

Argyll and Bute Local Development Plan 2 Development Plan Scheme

March 2020

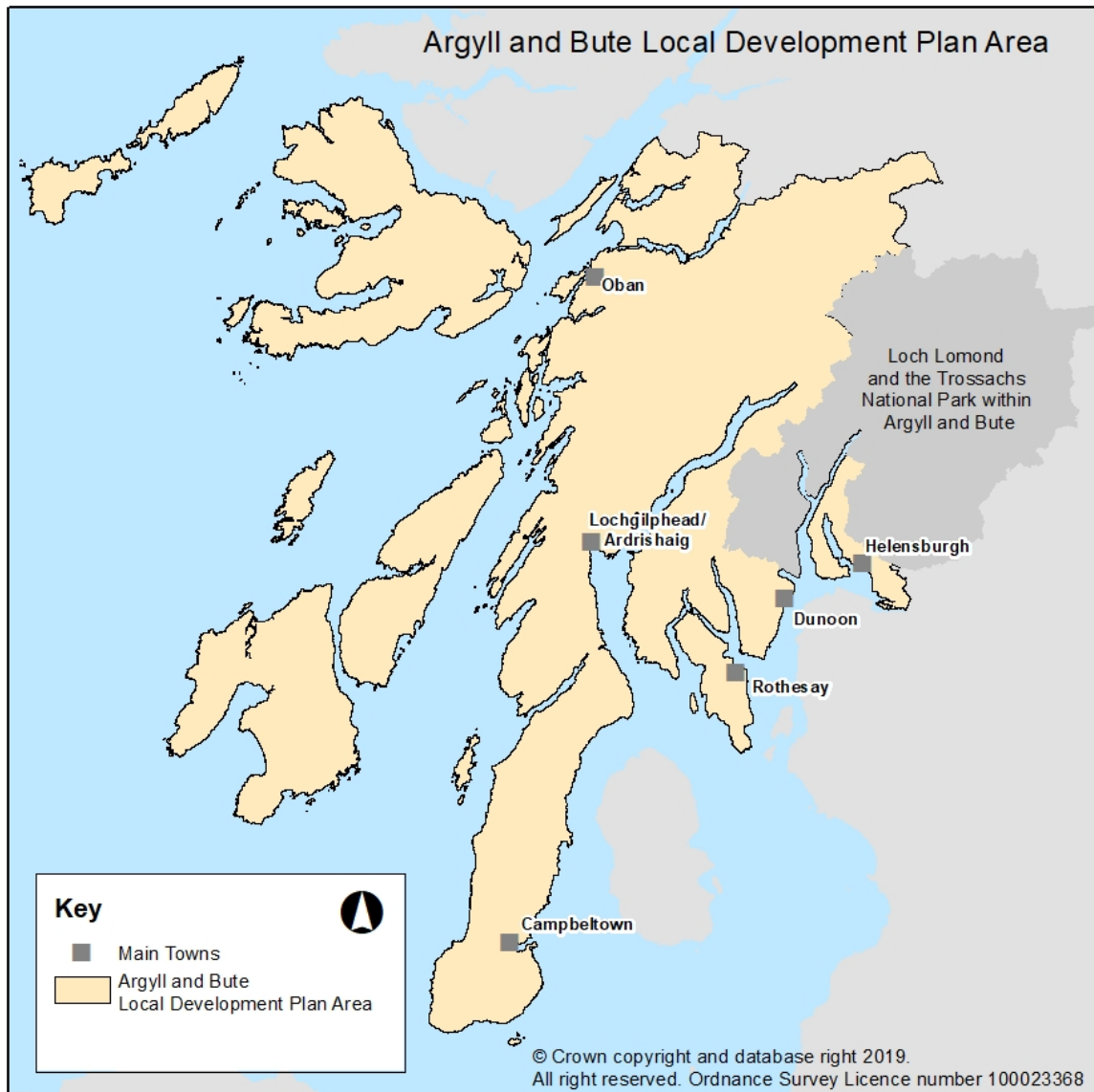
*Planadh, Taigheadas is Seirbheisean Riaghlaidh
Chomhairle Earra-Ghàidheal is Bhòid*



Development Plan Scheme : Argyll and Bute Local Development Plan 2

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1 | What is a Development Plan?

