

ABERDEEN CITY COUNCIL

COMMITTEE	Planning Development Management
DATE	09 February 2023
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Draft Aberdeen Planning Guidance: Space Standards
REPORT NUMBER	PLA/23/050
DIRECTOR	Gale Beattie
CHIEF OFFICER	David Dunne
REPORT AUTHOR	Donna Laing
TERMS OF REFERENCE	5. Adopt non-statutory planning management guidance

1. PURPOSE OF REPORT

- 1.1 This report presents a draft Aberdeen Planning Guidance (APG) on Space Standards. The report seeks approval to undertake public consultation on the document, with the results of the consultation and any revisions to the document reported back to Full Council for approval before December 2023, as part of a wider report on all current guidance documents to support the Aberdeen Local Development Plan 2023.

2. RECOMMENDATION(S)

That the Committee:-

- 2.1 Approve the content of the draft Aberdeen Planning Guidance: Space Standards (Appendix 1) and adopt the draft document as Interim Planning Advice from the date of adoption of the Aberdeen Local Development Plan 2023;
- 2.2 Instruct the Chief Officer - Strategic Place Planning to, subject to any minor drafting changes, publish the draft Aberdeen Planning Guidance: Space Standards document for a six week period of public consultation, and for this consultation to be undertaken at the same time as the public consultation exercise on a number of associated Supplementary Guidance and Aberdeen Planning Guidance documents instructed by Council on 14 December 2022;

- 2.3 Instruct the Chief Officer – Strategic Place Planning to report the results of the public consultation and any proposed revisions to the draft Guidance on Space Standards to Council before December 2023 as part of the wider post-consultation report on all current draft guidance documents to support the Aberdeen Local Development Plan 2023; and,
- 2.4 Instruct the Chief Officer – Strategic Place Planning to consult the Strategic Environmental Assessment (SEA) Gateway on the associated SEA Screening Report for the draft Aberdeen Planning Guidance document: Space Standards, and to publicise the result of the Screening Determinations on the Council's website.

3. CURRENT SITUATION

Background

- 3.1 The Local Development Plan (LDP) focuses on the vision, spatial strategy and key policies and proposals for the future development of Aberdeen. Supporting guidance in connection with the Local Development Plan is used to provide more detail on how LDP policies and proposals will be implemented. The draft Aberdeen Planning Guidance: Space Standards presented in Appendix 1 would, upon adoption, form non-statutory guidance to support the LDP. Whilst not part of the statutory development plan, non-statutory guidance documents can nevertheless be treated as a material consideration in planning decisions and are a more flexible type of guidance which can be more readily prepared and updated to reflect changing circumstances.
- 3.2 The 2017 Local Development Plan was accompanied by a suite of policy-based Supplementary Guidance documents that were grouped into seven topic areas (Townscape and Landscape; Modifications to Existing Buildings; Retail and Commercial; Planning Obligations, Affordable and Specialist Housing; Transport, Air Quality and Noise; Natural Environment; and Resources). Under current planning legislation, these Supplementary Guidance documents are only valid for the lifespan of the 2017 Local Development Plan. As such, these documents will 'fall' when the new 2023 Local Development Plan is formally adopted, and it will no longer be possible to take them into account in planning decision making. The 2017 Supplementary Guidance will therefore need to be replaced with a new suite of supporting guidance for the 2023 Local Development Plan, including the planning guidance for Space Standards.
- 3.3 During the review of the Local Development Plan at Main Issues Report Stage, comments were sought on the possibility of setting minimum internal and external Space Standards. The results of the Main Issues Report consultation were presented as a background paper to the Aberdeen Local Development Plan 2020 at Full Council on 02 March 2020. The results of the consultation led officers to explore if developing a policy or a guidance document would be desirable.
- 3.4 The Aberdeen Planning Guidance provides further detail on Policy D2: Amenity of the Proposed Aberdeen Local Development Plan 2020 (as modified), which

will become the Aberdeen Local Development Plan 2023 when formally adopted. The Aberdeen Planning Guidance notes the role space standards have in ensuring positive impacts to placemaking, health and climate. Space standards ensure access to private open space for residents and the ability to ensure their home has good amenity and is adaptable to meet their future needs and demands; these can ensure a person has access to a pleasant living, working and social environment, which enriches their health and wellbeing, and daily life. The document also discussed orientation and garden space for residential homes and care homes, and provide guidance on conversion of units to housing.

Consultation

- 3.5 In order to make the best use of Council resources and to undertake a more straightforward consultation exercise for the public, it is intended, subject to approval, that the draft Aberdeen Planning Guidance: Space Standards document accompany and be part of the wider public consultation exercise on the suite of draft Supplementary Guidance and Aberdeen Planning Guidance documents already approved for public consultation by Council on 14 December 2022.
- 3.6 The 6-week period of public consultation proposed would commence in early 2023. The consultation documents will be made available for inspection online in accordance with relevant legislation. The consultation will also be publicised through means such as newspaper notice, the Local Development Plan newsletter, and the Council's website and social media platforms. Interested parties will be encouraged to submit comments via the Council's consultation hub (Citizen Space). All comments will be reviewed and taken into account to help formulate a final version of the Aberdeen Planning Guidance: Space Standards. Subject to approval, and to ensure a consistent resource efficient and simpler process, Recommendation 2.3 of this report recommends that any comments on the draft Aberdeen Planning Guidance: Space Standards will be reported back to Members at the same time as Officers report back on the suite of other supporting documents approved under report COM/22/284 to a future Council meeting before December 2023.
- 3.7 In order to avoid any gap in planning guidance until final versions are reported back to Members for approval, Members are also asked to adopt the draft Aberdeen Planning Guidance: Space Standards as Interim Planning Advice from the date of adoption of the 2023 Local Development Plan, as has been agreed for all other similar document per report COM/22/284 to Full Council.

