

ANGUS COUNCIL

ANGUS COUNCIL 10 SEPTEMBER 2015

PROPOSED ANGUS LOCAL DEVELOPMENT PLAN

REPORT BY VIVIEN SMITH – HEAD OF PLANNING AND PLACE

ABSTRACT

This report outlines the scale and nature of representations received in response to the publication of the Proposed Angus Local Development Plan, seeks agreement to the responses to unresolved representations and sets out the next steps towards adoption of the Plan. The report recommends that the Council proceeds to submission of the Proposed Plan and the Council's response to the unresolved issues (without notifiable modifications) to the Scottish Ministers to hold an examination.

1. RECOMMENDATIONS

It is recommended that the Council:

- (i) agree the responses to the representations received as set out in the series of Schedule 4 documents contained in Appendix 1;
- (ii) agree the Schedule of Non-Notifiable Modifications to the Proposed Angus Local Development Plan (Appendix 2);
- (iii) authorise the Head of Planning and Place to make changes to the format, appearance and technical details of the Schedule 4 documents and Schedule of Non-Notifiable Modifications prior to their submission;
- (iv) agree that additional evidence, further supporting documents and responses to the representations received on the Environmental Report and Draft Action Programme should be brought before the Council in October for agreement prior to submission;
- (v) approve the submission of the Proposed Plan, Schedule 4 documents, Schedule of Non-Notifiable Modifications and other associated documents together with the unresolved issues to the Scottish Ministers for examination; and
- (vi) instruct the Head of Planning and Place to report back on the findings of the Examination in due course.

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

- 2.1 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 enable Angus Council to consider the representations received and where appropriate submit unresolved issues to Scottish Ministers along with the proposed Plan and continue progress towards adoption of the Angus Local Development.
- 2.2 The Angus Local Development Plan when 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 developed in a sustainable manner;
- Our natural and built environment is protected and enjoyed; and
- Our carbon footprint is reduced.

2.3 The Proposed Angus Local Development Plan establishes the development strategy for the area, and sets out the nature, scale and location of development. The document has been structured around the Community Planning Partnership's five priorities to demonstrate how the implementation of the Angus Local Development Plan will contribute towards meeting the vision and outcomes for the Angus area.

3. BACKGROUND

3.1 At their meeting of the 11 December 2014, Angus Council approved the Proposed Angus Local Development Plan (ALDP), and agreed to its publication for a nine week period of representation. The Council also approved the draft Environmental Report and Transport Appraisal and agreed to their publication alongside the Proposed Angus Local Development Plan (Report 501/14 refers).

3.2 The Development and Enterprise Committee at their meeting of 20 January 2015 agreed a Draft Action Programme, Consultation Statement, Equalities Impact Statement, Strategic Flood Risk Assessment and Draft Habitats Regulations Appraisal Record to be published as supporting documents to the Proposed Angus LDP (Report 33/15 refers).

3.3 The documents were formally published on 27 February 2015 with a 9 week period for representation extending to 30 April 2015. Copies of the Proposed Plan, Environmental Report, Draft Action Programme and range of supporting documents were available to view and download from the Council's website: www.angus.gov.uk/ldpconsult. The published documents were also available for inspection at all Angus Council Libraries, ACCESS Offices, and at County Buildings and Angus House, Forfar. In addition printed copies could be purchased and CD versions were available free of charge.

3.4 An update was brought before Angus Council at the meeting on the 14 May 2015, where the scale of submissions received during the period of representation was noted, and it was agreed to accept late submissions up to 29 May 2015 and make all submissions publicly available on the Council's website (Report 198/15 refers).

3.5 As set out in the report to Angus Council in May 2015, 170 submissions were made on the Proposed Angus Local Development Plan, resulting in 588 individual representations. Of these representations, 148 were representations of support (25%), 48 were comments on the Proposed Plan (8%) and 392 were objecting to the Proposed Plan (67%). All representations seeking a modification or change are regarded as objections to the Proposed Angus Local Development Plan.

3.6 Five submissions were received that related to the Environmental Report, resulting in 48 individual representations of which 33 were comments (69%) and 15 were objections (31%). Four submissions were also received on the Draft Action Programme, resulting in 16 individual representations, 1 of which was a comment, and 15 were objections.

3.7 All submissions were received during the 9 week period of representation. No submissions were received after this time, in the extension period agreed by Council in May 2015. A number of submissions have been further clarified with the relevant individual, agent or organisation, and a meeting was held in June with the Scottish Environmental Protection Agency to discuss their representations.

4. CURRENT POSITION

4.1 Having received representations the Council has three options to progress the Plan towards adoption. These are outlined below:

- (i) Where there are unresolved representations (objections), and the Council as planning authority decides to make no notifiable modifications (i.e. does not make significant modifications), they are to publish the Plan and submit it to Scottish Ministers. In

taking this course of action the Council may make Non-Notifiable Modifications to the Plan such as minor wording or typographical changes.

- (ii) Where the authority decides to make notifiable modifications (i.e. significant modifications that add, remove or significantly alter any policy or proposal in the plan), they are to publish the modified Plan and specify a date (at least 6 weeks ahead) by which time further representations may be made. Following the further period of representations, the authority may then further modify the plan or submit it to Ministers.
- (iii) Where the authority makes modifications that change the underlying aims or strategy of the Proposed Plan, they are required to prepare and publish a new Proposed Local Development Plan. The new Proposed Plan would then be subject to a further period of representation as in (ii), above.

- 4.2 This report recommends that the Council proceeds with option (i) and does not make any notifiable modification to the Proposed Plan as agreed on 11 December 2014. This recommendation echoes the government's expectations as set out in Circular 6/2013: Development Planning, where paragraph 87 indicates:

"From the Proposed Plan stage, Scottish Ministers expect an authority's priority to be to progress to adoption as quickly as possible. Pre-Examination negotiations and notifiable modifications can cause significant delay and so should not be undertaken as a matter of course, but only where the authority is minded to make significant changes to the plan.....The Examination also provides an opportunity to change the plan, so if authorities see merit in a representation they may say so in their response to the reporter, and leave them to make appropriate recommendations."

- 4.3 It should be noted that in the event of making notifiable modifications the target date for the adoption of the Local Development Plan as set out in the Angus Development Plan Scheme 2015 will slip from September / October 2016 to September 2017 at the earliest. This may have significant implications given the anticipated timescales for the submission and examination of the TAYplan Strategic Development Plan review. The statutory deadline for the TAYplan review Proposed Plan to be submitted for examination is 8 June 2016. It is expected that this will lead to adoption in late 2016. It is doubtful whether the current Angus Local Development Plan could proceed to adoption if the TAYplan Strategic Development Plan review is adopted before it, as this would immediately render all the policies (including housing numbers) based on TAYplan 2012 out of date. It is suggested that if such delay occurs, the Council would have to carefully consider whether it would be possible to progress the current Proposed Plan, or whether a fundamental review of the Proposed Plan in the context of the updated Strategic Development Plan would be necessary.

Procedures for submission to Scottish Ministers

- 4.4 The submission of the Plan to Ministers is the trigger for the Plan to be passed to DPEA (Directorate of Planning & Environmental Appeals) to hold an examination into any unresolved issues (objections). The DPEA Reporter(s) appointed to carry out the examination will decide which issues they want further information on and whether they wish to hold any Hearing Sessions or a formal Inquiry into specific issues. It is likely that the vast majority of issues will be decided on the basis of written representation i.e. the representation and the Council's responses, which are the subject of this report.
- 4.5 The Council is required to submit to the DPEA the following:
- The Proposed Local Development Plan together with the associated Environmental Reports;
 - All representations submitted during the period of representations; and
 - The Council's response to unresolved issues, in a prescribed format known as a Schedule 4 (a list of Schedule 4s is contained in Appendix 3 attached and full copies are contained in Appendix 1).
- 4.6 The Council is also required to submit the following to the DPEA, and it is recommended that these are brought before the Angus Council meeting in October for approval:
- The Council's Participation Statement and The Statement of Conformity;
 - The Proposed Action Programme; and
 - Any additional Core Productions i.e. any evidence backing up either the representations or the Council's responses. This will include Background Papers.

Schedule 4s

- 4.7 The unresolved issues arising from the consultation have been grouped into 27 topic groups each subject to a Schedule 4. The list of topics is contained at Appendix 3. Each Schedule 4 provides:
- A list of those submitting representations (either supporting, objecting or commenting)
 - A summary of the relevant points
 - Changes sought to the Plan
 - The Council's response to the representations
- 4.8 It must be acknowledged that the format of each Schedule 4 is set up to assist the Reporter which does not make it a particularly readable document. It is not within the Council's discretion to amend the format of the template provided by the Town and Country Planning (Development Planning) (Scotland) Regulations 2008.
- 4.9 Schedule 4s are complex documents, and the cross referencing to other documents, (either Schedule 4s or Core Documents) may need further work. It is also essential that a further round of checks is carried out to ensure that all representations are correctly referenced. Recommendation (iii) seeks to delegate this to the Head of Planning and Place. It must be emphasised that this delegation seeks to ensure the accuracy of the document and the presentations of the Council's case but does not extend to the individual recommendation on each issue raised. Any significant amendment or addition to the appended Schedule 4's will be referred back to the Council at their October meeting.

Unresolved issues and responses

- 4.10 This report does not set out all the issues raised in the representations as these are covered in detail within the Schedule 4s in Appendix 1. Rather, this report seeks to give Members an overview of some of the key policy or local issues raised by the representations. This is presented in the following order:
- The Strategy
 - Part 1 - Thriving and Connected
 - Part 2 - Protected and Valued
 - The Towns
 - The Rural Service Centres and Housing Market Areas
 - Other
- 4.11 It should be noted that whilst not required by the Town and Country Planning (Development Planning) (Scotland) Regulations 2008, representations indicating support or commenting on policies and proposals have been included in the Schedule 4s. Whilst these are not unresolved issues, they are considered to provide useful context for any appointed Reporter(s) in considering the issues raised. A summary of the main issues raised in each Schedule 4 is set out below.
- 4.12 The Strategy
Schedule 1 – A Presumption in Favour of Sustainable Development and Directing Development to the Right Place.
There is general support for the presumption in favour of sustainable development. There are a number of objections to Part 2 – Directing Development to the Right Place including the housing release strategy around the Dundee Fringe and the approach to development in settlements below Rural Service Centre level.
- Schedule 2 – Creating High Quality Places
Representations concentrate on the policies set out in Part 3 of the Development Strategy. Whilst there is significant support for Policies DS1 Development Boundaries and Priorities, DS2 Accessible Development, DS3 Design Quality and Placemaking and DS4 Amenity, there are number of unresolved objections which focus on detailed wording issues. Policy DS5 Developer Contributions is the subject of a number of objections related to references to the relevant Circular in the policy, viability, and the availability of the Supplementary Guidance document referenced in the Policy.
- 4.13 Part 1 - Thriving and Connected.
Schedule 3 – Housing Supply and Release including Affordable Housing

Representations relate to Policy TC1 and the addition of a flexibility allowance to the overall Housing land Requirement which would support additional land release on specific suggested sites and locations. Representations on Policy TC3 Affordable Housing largely relate to impacts on development viability.

Schedule 4 – Residential Development and Housing Omissions.

A number of representations were received to Policy TC2 Residential Development which focus on the approach to development in countryside areas. There are a number of objections to the omission of a Large Country Homes Policy, which is included in the current adopted ALPR (2009).

Schedule 5 – Services.

