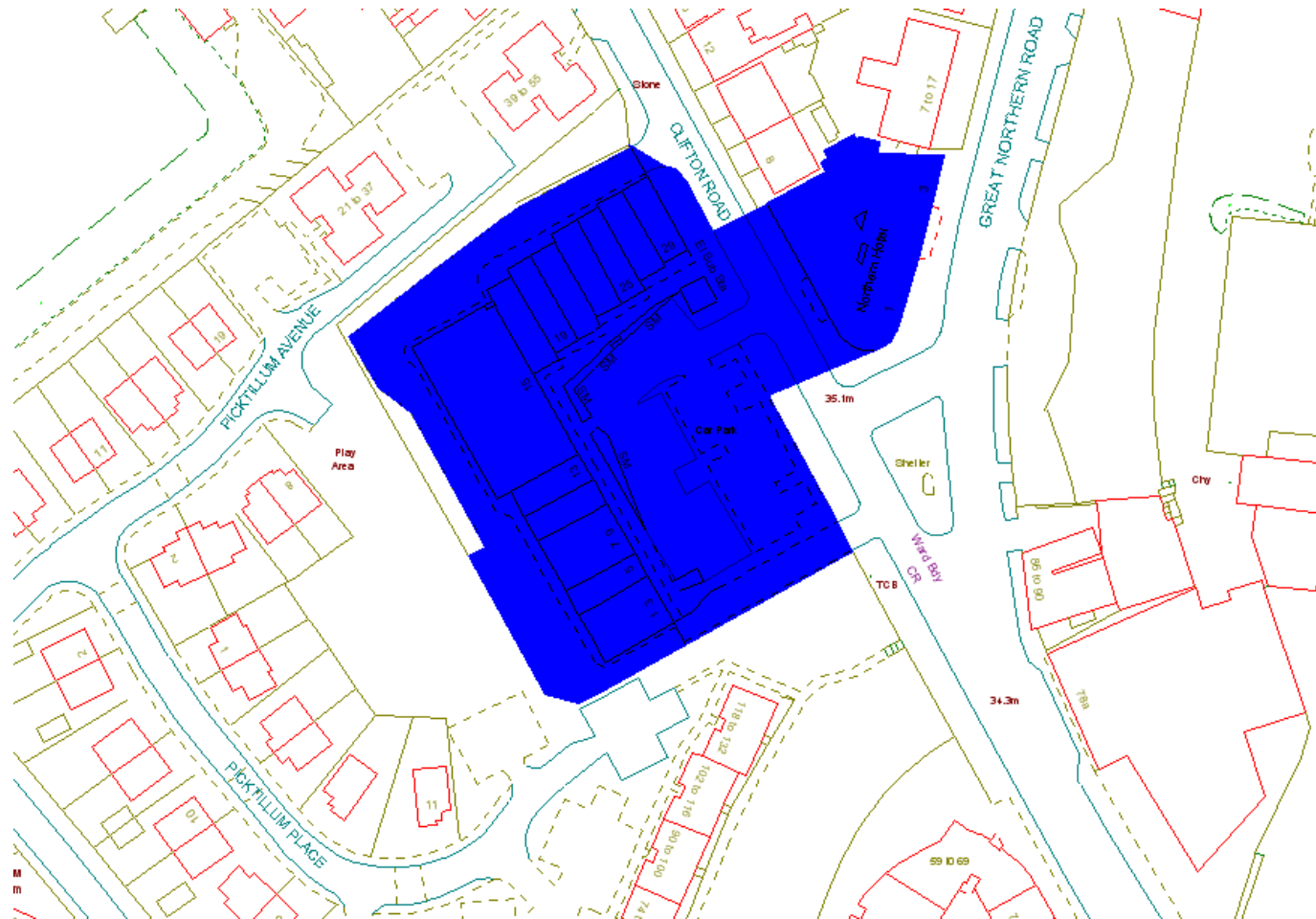
Neighbourhood Centre 31 – Jesmond Drive. A purpose built, free-standing neighbourhood centre consisting of 6 units with a frequent bus service.



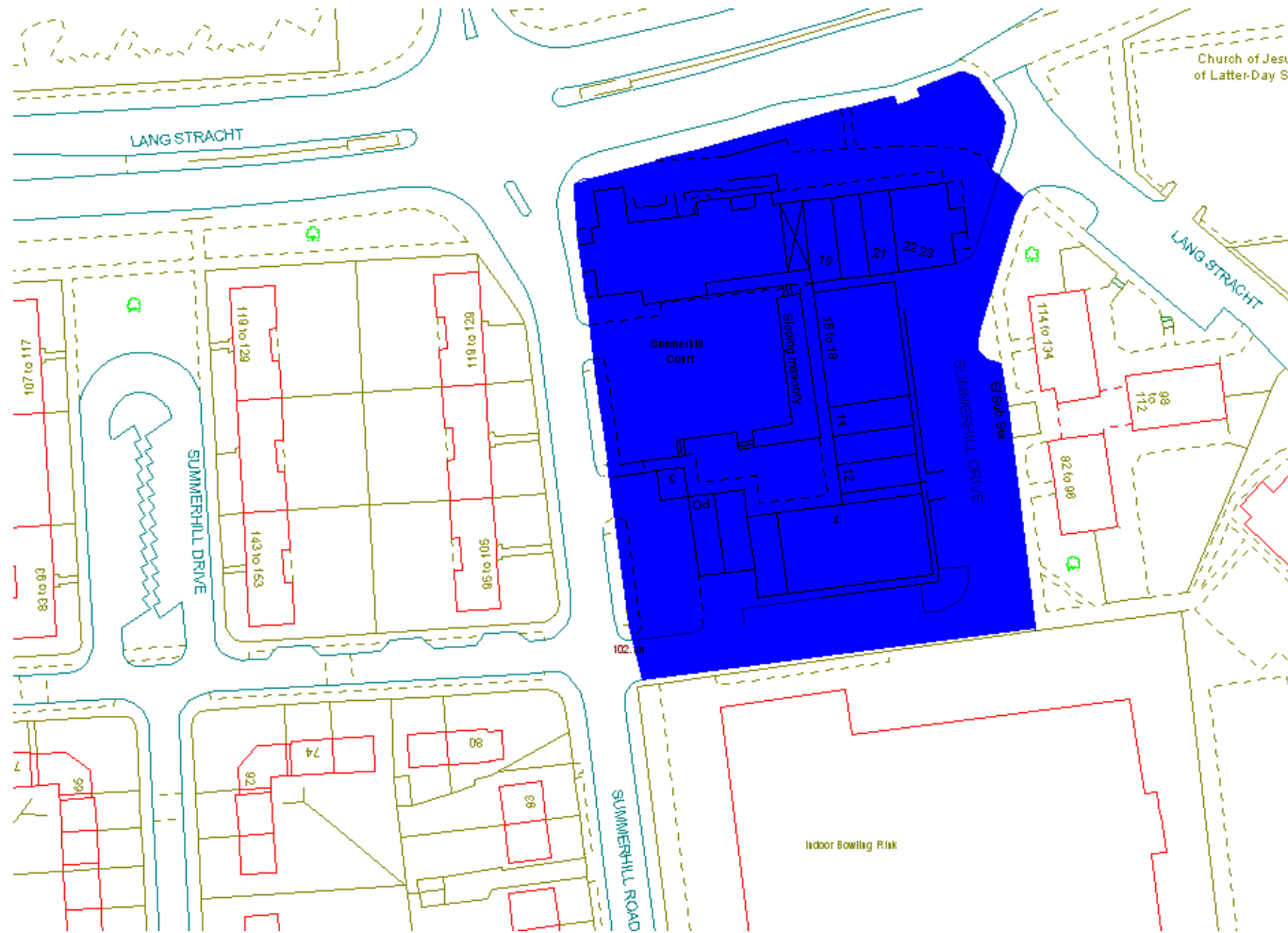
Neighbourhood Centre 32 – Kingswells. A purpose built neighbourhood centre with 8 businesses trading. The buildings are a mixture of one and a half and two storeys high. There are car parking facilities and bus stops within easy walking distance.



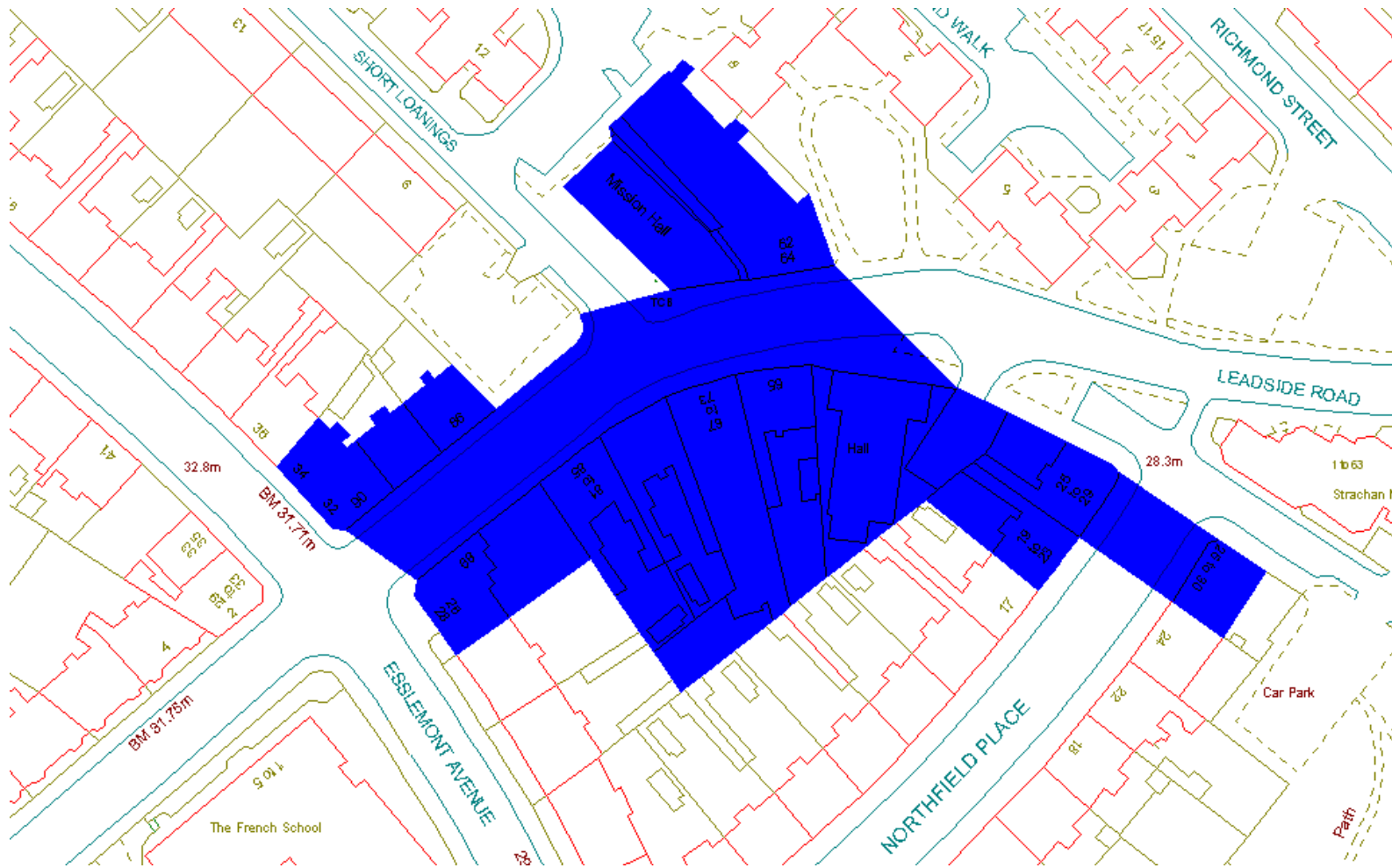
Neighbourhood Centre 33 – Kittybrewster/ Clifton. A purpose built neighbourhood centre of approximately 14 retail units with a car park at its centre. The buildings are one storey high. The area is very well served with bus stops.



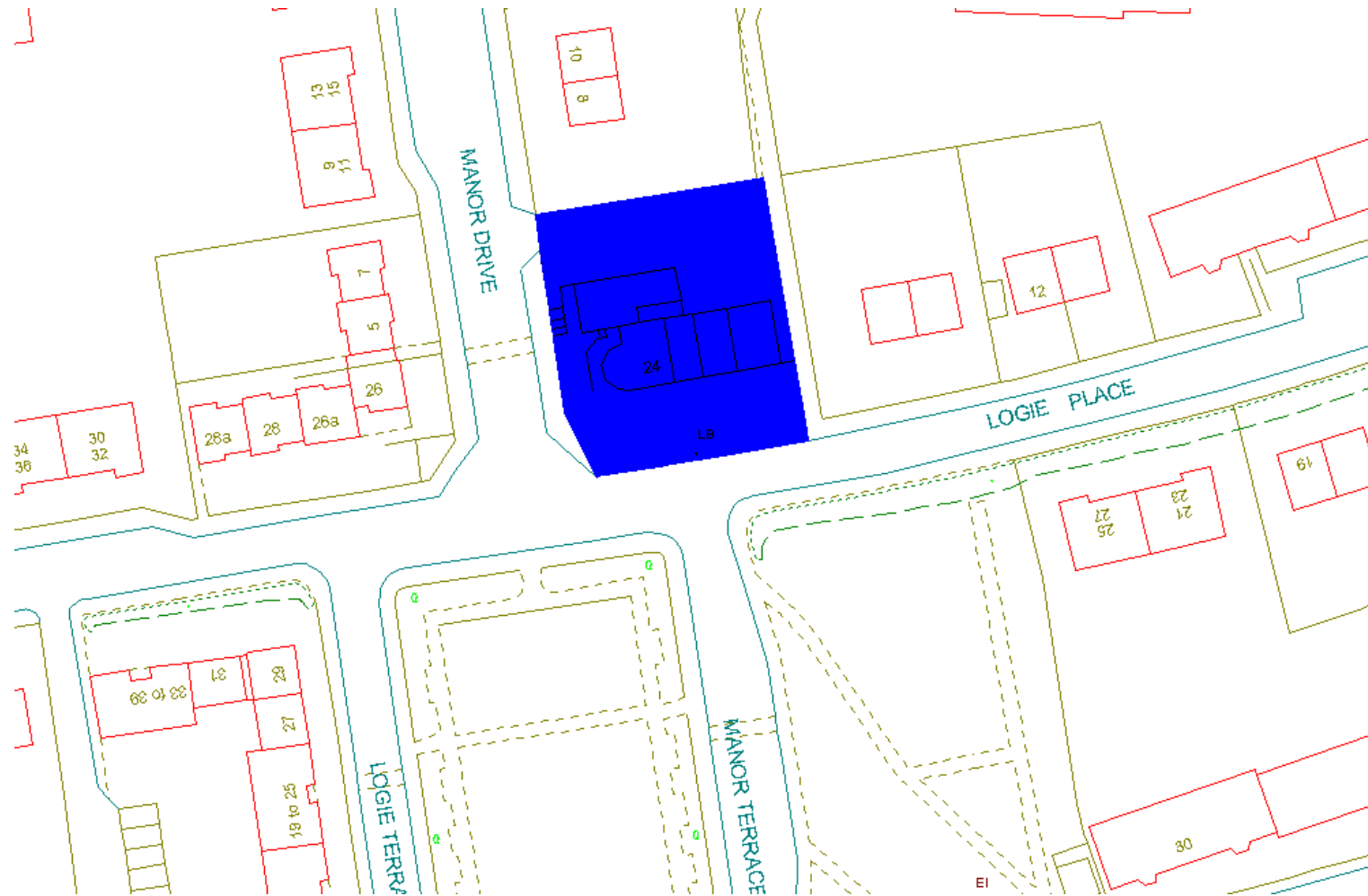
Neighbourhood Centre 34 – Lang Stracht. A collection of approximately 14 units with a car park in the centre of the area. Most of the units are one storey high.



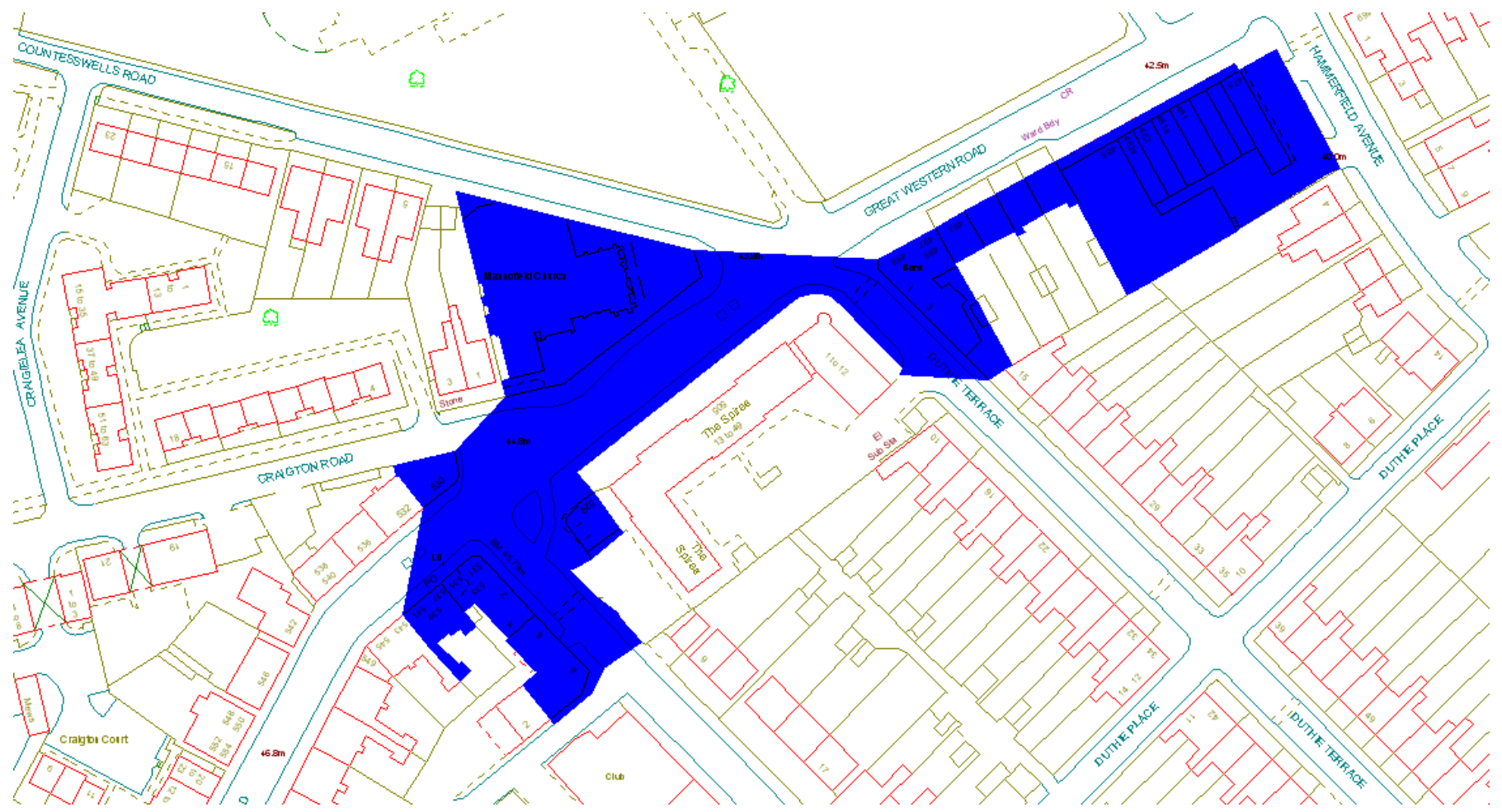
Neighbourhood Centre 35 – Leadside Road. A collection of 12 retail units situated on the ground floor premises of tenement blocks on Northfield Place and Leadside Road. The premises contain very specialised services.



