



**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON
23 MARCH 2021**

**SUBJECT: DEVELOPMENT PLAN SCHEME 2021- MORAY LOCAL
DEVELOPMENT PLAN 2025**

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND
FINANCE)**

1. REASON FOR REPORT

- 1.1 This report asks the Committee to consider the current timetable for the preparation of the Local Development Plan (LDP) 2025 and to agree that the Development Plan Scheme (DPS) is submitted to the Scottish Government.
- 1.2 This report is submitted to Committee in terms of Section III (E) (2) of the Council's Scheme of Administration relating to the Review and Preparation of Strategic and Local Plans.

2. RECOMMENDATION

2.1 It is recommended that the Committee;

- (i) **agree the DPS for 2021, as set out In Appendix 1 and that the Scheme is submitted to the Scottish Government;**
- (ii) **notes the new process for preparing local development plans and the need for evidence base to be completed to inform the Evidence Report to be drafted by January 2023, and**
- (iii) **agree that a members workshop is held in late 2021 to consider the implications arising from draft National Planning Framework 4 for the Moray Local Development Plan 2025.**

3. BACKGROUND

- 3.1 Planning authorities have a statutory requirement to set out a timetable for the review/production of their LDP in the form of a DPS and to submit this annually to the Scottish Government.

- 3.2 The Planning (Scotland) Act 2019 introduces changes to the LDP preparation process. The most significant changes include;
- The need to produce an Evidence Report rather than a Main Issues Report. This is to ensure that sufficient evidence is in place to justify the spatial strategy in the LDP.
 - The introduction of a Gatecheck to consider areas of dispute in the Evidence Report. This is intended to help streamline the later Examination process by agreeing key aspects such as housing land requirements at an earlier stage.
 - Regional minimum housing land requirements being set by the Scottish Government.
 - The LDP will be place based, with the NPF4 and its policies forming part of the LDP and therefore it is expected that only limited “local” policies will be included in the LDP, where the need is evidenced.
 - The need to produce a Regional Spatial Strategy (RSS) either individually or collectively with adjacent authorities. The RSS and LDP will together form the long-term spatial plan to manage change.
 - The need to invite and consider Local Place Plans.
- 3.3 Guidance/ Regulations are anticipated to be published over the coming months providing further guidance on the new procedures and in particular, the form and content of the LDP, what constitutes “sufficient evidence” for the Evidence Report and on the preparation of Local Place Plans.
- 3.4 Three national working groups have been working over the last 6 months to progress proposals and the Council is represented on the group exploring how the Evidence Report and Gatecheck might work.
- 3.5 It is important to recognise that the new LDP’s in Scotland will be place based, looking at areas of new growth, but also looking at what needs to change within existing neighbourhoods and greater focus on the re-use of vacant and derelict land. The LDP will reflect national priorities with a far greater focus on carbon reduction, 20 minute neighbourhoods, an infrastructure first approach, better engagement with young people and will be delivery focussed.
- 3.6 An internal workshop was held in February 2021 to inform early dates for the first stages of evidence gathering which are referenced in the DPS in **Appendix 1**. The following areas of evidence are deemed critical to be completed in time for the Evidence Report to be published in early 2023;
- School Estate Strategy
 - 20 minute neighbourhoods and early community engagement including potential local place plans
 - Open Space, Sports and play sufficiency audit/ strategy
 - Strategic Trunk Road/ Railway and Settlement based interventions

4. **PROPOSALS**

- 4.1 The DPS for 2021 is set out in **Appendix 1** and is intended to be a project management tool to ensure that the LDP is replaced within the statutory 5

year period. The Moray LDP2020 was approved on 27 July 2020. Once the 2020 Plan is replaced, the timescale is for 10 year replacement of LDP's, however it is anticipated that Plans will be updated/replaced before then.

- 4.2 The DPS also identifies other workstreams required to provide the Evidence Base, the lead service/section and where budget will be required. It also outlines development plan related consultation/engagement proposals planned for the next 12 month period.

5. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

The LDP is a vital aspect of supporting and facilitating the Council's priority for economic growth. The Plan also aims to deliver other key objectives including the delivery of affordable housing and conservation and enhancement of our high quality natural and historic environment.

The annual DPS monitors progress of the Plan and is submitted to the Scottish Government to ensure Moray has an up to date LDP, which is a key performance indicator in the Planning Performance Framework (PPF).

(b) Policy and Legal

Preparation of the LDP is a statutory responsibility in the Council's role as Planning Authority. Preparation must follow statutory procedures.

(c) Financial implications

Most of the evidence base work can be accommodated within existing budgets. However, the DPS identifies that budget pressures arise relating to Transportation matters, which are essential to support the Local Development Plan, to meet the requirements of Transport Scotland and identify mitigation measures, which form the basis for transportation related developer obligations.

These critical transportation appraisals create a growth pressure of £200,000 in the 2022/23 financial year and £50,000 in the 2023/24 financial year.

(d) Risk Implications

If the LDP is not replaced within 5 years, this will be identified as a "red" outstanding action in the annual PPF and there will be a reputational risk. There is also a risk that there will be a shortage of effective housing and employment land with a knock on negative effect upon the local economy and delivery of community planning partners' objectives.

(e) Staffing Implications

Preparing the LDP is a statutory requirement and therefore a priority for the Strategic Planning and Development section. At key peaks in workload this can have an impact upon other workload commitments.

Preparation of the LDP and its subsequent delivery involves other services, particularly Transportation, Housing, Education, Estates, Legal, Consultancy and Development Management, which impacts upon workloads and performance.

The full staffing implications of the new Planning (Scotland) Act 2019 will not be known until all regulations and guidance has been published and when these are reported to this Committee the staffing implications for services will be fully assessed.

(f) Property

None at this stage.

(g) Equalities/Socio Economic Impact

None at this stage.

(h) Consultations

Consultation has taken place with the Depute Chief Executive Economy, Environment and Finance, the Head of Economic Growth and Development, the Head of Education Resources and Communities, the Legal Services Manager, the Senior Engineer Transportation, the Equal Opportunities Officer, the Development Management and Building Standards Manager and Paul Connor (Principal Accountant) and their comments incorporated into the report.

6. CONCLUSION

6.1 Planning authorities are required to annually review their DPS which sets out the timetable for the review/replacement of the LDP.

6.2 The 2021 DPS sets out the timetable for the preparation of the Moray LDP 2025 with the target date of approving the new LDP by end July 2025.

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Background Papers:

Ref: