

Proposed Aberdeen Local Development Plan 2015 Representation Form

Please use this form to make comments on the Proposed Aberdeen Local Development Plan, ensuring that your comments relate to a specific issue, site or policy in either the Proposed Plan, Proposed Supplementary Guidance, Proposed Action Programme or Strategic Environmental Assessment Environmental Report. Please include the relevant paragraph(s) and use a separate form for each issue you wish to raise.

The consultation period runs between Friday 20th March and Monday 1st June 2015. Please ensure all representations are with us by 5pm on Monday 1st June.

Name	Mr <input type="radio"/> Mrs <input type="radio"/> Miss <input type="radio"/> Ms <input checked="" type="radio"/> Emelda Maclean
Organisation	Emac Planning LLP
On behalf of (if relevant)	Scotia Homes Ltd
Address	Ballinard House 3 Davidson Street Broughty Ferry
Postcode	DD5 3AS
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Please tick if you would like to receive all future correspondence by e-mail

What document are you commenting on?	Proposed Plan	<input checked="" type="checkbox"/>	
	Proposed Supplementary Guidance	<input type="checkbox"/>	
	Proposed Action Programme	<input type="checkbox"/>	
	Strategic Environmental Assessment Environmental Report	<input type="checkbox"/>	
Policy/Site/Issue	Section 2 Spatial Strategy, Policy LR1, Table 6, Policy I1, Policy H3, Policy H5, Policy R7, Policy CI1	Paragraph(s)	Paragraphs 2.1 – 2.16

What would you like to say about the issue?

See statement attached

What change would you like to see made?

See statement attached

Please return the completed form by:

- post to the Local Development Plan Team, Aberdeen City Council, Business Hub 4, Ground Floor North, Marischal College, Broad Street, Aberdeen AB10 1AB; or
- email to ldp@aberdeencity.gov.uk

The representation form can be filled in, saved, e-mailed and/or printed. You must “save as” to ensure the completed form is saved with the changes you have made. If you need more space, please fill out another representation form or send a word document attachment via e-mail with your completed representation form. **Please ensure all representations are with us by 5pm on Monday 1st June.**

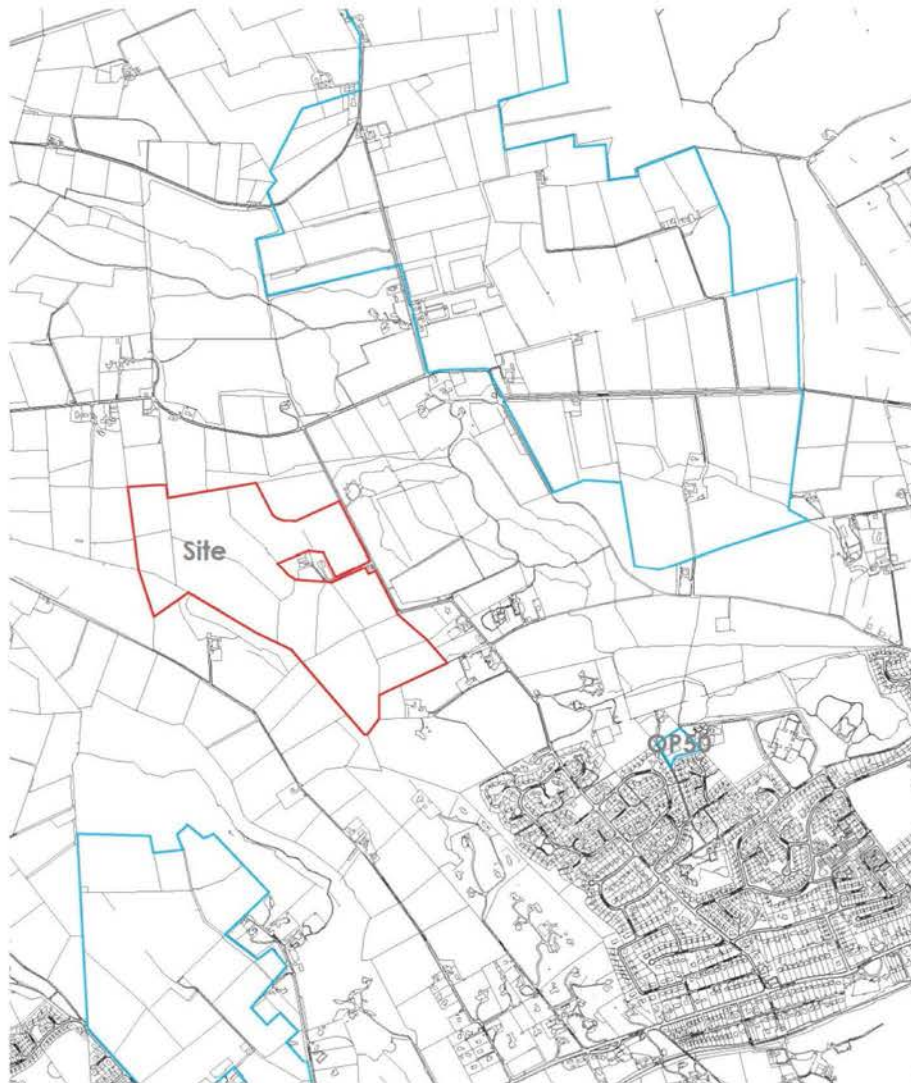
Thank you. For more information, please visit www.aberdeencity.gov.uk/aldp2016 or to contact the Local Development Plan Team call 01224 523470.

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Scotia Homes Ltd: Foggieton, Countesswells

Submissions on Proposed Aberdeen Local Development Plan, 2015



Emac Planning LLP, Ballinard House, 3 Davidson Street, Broughty Ferry, Dundee DD5 3AS

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Scotia Homes Ltd

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What document are you commenting on?

Proposed Plan

Overview and Suggested Modification to the Proposed Aberdeen Local Development Plan

The following submissions by Emac Planning LLP are made on behalf of Scotia Homes Ltd in support of seeking an allocation in the Aberdeen Local Development Plan for residential development at land at Foggieton, Countesswells.

The land, which is under control of Scotia Homes Ltd, extends to an area of approximately 21.6 hectares and lies to the north west of Bieldside and southwest of the recently allocated new neighbourhood at Countesswells.

The proposal relates to a new residential led mixed use neighbourhood with a capacity for approximately 650 houses, a new neighbourhood centre, public open space provision and woodland walks, set within a landscape framework. Whilst of a significantly smaller scale, the proposed new neighbourhood would be closely aligned in both location and in terms of the principle of development with the recently allocated new settlement in the LDP at Countesswells (Ref: OP58). The site location plan, attached in Appendix 1, identifies the relatively close relationship of the proposed new neighbourhood with the proposed new settlement at Countesswells and the neighbourhood extension to Milltimber (Ref: OP62).

An indicative layout plan also attached in Appendix 1 illustrates how a new residential development, together with modest local retail, substantial areas of new public open space and woodland walks, complimenting the existing woodland walks in the area could be implemented.

A site-specific Supporting Planning Statement is attached in Appendix 2.

It is respectfully requested that the above Planning Statement and following submissions are taken into account in support of allocating land at Foggieton, Countesswells for a new mixed use neighbourhood in the forthcoming LDP.

Policy/Site/Issue: Section 2 Spatial Strategy

Paragraphs 2.1 – 2.16

What would you like to say about the issue?

The Aberdeen City and Shire Strategic Development Plan (SDP), approved 2014 sets out the strategic housing requirement for the LDP. For Aberdeen City, Figure 1 identifies a greenfield housing allowance of 17,000 up to 2026 and a brownfield housing allowance of 7,500 up to 2026.

The Proposed Aberdeen LDP not only requires to implement the allowances set out in Figure 1, but also needs to comply with Scottish Planning Policy (2014) requirements in terms of delivering effective housing land within the Aberdeen Housing Market Area (HMA).

Figure 10 of the SDP sets out the Housing Land Requirement (HLR) for the Rural and Aberdeen HMA as follows:

	2011-2016	2017-2026	2027-2035
Aberdeen HMA	9,965	15,017	13,506
Rural HMA	4,237	6,411	4,836
Total	14,202	21,428	18,342

The SDP confirms that around half of all new development in the city region will be within Aberdeen City, therefore the LDP requires to provide for approximately half of the total HLR identified in Figure 10 of the SDP. For the period up to 2026, the LDP would therefore need to provide sufficient land for 17,800 houses.

Appendix 1 of the Proposed LDP illustrates the potential brownfield sites and paragraph 2.12 states that overall the total number of potential units identified for brownfield sites ranges from 5,398 to 7,287 units. However, 2,808 of these units are currently stated as being non-effective. Whilst paragraph 2.13 states that future Local Development Plans will continue to identify brownfield sites to meet the housing allowances beyond the next 7-10 years, it is unfortunate that this LDP does not provide for certainty that the brownfield housing land supply will be achieved through allocations in this LDP in the period up to 2026 as required by Figure 1 of the SDP. A shortfall in the supply of deliverable brownfield sites provides for a justification for releasing additional greenfield land to accommodate the shortfall.

Paragraphs 2.14 - 2.16 of the Proposed LDP identify the greenfield allowances and with a provision of 17,000 homes up to 2026 the LDP complies with the allowances set out in Figure 1 of the SDP. Together with the brownfield sites it also appears that statistically the HLR of 17,800 (up to 2026) is provided for.

Scottish Planning Policy (SPP) does, however, also require a minimum of 5 years effective land supply at all times and it is considered that the LDP should clearly set out the HLR and Housing Land Supply (LHS) for the 5 year and 10 year period of the LDP, not just the SDP allowances, in order to clearly demonstrate that the effective supply for the periods concerned. In addition, it is considered that the Table should also illustrate an increase in the HLR by 10-20% to reflect Government Policy as contained in paragraph 116 of SPP. A table clearly setting out the 5 and 10 year HLR (together with an increase) and HLS would not only provide clarity, but also further assist in the future monitoring of the delivery of housing land.

Whilst quantitatively the Proposed LDP appears to satisfy the SDP allowances and HLR, the main concern is that the contributing sites may not deliver 'effective' housing land timeously, as required. Paragraph 119 of SPP states that planning authorities should be confident that land can be brought forward for development within the plan period and that the range of sites allocated will enable the housing supply target to be met.

The issue is not therefore just numerical, but also about the allocation of sites which achieve effective and timely delivery in the right locations. This view was expressed during the consultation period on the LDP Main Issues Report and also on the Proposed SDP. In effect, there remains a concern over the delivery of the larger strategic sites and the costs associated in bringing them forward for development in the LDP period, in this economic climate, at the rate anticipated.

