

Development Plan Scheme for Midlothian No. 6**Report by Mary Smith, Director Education, Communities and Economy****1 Purpose of Report**

- 1.1** This report seeks Cabinet approval for the Development Plan Scheme for Midlothian No. 6 (DPSM 6) which is required to be published by 31 March 2014 to satisfy the requirements of the legislation.

2 Background

- 2.1** Preparation of a development plan scheme is a statutory requirement. It is a document setting out the planning authority's intentions with respect to preparing, reviewing and consulting on the Strategic Development Plan (SDP) and the Local Development Plan (LDP) for its area.
- 2.2** The development plan scheme is expected to comprise the development plan programme and a Participation Statement. After adopting a development plan scheme, the authority is required to publish it, including electronically, place it on deposit in public libraries and send it to Scottish Ministers (though not for approval). Consultation on the scheme is not required.
- 2.3** The proposed DPSM 6 is attached as Appendix 1.
- 2.4** The Main Issues Report was subject to a four-month consultation period between 1 May and 31 August 2013 which included neighbour notification in relation to potential development sites (which is not statutorily required until the Proposed Plan stage). Appendix 2 provides a list of consultation activities undertaken during the Main Issues Report consultation.
- 2.5** The next stage is publication of the Proposed Plan followed by a period during which formal representations to the Plan can be lodged. The statutory requirement is a minimum of six weeks deposit period for the lodging of such representations. Given the length of the Main Issues Report consultation period, and the importance of preparing the Midlothian LDP in a timely manner in line with Scottish Government guidance, the Participation Statement indicates a six-week deposit period. Any longer deposit period would impact on the timescale to reach the Examination stage but the exact arrangements can be reviewed, depending on circumstances, nearer the time when the Proposed Plan is approved for consultation/ representations.
- 2.6** The timetable as presented in DPSM 6 includes slippage (from that shown in DPSM 5) in the publication of the Proposed Plan from Spring 2014 to Summer 2014. This has arisen as a result of:

- a) The decision of Scottish Ministers in June 2013 to approve the Strategic Development Plan for South East Scotland subject to the preparation of Supplementary Guidance to address housing land requirements across the SESplan Local Authorities; the scale of additional housing land to be accommodated in Midlothian is pertinent to the Midlothian LDP Proposed Plan. The Supplementary Guidance was prepared and consulted on until the end of 2013, and the finalised Guidance is expected to be adopted by June 2014 when it will form part of the development plan.
- b) Work arising from the Main Issues Report consultation responses (around 2100 responses received, some raising multiple issues for consideration) and to further develop the evidence base with respect to development impact on the transport and education infrastructure in particular. Additional transport appraisal work also requires consideration, if the proposed A701 realignment is to be taken forward to the Proposed Plan stage.
- c) Potential changes in the national policy context with the publication of the draft Scottish Planning Policy, for example, in relation to wind energy policy.

- 2.7** Assuming good progress with the work outlined in paragraph 2.6 above, it is hoped that the Proposed Plan can be put on deposit for representations in late Summer/Autumn 2014, avoiding school holiday periods. The Midlothian LDP is still programmed for adoption in 2015.
- 2.8** The Strategic Development Planning Authority for South East Scotland (SESplan) is developing a challenging programme for the preparation of the second SDP. This is reflected in the programme as shown in DPSM 6. SDPs are required to be submitted to Scottish Ministers within four years of approval of the existing plan and LDPs are to be replaced at least every five years, and adopted within two years of SDP approval.
- 2.9** Subject to Cabinet approval, DPSM 6 will be prepared for publication, including any minor editing changes as agreed with the Cabinet Spokesperson for Communities and Economy. Copies of DPSM 6 will be submitted to Scottish Ministers by 31 March 2014 and placed on deposit in public libraries and at Fairfield House. It will be available online and in paper copy, on request.

3 Report Implications

3.1 Resource

Publication of DPSM 6 can be met within current budgetary provision. The preparation and consultation requirements for the Midlothian LDP are provided for within the current budget. There is separate SESplan budgetary provision for the SDP.

