

Dumfries and Galloway Council

# Development Plan Scheme

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# THE DEVELOPMENT PLAN SCHEME

## The Development Plan Scheme?

The Dumfries and Galloway Council Development Plan Scheme (DPS) sets out the programme for preparing the next Local Development Plan (LDP3). The DPS is updated annually to let you know how the Plan is progressing and gives you more detail on the next stages and how and when you can get involved.

Planning reform at the national level has changed how the next Plan (LDP3) is prepared and what that Plan will look like. This edition of the Development Plan Scheme (DPS) provides an update on those planning reforms, an indicative timescale for LDP3 and how we are proposing you can get involved.

## Dumfries and Galloway Local Development Plan 2

The Dumfries and Galloway Local Development Plan 2 (LDP2) was adopted on 3rd October 2019 and replaced the previous LDP. LDP2 provides policies and proposals to help guide development and to ensure that the right development takes place in the right location. LDP2 is supported by supplementary guidance, planning guidance, technical papers and land use audits which provide background information and an evidence base to the policies and strategies contained in the Plan.

A Strategic Environmental Assessment, Habitat Regulations Appraisal and Equality Impact Assessment have assessed the social and environmental impact of LDP2 and Supplementary Guidance during their preparation.

An Action Programme has been prepared and lists the actions needed to deliver the policies and proposals contained in LDP2, when they are expected to be delivered and who will take the lead in delivering them.

All the above documents are available on our website: [www.dumgal.gov.uk/LDP2](http://www.dumgal.gov.uk/LDP2)

## What happens now LDP2 is adopted?

### Reforming the Planning System

The Scottish Government seeks to improve Scotland's planning system to strengthen the contribution planning can make to inclusive growth, housing delivery and infrastructure, to addressing climate change and to sustaining, supporting, and empowering communities.

The Planning (Scotland) Act 2019 was passed by the Scottish Parliament in July 2019 and introduced a number of significant changes to the Development Planning system in Scotland and the way local development plans (LDP) are prepared. Therefore, LDP3 should consider the ambitions and outcomes for our region, looking ahead to 20 years in the future. It



should be developed through collaboration and based on robust evidence so that it is deliverable. The LDP should be place-based, with the inclusion of a clear Spatial Strategy reflected more in a collection of maps, site briefs and masterplans. Plans should be relevant and accessible to the people with an interest in their place.

The Planning (Scotland) Act 2019 was passed by the Scottish Parliament in July 2019 and introduces a number of significant changes to the Development Planning system in Scotland and the way local development plans are prepared. Some of the changes include replacing LDPs every 10 years instead of 5 and having scope to amend specific sections of them without having to review the whole plan after adoption; removing supplementary guidance and changing the status of the National Planning Framework by making it part of the Development Plan which means it will be used to determine planning applications.

The detail of how the new Act's provisions will work in practice, will be contained within forthcoming secondary legislation and further guidance which the Scottish Government is currently working on. More information is available on the Scottish Government's transforming planning webpage - <https://www.transformingplanning.scot>

The Scottish Government published draft Regulations and Guidance on LDPs and Open Space Strategies and Play Sufficiency Assessments alongside the draft National Planning Framework 4 in November 2022. Adoption of the regulations and guidance is expected to follow the adoption of National Planning Framework 4.

## National Planning Framework 4 and Regional Spatial Strategies

The National Planning Framework (NPF) is a long-term strategy for Scotland. It plans for development and investment in infrastructure, identifies national developments and other strategically important opportunities in Scotland. NPF3 was published in 2014 and will remain in place until NPF4 is adopted by Scottish Ministers which is expected late 2022. Once adopted, NPF4 will cover the period from its adoption to 2050 with a 10-year review. NPF4 will, for the first, time incorporate Scottish Planning Policy (SPP) and will therefore contain both spatial and thematic planning policies in one place. When published NPF4 will be part of the Development Plan, setting out the national policy position for land use planning and will be used when determining planning applications.

Therefore, the new style LDP can be a more place-based document with greater emphasis on maps, site briefs and masterplans, with minimal policy wording. The reader should be able to find what is relevant to a particular place in one area of the plan. It is envisaged that the policies and proposals within the LDP are to be focused on places and locations.





The Act also includes a new duty for planning authorities to prepare and adopt Regional Spatial Strategies (RSS). These strategies will identify the outcomes, needs, priorities and proposed locations of strategic development and will help inform NPF4. Dumfries and Galloway Council worked with Scottish Borders Council to publish a joint **Indicative Regional Spatial Strategy (iRSS)** for the South of Scotland. This iRSS was submitted to the Scottish Government in September 2020 to inform the review of NPF3, and an updated position was submitted to Scottish Government in April 2021, following their request.

## Delivering LDP2

The Council is required to prepare an Action Programme to set out how they propose to deliver the actions set out in the LDP2 policies and sites. An Action Programme for LDP2 was published in May 2020 and will be kept under review. One of the changes from the review of the planning system, is a change in this title from Action Programme to Delivery Programme.

The Delivery Programme identifies the actions which will be required to deliver the policies and proposals contained in the Plan. It will name the lead officer or organisation responsible for delivering the action and other people or groups who need to be involved. It also contains a timescale for carrying out each of the identified actions and the progress that has been made.

## Monitoring LDP2

The Council is in the process of monitoring the effects of the policies and proposals in LDP2 with a view to inform work on the next Plan. Monitoring includes the assessment of policies used in planning decisions to see if they are having the intended effect or if there are any issues or problems with certain policies. We will continue to update the land use audits for both housing and business and industry on an annual basis.

## Preparing LDP3

Once the NPF4 is adopted the Council will have 5 years to adopt LDP3. The following flow chart provides an overview of the various stages involved in preparing and adopting LDP3.

# LDP Process

## LDP Content

**Evidence Report** – The Evidence Report will gather information about the region to inform what to plan for, before the Proposed Plan looks at where development should take place. Starting with an evidence report should mean that LDP3 will be based on good information, be effective and lead to positive outcomes for people and their communities. It should be informed by the views of those who are anticipated to be affected by the plan and involved in its implementation. The Evidence Report is not expected to contain all the detail of evidence, it should provide a summary and the analysis of what the evidence means for the plan.

The Evidence Report is approved by full Council and sent to Scottish Ministers.

**Gatecheck** – Scottish Ministers appoint a reporter from Scotland's Planning and Environmental Appeals Division (DPEA) who will assess whether the Evidence Report contains sufficient information to enable the Planning Authority to prepare the Proposed Plan. If not, the Evidence Report is to be revised and resubmitted to Scottish Ministers.

**Preparing the Proposed Plan** - The Proposed Plan identifies where new development should take place and can set out the ambitions and priorities for the future development of the plan area. To inform the Proposed Plan, a Call for Ideas will invite sites and comments to be put forward by the public and stakeholders. To prepare the Proposed Plan we will engage with Key Agencies, communities, and stakeholders, and use available information such as the Evidence Report. It is at this stage that the contents of the Local Place Plans will be considered.

There are several different assessments which must be undertaken to support the preparation of the LDP. They are an integral part of the plan making process and should inform, and be informed by, the plan as it is prepared. These include: Strategic Environmental Assessment; Public Sector Equality Duty Assessment; Fairer Scotland Duty Assessment; Habitat Regulations Appraisal.

The Proposed Plan will be published for consultation. We will use the representations received to finalise the Proposed Plan. The finalised Proposed Plan is approved by full Council and sent to Scottish Ministers.

**Examination** - There will be an Examination with a new provision that if the person appointed (DPEA Reporter) to undertake the Examination is not satisfied that the amount of land allocated for housing is sufficient they may give notice to the planning authority that another Plan is to be prepared.

## ADOPTION, DELIVERY & MONITORING

Once LDP3 is adopted it will need to be delivered and is therefore accompanied by the Delivery Programme which sets out how the Council proposes to implement the plan. This will include a list of actions to deliver the policies and proposals, a named person for each action, and a timescale for the conclusion of each action. Regular monitoring of LDP3 will determine how successfully LDP3 is being delivered, especially helpful with regards to the Housing Land Pipeline which outlines when sites come forward. Monitoring this will help identify and mediate any issues that occur and depending on the circumstance consider the status of sites including whether they should be deallocated.



## Local Place Plans

Local Place Plans (LPPs) are a new tool by which communities can engage in the production of LDP3 by producing a plan for their locality, which must be taken into consideration by a planning authority when preparing an LDP. While the regulations set out the legislative process, they leave scope for different approaches to consultation and production. For each LPP to be taken into account in the LDP process, the LPP must be finished by early 2025.

Information and guidance have been published for community groups who are interested in producing their own **LPP ([www.dumgal.gov.uk/local-place-plans](http://www.dumgal.gov.uk/local-place-plans))**. Additionally, procedures are in place where communities can seek assistance from the Council and its partners. This process of support is designed to be flexible so as to respond to issues as they arise.