The Reporter's Report on the SDP recognised this issue, stating in paragraph 18 (page 71) that *"I appreciate the concerns expressed in some representations that larger sites can be less flexible than smaller sites in regard to delivery. ... I am in no doubt though, that a mix of site sizes would be best placed to achieve the growth rates required in the proposed plan."*

In addition in paragraph 19 (page 71) the reporter states *"I agree with the authority that the effectiveness of housing site allocations is principally a matter for local, rather than strategic, development plans. It will be for the 2 councils to ensure that their local development plans allocate appropriate and sufficient effective land, or land capable of becoming effective and being developed during the plan period."*

However, with most of the sites forming the supply being those rolled over from the adopted LDP, this concern remains. SPP requires LDPs to allocate a range of sites which are effective or expected to become effective in the plan period up to year 10 from the expected year of adoption. However, with sites simply rolling forward there does not appear to have been a thorough overview on the existing sites and evidence to confirm that the tests of SPP can be met. To overcome the potential emerging problem of ineffective sites, it is considered that the LDP should allocate additional sites to increase the flexibility in the supply and to allocate sites of a scale which are economically efficient to develop.

Again, the Reporter on the SDP acknowledges this issue in paragraph 21 (page 71) of the Report stating *"... On the matter of "easy sites" being developed in preference to larger sites, the local development plans will require to ensure that there is an appropriate balance of such sites, and that those larger sites which are allocated are effective or capable of becoming so."*

In effect, it is considered that the LDP also has a requirement to compensate for ineffective sites and large sites that are being delivered at a slower rate of progress than anticipated, primarily due to long lead in times and associated infrastructure delivery implications. It is considered that additional sites will be required to deliver the required HLS over the five years within achievable targets / build rates.

It is suggested that the LDP should address the concerns identified above, by providing for an additional mix of sites over and above those sites currently identified. This approach would address the reporter's conclusion on this issue on the SDP that *"I am in no doubt though, that a mix of site sizes would be best placed to achieve the growth rates required in the proposed plan."*

It is considered that Foggieton, Countesswells should be allocated in the LDP for residential development and mixed use development in order to bring forward land in an appropriate location which is capable of delivering effective housing land in the first period of the LDP.

What change would you like to see made?

The following changes are suggested:

1. The introduction of a new table clearly identifying the HLR & HLS over the 5 and

- 10 year period of the LDP, together with a 10-20% increase on the HLR.
2. The introduction of sites to augment the supply, including land at Foggieton, Countesswells.

Policy/Site/Issue: Policy LR1 - Land Release Policy (Part B)

What would you like to say about the issue?

It is considered that Part B of the Policy is too restrictive by only allowing new sites to come forward, in the event of a deficit through a review of the Local Development Plan. This would result in further delay in sites coming forward in the event of a housing shortfall.

What change would you like to see made?

It is suggested that the Council introduces a policy or supplementary planning guidance on monitoring the situation through the Housing Land Audit. It is considered that Part B of the Policy should be replaced with wording to the effect that the "The continued effectiveness of sites will be monitored through the annual Housing Land Audit" and that "Where necessary to maintain a 5 year effective housing land supply additional housing land will be allowed to come forward from other appropriate brownfield and greenfield sites that are sustainable and capable of delivering effective housing land."

Policy/Site/Issue: Table 6: Development at Countesswells

What would you like to say about the issue?

Paragraph 2.23 of the Proposed Aberdeen LDP confirms "A new community at Countesswells was identified in the 2012 Local Development Plan. This area benefits from being close to the employment sites at Kingswells. This development includes 10ha of employment land plus appropriate community facilities." Table 3 identifies that the site at Countesswells (OP38) is allocated for 3,000 homes with 850 homes in the period 2017-2026.

Submissions by Scotia Homes have expressed concern over the deliverability of some large strategic housing sites and the reliance on single sites to provide for the required supply in a particular area. It is considered that the allocation of additional housing and mixed use development at Foggieton can assist in proving flexibility in the housing land supply on a site where there is a willing developer and effective housing land can be delivered, to complement the employment allocations at Kingswells.

The proposal relates to a residential development, for approximately 650 houses, with a new neighbourhood centre, public open space provision and woodland walks, set within a landscape framework. Whilst of a significantly smaller scale than Countesswells (Ref: OP38), the proposed new neighbourhood would be closely aligned in both location and in terms of the principle of development with this recently allocated new settlement in the LDP. Future development will be guided through the masterplanning process.

The characteristics of the site lend itself to the future growth of the area in a location which can assist in sustaining and contributing to existing service provision, whilst also providing community benefits in terms of a new neighbourhood centre, new public open space and new high quality mixed tenure housing.

What change would you like to see made?

The allocation of land at Foggieton, Countesswells for medium/long-term residential development for approximately 650 houses and other mixed use development in the Aberdeen LDP and the removal of the green belt and green space network designation.

Policy/Site/Issue: Policy I1 Infrastructure Delivery and Planning Obligations

What would you like to say about the issue?

Scotia Homes Ltd supports the policy requirements, however, it is considered that the Policy should clearly identify that infrastructure requirements will be secured in accordance with the required policy tests contained in Circular 3/2012: Planning Obligations and Good Neighbour Agreements.

What change would you like to see made?

Insert after "The precise level of infrastructure requirements and contributions will need to be agreed with the Council and other statutory agencies." "in accordance with the policy tests contained in Circular 3/2012: Planning Obligations and Good Neighbour Agreements."

Policy/Site/Issue: Policy H3 Density

What would you like to say about the issue?

There is no planning justification to introduce a density standard into a statutory policy. The density of a development should be guided by site characteristics and place-making principles.

What change would you like to see made?

Remove criterion 1 from Policy H3

Policy/Site/Issue: Policy H5 Affordable Housing

What would you like to say about the issue?

Scottish Planning Policy (2014) states that "the level of affordable housing required as a contribution within a market site should generally be no more than 25% of the total number of houses".

What change would you like to see made?

Delete "no less than" and insert "up to".

Policy/Site/Issue: Policy R7 Low & Zero Carbon Buildings

What would you like to say about the issue?

It is not considered appropriate for a planning policy to introduce a target to reduce the predicted carbon dioxide emissions by at least 20% below that required by the Scottish building regulations.

This matter should continue to be controlled through the Building Regulations and any future planning policy should be aligned with these requirements and be sufficiently flexible to incorporate a number of measures, in line with Government Policy, moving forward. It is considered that such a policy would be incapable of being assessed properly through the planning process on all proposals, including applications for planning permission in principle.

As stated on the MIR consultation, Scotia Homes Ltd would support a broader planning policy approach in Policy R7, which should, in our opinion, focus on a hierarchy of measures for encouraging fabric led energy efficiency measures by concentrating on providing energy efficient homes first. A Fabric First solution through achieving a highly insulated and air tight envelope for the building would subsequently avoid the need for LZCGT's which may produce energy, but which have long-term replacement and running costs associated with them. The latter of which is not considered sustainable.

Scotia Homes Ltd is already committed to the above approach, which is considered to be realistic and achievable in practice. Scotia Homes' priority is to target a fabric first solution which offers guaranteed in use carbon savings and significantly lower embodied carbon content, than that from imported specialist LZCG Technologies which significantly increases carbon over the whole life from raw material, transportation, fitting and in use.

Scotia Homes Ltd has already been in dialogue with Aberdeen City Council on this issue, in order to discuss the existing difficulties in implementing the requirements of Policy 7 in practice. Based on these discussions, it is relevant that the Council has previously accepted a relaxation in Policy R7 acknowledging that the fabric first principle has proven to successfully meet and exceed the requirements for a reduction in carbon emissions without the use of LZCGT. A new Policy R7 should therefore address existing issues and ensure that it is sufficiently broad and flexible in its approach to allow targets to be achieved in a realistic manner in practice.

Not least, it is considered relevant that there is currently some significant policy work being undertaken on this issue which would support a broader policy approach being incorporated into a new Policy 7 which would allow the outcome of this policy research to be taken on board.

Within the above context, it is relevant that new and emerging refinements to Scottish Energy Policy, such as the Scottish Energy Hierarchy has been developed and promoted in recent years through "Sustainable Energy in the Built Environment – Best Practise for Scottish Planners" This was published by Scottish Government in

June 2010. The guidance encourages policy makers towards a 4-tier hierarchy based on energy efficiency first, before decarbonisation through use of LZC technologies.

Additional relevant policy studies include the Department for Communities and Local Government (August 2013) "Next Steps to Zero Carbon Homes – Allowable Solutions, Consultation; NHBC Foundation (February 2012) Zero Carbon Strategies – For Tomorrow's New Homes; NHBC Foundation (September 2012) Allowable Solutions – Evaluating Opportunities and Priorities; Report of a Panel appointed by Scottish Ministers and Chaired by Lynne Sullivan – A Low Carbon Building Standard Strategy for Scotland. The Zero Carbon Hub, who work on a public/private partnership basis, including working with the NHBC Foundation Research Team, also aim to support the mainstream delivery of low and zero carbon homes. All these parties are currently revisiting the original Sullivan Report which set the initial energy performance standards subsequently converted into current national policy.

The current re-thinking of energy standards has led to the delay of further energy performance reductions until 2015 at the earliest and it is also considered relevant that a recent Scottish Government presentation to the NHBC - Next Set of Energy Standards and Reconvened 'Sullivan Panel' identified support for some key considerations.

The Scottish Government has recommended that 'Allowable Solutions' should be investigated as a potential option for a 'net zero carbon' standard to meet energy targets. Many of the above studies, advocate a three tiered hierarchy approach towards achieving government targets including 'Fabric First + LZCT+ Allowable Solutions'. It is considered that the narrow, single policy approach currently being promoted by Policy R7, which pushes for solely LCZT to reduce energy, is out of step with the current policy approach and recommendations referred to above, which are supported by the Scottish Government.

The referred to NHBC presentation also identifies that the Scottish Government are looking to '*Align the emissions abatement aspects of both the Planning and Building Standards systems*'. It is considered that this is extremely relevant as in Scotia Homes Ltd's experience in the City, it is possible to obtain a building warrant by submitting compliant SAP calculations which demonstrate that the building 'fabric first' approach achieves the reduced energy targets without the need for LZCT's, however, conversely the same design proposals, in terms of LCZT target achievement may not meet with Policy R7. Scotia Homes Ltd would support the above approach to align both the Planning and Building Standards systems.

What change would you like to see made?

It is considered that Policy R7 should align with the building standards and should accord with current policy thinking, including that of the Scottish Government, on energy reduction targets. A flexible planning policy approach should be adopted in accordance with the principles of 'Fabric First + LZCT+ Allowable Solutions' and not dictate a single restrictive policy approach which may not be achievable and would be unlikely to provide for a solution that can be fulfilled on all sites.

Policy/Site/Issue: Policy CI1 Digital Infrastructure

What would you like to say about the issue?

It is unreasonable for the planning system to 'expect' that all new residential and commercial development should have access to modern, up-to-date high-speed communications infrastructure.

