

AGENDA ITEM NO. 6

Report To: Environment and Date: 3 March 2016

Regeneration Committee

Report By: Corporate Director, Report No: E&R/16/03/01/SJ

Environment, Regeneration /RG

and Resources

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Subject: Inverclyde Local Development Plan: Development Plan Scheme

and Participation Statement 2016

1.0 PURPOSE

1.1 To seek the endorsement of the Committee to the annual update of the Inverclyde Local Development Plan: Development Plan Scheme and Participation Statement for submission to The Scottish Government, and the setting up of a Members Officers Group for the review of the Local Development Plan.

2.0 SUMMARY

- 2.1 The Planning, etc. (Scotland) Act 2006 requires each planning authority to prepare a Development Plan Scheme (DPS) which will set out the authority's programme for preparing and reviewing their Local Development Plan (LDP) and what is likely to be involved at each stage. A Participation Statement (PS) must also be prepared which will state when, how and with whom consultation on the Plan will take place, and the authority's proposals for public involvement in the plan preparation process.
- 2.2 The first Inverclyde DPS and PS were prepared, approved by Committee and submitted to The Scottish Government in March 2009. Legislation requires the DPS and PS to be updated at least annually, and approval has been given by Committee in each year since 2009 to the updated DPS and PS. The eighth annual update is now the subject of this Committee report.
- 2.3 This DPS sets out the timetable for the preparation of Inverclyde's second LDP. The process begins with early engagement with the public and other stakeholders during March 2016 in order to identify issues that the new LDP should address. This includes a 'call for sites' from house builders, developers and landowners prior to the publication of a Main Issues Report and Monitoring Statement in March 2017. Thereafter a Proposed Plan will be published for consultation in March 2018, with any potential Examination starting in July 2018. Adoption of Inverclyde's second LDP is anticipated to be in spring 2019.

3.0 RECOMMENDATIONS

- 3.1 It is recommended that Committee:
 - a. Approves the publication of the updated 2016 Development Plan Scheme and Participation Statement and its submission to The Scottish Government, noting that the review of the LDP will formally start in March 2016.
 - b. Agree to the setting up of a new cross-party Members Officers Group to meet on a regular basis to consider the review of the LDP.

4.0 BACKGROUND

- 4.1 Section 16 of the Planning, etc. (Scotland) Act 2006 requires Local Development Plans (LDP) to be replaced at least every 5 years. In areas covered by a Strategic Development Plan (SDP), LDPs must be consistent with the relevant SDP and are expected by Scottish Ministers to be adopted within two years of their approval.
- 4.2 The Planning Act also requires each planning authority to prepare an annual Development Plan Scheme (DPS) and Participation Statement (PS). A DPS sets out the Council's intended programme for preparing and reviewing the LDP and what is to be involved at each stage. The DPS requires a timetable, specifying when the Council proposes to publish the various stages of the LDP and its expectations for finalising the process before adopting the Plan. The purpose of the PS is to state when, how and with whom consultation on the LDP will take place and outline the Council's proposals for public involvement in the plan preparation process. These documents require to be reviewed and submitted to the Scottish Government at least annually.
- 4.3 Inverclyde Council is one of eight planning authorities that comprise the Glasgow and the Clyde Valley Strategic Development Planning Authority (Clydeplan). As Committee are aware, Clydeplan has now embarked upon a review of the approved SDP, the most recent stage of which was the publication of the SDP Proposed Plan for public consultation in January this year. The Regeneration and Planning Service will start the preparation of the second Inverclyde Local Development Plan in March 2016, and this Plan will, when adopted, supersede the current LDP (2014).

