

South Lanarkshire Development Plan Scheme 2020



**Community and
Enterprise Resources**

Contents

1	Introduction	2
2	Development planning in South Lanarkshire	4
3	South Lanarkshire Local Development Plan	9
4	Accessing information and contacts	12

1 Introduction

1.1 This is the development plan scheme for South Lanarkshire Council. It is prepared in accordance with paragraph 20B of the Planning etc. (Scotland) Act 2006 and sets out the Council's programme for the preparation of local development plans to cover the South Lanarkshire area.

1.2 This scheme covers:-

- The current coverage of development plans (strategic and local development plans) in South Lanarkshire.
- Proposals for the preparation of a replacement South Lanarkshire local development plan (which will be referred to as SLLDP2) for the area and the context for these as set by Clydeplan Strategic Development Plan.
- The timescale for preparation of this LDP.
- Details, as appropriate, of the key components of each stage of preparation.
- A participation statement, giving an account of when consultation will take place, with whom and in what form, during the preparation of the LDPs.
- Details of other supporting planning guidance associated with the local development plan.
- Information on how to access information and how to get in touch with the Council.

1.3 As required by legislation, this development plan scheme will be reviewed and republished every year.

The development plan system in Scotland

1.4 The Planning etc. (Scotland) Act 2006 sets out the requirements to prepare development plans. Development plans are the basis for decision making on planning applications, containing policies and proposals for the future development and use of land. Prior to the 2006 Act the development plan comprised of Structure Plans and Local Plans. The Act however introduced three tiers of land use plan:-

1. The National Planning Framework
2. Strategic development plans
3. Local development plans

1.5 Further information on the planning system is available from the Scottish Government's website www.scotland.gov.uk/Topics/Built-Environment.

1.6 The Planning (Scotland) Act 2019 received Royal Assent in July 2019. Among other things it introduces changes to the development plan system including the repeal of Strategic Development Plans and their replacement by non-statutory Regional Spatial Strategies (RSS); combining the existing National Planning Framework and Scottish Planning Policy into one document to be called National Planning Framework 4 which in turn will become part of the development plan; the need to replace LDPs at least every 10 years as opposed to 5 years at present; and the repeal of the ability to prepare Supplementary Guidance. The Act will also allow local communities to prepare Local Place Plans (LPP) for their local area to enable greater public involvement in the planning of their places. A LPP must accord with the LDP in place at that time. However, the changes to the system are not yet finalised and the existing system therefore continues to be in force.

Introduction 1

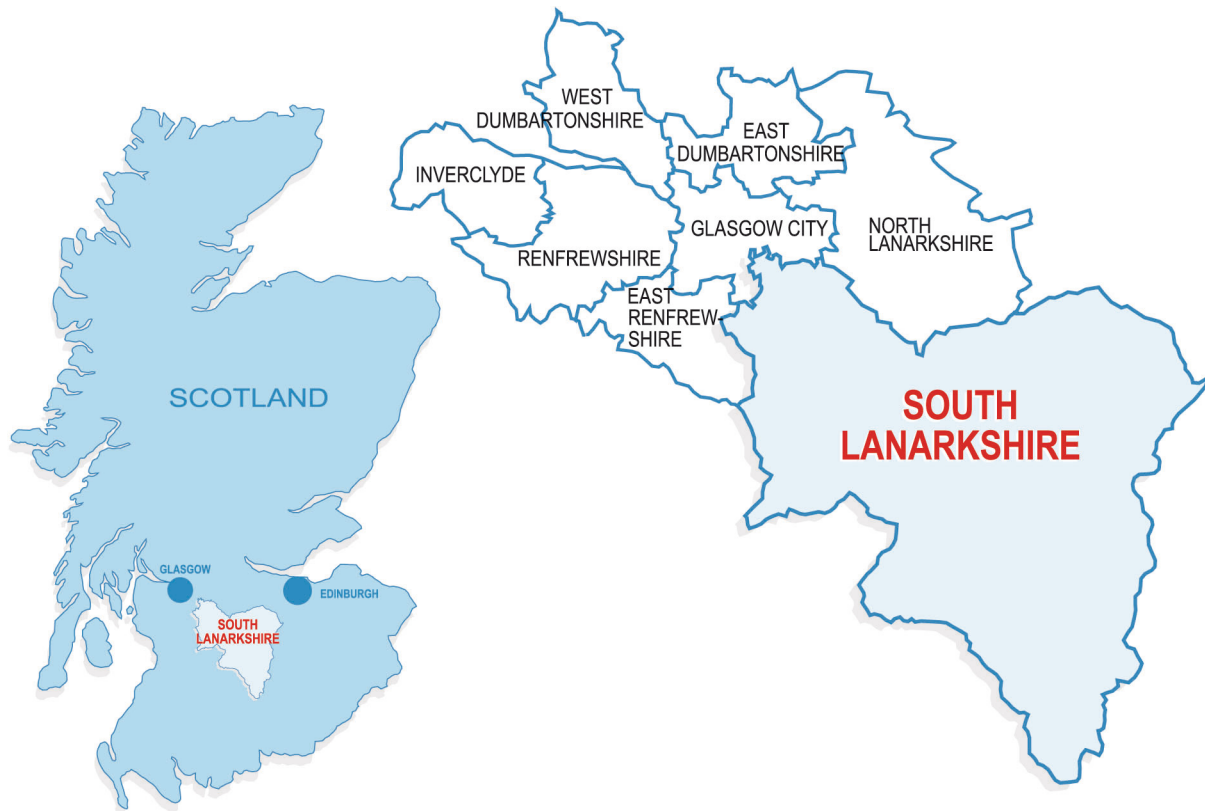
1.7 The South Lanarkshire Local Development Plan 2 is being produced under the existing system but is taking account of some of the changes that are likely to be introduced under the new legislation. In particular the LDP2 includes a Volume 2 of additional policies that replaces the SG's. The Council will also produce non-statutory Supporting Planning Guidance on a number of topics but these will not have the same standing as the statutory Supplementary Guidance.

2 Development planning in South Lanarkshire

Strategic Development Plan (SDP)

2.1 South Lanarkshire Council is one of the eight local authorities that form the Clydeplan Strategic Development Planning Authority (SDPA).

Figure 2.1 South Lanarkshire and the Clydeplan Strategic Development Planning Authority



2.2 The second SDP (Clydeplan) was approved in July 2017. As noted above SDPs will be replaced by Regional Spatial Strategies which are intended to continue to address cross boundary or region wide issues as the Housing Needs and Demand Assessment. However, the preparation of LDP2 has had to conform to the approved Strategic Development Plan.

2.3 The legislation states that constituent local authorities should have their local development plans adopted within two years of the approval of the relevant strategic development plan. South Lanarkshire adopted its current Local Development Plan in June 2015 and aims to have the second South Lanarkshire Local Development Plan adopted by late 2020. Section 3 'South Lanarkshire Local Development Plan' provides further details of timescales.

Local Development Plan (LDP)

2.4 The Council area is covered by:-

- South Lanarkshire Local Development Plan (2015)

Development planning in South Lanarkshire 2

2.5 Previously the Council had a separate Minerals Local Development Plan but this is not now required as the proposed LDP2 includes minerals policies in Volume 1 and Volume 2. In the meantime, until such times as the LDP2 is adopted, non-statutory guidance on Minerals was approved in November 2017 to bridge any gap in Minerals Plan Policy coverage.

2.6 The main stages of LDP preparation are set down in the Planning etc. (Scotland) Act 2006 and associated regulations and circular, and are summarised as follows.