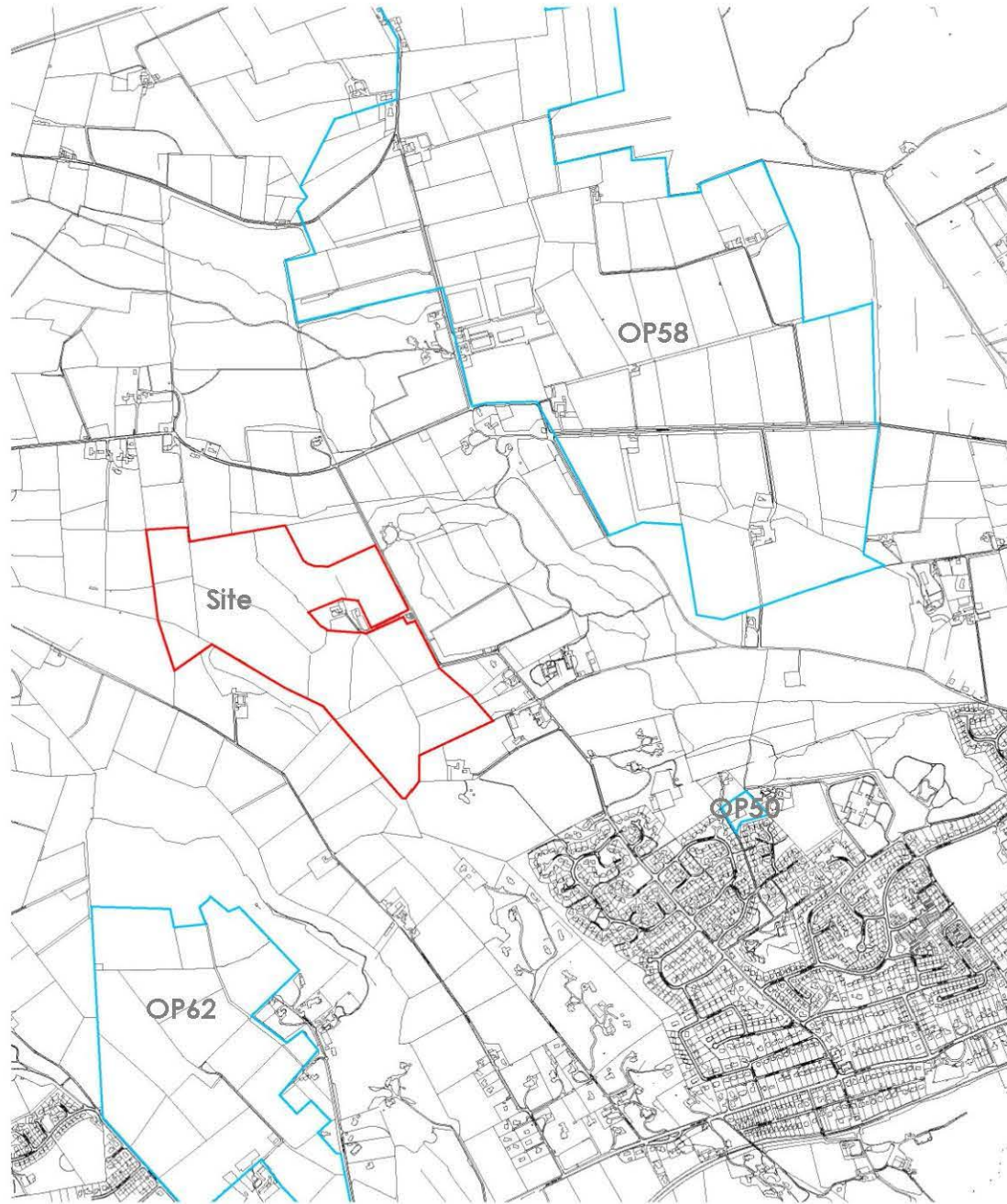
As stated in the MIR submissions, digital infrastructure provision should be a matter for the associated providers. The requirement for its provision through the planning process would fail to satisfy the policy tests contained in Circular 3/2012: Planning Obligations and Good Neighbour Agreements. In particular paragraph 18 states "*Planning obligations should not be used to extract advantages, benefits or payments from landowners or developers which are not directly related to the proposed development.*" Digital infrastructure is not directly required to serve development, particularly housing and would be an additional financial burden, which could cumulatively impede deliverability of the development concerned, without serving a planning purpose.

Scotia Homes understand that the Government in conjunction with BT Openreach are currently jointly funding FTTC (Fibre To The Cabinet) installations and upgrades across the UK and it is therefore considered that funding and mechanism's are already in place for this infrastructure provision at a national level.

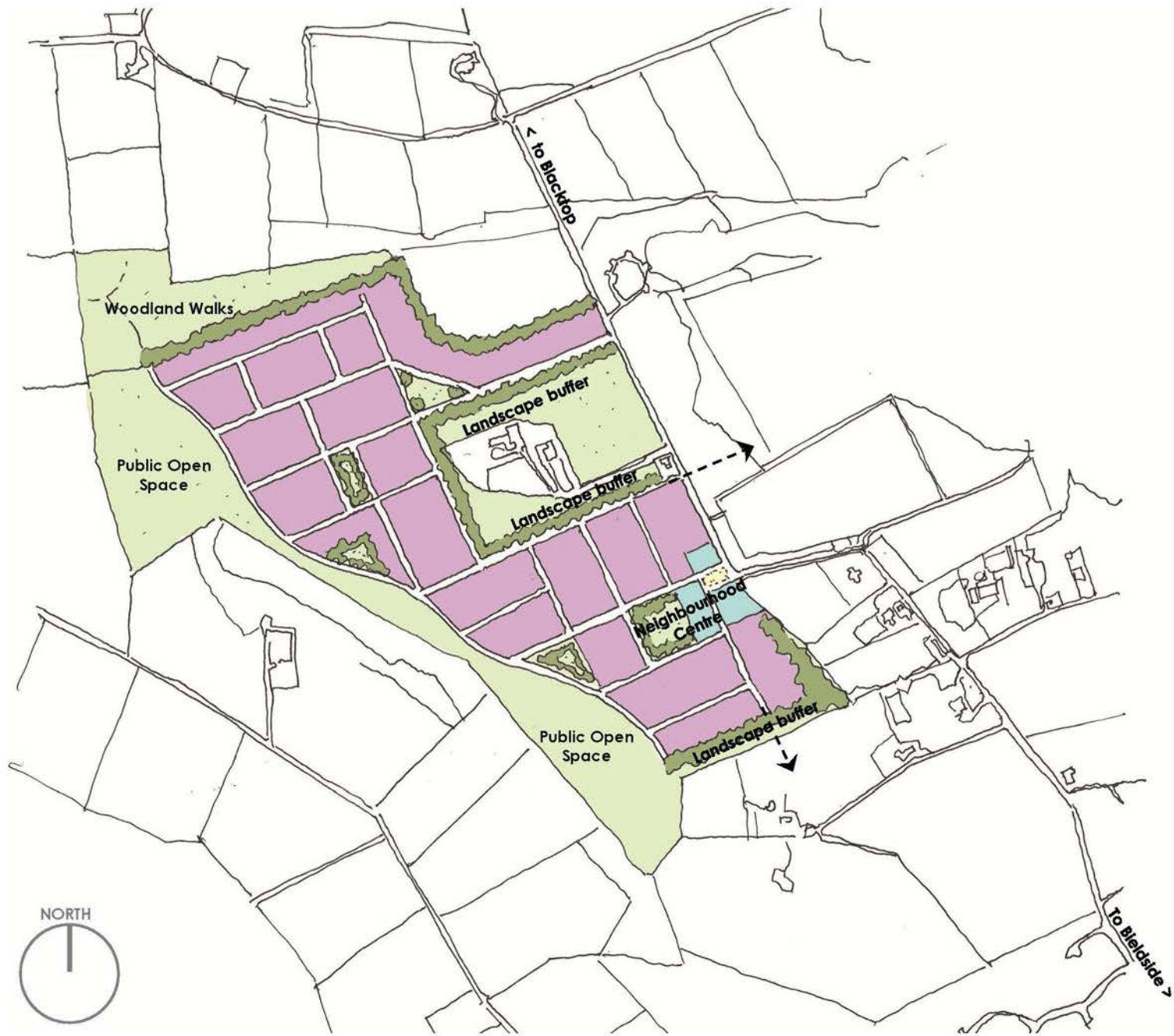
What change would you like to see made?

Deletion of the Policy.

— Currently allocated sites
— Proposed site



FOR ILLUSTRATION PURPOSES ONLY
May 2013



Legend

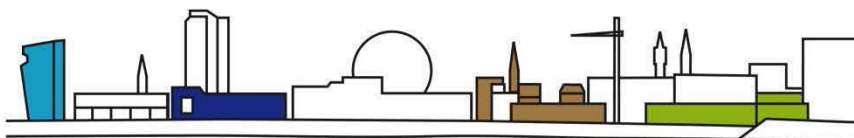
- ← - - - Allowance for connection to future development
- Residential Development
- Mixed Use Development

FOR ILLUSTRATION PURPOSES ONLY
 May 2013



**Indicative Site Layout Plan
 Countesswells, Aberdeen**

Michael Gilmour Associates
 Architecture, Interior Design, Planning Supervision
 22 Rubislaw Terrace, Aberdeen AB10 1XE



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Please tick if you would like to receive all future correspondence by e-mail

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Submissions on Proposed Aberdeen Local
Development Plan, 2015



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Emac Planning LLP

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Scotia Homes Ltd

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What document are you commenting on?

Proposed Plan

Overview and Suggested Modification to the Proposed Aberdeen Local Development Plan

The following submissions by Emac Planning LLP are made on behalf of Scotia Homes Ltd in support of seeking an allocation in the Aberdeen Local Development Plan for residential development at land at Kingwells East.

The land which is under control of Scotia Homes Ltd extends to an area of approximately 4.5 hectares and lies to the east of Kingwells, to the north of the Old Lang Stracht. It is considered that the site is capable of delivering approximately 80 houses in the period 2017-2026, together with new public open space provision.

A location plan and indicative site layout is attached in Appendix 1 and a site-specific Supporting Planning Statement is attached in Appendix 2.

It is respectfully requested that the above Planning Statement and following submissions are taken into account in support of allocating land at Kingwells East in the forthcoming LDP.

Policy/Site/Issue: Section 2 Spatial Strategy

Paragraphs 2.1 – 2.16

What would you like to say about the issue?

The Aberdeen City and Shire Strategic Development Plan (SDP), approved 2014 sets out the strategic housing requirement for the LDP. For Aberdeen City, Figure 1 identifies a greenfield housing allowance of 17,000 up to 2026 and a brownfield housing allowance of 7,500 up to 2026.

The Proposed Aberdeen LDP not only requires to implement the allowances set out in Figure 1, but also needs to comply with Scottish Planning Policy (2014) requirements in terms of delivering effective housing land within the Aberdeen Housing Market Area (HMA).

Figure 10 of the SDP sets out the Housing Land Requirement (HLR) for the Rural and Aberdeen HMA as follows:

	2011-2016	2017-2026	2027-2035
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The SDP confirms that around half of all new development in the city region will be within Aberdeen City, therefore the LDP requires to provide for approximately half of the total HLR identified in Figure 10 of the SDP. For the period up to 2026, the LDP would therefore need to provide sufficient land for 17,800 houses.

