



DEVELOPMENT PLAN SCHEME 2024

Report by Deputy Chief Executive

PURPOSE

- 1.1 The purpose of the Report is to seek approval of the 2024 Development Plan Scheme and draft Participation Statement.

EXECUTIVE SUMMARY

- 2.1 There are no financial, equalities or other implications to the recommendations being implemented. It is a statutory requirement for Planning Authorities to prepare and publish a Development Plan Scheme (DPS) and to review and update it annually.
- 2.2 The DPS is a document that sets out the Comhairle's proposed programme and processes for preparing and reviewing its Development Plan including Local Development Plans (LDPs), and other associated and supporting documents. The DPS includes a Participation Statement, which sets out how the planning authority will engage with the public and other stakeholders in relation to the Development Plan. There is a statutory requirement to publicly consult on the Participation Statement aspect of the DPS regarding engagement for the new LDP.
- 2.3 The DPS, once approved, will direct the work programme for the Development Plan team, and in line with Regulations, the Participation Statement element will be subject to public consultation. The DPS will be published, and copies sent to the Scottish Ministers. Officers will report back to Committee on the consultation element and as the various pieces of work set out in the DPS are progressed.

RECOMMENDATIONS

3.1 It is recommended that the Comhairle:

- (a) approve the Outer Hebrides Development Plan Scheme 2024 as detailed in the Appendix; and**
(b) authorise the Deputy Chief Executive to publish the Development Plan Scheme 2024 and draft Participation Statement for public consultation.

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Appendix: Outer Hebrides Development Plan Scheme 2024
Background papers: None

IMPLICATIONS

4.1 The following implications are applicable in terms of the Report.

Resource Implications	Implications/None
Financial	There are legal and financial implications arising from the commencement of parts of the Planning Act and subsequent secondary legislation and regulations, including the Development Planning Regulations and in relation to the DPS. This includes a number of new and unfunded duties relating to delivery of Development Planning functions.
Legal	Local authorities are required to maintain an up-to-date Development Plan and publish a Development Plan Scheme.
Staffing	There are a number of new and un-resourced duties relating to delivery of Development Planning functions arising from the Development Planning Regulations.
Assets and Property	None
Strategic Implications	Implications/None
Risk	None
Equalities	None
Corporate Strategy	2.1.3 Economic investment, development and research is increased within the Outer Hebrides and people are provided with a safe, sustainable and healthy environment in which to live, work, visit or do business.
Environmental Impact	No EIA or SEA required for DPS. Individual elements of the Development Plan e.g. LDP, SGs will be screened for environmental assessment.
Consultation	The Development Plan Scheme will be published, and the Participation Statement element will be subject to public consultation.

BACKGROUND

- 5.1 A Development Plan Scheme (DPS) set out the stages, programme and consultation arrangements for preparing a new Local Development Plan (LDP).
- 5.2 The Planning (Scotland) Act 2019) and subsequent new Development Planning regulations introduced specific new requirements around the preparation of new LDPs. Recent reforms of the Planning system have earlier and targeted engagement at their heart and tasked planning authorities to specifically seek the view of certain 'hard to reach' groups including children and young people, the elderly, and gypsies/traveller communities.
- 5.3 The LDP process has three key stages: Evidence Gathering, Plan Preparation and Delivery. In May 2023 the Scottish Government produced Local Development Plan Guidance which set out in detail each of these three stages. The purpose of the Evidence Report, which summaries the evidence gathered is to provide a baseline for future monitoring and to inform the content of the Proposed Plan. The Proposed Plans are expected to be place based with an emphasis of maps and less policy wording than the current Plan. There is also an increased emphasis on Plan monitoring and deliverability of proposal sites within the LDP. Further details of each stage are set out in the DPS in Appendix 1.
- 5.4 The Development Plan team are currently working on the Evidence Report stage for the new Plan. The programme for the preparation of the new Plan has been reviewed in light of the impact of the cyber-attack, including consideration of the loss of historical (monitoring) and more contemporary data and files. Accordingly, the intent is now to brief Members on the emerging main issues at the December 2024 series and then present the draft Evidence Report for approval early in 2025 before submission to the Gatecheck process thereafter.

CONSULTATION STRUCTURE

- 6.1 The Development Plan team commenced preparation of a new LDP in 2023. Work on the Evidence Report stage and Plan monitoring has been hindered by the cyber-attack on the Comhairle in November 2023. This has resulted in having to restart some of the work. In working towards a new Local Development Plan, the Development Plan team have prepared an inhouse communication strategy addressing specific new requirements and opportunities. In addition to the established and new consultation and engagement requirements for the DPS and new LDP, there are new methods and opportunities for wider and more effective engagement e.g. social media, post covid ways of working and meeting etc.
- 6.2 It is a requirement for the Comhairle to publish, and consult on, its programme of consultation and engagement for the preparation of a new Local Development Plan. The DPS sets out the high-level programme of work for the new LDP and engagement anticipated to be undertaken during 2024-25.
- 6.3 The DPS 2024 sets out workstreams in relation to work in preparing the new LDP. Over the coming year the Service will: continue to liaise with the Members, stakeholders and the wider public on the timeline for a new LDP and forms of engagement; progress supporting policy guidance under the existing LDP; expand the monitoring framework; and scoping and collation of data and issues for the new LDP's Evidence Report and associated work. The need for new or revised policy in the form of supplementary guidance (e.g. for Minerals, Conservations Areas , Marine Fish Farming etc.) will be considered in light of the National Planning Framework 4 and the emerging new LDP. This work and the engagement processes proposed are detailed in the Appendix.
- 6.4 The Planning Service has worked with the national Key Agency Group (KAG) throughout the last year working on place-based collaborative evidence. The KAG hosted a Place based workshop with internal and external stakeholders in January and work is progressing to run a series of similar workshop events at a sub area/island level, commencing with the first events focusing South Uist and Barra in June.

NEXT STEPS

- 7.1 Subject to Comhairle approval the DPS will be published, copies sent to Scottish Ministers, and through the anticipated programme of work and engagement the DPS and embedded Participation Statement will be consulted on and adapted as appropriate, in order to deliver the Development Plan. Planning staff will continue to engage with stakeholders, including Members, to progress the preparation of the new Plan.