- 1.1 This section sets out what a local development plan is and why we need to update it. Argyll and Bute Council, as the planning authority for its area (excluding the Loch Lomond and the Trossachs National Park), has a statutory duty to prepare **development plans** for guiding land use and development for up to ten years ahead. Development Plans can be Strategic or Local dependent on the area covered. In Argyll and Bute we are required to produce a **Local Development Plan**. It is a requirement that the development plans are kept up to date and so, the Local Development Plan (LDP) is reviewed every five years post adoption.
- 1.2 To guide land use local development plans contain a “Vision” which sets out a future ideal for the area in terms of places and how we would like to see it develop. A strategy sets out how this vision can be achieved. The strategy is supported through allocations and policies. Sites are allocated for specific uses such as housing or industry to provide a sufficient supply of effective land for the plan period. The LDP also contains policies to promote sustainable development that helps us achieve the vision. The policies also help us safeguard resources, including landscape, built heritage and nature.
- 1.3 The Council adopted its current statutory plan to guide development in March 2015 – the **Argyll and Bute Local Development Plan** (Adopted March 2015). Supplementary Guidance which provides additional detail has also been prepared and sits alongside the Local Development Plan. Together these documents make up the statutory Development Plan. Since March 2015 the Local Development Plan has been the basis for providing advice on planning proposals, for guiding decision making on planning applications and for ensuring that the right development happens in the right place.
- 1.4 We need to keep the plan up to date to reflect changing circumstances as land is developed and new issues arise or other factors change. There is a requirement to review the current adopted LDP and prepare a new one within 5 years of adoption (Planning etc. (Scotland) Act 2006. A new planning act (Planning (Scotland) Act 2019) has been put in place since we started preparing the new Local Development Plan 2 (LDP2). But the preparation of LDP2 is required to be completed under the process set out in the 2006 Act.
- 1.5 The aim is that this new plan (Local Development Plan 2) should be concise, focused on areas of change, involve the community at an early stage and enable delivery of development. Until the new Local Development Plan 2 is adopted, the current Local Development Plan’s statutory status remains. Ministers expect LDPs to focus on their specific main proposals for the period up to year 10 from adoption.

2 | What is a Development Plan Scheme?

- 2.1 **A Development Plan Scheme (DPS)** tells you about the preparation of a Development Plan.
- 2.2 Whether you are a resident, landowner, developer, community representative, agent or public body your input into the process is vital. The Development Plan Scheme aims to provide you with an easy to use guide as to when, where and how you can engage in the preparation process for the development plan.
- 2.3 This Development Plan Scheme (DPS) covers the preparation process for the **Argyll and Bute Local Development Plan 2 (LDP2)**. LDP2 covers the whole of Argyll and Bute except for the area in the Loch Lomond and the Trossachs National Park, which is a separate planning authority. This Development Plan Scheme (DPS) has been prepared to provide our communities and partners with information on our progress in updating the Argyll and Bute Local Development Plan (adopted March 2015). The Local Development Plan is the main way for showing where new development should and should not take place and for determining planning applications.
- 2.4 The DPS includes a timetable of when we intend to reach key stages in the process of preparing our new Local Development Plan 2 (LDP2), which will eventually replace our current adopted Local Development Plan, and also includes a Participation Statement explaining how we will engage with our communities and stakeholders. The DPS outlines:
- ◆ Why we are preparing a Local Development Plan;
 - ◆ What the process involves;
 - ◆ Who should be involved;
 - ◆ When we will undertake the stages of preparation.
- 2.5 We will update the DPS on at least an annual basis to reflect the progress of Plan preparation. This is the forth update since the Development Plan Scheme was prepared in January 2016 for the preparation of the Argyll and Bute Local Development Plan 2. This DPS replaces the one published in February 2019.

3 | How do we prepare a Local Development Plan?

- 3.1 There is a wide range of factors that need to be taken into consideration in the preparation of a new Local Development Plan. The main ones are set out below.

National Planning context

- 3.2 Local Development Plans are influenced by a number of statutory requirements with the main Acts being the Town and Country Planning (Scotland Act) 1997 and the Planning etc. (Scotland) Act 2006. At the national level, the Scottish Government has prepared a National Planning Framework (NPF3) and Scottish Planning Policy (SPP) which provide the national policies and priorities for major new development. During the preparation of LDP2 the statutory planning framework has changed with the enactment of the Planning (Scotland) Bill 2019. This contains a number of changes, including to the development plan process. Interim procedures are now in place which direct plans that have reached the later stages of the process to continue under the rules set out in the 2006 Act and associated regulations. The Argyll and Bute Local Development Plan 2 is at the later stages of preparation and so will continue to be developed in line with the 2006 Act.

