

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>21 June 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Subject:	<b>The South Lanarkshire Development Plan Scheme 2022</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ Seek Committee approval for the South Lanarkshire Development Plan Scheme (appended to report) which will then be submitted to the Scottish Government for information

## 2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the South Lanarkshire Development Plan Scheme 2022 be approved and published as set out in the appendix; and
- (2) that the South Lanarkshire Development Plan Scheme 2022 be submitted to the Scottish Government.

## 3. Background

3.1. The Town and Country Planning (Scotland) Act 1997 requires Planning Authorities in Scotland to prepare a Development Plan Scheme (DPS). The Scheme has to set out the authority's programme for preparing and reviewing their Local Development Plan and what is likely to be involved at each stage. The Scheme is to be updated annually.

3.2. Until recently the Development Plan comprised the Strategic Development Plan (SDP) and Local Development Plan (LDP). The SDP for Glasgow and the Clyde Valley is known as Clydeplan and is progressed by a Joint Committee that includes South Lanarkshire Council. The current SDP2 was approved in March 2017. The LDP is prepared by individual planning authorities and sets out detailed policies and proposals for their particular area to guide the use of land and buildings. The second South Lanarkshire Local Development Plan (LDP2) was adopted on 9 April 2021.

3.3. The Planning (Scotland) Act 2019 received Royal Assent in July 2019 and its provisions have been incorporated into the 1997 Act. 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;
- ◆ 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.

#### **4. The South Lanarkshire Development Plan Scheme 2022**

4.1. A Development Plan Scheme for South Lanarkshire for 2022 has been prepared and is attached as an appendix to this report. The 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 anticipated timescale for preparation of this LDP.
- ◆ Details, as appropriate and where known, 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.

4.2. The Scheme highlights that the development plan process is in a period of transition as the detailed requirements of the 2019 Act are brought forward. In terms of NPF4 the Scottish Government published a consultation document in November 2021. In addition, consultation on draft secondary legislation and guidance on the preparation of the new style Local Development Plans was published earlier this year. The Planning Committee agreed the Council's responses at its meeting on 29 March 2022 and they were subsequently submitted.

4.3. It is currently anticipated that the approved NPF4 will be published after summer 2022 and the finalised regulations and guidance for LDP preparation later in 2022. Thereafter, the relevant parts of the Act and the approved secondary legislation will take effect. At this point the Council can formally begin preparation of LDP3. The DPS includes an initial programme for each stage of the process, however, this cannot be prepared in any great detail at the moment until NPF4 and the secondary legislation for LDPs is approved. An updated programme will be included in the DPS for 2023. The participation statement will also be developed in next year's version; it should be highlighted that engagement and consultation with local communities and stakeholders will be wider and more intensive than previously. It should be noted that transitional arrangements published by the Government last year highlights the expectation that the new form of LDP will be adopted by all Councils by 2027.

4.4. Finally, the repeal of the ability to prepare Supplementary Guidance (SG) means that the existing SG that sat alongside LDP1 is no longer part of the development plan. To address this policy in the SGs was incorporated into LDP2. Nevertheless, it is intended

to prepare non-statutory Supporting Planning Guidance on a range of topics. To date draft documents on the following topics have been approved by the Planning Committee and have been the subject of public consultation. It is expected the outcome of this will be reported to committee later this year.

- ◆ Development at a Dwellinghouse
- ◆ Electric Vehicle Charge Points
- ◆ Community Infrastructure Assessment (used in relation to determining the need and amount of developer contributions)

In addition, work has started on other SPG on the following topics:-

- ◆ Local Nature Reserves (subject of a separate report on this committee agenda)
- ◆ Town Centres
- ◆ Climate Change
- ◆ Biodiversity

Each of these will be reported to committee for approval and consultation carried out.

- 4.5. Once approved by Committee the Development Plan Scheme will be sent to the Scottish Ministers and made available on the Council's web site and in every Council library when they are re-opened.

## **5. Employee Implications**

- 5.1. The delivery of the next Local Development Plan and associated Supporting Planning Guidance outlined within the Development Plan Scheme is based upon appropriate staff resources within Planning and Economic Development Services being available. It is noted that the primary legislation for the new style LDP imposes additional duties and new procedures on planning authorities. The ability to deliver the new LDP within the timescale envisaged by the Government will be impacted if appropriate resources are not available.

## **6. Financial Implications**

- 6.1. The resources required to deliver the Local Development Plan and guidance described in the Development Plan Scheme are dependent upon the appropriate budget levels being available to Planning and Economic Development Services. Changes in financial resources may impact on the programmes presented.

## **7. Other Implications**

- 7.1. Local development plans are subject to the requirements of the Environmental Assessment (Scotland) Act 2005. Each plan requires to be subject to Strategic Environmental Assessment as is detailed within the Development Plan Scheme. Plans will also be subject to other forms of assessment to address sustainability issues, meet other legislative requirement and/or Council/Community Planning policy, namely; Habitats Regulation Appraisal, Equality Impact Assessment and Health Impact Assessment. The Development Plan Scheme itself, however, does not raise any sustainability issues.

- 7.2. The production of the Development Plan Scheme is a statutory requirement and there would be a reputational risk to the Council if it failed to do so.

## **8. Climate Change, Sustainability and Environmental Implications**

- 8.1. There are no direct implications for these issues arising from the preparation of the Development Plan Scheme. Nevertheless, climate change and sustainability will be significant issues when preparing LDP3.

## **9. Equality impact assessment and consultation arrangements**

- 9.1. As indicated in the above paragraph Equality Impact Assessment will be undertaken on local development plans.
- 9.2. There are no consultation requirements for the Development Plan Scheme. The Scheme however details the stages, form and timing of the required participation and consultation associated with the preparation of the LDP and its associated guidance as far as it is known at the moment.

**David Booth**

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

**30 May 2022**

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

- ◆ Make communities safer, stronger and sustainable
- ◆ Improve the quality of life of everyone in South Lanarkshire
- ◆ Work with communities and partners to promote high quality, thriving and sustainable communities

### **Previous References**

- ◆ Report on Development Plan Scheme 2021 – Planning Committee 11 May 2021
- ◆ Report on Consultation on NPF4– Planning Committee 29 March 2022

### **List of Background Papers**

- ◆ None

### **Contact for Further Information**

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

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