

PERTH AND KINROSS COUNCIL

Environment, Infrastructure and Economic Development Committee

7 February 2024

LOCAL DEVELOPMENT PLAN 2 DELIVERY PROGRAMME 2019-2029 FEBRUARY 2024 UPDATE

Report by Strategic Lead - Economy, Development and Planning
(Report No. 24/51)

1. PURPOSE

- 1.1 The purpose of this report is to present the updated Delivery Programme which supports the adopted Perth & Kinross Local Development Plan 2 (LDP2). It also seeks approval for the adoption, publication and submission of the Programme to Scottish Ministers.

2. RECOMMENADTIONS

- 2.1 It is recommended that the Committee:
- i) adopts the Delivery Programme as set out in Appendix 1;
 - ii) requests the Executive Director of Communities to publish and submit the Delivery Programme to Scottish Ministers.

3. STRUCTURE OF REPORT

- 3.1 This report is structured over the following sections:

- Section 4: Background
- Section 5: Proposals and next steps
- Section 6: Conclusion
- Appendices

4. BACKGROUND

- 4.1 Perth & Kinross Local Development Plan 2 (LDP2) was formally adopted by the Council on 29 November 2019. It sets out a vision to promote Perth and Kinross as a sustainable, more attractive, competitive, and vibrant region. A copy of LDP2 is available online at: www.pkc.gov.uk/ldp2
- 4.2 The Planning etc. (Scotland) Act 2006, as amended by the Planning (Scotland) Act 2019, requires planning authorities to prepare a delivery programme to accompany the local development plan. A delivery programme sets out how the authority proposes to implement the plan to which it relates.

The delivery programme must be reviewed once a plan is adopted and re-published at least every two years. Ongoing discussions with stakeholders and delivery partners is expected to inform reviews of the delivery programme. Each time the delivery programme is re-published, the Council must send two copies to Scottish Ministers, place copies in local libraries and publish it electronically.

5. PROPOSALS AND NEXT STEPS

Local Development Planning Guidance

- 5.1 Since the delivery programme was last updated in 2022 (report no. 22/27 refers), the Scottish Government has published new [Guidance](#) on preparing LDPs and associated documents, including the LDP delivery programme. The Local Development Planning Guidance sets out an enhanced role for delivery programmes including
- the delivery programme is as important a part of the package as the LDP itself and represents a firm commitment to delivering the LDP;
 - the delivery programme is part of the project management toolkit, helping focus resources on delivery as well as plan-making;
 - the preparation of the delivery programme is to be considered at the outset of LDP preparation and run alongside it; and
 - the delivery programme should be considered akin to a business plan for the implementation of the LDP and is a corporate document to help achieve the Council's priorities.
- 5.2 Paragraph 201 of the Guidance states that, ideally, a delivery programme should:
- clearly indicate how sites are prioritised;
 - specify actions and timescales to delivery sites, including any interventions required, and identifying any costs and constraints and a clear pathway to addressing them e.g. funding sources, timescales / phasing;
 - specify how, and when, developer contributions will be sought, collected and become available over time to support the delivery of the development;
 - establish a deliverable housing land pipeline for the Local Housing Land Requirement;
 - identify a pathway to delivery for longer term allocations; and
 - the annual housing land audit will monitor the delivery of housing land to inform the pipeline and the actions to be taken in the delivery programme.
- 5.3 The Guidance states that once the initial delivery programme is prepared, there are no legislative requirements as to how the reviewing or updating process is to be carried out.

- 5.4 This represents a significantly bigger role for the delivery programme than the previous LDP Action Programme, which was more focussed on monitoring progress. Work has already started on LDP3 and, noted in paragraph 5.1, the development of the delivery programme for LDP3 will be integrated with the preparation of the Plan itself. Given that it is now more than four years since LDP2 was adopted, it is considered that trying to retrospectively prepare a new-style delivery programme for this Plan would be extremely challenging and resource-intensive. It would also significantly impact on planning officers' ability to resource the preparation of the new programme for LDP3, and adhere to the timeline for publication of the Evidence Report approved by the EI&ED Committee on 1 November 2023 (report no. 23/288 refers). It is, therefore, considered reasonable and proportionate to update the LDP2 delivery programme along similar lines to that which has been done previously. This will mean elected members and the public can be updated on the delivery progress of LDP2 policies and sites, without taking staff resource away from the more significant process which will be the LDP3 delivery programme.

