



Development Plan Scheme

Perth & Kinross Council - The Environment Service

November 2016



Development Plan Scheme ▶ Main Issues Report ▶ Proposed Plan ▶
Modifications ▶ Examination ▶ Adoption



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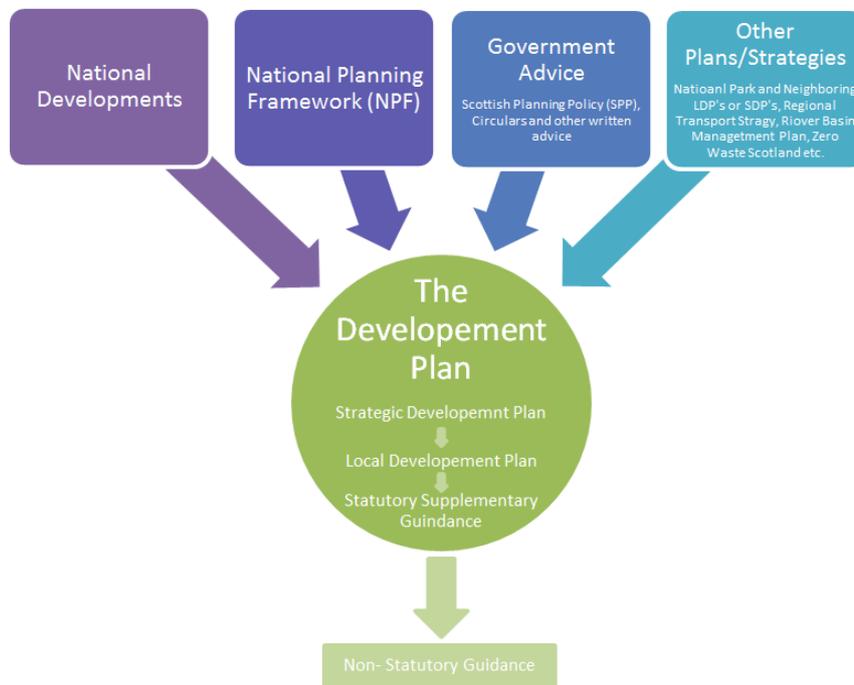
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1. What is a Development Plan?

Development Plans are prepared for every local authority area in Scotland. They set out an authority's policies and proposals for the use and development of land in its area, including the appearance of cities, towns and rural areas. They are concerned mainly with the use of land and guide future development to the most appropriate locations. They must provide clear guidance on what development will or will not be allowed and where. They address a wide range of policy issues, including housing, shopping, business, industry, transport, recreation, built and natural heritage.



Key:

- *The Development Plan consists of the Strategic Development Plan (SDP), and the Local Development Plan (LDP) and Statutory Supplementary Guidance. The LDP must be consistent with the SDP.*
- *The Development Plan needs to take into account the National Planning Framework (NPF). National developments are contained in the NPF and are projects which are essential elements for Scotland's long term development.*
- *The Development Plan needs to take into account Government Advice for Land Use Planning.*
- *The Development Plan needs to have regard to the other plans and strategies outlined.*
- *Non-Statutory Guidance can support the Development Plan.*



Decisions on planning applications must be in accordance with the Development Plan unless material considerations (i.e. significant issues relating to the use and development of land) indicate otherwise.

The Development Plan must be produced and reviewed at 5 yearly intervals to ensure that an up-to-date Plan is always in place that can guide the future development of the area. The Plan's Action Programme must also be reviewed and updated every two years, however, Perth & Kinross Council has committed to 6 monthly updates.

Sustainable Development & Sustainable Economic Growth

The Council has a statutory duty to carry out their development planning functions with the objective of contributing to sustainable development. Sustainable development is most commonly defined as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs".

Scottish Government strongly believes in the value of forward-looking, visionary and ambitious Development Plans that will guide development. Scottish Planning Policy (2014) states that "The planning system has a vital role to play in delivering high-quality places for Scotland and that planning will help create a successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth."