5.0 PROPOSALS

- 5.1 The DPS states that the preparation of Inverclyde's second LDP will begin in March 2016 with early engagement with the public, community groups and other stakeholders in order to identify issues that the new LDP should address. This includes a 'call for sites' from house builders, developers and landowners, followed by the preparation and publication of a Main Issues Report (MIR) and Monitoring Statement in March 2017. As Members are aware, a cross-party Members Officers Group was convened during the early period in the preparation of the current LDP to consider and debate all aspects of it, and it is proposed to replicate this approach for LDP 2. It is recommended that Members agree to the setting up of a new cross-party LDP Members Officers Group to meet on a regular basis to consider the review of the plan, the first meeting of which will be in summer 2016. The Members Officers Group received cross party support. The Members who participated in the group were Councillors Wilson, McCormick, Clocherty, Shepherd, Dorrian and Nelson, and it is proposed, subject to their agreement to participate in the group, that this membership forms the basis of the new group.
- 5.2 Following the publication of the MIR and Monitoring Statement, it is anticipated that a Proposed Plan will be published for consultation in March 2018, with any potential Examination starting in July 2018, dependent upon the Scottish Government's Directorate for Planning and Environmental Appeals (DPEA) timetable for holding an Examination. Adoption of Inverclyde's second LDP is anticipated to be in spring 2019.
 - 5.3 It is recommended that Committee approves the publication of the updated 2016 Development Plan Scheme and Participation Statement and its submission to The Scottish Government before 31 March 2016, noting that the review of the LDP will formally start in March 2016.

6.0 IMPLICATIONS

Finance

6.1 There are no direct financial implications arising from this report.

Financial Implications

One-off Costs

Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments
n/a	n/a	n/a	n/a	n/a	n/a

Annually Recurring Costs/Savings

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From	Other Comments
n/a	n/a	n/a	n/a	n/a	n/a

Legal

6.2 There are no direct legal implications arising from this report.

Human Resources

6.3 There are no direct human resource implications arising from this report.

Equalities

6.4 There are no direct equalities implications arising from this report.

Repopulation

6.5 There are no direct repopulation implications arising from this report.

7.0 CONSULTATION

- 7.1 **Chief Financial Officer:** no requirement to comment.
- 7.2 **Head of Legal and Property Services:** no requirement to comment.
- 7.3 **Head of Organisational Development, HR and Communications:** no requirement to comment.

8.0 BACKGROUND PAPERS

- 8.1 (1) Inverclyde Local Development Plan 2014 (adopted August 2014)
 - (2) Glasgow and the Clyde Valley Strategic Development Plan (approved May 2012)

Attachments

(1) Annex 1: Inverclyde Local Development Plan – Development Plan Scheme and Participation Statement 2016

Inverclyde Council

Local Development Plan

Development Plan Scheme and Participation Statement

March 2016

Development Plan Scheme

Introduction – What is a Development Plan?

A Development Plan is a document that sets out where development should take place and identifies which areas should not be developed. It includes policies and proposals that provide the framework upon which all planning applications can be determined. The statutory requirement to prepare development plans is set out in the Planning (Scotland) etc Act 2006. They must be updated every five years to ensure they are kept up to date, with their associated action programmes required to be updated every two years.

In the four city regions of Scotland, the Development Plan is made up of a Strategic Development Plan (SDP) and a Local Development Plan (LDP). The SDP covers a number of LDP areas and sets out a long term (20 year) development strategy for the area, indicating the overall general scale of development required and broadly where that development should be located. The LDPs that sit below this set out a more detailed level of planning, through policies and proposals, to guide development in each local authority area and must accord with the SDP. The Development Plan has to have regard to the National Planning Framework for Scotland (NPF) produced by the Scottish Government. It sets out in broad terms Scottish Ministers' strategy for Scotland's spatial development and the priorities for that development over a twenty to thirty year time period. The current framework, NPF3, came into force in July 2014.

The two statutory plans that comprise the Development Plan for Inverciyde under the 2006 Act are:

Strategic Development Plan: The Glasgow and the Clyde Valley Strategic Development Planning Authority (Clydeplan) comprising eight local planning authorities, including Inverclyde, prepared the first Strategic Development Plan (SDP) for the Glasgow City Region and this was approved by Scottish Ministers in May 2012. Clydeplan has now embarked upon a review of this plan, the most recent stage of which was the publication of the SDP Proposed Plan for public consultation in January 2016.

