

Aberdeen City Council

Aberdeen Local Development Plan 2017

Local Development Plan Scheme

Introduction

The Planning etc. (Scotland) Act 2006 (the Act) requires all Councils to prepare a Development Plan Scheme at least annually. This Development Plan Scheme sets out Aberdeen City Council's programme for preparing a new Aberdeen Local Development Plan. This is the first Local Development Plan Scheme for the next Aberdeen Local Development Plan, which we would expect to adopt in 2020.

This document provides information on the following issues:

- The development plans we have now;
- Why we need to progress a new Local Development Plan (LDP);
- The timetable for preparing this plan (the project plan); and
- The timetable for engaging people in the preparation of the plan and how we will do this (the participation statement).

What Development Plans do we have now?

The Development Plan system in Aberdeen consists of two core statutory documents:

- The Aberdeen City and Shire Strategic Development Plan (2014); and
- The Aberdeen Local Development Plan (2017) which replaced the previous Aberdeen LDP (2012).

Why we need to prepare a new Local Development Plan

Planning Authorities are required to prepare a new development plan at least every 5 years.

The Strategic Development Plan (SDP) was published in 2014. This SDP states how land will be allocated for development to 2035 to ensure there is a continuous supply of housing and employment land. Putting the SDP into practice is achieved through LDPs within Aberdeen City and Aberdeenshire. The Aberdeen LDP 2017 complies with the SDP 2014. The SDP 2014 will be replaced over the next 2 years. Because of this, the ALDP will also need to be replaced in order to reflect a new SDP.

Preparing the Aberdeen Local Development Plan (2020)

This Development Plan Scheme sets out a number of stages in preparing the new Aberdeen LDP.

Stage 1 – Publishing the Development Plan Scheme

The Development Plan Scheme includes a Participation Statement, describing when, how, and with whom consultation will take place, and a timetable outlining when the various stages required in the preparation of the LDP will be undertaken.

The Planning etc. (Scotland) Act requires the adopted Development Plan Scheme to be published (including electronically), two copies to be sent to Scottish Ministers and copies to be placed in all public libraries. We will also send it to, or inform, the key agencies and consultees.

Stage 2 – Preparing the Main Issues Report

In January 2018 we will publish a Main Issues Report (MIR). This will be a discussion document summarising the main planning issues facing Aberdeen. It will outline the major differences in approach to the current LDP (2017). In doing so it will also take into account the requirements of the SDP and any issues arising out of the emerging SDP.

The MIR will link closely to the process of Strategic Environmental Assessment (SEA). All proposals (preferred and alternative) put forward in the MIR will be environmentally appraised and a draft Environmental Report will be published alongside it.

Prior to its publication we will invite people to submit comments and ideas for the MIR. These comments could be regarding new policy approaches for the LDP and/or land allocations for development. This process will likely take place between July and August 2017.

The emerging SDP may suggest the identification of further housing and employment allocations, including proposals to redevelop brownfield sites in the urban area. A development options form and a sustainability checklist will be posted on the Council's website at an appropriate time. All submissions will be assessed against sustainability criteria and, following further consultation, will inform the content of the MIR.

We will publish a Monitoring Statement alongside the MIR which will look at:

- Changes in the principal physical, economic, social and environmental characteristics of the area that have occurred since the preparation of the existing LDP; and
- The impact of the policies and proposals of the existing LDP.

We will also publish the following documents alongside the MIR:

- A Development Options Assessment Report which details our assessment of the development options submitted to us;
- An Equalities and Human Rights Impact Assessment (EHRIA) of the MIR;
- An SEA which appraises all proposals in the MIR;
- Policy and Supplementary Guidance Tables that detail the main changes proposed for policy and supplementary guidance;
- A Strategic Flood Risk Assessment to satisfy the requirements placed on local authorities under section 1 of the Flood Risk Management (Scotland) Act 2009; and
- A Wind Spatial Strategy assessing opportunities for identifying areas suitable for wind turbine developments.

