



Document	Respondee	Summary of Representation	Officer Response	Action as a result of Representation
<b>General Comment</b>				
General Comment	25	The general tone very broad and unspecific. The environmental impact statement under the waste disposal and management heading is vague. It would be difficult to see how this statement would have any impact upon the Tullos waste incineration plant, were it at the planning stage.	There is no reference to an Aberdeen Planning Guidance document, therefore unable to establish to which document the comment is being made. The comment does not correlate to the content of the "Waste Management Requirements for New Developments" APG. Contact was made with the respondee but no further communication was received.	No revision proposed.
<b>Topic Area: Health and Wellbeing</b>				
Air Quality	15	Highlights extensive revisions to 2017 SG and notes a "broad brush" approach to assessment of air quality. It contends that air quality is not a city-wide problem in Aberdeen and that the guidance as drafted could result in a requirement for Air Quality Assessments in many cases where this is unnecessary. It seeks an approach where Impact Assessments are only sought in areas of known air quality issues. It also seeks clarity on the source for the criteria in Table 2, and cites a lack of clarity in the terminology resulting in uncertainty over the need for an Impact Assessment at an early stage. It also argues that air quality can be addressed via a	Air Quality guidance seeks to limit future impact on air quality from development across the city in order to prevent the need for additional Air Quality Management areas, not just to prevent existing ones getting worse. The information in Table 2 is sourced from Land-Use Planning & Development Control: Planning For Air Quality guidance produced by the Environmental Protection UK and the Institute of Air Quality Management. Table 2 is prescriptive and outlines when an Air Quality Impact Assessment would likely be sought.	Text inserted to reference the Environmental Protection UK and the Institute of Air Quality Management document.

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		Construction Management Plan, and questions need for further Impact Assessments.		
Noise	2	<p>Agrees with section 2 as this covers scenarios where new development comes forward in close proximity to existing noise-generating cultural and night-time uses.</p> <p>It seeks amendment to section 2.3 to include cultural and time-time economy uses as main sources which would need to be covered within an assessment.</p> <p>Inappropriate development, or that which lacks suitable mitigation, harms the vibrancy of the city centre and undermines social and cultural well-being of local people. Document could otherwise be seen to place limitations on existing venues coming forward through part 2.4.</p>	<p>The agreement with section 2 is welcomed.</p> <p>The statutory development plan, comprising National Development Plan 4 and the Aberdeen Local Development Plan 2023, addresses the concerns raised regarding cultural and time-time economy uses, and the requirements on new developments. There is no requirement for the Aberdeen Planning Guidance to readdress this.</p>	No revision proposed.
Noise	23	<p>Seeks inclusion of the list of "Noise Sensitive Areas" which includes north Bridge of Don.</p> <p>It also desires descriptions of efforts to ensure helicopter operators comply with the aims of these defined areas are included within the guidance.</p>	<p>Noise management area and quiet areas are already described within the Glossary of the ALDP on pages 114-115.</p> <p>Candidate Quiet Areas are explained in Section 5.13 of the ALDP.</p> <p>No need to include reference to Aberdeen Airport 5-yearly Noise Action Plan as this relates to its efforts to control and reduce noise from its existing operations. The purpose of the APG is to limit impact from future development.</p>	Added text to Appendix A briefly summarising Noise Management Areas / Quiet Areas.

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		Seeks inclusion of list of "Candidate Quiet Areas", as well as a reference to the airport's 5-yearly Noise Action Plan (due in 2023), and wants clarification on phrases 'noise management area', 'quiet areas' and 'candidate quiet areas'.	Lists of quiet areas/candidate quiet areas are only accurate at a snapshot in time. Website link should be used to check most up-to-date status of areas.	
<b>Topic Area: Placemaking by Design</b>				
Energetica	12, 14, 15, 18, 20	<p>This guidance is unnecessary as there is already guidance for design and energy efficiency, and Energetica guidance represents another layer of bureaucracy. The guidance may stifle development in the Energetica corridor. The Council seeks design excellence across the city and excellence cannot be bettered.</p> <p>The requirement for all major developments in the corridor to submit an Energetica Compliance Statement is unnecessary as major applications already need a Design and Access Statement.</p>	<p>The intention to retain Aberdeen Planning Guidance on Energetica is mentioned in the ALDP under section 7.5 (page 58) and Appendix 4 (page 165). There is no evidence to suggest that the proposed guidance will stifle development in the Energetica corridor, and similar guidance has been in place for several years (to support the 2012 and 2017 Local Development Plans).</p> <p>It is agreed, however, that the requirement for major developments to submit a specific Energetica Compliance Statement is onerous, as compliance with the Energetica guidance could be demonstrated as part of the Design and Access Statement that is required for such developments. The draft guidance already recognises that Energetica compliance <i>may</i> be included as part of the Design and Access Statement, but a change is proposed to clarify that compliance should be demonstrated as part of the Design and Access Statement rather than through a separate Energetica Compliance Statement.</p>	Amend the guidance to clarify that for major developments compliance with Energetica criteria should be demonstrated as part of the Design and Access Statement, rather than through a separate Energetica Compliance Statement.
Temporary Buildings	11	The guidance should be more robust with regards to length of temporary permissions and requests for renewals. The	The Report of Handling for application 210353/DPP outlines the decision making in respect of the annex to the Edward Wright Building.	No revision proposed.

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		temporary annexe to the Edward Wright Building owned by Aberdeen University was a problematic case. Given there is no policy on temporary buildings the guidance takes on more importance. A section should be added that states where a temporary building is added on a landscaped area and in a conservation area, or affecting the setting of a listed building or amenity/outlook of a residential property, then a maximum of 5 years will be allowed with no renewal period allowed.	It is not deemed desirable to add the suggested section. The guidance in its current form is considered to strike a balance between providing detail and allowing officers the flexibility to make decisions on a case-by-case basis. The section proposed by the respondent is considered to be too prescriptive.	
Temporary Buildings	28	Development seeking a public water connection or connection to wastewater network should apply through Scottish Water while development should not drain surface water into the combined sewer. Developers should not build over existing water and drainage infrastructure and should contact Scottish Water even if works fall under permitted development.	These are standard responses that Scottish Water would apply to most applications, not specifically for temporary buildings. They are generally well understood by developers. There is no need to add these matters to this specific guidance.	No revision proposed.
Amenity	12, 14, 15, 18, 20	Providing adequate levels of amenity is essential to creating successful places, particularly with domestic properties.	We welcome the recognition that amenity is paramount to ensuing successful places.	No revision proposed.
Amenity	12, 14, 15, 18, 20	The guidance is overly prescriptive and covers issues addressed by	The principle of policy D2 was addressed in the examination of the Local Development Plan, where	No revision proposed.

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		<p>building standards. The policies within the LDP are sufficient to address planning related amenity issues.</p>	<p>reference was made to the relationship between building standards and planning. As outlined by the reporter, although Aberdeen Planning Guidance is outwith the scope of the Examination in Public being non-statutory planning guidance, the principle of the policy, which sets the parameters for the Aberdeen Planning Guidance, was addressed and it was noted, “there may be a degree of overlap with these requirements and standards covered by building regulations. Provided there is appropriate discussions and communication involving planning and building standards officers along with developers, I find that this should not complicate or prejudice the design process.”</p> <p>The focus on amenity was driven by the need to reconnect planning, health and wellbeing, as noted in the Planning (Act) Scotland 2019. This focus is not limited to external design and layout of sites. The impact of good amenity to mental, physical, emotional health and wellbeing was identified as being of importance, this requirement was identified before the COVID-19 pandemic, and the need and awareness of the importance for good amenity has intensified and been brought to the fore during the COVID-19 pandemic.</p>	
Amenity	12, 14, 15, 18, 20	<p>Section 2.2 should be used as best practice and not as a benchmark of all development, taking account of site constraints.</p>	<p>The importance of site context and the overall placemaking success of a proposal is a material consideration in the determination of any planning application. The Aberdeen Planning Guidance provides further detail on one policy within the Aberdeen Local Development Plan. A number of policies and associated Aberdeen Planning Guidance documents, along with national policy and guidance are considered when coming to a decision regarding a proposal. The Aberdeen</p>	No revision proposed.

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			Planning Guidance section 2.2 provides the benchmark expected regarding layout, orientation, shelter and aspect within developments, which will take account of landscape features and solar orientation, but this is always site context driven.	
Amenity	12, 14, 15, 18, 20	Strongly object to the requirement to provide sunlight and daylight calculations to support development proposals and to also provide these for proposals affecting existing buildings; this is addressed through building standards.	The overlap between the two disciplines of planning and building standards are addressed above. The impact of good amenity to mental, physical, emotional health and wellbeing was identified as being of importance, this requirement was identified before the COVID-19 pandemic, and the need and awareness of the importance for good amenity has intensified and been brought to the fore during the COVID-19 pandemic.	No revision proposed.
Amenity	12, 14, 15, 18, 20	The requirement to provide sunlight and daylight calculations, and consider privacy and outlook will hinder the redevelopment of brownfield / urban development. This contravenes the aims of NPF4 and the ALDP. Amenity should be considered on a site by site basis and taken into account the site context and circumstances.	The importance of site context and the overall placemaking success of a proposal is a material consideration in the determination of any planning application. The Aberdeen Planning Guidance provides further detail on one policy within the Aberdeen Local Development Plan. A number of policies and associated Aberdeen Planning Guidance documents, along with national policy and guidance are considered when coming to a decision regarding a proposal.	No revision proposed.
Amenity	29	The requirements to provide information may make the planning process more difficult and onerous. Sunlight to gardens and open spaces can be assessed based on the submitted plans rather than requiring detailed assessments to be submitted with applications.	The requirement to provide information to support development proposals is noted in the Aberdeen Planning Guidance. Outlining what is required at an early stage will provide clarity, rather than the potential for delaying the planning process after the application has been submitted and is live.	No revision proposed.

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Amenity	29	With warming temperatures, expected through future climate change, combined with increasingly insulated and airtight homes, from building standards, there is greater concern for overheating. With the need for south facing windows, mechanical ventilation may be required to address this issue.	The impact of climate change is a planning concern is as outlined within NPF4; south facing windows have the advantage of passive solar gain thereby reducing the need to mechanically heat a home. There are a number of ways to address overheating which do not require the need for mechanical ventilation, such as the use of internal blinds, shutters or curtains. External shading provision can be achieved by large overhangs and louvers but should be based on the need for it; it can restrict daylight from entering the space.	No revision proposed.
Space Standards	12, 14, 15, 18, 20	The guidance is overly prescriptive and we object on this basis. Space Standards are the concern of building standards, not the planning system.	At a national level, within Housing to 2040 – there is an awareness that housing is required to be adaptable so it can change to meet people’s needs. Housing to 2040 goes on to outline an expectation that homes need to be of a high quality and sustainable – to do so all homes are well designed and of a high standard, allowing all people to live well no matter what kind of home or tenure they live in.  More recently, NPF4 Policy 16 part c identifies “Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported”. The Scottish Government consultation on “Enhancing the accessibility, adaptability and usability of Scotland’s Homes” makes it clear that, NPF4 “supports proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs. This includes accessible, adaptable and wheelchair accessible homes”	No revision proposed.



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			<p>The Aberdeen City and Shire Housing Needs and Demand Assessment outlines the need for easily adaptable homes, a projected increase in the number of older households, who will most likely require adaptations to homes, this is easier to achieve with space.</p> <p>Minimum space standards have been the remit of building standards, but there is a clear push into the planning system in terms of adaptability, and ensuring that housing is fit for purpose for current and future needs. As is proposed in the Scottish Government consultation on “Enhancing the accessibility, adaptability and usability of Scotland’s Homes” “As all developments are subject to planning considerations we would expect developers and planners to work together to implement the enhanced provisions we are proposing”.</p>	
Space Standards	12, 14, 15, 18, 20	The space standards will hamper brownfield and city centre living strategies.	<p>The guidance is clear that conversion will be assessed on an individual and case by case basis, and that due to various factors such as: historic interest, statutory designations and the location and floorplates of existing buildings, it may be necessary to compromise on the floor areas where there is no feasible alternative or where other benefits would be achieved.</p> <p>With regard to new builds within brownfield or city centre locations, the importance of site context and the overall placemaking success of a proposal is a material consideration in the determination of any planning application. The Aberdeen Planning Guidance provides further detail on one policy within the Aberdeen Local Development Plan. A number of policies and associated Aberdeen Planning Guidance documents, along with national policy and guidance are considered when coming to a decision regarding a proposal.</p>	No revision proposed.

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Space Standards	12, 14, 15, 18, 20	The garden ground requirement is onerous	The garden lengths noted are well established through previous Landscape Supplementary Guidance. Garden length for any development is to be based on site context, the lengths noted in the APG set out the expectations required; these can be modified to take account of context. The impact of the COVID-19 pandemic has led to an increasing awareness of the benefit of private space.	No revision proposed.
Space Standards	12, 14, 15, 18, 20	The guidance will lead to an inability to provide housing and affordable housing	The importance of site context and the overall placemaking success of a proposal is a material consideration in the determination of any planning application. The Aberdeen Planning Guidance provides further detail on one policy within the Aberdeen Local Development Plan. A number of policies and associated Aberdeen Planning Guidance documents, along with national policy and guidance are considered when coming to a decision regarding a proposal.	No revision proposed.
Space Standards	12, 14, 15, 18, 20	Paragraph 2.1 in relation to a 3 bedroom house is of particular concern, the standard is excessive and exceeds the minimum requirement of three bedroom dwellings elsewhere in Scotland. This should be revised.	Existing planning space standards can be found in 2 other cities within Scotland. The "Edinburgh Design Guide" which notes space standards for dwellings ranging from studio dwellings (35m <sup>2</sup> ) to three bedroom or more (91m <sup>2</sup> ). Within Dundee's 2019 Local Development Plan, Design of New Housing Standards are outlined within in appendix 4. There are standards outlined for flats, housing sites of 5 or more units, and housing sites of less than 5 units. The standards noted range from –2 bedrooms or a minimum gross internal floor area of 60 sqm to 3 or more bedrooms or a minimum gross internal floor area of 100 sqm.  Noting the standards outlined above it is felt Aberdeen City Council's space standard are not in excess of others noted within Scotland. Again it should be recognised	No revision proposed.

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			that all planning decisions are based on a site by site context, taking into account material considerations.	
Space Standards	12, 14, 15, 18, 20	This guidance should be amended to acknowledge that proposals should be assessed on a site-by-site basis.	This is a fundamental principle of the planning system. The importance of site context and the overall placemaking success of a proposal is a material consideration in the determination of any planning application. The Aberdeen Planning Guidance provides further detail on one policy within the Aberdeen Local Development Plan. A number of policies and associated Aberdeen Planning Guidance documents, along with national policy and guidance are considered when coming to a decision regarding a proposal.	No revision proposed.
Space Standards	29	Space standards are the remit of building standards and are developed from 'Housing for Varying Needs' and the Lifetime Homes concept developed by the Joseph Rowntree Foundation.	<p>At a national level, within Housing to 2040 – there is an awareness that housing is required to be adaptable so it can change to meet people's needs. Housing to 2040 goes on to outline an expectation that homes need to be of a high quality and sustainable – to do so all homes are well designed and of a high standard, allowing all people to live well no matter what kind of home or tenure they live in.</p> <p>More recently, NPF4 Policy 16 part c identifies "Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported". The Scottish Government consultation on "Enhancing the accessibility, adaptability and usability of Scotland's Homes" makes it clear that, NPF4 "supports proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs. This includes accessible, adaptable and wheelchair accessible homes"</p>	No revision proposed.

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			<p>The Aberdeen City and Shire Housing Needs and Demand Assessment outlines the need for easily adaptable homes, a projected increase in the number of older household, who will most likely require adaptations to homes, this is easier to achieve with space.</p> <p>Minimum space standards have been the remit of building standards, but there is a clear push into the planning system in terms of adaptability, and ensuring that housing is fit for purpose for current and future needs. As is proposed in the Scottish Government consultation on “Enhancing the accessibility, adaptability and usability of Scotland’s Homes” “As all developments are subject to planning considerations we would expect developers and planners to work together to implement the enhanced provisions we are proposing”.</p>	
Space Standards	29	Having two sets of space standards will cause confusion. The reference to space standards for affordable housing is ambiguous. If this relates to Housing for Varying Needs, these standards are required by Registered Social Landlords.	The reference is to size standards for Aberdeen City Council social housing and to those required by Registered Social Landlords.	Text amended to clarify.
Space Standards	29	The requirement for ground floor flats to have private garden areas will reduce the open space available to those living on upper floors, and may lead to fenced off areas that can detract from amenity.	The ability to provide ground floor flats with privacy to the rear where they abut a communal garden is important, those living on upper floors will not have this possible privacy issue.	No revision proposed.
Space Standards	29	Section 2.2 with regard to no wooden fencing in the public realm	The Landscape Aberdeen Planning Guidance addresses boundary treatment further, and notes the interest,	No revision proposed.

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		should be readdressed, in key locations and views there is a need to consider the appropriate boundary finishes along-side landscaping proposals.	biodiversity impact, placemaking impact and nod to landscape character that the use of stone dykes and planting can have.	
The Sub-Division and Redevelopment of Residential Curtilages	28	Development seeking a public water connection or connection to wastewater network should apply through Scottish Water while development should not drain surface water into the combined sewer. The respondent also states that developers should not build over existing water and drainage infrastructure and should contact Scottish Water even if works fall under permitted development.	These are standard responses that Scottish Water would apply to most applications. They are generally well understood by developers. There is no need to add these to this specific guidance.	No revision proposed.
Conversion of Buildings in the Countryside	28	When a non-domestic property is converted to a domestic property there is a duty on the owner /occupier to advise their Licensed Provider of the change of use. Development seeking a public water connection or connection to wastewater network should apply through Scottish Water while development should not drain surface water into the combined sewer. The respondent also states that developers should not build over existing water and drainage infrastructure and should contact	These are standard responses that Scottish Water would apply to most applications. They are generally well understood by developers. There is no need to add these to this specific guidance.	No revision proposed.

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		Scottish Water even if works fall under permitted development.		
Development Along Lanes	28	Development seeking a public water connection or connection to wastewater network should apply through Scottish Water while development should not drain surface water into the combined sewer. The respondent also states that developers should not build over existing water and drainage infrastructure and should contact Scottish Water even if works fall under permitted development.	These are standard responses that Scottish Water would apply to most applications. They are generally well understood by developers. There is no need to add these to this specific guidance.	No revision proposed.
Materials: External Building Materials and Their Use in Aberdeen	12,14,15, 18, 20	The document is too prescriptive and fails to take account of rising building costs. It will restrict bespoke development which responds to site particulars and may limit viability of certain proposals. Materials should be considered on a site-by-site basis.	The document in paragraph 1.2 provides a benchmark for new builds and extensions, taking consideration of climate change and local distinctiveness. Paragraph 2.1 states, "This advice is not designed to be a prescriptive list or technical specification for materials ... Each development proposal will be considered on its merits and the context of both the immediate and wider area are crucial when developing ideas about material choices, colours and detailing." We feel this statement provides comfort regarding the concerns raised. The viability of development proposals is also a consideration when assessing development.	No revision proposed.
Aberdeen Placemaking Process	4	The intersection between Local Place Plans and Locality Plans will be minimal. The former are likely to be about specific land and buildings in a much smaller area than the proposed North, South and Central areas of Locality	We intend the relationship between Local Place Plans and Locality Plans to be one of support, whereby both spatial planning and community planning can understand and gain further awareness of the concerns and possible solutions coming forward from local communities regarding their areas. It is not the intention that Locality Plans will remove the need, desire or requirement to	Section 7.5 has been amended to further cement the complementary relationship between Local Place Plans and Locality Plans.

