

## STRATEGIC DEVELOPMENT PLANNING AUTHORITY

ABERDEEN, 24 April 2015 - minute of meeting of the STRATEGIC DEVELOPMENT PLANNING AUTHORITY. Present: Councillor Argyle, Chairperson; and Councillor Milne, Vice Chairperson; and Councillors Corall, Donnelly (as substitute for Councillor Thomson), Finlayson and Grant (Aberdeen City Council); and Councillors Cox, Merson, Owen (as a substitute for Councillor Bellarby), Norman Smith and Topping (Aberdeenshire Council).

Officers: Robert Gray (Head of Planning and Building Standards, Aberdeenshire Council), Andrew Brownrigg (Development Plan Team leader, Aberdeen City Council) Tom Buchan (Finance, Aberdeenshire Council), David Jennings (Strategic Development Plan Manager, SDPA), Fiona Selbie (Legal Services, Aberdeen City Council) and Iain Robertson (Democratic Services, Aberdeen City Council).

Apologies: Councillor Bellarby, Councillor Thomson and Dr Margret Bochel.

### DECLARATION OF INTERESTS

**Councillors Argyle, Milne, Finlayson and Grant declared an interest with regards to item 6 of business by virtue of being board members of the North East of Scotland Transport Partnership (Nestrans) but considered that the nature of their interests would not require them to leave the meeting.**

### MINUTE OF 10 DECEMBER MEETING

1. The Authority had before it the minute of its meeting of 10 December 2014.

With reference to item 1(ii) the Strategic Development Plan Manager informed members that additional detail of improvements to broadband speeds could be found under item 8 of today's agenda.

With reference to item 2(ii) the Strategic Development Plan Manager advised members that a report on the potential for borrowing to front-fund required infrastructure would be prepared and brought to a future meeting.

With reference to item 5(iii) the Strategic Development Plan Manager provided an update on the arrangements following the 20 February joint workshop between the SDPA and Nestrans and informed members that they would be kept fully apprised of progress.

#### **The Authority resolved:**

- (i) to approve the minute as a correct record; and
- (ii) otherwise to note the information provided.

## **MINUTE OF 6 FEBRUARY MEETING**

2. The Authority had before it the minute of its meeting of 6 February 2015.

### **The Authority resolved:**

to approve the minute as a correct record.

## **MINUTE OF 25 MARCH MEETING**

3. The Authority had before it the minute of its meeting of 25 March 2015.

### **The Authority resolved:**

to approve the minute as a correct record.

## **DEVELOPMENT PLAN SCHEME 2015/16**

4. The Authority had before it a report by the Strategic Development Plan Manager.

The report sought approval from the Strategic Development Planning Authority (SDPA) for a replacement Development Plan Scheme.

The Strategic Development Plan Manager talked the Authority through the report and highlighted the timescale challenges involved in relation to the Local Government Elections in May 2017 and the preparation and approval of the Strategic Development Plan ahead of its submission before 28 March 2018.

Thereafter there followed some discussions on issues regarding SDPA membership and the most appropriate approach to adopt in reference to the preparation and approval of the Strategic Development Plan.

### **The report recommended –**

that the Authority:

- (a) agree the Development Plan Scheme 2015/16 (Appendix 1) and its submission to Scottish Ministers; and
- (b) agree the publication and circulation of the Development Plan Scheme as set out in paragraphs 5.2 and 5.3 above.

### **The Authority resolved:**

to agree the recommendations as set out in the report.

## **SCHEME OF DELEGATION**

5. The Authority had before it a report by the Strategic Development Plan Manager.

The purpose of the report was for the Aberdeen City and Shire Strategic Development Planning Authority (SDPA) to agree a Scheme of Delegation.

The Strategic Development Plan Manager talked the Authority through the report and explained that it had become necessary to strengthen the decision making process

and governance arrangements through the delegation of powers as set out in paragraph 3.3 of the report to the Strategic Development Plan Manager and the nominated lead managers of planning or their representative from each authority. The Strategic Development Plan Manager reiterated that this would further limit the need for urgent SDPA meetings in the future.