Delivery strategies

- 5.5 As reported in the previous update, LDP2 included a new policy 23: Delivery of Development Sites. This policy requires the landowner and / or developer of each allocated site, and of larger windfall sites, to prepare a delivery strategy which demonstrates a realistic programme for delivery through the Plan period and beyond. Delivery strategies are to be updated on a 6 monthly basis to inform the LDP Delivery Programme.
- 5.6 Planning officers have been maintaining contact with landowners and developers and have been requesting delivery strategy updates as required by the LDP policy. This has been especially useful in feeding into the Delivery Programme update and the annual Housing Land Audit. Unfortunately, however, there are still a small number of allocated sites (less than 10) for which no response has been received. These are mostly employment, mixed use, or opportunity sites. Efforts will continue to be made to contact landowners and / or developers of these sites until such time as they are reviewed through the next LDP.
- 5.7 The delivery strategy process has been particularly useful in helping build relationships between Development Plan officers and landowners / developers, and a key benefit has been to help identify those sites where the Council should be seeking to take a more proactive role. The process is also helping to identify those sites which should be considered for removal from the next Plan. As such, Development Plan officers will continue to engage with landowners and / or developers through the delivery strategy process to inform both the LDP2 Delivery Programme and the next LDP.

6. CONCLUSION

- 6.1 The LDP2 Delivery Programme (Appendix 1) sets out the actions required to ensure the successful implementation of policies and proposals contained within the Plan and indicates who will be responsible for delivering these. While Local Development Planning Guidance sets out an enhanced role for delivery programmes going forward, it is considered appropriate for Perth & Kinross Council to focus on updating the LDP2 Delivery Programme along previous lines. This will allow work to also begin timeously on the delivery programme for LDP3. Once approved, this will be sent to Scottish Ministers and published as the guidance outlines.

Author

Name	Designation	Contact Details
Brenda Murray	Development Plan Team Leader (Planning & Housing Strategy)	(01738) 475000 ComCommitteeReports@pkc.gov.uk

Approved

Name	Designation	Date
Barbara Renton	Executive Director (Communities)	30 January 2024

APPENDICES

- Appendix 1 - Perth & Kinross Council Local Development Plan 2: Delivery Programme 2019-2029 Updated 7 February 2024

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.

1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	Yes
Corporate Plan	Yes
Resource Implications	
Financial	None
Workforce	None
Asset Management (land, property, IST)	None
Assessments	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	Yes
Sustainability (community, economic, environmental)	Yes
Legal and Governance	None
Risk	None
Consultation	
Internal	Yes
External	Yes
Communication	
Communications Plan	Yes

1. Strategic Implications

Community Plan/Single Outcome Agreement

1.1 This report supports all of the priorities within the Community Plan 2022-27.

- (i) Reducing Poverty (including child poverty, fuel poverty and food poverty)
- (ii) Mental and physical wellbeing
- (iii) Digital participation
- (iv) Skills, learning and development
- (v) Employability

Corporate Plan

1.2 This report supports the objectives within the draft new Corporate Plan:-

- (i) Children and young people grow up safe, respected, well-educated and confident in their ability to realise their full potential;
- (ii) People and businesses are increasingly able to prosper in a local economy which support low carbon emissions and offers opportunities for all;
- (iii) People can achieve their best physical and mental health and have access to quality care and support when they need it;
- (iv) Communities are resilient and physically, digital and socially connected;

- (v) Perth and Kinross is a safe and vibrant place, mitigating the impact of climate and environmental change for this and future generations.

2. Resource Implications

Financial

- 2.1 None.

Workforce

- 2.2 None for this delivery programme update. Looking ahead to LDP3, however, the enhanced requirements for new delivery programmes may have implications for staff time.

Asset Management (land, property, IT)

- 2.3 None.

3. Assessments

Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

The proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

- (i) Assessed as **not relevant** for the purposes of EqIA

Strategic Environmental Assessment

- 3.2 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.
- 3.3 The proposals have been considered under the Act and no further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

Sustainability

3.4 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. Under the Climate Change (Scotland) Act 2009 the Council also has a duty relating to climate change and, in exercising its functions must act:

- in the way best calculated to delivery of the Act's emissions reduction targets;
- in the way best calculated to deliver any statutory adaptation programmes; and
- in a way that it considers most sustainable.

3.5 The Delivery Programme was considered under the Council's Impact and Value Assessment. The Delivery Programme is a vehicle for monitoring the implementation of LDP2 and as such no impacts on sustainability will arise from the Programme itself.

Legal and Governance

3.6 None.

Risk

3.7 None.

4. Consultation

Internal

4.1 The Transportation and Development Team were consulted on the Delivery Programme.

External

4.2 Consultation is ongoing with the landowner and / or developer for each allocated site on progress.

5. Communication

5.1 None.

2. BACKGROUND PAPERS

2.1 The following background papers were referred to during the preparation of this report:

- Perth & Kinross Council Local Development Plan 2
- Local Development Planning Guidance
- Perth & Kinross Council Local Development Plan 2: Delivery Programme Update Feb 2022