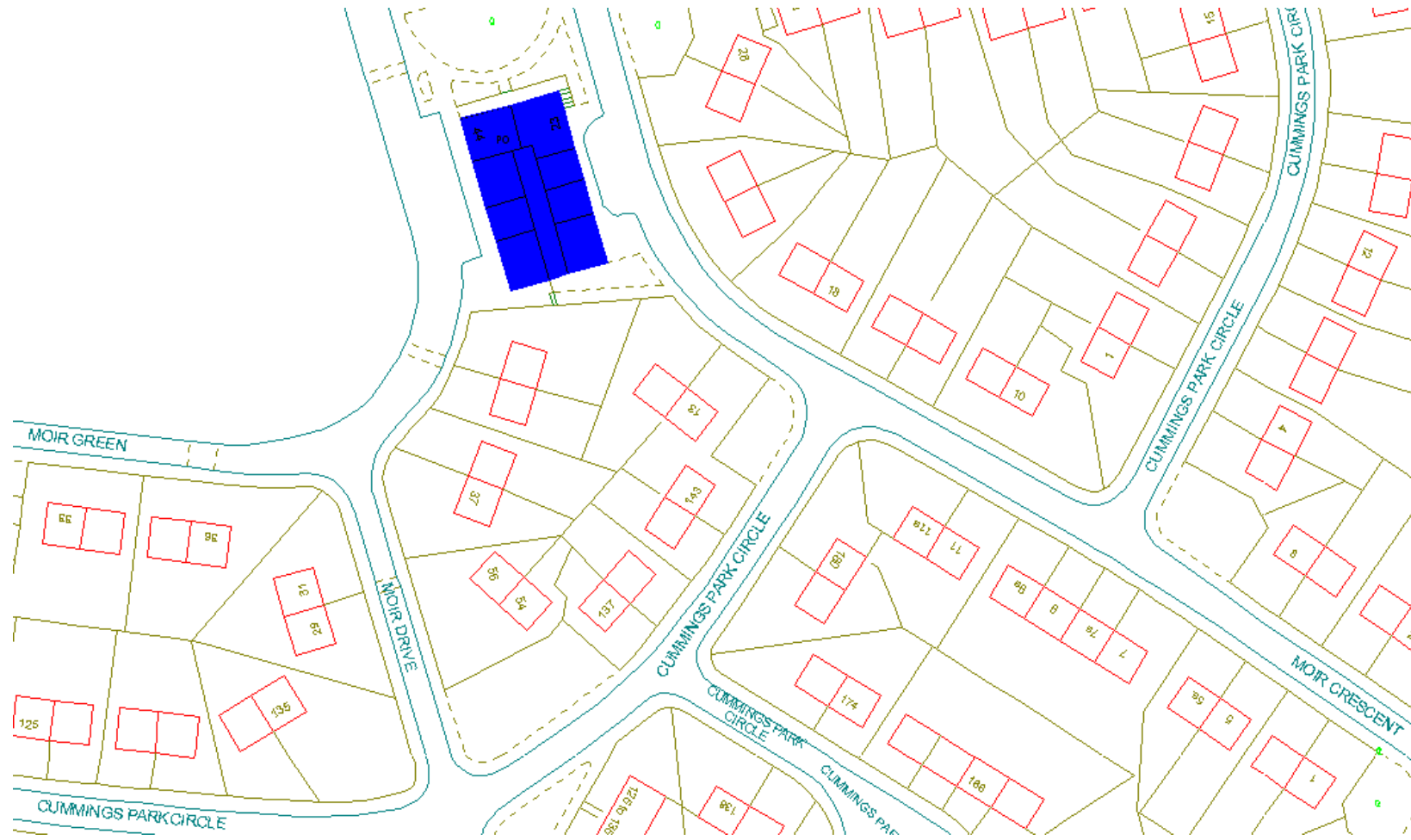
Neighbourhood Centre 36 – Logie Place. A purpose built collection of 5 one storey high units situated close to greenspace and the number 13 bus terminus.



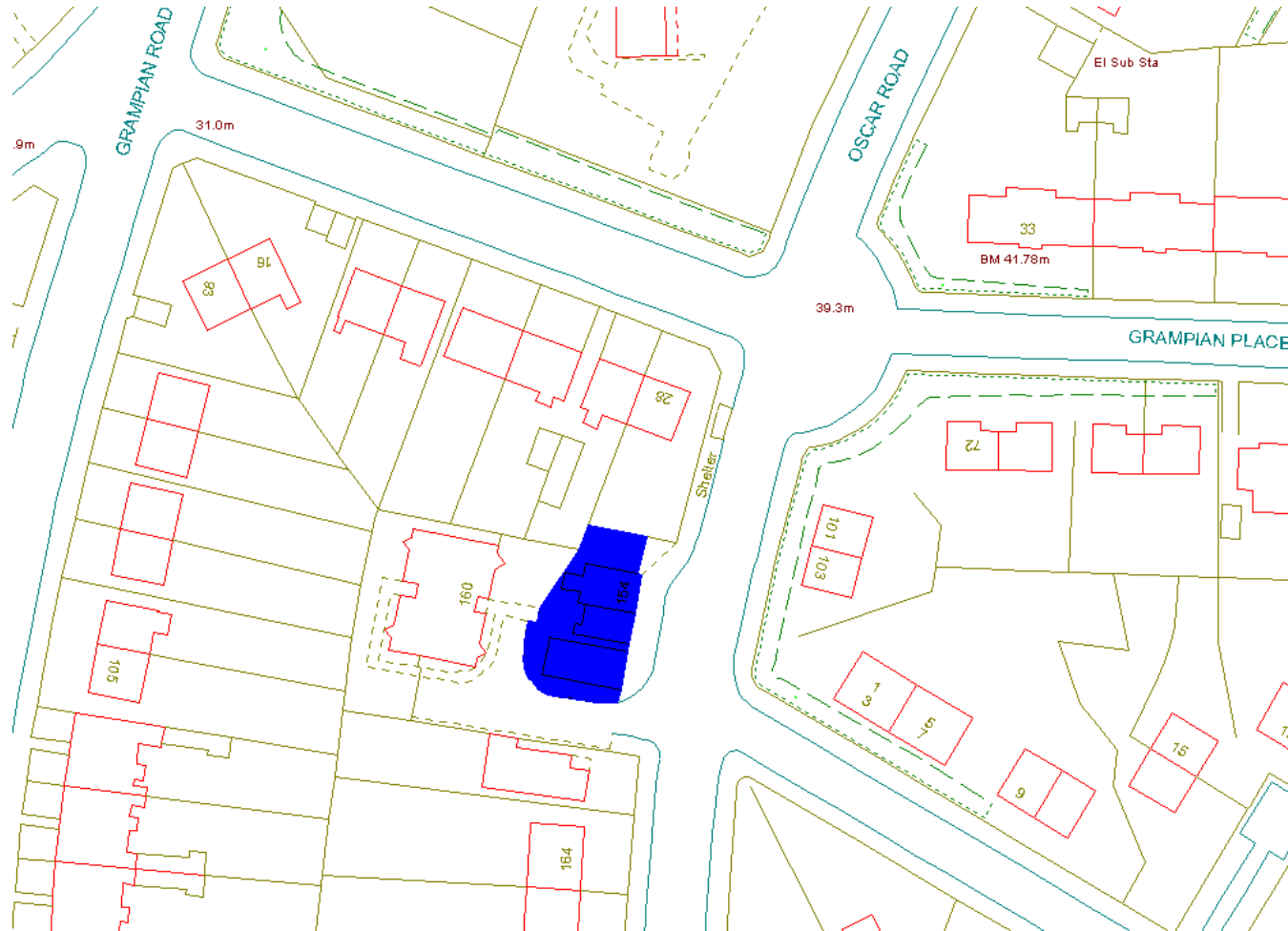
Neighbourhood Centre 37 – Mannofield. A mixture of purpose built retail units and tenements blocks with retail use on the ground floor. There are approximately 18 units in total.



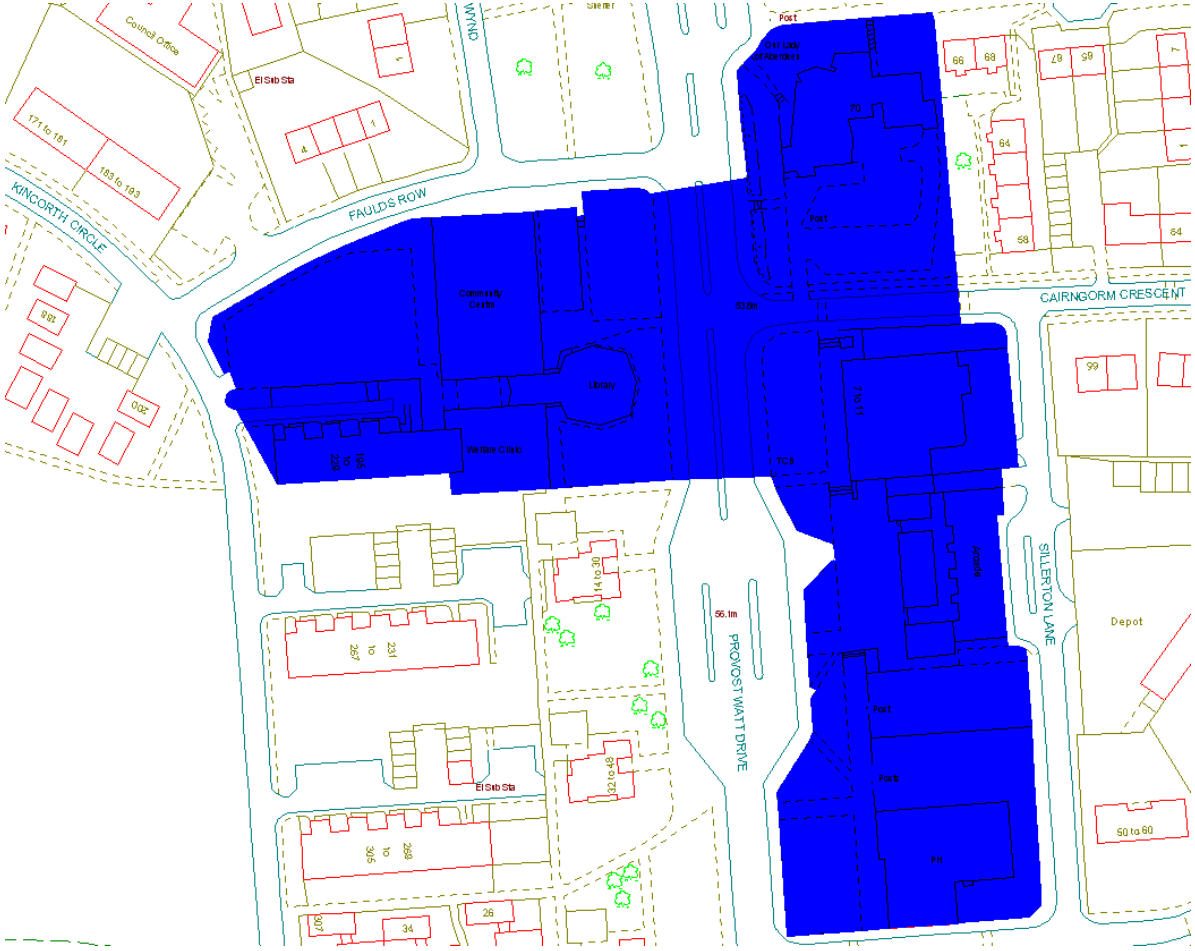
Neighbourhood Centre 39 – Moir Green. A collection of approximately nine purpose built units that are one storey high. The neighbourhood centre is situated close to green space.



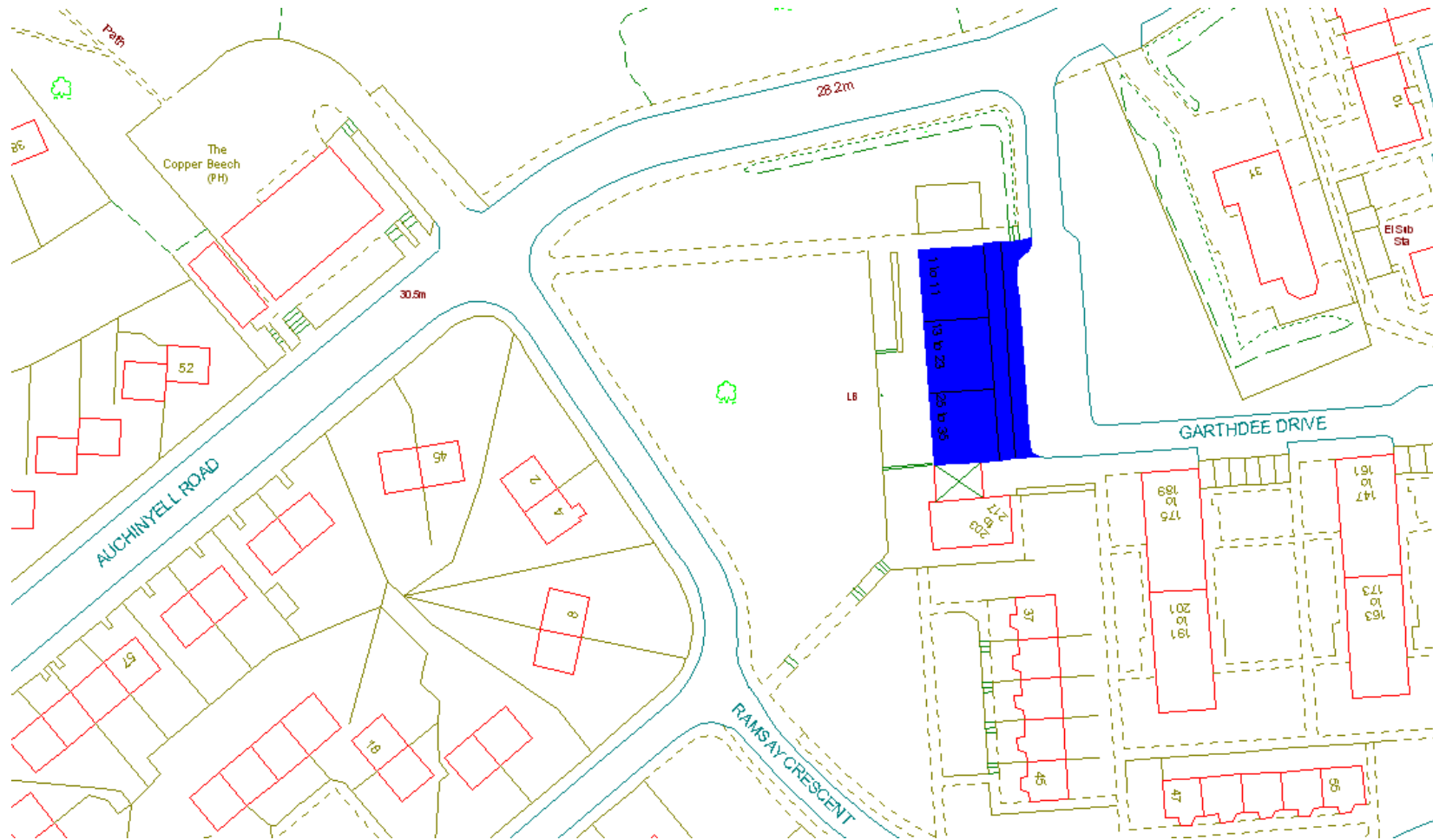
Neighbourhood Centre 40 – Oscar Road. A linear spread of three purpose built one storey high units, with a parking bay in front and a bus stop in close walking distance. The number 8 and 12 buses service the area.



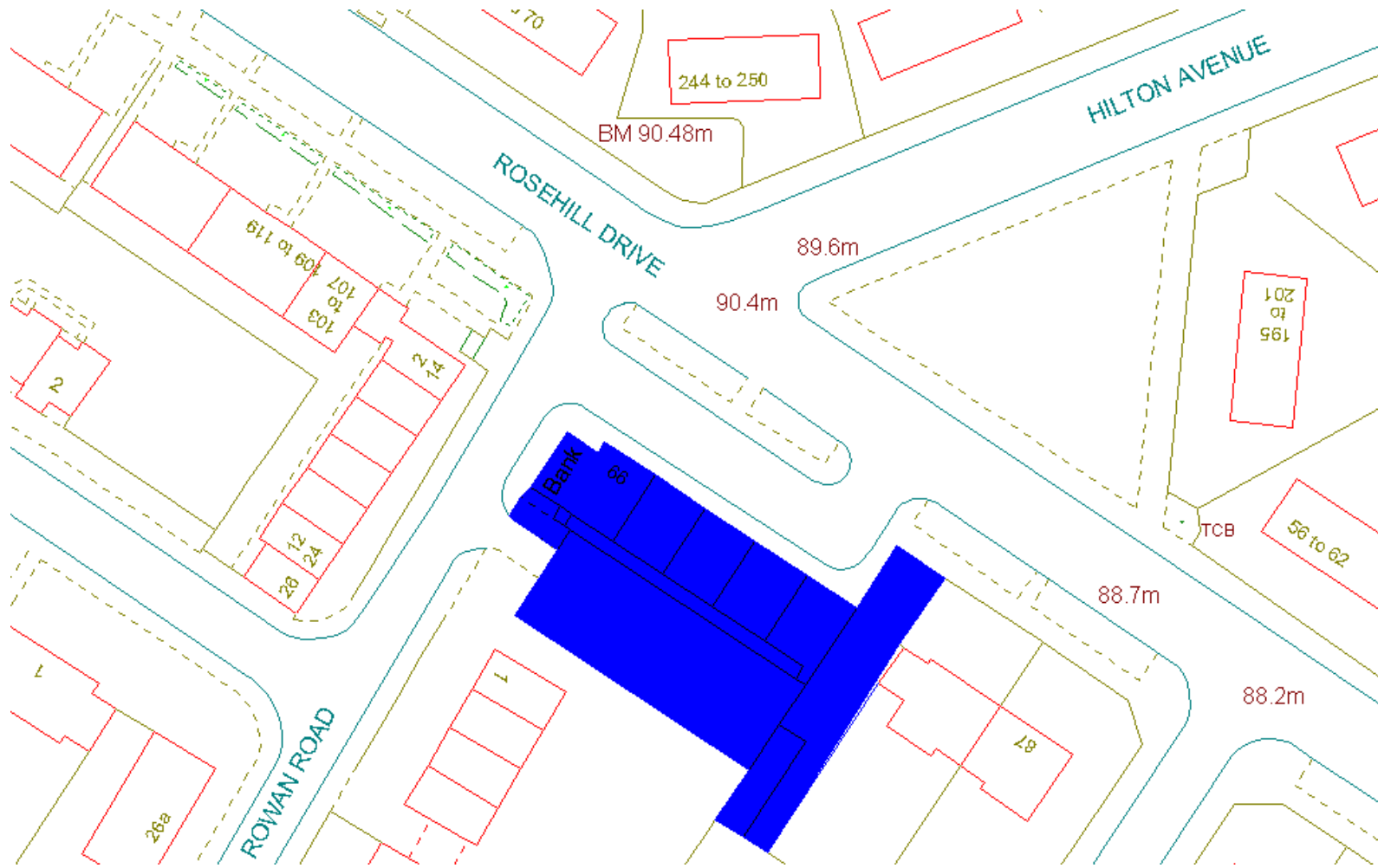
Neighbourhood Centre 41 – Provost Watt Drive. A neighbourhood centre consisting of approximately nine units that run on both sides of Provost Watt Drive. The majority of community facilities are situated on the west side of Provost Watt Drive while the retail premises are on the east. The premises are one storey high and purpose built. The number 8 and 17 bus routes service the area.



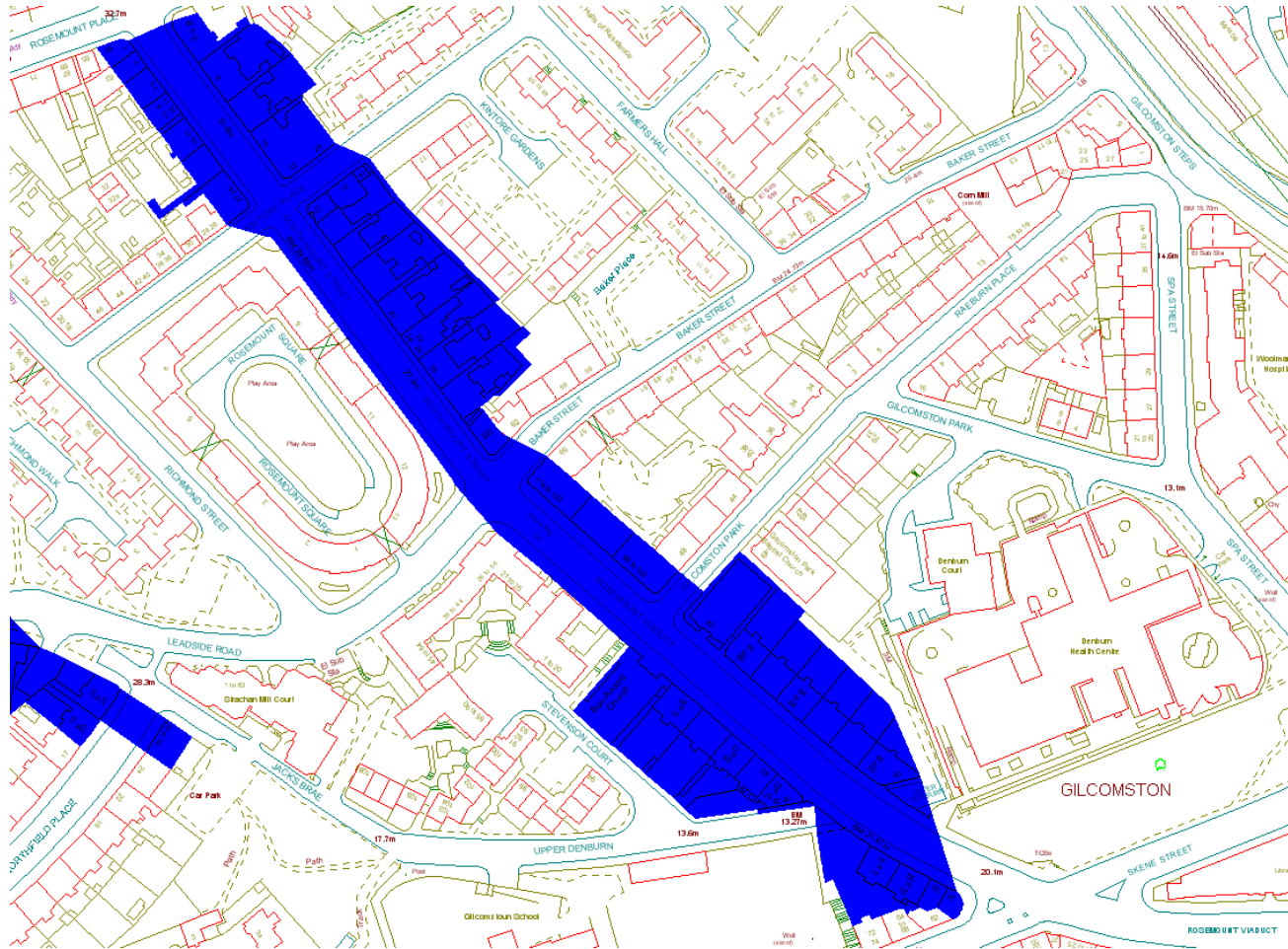
Neighbourhood Centre 42 – Ramsay Crescent. A linear collection of units situated on the ground floor of a three-storey tenement block. The area is serviced by the number 1 and 2 bus routes.