4. FINANCIAL IMPLICATIONS

- 4.1 The cost of preparing and consulting on the document can be met through existing budgets.
- 4.2 As a major landowner in the City, proposals for the development of land and assets owned by Aberdeen City Council and any planning applications for development undertaken by or on behalf of the City Council will, where applicable, be subject to assessment against the proposed Aberdeen Planning

Guidance. This may have financial implications for the Council as a developer.

5. LEGAL IMPLICATIONS

- 5.1 There are no direct legal implications arising from this report. Whilst the proposed Aberdeen Planning Guidance will not form part of the statutory development plan, it is important that guidance on this topic is retained in a new non-statutory form. The document will be a material consideration to inform decisions on future planning applications in Aberdeen. Any person who is aggrieved by the content of the final adopted Aberdeen Planning Guidance may submit an application to the Court of Session to question its validity and to request that it be quashed in whole or in part.

6. ENVIRONMENTAL IMPLICATIONS

- 6.1 The draft Aberdeen Planning Guidance: Space Standards has been subject to a Strategic Environmental Assessment (SEA) screening process in accordance with relevant legislation, and the SEA screening reports will be subject to consultation with statutory consultation bodies.
- 6.2 A Habitats Regulations Appraisal (HRA) is not required for the Draft Guidance on Space Standards as it does not specifically recommend any actions or projects.

7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	Ensuring this Aberdeen Planning Guidance is up to date and relevant to coincide with adoption of the new Local Development Plan.	Adopt this draft Aberdeen Planning Guidance on an interim basis following adoption of new Local Development Plan. Ensure that robust and transparent consultation is undertaken in a timeous manner on the draft guidance documents, and ensure that final versions of the	L	Yes

		guidance are adopted timeously.		
Compliance	Ensuring that clear guidance is given on Space Standards to assist in the assessment and determination of planning applications.	Adopt draft Aberdeen Planning Guidance on an interim basis following adoption of new Local Development Plan. Ensure that robust and transparent consultation is undertaken in a timeous manner on the draft guidance documents and ensure that final versions of the guidance are adopted timeously.	L	Yes
Operational	Ensuring this Aberdeen Planning Guidance is timeously published and adopted to support the new Local Development Plan and avoid delays in the issuing of planning application determinations.	Adopt this draft Aberdeen Planning Guidance on an interim basis following adoption of new Local Development Plan. Ensure that robust and transparent consultation is undertaken in a timeous manner on the draft guidance document, and ensure that the final version of the guidance is adopted timeously.	L	Yes
Financial	Not having timeously published and adopted this supporting guidance for the new Local Development Plan could lead to uncertainty at planning application stage and potentially lead to more staff time being	Adopt this draft Aberdeen Planning Guidance on an interim basis following adoption of new Local Development Plan. Ensure that robust and transparent consultation is undertaken in a timeous manner on the draft guidance document, and ensure that the final version of the guidance is adopted timeously.	L	Yes

	spent processing applications.			
Reputational	The planning authority has consistently reviewed the Local Development Plan and supplementary guidance within the statutory review period. Failure to continue this could damage the Council's reputation as a planning authority.	Adopt this draft Aberdeen Planning Guidance on an interim basis following adoption of new Local Development Plan. Ensure that robust and transparent consultation is undertaken in a timeous manner on this draft guidance document, and ensure that the final version of the guidance is adopted timeously.	L	Yes
Environment / Climate	Ensuring that planning frameworks take into consideration the relevant environmental and climate change legislation at the point of their development and production.	Ensure that robust and transparent consultation with statutory agencies is undertaken on the draft guidance document. Carry out Strategic Environmental Assessment Screening Reports for the draft guidance document.	L	Yes

8. OUTCOMES

<u>COUNCIL DELIVERY PLAN 2022-2023</u>	
	Impact of Report
Aberdeen City Council Policy Statement <u>Working in Partnership for Aberdeen</u>	<p>The proposals within this report support the delivery of the following aspects of the policy statement:-</p> <ul style="list-style-type: none"> • Vibrant city – make Aberdeen a more attractive place to live, work, study and visit. • Homes for the future - Support the adaption of homes to accommodate people's changing needs, and to support the building of more

	homes that are future-proofed for accessibility.
<u>Aberdeen City Local Outcome Improvement Plan 2016-26</u>	
Prosperous People Stretch Outcomes	The proposals within this report support the delivery of LOIP Stretch Outcome 4 and 11 by ensuring homes are flexible and have access to private external outdoor space.
Prosperous Place Stretch Outcomes	The proposals within this report support the delivery of LOIP Stretch Outcome 15 by ensuring homes have access to private external outdoor space.
Regional and City Strategies <u>City Strategies and Strategic Plans</u> Local Development Plan	The proposal within this report supports the emerging Aberdeen Local Development Plan 2023 by ensuring that all new developments are designed to have sufficient internal and external space.

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	Not required.
Data Protection Impact Assessment	Not required.
Other	N/A

10. BACKGROUND PAPERS

- 10.1 [Proposed Aberdeen Local Development Plan 2020 \(as modified\)](#)
- 10.2 [COM/22/284: Aberdeen Local Development Plan 2023 – Draft Aberdeen Planning Guidance and Supplementary Guidance](#)

11. APPENDICES

- 11.1 Appendix 1 – Draft Aberdeen Planning Guidance 2023: Space Standards.

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