

Development Plan Scheme 2024

Outer Hebrides Local Development Plan



INTRODUCTION

Comhairle nan Eilean Siar is required to prepare an annual Development Plan Scheme (DPS) statement. The DPS provides stakeholders and the general public with an update of the work programme for the Development Plan and details of how and when to get involved. The DPS 2024 sets out:

- The **current Local Development Plan**;
- The **new Local Development Plan**: proposed timings for various stages of the plan, what is involved with each stage;
- A draft **Participation Statement** setting out how we hope to engage with the community and other stakeholders, in relation to our work.

Cyber Attack

In preparing and consulting on the DPS and draft Participation Statement the Comhairle notes for context for its stakeholders the cyber-attack it has experienced. On the 7 of November 2023 the Comhairle was subject to a criminal cyber attack which has resulted in the inability to access servers where data and files were stored, and the loss of its website. This has had an impact on the Comhairle's timetable since the publication the last DPS as while some data has been recovered from third party sources, a significant proportion of research/ background information and the monitoring notes of the current plan have been lost. As a result the team have had to restart some of the work and take time to source and recollect new and historic data etc.

THE CURRENT LOCAL DEVELOPMENT PLAN

Since November 2018 the Comhairle has adopted the [Outer Hebrides Local Development Plan](#) (LDP) and associated Supplementary Guidances and other supporting documents, as the Development Plan to guide development in the Outer Hebrides. This is the Comhairle's current Policy on the future use of land and informs the assessment of planning applications in the Islands. The fourth National Planning Framework, when adopted by the Scottish Government in February 2023 became part of the Development Plan.

NEW LOCAL DEVELOPMENT PLAN (LDP3)

The Planning (Scotland) Act 2019 has changed the way in which LDPs are produced, including opportunities for earlier and wider community and stakeholder engagement in Planning. The LDP's have moved from having a life span of 5 years, to 10 years and are required to be place based, people centred and delivery focused. LDP's will be more map based focusing on communities and should have less written text and policy. The intention is that there will be early engagement with communities, key agencies and stakeholders to ensure that the LDP is reflective of the place it serves.

The Town and Country Planning (Development Planning) (Scotland) Regulations 2023 came into full effect on the 19 May 2023, and has provided further detail on the preparation of LDPs and their relationship with wider plans and strategies.

Figure 1 below sets out the key expectations of new style Plans. There will be more collaboration with Key Agencies and the local community. The Comhairle has initiated the process of preparing a new LDP under this legislation. Last year the Planning Services designed a dedicated [web page](#) for the new LDP Plan, which has had to be re-created on the Comhairle's new website following the cyber attack.