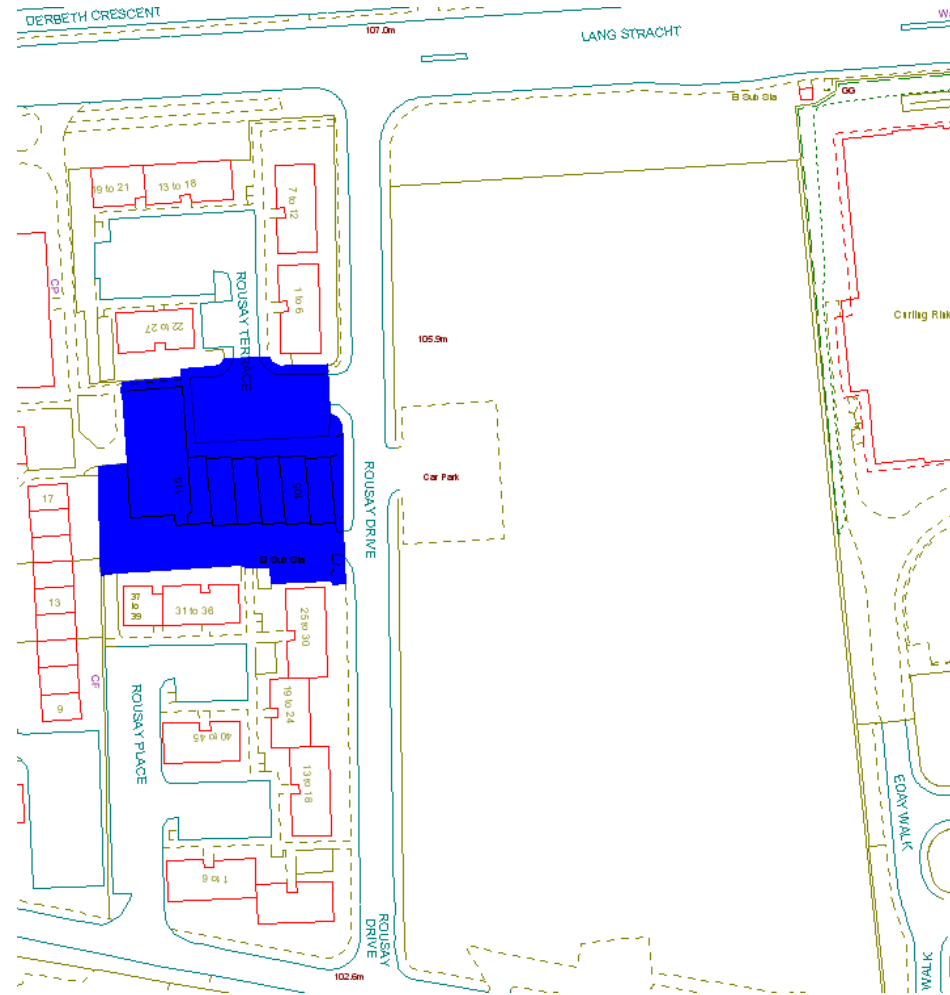
Neighbourhood Centre 43 – Rosehill Drive. A linear row of approximately five units located within a slip road area set back from Rosehill Drive. The premises are one storey high.



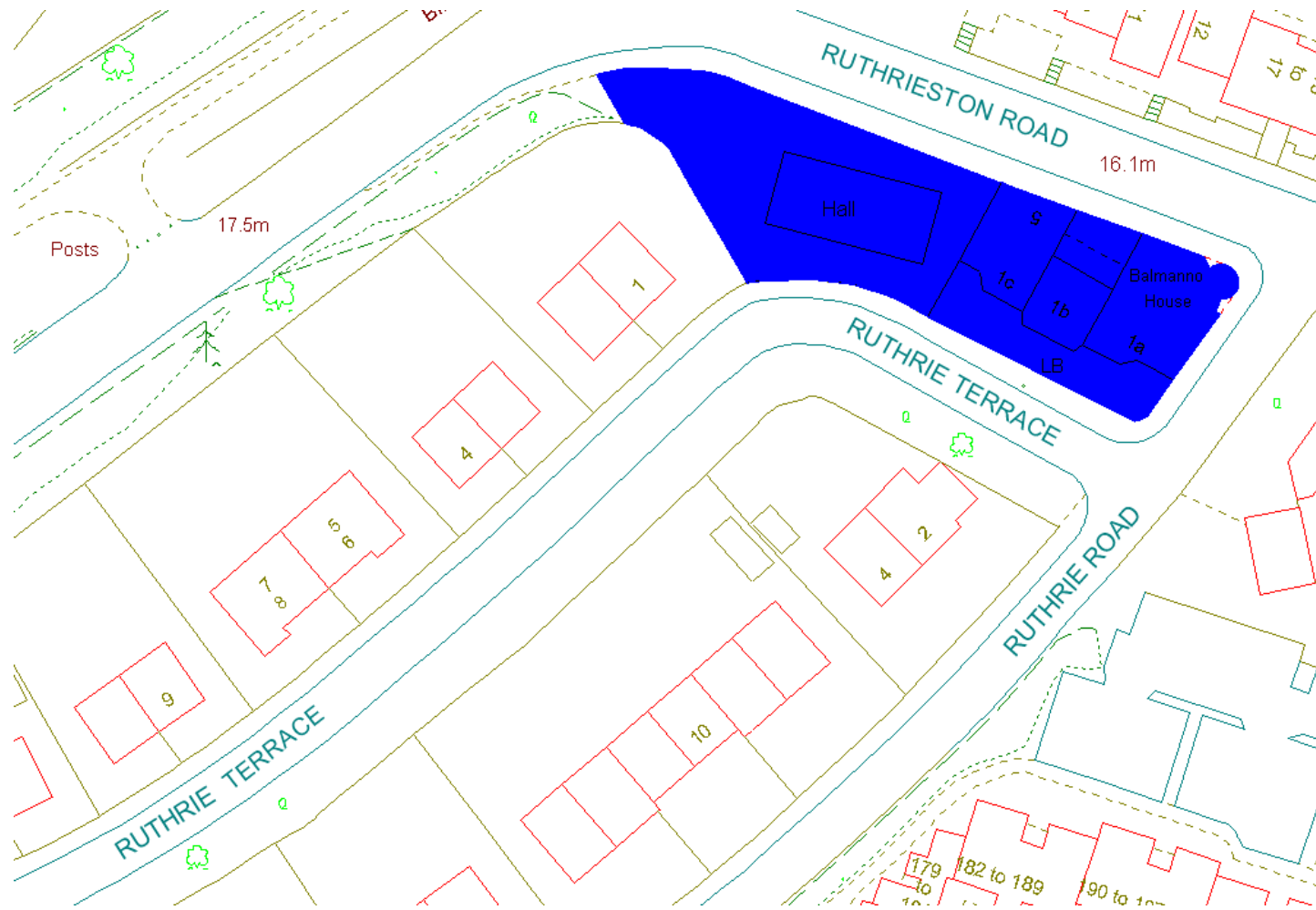
Neighbourhood Centre 44 – Rosemount/ South Mount Street. A linear progression of retail units that run down both sides of South Mount Street and into Rosemount Viaduct. The area is served by bus.



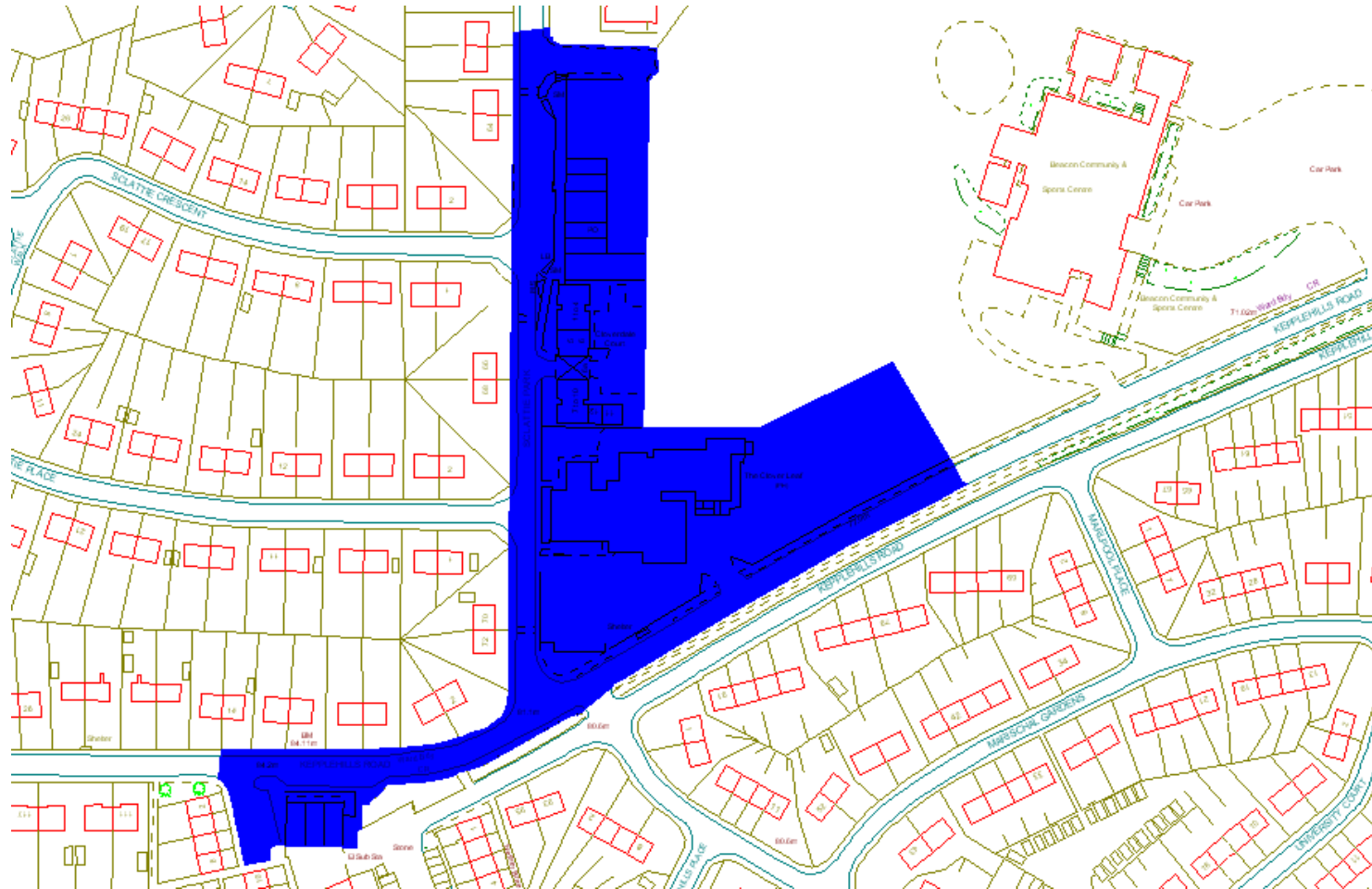
Neighbourhood Centres 45 – Rousay Drive. A collection of nine purpose built units that are one storey high. The neighbourhood centre is situated close to green space (effective only until such time as a superstore development has been completed and brought into use).



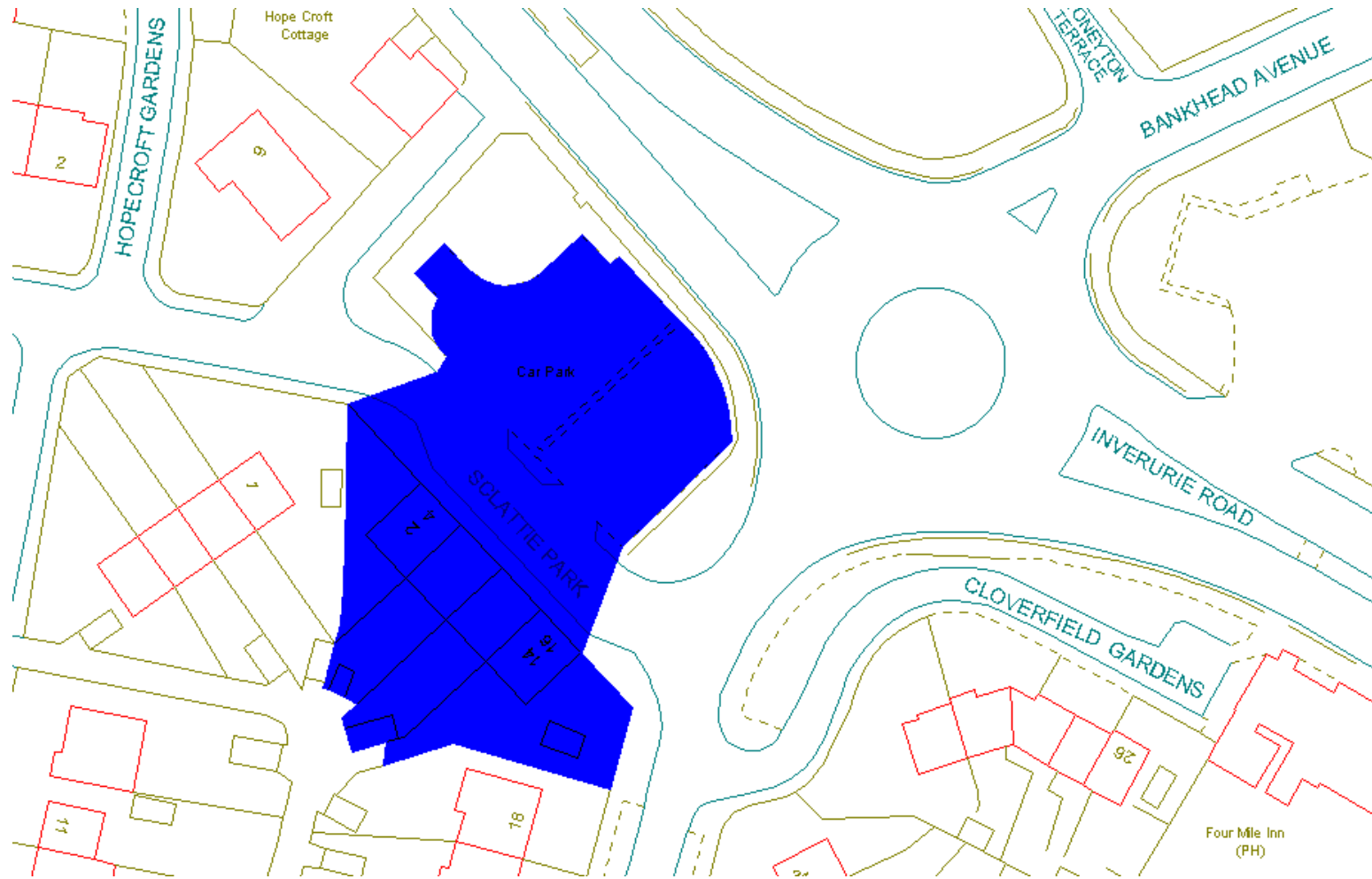
Neighbourhood Centres 46 – Ruthrie Terrace. A collection of purpose built one and a half storey retail premises, with very specialised services. There are no bus stops within the immediate area.



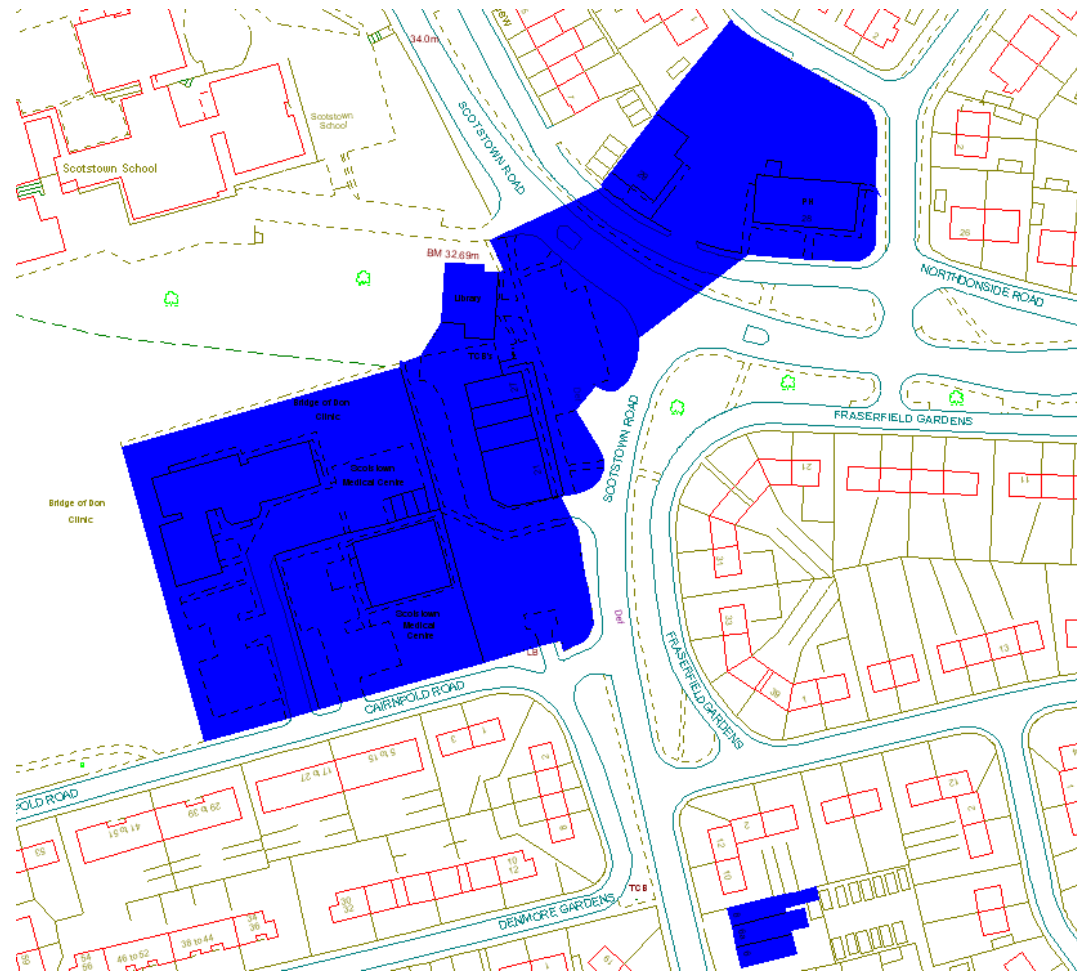
Neighbourhood Centre 47 – Scattlie Park. Two sections of purpose built, one storey high premises with a total of 10 units making up the neighbourhood centre.



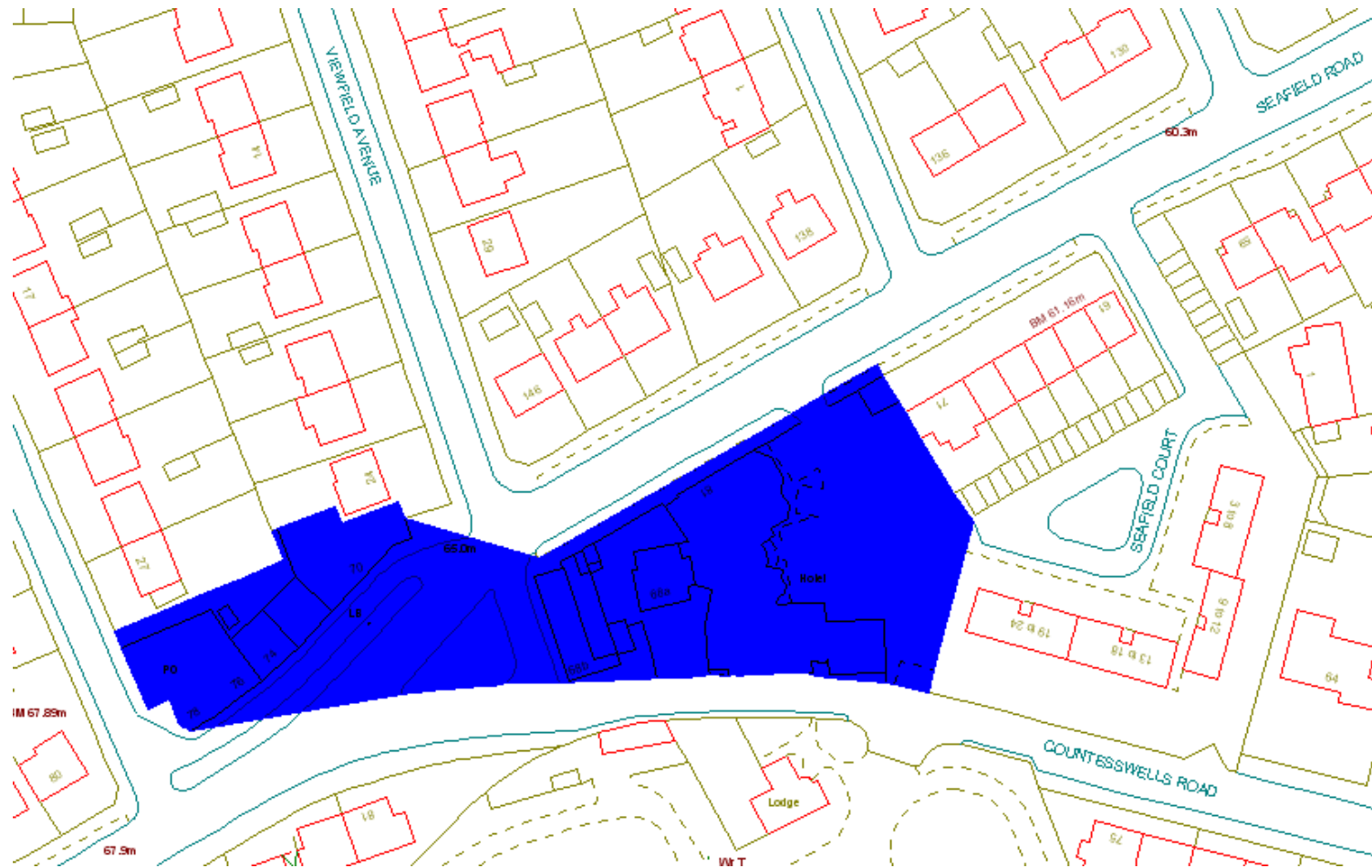
Neighbourhood Centre 48 – Scattie Park/ Inverurie Road. A linear row of four units, two storeys high, with shops on the ground floor and residential premises above. There is a purpose built car park situated across the road.



