

AGENDA ITEM NO 8

REPORT NO 114/16

ANGUS COUNCIL

POLICY AND RESOURCES COMMITTEE - 15 MARCH 2016

ANGUS DEVELOPMENT PLAN SCHEME – 7th ANNUAL REVIEW

REPORT BY VIVIEN SMITH – HEAD OF PLANNING AND PLACE

ABSTRACT

This report sets out for approval the seventh 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. RECOMMENDATIONS

It is recommended that the Committee:

- (i) note the revision and roll forward of the timetable for preparation of the Angus Local Development Plan;
- (ii) 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 2016; and
- (iii) 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 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 sixth annual review of the Angus Development Plan Scheme was approved by the

Development and Enterprise Committee at their Meeting of 3 March 2015 (Report 113/15 refers) and subsequently submitted to Scottish Ministers by 31 March 2015. This Report brings forward the seventh 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 In line with the Angus Development Plan Scheme, March 2015 the Proposed Plan, Environmental Report, Proposed Action Programme and Habitats Regulations Appraisal were published on 27 February 2015 with a period for representation extending until 30 April 2015.
- 4.3 During 2015 Forward Planning staff continued work towards preparation of the Angus LDP including:
 - Receipt, registration, acknowledgement and assessment of submissions received during the period for representation. The 170 submissions received on the Proposed Angus LDP resulted in 588 individual representations (148 expressed support, 48 were comments and 392 were objections to the Proposed Plan). A further 5 submissions received on the Draft Environmental Report resulted in 48 separate representations (33 were comments and 15 were objections);
 - Liaison with the Department of Planning and Environmental Appeals (DPEA) over the range and scale of unresolved issues to be addressed by Local Plan Examination and arrangements for and timing of the Examination;
 - Preparation of Angus Councils response (Schedule 4s) to unresolved representations (objections) to the Proposed Angus LDP and Draft Environmental Report including discussion with representees and/or their agents and a range of partner organisations and bodies where appropriate;
 - Preparation of documents required to support submission of the Proposed Angus LDP to Scottish Ministers for Examination;
 - Commencement of preparation of Supplementary Guidance and Planning Advice Note to support interpretation and implementation of the Angus LDP;
 - Undertaking and publishing the Angus Housing Land Audit (HLA) 2015;
 - Contributing to completion of the Landscape Capacity Study for Angus.
- 4.4 At their Meeting of 10 September 2015 Angus Council approved the submission to Scottish Ministers of the Proposed Angus LDP, Schedule 4 documents setting out the Councils response to representations received and a Schedule of Non-Notifiable Modifications to the Proposed Plan. At a subsequent Meeting of 22 October 2015 Angus Council agreed their response to representations received on the Environmental Report and Draft Action Programme, Housing Background Paper, Carnoustie Employment Land Timeline Background Paper and Statement of Conformity with the Participation Statement.

- 4.5 The Proposed Angus Local Development Plan, Schedule 4 documents, Schedule of Non-Notifiable Modifications and associated documents were submitted to Scottish Ministers for Examination on 6 November 2015. The DPEA subsequently appointed 2 Reporters (David Russell MA (Hons) MPhil MRTPI and Claire Milne BSc (Hons) Dip TP MBA MRTPI) to undertake the Examination of the Proposed Plan which formally commenced on 9 December 2015. In line with the timetable set out in the 2015 DPS it is anticipated that the Report of the Examination will be received by August 2016. This would allow the Angus LDP to be adopted by October/November 2016.
- 4.6 Taking account of progress following submission of the Proposed Plan to Scottish Ministers, the indicative timetable for the Angus LDP through to adoption is set out in the Angus DPS (Appendix 1). The timetable has been extended to detail the preparation of Supplementary Guidance which will be adopted as soon as practicable after adoption of the Angus LDP. When adopted this statutory SG will become part of the adopted Angus LDP. 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.
- 4.7 Progress on preparation of the Angus LDP has been maintained over the past year with only minor adjustment required to the timetable set out in the 2015 DPS

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

	Angus LDP	TAYplan SDP 2
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 Completed	May – July 2015
Submit Proposed Plan to Scottish Ministers	6 November 2015 Completed	June 2016
Examination of Plan	December 2015 – August 2016	Ongoing 2016
Approval/Adoption of Plan	October / November 2016	Late 2016

- 4.8 The Proposed TAYplan SDP 2016-2036 was published in May 2015 and did not propose significant change to the current TAYplan strategy, rather it proposes to refine the current SDP approach. The Proposed Angus LDP published in February 2015 is consistent with the approved TAYplan (June 2012). Continuation of the approved TAYplan SDP development strategy into the Proposed TAYplan SDP 2016 – 2036, ensures that the Angus LDP will be consistent with the TAYplan Review.
- 4.9 It is intended that the Proposed TAYplan 2016-2036 will be submitted to Scottish Ministers for Examination in June 2016. In line with the TAYplan Development Plan Scheme it is

anticipated that the TAYplan Review will be approved by Scottish Ministers in December 2016. When approved the TAYplan SDP 2016 – 2036 will supersede and replace the current approved TAYplan (June 2012).

- 4.10 The Participation Statement included in the Angus DPS reinforces Angus Council's commitment to developing effective engagement with communities by encouraging consultation and engagement at various stages in the Local Development Plan process. The Participation Statement details the principles of community engagement undertaken for the Angus LDP, who would be involved/consulted, at what stage this would take place and what approaches would be used. The Participation Statement is in line with current legislative requirements, reflects best practice and is reviewed annually. It supersedes and replaces the Angus Local Plan Charter, published in 2003, in setting out how, when and with whom stakeholder engagement will be undertaken in the preparation of Local Development Plans and Supplementary Guidance.

5. OTHER IMPLICATIONS

Risks

- 5.1 The risk to the Council of not approving the revised Angus Development Plan Scheme 2016 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 provide up to date Development Plan coverage of Angus as required by the Scottish Government.

6. FINANCIAL IMPLICATIONS

- 6.1 Following submission of the Proposed Angus LDP and associated documents together with unresolved issues to Scottish Ministers, the DPEA has appointed 2 independent Reporters to undertake the Examination of the Plan. Angus Council are liable for all costs of the Examination which include Reporter (£400 per day) and DPEA Administrator (£160 per day) fees and associated travel and subsistence, potential hire of halls etc.. The costs associated with the Examination process are contained within the Planning Revenue Budget for 2015/16 and 2016/17.
- 6.2 Following conclusion of the Examination process there will be further costs arising from adoption of the Angus Local Development Plan – public notices, postage, printing, etc..

7. CONCLUSION

- 7.1 The review and roll forward of the Angus Development Plan Scheme sets out the 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. 113/15: Angus Development Plan Scheme – sixth Annual Review, Development and Enterprise Committee, 3 March 2015.
- Angus Local Development Plan Scheme (Revised March 2015).
- Report No. 346/15: Proposed Angus Local Development Plan, Angus Council, 10 September 2015.

- Report No. 412/15: Proposed Angus Local Development Plan - Supporting Documents, Angus Council, 22 October 2015.
- TAYplan Strategic Development Plan (approved with modifications by Scottish Ministers 8 June 2012).
- Proposed TAYplan SDP 2016 – 2036, May 2015
- TAYplan Development Plan Scheme, March 2015.

REPORT AUTHOR: Vivien Smith, head of Planning and Place
EMAIL DETAILS:localplan@angus.gov.uk

List of Appendices:

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