

**ANGUS DEVELOPMENT PLAN SCHEME
(Incorporating a Participation Statement)
(Revised March 2014)**

**Angus Council
Planning and Place**

March 2014

DEVELOPMENT PLAN SCHEME CONTENTS

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USEFUL CONTACTS

For further information on the Angus Development Plan Scheme or development planning in Angus use the following contacts:

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Or

Planning@angus.gov.uk

Telephone: Ken McGregor at 01307 473175

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What is a Development Plan Scheme?

Under the Planning etc (Scotland) Act 2006, Angus Council as a local planning authority must prepare a Development Plan Scheme (DPS), at least annually. The purpose of the Development Plan Scheme is to set out our programme for preparing and reviewing the Local Development Plan (LDP) for Angus and what is likely to be involved at each stage. The scheme will be updated every year and will set out progress on meeting the targets established by the DPS and identify any changes or updates to the programme. This is the fifth annual review and roll forward of the Angus Development Plan Scheme.

A copy of the revised Angus Development Plan Scheme will be sent to Scottish Ministers. A copy will also be available at all Angus Libraries, ACCESS Offices and on the Councils web site at www.angus.gov.uk/localplan

The Angus Development Plan Scheme includes information on the following:-

- What are development plans;
- Current development plan position in Angus;
- Strategic Environmental Assessment;
- What is involved in the new process;
- Provisional programme for the new Angus Local Development Plan;
- A participation statement - How and when you can expect to be involved.

What are development plans?

In broad terms the planning system guides the future development and use of land in cities, towns and rural areas in the long term public interest. The aim is to ensure that development and changes in land use occur in suitable locations and are sustainable. The Planning etc (Scotland) Act 2006 places a statutory duty on development plans to contribute to sustainable development.

The Development Plan system in Scotland consists of three main statutory documents:

- **National Planning Framework for Scotland** (NPF) is produced by the Scottish Government and sets out, in broad terms, Scottish Ministers' strategy for Scotland's spatial development and the priorities for that development. The second NPF was approved by the Scottish Parliament and published in June 2009. A third NPF was laid before Parliament in January 2014, and the finalised document is expected to be published in June 2014.
- **Strategic Development Plans** (SDP) are prepared by the Strategic Development Plan Authority (SDPA) and set out a long-term (20 years or more) view of development strategy considering its general scale and broadly where it should be located. This Plan is approved by Scottish Ministers. There are four SDP areas in Scotland based around the cities of Aberdeen, Dundee, Edinburgh and Glasgow. In the Dundee, Perth, Angus and North Fife area preparation of TAYplan is overseen by a Joint Committee and the document provides the strategic context for Local Development Plans in each area. The first TAYplan was approved by Scottish Ministers in June 2012. Work has commenced on a review of that document and it is anticipated that the Main Issues Report will be published for consultation in May 2014.
- **Local Development Plans** (LDP) are prepared by local authorities and set out more detailed policies and proposals to guide development. These plans, which are examined by a person appointed by Scottish Ministers before being adopted by the local authority, must be consistent with the approved Strategic

Development Plan. When adopted, the Angus LDP will replace the Angus Local Plan Review (adopted February 2009).

A key aim of development planning is to provide a vision for the future of the area and a land use framework within which investment and development can take place with confidence. The preparation of local development plans is a statutory function of planning authorities.

Planning applications must be determined in accordance with the development plan unless material circumstances indicate otherwise. Thus the big decisions about the growth and development of Angus communities should be made through the development plan process and not in the context of individual planning applications.

What development plans are currently in place in Angus?

The development plan in Angus currently comprises the following:-

- **TAYplan Strategic Development Plan** – approved by Scottish Ministers in June 2012;
- **Angus Local Plan Review** – adopted by Angus Council on 19 February 2009. This excludes the area of the Cairngorms National Park within the Angus Council administrative boundary.
- **Cairngorms National Park Local Plan** – adopted by Cairngorms National Park Authority in October 2010. The Cairngorms National Park Proposed LDP was published for consultation in the summer of 2013. The proposed plan and any unresolved representations made within the consultation period will be submitted to Scottish Ministers for examination.

In addition Angus Council has produced a range of **advice notes** and other **supplementary guidance** which provides more detailed information on development management topics, site development briefs, affordable housing, etc. A list of the current guidance is given in Appendix 1.

