
NORTH AYRSHIRE COUNCIL

24 June 2020

Planning Committee

Title: Development Plan Scheme

Purpose: To update Members on an indicative timetable and participation strategy for preparing the next Local Development Plan (LDP3) and seek formal approval of the 2020 Development Plan Scheme.

Recommendation: It is recommended that the Planning Committee adopts the Development Plan Scheme.

1. Executive Summary

- 1.1 An updated Development Plan Scheme has been prepared which sets out a programme for preparing and reviewing the local development plan and a statement on when, how and with whom consultation on the plan will take place. It is intended to formally commence work on preparing LDP3 after the Scottish Government publish new regulations for development planning, expected to be in December 2021, with the aim of adopting a new LDP in November 2024.

2. Background

- 2.1 North Ayrshire Council adopted the current Local Development Plan (LDP2) on 28 November 2019. The Plan has a vision – aligned with the North Ayrshire Community Planning Partnership – that looks forward 20 years, plans for a 10-year period to 2029 and, under current planning legislation, must be replaced within five years, i.e. by November 2024.
- 2.2 As planning authority, we are required to prepare a Development Plan Scheme, at least annually. A Development Plan Scheme sets out an authority's programme for preparing and reviewing their local development plan, what is likely to be involved at each stage and when, how and with whom consultation on the plan will take place (a Participation Statement). Our last Development Plan Scheme was published in March 2019.
- 2.3 An updated Development Plan Scheme has been prepared that looks forward to the preparation of Local Development Plan 3. The indicative programme reflects the position of the planning system in Scotland within a period of substantial transformation. The Planning (Scotland) Act 2019 makes significant changes to the format and approach to preparing local development plans; the Scottish Government are currently working collaboratively to develop the regulations and guidance that will implement the new Act and guide the development planning system.

- 2.4 Transitional arrangements allow planning authorities to commence a local development under the 'old' legislation and regulations, however, as North Ayrshire's Local Development Plan has only recently been adopted it is intended to prepare our next LDP under the new arrangements once they are laid in Parliament and published, expected to be at the end of next year.
- 2.5 The proposed timetable for producing LDP3 set out in the Development Plan Scheme (page 5) is subject to change as the full details of the system under which it will be prepared - and now the implications of the coronavirus outbreak – are not yet known and understood. It is also ambitious but would seek to see LDP3 adopted within five years of LDP2, in November 2024.
- 2.6 The Development Plan Scheme also includes a Participation Statement setting out when, how and with whom consultation on the plan will take place. The statement reiterates our approach, followed throughout the preparation of LDP2, to encourage everyone with an interest in North Ayrshire to get involved in the update of the Local Development Plan. The new Act places a specific focus on promoting and facilitating participation by children and young people and we will develop in more detail how this can be achieved.

Next Steps

- 2.7 The first proposed landmark in preparing the next local development plan is the preparation of a Draft Evidence Report for publication in February 2021. This anticipates the first step of the new system for preparing a local development plan and will prepare us for submitting an Evidence Report to Scottish Government and, thereafter, the preparation of a draft Local Development Plan once the regulations and guidance is published.
- 2.8 Once adopted, the Development Plan Scheme will be sent to Scottish Ministers and published online in accordance with the Act. A copy will also be placed in all libraries as soon as it is practicable to do so and we will distribute to all Members, Community Councils and other relevant stakeholders in the meantime.

3. Proposals

- 3.1 It is recommended that the Planning Committee approves the adoption of the 2020 Development Plan Scheme.

4. Implications/Socio-economic Duty

Financial

- 4.1 None.

Human Resources

- 4.2 None.

Legal

- 4.3 The preparation of a Development Plan Scheme at least every year is a requirement of planning legislation. The Planning (Scotland) Act 2019 introduces a new legislative framework for preparing a local development plan. The Act will be implemented through the preparation of new regulations and guidance, to be published next year.

Equality/Socio-economic

- 4.4 Once commencement, the preparation of a new Local Development Plan for North Ayrshire will be required to be subject of a full equalities impact assessment and assessment on the impact of the plan on children.

Environmental and Sustainability

- 4.5 Once commencement, the preparation of a new Local Development Plan for North Ayrshire will be required to be subject of a Strategic Environmental Assessment.

Key Priorities

- 4.6 LDP3 will align with wider national priorities, programmes and strategies, including on infrastructure and economic investment, and with many the Council's key priorities, including a sustainable environment; affordable, modern and well-designed homes; and effective infrastructure.