Stages of Local Development Plan preparation

- **Monitoring Statement (MS):** The MS reports on changes to the principal physical, social and environmental characteristics of the area and the impact of policies and proposals of existing plans.
- **Main Issues Report (MIR):** The MIR sets out the principal policy and development proposals that will be included in the plan and possible alternatives for consideration.
- **Proposed Plan:** The Proposed Plan consists of a written statement and associated maps and diagrams. Following consultation and taking consideration of any representations received the Council will take one of the following actions:
 - Submit the plan to the Scottish Ministers with no modifications;
 - Make minor modifications which do not affect the emphasis of the Plan and re-consult;
 - Makes significant modifications that affect the emphasis of the Plan and issue a new plan from consultation.
- **Examination of Proposed Plan:** Where there are outstanding objections a Proposed Plan will be subject to a public examination. This is carried out by a Reporter appointed by Scottish Ministers. The Reporter examines the report on LDP consultation, the extent to which the plan conforms to national policy and the Strategic Development Plan. The Reporter also considers the outstanding objections and the sections of the LDP to which these relate. Once the examination is complete the Reporter will publish findings and submit them to the planning authority. The planning authority must modify the plan in light of the Reporter's recommendations. The planning authority has three months to complete this modification process and submit the modified Proposed Plan to Scottish Ministers.
- **Adopted Plan:** Following submission the planning authority can announce its intention to adopt the plan as the fully constituted LDP. However, the planning authority must wait for a period of 28 days from the date of its announcement prior to adopting the plan. The Scottish Ministers have the power to extend this 28 day period and can direct the planning authority to modify the plan prior to its adoption.

Supplementary Guidance

2.7 As part of the South Lanarkshire Local Development Plan the Council produced a number of statutory Supplementary Guidance (SG) documents. These contained detailed policies and guidance relating to issues covered in the Local Development Plan. Ten SGs have been approved. As a result of the removal of SGs in the 2019 Act all of the policy currently contained within this Supplementary Guidance have been included within Volume 2 of the proposed South Lanarkshire Local Development Plan 2. The Council will not be producing any further Statutory Supplementary Guidance.

2 Development planning in South Lanarkshire

2.8 If required, the Council will produce non-statutory supporting planning guidance on specific topics. This would be approved by the Council and would be used to give further guidance to developers on specific subject areas. This supporting planning guidance does not need approval of the Scottish Government. It can be prepared at any time during the lifecycle of the plan.

Strategic Environmental Assessment

2.9 The policies and proposals contained in local development plans are required to be assessed for their potential impacts on the environment utilising a process known as Strategic Environmental Assessment (SEA).

2.10 The purpose of SEA is to provide a high level of protection for the environment by ensuring that environmental issues are considered by decision makers alongside economic and social issues. This is achieved by systematically assessing the potential significant effects of the plan, and recording the results in an 'Environmental Report'. The process involves both regular liaison with Scottish Natural Heritage, Scottish Environment Protection Agency and Historic Environment Scotland (the 'consultation authorities') and its own public consultation process.

2.11 An SEA has been carried out in conjunction with the preparation of LDP2 in alignment with the process of plan preparation. The main stages and their relationship to the stages of LDP preparation are summarised below.

Stages of Strategic Environmental Assessment

- **SEA Screening:** a process for identifying the likelihood of the LDP having a significant environmental effect. Local development plans will, by their very nature, have environmental effects. Therefore a SEA will be required, so it is unlikely that this screening stage will be necessary.
- **SEA Scoping:** determines which details are to be included in the environmental report. It is undertaken early on in the assessment process, in order to focus efforts on the environmental issues to be assessed and the data sets that will be used to measure these and potential alternatives for achieving the aims of the LDP.
- **Environmental Report:** predicts and evaluates environmental impacts. The environmental report is the main reporting mechanism for describing and evaluating the environmental effects of the proposed LDP and evaluating alternatives. A draft Environmental Report will be published with the Main Issues Report with a revised Environmental Report being published alongside the Proposed Plan. A further revision may be required after the public examination of the plan. (For further details see [SEA process](#).)

Habitats Regulations Appraisal

2.12 Following a ruling by the European Court of Justice in October 2005, plans which are likely to have a significant effect on Special Protection Areas (SPAs) or Special Areas of Conservation (SACs) can be approved only after a Habitats Regulations Appraisal (HRA) of the implications of the plan's policies/proposals for the sites has been carried out, under the provisions of the Habitats Directive 1992. The requirements are transposed into UK law by the Conservation (Natural Habitats & c) Regulations

Development planning in South Lanarkshire 2

1994. Scottish Ministers have also extended the requirement for assessment to Ramsar sites, listed under the international convention on the conservation of wetlands of international importance, and potential SPAs, before they are fully classified.

