

PERTH AND KINROSS COUNCIL

Environment, Infrastructure and Economic Development Committee

16 November 2022

PERTH AND KINROSS LOCAL DEVELOPMENT PLAN (LDP3) DEVELOPMENT PLAN SCHEME

Head of Planning & Development
(Report No. 22/278)

1. PURPOSE

- 1.1 This report seeks approval for the update of the statutory Development Plan Scheme (DPS) relating to the preparation of the next Perth and Kinross Local Development Plan (LDP3). The last update was approved by the Strategic Policy and Resources Committee on 24 November 2021. It was agreed that an annual progress report be submitted to committee detailing any changes to the Development Plan Scheme.

2. RECOMMENDATIONS

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| 2.1 | <p>It is recommended that the Committee:</p> <ul style="list-style-type: none">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 Head of Planning & Development to submit an annual progress report to this Committee, detailing any changes to the Development Plan Scheme. |
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3. STRUCTURE OF REPORT

- 3.1 This report is structured over the following sections:

- Section 4: Background/Main Issues
- Section 5: Proposals
- Section 6: Conclusion
- Appendices

4. BACKGROUND / MAIN ISSUES

- 4.1 The current Perth and Kinross Local Development Plan was adopted on 29 November 2019 (Report No.19/275 refers) and sets out the strategy to guide future land use and development within Perth & Kinross for a 10-year period 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. The Council should therefore be looking to adopt a new LDP by 2024.

- 4.2 In working towards this timescale, preparation of the next LDP commenced in early 2021. The Planning (Scotland) Act 2019 introduced a new approach to Local Development Plans within the context of a statutory National Planning Framework. Therefore, Local Development Plans will now be reviewed, prepared and adopted under the new system. However, all the necessary procedures and processes to be followed are not yet in place resulting, unavoidably, in some delay. The Scottish Government has advised that the Development Plan Regulations and Guidance will be published later in 2022, providing the detail on what is required for the new Evidence Report, the first stage in the preparation of LDP3.
- 4.3 The Scottish Government acknowledges that transitioning to the new planning system will have implications for LDP timescales. As such, it envisages that every Planning Authority in Scotland will have a new style local development plan in place within 5 years of the regulations coming into force. On this basis, and assuming the regulations are shortly published, a new LDP should be in place by autumn 2027. This is still within the 10-year lifespan of LDP2, and it should be noted that new Local Development Plans will require to be formally reviewed no more than every 10 years.