Strategic Environmental Assessment (SEA)

The Environmental Assessment (Scotland) Act 2005 makes SEA a legal requirement on a wide range of public plans, programmes and strategies. This includes the new Local Development Plan for Angus.

The purpose of SEA is to provide a high level of protection for the environment by ensuring that environmental issues are considered by decision makers alongside economic and social issues. This is achieved by systematically assessing the potential significant environmental effects of the Local Development Plan and recording the results in an Environmental Report.

This process is intended to strengthen the quality of plan making and is an integral part of the Local Development Plan process. This will involve close liaison with key agencies particularly Scottish Natural Heritage (SNH), Scottish Environmental Protection Agency (SEPA) and Historic Scotland.

Stages of Preparing the Angus Local Development Plan

The Development Planning Regulations published by Scottish Ministers set out the process to be undertaken in the preparation and implementation of a Local Development Plan. The main stages and provisional timetable for preparing the Angus Local Development Plan is set out below:

| Stage | Angus Local Development Plan | Actions | Key Dates |
|-------|---|--|---|
| 1 | Development Plan Scheme (DPS) and Participation Statement. | <p>Angus Council publishes review of Angus Development Plan Scheme and Participation Statement.</p> <p>The DPS is reviewed at least annually.</p> | 31 March 2014 |
| 2 | <p>Awareness Raising</p> <p>Background Work</p> | <p>Awareness raising and initial consultation undertaken during October – December 2010</p> <p>Housing Need and Demand Assessment, Housing Supply Targets; housing and employment land supply audits; retail capacity; environmental resources; infrastructure; sport and recreation, community facilities; waste management; energy; climate change, urban capacity study; landscape.</p> | <p>December 2010 (Completed)</p> <p>Ongoing to inform Monitoring Statement, Main Issues Report and Strategic Environmental Assessment stages. (Completed)</p> |
| 3 | Preparation of Angus Local Plan Review Monitoring Statement. | Review the impact of policies and proposals of the Angus Local Plan Review and identify changes in the physical, economic, social and environmental characteristics of Angus. | Up to March 2012 (Completed) |
| 4 | Preparation of Main Issues Report. (MIR) | <p>Identifying main proposals for development of the area, including other reasonable options and comparison with the existing strategy for the area.</p> <p>Submission to Infrastructure Services Committee for approval</p> | <p>(Completed)</p> <p>9 October 2012 (Completed)</p> |
| 5 | Publication of Main Issues Report, Environmental Report and Monitoring Statement. | <p>Publication of Main Issues Report, Environmental Report and Monitoring Statement</p> <p>Undertake consultation with key stakeholders, community groups, business and other key interests and public.</p> <p>Summary of MIR comments</p> <p>Respond to individual MIR comments</p> | <p>2 November 2012 (Completed)</p> <p>2 November 2012 – 4 January 2013 (Completed)</p> <p>March 2013 (Completed)</p> <p>May 2013 – April 2014</p> |

| Stage | Angus Local Development Plan | Actions | Key Dates |
|-------|---|---|---|
| 6 | Publication of Proposed Plan, Environmental Report, Proposed Action Programme and Habitats Regulations Appraisal | Publication of LDP Proposed Plan, Environmental Report, Action Programme and Habitats Regulations Appraisal. Formal notification and publicity; Neighbour notification of specific development proposals. 9 week period for representations. | October 2014 October - November 2014 |
| 7 | Prepare response to objections, pre-examination modifications and report of conformity with participation statement. | Assessment of responses; Negotiation and discussions of objections and representations Agree response to objections, modifications to proposed plan and report on conformity with participation statement. | January – April 2015 |
| 8 | Submit Proposed Plan, Environmental Report, Proposed Action Programme, Habitats Regulations Appraisal, Equality Impact Assessment, Statement of Conformity with Participation Statement, and note of representations to Scottish Ministers. | Submission of Proposed Plan, Action Programme and Environmental Statement; Formal notification, and advertisement and associated publicity. | May 2015 |
| 9 | Examination of Proposed Plan (if required). | Examination of issues relating to outstanding objections. | May 2015 – November 2015 |
| 10 | Report of Examination published and submitted to Angus Council. | Consider Examination findings and recommendations; Report to Angus Council. | Dependant on the above (November 2015) |
| 11 | Prepare and publish Modifications, Proposed Plan as modified and Statement of explanation | Publish modifications, Plan as modified and advertise intention to adopt. | Dependant on the above (March 2016) |
| 12 | Adoption | Angus Council adopt and publish Local Development Plan and Action Programme | Dependant on the above (March / April 2016) |