Two objections to Policy TC8 Community Facilities and Services focus on the implementation of the Scottish Government's Town Centre First Policy and detailed definitions. Objections to Policy TC9 Safeguard of Land for Cemetery Use are concerned with developer requirements and the reservation of land at Liff.

Schedule 6 – Connectivity.

A representation on Policy TC11 Park and Ride Facilities considers that the policy should be more specific in terms of locations. There are representations of support for Policy TC12 Freight Facilities with the only objection relating to flood risk assessment requirements. An objection to TC13 Digital Connectivity and Telecommunications Infrastructure considers that the policy is overly restrictive.

Schedule 7 – Employment and Tourism.

Policy TC14 Employment Allocations and Existing Employment Areas is welcomed and supported, with an objection to the policy considering that the protection of employment land should be strengthened. Objections to Policy TC15 Employment Development focus on the interaction with the Town Centre and Housing policies of the plan and the flexibility afforded by the Policy. Representations on Policy TC16 Tourism Development relate to definitions used in the policy and objections requesting site specific allocations. An objection to Policy TC17 Network of Centres relates to the status of Town Centre Strategies whereas support is expressed for Policy TC18 Core Retail Areas and TC19 Retail and Town Centre Uses.

4.14 Part 2 - Protected and Valued.

Schedule 8 – The Natural Environment.

Representations on Policies PV1 to PV7 focus on the definitions used or detailed policy wording; the implementation of the policies (in terms of the level of protection, proportionality and requirements for additional information); the status of further advice; and how existing designations are reflected in the Plan.

Schedule 9 – The Built Environment.

Objections to Policy PV8 Built and Cultural Heritage are concerned with the viability of development and the magnitude of adverse effects on built and cultural assets.

Schedule 10 – Heat and Energy Networks.

Objections relate to the need to develop a spatial framework for wind energy and the status of the Council's Implementation Guide and Strategic Landscape Capacity Assessment for Wind Energy (2014). Objections to Policy PV9 Renewable and Low Carbon Energy Development seek to amend and clarify the wording and requirements of the policy. Objections to Policy PV10 Heat Mapping and Decarbonised Heat suggest that the Plan should go further to identify opportunities for heat networks and a localised heat map should be produced. Policy PV11 Energy Efficiently – Low and Zero Carbon Buildings is subject to a number of objections to the standards set out as well as objections seeking to delete all or parts of the policy given that such requirements are also set out in Building Standards Legislation.

Schedule 11 – The Water Environment.

Representations seek detailed wording changes and clarification to policies PV12 Managing Flood Risk, PV14 Water Quality and PV15 Drainage Infrastructure. Objections also seek to include references to the National Marine Plan (published March 2015).

Schedule 12 – Resources.

Representations seek to extend policy coverage of PV17 Waste Management Facilities, and clarify the wording and developer requirements of policies PV19 Minerals and PV20 Soils and

Geodiversity. Links to external guidance are also sought by representations. Objections also relate to the omission of a specific policy on unconventional gas extraction.

Schedule 13 – Protected and Valued Policy Omissions.

Representations relate to the omission of a specific policy on pipeline consultation zones.

4.15 The Towns.

Schedule 14 – Arbroath.

Objections to A1 Housing – Crudie Acres, East Muirlands Road and A2 Housing – Crudie Farm, Arbirlot Road West focus on the impact of the sites on views, traffic, road safety and school capacity. Objections in relation to A1 Housing – Crudie Acres, East Muirlands Road also seek to increase the capacity of the site and amend the phasing. Representations on A3 Opportunity Site – Wardmill / Dens Road, A6 Opportunity Site – Former Bleachworks, Elliot, A10 Working – Elliot Industrial Estate Extension and A13 Community Facilities – Western Cemetery Extension relate to flooding and groundwater issues, whereas representations on A7 Opportunity Site – Former Seaforth Hotel seeks to widen out appropriate uses. Representations seek amendments to the Town Centre boundary and the development boundary to include Meadowbank Inn and Silverwells Garden Centre. Objections seek to address the omission of a mixed use allocation at Dundee Road and a residential allocation North of Tarry Road as well as identification of a future direction of growth for Arbroath.

Schedule 15 – Brechin.

Objections to B1 Housing – Dubton Farm relate to recognition of the pipeline / consultation zone, flood risk assessment and capacity and phasing. Representations on B4 Opportunity Site – Former Gas Works, Witchden Road, B5 Opportunity Site – Maisondieu Church, Witchden Road and B7 Brechin Cemetery Extension relate to flood risk and impact on groundwater. Objections to B6 Working – Brechin West consider that the allocation shouldn't pre-empt detailed site analysis / technical studies and should further consider impact on woodland. Objections seek to address the omission of residential allocations at Trinity Road, the former Den Nursery (South Esk Street and Trinity Road) and a site at Unthank.

Schedule 16A – Carnoustie and Barry: Allocations C1, C6, C7, C8 and Omission at Carlogie.

Objections to C1 Housing – Land at Pitskelly and C7 Working – Land at Pitskelly focus on landscape issues, distance from the town, drainage impact, the use of prime agricultural land, traffic impact and education provision as well as the availability of the existing employment allocation at Carlogie. Objections to C6 Working – Land at Carlogie and C8 Transport – Upgrade A930 Carlogie Road concentrate on the use of agricultural land, landscape issues, the competing allocations at Pitskelly and impact on woodland. Objections seek to address the omission of a residential allocation at Carlogie

Schedule 16B – Carnoustie and Barry: General Issues and Omissions.

Representations on C2 Opportunity Site – Woodside / Pitskelly, C3 Opportunity Site – Barry Road and C5 Opportunity Site – Panmure Industrial Estate focus on the supporting information requirements in relation to flooding and drainage, the impact on woodland and the impact on the current occupiers at the Panmure Industrial Estate. Representations also seek to address the status of the recent Carnoustie Charrette report as well as suggesting amendments to the Proposals Map to amend the Town Centre Boundary, correct a suggested drafting error in relation to the development boundary and include a small scale housing site at Barry Manse grounds / paddock. Objections seek to address the omission of residential allocations at Westhaven, Clayholes, Greenlaw Hill and the Former Taymouth Engineering Works.

Schedule 17A – Forfar: Allocations F2 and F3.

Objections to F3 Housing – Turfbeg focus on phasing as well as issues of visual impact, traffic impact, school capacity and flood risk assessment. Objections to F4 Housing – Westfield focus on phasing as well as landscape impact, access, contamination issues, residential amenity, traffic, infrastructure and school capacity and flood risk assessment. Objections seek to address the omission of residential allocations at Turfbeg West and land at Halkerton.

Schedule 17B – Forfar: General and Omissions.

Representations seek clarification of appropriate uses and assessments of developments at Orchardbank and appropriate flood risk, noise and odour and drainage assessment of allocated sites. Objections also seek to address the omission of residential allocations at:

Prior Road, Slatefield (Phase 2), South Suttieside Farm and the Former Oil Depot at Fyfe Street.

Schedule 18 – Kirriemuir.

Objections to allocation K1 Housing Land South of Beechwood Place focus on the use of agricultural land, the availability of brownfield sites within the development boundary, the effect on the setting of Kirriemuir and the potential for development sprawl and impact on the property values of houses north of Beechwood Place. There are also concerns relating to the phasing of the site set out in the Plan. Objections to K4 Kirriemuir Cemetery Extension relate to the potential detrimental impact on groundwater and woodland. Objections also seek to address the omission of residential allocations at West Hill Road, Cortachy Road, Land south of Ardmore, Brechin Road, Land at North Mains, Tillyloss / Newton Park, Phase 2 Sunnyside and Little Herdhill / Martine Place. Objections also seek to address the omission of an employment allocation at land south of Logie Business Park and the exclusion of the site a Pathhead from the development boundary.

