

# Report

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Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>29 May 2018</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Subject:	<b>Proposed South Lanarkshire Local Development Plan 2 and Supporting Planning Guidance on Renewable Energy</b>
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## 1. Purpose of Report

1.1 The purpose of the report is to:-

- ◆ Inform the Committee of the work undertaken to prepare the Proposed South Lanarkshire Local Development Plan 2 (SLLDP2) together with Supporting Planning Guidance on Renewable Energy (SPGRE).
- ◆ Advise the Committee of the policy direction being taken in the Proposed SLLDP2.
- ◆ Seek Committee approval for the proposed SLLDP2 and SPGRE and for carrying out a minimum 8 week period of public consultation.
- ◆ Inform the Committee of the next steps in preparing the Proposed SLLDP2.

## 2. Recommendation(s)

2.1 The Committee is asked to approve the following recommendations:-

- (1) That the Committee approves the proposed South Lanarkshire Local Development Plan 2 Supporting Planning Guidance on Renewable Energy and agree a minimum 8 week period of public consultation.
- (2) That the Head of Planning and Economic Development Services be authorised to undertake the appropriate statutory procedures and to make drafting and technical changes to the Proposed South Lanarkshire Local Development Plan 2 and Supporting Planning Guidance on Renewable Energy prior to its publication.

## 3. Background

3.1 The Council has a statutory duty under the Planning etc (Scotland) Act 2006 to prepare a Local Development Plan. The plan contains the policies that provide the basis for assessing and determining planning applications. It guides and shapes future land use within the Council area and is the framework within which the Council's own proposals and expenditure are directed.

3.2 The current South Lanarkshire Local Development Plan (SLLDP) was adopted in June 2015 and has guided the Council's decisions on new development proposals. The policies and proposals in the plan have reflected the Council's desire that developments should promote the growth and regeneration of South Lanarkshire by seeking sustainable development within an improved urban and rural environment.

3.3 The current development planning system was introduced for Scotland by the 2006 Act. This obliges the Council to have a new local development plan in place within 2

years of the Strategic Development Plan (SDP) for Glasgow and the Clyde Valley being approved. The Strategic Development Plan for the Glasgow and the Clyde Valley (SDP2) is known as Clydeplan. It was approved in July 2017 and meant that SLLDP2 required to be adopted by 2019. However, as the SDP2 was subject to a legal challenge that was not resolved until March this year, the SLLDP2 must now be adopted by March 2020 to meet the requirements of the 2006 Act.

- 3.4 As part of the preparation of Proposed SLLDP2, landowners, developers and other parties were invited to submit potential sites for development in 2016. These sites were subject to a detailed assessment against an extensive range of criteria including flood risk, traffic and transport and environmental factors. At the same time, consultation was carried out with Community Councils, other Council services, external partners such as SEPA, local schools, the Disability Partnership and Seniors Together. Extensive consultation also took place at a series of well attended public events in a variety of locations across the Council area.
- 3.5 A Main Issues Report (MIR), was then prepared and it was published in May 2017, following approval by the Planning Committee on 17 February 2017. The MIR considered potential changes to the current SLLDP and addressed issues raised during the earlier consultation process. Its main purpose was to provide a focus for consultation and engagement and it did not include draft policies.
- 3.6 The MIR was subject to public consultation and 1059 representations and comments were made on the MIR. These responses have been taken into account in preparing the proposed SLLDP2 and the representations and the Council's responses are summarised in a background paper to this committee report.
- 3.7 On its preparation and publication, the policies contained within the proposed SLLDP2 will be those used by the Council when assessing and determining future development proposals. The proposed SLLDP2 will represent the 'settled' position of the Council on these matters. The legislation does not allow for subsequent revisions or drafts to be published, without undertaking a further round of consultation. Should this occur, this may prevent the Council meeting its statutory requirement to have a new local development plan in place by March 2020.

