



DEVELOPMENT PLAN SCHEME 2025 UPDATE – PARTICIPATION STATEMENT

Report by Chief Planning Officer

PURPOSE

- 1.1 The purpose of the report is to seek approval of the finalised Participation Scheme of the 2025 Development Plan Scheme

EXECUTIVE SUMMARY

- 2.1 There are legal and financial implications to the recommendations being implemented. It is a statutory requirement for Planning Authorities to prepare, consult on and publish the Participation Statement which forms part of the 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 and this report provides an update on this.
- 2.3 Subject to Comhairle approval the Participation Statement will be published as part of the previously approved Development Plan Scheme 2025.
- 2.4 As we progress the current Evidence Report stage for the new Plan preparation, and seek to engage further with Members, this report reiterates for Members their involvement in this stage of the LDP process.

RECOMMENDATION

- 3.1 **It is recommended that the Comhairle:**
- (a) approve the Participation Statement at Appendix 1; and**
 - (b) authorise the Chief Planning Officer to publish the Development Plan Scheme incorporating the Participation Statement.**

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Appendix: Development Plan Scheme - Participation Statement
Background Papers: Development Plan Scheme 2025, SD Committee, 17 June 2024

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	Contributes to two of the strategic priorities in the 2024-2027 Corporate Strategy: Strengthen the Local Economy, and Support Caring and Resilient Communities and Quality of Life.
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	None

BACKGROUND

- 5.1 Further to the Development Plan Scheme (DPS) 2025 Report presented at the June series, a consultation has taken place on the draft Participation Statement. The Development Plan Scheme and draft Participation Statement were published on the Comhairle's website, Key Agencies and wider stakeholders were also consulted.

CONSULTATION

- 6.1 There has been a limited response to the consultation, with 6 responses received. Two responses were from Key Agencies that offered no specific comment on the Participation Statement but noted their approval of the approach on Engagement.
- 6.2 We received a response from Hebridean Housing Partnership who thought that the approach was comprehensive and provided opportunity for the public to be informed and participate. The Royal Yachting Association responded to advise they had no comments to make. A fifth response was from a member of the public who provided comments about the use of a specific building/development site. Although this comment was not relevant to this consultation it has been added to the Call for Ideas consultation which we are currently running and will be taken into consideration when looking at the Call for Ideas consultation responses in due course. Scottish Forestry offered no comment on the consultation but assumed that the woodland strategy would be updated as part of the process and would be happy to support this work. If there are further consultation responses received prior to the Committee, these will be reported verbally.

MEMBER INVOLVEMENT IN LDP PROCESS

- 7.1 Under the Planning (Scotland) Act 2019, Elected Members have a statutory and strategic role in the preparation of new-style Local Development Plans (LDPs). Their involvement is guided by legislative requirements and national planning policy, including the National Planning Framework 4 (NPF4).

- 7.2 Elected Members are expected to represent the wider public interest, ensuring that the LDP reflects long-term spatial priorities and delivers sustainable development across the authority area. While individual circumstances of applicants or landowners may be compelling, they are not material planning considerations in the preparation of the LDP. The focus must remain on place-based outcomes, policy alignment, and the delivery of strategic objectives.

7.3 Key Responsibilities of Elected Members

Strategic Oversight and Decision-Making

- Approve key stages of the LDP process: Evidence Report, Proposed Plan, and Delivery Programme.
- Ensure alignment with NPF4, Local Place Plans (LPPs), Local Outcome Improvement Plans (LOIPs), and Regional Spatial Strategies (RSS).

Community Representation

- Represent the wider public interest and ensure the LDP reflects strategic priorities and community aspirations.
- Engage with communities, particularly regarding input from Local Place Plans.

Impartiality and Code of Conduct

- Act impartially in planning matters and adhere to the Councillors' Code of Conduct, especially when making decisions affecting land use and development.

Monitoring and Review

- Oversee post-adoption monitoring, including updates to the Development Plan Scheme, Delivery Programme and Housing Land Audit.

Key Legislative and Procedural Requirements

- **Evidence Report & Gate Check:** Members approve the Evidence Report, which is assessed by a reporter appointed by Scottish Ministers.
- **Proposed Plan & Consultation:** Members approve the Proposed Plan for public consultation and consider representations before submission to Ministers.
- **Examination & Adoption:** Members adopt the final LDP following examination and any required modifications.

7.4 Elected Member Engagement to Date

Since the commencement of the next Outer Hebrides Local Development Plan (OHLDP) in 2023, Elected Members have been involved in the following activities:

- **March 2023:** Workshop with Development Planning staff to discuss the provisions of NPF4, approved by the Scottish Parliament on 11 January 2023 and formally adopted on 13 February 2023.
- **March 2024:** Survey issued to all Comhairle Members to gather feedback on the 2018 OHLDP and NPF4. The survey assessed members' engagement with the current plan and provided data on policy usage since 2018.
- **March 2023 - Present:** Ongoing communications from the Development Planning team regarding Local Place Plans, including:
 - Launch of a dedicated webpage and resources.
 - Email invitations to communities to prepare LPPs.
 - Regular LPP newsletters.

7.5 Planned Engagement and Next Steps for Current Evidence Report stage of LDP

At the current **Evidence Gathering** stage, Elected Member involvement will include:

- **Winter 2025:** Consultation on topic papers forming the basis of the Evidence Report. These papers summarise the evidence gathered and present the Comhairle's interpretation. Members will be invited to consider the strategic implications and contribute to shaping the direction of the next OHLDP.
- **Summer 2026:** A report will be presented to Full Council on the finalised Evidence Report.

7.6 Members' ownership of the Development Plan including the LDP, their involvement in its review and preparation, and consistent application of it, are critical in having a robust, fair and transparent Planning process. This serves to better deliver the right developments in the right places, in a timely manner, ensuring development has positive outcomes for communities, developers and wider stakeholders whilst still safeguarding our assets.

CONCLUSION

8.1 The Participation Statement will be incorporated in the previously approved DPS and published. The DPS will continue to be monitored as the preparation of the Local Development Plan progresses, and this will be reported to Members as appropriate. Further reports to Members on the Evidence Report stage of the LDP will be presented as set out at 7.5 above.