Stage 3 – Preparing and Publishing the Proposed Plan

The Proposed Aberdeen Local Development Plan will be written by the Council and will respond to matters raised at earlier engagement and participation stages. It will consist of a Spatial Strategy (outlining where we consider development should and should not go), supported by a detailed proposals map showing land allocations (zones) where development of particular kinds (such as housing or business) will be supported in principle, and policies to guide the development of Aberdeen up to 2031. Where appropriate, there will be indicative policies showing how Aberdeen may develop in the longer term upto 2040. The Plan will also include a schedule of land owned by the Council which will be affected by any of the policies and proposals. It will be accompanied by a SEA and Habitats Regulation Assessment (HRA) covering all of the policies and sites.

In addition we are required to publish a proposed Action Programme alongside the Proposed LDP, setting out how we propose to implement the new LDP through:

- A list of actions (such as the delivery of key infrastructure and the preparation of Supplementary Guidance) required to deliver each of the plan's proposals and the policies to support sustainable growth;
- The name of the person or organisation who is to carry out each action; and
- The broad timescale for carrying out each action

Actions are not limited to those by the planning authority. In preparing the proposed Action Programme, we will consult and consider the views of the key agencies and consultees, Scottish Ministers and anyone the Council proposes specifying by name in the Action Programme.

Stage 4 - Examination of the Proposed Plan

Upto this point, we will have tried to resolve as many objections as possible. However, we cannot guarantee that the Proposed Plan will match everyone's views. At this point, it is likely that the Council will publish the Plan and submit it to Scottish Ministers for Examination. The Examination will be carried out by independent reporters appointed by the Scottish Government.

Stage 5 - Adoption of the LDP

Depending on the outcome of the Examination, this is the stage at which we would expect the Aberdeen LDP to be adopted (see Participation Statement).

Development Plan Scheme Programme

STAGE 1 - Publishing the Local Development Plan Scheme	TIMEFRAME
<ul style="list-style-type: none"> • Report Development Plan Scheme to Communities, Housing and Infrastructure Committee 	24 January 2017
<ul style="list-style-type: none"> • Publish Development Plan Scheme and issue two copies to Scottish Government 	January/February 2017
<ul style="list-style-type: none"> • Pre-consultation questionnaire sent out • Publish development options form and sustainability checklist 	July 2017
<ul style="list-style-type: none"> • Pre-Main Issues Report consultation 	July/August 2017

STAGE 2 - Preparing the Main Issues Report	TIMEFRAME
<ul style="list-style-type: none"> • Process and assess pre-Main Issues Report comments and submissions 	September – November 2017
<ul style="list-style-type: none"> • Draft Main Issues Report and Strategic Environmental Assessment Scoping Report 	October – November 2017
<ul style="list-style-type: none"> • Draft Monitoring Statement 	October - November 2017
<ul style="list-style-type: none"> • Publish Main Issues Report and issue to persons and key agencies 	January 2018
<ul style="list-style-type: none"> • Publish Monitoring Statement 	January 2018
<ul style="list-style-type: none"> • Send Strategic Environmental Assessment Scoping Report to consultation authorities 	January 2018

STAGE 3 - Preparing and publishing the Proposed Aberdeen Local Development Plan	TIMEFRAME
<ul style="list-style-type: none"> • Prepare and publish updated Local Development Plan Scheme and issue to Scottish Government 	January 2018
<ul style="list-style-type: none"> • Process representations to the Main Issues Report 	March – June 2018
<ul style="list-style-type: none"> • Prepare Proposed Aberdeen Local Development Plan 	June – October 2018
<ul style="list-style-type: none"> • Prepare draft Action Programme 	October/November

	2018
• Prepare Environmental Report	Nov/Dec 2019
• Report to Council	Nov/Dec 2019
• Prepare and publish updated Local Development Plan Scheme and issue to Scottish Government	January 2019
• Publish Proposed Aberdeen Local Development Plan and notify to persons and key agencies	January 2019
• Publish Proposed Action Programme	January 2019
• Publish Environmental Report and send to SEA Gateway under 2004 Regulations	January 2019
• Notification of Neighbours	January 2019
• Objection and representation period	January – March 2019