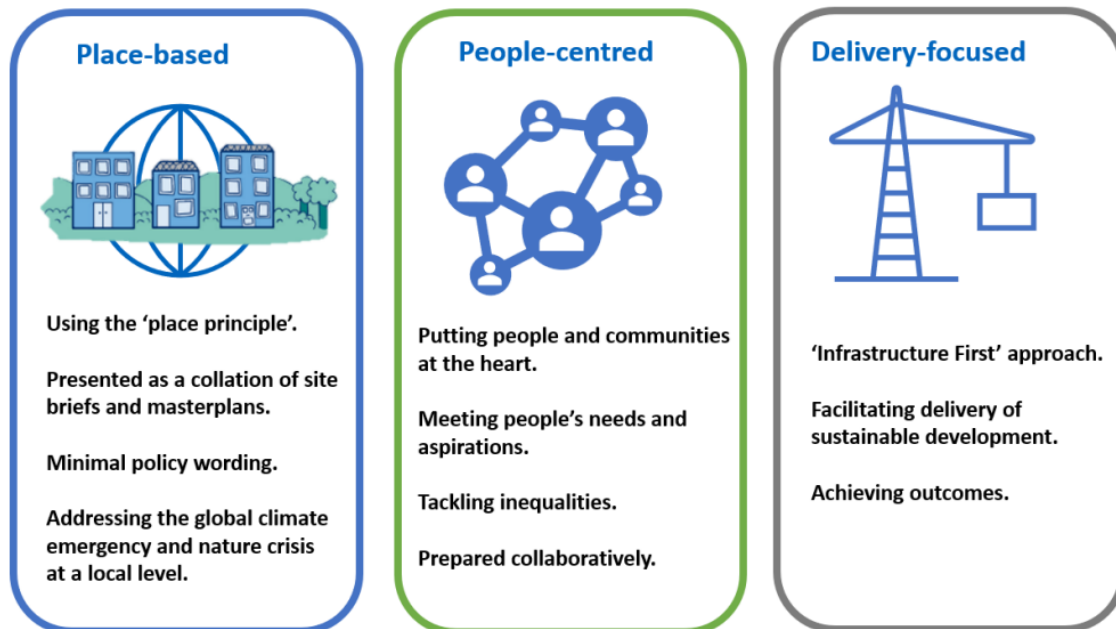


Fig 1: Key expectations of Local Development Plans

Evidence Report

The purpose of the Evidence Report is to provide a baseline for future monitoring and to inform the content of the Proposed Plan. The Town and Country Planning (Development Planning) (Scotland) Regulations 2023 sets out who the Comhairle must consult as part of this process, the requirement to take these views into account and the content and considerations to be reported. The regulations and guidance produced by the Scottish Government do not prescribe the format of the Evidence Report. The report has to be agreed by Full Council before being submitted for the 'Gate Check' by the DPEA.

The Planning Service continues to gather information in order to prepare the Evidence Report. This has included desk-based research, assessment of existing policy use and effectiveness, working with Key Agencies to assess what data they hold that could inform the Evidence Report and initiating an infrastructure capacity appraisal and play sufficiency assessment. Training has been carried out with Community Councils and where relevant officers have also attended other meetings with the community. This has included housing consultation meetings and engaging with young people at UHI in Stornoway. In the coming months consultation with Members, Development Management colleagues, specified groups and wider stakeholders will take place this will include using surveys, forms, the use of the Place Standard Tool, and a call for ideas.

The Comhairle is currently working on the Evidence Report stage, which is outlined above and below. Figure 2 below. illustrates the various stages of the Plan.