Appendix 1 of the Proposed LDP illustrates the potential brownfield sites and

paragraph 2.12 states that overall the total number of potential units identified for brownfield sites ranges from 5,398 to 7,287 units. However, 2,808 of these units are currently stated as being non-effective. Whilst paragraph 2.13 states that future Local Development Plans will continue to identify brownfield sites to meet the housing allowances beyond the next 7-10 years, it is unfortunate that this LDP does not provide for certainty that the brownfield housing land supply will be achieved through allocations in this LDP in the period up to 2026 as required by Figure 1 of the SDP. A shortfall in the supply of deliverable brownfield sites provides for a justification for releasing additional greenfield land to accommodate the shortfall.

Paragraphs 2.14 - 2.16 of the Proposed LDP identify the greenfield allowances and with a provision of 17,000 homes up to 2026 the LDP complies with the allowances set out in Figure 1 of the SDP. Together with the brownfield sites it also appears that statistically the HLR of 17,800 (up to 2026) is provided for.

Scottish Planning Policy (SPP) does, however, also require a minimum of 5 years effective land supply at all times and it is considered that the LDP should clearly set out the HLR and Housing Land Supply (LHS) for the 5 year and 10 year period of the LDP, not just the SDP allowances, in order to clearly demonstrate that the effective supply for the periods concerned. In addition, it is considered that the Table should also illustrate an increase in the HLR by 10-20% to reflect Government Policy as contained in paragraph 116 of SPP. A table clearly setting out the 5 and 10 year HLR (together with an increase) and HLS would not only provide clarity, but also further assist in the future monitoring of the delivery of housing land.

Whilst quantitatively the Proposed LDP appears to satisfy the SDP allowances and HLR, the main concern is that the contributing sites may not deliver 'effective' housing land timeously, as required. Paragraph 119 of SPP states that planning authorities should be confident that land can be brought forward for development within the plan period and that the range of sites allocated will enable the housing supply target to be met.

The issue is not therefore just numerical, but also about the allocation of sites which achieve effective and timely delivery in the right locations. This view was expressed during the consultation period on the LDP Main Issues Report and also on the Proposed SDP. In effect, there remains a concern over the delivery of the larger strategic sites and the costs associated in bringing them forward for development in the LDP period, in this economic climate, at the rate anticipated.

The Reporter's Report on the SDP recognised this issue, stating in paragraph 18 (page 71) that *"I appreciate the concerns expressed in some representations that larger sites can be less flexible than smaller sites in regard to delivery. ... I am in no doubt though, that a mix of site sizes would be best placed to achieve the growth rates required in the proposed plan."*

In addition in paragraph 19 (page 71) the reporter states *"I agree with the authority that the effectiveness of housing site allocations is principally a matter for local, rather than strategic, development plans. It will be for the 2 councils to ensure that their local development plans allocate appropriate and sufficient effective land, or land capable of becoming effective and being developed during the plan period."*

However, with most of the sites forming the supply being those rolled over from the adopted LDP, this concern remains. SPP requires LDPs to allocate a range of sites which are effective or expected to become effective in the plan period up to year 10 from the expected year of adoption. However, with sites simply rolling forward there does not appear to have been a thorough overview on the existing sites and evidence to confirm that the tests of SPP can be met. To overcome the potential emerging problem of ineffective sites, it is considered that the LDP should allocate additional sites to increase the flexibility in the supply and to allocate sites of a scale which are economically efficient to develop.

Again, the Reporter on the SDP acknowledges this issue in paragraph 21 (page 71) of the Report stating "... On the matter of "easy sites" being developed in preference to larger sites, the local development plans will require to ensure that there is an appropriate balance of such sites, and that those larger sites which are allocated are effective or capable of becoming so."

In effect, it is considered that the LDP also has a requirement to compensate for ineffective sites and large sites that are being delivered at a slower rate of progress than anticipated, primarily due to long lead in times and associated infrastructure delivery implications. It is considered that additional sites will be required to deliver the required HLS over the five years within achievable targets / build rates.

It is suggested that the LDP should address the concerns identified above, by providing for an additional mix of sites over and above those sites currently identified. This approach would address the reporter's conclusion on this issue on the SDP that "I am in no doubt though, that a mix of site sizes" would be best placed to achieve the growth rates required in the proposed plan."

It is considered that Kingwells East should be allocated in the LDP for residential development in order to bring forward land in an appropriate location which is capable of delivering effective housing land in the first period of the LDP.

What change would you like to see made?

The following changes are suggested:

1. The introduction of a new table clearly identifying the HLR & HLS over the 5 and 10 year period of the LDP, together with a 10-20% increase on the HLR.
2. The introduction of sites to augment the supply, including land at Kingwells East.

Policy/Site/Issue: Policy LR1 - Land Release Policy (Part B)

What would you like to say about the issue?

It is considered that Part B of the Policy is too restrictive by only allowing new sites to come forward, in the event of a deficit through a review of the Local Development Plan. This would result in further delay in sites coming forward in the event of a housing shortfall.

What change would you like to see made?

It is suggested that the Council introduces a policy or supplementary planning guidance on monitoring the situation through the Housing Land Audit. It is considered that Part B of the Policy should be replaced with wording to the effect that the "The continued effectiveness of sites will be monitored through the annual Housing Land Audit" and that "Where necessary to maintain a 5 year effective housing land supply additional housing land will be allowed to come forward from other appropriate brownfield and greenfield sites that are sustainable and capable of delivering effective housing land."

Policy/Site/Issue: Table 5: Development at Kingswells and Greenferns

What would you like to say about the issue?

Table 5 identifies that the main housing sites are at Maidencraig (750 homes) on the A944 corridor and at Greenferns (1,350 homes plus 10ha employment land) and that the AWPR will provide benefits to this area with junctions proposed to the north and south-west of Kingswells.

Submissions by Scotia Homes have expressed concern over the deliverability of large strategic housing sites and in the Kingswells and Greenferns area the housing land supply is largely dependent on the delivery of two strategic sites. There is only one other smaller site allocated and this is at Kingswells D & West Huxerstone (Site OP30), which is immediately to the south of Kingswells East. It is considered that the allocation of Kingswells East for a moderate scale of housing for 80 units would provide for increased flexibility in the delivery of effective housing land on a site which is well located in relation to the existing settlement and planned expansion.

What change would you like to see made?

The inclusion of land at Kingswells East for 80 homes in Table 5.

Policy/Site/Issue: Policy I1 Infrastructure Delivery and Planning Obligations

What would you like to say about the issue?

Scotia Homes Ltd supports the policy requirements, however, it is considered that the Policy should clearly identify that infrastructure requirements will be secured in accordance with the required policy tests contained in Circular 3/2012: Planning Obligations and Good Neighbour Agreements.

What change would you like to see made?

Insert after "The precise level of infrastructure requirements and contributions will need to be agreed with the Council and other statutory agencies." "in accordance with the policy tests contained in Circular 3/2012: Planning Obligations and Good Neighbour Agreements."

Policy/Site/Issue: Policy H3 Density

What would you like to say about the issue?

There is no planning justification to introduce a density standard into a statutory policy. The density of a development should be guided by site characteristics and place-making principles.

What change would you like to see made?

Remove criterion 1 from Policy H3

Policy/Site/Issue: Policy H5 Affordable Housing

What would you like to say about the issue?

Scottish Planning Policy (2014) states that “the level of affordable housing required as a contribution within a market site should generally be no more than 25% of the total number of houses”.

What change would you like to see made?

Delete “no less than” and insert “up to”.

Policy/Site/Issue: Policy R7 Low & Zero Carbon Buildings

What would you like to say about the issue?

It is not considered appropriate for a planning policy to introduce a target to reduce the predicted carbon dioxide emissions by at least 20% below that required by the Scottish building regulations.

This matter should continue to be controlled through the Building Regulations and any future planning policy should be aligned with these requirements and be sufficiently flexible to incorporate a number of measures, in line with Government Policy, moving forward. It is considered that such a policy would be incapable of being assessed properly through the planning process on all proposals, including applications for planning permission in principle.

As stated on the MIR consultation, Scotia Homes Ltd would support a broader planning policy approach in Policy R7, which should, in our opinion, focus on a hierarchy of measures for encouraging fabric led energy efficiency measures by concentrating on providing energy efficient homes first. A Fabric First solution through achieving a highly insulated and air tight envelope for the building would subsequently avoid the need for LZCGT's which may produce energy, but which have long-term replacement and running costs associated with them. The latter of which is not considered sustainable.

Scotia Homes Ltd is already committed to the above approach, which is considered to be realistic and achievable in practice. Scotia Homes' priority is to target a fabric first solution which offers guaranteed in use carbon savings and

significantly lower embodied carbon content, than that from imported specialist LZCG Technologies which significantly increases carbon over the whole life from raw material, transportation, fitting and in use.

Scotia Homes Ltd has already been in dialogue with Aberdeen City Council on this issue, in order to discuss the existing difficulties in implementing the requirements of Policy 7 in practice. Based on these discussions, it is relevant that the Council has previously accepted a relaxation in Policy R7 acknowledging that the fabric first principle has proven to successfully meet and exceed the requirements for a reduction in carbon emissions without the use of LZCGT. A new Policy R7 should therefore address existing issues and ensure that it is sufficiently broad and flexible in its approach to allow targets to be achieved in a realistic manner in practice.

Not least, it is considered relevant that there is currently some significant policy work being undertaken on this issue which would support a broader policy approach being incorporated into a new Policy 7 which would allow the outcome of this policy research to be taken on board.

Within the above context, it is relevant that new and emerging refinements to Scottish Energy Policy, such as the Scottish Energy Hierarchy has been developed and promoted in recent years through "Sustainable Energy in the Built Environment – Best Practise for Scottish Planners" This was published by Scottish Government in June 2010. The guidance encourages policy makers towards a 4-tier hierarchy based on energy efficiency first, before decarbonisation through use of LZC technologies.

Additional relevant policy studies include the Department for Communities and Local Government (August 2013) "Next Steps to Zero Carbon Homes – Allowable Solutions, Consultation; NHBC Foundation (February 2012) Zero Carbon Strategies – For Tomorrow's New Homes; NHBC Foundation (September 2012) Allowable Solutions – Evaluating Opportunities and Priorities; Report of a Panel appointed by Scottish Ministers and Chaired by Lynne Sullivan – A Low Carbon Building Standard Strategy for Scotland. The Zero Carbon Hub, who work on a public/private partnership basis, including working with the NHBC Foundation Research Team, also aim to support the mainstream delivery of low and zero carbon homes. All these parties are currently revisiting the original Sullivan Report which set the initial energy performance standards subsequently converted into current national policy.

The current re-thinking of energy standards has lead to the delay of further energy performance reductions until 2015 at the earliest and it is also considered relevant that a recent Scottish Government presentation to the NHBC - Next Set of Energy Standards and Reconvened 'Sullivan Panel' identified support for some key considerations.

