

Development Plan Scheme November 2017

- Community Engagement must happen at an early stage to influence the shape of plans and proposals
- It is essential for people or interest groups to get involved in the preparation of Development Plans as this is where decisions on the Strategy, for Growth or Protection, are made.





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1 What is the Development Plan Scheme?

- 1.1 This is the Development Plan Scheme (DPS) for Scottish Borders Council. The Town and Country Planning (Scotland) Act 1997 (as amended by the Planning etc (Scotland) Act 2006) and the Town and Country Planning (Development Planning) (Scotland) Regulations 2008, require planning authorities to prepare a Development Plan Scheme each year.
- 1.2 In line with the new planning system the Council adopted its first Local Development Plan (LDP) in May 2016 - The Scottish Borders Local Development Plan 2016. That new plan replaced the Consolidated Local Plan 2011.
- 1.3 This DPS has been prepared to provide information on our progress in updating our LDP (adopted May 2016). The DPS includes a timetable of when we intend to reach key stages in the process of preparing our new Local Development Plan 2 (LDP2), which will eventually replace our current adopted LDP, and also includes a Participation Statement explaining how we will engage with our communities and stakeholders.

2 What are Development Plans?

- 2.1 The planning system provides the basis for land use management and affects everyone. Development plans contain the strategy for the future development of an area and set out policies and proposals to guide the future development and use of land. The plans are expected to cover topics on the environment, housing, transport and infrastructure, economic development and retailing.
- 2.2 Under the planning system, decisions on where and how development will take place in Scotland will be influenced by three statutory documents:

National Planning Framework for Scotland: this is produced by the Scottish Government and sets out, at the national level, the Scottish Government's long term vision for development and investment across Scotland over the next 20 to 30 years. NPF3 was published in June 2014.

<http://www.gov.scot/Resource/0045/00453683.pdf>

Strategic Development Plan: these are produced by the Strategic Development Planning Authorities (SDPAs) which are set up for Scotland's four largest city regions. The Scottish Borders lies within the SESplan Strategic Development Plan (SDP) area that also includes the council areas of East Lothian, Edinburgh, Fife (south), Midlothian and West Lothian. SDPs set out a long term (20 years or more) spatial planning strategy indicating in broad terms where future development will be located and what is needed to deliver it. The DPS for SESplan can be found at www.sesplan.gov.uk

Local Development Plan: these are produced by the local planning authorities and set out more detailed policies and proposals to guide development. These plans, which are adopted by the local planning authority, must accord with the approved SDP (in the case of the city regions) and seek to implement its requirements on a site-specific basis.

- 2.3 The Strategic Development Plan and the Local Development Plan form the statutory Development Plan for the Scottish Borders area. In addition, Supplementary Guidance on a specific planning topic may be prepared and form part of the statutory development plan but only where it has been specifically trailed as needed in an SDP or LDP.

3 What Development Plans do we have in the Interim?

- 3.1 The Strategic Development Plan (SDP) was formally approved in June 2013. Therefore, the development plans for the Scottish Borders area are as follows:

SESplan Strategic Development Plan 2013-2032:

The Strategic Development Plan for Edinburgh and South East Scotland was approved in June 2013. The approval included the requirement to produce Supplementary Guidance on Housing Land. The Supplementary Guidance on Housing Land was adopted on 28 October 2014.


Scottish Borders Local Development Plan 2016:

The Local Development Plan for the Scottish Borders was adopted in May 2016. The adoption included the requirement to produce Supplementary Guidance on Housing Land and on Renewables.

3.2 The Supplementary Guidance on Housing Land has been informed by a 'call for sites' in which developers and house builders were able to put forward proposals for consideration by the Council in order to meet the additional requirement of 916 houses. The Council approved the Finalised Supplementary Guidance in August 2017, and the document has been submitted to Scottish Ministers for scrutiny. It is anticipated that the Council will formally adopt the Supplementary Guidance in November 2017.

4 What is involved in the process of preparing a Local Development Plan?

- 4.1 The Local Development Plan (LDP) process is a lengthy and detailed process. The process is commenced by **gathering evidence** - this includes reviewing current LDP policies through a Monitoring Report. This will form the basis for a period of pre-consultation.
- 4.2 The first formal consultation takes place following the production of the **Main Issues Report** (MIR). This document focuses on the key areas of change from the last LDP, and will present a range of options for comment. This stage is a key stage in terms of public consultation as it will be from this consultation that the Council comes to a view on what should be in the new LDP.
- 4.3 Following the consideration of the consultation responses to the MIR, the Council will prepare the **Proposed Local Development Plan 2**. The Proposed Plan will represent the settled view of the Council. The type of consultation at this stage of the process is different to that what came before, in that this stage the Proposed Plan will be subject to a period of representation. Neighbour Notification letters are also sent out at this stage informing immediate neighbours of new development proposals. The Proposed Plan will also be accompanied by a draft Action Programme.
- 4.4 Should the Council receive objections to the Proposed Local Development Plan 2 that are not resolved they will be sent to the Planning and Environmental Appeals Division (DPEA) of the Scottish Government. An **Examination** would then be conducted by an appointed Scottish Government Reporter into the unresolved objections to the Proposed Plan. A Report including recommendations will be produced by the Reporter.