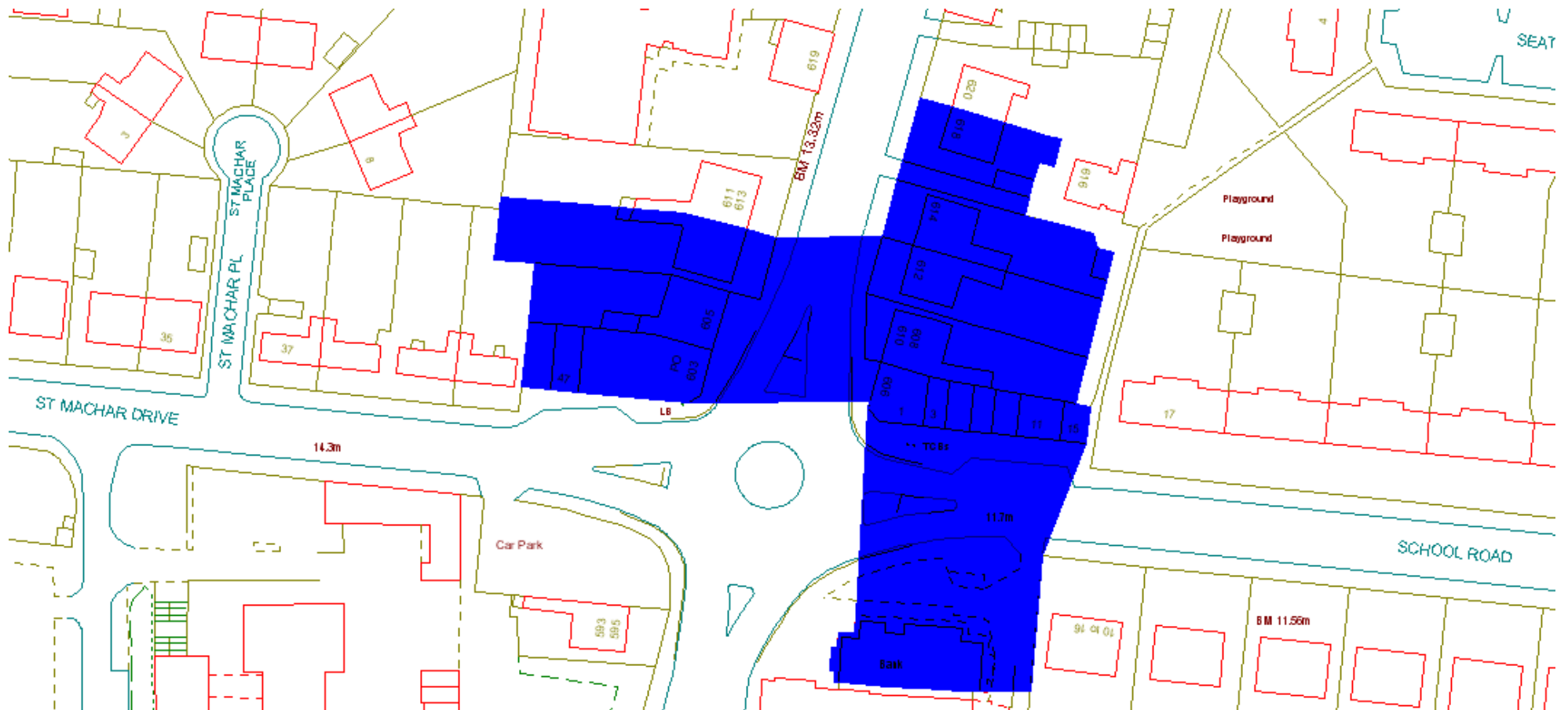
Neighbourhood Centre 49 – Scotstoun. A collection of purpose built, single storey units with car parking. The site is also located close to bus stops. There are approximately 10 retail units in total.



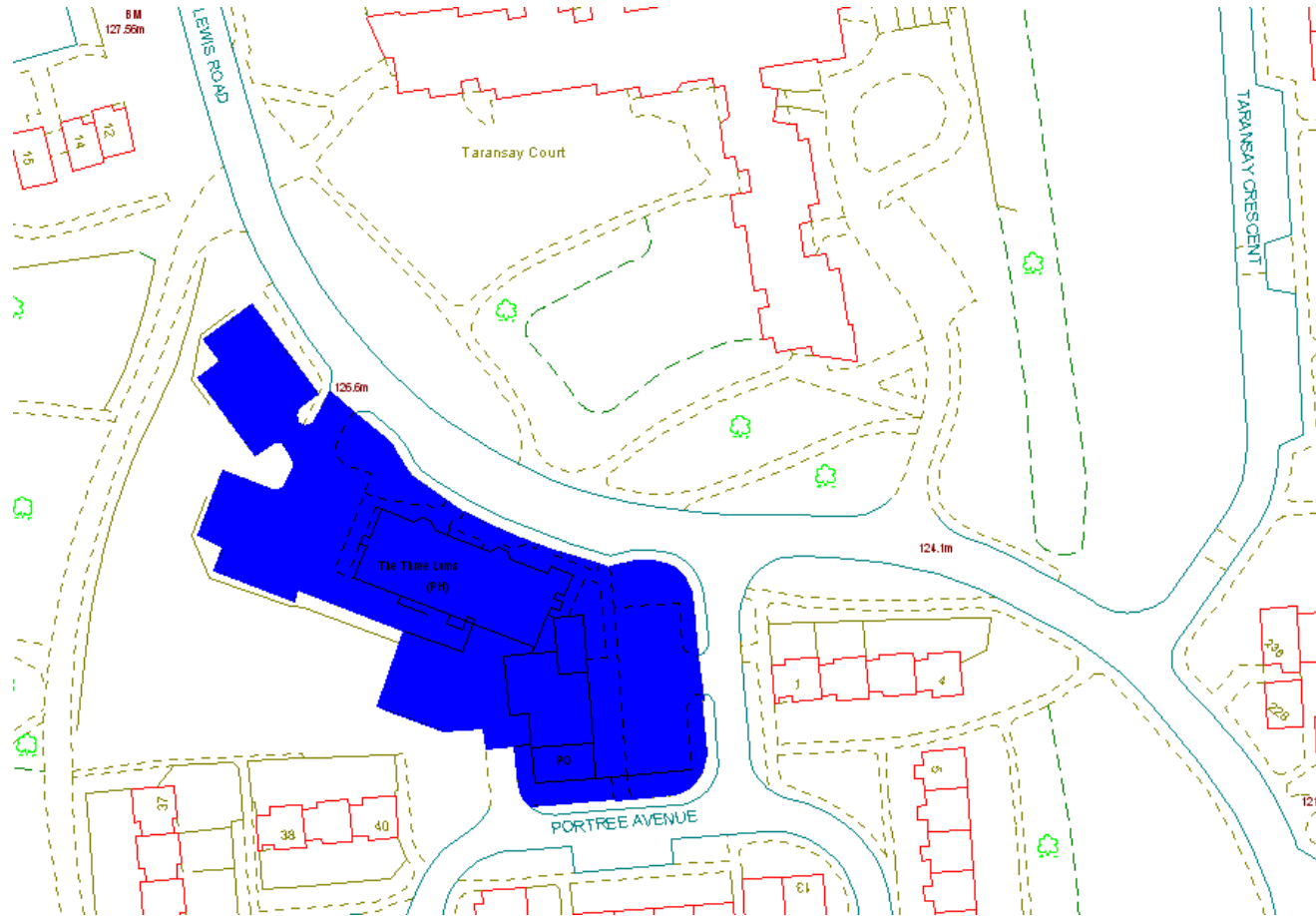
Neighbourhood Centre 50 – Seafield. A purpose built collection of approximately six units that are one storey high. The number 16 bus services the area.



Neighbourhood Centre 51 – Seaton. The neighbourhood centre is focused on the edge of a busy roundabout with two lanes of traffic coming into each intersection. The 12 retail units are mostly purpose built with the majority being one storey high. There are puffin crossing on each road, and a number of buses service the area.



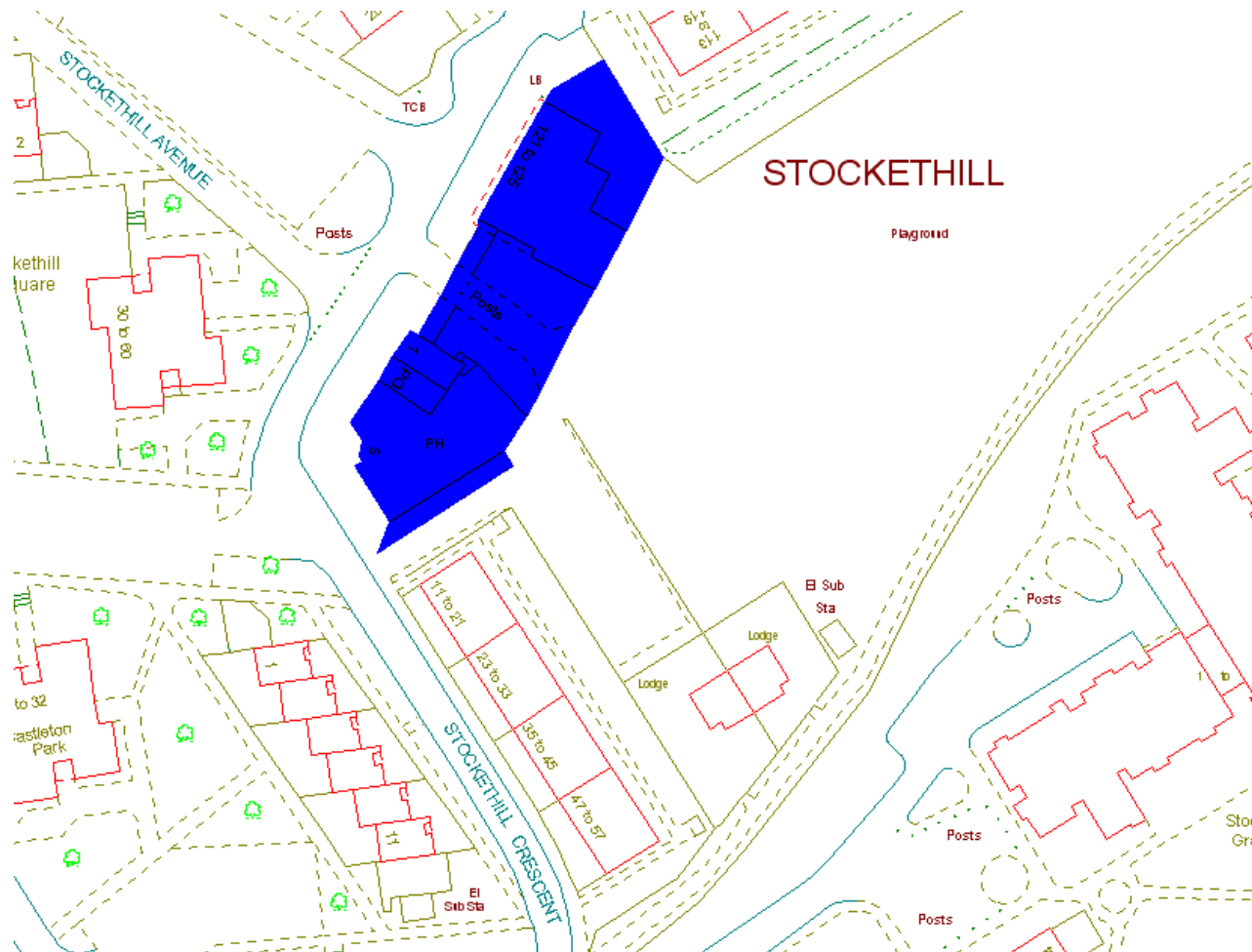
Neighbourhood Centre 52 – Sheddocksley. A single storey parade of four units. There is a car park in front of the shopping parade. The neighbourhood centre is situated where Lewis Road meets Portree Avenue.



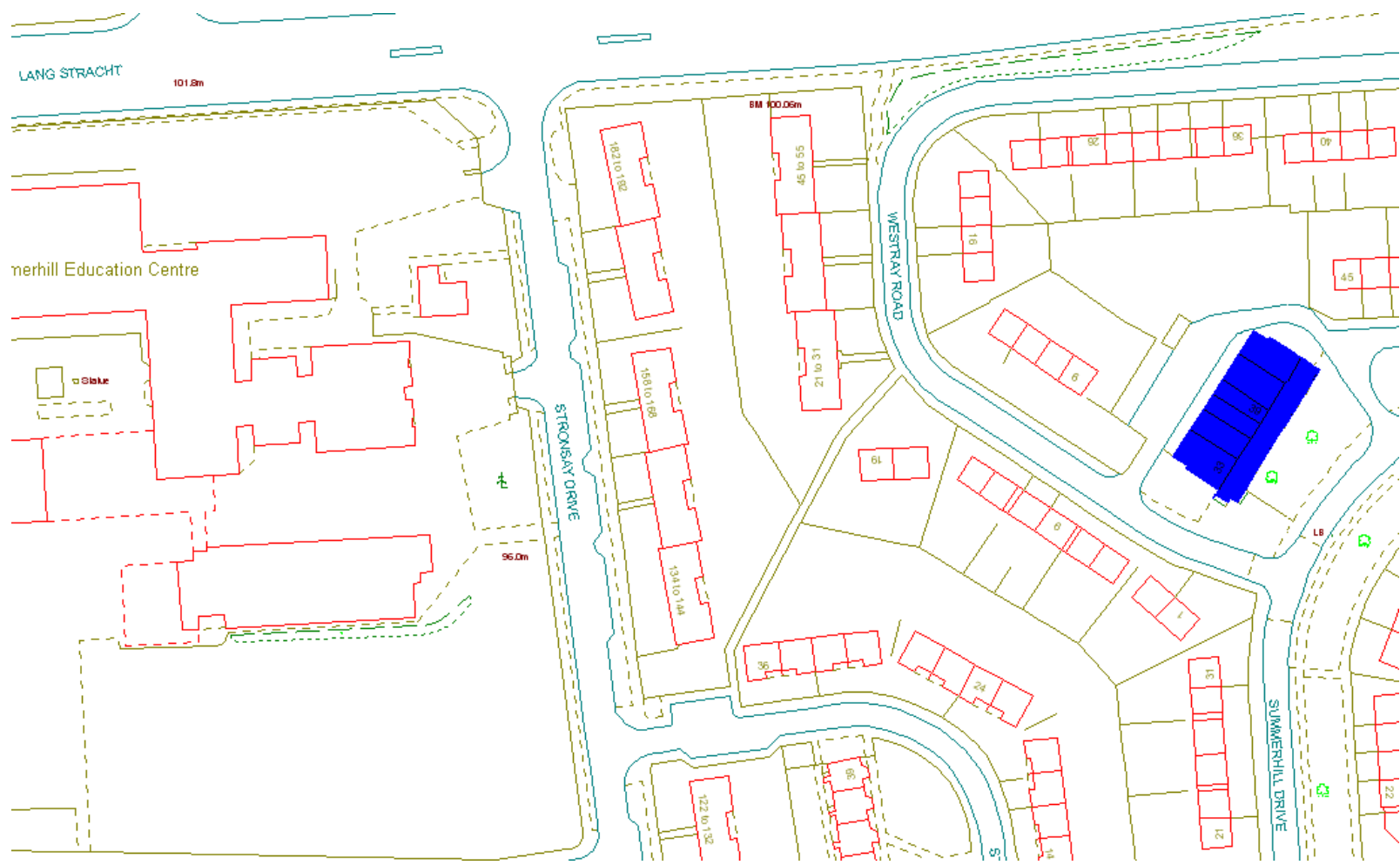
Neighbourhood Centre 53 – St Swithin Street. A linear row of 10 units spread down both sides of St. Swithin Street. The retail premises sit on the ground floor of two and a half storey premises, with residential accommodation above. There are no direct bus links to the neighbourhood centre but many buses stop on Queens Road which is close to the neighbourhood centre.



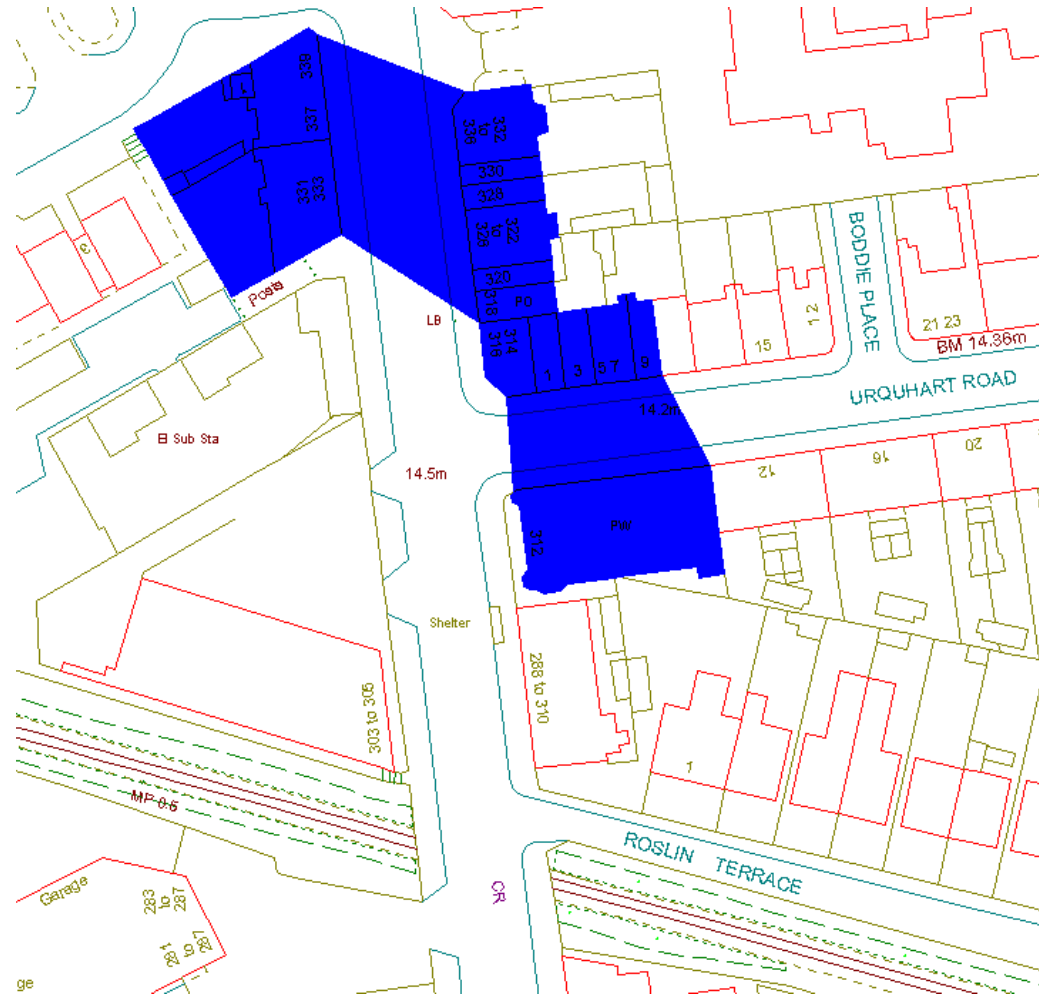
Neighbourhood Centre 54 – Stockethill Avenue. A linear progression of four retail units that are two storeys high. Bus services run close to the neighbourhood centre.