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		<p>Plans. We appreciate the attempt to take a "holistic" approach but consider that the proposed linkage is too strong. Locality Plans are prepared by "Local Engagement Groups" not necessarily related to Local Place Plans sponsors in a process which is currently indeterminate and should not be allowed to impede progress with Local Place Plans.</p> <p>Section 7.5 should be deleted.</p>	<p>produce Local Place Plans. As is noted in the Planning Act 2019, the Local Place Plan Regulations 2021, and Circular 1/2022, Local Place Plans need to have regard to any Locality Plan for the Local Place Plan area – it is therefore fundamental there is a complementary relationship between documents. There will be an invite for community bodies to prepare and submit Local Place Plans as is outlined in our Development Plan Scheme and Participation Statement.</p>	
Aberdeen Placemaking Process	12,14,15, 18,20	<p>The document does not reflect NPF4 policy on design, quality and place – in particular the six qualities of successful place.</p>	<p>The APG is linked back to the policies within the Aberdeen Local Development Plan 2023, which was adopted post NPF4. As outlined in legislation, where there is deemed to be an incompatibility between a development plan and NPF4, whichever is adopted later in date is to prevail; therefore the Local Development Plan will take precedence. Having said that, we do not consider the difference in policy terminology to be significant; the principles of the six qualities of successful place noted in the Local Development Plan and in NPF4 are like-minded, and both documents are part of the statutory development plan and will be used to assess planning applications.</p>	No revision proposed.
Aberdeen Placemaking Process	12,14,15, 18,20	<p>There is no requirement for design agents to prepare placemaking guidance on behalf of landowners and developers, as some house builders have this capacity in-house. Amend the wording to read: "Placemaking guidance will usually</p>	<p>The document states "usually" design guidance is prepared by a design agent, and also notes, "irrespective of the author". This allows for sufficient flexibility. No matter who prepares the guidance, it must meet the quality expected by Aberdeen City Council to be adopted as Aberdeen Planning Guidance. No text amendments are required.</p>	No revision proposed.

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		be prepared by someone suitably qualified on behalf of landowners and developers”.		
Aberdeen Placemaking Process	27	Welcome the preparation of this guidance, and support the value placed on holistic, collaborative working through the Place Principle.	The support is noted and welcomed.	No revision proposed.
Aberdeen Placemaking Process	27	The document does not reflect NPF4 in particular the six qualities of successful place.	The APG is linked back to the policies within the Aberdeen Local Development Plan 2023, which was adopted post NPF4. As outlined in legislation, where there is deemed to be an incompatibility between a development plan and NPF4, whichever is adopted later in date is to prevail; therefore the Local Development Plan will take precedence. Having said that, we do not consider the difference in policy terminology to be significant; the principles of the six qualities of successful place noted in the Local Development Plan and in NPF4 are like-minded, and both documents are part of the statutory development plan and will be used to assess planning applications.	No revision proposed.
Aberdeen Placemaking Process	27	The document should look to tackle the global climate emergency and nature crisis through placemaking through promoting the incorporation of nature-based solutions, blue-green infrastructure and green networks. The references to open space and green infrastructure are welcomed; the guidance should go further in	The comment relating to the global climate emergency and nature crisis is noted. The APG outlines a number of considerations that have to be addressed in the “identity” section, including environment and landscaping, which includes enhancing biodiversity and green infrastructure and placemaking guidance. The “connection” section also notes, within sustainability, net zero carbon development, the consideration of whole lifecycle and nature-based solutions.	Section 1.1 updated to include Policy NE2: Green and Blue Infrastructure of the Aberdeen Local Development Plan, and further text added to the table to provide further guidance on “Environment and Landscaping” and “Sustainability and Climate Change”.



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		promoting these and seeking best practice to align with NPF4.	The APG is linked back to the policies within the Aberdeen Local Development Plan 2023, which was adopted post NPF4. As outlined in legislation, where there is deemed to be an incompatibility between a development plan and NPF4, whichever is adopted later in date is to prevail; therefore the Local Development Plan will take precedence. Yet in matters where the Local Development Plan is silent, NPF4 will identify the policy principles. Both documents are part of the statutory development plan and will be used to assess planning applications that come forth for any master planned site. To ensure the principle relating to green and blue infrastructure are at the forefront of the document, reference to the appropriate Local Development Plan policy will be noted in paragraph 1.1.	
Aberdeen Placemaking Process	27	Section 8 'Content of Placemaking Guidance' (p.13) 'NatureScot Neighbourhood Capacity Officers' are mentioned. However, this seems to be a typo and we suggest simply using 'NatureScot'.	This is a drafting error. Neighbourhood Capacity Officers should be on a separate line.	Text modified to show to these are two separate organizations / roles.
Aberdeen Placemaking Process	29	It is not appropriate or necessary to require a masterplan for sites circa 10ha and / or around 50 dwellings, this contradicts an earlier section which notes guidance is at the discretion of the Council. Masterplans should be required on a case by case basis. Additional processes will cause delays to the development and planning stages.	The section of the APG links directly to the preamble and policy H4: Housing Mix and Need, which notes sites of larger than 50 homes are to provide a masterplan to ensure a suitable housing mix. Paragraph 4.2 notes "and at the discretion of the Council" – this refers to the level of information required for guidance, not whether or not guidance is required.  The APG is a refresh of the previous non-statutory planning document, Aberdeen Masterplanning Process – the preparation of a development framework, masterplan or planning brief has been found to smooth the	No revision proposed.

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			development and planning stages, as much of the site parameters and overview work has been addressed before an application is submitted; thereby making the determination process more streamlined.	
Big Buildings	28	Development seeking a public water connection or connection to wastewater network should apply through Scottish Water while development should not drain surface water into the combined sewer. The respondent also states that developers should not build over existing water and drainage infrastructure and should contact Scottish Water even if works fall under permitted development.	These are standard responses that Scottish Water would apply to most applications, not specifically for big buildings. They are generally well understood by developers. There is no need to add these to this specific guidance.	No revision proposed.
A Guide to Planning Consents for the Aberdeen Inner City Multis	No comments received on this draft APG			
Landscape	12, 14, 15, 18, 20	Providing separate guidance on Landscape, Food Growing, Natural Heritage, Trees and Woodland and Open Space & Green Infrastructure suggests that ACC is trying to be too prescriptive and control too much. These topics should be contained within one guidance note.	Although these topics are linked, each one is important in its own right. Although they could be combined into one APG, it is considered that retaining separate documents will aid reading and ensure that each topic is afforded due attention. The proposed approach will also allow the guidance on separate topics to be updated more easily if required in the future.	No revision proposed.
Landscape	12, 14, 15, 18, 20	Paragraph 2.2.1 Requiring at least 50% of external space in private	The requirement to provide space for amenity, open space and landscape setting in flatted developments is	No revision proposed.

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		courts to be used as amenity space is too onerous.	<p>well established through the 2012 and 2017 Supplementary Guidance documents, and prior to that via policy 6 of the 2008 Local Plan.</p> <p>The impact of the Covid-19 pandemic has led to an increasing awareness of the benefit of amenity ground; this is particularly heightened for flatted developments where private space associated with individual units may be at a premium.</p>	
Landscape	12, 14, 15, 18, 20	Paragraph 2.2.4 requires embankments to be adequately retained, drained and landscaped. The requirement for landscaping should be removed as turf can be an option extra; a personal choice for the owner.	The term 'landscaped' in the document and in particular this paragraph, as it is related to the earthworks and modelling, is the process of shaping and creating embankments that follow the parameters set out earlier in the paragraph – e.g. avoid sharp slopes. In this context, it would not relate to the laying of turf.	No revision proposed.
Landscape	12, 14, 15, 18, 20	The standards should be flexible and assessed on a site by site basis, responding to site characteristics to create a sense of place. This should be emphasized in the document.	Paragraph 2.1.2 notes the importance of site assessment and an analysis of the characterises of the site and its surroundings to create a sense of place. Paragraph 3.1 notes, “new developments will be designed with due consideration for their context”. Paragraph 3.4 outlines the considerations for assessing local context. Assessing the site for its context is paramount in the development of landscape and landscaping within sites, as is noted in the document.	No revision proposed.
Landscape	27	Support the content of the document as a standalone and acknowledge the cross cutting nature of the document, in particular the relationship between people, places and natural environments.	We welcome the support for the document.	No revision proposed.

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Landscape	27	The use of graphics in the final document would be of benefit as this can outline best practice, aid clarity and add vibrancy.	The document will be desktop published and the final version, to be produced after the final committee cycle, will contain graphics.	No revision proposed.
Landscape	27	Insert into 1.2 - Paragraph 7.14 of the Proposed Plan notes the relationship between well designed landscapes and health and wellbeing. This should be added to the APG.	As noted, the Local Development Plan has already outlined the relationship between the health priorities for Scotland and each policy. To further continue this thread, text has been added to the APG to highlight how the topic area relates to health and wellbeing.	Text added on health and wellbeing.
Landscape	27	Insert into 1.3 – further emphasis on the value landscape has on tackling climate change and the biodiversity loss crisis would be of value. The Proposed Plan 2022 outlines a number of goals that can be supported through careful landscape consideration including health and wellbeing; life below water; and sustainable cities and communities.	The purpose of the APG is to provide further detail on the policies within the Local Development Plan; the APG should not be repeating text that is in the statutory development plan.	No revision proposed.
Landscape	27	Paragraph 2.1.2 – welcome the need to retain and protect appropriate existing landscape elements. Adding in “enhance and reinforce existing landscape features (built or natural assets) as well as incorporating them into the design of the development to maximise on their benefits”.	We welcome the support. With regard to the additional text, Policy D4 of the Aberdeen Local Development Plan, notes “development will provide opportunities for conserving and enhancing....features”. Policy D1 also outlines the requirement to create distinctive places, with a sense of identity and deliver biodiversity enhancements. The purpose of the APG is to provide further detail on the policies within the local development plan; the APG should not be repeating text that is in the statutory development plan.	No revision proposed.
Landscape	27	Paragraph 2.1.2 – The inclusion of the Aberdeen Landscape	We welcome this comment.	No revision proposed.

Document	Respondee	Summary of Representation	Officer Response	Action as a result of Representation
		Character Assessment as an information source is positive.		
Landscape	27	Paragraph 2.1.2 – bullet point 4 is confusing. Clarification is sought on the sentence, “visual analysis of wildlife habitats and species”.	Agree. The term “Surveys” will be used.	Text modified to read, “ <del>A visual analysis</del> <i>Surveys</i> of wildlife habitats and species, including protected habitats and species, designated natural heritage sites, trees, woodlands, waterbodies, wetlands and other wildlife habitats and corridors (refer also to the Aberdeen Planning Guidance on Natural Heritage);”
Landscape	27	Paragraph 2.1.2 – bullet point 1 and 2 could be amalgamated – with the “Key views and gateways to the city as identified in the Aberdeen Landscape Character Assessment, including a more detailed views and visual analysis where relevant or required” added into bullet point 1.	This is noted and the change welcomed.	Change actioned and bullets amalgamated.
Landscape	27	Paragraph 2.1.3 – modify the first bullet point on page 6 to consider biodiversity enhancement in line with NPF4 and paragraph 7.14 and Policy D5.	The purpose of the APG is to provide further detail on the policies within the local development plan; the APG should not be repeating text that is in the statutory development plan. Both NPF4 and the local development plan from the statutory development plan therefore both documents will be used to determine planning applications.	No revision proposed.

Document	Respondee	Summary of Representation	Officer Response	Action as a result of Representation
Landscape	27	Paragraph 2.2.1 – include text on active frontages to create interest, activity and a sense of place.	This is already noted under Policy D1. The purpose of the APG is to provide further detail on the policies within the local development plan; the APG should not be repeating text that is in the statutory development plan.	No revision proposed.
Landscape	27	Paragraph 3.1 – the second paragraph should be amended to align more closely with D4, as it provides stronger protection for built and natural assets.	This section of the APG links more closely to Policy D5: Landscape Design, than Policy D4: Landscape. However, it is agreed a link to other overarching aim of Policy D4 would be of benefit within the paragraph.	Text amended to read:  The Council's general environmental approach to development indicates that developments will <i>not adversely affect landscape / seascape / townscape character and existing elements which provide, or contribute to, a distinct 'sense of place</i> <del>be allowed where,</del> they will <del>do</del> not destroy or damage natural resources or their setting, adversely affect amenity or be visually damaging to the appearance or setting of Aberdeen.
Landscape	27	Paragraph 3.3 - It is perhaps worth clarifying that formal landscape and visual impact assessments (LVIAs) are required as part of Environmental Impact Assessments rather than simply Environmental Assessments as this could create confusion with other environmental assessments	Noted and welcomed.	Text amended to read: "A formal LVIA is often a requirement of Environmental <i>Impact</i> Assessments."

Document	Respondee	Summary of Representation	Officer Response	Action as a result of Representation
		such as Strategic Environmental Assessment (SEA).		
Landscape	27	Paragraph 3.4 - this section is well structured and provides a useful summary of landscape considerations. In relation to landscape features, emphasis should be placed on retaining existing landscape features and incorporating them into the development design.	We welcome the support for this section. The primary policies in the local development plan associated with the APG are Policy D4 and D5. Policy D4 notes, “. Development will provide opportunities for conserving or enhancing existing landscape / seascape/ townscape elements (natural and built), including linear and boundary features or other components which contribute to character and ‘sense of place’. Policy D5 states, “Landscape Design will.. ensure a sense of place is maintained and enhanced through an assessment of the site and its surrounding landscape/seascape/townscape character; and sympathetically incorporate existing key characteristics and features that contribute to landscape/seascape/townscape character”. Text modified to align more clearly to the primary policies.	Text amended to read: “...and important views are examples of the type of feature which shall be highlighted, and where feasible or required, retained in a development. Key features that contribute to character will be sympathetically incorporated”.
Landscape	27	Paragraph 3.4 - In relation to vegetation, provide direct reference to the Natural Heritage APG where it states “On some sites ecological surveys will be required to identify important, protected and sensitive habitats and species” to provide greater clarity	The paragraph has been reworked so the reference to the Natural Heritage APG is beside its associated text.	Existing text in the paragraph moved to provide clarity.
Landscape	27	Paragraph 3.5 – emphasis placed on maintenance and management for long-term success is welcomed.	This is noted and welcomed	No revision proposed.
Landscape	27	Paragraph 3.7 – strongly support the alignment with policy NE3 that	This is noted and welcomed	No revision proposed.

Document	Respondee	Summary of Representation	Officer Response	Action as a result of Representation
		all development proposals should make provision to achieve an overall biodiversity gain.		
Landscape	27	Paragraph 3.10 – Under ‘Green Space Network’ include a question on enhancement in line with Policy NE2 – Green & Blue Infrastructure. For example, Does the development enhance the Green Space Network?’	Agree this would be beneficial to add to the checklist.	Text amended as per suggestion.
Landscape	27	Paragraph 3.10 – include a question under ‘Site features’ or ‘Proposals’ on whether landscape features have been incorporated into the proposal design, for example, ‘Does the proposal incorporate existing and new landscape features (built and natural) into the design?’	Agree this would be beneficial to add to the checklist.	Text amended as per suggestion.
Landscape	27	Paragraph 3.10 – Under ‘Open Space’ part e) amend ‘wildlife enhancement’ to ‘biodiversity enhancement to provide a broader scope.	Agree this would be beneficial to add to the checklist.	Text amended as per suggestion.
Landscape	28	Any risk of tree root intrusion should be addressed by adhering to the guidelines set out in Water for Scotland 4th Edition and Sewers for Scotland 4th Edition. Copies of water or waste water network drawings can be ordered from Asset Plan Providers.	Comment noted. The same comment has been made against a number of other draft APGs. Appropriate text has been added to the final version of the Trees and Woodlands APGs to ensure that new developments give due consideration to this point. There is limited value in including additional text within this APG as: i) it does not have a directly relevant section; and ii) the entire suite of APGs should be read as a whole so introducing additional text in this document would result in	No revision proposed.



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			unnecessary duplication of content. No change is recommended in the context of this APG.	
Landscape	29	The guidance overlaps with the amenity Aberdeen Planning Guidance, and risks a lack of awareness on this Aberdeen Planning Guidance.	Although these topics are linked, each one is important in its own right. Although they could be combined into one APG, it is considered that retaining separate documents will aid reading and ensure that each topic is afforded due attention. The proposed approach will also allow the guidance on separate topics to be updated more easily if required in the future.	No revision proposed.
Landscape	29	Section 2.2.1 – the garden lengths noted are excessive. 9m garden length should be the standard for house over 2.5 storeys. There is no rationale for a longer garden for a 3 storey house. Daylight is addressed in the Amenity APG. The public can choose the requirements of their garden, and what they seek in external spaces.	The garden lengths noted are well established through previous Landscape Supplementary Guidance. Garden length for any development is to be based on site context, the lengths noted in the APG set out the expectations required; these can be modified to take account of context. The impact of the COVID-19 pandemic has led to an increasing awareness of the benefit of private space.	No revision proposed.
Landscape	29	Section 2.2.1 it is unclear if the list of additional space requirement is to be found within the dimensions identified. The comment of cars is noted; is this indicating carparking should be accessed from a lane?  The list of requirement for gardens to be designed to allow for the future extension of buildings should be removed.	The list of requirements is well established through previous Landscape Supplementary Guidance, and requirements can be accommodated within the dimensions noted, if appropriate to the context, layout and design of the development. Text has been modified. Car parking may not be appropriate for every development as this is context and design specific; the transport and accessibility guidance covers car parking in more detail. If individual car parking is proposed to be located in garden ground, it must not cause an obstruction to pavement or road uses.  Thinking of the ageing demographic, or new working practices e.g. working from home and reworking of	Text modified to read:  “There must be <i>consideration of additional space provided</i> for:

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			building layouts, the ability to add additional space can add value to the quality of life a household. This document is guidance; it sets out the expectations required, these can be modified to take account of context.	
Landscape	29	Section 2.2.3 – there is very specific detail on planting beds. What is suitable will depend on the type of planting proposed for these areas. The section should remove the general rule and dimensions.	The paragraph relates to large scale car parking, not individual car parking. The use of landscaping within car parks such as these can provide design interest, solar shading, biodiversity, and provide small scale nature based solutions to mitigate the impact of climate change.	No revision proposed.
Landscape	29	Section 2.2.4 one of the concerns noted is changes to drainage patterns. Changes to overland flows will happen with all development as the surface water will require to be directed to surface water drains and provide adequate attenuation following the principles of SUDS.	The section notes that bunds can have an impact on natural habitats by changing drainage patterns, the emphasis of the text is the impact to wildlife. Development proposals should not have a detrimental effect (directly or indirectly) on habitats.	No revision proposed.
Landscape	29	Section 2.2.4 makes reference to slopes not being useable within gardens. These areas can provide amenity and privacy to residents, could be planted, landscaped and their use will depend on the desires and interests of the owner. A slope or terrace does not negate any value of this.	The APG states, “garden ground on a slope will need to be functional and usable”. It is steep embankments that are not considered usable garden space, and they should be avoided. The APG also states, “Where that is no alternative, the embankment should be adequately retained, drained and landscaped”. The principle of the paragraph is the same as the response received.	No revision proposed.
Landscape	29	Section 2.2.5 requires all existing boundaries that contribute to the local landscape character to be retained and incorporated into the	The APG does not require all existing boundaries to be retained and incorporated into design. It notes those that contribute to local landscape character shall be retained, or reinstated and incorporated into the design. The	No revision proposed.

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		design. This will not be possible in all situations Agree that these features should be worked into the design approach to provide a sense of place and character, but there will require to be an assessment about which features should and can be maintained.	primary policies linked to this APG, Policy D4: Landscape and D5: Landscape Design both take a considered approach, "Landscape / seascape / townscape character and existing elements which provide, or contribute to, a distinct 'sense of place' will not be adversely affected by development" and "Landscape design will:... ensure a sense of place is maintained and enhanced through an assessment of the site and its surrounding landscape/seascape/townscape character; and sympathetically incorporate existing key characteristics and features that contribute to landscape/seascape/townscape character".	
Stonecleaning	7	Streets need the drains cleared and pavements need fixing. Clean up Union Street.	The comments refer to grievances over existing street maintenance and do not appear to relate to the preservation of built heritage or the specific content of this draft guidance.	No revision proposed.
The Repair and Replacement of Windows and Doors	11	The respondent seeks further clarity on what circumstances necessitate planning permission for rear windows and doors within Conservation Areas. Their view is that all applications for replacement doors or windows (irrespective of position on the building) should require planning permission, as the contributing value to a Conservation Area is not limited to the visibility of the features from the road.	The requirement for Planning Permission for any given development is set out in planning legislation. Replacement of windows and doors is a provision included within the General Permitted Development Order (as amended) 1992. The exceptions requiring formal consent include Listed Buildings and properties within Conservation Areas. In instances where an application is required, it would be for the Planning Officer to determine the importance of the built heritage feature to be altered, irrespective of whether it was a public facing elevation or not. The APG provide guidance on instances when planning permission is required, and what is expected for listed buildings, and public and non-public facing elevations of unlisted buildings in conservation areas.	No revision proposed.