STAGE 4 - Preparing for the Examination of the proposed Aberdeen Local Development Plan	TIMEFRAME
• Consider Objections to Proposed Plan and draft Environmental Report	March – July 2019
• Response to representations (Schedule 4's)	September 2019
• Report of Conformity with Participation Statement	September 2019
• Submit Proposed Plan, Action Programme and Statement of Conformity with Participation Statement (as modified if relevant) with Note of Representations and how these have been taken account of to Ministers. • Publicise submission of plan • Request Scottish Ministers to appoint an Examination of the Proposed Plan and Environmental Report • Advertise Examination of Proposed Plan and serve Notice on known interested parties	October 2019
• Examination in Public	October 2019 – July 2020
• Receive the Report of Examination	July 2020

STAGE 5 - Adoption of the Aberdeen Local Development Plan	TIMEFRAME
<ul style="list-style-type: none"> Consider recommendations and report to the Council 	September – October 2020
<ul style="list-style-type: none"> Publish Modifications and Proposed Plan as modified 	October 2020
<ul style="list-style-type: none"> Advertise 'intention to adopt' the Aberdeen Local Development Plan Notify each person who made representations of publication and intention to adopt 	October 2020
<ul style="list-style-type: none"> Notify Scottish Ministers of our intention to adopt the Aberdeen Local Development Plan 	October 2020
<ul style="list-style-type: none"> Adopt the Aberdeen Local Development Plan (28 days after notification to Scottish Ministers) and Environmental Report 	November 2020
<ul style="list-style-type: none"> Send two copies of the Aberdeen Local Development Plan and Environmental Report to Scottish Ministers 	November 2020
<ul style="list-style-type: none"> Deposit copies of the Aberdeen Local Development Plan in libraries, notify each person who made representations and advertise it 	November 2020
<ul style="list-style-type: none"> Publish Action Programme and Environmental Report Post Adoption Statement (within 3 months of adoption) 	February 2021

Participation Statement

Aberdeen City Council is strongly committed to encouraging interest and wide public involvement in the preparation of the new Local Development Plan. This Participation Statement explains how local communities and other stakeholders will be engaged and will have the opportunity to be involved in the preparation of the Aberdeen LDP 2020. In line with the Planning Advice Note on Community Engagement and the National Standards on Community Engagement, Aberdeen City Council will continue to ensure that:

- arrangements for participation are inclusive, open and transparent;
- information is provided in a manner which allows for full consideration of its implications;
- communication is provided through a range of formats and locations, including easily understood jargon-free formats;
- all representations are fully considered;
- feedback is provided promptly on the conclusions drawn; and
- we add to our consultation list anyone who wishes to be involved with this process.

The selection of participants is representative of the public, private, voluntary, academic and community sectors and of the various equality groups. Regulation 28 of the Planning etc. (Scotland) Act 2006 defines the key agencies as:

- Scottish Natural Heritage;
- Scottish Environmental Protection Agency;
- Scottish Water;
- Health Boards;
- NESTRANS; and
- Scottish Enterprise.

Guidance suggests that the following bodies should have the same level of involvement in the development plan process:

- Historic Environment Scotland;
- Transport Scotland;
- Economic Leadership Board for North East Scotland (replacing ACSEF);
- The Forestry Commission; and
- Marine Scotland

We will also involve the following groups at the same level:

- Aberdeenshire Council;
- Aberdeen City and Shire Strategic Development Planning Authority; and
- Community Councils.

In addition, community groups and the general public have and will continue to be involved in the LDP process. We will continue to email newsletters to

developers, agents and those who have expressed an interest in the Aberdeen LDP. We can add contacts to this list on request.

This participation statement highlights the methods of consultation which are used to ensure full and effective engagement with the community and stakeholders. Efforts have been made to reach beyond the constituency of organisations normally involved in planning consultations to a wider range of public interests such as young people, pensioners, ethnic minorities and the disabled.

The schedules below set out in as much detail as is known at this stage when, how and with whom we will engage, and the steps that will be taken to involve the public. It distinguishes between our statutory duties, as laid down by Scottish legislation and the additional non-statutory actions we will carry out.

The schedules will be kept up to date on the LDP pages of the Council's website (www.aberdeencity.gov.uk/localdevelopmentplan) so that stakeholders and the public know exactly how the preparation process for the new LDP is to be conducted and what opportunities they will have to participate and engage with it.

The new LDP preparation process involves 5 stages, of which we are currently at the beginning. Engagement with stakeholders and the public is set to begin early in the first two stages.

Participation Programme

Stage 1: Publishing the Local Development Plan Scheme (January 2017)

This document raises awareness and understanding of the development plan review process and how long it will take.

STATUTORY OBLIGATIONS

When this Development Plan Scheme is approved and published, we are required to:

- Send it to Scottish Ministers;
- Make copies available in all the City's public libraries and at Marischal College; and
- Publish it on our website www.aberdeencity.gov.uk.

NON- STATUTORY ACTIONS

In addition to our statutory obligations, we will:

- Inform other Council Services about the Scheme;
- Send copies to or inform interested parties, including Community Councils;
- Email a newsletter about it to agencies, developers and those who have expressed an interest in the LDP; and
- Publicise it on our website and via social media sites (Facebook and Twitter).

Feedback on Previous Consultation (July/August 2017)

NON- STATUTORY ACTIONS

After preparing this Development Plan Scheme, we will invite feedback on the engagement activity we carried out on the current LDP as well as any suggestions for improvements that could be implemented during the preparation of the new Plan.

The feedback will be made available on our webpage and will also be advertised through the newsletter, and via social media.

Stage 2: Preparing and Publishing the Main Issues Report (August 2017 – January 2018)

STATUTORY OBLIGATIONS

In preparing the Main Issues Report (MIR), we are required to consult with and have regard to any views expressed by:

NON- STATUTORY ACTIONS

In addition to our statutory obligations in preparing the MIR we will also carry out the following engagement activities:

<ul style="list-style-type: none"> • The key agencies; • Scottish Ministers; • Aberdeenshire Council; and, • The SDPA. <p>To publicise the MIR, are required to publish a notice in one or more local newspapers setting out:</p> <ul style="list-style-type: none"> • That the document has been produced and where/when it may be viewed; • A brief description of the content and purpose of the document; • Details of how further information may be obtained; and • A statement of how representations may be made, to whom and by when. <p>We also have to send this information to:</p> <ul style="list-style-type: none"> • The key agencies; • Aberdeenshire Council; • The SDPA; • Community councils; and • Scottish Ministers. <p>We must also:</p> <ul style="list-style-type: none"> • Make a copy available to inspect at Marischal College and in all public libraries; • Publish it on the internet; and • Send the report to Scottish Ministers. <p>The Planning etc. (Scotland) Act 2006 requires authorities to ensure that people who may want to comment on the MIR are made aware that they can do so and are given such an opportunity.</p>	<ul style="list-style-type: none"> • Involve other Council Services; • Send out and publish online a questionnaire inviting responses and suggestions from the public and Community Councils; • Ensure that the LDP pages of the Council’s website continue to provide immediate access to LDP publications and allow responses to the MIR to be submitted; • Continue to use the telephone and email enquiry point allowing people to contact the LDP team; <p>In addition to our statutory obligations for publicising the Report we will also:</p> <ul style="list-style-type: none"> • Run participation exercises and workshops for both stakeholders and Councillors throughout the Development Plan process where display material and LDP team members will be available; • Employ social media websites such as Twitter (@AberdeenLDP) and Facebook (Aberdeen Local Development Plan) as a means of publicising LDP documents and events; and • Email a newsletter to key agencies, developers and those who have expressed an interest in the LDP, updating them on the process. Newsletters will also be available on the LDP pages of our website and publicised over social media. <p>Once the MIR is published, there will be a 10 week consultation period for representations to be made on its content. Representation forms will be made available in libraries and at all consultation meetings, as well as online. Regular news releases will be made to local media during this period to publicise the consultation events and advise people of the process.</p>
<p>Stage 3: Preparing and Publishing the Proposed Aberdeen Local Development Plan and Supplementary Guidance (June 2018 – March 2019)</p>	
<p>STATUTORY OBLIGATIONS</p>	<p>NON- STATUTORY ACTIONS</p>

In preparing the Proposed Plan, we are required to:

- Consult the key agencies and Scottish Ministers.

