

South Lanarkshire Development Plan Scheme 2021



**Community and
Enterprise Resources**

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1 Introduction

1.1 This is the development plan scheme for South Lanarkshire Council. It is prepared in accordance with section 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 the next South Lanarkshire local development plan (which will be referred to as SLLDP3) for the area.
- 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 the preparation 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 must 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.

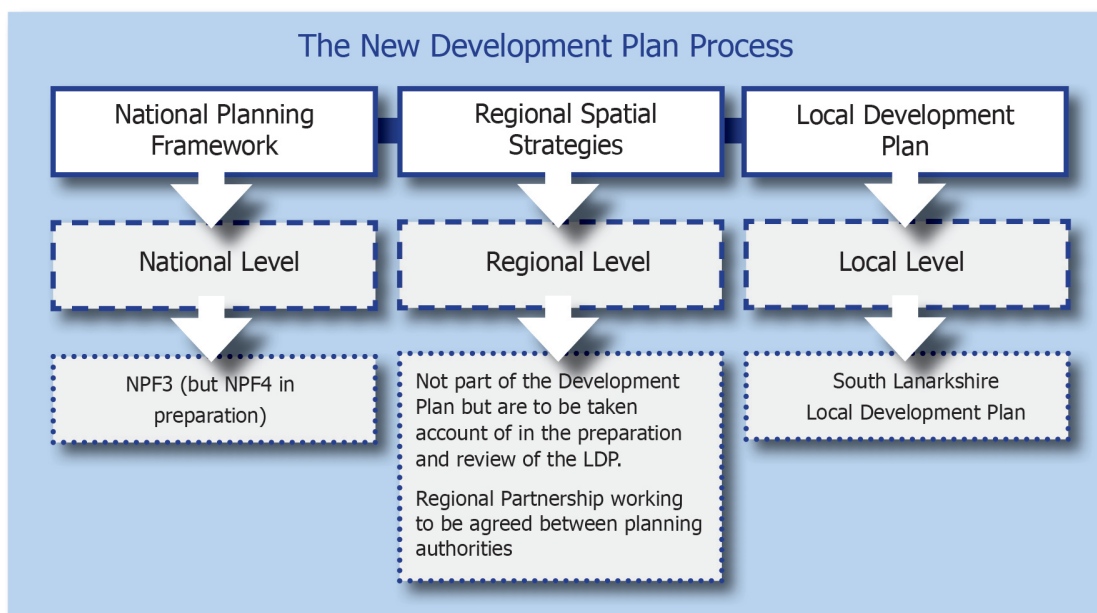
1.5 Further information on the planning system is available from the Scottish Government's website www.scotland.gov.uk/Topics/Built-Environment.

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 (SG).
- 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.

1.7 There are to be two levels of development planning in Scotland – the National Planning Framework (informed by Regional Spatial Strategies) and Local Development Plans.

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The National Planning Framework for Scotland (NPF)

1.8 The NPF is produced by the Scottish Government and sets out a long-term spatial strategy for the development of Scotland as a whole and what Scottish Ministers consider to be development priorities. The Third National Planning Framework for Scotland (NPF 3) was published in June 2014 but it is scheduled to be replaced.

1.9 The Scottish Government has indicated the publication of a draft NPF 4 in autumn 2021 when it will be laid before Scottish Parliament and be subject to consultation. It is then intended that a finalised version will be published in spring/summer 2022. NPF 4 will incorporate Scottish Planning Policy (SPP) which contains detailed national policy on a number of planning topics and for the first time spatial and thematic planning policies will be addressed in one place. NPF 4 has also been made the vehicle for identifying the housing land requirements for LDPs, taking over this role from the soon to be abolished SDPs, and its enhanced status as an integral part of the development plan will give it a much stronger role in informing day to day decision-making. It will have a longer time horizon to 2050, fuller regional coverage and improved alignment with wider programmes and strategies, including on infrastructure and economic investment.

Regional Spatial Strategies

1.10 The Planning (Scotland) Act 2019 removed the requirement to prepare SDPs and instead requires the preparation and adoption of Regional Spatial Strategies (RSS). Although not part of the Development Plan, these documents will provide a framework for both the preparation of the NPF and Local Development Plans. They are long-term spatial strategies which identify the need for strategic development, the outcomes to which strategic development will contribute, the priorities for the delivery of strategic development and proposed locations, all shown in the form of a map or diagram.

1.11 The legislation encourages planning authorities to work together to produce RSS. South Lanarkshire Council is one of the 8 members of Clydeplan and this established arrangement will continue. An 'interim' RSS was submitted to Scottish Government in June 2020. It can be viewed [here](#).

1 Introduction

Local Development Plans (LDP)

1.12 As before, LDPs are prepared by local planning authorities and set out detailed policies and proposals for their particular area to guide the use of land and buildings over a 10-year period. The new Local Development Plan preparation however to firstly comprise of an Evidence Report setting out the council's position on a range of social, economic and environmental planning matters. This is then submitted to Scottish Ministers for review (referred to as a 'gatecheck'). Following confirmation that the Scottish Ministers are content with the Evidence Report, Local Planning Authorities are then enabled to progress with the Proposed Plan. This requires to be submitted to Scottish Ministers and is subject to Examination. Following this, Planning Authorities can then adopt their Local Development Plan, taking account of the findings and recommended modifications from the Examination.

1.13 Legislation and guidance is now emerging from the Scottish Government although the timetable has been extended as a result of the global pandemic. It is anticipated that consultation on draft Regulations and guidance will take place in mid 2021 with the relevant parts of the Act and approved secondary legislation coming into effect in early 2022.

1.14 Under the new Planning (Scotland) Act 2019 provisions relating to supplementary guidance are repealed, so that it will no longer be possible for local planning authorities to prepare supplementary guidance that forms part of the development plan. However, the ability to continue to prepare non-statutory guidance in order to support the delivery of the plan strategy and policies is retained. #

1.15 The South Lanarkshire Local Development Plan 2 was adopted by the Council on 9 April 2021. It was produced under the existing system but has taken account of some changes that have been introduced under the new legislation. In particular the LDP2 includes a Volume 2 of additional policies that replaces the SG's. The Council will produce non-statutory Supporting Planning Guidance on a number of topics but these will not have the same standing as the statutory Supplementary Guidance. Preparation of the next SLLDP3 will not commence until NPF4 and appropriate Development Plan Guidance is approved by the Scottish Government. This should outline the new process and what is expected of Local Authorities.

Local Place Plans (LPPs)

1.16 The Planning (Scotland) Act 2019 introduces the concept of Local Place Plans which are intended to stimulate and encourage debate in local communities about the future of a place and are to be taken account of by the planning authority in the preparation of an LDP. Consultation on related Regulations was published in March 2021 and it is expected the related legislation will come into effect in late 2021.

