

ANGUS COUNCIL

STRATEGIC POLICY COMMITTEE – 3 DECEMBER 2013

DRAFT SCOTTISH PLANNING POLICY: ‘SUSTAINABILITY AND PLANNING’ CONSULTATION

REPORT BY STRATEGIC DIRECTOR - COMMUNITIES

ABSTRACT

This report comments on and provides the suggested basis for the Council’s response to the Scottish Government’s consultation on the Draft Scottish Planning Policy: “Sustainability and Planning”.

1. RECOMMENDATION(S)

It is recommended that the Committee:

- (i) note the publication of the Draft Scottish Planning Policy: “Sustainability and Planning” Consultation
- (ii) agree this report as the basis of the Council’s response to the Scottish Government on the Draft Scottish Planning Policy “Sustainability and Planning” Consultation.

2. BACKGROUND

2.1 The Scottish Government published the Draft Scottish Planning Policy (SPP) for formal consultation in May 2013. SPP sets out national planning policies which reflect Scottish Ministers priorities for the development and use of land relating directly to:

- the preparation of development plans;
- the design of development from initial concept through to delivery; and
- the determination of planning applications and appeals.

2.2 The Strategic Policy Committee considered a report on the consultation draft SPP and agreed the response to the consultation that was submitted to the Scottish Government (Report No 375/13 to Strategic Policy Committee, 11 June 2013 refers). The response was prepared following consultation through a Member Officer Group, in accordance with Infrastructure Services Committee decision to convene such a group to act as a sounding board in relation to consultations from Government on planning related matters (Report No 856/10 to Infrastructure Services Committee, 23 November 2010 refers). The timescales involved with the current consultation and its limited scope has meant that a similar Member Officer Group has not been convened in this instance.

2.3 The Scottish Government received over 1,600 responses to the consultation which closed in July 2013. These responses have subsequently been analysed by an independent consultant. Having reflected on the responses and taking into account the views of a range of stakeholders, the Scottish Government is now considering an amendment to the draft policy document published previously.

2.4 The proposed changes to the draft SPP made in light of the consultation responses are considered, in accordance with the Participation Statement which accompanied the draft document, to require further consultation for a period of six weeks. This report outlines the proposed changes to the draft SPP and sets out in [Appendix 1](#) the questions on which the Scottish Government is seeking views. It is the answers to these questions together with the main body of the report that will form the suggested response by Angus Council.

2.5 The Draft Scottish Planning Policy: “Sustainability and Planning” Consultation document can be viewed at: <http://www.scotland.gov.uk/Resource/0043/00437081.pdf>

3. SUMMARY AND DISCUSSION OF DRAFT SCOTTISH PLANNING POLICY: “SUSTAINABILITY AND PLANNING”

- 3.1 The current consultation document sets out that the SPP will contain a presumption in favour of sustainable development and proposes replacing the draft SPP principal policies on “sustainable economic growth” and “sustainable development” with a principal policy on “Sustainability and Planning”.
- 3.2 The presumption in favour of development articulates and draws on provisions already set out in the Planning etc. (Scotland) Act 2006 that functions relating to the preparation of development plans by planning authorities must be exercised with the objective of contributing to sustainable development and the requirement set out in the Town and Country Planning (Scotland) Act 1997 that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 3.3 The proposed change to consolidate previously separate policies on “sustainable economic growth” and “sustainable development” helps to clarify the relationship between the two and provides guidance on how economic considerations should be balanced against social and environmental factors. Concern had been expressed in consultation responses to the draft SPP that economic factors would be given overriding weight in planning decisions, whereas the current proposed wording is more proportionate, stating “due weight” should be given to the net economic benefit of proposals.
- 3.4 The suggested consultation response to the formal questions set out in Appendix 1 welcomes the additional changes proposed to the draft SPP and the clarity they provide.

4. PROPERTY IMPLICATIONS

There are no property implications arising from this report.

5. RISKS

There are no significant risks to the Council arising from this report.

6. FINANCIAL IMPLICATIONS

There are no direct financial implications arising from this report.

7. HUMAN RIGHTS IMPLICATIONS

There are no human rights implications arising from this report.

8. EQUALITIES IMPLICATIONS

The issues dealt with in this report have been the subject of consideration from an equalities perspective (as required by legislation). An [equalities impact assessment](#) is not required. It should be noted that The Scottish Government have published an Equalities Impact Assessment as part of the document package.

9. ANGUS COMMUNITY PLAN AND SINGLE OUTCOME AGREEMENT

This report responds to a document of an external agency and consequently does not directly contribute to the local outcomes contained within the Angus Community Plan and Single Outcome Agreement 2013 – 2016. It will however influence future land use planning in Angus and therefore contribute subsequently to both Angus Community Plan and Single Outcome Agreement.

10. STRATEGIC ENVIRONMENTAL ASSESSMENT

There are no SEA implications for Angus Council. It should be noted that The Scottish Government have undertaken SEA of their draft SPP and published an Environmental Report. The Scottish Government have concluded that an update to the SEA Environmental Report is not required as this scenario has been considered and consulted upon as a “reasonable” alternative and the original information contained within the Environmental Report remains valid.

11. CONSULTATION

The Chief Executive, Head of Corporate Improvement & Finance and Head of Legal & Democratic Services have been consulted in the preparation of this report.

12. CONCLUSION

This amended consultation draft of the SPP represents an update and review of national planning policy and guidance. When finalised it will be a material consideration for future development planning and determination of planning applications in Angus.

**ALAN MCKEOWN
STRATEGIC DIRECTOR – COMMUNITIES**

NOTE: The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

- Draft Scottish Planning Policy: 'Sustainability and Planning' Consultation, published by The Scottish Government, October 2013
- Report No 856/10 Angus Local Development Plan and Government Consultations – Establishment of Working Group, Infrastructure Services Committee, 23 November 2010
- Report No 375/13: Scottish Planning Policy Consultation Draft, Strategic Policy Committee, 11 June 2013

**P&T/IM/KC
1 November 2013**

APPENDIX 1: DRAFT STATEMENT OF RESPONSE – SEE SEPARATE PAPER