Schedule 19 – Monifieth.

Objections to allocation Mf2 Housing – Victoria Street West focus on immediate local impacts of privacy, noise, light and tree cover as well as impacts on the Strategic Development Area identified at the Western Gateway, Dundee. Objections seek to address the omission of a residential allocation north of Ashludie Hospital.

Schedule 20 – Montrose Including Ferryden and Hillside.

An objection relates to the scheme for grade separation at the A90 / A937 junction at Laurencekirk and considers that all sites within the Montrose area which will have an impact on the junction will be constrained until such a scheme is in place. Objections to M1 Housing – Brechin Road, M2 Housing – Rosemount Road, Hillside, M3 Mixed Use – Sunnyside Hospital, Hillside, M8 Working – North of Forties Road and M10 Sleepyhilllock Cemetery Extension relate to flooding, groundwater issues or protection of trees, woodland or open space. Objections to M7 Working – Montrose Airfield raise concerns over erosion of the coastal zone and landscape / visual impacts. Objections seek to address the omission of residential allocations at Marykirk Road, Hillside and Usan Road. An objection also seeks to address the omission of a policy to acknowledge the contribution of GSK to the area and suggests a policy that would help to retain and expand their operations.

4.16 The Rural Service Centres and Housing Market Areas.

Schedule 21 – North Angus Housing Market Area: Edzell and Villages.

Objections to E1 Housing – East of Duriehill Road concentrate on access and traffic issues, impact on views, school capacity, infrastructure capacity and flood risk. Representations also object to the capacity and phasing of the site. Representations on E2 Opportunity Site - Former Mart, Lethnot Road relate to flood risk. Objections seek to address the omission of residential allocations at East Mains Farm, Edzell and sites at Barnhead Village.

Schedule 22 – East Angus Housing Market Area: Friockheim and Villages.

Representations on Fk1 Housing – South of Gardyne Street seek to increase the size and capacity of the site. Objections to the site raise concern over impact on woodland. Objections seek to address the omission of residential allocations on land to the east of Friockheim. Objections to LG1 Letham Grange object to the omission of “strictly” from the policy in relation to housing development, as currently appears in the Angus Local Plan Review (2009). Objections also seek a relaxation in Policy Wv1 Woodville and an amendment to the development boundary at Leysmill.

Schedule 23 – West Angus Housing Market Area: Letham and Villages.

Objections to L3 Housing – Land Between Blairs Road & Dundee Street focus on the availability of more suitable sites within the village, the upgrading of unadopted roads, primary school capacity, flood risk, odour and waste. Objections seek to address the omission of residential allocations at West Hemming Street and Blairs Road, Letham, land at Bowriefauld Garden Centre and sites in Bridgend of Lintrathen as well as amendments to the development boundary at Kirkton of Menmuir.

Schedule 24 – South Angus Housing Market Area: Newtyle and Villages.

Objections to N1 Housing – Land north of Coupar Angus Road seek to extend the development boundary further to allocate the site in its entirety. Objections to N2 Housing – Land north of Eassie Road relate to landscape impacts and restricted pedestrian access.

Objections seek to address the omission of residential allocations at: land at Bannatyne Field; land at Kirkton Road, Kirkton of Newtyle; land at Ballumbie North; Village H, Ballumbie; Village V, Ballumbie; land at East Adamson, Muirhead; land to South of Birkhill; land at Bridgefoot; land at Inveraldie; land West of Kellas; land North of Liff; land North East of Liff; land at Lundie; land East of Newbigging; land North West of Newbigging; land South West of Newbigging; land at Pitairlie Garage, Newbigging and a site at Wellbank. Objections seek to address the omission of an allocation for a holiday village at land at Belmont, Newtyle and a tourism / leisure allocation at land at Ledyatt Wood, by Lundie. An objection seeks to amend the development boundary to include a site at Westhall Terrace and an objection to St1 – Strathmartine Hospital outlines that significant housing development in this location would undermine the strategy set out in the Dundee Local Development Plan (2014).

