

WEST DUNBARTONSHIRE COUNCIL**Report by the Planning, Building Standards and Environmental Health
Manager****Planning Committee: 6th December 2023**

Subject: Local Development Plan and Local Place Plan Update**1. Purpose**

- 1.1** The purpose of this report is to seek approval of the 2023 Development Plan Scheme and Participation Statement in relation to a new Local Development Plan (LDP3).

2. Recommendation

- 2.1** It is recommended that the Committee approves the Development Plan Scheme and Participation Statement set out in Appendix 1 and note that once approved it will be submitted to the Scottish Ministers.

3. Background

- 3.1** The development planning system in Scotland has changed with the introduction of the development planning provisions of the Planning (Scotland) Act 2019. The Development Plan Scheme is produced annually and acts as a communication tool for letting stakeholders know when and how they can get involved in the local development plan. It sets out the timetable for the preparation of the local development plan and what is involved at each stage of the process. The Participation Statement part of the document sets out how stakeholders are to be involved in the preparation of the local development plan. It is to include targeted methods to reach under-represented groups, help to make public participation inclusive, ensure that wider public engagement directly feeds into the preparation of the local development plan, and promote proactive engagement at all stages of the plan's preparation. In preparing the Development Plan Scheme, a planning authority are to seek and to have regard to the views of the public as to the content of the Participation Statement.
- 3.2** The Planning (Scotland) Act 2019 includes provision for local communities to prepare Local Plan Plans. Local Place Plans are community led plans which set out proposals for the development and use of land. A Local Place Plan, must be prepared by a Community Council or another Community Controlled Body, as defined by the Community Empowerment Act. Planning authorities are required to issue an invitation to communities to prepare Local Place Plans, and once prepared planning authorities are required to validate and maintain a register of Local Place Plans.

4. Main Issues

Development Plan Scheme and Participation Statement

- 4.1** The 20 September 2023 Planning Committee approved a consultation draft version of the Development Plan Scheme and Participation Statement. This was published on 22 September 2023 with the consultation period running until 17 November 2023.
- 4.2** By way of consultation, an email or letter advising of the draft Development Plan Scheme and Participation Statement was sent to 400+ individuals or organisations that the Council have registered as having an interest in the Local Development Plan process. A copy of the draft Development Plan Scheme and Participation Statement was also made available online, and copies were made available in the Council offices in Church Street, Dumbarton and in Council libraries. All active community councils were contacted offering a visit by officers to explain the Local Development Plan process and encourage engagement. This was taken up by four community councils (Bonhill and Dalmonach, Dumbarton East and Central, Linnvale and Drumry, and Old Kilpatrick) and the community action group in Dumbarton West. The offer remains open to the other community councils and other community groups. An officer also attended a meeting with Dennystoun Forge residents to discuss their involvement in the process. Internal discussions have taken place with the Council's Communities and Performance and Strategy teams with regard to engagement with children and young people, older people, disabled people, and minority groups, and also with regard to making use of the Council's Citizens Panel.
- 4.3** Fourteen consultation responses were received to the draft Development Plan Scheme and Participation Statement. These were from 3 West Dunbartonshire residents, the Dumbarton Stations Improvement Trust, Springfield Properties, Glen Etive Projects, CALA Homes, Scotways, Homes for Scotland, Paths for All, Historic Environment Scotland, Scottish Environment Protection Agency, The Coal Authority, and Nature Scot. Points raised in the consultation responses included:
- The majority of responses indicated that the Development Plan Scheme clearly explains what the development plan is and the current development plan/planning guidance coverage in West Dunbartonshire. There was a suggestion from one respondent that the development plan coverage map could be made clearer.
 - The majority of responses indicated that the Development Plan Scheme clearly explained the key stages in preparing a new development plan. One response felt this section should explain why it has taken this long to get to this stage. Another response requested an explanation of the purpose of the Strategic Environmental Assessment and Habitat Regulations Appraisal. Some responses stated uncertainty as to when comments can be made on specific topics and proposals, such as development sites, green belt and built heritage.
 - The majority of responses indicated that the timeline for preparing the local development plan seemed reasonable. One response indicated that the

amount of time being proposed for preparing the Evidence Report was excessive (the proposed timeline is submission for Gate Check in December 2024). Another response queried why the plan process takes so long.

- Some responses indicated that it wasn't clear when comments on specific topics (e.g. green belt, historic environment) and specific proposals of the Plan could be made.
- Some responses highlighted the importance of a 'call for sites' stage and engagement on the development of site assessment methodology.
- Some responses indicated uncertainty about what a Local Place Plan is.
- One response commented on supplementary planning guidance not being referenced in relation to the new local development plan.
- Responses suggested that the involvement of the following groups/organisation be referenced in the Participation Statement: groups with an interest in built heritage and safe/sustainable access; developers; Chamber of Commerce; Homes for Scotland; landowners; and equestrian community.
- Suggested use of topic papers and expert/focus groups at Evidence Report stage.
- Importance of the housebuilding industry and engaging with it, and providing a deliverable housing land pipeline. Need for primary research to identify the true need and demand for housing.
- Open day sessions at evenings and weekends. Improvements in communications required.
- Concern about the effectiveness of notifying the owner/lessee/occupier of land affected by a development proposal at the Proposed Plan stage.
- Concerns expressed about the environment in the Dalmeir area.