Perth & Kinross Council's Development Plan

The Development Plan for an area is made up of more than one Plan. In Perth and Kinross (excluding the National Parks) it comprises the following:-

- *TAYplan Strategic Development Plan June 2012*
www.tayplan-sdpa.gov.uk
- *Perth & Kinross Local Development Plan February 2014*
www.pkc.gov.uk/article/2258/Local-Development-Plan
- *Adopted Supplementary Guidance*
<http://www.pkc.gov.uk/ldpsupplementaryguidance>

Map 1 – Local Development Plan Area for Perth and Kinross Council



Whilst part of the Loch Lomond and The Trossachs National Park and the Cairngorms National Park are within the Perth and Kinross Council boundary they are covered by their own Local Development Plans, these are:

- The Cairngorms National Park [Local Development Plan 2015](#)
- The Loch Lomond & the Trossachs National Park [Local Plan 2010-2015](#)

Supplementary Guidance

Supplementary Guidance (SG) can cover a variety of issues and can be used to remove a wide range of detailed policy from the LDP. SG where specifically identified in the LDP, consulted upon as required by the Development Planning Regulations, and submitted to Scottish Ministers for their consideration forms part of the LDP.

The list below contains the Council's current adopted guidance: -

Supplementary Guidance	Date Approved
Design Guidance	
Pitlochry Conservation Area Appraisal	October 2014
Coupar Angus Conservation Area Appraisal	October 2014
Blairgowrie Conservation Area Appraisal	October 2014
Blair Atholl Conservation Area Appraisal	October 2014
Grandtully and Strathtay Conservation Area Appraisal	October 2014
Perth Central Conservation Area Appraisal	October 2014
Aberfeldy Conservation Area Appraisal	October 2014
Crieff Conservation Area Appraisal	October 2014
Scotlandwell Conservation Area Appraisal	October 2014
Errol Conservation Area Appraisal	October 2014



Cleish Conservation Area Appraisal	October 2014
Perth Kinnoull Conservation Area Appraisal	October 2014
Dunning Conservation Area Appraisal	October 2014
Kinross Conservation Area Appraisal	October 2014
Comrie Conservation Area Appraisal	October 2014
Muthill Conservation Area Appraisal	October 2014
Dunkeld Conservation Area Appraisal	October 2014
Kenmore Conservation Area Appraisal	October 2014
Abernethy Conservation Area Appraisal	November 2014
Rait Conservation Area Appraisal	November 2014
Longforgan Conservation Area Appraisal	November 2014
Policy Guidance	
Housing in the Countryside Policy	October 2014
Affordable Housing Guide	October 2014
Developer Contributions	October 2014
Loch Leven Special Protection Area and Ramsar Site Advice to planning applicants for phosphorus and foul drainage in the catchment	October 2014
Design and Zero Carbon Development	October 2014
Flood Risk and Flood Risk Assessments	October 2014
Developer Contributions Transport Infrastructure	October 2014
Employment and Mixed Use Areas	October 2014
Airfield Safeguarding	October 2014
Green Infrastructure	December 2014
Forestry and Woodland	December 2014
Landscape Guidance	June 2015
Dunkeld-Blairgowrie Lochs SAC	July 2015
River Tay SAC Advice for Developers	July 2015
Masterplans/Development Briefs/Development Frameworks	
Auchterarder expansion Townhead and North East Development Framework	October 2014

All of the current supplementary guidance is available on the Council's website at:- <http://www.pkc.gov.uk/ldpsupplementaryguidance>



The following is a list of Supplementary Guidance which is currently being prepared:

Policy Guidance

- *Open Space Provision and Developer Contributions*
- *Delivering Zero Waste in Perth and Kinross*
- *Renewable and Low Carbon Energy (including a Spatial Strategy for Wind)*
- *A Guide to Incorporating Biodiversity into development*
- *Householders' Guide to Biodiversity*
- *Biodiversity: A Developer's Guide*

Design Guidance

- *Placemaking Guide*



2. How Is The Plan Created?

Development Plan Scheme

The first stage in preparing the LDP is to publish a **DEVELOPMENT PLAN SCHEME (DPS)**. It sets out the programme for preparing and reviewing the Local Development Plan and includes the following:

- *A programme and timetable for preparing and publishing the Plan;*
- *Sets out what is involved at each stage of preparing the Plan;*
- *Includes a Participation Statement, which indicates the involvement of all parties in the Plan, i.e. when, how and with whom consultation will take place.*

The DPS is reviewed at least annually to provide an up-to-date picture of how we are progressing with preparing the Plan. It is made widely available on the Council's website, in Council Offices and in public libraries.