Local Development Plan: The first Inverclyde Local Development Plan was adopted by Inverclyde Council on 29 August 2014. The LDP includes six Supplementary Guidance documents on Local Development Frameworks, Affordable Housing Provision, Green Networks, Renewable Energy, Planning Application Advice Notes and Enabling Development. Each of these supplementary guidance documents provide greater detail for certain policies to give clarity to developers as to how these policies will be applied in determining planning applications.

What is a Development Plan Scheme?

The purpose of a Development Plan Scheme (DPS) is to set out the authority's programme for preparing and reviewing their development plan (both SDP and LDP) and to describe what is likely to be involved at each stage. There should be meaningful consultation in the preparation of a development plan, and the DPS must include a Participation Statement (PS), stating when, how and with whom consultation on the plan will take place.

The first Inverciyde Council DPS and PS was submitted to the Scottish Government in March 2009. Legislation requires that the DPS and PS be updated and submitted to the Scottish Government at least annually, and this DPS and PS is the eighth annual update.

Strategic Environmental Assessment

An important consideration of the 2006 Act, under Section 3E, requires planning authorities to carry out their development planning functions with the objective of contributing to sustainable development. In doing so they must have regard to any guidance Scottish Ministers issue for this purpose.

Central to this is the requirement, under The Environmental Assessment (Scotland) Act 2005, to undertake a Strategic Environmental Assessment (SEA) of both LDPs and SDPs. Inverclyde Council published a Strategic Environmental Assessment – Environmental Report alongside the Inverclyde Local Development Plan 2014 on 29 August 2014.

In addition to the SEA, there is also a requirement to undertake a Habitats Regulations Appraisal under The Conservation (Natural Habitats, etc) Regulations 1994 as amended, with the aim of ensuring the protection of designated international environmental resources, at the time of the publication of the Proposed Plan. The first part of this process is to undertake a screening to determine whether an 'appropriate assessment' is required. A Habitats Regulation Appraisal Record was published on 31 May 2013, with the conclusion that no assessment was required.

Action Programme

It is a statutory requirement for planning authorities to prepare a list of actions to deliver each of their Local Development Plan's policies and proposals, along with details of those responsible for carrying them out and the timescales for doing so. These actions can vary in nature and may include the delivery of key infrastructure and facilities, the preparation of masterplan documents or the provision of supplementary guidance. Actions are not confined to those being provided by Inverciyde Council. In the consideration and production of the Inverciyde Local Development Plan Action Programme, consultation has been undertaken with the Key

Agencies and all other bodies identified as being responsible for the delivery of the specified actions. Inverclyde's Action Programme was published in November 2014.

Review of Clydeplan Strategic Development Plan

Clydeplan has now embarked on a review of the approved SDP (May 2012) with the publication of a Main Issues Report (MIR) in January 2015 and the Proposed Plan in January 2016. A consultation period of six weeks for the Proposed Plan, between 18 January and 29 February 2016 has been set, with the aim of submitting it to Scottish Ministers in May 2016. Should there be unresolved representations, an Examination will be conducted by a reporter appointed by Scottish Ministers in the summer of 2016. Approval of SDP2 is programmed thereafter for Spring 2017. Details are available on the GCV SDPA's website at http://www.clydeplan-sdpa.gov.uk.

An updated Clydeplan SDP Development Plan Scheme and Participation Statement is expected to be published in March 2016, and will be made available on their website.

Programme for Inverclyde Local Development Plan Production

The timetable for the preparation and production of the second Inverclyde Local Development Plan is set out below.

Key Stages	Key Components	Clydeplan Strategic Development Plan 2	Inverclyde Local Development Plan 2
Development Plan	Annual publication of	Annually in March	Annually in March
Scheme and	Development Plan Scheme and		
Participation	Participation Statement.		
Statement			
LDP Contacts	Updating of LDP contacts		January-February 2016
Early Engagement	Start Early Engagement with	January/February 2014	March 2016
	stakeholders.		
Evidence Preparation of Monitoring		June – December 2014	March-October 2016
Gathering Statement.			
	Call for Sites.		