The Scottish Government has recommended that 'Allowable Solutions' should be investigated as a potential option for a 'net zero carbon' standard to meet energy targets. Many of the above studies, advocate a three tiered hierarchy approach towards achieving government targets including 'Fabric First + LZCT+ Allowable Solutions'. It is considered that the narrow, single policy approach currently being promoted by Policy R7, which pushes for solely LCZT to reduce energy, is out of

step with the current policy approach and recommendations referred to above, which are supported by the Scottish Government.

The referred to NHBC presentation also identifies that the Scottish Government are looking to '*Align the emissions abatement aspects of both the Planning and Building Standards systems*'. It is considered that this is extremely relevant as in Scotia Homes Ltd's experience in the City, it is possible to obtain a building warrant by submitting compliant SAP calculations which demonstrate that the building 'fabric first' approach achieves the reduced energy targets without the need for LZCT's, however, conversely the same design proposals, in terms of LCZT target achievement may not meet with Policy R7. Scotia Homes Ltd would support the above approach to align both the Planning and Building Standards systems.

What change would you like to see made?

It is considered that Policy R7 should align with the building standards and should accord with current policy thinking, including that of the Scottish Government, on energy reduction targets. A flexible planning policy approach should be adopted in accordance with the principles of 'Fabric First + LZCT+ Allowable Solutions' and not dictate a single restrictive policy approach which may not be achievable and would be unlikely to provide for a solution that can be fulfilled on all sites.

Policy/Site/Issue: Policy C11 Digital Infrastructure

What would you like to say about the issue?

It is unreasonable for the planning system to 'expect' that all new residential and commercial development should have access to modern, up-to-date high-speed communications infrastructure.

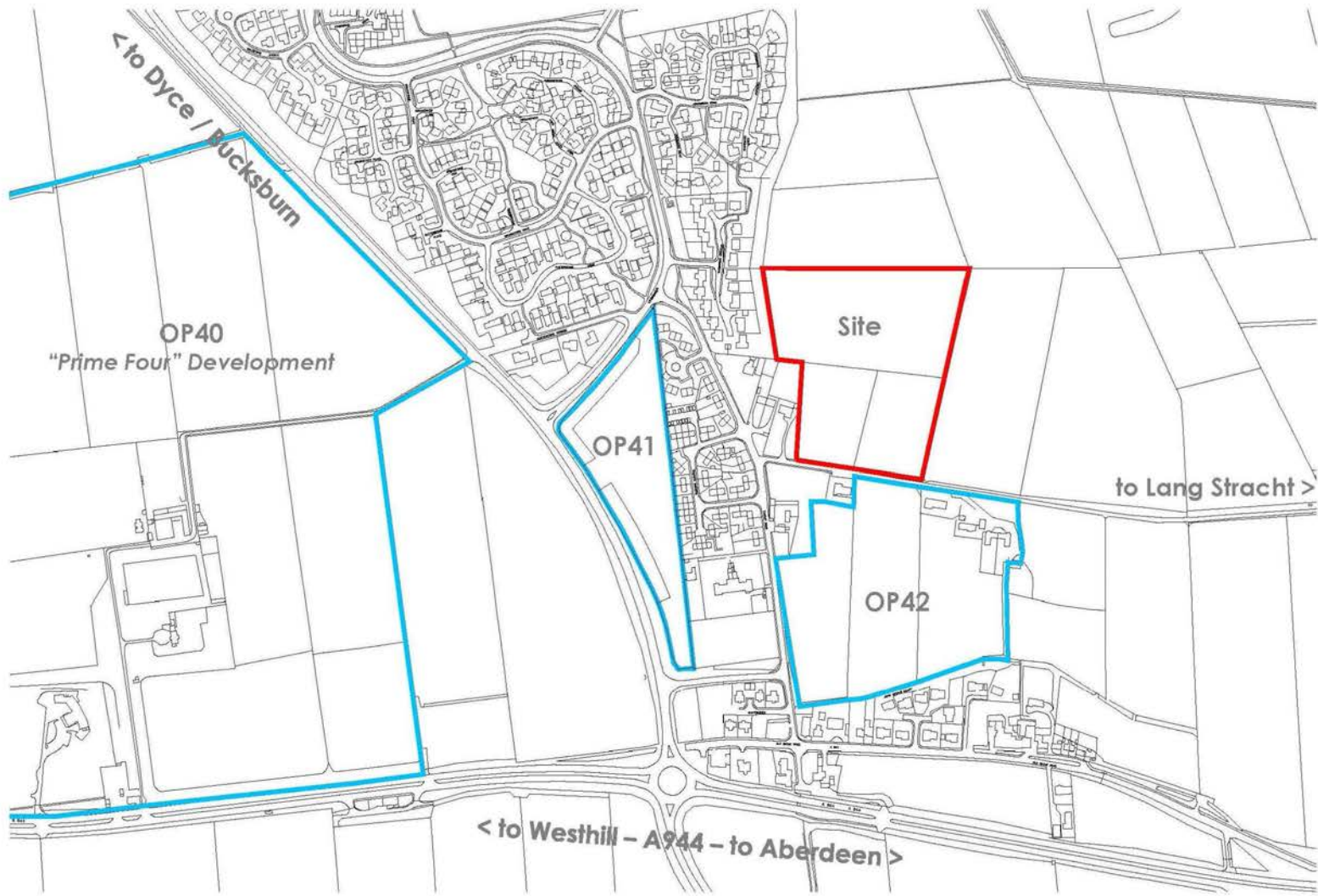
As stated in the MIR submissions, digital infrastructure provision should be a matter for the associated providers. The requirement for its provision through the planning process would fail to satisfy the policy tests contained in Circular 3/2012: Planning Obligations and Good Neighbour Agreements. In particular paragraph 18 states "*Planning obligations should not be used to extract advantages, benefits or payments from landowners or developers which are not directly related to the proposed development.*" Digital infrastructure is not directly required to serve development, particularly housing and would be an additional financial burden, which could cumulatively impede deliverability of the development concerned, without serving a planning purpose.

Scotia Homes understand that the Government in conjunction with BT Openreach are currently jointly funding FTTC (Fibre To The Cabinet) installations and upgrades across the UK and it is therefore considered that funding and mechanism's are already in place for this infrastructure provision at a national level.

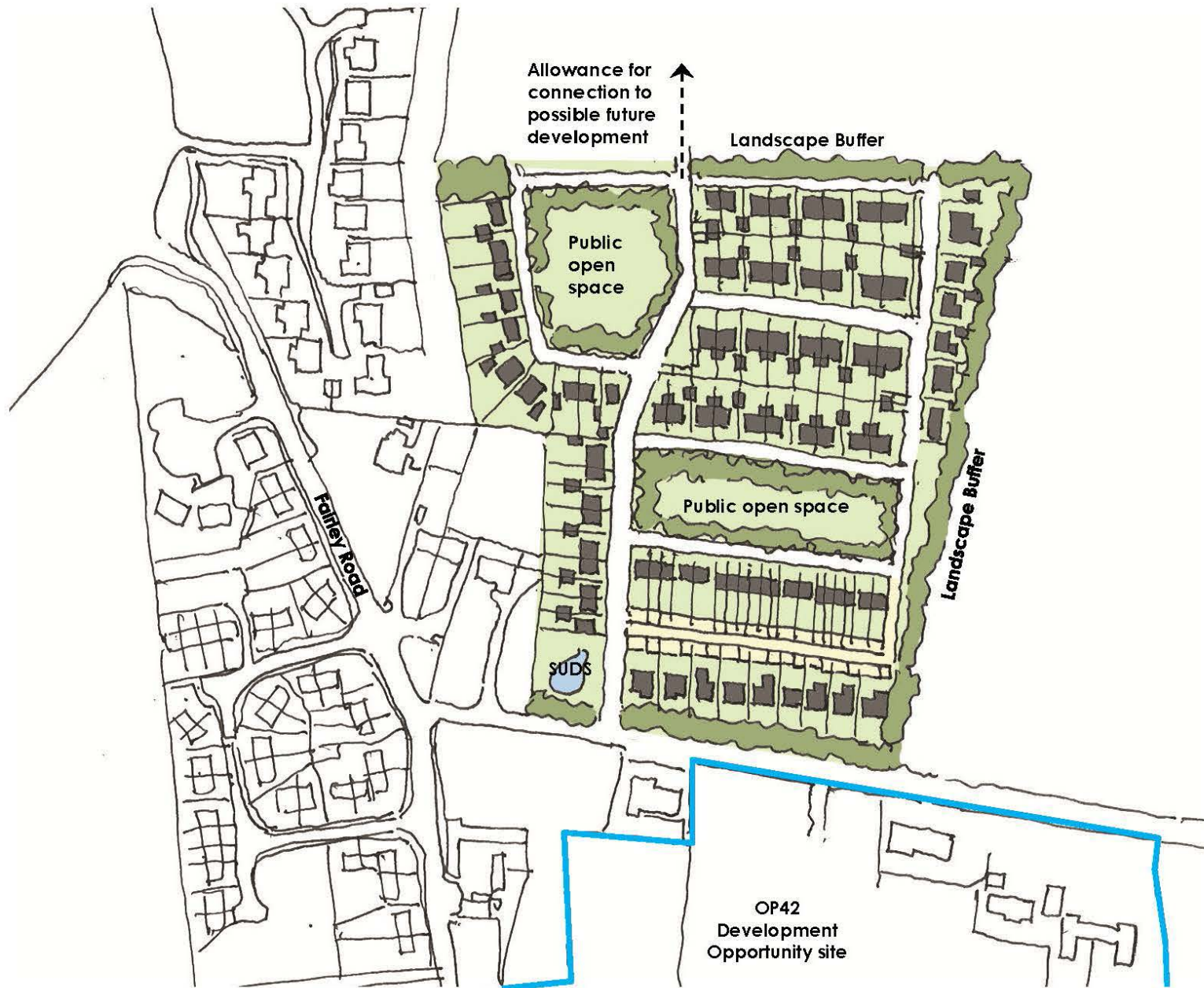
What change would you like to see made?

Deletion of the Policy.

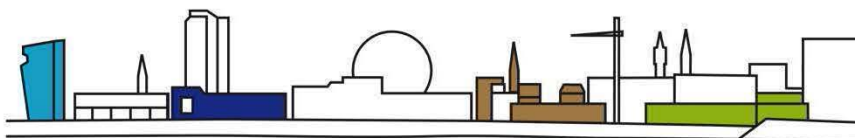
	Currently allocated sites
	Proposed site



FOR ILLUSTRATION PURPOSES ONLY
 May 2013



FOR ILLUSTRATION PURPOSES ONLY
May 2013



Proposed Aberdeen Local Development Plan 2015 Representation Form

Please use this form to make comments on the Proposed Aberdeen Local Development Plan, ensuring that your comments relate to a specific issue, site or policy in either the Proposed Plan, Proposed Supplementary Guidance, Proposed Action Programme or Strategic Environmental Assessment Environmental Report. Please include the relevant paragraph(s) and use a separate form for each issue you wish to raise.

The consultation period runs between Friday 20th March and Monday 1st June 2015. Please ensure all representations are with us by 5pm on Monday 1st June.