Community Wealth Building

- 4.7 There is scope within the planning making process to explore how the Local Development Plan can support Community Wealth Building, for example around its approach to land owned by 'anchor' organisations within the local economy.

5. Consultation

- 5.1 There is no requirement to consult on the content of development plan schemes, however, it is good practice and once new planning legislation comes into force we will be required to seek the views of the public on the content of the participation statement. We published a draft Development Plan Scheme and Participation Statement on 9 March 2020 and sought comments from Key Agencies, Locality Planning Partnership, Community Councils and those on our mailing list.
- 5.2 The Participation Statement outlines how when and how will undertake consultation throughout the process of preparing the next Local Development Plan.

RUSSELL McCUTCHEON
Executive Director (Place)

For further information please contact **Alistair Gemmell, Strategic Planning Manager**, on **01294 324021**.

Background Papers

April 2020

Development Plan Scheme



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Development Plan Scheme

Overview

A Development Plan Scheme sets out a planning authority's programme for preparing and reviewing its development plan. As the local planning authority, we are required to prepare a Development Plan Scheme every year. Our last Development Plan Scheme was published in March 2019.

The Development Plan Scheme must also include a Participation Statement stating when, how and with whom consultation on the plan will take place.

A draft Development Plan Scheme and Participation Statement was published on 9 March 2020. There is no requirement to consult on the content of development plan schemes, however, under new planning legislation we will be required to seek the views of the public on the content of the participation statement. We sought comments on the draft Development Plan Scheme from Key Agencies, Locality Planning Partnership, Community Councils and those on our mailing list.

Since the draft Development Plan Scheme was published, the outbreak of the coronavirus pandemic has significantly altered – for an undeterminable period – most aspects of our lives. This could have an impact on preparing LDP3; the timetable set out on page 5 is therefore subject to change and will be reviewed when we update the Development Plan Scheme next year.

If you have any questions about our programme for preparing the next Local Development Plan or on the Participation Statement you can contact us:



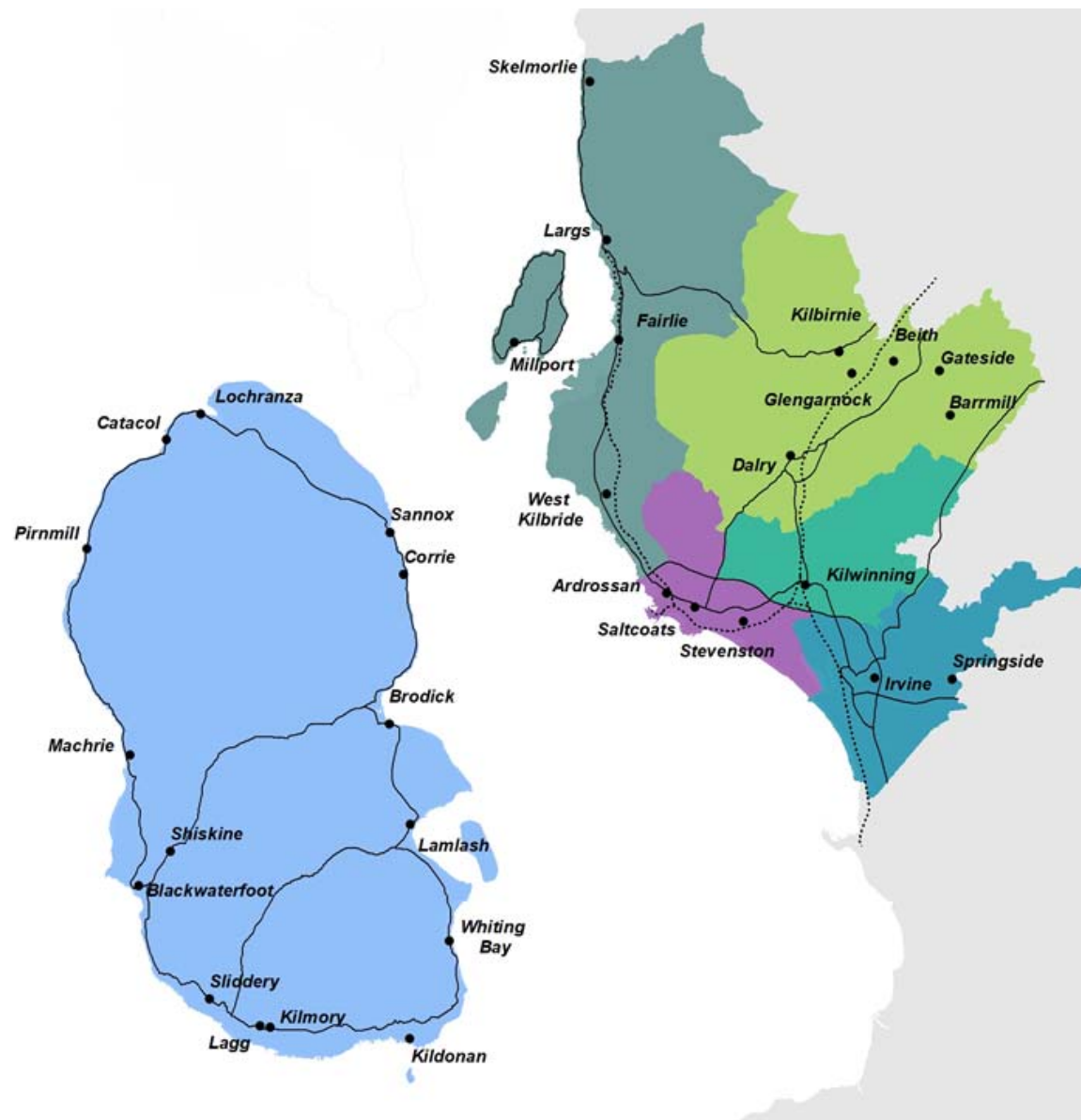
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Our Current Development Plan

