

REPORT TO FORMARTINE AREA COMMITTEE – 13 FEBRUARY 2024

ABERDEENSHIRE DEVELOPMENT PLAN SCHEME 2024

1 Executive Summary/Recommendations

1.1 Aberdeenshire Council is required to prepare and submit to Scottish Ministers, at least annually, a Development Plan Scheme (DPS). The last Development Plan Scheme was published on 11 May 2023. A draft Development Plan Scheme is presented for the Area Committees consideration. This presents the timetable and participation statement for the Local Development Plan that we anticipate would be adopted in 2029. The draft Development Plan Scheme, amended by comments from Area Committees and public engagement, will be presented for approval to Infrastructure Services Committee on 16 May 2024.

1.2 The Committee is recommended to:

1.2.1 Consider, discuss, and provide comment on the draft Development Plan Scheme 2024, which is set out in Appendix 1 to this Report, to Infrastructure Services Committee at their meeting on 16 May 2024

2 Decision-Making Route

2.1 The previous Development Plan Scheme (DPS March 2023) was approved by Infrastructure Services Committee ([Item 7](#)) on 11 May 2023 following consideration at Area Committees on 7 February 2023, 14 February 2023 and 21 February 2023.

2.2 The draft Development Plan Scheme 2024 was considered and approved for public consultation by Infrastructure Services Committee ([Item 7](#)) on 25 January 2024.

3 Discussion

3.1 Under section 20(B) of the Town and Country Planning (Scotland) Act 1997 as amended, a Development Plan Scheme is required to set out the Authority's programme for preparing and reviewing their LDP, and what is likely to be involved at each stage. An annual programme of preparation of Development Plan Schemes has been undertaken since 2009. In preparing the development plan scheme the planning authority are to seek the views of, and have regard to, any views expressed by the public at large as to the content of the participation statement.

3.2 Regulation 24 requires Development Plan Schemes to contain a timetable, specifying the months in which the Authority proposes to publish its next

Proposed Plan and to submit the Plan to Scottish Ministers. The Scottish Government advise that, by setting the timetable and ensuring it can be adhered to, Planning Authorities should consider a range of issues. These will include their own planning and administrative resources as well as the capacity of key agencies and other stakeholders to feed into the process at key stages. The potential need for research and for appraisals to be carried out to inform the evidence base should also be factored in.

- 3.3 Within the draft Development Plan Scheme 2024 (Included as **Appendix 1** to this Report) we propose to set out the anticipated timetable for the preparation of the Local Development Plan 2029. The draft Development Plan Scheme provides an overview of the processes we anticipate we will follow and marks those key points in the programme when engagement and consultation will take place. It provides significant detail on the steps that we will take to produce, and engage on, the “Evidence Report” a new part of the plan making process introduced by the Planning (Scotland) Act 2019, for submission to a “Gate Check” assessment by Scottish Ministers in March 2025.
- 3.4 Within the draft Development Plan Scheme 2024 we have built upon the previous year’s Scheme, noting in Table 1 (Stages of the Development Plan) that there has been a need to extend the timetable previously agreed due to the time that has had to be devoted to primary data collection of the Open Space Audit and delays to the publication of the Local Housing Strategy. Both provide data that is fundamental to the evidence required to prepare the Local Development Plan and on which it is not possible to proceed. A revised timetable is presented that anticipates the “Call for Ideas” and submission of bids by the development industry 9 months later than was previously anticipated (January 2025 to October 2025). In turn this results in the development of a proposed Local Development Plan for publication in October 2026, an examination of the proposed plan starting in April 2028 and anticipated adoption by Aberdeenshire Council in early 2029. This is outwith the expectation of the Scottish Government for completion of a Local Development Plan within 5 years of the publication of National Planning Framework 4 (February 2028).
- 3.5 No material change has been made to the processes that we propose to use over the financial year 2024-2025 that were not already agreed by the Council by adoption of the Development Plan Scheme 2023. The delays that have occurred, while necessary, have not resulted in changes to the methods of engagement that we propose to implement. We will invite public comment on the individual topic papers through the Engage Aberdeenshire Local Development Plan Hub with a revised target date of completion of the majority of the work necessary by June 2024. By the time the draft Development Plan Scheme is presented to ISC for approval, engagement will have taken place on all but one of the proposed topic papers and time can be devoted to the completion of other assessments required to support the preparation of the Local Development Plan. Aberdeenshire Council will consider the Evidence Report for submission for its Gate Check assessment in January 2025.