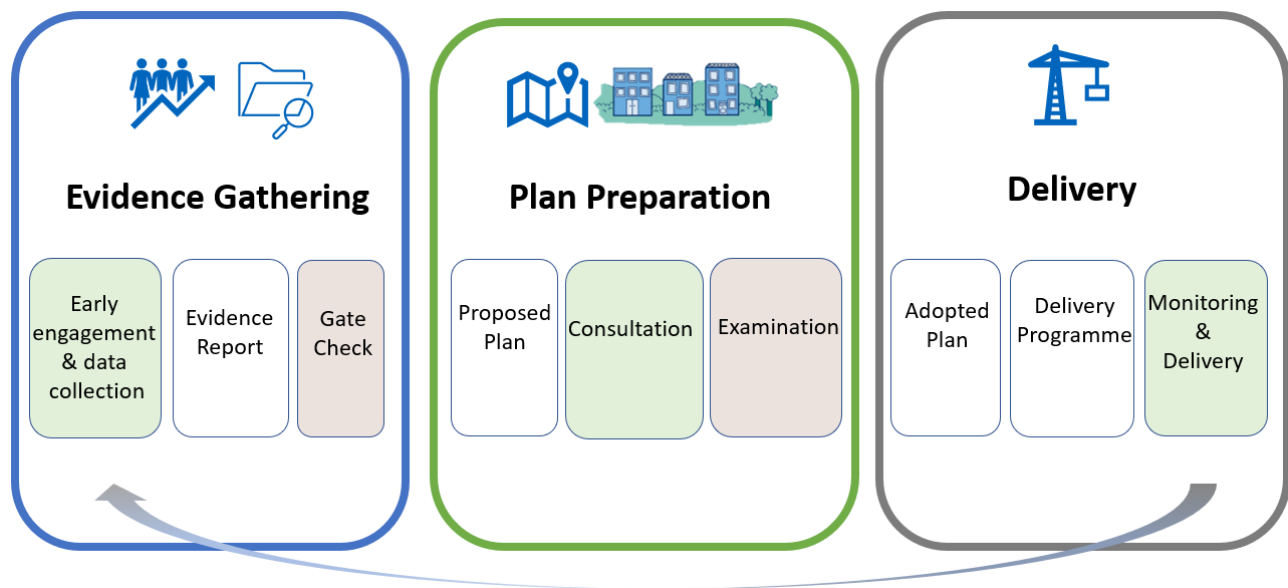


Fig 2: Local Development Plans stages

Gate Check

The 'Gate Check' of the Evidence Report is a new assessment stage usually carried out by a Reporter from the DPEA. The purpose of the process is to determine if the Comhairle has sufficient information in order to prepare our LDP. If it is determined that there is sufficient information, then the Comhairle can proceed with the next stage. However, if there is insufficient information the Comhairle will have to revise the Evidence Report per the recommendations of the Assessment Report and resubmit the Evidence Report to the Gate Check.

Proposed Plan Stage

The new LDPs are expected to be place based with an emphasis on maps, development briefs and masterplans. It is intended that the user will be able to find what is relevant to an area in one section of the plan.

There is a requirement for the Comhairle to have regard to the Evidence Report that has been successful through the Gate Check process and a number of prescribed documents set out in the Regulations. The Comhairle is required to work with Key Agencies, communities, children and young people during the preparation of the Proposed Plan. The draft Proposed Plan is required to be approved by the full council before a minimum 12 week public consultation. At the same time as the publication of the draft Proposed Plan the Evidence Report and the proposed Delivery Programme must also be published. Following the consultation period the Comhairle may modify the plan taking into account representations made by Key Agencies and the general public before submitting the Proposed Plan to the Scottish Ministers for examination of unresolved issues.

Examination

The Examination is the process of considering of any unresolved issues raised during the formal consultation of the Proposed Plan that can't be solved through modifications and considered of Consultation and involvement of the Public. The Examination is carried out by someone appointed by the Scottish Ministers usually a DPEA Reporter. The process allows for negotiations over representations. The Reporter must also be satisfied that there is sufficient land allocated to meet the Local Housing Land Requirement in the Plan.

Adoption and Delivery

Following the publication of the Examination Report, the Comhairle may have to make modifications to the Proposed Plan before it is adopted and becomes part of the Development Plan which planning applications are assessed against. The adopted Plan will replace the current Local Development Plan adopted in 2018

Within three months of the adoption of the LDP the Comhairle must adopt and publish the associated Delivery Programme. This document supports the delivery of the Plan including sites and proposals. The Delivery Programme will require a collaborative approach with Key Agencies, stakeholders, landowners and communities to ensure that the Plan is deliverable.

Another key part to the new style LDP is the monitoring of the LDP once it is adopted. This process allows the review of the effectiveness of the LDP, can help identify barriers to delivery and provides an evidence base for the next LDP.

Table 1 below sets out the stages of the Plan preparation and when engagement and consultation will occur.

OTHER ALIGNED LDP ACTIVITIES

Key Agency Group (KAG) Collaborative LDP Offer

The Comhairle was one of five Councils offered assistance under this pilot scheme from the statutory national Key Agencies. The KAG offer is to support the preparation and implementation of the new style LDP, initially supporting a place-based collaborative approach to evidence gathering and the Evidence Report. In the last year the KAG has worked with the Comhairle to provide data, advise on engagement and facilitate workshops. Individual Key Agencies have completed survey work and have provided data and information which will inform the Evidence Report.

In January 2024 the KAG group hosted an online 'Place workshop' which included representatives from within and outwith the Comhairle. The workshop used the interactive 'Miro' platform to record information. The event looked at sharing successful examples of place, areas to focus on, audience prioritisation, what community information is already available and how to secure leadership commitment to a whole place collaborative approach.