Key Stages	Key Components	Clydeplan Strategic Development Plan 2	Inverclyde Local Development Plan 2
	Consideration of issues for Main Issues Report.		
Action Programme Update for SDP1/LDP1	Publication of Action Programme Update (required every two years).	June 2014	November 2016
Main Issues Report, Monitoring Statement and SEA Environmental Report	Publication of Main Issues Report, Monitoring Statement and SEA. Consider Representations on Main Issues Report. Start preparation of Proposed Plan.	January 2015	March 2017
			Local Government Elections – May 2017
Proposed Plan and Draft SEA Environmental Report	Publication of Proposed Plan. Consider Representations. Prepare Schedule 4s.	January 2016	March 2018
Submission to Scottish Ministers	Submit Proposed Plan to Scottish Ministers.	May 2016	June 2018
Start of Examination into Proposed Plan	Unresolved representations to the Proposed Plan to be subject to Examination by a Reporter appointed by Scottish Ministers.	June 2016	July 2018
Modification of Proposed Plan	Modify Proposed Plan following consideration of recommendations from Reporter.	Late 2016/Early 2017 **	Early 2019 **
Approval/Adoption of Proposed Plan	Submit Plan to Scottish Ministers for approval	Spring 2017 **	Spring 2019 **

Key Stages	Key Components	Clydeplan Strategic Development Plan 2	Inverclyde Local Development Plan 2
and Strategic Environmental Assessment Environmental Report (SDP)/authority to adopt (LDP).			
Action Programme	Publication of Action Programme.	Spring 2017 **	Within three months of adoption of Plan (Summer 2019).
Strategic Environmental Assessment Post Adoption Statement	Publish Strategic Environmental Assessment Post Adoption Statement (how the environmental considerations have been integrated into the Plan).	Spring 2017 **	Within three months of adoption of Plan (Summer 2019).

^{**} Subject to the timetable of Reporter appointed by Scottish Ministers

Participation Statement

The Council is committed to involving stakeholders (i.e. any individuals or groups with an interest in planning issues within Inverclyde) in the preparation of the next Local Development Plan. For this reason, careful thought has been given to how we can involve stakeholders effectively.

This Participation Statement (PS) explains who we will seek to involve at the various stages of preparing the next Plan, and the different ways in which we will do so. The PS will be updated annually and published as part of the Development Plan Scheme.

What Does Involvement Mean?

There are three main ways in which we will seek to involve stakeholders in the preparation of the next Plan:

- Inform Throughout the process, we will provide information on the progress made and make people aware of the next stage
- Engage In the early stages of the process, we will engage with certain stakeholders in order to identify the main issues to be addressed in the next Plan
- **Consult** At certain points, we will seek stakeholders' views on specific issues and options which have been identified for discussion or consultation.

Why Should You Get Involved?

The preparation of the Local Development Plan seeks to identify where new development, such as housing, business, leisure and recreation etc, should be located and how it can positively influence the towns and countryside within Inverclyde. The Plan also seeks to ensure that any potential negative impacts of new development are, as far as possible, overcome or reduced.

The Council strongly encourages stakeholders to get involved, as this will help us prepare a Plan that is relevant and responsive to the needs, aspirations and concerns of those who live, work, visit and invest in the area. We believe it is particularly important for stakeholders to get involved in the early stages of preparing the plan, as this is when a range of ideas and options are being considered and no decisions have been taken by the Council. Getting involved applies as much to people who support specific issues and/or development proposals as to those who may wish to object.

You can get involved on your own or as part of a local organisation, such as a Community Council, residents' association, local business or amenity group.

Learning from Experience

In order to learn from previous experience and get more people involved in the next Plan process, we reviewed the effectiveness of the participation methods used during the preparation of the current Local Development Plan. We also looked at the participation methods used by other Planning Authorities to see if there are any new and innovative methods which would be appropriate and effective in Inverclyde.