Thereafter there followed some discussions on governance arrangements and in particular the role of the Chair and Vice Chair with regards to authorising the submission of consultation responses for applications of regional and national significance and the submission of formal responses for policy consultations.

**The report recommended –**

that the Authority agree the proposed scheme of delegation set out in para 3.3 above for implementation with immediate effect.

**The Authority resolved:**

to agree that the proposed scheme of delegation set out in para 3.3 be implemented with immediate effect.

## **RATIFICATION OF CONSULTATION RESPONSES**

6. The Authority had before it a report by the Strategic Development Plan Manager.

The purpose of the report was for the Aberdeen City and Shire Strategic Development Planning Authority (SDPA) to ratify two consultation responses which were submitted on a provisional basis in advance of the SDPA's meeting.

The Strategic Development Plan Manager provided an overview of the two consultation responses. The first response related to a residential application in Banchory that asserted that the Strategic Development Plan (SDP) was out of date and that consequently the 'presumption in favour of development that contributes to sustainable development' contained in the Scottish Planning Policy should apply and that the application should be approved. The SDP Manager explained that the SDP is not out of date and that the SDP and the Local Development Plan (LDP) would remain the basis against which the application should be determined.

The SDP Manager advised that the SDPA had responded in support of the second application which was a National Development application for carbon capture at Peterhead Power Station. He added that support was provided due to the application's inclusion as a proposal in the Aberdeen City and Shire Strategic Development Plan (2014) and the National Planning Framework 3 and that it had the capacity to enable Aberdeen City and Shire to develop a competitive advantage in this field.

Thereafter there followed some discussion about the report which focussed on proposals that would support the private rental market and issues related to land availability and supply.

**The report recommended –**

that the Authority:

- (a) agree the SDPA response to consultation set out in Appendix 2 relating to the application for planning permission at Auchattie, Banchory; and
- (b) agree the SDPA response to consultation set out in Appendix 4 relating to the application for planning permission at Peterhead Power Station.

**The Authority resolved:**

to agree the recommendations as set out in the report.

**MATTER OF URGENCY**

**The Convener intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, that the following item be considered as a matter of urgency to the SDPA to consider the submission of the Strategic Transport Fund's Supplementary Guidance to Scottish Ministers.**

**SUBMISSION OF SUPPLEMENTARY GUIDANCE TO SCOTTISH MINISTERS – STRATEGIC TRANSPORT FUND**

7. The Authority had before it a report by the Strategic Development Plan Manager

The purpose of the report was for the Aberdeen City and Shire Strategic Development Planning Authority to note the responses received to consultation, agree proposed Supplementary Guidance on a Strategic Transport Fund (STF) in light of those responses, and agree its submission to Scottish Ministers.

The Strategic Development Plan Manager talked the Authority through the report in detail and highlighted that £1.5 million had been paid into the STF to date and a further £19.1 had been agreed through the s75 or other such agreements but had not been paid as the development triggers had not been reached. He also explained that the National Planning Framework produced in June 2014 fitted well with the STF approach and its aims to remove constraints and promote innovation and partnership working. The SDP Manager also informed members that the proposed Supplementary Guidance had received positive feedback from the Scottish Government and that their suggested alterations and amendments had been taken on board. He also added that he had received additional feedback from other consultees and a number of suggestions had been taken on board but a number of fundamental objections could not be reconciled. The Strategic Development Plan Manager also highlighted the ratification timetable and explained that the Supplementary Guidance required to be ratified by one relevant committee from each Council and indicated that there were appropriate dates in June and August when this ratification could be achieved.

