

**PERTH AND KINROSS COUNCIL**  
**Strategic Policy and Resources Committee**

**24 November 2021**

**Perth and Kinross Local Development Plan (LDP3)**  
**Development Plan Scheme**

**Executive Director (Communities)**  
(Report No. 21/219)

This report seeks approval for the update of the Development Plan Scheme (DPS) in the preparation of the next Perth and Kinross Local Development Plan (LDP3).

**1. BACKGROUND**

- 1.1 The current Perth and Kinross Local Development Plan was adopted on 29 November 2019 and sets out the strategy to guide future land use and development within Perth & Kinross up to 2029. It was prepared under the Planning (Scotland) Act 2006 - section 16 of which requires planning authorities to prepare and update Local Development Plans (LDP) for their area at intervals of no more than 5 years.
- 1.2 The Council therefore has to adopt a new LDP by 2024. However, due to a delay in the publishing of the Development Plan Regulations and Guidance to support the Planning Scotland Act 2019, there is a lack of clarity on what is required for the Evidence Report, which is the first stage in the preparation of LDP3. As a result, LDP3 may not meet the required target and the new adoption date whilst uncertain, is likely to be 2025 at the earliest.
- 1.3 The Scottish Government acknowledges that transitioning to the new planning system will have implications for LDP timescales and envisages that every planning authority in Scotland will have a 'new style' local development plan in place within 5 years of the development plan regulations coming into force (currently anticipated in spring/summer 2022) i.e. spring/summer 2027.
- 1.4 As required under Section 20B of the Planning etc (Scotland) Act 2006, the Planning Authority is required to prepare a Development Plan Scheme which provides an outline for the preparation of the LDP, as well as detailing the Council's commitment to consultation and engagement in the Participation Statement. This paper presents that latest update to the Scheme specifying what is required and what has been achieved so far.

**2. PROPOSALS**

**Development Plan Scheme**

- 2.1 With the adoption of LDP2 in November 2019 and the legislative requirement in the Act to have this updated within 5 years, the Council requires to look ahead at how it will prepare the new plan.

- 2.2. The Development Plan Scheme in Appendix 1 sets out an update on progress towards LDP3. It details what has been achieved so far and what is programmed for the following years. It also includes a Participation Statement which sets out the “when, who, how and why” of consultation/engagement at each stage of the Plan preparation.
- 2.3 The Planning System in Scotland has been under review since 2015. In June 2019, the Planning (Scotland) Act 2019 was passed by the Scottish Parliament to determine the future structure for modernising the planning system. The new system requires an evidence ‘gatecheck’ as well as greater focus on public participation. This aims to provide greater transparency and community involvement in the development of strategy.
- 2.4 LDP3 will be prepared under this new system – this means that whilst the Council can begin to organise the evidence gathering process, we will require further regulations. Guidance on what is expected within the Evidence Report is forecast to be published by the Scottish Government imminently. However, evidence gathering is underway and the Strategic Environmental Assessment (SEA) Baseline Report is currently being drafted, as well as a Communication Strategy which aims to focus on meeting the new engagement requirements set out in the Act. The policies are currently being reviewed to ensure that the LDP will support the delivery of the Council’s climate change actions. These are aimed to mitigate and adapt development to support an approach where the whole Perth & Kinross area becomes a net zero carbon place by 2045 at the latest.

### **What happens next?**

- 2.5 The first stage of the Plan preparation requires the Council to monitor the vision, strategies and proposals outlined in LDP2 to ensure that they are up-to-date and effective for the purposes of its implementation. As indicated above (paragraph 2.4), this is underway, with survey work being updated in terms of housing needs and demands, retail space, employment land requirements and infrastructure all being focused on to contribute to the Evidence Report. Furthermore, the SEA baseline will be finalised by the end of 2021 and key environmental indicators identified to help shape LDP3 strategy.
- 2.6 The Scottish Government are in the process of developing the regulations and guidance that will guide the new development planning system. They are expected to lay regulations and publish guidance relating to LDPs in the spring/summer of 2022. Once the Council have further guidance on the detailed working of the new system, an update on the next steps will be outlined in the Development Plan Scheme.