3.6 At this point Members should note that the overall timetable for submission of the proposed LDP for examination has been moved back to 2028 in the overall project plan. This would have implications for the adoption of a new LDP by February 2028 as required within NPF4, but officers will examine as part of future Development Plan Schemes opportunities to address this slippage upon completion of the evidence report and Gate Check assessment. For the purposes of the coming year the priorities of the policy team will be as noted within the attached DPS and would ask that Members consider and provide any comments upon the DPS and the proposed scope of work.

4 Council Priorities, Implications and Risk

4.1 Consultation on the Development Plan Scheme will help deliver the Strategic Priorities “Learning for Life” and “Health and Wellbeing” within the pillar of “Our People” and supports the key principles which underpin these priorities of equipping residents to meet key challenges in their lives and actively involving young people in decision making.

4.2 Consultation on the Development Plan Scheme will help to deliver the Strategic Priority “Climate Change” within the pillar “Our Environment” and supports the key principles of reducing emissions and promoting sustainable and active travel by focusing engagement on electronic platforms.

4.3 The table below shows whether risks and implications apply if the recommendation(s) is (are) agreed.

Subject	Yes	No	N/A
Financial		✓	
Staffing		✓	
Equalities and Fairer Duty Scotland	✓ [IIA attached as Appendix 2]		
Children and Young People’s Rights and Wellbeing	✓ [IIA attached as Appendix 2]		
Climate Change and Sustainability	✓ [IIA attached as Appendix 2]		
Health and Wellbeing		✓	
Town Centre First		✓	

4.4 The financial and staffing implications in producing and implementing the Development Plan Scheme are covered within the existing Planning & Economy (Local Development Plan) budget. No risks or implications are anticipated as no exceptional cost are anticipated.

4.5 An Integrated Impact Assessment has been carried out as part of the development of the proposals set out above. It is included as **Appendix 2** and two negative impacts have been identified that cannot be mitigated satisfactorily. The DPS may have an impact on younger age groups who are not so engaged with civic society as adults and may not yet understand some

of the broad concepts being expressed in the DPS. There may be discrimination towards people considered as having a disability (as defined within the Equality Act 2010) by cognitive issues. The DPS reflects a complex process that includes a number of matters which require an grasp of civic and governance issues. Assessment of Climate Change and Sustainability identified only positive outcomes from the continued preferential use of electronic engagement methods.

4.6 The following Risks have been identified as relevant to this matter in the [Corporate Risk register](#):

- ACORP005: Working with other organisations (e.g., supply chains, outsourcing, partnership working and commercialisation). A wide range of partner organisations are dependent on the Local Development Plan to achieve our common goals.
- ACORP006: Reputation management (including social media). Development management is a key element of the interface between thousands of households and Aberdeenshire Council on an annual basis. It is important that the Proposed Local Development Plan is seen to be a robust and credible document to support the Council's high reputation.
- ACORP007: Social risk (e.g., population changes, poverty & social inequality, demographic changes, crime, antisocial behavior). The Proposed Local Development Plan is intrinsically associated with meeting the needs of a future population and responding to demographic changes.
- ACORP010: Environmental challenges e.g., extreme weather events, climate change (this includes localised risks around flooding and air pollution and the need for communities to display resilience). Climate change is a key theme in the Proposed Local Development Plan.

4.7 The following Risks have been identified as relevant to this matter in the [Directorate Risk Register](#):

- ISR008 Community Empowerment: Placemaking to meet the current and future needs of communities and supporting communities to help themselves, enabling community wealth building that supports local economic opportunities. The Local Development Pan supports proposals for placemaking.

5 Scheme of Governance

5.1 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this Report and their comments are incorporated within the Report. They are satisfied that the Report follows the Aberdeenshire Council's [Scheme of Governance](#) and relevant legislation.

5.2 The Committee is able to consider this item in terms of Section B.1.2 of the List of Committee Powers in Part 2A of the Scheme of Governance to consider, comment on, make recommendations to Services and any other appropriate Committee on any matter or policy which impacts its Area.

Alan Wood
Director of Environment & Infrastructure Services

Report by Piers Blaxter, Policy Team Leader,
8 January 2024

List of Appendices:

Appendix 1 – Draft Aberdeenshire Local Development Plan Development Plan Scheme January 2024

Appendix 2 – Integrated Impact Assessment