#### **4. The South Lanarkshire Local Development Plan 2**

- 4.1 The Scottish Government, through Scottish Planning Policy and the National Planning Framework, views the planning system as playing an essential role in achieving its central purpose of supporting sustainable economic growth. The Scottish Government, therefore, expects the Development Plan to guide the future use of land and the appearance of cities, towns and rural areas, while being both aspirational and realistic in its aims.
- 4.2 Clydeplan sets out the long term vision for the Glasgow City Region and its eight local authority members, including South Lanarkshire. It deals with cross boundary issues such as housing, strategic infrastructure, including transport, water supply and waste water and strategic green networks, including green belts and sets clear parameters for each local authority's local development plan. The preparation of the proposed SLLDP2 has, therefore, taken cognisance of national guidance and advice and Clydeplan.
- 4.3 A further key document used in the preparation of the Proposed Plan is the Council Plan – Connect which sets out to improve the quality of life for everyone in South Lanarkshire and identifies a range of objectives aimed at working towards this vision. SLLDP2 has a key role in supporting a number of these objectives which include:-

- ◆ Supporting the local economy by providing the right conditions for inclusive growth
- ◆ Work with communities and partners to promote high quality, thriving and sustainable communities
- ◆ Improve the road network, influence improvements in public transport and encourage active travel
- ◆ Improve the availability, quality and access of housing

Other plans and strategies with a land use implication are also reflected in the Proposed Plan. These include the City Region Economic Strategy, the Local Outcomes Improvement Plan and Neighbourhood Plans, Local Housing Strategy, Local Transport Strategy, Economic Strategy and Sustainable Development and Climate Change Strategy and Home+.

4.4 Taking account of all of the above, the plan aims to see future development take place in a sustainable way, but at the same time recognise the need for economic growth and regeneration which creates well designed and located places, respects the distinct value of the area's natural and built environment and contributes towards creating a quality of place that our communities can recognise and respect. The Plan's overall vision therefore is: -

‘To promote the continued growth and regeneration of South Lanarkshire by seeking sustainable economic and social development within a low carbon economy whilst protecting and enhancing the environment.’

4.5 This vision has provided the basis for setting out specific land use related objectives, grouped under 4 themes:-

- ◆ Economy
- ◆ People and Places
- ◆ Environment
- ◆ Infrastructure

In turn, four broad objectives have been identified which are fundamental in achieving the Council's aims and objectives by seeking to:

- ◆ Encourage sustainable economic growth
- ◆ Meet the communities' needs
- ◆ Enhance and safeguard the environment
- ◆ Maximise the use of existing infrastructure

4.6 The plan then sets out and describes the policies that will be used to assess to ensure development proposals, the subject of planning applications, are working towards achieving its objectives. The policy approach described in the Proposed Plan acknowledges that the current SLLDP is indeed still valid and relevant in guiding development. It has been successful in creating the right conditions for investment in the Council area which has resulted in significant numbers of new houses being constructed in appropriate locations, progress being made in bringing forward land and development earmarked for employment, the completion of the schools modernisation programme while ensuring the built and natural environment is protected from inappropriate development.

4.7 Turning to some the key details within the Proposed Plan, firstly new housing development is a key part of the economy and providing appropriate numbers of

houses in the right location to a high quality design is an important element of the planning system. As part of the preparation of the proposed SLLDP2, a Housing Technical Report has been produced which analyses the supply and demand of all tenure housing across South Lanarkshire. The report concluded that based on agreed 2017 housing land audit figures, there is no requirement for additional sites to be promoted through the proposed SLLDP2. However, it is recognised within the report that, whilst no shortfall in housing land supply has been identified over the next 5 years based on current output, there may be scope to provide further flexibility and generosity through the release of a limited number of sites in areas with high pressure for housing development. As a result, 5 sites have been identified for potential release. These include:-

- ◆ Redwood Drive, East Kilbride
- ◆ Duchess Place, Rutherglen
- ◆ The UWS site at Almada Street, Hamilton
- ◆ Peel Road, Thorntonhall
- ◆ Glassford Road, Strathaven

4.8 In addition, although progress on some of the sites allocated for development in the current SLLDP is still to be made, it is considered that these legacy sites remain suitable for achieving the Plan's vision and they have been retained in the proposed SLLDP2. This includes policies and proposals which promote:-

- ◆ Community Growth Areas in East Kilbride, Hamilton, Newton, Larkhall, Ferniegair and Carluke
- ◆ Development Frameworks sites
- ◆ Residential Masterplan Sites
- ◆ Support for town centres

4.9 The proposed SLLDP2 also recognises the changing economic climate within which the Council will operate over the next 5 years. This includes reference to the City Deal Project that will bring over £1 billion in investment to the Glasgow Region of which four infrastructure projects worth £168 million of investment are located within South Lanarkshire. These projects are now identified in the Proposed Plan while important economic development opportunities within designated Strategic Economic Investment Locations (including at extension to the area designated at Poniel) and in Clyde Gateway are maintained. The relocation of the UWS campus to the Hamilton International Technology Park is also recognised.