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Shops and Signs	9	The respondent queries whether fast food drive-throughs are considered within this guidance. Large totem signs and illuminated decals and fascias are used. There should be special consideration of these matters within residential streets to avoid detrimental impact on the character of the neighbourhood.	As noted within paragraph 1.2 of the APG, it applies on a city wide bases and the signage guidance should be considered in all instances, no matter what the proposal. The APG includes reference to general principles for signage, and guidance on fascias, totems and illuminated signage. Assessment of signage is controlled via Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. Regulation 4 of this requires an assessment of amenity and public safety when determining an application of this nature.	No revision proposed.
Repair and Reinstatement of Cast Iron Railings	No comments received on this draft APG			
<b>Topic Area: Vibrant City</b>				
Hierarchy of Centres	No comments received on this draft APG			
Harmony of Uses	28	Respondee (Scottish Water) advises early engagement with the Pre-Development Enquiry process to review proposals. This is due to risk of blockage/damage to wastewater drainage system as a result of commercial kitchen waste products entering the system.	Comment noted. These are standardised comments that Scottish Water would submit to proposals for hot food uses.	No revision required as guidance sufficiently addresses the need for full details of grease traps to be included and promotion of pre-application discussions with Environmental Health.
Serviced Apartments	No comments received on this draft APG			
<b>Topic Area: Supporting Business and Industrial Development</b>				
Aberdeen International Airport	28	Development within the area surrounding Aberdeen International Airport may require a Soil Investigation Report. Early	These issues would be addressed through other relevant policies in the Local Development Plan, such as policies R2 (Degraded and Contaminated Land) and NE4 (Our Water Environment). The Local Development Plan should	No revision proposed.

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		engagement with Scottish Water's PDE process is advised.	be read as a whole, and new developments will need to comply with all relevant policies within it. The proposed additions are therefore unnecessary as they would result in duplication of other parts of the Local Development Plan. Developers will engage with Scottish Water's PDE process separately to planning.	
<b>Topic Area: Meeting Housing and Community Needs</b>				
Householder Development Guide	28	The respondent (Scottish Water) states that the owner/occupier/developer should not build over existing water and drainage infrastructure and should contact Scottish Water even if works fall under permitted development. Contact details for Asset Plan Providers are provided to enable developers to obtain copies of water or waste water network drawings	This is a standard response from Scottish Water which would apply to most development sites Such matters would be generally be addressed with a formal note on the decision notice as part of any planning consent granted	No revision proposed.
Affordable and Specialist Housing	3	The commuted sums figures in Table 1 (section 2.10) are too low. This gives developers incentive to declare that provision on-site is either not viable or not feasible rather than providing real affordable housing within their developments. The figures in Table 1 need to be reassessed with skilled commercial input.	The commuted sum rates in Table 1 were set in the 2017 Supplementary Guidance and have been carried forward into the draft APG. The process of calculating the commuted sum rates was undertaken by the District Valuer in accordance with the guidance in PAN 2/2010 'Affordable Housing and Housing Land Audits'. Given the significant short-term shocks that have recently affected the economy and the development industry, it was not considered appropriate to undertake a review of the commuted sum rates prior to publishing the APG for consultation. However, the Council intends to undertake an early review of the commuted sum rates in Table 1 and this will be undertaken by a suitably qualified	No revision proposed.

Document	Respondee	Summary of Representation	Officer Response	Action as a result of Representation
			professional in accordance with all relevant guidance. No change is necessary at this stage.	
Affordable and Specialist Housing	12, 14, 15, 18, 20	No objection in principle to new expectation (in sections 2.1 and 2.5) that allows for affordable housing for developments of 20 units or more to be delivered onsite as social rent, provided that appropriate funding is available to deliver this.	Comment noted.	No revision proposed.
Affordable and Specialist Housing	12, 14, 15, 18, 20	Support the statement in para 2.6 that contributions may be reduced where the developer can demonstrate there are exceptional costs above what is expected from most developments.	Support welcomed.	No revision proposed.
Affordable and Specialist Housing	12, 14, 15, 18, 20	Para 2.6 states that “a list of developer obligations is contained within SG on Planning Obligations. Therefore it is expected that these requirements will have been planned into the development and will not normally be seen as exceptional costs”. This statement demonstrates a lack of appreciation of the nature and variety of arrangements between land owners and developers, and the timelines involved in reaching such agreements. The significant and unjustified increases in developer obligations will significantly affect viability. It is	See the officer’s response to comments on the draft Planning Obligations SG for more detailed information on the justification for the proposed developer obligation rates.  Both the draft Affordable and Specialist Housing APG and the Planning Obligations SG include provisions for developers to submit Viability Statements to make the case for reduced contributions in situations where exceptional circumstances mean that the normal requirements would render a development unviable. The Council will consider any such Viability Statements on a case-by-case basis taking into account the individual circumstances of the proposed development. No change is necessary.	No revision proposed.

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		<p>questioned how these increases could be sufficiently planned into a development if a site is already owned by the developer with no opportunity to make provision for these changes. When a site is secured through conditional missives, some costs will still need to be determined through further investigations. It is not always possible to fully appraise the development costs from the outset, as such it is essential that the Council allow a degree of flexibility when considering individual circumstances, including the impact of planning and affordable housing obligations.</p>		
Affordable and Specialist Housing	12, 14, 15, 18, 20	<p>Welcome that ACC accepts the overprovision and banking principles for the delivery of affordable housing under para 2.9. However, it is not accepted that these should be tied to sub-market areas. The developer obligations secured from a specific development can be spent on city-wide basis, therefore the same flexibility should apply for the provision of affordable housing.</p>	<p>Support for the principle of overprovision and banking is welcomed. Banked units must be located in the same housing sub-market area as any future development/s that seek to utilise the banked units to offset some or all of their own affordable housing requirement. This is an important principle as it helps to retain the benefit of the affordable housing in the same geographic area as the future development. Contrary to the respondent's assertion, it is not the case that other developer obligations are spent on a city-wide basis – rather they are spent on enhancing facilities and infrastructure that serve the development in question (i.e. they also have a geographical link with the contributing development). Notwithstanding the above, it should also be noted that the APG says that the units</p>	No revision proposed.

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			<p><i>“must be delivered in the same housing market area, unless agreed otherwise with the Council”.</i> This provides flexibility for units to be delivered in a different sub-market area where the Council agrees there are exceptional reasons for doing so. No change is necessary.</p>	
Affordable and Specialist Housing	12, 14, 15, 18, 20	<p>Object to the basis on which commuted sums are calculated as detailed in para 2.10. PAN 2/2010 advises that where it is agreed an alternative to a contribution of land within the proposed development site is acceptable, the developer will provide either land or homes or a commuted sum of a value equivalent to the cost of providing the percentage of serviced land required by the policy. When determining the value applicable they should have regard to development costs, other contributions being sought and other relevant factors e.g. layout and design. Related policy is therefore clear that it is the cost of the land for affordable housing that is being sought. Therefore there is no justification for the DVO to make an assessment of a commuted sum based on the difference between the market value of a mainstream residential unit land value and the assessed market value of land for affordable</p>	<p>The commuted sum rates in Table 1 were set in the 2017 Supplementary Guidance and have been carried forward into the draft APG. The process of calculating the commuted sum rates was an open one which involved the development industry. All the calculations and methodology were provided and the work was undertaken by the District Valuer in accordance with the guidance in PAN 2/2010 ‘Affordable Housing and Housing Land Audits’. In instances where the applicant does not agree with the commuted sum figure derived from Table 1, section 2.11 of the APG provides scope for an individual site valuation approach to be pursued. No change is necessary.</p>	No revision proposed.



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		<p>house land value. This approach can only be described as a “cash grab”. Additionally, the basis for valuation is wrong. We do not agree with the RICS methodology for valuing affordable housing land. The residual valuation methodology is not appropriate in such transactions. We also challenge the nil value of land transfer. Why would a willing seller sell their land for nil value, as all land has value?</p>		
Affordable and Specialist Housing	12, 14, 15, 18, 20	<p>Object to the instruction of an independent valuer (para 2.11) related to the disagreement over commuted sums. The previous Supplementary Guidance stated that this was jointly appointed by the developer and the Council. The District Valuer is not independent and it is vitally important that any instruction is made jointly between the developer and the Council. The previous Supplementary Guidance wording should be reinstated.</p>	<p>Comment acknowledged. The end of the final sentence of section 2.11 was omitted in error from the draft APG. Wording should be reinstated to clarify that any valuer (whether that be the District Valuer Service or another independent valuer) will be jointly appointed by the developer and the Council. A modification is recommended accordingly.</p>	<p>Add the following additional wording (in bold below) to the end of the final sentence in section 2.11: “...by means of an independent valuer or the District Valuer <b>Service, jointly appointed by the developer and the Council.</b>”</p>
Affordable and Specialist Housing	12, 14, 15, 18, 20	<p>Support the acceptance (at para 2.14.3) that key worker accommodation is acceptable as affordable housing, and that affordable housing can be designated as key worker</p>	<p>Support welcomed.</p>	<p>Comment noted.</p>

Document	Respondee	Summary of Representation	Officer Response	Action as a result of Representation
		accommodation where this meets a need.		
Affordable and Specialist Housing	12, 14, 15, 18, 20	No objection in principle to the new requirement for the provision of varying needs (in para 2.15.3). However, the requirement for 15% of affordable housing to be provided as fully wheelchair accessible does not appear to be derived from the HNDA, with the requirement being 10% in other local authority areas. This should be assessed on a site-by-site basis. The wording should be amended to state that "...there is a requirement for a minimum percentage of affordable homes to be provided as fully wheelchair accessible. The required figure should be determined on a site-by-site basis based on particular needs at that time, but not exceeding 10%," in line with standards in other local authority areas.	The requirement for a minimum percentage of affordable homes to be provided as fully wheelchair accessible is derived from the Council's Strategic Housing Investment Plan (SHIP). The current <a href="#">SHIP (2023/24 – 2027/28)</a> sets a 15% target for delivery of wheelchair accessible affordable housing. Chapter 7 of the SHIP outlines a detailed justification for the 15% target, which includes a comprehensive review of existing evidence on the need for wheelchair accessible housing. For brevity, the detailed evidence is not repeated here. In broad terms however, Aberdeen City's Health and Social Care Partnership's Strategic Plan identifies the challenges of an ageing population and the desire to support people in a community setting, and there has been a recent increase in the overall number of applicants applying for accessible housing in the City. It is essential that an adequate supply of good quality accessible housing is in place in order to address these challenges, and the 15% target reflects this need. No change is necessary.	No revision proposed.
Affordable and Specialist Housing	28	The developer has a responsibility to ensure that they are not building over existing water and drainage infrastructure. They should contact Scottish Water even when their works falls under permitted development. Copies of water or waste water network drawings can	These are standardised comments that Scottish Water would submit to most applications, not specifically for affordable housing proposals. There is no need to add content covering these matters to this specific guidance. No change is necessary.	No revision proposed.

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		be ordered from the undernoted Asset Plan Providers who have developed internet based, plan collation services, which deliver substantial benefits over traditional methods of plan provisioning.		
Affordable and Specialist Housing	29	Do not agree that the presumption should be for the delivery of affordable housing as social rent as noted in section 2.5 of the APG. NPF4 defines affordable housing as “Good quality homes that are affordable to people on low incomes. This can include social rented, mid-market rented, shared-ownership, shared-equity, housing sold at discount (including plots for self-build), self-build plots and low cost housing without subsidy.” This statement is therefore not in accordance with the current Development Plan and should be removed.	NPF4’s definition of affordable housing is acknowledged. However, it is significant to note that it says affordable housing <u>can</u> take one of the stated forms. It does not necessarily follow that all the stated forms would be appropriate in every instance. Policy 16 (e) of NPF4 is more nuanced. It states that “ <i>Development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need.</i> ” It is therefore entirely appropriate for the Council to provide clarification on the type/s of affordable housing that are most likely to meet identified needs within the City and to set out a presumption in favour of delivering these as part of new developments. Section 2.2 of the APG acknowledges that there are different types of affordable housing. Section 2.3 goes on to outline a preferred hierarchy, which identifies that social rented accommodation is the Council’s main preference as it will best address identified local needs. As such, it is reasonable for section 2.5 to identify a general expectation that affordable housing contributions will be delivered on site as social rent unless otherwise agreed by the Council’s Housing Team. No change is necessary.	No revision proposed.
Affordable and Specialist Housing	29	What justification is there for the transfer of serviced land at nil value to the Council or RSL for affordable housing (as outlined in section 2.8). There is a value in	Section 2.8 only applies in cases where the Council agrees that off-site affordable housing is appropriate. Bullet point 4 (which covers scenarios where the developer is not constructing the affordable housing) does not require the site to be transferred at nil value in	No revision proposed.

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		<p>affordable housing and there are costs associated with servicing sites. This should be amended to state that the land is transferred at an agreed value.</p> <p>Criterion 4 (in Section 2.8) also states that where the affordable units are not being delivered by the developer, the land must be transferred prior to the delivery of any units on the primary site. Any trigger in the transfer should be related to the timing of the delivery of affordable units in the development. This adds upfront cost to development that will have implications for viability.</p>	<p>every case. Rather, it states that the site should be transferred to the Council or an RSL “<i>at an agreed or nil value</i>”. This provides flexibility to take account of site specific circumstances.</p> <p>With respect to the timing of transfer, if off-site affordable housing provision is to work the Council must have certainty that the off-site units will be built at an appropriate time. Without this certainty, off-site provision could not be accepted as a credible solution to meeting the affordable housing requirement for the primary development site. In order to provide this certainty, and to allow sufficient time for the off-site affordable units to be delivered by the Council or RSL, the land must be transferred prior to the delivery of any open market units on the primary development site. This approach has been carried forward from the 2017 Supplementary Guidance without change and remains appropriate. No change is necessary.</p>	
Affordable and Specialist Housing	29	<p>Object to the method of calculating commuted payments. The APG provides no detail as to how these payment amounts have been calculated and how they relate to the delivery of affordable housing. Given there is suggestion of amending these figures periodically, there is a need to agree the method and rationale for this.</p>	<p>The commuted sum rates in Table 1 were set in the 2017 Supplementary Guidance and have been carried forward into the draft APG. The process of calculating the commuted sum rates was an open one which involved the development industry. All the calculations and methodology were provided and the work was undertaken by the District Valuer in accordance with the guidance in PAN 2/2010 ‘Affordable Housing and Housing Land Audits’. In instances where the applicant does not agree with the commuted sum figure derived from Table 1, section 2.11 of the APG provides scope for an individual site valuation approach to be pursued.</p>	No revision proposed.

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			<p>Given the significant short-term shocks that have recently affected the economy and the development industry it was not considered appropriate to undertake a review of the commuted sum rates prior to publishing the APG for consultation. However, the Council intends to undertake an early review of the commuted sum rates in Table 1 and this will be undertaken by a suitably qualified professional in accordance with all relevant guidance. No change is necessary at this stage.</p>	
Affordable and Specialist Housing	29	<p>The affordable mix of accommodation is referred to in 2.15.3, which states that the mix will be set out by the Council's Housing Team. It is acknowledged that there requires to be a demand for the type of housing, but it is not necessary to secure the full mix on every site and in some cases a single type of delivery will be appropriate. For example, with a flatted development in a more urban location, if there is a desire to see affordable housing it should be acceptable to include this within flats. To dictate the mix of affordable unrelated to the development proposed will negatively impact on delivery of developments.</p>	<p>In accordance with LDP Policy H4, an appropriate mix of sizes and types of dwellings should be provided across both the open market and affordable components of residential developments. In general terms, it is agreed that the mix of affordable units should broadly reflect the mix of open market units on a development site. For example, on a development where the open market units comprise a mix of dwelling types and sizes, the affordable component should reflect this and it is unlikely to be appropriate for the affordable units to be provided exclusively in one form (e.g. flats). It is acknowledged, however, that there may be instances where the open market units consist of a single type such as flats (e.g. in denser urban environments). If on-site affordable housing is sought in such cases, it is likely to be acceptable for the affordable units to mirror this and the Council is unlikely to require a full mix of affordable units including houses. It is agreed that text could be added to the first paragraph of section 2.15.3 to clarify this. A modification is recommended accordingly.</p>	<p>Amend the first paragraph of section 2.15.3 to read as follows (amended text identified in bold):</p> <p><i>"In accordance with policy H4 of the Aberdeen Local Development Plan, a good mix of sizes and types of dwellings should be provided across both the open market and affordable components of all residential developments. <b>The affordable housing component should broadly reflect the mix of dwelling types and sizes within the open market element of residential developments.</b> Affordable housing which consists entirely of one particular type or size of units (eg</i></p>

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				<i>exclusively flats) is unlikely to be considered appropriate <b>unless this reflects the open market component of the development and is agreed by the Council.</b> Early discussions with the Council's Housing Team will be needed..."</i>
Houses in Multiple Occupation and Overprovision	11	Warmly welcome the Draft APG, which will go some way to achieving more sustainable communities in terms of balance.	Support welcomed.	Comment noted.
Houses in Multiple Occupation and Overprovision	11	Welcome the setting of a level of occupancy of 3 or more unrelated people as the threshold where a material change of use will be considered to take place, whether for a house or flat.	Support welcomed.	Comment noted.
Houses in Multiple Occupation and Overprovision	11	The LDP explains that the percentage threshold to be used when measuring overprovision will be "based on an appropriate area definition such as single small data zones or census output areas". However, in the Draft APG the measurement of overprovision is only to be based on small data zones, with no mention of census output areas. Small data zones would not control the distribution of HMOs adequately because of their	The potential benefits of using the smaller Census Output Areas instead of Small Data Zones as the geographical basis for assessing Houses in Multiple Occupation (HMO) percentages are acknowledged. However, it should be noted that Planning Circular 2/2012 states that when setting HMO concentration levels planning authorities should take account of the demand for HMOs in each area as well as the need to protect residential amenity. It is very difficult to assess the demand for HMOs at the very localised Census Output Area level. This, in turn, would make it difficult to demonstrate compliance with the Circular guidance if such geographical areas were used as the basis for assessing	No revision proposed.

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		<p>size. As shown in a previous submission from Old Aberdeen Community Council, with an area of this size the entire 12% of HMOs could be crowded together in one corner. If the percentage of HMOs in that particular corner were measured, it could be 50% or more. An example of such a corner is University Road but there are others.</p> <p>We believe the best geographical areas for percentage measurements should be Census Output Areas. They would be small enough to make it less likely for there to be areas where most of the HMOs are located together. We request that the Draft APG be amended to set Census Output Areas as the geographical area by which percentage HMO measurements will be taken.</p>	<p>HMO concentration levels. It is therefore considered more likely that the proposed approach to managing HMO concentrations could be successfully challenged by prospective developers/applicants if the APG was amended to set Census Output Areas as the geographical area by which percentage HMO measurements will be taken. As such, no change is recommended in response to this comment.</p>	
Children's Nurseries	28	<p>The respondent (Scottish Water) states that the developer should not build over existing water and drainage infrastructure and should contact Scottish Water even if works fall under permitted development. Contact details for Asset Plan Providers are provided to enable developers to obtain</p>	<p>This is a standard response from Scottish Water which would apply to most development sites Such matters would be generally be addressed with a formal note on the decision notice as part of any planning consent granted.</p>	No revision proposed.