Main Issues Report

In the preparation of the **MAIN ISSUES REPORT (MIR)** we have worked with local communities, Key Agencies and others to identify what the local planning issues are within the area. We have also invited the public and private sector developers and landowners to submit site proposals for consideration within the MIR.

This information has been used to produce the MIR. **The MIR is not a draft Plan** but has enough detail in it to ensure that people are able to comment on the key issues that are changing from the adopted Local Development Plan 2014. It sets out the following:

- *Perth & Kinross Council's general proposals for development in the area and in particular proposals as to where development should and should not occur. The proposals will be explained sufficiently in a clear and precise way to help people to understand what is proposed and to make meaningful comments;*
- *Contain one or more reasonable alternative sets of proposals; and*
- *Draw attention to the ways in which the favoured and alternative proposals differ from the spatial strategy of the existing adopted Plans.*



Monitoring Statement

A **MONITORING STATEMENT** has been prepared covering the adopted Local Development Plan and was published at the same time as the Main Issues Report. This document focuses on what has changed since the adoption of the existing LDP; for example, the extent to which the key assumptions made in the Plan are still realistic, whether land allocations have proved viable and that the necessary investment in infrastructure has occurred. Monitoring is one of the methods that has been used to help identify the issues for discussion in the Main Issues Report.

Main Issues Report

The content of the Main Issues Report focuses on the key issues and changes from the adopted LDP. The MIR is seen as the most important consultative stage in the plan-making process as it is when everyone can become effectively involved in shaping the final content of the LDP.

The consultation on the Environmental Report will take place at the same time as the MIR. The purpose of the Environmental Report is to identify, describe and evaluate the likely significant effects on the environment of implementing the LDP and if necessary identify ways to mitigate those effects.

The consultation responses from the Main Issues Report will be used to help compile the **PROPOSED PLAN**.

Proposed Plan

The Proposed Plan contains the following: -

- A **vision statement** – *this is a broad statement of how the development of Perth and Kinross could and should occur and what the area might look like in the future.*
- **Policies**– *detailed policies to guide future development*
- A **spatial strategy** – *this is a detailed statement of the development proposals which will help achieve the vision.*

The LDP Proposed Plan is the settled view of the Council and includes all the relevant strategies, policies and development proposals to enable representations to be made on them. It includes maps and other illustrative material in order to explain the proposals in more detail and aid understanding.

An important part of the Plan is to address any investments in infrastructure that may be required as a consequence of planned growth within the area, for example; schools, public transport, drainage etc. Proposals for new development are assessed in terms of their impact on existing community facilities. Where appropriate 'developer contributions' that might be required to mitigate this impact are identified.



Upon publication of the Proposed Plan a period of representation is carried out for at least 6 weeks to allow key agencies, developers, landowners, members of the public and other interested parties to make representations on the content of the plan.

Following the period of representation the Council will consider the representations received and the issues raised within them. At this point in the process it will become clear whether there will be a requirement for a modification stage to the plan. **Modifications can cause significant delays and should not be undertaken as a matter of course but only if significant changes are proposed.**

Examination

Following a period of representation on the Proposed Plan/Proposed Plan as modified the Council will assess and consider the representations made. Following Council approval the following will be submitted to Scottish Ministers for examination:

- The Proposed Plan
- Associated Documents e.g. Strategic Environmental Assessment and Habitats Regulations Appraisal
- All the Representations received
- The Councils response to the representations
- Statement of Conformity with the Participation Statement.

The examination starts following the Reporter's consideration of the Statement of Conformity. This statement is examined to ensure that the Council has conformed to its Participation Statement and to the legislative requirements in relation to engagement.

The Ministers appoint independent Reporters to examine the issues which remain unresolved from the representations. How these will be resolved will be either through written submission, hearings or public local inquiries, which will be at the discretion of the reporter according to the complexity and issues being dealt with.