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- 4.5 On receipt of the Examination Report the Council will then move towards **Adoption of the Local Development Plan 2**. As the reporters recommendations from the Examination are largely binding on the Council, the Council may be required to modify the Proposed Plan. Once that is undertaken, the Council is required to submit the Proposed Plan as modified to the Scottish Ministers and advertise its intention to Adopt the plan.
- 4.6 Further information on the above key stages is set out in Planning Circular 6/2013: Development Planning. That document contains guidance on the legislative procedural requirements relating to the preparation of development plan in Scotland.

5 Where we are now

- 5.1 We are currently at the very start of the process having recently adopted the Local Development Plan in May 2016. The first step is to gather evidence to help us prepare the Local Development Plan 2 (LDP2). We will start this with gathering information for our Monitoring Report.
- 5.2 In contribution of this process, the Communities and Partnerships Team, on behalf of the Community Planning Partnership hosted a series of workshops across the Scottish Borders during February and March 2016. These workshops allowed individuals and groups to complete the Place Standard Tool which was available in both paper and online format. At each of the events members from the Planning Policy Team were also present. The outcomes from this survey will contribute to the evidence gathering stage.
- 5.3 As part of the preparation for the Main Issues Report the Council has held a series of public events and workshops across the Scottish Borders. As a result of these events a number of questionnaires and comments have been submitted and these will inform the production of the Main Issues Report.
- 5.4 We are also currently building up a contacts database of all those who would like to be engaged in the LDP2 process. If you would like to be added to this database please let us know by contacting us (details of how you can contact us are in section 7).



6 Participation Statement

- 6.1 LDP Authorities must include a Participation Statement (PS) in their Development Plan Schemes. It should set out when consultation is likely to take place, with whom, its form and the steps that we will take to involve the public in the LDP's preparation or review stages.
- 6.2 The Scottish Government sets out guidance on how the community can effectively engage in the planning process in Planning Advice Note 3/2010: Community Engagement. Early engagement is defined as being the LDP Main Issues Report (MIR) stage. However, proposals have been developed to extend engagement proposals beyond the PAN's minimum requirement.
- 6.3 Scottish Borders Council has in the past extensively consulted throughout the Local Development Plan Process and intend to do this again within the Local Development Plan 2 process.

Potential Consultation Programme (subject to review)

1 Press release and launch (Spring / Summer 2017)

Purpose: raise awareness of LDP process and set out in general terms the task that lies ahead, generate interest, and identify those parties that are interested in engaging in the LDP process. This will obtain first input from interested individuals/organisations. We aim to make sure the process is delivered efficiently by making it easy to make responses electronically.

2 Formal MIR Consultation (Summer 2018)

Purpose: to seek views of individuals/organisations on the content of the published MIR – an opportunity to submit representation on the various LDP development options for the area.

3 Proposed LDP2 published and formal representation phase (Winter 2019)

Purpose: to give stakeholders and consultees the opportunity to submit formal representations to the plan. Any unresolved representations not withdrawn, will be considered in a subsequent Examination.

4 Examination of Proposed LDP2 (Summer 2020)

Purpose: to allow unresolved representations to be considered by an independent reporter.

