

ANGUS COUNCIL

ANGUS COUNCIL – 8 SEPTEMBER 2016

ANGUS LOCAL DEVELOPMENT PLAN SUPPLEMENTARY GUIDANCE

REPORT BY VIVIEN SMITH – HEAD OF PLANNING AND PLACE

ABSTRACT

This report presents the response to the consultation on Draft Supplementary Guidance to support and provide further explanation of Policies within the Proposed Angus Local Development Plan (as modified). The report recommends that the Council agrees to adopt the Supplementary Guidance on Developer Contributions & Affordable Housing and Countryside Housing and sets out the procedures to do so.

1. RECOMMENDATIONS

It is recommended that the Council:

- (i) Note the representations received to the Draft Developer Contributions & Affordable Housing and Countryside Housing Supplementary Guidance (**Appendix 1a**) and agree the Council's response to these (**Appendix 2a**) for inclusion in the consultation statement; and
- (ii) Authorise the Head of Planning and Place to notify the Scottish Ministers of the Council's intention to adopt the Developer Contributions & Affordable Housing (**Appendix 1b**) and Countryside Housing Supplementary Guidance (**Appendix 2b**) following amendment to formatting and minor drafting changes.
- (iii) Agree to the adoption of the Developer Contributions & Affordable Housing and Countryside Housing Supplementary Guidance following the completion of the relevant procedures.

2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/COPORATE PLAN

This report does not directly contribute to the local outcomes contained within the Angus Community Plan and Single Outcome Agreement 2013-2016. It will however assist with the implementation of the Angus Local Development Plan.

The Angus Local Development Plan once adopted will contribute to the following local outcomes contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- We have a sustainable economy with good employment opportunities;
- Angus is a good place to live in, work and visit;
- Individuals and families are involved in decisions which affect them;
- Individuals are involved in their communities;
- Our communities are safe, secure and vibrant;
- We have improved the health and wellbeing of our people and inequalities are reduced;
- Individuals are supported in their own communities with good quality services;
- Our communities are developer in a sustainable manner;
- Our natural and built environment is protected and enjoyed; and
- Our carbon footprint is reduced.

3. BACKGROUND

Supplementary Guidance, once adopted, will form part of the Angus Local Development Plan. It may only deal with the provision of further information or detail in respect of the policies or proposals set out in the Local Development Plan and matters which are expressly identified in a statement contained in the Plan.

The Local Development Plan identifies four Supplementary Guidance documents to support the implementation of the Plan.

At their meeting of the 26 April 2016 Angus Council agreed the draft Design Quality, Developer Contributions and Countryside Housing Supplementary Guidance and Draft Householder Development Planning Advice Note as the basis for a six week period of consultation and representation (Report 180/16 refers). The remaining Supplementary Guidance on Renewable and Low Carbon Energy Development, incorporating a Spatial Framework for Wind Energy will be brought to the Council on the 20th October 2016.

4. CONSULTATION

The consultation period ran for six weeks from Friday 10th June to Thursday 21st July 2016. This included notification to all those who made representations on the Proposed Angus Local Development Plan, Community Councils, internal stakeholders and a formal advert included in the local press. Details of the consultation and relevant documents were made available in all ACCESS Offices, libraries and on the Council's website.

A total of 22 representations were received during the six week consultation period. 15 of these were from external parties and 7 from internal stakeholders.

Officers have reviewed the representations, responded and modified the Supplementary Guidance where applicable. As the Examination Report on the Angus Local Development Plan has now been published the detail of this has also been taken on board in the revisions to the documents.

This report presents the following Supplementary Guidance following the consultation:

- Developer Contributions & Affordable Housing Supplementary Guidance: Written in support of Policy DS5 Developer Contributions and Policy TC3 Affordable Housing, the document sets out the levels of contributions, methodologies for their calculation, including thresholds, exemptions and viability considerations and provides further detail on the implementation of affordable housing.
- Countryside Housing Supplementary Guidance: Written in support of Policy TC2 Residential Development, the document will set out detailed criteria and requirements with which housing proposed in countryside locations must comply.

The Supplementary Guidance on Design Quality and Placemaking will be reported to a future meeting of Angus Council.

Consultation on the Draft Householder Development Planning Advice Note was also undertaken. As this is non-statutory planning advice the advice will be reported to the Development Standards Committee on 13th September 2016 for agreement.

Key Findings

The approach set out in the Developer Contributions & Affordable Housing Supplementary Guidance was largely supported by respondents, however a number of comments were raised in relation to procedural aspects and link with the tests set out in Scottish Government Circular 3/2012: Planning Obligations and Good Neighbour Agreements. In particular clarification was sought on the type of applications requirements would apply to, timescales for the use of funds received and process for consideration of development viability. In addition a number of respondents commented on the evidence base for requirements, in particular the school estate and link to the impact from development.

The approach and layout of the Countryside Housing Supplementary Guidance was generally welcomed by respondents subject to the requirement to update the document to take account of the post Examination amendments to Policy TC2. A range of comments were raised across the document, primarily on matters of detail. These included comment on: supporting information requirements; retention, renewal or acceptable replacement of existing houses; conversion of non-residential buildings; regeneration or redevelopment of brownfield sites, use of occupancy conditions for essential worker housing; Appendix 3 Detailed Countryside Housing Criteria; and definitions contained in the Glossary.

5. ADOPTION OF THE SUPPLEMENTARY GUIDANCE

The next stage is the submission of the Supplementary Guidance to Scottish Ministers along with a statement setting out the publicity measures undertaken, the comments received and an explanation of how these comments have been taken into account in the final draft. Until formally adopted as part of the Local Development Plan the Supplementary Guidance will form a material consideration in the planning process.

As the principle of the policy that the Scottish Government seeks to support has already been established, scrutiny by Scottish Ministers is likely to focus on ensuring that the principles of public engagement and link with the Local Development Plan. Following a 28 day period Angus Council may proceed to adopt the Supplementary Guidance, unless Scottish Ministers have directed otherwise.

6. FINANCIAL IMPLICATIONS

The publication of the Supplementary Guidance will incur costs associated with postage, printing, advertising and publishing. These costs are all contained within the Planning Revenue Budget.

7. RISKS

Delay in the adoption of Supplementary Guidance could result in a lack of clarity in application of the Policies contained within the Plan.

NOTE: The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

- Proposed Angus Local Development Plan (as modified) 2016
- Report 180/16 Proposed Angus Local Development Plan Draft Supplementary Guidance and Advice Note 26 April 2016

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List of Appendices:

- Appendix 1a - Summary of comments received to the Draft Developer Contributions & Affordable Housing Supplementary Guidance and Council's response.
- Appendix 1b - Developer Contributions & Affordable Housing Supplementary Guidance
- Appendix 2a - Summary of comments received to the Draft Countryside Housing Supplementary Guidance and Council's response.
- Appendix 2b - Countryside Housing Supplementary Guidance