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		copies of water or waste water network drawings		
Gypsy Traveller Sites	28	The respondent (Scottish Water) states that the owner/occupier/developer should not build over existing water and drainage infrastructure and should contact Scottish Water even if works fall under permitted development. Contact details for Asset Plan Providers are provided to enable developers to obtain copies of water or waste water network drawings.	These are standardised comments that Scottish Water would submit to most applications, not specifically for gypsy traveller sites. There is no need to add these to this specific guidance. Guidance sufficiently covers site selection, design, layout and pre-application advice. Comment noted.	No revision proposed.
Student Accommodation	10	Expresses concern over seeking Affordable Housing contributions for student accommodation given the absence of any reference to student accommodation in the wording of Policy H4 and H5. It contends that student accommodation is specialised development and not the same as market housing, and there are no references to such housing being the same as market housing in Policy H4, H5 or the NPF4.	Policy H5 requires all housing developments of five or more homes to contribute towards affordable housing provision. It does not distinguish between 'specialised' or 'market' housing. Student accommodation is a form of housing and it is reasonable to expect that it would generally be subject to the requirements of Policy H5 (or that it is at least capable of being so). This view is supported by the fact that previous iterations of planning guidance on this topic have expressly exempted purpose built student housing developments from the normal requirement to contribute towards affordable housing – there would have been no need for such an exemption if student accommodation was not capable of being subject to the normal affordable housing policy requirements in the first place. It is also supported by the fact that other forms of 'specialised' housing (e.g. retirement homes) are generally subject to affordable housing contributions under Policy H5. The draft APG therefore simply sought to remove the previous planning guidance that exempted	Remove the requirement to seek affordable housing contributions from purpose built student accommodation development, and modify the text as below:  <del>"In accordance with Policy H7 of the Aberdeen Local Development Plan 2023, applications for purpose built student accommodation will be assessed for developer obligations. Where a development for purpose built student accommodation is</del>



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			<p>student accommodation developments from affordable housing contributions under policy H5 – not to introduce fundamentally new affordable housing policy.</p> <p>Notwithstanding the above, it is acknowledged that the Council does treat purpose built student accommodation differently to other forms of housing for a range of other planning purposes. For instance, purpose built student accommodation is not monitored in the annual Housing Land Audit and it is not generally considered to contribute towards meeting overall housing targets.</p> <p>It is also acknowledged that there are likely to be practical difficulties with requiring affordable housing contributions from student accommodation developments. For example, it is unlikely that affordable housing could be provided on site within student developments as this may cause operational issues for the student accommodation and / or affordable housing providers. Furthermore, it is likely to be difficult to calculate the normal 25% affordable housing requirement for a student development. This is because the requirement normally represents 25% of the total number of dwelling units on the site, but student developments often comprise a series of bedrooms / bed spaces (potentially with en-suite facilities) which share access to the facilities such as living rooms and kitchens which would normally be present within an individual dwelling unit. This is likely to make it difficult to quantify the total number of ‘dwelling units’ for the purposes of calculating the normal 25% requirement. An additional robust methodology would need to be developed to enable this to be calculated in practice.</p>	<p><del>proposed, the requirement for a 25% contribution towards affordable housing on or off site will apply.</del></p> <p>Purpose built student accommodation <b>is not required to contribute to affordable housing, and it is for these reasons that all student accommodation</b> will be conditioned to limit occupancy to students.”</p>

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			<p>Additional research has been undertaken since the close of the consultation and this has been unable to identify any other examples of local authorities in Scotland that currently seek affordable housing contributions from student housing developments.</p> <p>On balance, and for the reasons outlined above, it is recommended that the exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.</p>	
Student Accommodation	10	It is unclear over how such a contribution could be secured, and it expresses concern that any on-site provision would affect the university's ability to afford pastoral care to students if some residents had no contractual relationship with management of student accommodation.	Comment noted. See the response above which acknowledges that there are likely to be practical difficulties with requiring affordable housing contributions from student accommodation developments and, on balance, recommends that the exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.	See modification recommended above to reinstate exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.
Student Accommodation	13	Supports statement in 2.1 for Student Accommodation. Raises serious concern over the pursuit of affordable housing contributions on student accommodation. It refers to a total shift from the (then) extent LDP and SG which outlined that such contributions would be waived for student accommodation. It seeks	The support for paragraph 2.1 is noted. Comment noted. See the response above which notes that the draft APG simply sought to remove the previous planning guidance exempting student accommodation developments from affordable housing contributions rather than introduce fundamentally new affordable housing policy, but based on further analysis recommends that the exemption should be reinstated in the final version of this APG.	See modification recommended above to reinstate exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.

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		the removal of this new requirement for AH contributions		
Student Accommodation	13	Such a measure would have fundamental issues from a planning legislation perspective, and serious implications for funding and delivering purpose built student accommodation (PBSA) schemes in the city. PBSA is not housing and is of sui generis use class (rather than residential), so is not assessed as such, and should not be subject to AH contributions	Student accommodation isn't within a Class 9 use, but neither are flats (sui generis) and affordable housing contributions are sought for those. Notwithstanding, see the response above which acknowledges that purpose built student accommodation is treated differently from other forms of housing for a range of other planning purposes and, on balance, recommends that the exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG. See the response above which acknowledges that purpose built student accommodation is treated differently from other forms of housing for a range of other planning purposes and, on balance, recommends that the exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.	See modification recommended above to reinstate exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.
Student Accommodation	13	Planning Circular 6/2013 outlines that matters which should not be included in supplementary guidance include items for which financial or other contributions (including AH) would be sought.	Comment noted. See the response above which notes that the draft APG simply sought to remove the previous planning guidance exempting student accommodation developments from affordable housing contributions rather than introduce fundamentally new affordable housing policy, but based on further analysis recommends that the exemption should be reinstated in the final version of this APG.	See modification recommended above to reinstate exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.
Student Accommodation	13	Aberdeen struggles to compete with Glasgow, Edinburgh and other	Comment noted. See the response above which acknowledges that there is no evidence of other Scottish	See modification recommended above to

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		regional cities to attract PBSA schemes and this move will further deter investment, particularly as no other city in Scotland seeks contributions for PBSA at present.	planning authorities seeking affordable housing contributions from student accommodation and, on balance, recommends that the exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.	reinstate exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.
Student Accommodation	13	Raises questions over how the necessary contributions would be delivered (particularly on site), and how this could conflict with the tests set out in Circular 3/2012 - Planning Obligations and Good Neighbour Agreements.	Comment noted. See the response above which acknowledges that there are likely to be practical difficulties with requiring affordable housing contributions from student accommodation developments and, on balance, recommends that the exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.	See modification recommended above to reinstate exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.
Student Accommodation	16	APG does not provide guidance, detail or clarity. Highlights age of existing student accommodation as something which is not accounted for. Views PBSA as being critical to success of universities and college in the city.	In cases where the age of existing accommodation is a factor in its diminishing suitability for purpose, this should feature in an agent's supporting statement. It is agreed that purpose built student accommodation plays an important role in providing housing for students.	No revision proposed.
Student Accommodation	16	Regarding 2.2 of draft APG, it identifies that the "need" criteria is not derived from a policy requirement in the LDP or NPF4. Market forces should dictate this. There is also no mechanism described to evidence 'need'.	The policy context is noted in paragraphs 1.1 and 2.1 of the Aberdeen Planning Guidance, primary Policy H7: Student Accommodation Developments. Market forces do dictate this. It still falls on developer to demonstrate this, as well as why Purpose Build Student Accommodation is appropriate ahead of other residential uses within that location (that may otherwise address housing demand).	No revision proposed.

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Student Accommodation	16	Policy H7 of LDP does not require affordable housing contributions from student accommodation and there is no link between this policy and the proposed requirement.	Comment noted. See the response above which notes that the draft APG simply sought to remove the previous planning guidance exempting student accommodation developments from affordable housing contributions rather than introduce fundamentally new affordable housing policy, but based on further analysis recommends that the exemption should be reinstated in the final version of this APG.	See modification recommended above to reinstate exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.
Student Accommodation	16	Student accommodation is not housing in standard sense and should not be assessed as such. As mix and matching student and private accommodation is not desirable, this would push financial contributions over on-site provision which creates financial burden on these developments. There is also no detail on how these contributions would be implemented.	Comment noted. See the response above which acknowledges that there are likely to be practical difficulties with requiring affordable housing contributions from student accommodation developments and, on balance, recommends that the exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.	See modification recommended above to reinstate exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.
Student Accommodation	16	Seeking AH contributions on student accommodation would fail to meet any of the five tests for DO contributions under Circular 3/2012 Planning Obligations and Good Neighbour Agreements.	Comment noted. See the response above which acknowledges that there are likely to be practical difficulties with requiring affordable housing contributions from student accommodation developments and, on balance, recommends that the exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.	See modification recommended above to reinstate exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.

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Student Accommodation	16	The draft APG (in this form) was not available when the LDP was going through the review process. It was only after the LDP was finalised that the Council sought to repeal guidance exempting student accommodation from AH contributions. This is a policy change and not a new piece of guidance, and it questions the procedural legality of this approach.	Comment noted. See the response above which notes that the draft APG simply sought to remove the previous planning guidance exempting student accommodation developments from affordable housing contributions rather than introduce fundamentally new affordable housing policy, but based on further analysis recommends that the exemption should be reinstated in the final version of this APG.	See modification recommended above to reinstate exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.
Student Accommodation	17	Strongly objects to requirement of 25% AH contribution for PBSA	Comment noted. See the response above which acknowledges that there are likely to be practical difficulties with requiring affordable housing contributions from student accommodation developments and, on balance, recommends that the exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.	See modification recommended above to reinstate exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.
Student Accommodation	17	Questions legality of introducing such a measure through supplementary guidance after LDP had been agreed. Such an approach is altering what was agreed "through the back door".	Comment noted. See the response above which notes that the draft APG simply sought to remove the previous planning guidance exempting student accommodation developments from affordable housing contributions rather than introduce fundamentally new affordable housing policy, but based on further analysis recommends that the exemption should be reinstated in the final version of this APG.	See modification recommended above to reinstate exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.

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Student Accommodation	17	Student accommodation is not within residential use class and has been treated as commercial by Council for years. Questions legality of requestion affordable housing.	Student accommodation isn't within a Class 9 use, but neither are flats (sui generis) and affordable housing contributions are sought for those. Notwithstanding, see the response above which acknowledges that purpose built student accommodation is treated differently from other forms of housing for a range of other planning purposes and, on balance, recommends that the exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.	See modification recommended above to reinstate exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.
Student Accommodation	17	This approach will drive away students from PBSA, into private rental market which will drive up demand and rents, which would be contrary to Council's aims.	It is noted that the rents within the private market are currently lower in Aberdeen than other Scottish university cities. However, it is agreed there is a potential impact to the private housing market. The advantage of providing Purpose Built Student Accommodation is that it can potentially "free up" the private housing market, thereby providing more choice, flexibility and affordability. A negative impact to the private housing market would not be desirable.	See modification recommended above to reinstate exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.
Student Accommodation	17	Lack of clarity on how contributions would be calculated and secured in the SG.	Comment noted. See the response above which acknowledges that there are likely to be practical difficulties with requiring affordable housing contributions from student accommodation developments and, on balance, recommends that the exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.	See modification recommended above to reinstate exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.

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Student Accommodation	17	No other planning authority in Scotland takes this approach, so it would disadvantage Aberdeen to other Scottish cities without such a burden.	Comment noted. See the response above which acknowledges that there is no evidence of other Scottish planning authorities seeking affordable housing contributions from student accommodation and, on balance, recommends that the exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.	See modification recommended above to reinstate exemption for purpose built student accommodation developments from contributing towards affordable housing should be reinstated in the final version of this APG.
Student Accommodation	28	States that the developer should not build over existing water and drainage infrastructure and should contact Scottish Water even if works fall under permitted development. Contact details for Asset Plan Providers are provided to enable developers to obtain copies of water or waste water network drawings	This is a standard response from Scottish Water which would apply to most development sites. Such matters would be generally be addressed with a formal note on the decision notice as part of any planning consent granted.	No revision proposed.
<b>Topic Area: Delivering Infrastructure, Transport and Accessibility</b>				
Planning Obligations	5	Welcome the recognition that new development may demand a requirement for new sports facilities, or the improvement of existing provision.	Support noted.	No revision proposed.
Planning Obligations	5	Different sports facilities have different costs and applying a standard figure may not deliver the sports facilities required where substantial development is proposed. It is not clear how the contribution amount has been	It is acknowledged that different types of sports facilities will have different costs. The contribution rate for sports and recreation facilities was reviewed in liaison with Sport Aberdeen. It has been calculated using nationally accepted benchmark quantity guidelines and is based on the actual cost of delivering new sports facilities in Aberdeen. It is not considered appropriate to include	No revision proposed.



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		calculated and would be useful to understand how this has been derived.	detailed justifications for all of the contribution rates within the SG itself as this would constitute an unnecessary level of detail and significantly lengthen the document, rendering it more difficult to read for most users. However, further evidence of the methodology used to calculate them is available on request and such further evidence is regularly provided during site-specific discussions with developers.	
Planning Obligations	12, 14, 15, 18, 20	There is concern over the one size fits all approach that ACC appear to be taking on a number of contributions sought under the draft SG. This is at odds with the purpose of planning obligations and will, in many cases, not meet the 5 tests set out in Circular 3/2012, which needs to be met in all instances.	ACC does not take a 'one size fits all' approach to developer obligations. Notwithstanding the potential contribution headings and rates outlined in the draft SG, the third paragraph in section 2 makes it clear that individual Developer Obligations Assessments are carried out by the Developer Obligations Team for each and every development proposal for which they are consulted. The exact contributions required as a result of each proposed development will therefore be determined on a case-by-case basis and outlined in the Developer Obligations Assessment. Contributions are only sought where all of the tests in Circular 3/2012 are met based on the site-specific circumstances, and contributions are not routinely sought under every potential contribution heading. It is also important to note that the scale and mix of every development is taken into account when calculating the contributions that are required – section 3 of the draft SG explains how a 'Standard House Unit Equivalent' (SHUE) is calculated for each development, and this ensures that all contributions are fairly and reasonably related in scale and kind to the proposed development. This is an established practice which has been operated by ACC for many years. No change is necessary.	No revision proposed.

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Planning Obligations	12, 14, 15, 18, 20	If developer contributions are sought in every potential category (which is increasingly likely to be the case), then significant additional costs will be incurred by developers. Together with increasing build costs, the viability of developments will become seriously compromised.	As outlined above, developer contributions are not routinely sought under every potential contribution heading in the draft SG. Rather, Developer Obligations Assessments are carried out on an individual site-by-site basis, and contributions are only sought where they are required to mitigate the impact of the proposed development and can be justified against the tests in Circular 3/2012 based on the site-specific circumstances. Section 2.4 of the draft SG outlines the measures that ACC will be willing to take towards the timing or phasing of contributions to assist development viability. It also makes provision for developers to submit Viability Assessments for consideration by ACC in cases where it is asserted that the necessary developer contributions will have an adverse impact on the viability of a development. Again, this is an established practice which has been operated by ACC for many years. No change is necessary.	No revision proposed.
Planning Obligations	12, 14, 15, 18, 20	Objection is made to paragraph 2.1 (Management of Funds). All contributions must be kept in a separate ring-fenced interest-bearing account for each development. This is to ensure the funds are only used for the purposes they are collected and for the appropriate amount, including interest, to be returned if not spent within the relevant timeframe. Objection is also made to the use of interest to manage the developer obligations fund and	All financial contributions are held in an interest-bearing account separate from other Council accounts and which is specifically for developer obligations. All payments into and out of that account are clearly referenced to the development in question. This allows the financial contributions for every individual development to be clearly identified and monitored (and returned with interest if necessary if they are not spent within the relevant timeframe). It is not necessary for there to be a separate account for each individual development, and the administration of such would be onerous. An associated database is also used to monitor and manage the financial contributions that are held at any given point in time, and robust governance procedures are in place to ensure that any spend of developer obligation funds	No revision proposed.

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		this is not considered to be competent.	<p>accords with the s69 or s75 legal agreement for the relevant development. Again, this is an established practice which has been operated by ACC for many years.</p> <p>The final paragraph in section 2.1 of the draft SG states that 9% of the total interest accrued on contributions will be used to support the monitoring and management of developer obligations funds. Identical text appeared in the 2017 Planning Obligations SG and this part of the guidance is therefore unchanged (although it is understood that ACC has not actually utilised a proportion of the interest accrued for this purpose over recent years). No change is necessary.</p>	
Planning Obligations	12, 14, 15, 18, 20	Increasing the time permitted to spend contributions to 10 years is completely unacceptable and unjustified. Any contributions sought on that basis are not justifiable in terms of Circular 3/2012 and cannot be deemed reasonable or fairly relate to the development as the perceived deficit will not be made good until years after the development is complete.	<p>An analysis of practices in a wide range of other planning authorities shows that many authorities apply 10 year periods (and in some cases even longer) for developer contributions to be spent.</p> <p>In many cases, improvements to infrastructure and facilities are required to mitigate the cumulative impact/s of several developments in a given area. Budget pressures within the public sector mean that it is rarely possible to 'forward fund' the necessary infrastructure improvements in advance of collecting appropriate contributions from all the relevant developments. In such cases, it can take a relatively long time to collect all the necessary contributions as the contributing developments often progress at different rates. It would generally not be appropriate if the contributions from the earlier developments in such circumstances had to be returned because insufficient time had been allowed to collect payments from other later developments in the area and then deliver the necessary infrastructure.</p>	In the third paragraph of section 2.1 replace all references to '10 years' with '7 years'.

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			Notwithstanding the above, on balance it is considered that reverting to the existing 7 year spend period (which is well established and has been applied by ACC for a number of years) would strike a more appropriate balance between allowing sufficient time to collect and then spend contributions whilst ensuring that there is an appropriate and clear relationship between the infrastructure that is ultimately delivered and the development/s that contributed towards it. A change is recommended accordingly.	
Planning Obligations	12, 14, 15, 18, 20	Object to the use of the All-in Tender Price Index at paragraph 2.3. This is not publicly available to the house building industry for scrutiny and any increases should relate to the publicly available RPI.	The BCIS All-In Tender Price index is an industry accepted standard and is directly related to build costs in the development and construction industry. It is therefore the most appropriate mechanism for index-linking developer contributions. Conversely, RPI covers a wide range of other unrelated factors (household spending, entertainment, leisure etc) and would therefore not be appropriate to use for this purpose. Again, it should be noted that using the BCIS All-In Tender Price to index-link developer contributions is an established practice which has been operated by ACC (and other local authorities) for many years. No change is necessary.	No revision proposed.
Planning Obligations	12, 14, 15, 18, 20	General concern is expressed at the increased rates contained within the draft SG and the lack of clarity and justification for the proposed increases, with some being substantially more than the current SG. It is questioned how these increases have been calculated as no breakdown or justification is provided.	The rates under each of the potential contribution headings in the draft SG have been subject to comprehensive review. This has included a review of the methodology by which they have been calculated. It is not considered appropriate to include detailed justifications for all of the rates within the SG itself as this would constitute an unnecessary level of detail and significantly lengthen the document, rendering it more difficult to read for most users. However, further evidence of the methodology used to calculate them is available on	No revision proposed.

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			<p>request and such further evidence is regularly provided during site-specific discussions with developers.</p> <p>The rates within the draft SG also reflect the well-documented rises in build costs since the previous guidance was published. These significant increases have a direct impact on the costs of delivering the mitigation works that will be necessary to accommodate the impact/s of new development. It is therefore reasonable and appropriate for these increased costs to be reflected in the contributions sought from new developments. However, it is also important to note that developer contributions will be index-linked at the time of payment (using the BCIS All-In Tender Price index as stated above). As outlined in section 2.3 of the draft SG, the base date for indexation purposes will be taken as the date of SG adoption. This means that contributions may be lower at the point of payment if the index value is lower at that point in time.</p>	
Planning Obligations	12, 14, 15, 18, 20	<p>Objection is made to the requirement to contribute to any cycle hire scheme, car clubs and bus permits. In Aberdeen, these facilities are run by private companies and it is not acceptable for housebuilders to subsidise privately run schemes. It is also questioned whether a contribution to all of these measures is applicable for 'all developments', which appears to be the suggestion from the draft, as opposed to on a site-by-site basis</p>	<p>The fact that these facilities are delivered by private companies does not preclude developer contributions from being sought towards them in principle. The argument that they are privately operated fails to take account of the fact that they are still relied upon to provide an important public service. Circular 3/2012 does not make any distinction between services and facilities based on ownership or management arrangements, and it does not preclude contributions being sought towards privately operated facilities in principle. Where contributions are required towards the enhancement of such facilities, robust arrangements will be put in place to ensure that the contributions are spent appropriately on</p>	No revision proposed.

