

Review of Policy 10: Enabling development

1. Introduction

- 1.1 This paper will review the current policy approach to enabling development within the Aberdeenshire Local Development Plan 2012. Policy 10 will be assessed against any changes in national or regional policy and altered accordingly. This policy is generally a tool that can allow the restoration of a listed building by permitting other development that may otherwise be contrary to the local development plan. This review will conclude whether the policy continues to be a robust tool for development management when determining enabling development applications.

2. Policy Approach

- 2.1 Policy 10 supports enabling development proposals on sites that have not been allocated for development in the following circumstances:
 - if it is the only means to retain a listed building;
 - if it is the only way an employment, leisure or tourism business can be created within a Regeneration Priority Area, or exceptionally within the Rural Housing Market Area.
- 2.2 The public benefits of allowing the development are paramount and must supersede any disadvantages associated with the proposal. The policy encourages consideration of whether the scale of the development is appropriate to the anticipated community benefits.
- 2.3 In financial terms, the maximum possible financial benefit must be gained for the built heritage or economic development proposal. Policy 10 states that Aberdeenshire Council will emphasise the increase in site value generated and the development profit which will be generated from the granting of planning permission.
- 2.4 Policy 1 encompasses and directs the reader to SG Enabling Development1: Enabling development for further clarification.

3. Background

National context

- 3.1 Scottish Planning Policy permits enabling development where it is deemed to be the only means of securing and retaining a listed building. It should be the minimum necessary to enable its conservation and re-use, incorporate high design quality and protect the building and its setting. SPP encourages the retention and enhancement of the special interest, character and setting of the listed building.
- 3.2 The rural development section within SPP encourages planning authorities to create the right conditions for rural business with an aim to enable development in rural areas. This would support prosperous and sustainable communities at the same time as protecting and enhancing the quality of the environment. Development plans should aim to promote tourism and farm diversification as a means for increased economic activity in rural areas and small towns. However this should not be done at the expense of the distinctiveness of the rural areas

or their natural and cultural heritage. For areas in need of environmental enhancement and regeneration, opportunities should be promoted, particularly in areas previously industrial areas.

Strategic/regional context

- 3.3 Within the Proposed Aberdeen City and Shire Strategic Development Plan (2013) the importance of protecting the regions built environment is promoted. Development must not have an adverse impact on our heritage assets.
- 3.4 Regeneration is identified as an imperative strategy that should be driven forward to contribute to the enhancement of the region as a whole. The Proposed Strategic Development Plan identifies specific strategic growth areas, local growth and diversification areas and regeneration priority areas.

4. Drivers of Change

- 4.1 The aspirations of this policy were based on the information contained within SPP15, SPP23 and NPPG18. All three of these policies have now been superseded by Scottish Planning Policy although the overall intentions of enabling development remain the same.
- 4.2 The Proposed Strategic Development Plan continues to emphasise regeneration throughout the region as well as continuing to enhance the protection of built heritage assets from development. Enabling development can be used as a tool to facilitate further development within the regeneration priority areas if proposals meet certain criteria. Built heritage assets can be protected from becoming a ruin through enabling development proposals.

5. Recommendations

- 5.1 Clarity should be introduced into the last paragraph of Policy 10: enabling development. There is no alteration to the content of the sentence but merely compressed and made more understandable. The following should replace the last sentence of this policy:

“We will emphasise the increased site value which has been generated by granting planning permission. We will also look at any development profit that might arise from building and selling these and any related buildings”.

This proposed change is minor but enhances clarity and removes any ambiguity related with the financial aspects of enabling development.

- 5.2 This minor change is not of great significance and therefore does not signify a ‘main issue’.

6. Summary of Main Points

- 6.1 Policy 10: Enabling development was created as a result of being included within the Main Issues Report 2009. Therefore, due to the policy being very recent, it remains a robust tool for assessing enabling development proposals. There have been minimal changes in enabling development content within national and regional legislation therefore there are no major changes required to this adequate policy. The content of Policy 10 is satisfactory to aid development management in making sound decisions when determining enabling development proposals.

References

Aberdeen City and Shire Strategic Development Planning Authority (2013) *Proposed Aberdeen City and Shire Strategic Development Plan*

Aberdeenshire Council (2012) *Aberdeenshire Local Development Plan 2012*

Scottish Government (2010) *Scottish Planning Policy*