4.17 Other.

Schedule 25 – Plan Issues.

Representations relate to how the Habitat Regulations Appraisal is reflected in the Proposed Plan, definitions included in the Glossary, the housing land supply set out in Appendix 3 and drafting or typographic issues.

5. PROPOSALS

5.1 The period of representation on the Proposed Plan resulted in a significant number of submissions being made to Angus Council including a number of supporting representations and an anticipated level of objections. As the Local Development Plan includes a significant number of policies and land allocations, it would be highly unusual if all objections could be resolved, even if notifiable modifications were made to the Proposed Plan. The purpose of the period of representations was to ensure that the public had the opportunity to lodge representations that will be dealt with by (an) independent Reporter(s) through the Examination of the Proposed Plan.

5.2 In the interests of maintaining an up-to-date Development Plan and facilitating the future sustainable growth of the area Scottish Ministers expect local authorities to progress Local Development Plans from Proposed Plan to adoption as quickly as possible. This is especially important given the delays in preparing the Proposed Plan and the progress on the review of the TAYplan Strategic Development Plan. The Proposed Plan is the Council's settled view and is based on a significant amount of consultation and technical assessment. The responses presented in the Schedule 4 documents (Appendix 1) largely defend the current position of the Plan and provide justification as to why the decisions in the Proposed Plan have been taken. Consequently no notifiable modifications have been recommended. There are however instances where there is some merit in the representations and the Schedule 4 response therefore gives a clear indication to the Reporter(s) of potential modifications to which the Council would not be opposed. In addition, a number of non-notifiable modifications are proposed which address representations which seek a correction or clarification where the change would not materially affect the intention or application of the policy or identified drafting or typographical issues.

5.3 If the recommendations of this report are approved, the Proposed Local Development Plan and supporting documentation will be submitted to Scottish Ministers in late October / early November and all indications are that the Plan could be adopted by autumn 2016.

6. FINANCIAL IMPLICATIONS

6.1 Recommendation (v) seeks approval to submit the Proposed Local Development Plan and associated documents together with the unresolved issues to the Scottish Ministers for Examination. There will be costs involved in the Examination process as a result of the DPEA appointing independent Reporter(s) to examine the plan. These costs are all contained within the Planning Revenue Budget.

7. OTHER IMPLICATIONS

Risks

7.1 Failure to maintain progress in meeting the indicative timetable set out in the Angus Development Plan Scheme (Revised March 2015) will mean that Angus Council does not

maintain up to date Development Plan coverage of Angus as required by the Scottish Government.

- 7.2 Any delay in the adoption of the Angus Local Development Plan could mean that development decisions in Angus would be made on an ad-hoc basis and not be plan led. It is therefore in the wider public interest to ensure that timely progression of the Angus Local Development Plan is maintained. Additionally any delay that would result in the TAYplan Strategic Development Plan review being adopted prior to the adoption of the Local Development Plan could render the plan out-of-date.

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:

- Report 501/14 Proposed Angus Local Development Plan, Angus Council, 11 December 2014.
- Report 33/15 Proposed Angus Local Development Plan – Supporting Documents, Development and Enterprise Committee, 20 January 2015.
- Report 113/15 – Angus Development Plan Scheme – 6th Annual Review, Development and Enterprise Committee, 3 March 2015.
- Report 198/15 – Proposed Angus Local Development Plan – Consultation Update, Angus Council, 14 May 2015.
- Angus Development Plan Scheme (Revised March 2015)

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List of Appendices:

Appendix 1 – Draft Schedule 4 documents

Appendix 2 – Schedule of Non-Notifiable Modifications

Appendix 3 – List of Schedule 4 documents setting out representations received on each Policy or Proposal of the Proposed Angus Local Development Plan.