Argyll and Bute Outcome Improvement Plan

- 3.3 Local Development Plans are also influenced by a range of other plans, strategies and policies, in particular for Argyll and Bute, the [Outcome Improvement Plan](#) (formerly Single Outcome Agreement) is viewed as the overarching governing document. This is prepared jointly by the Council and the other Community Planning partners and establishes the overarching policies and actions for the management of Argyll and Bute. It has an outcome focused approach and ensures that the Community Planning Partnership's aims are delivered in an integrated manner and aligned with Scottish Government outcomes.
- 3.4 The policies and actions with development and land use implications of the Outcome Improvement Plan are reflected in the Local Development Plan (LDP). The Action Programme that has to accompany the LDP sets out how the Council proposes to implement the plan. These documents together are the drivers for change and action in Argyll and Bute and by keeping the documents updated we are able to respond to changing circumstances within the area and its communities.

Local Authority and its Partners

- 3.5 Argyll and Bute Council has the statutory responsibility for planning in the Council area, excluding the Loch Lomond and the Trossachs National Park where the Park Authority controls the planning function. It is important that all the relevant services within the Council (for example Economic Development, Roads and Amenity Services and Education) are fully engaged in the plan preparation as they are integral to the delivery of the LDP2 strategy and aims. LDP2 will also be influenced by the priorities of other stakeholders as set out in their own strategies and programmes. The stakeholders include key agencies which the Regulations have identified as Scottish Natural Heritage; Scottish Environment Protection Agency; Scottish Water; Scottish Enterprise; Highland and Islands Enterprise; Regional Transport Partnerships; Crofting Commission; and Health Boards. The Government also require the following bodies to have the same level of involvement in the development plan process: Historic Environment Scotland; Transport Scotland; Scottish Forestry; Marine Scotland and any Regional Marine Planning Partnerships. Neighbouring authorities are also consulted throughout the LDP2 process.

3 | How do we prepare a Local Development Plan?

Our Communities

- 3.6 The input of local communities is very important. The aspirations of local communities are communicated in a number of ways, including through formal documents such as Community Plans and via their community councils. The priorities for communities influence the outcomes of the planning process. It is also important that individuals are able to be involved in shaping the future of our area.

Development Sector

- 3.7 Developers, landowners, businesses and investors are all important to this process. Through land that they own or finance they are looking to invest or businesses which they wish to grow or set up in the area. These interests are critical to realising the vision identified in the Local Development Plan.

Stages

- 3.8 The Local Development Plan process has a number of key stages as set out below:-

Evidence Gathering – includes reviewing current policies, site assessment
Pre-Engagement - call for sites and early engagement with communities and other stakeholders
Main Issues Report (MIR) – This is the first formal consultation. This focusses on the key areas of change since the last Local Development Plan was prepared. A range of options are presented and comments sought. A Monitoring Report accompanies the MIR. A draft Strategic Environmental Assessment Environmental Report also accompanies the MIR to demonstrate the environmental effects of the proposals. This is the main engagement phase of the plan process and helps the Council come to a view on what should be in the plan.
Proposed Local Development Plan 2 – having considered the comments on the MIR the Council then prepare and consult on the proposed Local Development Plan 2. The proposed Local Development Plan 2 represents the “settled view” of the Council. This is in two parts i) Written Statement with a strategic vision for the area and policies and proposals to help deliver this vision ii) Proposals Maps which show where the allocations and other designations are. This consultation includes notification. It is accompanied by a draft Action Programme, a revised Strategic Environmental Assessment, a Habitat Regulation Appraisal record and a draft Equality and Socio-Economic Impact Assessment.
Examination – If the Council receives valid objections to the Proposed Local Development Plan 2 that are not resolved they will be sent to the Scottish Ministers. An Examination would then be conducted by a Scottish Government appointed Reporter into the unresolved objections and a report produced with recommendations.
Adoption of Local Development Plan 2 - The Council then modifies the plan as necessary, submits it to the Scottish Ministers and advertises its intention to Adopt the plan. The plan may be adopted after 28 days unless the Scottish Ministers direct otherwise.
Action Programme - this sets out how the policies and proposals are to be delivered. It must be published by the Council within three months of adoption of Local Development Plan 2 and is to be reviewed every two years.