The development plan for North Ayrshire comprises a single plan – the Adopted Local Development Plan. This is North Ayrshire’s second [Local Development Plan](#) and was adopted on **28 November 2019**.



LDP2 sets out how we aim to guide development and investment in North Ayrshire over the next 20 years. The policies and proposals – sites allocated for development – within LDP2 are the basis for decision-making on planning applications.

The Plan’s vision is shared with the North Ayrshire Community Planning Partnership: “A Better Life” where every person in North Ayrshire is valued and has the best opportunities to live their life to their full potential.

The spatial strategy of the LDP is an overarching policy for land-use and development that supports the aspirations of the Community Planning Partnership, as set out in the Local Outcomes Improvement Plan. This strategy is based on the principle that we want to direct the right development to the right place, principally our towns, villages and developed coast where we have infrastructure capacity, where there is access to existing services and where we have opportunities to re-use and redevelop brownfield land.

Our **Action Programme**, published in February 2020, supports LDP2 by outlining how and when we intend to deliver the policies and proposals of LDP2.

We will continue to liaise with internal and external stakeholders and developers to discuss the proposed delivery and phasing of development, provision of infrastructure and any potential issues and update the Action Programme on a regular basis to reflect major progress and changing circumstances. We will also more closely align the document with our annual [Housing Land Audit](#), given the focus of LDP2 on housing delivery.

The Action Programme is an important part of the framework for how we monitor and measure LDP2. Monitoring the performance of LDP2 will be central to the preparation of our next local development plan.

You can view the Local Development Plan, including interactive mapping, Action Programme and other supporting documents online:

www.north-ayrshire.gov.uk/ldp

Our Next Development Plan

LDP2 has a vision that looks forward 20 years, plans for a 10-year period to 2029 and, under current planning legislation, needs to be replaced in five years' time, by November 2024.

The Planning System in Scotland, however, is undergoing a substantial transformation. Following an independent review carried out in 2015, the Scottish Government has embarked on a programme of change to simplify and strengthen the planning system, guided by the following six outcomes:

Strong and flexible development plans

The delivery of more high-quality homes

An infrastructure first approach to planning and development

Efficient and transparent development management

Stronger leadership, smarter resourcing and sharing of skills

Collaboration rather than conflict – inclusion and empowerment

Wide engagement and collaboration following the review led to the Planning (Scotland) Act 2019, passed by the Scottish Parliament in June 2019. Work is ongoing to implement the Act and wider planning reforms; with focus remaining on these six key outcomes. For more information on the changes to the planning system, visit:

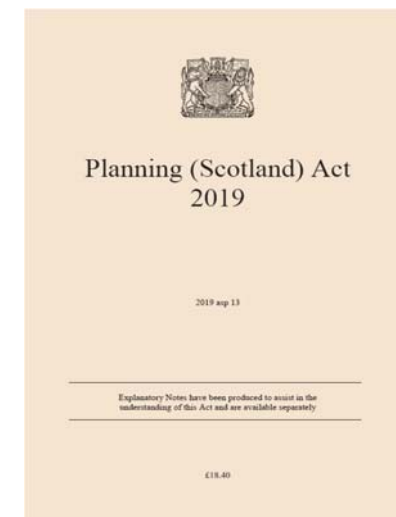
www.transformingplanning.scot

The Act makes significant changes to the approach to preparing local development plans, with the aim of making them more effective, with greater community involvement and more focus on delivery. It introduces a requirement to produce evidence reports, along with an early 'gatecheck' to ensure the evidence is sufficient; new requirements for participation and engagement of communities and particular groups; and a range of issues which must be considered in the plan. The Act also removes the provisions relating to main issues reports and statutory supplementary guidance and moves LDPs onto a 10-year cycle from the current 5-year period.

