

Falkirk Council

Falkirk Development Plan Scheme

March 2013

(4th Revision)



Falkirk Council
Development Services

FALKIRK DEVELOPMENT PLAN SCHEME

1. INTRODUCTION

1.1 What is a development plan?

Development plans are prepared by local authorities to guide the use and development of land within their areas. They contain policies and proposals which indicate where development should, and should not take place, and which provide guidance on topics such as housing, business and industry, shopping, transport and infrastructure, recreation and community facilities and built and natural heritage.

1.2 The development planning system in Scotland

The Planning etc (Scotland) Act 2006 brought in a new planning system in Scotland, with revised arrangements for the preparation of development plans. Structure plans and local plans are being replaced by

- strategic development plans; and
- local development plans

However, only the city regions of Scotland will have a two tier system with both types of plans. Elsewhere, there will only be local development plans.

Falkirk Council is preparing a single local development plan which will replace the current framework of structure and local plans. This should help to simplify development planning in the area.

1.3 What is a development plan scheme?

Planning authorities are required to prepare a development plan scheme. This must set out the authority's programme for preparing and reviewing development plans, including when it will publish each stage of the plan. It must also explain how the authority will go about consulting people and agencies during the preparation of the plan, including when, how and with whom it will consult at each key stage (the participation statement). Development plan schemes will be updated each year.

Falkirk Council's first development plan scheme was published in May 2009, with subsequent annual revisions. This 4th revision:

- Explains the current development plan framework covering the area;
- Explains the key stages in preparing the new local development plan;
- Outlines the progress already made in the process of preparing the local development plan;
- Sets out an updated timetable for the preparation of the local development plan;
- Confirms the Council's intention with regard to the preparation of supplementary guidance; and
- Explains how the Council is involving, and will continue to involve people and agencies at each stage of preparing the local development plan (participation statement).

The development plan scheme will be subject to further annual updates as the local development plan process advances.

2. THE EXISTING DEVELOPMENT PLAN IN THE FALKIRK COUNCIL AREA

2.1 Falkirk Council Structure Plan

The Falkirk Council Structure Plan was approved by Scottish Ministers in January 2007. It is based on a strategy of ‘sustainable growth in all our communities’, and sets out a vision of how the area will develop in broad terms until 2020. It:

- Highlights the intended scale and distribution of housing growth in the area between 2001 and 2020;
- Identifies four special initiatives for residential led regeneration (SIRRs)
- Identifies nine strategic development opportunities for major economic development;
- Sets out a network of protected areas, including a system of green belts separating the main settlements;
- sets out the hierarchy of shopping centres in the Council area which will be promoted and protected;
- highlights the priorities for environmental enhancement in the area; and
- sets out broad areas where developers will be expected to contribute to physical and social infrastructure.

2.2 Local Plan

Currently, the Local Plan covering the Council area is the Falkirk Council Local Plan which was adopted in December 2010. It contains detailed policies and proposals which implement the provisions of the Structure Plan at a site-specific level.

2.3 Supplementary Guidance

In addition to the structure and local plans, the Council has produced a range of supplementary planning guidance which provides more detailed guidance on certain topics or sites. These are listed below.

<u>Design</u> Housing Extensions & Alterations Housing Layout & Design Design Statements Shopfronts	<u>Natural/Built Heritage</u> You and Your Trees Trees and Development Biodiversity & Development Frontiers of the Roman Empire (Antonine Wall) World Heritage Site
<u>Transport/Infrastructure</u> Waste & Development Flooding & Sustainable Urban Drainage Systems Travel Plans Spatial Framework for Wind Energy Developments (draft)	<u>Developer Contributions</u> Education & New Housing Development Affordable Housing

<u>Site-Specific Guidance</u> Rosebank Distillery Planning Brief Bellsdyke Planning Brief Overton Farm Development Brief Former RSNH Site Development Framework Community Schools Planning Brief Carrongrove Mill Planning Brief Banknock & Haggs SIRR Development Framework	<u>Village Housing Allocations</u> Standburn
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Supplementary guidance has been given enhanced status within the new development planning system. Section 4 indicates the Council's future intentions for statutory supplementary guidance.

2.4 Monitoring

The Council produces an annual Development Plan Monitoring Report which assesses progress on the implementation of both the Falkirk Council Structure Plan and the Falkirk Council Local Plan against a range of indicators contained within these documents. In 2011, the annual report was replaced by the Monitoring Statement which is required to be published alongside the LDP Main Issues Report. The next Monitoring Report is planned to be published in Spring 2013.

