



Aberdeen Local Development Plan Review

Main Issues Report Response Form 2019

Aberdeen City Council has published a Main Issues Report (MIR) which is part of the process of preparing a new Local Development Plan. It is designed to gather views on specific proposals and sets out options for dealing with the key planning matters facing Aberdeen over the next 20 years such as the location of new housing and employment development, the future of retailing and the City Centre, housing needs and tackling climate change. It also includes a number of potential new policies which would be used in the determination of planning applications.

The MIR has been published alongside a Monitoring Statement and Environmental Report. Copies are available to view at Marischal College, Broad Street, Aberdeen. These, and other supporting documents, are available at: - www.aberdeencity.gov.uk/alDP2022

Everyone now has the chance to comment on the report and associated documents. All comments received will be considered and used to inform the preparation of the Proposed Aberdeen City Local Development Plan. There will be a further opportunity to comment on the Proposed Plan when it is published in early 2020.

The consultation runs from 4 March 2019 to 13 May 2019.

Responses to the published documents can be:

- made online at:- <http://consultation.aberdeencity.gov.uk/planning/mir2019>;
- emailed to:- ldp@aberdeencity.gov.uk; or
- by post to:- Local Development Plan Team, Strategic Place Planning, Aberdeen City Council, Business Hub 4, Ground Floor North, Marischal College, Broad Street, Aberdeen, AB10 1AB.

Completed response forms should be with us no later than 13 May 2019.



YOUR DETAILS

Name	John Findlay
Organisation (if relevant)	Ryden LLP
On behalf of (if relevant)	The University of Aberdeen
Address	
Postcode	
Telephone	
E-mail	

Thank you for taking the time to complete this response form. If you wish to be added to the LDP e-mailing list to be kept informed of our progress in producing the next Local Development Plan, please tick here



If yes, please provide an e-mail address

PRIVACY STATEMENT

As part of the review of the Local Development Plan, Aberdeen City Council (ACC) will offer you several opportunities to submit your views and comments. These opportunities will range from the current consultation stage, the Main Issues Report, where we will ask you to comment on specific proposals and alternatives to the Proposed Plan stage where the set view of ACC has been established.

ACC are legally required to consult at this stage and at Proposed Plan stage. This is set out in the Town and Country Planning (Scotland) Act 1997 (as amended) and supporting regulations. The Environmental Assessment (Scotland) Act 2005 also requires us to consult on a Strategic Environmental Assessment Environmental Report.

By submitting a response to the consultation, you understand that ACC can use the information provided in this form, including personal data, as part of the review of the Aberdeen City Local Development Plan. ACC will not share or disclose any personal data about you to any organization or person unless it is authorized or required to do so by law.

The data controller for this information is ACC. We understand our legal basis for processing this information as Article 6(1)(c) of the General Data Protection Regulation as this is an activity we are legally required to carry out under the Town and Country Planning (Scotland) Act 1997 (as amended) and supporting regulations and The Environmental Assessment (Scotland) Act 2005. The data on the form will be used to inform the preparation of the Proposed Aberdeen City Local Development Plan 2022. At the end of the consultation, where contact details have been provided, the Local Development Plan team will provide you with a respondent number. You may also be contacted about the comments you have made and, as obliged by the Town and Country Planning (Scotland) Act 1997 (as amended) and supporting regulations, the Local Development Plan team will contact you to inform you of the publication of the proposed Aberdeen Local Development Plan in early 2020. If you chose not to provide your contact details, your comments will still be valid but we will not be able to contact you in the future.

Responses will be collated, redacted, summarised and stored electronically or in locked cabinets in Marischal College. All redacted responses will be published, alongside the respondents name (if provided), on the Aberdeen City Local Development Plan website. Contact details will not be made public, but your name and respondent number will be published.

Aberdeen City Council will only keep your personal data for as long as is needed. Data will be kept until the emerging Local Development Plan is itself replaced – this is likely to be around 5 years following its adoption in 2022 – so 2027. Following this, data will be disposed of in a secure manner.