Name	Mr <input type="radio"/> Mrs <input type="radio"/> Miss <input type="radio"/> Ms <input checked="" type="radio"/> Emelda Maclean
Organisation	Emac Planning LLP
On behalf of (if relevant)	Scotia Homes Ltd
Address	Ballinard House 3 Davidson Street Broughty Ferry
Postcode	DD5 3AS
Telephone	[REDACTED]
E-mail	[REDACTED]

Please tick if you would like to receive all future correspondence by e-mail

What document are you commenting on?	Proposed Plan	<input checked="" type="checkbox"/>	
	Proposed Supplementary Guidance	<input type="checkbox"/>	
	Proposed Action Programme	<input type="checkbox"/>	
	Strategic Environmental Assessment Environmental Report	<input type="checkbox"/>	
Policy/Site/Issue	Section 2 Spatial Strategy, Policy LR1, Table 3, Policy I1, Policy H3, Policy H5, Policy R7, Policy CI1	Paragraph(s)	Paragraphs 2.1 – 2.16

What would you like to say about the issue?

See statement attached

What change would you like to see made?

See statement attached

Please return the completed form by:

- post to the Local Development Plan Team, Aberdeen City Council, Business Hub 4, Ground Floor North, Marischal College, Broad Street, Aberdeen AB10 1AB; or
- email to ldp@aberdeencity.gov.uk

The representation form can be filled in, saved, e-mailed and/or printed. You must “save as” to ensure the completed form is saved with the changes you have made. If you need more space, please fill out another representation form or send a word document attachment via e-mail with your completed representation form. **Please ensure all representations are with us by 5pm on Monday 1st June.**

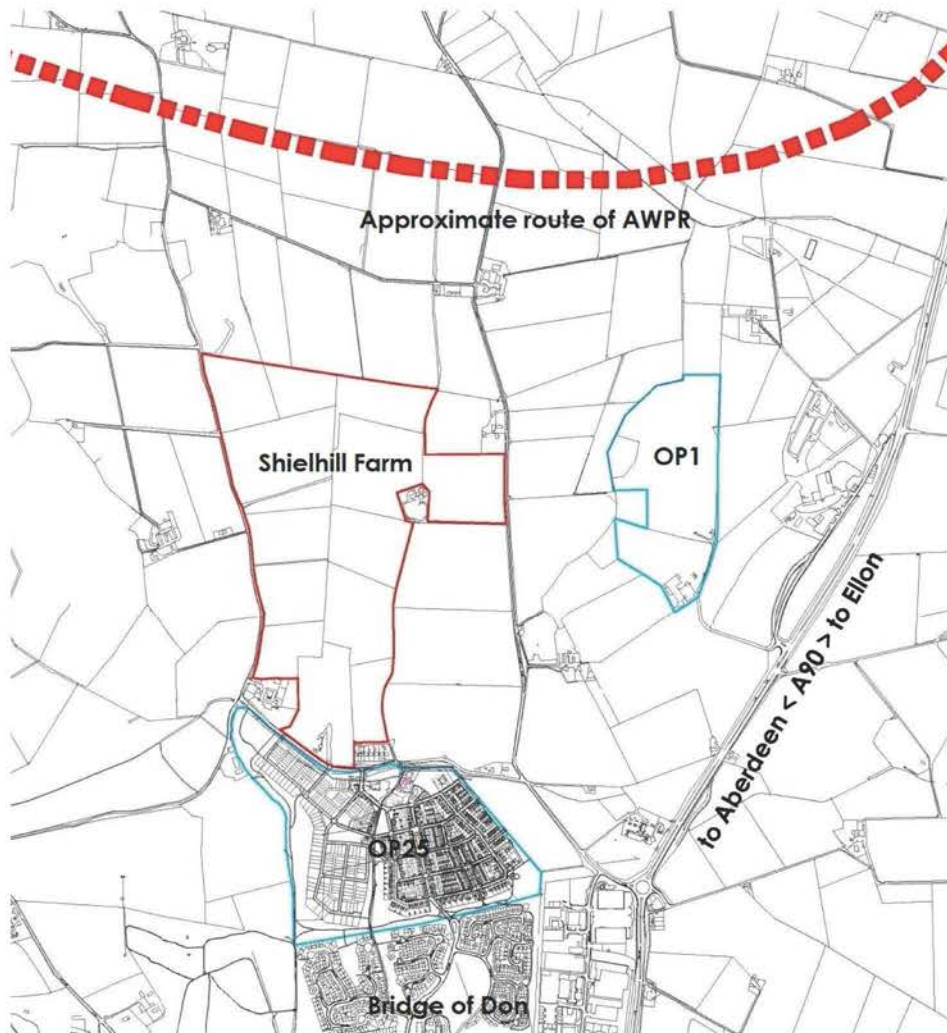
Thank you. For more information, please visit www.aberdeencity.gov.uk/aldp2016 or to contact the Local Development Plan Team call 01224 523470.

Data Protection Statement

The comments you make on the Proposed Plan will be used to inform the Local Development Plan process and the Examination into the Local Development Plan by the Scottish Ministers' Reporter. You must provide your name and address for your representation to be considered valid, and this information will be made publicly available. Other personal contact details such as telephone and e-mail will not be made public, although we will share these with the Reporter, who may use them to contact you about the comments you have made. For more information about how Aberdeen City Council maintains the security of your information, and your rights to access information we hold about you, please contact Andrew Brownrigg (Local Development Plan Team Leader) on 01224 523317.

Scotia Homes Ltd: Shielhill Farm

Submissions on Proposed Aberdeen Local Development Plan, 2015



Emac Planning LLP, Ballinard House, 3 Davidson Street, Broughty Ferry, Dundee DD5 3AS

Name:

Mrs Emelda Maclean

Organisation:

Emac Planning LLP

On behalf of:

Scotia Homes Ltd

Address:

**Ballinard House
3 Davidson Street
Broughty Ferry
DD5 3AS**

Email:

[REDACTED]

Telephone:

[REDACTED]

What document are you commenting on?

Proposed Plan

Overview and Suggested Modification to the Proposed Aberdeen Local Development Plan

The following submissions by Emac Planning LLP are made on behalf of Scotia Homes Ltd in support of seeking an allocation in the Aberdeen Local Development Plan for residential development at land at Shielhill Farm.

The land, which is under control of Scotia Homes Ltd, extends to an area of approximately 57.9 hectares and lies to the northeast of the Bridge of Don, at Shielhill Farm. A location plan is attached in Appendix 1

A mixed use development is proposed which will be influenced through the masterplanning process and have cognisance of the masterplanning process undertaken for Dubford, immediately to the south which is allocated as site OP25 in the adopted Local Development Plan 2012. The existing mixed use Site OP25 is presently under construction with Scotia Homes (lead developer), Barratt Homes and CALA Homes all successfully delivering the scheme, with circa 110 units already occupied. Existing site OP25 also contains a local neighbourhood commercial centre which is to be delivered by Scotia Homes and the medium to long term sustainable future of this new local neighbourhood centre would be further supported by the allocation of further land at Shielhill Farm. An indicative site layout for Shielhill is also attached in Appendix 1 which also illustrates an additional new neighbourhood centre and a new primary school. The new Primary School is suggested adjacent to the new neighbourhood centre in a location easily accessible from the adjoining area. It is anticipated that the site could accommodate approximately 1,000 new homes starting from 2020 at a completion rate of approximately 100 houses per annum.

A site-specific Supporting Planning Statement is attached in Appendix 2.

It is respectfully requested that the above Planning Statement and following submissions are taken into account in support of allocating further land at Shielhill Farm for what would effectively be a cohesive and natural extension to the current OP25 site and provide a larger additional mixed use neighbourhood in the forthcoming LDP. Furthermore, Scotia Homes are committed to the successful delivery of mixed use developments and this can be demonstrated through the ongoing developments at site OP25 and also at Charleston, Cove which is presently delivering an integrated mixed use within the heart of the newly created residential neighbourhood.

Policy/Site/Issue: Section 2 Spatial Strategy

Paragraphs 2.1 – 2.16

What would you like to say about the issue?

The Aberdeen City and Shire Strategic Development Plan (SDP), approved 2014 sets out the strategic housing requirement for the LDP. For Aberdeen City, Figure 1 identifies a greenfield housing allowance of 17,000 up to 2026 and a brownfield housing allowance of 7,500 up to 2026.

The Proposed Aberdeen LDP not only requires to implement the allowances set out in Figure 1, but also needs to comply with Scottish Planning Policy (2014) requirements in terms of delivering effective housing land within the Aberdeen Housing Market Area (HMA).

Figure 10 of the SDP sets out the Housing Land Requirement (HLR) for the Rural and Aberdeen HMA as follows:

	2011-2016	2017-2026	2027-2035
Aberdeen HMA	9,965	15,017	13,506
Rural HMA	4,237	6,411	4,836
Total	14,202	21,428	18,342

The SDP confirms that around half of all new development in the city region will be within Aberdeen City, therefore the LDP requires to provide for approximately half of the total HLR identified in Figure 10 of the SDP. For the period up to 2026, the LDP would therefore need to provide sufficient land for 17,800 houses.

Appendix 1 of the Proposed LDP illustrates the potential brownfield sites and paragraph 2.12 states that overall the total number of potential units identified for brownfield sites ranges from 5,398 to 7,287 units. However, 2,808 of these units are currently stated as being non-effective. Whilst paragraph 2.13 states that future Local Development Plans will continue to identify brownfield sites to meet the housing allowances beyond the next 7-10 years, it is unfortunate that this LDP does not provide for certainty that the brownfield housing land supply will be achieved through allocations in this LDP in the period up to 2026 as required by Figure 1 of the SDP. A shortfall in the supply of deliverable brownfield sites provides for a justification for releasing additional greenfield land to accommodate the shortfall.

Paragraphs 2.14 - 2.16 of the Proposed LDP identify the greenfield allowances and with a provision of 17,000 homes up to 2026 the LDP complies with the allowances set out in Figure 1 of the SDP. Together with the brownfield sites it also appears that statistically the HLR of 17,800 (up to 2026) is provided for.

Scottish Planning Policy (SPP) does, however, also require a minimum of 5 years effective land supply at all times and it is considered that the LDP should clearly set out the HLR and Housing Land Supply (LHS) for the 5 year and 10 year period of the LDP, not just the SDP allowances, in order to clearly demonstrate that the effective supply for the periods concerned. In addition, it is considered that the Table should also illustrate an increase in the HLR by 10-20% to reflect Government Policy as contained in paragraph 116 of SPP. A table clearly setting out the 5 and 10 year HLR (together with an increase) and HLS would not only provide clarity, but also further assist in the future monitoring of the delivery of housing land.

Whilst quantitatively the Proposed LDP appears to satisfy the SDP allowances and HLR, the main concern is that the contributing sites may not deliver 'effective' housing land timeously, as required. Paragraph 119 of SPP states that planning authorities should be confident that land can be brought forward for development within the plan period and that the range of sites allocated will enable the housing supply target to be met.