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		<p>following a detailed assessment of the proposed development.</p>	<p>increasing the capacity of those facilities to accommodate additional users resulting from new development.</p> <p>By way of illustration, Aberdeen's car club scheme is operated by a private company under a contract with ACC. Any developer contributions towards the car club are paid to ACC and subsequently released to the car club for specific purposes aligned to spend conditions set out in the s69 or s75 legal agreement for each relevant development. These arrangements are well established and have been operated by ACC for many years. Similar arrangements exist for bus permit contributions, which are rarely required in practice but may be sought in instances where a contribution towards sustainable transport measures is required as a consequence of limited parking provision or other site specific circumstances. Equivalent arrangements will also be put in place to ensure the appropriate use of any developer contributions towards the cycle hire scheme, which was launched as a partnership between ACC and a private operator in late 2022.</p> <p>It should also be noted that contributions towards these measures will not be required for all developments. The draft SG already makes this clear by stating that these contributions "<u>may apply</u> to all residential developments of 3 or more units...". As identified above, the exact contributions for any given development proposal are determined on a case-by-case basis taking account of the site-specific circumstances. Contributions are only sought where they satisfy the tests in Circular 3/2012, and the contribution details are all outlined in a site-specific Developer Obligations Assessment.</p>	

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Planning Obligations	12, 14, 15, 18, 20	Explanation is sought as to why contributions are required towards Core Paths under paragraph 3.2 as not every site has capacity or ability to provide a Core Path or a link to the Core Path Network. The contribution of almost £700 per SHUE is excessive and further details of what this calculation is based on are required.	<p>Core path contributions are not sought for every development. As noted above, the exact contributions for any given development proposal are determined on a case-by-case basis. Contributions are only sought where they satisfy the tests in Circular 3/2012, and the contribution details are all outlined in a site-specific Developer Obligations Assessment. Core Path contributions are only sought in cases where there are specific core paths in the vicinity of the development site and where those specific paths require enhancement to accommodate the new users that the development is expected to generate.</p> <p>As noted in response to other submissions, it is not considered appropriate to include the full methodology used to derive the £651 core path contribution rate in the SG itself, but further evidence of the methodology is available on request and such further evidence is regularly provided during site-specific discussions with developers. No change is required.</p>	No revision proposed.
Planning Obligations	12, 14, 15, 18, 20	Strongly object to the requirement to contribute to primary or secondary schools where they are operating at over 90% capacity or are forecast to exceed 90% capacity. This is not based on any robust justification and there is no explanation why this has changed from the current 2017 SG. Scottish Government Guidance which recommends that planning capacity should be used. HFS therefore do not accept that contributions are required unless a	<p>An analysis of practices in a range of other neighbouring planning authorities shows that many apply a 90% capacity threshold (and in some cases even lower) as the point at which developer contributions towards education capacity enhancements are sought. There is therefore a well-established precedent for this approach elsewhere and no reason in principle to suggest that a similar approach cannot be applied in Aberdeen.</p> <p>ACC's School Estate Plan states that in order to ensure that spaces in schools can be used flexibly and for their intended purpose to support curriculum delivery, the optimum range for all schools to operate at is between 80% and 95% of their available capacity. The Estate Plan</p>	In section 3.3 replace all references to '90%' with '95%'.

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		<p>school has reached 100% capacity. If schools cannot operate effectively at 90% or indeed 100% capacity, it would be apparent that the school has wider issues affecting it (e.g. staffing issues), rather than just physical capacity. Seeking developer contributions to try and mitigate such issues would not be appropriate and fails to meet the tests of Circular 3/2012.</p>	<p>goes on to state that school roll forecasts are used to allow officers to identify at an early stage where there may be pressures on the number of available spaces at a school and to enable appropriate action to be taken to address any emerging capacity issues (ie mitigation works to increase capacity). In the context of identifying the need for mitigation works, the Estate Plan reiterates that officers work to the principle that the occupancy level of all schools should be maintained at between 80% and 95% of their maximum available capacity.</p> <p>It is also significant to note that schools need flexibility to allow for different class configurations due to statutory maximum class sizes for different year groups (particularly in primary schools). As a result, the way in which classes need to be configured in any particular year can make it impossible to reach 100% of the planning capacity of the school.</p> <p>There is therefore a reasonable and justifiable case for setting the threshold for seeking developer contributions towards education capacity enhancements at a level below 100% of the planning capacity of the relevant school. However, to ensure full consistency with the School Estate Plan, it is recommended that the threshold should be amended to 95% of the planning capacity in the final version of the SG (as this is defined as the upper limit for efficient school operation within the School Estate Plan and is the threshold above which mitigation works will generally be introduced to increase capacity). A modification is recommended accordingly.</p>	
Planning Obligations	12, 14, 15, 18, 20	The education mitigation rates per pupil in the draft SG are	The education mitigation rates in the draft SG were calculated using cost information from actual recent	See recommended changes to education mitigation rates



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		<p>significantly higher than current 2017 SG rates. The minimum increase is 26% higher for secondary new build for a 1,000 pupil capacity school, with reconfiguration of a primary school seeing a massive 216% increase compared with current rates. The development industry requires further information in relation to how these increases are calculated to explain why they have risen so significantly. They should be based on The School Premises (General Requirements and Standards) (Scotland) Regulations 1967 (and it is understood that these have not changed since the 1973 and 1979 Amendment Regulations). Further, the costs should be based on build costs only and should not include fitting out which should come from revenue streams and not capital budgets.</p>	<p>examples of education capital projects in Aberdeen City, or by using information on education space requirements and benchmark cost data from other nationally recognised sources including Scottish Futures Trust.</p> <p>As noted in response to other submissions, it is not considered appropriate to include the full methodology used to derive the education mitigation rates in the SG itself, but further evidence of the methodology is available on request and such further evidence is regularly provided during site-specific discussions with developers. In this case further information on the calculation of the education mitigation rates is also provided in the response to respondent 29 below, where a number of amendments to the mitigation rates are proposed to address the detailed comments raised by that respondent.</p> <p>The School Premises (General Requirements and Standards) (Scotland) Regulations 1967 prescribe the minimum standards that school premises and equipment must meet. ACC complies with these and other relevant regulations when delivering new education infrastructure projects. The school premises regulations do not provide cost information on which to base mitigation rates for planning obligations, and it is therefore reasonable to utilise the information sources noted above to calculate the necessary mitigation rates.</p> <p>The education mitigation rates outlined in the draft SG include all capital costs associated with the delivery of a building / structure to a state which is suitable for</p>	<p>in response to respondent 29 below.</p>

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			<p>occupation and educational use. They do not include any revenue costs.</p>	
<p>Planning Obligations</p>	<p>12, 14, 15, 18, 20</p>	<p>Object to the requirement to contribute to healthcare facilities. Further information is required and requirements need to be fully justified in terms of Circular 3/2012. The guidance needs to be clear that healthcare contributions will be assessed on a case-by-case basis and the development industry should not be expected to contribute to privately owned and operated GP and dental practices, due to the limited control that exists over such facilities.</p> <p>It is also understood that not all monies collected to date have been passed onto healthcare facilities for any required mitigation. This suggests that healthcare contributions are not essential to make residential developments acceptable in planning terms. Further clarity is therefore required on how these contributions have been spent and no further healthcare contributions should be collected until such matters have been clarified.</p>	<p>The fact that some healthcare facilities such as GP and dental practices are privately owned and operated does not preclude contributions from being sought towards their enhancement where necessary. This issue has been considered multiple times during LDP Examinations, including during the Examination of ACC's current LDP. In the Examination Report for the current LDP, the Reporter concluded that:</p> <p><i>"I acknowledge that some facilities are privately owned and run, but their funding is provided by the local health board (NHS Grampian) in order to provide an essential public service. If a development would generate additional need and demand for public services for which there is not currently the physical capacity to accommodate, a developer contribution towards appropriate mitigation would be capable, in principle at least, of aligning with Circular 3/2012.</i></p> <p><i>The point that some healthcare facilities are privately owned and run fails to take account of the fact that they are still relied upon to provide a public service. The Circular does not make any distinction based on ownership or management arrangements. Without developer contributions, there may be no prospect of healthcare capacity being increased to a sufficient level, whether at privately or publicly owned premises, to accommodate patients from new developments"</i> (paras 9 &amp; 10, pg 764).</p>	<p>No revision proposed.</p>

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			<p>As noted above in response to other comments, the exact contributions for any given development proposal are determined on a case-by-case basis. Contributions are only sought where they satisfy the tests in Circular 3/2012, and the contribution details are all outlined in a site-specific Developer Obligations Assessment. Contributions towards healthcare are only sought in cases where the existing healthcare facilities that would serve a new development do not have sufficient physical capacity to absorb the additional patients that are expected to be generated and where mitigation is required to provide the necessary additional capacity.</p> <p>ACC's Developer Obligations Team Leader works collaboratively with NHS Grampian to help ensure that the healthcare contributions collected from new developments are used to deliver appropriate capacity enhancement works in accordance with the spend terms and time periods outlined in the s69 or s75 legal agreement for all relevant developments. Developer obligations funds have been used to deliver a number of recent capacity enhancements to healthcare facilities within the City.</p>	
Planning Obligations	12, 14, 15, 18, 20	Any reference to the requirement to contribute to libraries should be removed. There are a number of libraries closing across the city which demonstrates that there are no capacity issues with these facilities. Keeping library facilities open is a revenue cost and not a capital cost and it is not justifiable	It is acknowledged that ACC recently announced the closure of a number of libraries, and it is agreed that there is unlikely to be any justifiable case for seeking developer contributions towards library facilities during the timeframe of the current LDP. In practice, the Council has not been seeking such contributions from new developments for several years. It is therefore agreed that the reference to libraries should be removed from section 3.6. A change is recommended accordingly. This	Delete the reference to libraries from the first sentence in section 3.6.

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		to seek contributions towards these on this basis.	will not preclude contributions being sought towards community facilities.	
Planning Obligations	29	Homes for Scotland has prepared a response on behalf of the house building industry and we concur with the comments and points raised in that response. Further comments are made below setting out additional reasons for objection.	See officer's response to respondents 12, 14, 15, 18, 20.	See action/s in response to respondents 12, 14, 15, 18, 20.
Planning Obligations	29	The percentage increases in figures contained within this guidance are staggering and will impact the viability of development across the city. No supporting detail is provided for these increases and we would encourage the Council to share the workings behind these figures in full so that there can be proper engagement and comment made.	This issue was also raised by respondents 12, 14, 15, 18, 20 and a response to it is outlined above.	See action/s in response to respondents 12, 14, 15, 18, 20.
Planning Obligations	29	Section 2.1 (Management of Funds) advises that money will be held for a period of 10 years from payment of the final contribution. In the main this will result in money being held for 10 years after the completion of a development. An improvement required this length of time after a development is complete cannot reasonably relate to 10 years after a development has been completed.	This issue was also raised by respondents 12, 14, 15, 18, 20 and a response to it is outlined above.	See action/s in response to respondents 12, 14, 15, 18, 20.

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Planning Obligations	29	Section 2.1 also suggests that the monitoring of payments is an administrative cost and will total 9% of the total interest accrued to support this. This is not directly related to the impact of development. The use of funds to provide Council administrative services in holding and allocating money internally is not considered to be in accordance with Circular 3/2012. All contributions made should be used to fund physical improvements in infrastructure.	This issue was also raised by respondents 12, 14, 15, 18, 20 and a response to it is outlined above.	See action/s in response to respondents 12, 14, 15, 18, 20.
Planning Obligations	29	The rates set out should not be altered in accordance with the All-in Tender Price Index (as noted within section 2.3) without first consulting on these changes. The scale of obligations contained within the Supplementary Guidance will have significant implications on development viability and this lack of review is not acceptable. In the case that such a statement remains it must be made clear that the obligation costs may either increase or decrease in accordance with the Index.	This issue was also raised by respondents 12, 14, 15, 18, 20 and a response to it is outlined above. As outlined in the response above, developer contributions will be index-linked at the time of payment (using the BCIS All-In-Tender Price index) and may therefore either increase or decrease in accordance with the index.	See action/s in response to respondents 12, 14, 15, 18, 20.
Planning Obligations	29	Section 3.1 makes reference to roads improvements and that in some instances the Council will	The requirement for any developer contribution towards roads improvements is assessed on a case-by-case basis taking into account site specific circumstances. In	No revision proposed.

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		take on the responsibility for works with costs met by the developer. It should be clarified that these works should be competitively tendered with information provided to the developer to confirm that the costs are necessary to make the required improvements.	cases where contributions are required towards local roads infrastructure, a justification for the necessary improvements and details of the associated costs will be provided to the developer by ACC's Roads Team. Such contributions will only be sought in cases where the tests of Circular 3/2012 are met in full. This is an established practice which has been operated by ACC for many years, and this section of the draft SG has been carried forward from the 2017 Planning Obligations SG unchanged. No modification is necessary.	
Planning Obligations	29	There is reference to payment of a membership for bike hire scheme for residential developments where parking is limited. Contribution to cycle hire memberships would only be necessary where bike storage within a development is unavailable. At £400 per annum any individual would most likely choose to own a personal bike.	It is acknowledged that contributions towards Aberdeen's cycle hire scheme will generally only be required in cases where secure cycle parking / storage is not provided as an integral part of the development. It is agreed that additional text could be added to the final version of the SG to clarify this point. On a more general note, the contribution rate of £480 per unit reflects the cost of providing two annual memberships of the cycle hire scheme per household and that the scheme provides access to ebikes, which are typically more expensive to purchase than traditional bikes.	Amend the text in Table 2, in the row for 'Cycle Hire Scheme', as follows (new text in bold):  <i>"May apply to all residential developments of 3 or more units where full <b>secure cycle parking and storage</b> provision is limited."</i>
Planning Obligations	29	The car club contribution figure per unit appears to be expensive. These costs have been previously based on an assessment of the car club spaces that are sustainable and necessary and would provide a cost better linked to the impact of development.	The car club contribution rate of £400 per unit reflects the actual cost of providing two memberships of the car club for each dwelling for three years, providing an allowance of driving credit to each dwelling for three years, and a contribution towards maintaining/sustaining the nearest car club vehicle to the development in question. This rate is unchanged from the 2017 Planning Obligations SG and has therefore been established for several years. As outlined in the SG, this contribution will only be sought from developments where full parking provision is limited and where the shortfall in parking is not mitigated by other forms of transport. For major developments, site	Add additional text to the end of the 'Car Clubs' section in Table 2, as follows:  <i>"For major developments, contributions may be required towards additional car club vehicles and/or parking spaces, based on the specific circumstances of the site. The Transport</i>

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			specific assessments of car club requirements (e.g. new parking spaces, additional vehicles etc) will continue to be undertaken to inform site specific financial contributions in line with established practice and as set out in the Transport and Accessibility APG. Additional text could be added to clarify this and a change is recommended accordingly.	<i>and Accessibility APG provides guidance on the factors that will be taken into account to determine any car club contribution in such cases."</i>
Planning Obligations	29	Education contributions are listed as applying to developments where 90% of a school's planning capacity is reached. Previously the Supplementary Guidance made reference to schools exceeding the maximum capacity of a school as the trigger for developer obligations. Currently 6 out of 11 Academies are over 90% of capacity and have been operating at this level for significant periods of time. With increasing costs and budget pressures it is unrealistic to assume that development can finance the improvements across schools that the Council would like to achieve.	This issue was also raised by respondents 12, 14, 15, 18, 20 and a response to it is outlined above.	See action/s in response to respondents 12, 14, 15, 18, 20.
Planning Obligations	29	The costs of education contributions have increased significantly. We have reviewed information available on Council projects and are not of the opinion that these increased rates are fully attributable to the infrastructure necessary to serve the new	The education mitigation rates in the draft SG were calculated using cost information from actual recent examples of education capital projects in Aberdeen City, or by using information on education space requirements and benchmark cost data from other nationally recognised sources including Scottish Futures Trust (SFT).	Amend the new build two stream primary school rate per pupil from '£47,235 plus proportionate land value' to '£37,160 plus proportionate land value'.

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		<p>development. Countesswells Primary School was completed by the Council at a cost of £20.5m for 434 pupil spaces. Dividing the cost by pupil numbers equates to the new figure proposed. This school, however, includes a nursery and also additional sports provision. There is no suggestion in policy that contributions will be made towards Early Years provision and sports and recreation are covered by separate contribution figures so should be excluded from the primary pupil contribution.</p> <p>SFT have undertaken analysis of designs for a range of schools and have produced a report on findings. The cost information is not up-to-date, but the information on areas remains a good benchmark for which to judge new development. This indicates that for primary schools of 434 pupils there should be a target of 7.5 sqm per pupil. Floor plans of the Countesswells School identify that the GIA is 4,163.6sq.m and 1.28 times larger than the reference design. If the build cost was reduced to 78% of the budget figure then this would provide a</p>	<p>It is acknowledged that the mitigation rate for a new two-stream primary school in the draft SG was based on the cost of delivering the new Countesswells Primary School. It is accepted that this new school includes an element of nursery /early years provision and that there is no basis in the LDP for seeking contributions towards nursery / early years provision. A further review has therefore been undertaken to establish the cost of Countesswells Primary School excluding the nursery / early years component. This review has resulted in a reduced mitigation rate for a new two-stream primary school of £37,160 per pupil, and a change to the SG is recommended accordingly. It is also accepted that the new Countesswells Primary School includes sports provision. However, the level of sports provision is necessary to meet the minimum requirements of the school itself. A 3G all-weather pitch was included within the school design since this was the most efficient way of meeting the sports demands of the school, as grass pitches would have required a significantly greater land take. As the 3G pitch can be used more intensively than grass pitches, it can also be made available for wider public use on occasion. However, it is important to stress that this is only outside school hours, and that it should not be viewed as an alternative to or replacement for other public sports and recreation facilities. It is therefore not appropriate to exclude the sports provision element from the cost calculations.</p> <p>Although not specifically raised by the respondent, it should be noted that the mitigation rate for a new three-stream primary school in the draft SG was based on the cost of delivering the new Riverbank Primary School.</p>	<p>Amend the new build three stream primary school rate per pupil from '£46,237 plus proportionate land value' to '£40,865 plus proportionate land value'.</p> <p>Amend the secondary school permanent extension rate per pupil from '£27,300' to '£39,414'.</p> <p>Include a footnote to the primary and secondary school permanent extension rates to identify that they are based on Q4 2019 costs.</p>



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		<p>pupil rate of £36,932, which would be a 14% increase from previous figures. This remains expensive but is more realistic than the figures identified.</p> <p>The school extension figures have increased by 200% from previous figures without justification. There have not been many recent school extensions to compare to, but the Council did report on an extension for 300 pupils at Bucksburn Academy and there was a figure of £1.5m identified for budget cost. This equates to £5,000 per pupil - less than the current figure let alone 200% higher.</p> <p>(Supplementary evidence provided in support of the above comments on costs).</p>	<p>This new school also includes an element of nursery / early years provision and, for the reasons outlined above, a further review has been undertaken to establish the cost of Riverbank Primary School excluding this element. This has resulted in a reduced mitigation rate for a new three-stream primary school of £40,865 per pupil, and a change to the SG is recommended accordingly.</p> <p>The extension mitigation rates in the draft SG are based on data from SFT. They were calculated using the (then) emerging Phase 3 Learning Estate Investment Programme (LEIP) metrics, terms and conditions. These provide benchmark figures for the amount of space (in sqm) required per pupil and cost metrics (in £/sqm) which have been used to establish the extension mitigation rates. These are nationally accepted standards, and in the absence of recent extension projects in Aberdeen City to compare to (as acknowledged by the respondent) it is reasonable to use them as the basis for calculating the extension mitigation rates. Following publication of the Draft SG for consultation, the SFT Phase 3 metrics were formally published in May 2023. The <a href="#">published metrics</a> include different/individual space and cost metric figures for primary and secondary schools, whereas the mitigation rates in the Draft SG were based on single/combined space and cost metrics for both types of school. This additional data identifies the need for a different (higher) secondary extension mitigation rate of £39,414 per pupil. The SFT Phase 3 metrics also include additional detail on the index base date for the cost metrics, which was not known at the time of writing the Draft SG. Technical changes are therefore recommended to update the secondary school extension mitigation rate</p>	

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			<p>and to identify the index base dates for both primary and secondary extension mitigation rates. This will bring the final version of the SG into full alignment with the SFT Phase 3 metrics. Contrary to the respondent's assertions, ACC has not identified a budget cost of £1.5m for an extension at Bucksburn Academy. The committee report to which the respondent's supplementary evidence refers sought approval of an outline business case for an extension to Bucksburn Academy. It noted that £1.5m would be required to progress the project to the detailed design stage. This figure was therefore not a total budget cost for delivering an extension at the school. Modular accommodation has recently been installed on a temporary basis pending the delivery of a permanent extension in the future. An <a href="#">update report to the Finance and Resources Committee on 17 May 2023</a> noted that the gross budget for installation of the temporary accommodation alone is £2.56m, and it is reasonable to expect that the future permanent extension will cost significantly more. No change is necessary in this respect.</p>	
Planning Obligations	29	<p>Section 3.4 advises that where new build facilities are provided then a land value will also be required. Any land value attributable must only relate to the proportional contribution of the development. If the practice serves a wider area then it would not be reasonable to provide serviced land at nil value. Furthermore, there is a cost to a landowner / developer in servicing a site. This</p>	<p>The text in section 3.4 already makes clear that for developments where a new build facility is proposed a <u>proportionate</u> land contribution will be required. This will ensure that any land contribution will fairly and reasonably relate in scale and kind to the proposed development in accordance with Circular 3/2012. It is acknowledged that if a new facility is intended to serve an area which is wider than the development itself, it may not always be reasonable to seek the provision of serviced land at nil value. However, the SG does not state that this will be required in all cases – rather it states that the contribution <u>may</u> be in the form of serviced</p>	No revision proposed.