The review identified a number of ways in which our approach could be improved. For example, it recommended the use of school based workshops to increase youth engagement. The recommendations of the review have been taken into account and, where appropriate, included in this Participation Statement.

General Principles

The approach set out in this PS is based on a number of general principles. These are to:

- meet the National Standards for Engagement
- take account of the advice set out in the Scottish Government's Planning Advice Note 3/2010 Community Engagement
- go beyond the minimum statutory (legal) requirements to involve stakeholders
- make sure that people and communities are aware of the Local Development Plan process, its importance and how they can get involved
- make the process accessible to all stakeholders by providing a variety of ways, locations and times to get involved and ensure that documents are written in plain English and maps are clear and easily understood.
- use social media and any new innovative methods which have been shown to be effective and which would be appropriate within Inverclyde
- inform stakeholders of how their responses have been taken into account in the preparation of the Plan
- seek feedback on how we propose to involve stakeholders in the preparation of the next Plan.

Who Do We Want to Involve?

The Council seeks to involve as wide a range of stakeholders as is practicable, including:

- public sector (relevant government departments and agencies)
- private sector (e.g. business, housing and retail interests)
- community groups (e.g. Community Councils, Development Trusts)
- voluntary sector organisations
- single interest organisations (e.g. environmental)
- individual members of the public.

We recognise that it is difficult to involve certain sections of society. In light of this, we intend to make a greater effort to reach beyond those individuals and groups normally involved in planning consultations to a wider range of public interests such as young people, pensioners, ethnic minorities and people with disabilities.

Registering as a Contact

The Council maintains a 'contacts list' of interested people, groups and organisations that will be directly notified of key stages/events in the preparation of the next Plan, i.e. publication of the Main Issues Report.

To add your name to our contacts list please get in touch with the Planning Policy team using the details provided at the end of this document.

When and How Will We Involve You?

The Council seeks to involve stakeholders throughout the preparation of the next Plan, up to the point where the Plan is agreed by the Scottish Government and ready to use (adopted).

Scottish Government policy (Circular 6/2013 Development Planning) states that the character of stakeholder involvement - who will be involved, when and how - should change as the preparation of the next LDP progresses. This approach tries to ensure that stakeholder involvement is proportionate to each stage of the Plan preparation process and that stakeholders are provided with the most appropriate opportunities to get involved.

Table 1 sets out, in as much detail as is known at this early stage, who we propose to involve at the key stages of preparing the next Plan, why we want to involve them and how we propose to do so. While the information set out in Table 1 reflects our current thinking, we will give further consideration to the appropriateness of the participation methods listed, and whether any new and innovative methods should be added, prior to the publication of the next DPS in March 2017. In light of this, it is important to note that the information provided in Table 1 may change.

Table 1

LDP Stage	When?	Why Involve Stakeholders?	Who will be Involved?	How will stakeholders be involved?
Ongoing	Ongoing	To keep stakeholders informed of how the preparation of the Plan is progressing and what the next stage in the process is.	All stakeholders	 The Development Plan Scheme Updates on the Council's website and social media pages Reports to the Council's Environment and Regeneration Committee (these will be made available on the Council's website).
Publication of the Development Plan Scheme (DPS)	Annually in March	It is a statutory requirement to inform stakeholders of the programme for preparing and reviewing the next LDP and highlight how and when they can get involved.	All stakeholders.	 Stakeholders will be informed of the DPS through: A Report to the Council's Environment and Regeneration Committee (this will be made available on the Council's website) Updates on the Council's website Paper copies of the DPS will be made available in all local libraries and the municipal buildings in Greenock, while an online copy will be available on the Council's website. The DPS will include information on how stakeholders can provide feedback on it.