Upon completion of the examination the Reporter will prepare a report indicating the findings and outcome of the examination. Examination reports are largely binding on planning authorities, and at this stage the Council will amend the LDP in line with the Reporter's recommendations unless there are reasonable and justifiable grounds for not accepting some of the recommendations given.



Action Programme

The Council has worked with Key Agencies and Stakeholders to develop the Action Programme for the LDP as a means of delivering the Plan's objectives. It sets out how the Plan is to be implemented, in particular what should happen over the 2 years following the adoption of the Plan. It includes: -

- *A list of actions required to deliver each of the Plan's policies and proposals;*
- *Who is to carry out the action; and*
- *The timescale for carrying out each action.*

The Draft Action Programme is published for comment alongside the Proposed Plan. Following adoption of the Plan the Action Programme was finalised, and submitted to Ministers in May 2014. There is a statutory requirement for it to be reviewed and updated every two years, however, Perth & Kinross Council has committed to 6 monthly updates. An updated action programme was published in April 2016.

Supporting Documents

HABITATS REGULATIONS APPRAISAL

As required under Article 6 of the European Council Directive on the Conservation of natural habitats and of wild fauna and flora (normally referred to as the Habitats Directive) the Council will carry out a Habitats Regulations Appraisal (HRA) of the LDP to determine whether the Plan would be likely to have any significant effects on European designated sites within the area, such as Special Protection Areas (SPA) and Special Areas of Conservation (SAC).

STRATEGIC ENVIRONMENTAL ASSESSMENT ENVIRONMENTAL REPORT

In addition to the Planning etc. (Scotland) Act 2006 requirements, a separate piece of legislation: the Environmental Assessment (Scotland) Act 2005 requires the Council to undertake Strategic Environmental Assessment (SEA) and prepare an **ENVIRONMENTAL REPORT** alongside the LDP. The purpose of the Environmental Report is to identify, describe and evaluate the likely significant effects on the environment of implementing the LDP and if necessary identify ways to mitigate those effects. The consultation on the Environmental Report takes place at the same time as the MIR.

EQUALITIES IMPACT ASSESSMENT

The law requires that we carry out an Equality Impact Assessment (EQIA) to ensure that the Plan considers and addresses potential impacts on all sections of the community, including disadvantaged groups. The EQIA helps to identify how various groups of people may be affected by policies or proposals contained in the Plan and what actions may need to be taken to mitigate any perceived negative outcomes.



The Equalities Impact Assessment will be carried out using the Councils Integrated Appraisal Toolkit which is an online tool designed to help assess proposals for likely economic, environmental and social impacts. The Integrated Appraisal Toolkit is designed to incorporate the Equality Impact Assessment, pre-screening requirement for Strategic Environmental Assessment and Sustainability Assessment into a single process.

Supplementary Guidance

Supplementary Guidance can cover a variety of issues and will be used to remove a wide range of detailed policy from the LDP. New guidance will therefore be produced and referenced in the Proposed Plan so that it is consulted upon and forms part of the LDP. Existing Supplementary Planning Guidance (SPG) will be reviewed against any new or emerging policy and strategic issues and if appropriate revised and consulted on. A full list of existing and emerging Supplementary Guidance can be viewed in Section 1 of this document.



3. What are the stages in preparing the LDP and what are the timescales?

This table sets out the main stages in LDP process and also provides approximate timetables for when each of the key stages is likely to take place. Please note this timetable should be read alongside the Participation Statement in Section 4.



	Plan Process	Assessment Processes	Timescale
Stage 1	Monitoring and Plan Review		January 2014
	Development Plan Scheme (including Participation Scheme)		April 2014
Stage 2	Pre-MIR Consultation (as per participation statement)	SEA Scoping Report Equality Impact Assessment	January 2015
Stage 3	↓ Publish Main Issues Report and Monitoring Statement	↔ ↓ SEA Draft Environmental Report	December 2015
	↓ MIR Consultation	↔ ↓ Draft Environmental Report Consultation	December 2015
Stage 4	↓ Publish Proposed Plan	↔ ↓ SEA Final Environmental Report	September 2017
	↓ Plan Consultation	↔ ↓ Appropriate Assessment Equality Impact Assessment	September 2017
Stage 4a* (optional)	↓ Modified Plan	↔ ↓ SEA Modified Environmental Report Review EQIA	January 2018
Stage 5	↓ Submit Proposed Plan to Scottish Ministers for Examination	↓ Submit SEA with proposed plan	June 2018
	↓ Modifications to Proposed Plan	↔ ↓ Amend Environmental Report Update HRA	January 2019
Stage 6	↓ Adoption	↔ ↓ Finalised Environmental Report Post Adoption Statement	May 2019
	↓ Action Programme		September 2019
Stage 7	↓ Monitoring and Review of Plan	↔ ↓ Monitoring and Review of SEA Equality Impact Assessment Review	Ongoing 2019-2023



*It is unlikely that signification modifications will be required and it is anticipated, as was the case with LDP1 and the vast majority of LDPs prepared across Scotland, that stage 4a will not be necessary. Modifications can cause significant delays and should not be undertaken as a matter of course but only if significant changes are proposed. If significant modifications are required we will be unable to meet the statutory 5 year period of review, however if it is not necessary to prepare a Modified Plan we would hope to have LDP2 adopted in February 2019 in line with the statutory requirement.

N.B. Circular 6/2013: Development Planning paragraph 87 emphasises the expectation from Scottish Ministers that Planning Authorities should progress to adoption as quickly as possible. Modifications can cause significant delays and should not be undertaken as a matter of course. The Planning Authority should only undertake the Modified Plan stage if significant changes are proposed.



4. Participation Statement

How to get involved in the preparation of the Local Development Plan

This Participation Statement is prepared in order to ensure that interested parties and residents within the Perth & Kinross Council area have an opportunity to engage and participate in the future planning of the area. It has been developed using the principles and techniques set out in "SP=EED: Successful Planning = Effective Engagement and Delivery". The SP=EED process, designed by PAS, formerly Planning Aid for Scotland, reflects the National Standards for Community Engagement and are used as a practical guide to engage with the public and communities.

An Equality Impact Assessment (EQIA) is undertaken at the start of the process to ensure that any positive or potential negative impacts on all sections of the community are identified.

Why do we consult?

The Local Development Plan is a document which affects all within the Perth and Kinross area. It may affect where you live, where you shop, where you work and how you get there. It is therefore vital that all those who are affected by the Plan such as local residents, landowners, developers etc. have a say in how this Plan will shape future development as well as protect an area in Scotland which is renowned for its quality of life and natural and historic importance.

Who do we consult?

During preparation of the Plan, residents, local businesses, Key Agencies, developers and landowners will be given the opportunity to get involved in the process. The EQIA is used to identify those who may be most affected and the Council will use this information to help inform how it carries out consultation. The Council is aware that certain groups in society have not traditionally been involved in the Development Planning process and will seek to employ a variety of new methods of engagement in an attempt to involve such groups.



How to get involved?

The Participation Statement divides the Local Development Plan (LDP) into different stages of its preparation and the proposed level and type of consultation to enable you to identify where in the process you can get involved and how your involvement can help shape the content of the Plan.

The following table provides at a glance a breakdown of the stages in preparing the LDP, when they are intended to take place, who we will seek to engage in the process and how we propose to do this. A detailed description of each of these stages is then provided after the table. Please note the following table should be read alongside the LDP Timetable on Page 14 of Section 3.

LDP Stage	When	Who	How	Why
Stage 1: Development Plan Scheme and Participation Statement	April 2014	Stakeholders and Key Agencies	Written correspondence to advise of publication of the Development Plan Scheme and to seek commitment to timely engagement in the LDP process	To enable effective engagement in particular with those agencies and stakeholders whose remit will affect the future development of PKC e.g. flooding, drainage etc.
Stage 2: Preparation of Main Issues Report	January 2015	Stakeholders, Key Agencies, Community Councils and wider public.	Issued press release to local press and published an article in community newsletters The Atholl Quair, The Comrie and Crieff Quair and The Breadalbane Quair and Perth and Kinross News to raise awareness of the Call for Sites and Issues consultation. LDP and PKC webpages provide relevant information, including links to the interactive	Opportunity to invite interested parties and landowners to bring forward potential issues and sites for consideration Update consultation database with details of those who wish to be kept informed on the Plan's progress Assess constraints and issues within the area to feed into the MIR



