

ANGUS COUNCIL

DEVELOPMENT AND ENTERPRISE COMMITTEE - 4 MARCH 2014

ANGUS DEVELOPMENT PLAN SCHEME – 5th ANNUAL REVIEW

REPORT BY STRATEGIC DIRECTOR - COMMUNITIES

ABSTRACT:

This report sets out for approval the fifth 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

It is recommended that the Committee:-

- (i) notes the revision and roll forward of the timetable for preparation of the Angus Local Development Plan;
- (ii) agrees 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 2014; and
- (iii) notes 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. INTRODUCTION

- 2.1 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 fourth annual review of the Angus Development Plan Scheme was approved by the Infrastructure Services Committee at their Meeting of 5 March 2013 (Report 136/13 refers) and subsequently submitted to Scottish Ministers by 31 March 2013. This Report brings forward the fifth 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.
- 2.2 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.
- 2.3 A copy of the revised Angus Development Plan Scheme incorporating the Participation Statement is available in the Members' Information Hub.

3. ANGUS COUNCIL DEVELOPMENT PLAN SCHEME

- 3.1 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.
- 3.2 During 2013 Angus Council Forward Planning staff continued work towards preparation of the

Angus LDP including continued assessment of the consultation responses to the Main Issues Report and Environmental Report. An overview of the consultation response was the subject of a report to the Infrastructure Services Committee in March 2013 (Report 137/13 refers). Officers have since assessed each individual consultation response (including a significant number made after the deadline) and their impact on the development strategy proposed in the Main Issues Report. Other work has included:

- Undertaking and publishing the Angus Housing Land Audit (HLA) 2013
- Drafting the Angus Strategic Flood Risk Assessment (SFRA)
- Work on the Angus Local Development Plan Transport Appraisal
- Commissioning and managing the drafting and publication of the Strategic Landscape Capacity Assessment for Wind Energy in Angus
- Town Centre Boundary Assessments

3.3 The Angus Development Plan Scheme, March 2013 indicated that publication of the Proposed Plan, Environmental Report, Proposed Action Programme and Habitats Regulations Appraisal was due in Spring 2014. Progress towards preparation of the Proposed Plan has been influenced by a number of factors:

- Substantial number of responses to the MIR (186 individual responses giving rise to circa 860 separate comments received in a number of formats which have to date been registered and summarised, rising to 955 when considering late responses) which require to be assessed and responded to in developing the proposed plan. Further contact with developers, landowners, key agencies and members of the public may be necessary where additional information or clarification is required. As set out in Report 137/13 Angus Council require to prepare and publish a document setting out the comments received and the planning authorities response alongside the Proposed Plan;
- Requirement for a number of Member/Officer working group sessions to consider emerging issues;
- Significant reduction in the dedicated staff resource available to contribute to the preparation of the Proposed Plan, Environmental Report, Habitats Regulations Appraisal, Action Programme and other associated documents.

3.4 Staff resource issues have now been addressed, MIR consultation responses have all been assessed but detailed responses will depend on discussions to be undertaken at the Member / Officer groups which have now been organised to take place in February and March 2014. An ambitious, but achievable project plan has now been put in place which takes into account both internal resource and external factors and risks such as the anticipated publication of the third National Planning Framework (NPF3) and revised Scottish Planning Policy (SPP) in June 2014. It is therefore now anticipated that the Proposed Local Development Plan, Environmental Report, Proposed Action Programme and Habitats Regulations Appraisal will be taken to Full Council in September 2014.

3.5 A number of other documents will have to be produced or finalised and published alongside those listed above to fulfil regulations and / or to support the consultation on the Proposed Local Development Plan. These include:

- Revised Topic / Background Papers
- Equalities Impact Assessment
- Angus Council Response to Representations Raised at the Main Issues Report Stage
- Angus Local Development Plan Transport Appraisal
- Angus Strategic Flood Risk Assessment.

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

	Angus LDP	TAYplan SDP 2
Development Plan Scheme	31 March 2014 (5th Annual Review)	
Publication of Monitoring Statement, Main Issues Report (MIR) and Environmental Report for consultation.	November 2012 – January 2013 Completed	May – July 2014
Summary of MIR comments	March 2013 Completed	
Response to individual MIR comments	May 2013 – April 2014 (will be concluded following the Member / Officer sessions in February / March 2014)	July – October 2014
Publication of Proposed Plan, Environmental Report, Action Programme and Habitats Regulations Appraisal	October 2014 (allowing time for printing and distribution following the Full Council meeting in September)	April – June 2015
Submit Proposed Plan to Scottish Ministers	May 2015	June 2016
Examination of Plan	May - November 2015	Ongoing 2016
Approval/Adoption of Plan	March / April 2016	Late 2016

- 3.6 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, above.
- 3.7 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.
- 3.8 The TAYplan review Main Issues Report, which is also being brought before this committee for ratification for consultation (report 121/14 refers) 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.

4. PROPERTY IMPLICATIONS

There are no property implications arising from this report.

5. RISKS

The risk to the Council of not approving the revised Angus Development Plan Scheme 2014 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

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 it is anticipated will be contained within the Planning Revenue Budget in the appropriate year. However the costs associated with any future Examination in Public are likely to be substantial. Subsequent reports setting out the programme and associated costs 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 2015 and any revised financial implications will be reported as part of that process.

7. HUMAN RIGHTS IMPLICATIONS

There are no human rights implications arising directly from this report.

8. EQUALITIES IMPLICATIONS

The issues dealt with in this report have been the subject of consideration from an equalities perspective. An equalities impact assessment is not required.

9. ANGUS COMMUNITY PLAN AND SINGLE OUTCOME AGREEMENT

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.

10. STRATEGIC ENVIRONMENTAL ASSESSMENT

There are no SEA implications for Angus Council arising from this report. The emerging Local Development Plan will be subject to Strategic Environmental Assessment and this assessment will be published alongside the proposed plan.

11. CONSULTATION

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

12. CONCLUSION

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.

ALAN MCKEOWN
STRATEGIC DIRECTOR – COMMUNITIES

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

- 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, February 2010.
- Angus Community Plan and Single Outcome Agreement 2013 – 2016, Angus Council, 2013.
- Report No. 136/13: Angus Development Plan Scheme – 4th Annual Review, Infrastructure Services Committee, 5 March 2013.
- TAYplan Strategic Development Plan (approved with modifications by Scottish Ministers 8 June 2012).
- TAYplan Development Plan Scheme, March 2013.
- Angus Local Development Plan Scheme (Revised March 2013).
- Angus Local Development Plan:
 - Main Issues Report, Angus Council – November 2012.
 - Environmental Report, Angus Council - November 2012,
 - Angus Local Plan Review Monitoring Statement – November 2012.
 - Topic Paper 1 : Spatial Strategy
 - Topic Paper 2: Climate Change
 - Topic Paper 3: Environment
 - Topic Paper 4: Housing
 - Topic Paper 5: Community Infrastructure
 - Topic Paper 6: Economy
- Draft Scottish Planning Policy (SPP) April 2013
- Draft National Planning Framework 3 (NPF3) January 2014

P&P/IM/KC/IAL
28 January 2014

APPENDIX 1: ANGUS DEVELOPMENT PLAN SCHEME (Incorporating a Participation Statement)