

## DEVELOPMENT PLAN SCHEME UPDATE – LOCAL DEVELOPMENT PLAN 2

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### 1.0 EXECUTIVE SUMMARY

1.1 The main purposes of this report are to:-

- Seek PPSL Committee approval of the attached updated Development Plan Scheme (DPS), including its associated Participation Statement. See Appendix 1.
- Obtain authority to publish the approved updated DPS and submit it to the Scottish Ministers.

1.2 The first Argyll and Bute Local Development Plan was adopted in March 2015. The process of planning for its review and replacement began in January 2016 with the preparation of the first Development Plan Scheme (DPS), as agreed at [Council \(item 14\)](#). The DPS is the timetable for preparing the replacement Local Development Plan 2 (LDP2), which advises how and when stakeholders and the public can become engaged in the process. There is a duty to prepare a revised DPS at least annually.

1.3 The Proposed Local Development Plan 2 is now at Examination. This revised Development Plan Scheme sets out the anticipated timetable and actions during the Examination and for the following adoption process.

1.4 Key points to note are:-

- There has been reprogramming of the adoption date to February 2023, however, until the new Local Development Plan is adopted, the current Local Development Plan's statutory status remains. Planning applications will be dealt with as normal;
- There is a generous and more than adequate existing housing land supply within LDP1 to last until the adoption of LDP2.
- Although the Planning (Scotland) Act 2019 is now in place, interim procedures advise that the preparation of this LDP2 is required to be completed under the Planning etc. (Scotland) Act 2006. Other interim guidance has been issued to amend and support the LDP procedures to take account of Covid-19 related challenges.

1.5 It is recommended that the PPSL:-

- i) Notes the contents of this report;
- ii) Approves the updated **Development Plan Scheme (DPS)** attached in Appendix 1 of this report for publication and submission to the Scottish Ministers.

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**ARGYLL AND BUTE COUNCIL**

**PLANNING, PROTECTIVE SERVICES  
AND LICENSING COMMITTEE**

**DEVELOPMENT AND ECONOMIC  
GROWTH**

**23<sup>rd</sup> March 2022**

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## **DEVELOPMENT PLAN SCHEME UPDATE – LOCAL DEVELOPMENT PLAN 2**

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### **2.0 INTRODUCTION**

2.1 The Planning Etc. (Scotland) Act 2006 requires each Planning Authority to prepare and keep up to date a Local Development Plan (LDP). This means the authority should aim to prepare a new plan within 5 years of Adoption of the current plan. Until the new Local Development Plan is adopted, the current Local Development Plan's statutory status remains, including any associated Supplementary Guidance. The current LDP was adopted in March 2015.

2.2 The LDP process involves a number of statutory stages and significant engagement with communities, developers, key agencies, councillors and other stakeholders. The Development Plan Scheme (DPS) sets out the timetable and engagement process for Local Development Plan 2 and is required to be updated at least annually to reflect changes in timescale etc. This appendix to this report contains the updated DPS.

### **3.0 RECOMMENDATIONS**

3.1 It is recommended that the PPSL:-

- i) Notes the contents of this report;
- ii) Approves the updated **Development Plan Scheme (DPS)** attached in Appendix 1 of this report for publication and submission to the Scottish Ministers.

