

Agenda Item No

Report No 446/99

ANGUS COUNCIL**PLANNING AND TRANSPORT POLICY COMMITTEE****20 APRIL 1999****SUBJECT: ANGUS LOCAL PLAN - UPDATE AND NEXT STEPS****REPORT BY DIRECTOR OF PLANNING AND TRANSPORT**

Abstract: This Report summarises progress on the deposit stage of the Angus Local Plan and outlines procedures to be followed in assessing objections to the Plan and making arrangements for a Public Local Inquiry. It also comments on the results of a Strategic Environmental Assessment of the Finalised Plan.

1 RECOMMENDATION

It is recommended that the Committee:-

1. note the arrangements for publication and deposit of the Finalised Angus Local Plan which have been undertaken and completed in accordance with previous decisions of this Committee (Item 7, Planning & Transport Policy Committee, 28 January 1999 and Report 96/99 refers);
2. note the general procedure to be followed for considering objections lodged to the Finalised Local Plan including outline preliminary arrangements for the holding of a Public Local Inquiry;
3. note the appointment of a Programme Officer on a part-time temporary basis to assist in organising and managing proceedings leading up to and during the Public Local Inquiry;
4. note the results of a Strategic Environmental Assessment undertaken of the Finalised Angus Local Plan and agree that copies of the Assessment Report be published and made available in support of the Finalised Plan.

2 PUBLICATION AND DEPOSIT ARRANGEMENTS

- 2.1 The Finalised Angus Local Plan was published and placed on Deposit for public inspection and comment on 1 April 1999. The six weeks deposit period for the submission of objections or supporting representations to the Finalised Plan extends to 13 May 1999.
- 2.2 In accordance with statutory requirements and as agreed by the Committee on 28 January 1999 (Report 96/99 refers), the following steps have been taken as part of the Deposit arrangements:-
 - certified copies of the Plan together with the Statement of Publicity and Consultation have been submitted to the Secretary of State;
 - Public Notices have been placed in the Edinburgh Gazette and in local newspapers;

- copies of the Finalised Plan and Statement of Publicity and Consultation have been made available for inspection at all public libraries and main Council buildings in Angus, together with standardised forms for lodging objections to the Finalised Plan;
- copies of the Finalised Plan have been widely circulated to statutory and other consultees including elected members of the Council, adjoining Councils, all Community Councils in Angus, Members of Parliament, external groups;
- all organisations and individuals previously commenting on the Consultative Draft Angus Local Plan have been notified of the publication and deposit of the Finalised Local Plan and timescale for lodging any objections to the Plan;
- copies of the Finalised Local Plan have been made available for purchase from the Department of Planning & Transport together with supporting material including Statement of Publicity and Consultation, Technical Appendix, Local Plan Charter (free).

3 OBJECTIONS AND PUBLIC LOCAL INQUIRY PROCEDURE

- 3.1 Inevitably with a Plan as wide ranging as the Angus Local Plan, there are likely to be objections lodged to the Finalised Plan which will require to be addressed including via a Public Local Inquiry.
- 3.2 Prior to the completion of the deposit period which extends until 13 May 1999, and the receipt and consideration of objections, it is not possible to specify the timescale or duration of a Public Inquiry. However, an indication of key points in the process leading up to a Public Local Inquiry is summarised in Figure 1.
- 3.3 Following completion of the deposit period a report will be prepared for consideration by the Committee summarising objections and suggesting the broad approach to be followed in response to each objection e.g:-
- undertake change as a result of objection;
 - enter into further discussion with objector;
 - retain Plan as finalised with no change.

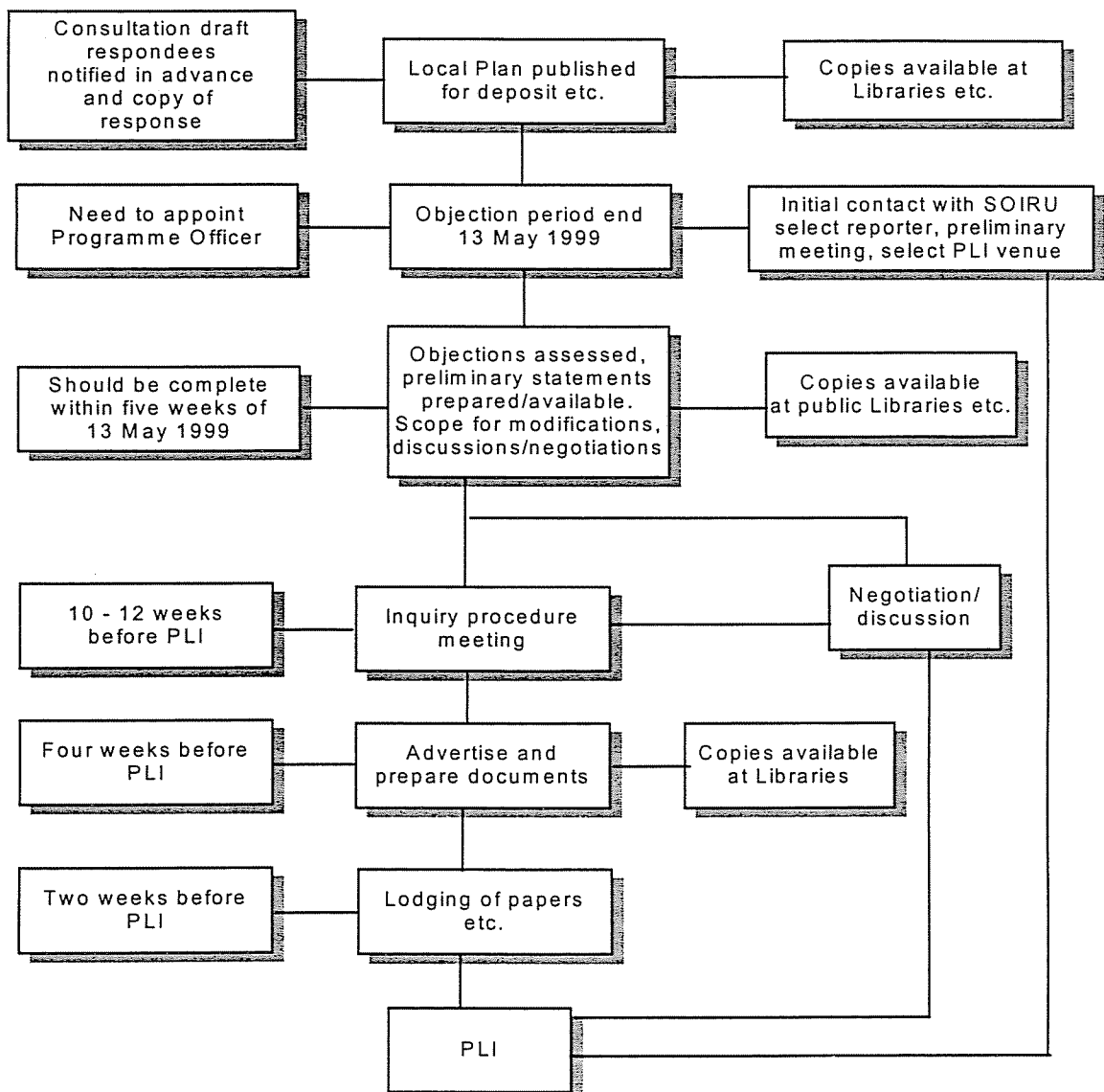
4 PROGRAMME OFFICER

- 4.1 The Scottish Office Development Department has published a Code of Practice for Local Plan Inquiries. The Code of Practice advises that for all inquiries expected to last more than 1-2 days, the Planning Authority should appoint a Programme Officer with suitable administrative experience to assist in the management and organisation of the inquiry. The person appointed may be a member of the Planning Authority's staff, but should not have been substantially involved in the preparation of the Plan, or an external contract appointment. He or she must be seen as an impartial officer of the inquiry and will work directly for the Reporter, acting as the initial point of contact for all parties. He/she should therefore be in post, at least on a part-time basis, from the end of the period for lodging objections, and certainly before any pre-inquiry meeting is held. His/Her name and business telephone number should be made available.

4.2 Once appointed, the Programme Officer will, in consultation with the Reporter:-

- deal with general correspondence relating to the inquiry arrangements;
- maintain lists of objections;
- establish the nature of the cases to be presented, including whether witnesses are to be called;
- draw up a provisional programme and timetable (if this has not been done already), showing the running order for hearing the objections and how long the inquiry is likely to last;
- bring together objectors with a common interest;
- arrange for the exchange of documents by and between parties both before and during the inquiry;
- manage the day-to-day programme during the inquiry;
- arrange the Reporter's accompanied site inspections

FIGURE 1: PLI PROCEDURE - KEY POINTS



- 4.3 In respect of the Finalised Angus Local Plan it is therefore suggested that arrangements be undertaken to appoint a Programme Officer. Following discussions with the Personnel Department the establishment of a post of part-time temporary Programme Officer has been authorised under delegated authority of the Director of Personnel, at grade AP3/4 currently £14,757 - £18,609 per annum, pro rata for actual hours worked. In practice the time required on Programme Officer duties will vary from a very small input initially upto a more significant contribution in the periods immediately preceding and during the Public Local Inquiry. Flexible working arrangements will therefore be necessary. With this in mind the opportunity will be taken to consider a suitable appointment from within the Department in respect of a member of staff already employed on a part-time basis.