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		is not free and should either be paid for by the NHS or discounted from any contributions for the development.	land at nil value. This allows flexibility to take account of site-specific circumstances. This text has been carried forward from the 2017 Planning Obligations SG unchanged. No modification is necessary.	
Planning Obligations	29	Contributions for facilities such as sports facilities and community facilities, must be linked to the local area. For transparency it would assist if facilities requiring investment could be identified as a part of this guidance with an area identifying the extent of use and contribution. The costs of the Sports and Recreation contribution has increased significantly and justification for this increase is necessary.	<p>Any contributions towards sports and recreation or community facilities will be linked to facilities which serve the development in question and which therefore have a direct relationship with it. The exact details of any such contributions will be determined on a case-by-case basis and outlined in the Developer Obligations Assessment for each individual development. Robust governance procedures are also in place to ensure that any such developer contributions (and indeed all developer obligation funds) are spent on infrastructure enhancements which have a direct relationship with the contributing development and in full accordance with the relevant s69 or s75 legal agreement.</p> <p>It is not possible to identify all the facilities that are expected to require investment during the LDP timeframe within this SG, and it is unlikely that this would be appropriate as it would not provide flexibility to accommodate changing circumstances over the plan period. However, the details of the specific facilities that require upgrading will be outlined in the detailed Developer Obligations Assessment Reports for individual developments. There may also be opportunities to provide an indication of the facilities that are likely to require capacity enhancements through other mechanisms (eg Locality Plans). These opportunities will be investigated as far as practicable.</p>	No revision proposed.

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			The contribution rate for sports and recreation facilities was reviewed in liaison with Sport Aberdeen. It has been calculated using nationally accepted benchmark quantity guidelines and is based on the actual cost of delivering new sports facilities in Aberdeen. As identified in response to other submissions, it is not considered appropriate to include the detailed methodologies used to calculate the contribution rates in the SG itself. However, further evidence is available on request and such further evidence is regularly provided during site-specific discussions with developers.	
Transport and Accessibility	1	There should be reference within the guidance to the necessity of private car use by caregivers who work full time. The guidance could be perceived as a judgement upon their need to use a private car.	The Scottish Government has declared a climate change emergency and it is incumbent upon Planning Authorities to seek to address this. A significant proportion of Scotland's carbon emissions are a result of our dependence as a society upon the usage of private cars. The Transport and Accessibility Planning Guidance sets out how and where development should be planned and how development should be designed in order to reduce dependence upon private car usage. It is not the aim of planning guidance to make judgements upon the personal circumstances of individuals. The reference that the respondent seeks is not material to the planning aims of the guidance.	No revision proposed.
Transport and Accessibility	6a	There should be reference to wheeling as well as walking. There should also be guidance upon 20-minute neighbourhoods. Finally, with respect to the section about electric vehicle charging infrastructure, reference should be made to this infrastructure not	The reference to wheeling in addition to walking is considered to be an appropriate change that reflects a wider range of users of pedestrian infrastructure. Reference will also be made to electric vehicle charging infrastructure not impeding wheelchair users as well as walking.	References to wheeling have been added to the document.  A reference to EV infrastructure not blocking wheelchair users has been added to section 2.3.2

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		impeding walking or wheelchair users on the pavement.		
Transport and Accessibility	8	There is far less cycle parking space required for offices and other buildings compared to car parking space, which goes against active travel goals.	Whilst it is true the spatial requirement for bicycles is less than the spatial requirements for private cars, it should be noted that a single private car requires significantly more space than a single bicycle. The spatial requirement for car parking was chosen in order to reduce the need for on-street parking which would clutter public roadways. The spatial requirement for bicycles was chosen in order to accommodate current and future demand.	No revision proposed.
Transport and Accessibility	12, 14, 15, 18, 20	The guidance is too prescriptive which does not fit in with the Council's agenda for good design and that of 'Designing Streets' and wider placemaking principles. Many standards conflict with other placemaking priorities and these aspects should be aligned or allowed greater flexibility so that applications can be assessed on a site by site basis.	It is agreed that the draft planning guidance contains a significant amount of information on technical standards. Consequently, a section on designing accessible places has been added which has a greater focus on the overall principles of placemaking. Nevertheless, many sections of the proposed guidance are required to be prescriptive as they relate to Building Standards legislation. The comment in relation to a perceived conflict between technical standards in the document and placemaking priorities is not clear – no specific example has been highlighted so it is difficult to apply changes to address this perception. Applications will always be assessed upon a site by site basis.	Section 2.1 has been changed to 'Designing Accessible Places' which is more in line with design guidance.
Transport and Accessibility	12, 14, 15, 18, 20	Paragraph 2.1 requires sites to be within 400m of public transport and this is onerous and contrary to some existing allocated sites and unreasonable to be delivered through a planning application. Also, the reference to 400m is outdated and should be reconsidered given the move towards 20 minute	Paragraph 2.1 states '...ideally public transport should be available within 400 metres of the origins and destinations of trips within the development.' This is not a 'requirement' as outlined in the respondent's representation. It is understood that some allocated sites are not within 400m of public transport stops. There is nothing within the guidance or policy which states that developers must ensure public transport is within 400m of all parts of such development sites. The Council do not agree that the reference to 400m is outdated. The	No revision proposed.

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		neighbourhoods (10 minute walk each way being 800m).	'Walkable neighbourhoods' section within National Policy Document - Designing Streets still refers to 400m walking distance (5 minute walk) as being ideal in new development.	
Transport and Accessibility	12, 14, 15, 18, 20	Developers should not be required to contribute towards car clubs that are privately run as this is inappropriate, nor towards annual bus permits and cycle hire schemes which are considered excessive.	The comments in relation to developers contributing towards car clubs, annual bus permits and cycle hire schemes have also been raised against the draft Planning Obligations Supplementary Guidance. A full response to the comments on these issues can be found in the summary table for that Supplementary Guidance.	No revision proposed.
Transport and Accessibility	12, 14, 15, 18, 20	The importance of enabling transition to electric vehicles is noted, but the reference within the guidance to active provision and passive provision charge points is not clear in terms of what is required for developers to provide. Question whether the requirement to allow for a future charge point for each house complies with current building regulations, and the guidance should recognise the ongoing challenges in securing electrical capacity for electric vehicle infrastructure which could prevent rollout of active provision.	The section on electric vehicle charge points has been rewritten in line with Building Standards requirements. There is no need to specifically reference any difficulty in securing electrical capacity for EV infrastructure – Building Standards regulations set out the requirements of developers.	Section 2.3.2 (Electric Vehicle Charging Infrastructure) has been updated and now reflects the requirements of the updated BS handbook June 2023.
Transport and Accessibility	26	The respondent has compared the draft guidance to that of other major cities and identified several points that they deem worthwhile to include. These include:	The Council has taken on board a number of comments raised by NESTRANS and has sought to address these as follows: <ul style="list-style-type: none"> <li>There is now reference to National Policy, specifically NPF4, Designing Streets, Local Living</li> </ul>	Reference to national policies have been added in sections 2.1.1 (NESTRANS 2040) and 2.1.2 (National Planning Framework 4 - local living and 20-minute

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		<ul style="list-style-type: none"> <li>• There should be more discussion about the national, regional and local policy context and links could be included to key documents.</li> <li>• The guidance is dry and does not link reasoning behind concepts to the 'bigger picture' – eg identifying key city specific issues and explaining why measures are important.</li> <li>• The guidance lacks colour, images and plans, which could be used to make the main points clearer before technical discussion.</li> <li>• The refresh of the Local Transport Strategy should be mentioned as well as the Regional Transport Strategy.</li> <li>• More use of tables and smaller bullet points, particularly in the car club section, would help.</li> <li>• The overall tone could be more optimistic, for example the low car development section should be stronger in relation to city centre and</li> </ul>	<p>and 20 Minute Neighbourhood Draft Guidance and Building Standards Technical Handbooks in relation to Electric Car Charging Infrastructure.</p> <ul style="list-style-type: none"> <li>• Additional commentary on the climate change crisis and a link to the reasons why progressive standards for transportation and accessibility is necessary.</li> <li>• Additional pictures and diagrams to explain concepts and to break up the text and make the document more user friendly and colourful.</li> <li>• Instead of applying more bullet points for sections that are of a technical standard, much of this information has been referenced and moved to the back of the document as an appendix in order to improve the readability and flow of the document.</li> <li>• NESTRANS 2040 aims and policy concerning places for people has been added. The Local Transport Strategy 2016-2021 has been referenced. The guidance can be undated to refer to the newer Local Transport Strategy post consultation.</li> <li>• It is felt that the section on low car development strikes a good balance of tone at present. It is clear the circumstances which would allow for low car development.</li> <li>• A reference has been added to the 3 park and ride facilities within the city boundary and the potential for developers to reference this in assessments and this is deemed sufficient. It is difficult to specify how development might maximise the use of park and rides.</li> </ul>	<p>neighbourhoods) and 2.1.3 (Designing Streets) and Section 2.3.2 (Electric Vehicle Charging Infrastructure Building Standards Handbook June 2023)</p> <p>Reference to climate change crisis added to the beginning of section 2.</p> <p>Pictures and diagrams have been added throughout section 2.1 and within section 2.3.</p> <p>A number of sections have been taken out of the main text and added as appendices at the end of the document.</p> <p>Section 2.1.1 (NESTRANS 2040) has been added. Reference to the Local Transport Strategy 2016-2021 has been made under section 1.2.</p> <p>Section 2.1.6 includes an additional reference to the</p>

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		<p>inner city locations due to bus priority investment.</p> <ul style="list-style-type: none"> <li>• More detail is required for different layers of the city, such as Bridge of Don and Kingswells.</li> <li>• The guidance should mention how development should contribute to park and ride and maximise these sites, including the site at Portlethen outside city.</li> <li>• Sustainability needs more prominence in discussion.</li> <li>• The discussion about priority of sustainable modes needs to mention that good access routes are to be accessible to all. The discussion should go further such as value of pelican crossings in terms of accessibility for all.</li> </ul>	<ul style="list-style-type: none"> <li>• More reference to sustainability has been made within the text</li> <li>• Reference has been made to the need for access routes to be accessible to all and the potential need for a pelican crossing to facilitate this.</li> </ul>	<p>Core Paths Plan and its supplementary maps.</p> <p>Section 2.3.3 (Park and Ride) has been added.</p> <p>More reference to sustainability has been made at the beginning of section 2.</p> <p>Section 2.1.7 includes a new reference to the potential need for formal crossing points.</p>
Transport and Accessibility	28	Sustainable materials should be used for driveways, this could include replacing hardstanding with permeable surfaces.	It is not within the remit of planning to control existing lawful development. A reference has been included to state that developers may want to consider the use of permeable paving in order to improve urban drainage.	Reference to permeable paving has been added under section 2.4.
<b>Topic Area: Protecting and Enhancing the Natural Environment</b>				



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Open Space and Green Infrastructure	12, 14, 15, 18, 20	Providing separate guidance on Landscape, Food Growing, Natural Heritage, Trees and Woodland and Open Space & Green Infrastructure suggests that ACC is trying to be too prescriptive and control too much. It is argued that these topics should be contained within one guidance note.	Although these topics are linked, each one is important in its own right. Although they could be combined into one APG, it is considered that retaining separate documents will aid reading and ensure that each topic is afforded due attention. The proposed approach will also allow the guidance on separate topics to be updated more easily if required in the future. This point is particularly relevant for this specific topic, as the Open Space and Green Infrastructure APG is expected to require substantial update once the Council has completed its ongoing review of the current Open Space Audit and Open Space Strategy (see comment below on this issue).	No revision proposed.
Open Space and Green Infrastructure	12, 14, 15, 18, 20	Comments on this draft guidance should wait until the Open Space Audit and Open Space Strategy is completed by Aberdeen City Council. Full consultation should take place at that time instead.	As noted in the draft APG, a comprehensive review of the Council's Open Space Audit and Open Space Strategy is underway and once those documents are finalised a more substantial update of the Open Space and Green Infrastructure APG will be undertaken. As also noted in the draft APG, any significant updates that are required to the APG once the Open Space Audit and Strategy are finalised will be subject to a further period of public consultation.	No revision proposed.
Open Space and Green Infrastructure	12, 14, 15, 18, 20	Paragraph 2.7 requires open space provision in all developments, including brownfield sites. Previous guidance accepted that brownfield sites were more sustainable and if there were additional costs in delivering such sites, they may not need to apply the minimum open space standards. We object to the more onerous wording that open space standards now apply to brownfield	The wording in paragraph 2.7 of the draft APG effectively replicates the wording in the relevant section of Policy NE2 of the LDP, which was found to be appropriate by the Examination Reporter. It already recognises that it might not be possible to increase the amount of open space on some brownfield sites (e.g. where existing buildings are being retained).  Nevertheless, it is accepted that some brownfield developments may also involve additional costs, such as site preparation, contaminated land remediation and demolition etc. It is acknowledged that where there are	Amend section 2.7 to read as follows (additional text shown in bold):  <i>"As outlined in policy NE2 of the Local Development Plan, we will seek open space provision in all developments, including on brownfield sites. However, it may not be possible to increase the amount of</i>

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		sites. The previous wording should be reinstated.	exceptional costs associated with a site it may not always be appropriate to apply the minimum standards for open space. A contribution towards off-site open space enhancements may be sought instead in such instances. It is agreed that text to this effect could be reinstated into the APG.	<p><i>open space on some brownfield sites. For example where existing buildings on the site are being retained. In these cases, appropriate design solutions to deliver onsite amenity will be sought in the first instance and commuted sums towards off-site provision or enhancement of existing open spaces will be sought where appropriate.</i></p> <p><b>Brownfield development can also involve additional costs, such as site preparation, contaminated land remediation and demolition. If developers can satisfy the Council that there are exceptional development costs associated with a site, it may not always be appropriate to apply the minimum standards for open space to such developments. The Council may instead seek a contribution towards off-site open space</b></p>

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				<b>enhancements. The necessary contribution will reflect the scale and type of development.</b> (See the Planning Obligations Supplementary Guidance for more information on developer contributions towards open space and green infrastructure)."
Open Space and Green Infrastructure	12, 14, 15, 18, 20	It is welcomed that wording related to the preferred approach being Council adoption has been deleted from paragraph 2.11. It is also welcomed that there is provision for factoring arrangements under "possible arrangements for the management of open spaces".	Support welcomed.	Comment noted.
Open Space and Green Infrastructure	27	In general, we are happy with the guidance. We strongly support the emphasis on delivering high quality, accessible open space, rather than simply extra quantitative provision.	Support welcomed.	Comment noted.
Open Space and Green Infrastructure	27	Given the nature networks concept which has emerged through NPF4, we would like to see the guidance set out the Council's thinking and approach on developing this in Aberdeen. We note that this is a draft document and that a review of the Open Space Audit and Open Space Strategy is expected to be	Comment noted. This will be taken into account as far as possible when this APG is updated more substantially following completion of the Open Space Audit and Open Space Strategy.	Take account of nature networks concept as far as possible when this APG is updated more substantially following completion of ACC's Open Space Audit and Open Space Strategy.

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		completed in early 2023 and this guidance will be updated in light of the review.		
Open Space and Green Infrastructure	27	It would be beneficial to include graphics such as best practice examples in the final guidance to provide greater clarity on what is expected of developers.	Comment noted. This will be taken into account when this APG is updated more substantially following completion of the Open Space Audit and Open Space Strategy.	Include graphics to illustrate key principles if possible when this APG is updated more substantially following completion of ACC's Open Space Audit and Open Space Strategy.
Open Space and Green Infrastructure	27	There are some references to 'SNH' in the guidance so we suggest updating this to 'NatureScot'.	Comment noted and agreed.	Replace references to 'SNH' with 'NatureScot'.
Open Space and Green Infrastructure	27	It would be useful to include definitions for 'green infrastructure' and 'blue infrastructure' in the introduction section, and a definition for 'brownfield' in section 2.7.	Comment noted and agreed.	Include definitions for 'green infrastructure' and 'blue infrastructure' in the introduction section, and a definition for 'brownfield' in section 2.7.
Open Space and Green Infrastructure	27	We recommend emphasising the need to consider open space and green networks from the outset of the design process. The following changes (in bold) could be added at section 2.10: "Open space and the Green Space Network need to be considered <b>from the outset of the design process</b> in Strategic Frameworks..."	Comment noted and agreed.	Amend section 2.10 to read as follows (additional text shown in bold):  "Open space and the Green Space Network need to be considered <b>from the outset of the design process</b> within Strategic Frameworks..."
Open Space and Green Infrastructure	27	We strongly support the inclusion of section 2.11 (maintenance and management of new open spaces)	Support welcomed. NPF4, policy 20 e) outlines more robust requirements with respect to management and maintenance of green infrastructure. It states that	Amend the second paragraph in section 2.11 to read as follows

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		as maintenance is key for provision of long-term benefits.	“development proposals that include new or enhanced blue and/or green infrastructure will provide effective management and maintenance plans covering the funding arrangements for their long-term delivery and upkeep, and the party or parties responsible for these”. A technical change is recommended to bring section 2.11 of the APG into better alignment with this new policy requirement.	(additional/amended text shown in bold):  <b>“In accordance with policy 20 e) of NPF4, development proposals that include new or enhanced open spaces and/or green infrastructure will need to make provision for their effective management and maintenance. The planning system has limited control over open space maintenance. It can however, make provision for management and maintenance arrangements through planning conditions or agreements.”</b>
Natural Heritage	12, 14, 15, 18, 20	Providing separate guidance on Landscape, Food Growing, Natural Heritage, Trees and Woodland and Open Space & Green Infrastructure suggests that ACC is trying to be too prescriptive and control too much. It is argued that these topics should be contained within one guidance note.	Although these topics are linked, each one is important in its own right. Although they could be combined into one APG, it is considered that retaining separate documents will aid reading and ensure that each topic is afforded due attention. The proposed approach will also allow the guidance on separate topics to be updated more easily if required in the future.	No revision proposed.

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Natural Heritage	12, 14, 15, 18, 20	<p>Contents page does not correlate with content (including incorrect labelling of sections 2.7 and 2.8).</p> <p>References to SPP in paragraph 2.1 should be amended to reflect NPF4.</p>	Comment noted. The contents page and references to SPP will be updated in the final version of the APG.	Contents page updated and SPP references / terminology replaced with updated NPF4 references / terminology.
Natural Heritage	12, 14, 15, 18, 20	It is not clear whether Preliminary Ecological Assessments (PEA) will be required for all applications or on a site-by-site basis. Clarification would be welcomed.	As identified in the CIEEM Guidelines for Preliminary Ecological Appraisal, PEAs are rapid assessments that are generally undertaken in the early stages of a design process to inform a developer (or other client), and their design team, about the key ecological constraints and opportunities within a project and the need for any detailed further surveys. They are not generally appropriate for submission to the planning authority and the Council will not generally be seeking the submission of PEAs as part of any planning application. The draft APG does not specifically state that PEAs will need to be submitted in support of planning applications – rather it intends to draw attention to their value in the early design process for new developments. However, it is accepted that additional text could be added to clarify this. A change is recommended accordingly.	<p>Amend the third sentence of the section headed 'Initial Assessment and Informing Design' in section 2.4 of the APG to read as follows (new text in bold):</p> <p><b>“Although the findings of any initial walk over survey / PEA will not generally need to be submitted to the Council, this report should inform the production of any further reports which are then submitted in support of the planning application.”</b></p>
Natural Heritage	12, 14, 15, 18, 20	<p>Paragraph 2.11 deals with enhancements and overall biodiversity gain, and provides examples including bat and bird boxes and habitat linkages.</p> <p>Paragraph 2.12 deals with mitigation and compensation, which also includes bat and bird boxes and habitat connectivity.</p>	There is no contradiction in the advice in sections 2.11 and 2.12 as these sections cover different circumstances. Measures such as bat and/or bird boxes may provide entirely appropriate biodiversity enhancements for some developments (as envisaged in section 2.11). However, in other cases where bat and/or bird boxes are being proposed as mitigation and compensation measures because of the development's impact on bats and/or birds, they will only be considered appropriate where the	No revision proposed.