LDP Stage	When?	Why Involve Stakeholders?	Who will be Involved?	How will stakeholders be involved?
Early Engagement	March 2016	This is a non-statutory engagement, which seeks stakeholders views on what issues should be addressed, and options identified, in the Main Issues Report.	Stakeholder groups	Relevant stakeholders will be informed of the early engagement process through: The Development Plan Scheme Direct letters/ e-mails An 'In View' magazine article Press article The Council's website Stakeholder meetings, (e.g. community groups, key agencies, developers, internal Council services) Members/ officers working group All member briefings Consideration will also be given to actively engaging stakeholders through a variety of methods including: Planning Aid 'training sessions' on the LDP process A Citizens Panel survey Freepost summary postcards School based workshops
Publication of the Main Issues Report (MIR)	March 2017	It is a statutory requirement to engage/consult on the MIR. This is a key stage in involving stakeholders in the preparation of the next LDP as it provides the opportunity to comment on	All stakeholders	Stakeholders will be informed of the MIR through: The Development Plan Scheme Statutory notices Stakeholders on the Council's LDP

LDP Stage	When?	Why Involve Stakeholders?	Who will be Involved?	How will stakeholders be involved?
		the main policy and settlement issues identified by the Council (through early engagement) and/or identify new issues.		 Updates on the Council's website and social media pages Banners, posters and leaflets left at key points, including libraries, Council offices, leisure centres and other public locations such as supermarkets. A Report to the Council's Environment and Regeneration Committee Stakeholder meetings (e.g. community groups, key agencies, developers, internal Council services) Members/ officers working group All member briefings Consideration will also be given to actively engaging stakeholders through a variety of methods including: Public information events to be held at key locations throughout Inverclyde, including libraries and leisure centres etc. School based workshops, where possible. Community Planning Partnership network
Publication of the Proposed Plan	March 2018	It is a statutory requirement to consult on the Proposed Plan, which represents what the Council believe should be taken forward as the next	All stakeholders	In addition to the methods used to publicise the MIR, the Council will 'neighbour notify' all owners, lessees, occupiers and neighbours of development sites identified in the Proposed Plan

LDP Stage	When?	Why Involve Stakeholders?	Who will be Involved?	How will stakeholders be involved?
Examination of the Proposed Plan	July 2018	Where there are unresolved representations to the Proposed Plan, it is a statutory requirement to go through the examination process.	Stakeholders whose representation to the Proposed Plan has not been resolved.	1

LDP Stage	When?	Why Involve Stakeholders?	Who will be Involved?	How will stakeholders be involved?
				Written submissions
				Hearings
				Formal inquiry sessions

Strategic Environmental Assessment

In accordance with the Environmental Assessment (Scotland) Act 2005, we will carry out a public consultation on the draft Environmental Report published alongside the Main Issues Report and the Proposed Plan. We will also make the final SEA Post Adoption Statement publicly available, i.e. on the Council's website.

How Can You Provide Comments?

At each stage of plan preparation, we will provide a variety of simple and convenient ways in which to respond to formal consultations and provide informal comments on the preparation of the Plan. These will include:

- Using the consultation response form on the Council's website
- Inputting at development plan events, either directly or through the comments boxes provided
- Telephoning, sending an email or writing a letter using the contact details at the bottom of this page (please note that in the interest of the environment, electronic correspondence is encouraged whenever possible)

How we will deal with your comments?

When a stakeholder has made a formal representation during the preparation of the Plan, we will inform them of how this has been taken into account through an email, or letter if no email address is available, acknowledging receipt of the representation and advising when it, along with our response, will be submitted to the Council's Environment and Regeneration Committee. At this point, we will also inform the stakeholder of the next stage in the process.

Providing feedback on the Development Plan Scheme

We welcome your feedback on the Development Plan Scheme, including the type of consultation methods that we are proposing to use.

Accessing Documents

For further information or to provide feedback on this DPS, please contact the Planning Policy Team at:

Inverclyde Council
Environment, Regeneration and Resources
Planning Policy Team
Regeneration and Planning
Municipal Buildings
Clyde Square
Greenock
PA15 1LY

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