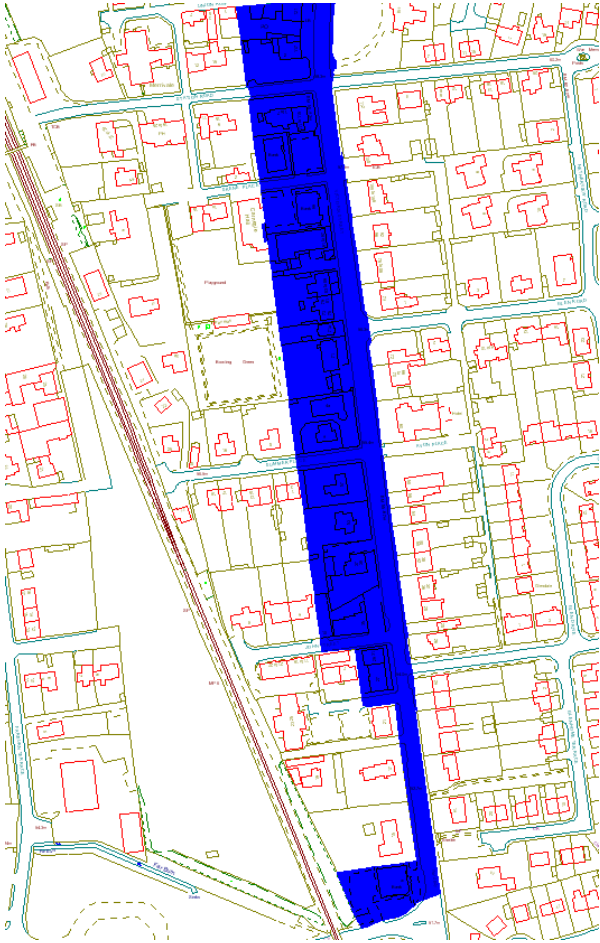
Neighbourhood Centre 55 – Summerhill Drive. A linear parade of approximately six units with residential accommodation situated above. The neighbourhood centre is located where Summerhill Drive meets Westray Road.



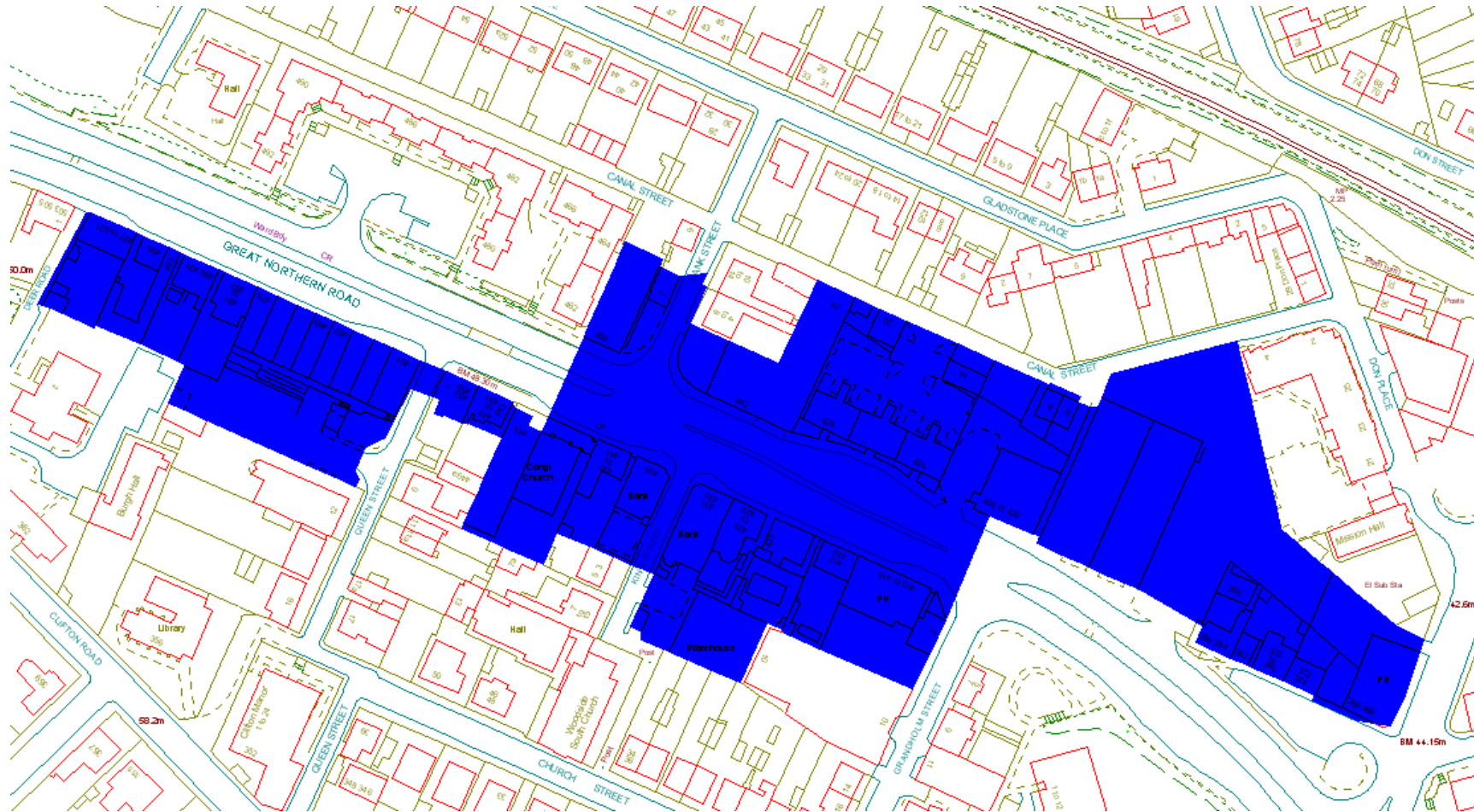
Neighbourhood Centre 56 – Urquhart Road. This neighbourhood centre runs along the left-hand side of Urquhart Road and along both sides of King Street. The premises are tenement flats, with approximately 16 retail premises on street level.



Neighbourhood Centre 57 – Victoria Street, Dyce. A linear row of units down one side of Victoria Street, Dyce. There are a mixture of retail and residential units, with approximately 17 retail units in total. The retail premises are a mixture of purpose built facilities and converted residential accommodation.



Neighbourhood Centre 58 – Woodside. A large linear neighbourhood centre of 19 retail premises running along the main dual carriageway route north out of Aberdeen. The area is well served by bus routes, on street parking spaces and pelican crossings for pedestrians. Most retail premises sit within two or two and a half storey buildings.





Supplementary Guidance

Topic: Infrastructure and Developer
Contributions Manual

Reference Number:

Introduction

New development can have a very positive effect on an area, providing new homes, jobs and economic prosperity. However development can also place additional pressures on resources and infrastructure such as schools, community and leisure facilities, transport infrastructure, health services and the local environment. The delivery of infrastructure alongside new development can help to create balanced, accessible and sustainable communities.

Scottish Government emphasises the need to plan more effectively for the infrastructure requirements to support new development and has published new planning policy guidance (Circular 1/2010 Planning Agreements) to provide the framework for securing the delivery of infrastructure and financial contributions to support development.

Our approach to Infrastructure Delivery

Through the Local Development Plan, Aberdeen City Council's approach to the planning and delivery of infrastructure is open, transparent, and is supported by a robust evidence base. Our aim is to provide clear guidance to all stakeholders, in particular the development industry, on the infrastructure required to support development from an early stage in the preparation of the LDP.

Policy I1 of the Local Development Plan states that all development should be supported by the infrastructure and developer contributions necessary to support the proposed development.

The purpose of this Infrastructure and Developer Contributions Manual is to provide clear guidance on the methodology used to identify infrastructure requirements and the criteria that should be used to calculate developer contributions to support new development. This document is published as Supplementary Guidance to the Aberdeen Local Development Plan.

The Action Programme which accompanies the Local Development Plan outlines further details on the delivery of supporting infrastructure. The Action Programme is a 'live' document that will be updated regularly to take account of changes in circumstances as sites come forward through the planning process.

Future Infrastructure Requirements for Services (FIRS)

From an early stage in the preparation of the Local Development Plan, the City Council has worked in close partnership with a wide range of agencies – through the Future Infrastructure Requirements for Services Group (or FIRS) – to establish the infrastructure requirements to support development. The FIRS Group comprises representatives from the following organisations:

- Aberdeen City Council, including colleagues representing Roads, Public Transport, Transport Policy, Housing Strategy, Education, Culture & Sport, Development Management and the Planning Gain Team;
- Transport Scotland;
- Scottish Water; and
- NHS Grampian.

The FIRS Group has helped to identify the infrastructure required to support new development and the results of this work are set out in Table 13 of the Local Development Plan and Section 3 of the LDP Action Programme. The LDP Transport Group, which comprises public and private sector partners involved in transport issues, also helped to determine transport infrastructure requirements and contributed to the findings of the FIRS Group.

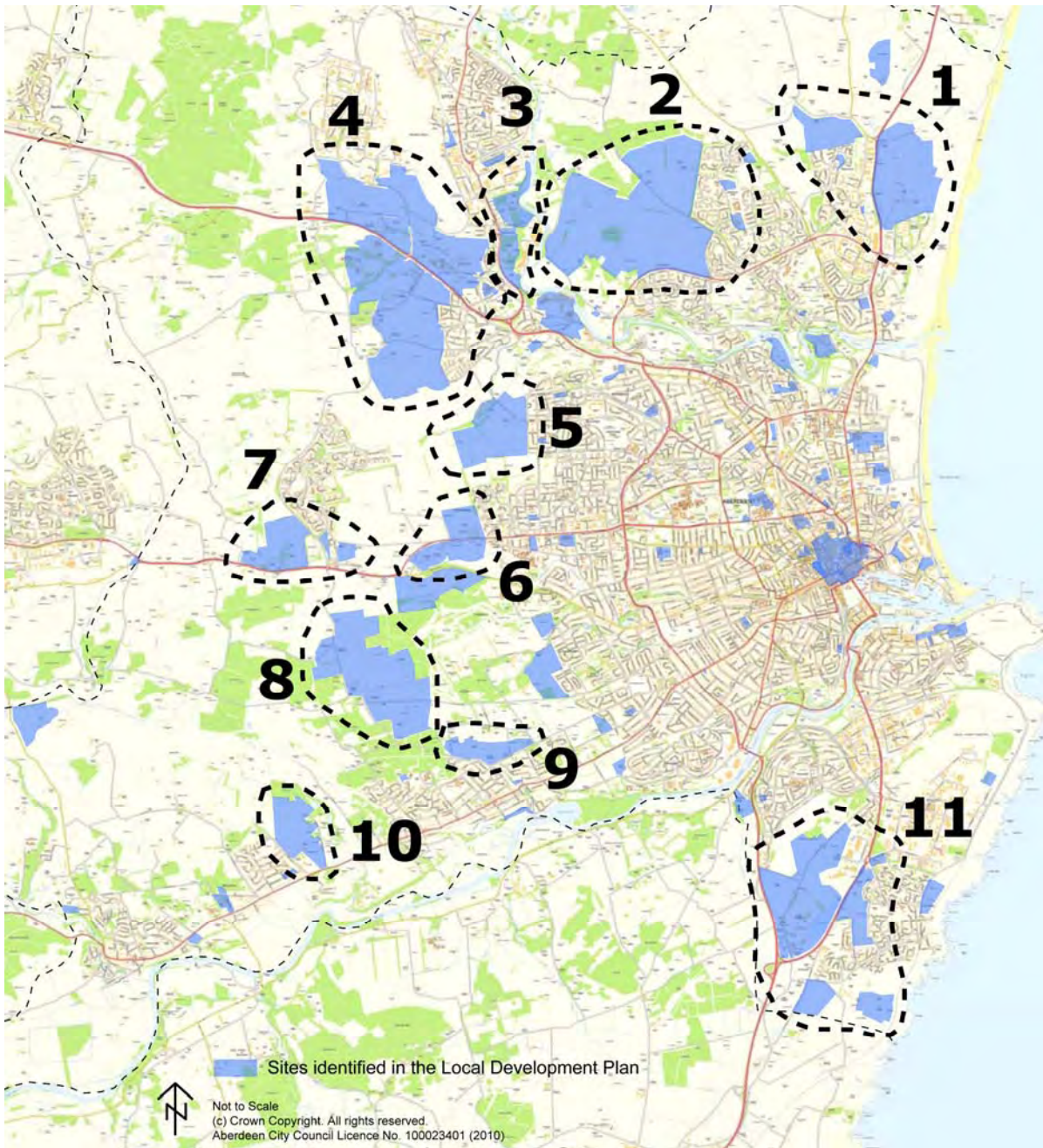
Masterplan Zones

The Council has identified eleven Masterplan Zones, shown in Table 1 and Map 1, within which developers will be expected to work together to prepare Masterplans for each zone reflecting the planning and delivery of associated infrastructure requirements set out in this document. A map showing the extent of the Masterplan Zones is shown below. Further details on the timing and delivery of infrastructure identified below are set out in the Action Programme which accompanies this Plan.

The requirements listed are based on the most up-to-date information currently available.

Masterplan Zone	Sites included
1 – Dubford & Murcar	OP25 Dubford OP2 Murcar
2 – Grandhome	OP12 Grandhome OP10 East Woodcroft
3 – Stoneywood	OP24 Stoneywood
4 – Newhills Expansion & Dyce Drive	OP26 Walton Farm & Craibstone North OP29 Craibstone South OP27 Land near Bucksburn School OP30 Rowett South OP28 Rowett North OP31 Greenferns Landward
5 – Greenferns	OP45 Greenferns
6 – Maidencraig	OP43 Maidencraig South East OP44 Maidencraig North East
7 – Kingswells	OP40 West Hatton, Home Farm, Home Farm Kingswells OP41 Kingswells C OP42 Kingswells D and West Huxterstone
8 – Countesswells	OP58 Countesswells
9 – Friarsfield	OP63 Friarsfield North
10 – Oldfold Farm	OP62 Oldfold
11 – Loirston	OP79 Blackhills of Cairnrobin OP78 Charlestown OP76 Souter Head Road OP77 Loirston

Map showing the Masterplan Zones



Any other development which is not already listed under the list of Masterplan Zones will need to provide infrastructure requirements and developer contributions on the basis of the criteria set out in the following section.

Masterplans will need to reflect the infrastructure requirements identified and should include a Delivery Statement setting out details of how the proposed development, and the accompanying infrastructure, will be delivered. Subsequently, actions relating to the delivery of infrastructure will need to be defined once the Masterplan and Delivery Statement have been agreed with the Council and any key agencies.

Methodology for Infrastructure Requirements and Developer Contributions

This section explains the process undertaken by the FIRS Group to calculate the infrastructure requirements for the Masterplan Zones. It also sets out details on the criteria that will be used to assess the precise level of infrastructure requirements and developer contributions for all development proposals. For some of the items listed below further work is required to define the criteria of formula to be used and this will be made available through a revised version of this draft Supplementary Guidance.

These criteria will need to be used when considering the infrastructure and developer contributions required in connection with any development proposal. The precise level of infrastructure provision and developer contributions required from any development will need to be agreed with the Council, in consultation with other statutory agencies. Any costs for infrastructure will be reviewed annually and adjusted according to an agreed indexation.

The methodology seeks to ensure that appropriate contributions are secured from developers to support new communities and to make a fair and proportionate contribution to the cumulative impact of development across the City and, where appropriate, the region as a whole. The Council has been careful to avoid deterring development by making unreasonable demands, and emphasise that any infrastructure or developer contributions sought are proportionate to the development proposed.

Transport

The Transport Framework process, which has supported the preparation of the Local Development Plan, has helped to identify a range of transport infrastructure required to support new development. These transport schemes are separated into two categories – Local Infrastructure and Cumulative Transport Infrastructure. These transport projects are expected to be provided as part of new development and should be reflected in the associated Masterplan and subsequent planning applications.

A number of transport related projects are already being developed by the Council in partnership with key agencies and our neighbouring authority Aberdeenshire Council, to improve the regional transport network. These are likely to bring about significant benefits to people living and working in the North East. These schemes are not expected to be subject to developer contributions and details of how they will be delivered are set out in the Action Programme.

- **Local Transport Infrastructure**

Local Transport Infrastructure includes walking and cycling infrastructure, new and improved public transport services, and new and improved roads. These transport schemes will be directly related to specific development proposals, which the Council will expect to be provided as part of the developments specified within the Masterplan Zones, either by their provision or by appropriate contributions being made. This list of schemes has been coordinated by the Council in partnership with the LDP Transport Group, comprising colleagues and key agencies involved in planning and delivering transport services.

- **Cumulative Transport Infrastructure**

Transport modelling has been carried out to assess the cumulative impact of development proposed across the North East region and to consider the scale of strategic transport interventions likely to be required to support this level of development. This modelling work has identified key points on the transport network where interventions are likely to be required to address the cumulative impact of development, and these locations are shown below. The report also suggests a range of interventions across the transport network that could support the level of development proposed and address the cumulative impact. These are set out in further detail in the report. These schemes do not represent definitive solutions and further detailed assessment is required to determine the most appropriate solution.

- ➔ North – including improvements to the Parkway, B997 Scotstown Road and B977 to Dyce Drive.
- ➔ North-West – including improvements to junctions along A96, the AWPR junction at Kingswells North and improved routes between Bucksburn and Kingswells.
- ➔ West – including new and improved junctions along the A944 / B9119 between Aberdeen and Westhill, and improvements along Countesswells Road, Baillieswells Road and routes between Countesswells and A93 North Deeside Road.
- ➔ South – improvements to A90 and junctions to serve development, and additional capacity at River Dee crossing.

The City Council and Aberdeenshire Council, in partnership with Nestrans and the Strategic Development Plan Team are exploring options for delivering such infrastructure as development comes forward for implementation across the region.

The following sets out the process for identifying the precise level of transport related infrastructure requirements and developer contributions associated with new development.

Transport Statements submitted in support of Masterplans and planning applications will be assessed by the Planning Authority and will take account of the impact of the proposed development and the supporting infrastructure required. The identification of infrastructure requirements should take account of the items listed in Section 4 of the Action Programme and the findings of the Cumulative Transport Appraisal. The list of infrastructure requirements in the Action Programme is not exhaustive and additional mitigation measures may be required to support development proposed.

Contributions for transport related infrastructure will be held by the Council for a 10 year period to enable the provision of appropriate infrastructure.

The Council is currently exploring a mechanism for securing developer contributions towards cumulative transport infrastructure and further details will follow shortly.

The Local Development Plan encourages the use of public transport and walking and cycling as viable alternatives to the car. In addition to the infrastructure requirements identified through the Local Development Plan, developers are requested to provide up to date service bus/community bus information for inclusion within any sales literature of sale office associated with the development. Bus shelters, bus stopping lay-bys, bus turning areas or bus operating subsidies may all be requested depending on the scale of the development and its location. This may also include for secure cycle parking at bus stops in some locations. The provision of such items should be reflected in any masterplan or planning application submitted to the Council.

- **Core Paths Network**

New development will be required to incorporate, enhance and link to the Core Paths Network. Infrastructure requirements relating to walking and cycling facilities, such as core paths, are set out under Policy I1 of the Local Development Plan, and section 3 of the LDP Action Programme. These new and improved paths will need to be incorporated into the corresponding Masterplan Zones identified.

The criteria for assessing whether a proposed development needs to contribute to the Core Paths Network is as follows:

- ➔ Development which incorporates and enhances existing core paths and provides links to the Core Paths Network will not require any financial contribution providing that the measures proposed are appropriate for the level of development proposed and are agreed with the City Council as Access Authority.
- ➔ Where there is no provision of core paths or links to the Core Paths Network, developers will be required to make a financial contribution at a rate of £371 per dwelling or per-house-equivalent for non-residential developments (see below).
- ➔ Where a developer proposes provision of, or improvements to, the Core Paths Network and the Council, as Access Authority, considers such measures to be inadequate, a financial contribution will be sought to facilitate and mitigate the level of development proposed.

The rate of £371 per-dwelling or per-dwelling equivalent is based on current costs for the provision of Core Paths in Aberdeen, taking account of the level of provision across a number of communities.

The formula for calculating per-house-equivalent is based on the gross floor area (GFA) of the commercial premises plus 50% of concrete/tarmac areas and 25% of hardcore areas (Gross External Area GEA) to give an equivalent number of house units at 10 units per acre that could have been erected on a similar area. Where the number of car parking spaces has been indicated the standard area required for a parking space of 24 m² will be used.

$(GFA + (GEA/2)) / 400 = HUE$ (House Unit Equivalent) @ 10 per acre.

E.g. 2,000 m² food store + 4,000 m² car park = $(2,000 + 2,000) / 400 = 10$ HUE.

An individual site usage weighting factor (WF) is then applied to reflect the probable occupation level of the site. These are as follows:

Bulky Goods- retail w/house	0.25
Fast food	0.75
Hotel	0.5
Leisure etc	0.25
Non Food retail	0.5
Office & other commercial	0.75
Petrol Station/garage	0.25
Restaurant	0.75
Retail food	1
Showroom	0.1
Warehouse	0.05
Workshops/engineering	0.2

Schools

Officers from the Education Culture & Sport Service, Planning Gain Team and the Local Development Plan Team undertook a joint assessment of the impact of proposed development on the provision of education services, and the need for new and extended schools. This work took account of the 2009 School Roll Forecasts, published in May 2010, which includes the most up to date information on current school capacities and the likely spare capacity available in the future.

