
Report To:	Environment & Regeneration Committee	Date:	2 November 2023
Report By:	Director, Environment & Regeneration	Report No:	E+R/23/11/01/DH
Contact Officer:	Daniel Henderson Planning and Building Standards Service Manager	Contact No:	
Subject:	Local Development Plan		

1.0 PURPOSE AND SUMMARY

- 1.1 For Decision For Information/Noting
- 1.2 The purpose of the report is to provide members an update on the progress of the Local Development Plan, forming part of the Council's Development Plan to guide future land use and decisions on planning applications.
- 1.3 Due to structural changes, a significant part of the preparation of our Local Development Plan will involve the appointment of third-party consultants to aid the delivery of the Local Development Plan.
- 1.4 The new Local Development Plan must be adopted by March 2026.

2.0 RECOMMENDATIONS

- 2.1 The Committee are asked to note the contents of this report and support the intended approach to the Local Development Plan delivery.

Stuart Jamieson
Director, Environment & Regeneration

3.0 BACKGROUND AND CONTEXT

- 3.1 The Local Development Plan sets out the strategy, policies and proposals for the use of land and buildings within Inverclyde. It is used to determine planning applications and provide advice on development proposals.
- 3.2 The current Local Development Plan, which was adopted by Inverclyde Council on the 26 August 2019, includes a range of policies and development sites, which together provide the context for determining planning permission in Inverclyde.
- 3.3 The adopted Local Development Plan is valid for five years until August 2024, however the new Local Development Plan, forming part of the Council's Development Plan, will be valid for 10 years.
- 3.4 A decision by the Court of Session in July 2020 quashed Chapter 7 of the Plan (Our Homes and Communities), meaning that the adopted Plan did not provide a development plan policy context for housing and community facility development. Work was, therefore, started on a new Plan.
- 3.5 On 17 May 2021, Inverclyde Council published its Proposed Local Development Plan for consultation. Draft Supplementary Guidance was also prepared covering:
 - o Affordable Housing in Inverclyde villages
 - o Enabling Development
 - o Energy
 - o Planning Application Advice Notes
 - o Priority Places
- 3.6 It was intended to take the Proposed Plan through to adoption prior to the Planning (Scotland) Act 2019 coming into effect but this was not possible due to delays in appeal decisions.
- 3.7 The preparation of the new Inverclyde LDP commenced in September 2023 under the Planning (Scotland) Act 2019. This legislation adjusts the form and content, and the processes for preparing the Local Development Plan, from early engagement through to the examination and adoption.
- 3.8 In preparing the new LDP, the Council is required to take into account National Planning Framework 4 (NPF4), the Scottish Government's strategy for Scotland's long term spatial development. As well as the national planning policies, the Plan incorporates the Regional Spatial Strategy (RSS) for the area and any Local Place Plans (LPP) which may have been prepared, although the RSS and LPPs do not form part of the statutory development plan.

4.0 PROPOSALS

- 4.1 A market research questionnaire was issued in October 2023 to over 30 Planning consultancies, with participants asked to answer relevant questions on the Local Development Plan key stages (i.e. Evidence gathering, plan preparation, consultation) to determine their suitability for appointment.
- 4.2 Responses to the market research questionnaire will be evaluated and then followed with an open tender process to achieve best value. It is the intention to complete this process by Q4 2023/24.

4.3 Further to a review of the responses received from the market research questionnaire, the first stage of the Local Development Plan (i.e. Development Plan Scheme) setting out the full approach and timescales will be presented to the Environment and Regeneration Committee for approval on 18 January 2024.

5.0 IMPLICATIONS

5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO
Financial	X	
Legal/Risk	X	
Human Resources		X
Strategic (Partnership Plan/Council Plan)	X	
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing		X
Environmental & Sustainability	X	
Data Protection		X

5.2 Finance

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

5.3 Legal/Risk

It is acknowledged that the appointment of external consultants will present a possible risk in relation to a conflict of interest. This conflict may exist where a consultant will represent a future applicant for planning permission having assisted in the preparation of planning policy.

5.4 Human Resources

N/A

5.5 Strategic

The Local Development Plan will form part of the Council's Development Plan to determine planning applications and provide advice on development proposals. The document is of critical importance to the Council.

5.6 Equalities, Fairer Scotland Duty & Children/Young People

(a) Equalities

This report has been considered under the Corporate Equalities Impact Assessment (EqIA) process with the following outcome:

	YES – Assessed as relevant and an EqIA is required.
X	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, assessed as not relevant and no EqIA is required. Provide any other relevant reasons why an EqIA is not necessary/screening statement.

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO – Assessed as not relevant under the Fairer Scotland Duty for the following reasons: Provide reasons why the report has been assessed as not relevant.

(c) Children and Young People

Has a Children's Rights and Wellbeing Impact Assessment been carried out?

	YES – Assessed as relevant and a CRWIA is required.
X	NO – Assessed as not relevant as this report does not involve a new policy, function or strategy or recommends a substantive change to an existing policy, function or strategy which will have an impact on children's rights.

5.7 Environmental/Sustainability

Once the new Local Development Plan has been adopted by the Council, this will set policy in relation to energy performance and sustainability factors for any development as part of the planning process. This will coincide with national planning policy as stipulated with National Planning Framework 4 (NPF4). The plan will therefore be of major significance to environmental and sustainability objectives locally and nationally for the built environment.

Has a Strategic Environmental Assessment been carried out?

	YES – assessed as relevant and a Strategic Environmental Assessment is required.
X	NO – This report does not propose or seek approval for a plan, policy, programme, strategy or document which is like to have significant environmental effects, if implemented.

5.8 Data Protection

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
X	NO – Assessed as not relevant as this report does not involve data processing which may result in a high risk to the rights and freedoms of individuals.

6.0 CONSULTATION

6.1 None

7.0 BACKGROUND PAPERS

7.1 None