5 STRATEGIC ENVIRONMENTAL APPRAISAL OF LOCAL PLAN

- 5.1 Policy S.2 of the Finalised Local Plan indicates that Angus Council will continue to develop document and apply the process and principles of Strategic Environmental Appraisal in the course of adopting the Strategy, Policies and Proposals of the Angus Local Plan.
- 5.2 An appraisal has been undertaken which more explicitly determines and identifies the local and wider environmental implications arising from the Finalised Local Plan. A copy of the full Appraisal document has been placed in the Members Lounge.
- 5.3 Main findings arising from the appraisal undertaken include:-
- The guiding principles in Part I of the Local Plan, underpinning the general strategy on which the Plan is founded, encompass and address to varying degrees all the broader environmental aims drawn from the Council's Environment Strategy.
 - The broad locational priorities in Part 1 of the Plan match the guiding principles and are broadly compatible with the wider environmental aims.
 - The topic strategies, which are contained in the Policy Framework in Part 2 of the Plan and which provide the response to the main planning issues extending across all or parts of Angus, cover the full range of relevant environmental issues.
 - In the main the policies and proposals in Part 2 of the Plan are generally compatible with environmental aims, are moving towards environmental aims or have no discernable effect. In some cases where economic, social or other considerations have taken precedence and there is likely to be a conflict with environmental aims, measures have been suggested to reduce the likely adverse environmental effect. Examples of such policies are most common in Chapter 4 "Employment and Enterprise" and chapter 7 "Sport, Recreation and Tourism".
 - Some of the settlement policies and proposals in part 3 of the Plan give rise to adverse environmental impacts often in relation to the loss of land to built development. Other adverse impacts may be mitigated in part through the sensitive siting and design of development. Where adverse environmental effects have been identified, realistic alternative options considered would not have resulted in an overall improvement albeit that the impact on individual environmental aims may vary.

- Taking the Plan as a whole the environmental aim most frequently effected relates to the protection and enhancement of environmental quality encompassing landscapes, townscapes and cultural heritage, the vast majority of the effects being positive. Where adverse environmental effects have been recorded these relate most commonly to the aim to reduce the use of non-renewable resources particularly with relation to the loss of land to built development. However, this should be viewed within the wider context set by the Plan which gives priority to a sequential approach favouring brownfield and infill development where possible in preference to greenfield land release, while continuing to provide a range of well located development land for housing, employment and other uses.

5.4 It is suggested that copies of the Assessment Report be made available to interested parties in support of the Finalised Angus Local Plan.

6 FINANCIAL IMPLICATIONS

6.1 At this stage, and in advance of the receipt and consideration of objections which may be lodged on the Local Plan, it is not possible to specify the likely timescale or duration of a Public Inquiry. Similarly, it is not possible to accurately forecast the likely costs arising for various elements leading up to and associated with a Public Inquiry including the extent of work required of a Programme Officer. It is likely, however, that the costs associated with the appointment of a Programme Officer will not exceed £2,000 and will constitute a relatively minor element of the total costs which may be associated with an Inquiry.

6.2 In recognition of the statutory requirement to hold a Public Local Inquiry where necessary, an additional allowance of £30,000 has been made in the Department's Revenue Budget for 1999/2000.

7 CONSULTATION

7.1 The Chief Executive, Director of Finance, Director of Law & Administration and Director of Personnel have been consulted in the preparation of this Report.

8 CONCLUSION

8.1 This Report updates the Committee on the current position reached with the Angus Local Plan and outlines various broad steps and procedures leading up to the holding of a Public Local Inquiry where necessary. Following completion of the current deposit stage a report will be prepared for consideration by the Committee summarising objections lodged to the Finalised Plan and actions recommended.

8.2 Progress on the Local Plan continues to be a high priority for the Department which is reflected in the considerable staff and other resources committed to this major task alongside an increasing range of forward planning work.

NOTE

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

AA/CGR/KW
9 April 1999

Alex Anderson
Director of Planning and Transport