2.13 The Scottish Government outlined the requirements for development planning in Circular 6/2013 - Development Planning paragraphs 100-104. An HRA is required for all proposed LDPs. This requires a draft assessment at the MIR stage and a revised assessment at the proposed Plan stage. A further revision may be required after public examination of the plan. In addition HRA is required to be undertaken for any Supplementary Guidance produced.

Equality Impact Assessment/Health Impact Assessment

2.14 The preparation of LDPs in South Lanarkshire takes place within a context that is wider than direct legislative requirements and high level planning and environmental policy. The Council has further obligations and policies that also apply to the preparation and content of LDPs. The Council is committed to undertake assessment of all policies to ensure that they do not prejudice the interests of individuals in terms of age, disability, economic circumstance, ethnicity, gender or religion. An Equality Impact Assessment has been undertaken in the preparation of the SLLDP2.

2.15 Furthermore the Council has a significant role to play in Community Planning. The Community Empowerment (Scotland) Act 2015 introduced the requirement for Community Planning Partnerships to develop a Local Outcomes Improvement Plan (LOIP) and any appropriate Locality Plans (called Neighbourhood Plans in South Lanarkshire). It also gave community planning a statutory purpose to focus on improving outcomes and tackling inequalities of outcome, including in localities whose communities experience the poorest outcomes. Outcomes relating to health can be influenced by planning policy and Health Impact Assessment has been developed as a tool to allow assessment of policy and its relationship to human health, which is also considered by SEA.

Consultation

2.16 Early and effective consultation with stakeholders is an established principle in South Lanarkshire. The Council strives for continuous improvement in this area and has established a number of ways to engage and consult with communities for example, focus groups and citizens panels. Preparing LDPs is informed by the National Standards for Community Engagement as set out in [PAN 81](#) Community Engagement - Planning with People.

National standards for community engagement

1. Involvement: Identify and involve the people and organisations who have an interest in the focus of the engagement.
2. Support: Identify and overcome any barriers to involvement.
3. Planning: Gather evidence of need and resources to agree purpose, scope and actions.
4. Methods: Agree and use methods of engagement that are fit for purpose.
5. Working Together: Agree and use clear procedures that enable participants to work together effectively and efficiently.
6. Sharing Information: Ensure necessary information is communicated between the participants.
7. Working with Others: Work effectively with others with an interest.
8. Improvement: Develop the skills, knowledge and confidence of the participants.

2 Development planning in South Lanarkshire

9. Feedback: Feed results back to the wider community and agencies affected.
10. Monitoring and Evaluation: Monitor and evaluate whether engagement achieves its purpose and meets the national standards for community engagement.

2.17 South Lanarkshire Council has a development planning consultation portal on the internet with the web services company Objective Keystone Online Software. When a consultation is underway the portal is active and can be accessed via the South Lanarkshire Council Website. Draft versions of documents are published on this portal and comments can be made online. Consultees can register themselves and set their own preferences on how they wish to be alerted to future consultations. The planning service needs to hear from individuals, groups and organisations if there are any changes to contact details.

South Lanarkshire Local Development Plan 3

Local Development Plan (LDP)

3.1 The South Lanarkshire Local Development Plan was adopted in June 2015. The local development plan needs to be kept under review and the adopted plan replaced at least every 5 years from the date of adoption. Table 3.1 indicates the main stages of activity for preparation of LDP2

Participation Statement

3.2 Early and effective consultation is the basis for the preparation of the MIR. The Council carried out significant consultation to allow communities and individuals to participate. Different types of events were held across South Lanarkshire. These were supplemented through a Council wide survey using the objective keystone online consultation forums and other online surveys.

3.3 Engagement also took place with secondary school pupils, the Disability Partnership and Seniors Together. In addition a variety of social media options were used as a way of reaching out to the wider community this included the use of the Councils Twitter and Facebook Accounts and regular updates on the Councils website newspapers. Following this a Consultation and Engagement Report was prepared that was used as an evidence base for the MIR. Dialogue with the key statutory consultees in the LDP and SEA process continued as the LDP2 progressed.

