



Planning and Access Committee

Meeting: 29 April 2024

Agenda item: 5

SUBMITTED BY: **STUART MEARNS**
Director of Place

SUBJECT:	Local Development Plan Scheme
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1. Summary and reason for presentation

1.1. The purpose of this report is to brief Members of the Planning and Access Committee on the preparatory work now underway to prepare a new style Local Development Plan for the National Park. It also seeks Committee approval to publish the 2024 Development Plan Scheme (comprising details of our timescales for achieving key milestones in preparing the plan and information as to how people can be involved in plan preparation).

2. Recommendation

2.1. That Members:

- (a) **Note** the preparatory work and approach towards preparing a new style Local Development Plan and

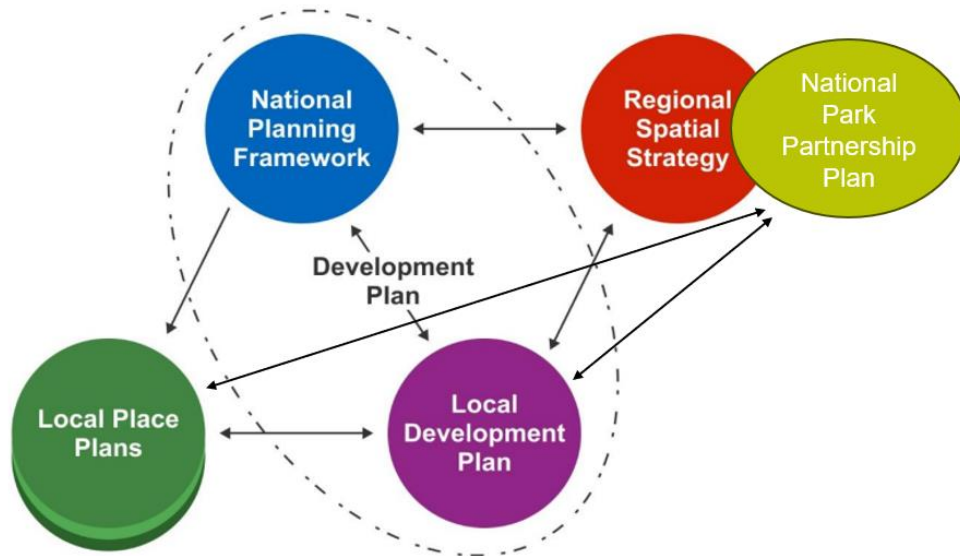
(b) **Approve** the 2024 Development Plan Scheme.

3. Background

Development Plan for the National Park – our statutory role

- 3.1. The planning system in Scotland is plan-led. Development planning is required to manage the development and use of land in the long-term public interest. The National Park Authority is the statutory planning authority for the National Park and is required by law to prepare a Local Development Plan as set out in primary legislation (The Town and Country Planning (Scotland) Act 1997, as amended by the Planning (Scotland) Act 2019) and a series secondary legislative regulations that provide details and transitional provisions for moving from the current style of plans to the new style Local Development Plans. Legislative requirements for the new style plans place stronger requirements on engagement and incorporating the vies of particular groups of people are we prepare the plan.
- 3.2. The statutory Development Plan comprises two parts – the National Planning Framework and the Local Development Plan. The Scottish Ministers have published the fourth [National Planning Framework \(NPF4\)](#) which sets out their policies for development and use of land. The Local Development Plan (LDP) sets out how places will change in the future and show where development can and can't happen. This guides decisions on planning applications which must be made in accordance with the Local Development Plan unless there are material planning considerations that indicate otherwise. New style LDP's are to be prepared every 10 years instead of the previous 5 yearly update cycle.
- 3.3. There are other plans that inform the statutory development plan. Local Place Plans are prepared by communities and do not form part of the statutory development plan however have an important role informing it. The Planning (Scotland) Act also introduces a new requirement for us (either solely or jointly with other planning authorities) to prepare a long-term spatial strategy, called a Regional Spatial Strategy. This part of the Act is not yet in force however it is our intention that the National Park Partnership Plan will function as our Regional Spatial Strategy for the National Park once these are plans are required.
- 3.4. Figure One is an amended extract from the [Local Development Planning Guidance](#) published by the Scottish Government in 2024 and shows the relationship between these plans for the National Park, as well as where our own National Park Partnership Plan links in.

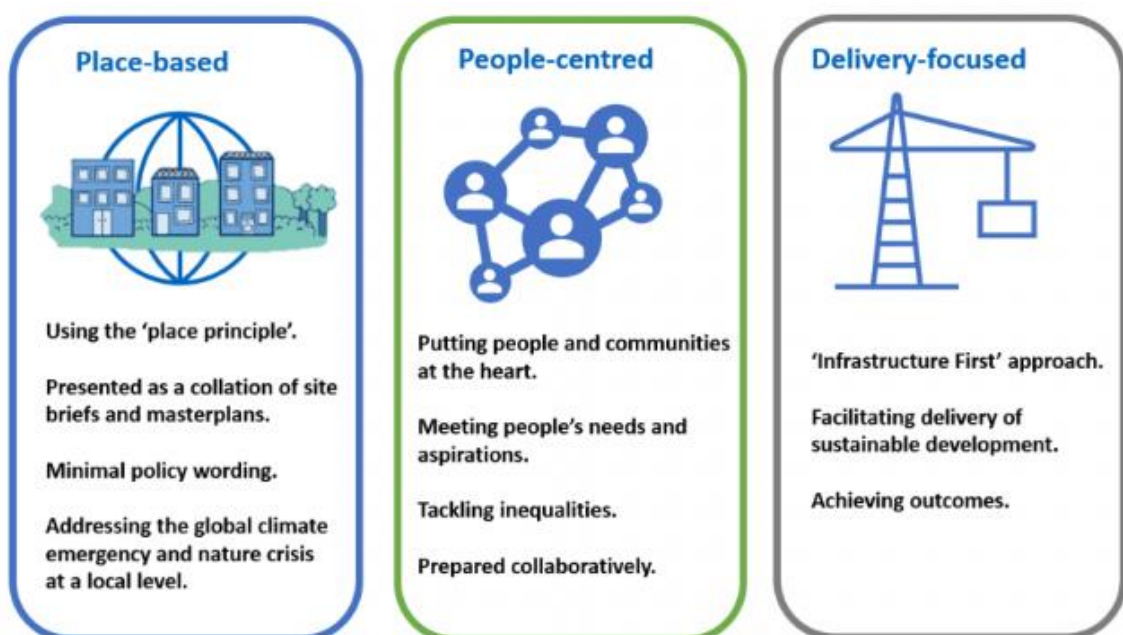
Figure One – National Park Statutory Development Plan and related plans



New style Local Development Plans

3.5. Our new LDP will be prepared differently, look different and be used differently to our current LDP, with the emphasis on it being more place based, people centred and delivery focussed. Scottish Government Local Development Planning guidance illustrates the key expectations of new style LDPs as shown in the extract below in Figure Two.

Figure Two – Key Expectations of Plans

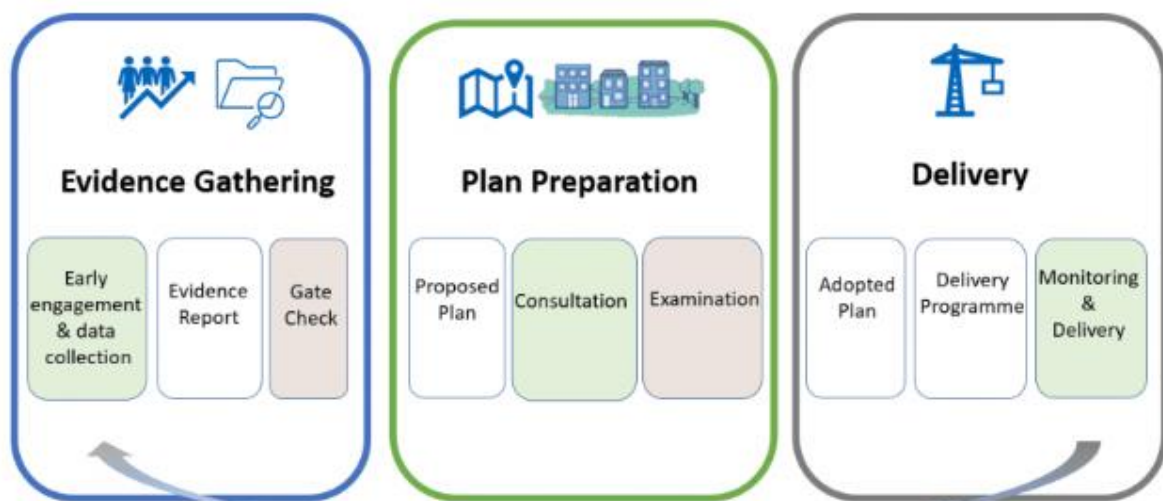


3.6. Our new LDP must be outcomes focussed and tell a clear and compelling story about the future of the National Park. It should help deliver the ambition and outcomes for the area looking ahead 20 years, as identified in the [National Park Partnership Plan](#) that has been approved by Scottish Ministers and is due for publication imminently. It should be a visual place based plan, including a clear spatial strategy presented by a collection of maps, development briefs and masterplans rather than lengthy text and policies. It should be relevant and accessible to everyone with an interest in the National Park. As NPF4 now provides policy guidance these need not be duplicated in the LDP, instead local policies may be used where required to support any local issues and context.

Stages to Prepare new style Local Development Plan

3.7. The Scottish Government expects that plan preparation should take around 3-4 years, allowing more time to focus on delivery over the 10-year plan duration. The process to prepare a new style LDP involves three main stages – Evidence Gathering, Plan Preparation and Delivery. These are shown in Figure Three below in another helpful extract from the Scottish Government Development Planning Guidance.

Figure Three – Key Stages In LDP preparation



3.8. We are currently at the Evidence Gathering stage (early engagement and data collection) and many other planning authorities are at a similar stage in this process. This stage aims to fully front load the plan preparation process and to establish and confirm the evidence base that we will use to identify what in turn we need to plan for in the new LDP. It should be informed by the views of people who will be affected by the LDP and involved in its implementation to ensure that the LDP will be robust and deliverable. Once we have established our evidence base and prepared an Evidence Report this will be independently assessed by a reporter appointed by the Scottish Ministers from the DPEA (Planning and Environmental Appeals Division). This is called the Gate Check and is a newly introduced step in the plan making process, intended to reduce the level of debate and challenge arising at the end of the plan making process and the need for lengthy examinations.

- 3.9. Our work to prepare the National Park Partnership Plan, both the knowledge and evidence base for this as well as the extensive stakeholder engagement undertaken, places us on a firm footing for progressing the new LDP, with a significant amount of work already undertaken. However, as work has progressed to scope the extent of remaining work requirements to establish our LDP evidence base it is clear that further data and analysis is needed in order to compile our evidence report, including specific stakeholder engagement with several key groups and key government agencies.
- 3.10. Over recent months we have engaged with our peers in other planning authorities, Scottish Government and the DPEA and it is apparent that this early evidence gathering stage appears to be requiring more time allocated to it than originally envisaged as all stakeholders are digesting, initiating and actively progressing the new requirements and DPEA expectations for the Gatecheck process are being shared. This is reflected in our LDP timeline discussed in 3.12 below, in which we have allocated more time this year to work on the evidence gathering stage.

Development Plan Scheme and Participation Statement

- 3.11. We prepare a Development Plan Scheme (DPS) and Participation Statement (PS) annually and this is a statutory requirement. These are contained in the same document, the DPS, which is an important tool for timetabling, project management and communication. The DPS sets out our programme to prepare the new LDP and the PS outlines when engagement and consultation is likely to take place and details on this. Both should provide details of the stages involved and what these comprise and when preparing the PS engagement should be undertaken.
- 3.12. As project initiation and planning is still ongoing (Q1 2024) we are still scoping and identifying some of this detail. **The DPS and PS presented to Committee Members in Appendix One is therefore proposed to be published as an interim indicative document outlining key milestones and stages only pending further work and update.** Once our LDP project set up is complete and we have undertaken some stakeholder engagement on the Participation Statement we will be able to update this and flesh out the detail sitting against the milestones with more detail. This is programmed for Q2 2024/25.
- 3.13. A summary of the DPS timeline and key milestones is shown in Figure Four on the next page.

Figure Four – Proposed timings for key Local Development Plan stages

CORE MILESTONES	Q1 Apr- Jun 2024	Q2 Jul- Sept 2024	Q3 Oct- Dec 2024	Q4 Jan- Mar 2025	Q1 Apr- Jun 2025	Q2 Jul- Sept 2025	Q3 Oct- Dec 2025	Q4 Jan- Mar 2026	Q1 Apr- Jun 2026	Q2 Jul- Sept 2026	Q3 Oct- Dec 2026	Q4 Jan- Mar 2027
Project Set up & Governance Development Plan Scheme and Participation Statement												
SEA Baseline & Scoping												
Evidence Gathering & Stakeholder Engagement												
Draft Evidence Report & Board Approval												
Gate Check (assumed 3 months)												
Call for Ideas and Sites stage												
Site Assessments												
Draft Proposed Plan												
Publish Proposed Plan for consultation												
Modifications to Proposed Plan												
Examination												
Adoption & Publication												
Publish Delivery Programme												

3.14. We have allowed more time to complete our evidence gathering, evidence report and Gatecheck process, with a target set for approval of the Evidence Report at the December 2024 National Park Authority Board meeting. This is to allow time to progress several workstreams including:

- (a) Programme set up, planning and governance,
- (b) Evidence and Data gathering analysis
- (c) Stakeholder Engagement
- (d) Drafting the Evidence Report
- (e) Engage and establish data management system with DPEA for the Gatecheck process
- (f) Prepare the Scoping Report and engage with consultation authorities on the Strategic Environmental Assessment
- (g) Prepare interim supplementary planning guidance necessary to support the current LDP over the interim period until such times as the new plan is adopted
- (h) Support the ongoing Local Place Plan Programme

3.15. Programming at present is mainly focussing on reaching Gatecheck stage with consideration and focus turning next towards the Proposed Plan stage. 15 months is proposed for drafting the Proposed Plan with consultation and modifications following thereafter. This will be reviewed and amended as the work programme progresses and stakeholders will be kept informed on an ongoing basis.

4. Conclusion

4.1. Members are asked to note the new requirements for preparing a Local Development Plan and approve the appended Development Plan Scheme, including the Participation Statement noting that these will be reviewed and updated as plan preparation progresses. As part of the project planning and governance arrangements for oversight of this work we will be considering how best to involve and update Planning and Access Committee to ensure Members are kept informed of progress as this work progresses.

5. List of Appendices

Appendix 1: Local Development Plan Scheme