### **4.0 DETAIL**

- 4.1 The Planning Etc. (Scotland) Act 2006 requires each Planning Authority to prepare a Local Development Plan (LDP) at least every 5 years. The existing approved September 2020 DPS programmed the Adoption to February 2022. There has been slippage in the programme and it is now anticipated that the new Local Development Plan 2 will be adopted by the spring of 2023. There has been no other substantive change to the DPS other than the time revision, as the main consultation phases are complete. The next phase is the Examination and is run by the DPEA and independent Reporter. This generally takes 9 months. Issues that impacted on the timetable for delivery of the plan over the last year were as follows:-
- Impact of Covid 19;
  - Scottish Government engagement re National Planning Framework 4 and new Local Development Plan regulations;
  - Diminished staff resource.
- 4.2 It should be noted that until the new Local Development Plan is adopted, the current Local Development Plan's statutory status remains, including that of the associated Supplementary Guidance. The current LDPs made plans for ten years from adoption, so until 2025, and are still considered to be robust. The LDP contains an effective land supply with the latest [Housing Land Audit](#) showing an effective supply of 2890 units or 9.6 years supply as at 1 April 2020 in relation to the Proposed Local Development Plan 2 five year Housing Land Requirement of 1500 units. This takes us to 2031 well beyond the proposed adoption date of LDP2. The proposed growth areas of Tobermory – Dalmally and Helensburgh and Lomond have sufficient supply available to take us beyond the adoption of LDP2. Planning applications will continue to be processed as normal during the delay period, being assessed against the Adopted LDP.
- 4.3 Section 20B of the Planning Etc. (Scotland) Act 2006 requires each Planning Authority to prepare a **Development Plan Scheme (DPS)** at least annually. The exact requirements for the content and process of the LDP and associated DPS are set out in the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 and the Coronavirus (Scotland) Act 2020.
- 4.4 The DPS sets out the Council's programme for preparing and reviewing the LDP and what is likely to be involved at each stage. The DPS includes a Participation Statement, which details when, how and with whom consultation on the LDP will take place, and the Council's proposals for public involvement in the plan preparation process. The proposed updated Development Plan Scheme is set out in Appendix 1 to this report.

- 4.5 Once the updated DPS has been approved by PPSL it is required to be published electronically and 2 copies submitted to the Scottish Ministers. The Scottish Government has acknowledged the impact on Local Development Plan preparation and through the Coronavirus (Scotland) Act 2020 makes provision for the DPS documents to be made available for inspection by electronic means rather than at an office or library. Therefore, in addition to publication on line a Newsletter will be sent electronically to LDP2 contacts to advise of the revision. There is no requirement to consult on the content of the DPS.
- 4.6 Since the last update of the DPS the following actions have been undertaken in the LDP2 process:-
- Published the updated DPS September 2020;
  - Prepared Schedule 4 summaries for Examination;
  - Prepared all background papers for Examination.
- 4.7 The governance arrangements, that support the delivery of LDP2 are set out in the DPS and were approved by Council in January 2016.
- The key stages of i) the submission of the plan for Examination (this includes the Council's response to any outstanding objections); and ii) decision to Adopt, can go directly to full Council;
  - Preparatory and sub stages such as subsequent Development Plan Scheme revisions go to Planning, Protective Services and Licensing Committee only.

## **5.0 CONCLUSION**

- 5.1 Engagement in the preparation of the LDP2 is an important part of the Development Plan process. The updated DPS continues to set out a clear agenda for the LDP2 process and the associated public engagement as it progresses through Examination and to Adoption.

## **6.0 IMPLICATIONS**

### 6.1 Policy

None - The DPS is a timetable and participation statement.

### 6.2 Financial

None - Within the Development Policy budget

### 6.3 Legal

There is a statutory duty to approve at least annually, publish and submit to the Scottish Ministers a Development Plan Scheme.

6.4 HR

None

6.5 Fairer Scotland Duty: See below

6.5.1 Equalities - protected characteristics – See below

6.5.2 Socio-economic Duty – See below

6.5.3 Islands - See below

The Development Plan Scheme shows how the Local Development Plan engagement process will be handled to meet with statutory requirements and encourage engagement from all. An Equality and Socio-Economic Impact Assessment (EqSEIA) has been prepared as part of the LDP2 process.

6.6 Climate Change

The DPS is a document that timetables the LDP process and engagement in that process. Publication and engagement includes on line methods, which help reduce resource consumption and travel. The LDP takes account of climate change issues related to land use and physical development.

6.7 Risk

The LDP2 process is now programmed up to February 2023. Any further reduction in resource levels may impact further on the timetable set out in the DPS for delivery of the LDP2. Similarly any increased demand on the service over and above that committed in the DPS could also result in the failure to meet with the new anticipated Adoption date shown in the DPS.

6.8 Customer Service

The Development Plan Scheme sets out how our customers can get involved in the Local Development Plan process.

**Kirsty Flanagan**

**Executive Director with responsibility for Development and Economic Growth**

**Policy Lead David Kinniburgh**

28/01/2022

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**APPENDICES**

Appendix 1 Argyll and Bute Local Development Plan 2: Development Plan Scheme:  
March 2022