3. THE NEW LOCAL DEVELOPMENT PLAN (LDP)

3.1 Scope and Plan Period

The new Falkirk Local Development Plan (LDP) will replace the existing Structure Plan and Local Plans which cover the Falkirk Council area and will bring the whole development plan into one document.

The new LDP will have a lifespan of 10 years for its detailed policies and land use allocations and, in its broad strategy, it will look ahead up to 20 years from its adoption date. The first new LDP will encompass the period up to 2034. However, while looking ahead up to 20 years, the Plan will be replaced every 5 years in a rolling programme.

3.2 Content

The principal contents of the LDP will be:

- **Vision** - a statement of the future we aspire to in 2034.
- **Spatial Strategy** - the scale and location of new housing and economic development, the strategic infrastructure needed to support such growth, and the shape of the green network we hope to develop over the plan period.
- **Settlement Statements** - the implications of the spatial strategy for each settlement area, including a description of how it is expected to change over the plan period and the key proposals affecting it.
- **Supporting Policies** - the detailed policies which will be used to guide and assess development proposals on a day-to-day basis.

- **Appendices** – these include a site schedule which provides detail on each of the proposals included in the plan, guidance on strategic growth areas, a list of supplementary guidance, a monitoring framework and an index of all policies.

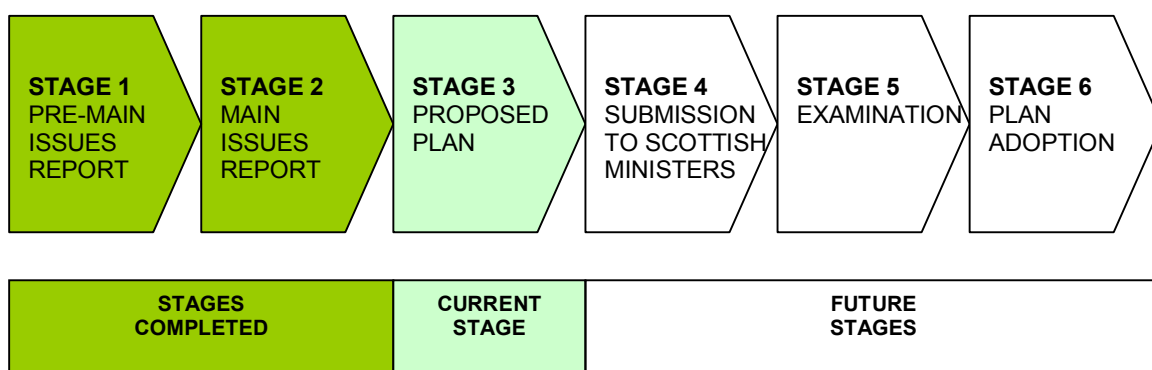
Other key components of the LDP will be a Proposals Map, and a Schedule of Land owned by the Council which would be affected by proposals or policies.

A number of other supporting documents are being prepared to accompany the plan. These include:

- Various Technical Reports, including the Monitoring Statement required by legislation
- Environment Report
- Habitats Regulation Appraisal
- Action Programme

3.3 Plan Preparation Process

Preparing the new LDP involves six key stages. As can be seen from the diagram, substantial progress has already been made.



The stages are explained in more detail below.

Stage 1 Pre-Main Issues Report

This stage of early consultation, to inform the Main Issues Report, was completed in 2010/2011 and included:

- A series of themed workshops for key stakeholders were held in May and June 2010;
- A training event for Community Councils was held in June 2010;
- A sites and issues consultation, including an invitation to developers and landowners to submit 'expressions of interest' for sites, was carried out from July to September 2010;
- The Council engaged with key agencies, Scottish Ministers and adjoining planning authorities through meetings and the themed workshops; and
- Youth engagement has been undertaken in the form of a presentation and discussion with the area's Pupil Council, and a planning exercise with pupils at Wallacestone Primary School led by Planning Aid for Scotland under their IMBY ('in my backyard') programme.

Stage 2 Main Issues Report (MIR)

The Council published the Main Issues Report in November 2011. It:

- Set out a preferred vision for the period 2014-2034 for the Falkirk area, including alternatives;
- Identified 14 key development and land use issues facing the area under the themes of thriving communities, a growing economy and a sustainable place;
- Set out preferred options for tackling these issues, and alternatives;
- Identified preferred new sites for development, as well as sites proposed to be carried forward from the existing Local Plan, and non-preferred sites; and
- Brought together the key spatial elements of the preferred options to define a preferred spatial strategy

As part of the Strategic Environmental Assessment process, an Environmental Report was published alongside the Main Issues Report. It highlighted the environmental effects of the preferred policies and proposals, and of the alternatives, and outlined potential mitigation to reduce significant negative environmental effects. A number of Technical Reports were also published as the evidence base for the Main Issues Report.

The Main Issues Report provides the focus for public engagement on the LDP. The Council carried out consultation on the Main Issues Report for a 12 week period between 18th November 2011 and 10th February 2012, and used a range of participatory approaches to involve people and organisations, as outlined generally within the participation statement (Section 5). Details of the consultation are contained within the 'Report of Consultation on the Main Issues Report' which is available on the Council's web site.

Stage 3 Proposed Plan

The Proposed Plan is planned for publication in April 2013. Its preparation is informed by a review of the representations made at the Main Issues Report stage, and by further consultation with the key agencies. At this stage the Council will have firmed up its views on where development proposals should go and which policies will be contained in the plan.

A further six week period of consultation will be undertaken in line with the participation statement (section 5). A new procedure introduced by the Planning Act at this stage will be for the Council to notify owners and neighbours of land which the plan proposes for development. This notification will be additional to the standard opportunity for developers, the public, environmental agencies and community groups to make representations.

Stage 4 Submission to Ministers and Proposed Action Programme

The Council may decide to make amendments to the Proposed Plan to take account of representations received, in which case it will publish Modifications. If these are 'notifiable', i.e. they add, remove or significantly alter any policy or proposal in the plan, the modified plan will be republished for comments in exactly the same way as the original plan. However, the Scottish Government has indicated that making notifiable modifications should be the exception rather than the rule.

The Proposed Plan, with Modifications, once agreed, can then be submitted to Scottish Ministers for processing towards examination. The submitted plan will be accompanied by a Proposed Action Programme which will set out how the Council, in partnership with developers and key agencies, proposes to implement the LDP.

Stage 5 Examination

The Examination is the equivalent process to the previous Local Plan Inquiry. The examination process will be held under new inquiry procedures and will rely heavily on written representations and hearings rather than formal cross-examination. The Reporter will decide on which issues need to be clarified through examination and will have the final say on how objections are dealt with. After the Examination the Reporter will prepare an Examination Report for consideration by the Council.

Stage 6 Adoption of LDP

Examination Reports will be largely binding on the Council and any modifications proposed by the Reporter should be incorporated into the plan by the Council unless they are considered to contravene a limited range of circumstances. The plan as modified will then be advertised and submitted to Scottish Ministers within 3 months of receipt of the Examination Report along with the final Environmental Report. The Council will be able to adopt the Plan 28 days after submission to Scottish Ministers unless otherwise directed.

4. TIMETABLE

4.1 Timetable without notifiable modifications to the Proposed Plan

The timetable for the remaining stages of the LDP process is dependent on whether the Council decides to make notifiable modifications to the Proposed Plan in response to representation. If no such modifications are necessary, then the projected timetable would be as follows:

Date	Plan Stage/Process
	Proposed Plan
April 2013	<ul style="list-style-type: none">• publish Proposed Plan• publish Proposed Action Programme
April – June 2013	<ul style="list-style-type: none">• consultation period for Proposed Plan
June 2013 – February 2014	<ul style="list-style-type: none">• consider representations to Proposed Plan• prepare any non-notifiable modifications and summary of unresolved issues• obtain committee approval for submission to Scottish Ministers
	Submission of Plan to Scottish Ministers
February 2014	<ul style="list-style-type: none">• submission of Proposed Plan to Scottish Ministers• publish revised Environment Report (& Habitats Regulations Appraisal)
	Examination
February 2014 – September 2014	<ul style="list-style-type: none">• Examination of Proposed Plan
	Adoption
December 2014	<ul style="list-style-type: none">• submission of Proposed Plan as modified to Scottish Ministers
February 2015	<ul style="list-style-type: none">• adoption of Plan

4.2 Timetable with notifiable modifications to the Proposed Plan

If notifiable modifications are made, this introduces an additional period of consultation and Committee approval, which would have to be built into the programme. The projected timetable would be as follows:

Date	Plan Stage/Process
	Proposed Plan
April 2013	<ul style="list-style-type: none">publish Proposed Planpublish Proposed Action Programme
April – June 2013	<ul style="list-style-type: none">consultation period for Proposed Plan
June – November 2013	<ul style="list-style-type: none">consider representations to Proposed Planprepare and obtain Committee approval for any notifiable modifications
December 2013	<ul style="list-style-type: none">publish modifications
December 2013 - February 2014	<ul style="list-style-type: none">objection period for modifications
February 2014 – May 2014	<ul style="list-style-type: none">consider representations to modificationsprepare summary of unresolved issuesobtain Committee approval for submission to Scottish Ministers
	Submission of Plan to Scottish Ministers
May 2014	<ul style="list-style-type: none">submission of Proposed Plan to Scottish Ministerspublish revised Environment Report (& Habitats Regulations Appraisal)
	Examination
May 2014 – December 2015	<ul style="list-style-type: none">Examination of Proposed Plan
	Adoption
March 2015	<ul style="list-style-type: none">submission of Proposed Plan as modified to Scottish Ministers
May 2015	<ul style="list-style-type: none">adoption of Plan

5. FUTURE SUPPLEMENTARY GUIDANCE

5.1 Scope

The Planning etc (Scotland) Act 2006 sets out provisions for supplementary guidance to be part of the development plan and have statutory status. Such guidance has to have an explicit link to the LDP and its preparation must follow certain procedures. The Council intends to prepare the supplementary guidance as indicated below. In some instances, this will be through the conversion and updating of current non-statutory guidance. In others, it will involve the preparation of new guidance.

SG01	Development in the Countryside
SG02	Housing Layout and Design
SG03	House Extensions and Alterations
SG04	Shopfronts
SG05	Biodiversity and Development
SG06	Trees and Development

SG07	Frontiers of the Roman Empire (Antonine Wall) World Heritage Site
SG08	Local Nature Conservation and Geodiversity Sites
SG09	Landscape Character and Assessment
SG10	Education and New Housing Development
SG11	Healthcare and New Housing Development
SG12	Affordable Housing
SG13	Open Space and New Development
SG14	Spatial Framework for Wind Energy Development
SG15	Low and Zero Carbon Development
SG16	Design Guidance for Listed Buildings and Non-Listed Buildings in Conservation Areas

The Council will aim to have this suite of supplementary guidance adopted by the time the LDP is adopted.

6. GETTING PEOPLE INVOLVED IN THE LOCAL DEVELOPMENT PLAN

6.1 The need to be inclusive

The success of the local development plan will depend on getting a wide range of stakeholders involved in the process. A wide range of people and organisations have an interest in the future development of the area, and the plan will have an impact on everyone who lives and works here. It is important that they are given the opportunity to provide an input to plan preparation and to express their views on the draft proposals.

In the past, consultation exercises have not always been successful at getting people to participate in plan preparation. People are not sufficiently aware of development plans and their importance, and they may find it difficult to understand the process. Opportunities for involvement may have been too limited, and this may have made it difficult for particular groups to play a part. Sometimes people feel that their views will not be taken into account.

In preparing the local development plan, the Council will endeavour to improve the way people are involved in plan making. In doing so the Council will be guided by its Principles for Community Involvement and by Planning Advice Note (PAN81) on Community Engagement – Planning for People, which highlights good practice.

6.2 General principles

The principles Falkirk Council will try to achieve in involving people in the Local Development Plan are as follows:

1. **PURPOSE** : in each situation where we engage with the local community, we will be clear about whether we are informing, consulting or engaging. .
2. **INVOLVEMENT** : we will identify who might be interested in any consultation or engagement and encourage them to be involved. We will also try to overcome any barriers they may face so that no group or individual is excluded.
3. **METHODS** : we will use the right methods of engagement in each situation and ensure that timescales are long enough for people to participate effectively.

4. INFORMATION : we will share all the information necessary for people to participate and we will use clear, accessible language.

5. WORKING TOGETHER : we will treat all participants with respect and we will expect all participants to treat us and others with respect. We may require people and organisations that represent their communities to show us how they have collected the views of their community.

6. FEEDBACK : we will always explain how people will receive feedback before they participate. We will always try to show how people's views have influenced the outcome.

7. IMPROVEMENT : we will monitor and evaluate our approaches to community involvement so that we can improve over time.

The Council will provide a clear point of contact for raising questions and concerns if it is thought we have not stuck to the principles during a particular consultation. We will do what we can to address concerns if the consultation is still live, and we will try to identify lessons for future work.

6.3 Who we will involve?

The Council has been engaging with various groups of people and agencies in the preparation of development plans for many years, and has built up a list of organisations and individuals who have an interest in the process. We have developed and updated this information to provide a comprehensive database of stakeholders as a basis for consultation on the local development plan.

The main groups which are being involved include:

Public sector

- Scottish Government (including executive agencies of the Government such as Historic Scotland and Transport Scotland)
- Key agencies (bodies specified by Scottish Ministers who have to co-operate with the Council in preparing the development plan, i.e. SNH, SEPA, Scottish Water, Scottish Enterprise, SEStran, NHSFV)
- Neighbouring local authorities (i.e. Clackmannanshire Council, Fife Council, North Lanarkshire Council, Stirling Council, West Lothian Council)
- Other public sector organisations (e.g. Scottish Canals, Sportscotland, Forestry Commission)

Private sector

- Landowners
- Developers and housebuilders
- Key local companies and businesses
- Housing associations
- Transport companies (e.g. Network Rail, First Bus, First Scotrail)
- Telecommunication companies
- Energy and utility companies
- Mineral operators

Other organisations

- Environmental and amenity organisations (e.g. Central Scotland Forest Trust, RSPB, Scottish Wildlife Trust, Civic Trust)
- Transport organisations (e.g. Sustrans)
- Business organisations (e.g. Falkirk for Business, Chamber of Commerce, Falkirk and District Town Centre Management)

Community Organisations & Representatives

- Community Councils
- Local councillors
- Local MPs and MSPs
- Residents associations and groups
- Local amenity and interest groups
- Churches and faith groups

Individuals

6.4 What will we do to get people involved?

There is a wide range of means of getting people involved in the plan making process. These have expanded greatly in recent years through the use of the internet, which offers new opportunities for communication with the wider public. However, there is a limit to the resources which the Council has available. It is important that consultation is targeted appropriately, so that the right people are involved at the right time, and generally that consultation is 'front loaded' at a point when they can influence the outcomes of the plan.

In broad terms, the following steps will be undertaken at each stage of the plan. As noted previously, the pre-MIR and MIR consultation stages are now complete.

Stage	Methods
Pre-Main Issues Report (pre-MIR)	<ul style="list-style-type: none">• Publicise Development Plan Scheme by placing it on-line and in libraries and other deposit locations and distributing copies to all on consultation database• Update and develop stakeholder database• Consult on the scope and issues to be covered in plan• Consult on the scope of Strategic Environmental Assessment• Invite developers and landowners to submit development proposals for consideration• Hold topic focus groups with key stakeholders• Organise training for community councils and others on engagement in Main Issues Report stage• Carry out specific youth engagement exercise• Issue Development Plan Newsletter and review Council web site to update all stakeholders on progress

Main Issues Report (MIR)	<ul style="list-style-type: none"> • Advert, press release and letter to all stakeholders • Make documents and response forms available online, in libraries and other deposit locations • Minimum 12 week period for engagement • Hold area-based exhibitions and workshops across Council area • Hold workshops with community councils and other community groups where requested • Issue Development Plan Newsletter to provide concise summary of Main Issues Report
Proposed Plan	<ul style="list-style-type: none"> • Advert, press release and letter to all stakeholders, including those who commented on Main Issues Report stage • Make documents and objection forms available online, in libraries and other deposit locations • Publicise summary of all comments on the Main Issues Report • Notify neighbours and owner/occupiers of proposed sites • Formal period of at least six weeks for representations • Issue Development Plan Newsletter to provide concise summary of proposed plan
Notifiable Modifications	<ul style="list-style-type: none"> • Advert, press release and letter to all stakeholders • Make documents and objection forms available online, in libraries and other deposit locations • Notify neighbours and owner/occupiers of proposed sites • Formal period of six weeks for representations • Issue Development Plan Newsletter to provide concise summary of modifications
Examination	<ul style="list-style-type: none"> • Organise training for community organisations on participation in examination stage • Advert
Adoption	<ul style="list-style-type: none"> • Advert, press release and letter to all stakeholders including those who participated at Main Issues Report, Proposed Plan and examination stages • Make documents available online, in libraries and other deposit locations

7. LET US KNOW WHAT YOU THINK

The Council would welcome comments on this Development Plan Scheme, to help inform how we go about preparing the local development plan and how we involve people in it.

The contact details for sending comments or finding out more about the local development plan are as follows:

Planning & Environment Unit
Development Services
Falkirk Council
Abbotsford House
Davids Loan
Falkirk
FK2 7YZ

Telephone: 01342 504720 (Colin Hemfrey)
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