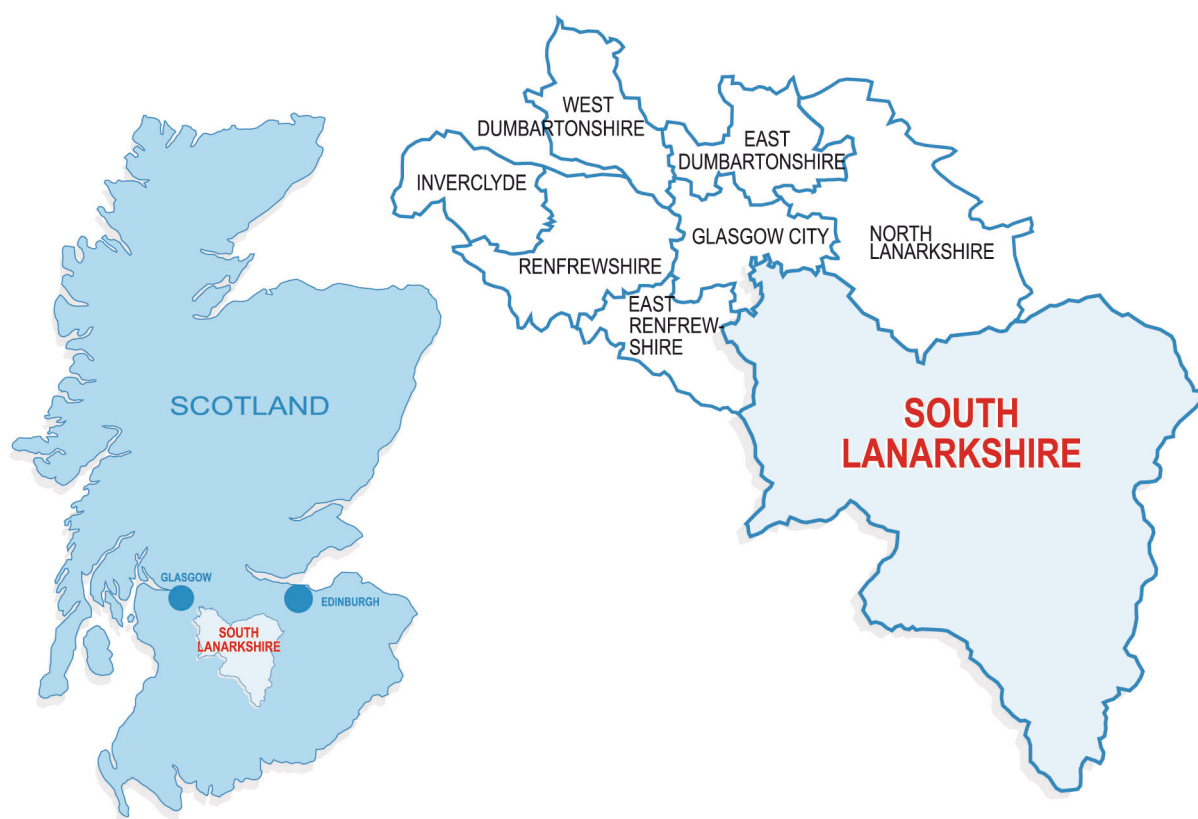
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Strategic Development Plan (SDP)

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

2.2 The second SDP (Clydeplan) was approved in July 2017. This plan will fall in 2022 and will not be replaced by another Strategic Development Plan. A Regional Spatial Strategy will be developed which will continue to address cross boundary or region wide issues as the Housing Needs and Demand Assessment and LDP's will have to take account of the Regional Spatial Strategy however they do not form part of the statutory Development Plan.

Figure 2.1 South Lanarkshire and the Clydeplan Strategic Development Planning Authority



Local Development Plan (LDP)

2.3 The South Lanarkshire Local Development Plan 2 was adopted by the Council on 9 April 2021. It replaces the South Lanarkshire Local Development Plan (2015) and Minerals Local Development Plan. In addition Supplementary Guidance produced as part of LDP1 is no longer part of the development plan however it will continue to be used in decision making where relevant until associated Supporting Planning Guidance is produced. 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 South Lanarkshire Local Development Plan 2. The Council will not produce any further Statutory Supplementary Guidance.

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Supporting Planning Guidance

2.4 The Council will produce non-statutory supporting planning guidance on specific topics. Alongside the LDP2 and SPG has been prepared relating to Renewable Energy and this has been approved by South Lanarkshire Council. Supporting planning guidance does not need approval of the Scottish Government and can be approved by Councils. It can be prepared at any time during the lifecycle of the plan.

Strategic Environmental Assessment

2.5 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).

2.6 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 NatureScot, Scottish Environment Protection Agency and Historic Environment Scotland (the 'consultation authorities') and its own public consultation process.