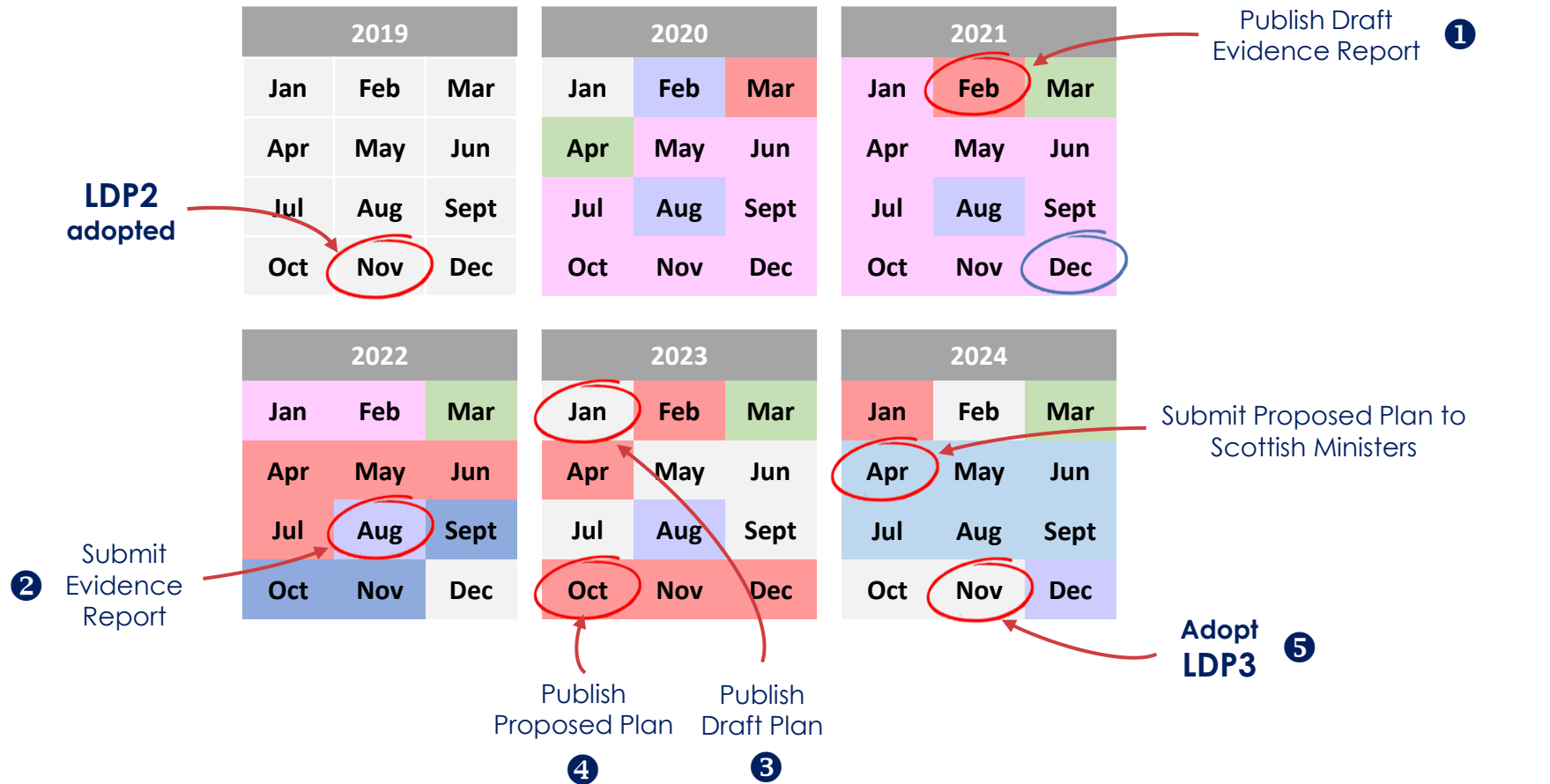
The Scottish Government are currently working collaboratively to develop the regulations and guidance that will guide this new development planning system and expect to lay regulations and publish guidance relating to LDPs in the latter part of 2021. Taking the time to get the detailed working of the new system right will also enable the new-style plans to emerge within the context of National Planning Framework 4 and its wider coverage of planning policies.