YOUR DATA, YOUR RIGHTS

You've got legal rights about the way ACC handles and uses your data, which include the right to ask for a copy of it, and to ask us to stop doing something with your data. Please contact the Council's Data Protection Officer by e-mailing DataProtectionOfficer@aberdeencity.gov.uk or writing to Data Protection Officer, Aberdeen City Council, Governance, Level 1 South, Marischal College, Broad Street, Aberdeen, AB10 1AB. More information is available at: - <https://www.aberdeencity.gov.uk/your-data>

YOUR COMMENTS

Which document(s) are you commenting on?	<ul style="list-style-type: none">• Main Issues Report• Strategic Environmental Assessment Environmental Report• Monitoring Statement	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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Please indicate the document and the specific Issue, Question, Site, Policy, Map or Table you are commenting on. Please provide your comments below and explain your reason for supporting, opposing or commenting on this specific part of the document.

Please refer to attached Paper Apart.

Representations to the Aberdeen City Local Development Plan 2019 Main Issues Report on behalf of The University of Aberdeen in relation to Site No: B0601, 152 Don Street, Aberdeen.

The University of Aberdeen welcome the fact that the above site has been identified by the Main Issues Report (MIR) as a preferred site for the development of 50 homes. They are supportive of its allocation in the proposed Local Development Plan as a Brownfield Opportunity Site for residential development.

As highlighted in the Development Bid, the property is under the sole ownership of The University of Aberdeen, it is surplus to requirements, and capable of early delivery. The buildings presently located on the site are of a design and layout which limits alternative uses. It is anticipated that any prospective purchaser would wish to demolish and replace the existing buildings. Residential use is considered an appropriate use, which conforms with current Planning Policy.

The Development Bid also suggested that the site would be capable of accommodating local retail provision complementing that to the north and south. Such a development could also make provision for residential development with shops at ground floor level and apartments above. This suggestion appears to have been overlooked in the MIR assessment of the site wherein it states that “...**only residential use is proposed and would not add to the mix of uses in the area**”. It is assumed, however, that were the site to be identified as an Opportunity Site for 50 homes it would not preclude the scope for an element of retail provision at ground floor level should a prospective developer consider it to be viable.

Comments within the MIR Assessment regarding surface water flooding on Lord Hay’s Road are noted. However, the University are not aware of any surface water flooding problems impacting on their site. Nevertheless, such matters would be fully investigated through the planning application process.

Similarly, the comments regarding education capacity are noted. However, given the scale of the site and the fact that it is likely to accommodate a flatted development with a number of 1 bedroom apartments, pupil numbers generated by the development are likely to be low. In any event, any deficiencies can be addressed through developer obligations.

Redevelopment of the site creates an opportunity to provide a development which enhances the Conservation Area within which the site sits. It will provide residential accommodation in proximity to the University and complement the surrounding uses. Should an element of retail use be included this would increase the range of services and facilities available to the local community. Such a use would also be complementary to the adjoining residential uses.

As a consequence, the University welcome the identification of the site as preferred for the development of 50 homes. They further respectfully request that it be allocated as an Opportunity Site for the development of 50 homes in the proposed Local Development Plan 2022.



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Organisation (if relevant)	Ryden LLP
On behalf of (if relevant)	The University of Aberdeen
Address	
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Representations to the Aberdeen City Local Development Plan 2019 Main Issues Report on behalf of The University of Aberdeen in relation to Main Issue 11 – Student Accommodation, and Main Issue 12 – Houses in Multiple Occupation.

Introduction

The University of Aberdeen has a major influence on the city. Founded in 1495, it is the oldest University in Scotland with a student population of around 15,000 taught across 12 schools encompassing a broad range of disciplines.

The University community represents a significant proportion of the city's population and contributes approximately £500m per annum to the local economy. The students are invaluable to local businesses and the city overall in terms of the money they spend and the part timework they take up during their studies.