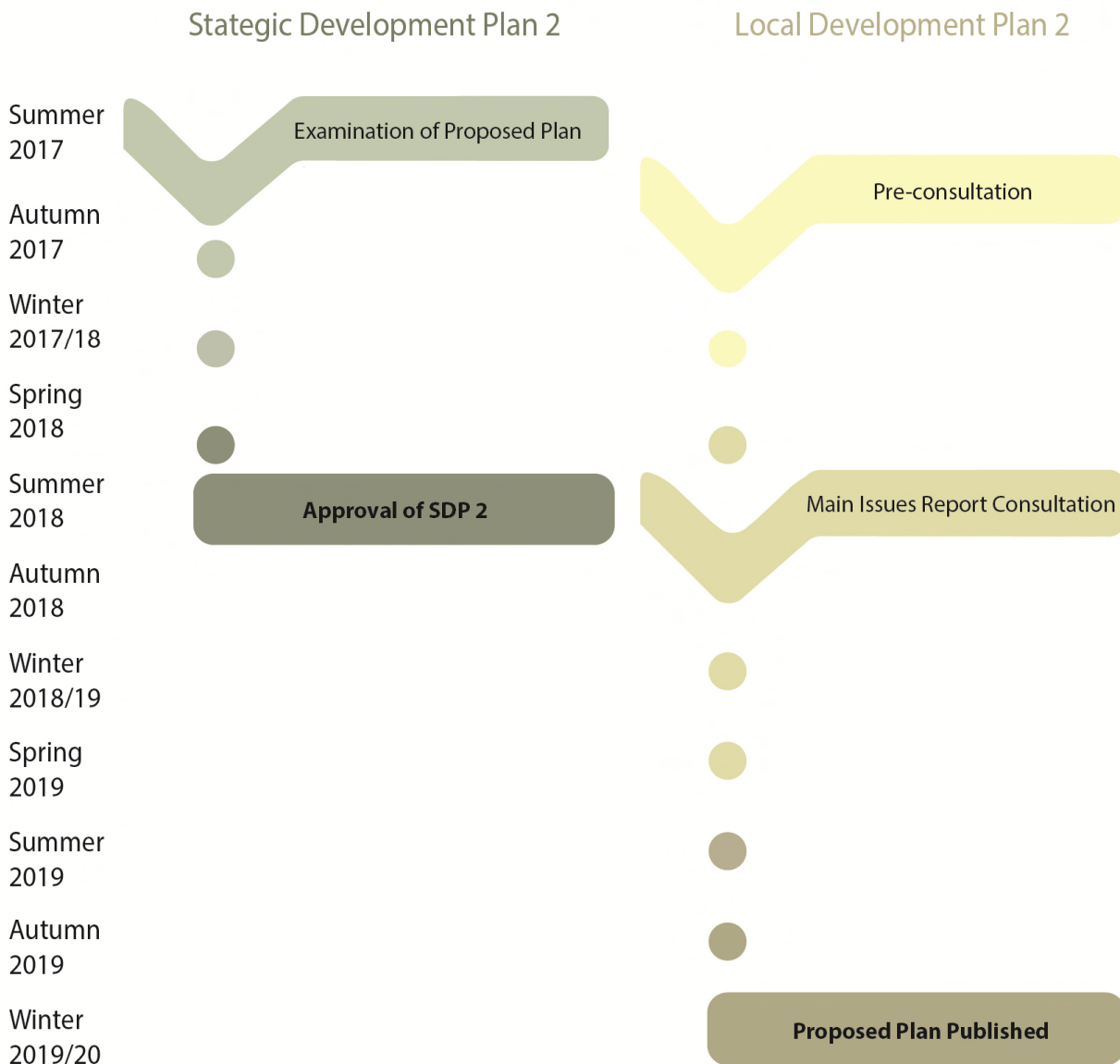
5 Proposed Modifications to LDP2 (Winter 2020)

Purpose: to give stakeholders and consultees the opportunity to be informed on the proposed modifications by the Council to the LDP2 following public examination.

6 Adoption of LDP2 (Spring 2021)

- 6.4 This reflects our current thinking but the timing and content of planned consultation stages are approximate at this stage given the time horizon involved, and the requirement for the SESplan strategic development plan to receive formal approval. Subsequent annual reviews of the DPS will allow increased precision in the timetable. The diagram below shows the current timeframe of the Strategic Development Plan and the Local Development Plan coming forward.

Strategic Development Plan / Local Development Plan Timeframe (subject to review)





Keeping you informed

- 6.5 We will notify interested parties and stakeholders at periodic stages throughout the LDP2 process, but we want to do more than that and maintain a flow of project information. The main home for this real time information will be our web site at www.scotborders.gov.uk
- 6.6 We will try to accommodate the range of consultees and interests with an interest in the future of the Borders, including agencies and organisations, community councils, businesses and the general public.

7 Getting involved

In the past some people have, for various reasons, not been able to, or have chosen not to get involved in the planning process. But it's vital we hear from a wide range of interests. So we want to make it as easy as we can to get people involved in the LDP project by making access to information and communication with us as straightforward as possible. There will be opportunities for people to comment on our process and main plan stage outputs.

We plan to use a range of techniques, including:

- publicising an e-mail address where you can ask questions about the LDP process and get a personal response
- keeping a record of everyone who responds in a database for newsletters or up and coming events
- publishing key documents on our website
- providing paper copies of key plan stage documents at libraries and council area offices
- press releases and awareness-raising publicity at each key stage of the LDP process
- making translations of key documents into the main community languages available on request.

If you want to be involved in the LDP process you can contact us by:

Emailing us at:

localplan@scotborders.gov.uk

or,

Writing to us at:

Forward Planning Team
Scottish Borders Council
Newtown St Boswells
Melrose
TD6 0SA