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		<p>However, this paragraph states that mitigation and compensation should only be applied where impacts are unavoidable and there is no alternative. The guidance suggests these measures are acceptable, but later suggests only where there is no alternative. This is confusing. Clarification is required.</p>	<p>initial impacts cannot be avoided through careful design and there is no alternative (as identified in section 2.12). These are two distinctly different scenarios, and it is therefore appropriate for the APG to provide separate advice for each.</p> <p>Section 2.11 already clarifies this point by stating that whilst some of the suggestions for mitigation and compensation in the following section (section 2.12) can also be used to add net gain in some instances, they would not be considered net gain unless they go above and beyond what is necessary to compensate any loss which has prompted their inclusion in a given development.</p>	
Natural Heritage	12, 14, 15, 18, 20	<p>Paragraph 2.14 requires all new development to incorporate SUDS where previous guidance stated that this was required for “the majority” of sites. Providing SUDS on brownfield sites has capacity implications and this guidance should revert to the previous wording to reflect this.</p>	<p>The wording of paragraph 2.14 is consistent with LDP Policy NE4 and the Flooding, Drainage and Water Quality APG. It also identifies some exceptions to the requirement for SuDS (single dwellings, extensions to residential properties or discharges to coastal waters). These exceptions are also identical to those outlined in LDP Policy NE4 and the Flooding, Drainage and Water Quality APG. Paragraph 2.14 goes on to highlight the dual benefits of SuDS in helping to meet the requirements for securing biodiversity gains at the same time as helping to manage surface water. No change is necessary.</p>	No revision proposed.
Natural Heritage	12, 14, 15, 18, 20	<p>The requirement for a Lighting Impact Assessment (LIA) under paragraph 2.15 is not specifically required under this guidance as this can be covered through an appropriately worded condition attached to a planning consent in</p>	<p>Paragraph 2.15 states that an LIA should be provided for all developments where bats are confirmed to be roosting at the site, or for larger scale developments where bats are known to forage in the area. The LIA requirement is therefore precise/specific in nature and necessary to mitigate the impact of relevant developments on a protected species. Although in some cases it may be</p>	No revision proposed.

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		the relevant cases. This should be removed. If this is not accepted, it should be acknowledged that lighting is requested by Roads and therefore they need to be clear of the impacts before seeking a specific form of lighting.	appropriate to cover this issue through an appropriately worded condition attached to a planning permission, it is nevertheless helpful for the APG to draw attention to this potential requirement. No change is necessary.	
Natural Heritage	12, 14, 15, 18, 20	There are concerns that the requirement for unnecessary additional studies will add to the costs and timescales for obtaining planning consents and delivering much needed housing and affordable housing. Guidance needs to be clear that sites and requirements will be assessed on a site-by-site basis.	NPF4 places an enhanced emphasis on natural heritage and addressing the biodiversity crisis. It is essential that these matters are afforded due consideration in the development management process and appropriate studies will be required to enable this. However, it is important to stress that 'unnecessary additional' studies will not be required to support planning applications. Requirements will be limited to those studies that are necessary to ensure appropriate consideration of natural heritage features based on site specific circumstances. No change is necessary.	No revision proposed.
Natural Heritage	23	Reference to policy NE1 Green Belt is essential in either paragraph 2.5 or 2.6.	Green Belt serves an important planning purpose, but it is important to note that it is not a natural heritage designation. It would therefore be inappropriate to refer to Green Belt within these sections of the APG.	No revision proposed.
Natural Heritage	23	It is good to see acknowledgement of the importance of Ancient Woodland in paragraph 2.5, but reference should be made for readers to access a list of Aberdeen's Ancient Woodland locations.	It is acknowledged that the APG could helpfully provide a reference to where more information on the location of ancient woodlands can be found. Appropriate text could be added to the end of the section on Ancient Woodlands (in section 2.5, pg 8 of the draft APG).	Add the following text to the end of the section on Ancient Woodlands (in section 2.5, pg 8 of the APG):  <i>"The <a href="#">Ancient Woodland Inventory</a> (AWI) is a map-based tool that gives a provisional guide to the</i>



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				<i>location of ancient woodland”.</i>
Natural Heritage	23	The link to the Land Use Strategy for Scotland on pg 18 (Further Reading) is not working.	Comment noted. The Further Reading section will also be subject to a more general review to ensure it includes details of all relevant documents that are referenced in the APG text.	Broken link repaired.  Further Reading section also generally reviewed to ensure it includes details of all relevant documents that are referenced in the APG text.
Natural Heritage	27	We strongly support the emphasis on tackling the climate change and biodiversity loss crises. We welcome that this guidance will assist in identifying natural heritage assets on development proposal sites and will guide the design of development to meet multiple targets.	Support welcomed.	Comment noted.
Natural Heritage	27	The guidance could go further in clarifying the need for enhancement measures separate to mitigation and compensation, ensuring it is in line with NPF4.	Section 2.3 of the APG sets out a hierarchy of measures that should be used to improve the effects of development on biodiversity. This includes: avoidance; mitigation; compensation; and enhancements. This makes it clear that enhancement applies separately from, and in addition to, any mitigation and compensation that may be required.  The APG also includes separate and distinct sections on ‘enhancements and overall biodiversity gain’ (section 2.11) and ‘mitigation and compensation’ (section 2.12). The section on enhancements and overall biodiversity gain makes it clear that <u>all</u> developments should make provision to achieve an overall biodiversity gain on their	No revision proposed.

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			site. It also clarifies that whilst some of the suggestions for mitigation and compensation in the following section (section 2.12) can also be used to add net gain in some instances, they would not be considered net gain unless they go above and beyond what is necessary to compensate any loss which has prompted their inclusion in a given development. The APG therefore already clarifies the need for enhancement measures separate from and in addition to mitigation and compensation. No further change is recommended.	
Natural Heritage	27	NPF4 introduces the concept of nature networks in local development plans and it would be useful for the guidance to set out the Council's thinking and approach to these.	This APG provides further guidance on the LDP. It cannot introduce new concepts or requirements that are not already included in policies in the LDP (which was produced prior to the publication and adoption of NPF4). There are therefore limited opportunities to develop the concept of nature networks at this stage, although this will be explored in more detail in the next LDP. It should also be noted that the Council is currently reviewing its Open Space Audit and Open Space Strategy, which will in turn inform an update of the Open Space and Green Infrastructure APG in the near future. There may be some scope to develop the concept of nature networks through these documents, and this will be explored as far as practicable.	No revision proposed.
Natural Heritage	27	We note that the guidance still references Scottish Planning Policy (SPP) and National Planning Framework 3 (NPF3) rather than the now adopted National Planning Framework 4 (NPF4).	Comment noted. The draft APG was approved for consultation prior to the formal adoption of NPF4, when SPP and NPF3 were still valid. These references will be updated in the final version of the APG.	SPP and NPF3 references/terminology replaced with updated NPF4 references/terminology.
Natural Heritage	28	Any risk of tree root intrusion should be addressed by adhering	Comment noted. The same comment has been made against a number of other draft APGs. Appropriate text	No revision proposed.

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		to the guidelines set out in Water for Scotland 4th Edition and Sewers for Scotland 4th Edition. Copies of water or waste water network drawings can be ordered from Asset Plan Providers.	has been added to the final versions of some APGs to ensure that new developments give due consideration to this point. There is limited value in including additional text within this APG as: i) it does not have a directly relevant section; and ii) the entire suite of APGs should be read as a whole so introducing additional text in this document would result in unnecessary duplication of content. No change is recommended in the context of this APG.	
Flooding, Drainage and Water Quality	12, 14, 15, 18, 20	No objection to the Guidance.	Support welcomed.	Comment noted.
Flooding, Drainage and Water Quality	12, 14, 15, 18, 20	References to Scottish Planning Policy in paragraphs 2.1, 2.3 and 2.7 should be removed, since Scottish Planning Policy has now been superseded by NPF4.	Scottish Planning Policy (SPP) has been superseded by NPF4 and so, references to SPP will be removed and replaced with reference to NPF4 where appropriate.	Paragraphs 2.1, 2.3 and, 2.7 references to Scottish Planning Policy removed.
Flooding, Drainage and Water Quality	12, 14, 15, 18, 20	SEPA's 2022 climate change guidance has been queried by Homes for Scotland. The APG approval should await the outcome of those conversations, or para 2.9 should be modified to allow for future proofing regarding the outcome of the discussions.	Aberdeen Planning Guidance has been prepared giving consideration to all relevant national and local guidance at the time of writing, and consultation with key agencies. Should there be future updates these can be actioned via a review of the Aberdeen Planning Guidance.	No revision proposed.
Flooding, Drainage and Water Quality	23	Ensure SuDS Guidance is adequate to protect and not pollute watercourses and adjacent lands in times of severe rainfall. Taking account that SuDS are not designed to alleviate flooding in times of severe rainfall, which are	The APG reflects the guidance and principles that have been set out in national and local guidance that were current at the time of preparation. The document includes links to all of the policy and guidance used. Whilst the Authority recognises the limitations of SuDS, the Planning Authority prepare Flood Risk Management Plans on a local level that set out requirements for flood	Comment noted.

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		likely to increase due to climate change.	prevention and surface water management on a local level. The Authority works closely with SEPA and Scottish Water to ensure guidance reflects the level of need for surface water management across the City and how it interacts safely with the existing watercourses and drainage infrastructure.	
Flooding, Drainage and Water Quality	28	In accordance with Sewers for Scotland where a shared drainage system is proposed for adoption by Scottish Water, this applies to assets sized for a 1:30 storm event. Any requests to vest SUDS infrastructure sized to 1:200 storm events will require a Joint Maintenance Agreement between Local Authority and Scottish Water under Section 7 Sewerage (Scotland) Act 1968.	Comment noted. Text will be added to the final version of the APG to draw attention to this.	Text added to APG.
Trees and Woodland	12, 14, 15, 18, 20	Providing separate guidance on Landscape, Food Growing, Natural Heritage, Trees and Woodland and Open Space & Green Infrastructure suggests that ACC is trying to be too prescriptive and control too much. It is argued that these topics should be contained within one guidance note.	Although these topics are linked, each one is important in its own right. Although they could be combined into one APG, it is considered that retaining separate documents will aid reading and ensure that each topic is afforded due attention. The proposed approach will also allow the guidance on separate topics to be updated more easily if required in the future.	No revision proposed.
Trees and Woodland	12, 14, 15, 18, 20	The requirement for buildings and structures to allow adequate space for a tree's natural growth, and appreciation of a trees zone of influence is too strict, and its	The requirement for buildings and structures to allow adequate space for a tree's natural growth, and the 'zone of influence' concept, is not new. This section of the draft APG is unchanged from the 2017 Supplementary	No revision proposed.

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		<p>application onerous. The requirement will be unworkable in built up areas and will have implications for delivery aspirations of existing, and LDP allocated sites. There is no mention of 'zone of influence' in the LDP. A strict requirement regarding a tree's 'zone of influence' will hinder sustainable development goals in new development.</p> <p>The guidance should be reviewed to offer greater degree of flexibility, and a merit-based approach to effective tree management. The current guidance may encourage individuals to adopt rogue measures, such as unnecessary felling of trees without statutory protection prior to the submission of a planning application. The 'zone of influence' requirement should be removed and a more pragmatic, flexible approach to the management of trees should be adopted.</p>	<p>Guidance, which has been operating successfully across Aberdeen for several years.</p> <p>Although LDP Policy NE5 does not specifically include the phrase 'zone of influence' (ZOI) it nevertheless states that <i>"Buildings and infrastructure should be sited to allow adequate space for a tree's natural development, taking into account the predicted mature height..."</i>. The APG is consistent with this policy. The ZOI terminology comes from the National House Building Council Standards 2021, Part 4.2 (Building Near Trees). As a familiar industry term that refers to the lateral extent of the influence of trees, and one that is referenced in terms of the mature height of trees, ZOI is considered an appropriate description for this purpose. Objections were raised to this part of policy NE5, and to the overall ZOI concept, at the Proposed LDP stage and the Examination Reporter concluded that <i>"this guidance is logical and reasonable and therefore is appropriate in assessing the impact a development may have on trees"</i> (Examination Report, pg 639, para 29).</p> <p>Further, it should be noted that the APG's references to ZOIs say variously: <i>"Buildings and associated infrastructure, including garden ground, should generally be located outwith the zone of influence..."</i>, <i>"The zone of influence is generally considered to be the distance from the bottom of a tree that is equal to the mature height..."</i> and <i>"In certain cases, the zone of influence may need to be increased..."</i>. None of these statements represent mandatory / prescriptive requirements, but rather they are guidance.</p>	

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			With respect to the comments about the guidance potentially encouraging individuals to adopt rogue measures such as unnecessary felling of trees prior to the submission of a planning application, it should be noted that the APG expressly discourages this. The final paragraph in section 2.5 states that ACC will not accept the deliberate clearing of sites as a pre-emptive step to the planning application process, and that where there is evidence of this having happened the site will be treated as if the trees were still in existence.	
Trees and Woodland	23	There is no mention of ACC's Trees and Woodland Strategic Implementation Plan (TWSIP) in paragraph 2.1. This is important information that must be made available to the public and developers. Areas categorised as 'Preferred sites for woodland expansion' in the TWSIP should warrant protection when considering potential development proposals.	It is agreed that a general reference to the TWSIP could helpfully be included within the APG. However, it should also be noted that the areas categorised as 'preferred' for woodland expansion exclude existing built-up areas and LDP allocations (where the vast majority of built development is expected to take place), and that the identification of an area as 'preferred' for woodland expansion within the TWSIP would not preclude development in and of itself.	Include an additional sentence at the end of the third para in section 1.1 of the APG to read:  <i>"In addition, it relates to the Council's Trees and Woodland Strategic Implementation Plan, which sets out the vision, strategic priorities and an action plan for the future stewardship and expansion of the City's urban, street trees, rural trees and woodlands."</i>
Trees and Woodland	27	In general, we are happy with the content and welcome the emphasis given to the value of trees and woodland in tackling the climate change crisis.	Support welcomed.	Comment noted.
Trees and Woodland	27	We would like to see the guidance have greater consideration for	Although these comments are acknowledged, the LDP and its associated suite of APGs should be read as a	No revision proposed.

Document	Respondee	Summary of Representation	Officer Response	Action as a result of Representation
		<p>biodiversity and the important role trees and woodland can play in addressing the biodiversity loss crisis and contributing to biodiversity enhancement in line with NPF4.</p> <p>The climate change and biodiversity loss emergencies are inherently interlinked which could be meaningfully emphasised throughout the guidance. As such we consider that it would be more appropriate to amend the heading of Section 1.3 'Climate Change' to 'Climate Change and Biodiversity'.</p> <p>We note that the guidance refers to the Natural Heritage Aberdeen Planning Guidance. However, it would be useful if the Trees and Woodland guidance referred to protected areas as well as highlighting that should a development (e.g. tree removal, ground works etc.) be likely to have a significant effect on a protected area, NatureScot would need to be contacted.</p>	<p>whole and the issues raised in these comments are addressed through the Natural Heritage APG. It is considered that including more information on these issues within this APG would result in unnecessary duplication.</p>	
Trees and Woodland	27	<p>In relation to masterplanning under Section 2.5 (p. 8), we welcome the promotion of early consideration of existing trees and woodland. This</p>	<p>Agreed. A change is proposed accordingly.</p>	<p>Amend the first sentence under the bullet point titled 'masterplanning' in section 2.5 to read as follows</p>

Document	Respondee	Summary of Representation	Officer Response	Action as a result of Representation
		<p>section could also highlight that existing trees and woodland should be not only retained but incorporated into the development design.</p>		<p>(additional text in bold):</p> <p><i>“At the start of the masterplanning process, consideration must be given to the retention of existing trees <b>and their incorporation into the development design, and the planting of new trees.</b>”</i></p>
	28	<p>Any risk of tree root intrusion should be addressed by adhering to the guidelines set out in Water for Scotland 4th Edition and Sewers for Scotland 4th Edition. Copies of water or waste water network drawings can be ordered from Asset Plan Providers.</p>	<p>Comment noted. Additional text could be included in the seventh bullet point under the heading ‘Arboricultural Impact Assessment (AIA) and Design Considerations’ on pg 11 of the APG to draw attention to this point.</p>	<p>Amend the seventh bullet point under the heading ‘Arboricultural Impact Assessment (AIA) and Design Considerations’ on pg 11 of the APG to read as follows (additional text in bold):</p> <p><i>“requirements for infrastructure, above and below ground services <b>(with any risk of tree root intrusion on water infrastructure being addressed by adhering to the guidelines in Water for Scotland 4th Edition and Sewers for Scotland 4th Edition or successor documents)</b>, roads and footpaths ...”</i></p>



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Food Growing	12, 14, 15, 18, 20	Providing separate guidance on Landscape, Food Growing, Natural Heritage, Trees and Woodland and Open Space & Green Infrastructure suggests that ACC is trying to be too prescriptive and control too much. It is argued that these topics should be contained within one guidance note.	Although these topics are linked, each one is important in its own right. Although they could be combined into one APG, it is considered that retaining separate documents will aid reading and ensure that each topic is afforded due attention. The proposed approach will also allow the guidance on separate topics to be updated more easily if required in the future.	No revision proposed.
Food Growing	12, 14, 15, 18, 20	Paragraph 2.2 requires development of all scales to consider incorporating food growing and only in exceptional circumstances will it be acceptable for food growing spaces not to be incorporated. This conflicts with the LDP. LDP policy NE2 makes no reference to the requirements for food growing.	There is no overall conflict between the APG and the LDP. LDP Policy NE2 makes specific reference to food growing. It states that: <i>"We will require the provision of biodiverse, usable and appropriate open space in new developments to ensure functionality. Please see Aberdeen Planning Guidance ... for information on how to calculate open space requirements, as well as different types of provision (including food growing)..."</i> . It goes on to say that: <i>"We will seek open space provision in all developments..."</i> . Para 6.20 of the LDP also specifically highlights the contribution that meaningful open space provision in new developments can make towards food growing in the city. However, it is acknowledged that the last sentence in the third paragraph of section 2.2 is likely to be overly prescriptive. A modification is recommended to address this.	Amend the last sentence in the third paragraph of section 2.2 to read as follows (amended text in bold): <b>"As such, developments will be expected to give appropriate consideration to the incorporation of only in exceptional circumstances will it be acceptable for food growing spaces to not be incorporated into the design."</b>

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Food Growing	12, 14, 15, 18, 20	<p>The APG provides thresholds for local and major developments in relation to communal food growing areas. Although there is a degree of flexibility in that food-growing provision will be appropriate to the scale and setting of each site (and this is welcomed) the requirements are too prescriptive. Also, the requirement for “appropriately sized” communal food growing spaces is ambiguous and risks creating uncertainty.</p>	<p>The support for the APG’s flexibility for food growing spaces to be appropriate to the scale and setting of each site is welcomed.</p> <p>The wording in section 3 of the APG is designed to offer flexibility to respond to site specific circumstances. The second sentence in the second paragraph says “...<i>all developments will be expected to consider incorporating food-growing into their plans...</i>”. The guidance for both local and major developments goes on to say that “...<i>new developments should seek to provide at least one appropriately sized communal food growing space...</i>” and that “<i>for households without a private growing space at least one communal food growing space for every 5 households is advised</i>”. These are not prescriptive requirements. Rather, they outline the Council’s general expectation that food growing spaces should be considered as part of the overall open space provision for a development and provide advice on the level of food growing provision that may be appropriate for different scales of development.</p> <p>The phrase ‘appropriately sized’ is used to allow site specific circumstances to be taken into consideration, and to ensure that any food growing spaces are appropriate to the scale and setting of each development, as noted above.</p> <p>Although not specifically raised in this comment, it is noted that there is a drafting error / inconsistency in the guidance for local and major developments in section 3 of the APG. As currently worded, local developments are advised to provide at least one appropriately sized food</p>	<p>Amend the guidance for major developments to state that they seek to provide at least one appropriately sized food growing space per 25 households or 5,000m<sup>2</sup> floor space.</p>

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			growing space per 25 households or 5,000m <sup>2</sup> floor space, whereas major developments are advised to provide a lower level of at least one appropriately sized food growing space per 50 households or 10,000m <sup>2</sup> floor space. It is recommended that this inconsistency be corrected in the final version of the APG by bringing the guidance for major developments into line with that for local developments.	
Food Growing	12, 14, 15, 18, 20	The requirement to provide allotments or community orchards in new developments over 50 homes is excessive when private gardens are provided, giving most homeowners the opportunity to grow food without the need for separate allotments and orchards.	The final sentence of the guidance for major developments in section 3 of the draft APG states that all new developments of over 50 homes are “ <i>expected to provide</i> ” allotments or community orchards within the mix of food growing spaces that are provided. It is acknowledged that this wording is more prescriptive than the remainder of the guidance in section 3 of the APG. It is also acknowledged that this may be excessive in some cases, particularly where private garden spaces are being provided for most / all of the dwellings in a development. It is agreed that it would be appropriate to amend the wording of this part of the APG to allow more flexibility and bring it into line with the rest of section 3.	Amend the final sentence of the guidance for major developments in section 3 of the APG to read as follows (additional text in bold):  “Additionally, all new developments of over 50 homes are expected to <b>consider providing</b> allotments or community orchards within the mixture of food-growing spaces provided.”
Food Growing	28	Any risk of tree root intrusion should be addressed by adhering to the guidelines set out in Water for Scotland 4th Edition and Sewers for Scotland 4th Edition. Copies of water or waste water network drawings can be ordered from Asset Plan Providers.	Comment noted. Additional text could be added to the end of section 2.3 (B) ‘Orchards’ to draw attention to this point.	Add additional text to the end of section 2.3 (B) ‘Orchards’ to read: “ <i>Any risk of tree root intrusion should be addressed by adhering to the guidelines set out in Water for Scotland 4th Edition and Sewers for Scotland 4th Edition (or any</i>

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				<i>relevant updates thereof). Copies of existing water or waste water network drawings can be ordered from Asset Plan Providers.”</i>
Food Growing	29	The APG requires provision of food growing spaces as a part of new residential development, with different standards for local developments and major. It only refers to an ‘appropriately sized space’. There needs to be an assessment of the appropriateness of such a space and if it would be sustainable and the best solution for the delivery of open space for a development. This will particularly be the case for housing with private gardens, where there may be more limited demand for community growing space. These spaces will also depend on residents retaining and managing them as a cost burden to them.	See the comments on provision of ‘appropriately sized’ spaces and the requirements for allotments and community orchards in housing developments with private garden space in response to respondents 12, 14, 15, 18, 20 above. With respect to management and maintenance of food growing spaces, the APG provides best practice guidance on management and maintenance in section 2.2. It also notes that food growing spaces need not always result in additional costs when compared with other forms of open space.	No revision proposed.
Outdoor Access	6	We welcome the Outdoor Access APG. We welcome the inclusion of all non-motorised users of all abilities. We welcome that new development should not compromise the integrity of existing or potential recreational opportunities and the commitment to the Core Paths Plan. We	Support welcomed.	Comment noted.