### 3. CONCLUSION AND RECOMMENDATIONS

- 3.1 The Development Plan Scheme has been drafted to update the Council on the preparation of the new Perth and Kinross Local Development Plan. It has revised the proposed timetable put forward in DPS 2020 and provides more clarity on the public participation for the LDP.
- 3.2 It is recommended that the Committee:
- i) agrees the proposed Perth & Kinross Council Development Plan Scheme and authorises the Executive Director (Communities) to submit the Scheme to the Scottish Ministers;
  - ii) remits the Executive Director (Communities) to submit an annual progress report to the Strategic Policy and Resources Committee detailing any changes to the Development Plan Scheme.

#### Author

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#### Approved

Name	Designation	Date
Barbara Renton	Executive Director (Communities)	9 November 2021

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>None</b>
Workforce	<b>None</b>
Asset Management (land, property, IST)	<b>None</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>Yes</b>
Strategic Environmental Assessment	<b>Yes</b>
Sustainability (community, economic, environmental)	<b>Yes</b>
Legal and Governance	<b>None</b>
Risk	<b>None</b>
<b>Consultation</b>	
Internal	<b>No</b>
External	<b>No</b>
<b>Communication</b>	
Communications Plan	<b>None</b>

### 1. Strategic Implications

#### Community Plan/Single Outcome Agreement

1.1 The Development Plan Scheme contributes to the following Perth & Kinross Community Plan / Single Outcome Agreement priorities:

- (ii) Developing educated, responsible and informed citizens
- (iii) Promoting a prosperous, inclusive and sustainable economy
- (iv) Supporting people to lead independent, healthy and active lives
- (v) Creating a safe and sustainable place for future generations

#### Corporate Plan

1.2 The Development Plan contributes to the achievement of the following Council's Corporate Plan Priorities:

- (ii) Developing educated, responsible and informed citizens;
- (iii) Promoting a prosperous, inclusive and sustainable economy;
- (iv) Supporting people to lead independent, healthy and active lives; and
- (v) Creating a safe and sustainable place for future generations.

## **2. Resource Implications**

### Financial

2.1 None.

### Workforce

2.2 None.

### 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.

3.2 The Development Plan Scheme was considered under the Council's Integrated Appraisal Toolkit. No impacts on equality were identified and so a full Equality Impact Assessment was not required.

### Strategic Environmental Assessment

3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.

3.4 The matters presented in this report were considered under the Environmental Assessment (Scotland) Act 2005 and in relation to the Local Development Plan, referred to in the Development Plan Scheme, further action is required.

3.5 Due to the nature of the plan there are likely to be significant environmental effects, as a consequence, an environmental assessment of the Local Development Plan is compulsory under the Act. The Local Development Plan is considered to be a 'qualifying' plan under the Act so it does not require screening.

3.6 The next stage is to prepare a scoping report as part of the Local Development plan process. This will determine the scope of the environmental assessment and will be submitted to the Consultation Authorities for comment.

## Sustainability

- 3.7 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.
- 3.8 The Development Plan Scheme was considered under the Council's Integrated Appraisal Toolkit. The Development Plan Scheme is a vehicle for establishing the LDP process and as such no impacts on sustainability will arise from the Programme itself.

## Legal and Governance

- 3.9 None.

## Risk

- 3.10 None.

## **4. Consultation**

### Internal

- 4.1 None.

### External

- 4.2 None.

## **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
  - [www.gov.scot/policies/planning-architecture/reforming-planning-system/](http://www.gov.scot/policies/planning-architecture/reforming-planning-system/)

### **3. APPENDICES**

#### 3.1 Appendix 1: Perth & Kinross Development Plan Scheme 2020