The actual impact on future development will be determined at the masterplanning and planning application stages and this will depend on:

- continued discussions with Aberdeenshire Council regarding cross-boundary developments and growth;
- update of the school role forecasts;
- Revision of the school catchment areas; and
- any changes to the provision of educational services.

Infrastructure requirements for education provision is based on the anticipated number of pupils from a proposed development and their effect on the Primary and Secondary school rolls serving that development averaged out over a 5 year period from the anticipated development start date. The number of pupils generated by a development is based on the rates of 0.25 Primary school children per standard house unit and 0.175 Secondary school children per standard house units. One bedroom dwelling units are not assessed for education contributions. The required level of contribution is then determined from the 'rate per pupil' required to provide the following:

Relocatable accommodation should be provided where the school roll is expected to, or already, exceeds the capacity of the school and is forecast to fall back to an under capacity position during the forecast period, using the following figures:

Primary – Temporary accommodation	= £7,000 per pupil generated
Secondary – Temporary accommodation	= £9,000 per pupil generated

OR

New build accommodation should be provided where the school roll forecast trend is for it to grow beyond its current capacity or it is already above capacity and the additional pupils from the development will add to this over capacity problem.

Primary – Permanent extension or new build school = £23,000 per pupil generated

Secondary – Permanent extension or new build school = £44,000 per pupil generated.

On larger residential developments the applicant may be required to provide a school site. For Primary provision this should be 3.25 hectares or thereby and for secondary schools this should be 10 hectares or thereby of serviced and where possible reasonably flat land.

Where community related facilities are provided within schools these are reflected in the rates charged. On occasion the requirements for other community facilities may be reduced where these are to be provided in whole or in part within a school campus.

Water

Scottish Water are the statutory agency for water related issues associated with new development and representatives from Scottish Water have provided the Council with a view on the Water and Drainage Infrastructure required to support new development.

Scottish Water can advise of any major infrastructure issues that are known in an area, for example a pump station which is at capacity. However, they cannot provide detailed information on the impact of a development without undertaking modelling investigations. In order for these investigations to be meaningful, detailed information will be required from developers which is unlikely to be available when they first purchase the land. Under the current regulatory guidelines this modelling work must be funded by the developer, although they can claim for some of these costs as part of their Reasonable Cost Contributions (under the Provision of Water and Sewerage Services (Reasonable Cost) (Scotland) Regulations 2006). Costs for upgrading the network would not be available without first undertaking these investigations.

Scottish Water, the City Council and other relevant partners are exploring the opportunity to address the cumulative impact of development across the region. Therefore the information contained in the infrastructure requirements tables may be subject to change.

Infrastructure requirements relating to the Masterplan Zones are identified under Policy I1 of the LDP and Section 3 of the LDP Action Programme. The precise need for infrastructure and the process for delivery will need to be discussed and agreed with Scottish Water at the earliest opportunity in the preparation of proposals for development. Masterplans and planning applications for development will need to reflect the infrastructure requirements identified as well as the means of delivering such infrastructure. Any financial contributions will need to be agreed with the Council, in consultation with Scottish Water, before an application can be determined.

The Council is currently exploring a mechanism for securing developer contributions towards the cumulative impact of development on water infrastructure and further details will when they are available.

Health

Infrastructure requirements have been calculated with NHS Grampian on the basis of national health standards and by estimating the likely number of new patients generated by each proposed development. Contributions will be calculated using nationally recognised space standards and build costs, based upon the population requirements for GP surgeries, dental chairs and community pharmacies.

Infrastructure requirements relating to the Masterplan Zones are identified under Policy I1 of the LDP and Section 3 of the LDP Action Programme. The precise need for infrastructure and the process for delivery will need to be discussed and agreed with NHS Grampian at the earliest opportunity in the preparation of proposals for development. Masterplans and planning applications for development will need to reflect the infrastructure requirements identified as well as the means of delivering such infrastructure. Any financial contributions will need to be agreed with the Council, in consultation with NHS Grampian, before an application can be determined.

Open Space and Green Space Network

In 2010, the City Council published its first Open Space Audit which has provided a detailed assessment of open spaces across the City, and has informed preparation of the Aberdeen Open Space Strategy, which will provide a strategic framework for protecting, creating, connecting, and improving open spaces. This work has provided the basis for determining open space standards and green infrastructure across the City.

Policy NE9 of the Local Development Plan sets out the open space requirements for residential development which states that 2.8 hectares of open space must be provided per 1000 people. This figure will be calculated using the number of bed spaces in the development. The categories of open space include Play space, Outdoor Sports Areas, Natural Greenspace and Green Corridors and Allotments.

The Open Space Supplementary Guidance and Open Space Audit will be used to identify the level of provision in the local area, using minimum quantity, quality and accessibility standards. Where the quantity standards have already been met within the surrounding area, it may be appropriate to make improvements to the quality of, and accessibility to, the existing provision.

It is important that open spaces are high quality and functional. If the size or viability of the development, such as brownfield development, means that the open space provided would be of limited function and usefulness, and where there is adequate quantity of provision in the surrounding area, contributions towards the improvement of quality and accessibility of surrounding open spaces may be appropriate instead. The level of contributions required will be based on cost estimates to be included in the emerging Supplementary Guidance on Open Space.

In addition, indoor and outdoor sports facilities which require works other than ground works for playing fields, for example, lighting, changing facilities, spectator areas, car and coach parking, attract contributions based on a cost per square metre basis for building works. The requirements are assessed and determined so as not to degrade the level of amenity already enjoyed by existing residents. Existing facilities are taken into account and adjustments to the overall rate will be made on a site by site basis.

All other types of development, including commercial, business and employment developments, will need to provide an appropriate level of open space in the context of the landscape setting and the nature and scale of development. Such provision will need to be agreed with the Council at the earliest opportunity in developing proposals for a site.

Green Space Network

The Open Space Strategy and Open Space Supplementary Guidance also include information on the rationale and delivery mechanisms for Green Space Network. Green Space Network is shown in the LDP Proposals Map as Policy NE1. Green Space Network is a recognised form of infrastructure; a strategic network of woodland and other habitats, active travel and recreation routes, open space and waterbodies, providing an enhanced setting for development, opportunities for adapting to climate change and a facility for the people living or working in the developments.

As stated in Policy NE1 of the Local Development Plan, development which has an impact on existing wildlife habitats, or connections between them, or other features of value to natural heritage, open space, landscape and recreation, must be mitigated either within or outside of the development. As Green Space Network defines the strategic and priority green infrastructure, mitigation measures should be targeted towards the protection and enhancement of Green Space Network. Such mitigation measures could include the following:

- woodland expansion;
- the creation of a high quality landscape structure which supports the development plan spatial strategy;
- strategic routes for active travel and recreation;
- strategic habitat networks and habitat development projects;
- enhancement or creation of open space;
- the restoration of vacant and derelict land for green network purposes; and
- the integration of woodland, habitat, greenspace and access development with water catchment and coastal zone management.

Such provision will need to be agreed with the Council at the earliest opportunity in developing proposals for a site. The Open Space Strategy and Supplementary Guidance give more information on the rationale, priorities and delivery mechanisms of the Green Space Network.

Library Provision

The Council will seek contributions towards the creation of libraries. The guideline requirement for floor area in relation to population indicates that a building of at least

42 m² per 1,000 residents is required. As the population criteria are exceeded only by continued expansion of the settlement by developers the need for a contribution towards such facilities is therefore reasonable and justifiable. The Authority will plan for any contributions towards improvements to the service provision in the most effective manner.

Contributions are calculated assuming 2.3 persons per household, at a build cost of £1,175 per m², required by the population arising from the development.

Community Facilities

New development will generate a requirement for the provision of community facilities. This is calculated on the requirement of 0.69 m² of community facility per dwelling unit as determined for small to medium size developments. This is to ensure that existing residents are not disadvantaged by an increase of usage from additional residents the proposed development would generate. The level of contribution is determined by the size of the existing facilities and current population served by the facilities together with the anticipated increase in the population served by the new development. In some instances there will be no contribution required if the facilities are of adequate size to cope with both existing and anticipated usage.

Contributions are calculated on the basis of the requirement for 0.69 m² of community facilities per household, using a build cost of £1,175 per m².

Air Quality

Local Development Plan Policy X states that planning applications for development which has the potential to have a detrimental impact on air quality will not be permitted unless measures to mitigate the impact of air pollutants are included. Where an Air Quality Assessment is required, and the Planning Authority considers that a net detriment to air quality still exists after mitigation measures have been introduced, further contributions towards AQAP schemes may be sought to fully mitigate the transport derived emissions impact of development. Such contributions will be commensurate to the corresponding impact of development and will need to be agreed with the Council at the earliest opportunity in developing proposals for a site.



Supplementary Guidance

Topic: Low and Zero Carbon Buildings

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Introduction

The purpose of this supplementary guidance is to provide the methodology for developers to demonstrate compliance with Aberdeen Local Development Plan policy **R7**, which requires all new buildings to install low and zero carbon generating technology.

Background

Climate change, energy insecurity and rising fuel poverty are key challenges for Scotland now and in the foreseeable future.

The Royal Commission on Environmental Pollution concluded that to avoid dangerous climate change the UK would need to cut its CO₂ emissions by 60% by 2050 (below 1990 levels). The Scottish Government has set the target for Scotland at an 80% reduction in carbon dioxide emissions by 2050.

More than 40% of Scotland's carbon dioxide emissions, a major cause of climate change, come from the energy we use to heat, light and run our buildings.¹ Domestic buildings in Scotland, some 2.2 million homes, contribute approximately 30% of all of Scotland's carbon emissions. The Scottish Government aims to increase the rate of house building in Scotland from about 25,000 per year to 35,000 per year by 2015. Consequently, by 2050 'new build' housing may account for over 30% of all housing in Scotland.

Requiring new buildings to meet more stringent energy standards will lessen their environmental impact, make them more affordable to heat, lessen our dependence on imported energy and support a domestic market for low and zero carbon generating technologies. Implementation of Policy **R7** Low and Zero Carbon Buildings would thereby contribute to sustainable economic growth.

Policy **R7** does not duplicate these standards, but requires developments to meet a proportion of the mandatory CO₂ emission reduction through the use of low and zero carbon generating technologies. In most cases, this will mean that the energy assessment information required to satisfy the buildings standards' energy requirements will be required at planning stage, not afterwards.

¹ <http://www.sbsa.gov.uk/sullivanreport.htm>

Legal Requirement

Section 72 of the Climate Change (Scotland) Act 2009 requires Local Planning Authorities to “include policies requiring all developments in the local development plan area to be designed so as to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use, calculated on the basis of the approved design and plans for the specific development, through the installation and operation of low and zero carbon generating technologies.” In February 2010, Scottish Planning Policy reiterated the above requirement.

The Development Plan Context

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires decisions on planning applications to be made in accordance with the development plan, unless material considerations indicate otherwise. Upon adoption of the Aberdeen Local Development Plan in 2012, the Development Plan for Aberdeen will comprise the Aberdeen City and Shire Structure Plan (2009), the Aberdeen Local Development Plan and associated Supplementary Guidance.

Structure Plan targets require:

- All new buildings to be carbon neutral by 2016
- The city region’s electricity needs to be met from renewable sources by 2020.

Local Development Plan policy

Policy **R7**, below, sets a requirement for all new buildings to incorporate low and zero carbon generating technologies to reduce the predicted carbon dioxide emissions by at least 15%. This policy is hereafter referred to in this Supplementary Guidance as ‘the policy’.

R7 - Low and Zero Carbon Buildings

All new buildings, in meeting building regulations energy requirements, must install low and zero-carbon generating technology (LZCGT) to reduce the predicted carbon dioxide emissions by at least 15% below 2007 building standards. This % requirement will be increased as specified in Supplementary Guidance.

This requirement does not apply to:

- Alterations and extensions to buildings;
- Change of use or conversion of buildings;
- Ancillary buildings that are stand-alone having an area less than 50 square metres;
- Buildings, which will not be heated or cooled, other than by heating provided solely for the purpose of frost protection; or
- Limited life buildings which have an intended life of less than 2 years.

Compliance with this requirement will be demonstrated by the submission of a low carbon development statement. Further guidance is contained in Supplementary Guidance.

Increasing the Proportion of Low and Zero Carbon Generating Technologies

The Sullivan report made recommendations about the most effective way to increase standards, through the building standards. It recommends that there are staged energy improvements beyond the 2007 building standards: 30% by 2010; 60% by 2013 and net zero carbon by 2016/17. This has been identified as the most appropriate method to reach net zero carbon buildings by 2016. Therefore, the planning requirements for low and zero carbon generating technologies are to be a part of the required saving, and will help to promote the development of renewable technologies, which as targets are increased will become essential.

As the building standards energy requirements are increased there will be an increasing need to incorporate a larger proportion of low and zero carbon generating technologies. Therefore, as building standards are increased the proportion of savings to be met through low and zero carbon generating technologies is always to be at least half the total saving. The CO₂ reduction through low and zero carbon generating technologies is set out in Table 1 below.

Table 1: % Reduction Achieved Through Low and Zero Carbon Generating Technologies

Year	% reduction	Planned Building Standards Energy Requirements
2010	15%	30%
2013	30%	60%
2016	50%	100%

The building standards increments are subject to reviews in the technical handbooks and there may be delays in implementation. If there are delays in implementing increases in standards this supplementary guidance can be reviewed to ensure that within Aberdeen the required reductions continue to increase to meet the Structure Plan targets of net zero carbon by 2016.

Low and Zero Carbon Generating Technologies and the Masterplanning process

Larger greenfield developments, due to their scale, have the opportunity to benefit from decentralised and local renewable or low carbon sources of heat and power.

During the process of preparing masterplans for larger developments, developers are required to carry out an assessment of the potential for renewable and low-carbon energy solutions across the site, i.e. the potential to make use of decentralised heat and energy production. This may result in an opportunity to make greater savings through the use of low and zero carbon generating technologies. This exercise will detail the most effective mix of technologies to achieve the CO₂ reduction.

Designing for Reduced Energy Demand

Good, careful design at the outset will minimise the total energy demand for the lifetime of a development. Design considerations for a development as a

whole and for the individual buildings will help to increase the efficiency of energy use. Well sited developments, orientation and design are not always included in the calculation methodologies used for building regulations. However, use of passive energy efficiency measures should be incorporated into all development to help reduce the energy demand of new buildings in addition to the buildings standards energy requirements.

Eligible Low and Zero Carbon Generating Technologies

The equipment may be attached to the building or within the site boundary as shown on the planning application. This allows for the low and zero carbon generating technologies to benefit more than one building and being sited to maximise energy gain.

The technologies eligible to meet the requirements of the policy are set out in Table 2 below.

Table 2: Eligible Zero and Low Carbon Generating Technologies

Biomass	Solar power	Air source heat pumps
Fuel cells	Photovoltaics	Combined heat and power
Micro-hydro	Ground source heat pumps	Heat exchange recovery systems
Micro-wind	Water source heat pumps	Geothermal
Solar Thermal		

Demonstrating compliance with policy

Applicants should consider how to meet the requirements of this guidance at an early stage of planning. It will be the responsibility of applicants to provide the necessary technical calculations in support of planning applications to demonstrate how the proposed development will satisfy the requirements of this guidance.

The policy target is specific to CO₂ emissions from the **energy performance**². The assessment approach in this guidance therefore relates directly to this. In order to demonstrate the appropriate reduction in CO₂ emissions as a result of low and zero carbon generating technologies the Standard Assessment Procedure Energy Rating (SAP) is required for dwellings and the Simplified Building Energy Model (SBEM) for all other developments. Table 3 below sets out a summary of the stages in the calculation to demonstrate compliance with this policy.

Table 3: Summary of Calculations and Process

1.	The appropriate software program (SAP/SBEM) is used to calculate the 2007 Building Regulations CO ₂ Emissions Standard. This will provide a Target Emissions Rate (TER), which is the predicted CO ₂ emissions for a building of the specified size.
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² Energy performance covers the CO₂ emissions arising from the use of heating, hot water and lighting.

2.	The appropriate software program (SAP/SBEM) is used to calculate the actual emissions rate for the proposed development, which includes the low and zero carbon generating equipment. This is the Dwelling or Building Emissions Rate (DER/BER), which is the predicted CO ₂ emissions for the actual proposal.
3.	Calculate the percentage reduction from step 1 to step 2: (100 – (step 2 ÷ step 1 x 100))
4.	The appropriate software program (SAP/SBEM) is used to calculate the actual emissions rate for the development without the low and zero carbon generating technologies. This is a repeat of stage 2 and provides a re-calculation of the DER/BER without the low and zero carbon generating technologies.
5.	Calculate the percentage reduction due to the low zero carbon equipment: ((step 4 – step 2) ÷ step 1) x 100)
Note: The calculation methodology may require to be updated when revised building standards come into force in 2013 and again in 2016.	

Pre-application Discussions

The installation of LZCGT can raise additional issues which need to be tackled at an early stage in planning a development. As an example, ground source heat pumps (which are one of the eligible technologies listed in Table 2), can cause significant damage to trees. Where trees are present on, or adjacent to the site where associated pipes are to be buried, a tree survey should be submitted along with the application highlighting the likely impact of the excavation works on the tree(s) and any mitigation proposed. The impact the excavation works and installation are likely to have on local hydrology should also be investigated.

Before submitting your planning application, we encourage you to discuss your proposal with us. We can advise you of your project's compliance with planning policies and on detailed design matters.

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Useful Documents

SPP – <http://www.scotland.gov.uk/>

Development Plan:

Aberdeen City and Shire Structure Plan (2009) – www.aberdeencityandshire-sdpa.gov.uk

Aberdeen City Council (2008) Aberdeen Local Development Plan - <http://www.aberdeencity.gov.uk/localdevelopmentplan>

Detailed Advice on LZC Equipment:

Scottish Government (2002) PAN 45: Renewable Energy Technologies - <http://www.scotland.gov.uk/Publications/2002/02/pan45/pan-45>

Scottish Government (2006) Annex to PAN 45 Renewable Energy Technologies: Planning for Micro Renewables - <http://www.scotland.gov.uk/Publications/2006/10/03093936/0>

Greater London Authority (2004) Integrating renewable energy into new developments: Toolkit for planners, developers and consultants - http://www.london.gov.uk/mayor/environment/energy/renew_resources.jsp

Building Standards Division - Safe and sustainable installation of low carbon equipment - Guides
<http://www.scotland.gov.uk/Topics/Built-Environment/Building/Building-standards/publications/pubtech#a15>



Supplementary Guidance

Topic: Protecting Trees and Woodlands

Reference Number:

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Introduction

Trees are increasingly important features of our Cities and Towns. They provide many benefits and are further important to help mitigate the effects of climate change. They provide a range of benefits that include: reducing local fluctuations in seasonal temperatures, produce oxygen and absorb carbon dioxide, filter, reduce and absorb polluting gases, provide habitat for a broad range of flora and fauna, can increase property prices, provide a sustainable source of fuel and compost, provide shade and shelter, can contribute to lower noise and dust levels, provide employment, provide a sense of wellbeing and amenity and recreational opportunities for everyone.

Clearly, as our populations increase, demand for developable land also increases and this is often at the expense of trees and woodlands. However, with careful and sympathetic planning many more trees can be retained and new tree planting incorporated into new developments.

Aberdeen has one of the lowest percentages of tree cover of any city in Scotland. There is clearly a need to improve this situation; by increasing the level of tree cover and protecting the existing trees. One way of doing this is by increasing the amount of new tree planting in new developments within the city. We need to ensure the long term retention of trees within the city and that the right trees are chosen in the right locations.

The protection and enhancement of the current tree cover within Aberdeen remains an important part of the planning process within the city. Given the likely increase in residential and industrial development proposed over the next 10-20 years it is important that existing tree populations and new tree planting are successfully incorporated into new development to ensure the city continues to be an attractive place to live and work.

This supplementary guidance relates to the Aberdeen Local Development Plan Policy X Protecting Trees and Woodlands. It has been produced to:

- better inform developers on how existing trees and woodlands and new tree planting can best be incorporated within new developments.
- Streamline the planning process for developers, by stating what information will be required, so that their application can be determined as quickly as possible.

This supplementary guidance forms part of the Development Plan, and is a material consideration in the determination of planning applications. The correct assessment of trees is vital in this process. Local Planning Authorities have a statutory duty to have regard for the preservation and planting of trees. If the correct information is not provided in relation to trees and a proposed development then it will result in a delay in the determination of or refusal of an application.

New developments must include measures to ensure the long term retention of existing trees, replacement tree planting and where possible increase the overall level of tree cover. Consideration should also take into account the final height and spread of new tree planting and how this may impact on new built structures.

Why are Trees Important?

Trees make an important contribution to the quality and attractiveness of an urban environment. Areas of the city with large numbers of trees are associated with a high quality of life and affluence. The retention of trees in an urban environment is fundamental to making the city an appealing place to live and work.

The presence of trees contributes to the character, cultural and natural heritage and attractiveness of an area. For this reason the Council is committed to protecting trees where there is a threat of damage or removal. The importance of trees cannot be underestimated in modern life. The retention of mature, healthy trees on a new development site can add social, environmental and economic value to the site.