## Consultation and Engagement

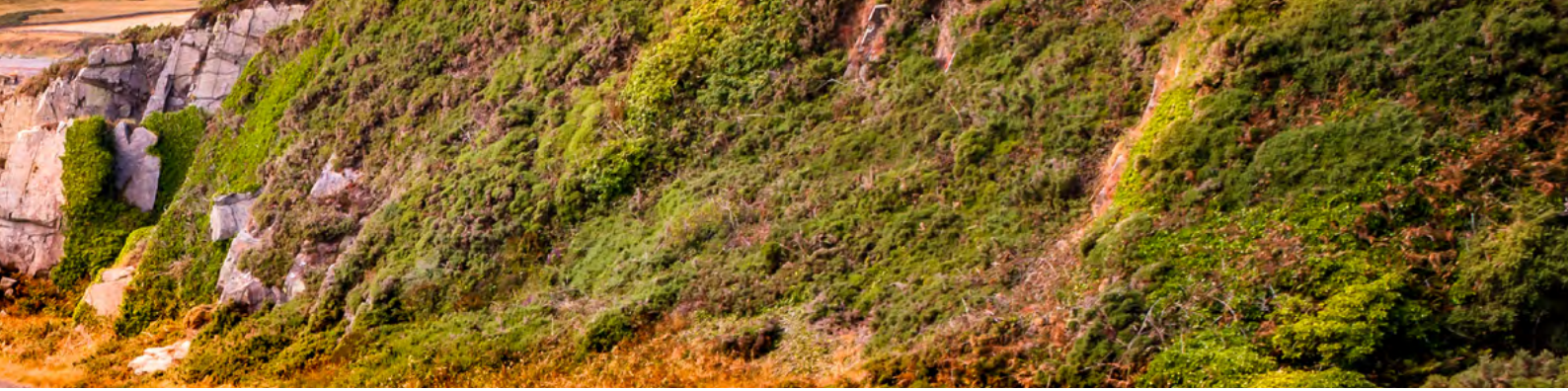
The 2019 Planning (Scotland) Act has set a clear direction to improve engagement and help communities find a way to influence how their neighbourhoods and the places they live will change in the future. When preparing LDP3 we will share information and focus on early and meaningful consultation using best practices and methods to engage with the public.

Everyone will have the opportunity to engage and comment throughout the LDP3 preparation process including having a say on how you would like to be involved in the various stages outlined above. Once the Proposed Plan has been published there will be limited opportunity for engagement, so it is important to get involved during the early LDP3 stages to ensure your voice is heard. We will keep you updated on when events are happening on our website, social media accounts, email updates and through the DPS Participation Statement which are outlined below.

Throughout the preparation of LDP3, we will consult with the following groups:

- The general public;
- Under-represented groups such as Disabled people, Children and Young people, Gypsies and Travellers;
- Community groups, organisations and representatives, including Community Councils and development trusts;
- Stakeholders and key agencies such as SEPA, Transport Scotland, Historic Environment Scotland and Nature Scot;
- Private sector such as business interests, landowners, and developers.
- Other groups with a wide interest such as Sustrans, tourism and nature conservation organisations.





## Proposed Participation Statement

The proposed Participation Statement sets out when, how and why you should get involved in the various stages involved in preparing LDP3. The DPS Participation Statement will be published for consultation to seek your views on the engagement and consultation approaches being proposed, allowing you to have a say on how you want to get involved in the LDP3 process.

The comments received will allow us to tailor our approach and make sure people can get involved and engage in the various plan preparation and consultation stages. The comments will be used to review the proposed engagement methods set out in the table below. It is our intention to publish an updated DPS and Participation Statement in Spring 2023.

To comment on the DPS and Participation Statement please follow this **link** to our LDP webpage where you will have access to our DPS feedback form. The closing date for comments is the 3rd of February 2023.

The experience of preparing previous LDPs has helped us learn how to improve the way we include the public and reach a wide range of people. We are conscious of the impact of the pandemic and the cost-of-living crises have had on people, which is why we are proposing to use a mix of face-to-face consultations and in person meetings, along with meetings and discussions using digital platforms.

Proposed methods for information sharing, engagement and consultation for the preparation of LDP3 may include:

- Press releases;
- Social media alerts;
- Information and updates on Council webpage;
- Directly notifying people signed up to our news and updates mailing list. You can sign up here: **Dumfries & Galloway Council (govdelivery.com)**;
- In person and digital meetings and discussions;
- Community Council meetings;
- Drop-in sessions and workshops in various locations across the region;
- Engaging with under-represented groups;
- Creative approaches to place making, including use of the **Place Standard Tool**;
- Notifying neighbouring properties to sites that are being considered for inclusion within the plan;
- Online and printed Questionnaires.

## Draft LDP3 Timetable

With NPF4 anticipated to be adopted towards the end of 2022, we are only able to provide a proposed timetable for the preparation of LDP3. If adoption of NPF4 and associated regulations and guidance is delayed it may have an impact on the proposed timetable. If that is the case, we will review the proposed timetable and publish an updated DPS as soon as possible.

## Work Programme for 2023

The main activity for 2023 will focus on the Evidence Report. Evidence gathering started in 2022 and will continue into early 2023 followed by public engagement, evidence analysis, report drafting and finally the Evidence Report will be taken to committee for approval. Once approved it will be sent to Scottish Ministers for assessment at the Gatecheck stage so that they can determine if we can proceed to the next stage, which is preparing the Proposed Plan. Additionally, there will be ongoing work in relation to Local Place Plans and the supporting assessments set out above that will help inform LDP3.