The issue is not therefore just numerical, but also about the allocation of sites which achieve effective and timely delivery in the right locations. This view was expressed during the consultation period on the LDP Main Issues Report and also on the Proposed SDP. In effect, there remains a concern over the delivery of the larger strategic sites and the costs associated in bringing them forward for development in the LDP period, in this economic climate, at the rate anticipated.

The Reporter's Report on the SDP recognised this issue, stating in paragraph 18 (page 71) that *"I appreciate the concerns expressed in some representations that larger sites can be less flexible than smaller sites in regard to delivery. ... I am in no doubt though, that a mix of site sizes would be best placed to achieve the growth rates required in the proposed plan."*

In addition in paragraph 19 (page 71) the reporter states *"I agree with the authority that the effectiveness of housing site allocations is principally a matter for local, rather than strategic, development plans. It will be for the 2 councils to ensure that their local development plans allocate appropriate and sufficient effective land, or land capable of becoming effective and being developed during the plan period."*

However, with most of the sites forming the supply being those rolled over from the adopted LDP, this concern remains. SPP requires LDPs to allocate a range of sites which are effective or expected to become effective in the plan period up to year 10 from the expected year of adoption. However, with sites simply rolling forward there does not appear to have been a thorough overview on the existing sites and evidence to confirm that the tests of SPP can be met. To overcome the potential emerging problem of ineffective sites, it is considered that the LDP should allocate additional sites to increase the flexibility in the supply and to allocate sites of a scale which are economically efficient to develop.

Again, the Reporter on the SDP acknowledges this issue in paragraph 21 (page 71) of the Report stating *"... On the matter of "easy sites" being developed in preference to larger sites, the local development plans will require to ensure that there is an appropriate balance of such sites, and that those larger sites which are allocated are effective or capable of becoming so."*

In effect, it is considered that the LDP also has a requirement to compensate for ineffective sites and large sites that are being delivered at a slower rate of progress than anticipated, primarily due to long lead in times and associated infrastructure delivery implications. It is considered that additional sites will be required to deliver the required HLS over the five years within achievable targets / build rates.

It is suggested that the LDP should address the concerns identified above, by providing for an additional mix of sites over and above those sites currently identified. This approach would address the reporter's conclusion on this issue on the SDP that *"I am in no doubt though, that a mix of site sizes would be best placed to achieve the growth rates required in the proposed plan."*

It is considered that Shielhill Farm should be allocated in the LDP for residential development in order to bring forward land in an appropriate location which is

capable of delivering effective housing land in the first period of the LDP.

What change would you like to see made?

The following changes are suggested:

1. The introduction of a new table clearly identifying the HLR & HLS over the 5 and 10 year period of the LDP, together with a 10-20% increase on the HLR.
2. The introduction of sites to augment the supply, including land at Shielhill Farm which is well placed to be a natural expansion to the existing OP25 development which is currently being developed.

Policy/Site/Issue: Policy LR1 - Land Release Policy (Part B)

What would you like to say about the issue?

It is considered that Part B of the Policy is too restrictive by only allowing new sites to come forward, in the event of a deficit through a review of the Local Development Plan. This would result in further delay in sites coming forward in the event of a housing shortfall.

What change would you like to see made?

It is suggested that the Council introduces a policy or supplementary planning guidance on monitoring the situation through the Housing Land Audit. It is considered that Part B of the Policy should be replaced with wording to the effect that the "The continued effectiveness of sites will be monitored through the annual Housing Land Audit" and that "Where necessary to maintain a 5 year effective housing land supply additional housing land will be allowed to come forward from other appropriate brownfield and greenfield sites that are sustainable and capable of delivering effective housing land."

Policy/Site/Issue: Table 3: Development at Bridge of Don and Grandhome

What would you like to say about the issue?

Paragraph 2.20 of the Proposed Aberdeen LDP confirms that "significant land allocations have been made to the area north of the River Don to support the Energetica Corridor promoted by ACSEF. This seeks to improve the economy and promote the energy industry along the Aberdeen to Peterhead growth corridor. The Plan allocates sites for more than 7,000 homes in this area and 32ha of employment land. The Aberdeen Western Peripheral Route (AWPR), Third Don Crossing and Haudagain roundabout improvements will bring improvements to this area. These are all scheduled for completion during the lifetime of this Plan. An Energetica Design Guide has been prepared as Supplementary Guidance."

Submissions by Scotia Homes have expressed concern over the deliverability of some large strategic housing sites and the reliance on single sites to provide for the required supply in a particular area. In the Bridge of Don and Grandhome area the housing land supply is entirely dominated by the allocation at Grandhome for 4,400

houses (Site OP9). Land at Dubford (Site OP10) is currently being developed and due to be completed by 2016 and Land at East Woodcroft North (Site OP10) for 60 homes is due to be completed by 2017. As a result after 2017 the housing supply is totally dependent on Grandhome coming forward and being developed at the rate anticipated. Given the significance of new development to the north of the Don in supporting the Energetica Corridor and the economy, it is considered that it would be appropriate to allocate an additional site in order to provide for flexibility and choice in housing land supply.

It is considered that the allocation of land at Shielhill Farm in the LDP for new housing and mixed use development would ensure the delivery of effective housing land on a site which relates well to the existing and emerging development context of the Bridge of Don area. This part of the City has grown substantially over the last 30 years, and with further major infrastructure proposals planned in the area, this site is well placed in connectivity terms, being located to the south of the AWPR and to the west of the A90 and Energetica Corridor. The third Don crossing is currently under construction at Balgownie, and there are proposals for a new Park and Ride at Murcar immediately to the southeast.

Land at Shielhill Farm can contribute to the long-term growth requirements of the area, within the inner boundary of the AWPR. Scotia Homes Ltd is committed to guiding new development through a masterplanning process, within a landscape framework appropriate to the site's location. The allocation of the site would provide flexibility and choice in the provision of housing land in the area post 2017 on a site capable of delivering effective housing land and where there is a willing and committed national housebuilder who has recently developed to the south of the site.

What change would you like to see made?

The inclusion of land at Shielhill Farm within the settlement boundary, the removal of the green belt designation and its allocated for phased residential development for approximately 1,000 houses and other mixed use development, with anticipated commencement in 2020.

Policy/Site/Issue: Policy I1 Infrastructure Delivery and Planning Obligations

What would you like to say about the issue?

Scotia Homes Ltd supports the policy requirements, however, it is considered that the Policy should clearly identify that infrastructure requirements will be secured in accordance with the required policy tests contained in Circular 3/2012: Planning Obligations and Good Neighbour Agreements.

What change would you like to see made?

Insert after "The precise level of infrastructure requirements and contributions will need to be agreed with the Council and other statutory agencies." "in accordance with the policy tests contained in Circular 3/2012: Planning Obligations and Good Neighbour Agreements."

Policy/Site/Issue: Policy H3 Density

What would you like to say about the issue?

There is no planning justification to introduce a density standard into a statutory policy. The density of a development should be guided by site characteristics and place-making principles.

What change would you like to see made?

Remove criterion 1 from Policy H3

Policy/Site/Issue: Policy H5 Affordable Housing

What would you like to say about the issue?

Scottish Planning Policy (2014) states that “the level of affordable housing required as a contribution within a market site should generally be no more than 25% of the total number of houses”.

What change would you like to see made?

Delete “no less than” and insert “up to”.

Policy/Site/Issue: Policy R7 Low & Zero Carbon Buildings

What would you like to say about the issue?

It is not considered appropriate for a planning policy to introduce a target to reduce the predicted carbon dioxide emissions by at least 20% below that required by the Scottish building regulations.

This matter should continue to be controlled through the Building Regulations and any future planning policy should be aligned with these requirements and be sufficiently flexible to incorporate a number of measures, in line with Government Policy, moving forward. It is considered that such a policy would be incapable of being assessed properly through the planning process on all proposals, including applications for planning permission in principle.

As stated on the MIR consultation, Scotia Homes Ltd would support a broader planning policy approach in Policy R7, which should, in our opinion, focus on a hierarchy of measures for encouraging fabric led energy efficiency measures by concentrating on providing energy efficient homes first. A Fabric First solution through achieving a highly insulated and air tight envelope for the building would subsequently avoid the need for LZCGT's which may produce energy, but which have long-term replacement and running costs associated with them. The latter of which is not considered sustainable.

Scotia Homes Ltd is already committed to the above approach, which is considered to be realistic and achievable in practice. Scotia Homes' priority is to

target a fabric first solution which offers guaranteed in use carbon savings and significantly lower embodied carbon content, than that from imported specialist LZCG Technologies which significantly increases carbon over the whole life from raw material, transportation, fitting and in use.

Scotia Homes Ltd has already been in dialogue with Aberdeen City Council on this issue, in order to discuss the existing difficulties in implementing the requirements of Policy 7 in practice. Based on these discussions, it is relevant that the Council has previously accepted a relaxation in Policy R7 acknowledging that the fabric first principle has proven to successfully meet and exceed the requirements for a reduction in carbon emissions without the use of LZCGT. A new Policy R7 should therefore address existing issues and ensure that it is sufficiently broad and flexible in its approach to allow targets to be achieved in a realistic manner in practice.

Not least, it is considered relevant that there is currently some significant policy work being undertaken on this issue which would support a broader policy approach being incorporated into a new Policy 7 which would allow the outcome of this policy research to be taken on board.

Within the above context, it is relevant that new and emerging refinements to Scottish Energy Policy, such as the Scottish Energy Hierarchy has been developed and promoted in recent years through "Sustainable Energy in the Built Environment – Best Practise for Scottish Planners" This was published by Scottish Government in June 2010. The guidance encourages policy makers towards a 4-tier hierarchy based on energy efficiency first, before decarbonisation through use of LZC technologies.

Additional relevant policy studies include the Department for Communities and Local Government (August 2013) "Next Steps to Zero Carbon Homes – Allowable Solutions, Consultation; NHBC Foundation (February 2012) Zero Carbon Strategies – For Tomorrow's New Homes; NHBC Foundation (September 2012) Allowable Solutions – Evaluating Opportunities and Priorities; Report of a Panel appointed by Scottish Ministers and Chaired by Lynne Sullivan – A Low Carbon Building Standard Strategy for Scotland. The Zero Carbon Hub, who work on a public/private partnership basis, including working with the NHBC Foundation Research Team, also aim to support the mainstream delivery of low and zero carbon homes. All these parties are currently revisiting the original Sullivan Report which set the initial energy performance standards subsequently converted into current national policy.

The current re-thinking of energy standards has lead to the delay of further energy performance reductions until 2015 at the earliest and it is also considered relevant that a recent Scottish Government presentation to the NHBC - Next Set of Energy Standards and Reconvened 'Sullivan Panel' identified support for some key considerations.

The Scottish Government has recommended that 'Allowable Solutions' should be investigated as a potential option for a 'net zero carbon' standard to meet energy targets. Many of the above studies, advocate a three tiered hierarchy approach towards achieving government targets including 'Fabric First + LZCT+ Allowable Solutions'. It is considered that the narrow, single policy approach currently being

promoted by Policy R7, which pushes for solely LCZT to reduce energy, is out of step with the current policy approach and recommendations referred to above, which are supported by the Scottish Government.