In June a pilot workshop will be held looking at South Uist And Barra led by the KAG group. The

area of South Uist and Barra aligns with a locality data zone. It is intended that this will include working with relevant Key Agencies, Comhairle officers, and community interests. It is hoped that the Planning Service will then host similar workshops throughout the other areas of the Outer Hebrides.

Local Place Plans

One of the aspects of the new Local Development Plan process, is the invitation to Community Groups to write a Local Place Plan. LPPs are community-led plans that have a statutory role in the planning process and once registered by the Comhairle have to be taken into account when preparing the LDP.

Last year the Planning Service invited communities to prepare LPPs for submission by Autumn 2024. This date has now been extended to the Summer (Q2) of 2025. It is hoped that this will allow more time for local communities to prepare and submit their LPPs. There is a dedicated [webpage](#) with guidance and information to assist communities in the preparation of LPPs.

Strategic Environmental Assessment and other Assessments

Concurrently with the work being undertaken for the Evidence Report, the environmental baseline data will be updated. This will be followed by the Scoping for the Strategic Environmental Assessment and Habitats Regulations Appraisal of the Plan. The new Plan process has introduced a number of other concurrent assessment processes outlined in table 1 and diagram 3 below.

DEVELOPMENT PLAN PROGRAMME

Table 1 below summarises the outline programme for preparing the new LDP3 which will replace the current LDP. As with many planning authorities in Scotland, the early stages of the plan process were delayed due to uncertainties around the final content and timescale for implementation of the Planning (Scotland) Act 2019 which received royal assent in summer 2019. Under the new requirements, the Scottish Government has confirmed that the target is to have new LDP's in place within 5 years of NPF4 (2023) being adopted. There have been changes to the Outer Hebrides LDP timetable as a result of the cyber-attack that Comhairle experienced in November 2023 and the Comhairle was also awaiting further guidance to be published by the Scottish Government.

For clarification in table 1 Q1 is April to June, Q2 is July to September, Q3 is October to December Q4 is January to March .

TABLE 1: DEVELOPMENT PLAN PROGRAMME

LOCAL DEVELOPMENT PLAN	CONSULTATION & ENGAGEMENT	ENVIRONMENTAL ASSESSMENT	PROGRAMME	DETAILS OF CHANGE
Development Plan Scheme	Annual and ongoing		June 2024	
NEW DEVELOPMENT PLAN (LDP3)				
<i>Evidence Report Stage</i>				
Evidence Gathering	Collate baseline data for Evidence Report, identifying data deficits	Update environmental baseline	Ongoing	
Preparatory stages	Seek views of Key Groups Initiate assessments (not all are led by the planning service) and public consultations as required: • Targets for meeting Housing • Open Space & Play Sufficiency • Infrastructure capacity study (including Blue and Green Infrastructure Audit)	Scope LDP for SEA	Q2 2024	Summer/ Autumn 2023 Cyber attack and waiting for further guidance

LOCAL DEVELOPMENT PLAN	CONSULTATION & ENGAGEMENT	ENVIRONMENTAL ASSESSMENT	PROGRAMME	DETAILS OF CHANGE
	• Forestry and Woodland Strategy • Self-Build Demand Register • Housing Land Audit/ SHIP/HNDA • Local Heat and Energy • Strategic Flood Risk Assessment			
Local Place Plans	Issue invitation for Communities to prepare LPPs Submission date for LPPs to inform LDP3	Assess against guidance	Q2 2025	Autumn 2024 Extended to allow further time for communities to prepare LPPs
Gatecheck	Submit evidence report to DPEA for Gatecheck		Q4 2024/25	Spring/ Summer 24 Cyber attack and waiting for further guidance
<i>Proposed Plan Stage</i>				
Call for Sites and Ideas	Publish public call for sites and Ideas. Site Assessments	SEA site assessment/ identify reasonable alternative	Q1-Q2 2025	Winter 23/24 Early 'Call for ideas' at ER stage Finalised site appraisal template
	Extensive consultation/ Engagement		Q1 - Q3 2025	Spring 24 >Spring 25 Programme amended
Prepare Appraisals and Assessments	• Transport Appraisal • Play Sufficiency Assessment • Equalities Impact Assessment		Q2 – Q3 2025	Summer 24 to Spring 25 Programme