Like every major university, The University of Aberdeen must compete globally to attract the highest quality of students and staff from around the world. To do this successfully, it must provide teaching facilities that contribute to a first class student experience and provide lecturers with the tools to achieve best teaching practice in the area. The University has invested heavily in this regard with their most recent development, the Science Teaching Hub, currently under construction. The quality of residential accommodation for students and staff is also of paramount importance and The University generally welcomes the proposal to provide Policy guidance through the proposed Local Development Plan (LDP) 2022.

Main Issue 11 – Student Accommodation

The University are broadly supportive of the preferred option to include a new Policy dedicated to student accommodation. In particular, they welcome the recognition that student accommodation should be accessible by most transport modes and, accordingly, it is assumed that a continued relaxation of parking standards for student accommodation will apply. They also welcome the fact that the proposed Policy (H9 – Student Accommodation Developments) allows for the redevelopment or change of use of existing student accommodation developments providing certain criteria are satisfied.

However, it is considered that the third criterion in this regard, relative to the requirement for developer obligations, is unnecessary. This is already addressed by Criterion 2, which requires that redevelopment or change of use applications be subject to “...**all other relevant policies**”. It would, therefore, appear somewhat of an anomaly to then refer to one specific policy. The requirement for developer obligations is already addressed by current LDP Policy I1 – Infrastructure Delivery and Planning Obligations.

Main Issue 12 – Houses in Multiple Occupation

The University of Aberdeen are supportive of the current licencing arrangements for the oversight of HMO provision in the city by the Council. The capacity in University owned student accommodation is limited and many students must procure accommodation in the private sector for most of their studies. Whilst HMOs provide affordable housing for staff and students, it is important to ensure that properties are regulated, resulting in better standards, particularly relating to safety. This is currently addressed through the existing licencing requirements and it is important that any planning policy should be complementary to the licencing requirements and not duplicate those requirements.

That said, The University are broadly supportive of a new policy dedicated to HMOs, as set out in Preferred Option 2 subject to the caveats set out below.

Option 3, which is not preferred, considered the inclusion of an “over-provision” policy. Such a policy would be unacceptable to The University given the complexities in determining what constitutes an over-provision and how that over-provision is monitored and determined. In August 2017 Aberdeen City Council considered a Report on the potential for establishing a Policy on HMO over-provision. That Report followed public consultation and noted that it was not possible at the moment to assess suitably the need for HMOs in localities to an extent that would enable an over-provision policy to be properly formed under the Housing (Scotland) Act 2006. Consequently the Report recommended that the Council should not introduce an over-provision policy at this time. That position has not changed and it is, therefore, welcome that it is not the Council's Preferred Option to introduce such a policy.

However, it is noted that the Preferred Option, and Draft Policy H10 set out in Appendix 1, effectively introduces an over-provision policy through one of the three criteria against which HMO proposals would be assessed. Criterion 3 is extremely ambiguous and lacks any definition of what is likely to be “**...an excessive concentration of HMOs in a given locality**”. Such ambiguity provides uncertainty for the owners of HMOs and also for the community in which they are located.

The wording of Policy is unacceptable in its current terms and The University would prefer that Criterion 3 is simply removed from Policy. Were it to be retained the proposed LDP would require to provide some guidance as regards the definition of over-provision as attempted through the MIR discussion on an over-provision policy. In this regard, the percentages set out in the MIR are purely arbitrary and percentage impacts could be significantly greater on one area than another.

However, were such guidance to be provided the University would suggest that Ward boundaries should be used as a widely recognised basis for the calculation of such a percentage and that the percentage be limited to 15%, which is Preferred Option 1.

Conclusions and Recommendations

The University of Aberdeen makes a significant contribution to the economy of the city. It generally welcomes the intention to include Policies relative to student accommodation and houses in multiple occupation within the proposed LDP 2022. The Preferred Options for each are broadly supported.

However, in respect of Proposed Policy H9, the third criterion for the assessment of proposals for the redevelopment of existing student accommodation or change of use applications should be removed. In relation to proposed Policy H10 – Houses in Multiple Occupation, the third criterion which deals with over-provision should be removed. Failing that, the supporting text should provide some clarity as regards what constitutes over-provision. In that case, the limit should be set at 15% over clearly defined and recognisable Ward boundaries.