

# **PERTH AND KINROSS COUNCIL**

## **Strategic Policy and Resources Committee**

**29 January 2020**

### **LOCAL DEVELOPMENT PLAN 2: DELIVERY PROGRAMME 2019-2029**

**Report by Depute Chief Executive (Chief Operating Officer) (Report No. 20/24)**

#### **PURPOSE OF REPORT**

This report highlights the changes and updates to the Delivery Programme from the previous version which was published in December 2017. The Local Development Plan 2 Examination resulted in changes being made to the Delivery Programme and recent consultation with key stakeholders has provided progress updates on development sites.

Approval is sought for the Delivery Programme to be adopted, published and submitted to Scottish Ministers in support of the recently adopted Perth & Kinross Local Development Plan 2 (LDP2).

#### **1. BACKGROUND**

- 1.1 LDP2 was formally adopted by the Council on 29 November 2019. It sets out a vision to promote Perth & Kinross as a sustainable, more attractive, competitive and vibrant region without creating an unacceptable burden on our planet. A copy of LDP2 is available online at: [www.pkc.gov.uk/ldp2](http://www.pkc.gov.uk/ldp2)
- 1.2 The Planning etc. (Scotland) Act 2006 requires a local planning authority to publish an action programme to accompany the local development plan. An action programme indicates how the authority proposes to implement the plan to which it relates and must set out:
  - A list of actions required to deliver each of the plan's policies and proposals;
  - The name of the person who is to carry out the action; and
  - The timescale for carrying out each action
- 1.3 A Draft Action Programme 2017-2028 was published on 1 December 2017 alongside the Proposed Plan. Following the period of representation, the Draft Action Programme was updated to take account of representations submitted to the Proposed Plan. This updated Proposed Action Programme (2017-2028) was submitted to Scottish Ministers with the Proposed Plan for examination on 14 September 2018. In line with the current Act the Council must now adopt and publish an updated Programme within 3 months of the date on which LDP2 was constituted (by 29 February 2020).

- 1.4 Scottish Ministers expect Action Programmes to be a key tool in instigating action and co-ordinating the activity of a range of agencies and organisations. In preparing Action Programmes the Council must consult with, and consider the views of, key agencies, the Scottish Ministers, and anyone specified by name in the Programme. Action Programmes must be kept under review and re-published at least every two years. Each time the Programme is re-published, the Council must send two copies to Scottish Ministers, place copies in local libraries and publish it electronically (Planning Circular 6/2013 paragraphs 130-134).
- 1.5 Section 21 of the new Planning (Scotland) Act 2019 will retain the requirement for a Programme but change the title 'Action Programme' to 'Delivery Programme'. The detail of how the Act will work in practice in relation to Delivery Programmes will be contained within secondary legislation expected to be published by Q4 of 2021. One objective of the Planning Review is to place more emphasis on the delivery of development plan proposals. In preparation for this the newly adopted LDP2 contains a new policy requirement for the preparation of a delivery strategy for each site and this is discussed further below.

## **2. PROPOSALS**

- 2.1 Following the examination of the Proposed Plan, a number of changes were made to the Plan which have been reflected within the updated Delivery Programme. No new sites were added through the examination process but there were a small number of sites deleted: Golf Course Road in Blairgowrie and Junction of A977 and B9097 at Crook of Devon. New policies were also added on: Other Historic Environment Assets, and Embedding Low and Zero Carbon Generating Technology in New Development. The updated Delivery Programme can be seen in Appendix 1.
- 2.2 The developer and / or landowner for each allocated site in LDP2 was contacted in early November 2019 and asked to provide an update on progress. Responses were received on approximately 40% of the sites in the Plan. Input from developers and / or landowners is vital in helping ensure that the Delivery Programme remains up-to-date and progress on development sites is recorded. Key stakeholders were also contacted for comments on the draft Programme. These are listed at paragraph 4.3. Responses were received from: Transport Scotland, Tactran, Network Rail, SEPA and SNH.
- 2.3 The intention is to build on the content of the Delivery Programme updating it regularly with information from site owners and developers in relation to their programme for development. In addition, as abovementioned, there is now a requirement under LDP2 Policy 23: Delivery of Development Sites for a delivery strategy to be prepared for all allocated sites and unallocated (or windfall) sites of 10+ units. Delivery strategies are to be prepared within 1 year of the Plan being adopted or prior to lodging a planning application, whichever is first. The delivery strategy is to demonstrate a realistic programme for the delivery of the site through the Plan period and beyond. These delivery strategies will inform the Delivery Programme and eventually