4.10 A review of the way in which current SLLDP policies have operated has been carried out to take account of changed and changing circumstances including new policy strands introduced by the Scottish Government. This includes amending the Renewable Energy policy to include the spatial framework and amalgamation of retail policies for Town and Local Centres. Furthermore, with the current decline of the coal industry in South Lanarkshire, it has been decided that instead of producing a separate Minerals Local Development Plan, appropriate policies will be included within the proposed SLLDP2. Members will recall that Non-Statutory Planning Guidance on Minerals was approved at Planning Committee on 29 November 2016 in order to provide up to date policy guidance until SLLDP2 could be brought forward to fulfil this role.

4.11 In addition to these changes, it was recognised within the Main Issues Report that there was the opportunity to identify some areas where the pattern of housing and other uses would make it appropriate to designate it as a settlement. As a result, 4

areas have been identified within the proposed SLLDP2 namely Blaircross, Devonburn, Kaimend and Limekilnburn.

- 4.12 It was also recognised within the MIR that the Council wished to promote sites that may have the potential to be Local Nature Reserves (LNRs). This was well received by communities across South Lanarkshire during consultation on the MIR and SLLDP2 proposes to designate 14 new LNRs throughout the Council area and an extension to the existing Langlands Moss at East Kilbride.
- 4.13 Drawing all the above together, the proposed Plan can be seen as an evolution of the current adopted version with comparatively little change in its overall approach. The following are the key changes that are proposed in SLLDP2:-
- A revised spatial strategy to take account of Minerals, New Development Framework Sites, Residential Masterplan Sites and City Deal
  - The release of a limited number of sites for housing to add flexibility to the land supply. This includes sites at Redwood Drive, East Kilbride, Duchess Place, Rutherglen, Almada Street, Hamilton, Peel Road, Thorntonhall and Glassford Road, Strathaven
  - Blaircross, Devonburn, Kaimend and Limekilnburn identified as settlements
  - Limited additions or amendments to housing land, industrial land, green network and town and local centre boundaries
  - The identification of land that could be required in the event new railway stations at Law and Symington come forward
  - The identification of potential Local Nature Reserves across the Council area
  - Revision to the spatial framework for windfarms which is currently within Supplementary Guidance but requires to be within the Local Development Plan
  - The provision of policy advice on minerals to replace the existing non-statutory planning guidance on this matter
- 4.14 The current SLLDP has 10 associated Supplementary Guidance documents that were prepared on a range of separate topics and they currently sit alongside SLLDP when assessing planning proposals. However, the Planning (Scotland) Bill was introduced to Parliament on 4 December 2017 and will introduce a package of measures intended to strengthen the planning system's contribution to inclusive growth and empowering communities. The Bill sets out the proposed high level changes to the overall framework under which planning operates and this includes the removal of Supplementary Guidance (SG). In light of this, a second volume of policies has been prepared to capture the policy guidance that is currently provided within the ten existing SG. Volume 1 and 2 of the proposed SLLDP2 will, therefore, cross refer the relevant policies to be considered in either volume with primary policies in Volume 1 or the secondary policies in Volume 2.
- 4.15 However, it is recognised that further additional supporting advice will remain necessary on some of the current SG topics and, therefore, supporting planning guidance will be produced on topics such as Affordable Housing, Design and Renewable Energy. Once approved, this supporting planning guidance will be a material planning consideration in the assessment of applications for new development.
- 4.16 The first of these documents is the Renewable Energy Supporting Planning Guidance (RESPG) for which approval is sought in this report. If members agree to approve the draft version, it will be published for consultation purposes alongside the proposed SLLDP2. As described above, policy on this topic will now be incorporated

in the Proposed Plan and it sets out the overall approach to assessing proposals for renewable energy developments. It includes the Spatial Framework for Wind Energy Development which continues to identify those areas that are most appropriate for onshore wind farms. This is supplemented by a checklist that will form part of the Proposed Plan which identifies criteria which will be used to assess proposals. The RESPG will provide more detailed guidance on these criteria.