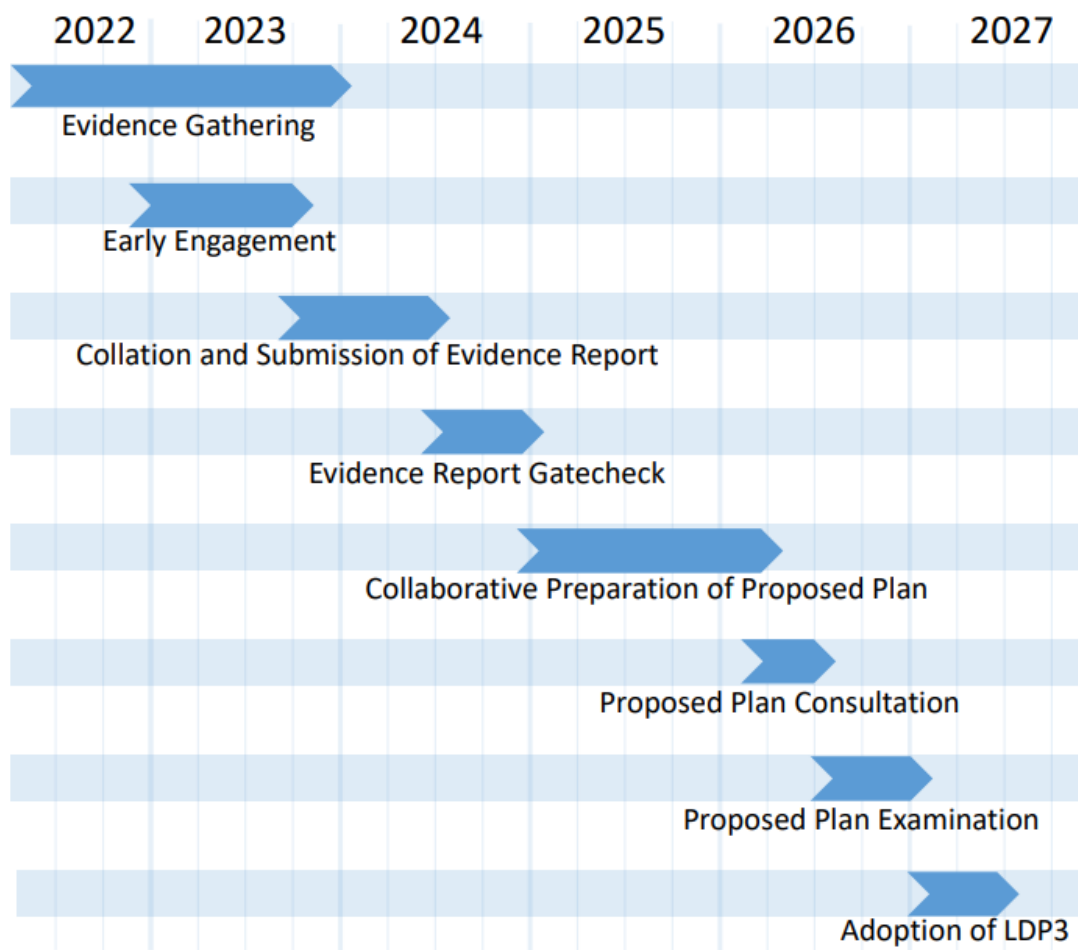
5. PROPOSALS

Development Plan Scheme

- 5.1 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.
- 5.2 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.
- 5.3 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 preparation of an Evidence Report which is to be submitted to the Department of Environment and Appeals for a review and assessment exercise known as a 'gate-check.' The new system also places greater focus on public participation with the objective of providing greater transparency and community involvement in the development of strategy.

5.4 Draft development planning regulations and guidance were produced in December 2021 and have enabled the Council to begin to organise the evidence gathering process. However, as mentioned above, the finalised regulations and guidance are required to confirm that the approach taken and evidence being gathered are appropriate and sufficient. The timetable from the Development Plan Scheme included below has been prepared on the assumption that the finalised regulations and guidance will be received before the end of 2022. The timetable will be reviewed annually as part of the Development Plan Scheme update and accelerated if circumstances allow.

LDP3 Timeline



What happens next?

5.5 Alongside the evidence gathering work, the Strategic Environmental Assessment (SEA) Baseline Report is currently being drafted, along with a Communication Strategy which aims to focus on meeting the new engagement requirements set out in the Act. A proposed programme for engagement has been developed to seek the views of the public, including the views of disabled persons, Gypsies & Travellers, and children and young

people. This is set out in detail in the Development Plan Scheme and includes both online engagement and a rolling programme of locality engagement to be undertaken using the Place Standard tool from January to August 2023. Internal awareness raising has also been undertaken, with colleagues from Community Planning & Policy and the Health and Social Care Partnership being involved in workshops on how to use the Place Standard tool to engage communities. The aim is to co-ordinate with other engagement activities wherever possible, for example the proposed Mobility Strategy, and share the information gathered across Council Services. The consultation outlined supports the PK Offer and the draft Community Plan and, in doing so, assists communities wishing to prepare their own Local Place Plans. LDP3 is a key tool alongside other strategies such as the Local Housing Strategy and Mobility Strategy to delivering great places for people to live and work.

6. CONCLUSION

- 6.1 The Development Plan Scheme has been drafted to update the Committee on the preparation of the new Perth and Kinross Local Development Plan. It revises the proposed timetable previously proposed in 2021, and provides more clarity on public participation in the LDP process.

Author

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Approved

Name	Designation	Date
Barbara Renton	Executive Director (Communities)	7 November 2022

APPENDICES

- Appendix 1 – Perth & Kinross Development Plan Scheme 2022

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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	No
External	No
Communication	
Communications Plan	None

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 We have consulted with colleagues in Community Planning & Policy and the Health and Social Care Partnership in the development of the proposals. Both agree that using the Place Standard tool to engage with communities on a locality basis is appropriate.

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/