LDP Stage	When	Who	How	Why
			<p>links and updates throughout process.</p> <p>Posts were made on the Perth and Kinross Facebook Page.</p> <p>Letters were sent to Stakeholders, Key Agencies, Community Councils, Local Members and members of the public who had requested to be made aware of the progress of the LDP.</p> <p>Surgery sessions for Community Councils to discuss Key Issues.</p>	



LDP Stage	When	Who	How	Why
Stage 3: Publish Main Issues Report	December 2015	Stakeholders, Key Agencies, Community Councils and wider public.	<p>Press release to local press and publish an article in community newsletters The Atholl Quair, The Comrie and Crieff Quair and The Breadalbane Quair and Perth and Kinross News to raise awareness of the Main Issues Report consultation.</p> <p>Letters to Stakeholders, Key Agencies, Community Councils, Local Members and members of the public who had requested to be made aware of the progress of the LDP.</p> <p>Update in the Planning and Development Newsletter</p> <p>LDP webpages update to provide relevant information, including links to the Main Issues Report and supporting documents.</p> <p>Posts on Perth and Kinross Facebook page and the Planning and Development Twitter account.</p>	<p>Opportunity for discussion on main issues (10 week consultation period)</p> <p>Provide facts and figures on what needs to be provided within the PKC area</p> <p>All involved in the process will be able to access the document on line and submit comments</p>



LDP Stage	When	Who	How	Why
Stage 3: Publish Main Issues Report	December 2015	Stakeholders, Key Agencies, Community Councils and wider public.	<p>10 Drop in sessions and 1 topic workshop across P&K during the consultation period. Events at different times of day and including Saturdays</p> <p>Two online question and answer surgery session through twitter.</p> <p>2 PAS led workshops to engage with Schools</p> <p>Staff available to answer telephone and respond to email queries during office hours.</p>	Engage "hard to reach" groups



LDP Stage	When	Who	How	Why
Stage 4: Proposed Local Development Plan	Sept 2017	Those who commented on the MIR as well as wider public Stakeholders, Key Agencies and Community Councils Owners, occupiers and neighbours All	Formally Advertise in local press and on the internet Post on website and send e- bulletin/letter to all interested parties Formal consultation with Key Agencies Formal notification of publication of Proposed Plan to owner, lessee or occupier on a site or on neighbouring land to a proposal. Public Information Events/drop-in events	Provide an opportunity for formal consultation on the LDP (6 week minimum period to submit representations) Opportunity to resolve some of the issues that may have been raised Those immediately affected by designated sites will be made aware of proposed sites and adequate opportunity to respond



LDP Stage	When	Who	How	Why
Modified Plan (Optional)	Council will consider representations received in relation to the Proposed Plan and whether to modify the Proposed Plan or to submit to Ministers. Modifications can cause significant delays and should not be undertaken as a matter of course but only if significant changes are proposed. If modifications are required the same process of consultation will be taken as the Proposed Plan above in approximately January 2018			
Stage 5: Examination/ Post Examination	June 2018	Stakeholders and Key Agencies, those with unresolved representations.	Formal consultation with Stakeholders on amended Plan following reporters report. Advertise in local press and post on website.	Opportunity to invite comments on Reporters report



Contact Details

The Local Development Plan Team of Perth & Kinross Council prepares and monitors the Local Development Plan. They can be contacted by:

Phone: 01738 475300

Email: [**developmentplan@pkc.gov.uk**](mailto:developmentplan@pkc.gov.uk)

Write to: Local Development Plan Team
The Environment Service
Perth & Kinross Council
Pullar House
35 Kinnoull Street
Perth
PH1 5GD

All the information relating to the LDP is available to view at our offices above, local libraries or online on our website at:

<http://www.pkc.gov.uk/Local-Development-Plan>

Information relating to the SDP can be viewed on their website at:

<http://www.tayplan-sdpa.gov.uk>

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 TES Equalities on 01738 476558/476407 or email: TESEqualities@pkc.gov.uk.



Council Text Phone Number 01738 442573

All Council Services can offer a telephone translation facility