Accessing documents

Angus Council will make copies of the documents related to the preparation of the Angus Local Development Plan available principally through its web site www.angus.gov.uk/localplan

Printed copies of documents will also be made publicly available at all Angus Council [Public Libraries](#) and [ACCESS Offices](#). In addition information will also be available at Planning & Transport, County Buildings, FORFAR. Details of the location of these buildings and opening hours is available at www.angus.gov.uk.

Documents will also be available on CD format.

Angus Council aims to provide access to information about services to all our customers. The contents of development plan documents, or sections of them, can

be made available in alternative formats or translated into other languages as required.

Making Representations

Angus Council encourages everyone to take an interest in the future planning of the Angus area and to make representations, both in support of the Angus Local Development Plan and in raising objections to it. Opportunity to do this will be through e-mail and the web site; via the On-line Local Development Plan consultation portal; or in letter form.

All representations and objections are required to be placed on a public register and cannot be kept confidential.

Consultees and contributors database

Angus Council has established a consultation database for the Angus Local Development Plan process. The Council intends to review and maintain the database at each stage in the process to ensure that contact points remain up-to-date. The Council intends to use e-mail contact wherever possible and appropriate for disseminating information. There will nevertheless continue to be a role for letter contact although this should be much reduced by the use of e-mail communication. Full details of such an approach will be set out on the web site and in any information leaflets published.

ANGUS LOCAL DEVELOPMENT PLAN PARTICIPATION STATEMENT

Getting involved

Producing development plans is not a one off task but a continuous process. As set out in the Angus Community Plan & Single Outcome Agreement (2013 - 2016) Angus Council is committed to developing effective engagement with communities – seeking the views of people in decisions that affect them and ensuring individuals are involved in their communities. This includes developing partnerships with the community and other agencies. Angus Council has always taken a positive approach to development plan consultation and will consider opportunities for innovative ways of consultation and will make extensive use of the Council web site.

By encouraging consultation and engagement at various stages in the Local Development Plan process, Angus Council seeks to ensure that those with an interest in the future of the Angus area have an opportunity to contribute their views before decisions are taken.

In implementing the above Angus Council will seek to involve a wide range of groups and organisations including:-

- Angus Community Councils;
- Angus Community Planning Partnerships;
- other community groups;
- Public sector groups (including Key Agencies¹, Local and National statutory and non-statutory bodies; adjoining local authorities and Cairngorms National Park Authority);
- Private sector groups/organisations; and
- Members of the community/public.

The Council will continue to take a positive approach to public consultation and engagement and ensure that a variety of opportunities are available for potentially interested parties to examine, discuss and comment on the new Angus Local Development Plan. The Council will review the effectiveness of its consultation processes at each stage and evolve its consultation practice and participation statement accordingly.

It should also be noted that the Development Planning Regulations have introduced a significant change at the proposed Local Development Plan stage, which now requires notification of specific development proposals set out in the Local Development Plan. Regulation 14 requires that:

'Where.....a proposal for development relating to a specific site, which if implemented, would be likely to have a significant effect on the use or amenity of that site or of neighbouring land, the planning authority are to give notice to the owner, lessee or occupier of any premises situated on that site, or on such neighbouring land, as the case may be, in accordance with paragraph (2)'

¹ The Town and Country Planning (Development Planning)(Scotland) Regulations 2008 defines Key Agencies as: Scottish Natural Heritage, Scottish Environment Protection Agency, Scottish Water, Scottish Enterprise (only in its area of jurisdiction), Highland and Islands Enterprise (only in its area of jurisdiction), Regional Transport Partnerships (only in relevant areas of jurisdiction), Crofters Commission (only in crofting countries) and Health Boards. Whilst legislation does not specify them individually, Circular 6/2013 sets out that the following bodies should have the same level of involvement in the development plan process: Historic Scotland, Transport Scotland, Forestry Commission Scotland, and Marine Scotland.

