



**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON
29 JANUARY 2019**

**SUBJECT: DEVELOPMENT PLAN SCHEME 2019 - MORAY LOCAL
DEVELOPMENT PLAN 2020**

**BY: CORPORATE DIRECTOR (ECONOMIC DEVELOPMENT,
PLANNING AND INFRASTRUCTURE)**

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) 2020 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 agrees the Development Plan Scheme 2019 for the Moray Local Development Plan 2020, as set out in Appendix 1 and that the Scheme is submitted to the Scottish Government.**

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 2018 DPS was approved at the meeting of this Committee on 27 February 2018 (para 13 of minute refers).

4. PROPOSALS

- 4.1 The DPS for 2019 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 LDP 2015 was approved on 31 July 2015 and the end "target" date is to ensure that the new LDP is adopted by 31 July 2020.

- 4.2 The progress of the LDP is generally on track with the timetable set out in the DPS 2018, with the key 2018 milestones (see below) being met, with the exception of the reporting of the Proposed Plan;
- Main Issues Report engagement - January to March 2018 - completed.
 - Report representations to Main Issues Report (MIR) - September 2018. Report submitted to special meeting of this Committee on 25 September (para 3 of minute refers) - completed.
 - Proposed Plan presented to Committee for approval - December 2018. Report was to be submitted to special meeting of this Committee on 5 December, however this target was not met and the Committee was rescheduled to 18 December.
- 4.3 The above programme has been achieved with extensive public engagement at MIR stage, with officers taking part in a pilot Gatecheck as part of the proposed new planning legislation, with more place specific detail included in the Proposed Plan and with an initial Action/Delivery Plan.
- 4.4 The LDP process has five main stages and the Council is currently at stage 3 (Proposed Plan), with consultation on the Proposed Plan running from 7 January until 15 March 2019. Officers will then collate all objections received and report these to a special meeting of this Committee in June/August 2019 in the form of a series of “schedule 4’s”, with objections grouped by topic or geographic area. Unresolved objections will then be forwarded to Scottish Ministers with a request for an Examination to be carried out by an independent Reporter. The Examination process can take 6-9 months and the findings of the Reporter will be reported back to this Committee. Members should note that the Reporter’s findings are largely binding on the Council. Modifications will then be advertised and thereafter the Plan will be adopted.
- 4.5 At a special meeting of this Committee on 18 December 2018 (para 3 of minute refers), the Proposed Plan was approved as the “settled view” of the Council and the Committee agreed that the Proposed Plan be treated as a material consideration for development management purposes as of 1 February 2019. The weight to be given to the Plan as a material consideration will vary as it progresses through the next stages and this is set out in **Appendix 2**. The weight to be given to individual applications will be agreed between the Development Management Manager and the Development Plans Principal Planning Officer.

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 aspects of Moray 2026 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

The cost for the Examination of the 2015 LDP was £50,763, significantly lower than the budget of £80,000. A one year budget pressure to cover the cost of Examination has been noted for the 2019-20 budget and this will be considered by the Council in February 2019.

(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 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.

(f) Property

None.

(g) Equalities/Socio Economic Impact

There are no equalities issues arising from this report.

(h) Consultations

Corporate Director (Economic Development, Planning & Infrastructure), the Head of Development Services, the Legal Services Manager (Property & Contracts), the Development Management Manager, the Equal Opportunities Officer, Lissa Rowan (Committee Services Officer), the Senior Engineer Transport Development, the Estates Manager, the Educational Resources Manager, Environmental Protection Manager,

Paul Connor (Principal Accountant) and the Housing Strategy and Development Manager have been consulted and comments received have been 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 2019 DPS sets out the timetable for the preparation of the Moray LDP 2020 with the target date of approving the new LDP by July 2020.**

Author of Report: Gary Templeton, Principal Planning Officer

Background Papers:

Ref: