

## ABERDEEN CITY COUNCIL

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<b>COMMITTEE</b>	Council
<b>DATE</b>	3 July 2024
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Aberdeen Local Development Plan 2028 – Evidence Report
<b>REPORT NUMBER</b>	CR&E/24/187
<b>EXECUTIVE DIRECTOR</b>	Gale Beattie
<b>CHIEF OFFICER</b>	David Dunne
<b>REPORT AUTHOR</b>	Andrew Brownrigg
<b>TERMS OF REFERENCE</b>	11.

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### 1. PURPOSE OF REPORT

- 1.1 To inform Council of the Evidence Report for the Local Development Plan 2028 and to seek authority to carry out consultations and produce the Report.

### 2. RECOMMENDATIONS

That Council:-

- 2.1 Instruct the Chief Officer - Strategic Place Planning to carry out engagement to inform the production of the draft Evidence Report and associated documents;
- 2.2 Instruct the Chief Officer – Strategic Place Planning to carry out a formal consultation on the draft Evidence Report once produced; and,
- 2.3 Instruct the Chief Officer – Strategic Place Planning to report the results of the consultation (including any unresolved issues) and finalised Evidence Report back to Full Council in mid-2025, prior to being sent to the Scottish Ministers for Gate Check.

### 3. CURRENT SITUATION

- 3.1 The Aberdeen Local Development Plan (LDP) was adopted in June 2023. Following adoption of National Planning Framework 4 (NPF4) in February 2023, every planning authority in Scotland is expected to have a new-style LDP in place by 2028. As preparation is anticipated to take around 4 years, the Local Development Plan Team have already started work on LDP review.
- 3.2 In preparing the current LDP, two key themes became an area of focus, Public Health and the Nature and Climate emergencies. Planning can be a powerful tool in helping to address these challenges, and that is reflected in the policies in the new National Planning Framework. On the other hand, poor planning can

exacerbate existing problems and inequalities. In working to address these challenges in the current LDP, two new and innovative steps were taken.

### 3.2.1 *United Nations Sustainable Development Goals (UNSDG).*

The current LDP was our first plan to specifically assess the policies in the plan against the UNSDG. The aim was to undertake a high level assessment of how the policies would likely impact on new development proposals across the city in the context of the nature and climate emergencies.

### 3.2.2 *Health and Wellbeing*

The current LDP was also the first plan to group a number of policies under a specific *Health and Wellbeing* topic area, and the first plan to introduce a *Health Impact Assessment*, a policy specifically designed to assess the impact of certain new developments on the health of the population.

3.2.3 In the next LDP, and the first new-style plan, this initial work looking at Health, and the Nature and Climate emergencies will be much expanded. In particular working with Public Health Colleagues at NHS Grampian, and the Health Determinants Research Collaboration it is intended to take a health in all policies approach. This aims to ensure all policies within the plan look to improve health outcomes wherever possible, and limit any negative impacts where they are identified. It is also intended to link the new LDP much more closely with the objectives of the Local Outcome Improvement Plan (LOIP) as well as other key strategies such as Net Zero Aberdeen and Aberdeen Adapts.

3.3 The stages of preparing a new-style Local Development Plan are set out in primary/secondary legislation and supporting guidance from the Scottish Government. An Evidence Report is the first formal stage in plan review/preparation. The Evidence Report must set out robust data in order to inform the planning authority on its approach to specific issues, and the Report will inform preparation of a 'Proposed Plan' to set out where development should take place. The Evidence Report needs to include a range of information including research, early engagement and technical reports on a range of topics.

3.4 The Evidence Report must also include a statement on the steps the planning authority have taken in preparing the report to seek the views of the public and in particular other specific groups such as disabled persons, gypsy/travelers and children and young people.

3.5 The Evidence Report for Aberdeen City will be split into 8 different topic groups to allow members of the public to focus on any particular subject that they have an interest in, avoiding stakeholders from becoming overwhelmed by a document so wide in scope that meaningful consultation becomes difficult:

- Spatial strategy
- Delivery of homes
- Infrastructure, transport and communication
- Wellbeing of community
- Climate change, mitigation and adaptation
- Nature and biodiversity

- Energy and resources
  - Centres of business and culture
- 3.6 Review Groups will be set up for each of the topic groups which will look over and discuss draft topic papers and provide focused insight which the Local Development Plan Team can utilise to make improvements. These groups will include a mixture of internal and external stakeholders depending on the topic, and some public consultation will also be undertaken. Internal consultations with other Council services will also take place to inform preparation of the Evidence Report and to ensure there is alignment between the evidence base and the existing strategies and delivery programmes across the Council.
- 3.7 For the Housing topic group a dedicated session will be arranged with the house building industry to discuss deliverability, the important role of developer obligations and the pressures of public sector service delivery being felt by the Council but also other community planning partners such as NHS Grampian.
- 3.8 During this process, and subject to Council approval, there will be a 6 week formal consultation period where the public and other stakeholders have the opportunity to comment upon the Evidence Report Topic Papers. Meetings with Community Councils and other key groups will also take place.
- 3.9 The results of the consultation and the final Evidence Report will be brought back to Council for members to consider and agree. In addition, any disputes arising as a result of the consultation that cannot be resolved will be highlighted to members. The unresolved issues will then be passed on to the Scottish Government at the 'Gate Check' stage. A Reporter from the Directorate of Planning and Environmental Appeals will then determine whether the Council is required to provide any further information with respect to the submitted Evidence Report and the unresolved disputes.

#### Associated Documents

- 3.10 There will not only be public engagement and consultation on the preparation of the Evidence Report itself, but also on other associated documents, plans and strategies that will provide some of the baseline information for the Report:
- Play Sufficiency Assessment – an assessment of the sufficiency of play opportunities for children in their area, carried out by a planning authority under the duty as set out in Section 16D(1) of the Town and Country Planning Scotland Act 1997, as amended. Must be done by the planning authority in preparing an Evidence Report.
  - Open Space Strategy - a strategic framework of the planning authority's policies and proposals on the development, maintenance and use of green infrastructure in their district, including open spaces and green networks. It must contain: an audit of existing open space provision, an assessment of current and future requirements, and any other matter which the planning authority consider appropriate.

- Forestry and Woodland Strategy - prepared by a planning authority and which sets out policies and proposals for the development of forestry and woodlands in their area, according to section A159 of the Town and Country Planning (Scotland) Act 1997.

3.11 Both the Open Space Strategy and the Forestry and Woodlands Strategy will be included within an overarching Natural Environmental Strategy, and discussions with the James Hutton Institute on preparation of this overarching strategy are currently ongoing.

### Revised Development Plan Scheme

3.12 In addition, the Team will soon bring forward the second iteration of the Development Plan Scheme which is the document setting out the planning authority's programme for preparing and reviewing the LDP. This includes a 'participation statement' setting out the plan for engagement in the plan making process, including when consultation is likely to take place, with whom and its likely form. The intention is to report the updated Development Plan Scheme to Finance and Resources Committee in August 2024. This will provide an updated timetable for the production of the LDP. In terms of the Evidence Report, it is anticipated that its engagement, production and formal consultation will take around a year to complete. We would intend reporting back to Council in Summer 2025, along with the finalised Evidence Report and unresolved disputes.

## **4. FINANCIAL IMPLICATIONS**

4.1 There are no direct financial implications associated with this report. The cost of preparing the Evidence Report can be met through the existing Development Plan budget.

## **5. LEGAL IMPLICATIONS**

5.1 Section 16B of the Town and Country Planning (Scotland) Act, 1997 as amended by the 2019 Act, sets out the requirements for the Evidence Report in preparing a Local Development Plan. In summary, it outlines the need to prepare an Evidence Report and the specific requirements to be included (to cover the matters set out at Section 15(5) of the Act), as well as the specific groups of people whose views are to be sought and reported on.