In practice therefore, the procedure will be akin to neighbour notification of planning applications and should ensure that owners, lessees or occupiers of premises on the site of a Local Development Plan proposal / allocation or of premises on neighbouring land to a Local Development Plan proposal / allocation where there is a significant effect to the use and amenity of the neighbouring land, are made aware of the intended proposal and are afforded the opportunity for comment.

In addition, any person who commented on the Main Issues Report must be notified of the publication of the Proposed Plan.

Components of the consultation strategy

Angus Council will seek to utilise a variety of approaches and methods for engaging interested parties. The objective is to ensure that as many people and groups with an interest in the future of Angus can be involved and contribute to the shaping of the Local Development Plan and therefore the long term future of Angus. As the process evolves Angus Council will have a better understanding of the process and will review each stage to ensure that the approach remains appropriate. The main components of the approach are set out below.

| Stages/purpose | Who | Approaches |
|--|---|---|
| Awareness Raising and Initial Consultation: October 2010 – December 2010 (completed) | | |
| <p>Set out the general terms of the process that lies ahead; identify those groups interested in the Local Development Plan process. This will involve a range of approaches. It is intended to prepare an information leaflet for the Local Development Plan process which will be available on the web site and all Council libraries, ACCESS offices; and main Council Offices.</p> | <ul style="list-style-type: none"> • Angus Councillors and Chief Officers • Community Councils • Angus Community Planning Partnerships • Other community groups • Key agencies • Local and national statutory and non statutory agencies • Private sector organisations • Members of the public | <ul style="list-style-type: none"> • Committee Reports • Web site • E-mail registration of interest • Public notice • Media coverage • Information leaflet available on web site, local Council offices; and distributed to identified contact groups • Online consultation responses • Stakeholder workshops and/or Topic Focus groups • Other Meetings and presentations |
| Formal Main Issues Report stage: 2 November 2012 – 4 January 2013 (completed) | | |
| <p>This important stage will seek the views of organisations and individuals on the content of the published Main Issues Report. There will be opportunity to submit representations on the development options for Angus, including the preferred development approach of Angus Council.</p> | <p>All interested parties – as above</p> | <ul style="list-style-type: none"> • Committee Reports • Web site, including Angus Council Twitter feed • Online Local Development Plan Portal • Public Notice • Media coverage • Documents available in paper and CD form • Copies of documents available at All Council Libraries; ACCESS offices, on CD and online • Posters & Newsletters • Library Exhibitions (including manned drop in sessions) • Attendance at CPP and CC Meetings. • Representations accepted via: <ul style="list-style-type: none"> ○ E-mail ○ Online Development Plan Portal |

| | | |
|--|---|---|
| | | <ul style="list-style-type: none"> ○ Online Questionnaire ○ Letter |
| Proposed Local Development Plan and Formal Representation Stage: October - November 2014 | | |
| <p>After taking account of early stakeholder engagement and consultation on the Main Issues Report, we will prepare and publish our Proposed Plan. This Plan will set out the Council's preferred policies and proposals and will be the main opportunity for formal representation. A revised Environmental Statement will be published alongside the Proposed Plan along with a Habitats Regulations Appraisal.</p> | <p>All interested parties – as above, and any person/group who commented on the Main Issues Report.</p> <p>Owners, lessees or occupiers of premises on the site of a Local Development Plan proposal / allocation or of premises on neighbouring land to a Local Development Plan proposal / allocation where there is a significant effect on the use and amenity of the neighbouring land</p> | <ul style="list-style-type: none"> • Committee Reports • Web site • Online Local Development Plan Portal • Public Notice • Media Coverage • Documents available in paper and CD form • Documents available at all Council Libraries and ACCESS Offices • Attendance at CPP and CC meetings if requested • Neighbour notification • Fixed 9 week period for objection/representation • Representations accepted via: <ul style="list-style-type: none"> ○ E-mail ○ Online Development Plan Portal ○ Online Objection Form ○ Letter |
| Examination in Public, Modifications and Adoption: May 2015 – March / April 2016 | | |
| <p>We will consider representations received to the Proposed Plan and will submit these to Scottish Ministers explaining what action, if any, we propose to take. Unresolved objections to the Proposed Plan will be subject to Examination conducted by a Reporter appointed by the Scottish Government who will consider all the evidence submitted and make conclusions and recommendations.</p> <p>We will announce our intention to adopt the Local Development Plan and publish the Environmental Report alongside the Plan.</p> | <p>All interested parties – as above.</p> <p>Unresolved objectors Strategic Development Plan Authority Adjoining planning authorities</p> | <ul style="list-style-type: none"> • Committee Reports • Web site • Public Notice • Documents available in paper and CD form • Documents available at All Council Libraries and ACCESS Offices • Written communication via e-mail and letter |

