

AGENDA ITEM NO 7

REPORT NO 113/15

ANGUS COUNCIL

DEVELOPMENT AND ENTERPRISE COMMITTEE - 3 MARCH 2015

ANGUS DEVELOPMENT PLAN SCHEME – 6th ANNUAL REVIEW

REPORT BY VIVIEN SMITH – HEAD OF PLANNING AND PLACE

ABSTRACT

This report sets out for approval the sixth annual review and roll forward of the Angus Development Plan Scheme, including revisions to the timetable for preparation of the Local Development Plan for Angus.

1. RECOMMENDATION(S)

It is recommended that the Committee:

note the revision and roll forward of the timetable for preparation of the Angus Local Development Plan;

- (i) agree the revised Angus Development Plan Scheme and Participation Statement set out in Appendix 1 for submission to Scottish Ministers and general publication by 31 March 2015; and
- (ii) note that a copy of the revised Angus Development Plan Scheme and Participation Statement will be placed in all Angus Libraries and ACCESS offices and made available on the Council's web site.

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

2.1 This report sets out the indicative timetable for preparation of the Angus Local Development Plan and a provisional Participation Statement of when and how stakeholders, interest groups and members of the public can become involved. The main purpose of a future Angus Local Development Plan will be to guide development and changes in land use, in a sustainable manner that can best serve the needs of the communities of Angus. The Angus Local Development Plan can therefore contribute to the following local outcomes within the Single Outcome Agreement:

- We have a sustainable economy with good employment opportunities.
- Angus is a good place to live in, work in and visit.
- 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 developed in a sustainable manner.
- Our natural and built environment is protected and enjoyed.
- Our carbon footprint is reduced.

3. INTRODUCTION

3.1 Section 20B of the Planning etc (Scotland) Act 2006 introduced a requirement for each planning authority to prepare a Development Plan Scheme (DPS), at least annually. The purpose of the DPS is to set out the authority's programme for preparing and reviewing the Local Development Plan (LDP) for Angus and what is likely to be involved at each stage. The fifth annual review of the Angus Development Plan Scheme was approved by the Development and Enterprise Committee at their Meeting of 4 March 2014 (Report 122/14 refers) and subsequently submitted to Scottish Ministers by 31 March 2014. This Report brings forward the sixth annual review and roll forward of the Angus DPS which has been

prepared in line with the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 and takes into account progress to date on the preparation of the Angus LDP.

3.2 The Regulations require Angus Council to send two copies of the Development Plan Scheme (DPS) to Scottish Ministers; publish the DPS; and place a copy of the DPS in each public library in Angus. There is no requirement to consult on the content of development plan schemes.

3.3 A copy of the revised Angus Development Plan Scheme incorporating the Participation Statement is available in the Members' Information Hub.

4. ANGUS COUNCIL DEVELOPMENT PLAN SCHEME

4.1 The system of development planning for Scotland introduced by the Planning etc. (Scotland) Act 2006 is based on Strategic Development Plans (SDPs) for the city region areas of Aberdeen, Dundee, Edinburgh and Glasgow, and Local Development Plans (LDPs) throughout Scotland. Angus Council is a joint partner in the preparation of TAYplan (the SDP for the Dundee, Perth, Angus and North Fife area) and is also required to prepare a new Local Development Plan (LDP) for Angus excluding that part in the Cairngorms National Park. The Angus LDP will deal with the full breadth of the authority's planning policy, look at least 10 years ahead, and reflect the TAYplan spatial strategy and strategic planning guidelines.

4.2 During 2014 Angus Council Forward Planning staff continued work towards preparation and publication of the Angus LDP including:

- Undertaking and publishing the Angus Housing Land Audit (HLA) 2014;
- Contributing to preparation of the Landscape Capacity Study for Angus to support preparation of the Angus LDP;
- Conducting Member Workshops in February and March to consider the issues arising as a result of the consultation process and to explore and confirm the approach to be developed in the Proposed ALDP. A second round of Member Workshops were held in September and October to consider draft policies and settlement strategies for the 7 towns (Arbroath, Brechin, Carnoustie, Forfar, Kirriemuir, Monifieth and Montrose) and 4 Rural Service Centres (Edzell, Friockheim, Letham and Newtyle);
- Preparation of the Proposed Angus LDP and range of supporting documents including appropriate liaison with partner organisations and bodies (internal and external to Angus Council).

4.3 The Angus Development Plan Scheme, March 2014 indicated that publication of the Proposed Plan, Environmental Report, Proposed Action Programme and Habitats Regulations Appraisal was due in October 2014. Some delay to this timetable resulted from responding to the publication of the third National Planning Framework (NPF3) and revised Scottish Planning Policy, preparation of the Strategic Transport Appraisal and continued engagement with elected members and partner organisations and bodies.

4.4 At the Meeting of 11 December 2014 Angus Council approved the Proposed Angus LDP (subject to amendment), Revised Environmental Report and Strategic Transport Appraisal (Report 501/14 refers) and agreed a 9 week period for representation. At a subsequent Meeting of 20 January 2015 the Development and Enterprise Committee approved the Draft Action Programme, Draft Habitats Regulations Appraisal, Strategic Flood Risk Assessment, MIR Comment Responses and Equalities Impact Assessment (Report 33/15 refers).

4.5 The Proposed Angus LDP, Environmental Report, Proposed Action Programme and supporting documents are subject to a 9 week period for representation running from 27 February until 30 April 2015.

4.6 Taking this revised publication date into account, the indicative timetable for the preparation of the Angus LDP through to adoption is set out in the Angus DPS (Appendix 1). This indicative timetable will be monitored and developed over the coming year. Although the Angus LDP is required to be consistent with the approved TAYplan (June 2012), it is important to note that due to the timescales set out in the Planning etc. (Scotland) Act 2006, a review of the approved TAYplan has commenced. For clarification the proposed timetable for the review of TAYplan is set out alongside the Local Development Plan timetable in Table 1, below.

Table 1: Indicative timetable for preparation of the Angus Local Development Plan

| | Angus LDP | TAYplan SDP 2 |
|--|--|----------------------|
| Development Plan Scheme | 31 March 2015 (6th Annual Review) | |
| Publication of Monitoring Statement, Main Issues Report (MIR) and Environmental Report for consultation. | November 2012 – January 2013 Completed | April – June 2014 |
| Summary of MIR comments | March 2013 Completed | |
| Response to individual MIR comments | May 2013 – December 2014 Completed | July – October 2014 |
| Publication of Proposed Plan, Environmental Report, Action Programme and Habitats Regulations Appraisal | 27 February 2015 | May – July 2015 |
| Submit Proposed Plan to Scottish Ministers | October 2015 | June 2016 |
| Examination of Plan | November 2015 – May 2016 | Ongoing 2016 |
| Approval/Adoption of Plan | September / October 2016 | Late 2016 |

- 4.7 Circular 6/2013 (Development Planning) recognises that there may be a degree of twin-tracking of SDP and LDP preparation. The current situation of bringing forward a Proposed Angus Local Development Plan more than two years from the approval of TAYplan and in the context of a review of that document is not envisaged by the Circular and is obviously not ideal. It would not be appropriate, however, to significantly delay preparation of the Angus LDP to allow it to follow the timetable for SDP review. This would result in a proposed plan being delayed *at least* another 6 months.
- 4.8 The Proposed TAYplan SDP 2016-2036 which is intended for publication in May 2015 does not propose significant change to the current TAYplan strategy, rather it proposes to refine the current SDP approach. It is therefore considered appropriate to progress the Angus Local Development Plan on the basis of consistency with TAYplan (June 2012) and that this will, in itself, ensure consistency with the TAYplan review.

5. OTHER IMPLICATIONS

Risks

- 5.1 The risk to the Council of not approving the revised Angus Development Plan Scheme 2015 is that Angus Council will fail to comply with a legislative/legal requirement. In addition, failure to maintain progress in meeting the indicative timetable may mean that Angus Council will not maintain up to date Development Plan coverage of Angus as required by the Scottish Government.

6. FINANCIAL IMPLICATIONS

- 6.1 There will be expenditure throughout the remaining stages of preparation of the Angus Local Development Plan arising from costs associated with public notices, postage, printing and publishing of documents (Proposed Plan, Environmental Report, Habitats Regulations Appraisal, Equality Impact Assessment, etc.) which will be contained within the Planning Revenue Budget in the appropriate year.
- 6.2 However the costs associated with any future Examination in Public are likely to be

substantial. Subsequent reports setting out the programme, associated costs and funding proposals for any necessary Examination process for the Angus Local Development Plan will be brought forward to a future Committee as appropriate. The Development Plan Scheme will be further reviewed and rolled forward by the end of March 2016 and any revised financial implications will be reported as part of that process.

7. CONSULTATION

- 7.1 The Chief Executive, Head of Corporate Improvement & Finance and Head of Legal & Democratic Services have been consulted in the preparation of this report.

8. CONCLUSION

- 8.1 The review and roll forward of the Angus Development Plan Scheme sets out the revised timetable for Angus Council to replace the Angus Local Plan Review (adopted 19 February 2009) with the Angus Local Development 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:

- The Planning etc. (Scotland) Act 2006.
- The Town and Country Planning (Development Planning) (Scotland) Regulations 2008.
- Planning Circular 6/2013: Development Planning, Scottish Government, December 2013.
- Scottish Planning Policy, Scottish Government, June 2014.
- National Planning Framework, Scottish Government, June 2014.
- Angus Community Plan and Single Outcome Agreement 2013 – 2016, Angus Council, 2013.
- Report No. 122/14: Angus Development Plan Scheme – fifth Annual Review, Development and Enterprise Committee, 4 March 2014.
- Angus Local Development Plan Scheme (Revised March 2014).
- Report No. 501/14: Proposed Angus Local Development Plan, Angus Council, 11 December 2014.
- Report No. 33/15: Proposed Angus Local Development Plan - Supporting Documents, Development and Enterprise Committee, 20 January 2015.
- TAYplan Strategic Development Plan (approved with modifications by Scottish Ministers 8 June 2012).
- TAYplan Development Plan Scheme, March 2015.

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List of Appendices:

Appendix 1: Angus Development Plan Scheme (Incorporating a Participation Statement)