As LDP2 has only recently been adopted, instead of commencing a new plan under the 'old' system, we will wait and prepare our next local development plan – LDP3 – under the new arrangements, once they are published.

The following page outlines our proposed timetable for producing LDP3. At this point it is subject to change as the full details of the development planning system are not yet known. It is also ambitious but would seek to see LDP3 adopted before LDP2 reaches five years old.



Indicative Programme [subject to the details of new regulations and guidance]



The Scottish Government is progressing a detailed [work programme](#) which will implement the new Planning Act through secondary legislation and guidance. New arrangements for the preparation of development plans are expected to be published in December 2021.

Once the relevant regulations and guidance has been published, we can formally commence work on preparing LDP3 and confirm our timetable.

- Action/Delivery Programme update
- Development Plan Scheme update
- Gatecheck
- Examination
- Engagement
- Consultation

Key Stages [subject to the details of new regulations and guidance]

1. Draft Evidence Report

In preparation for the new system for Local Development Plans coming into place we will spend this year scoping and preparing a Draft Evidence Report. This Report will build on our existing monitoring work, including the housing land audit, and updated town centres audit and employment land audit.

Publish – February 2021



2. Evidence Report

Once the guidance for preparing Local Development Plans is published and regulations have come into force, we will refine and update the Draft Evidence Report. A key part of this will be engaging with key agencies, local communities and children and young people.

The Evidence Report will be the first formal stage of preparing **LDP3**. Under the new legislation, the Evidence Report will be submitted to Scottish Ministers who will assess whether the report contains sufficient information to enable us to prepare LDP3. This stage has been called a ‘gate check’.

Submit to Scottish Ministers – August 2022
Gate check – September to November 2022

3. Draft Plan

When our Evidence Report has been confirmed as sufficient, we will then prepare a Draft Local Development Plan. The new Planning Act removes the requirement for a main issues report and, in its place, a draft LDP will be published and widely consulted on. Responses to the draft plan could guide changes to the LDP, with any changes explained in feedback to those who have been involved.

Publish – January 2023



4. Proposed Plan

Our Proposed Plan will be our settled view on the policies and proposals that will make up LDP3. We will publish the Proposed Plan to allow representations which will seek changes to the plan. Following the close of the period for representations on the Proposed Plan, we may make modifications, but only to take account of representations, consultation responses or minor drafting and technical matters. When we reach the point where there are ‘unresolved representations’ we will republish the Proposed Plan and submit it to Scottish Ministers, who will examine these unresolved representations.

Publish – October 2023
Submit to Scottish Ministers – April 2024
Examination – April to September 2024

5. Adoption

Following receipt of the Examination Report from Scottish Ministers – and subject to the recommendations of the Reporter on the unresolved representations – we will progress to adopt LDP3, further modified as required. We hope to achieve this before LDP2 reaches 5 years old.