LDP3 PROPOSED TIMETABLE & PARTICIPATION STATEMENT			
STAGE	WHEN	WHY	HOW - PROPOSED ENGAGEMENT METHODS
Development Plan Scheme			
Publish 14 <sup>th</sup> edition of the Development Plan Scheme	November 2022 and at least annually thereafter.	To inform the public how LDP3 is progressing and sets out how they can get involved.	Issue a press release and social media alerts when DPS published. Update the LDP website. Make paper copies available in libraries and Council planning offices. Notify Community Councils and other interested parties and groups when the DPS is published. Ask our community planning partners, third sector D&G and ward officers to notify their networks that the DPS has been published.



Evidence Report Engagement			
Engage with public and groups on the evidence that has been gathered.	Summer 2023	Early engagement in the LDP3 process will shape the plan to meet the needs of people and communities in the region. It is an opportunity to be involved in providing the evidence required to inform the Proposed Plan.	Use press releases, social media alerts, the LDP mailing list and our network of contacts to inform people of the engagement sessions. Hold public meetings, drop-in sessions, workshops in various locations across the region and online sessions. A range of methods and tools will be used at these sessions so as many people and groups as possible are able to participate.
Gatecheck			
Examination of the Evidence Report	Submit early 2024	To assess whether the Council has provided sufficient information in the Evidence Report to inform the preparation of LDP3.	The Evidence Report is approved by Elected Members at Full Council before being submitted to Scottish Ministers. Scottish Ministers appoint a DPEA reporter to assess the Evidence Report. No public engagement at this stage.
Preparing the Proposed Plan			
Call for Ideas	Early 2024 (maximum of 12 weeks)	Public opportunity to submit ideas on what should be considered for inclusion in the Proposed Plan. It is also an opportunity to submit sites for consideration.	Use press releases, social media and the LDP mailing list to inform people how they can submit ideas and sites. We will also advise what information needs to be provided especially when it is a site that is being submitted.

Plan Preparation	Spring 2024 to Autumn 2025	Opportunity to get involved in the details of LDP3.	Hold public meetings, drop-in sessions, and workshops in various locations across the region. Hold online sessions. A range of methods and tools will be used at these sessions so as many people and groups as possible are able to participate. Use press releases, social media alerts, the LDP mailing list and our network of contacts to inform people of engagement sessions.
<b>Publish Proposed Plan</b>			
Publish Proposed Plan for consultation.	Winter 2025 to Spring 2026 (minimum of 12 weeks)	To offer the public the opportunity to provide representation on the Proposed Plan.	Use press releases, social media alerts, the LDP mailing list and our network of contacts to inform people when proposed plan published. Update the LDP website. Notify Community Councils and other interested parties and groups when the proposed plan is published. Ask our community planning partners, third sector D&G and ward officers to notify their networks that the proposed plan has been published.
Finalisation of Proposed Plan following consultation	Summer to Autumn 2026	Consider representations made to Proposed Plan.	Report the representations received to Full Council. The plan may be amended to take account of the representations before it is submitted to Scottish Ministers.

Examination			
Examination of the Proposed Plan	Winter 2026	Scottish Ministers appoint a DPEA reporter to independently assess representations received to the Proposed Plan consultation.	There is no public engagement at this stage. The DPEA Reporter may require additional information from representors or ask them if they want to attend an informal hearing so the issue can be discussed further. This is for the Reporter to decide.
Adoption			
Adopt and publish LDP3	Summer 2027	The adopted LDP3 becomes part of the Development Plan alongside NPF4. Both documents are the basis on which decisions on planning applications will be made.	Use press releases, social media alerts and the LDP mailing list and our network of contacts to inform people that the plan has been adopted. Update the LDP website. Notify Community Councils and other interested parties and groups when the plan is adopted. Ask our community planning partners, third sector D&G and ward officers to notify their networks that the plan has been adopted. Those who made a representation to the proposed plan will be notified directly that the plan has been adopted.
Monitoring			
Review sites and policies.	Ongoing	Monitoring helps understand how sites and policies are being implemented.	No engagement methods required at this stage.





## Feedback

For further information about this DPS, how to provide feedback or have any other general queries about the LDP2, please find further information here: [www.dumgal.gov.uk/LDP2](http://www.dumgal.gov.uk/LDP2).

For news and updates on LDP3 we recommend that you register for our mailing list:  
**Dumfries & Galloway Council (govdelivery.com)**

You can contact us by telephone on **030 33 33 3000** and ask to speak to a member of the **Development Planning** team. You can also e-mail the **Development Planning** team at [ldp@dumgal.gov.uk](mailto:ldp@dumgal.gov.uk)