Governance

- 3.9 The preparation of Local Development Plan 2 is governed by a statutory process, the key stages of which are set out in this Development Plan Scheme. [Circular 6/2013](#) describes the development planning system in Scotland, and explains the legislative process in more detail. The Council, as the planning authority, controls the overarching corporate management of the Local Development Plan. This is dealt with at key stages through the Council's committee procedures and at Strategic Management Team meetings. A Project Board is responsible for providing overall direction to the delivery of Local Development Plan 2. This consists of the Development and Infrastructure Departmental Management Team plus the Head of service from Community Services. The project manager is responsible for the day to day management of the delivery of the plan and team. A communications team will meet regularly throughout the LDP2 process to ensure communications are as effective as possible. The Proposed LDP2 was approved by Full Council.

4 | Where are we now in the process?

- 4.1 The Local Development Plan was adopted in March 2015 and was followed by the publication of the Action Programme in June 2015. We then needed to think about preparing the new plan – Local Development Plan 2. The first step was **evidence gathering** to help us prepare Local Development Plan 2 (LDP2). We started this with an assessment of our current sites to retest their effectiveness. We also started gathering information, including a “*Call for Sites*” and got involved with communities through *Charrettes* (intensive planning sessions with the community and other stakeholders) for Tiree, Crinan Corridor and Rothesay, all of which will help inform LDP2.
- 4.2 During 2017 we moved into the pre Main Issues Report engagement phase. During this phase we assessed the sites proposed during the Call for Sites and sought further information on these from the Key Agencies. We engaged with the public and other stakeholders through the *Call for Ideas* and *Place Standard Tool* public consultation. In addition we held Community Council sessions and a Councillor Workshop.
- 4.3 Gathering these views helped us prepare the Main Issues Report which shows options to address the key areas of change in the area. The Council’s preferred option was shown and questions asked about that option. Engagement included consultation for 8 weeks, including Community Council meetings, public drop in events, publicity – including social media, use of an interactive Storymap and an on line form. At the same time we also published a Monitoring Report, a draft Environmental Report for the Strategic Environmental Assessment and a draft Equalities Impact Assessment.
- 4.5 During 2018 we assessed the consultation responses we received during the Main Issues Report consultation. This included officer assessment, a Councillor workshop and further engagement with Key Agencies and stakeholders on specific issues.
- 4.6 The Proposed Plan was drawn up during 2019 (PLPD2). This was approved as the Council’s “settled view” and was published for consultation for a 10 week period starting in November 2019 and closing in January 2020.

Development Plan Process



- 5.1 The Proposed Local Development Plan 2 consultation closed on the 23rd January 2020. All the representations submitted will be considered. Please note that there is no automatic opportunity for parties to expand on their representations later in the process. After the Proposed Plan stage the Scottish Ministers expect a planning authority's priority to be to progress to adoption as quickly as possible
- 5.2 Where there are unresolved representations and the planning authority decides not to make notifiable modifications then there will need to be an **Examination** of the unresolved issues. This is an independent process carried out by Scottish Government appointed Reporters. The preparation for an Examination takes around 6 - 10 months dependent on the level and complexity of responses. As part of this the planning authority need to prepare a summary of unresolved issues on a form called a **Schedule 4**. Multiple representations on one policy, proposal or site may be grouped together into a single issue. The planning authority need to publish the plan and submit it to the Scottish Ministers alongside the proposed Action Programme, a report of conformity with their current Participation Statement and with a request that Scottish Ministers appoint a **Reporter** to examine the proposed plan. The planning authority is also required to include a Habitats Regulation Appraisal Record in this submission.
- 5.3 We will let you know when we submit the plan for Examination by placing a notice in one or more local newspapers stating that the LDP has been submitted, when this happened and where the plan may be viewed. We will make copies of the submitted plan available in an office of the planning authority, in public libraries and also publish it on line. We will also send an email to all those in our contacts list who have asked to be kept informed throughout the process. The Examination is an independent process and takes on average 9 months.
- 5.4 During the Examination the Reporter(s) will look at the Schedule 4, copies of the unresolved representations, the Environmental Report, the proposed Action Programme, the Monitoring Statement and the Participation Statement current when the Proposed Plan was published. The Examination looks at the written submissions but the Reporter(s) may also ask for further written information, hearings or inquiry sessions.
- 5.5 The Reporter will issue their conclusions and recommendations at the end of the Examination. The recommendations are largely binding on the planning authority. There are only specific defined circumstances when an authority may depart from the recommendations. The Reporter will publish the Report and notify all parties who made an unresolved representation of this.
- 5.6 Within 3 months of receiving the Examination Report the planning authority should publish the modifications and the plan they propose to **adopt**. We will also publish a notice in one or more local newspapers, make copies of the plan available for inspection and notify everyone who has made a representation. Please note this is not a further consultation. 28 days after this the authority may adopt the plan, unless directed not to by the Scottish Ministers. We will notify everyone who has made a representation of the Adoption. The Action Programme, which sets out how we will implement the plan has to be finalised within 3 months of Adoption of the plan.