## **6. ENVIRONMENTAL IMPLICATIONS**

6.1 The Evidence Report is essentially a data and information gathering exercise – policies will be drawn up later. There are therefore no significant environmental implications with regards to the Evidence Report. The Local Development Plan itself will be subject to Strategic Environmental Assessment.

## 7. RISK

7.1 The assessment of risk contained within the table below is considered to be consistent with the Council's Risk Appetite Statement.

<b>Category</b>	<b>Risks</b>	<b>Primary Controls/Control Actions to achieve Target Risk Level</b>	<b>*Target Risk Level (L, M or H)</b>	<b>*Does Target Risk Level Match Appetite Set?</b>
<b>Strategic Risk</b>	Not delivering the aims of the City Centre Masterplan, LOIP and Local Development Plan.	Ensure that the Evidence Report is produced timeously.	L	<b>Yes</b>
<b>Compliance</b>	Ensuring compliance with National Planning Framework 4.	Ensure that the Evidence Report is produced timeously.	L	<b>Yes</b>
<b>Operational</b>	Ensuring that the Evidence Report can be timeously published in order to support the new plan process.	Ensure that the Evidence Report is produced timeously.	L	<b>Yes</b>
<b>Financial</b>	Not having an up to date Local Development Plan could lead to uncertainty at planning application stage and potentially lead to more staff time being spent processing applications.	Ensure the timetable for producing the next LDP remains on course.	L	<b>Yes</b>
<b>Reputational</b>	The planning authority tries to keep the LDP up to date to allow for clarity and transparency of the development plan process. Failure to continue this could damage the	Ensure the timetable for producing the next LDP remains on course.	L	<b>Yes</b>

	Council's reputation as a planning authority.			
<b>Environment / Climate</b>	Not keeping the LDP up to date opens the possibility of inconsistency in decision making and misinformation in the public domain.	Ensure the timetable for producing the next LDP remains on course.	L	<b>Yes</b>

## 8. OUTCOMES

<b>Council Delivery Plan 2024</b>	
<b>Impact of Report</b>	
<b>Aberdeen City Council Policy Statement</b>  <u><a href="#">Working in Partnership for Aberdeen</a></u>	Empowering Aberdeen's Communities – the Evidence Report will set out the Council's commitment to working with communities and other entities in its preparation.
<u><a href="#">Local Outcome Improvement Plan</a></u>	
Prosperous Economy Stretch Outcomes	The proposals will support the delivery of LOIP Stretch Outcome 1 by identifying areas which may be deficient in services and facilities so that these can be addressed in future policies.
Prosperous People Stretch Outcomes	The proposals within this report support the delivery of LOIP Stretch Outcome 5 by ensuring that children and young people feel listened to in terms of the consultation process in the preparation of a new Local Development Plan.
Prosperous Place Stretch Outcomes	Bringing forward the open space strategy and forestry and woodland strategy will support the deliver of LOIP stretch outcome 15 - addressing the nature crisis by protecting/ managing 26% of Aberdeen's area for nature by 2026.
<b>Regional and City Strategies</b>	The Evidence Report will support the Aberdeen Local Development Plan 2028 through providing more information on the content of the Plan and ensuring better evidence based policies. It will

	ensure Aberdeen is an excellent place to live, visit and do business.
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## 9. IMPACT ASSESSMENTS

Assessment	Outcome
<b>Integrated Impact Assessment</b>	An assessment has been completed and no medium or high negative impacts have been identified that would require mitigation.
<b>Data Protection Impact Assessment</b>	Not required.
<b>Other</b>	Not required.

## 10. BACKGROUND PAPERS

- 10.1 Scottish Government Local Development Planning Guidance  
<https://www.gov.scot/publications/local-development-planning-guidance/documents/>

## 11. APPENDICES

- 11.1 N/A

## 12. REPORT AUTHOR CONTACT DETAILS

<b>Name</b>	Andrew Brownrigg
<b>Title</b>	Team Leader, Development Plan
<b>Email Address</b>	<a href="mailto:abrownrigg@aberdeencity.gov.uk">abrownrigg@aberdeencity.gov.uk</a>
<b>Tel</b>	07870 487687