3.2 Risk

There is a statutory requirement that DPSM 6 be updated at least annually, which requires its publication by 31 March 2014. Failure to adhere to the Participation Statement could lead to substantial delays in the plan-making process as a 'Statement of Conformity with the

Participation Statement' will be tested by the Scottish Government Reporter at the Midlothian LDP Examination.

3.3 Single Midlothian Plan and Business Transformation

This report is relevant to the following themes:

- ☐ Community safety
- ☒ Adult health, care and housing
- ☐ Getting it right for every Midlothian child
- ☒ Improving opportunities in Midlothian
- ☒ Sustainable growth
- ☐ Business transformation and Best Value
- ☐ None of the above

3.4 Key Priorities within the Single Midlothian Plan

The Midlothian LDP contributes towards supporting sustainable business growth a) through the allocation of employment land and sites for commercial growth, and b) by setting out a policy framework to encourage growth in housing, employment, retailing (including town centre activities), tourism, mineral working, etc., to secure appropriate infrastructure to promote such growth and development, and to maintain and enhance the built and natural environment of Midlothian to encourage inward investment.

3.4.1 Impact on Performance and Outcomes

This report contributes to meeting the target of publishing and consulting on the Main Issues Report and supporting documents, reviewing the responses to the consultation, and publishing the Proposed Plan by Spring 2014. The back office system accompanying the online development planning portal has introduced efficiencies into the plan-making process and has made it more transparent.

3.5 Adopting a Preventative Approach

This report sets out the programme for delivery of the Midlothian LDP which will be accompanied by an Action Programme. Together with the approved SDP for South East Scotland, it provides strategic guidance and forward planning for investment in future growth and development in Midlothian over the period to 2032 (for SDP) and 2024 (for Midlothian LDP). They will help to inform the future spending priorities of the Council and its community planning partners as well as other public, private and voluntary sector bodies. This report also presents the timetable for preparation of the second SDP which will extend the planning framework to 2038.

3.6 Involving Communities and Other Stakeholders

Consultation on the development plan scheme is not required under the terms of the legislation, its purpose being to set out consultation/engagement intentions. DPSM 6 includes a Participation Statement which continues to form the basis for communication activities in the latter phases to Plan adoption. A customer feedback questionnaire will be issued with DPSM 6 which will ask consultees, if they have not already done so, to register on the online development planning portal on the Council's website as a way of keeping in touch with, and providing input to, the development plan process. Over 1000 people

(public/ community groups/ developers/ landowners/ businesses/ key agencies/ interest groups, etc.) have already registered their interest.

3.7 Ensuring Equalities

As with the Main Issues Report, an Equalities and Human Rights Impact Assessment will be prepared in relation to the Proposed Plan. The findings in relation to the one prepared for the Main Issues Report can be summarised as follows:

- the impact of the Main Issues Report on the following equality target groups was positive: age, disability, and people experiencing poverty or at risk of poverty;
- the impact on other target groups was considered to be neutral; and
- no negative impacts were found.

The assessment considered the public engagement arrangements for the Main Issues Report, with additional contacts being identified for consultation purposes, and further consideration being given to the suitability of consultation venues from an equalities point of view.

3.8 Supporting Sustainable Development

This report refers solely to the programme and Participation Statement for the development plan and is not itself a 'strategic action' for the purposes of Strategic Environmental Assessment. However, environmental assessment of the Main Issues Report was undertaken, and an updated environmental assessment will be prepared for the Proposed Plan.

3.9 IT Issues

There are no IT issues arising from this report.

4 Recommendations

4.1 It is recommended that Cabinet:

- (a) approves the Development Plan Scheme for Midlothian No.6 (DPSM 6)(appended to this report); and
- (b) agrees to publish DPSM 6 and submit it to Scottish Ministers on or before 31 March 2014.

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Background Papers: Development Plan Scheme for Midlothian No. 5,
March 2013