6 | Participation Statement : how you can get involved

6.1 Community engagement is important in the planning process and has influenced the current plans policies and proposals in the Proposed Local Development Plan 2.

6.2 At key stages we have consulted:

- ◆ stakeholders/key agencies in the public sector (such as key government agencies,
- ◆ the neighbouring local authorities and Loch Lomond and the Trossachs National Park, statutory bodies, and non-governmental organisations;
- ◆ the private sector (such as business interests, landowners and developers);
- ◆ the local community including residents, Community Councils, community representatives, community organisations and other interested bodies.

6.3 Although we are now past the key engagement phases and there is no automatic opportunity for parties to expand on their representations we will keep people informed of progress as we move towards the Examination and then Adoption of the plan.

Keeping you informed

- ◆ Provide information through our website – www.argyll-bute.gov.uk/ldp2, social media, email and newsletter updates
- ◆ Provide information through Community Councils, Council offices and local libraries
- ◆ Placing statutory adverts in local newspapers and publicising key stages with the media
- ◆ Maintain the Online interactive mapping of the Proposed Local Development Plan in the accessible Storymap format.
- ◆ Staff available to answer questions or provide information in person at our offices by appointment or via telephone and email
- ◆ Notify those who made representations on the Proposed Local Development Plan when we, propose to adopt and adopt the plan.
- ◆ We have set up and will maintain a mailing list of people who we contact via email/post to update on the Plan progress. If you would like to be added to this please let us know (find out how to contact us in section 8).

6.4 Appendix 1 sets out in greater detail the stages we will go through and the estimated timescales for engagement and consultation. It provides a detailed breakdown of the Local Development Plan process, indicative timescales and the opportunity for engagement including statutory periods of consultation.

- 7.1 As we progress through the Local Development Plan process we will make information on the Strategic Environmental Assessment, Habitats Regulations Appraisal and the Equality and Socio-Economic Impact Assessment available on line at www.argyll-bute.gov.uk/ldp2

Strategic Environmental Assessment

- 7.2 The Environmental Assessment (Scotland) Act 2005 requires us to carry out a Strategic Environmental Assessment of the Local Development Plan. This is a process for identifying and assessing the environmental effects of proposed strategies, plans and programmes so that these are taken into account before they are approved or adopted. It is a vital tool which places environmental considerations at the heart of decision-making process and ensures that alternatives are fully and transparently regarded before final decisions are taken.

- 7.3 We have consulted with Scottish Natural Heritage, Historic Environment Scotland and the Scottish Environmental Protection Agency in preparing our Strategic Environmental Assessment. This end result of this is an Environmental Report.

Habitats Regulations Appraisal

- 7.4 We will produce a new Habitats Regulations Appraisal of the potential impacts of the proposed Local Development Plan on European Sites. This requires to be submitted to Scottish Ministers alongside the proposed Local Development Plan. There are a number of designated 'Natura' sites within Argyll and Bute and so any emerging plans and policies will have to be considered with regards to potential adverse impacts on these protected sites and species.

Equality and Socio-Economic Impact Assessment

- 7.5 Under the Equality Act 2010 (Statutory Duties) (Scotland) Regulations 2011 we will undertake an Equality and Socio-Economic Impact Assessment (EqSEIA) of proposed policies and practices. In addition to the nine protected characteristics covered by the Equality Act 2010, the EqSEIA takes into account the Fairer Scotland Duty and the Islands (Scotland) Act 2018.