4.4 The finalised 2023 Development Plan Scheme and Participation Statement is attached for approval at Appendix 1. Key points to note in relation to the finalised version and in response to comments received to the draft document are:

- The proposed timeline for preparing the next Local Development Plan (LDP3) remains as set out in draft Development Plan Scheme approved by the September 2023 Planning Committee (see table below).
- The development plan coverage map has been made clearer by using thicker boundaries and adding shading.
- Wording has been added to the description of the Proposed Plan stage to explain that it is at this stage that representations can be submitted on specific topics and development sites.
- A description and explanation of the purpose has been added to the section setting out the different assessments that will inform the Local Development Plan
- Adding a link to the Council's Local Place Plan webpage.
- A reference to preparing Planning Guidance has been added.
- An update on engagement activity up to December 2023 has been included.
- At the Evidence Report stage, commitment included in relation to undertaking a 'Call for Evidence', publishing topic papers, and forming focus groups. Commitment stated with regard to engaging with businesses and developers,

and local interest groups e.g. equestrian, built/natural environment and minority groups.

- Collaborative approach to developing site assessment methodology.

With regard to participation, most of the changes made relate to the Evidence Report stage as there will be an opportunity to revise the Participation Statement again prior to the Proposed Plan stage of the plan preparation process.

Action	Proposed timeline
Publication of finalised Development Plan Scheme and Participation Statement	Quarter 3, 2023/24 (December 2023)
Publication of Evidence Report and submission for Gatecheck	Quarter 3, 2024/25 (December 2024)
Publication of Proposed Plan and draft Delivery Programme	Quarter 4, 2025/26 (January 2026)
Submission of Proposed Plan to the Scottish Ministers for Examination	Quarter 3, 2026/27 (October 2026)
Expected adoption of Local Development Plan	Quarter 2, 2027/28 (September 2027)

- 4.5** If approved, the 2023 Development Plan Scheme and Participation Statement will be submitted to the Scottish Ministers in line with statutory requirements.

Local Place Plans

- 4.6** The invitation to prepare Local Place Plans was issued to organisations and individuals in the Local Development Plan participant database on 16 October 2023. A public notice was also placed in the Clydebank Post and Lennox Herald on 25 October and 31 October respectively. A Local Place Plan webpage has also been created at <https://www.west-dunbarton.gov.uk/council/key-council-documents/local-development-planning/local-place-plans>. The preparation of Local Place Plans has also been promoted at the community council visits referred to in paragraph 4.2. In addition, the Council has appointed Planning Aid Scotland to prepare a West Dunbartonshire focussed 'How-to' guide to encourage and assist local communities to prepare a Local Place Plan.
- 4.7** To date, Old Kilpatrick Community Council and the community in Dumbarton West (via the Corra Foundation) have expressed an interest in preparing a Local Place Plan. Previous community engagement in Dumbarton East and Alexandria also indicated interest in preparing a Local Place Plan. Kilmaronock Community Council has produced a draft Local Place Plan in response to the National Park Authority invitation to prepare Local Place Plans. Whilst the majority of the population of Kilmaronock Community Council live in Gartocharn, which is in the National Park planning authority area, parts of the community council area do lie within the West Dunbartonshire planning authority area and the draft Local Place Plan covers these areas. If the finalised Local Place Plan covers part of the West

Dunbartonshire planning authority area, it will be brought to the Planning Committee for validation.

- 4.8** Although they can be prepared at any time, West Dunbartonshire Council has advised that Local Place Plans should be submitted to the Council for validation by 30 June 2025 if they are to be taken into account in the preparation of the new Local Development Plan.

5. People Implications

- 5.1** There are no people implications associated with this report.

6. Financial and Procurement Implications

- 6.1** There are no financial or procurement implications associated with this report.

7. Risk Analysis

- 7.1** By finalising the 2023 Development Plan Scheme and Participation Statement and submitting it to the Scottish Ministers, the Council is meeting its statutory requirements and setting out its timeline for preparing a new Local Development Plan. Not having an up-to-date local development plan may have an impact on planning decisions taken by the Council and could result in appeal decisions being upheld. The adopted Local Plan is over 13 years old with Local Development Plan 1 and Local Development Plan 2 have not been adopted.

- 7.2** As previously reported, there is a risk associated with the proposed timeline, particularly the Evidence Report stage and the Gate Check as these are new requirements, so there is uncertainty around how long the preparation and gathering of the necessary evidence will take, and also around the expectations of the Reporter who will be assigned to undertake the Gate Check. Also, as many planning authorities have similar timelines, there is a risk that there could be a delay in the Gate Check to be undertaken by the Directorate of Planning and Environmental Appeals.

8. Equalities Impact Assessment (EIA)

- 8.1** The Equality Impact Assessments for the Development Plan Scheme/Participation Statement and the Council's approach to Local Place plans were reported to the 20 September 2023 Planning Committee.

9. Consultation

- 9.1** Details of the consultation on the draft Development Plan Scheme and Participation Statement are set out in paragraph 4.2. Community and other stakeholder engagement is an important part of the Local Development Plan process and the level of engagement being achieved will be regularly reviewed.

11. Strategic Assessment

11.1 The new Local Development is considered to be relevant to, and will help deliver, all of the Council's strategic priorities:

- Our Communities – Resilient and Thriving
- Our Environment – A Greener Future
- Our Economy – Strong and Flourishing
- Our Council – Inclusive and Adaptable

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Date: 6th December 2023

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Appendices:	Appendix 1: Finalised 2023 Development Plan Scheme and Participation Statement
Background Papers:	None
Wards Affected:	All