

**ABERDEEN CITY & SHIRE
STRATEGIC DEVELOPMENT PLANNING AUTHORITY**

Date: 26 June 2014

Title: Strategic Development Plan Approval

1 Purpose of Report

- 1.1 The purpose of this report is to update the Aberdeen City and Shire Strategic Development Planning Authority (SDPA) on the approval of the Strategic Development Plan and agree the next steps in the process.

2 Background

- 2.1 The preparation of the area's first Strategic Development Plan (SDP) started in 2010 with work on a Housing Need and Demand Assessment. Key milestones since then have been the publication of a Main Issues Report in October 2011 and a Proposed Plan in February 2013.
- 2.2 The Proposed Aberdeen City and Shire Strategic Development Plan was submitted to Scottish Ministers on 8 July 2013, with the Directorate for Planning and Environmental Appeals (DPEA) confirming that it had all the required information to start the examination on 15 July 2013 (including a hard copy and electronic copy of the complete submission).
- 2.3 On 25 July 2013, Scottish Ministers appointed two reporters to conduct the examination, Mr Scott Ferrie and Mr Stephen Hall. The SDPA was informed on 6 August 2013 that the reporters had completed their examination of conformity with the participation statement and that the examination of issues raised in representations to the Proposed Plan could therefore start on 22 August 2013 (four weeks after the appointment of reporters, as specified in the Town and Country Planning (Scotland) Act 1997, as amended).
- 2.4 The examination concluded with the publication of the Examination Report on 21 January 2014. The DPEA sent the report to Scottish Ministers and the SDPA on the morning of 21 January and put it on their website the same afternoon. The DPEA sent emails to all who made representations to the plan the same afternoon, alerting them to the publication of the report.
- 2.5 The SDPA made hard copies of the report available for inspection from 27 January at the headquarters of both councils, the offices of the SDPA and the six area offices of Aberdeenshire Council. The report was also uploaded to the SDPA website on the date of publication and an email sent to all Members of the SDPA.
- 2.6 At the last meeting of the SDPA (12 March 2014), approval of the plan by Scottish Ministers was awaited.

3 Approval of Strategic Development Plan

- 3.1 On 28 March 2014 Scottish Ministers approved the Aberdeen City and Shire Strategic Development Plan. With immediate effect this replaced the

Aberdeen City and Shire Structure Plan (2009) as the strategic part of the development plan.

- 3.2 The decision letter (Appendix 1) highlighted the modifications made to the proposed plan by Scottish Ministers which were broadly in line with the recommendations of the Examination Report in January. The main exception to this related to Plain English. The Scottish Government carried out a Plain English review of the Reporter's recommended amendments made to the plan, with changes incorporated into the modifications they made. As a consequence of this, the plan retains its Crystal Mark from the Plain English Campaign which is welcome.
- 3.3 Appendix 2 contains the Strategic Development Plan incorporating the modifications made by Scottish Ministers. This was published online on 11 April 2014, with copies being made available at both council headquarters and all public libraries in the area. Publication was advertised in the Press and Journal and weekly papers in Aberdeenshire (Appendix 3).
- 3.4 The period for legal challenge to the plan ended on Friday 23 May 2014 and no challenges were lodged to the plan at the Court of Session before the closing date.
- 3.5 A range of steps are now required to be taken following approval of the plan by Scottish Ministers, as set out below.
- 3.6 Awareness Raising - Briefing sessions have been held with Development Management in both councils as well as Aberdeenshire's Developers Forum held on 7 May. Further opportunities will be taken as they arise.
- 3.7 Hard Copies – Hard copies of the plan are now being printed and are expected to be available in the coming weeks. A relatively small number are being printed because most users of the plan tend to use the online version. Copies will be sent to all the Key Agencies and made available in all public libraries but beyond that will be made available on request.
- 3.8 Strategic Environmental Appraisal – A 'Post-Adoption Statement' (Appendix 4) needs to be agreed and published to conclude the SEA process for the SDP. To meet the requirements of the Environmental Assessment (Scotland) Act 2005, a notice will be placed in the Press and Journal in the coming weeks to inform interested parties about the publication of the statement.
- 3.9 Habitats Regulations Appraisal Record – The record (Appendix 5) has been updated since it was last published in February 2013 to take account of the position agreed with Scottish Natural Heritage in advance of submission of the plan for examination and the screening carried out by the Scottish Government of the modifications they made to the plan in its approval in March 2014.
- 3.10 Equalities and Human Rights Impact Assessment – The assessment (Appendix 6) has been updated to reflect responses to consultation and the screening carried out by the Scottish Government of their modifications to the plan.
- 3.11 Action Programme – The Action Programme (Appendix 7) has been updated following responses to consultation in 2013 and progress since then.

Exception reports will be presented to the SDPA on a regular basis and re-published at least every two years in accordance with the legislation.