LOCAL DEVELOPMENT PLAN	CONSULTATION & ENGAGEMENT	ENVIRONMENTAL ASSESSMENT	PROGRAMME	DETAILS OF CHANGE
	- Public Sector Equality Duty Assessment - Fairer Scotland Duty Assessment - Islands Communities Impact Assessment - Strategic Environmental Assessment - Habitats Regulations Appraisal			amended
Prepare plan, spatial strategy and delivery programme	Proposed plan and delivery programme approved by full Council Minimum 12-week consultation	SEA policy Assessment Prepare SEA ER	Q4 2025/26 Q1- Q2 2026	Spring 24 to spring 25 Spring/Autumn 2025 Programme amended
Prepare summary of unresolved reps			Q2 - Q3 2026	Autumn/winter 2025 Programme amended
<i>Examination and Adoption</i>				
Examination	Submission to Scottish Ministers for examination		(Q4 2026/27)	2026 Programme amended
<u>Adoption</u> of LDP	Adopt and publish delivery programme within 3 months – keep under review / update every 2 yrs		(Q3-Q4 2027/28)	Spring / Summer 2027 Programme amended

DRAFT PARTICIPATION STATEMENT

The Participation Statement is in draft format and is subject public consultation and takes into account draft guidance on Community Engagement. When engaging with stakeholders and the general public the National Standards for Community Engagement will be taken into account. The Comhairle welcomes your views on the content of the draft Participation Statement. Please respond to localdevplan@cne-siar.gov.uk by 9th August 2024

Community Engagement

The Comhairle's Development Plan Team is committed to meaningful community engagement. It seeks to:

- involve a range of interests, build on early engagement, particularly with communities, key agencies, identified groups, and other stakeholders, to inform the shape of plans, proposals and guidance;
- engage with underrepresented/ hard to reach groups
- take into account the National Standards for Community Engagement;
- tailor consultation to different plan stages, document types and/or interest groups;
- provide communications/documents that are easily accessible and easy to understand;
- listen to and fully consider representations; and maintain an open and transparent consultation process.

As work progresses on new or revised Supplementary Guidance, consultation with communities, relevant interest groups, Key Agencies and stakeholders will take place. This, along with national policy changes, will inform these documents, and will apply to any planning briefs prepared for housing or development sites.



DIAGRAM 1: WHO WE WILL CONSULT

Consultation Methods

A range of methods will be utilised to effectively engage with agencies and the public. In light of Covid 19, subsequent legislation and guidance issued, consultations methods have evolved. The methods used will vary and will be tailored to the different interest groups to make the best use of resources, maximising participation, and inclusion. These are outlined in Diagram 2 and 3 and include:

- **Advertisements** in local and community papers;
- **Comhairle website** and **Social-Media** (including potentially Facebook and Twitter, Instagram); to publicise current progress and information on how to become involved;
- **Meetings**, particularly with agencies and with other COMMUNITY bodies, utilising video and conference calls as necessary;
- **Use of Storymap and MIRO** when presenting documents online and for interactive consultation and engagement;
- **Consultation response forms** to encourage input, whilst promoting use of online form platforms;
- **Place Standard Tool** - different versions of the tool will be used as required to engage with different audiences;
- Building Standards and Planning Service **Stakeholder Newsletter** is published regularly and provides updates on the LDP and wider Development Plan activities to stakeholders. This promotes awareness and provides an opportunity for wider engagement at key Plan milestone.



DIAGRAM 2: METHODS OF COMMUNICATION

DIAGRAM 3: PROPOSED ENGAGEMENT AT EACH LDP STAGE