The Strategic Development Plan Manager then talked the Authority through the appendices and highlighted a number of issues:

- The format of used to evaluate consultation responses;

- The distinction between a local impact and a cumulative impact in the Cumulative Transport Appraisal (CTA);
- The removal of the word 'major' in reference to a major development as the legislation and guidance define this as a development of over 50 houses and the Supplementary Guidance did not intend to infer this;
- The provision of further clarification with regards to uprating STF developer contributions and for changes to the anticipated costs of transport mitigation to be updated on five year period to coincide with the approval of the SDP;
- The need to enter into discussions on an early basis if developers had expressed their unwillingness to provide a contribution towards the STF to gain an insight into their commitment and contribution towards transport mitigation; and
- The provision of further clarification with regards to the application of the guidance to the development of brownfield sites in the Aberdeen City and Aberdeenshire to be limited to sites within the Strategic Growth Areas in the Aberdeen Housing Market Area.

Thereafter, there followed some discussion about the report and there were questions on the list of projects included in the Cumulative Transport Appraisal (CTA), the nature of the congestion as set out in the CTA, the 20 year timeframe for utilising STF contributions and the appropriateness of the number of bedrooms as a parameter for determining the level of STF contributions expected from developers.

**The report recommended –**

that the Authority:

- (a) note the six responses to the supplementary guidance consultation in late 2014 / early 2015 and the three responses to the SEA Screening;
- (b) agree the changes to the draft Supplementary Guidance (Appendix 3);
- (c) agree the submission of the proposed Supplementary Guidance (Appendix 4) and Consultation Report (Appendix 5) to Scottish Ministers; and
- (d) agree that officers seek ratification of the supplementary guidance by both councils as soon as possible after consideration by Scottish Ministers, unless any direction from Scottish Ministers is of such significance that officers (in consultation with the chair and vice-chair) consider the views of the SDPA should be sought prior to adoption.

**The Authority resolved:**

- (i) to note the six responses to the supplementary guidance consultation in late 2014/ early 2015 and the three responses to the SEA Screening; and
- (ii) to agree the recommendations as set out in the report.

**SDPA BUDGET MONITORING**

8. The Authority had before it a report by the Treasurer to the SDPA.

The purpose of the report was for the Authority to note the budget monitoring and forecast position for 2014/15 as at 28 February 2015.

The Treasurer talked the Authority through the report.

**The report recommended –**

that the Authority note the budget monitoring position and forecast outturn as at 28 February 2015.

**The Authority resolved:**

to note the budget monitoring position and forecast outturn as at 28 February 2015.

## **SDPA BULLETIN**

### **9. The Authority had before it the SDPA Bulletin.**

The Strategic Development Plan Manager talked the Authority through the bulletin and highlighted a number of issues:

- The Planning Performance Report (2014/15) had been due to be submitted in September but had now been moved forward to 31 July and would be reported to the SDPA meeting in June. The annual report would also include New Headline Indicators;
- The Aberdeen and Shire SDPA would have the opportunity to respond to the consultation on the TayPlan Proposed Strategic Development Plan at its meeting in June. The consultation period would be open between 11 May and 3 July;
- The Aberdeen and Shire SDP had been praised as an example of good practice in the 'Opening up infrastructure planning' report produced by the Green Alliance;
- The Local Development Plans (LDP) were on track for submission to the Scottish Government with Aberdeen City's due for submission in November 2015 and Aberdeenshire due for submission in December 2015. This close coordination between the plans would provide certainty to developers and stakeholders particularly as the implementation of the AWPR would trigger development;
- It was apparent that there would be a number of complexities associated with the National Marine Plan and Scottish Marine Regions particularly the overlap in responsibilities in the Inter-Tidal Zone and the development of a Carbon Capture and Storage Facility at Peterhead; and
- The Northconnect project had been highlighted as a 'proposal' in the SDP and also a 'National Development' under the National Planning Framework 3. Aberdeenshire Council had now received a planning application for the main onshore elements of the project.

Thereafter, there followed some discussion about the bulletin and there were questions on the allocation of land to industry and the promotion of brownfield sites for development particularly in the city.

**The Authority resolved:**

- (i) to update the news page on the SDPA website to welcome the Green Alliance report that highlighted the Aberdeen City and Shire SDP as an example of good practice in the coordination of infrastructure provision and its spatial implications at the city region scale; and
- (ii) otherwise to note the bulletin.

- **COUNCILLOR ARGYLE; Chairperson.**