**LIST OF SUPPLEMENTARY PLANNING GUIDANCE (SPG),
DEVELOPMENT BRIEFS AND PLANNING ADVICE NOTES**

| | |
|---------------------------------------|--|
| <p>Angus Local Plan</p> | <p>Development Briefs: Business Park, Brechin (1998) Ashludie Hospital, Monifieth (housing); October 2000 Inverkeilor (housing); November 2000 Newton Road, Carnoustie (housing); January 2002 Orchardbank Business Park, Forfar; January 2002 Bearehill, Brechin (housing); October 2002 Sunnyside Hospital, Hillside (development framework for reuse of hospital site); October 2002 Brechin Road, Montrose (housing); January 2004</p> |
| <p>Angus Local Plan Review</p> | <p>Supplementary Guidance Former Seaforth Hotel Site, Arbroath (development guidelines); December 2006 Tayside Bat Survey Requirements Farm Buildings Conversion</p> <p>Implementation Guides / Additional Information Affordable Housing Implementation Guide; June 2007. Model Section 75 Agreement and Development Viability Statement incorporated; November 2007 Implementation Guide for Renewable Energy Proposals; June 2012 Strategic Landuse Capacity Assessment for Wind Energy in Angus Council</p> <p>Development Briefs : Montrose Road, Arbroath (housing); January 2008 Hillhead, Kirriemuir (housing); March 2008. Dubton Farm, Brechin (housing); March 2009. South of Gardyne Street, Friockheim (housing); August 2009 Gairie Works, Bellies Brae, Kirriemuir; August 2009 Jubilee Park, Letham (housing); February 2012</p> |

**Angus Council Planning Advice Notes
(Providing guidance on a range of development management topics)**

| Advice Note No | Topic |
|----------------|--|
| 1 | Farm Buildings |
| 2 | Shopfronts and Signs in Conservation Areas |
| 3 | Roof Space Extensions |
| 4 | Car Parking in Front Gardens |
| 5 | Houses in the Open Countryside |
| 6 | Backland Housing Development |
| 7 | Advertising in the Countryside |
| 8 | Dutch Canopies/Sunblinds |
| 9 | Window Alterations |
| 10 | Shop Window Security |
| 11 | Residential Homes |

| | |
|----|--|
| 12 | Satellite Antennae |
| 13 | Residential Caravan Sites |
| 14 | Small House Sites |
| 15 | Front Extensions |
| 16 | Garages Off/Within Communal Parking Areas |
| 17 | Miscellaneous Planning Policies |
| 18 | Hot Food Takeaways |
| 19 | House Extensions |
| 20 | Listed Buildings and Conservation Areas |
| 21 | The Siting and Landscaping of Built Development in the Countryside |
| 22 | The Survey of Trees on Development Sites |
| 23 | The Specification of Landscaping Proposals for Development Sites |
| 24 | Residential Boundary Treatment |
| 25 | Agricultural Land to Garden Ground |
| 26 | Telecommunications Developments |
| 27 | Planning and Contaminated Land |
| 28 | Public Rights of Way |
| 30 | Repair to Sandstone Walls |

Conservation Area Statements

| Title | Date |
|--|--------------------------------|
| Brechin Conservation Area Management Plan | April 2009 |
| Forfar Conservation Area Analysis & Design Guide | January 2011 |
| Montrose Conservation Area Analysis & Design Guide | May 2011 |
| Arbroath Abbey to Harbour Conservation Area Analysis & Design Guide | February 2012 |
| Arbroath West Port Conservation Area Analysis & Design Guide | February 2012 |
| Arbroath Keptie Pond Conservation Area Analysis & Design Guide | February 2012 |
| Kirriemuir Conservation Area Appraisal and Management Plan (under preparation) | Target completion October 2014 |