- 3.12 Monitoring Report – A Monitoring Report is almost complete and will be reported to the next meeting of the SDPA in September 2014. This will present information to monitor the implementation of the plan as well as identify changes to the context for the plan since it was prepared. This will present an initial information base from which to start thinking with stakeholders about the scope and content of the next plan, although the formal start of that process is still some way off.
- 3.13 Supplementary Guidance – Two pieces of statutory Supplementary Guidance are identified in the plan, guidance to support the Strategic Transport Fund and a ‘South Peterhead Development Framework.
- a) Strategic Transport Fund (STF) – the intention is to move from the current non-statutory Supplementary Planning Guidance to statutory guidance as soon as practically possible. The STF has been successful to date in facilitating development in and around Aberdeen while also securing contributions to address the cumulative impact of these developments on the transport network. This transition has been complicated slightly by the fact that, although supported by the examination Reporters, their report suggested that an additional piece of work is required before we can consult on refreshed guidance. In the interim, the current non-statutory guidance (adopted in early 2012) will continue to be used, although developers still have the option of assessing their cumulative impacts on the transport network and mitigating those impacts in line with the SDP. A report will be presented to the next meeting of the SDPA in September with a detailed programme for taking this work forward. Although it is possible that this report will also contain draft guidance for consultation, it is not possible to make a commitment to this at the current time.
 - b) South Peterhead Development Framework – two stages of preparatory work have been carried out with partners in Aberdeenshire Council (Planning and Economic Development) and Scottish Enterprise. However, this work needs to be re-evaluated in response to recent announcements by Ofgem, SHE Transmission and others regarding the scale and timing of likely electricity transmission related infrastructure developments around Peterhead. A report will be brought back to a future meeting of the SDPA with an update on progress and details on a way forward.
- 3.14 Development Plan Scheme - The SDPA agreed a Development Plan Scheme for 2014/15 at its last meeting to meet the legal requirement to publish a new scheme annually. However, it will be the following scheme (to be agreed in March 2015) which will set out the timetable and process for the next SDP. The next SDP will need to be submitted to Scottish Ministers by 28 March 2018 in order to meet the statutory target set out in the Planning etc (Scotland) Act 2006.
- 3.15 Figure 1 below sets out the timetables for the four SDPs which have now all been approved by Scottish Ministers. Glasgow and the Clyde Valley (GCV) produced their plan in the shortest timescale (between the publication of the Main Issues Report and the Approval by Scottish Ministers), while South East

Scotland's plan took almost twice as long to prepare (with the housing allowances still to be approved by Scottish Ministers through Supplementary Guidance). Now that the first set of plans have been prepared, all of which are quite different, lessons can be learnt from that experience and statutory deadlines exist for the submission of future plans to Scottish Ministers.

Figure 1: Strategic Development Plan Timetables

| | GCV | TAYplan | SESplan | ACS |
|--|------------|----------------|----------------|------------|
| Main Issues Report Published | 30/9/2010 | 12/4/2010 | 31/5/2010 | 7/10/2011 |
| Proposed Plan Published | 30/6/2011 | 6/6/2011 | 7/11/2011 | 22/2/2013 |
| Proposed Plan Submitted ⁽¹⁾ | 31/10/2011 | 1/12/2011 | 10/8/2012 | 8/7/2014 |
| Report of Examination Published ⁽²⁾ | 30/3/2012 | 14/4/2012 | 12/4/2013 | 21/1/2014 |
| SDP Approved by Scottish Ministers ⁽³⁾ | 29/5/2012 | 8/6/2012 | 27/6/2013 | 28/3/2014 |
| Examination Process (weeks) ^(1→2) | 22 | 19 | 35 | 28 |
| Approval Process (weeks) ^(2→3) | 9 | 8 | 11 | 10 |

- 3.16 This report marks the formal conclusion to the SDP process. As such, it would be appropriate to thank all those who contributed to this over the last four years, from Key Agencies and other stakeholders, officers of both councils, those responding to the various consultations (including Community Councils and members of the public), the Directorate for Planning and Environmental Appeals, the Scottish Government, Members of both councils and Members of the SDPA itself.

4 Recommendations

- 4.1 It is recommended that the SDPA:

- a) note the approval of the SDP by Scottish Ministers and its subsequent publication;
- b) agree Appendices 4-7, their online publication on the SDPA website and the publication of a notice in the Press and Journal regarding the SEA Post-Adoption Statement;
- c) note the ongoing preparation of a Monitoring Report to be reported to the next meeting of the SDPA; and
- d) agree the interim position regarding the Strategic Transport Fund (para 3.13 above) and the intention to bring back proposals to the next meeting of the SDPA setting out details to take both pieces of Supplementary Guidance forward to adoption as soon as practically possible.

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