- 4.17 SLLDP2 will also be accompanied by a series of associated documents as follows:-
- Housing Technical Report
  - Transport Appraisal
  - Strategic Environmental Assessment Environmental Report.
  - Habitats Regulations Appraisal
  - Renewable Energy Supporting Planning Guidance
- 4.18 The Proposed Plan, Renewable Energy Supporting Planning Guidance and Strategic Environmental Assessment Environmental Report have been available for viewing in Members' areas prior to Committee.

## **5. The Next Steps**

- 5.1 Following Committee approval, it is intended that the proposed SLLDP2 will be published and made available for public comment from July to September 2018. Any comments or representations received in respect of the Plan will be reported to the Planning Committee and authorisation will be sought for them to be considered at Examination. This would be conducted by independent Reporters, appointed by the Directorate for Planning and Environmental Appeals. The Examination is likely to take place in spring 2019. The outcome of the Examination would be reported to the Planning Committee and, thereafter, it is anticipated that the Plan could be adopted by 2020.
- 5.2 Subject to the Planning Committee's approval, the proposed SLLDP2 will become a material consideration in the determination of planning applications alongside the adopted South Lanarkshire Local Development Plan.

## **6. Employee Implications**

- 6.1 The timescales for the delivery of the local development plan outlined are based upon continuity of existing staff resources within Planning Services. Changes in this resource may impact on the programmes presented.

## **7. Financial Implications**

- 7.1 The financial resources required to the deliver the local development plan are based upon current budget levels available to Planning Services. Changes in these resources may impact on the programmes presented

## **8. Other Implications**

- 8.1 The Scottish Government requires the Council to have adopted a Local Development Plan by 2020. There would be a reputational risk if this was not undertaken. In addition, the failure to have an adopted LDP in place within this timeframe could affect the confidence of the development industry to invest in the area. The policies contained in the proposed SLLDP2 are aimed at promoting sustainable economic growth in South Lanarkshire.

## **9. Equality Impact Assessment and Consultation Arrangements**

- 9.1 Local development plans are subject to the requirements of the Environmental Assessment (Scotland) Act 2005. The plan has, therefore, been subject to Strategic

Environmental Assessment (SEA) and an Environmental Report will be issued for public consultation alongside the proposed plan. The Plan has also been subject to other forms of assessment to meet other legislative requirement and/or Council/Community Planning policy, namely Habitats Regulation Appraisal, Equalities Impact Assessment and Transport Appraisal. The findings of these assessments have been taken into account in the preparation of the Plan.

- 9.2 During the consultation period, the proposed SLLDP2, SEA and other associated documents will be made available on the Council's web site, at Montrose House Hamilton and at the libraries. Comments can be made online or by logging onto the Councils online LDP Consultation portal. The consultation period will last for a minimum of 8 weeks.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

17 May 2018

#### **Link(s) to Council Values/Objectives/Ambitions**

- ◆ Supporting the local economy by providing the right conditions for inclusive growth.
- ◆ Work with communities and partners to promote high quality, thriving and sustainable communities.
- ◆ Improve the road network, influence improvements in public transport and encourage active travel.
- ◆ Improve the availability, quality and access of housing.

#### **List of Background Papers**

- National Planning Framework 3
- Scottish Planning Policy
- Glasgow and the Clyde Valley Strategic Development Plan 2017 (Clydeplan)
- Main Issues Report 2016 – South Lanarkshire Local Development Plan 2
- Technical Report 1 – Proposed Changes to Designations and Settlement Boundaries
- Technical Report 2 – Site Assessments plus Supplementary Site Assessments
- Committee Report 8 March 2016 – South Lanarkshire Local Development Plan 2
- Committee Report 21 February 2017 - South Lanarkshire Local Development Plan 2 Main Issues Report
- Summary of Representations to MIR and Council's response

#### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact: -

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