Trees provide an instant maturity and can increase property prices. They can add anywhere between 5 – 18% to the value of a commercial and residential property. They provide shelter and habitat for wildlife, oxygen, increase carbon sequestration, help to filter harmful pollutants, provide shade on hot days, soften hard landscapes and can help to reduce the stresses and strains of everyday life. Trees can also provide a focal point for local communities and give people a sense of place.

Trees are delicate living organisms that are vulnerable to damage during construction works. It is therefore essential that adequate space is left for trees and that the necessary precautions are taken to safeguard their above and below ground structures from damage.

Legislative and Policy Context

Legislation

In Scotland, trees are protected in four main ways, which is controlled by 2 main Acts. The Forestry Act (1967) and the Town and the Country Planning (Scotland) Act 1997, as amended by Planning (Scotland) Act 2006.

1. Town and Country Planning (Scotland) Act

This protects trees in three main ways: -

- Tree Preservation Orders (TPO)
- Trees in Conservation Areas
- Conditions of Planning Permission

This act further states the role that Local Planning Authorities have in ensuring the protection and planting of trees. Section 159 states:

‘to ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made by the imposition of conditions, for the preservation or planting of trees’.

The existence of a TPO or a conservation area cannot prevent development taking place, it does however ensure that the trees cannot be removed or cut until the Planning Authority has had the opportunity to fully consider the proposals. A TPO can also be used to give effect to the tree protection measure used during development works.

2. Forestry Act

The Forestry Commission is the main government department that is responsible for forestry in the United Kingdom. Outside of gardens, churchyards, orchards and public open spaces a felling licence may be required for the felling of trees. Further advice should be obtained from Forestry Commission Scotland, Grampian Conservancy, Huntly (see the Useful Addresses section at the end of this document). A felling licence is not required to remove trees for the implementation of a planning permission.

Planning consent is not required for carrying out work as part of a plan or operation approved by the Forestry Commission. Where an application for a felling licence is made for the removal of trees that are the subject of a Tree Preservation Order or within a Conservation Area, the Forestry Commission will pass the application to the Council to determine.

Planning Policy

Scottish Planning Policy (Trees and Woodlands) states:

‘Woodlands, hedgerows and individual trees, especially veteran trees, may also have significant biodiversity value and make a significant contribution to landscape character and quality so should be protected from adverse impacts resulting from development.’

Protecting trees and woodlands supports the Structure Plan’s aim of maintaining biodiversity, wildlife habitats and landscape.

The Aberdeen Local Development Plan contains a specific policy to protect Trees and Woodlands (Policy NE4), stating that:

‘There is a presumption against all activities and development that will result in the loss of or damage to established trees and woodlands that have natural heritage value or contribute to the character, biodiversity or amenity of a particular locality’.

Local Development Plan policies on Natural Heritage, Landscape, Open Space and the Green Space Network are closely related to the Trees and Woodlands policy.

The Forestry Commission Scotland policy document, Control of Woodland Removal, indicates a ‘strong presumption in favour of protecting Scotland’s woodland resource’. It states ‘Woodland removal should be allowed only where it would achieve significant and clearly defined additional public benefits’. Guidance on the management of woodlands in the city is given in Aberdeen City and Aberdeenshire Councils’ Forest and Woodland Strategy.

Other Relevant Guidance

The British Standards 5837:2005 Trees in Relation to Construction - Recommendations and BS 3998:1989 Recommendations for Tree Work are recognised industry standards for the protection and management of trees. BS 5837 is of particular relevance to this guidance note and forms the basis of much of the information contained herein. It provides information on the recommended methods to satisfactorily achieve the retention of trees on development sites. It should be understood that the City Council will require compliance with these recommendations from all planning applications where trees are present on the site.

Additional information about the successful retention of trees on development sites is available from a number of other sources that are listed at the back of this guidance.

Key to the successful submission of a planning application with trees present on site is the hiring of a competent Arboriculturalist who should be involved in the development process from start to finish.

The pre-application stage is considered crucial in the planning process particularly, where there are a large number of trees on site or where the

proposals are contentious in terms of potential tree loss. Pre-application discussions with Aberdeen City Council's tree experts can save you a great deal of time and money and could also lead to a faster decision on your application.

How are trees damaged on a construction site?

Trees can be severely damaged on development sites usually during the construction process. The damage to retained trees on development sites can occur in a matter of moments and can cause the slow and untimely death of the tree.

Often the type of damage sustained by a tree on a development site will not become immediately evident and the full extent of that damage may take several years to be known. It is for this reason that due care and attention has to be given to those trees that are being retained on development sites.

More often than not the damage that has occurred to a tree is not fully realised at the time of the incident and the people or company responsible for the damage are long gone by the time remedial work has to be carried out. This results in an added cost to the new owners for the removal or pruning of the affected tree and the loss of value to the site the tree once gave.

Severance of roots is one common way in which trees are damaged on site. The root systems are often overlooked because they are below ground and not easily seen. The roots are the most important part of the tree. They provide the tree with the necessary water, oxygen and nutrients required for healthy growth. The roots are also important for structural stability. The severance of roots often occurs at the start of work on site through excavation for foundations, services trenches and re-grading of the surface levels.

Picture of typical damage to trees on construction site – AIE Website

Tree root systems generally exist in the top 60cm – 1meter (600-1000mm) of the soil and can extend to twice the height of the tree, away from the tree, where suitable conditions exist. Small fibrous roots or feeding roots are essential for the uptake of water and nutrients and are vital for tree health. The large structural roots are of equal importance and if they are damaged, it will in turn reduce the amount of feeding roots growing from them. Severe damage to, or removal of large structural roots will also affect the structural stability of the tree.

Compaction of the ground in close proximity to trees is also another factor that affects tree health. Compaction and changes in ground levels (from passing vehicles and heavy machinery, storage of materials and spoil) can have an adverse effect on soil conditions. Soil pore space is greatly reduced leading to a reduction in the soil of available oxygen and water. Compaction will kill the fibrous roots directly through crushing them and by reducing the space within the soil for continued growth.

The movement of construction vehicles is by the far the biggest threat to damage to trees above ground. This type of direct damage to the trees can lead to bark rips and tears and hydraulic arms and buckets getting entangled in branches which can be ripped off. Clearly this type of damage often leaves the tree looking unsightly and although this type of damage may not directly kill the tree it creates an environment, in which fungal spores are able to infect the tree and cause decay.

Type and scale of proposal

Proposals must include sufficient information to allow the individual case officer to accurately assess the trees against the development proposal, whether that is during site masterplanning or at detailed planning application stage. The amount and type of information will vary on the type of application. Below is a brief breakdown of what is required depending on the type of application. A fuller description of each requirement is given in the following section. This should only be taken as a guide and more information may be required depending on the trees and nature of the proposed development.

Masterplanning

Where there is a proposed masterplan for a specific area of the city, at the start of the process consideration has to be given to retention of existing trees and the planting of new trees. At an early stage in the masterplanning process it would be useful to survey the existing tree cover and how this relates to the existing trees in the adjacent sites. As part of the process consideration has to be given to the enhancement of the existing tree cover and how areas of new tree planting can be linked to the existing green infrastructure. Connectivity - internal and external - to the masterplanning area needs to be considered as part of good design.

Planning Applications

1. Householder Applications

Where a tree is overhanging the proposed development or where it would be closer than half the height of the tree away from the tree, it must be shown on the plans. The tree species, position of the trunk and canopy spread must be indicated on the plans. This is in the instances where there is only 1 tree that is likely to be affected. The planning case officer will then determine if any additional information is required.

2. Planning Applications in Principle and Detailed Planning Applications

Where trees are present on sites that will be subject to Planning Applications in Principle and Detailed Planning Applications then all trees within the application site and within 12 meters of the red line boundary should be included in the tree survey submitted with the planning application.

Where trees are to be retained on the site then a Tree Constraints Plan, Arboricultural Method Statement and Tree Protection Plan, all of which will have already been completed, should be submitted with the planning application.

This information is fundamental to proper assessment and full consideration of the planning application. Failure to provide this information from the outset may lead to a delay and prevent the proper assessment and determination of the planning application. In the case where this information is not provided then application will be considered for refusal.

3. Permitted Development

Where development is permitted and does not require planning permission, it does not mean that due consideration should not be given to any trees that are likely to be affected. In the case, where trees are the subject of statutory protection (either by a Tree Preservation Order or by their location in a Conservation Area), an application to carry out any tree work will still be required to the planning authority. There will be a presumption against the removal of trees for the purposes of permitted development.

What information do we require?

Pivotal to the successful submission of a planning application that has a site containing trees, is the hiring of a competent tree expert or Arboriculturalist. They can aid the design process, help in the purification of conditions, and help to manage the site in a safe and efficient manner and ensure that the relevant protection measures are properly implemented. The Arboriculturalist should be an integral part of the design and development teams. They should be included in every part of the development process, from planning and design, through to the completion of the soft landscaping. Where trees are present in numbers on a development site the Council requires the trees to be properly assessed by a competent Arboriculturalist.

1. Land Survey (Topographical Survey)

This survey should be the starting point for any development and should be undertaken to correctly plot the site in its present condition. The survey typically will include the changes of levels across the site, all of the trees present on site, any trees overhanging the site, trees up to 12 meters from the site, existing relevant features such as drainage, buildings and structures, boundary features and the location of the existing underground services. It is important that at this stage the exact location of the existing trees are plotted and the full extent of the crowns accurate. Typically this survey will include a written statement together with a detailed site plan.

2. Tree Survey

The tree survey has to be carried out by a competent Arboriculturalist and include the following information (as detailed in BS 5837: Trees In Relation to Construction - Recommendations), reference number/tag number, tree species, height, stem diameter, crown spread, crown clearance, age class, physiological and structural condition, management recommendations, estimated remaining contribution and category grading as per BS 5837.

It is vital that the tree survey is carried out independently of and prior to any development proposals being drawn up or any design ideas being thought up. This could save time and money later in the process.

Where trees form groups or woodlands, it may be more appropriate for the Arboriculturalist to identify and consider these as groups and woodlands. If the groups are close grown it may also be more appropriate to assess their quality and value as a whole rather than individuals.

All the trees that currently exist on the site and all those within 12 meters of the red line boundary of the site must be included within the tree survey.

A tree survey plan must accompany the tree survey and the individual tag numbers or relevant groups and woodlands must be accurately plotted on the plan.

If tree removal is required as part of a development proposal and is approved, no subsequent permission will be granted for the removal of additional trees, if there are changes to the layout or there are other changes to the proposals.

3. Tree Constraints Plan (TCP)

Following the completion of the tree survey and the identification of those trees suitable for retention, a Tree Constraints Plan needs to be produced by the Arboriculturalist. This is a design tool that is used to inform the proposed layout of the new development. When this is submitted with the planning application, this will be used to show how due consideration has been given to the retention of trees as part of the proposed layout.

The TCP will include information highlighting the constraints above and below ground posed by the trees. The plan will show the constraints above ground posed by the current physical size of the tree, taking into account their movement in the wind, future growth, perceived safety concerns, shade cast by the trees and the existing crown spread. The constraints below ground are represented by the Root Protection Area (RPA). The RPA is used to inform the construction exclusion zone.

Included in the TCP should be areas where proposed new tree planting will be carried out. These areas should also be protected from damage, particularly the movement of construction traffic, storage of materials and soil compaction.

Whilst it is recognised that trees are only one consideration during the planning process, certain trees or groups of trees can be of such importance

and sensitivity and can significantly modify the design and layout or prevent developments altogether. Care has to be taken to ensure that the correct trees are identified as suitable for retention and that attempts to retain too many unsuitable trees may result in excessive pressure on trees during the construction process.

Regardless of the legal status of trees they are a material consideration in the planning system.

4. Arboricultural Implication Assessment (AIA) and Design Considerations

Once the initial design has been drawn up an AIA needs to be carried out in order to assess the trees against the detailed design proposals. This assessment should include:-

- Not sighting structures within Root Protection Areas.
- The presence of statutory tree protection (Tree Preservation Orders and Conservation Areas)
- Opportunities for new tree planting
- Ensuring that new buildings/structures are sited well clear of ultimate crown spread
- Sufficient space required for construction work, access, erection of scaffolding and storage of materials.
- The effect of the proximity of buildings to trees, on daylight into windows and gardens, existing and future tree height and spread, perceived risks to safety and dominance of trees over properties
- Requirements for infrastructure, above and below ground services, roads and footpaths, visibility splays, CCTV requirements, refuse stores, substations, lighting and signage.
- Changes in ground levels, including existing, proposed and temporary
- The effect of the proposed development on amenity values of trees on and near the site.
- Mitigation measures for any tree loss
- Future pruning requirements

Particular attention should be given to the retention of large old/veteran trees that become enclosed within new developments. These trees are less resilient to the likely impacts of construction activity within close proximity to them and are therefore more likely to die or become unsafe. It may be more appropriate where the retention of such trees is desirable, that they are incorporated into open space or large gardens.

The AIA will be a written statement to accompany the Tree Constraints Plan. It will be the case that additional plans will need to be produced in order to demonstrate how many of the above issues are intended to be dealt with, e.g. cross sections, alternative proposals and specific construction methods.

5. Arboricultural Method Statements and Tree Protection Plan

Upon finalising the design layout for the proposed development, a method and plan demonstrating how the trees on the site will be adequately protected during the construction phase of the development will be required. This information is often required through the conditions of the planning permission and these are used to enforce the protection measures. However, the information is required in advance of the issuing of the planning permission in certain cases if the information is not supplied in advance, then the application may be refused permission and will almost certainly delay the decision.

The erection of a Construction Exclusion Zone consisting of a suitable barrier around the trees to prevent construction access and to ensure damage does not occur to the trees is required. The Construction Exclusion Zone is a fundamental part of the Tree Protection Plan and this should be annotated on the plan with the following information: -

- Trees to be retained
- Trees to be removed
- Trees to be pruned
- The exact location of the Construction Exclusion Zone showing the protective barriers/fences, all physical barriers including the ground protection (these areas should reflect the RPAs taken from the Tree Constraints Plan, or a distance equal to half the height of the tree, or the canopy drip line of the tree, whichever is greatest)
- Details of the type of fencing/physical barrier to be used (this is to be the same as in figure 2 of BS5837 unless otherwise agreed in writing)
- The fencing/protective barrier with display signs indicating that the enclosed area is a construction exclusion zone
- Those areas of proposed or structural landscaping be protected to prevent damage to the soil structure
- Finalised site layout

To ensure construction activity does not further impinge on the construction exclusion zone that is erected close to trees, consideration needs to be given to the following activities: -

- Site access for construction, type of construction access and the frequency
- Contractors car parking
- Phasing of construction works
- Siting of construction compounds, storage of materials, fuel, site huts, toilets and other temporary structures
- Space for foundations excavation, construction works, erection of scaffolding, plant, cranes and access during construction works
- Changes in ground levels including the effect of creating new slopes, erection of retaining walls and steps
- Location and space required for all the service runs including gas, electricity, foul and water drains, land drains, oil, television, telephone and all other communication cables

Where work is unavoidable within the Construction Exclusion Zone of a tree, a method statement relating to how damage will be minimised, is required as part of the Arboricultural method Statement and Tree Protection Plan. Such work may include hard and soft landscaping and special construction techniques. Generally this work will be required to be carried out by hand and will be carried out under the direct supervision of the appointed Arboriculturalist.

Implementing your Planning Permission

The granting of planning permission does not mean that the Planning Authority no longer has control over what happens on the site, particularly where trees are concerned. Where trees have been present on a site prior to the granting of planning permission there will be number of conditions of planning permission that will have to be adhered too.

These conditions may include, amongst others: -

- Implementation of the Tree Protection Plan
- The appointment of a suitably competent person to ensure the correct implementation of the Tree Protection Plan, prior to the start of construction on site, and the ongoing supervision of the arboricultural protection measures
- No tree work is to be carried out without the express written permission of the planning authority.
- The protective fencing/barrier as part of the TPP is erected prior to the start of demolition and construction works on site.
- No alteration to protective fencing/barrier and no activity to take place within the construction exclusion zone during development, unless there is written consent of the Planning Authority.
- The protective fencing/barrier is only to be removed upon completion of the development and prior to occupation and only with the written consent of the planning authority.

Other planning conditions could also be used to control the use of particular construction methods close to trees, additional tree work as part of a tree/woodland management plan for the site, and various conditions for the control of landscape character and areas of existing and new landscaping.

Useful References

BS 5873:2005 Trees In Relation to Construction – Recommendations
BS 3998:1989 Recommendations for Tree Work
NHBC Standards Chapter 4.2 Building near Trees; October 1992
NJUG (National Joint Utilities Group) Publication 10 (1995)
Aberdeen City Council Protected Trees information leaflet
Aberdeen City Council Landscape Strategy
Forestry Commission Scotland Control of Woodland Removal 2010
Forestry Commission Scotland The right tree in the right place (Planning for forestry and woodlands) 2010
More information about tree protection in Aberdeen is available on the following webpage -
http://www.aberdeencity.gov.uk/Planning/pla/pla_Tree_ProtectionGrants.asp

Useful Addresses

Planning and Sustainable Development
Aberdeen City Council
8th Floor
St. Nicholas House
Broad Street
Aberdeen
AB10 1GY
Tel: 01224 523470

Forestry Commission Scotland
Grampian Conservancy
Ordiquhill
Portsoy Road
Huntly
AB54 4SJ
Tel: 01466 794542
Web: www.forestry.gov.uk/scotland

Arboricultural Association
Ampfield House
Romsey
Hants
SO51 9PA
Tel: (01794) 368717
Web: www.trees.org.uk
Arboricultural Advisory & Information Service
Alice Holt Lodge
Wrecclesham
Farnham
Surrey
GU10 4LH
Tel: (01420)22022

Web: www.treehelp.info/

Scottish Natural Heritage
Inverdee House
Baxter Street
Torry
Aberdeen
AB11 9QA
Tel: (01224) 266500
Web: www.snh.gov.uk/



Supplementary Guidance

Topic: Stone cleaning

Reference Number:

Introduction

The cleaning of the stonework on a granite building is widely considered as an improvement in the appearance of the building. Whilst there is, in some situations, a contrary argument to that view, few people would dispute that the change in appearance can be dramatic, particularly when a building has become extensively soiled. What is not widely appreciated however, is that the cleaning process can cause serious damage to the granite being cleaned. The guidance in this leaflet is intended to reduce to a minimum, the incidences of damage that can result from the incautious application of the various types of stone cleaning methods commonly in use.

Statutory Context

The Town and Country Planning (General Permitted Development) (Scotland) Order 1992, states that the stone cleaning or painting of the exterior of any building or works is not “permitted development” where:

- the building or works are in a conservation area; or
- the building is a listed building.

This means that planning permission is required to clean the stonework of a building if the building is in a conservation area, and listed building consent is required if the building is listed.

Policy: STONECLEANING

The cleaning of listed buildings or buildings in conservation areas by abrasive, chemical or high pressure water methods will only be permitted provided that:

1. The stonework is in sound condition;
2. The most appropriate method of cleaning is established by a consultant’s report in accordance with the methodology set out in Historic Scotland’s Technical Advice Note 9; and
3. The consultant’s report demonstrates that this method of cleaning will not prejudice the long-term structural integrity and appearance of the building.

Given the lack of research into the effects of repeated cleaning of granite where it is proposed to clean a building known to have been previously cleaned, the stone consultants report, required by the Technical Advice Note, must provide a justification for the proposals. The same procedure will also be required in the case of sandstone buildings.

Permission will not be given to clean individual properties when they comprise only part of a building facade, either the facade of a single building or a terrace designed as an architecturally unified composition.

Background

Until September 1997, the detrimental effects of the various methods of cleaning granite commonly in use were largely unknown, although evidence did exist that granite was liable to be damaged as a result of cleaning. While an investigation into the cleaning of granite, being carried out by the Robert Gordon University on behalf of Historic Scotland, was in progress, a cautious approach was adopted by the Planning Authority.

Planning permission or listed building consent was granted generally only if the following criteria could be satisfied:

1. the level of soiling was particularly high;
2. the nature of the soiling was liable to damage the granite;
3. the building, once cleaned, did not stand out from its neighbours; and
4. the method of cleaning was the least damaging for the particular type and finish of granite.

New Criteria for Cleaning

The research by the Robert Gordon University into the cleaning of granite buildings resulted in the publication by Historic Scotland, of its Technical Advice Note 9, "Stonecleaning of Granite Buildings". With the publication of this document, (TAN 9), this Planning Authority now accepts that granite in good condition, that has not been cleaned previously, can be cleaned without causing serious damage. This modified stance does not dispense with the need to obtain planning permission and/or listed building consent where required, nor for the need to exercise extreme care, in selecting an appropriate method of cleaning, and in carrying out the cleaning. The Council's policy on stone cleaning is stated in Policy 15: Stonecleaning in the Aberdeen City Local Plan as follows: The cleaning of listed buildings or buildings in conservation areas by abrasive, chemical methods or high pressure water methods will only be permitted provided that: 1. the stonework is in sound condition; 2. the most appropriate method of cleaning is established by a consultant's report in accordance with the methodology set out in Historic Scotland's Technical Advice Note 9; and 3. the consultant's report demonstrates that this method of cleaning will not prejudice the long-term structural integrity and appearance of the building. Given the lack of research into the effects of repeated cleaning of granite, where it is proposed to clean a building known to have been previously cleaned, the stone consultants report, required by the Technical Advice Note, must provide a justification for the proposals. The same procedure will also be required in the case of sandstone buildings.