- 8.1 You can keep up to date, access information on the Local Development Plan and contact the Argyll and Bute Council Local Development Plan Team as set out below.

Follow Local Development Plan progress at:

www.argyll-bute.gov.uk/ldp2



And on **Twitter** at:
@ABC_Planning or
@argyllandbute



On **Facebook** at:
www.facebook.com/argyllandbutecouncil

Hard copies of consultations will be made available during advertised consultation periods in local libraries and at the council office, Manse Brae, Lochgilphead.

Ask a question:

Email: ldp@argyll-bute.gov.uk

Tel: 01546 604158

Appendix 1 | Engagement Strategy for LDP2 – www.argyll-bute/ldp2

Activities	Stakeholders	Engagement Techniques	Communication Techniques	Indicative Timescale
Publish Development Plan Scheme – ANNUAL REFRESH				
Pre Main Issues Report – STAGE COMPLETED				
Main Issues Report – STAGE COMPLETED				
Proposed Local Development Plan – STAGE COMPLETED				
Examination				
Consider responses on PLDP2. Prepare Council response to outstanding objections (Schedule 4s) and prepare Report of Conformity with Participation Statement Committee Paper	ABC Officers Councillors	Project Board Internal liaison Committee process	Email and meetings Dedicated Council web page www.argyll-bute/ldp2 maintained Committee	9 months February 2020 - October 2020
Submit Proposed Plan to the Scottish Ministers with all the supporting documents (including Habitats Regulation Appraisal record) and all the outstanding objections Statutory notice Publication	Council Scottish Ministers	Information Publicity	Updates on dedicated Council web page www.argyll-bute/ldp2 , newsletter, direct emails and social media Submission Notice in local newspaper (s) Publish Proposed Local Development Plan as submitted on Council website Copies available in public libraries and Development Policy Office (Manse Brae, Lochgilphead) Direct Mail to Scottish Ministers	1 month November 2020
Examination of proposed plan; Reporters Report issued	Scottish Government Reporter(s)	Examination by written submissions/in public –	Maintain dedicated Council web page www.argyll-bute/ldp2	1 month administration 6 months Examination

Appendix 1 | Engagement Strategy for LDP2 – www.argyll-bute.gov.uk/ldp2

Activities	Stakeholders	Engagement Techniques	Communication Techniques	Indicative Timescale
	Council Objectors to PLDP2	Reporters remit	bute.gov.uk/ldp2	Dec 2020 – June 2021
Post Examination - Consider reporters recommendations; Prepare modifications Publish Modifications and Proposed Plan as modified. Revise SEA Environmental report, publish. Update Habitats Regulation Appraisal Send copies of all to Scottish Ministers Advertise Intention to Adopt Notification of representees	Council Representees on PLDP2 Scottish Government	Council process. Information Publicity	Updates on dedicated Council web page www.argyll-bute.gov.uk/ldp2 , newsletter, direct email and social media Intention to adopt notice in local newspaper (s) Publish Report of the Examination, Modifications and Local Development Plan as modified to adopt on the Council website Copies available in public libraries and Development Policy Office (Manse Brae, Lochgilphead) Notification to representees on PLDP2 Direct Mail to Scottish Ministers	3 months July 2021 - September 2021
Adoption				

Appendix 1 | Engagement Strategy for LDP2 – www.argyll-bute.gov.uk/ldp2

Activities	Stakeholders	Engagement Techniques	Communication Techniques	Indicative Timescale
Adoption process for LDP2 Publish post adoption SEA Statement and submit to SEA Gateway	Council Representees on PLDP2 Scottish Government	Council process. Information Publicity	Adopted Local Development Plan 2 available in public libraries and Development Policy Office (Manse Brae, Lochgilphead) and published on dedicated Council web page www.argyll-bute.gov.uk/ldp2 Notice in local newspaper (s) Notify all those who made representations on the proposed plan. Direct mail to Scottish Ministers	October 2021
Action Programme				
Publish Action Programme	Councillors Scottish Ministers	Council process	Publication of Action Programme on dedicated Council web page www.argyll-bute.gov.uk/ldp2 ; Copies available in public libraries; Copies sent to Scottish Ministers	January 2022



Argyll and Bute Council
Development and Infrastructure
Acting Executive Director: Kirsty Flanagan

www.argyll-bute.gov.uk

Chomhairle Earra-Ghàidheal is Bhòid