In addition to the same minimum publicity requirements for the Main Issues Report (above), we are also required to:

- Send a copy of the Proposed Plan to/inform each key agency and Scottish Ministers;
- Notify any person who commented on the MIR that the Proposed Plan has been produced and send them the relevant information;
- Notify the owners, lessees or occupiers of sites and the owners, lessees or occupiers of sites within 20m of sites which the Proposed Plan specifically proposes to be developed and which would have a significant effect on the use and amenity of the site; and
- On the rare occasion that a Proposed Plan is republished following changes to the underlying aims or strategy of an earlier Proposed Plan, consult people who made representations on the original plan

Once the Proposed Plan has been published, we will hold a consultation period of at least 6 weeks to allow representations from any interested party to be made.

In addition to our statutory obligations in preparing the Proposed Plan, we will also:

- Inform community groups and other stakeholders;
- Run drop-in events to give people the chance to meet and discuss the Proposed Plan with members of the LDP Team;
- Make a presentation to key agencies, stakeholders and interested groups;
- Hold a consultation period of 8 weeks, 2 weeks longer than the statutory minimum;
- Publish it on our website www.aberdeencity.gov.uk and publicise it through social media; and
- Email a newsletter about it to agencies, developers and those who have expressed an interest in the LDP. The Newsletter will also be available on the LDP pages of our website and will be publicised over social media.

Stage 4: Preparing for and Responding to the Examination of the Proposed Aberdeen Local Development Plan (March 2019 – July 2020)

In the event of an Examination, we will

- Advertise the Examination;
- Make the Examination proceedings available on the website as soon as practicable; and
- Keep all interested parties informed about the Examination procedures.

Stage 5: Adoption of the Aberdeen Local Development Plan (November 2020 – February 2021)

Once the Reporter(s) has made recommendations on the Plan and any modifications have been made, formal adoption of the Aberdeen Local Development Plan 2020 would follow. At this stage we will make public our intention to adopt the plan following a 28 day submission period to Scottish Ministers – providing they do not wish to raise issues with the plan. At this point we are required to:

- Advertise the intention to adopt the Plan, as modified according to the Reporter's Report if appropriate, in newspapers, describing any modifications;
- Contact all interested parties and advertise the publication of the Plan to them;
- Notify those who made representations; and
- Place copies of the Plan as modified in public libraries and in Marischal College.

Parallel Assessments of the Aberdeen Local Development Plan

It will be necessary to undertake a number of parallel assessments of the Aberdeen Local Development Plan 2020 both as legislative requirements and as good practice. These documents will be made available for comments and representations on our website, local public libraries and at Marischal College.

Strategic Environmental Assessment

Under the Environmental Assessment (Scotland) Act 2005 it is a legal requirement to undertake a Strategic Environmental Assessment (SEA) as the LDP and supplementary guidance is likely to have a significant effect on the environment. This will be undertaken throughout the review process and will have its own stages of consultation draft and final Environmental Report. A draft Environmental Report will be published for consultation alongside the Main Issues Report and will provide an assessment of the impact on the environment of sites and policies within it. A further draft Environmental Report will accompany the Proposed Plan, and will be consulted on alongside it, with a final Report prepared to accompany the finalised Plan.

Habitats Regulation Assessment

Development plans should be subject to an Appropriate Assessment according to Article 6(3) and 6(4) of the Habitats Directive (92/43/EEC). This assesses the likely significant effects that the Aberdeen Local Development Plan 2020 may have on European protected sites within and around the City, to ascertain whether the Plan will have an adverse impact alone, or in combination with the other plans and projects, on the integrity of those sites. The Appropriate Assessment will be included as part of the draft Environmental Report.

Equality and Human Rights Impact Assessment

At each stage of the Aberdeen LDP we will continue to consider how our ways of involving people, the policies and proposals in the plan, as well as our engagement strategies, might affect groups with protected characteristics.