2.7 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. It is not clear whether these stages will be amended under the new system since there will no longer be a Main Issues Report produced.

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.

Habitats Regulations Appraisal

2.8 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

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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 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. At the moment an HRA is required for all proposed LDPs including 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. The requirement for HRA for the new style LDP will remain however the timing of the various stages is unknown until Regulations are approved. In addition HRA will be required to be undertaken for any Supporting Planning Guidance produced.

Equality Impact Assessment/Health Impact Assessment

2.9 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 was undertaken in the preparation of the SLLDP2.

2.10 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

2.11 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 PAN81 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.

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8. Improvement: Develop the skills, knowledge and confidence of the participants.
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.

2.12 The 2019 Act goes further in setting out a range of groups that will be required to be consulted during the preparation of LDP3. This includes specific reference to disabled persons, gypsies and travellers, and children and young people.

2.13 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 2 was adopted in April 2021. Under the old system local development plans required to be kept under review and the adopted plan replaced at least every 5 years from the date of adoption. Under the emerging system this has been extended to 10 years. Transitional arrangements published by the Scottish Government indicate that they expect the new style LDPs to be adopted by every planning authority by mid 2027.

3.2 Table 3.1 indicates the main stages of activity for preparation of LDP3 - however this is based on a number of unknown factors.

Participation Statement

3.3 It has not been possible to produce a detailed Participation Statement at this point due to the uncertainty about the associated Regulations and timescales for the preparation of the new style LDPs. However it is expected this will be made clearer through 2021 and that the 2022 Development Plan Scheme will provide more detailed proposals of the consultation the Council intends to carry out.

3.4 Early and effective consultation is the basis for the preparation of local development plans. The Council carries out significant consultation to allow communities and individuals to participate. Different types of events are held across South Lanarkshire, supplemented through a Council wide survey using the objective keystone online consultation forums and other online surveys.

3.5 Engagement also takes place with secondary school pupils, the Disability Partnership and Seniors Together. In addition a variety of social media options are 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 newpages. Following this a Consultation and Engagement Report is prepared that will be used as part of the evidence base for preparation of the new plan. Dialogue with the key statutory consultees in the LDP and SEA process continues as the LDP progresses.

Supporting Planning Guidance

3.6 A series of supporting planning guidance documents are currently under preparation or programmed to be started in the next 12 months. This includes guidance on house extensions and a rural design guide. More significant work will state on a Design and Place guidance document. Draft versions of these documents will be presented to committee for approval and thereafter consultation carried out.

Programme

3.7 Table 3.1 on the next page identifies an outline of likely tasks, progress and timescales for preparing the next LDP. However this will be updated once details of the new system emerge. The timescales are based on what is expected to emerge from the Scottish Government during 2021.

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Table 3.1 Preparing the South Lanarkshire LDP 2

Stage	Key components	Complete/Timescale
Adoption Procedures for LDP2	Awaiting Direction from Scottish Government	February/June 2021
	Possible Legal Challenge	
Preparation of Supporting Planning Guidance	Prepare Guidance on a number of topics to replace existing Supplementary Guidance	March - December 2021
	Consultation	May - September 2021
	Committee Approval	August 2021 - March 2022
Preparing Timetable and Work Programme for LDP3	Guidance required from Scottish Government including publication of NPF4 and Development Plan Guidance	Late 2021
Monitoring Report for LDP2	Prepare Monitoring Report to assess performance of policies in LDP2	March 2022
Revised Timetable and outline Consultation and Engagement to be undertaken for LDP3 including a Call for Sites	Consultation with an array of stakeholders and relevant parties	Early 2022

3.8 A summary time-line is provided below.

South Lanarkshire LDP 3 programme

Table 3.2

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Accessing information and contacts 4

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

<https://southlanarkshire.objective.co.uk/portal/>

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-sdpa.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

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