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		welcome that development should not impede access and new paths should link with other routes to form part of a wider network. We welcome that Design & Access Plans should be provided detailing future access provision. We welcome the inclusion of our Lowland Path Construction Guide.		
Outdoor Access	12, 14, 15, 18, 20	Section 1 states that "This APG specifically relates to and expands on the following policy in the Aberdeen Local Development Plan". It is not for the APG to go beyond supplementing policies within the LDP, or to introduce new and more onerous requirements for developments to meet. The APG must be limited to the provision of further information or detail in respect of policies or proposals set out in the LDP itself.	The text in section 1.1 (or a variation of it) was included in all of the draft APG documents. The phrase "expands upon" is intended to convey the meaning that the APG provides further information and/or detail on the specified LDP policies, not that it goes beyond supplementing those LDP policies. None of the guidance in this APG (or any of the other APGs) goes beyond supplementing the relevant LDP policies and it does not introduce any new or more onerous requirements for developments to meet beyond those that are set out in the relevant LDP policies. No change is recommended in response to this comment.	No revision proposed.
Outdoor Access	12, 14, 15, 18, 20	The APG appears to be sufficiently flexible to allow for unique solutions on a site-by-site basis.	Comment noted.	No revision proposed.
Outdoor Access	12, 14, 15, 18, 20	The draft guidance provides more overt recognition of the potential for developments to improve the existing Core Path Network and public rights of way. We do not object in principle, but greater flexibility is required in the wording to ensure that improvements are	In accordance with Circular 3/2012 'Planning Obligations and Good Neighbour Agreements', it is acknowledged that any improvements to the existing Core Path Network can only be sought where (amongst other things) they fairly and reasonably relate in scale and kind to the proposed development. It is agreed that additional wording could be added to the APG to confirm this. A change is recommended accordingly. Comments on the	Add an additional sentence to the end of the sixth paragraph in section 2.1 of the APG to read:  <i>"Any enhancements to, or contributions towards, the Core Path Network or other</i>

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		sought only on a commensurate basis. We also maintain concerns over proposed developer contributions for Core Paths (see "Planning Obligations").	Planning Obligations Supplementary Guidance are addressed elsewhere.	<i>public rights of way must fairly and reasonably relate in scale and kind to the proposed development, as well as meeting the remaining tests in Circular 3/2012 'Planning Obligations and Good Neighbour Agreements'.</i>
Outdoor Access	12, 14, 15, 18, 20	Further clarity is needed on what will trigger the requirement for a Design and Access Plan (DAP) in support of proposed developments. The guidance should clearly state when this is required, such as where a development will impact the Core Path Network or public rights of way. If this is not clearly defined, the preparation and submission of a DAP may be requested when not explicitly necessary.	It is agreed that additional guidance could helpfully be added to the APG to identify the circumstances when a DAP is likely to be required. A change is recommended accordingly.	Add an additional sentence to the end of the first paragraph in section 2.2 of the APG to read:  <i>"A Design &amp; Access Plan is likely to be required for major developments, developments where there is an existing Core Path or other right of way within or in close proximity to the site boundary, or where the planning authority consider it expedient for other specific reasons (e.g. if the development is likely to have an impact on a specific user group, or where access needs to be carefully managed for environmental reasons)."</i>

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				<p>Since one of the example circumstances where a DAP is likely to be required involves cases where access needs to be managed for environmental reasons, a corresponding technical change is required to include 'environmental impacts' in the subsequent list of factors that the DAP should consider where appropriate.</p>
Outdoor Access	12, 14, 15, 18, 20	<p>Most of the issues raised in the guidance can be addressed through good design and further control will be possible following the approval of developments, using the model condition given in Appendix 1. On that basis, the guidance can potentially be consolidated in its entirety.</p>	<p>It is agreed that the issues raised in the guidance can (and should) be addressed through good design. However, it is important to retain specific guidance on outdoor access in order to help inform the design process for new developments. As such, it is not proposed to consolidate this guidance or combine it with other more general design guidance.</p>	No revision proposed.
<b>Topic Area: Sustainable Use of Resources</b>				
Waste Management Requirements for New Developments	24	<p>On Page 14 – Part B – Waste &amp; Recycling - add 2 bullet points as below to the Applications must demonstrate the following part:</p>	<p>Agree – this will ensure residents can deal with their waste efficiently and will encourage safe and convenient recycling and disposal.</p>	<p>Add 2 bullet points as below to the “Applications must demonstrate the following” section:</p>

Document	Respondee	Summary of Representation	Officer Response	Action as a result of Representation
		<ul style="list-style-type: none"> <li>• Urban Locations – Residents maximum wheeled bin pull to vehicle collection point 50 metres.</li> <li>• Rural Locations - Residents maximum wheeled bin pull to vehicle collection point 100 metres.</li> </ul>		<ul style="list-style-type: none"> <li>• Urban Locations – Residents maximum wheeled bin pull to vehicle collection point 50 metres.</li> <li>• Rural Locations - Residents maximum wheeled bin pull to vehicle collection point 100 metres.</li> </ul>
Resources for New Developments	12, 14, 15, 18, 20	Welcomes flexibility regarding 'density' in section 2.1, but suggests flexibility to assess proposals on a site-by-site basis needs to be made clearer to allow for greater appreciation of potential site constraints (i.e. difference of density potential between brownfield and greenfield sites).	Agree that proposals should be considered on a site-by-site basis, this is a fundamental aspect of the plating system. This is sufficiently encouraged in Section 2.1 which states: ' <i>The planning for this should take into consideration the sites characteristics and the surrounding area.</i> ' This is reinforced in Section 5, which states: ' <i>We do not intend to make the process burdensome; therefore, the submission of information should be proportionate and relevant to the development proposed.</i> '	No revision proposed.
Resources for New Developments	12, 14, 15, 18, 20	Queries topic layout in document; 'Energy use in Buildings' is introduced in section 2.2, whereas measures to achieve energy efficiency are identified in section 4.	These sections cover different aspects of energy use in new buildings and are therefore separated in the document. Section 2.2 offers context to the subject of 'Energy Use in New Buildings' and gives an overview of the challenges in improving energy efficiency in new buildings in Aberdeen. While section 4 details the specific measures to be implemented to achieve energy efficiency in new buildings.	No revision proposed.
Resources for New Developments	12, 14, 15, 18, 20	Overall concern that APG is extensive and overly prescriptive. Queries whether detailed guidance concerning energy use and energy efficiency in buildings is necessary given the role of Building Standards in determining current	It is noted that there is an overlap between the regulatory function of Building Standards and the discretionary nature of planning. Section 4.2 adequately outlines the legislative context, as per Section 72 of the Climate Change (Scotland) Act 2009, and the Building Standards context. Section 5 states: ' <i>The overarching purpose of the planning system is to contribute to the achievement</i>	No revision proposed.



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		regulations. Suggests consolidating these issues and excluding non-planning matters.	<i>of sustainable development.... the collective implementation of all policy documents and strategies are what will ensure that Aberdeen is genuinely delivering sustainable development.</i> This statement justifies the intent of the content included in this APG and satisfies concerns raised.	
Resources for New Developments	12, 14, 15, 18, 20	Questions how use of LZCGT for the reduction of carbon emissions specified in APG and policy R6 will be applied in the assessment of planning applications, aside from use of Sustainability Checklists. Concern that requirement for incorporating use of a wide range of LZCGT is unreasonable and will be unviable for many developments (particularly for brownfield sites, that are already cost prohibitive but can offer net carbon benefits when developed).	Section 4.2.4 details the information required by applicants for assessment of proposals outwith the use of the Sustainability Checklist; the use of SAP calculations and Simplified Building Energy Model (SBEM), or other Dynamic Simulation Software. Section 5, which states: <i>'We do not intend to make the process burdensome; therefore, the submission of information should be proportionate and relevant to the development proposed.'</i> We feel this statement provides comfort regarding the concerns raised. The viability of development proposals is also a consideration when assessing development.	No revision proposed.
Resources for New Developments	12, 14, 15, 18, 20	Suggests placing greater emphasis on passive measures (layout, building fabric etc) for achieving carbon reduction of new developments. This should shift focus towards reducing the need to generate energy through passive means, rather than generating energy.	Welcome the comment and agree that passive measures for improving the energy efficiency of new buildings should be implemented in the first instance. This is encouraged throughout Section 2.2, which outlines the benefits of passive measures for carbon reduction; and in Section 4.3.1, which states: <i>"By reducing the energy demand of a building in the first instance, as far as is practicable, it becomes more feasible to then provide the lower energy requirements through low and zero carbon generating technologies."</i> This should also be considered when adhering to the APGs guidance on achieving the 'Gold' Building Standards requirement, which encourages	No revision proposed.

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			developers to adopt a “whole-dwelling approach” to energy demand reduction in a new build.	
Resources for New Developments	12, 14, 15, 18, 20	Refers to comments on ‘Amenity’ APG document for section 2.3. Suggests including wording that recognises the best practice for layout, orientation, shelter and aspect is not feasible for all developments.	Comments noted. The viability of development proposals is also a consideration when assessing development. Section 2.3 highlights a range of passive measures for reducing energy demand, and does not imply that all measures are relevant to every development. Rather, it intends to provides options for developers to consider applying to their development.	No revision proposed.
Resources for New Developments	12, 14, 15, 18, 20	Requests clarity to demonstrate why the issue of water use in buildings should be considered at all within the scope of planning applications in Section 3. Concern this is not a planning matter, as its addressed in building regulations.	As is noted in the ALDP 2023 managing the use of water and increasing water efficiency is vital to reduce pressure on the River Dee, which is the main source of drinking water for Aberdeen City and Aberdeenshire, and is a special area of conservation. The combined impact of climate change, population and economic growth may have a long term impact on abstraction rates from the River Dee, therefore managing this resource is necessary.	No revision proposed.
Resources for New Developments	12, 14, 15, 18, 20	Policy R6 and this APG should be applied on site-by-site basis, proportionate to each proposal (with consideration of constraints and merits of each proposal, e.g., the reuse of a brownfield site) to ensure viability. Suggests wording to clarify this in section 4.3.	Section 72 of the Climate Change (Scotland) Act 2009 requires Planning Authorities to make provisions to tackle greenhouse gas emissions in all new buildings. This is echoed within the statutory development plan. All material considerations including viability are assessed when determining planning applications, there is no requirement to clarify.	No revision proposed.
Resources for New Developments	12, 14, 15, 18, 20	Sustainability Checklist is extensive, suggests that issues covered within Checklist should be set out in the LDP rather than APG.	Comments noted. It is understood that the Checklists cover a wide range of topics. However, these are included to inform discussion about the overall sustainability of new buildings in Aberdeen. As these are intended to offer guidance for new development, their inclusion is not required in the LDP. There is no requirement to “set out” within the LDP, or provide a hook	No revision proposed.

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			between the LDP and the APG as there is for supplementary guidance, as the document is non-statutory planning guidance.	
Resources for New Developments	12, 14, 15, 18, 20	Welcomes Checklists as tools for officers and developers to provide guidance on best practice. Objects to use of Checklists to determine planning applications in terms of relevant LDP policies, with officers using Checklists as negotiation tools for discussions of applications, and as a material basis for officers' recommendations of individual applications. Checklists would be too rigid as a formal assessment method and unlikely to be used on a proportionate basis. Achieving compliance with many issues covered on Checklist is not specified, and how this will be demonstrated this within a planning application is unclear. Checklist covers topics already addressed in building regulations.	Comments noted. Concern regarding over-reliance on use of Checklists is understood. However, we feel that Section 5 adequately highlights to users that the intent of the Checklists are to guide new development, outlining areas for users to consider, rather than forming a formal assessment of a proposal.	No revision proposed.
Wind Turbine Development	27	The respondent believes that the guidance is outdated and would benefit from review to bring it up to date with current policy landscape, such as NPF4. The respondent recommends looking at its suite of guidance. The mapping should also be reviewed and could	It is agreed that the guidance is out of date. The comments relating to the suite of guidance and landscape sensitivity assessment guidance are noted.	In light of the adoption of NPF4 and the policy intent of Policy 11, to encourage, promote and facilitate all forms of renewable energy development onshore and offshore, it is considered that the adoption of this

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		reference Landscape Sensitivity Assessment Guidance (2022).		APG be paused to allow for investigation and the possible development of a renewable energy APG, which will address more than wind turbine developments. The comments relating to the suite of guidance and landscape sensitivity assessment guidance are noted and will be taken on board in any future review.
Wind Turbine Development	28	Refers to regulatory requirements under article 7 of the Water Framework Directive and that developers submit to Scottish Water for their review. There are other related informatives attached in relation to discharge of trade effluent.	These are informatives that Scottish Water would apply to wind turbine applications and refer to separate legislation outside planning. There is no need to add any of the included to planning guidance.	In light of the adoption of NPF4 and the policy intent of Policy 11, to encourage, promote and facilitate all forms of renewable energy development onshore and offshore, it is considered that the adoption of this APG be paused to allow for investigation and the possible development of a renewable energy APG, which will address more than wind turbine developments.
Wind Turbine Development	30	Seeks reference to the pipeline consultation zone in the attached maps. Reference should be made that any turbines proposed in the consultation zone must accord with	The pipeline consultation zone is included within the Constraints map of the Local Development Plan and there is no need for it to be replicated in the guidance.	In light of the adoption of NPF4 and the policy intent of Policy 11, to encourage, promote and facilitate all forms of renewable energy

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		HSE's land use planning advice and methodology.		development onshore and offshore, it is considered that the adoption of this APG be paused to allow for investigation and the possible development of a renewable energy APG, which will address more than wind turbine developments.
Wind Turbine Development	30	<p>Reference should also be made to guidance prepared by United Kingdom Onshore Pipeline Operator's Association (UKOPA) regarding siting of wind turbines close to high pressure pipelines. The following text is sought for section 2.8:</p> <p>"All wind energy developments must ensure that and any wind turbines proposed within pipeline consultation zones must accord with the Requirements of the Health and Safety Executive's land use planning advice and the Guidance prepared by the United Kingdom Onshore Pipeline Operator's Association (UKOPOA) regarding the siting of wind turbines close to high pressure pipelines."</p>	<p>Consultation with the Health and Safety Executive, and use of their land use planning advice is standard procedure within the determination of application within pipeline consultation zones. The UKOPA Good Practice Guide, provides guidance for wind turbine developers and designers; is it not a statutory document.</p> <p>Reference could be made to the UKOPA Good Practice Guide in the Further Reading section of the APG.</p>	In light of the adoption of NPF4 and the policy intent of Policy 11, to encourage, promote and facilitate all forms of renewable energy development onshore and offshore, it is considered that the adoption of this APG be paused to allow for investigation and the possible development of a renewable energy APG, which will address more than wind turbine developments.

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Wind Turbine Development	30	The guidance should reference NPF4 Policy 23 in relation to proposals within the vicinity of a major accident hazard pipeline. The respondent notes that Angus and Fife Councils have referenced UKOPO guidance on their equivalent documents.	NPF4 is part of the statutory development plan, there is no need to reference this in the APG, it should be a given that NPF4 will be part of any assessment and determination of an application.	No revision proposed, however note comments above re a wider review of this document in the context of NPF4.
<b>Site Based Guidance</b>				
Countesswells Development Framework and Phase One Masterplan	21	The Countesswells Development Framework and Phase 1 Masterplan should be adopted as non-statutory planning guidance to allow for flexibility in approach. The document was first produced in 2014, and rolled forward in to the 2017 Aberdeen Local Development Plan. A number of changes have occurred to the site since its creation; the Development Framework and Phase 1 Masterplan should be viewed as an overview of the development, setting out principles and a framework. Under the new planning act supplementary guidance is to be removed from the planning system.	In line with the amendments made to planning legislation through the Planning (Scotland) Act 2019 and to be in step with these, Aberdeen City Council took the decision to progress the majority of documents associated with the Aberdeen Local development Plan 2023 as non-statutory planning guidance, titled Aberdeen Planning Guidance. The single Supplement Guidance document is Planning Obligations. Committee Report COM/22/284 presented to Full Council on 14 December 2022 outlines the background into this decision. The Countesswells Development Framework and Phase 1 Masterplan is proposed to be adopted as non-statutory planning guidance, titled Aberdeen Planning Guidance	No revision proposed.

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Countesswells Development Framework and Phase One Masterplan	27	Supportive of the vision and the focus on creating a distinctive, inclusive, mixed- use place with an integrated approach to design, which has a focus on setting and path networks.	The support for the vision and focus of the masterplan is welcome.	No revision proposed.
Countesswells Development Framework and Phase One Masterplan	27	The document should be updated to consider the climate change and biodiversity loss crisis more acutely and demonstrate this in the vision, and throughout the document; as is noted in NPF4.	This APG provides further guidance on the LDP. Both the APG and the LDP were prepared prior to the publication and adoption of NPF4. There are therefore limited opportunities to develop the concept of nature networks at this stage, although this will be explored in more detail in the next LDP. It should also be noted that the Council is currently reviewing its Open Space Audit and Open Space Strategy, which will in turn inform an update of the Open Space and Green Infrastructure APG in the near future. There may be some scope to develop the concept of nature networks through these documents, and this will be explored as far as practicable. It should also be noted that NPF4 forms part of the statutory development plan, which means that it will be taken into account in the determination of any future planning applications for the site.	No revision proposed.

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Countesswells Development Framework and Phase One Masterplan	27	NPF4 also sets out ambitions for nature networks and Countesswells presents an excellent opportunity to explore options for creating a nature network between Hazlehead and Countesswells. The green network and path network can provide a foundation for this and we would be happy to discuss nature networks further with the Council	This APG provides further guidance on the LDP. It cannot introduce new concepts or requirements that are not already included in policies in the LDP (which was produced prior to the publication and adoption of NPF4). There are therefore limited opportunities to develop the concept of nature networks at this stage, although this will be explored in more detail in the next LDP. It should also be noted that the Council is currently reviewing its Open Space Audit and Open Space Strategy, which will in turn inform an update of the Open Space and Green Infrastructure APG in the near future. There may be some scope to develop the concept of nature networks through these documents, and this will be explored as far as practicable.	No revision proposed.
Dubford Development Framework			No comments received on this draft APG	
Former Davidson's Mill Development Framework and Masterplan			No comments received on this draft APG	
Friarsfield Development Framework			No comments received on this draft APG	
Grandhome Development Framework			No comments received on this draft APG	
Maidencraig Masterplan			No comments received on this draft APG	
Newhills Development Framework			No comments received on this draft APG	



Document	Respondee	Summary of Representation	Officer Response	Action as a result of Representation
Oldfold Development Framework and Masterplan			No comments received on this draft APG	
Persley Den/Woodside Masterplan			No comments received on this draft APG	
Rowett North AECC Development Framework			No comments received on this draft APG	
Bridge of Don AECC Development Framework			No comments received on this draft APG	