

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

**Date: 23 January 2009**

**Title : Structure Plan Progress Report**

**1 Purpose of Report**

1.1 The purpose of this report is to advise Members of progress on the structure plan since the last meeting of the Authority in December 2008.

**2 Background**

2.1 The draft Aberdeen City and Shire Structure Plan was published for consultation on 27 June 2008 for 11 weeks. The closing date for responses was 12 September 2008.

2.2 In addition to the draft plan, three supporting documents were published with responses invited to them:

- Strategic Environmental Appraisal: Environmental Report
- Equalities and Human Rights Impact Assessment
- Background Paper

2.3 Around 470 responses were received which were distilled down into almost 2,500 comments. Since the close of consultation, considerable time has been spent analysing and responding to the comments received on the draft plan.

**3 Progress since 3 December 2008**

3.1 At the last meeting of the Authority, draft responses to around half of the comments received on the draft plan were reported for information. Appendices 1 and 2 to this report contain the other half of the comments and draft responses for information. These cover the spatial strategy, putting the plan into practice, schedule 1 (housing allowances) and general comments. Responses to the three supporting documents are also included in these appendices.

3.2 Appendix 1 contains those comments which it is appropriate to respond to in some way by amending the text of the plan.

3.3 Appendix 2 contains those comments where no change to the plan is necessary, either because the comment is fully supportive of the plan or for the reason set out in the "draft response".

3.4 Appendix 3 contains draft amendments to the draft plan in response to the comments received. It should be noted that these are draft amendments which have yet to be reviewed by the Plain English Campaign and will be subject to

change. However, they do give an indication of the changes likely to be proposed to the draft plan.

3.5 A number of pieces of work are currently at an advanced stage which will be required for the plan to progress to submission:

- Work has started on the addendum to the Strategic Environmental Assessment (SEA) which assesses the environmental effects of any proposed amendments to the draft plan as well as taking on board the comments received on the Environmental Report from consultees at the draft plan stage.
- An 'Appropriate Assessment' is currently in draft form and has been submitted to Scottish Natural Heritage (SNH) for their observations. The Appropriate Assessment identifies the likely effects of the plan on Natura 2000 sites and is a statutory requirement. SNH has been providing assistance and guidance with this over recent months. The current draft proposes mitigation measures which would result in changes to the draft plan, largely around making clear that local development plans will need to assess detailed allocations through an appropriate assessment and emphasising the importance of European designations.
- A 'Publicity and Consultation Statement' is currently in draft form. It outlines the steps taken to publicise and engage the public and stakeholders in the preparation of the plan as well as the consideration of their views. The statement runs to 19 pages but with over 700 pages of appendices (covering adverts, press releases and reproducing consultation responses to the Issues Report and Draft Plan). It is a statutory requirement that this is submitted to Scottish Ministers and placed on deposit with the finalised plan.
- The Equalities and Human Rights Impact Assessment has been reviewed in light of the comments received and the amendments proposed to the plan. The assessment is currently in draft form and would result in changes to the draft plan, highlighting the specific needs of Gypsies / Travellers.
- The 'Background Paper' is being amended to include a section on transport interventions in support of the structure plan in response to comments received from Transport Scotland. This is likely to include details of the status of the different schemes and their rationale in the context of the regional and local transport strategies. The Background Paper will also present the results of the strategic element of the 'Housing Need and Demand Assessment'.
- An advert and official notice to be placed in the Edinburgh Gazette and local newspapers are currently in draft form.

3.6 A significant volume of work has been done since the last meeting of the Authority in early December and there is also a significant volume of work to be done before the end of January to enable all the relevant material to be put before the next meeting of the Authority on 13 February 2009.

## **4 Next Steps**

4.1 The immediate priority is to finalise proposed responses to all comments on the draft plan, finalise proposed changes to the draft plan and complete all the supporting documentation identified in paragraph 3.5 above. All those

responding to the draft plan will be sent copies of the proposed responses to their comments at around the same time that the reports for the next meeting of the Authority are in the public domain.

4.2 The laying before Parliament of the secondary legislation to implement the Planning etc (Scotland) Act 2006 means that 27 February 2009 is a critical date for the emerging structure plan. Submission to Scottish Ministers on or before 27 February 2009 enables the plan to progress under the route to adoption as set out in the Town and Country Planning (Scotland) Act 1997 and associated regulations.

4.3 The key milestones over the next few months include:

13 February 2009	SDPA meet to agree responses to comments on the draft plan and to recommend to both Councils the submission of a Finalised Structure Plan to Scottish Ministers. The SDPA will also need to agree the supporting material.
16 February 2009 (week of)	Both Aberdeen City and Aberdeenshire Councils to agree the submission of the Finalised Structure Plan to Scottish Ministers, ratifying the decision of the SDPA.
27 February 2009	Finalised Structure Plan submitted to Scottish Ministers and placed on deposit for objections to Scottish Ministers. Notices placed in the Edinburgh Gazette and Press & Journal (on two successive weeks) as well as adverts in weekly papers in Aberdeenshire. The plan and associated documentation will be made available at the main Council offices, public libraries and on the SDPA website. Copies of the plan will be sent to all who commented on the draft plan and letters sent to a wider audience alerting them to the submission of the plan.
24 April 2009	Close of objection period (8 weeks) on the Finalised Structure Plan to Scottish Ministers.

4.4 A six week consultation period is normal for a finalised structure plan, but with submission on 27 February this period would close on 10 April 2009 – Good Friday. It has been agreed with the Scottish Government that an eight week period would be more appropriate as this will both avoid Good Friday and also allow for the Easter holiday period.

4.5 Following the close of consultation on the Finalised Structure Plan, Scottish Ministers will decide whether an Examination in Public (EiP) of elements of the plan is required and also whether to propose modifications to the plan. If modifications were proposed there would be an opportunity to make representations on these prior to approval of the plan.

- 4.6 With submission on 27 February 2009, it could be expected that approval of the structure plan by Scottish Ministers would take place before the end of 2009 (assuming an EiP is not required). The target set out in the now superseded SPP1 was for approval within 40 weeks (i.e. by 4 December 2009) and there is every reason to believe (given the objectives of the modernisation agenda) that the Scottish Government will seek to approve the plan as quickly as possible.
- 4.7 If, for whatever reason, the plan is not submitted on 27 February 2009, the process for approval of the plan will be different and would more closely follow the legislative steps for future strategic development plans. This would almost certainly take longer than 40 weeks given the need for an examination of the plan.
- 4.8 The emerging structure plan is still on track to meet the submission target set out in the revised development plan scheme (May 2008) of the end of February 2009.

## **5 Recommendation**

- 5.1 It is recommended that this report be noted, particularly the ways in which it is proposed to deal with the comments contained in Appendices 1 & 2 and the draft proposed changes set out in Appendix 3.

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