Permission will not be given to clean individual properties when they comprise only part of a building facade, either the facade of a single building or a terrace designed as an architecturally unified composition.

Procedure for Applying for Consent to Clean a Building that is Listed and/or in a Conservation Area

When an owner has decided he wishes to clean his building, he must submit an application for planning permission and/or listed building consent in the normal manner. Along with the application he must provide a report on the

stone cleaning, commissioned from an independent consultant who is experienced in all the issues, procedures and methods of stone cleaning. This report will have two stages:

Stage 1

The first stage will be a detailed site assessment of the building, noting the type of stonework, its condition and defects, the level, type and distribution of soiling, and any other factors that may affect the choice of cleaning method and the likelihood of subsequent re-soiling. Pages 15 and 16 of TAN 9 cover the range of issues to be addressed by this preliminary assessment. It is conceivable at this stage that the consultant's advice may be not to clean should, for example, the granite be so friable that any form of cleaning would be liable to damage the granite.

Following the site assessment the consultant will likely have eliminated some cleaning methods as being totally unsuitable. Pages 17 to 25 of TAN 9 describe the characteristics of the various types of cleaning methods available. A number of cleaning methods will then be selected to be tested on trial panels in accordance with the methodology set out in pages 26 to 30 of TAN 9. Notes on the site assessment will be submitted in an internal report for the Planning Authority's consideration, together with the selected range of cleaning methods.

Stage 2

In the second stage the consultant will arrange for the cleaning methods which are acceptable to the Planning Authority to be tested on trial panels. The results of these tests will then be assessed and a second report submitted to the Planning Authority, containing a detailed specification of, and justification for, the preferred cleaning system. Page 31 of TAN 9 covers the range of matters that should be covered by the cleaning specification.

Note:

In assessing an application to clean a building the Planning Authority will at all times have regard to the advice given in Technical Advice Note 9 and the procedures it advocates. Copies of this Advice Note can be purchased from:

**Historic Scotland
Technical Conservation
Research and Education Division
Scottish Conservation Bureau
Longmore House
Salisbury Place
Edinburgh EH9 1SH
Telephone: 0131 668 8600
Web-site: www.Historic-Scotland.gov**

Cleaning of Granite Buildings which are neither Listed nor in a Conservation Area

All granite buildings throughout the city, whether or not they are listed or in a conservation area, are an intrinsic part of the city's character, and deserve to be treated with appropriate respect. Whilst no consents are required to clean granite buildings that are not listed nor in a conservation area, extreme care must, nevertheless, be exercised in cleaning them as damage to the granite, once caused, cannot be undone.

Before any stone cleaning is undertaken it is advisable to obtain the advice of an independent consultant. Failing this, the contractor employed should specialise in this type of work and be a member of the Stone Federation, 82 New Cavendish Street, London W1M 8AD. Operatives who carry out the work should have a Scottish Vocational Qualification in Façade Cleaning which has been available since 1993, or alternatively must have proven skills and knowledge in stone cleaning. High risks are involved in using a contractor for whom stone cleaning is merely an "add on" to his main business, and who may not have the in-depth knowledge and experience for this type of work.

Granite Cleaning Methods

There is available, a variety of stone cleaning methods. The simplest of these is the application of water, either by hand using a brush, or underpressure. Whilst using a high pressure wash (above 50p.s.i) requires consent, no consent is required for the use of water applied with a brush. It is also acceptable to use a non-ionic detergent in connection with the scrub without having to apply for consent. This type of cleaning will remove only loose surface dirt and algal and other biological growths. It will have little effect on ingrained soiling. The cleaning methods in common use that are effective are based either on some form of abrasive cleaning (grit blasting), or chemical cleaning (using acid or alkaline cleaning agents).

Abrasive Cleaning

The most common form of abrasive cleaning is wet grit blasting. An abrasive grit, with the addition of water, is applied to the granite under pressure. Depending on how hard or coarse the grit used, and how high the pressure, this type of cleaning can severely roughen the surface of the granite, and in extreme situations may cause the loss of architectural detail. There could also be a loss of patina which may have served to protect the surface of the granite. The reduced water run off rate caused by roughening the surface of the granite may result in the surface becoming more susceptible to algal growth.

Because of the roughening of the surface that is the usual consequence of abrasive cleaning, only the least aggressive of abrasive systems will receive consent. The most common forms of grit blasting which involve the water and grit being mixed at the application nozzle and applied at high pressure, can be extremely harsh on the granite and generally are not acceptable. The type of grit blasting that is most commonly found acceptable is the low pressure slurry wash system, which involves a softer grit such as olivine being premixed in a blast pot and applied at pressures no higher than 35p.s.i.

Even this system can have some roughening effect on the granite. In very sensitive situations, such as when sandstone is used in conjunction with granite, or when the granite is soft or fractured, a very low pressure system employing a fine abrasive such as aluminium oxide powder with no water, may be required. This method, sometimes referred to as a “microsoft” system, is quite slow and is therefore, generally more labour intensive and expensive.

Chemical Cleaning

Acid cleaning is the most common chemical cleaning system in regular use, whilst hydrofluoric acid is the most common active ingredient in acid based cleaning agents. This type of cleaning is generally acceptable on granite of good quality as there tends to be little penetration of the chemical into sound granite, although there will be more into the mortar in the joints.

Some constituents of cleaning chemicals may assist biological growth and therefore encourage subsequent re-soiling. The use of chemical cleaners at too high a concentration can dissolve iron-rich minerals within the granite which may result in iron deposits being left on the surface of the granite in the form of brown staining, or in the surface being bleached. To guard against these possibilities, the dilution of the cleaner and its dwell time, (period cleaner is left on the surface) should be the minimum required to achieve an acceptable level of cleaning. Chemical cleaning is generally not suitable on highly weathered granite as the chemicals may cause erosion of the surface, whilst the high pressure of water used at the rinsing stage will result in further erosion.

Use of a mixture of cleaning methods

It is unlikely that a whole building can be cleaned using a single cleaning method. Chemical cleaners will not, for example, be able to remove gypsum crusts on their own, and some form of abrasive assistance will be required. If approval has been granted to clean a building using a particular method, the use of secondary methods should be kept to a minimum.

Re-soiling

TAN 9 points out that re-soiling of a building begins immediately after cleaning. As mentioned above, some constituents of cleaning chemicals may assist biological growth and the roughening of the granite surface may encourage both biological and non-biological soiling. Anyone proposing to clean a granite building should therefore, be aware that the granite could return to its earlier state, or worse, quite quickly after cleaning. Re-cleaning of granite on a regular basis will not be acceptable.

Recording

In accordance with paragraph 8.6 of TAN9, detailed records and photographs of the cleaning operations should be kept for future reference, and to inform any subsequent proposals to re-clean the granite. In the case of buildings that are listed or in a conservation area, this information should be made available

to the Planning Authority. It may be that at the time of granting planning permission or listed building consent, a questionnaire form will be issued to assist in this procedure.

Further Information

If you require any further information please contact:

**Aberdeen City Council
Planning and Infrastructure
St Nicholas House
Broad Street
Aberdeen AB10 1BW
Telephone: 01224 523470
Fax: 01224 636181
E-Mail: pi@aberdeencity.gov.uk**



Supplementary Guidance

Topic: Temporary Buildings
Design Guide

Reference Number:

GUIDELINES

The leaflet is designed to give guidance to those applying for planning permission for:

- the installation of a portable building ('Portacabin');
- the erection of a demountable building on their industrial or commercial site;
- the retention of either kind of existing temporary building following the grant of a time-limited planning permission which will expire shortly

POLICY

The council regards both portable and demountable buildings as being designed to cater for the short term needs of expanding establishments and not for longer term accommodation purposes. There are **two** main categories of unit and it is important to emphasise the difference between them.

PORTABLE BUILDINGS

For the purpose of these guidelines, 'portable buildings' are regarded as buildings which have integral jack-up legs for support and are of such a design that, upon disconnection of any mains services, they may be craned away and transported as a unit from site to site.

Provided it complies with sub-paragraphs (a) to (c) below, planning permission will normally be granted for this type of temporary unit on a **year-to-year basis, up to a maximum duration of two and a half years**. If, because of exceptional circumstances, planning permission is granted contrary to these guidelines, permission will not necessarily be renewed on the expiry of the first period.

In all other instances though, provided that the portable building has been maintained in a satisfactory condition, and there has not been significant change in the planning circumstances, there should not be any difficulty in obtaining permission for a retention, provided that the two and an half year limit is not exceeded.

Permission will not normally be given for the retention of portable buildings beyond the two and a half years maximum duration. To be granted planning permission, units:

- a)** must be sited to the rear of existing buildings;
- b)** must avoid loss of existing car parking spaces; and
- c)** must not be sited on landscaped amenity areas, especially those with established tree and shrub planting

DEMOUNTABLE BUILDINGS These are units which are erected on site using prefabricated sections to form a building which is **fixed into prepared foundations**, and is therefore of a more permanent nature.

Portable buildings resting on bricks, concrete blocks etc., will **not** be regarded as demountable buildings. Demountable buildings must be sited with the same siting criteria applying as those for portable buildings. In recognition of their greater durability, planning permission will generally be granted for **an initial period of 5 years**.

Thereafter, units may be considered for additional shorter periods if:

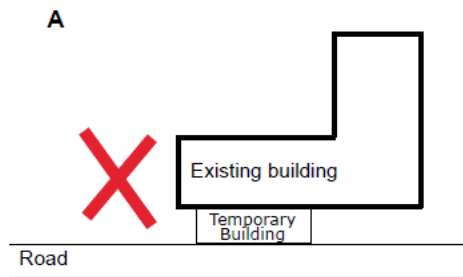
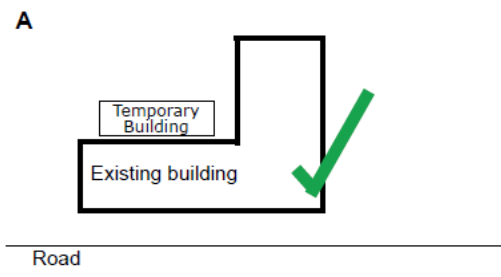
- the buildings have been maintained in a satisfactory condition; and
- the applicant can present a justifiable case for the continued use of a temporary building rather than the erection of a permanent replacement

Permission for retention of such units **beyond ten years will only be granted in exceptional circumstances** which have been very carefully considered on their own merits. In all instances, the Council's car parking standards will apply.

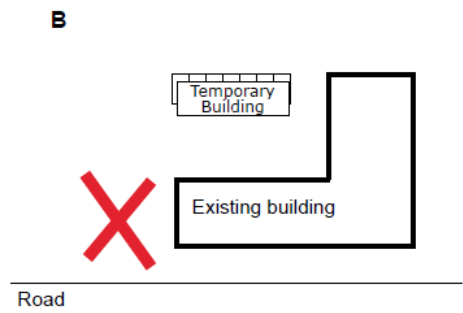
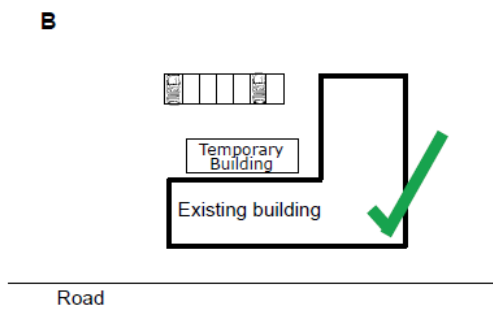
CAR PARKING

This leaflet can only give you some brief guidance. Planning & Infrastructure are always willing to discuss with you any specific proposals you may have. Before you visit, you are advised to make an appointment so that you can be sure that the relevant member of staff will be available.

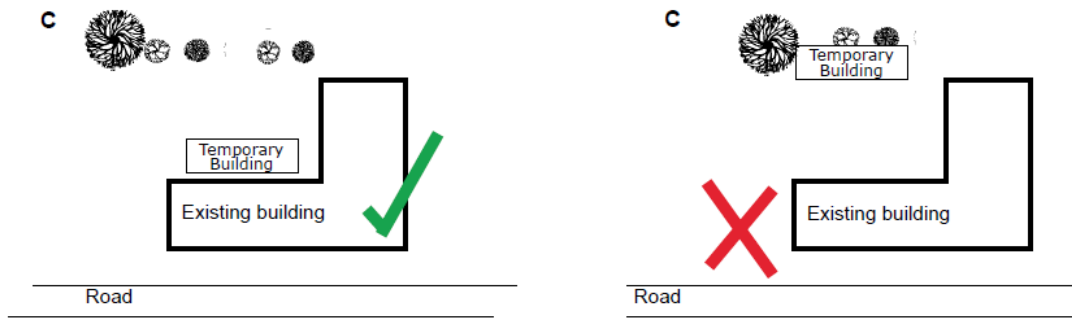
SITING OF TEMPORARY BUILDINGS



Site temporary buildings behind existing buildings



Do not site on parking areas. New parking for occupiers of the temporary building will be required.



Do not site on landscaped amenity areas especially those with established trees and shrubs.

FURTHER INFORMATION

For further information please contact us:

Aberdeen City Council

Planning and Sustainable Development

St. Nicholas House

Broad Street

Aberdeen

AB10 1GY

Telephone: **01224 523470**

Fax: **01224 636181**

E-Mail: **pi@aberdeencity.gov.uk**



Supplementary Guidance

Topic: Waste Management
Requirements in New
Development

Reference Number:

Supplementary Planning Guidance – Waste Management Requirements for New Development

Developments should provide enough space for the storage and collection of waste – specifically recyclables, composting and residual waste – and access to such facilities. Planning conditions are already imposed on proposals likely to generate a significant amount of waste e.g. public houses, restaurants, medium to large-scale retail outlets and offices. However more could be done at the design stage to ensure that adequate provision is made for such facilities.

Policy R6 states that all new development will be required to incorporate adequate provision for waste disposal and recycling facilities. Housing developments regardless of size should have sufficient space for the storage of residual, recyclable and compostable wastes (black, blue and brown wheelie bins). Flatted developments will require communal facilities that allow for the separate storage and collection of these materials. Recycling facilities should be provided in all new superstores or large supermarkets and in other developments where appropriate. Details of storage facilities and means of collection must be included as part of any planning application for development which would generate waste.

In order to allow as many people as possible to recycle their household waste, the Aberdeen Waste Strategy relies on the kerbside collection of segregated waste. Houses will have 3 wheelie bins.

There will be a need for space for multiple waste storage bins and containers at each property. Different developments will have a different waste management service and therefore, space and access requirements. In all domestic cases, developments should comply with Building Standards (Standard 3.25 of the Technical Handbook).

Houses with Gardens

From 2012/13, houses with gardens will have 2 wheeled bins:

1. A 240l wheeled bin for recyclable materials such as glass, plastics, cans, paper and card. This will be taken to the Material Recycling Facility in Altens to be separated for recycling.
2. A black wheeled bin for residual waste – what's left – currently the bin provided for this service has a capacity of 240l but this may reduce in time to 180l.
3. A brown bin for garden waste.

In addition, houses will need a 25l food waste container that will be taken for composting or anaerobic digestion.

Houses will require an external space for 3 x 240 litre wheeled bins. The minimum size of external waste storage area required is 2m x 1m per house. This should be hard surfaced and, if covered, a minimum height of 2m.

Preferably, storage areas should be screened or sited out of public view, but readily accessible to the householders.

There should also be space in private or shared gardens for home composting (see below).

Houses without Gardens

From 2012/13, houses without gardens will have a 25l food waste container and 2 wheeled bins:

1. A 240l wheeled bin for recyclable materials such as glass, plastics, cans, paper and card. This will be taken to the Material Recycling Facility in Altens to be separated for recycling.
2. A black wheeled bin for residual waste – what's left – currently the bin provided for this service has a capacity of 240l but this may reduce in time to 180l.

In addition, houses will need a 25l food waste container that will be taken for composting or anaerobic digestion.

The householder is responsible for moving bins from storage areas to the public road footway adjacent to the property where they can be emptied by the Council. This distance should be kept to a minimum and as agreed with the collection authority. There should be no steps, kerbs or other obstructions between the storage areas and collection points for safety reasons. The route should be surfaced. Maximum Gradients are given in pages 44 and 45 of Designing Streets

<http://www.scotland.gov.uk/Resource/Doc/304284/0095457.pdf>

Wheeled bins will be provided by Aberdeen City Council for new developments.

Where we introduce food waste only collections (houses without gardens and multi-occupancy properties), we will probably provide a 7l kitchen caddy (designed to sit on a work surface) and a 25l food bin that sits under the sink/beside the general waste bin in the kitchen:



In **flats and terraces** it is usual for householders to store their waste externally, either in individual bins or communal bins. Adequate provision should be made for external hard standing space for communal bins for residual, compostable and recycling waste. As a guide, one x 1280l bin for refuse and recycling and 1 x 240l for food waste should be provided for every 10 flats.

These should be easy to reach for both householders (ideally between main points of access and car parking/main pedestrian routes) and refuse collection vehicles so they should be close to a public road, have no steps and incorporate drop kerbs where appropriate. The use of access pends and rear service routes may be appropriate. The turning diameter for refuse vehicles is 18m. If this cannot be provided throughout a development, then a centralised external storage point which is accessible to refuse vehicles must be provided. The suitability of the surface and access and egress routes for vehicles should be agreed with the highways authority. Turning on lockblock paving should be avoided.

In some cases it may be necessary to make provision for Factor's waste. In flats this is mainly garden waste so storage provision should be made for this where appropriate.

Storage areas should also be adequately screened, lit and hard surfaced. Communal storage areas should preferably be roofed with appropriate clearance for hinged bin lids.

Aberdeen City Council provides communal storage bins for a charge. For further details contact the Waste Team
Email wasteaware@aberdeencity.gov.uk
Tel: 08456 08 09 19

There should also be space in private or shared gardens for home composting (see below).

One issue which developers may wish to explore with our Waste Team (wasteawareaberdeen@aberdeencity.gov.uk) is that of underground storage and/or design of above ground storage for communal properties. We will look at this in more detail in respect of its costs, possible take up in future and practical issues of how to service underground bins effectively. Such an approach may be more practical for larger developments of over 50 flats to provide for the installation of underground bins. It would free up more space for the development compared to bin compounds as compensation.

Composting is a good option for the treatment and recycling of garden and other organic waste. Home composting areas should be designed into all new housing developments and compost bins provided. However, they must be carefully designed as part of the garden and not merely placed in a convenient area which may be inappropriate.

A 2m x1m area should be provided with a suitable sized composter and adequate drainage considered. Normally a 330 litre compost bin is adequate for most small to medium sized gardens but different sizes are available. Compost bins and green cones (which are used to digest food waste) can be supplied by Aberdeen City Council for a charge. Alternatively, householders can purchase a range of subsidised bins from Zero Waste Scotland website <http://wasteawareScotland.org.uk/>.

Commercial developments vary in activity and scale. However, they will be expected to recycle waste and so multiple storage containers are likely to be required. The minimum size of storage area for a small shop is 2m x 1m. This is a minimum area and size will vary significantly due to the size and type of business. Larger retail and commercial developments should as a minimum allow for three separate containers for refuse, paper and card and other recyclables. As with residential properties, areas of hard standing at storage and collection points are required and dropped kerbs along routes where waste is moved in wheeled containers. Where premises are accessible to the public, safe pedestrian access must be provided even where collection is from the public footway.

Post 2012/3, we will convert all recycling points, including those in supermarket car parks to mixed recycling bins. We could potentially add facilities for other materials such as batteries and small waste electrical and electronic equipment (WEEE). Retail outlets that sell electrical goods should provide front of store battery recycling facilities and where practical, back-of-store facilities for WEEE take back.

Commercial properties do not have to use Aberdeen City Council to uplift and dispose of their waste. If they request the service, charges are levied for the provision of appropriate bins and for collection and disposal. For any information on business waste, including costs, or to arrange meetings and discuss waste management practices, contact the Council's Waste Aware Team on 08456 080919 or email wasteawareaberdeen@aberdeencity.gov.uk.

Contacts

For general information on **household, recycling and commercial waste** visit http://www.aberdeencity.gov.uk/Rubbish/wwwa/rub_waste_aware_aberdeencity.gov.uk

Email wasteawareaberdeen@aberdeencity.gov.uk
Tel: 08456 08 09 19

For information on **composting** visit http://www.aberdeencity.gov.uk/Rubbish/wwwa/household_waste/rub_home_composting.asp

For general information on **Building Standards**, contact

Building Standards Team
Enterprise, Planning and Infrastructure
Aberdeen City Council
8th Floor St Nicholas House
Broad Street
Aberdeen
AB10 1BW
Phone: 01224 523470
Fax: 01224 636181
Email: pi@aberdeencity.gov.uk

If you need advice or information on making a **planning application** contact

Application Support Team
Enterprise, Planning and Infrastructure
Aberdeen City Council
8th Floor St Nicholas House
Broad Street
Aberdeen
AB10 1BW
Phone: 01224 523470
Fax: 01224 636181
Email: pi@aberdeencity.gov.uk

External contacts

Advice on **composting and purchasing subsidised compost bins** is available from the Waste Aware Scotland Website
<http://wasteawarescotland.org.uk/>

Other **general information and guidance on waste** can be found on the Scottish Environment Protection Agency website <http://www.sepa.org.uk/>