information from the strategies will all be pulled together into the Delivery Programme. The preparation of a strategy for every allocated site will take some time and so it is envisaged that these will be incorporated into future versions of the Delivery Programme in phases.

- 2.4 The Council is required to review and re-publish the Delivery Programme at least every two years. However, given the introduction of delivery strategies, and the requirement for these to be prepared within a year of Plan adoption, it is intended to report back to Committee towards the end of 2020 or early 2021 to update Members on the progress with delivery strategies and the next Delivery Programme. This will include the identification of those sites where the Council should be seeking to take a more proactive role, and also those sites which should be considered for removal from the next Plan.

### 3. CONCLUSION AND RECOMMENDATIONS

- 3.1 Publication of the Delivery Programme is a significant step towards the implementation of the recently adopted LDP2. It sets out the actions required to ensure the successful implementation of policies and proposals contained within LDP2 and indicates who will be responsible for delivering these.
- 3.2 The Delivery Programme will help ensure that LDP2 delivers sustainable economic growth through shaping better quality places and responding to climate change.
- 3.3 It is recommended that the Council:
- (i) Adopts the Delivery Programme as set out in Appendix 1
  - (ii) Instructs the Depute Chief Executive / Chief Operating Officer to publish and submit the Delivery Programme to the Scottish Ministers
  - (iii) Instructs the Depute Chief Executive/Chief Operating Officer to report back to Committee on progress with delivery strategies and the next Delivery Programme by early 2021.

#### Author(s)

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#### Approved

Name	Designation	Date
Jim Valentine	Depute Chief Executive (Chief Operating Officer)	16 January 2020

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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>Yes</b>
External	<b>Yes</b>
<b>Communication</b>	
Communications Plan	<b>None</b>

### 1. Strategic Implications

#### Community Plan/Single Outcome Agreement

- 1.1 The Delivery Programme 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 Delivery Programme 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 Delivery Programme 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 Strategic Environmental Assessment (SEA) is a legal requirement under the Environmental Assessment (Scotland) Act 2005 that applies to all qualifying plans, programmes and strategies (PPS), including policies.
- 3.5 Perth and Kinross Council has produced an SEA of the Adopted LDP2 and mitigation has been built into it. The Delivery Programme supports LDP2. No further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

### Sustainability

- 3.6 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.

3.7 The Delivery Programme was considered under the Council's Integrated Appraisal Toolkit. 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

3.8 None

#### Risk

3.9 None

### **4. Consultation**

#### Internal

4.1 The Transport Planning Team and Community Greenspace were consulted on the Delivery Programme.

#### External

4.2 The landowner and / or developer for each allocated site was contacted for a progress update.

4.3 The following key stakeholders were also consulted in the production of the Delivery Programme. The majority of these are identified as a partner or participant in one or more of the projects in the Programme.

- Scottish Natural Heritage
- Scottish Environmental Agency
- Scottish Water
- Scottish Enterprise
- TACTRAN
- NHS Tayside
- Scottish Forestry
- Historic Environment Scotland
- Transport Scotland
- Scottish Government
- Network Rail
- Scotrail
- Dundee City Council
- Homes for Scotland
- Perth & Kinross Heritage Trust

## **5. Communication**

5.1 None

## **2. BACKGROUND PAPERS**

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

- Perth & Kinross Council Local Development Plan 2
- Local Development Plan 2 Examination Report
- Perth & Kinross Council Local Development Plan 2: Action Programme December 2017-2028 (1 December 2017)
- Perth & Kinross Council Local Development Plan 2: Proposed Action Programme 2017-2028 (14 September 2018)
- Circular 2/2013 Development Planning

## **3. APPENDICES**

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