Current situation

3.4 The proposed LDP2 was approved by the Council in May 2018 following which it was published for consultation between June and September 2018. This involved statutory advertisement and consultation with stakeholders and community groups and the carrying out of neighbour notification of any owners or tenants of properties that may be affected by any proposals contained in the LDP2. Over 6000 letters were sent to households and businesses that would be affected by proposed changes in LDP2. This resulted in a number of responses and representations to some of the proposals contained in the proposed LDP2. These representations and responses were assessed and minor modifications were made to the proposed plan. The Planning Committee gave approval for the Proposed Plan and its submission to Scottish Ministers in February 2019. In April 2019 the Council submitted its report on unresolved representations (Schedule 4's) to the Directorate for Planning and Environmental Appeals (DPEA). A Reporter and 2 assistant Reporters have been appointed to carry out an examination of the plan and to consider the representations received. The examination commenced in early October 2019. A hearing on matters relating to housing land was held in February 2020 and ongoing requests for Further Information are still being received. At present there is no definitive timescale as to when the examination will end and a final report with recommendations will be received. The Council estimate this may be late summer 2020 with a view to the plan being adopted towards the end of 2020.

Programme

3.5 Table 3.1 on the next page identifies the tasks, progress and timescales for preparing the LDP. Consultation activity is shaded.

3 South Lanarkshire Local Development Plan

Table 3.1 Preparing the South Lanarkshire LDP 2

Stage	Key components	Complete/Timescale
Preparatory work	Draft Monitoring Statement/Call for Sites	January/April 2016
	SEA Scoping Report	
Consultation and Engagement	Establish Consultation Forums	March/April 2016
	Consultation Events	March/June 2016
	Consultation and Engagement Report	August/Sept 2016
Prepare Main Issues Report (MIR), Monitoring Statement, SEA Environmental Report and Habitats Regulations Appraisal	Prepare and publish MIR, Monitoring Statement	August 2016 - April 2017
	Prepare and publish draft SEA Environmental Report and Habitats Regulations Appraisal	
Consultation on MIR and SEA Environmental Report	Six week period for comments	May/June 2017 August 2017
	Consultation portal	
	Supplementary Consultation on Addition Potential Development Sites from MIR consultation responses.	
Prepare Proposed Plan, Proposed Action Programme and revisions to SEA Environmental Report	Assessment of consultation responses including supplementary sites	September 2017 - June 2018
	Prepare and publish documents	
Consultation on Proposed Plan and SEA Environmental Report	Statutory deposit and six week period for representations	August/September 2018
	Consultation portal	
Prepare for examination of Proposed Plan	Assessment of representations	October/December 2018
	Potential for modifications to be made to Proposed Plan and further statutory deposit	December 2018
	Submit Proposed Plan, Action Programme and Report of Conformity to Scottish Ministers	March/April 2019
Examination of Proposed Plan	Reporter appointed	May 2019
	Examination of objections made and not withdrawn	October 2019
	Reporters report	August 2019
	Publish plan incorporating Reporters recommendation	October 2020

South Lanarkshire Local Development Plan 3

Stage	Key components	Complete/Timescale
	SEA and HRA assessment of Reporters recommendations	November 2020
	Submit to Scottish Ministers	
Adoption of LDP	Adoption of LDP	December 2020
	Post adoption SEA Statement	March 2021

3.6 A summary time-line is provided below.

South Lanarkshire LDP 2 programme

Table 3.2

[illegible]

4 Accessing information and contacts

South Lanarkshire Council

Community and Enterprise Resources
Planning and Building Standards Services HQ
Montrose House
154 Montrose Crescent
Hamilton
ML3 6LB

Tel: 0303 123 1015

Email: localplan@southlanarkshire.gov.uk

Web page: www.southlanarkshire.gov.uk

South Lanarkshire's development planning consultation portal:

<http://consult.southlanarkshire.gov.uk>

Clydeplan Strategic Development Plan Authority

Clydeplan
Floor 2, Room 29
40 John Street
City Chambers East
Glasgow G2 1DU

Tel : 0141 229 7730

Email: info@clydeplan.gov.uk

Web page: www.clydeplan.gov.uk

If you need this information in another language or format,
please contact us to discuss how we can best meet your needs.
Phone 0303 123 1015 or email: equalities@southlanarkshire.gov.uk

South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development
Montrose House, 154 Montrose Crescent
Hamilton ML3 6LB
www.southlanarkshire.gov.uk