The referred to NHBC presentation also identifies that the Scottish Government are looking to '*Align the emissions abatement aspects of both the Planning and Building Standards systems*'. It is considered that this is extremely relevant as in Scotia Homes Ltd's experience in the City, it is possible to obtain a building warrant by submitting compliant SAP calculations which demonstrate that the building 'fabric first' approach achieves the reduced energy targets without the need for LZCT's, however, conversely the same design proposals, in terms of LCZT target achievement may not meet with Policy R7. Scotia Homes Ltd would support the above approach to align both the Planning and Building Standards systems.

What change would you like to see made?

It is considered that Policy R7 should align with the building standards and should accord with current policy thinking, including that of the Scottish Government, on energy reduction targets. A flexible planning policy approach should be adopted in accordance with the principles of 'Fabric First + LZCT+ Allowable Solutions' and not dictate a single restrictive policy approach which may not be achievable and would be unlikely to provide for a solution that can be fulfilled on all sites.

Policy/Site/Issue: Policy C11 Digital Infrastructure

What would you like to say about the issue?

It is unreasonable for the planning system to 'expect' that all new residential and commercial development should have access to modern, up-to-date high-speed communications infrastructure.

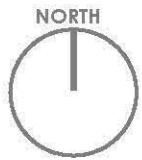
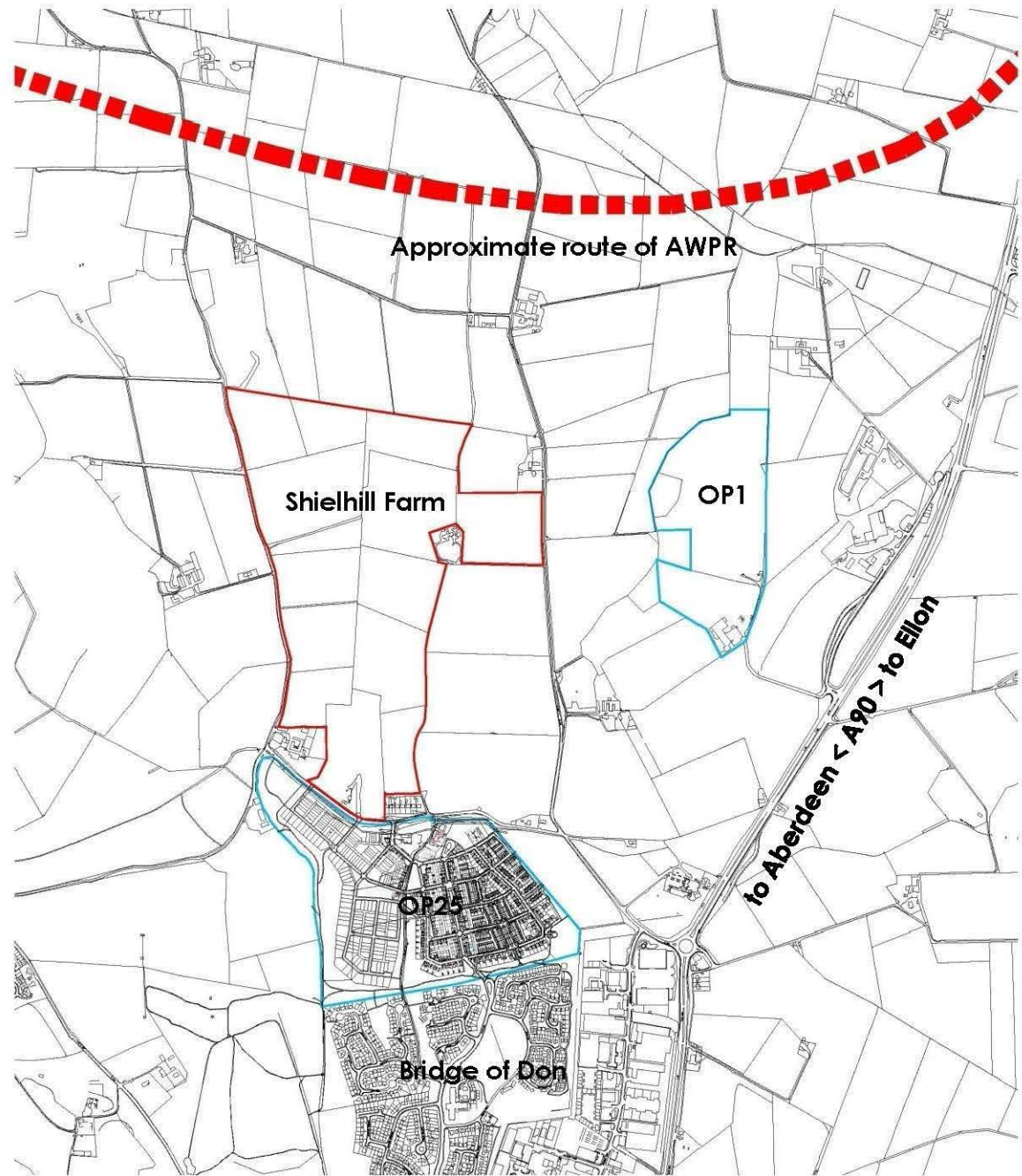
As stated in the MIR submissions, digital infrastructure provision should be a matter for the associated providers. The requirement for its provision through the planning process would fail to satisfy the policy tests contained in Circular 3/2012: Planning Obligations and Good Neighbour Agreements. In particular paragraph 18 states "*Planning obligations should not be used to extract advantages, benefits or payments from landowners or developers which are not directly related to the proposed development.*" Digital infrastructure is not directly required to serve development, particularly housing and would be an additional financial burden, which could cumulatively impede deliverability of the development concerned, without serving a planning purpose.

Scotia Homes understand that the Government in conjunction with BT Openreach are currently jointly funding FTTC (Fibre To The Cabinet) installations and upgrades across the UK and it is therefore considered that funding and mechanism's are already in place for this infrastructure provision at a national level.

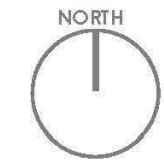
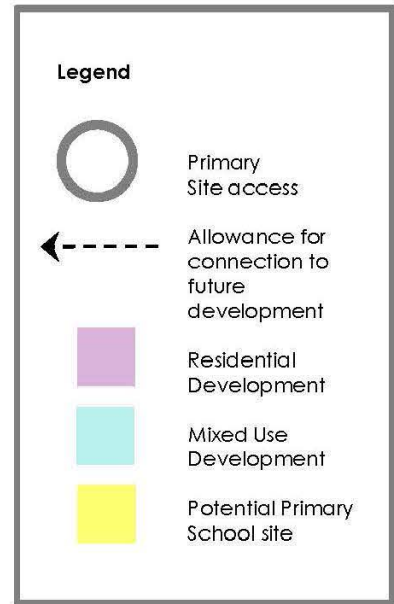
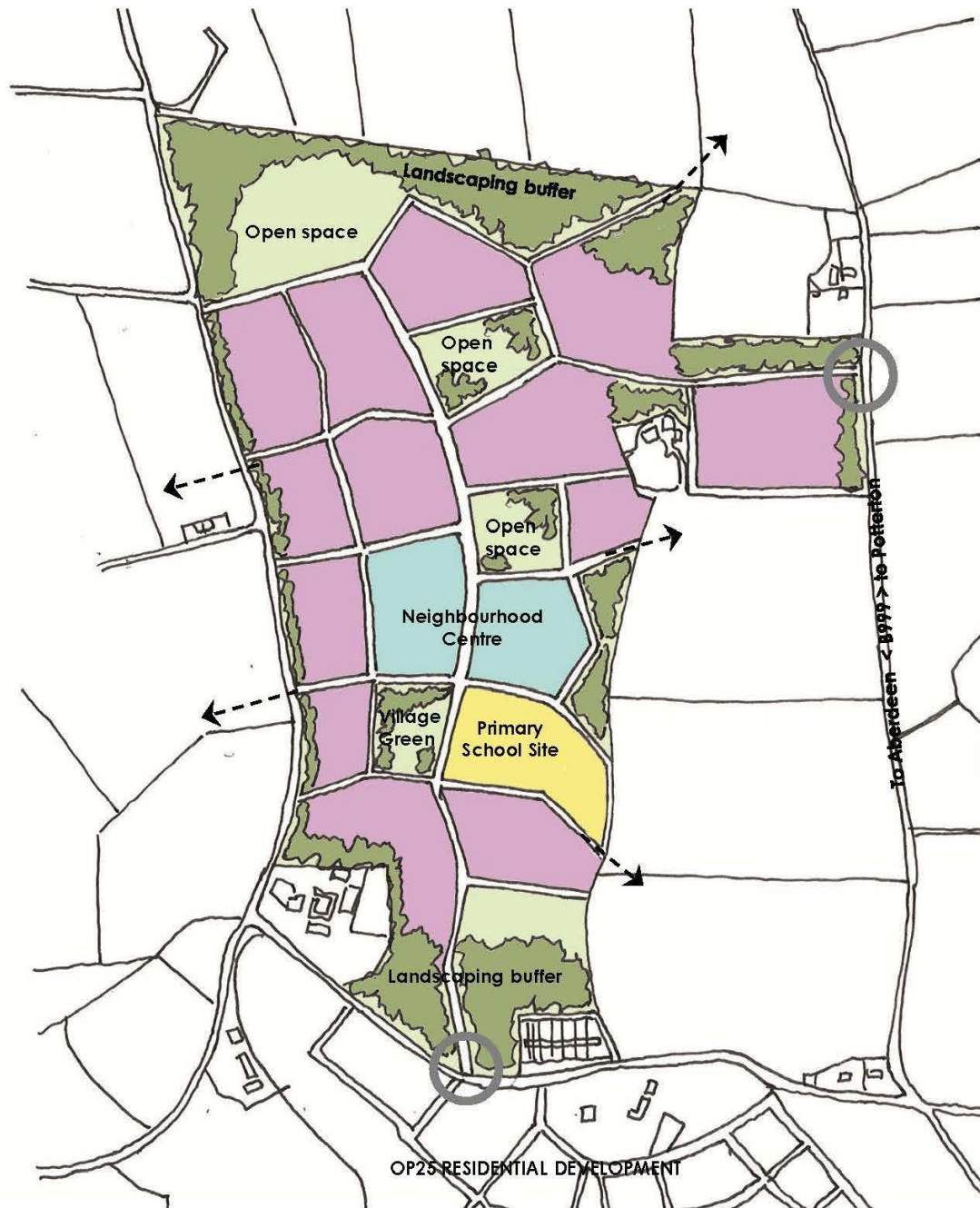
What change would you like to see made?

Deletion of the Policy.

Sheilhill Farm – Proposed site
OP1 – Currently allocated site
OP25 – Currently allocated site
(Residential development layout indicated as per current planning proposals)



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