Adopt LDP3 – November 2024

National Planning Framework and Regional Spatial Strategy

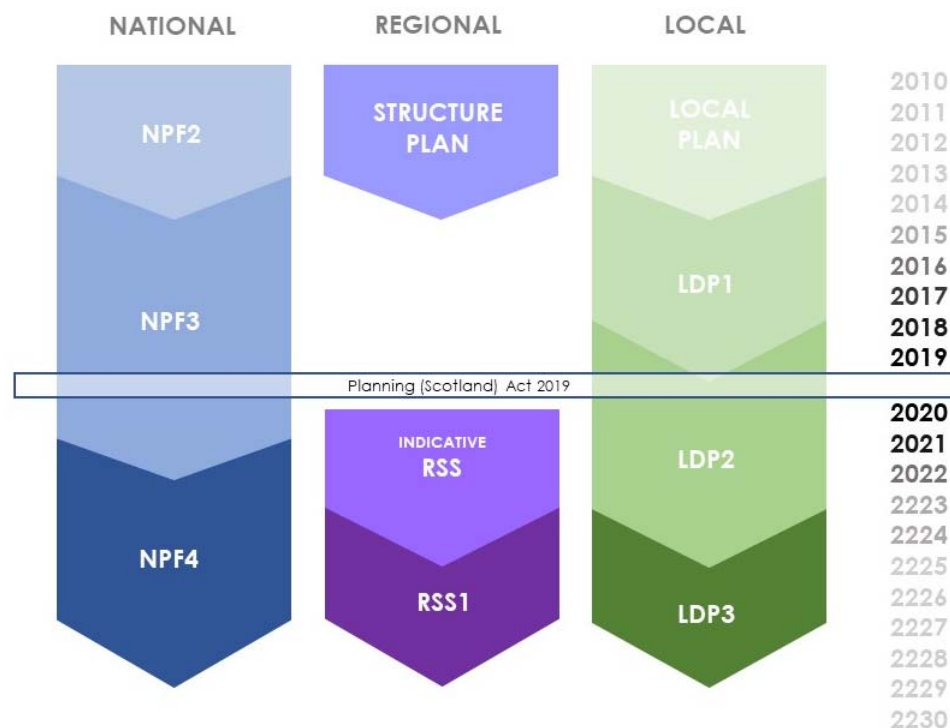
The National Planning Framework (NPF) is a long-term plan for Scotland that sets out where development and infrastructure is needed to support sustainable and inclusive growth. The current National Planning Framework (NPF3) was published in 2014 and will remain in place until a fourth NPF (NPF4) is adopted by Scottish Ministers.

The Scottish Government have begun the process of reviewing NPF3 and are aiming to lay a draft NPF4 in the Scottish Parliament in September 2020. NPF4 will incorporate Scottish Planning Policy (SPP) which contains detailed national policy on a number of planning topics and, unlike NPF3, will have the status of the development plan for planning purposes. This will mean that its policies will have a stronger role in informing day to day decision-making. Scottish Government expects to adopt NPF4 at the end of next year.

The new Planning Act also introduces a requirement to prepare and adopt a regional spatial strategy: a long-term spatial strategy in respect of the strategic development of an area which identifies the need for strategic development; the outcomes to which that strategic development will contribute; priorities for delivery and the proposed locations for strategic development.

North Ayrshire Council has agreed to work with East Ayrshire Council and South Ayrshire Council on the preparation of an **Ayrshire Regional Spatial Strategy**. The three Councils have a successful track record of coming together for the purposes of strategic land use planning, preparing and approving a number of iterations of the Ayrshire Joint Structure Plan, prior to Structure Plan being phase out by previous legislative changes to the planning system in Scotland.

Like with local development plans, the regulations and guidance for preparing these new style Regional Spatial Strategies is not expected to be published until the end of next year. In the interim, we are preparing an Indicative Regional Spatial Strategy. The purpose of this 'light touch' strategy is to inform NPF4 and therefore we are required to finish the Indicative Regional Spatial Strategy by June 2020. Our third LDP will need to align with NPF4 and have regard to the Ayrshire Regional Spatial Strategy.



Participation Statement

In preparing LDP2 we encouraged everyone with an interest in North Ayrshire to get involved in the update of the Local Development Plan. Consultation and engagement are important to us; the LDP can affect where people live, work, shop, play and travel in North Ayrshire plus local people and organisations have useful knowledge which can help us understand potential issues in North Ayrshire and build a better plan.

We will continue this approach into LDP3.

WHO? The new Planning act states we must promote and facilitate participation by children and young people (aged 25 or under) in the preparation of the local development plan, including by working with schools, youth councils and youth parliament representatives within our area.

We will engage with the following groups → in the preparation of LDP3

WHEN? Our proposed timetable (page 5) indicates we will engage and consult with these groups throughout the preparation of LDP. We will update our proposed timetable and participation statement when the development planning regulations are published and there is more detail on the process.

HOW? We want to make it as easy as possible for everyone with an interest to engage in the preparation of LDP3. For LDP2, we encouraged public involvement in several different ways:

- Publicising opportunities to get involved in the process, using a wide range of media, including: adverts and press releases in local newspapers; statutory notices; the Council's website; posters; via our mailing list.

- Providing copies of consultation documents on our website, at libraries and Council offices.

- By working closely with colleagues in Community Planning including the Locality Planning Partnerships and other Council services and volunteer groups to encourage people to get involved in planning.

- Public events, at convenient times and locations.

- Keeping everyone up-to-date of progress, including the use of social media.

- Regular meetings with key agencies and by making ourselves available – where possible – to attend the meetings of community groups and interest groups.



To be informed of key updates on the preparation of LDP3 please email ldp@north-ayrshire.gov.uk and ask to be added to our mailing list.

