

<b>Agenda Item</b>	<b>12</b>
<b>Report No</b>	<b>ECI/41/2023</b>

## The Highland Council

**Committee:** Economy and Infrastructure

**Date:** 17 August 2023

**Report Title:** National Planning Framework 4 and the Highland Local Development Plan

**Report By:** Executive Chief Officer Infrastructure & Environment

### 1 Purpose/Executive Summary

- 1.1 In May 2023 Scottish Government formally launched its new regulations and guidance that will dictate how new-style Local Development Plans (LDPs) will be prepared in Scotland. This covers the process for preparing these plans, matters for their content and the enhanced corporate role that these new LDPs are firmly expected to have as a result of the reform of Scotland's planning system.
- 1.2 In light of the new regulations and guidance this report sets out preparations made to date and ongoing work required to prepare Highland's new-style Local Development Plan in the context of and for use alongside National Planning Framework 4. The report also presents responses to two related Scottish Government consultations on draft guidance.

### 2 Recommendations

- 2.1 Members are asked to:-
- i. **Note** Scottish Government's publication of Regulations and Guidance for Development Planning and commencement of the relevant legislative provisions, including the extracts of guidance showing overview and key stages of the Local Development Plan process at **Appendix 1**;
  - ii. **Note** that further to i) above and to Minute 15 of this Committee's meeting on 02 February 2023, the Council's formal invitation to communities to prepare Local Place Plans was issued on 30 June 2023 with a deadline of 28 June 2024 for Local Place Plans to have been submitted, cleared validation checks and been registered;
  - iii. **Note** the progress update at Section 5 of the report on the formal commencement of work on the new, single Highland Local Development Plan (HLDP) and the corporate status that the HLDP must have and **agree** the next steps, anticipated

- milestones and timescales for Evidence Gathering outlined, including work with the Key Agencies Group;
- iv. **Note** the resource implications for preparation of the HLDP outlined at Section 5 of the report;
  - v. **Note** the corresponding governance considerations at Section 6 of the report, including outline of arrangements envisaged for Member involvement and that key changes are expected to be sought to the Council's Scheme of Delegation in October;
  - vi. **Agree** to homologate the Council's submitted response to Scottish Government's consultation, which closed 20 July 2023, on "Local living and 20-minute neighbourhoods: draft planning guidance" at **Appendix 2**; and
  - vii. **Agree** for submission the Council's draft response to Scottish Government's consultation, which closes on 13 September 2023, on "Effective community engagement in local development planning guidance" at **Appendix 3**.

### 3 Implications

- 3.1 **Resource** – The reforms for Development Planning, coupled with NPF4's policy expectations, will have considerable resourcing implications for the planning authority and others who have a role in the process or otherwise input to it. There are implications for staffing contingent, skills, specialisms, budgets and how the project of LDP evidence gathering, plan preparation and delivery is undertaken across the organisation. This will require effective project management, governance and monitoring.
- 3.2 **Legal** – The legal provisions that we must follow for Development Planning are contained within the Act and Regulations. However, the Scottish Government guidance for Local Development Planning is also key and carries significant weight.
- 3.3 **Community (Equality, Poverty, Rural and Island)** – Several impact assessments will be undertaken in relation to the preparation of the Local Development Plan. Additionally, there will be a close association between the LDP, and Community Planning (particularly the Local Outcome Improvement Plan) and we are considering potential refinements to our Participation Statement to help secure effective engagement.
- 3.4 **Climate Change / Carbon Clever** – Climate Change and Carbon issues are expected to take a high profile within the new Local Development Plan, prepared within the context of NPF4, our Indicative Regional Spatial Strategy for Highland and the Council's Net Zero Strategy.
- 3.5 **Risk** – Preparation of the new-style, single Highland Local Development Plan will be a major project that will require sustained management, corporate buy-in and ownership and clear governance; otherwise there is risk to the delivery of shared outcomes, to effective management of development and to infrastructure capacity.
- 3.6 **Health and Safety (risks arising from changes to plant, equipment, process, or people)** – None arising from this report.
- 3.7 **Gaelic** – None arising from this report

## 4 Scotland's reformed system for Development Planning

- 4.1 Since the report on Development Planning matters considered by this Committee at its meeting on 2 February 2023:-
- Scottish Ministers adopted and published National Planning Framework 4 on 13 February 2023, since when it has formed part of the Development Plan;
  - NatureScot finalised and published 'Developing with Nature' Guidance in February 2023 in support of policy 3(c) [Biodiversity – local development] of NPF4;
  - The Town and Country Planning (Development Planning) (Scotland) Regulations 2023, The Planning (Scotland) Act 2019 (Commencement No. 12 and Saving and Transitional Provisions) Regulations 2023 and The Town and Country Planning (Play Sufficiency Assessment) (Scotland) Regulations 2023, were all laid before Scottish Parliament in March and came into force on 19 May 2023; and
  - Scottish Government published its finalised Local Development Planning Guidance on 24 May 2023.
- 4.2 The consequence of this is that a number of key requirements for the reformed system for Development Planning are now in place and in force, enabling Planning Authorities to commence the preparation of new-style Local Development Plans when they are ready to do so.
- 4.3 Regulations have set out some more detail of requirements for a number of stages in the process, including in relation to Evidence Reports. The Guidance has set out the Scottish Ministers' expectations for implementing the system of local development plans – so that they deliver new-style, place-based, people-centred and delivery-focussed plans. The Guidance brings together requirements from the Act and Regulations and advice in relation to National Planning Framework 4, replaces and repeals Circular 6/2013 Development Planning and, Scottish Government has indicated, should be given the same weight as that which the now repealed circular was given. Extracts of the Guidance, showing overview and key stages of the Local Development Plan process, are in **Appendix 1** as a reminder for Members.
- 4.4 There remain a number of guidance documents that Scottish Government is currently preparing or intends to prepare, to assist with implementation of the reformed system for Development Planning or more widely in relation to NPF4. Two draft guidance documents issued for consultation are covered elsewhere in this report. In addition, we are expecting to see in due course the following in draft:-
- further, wider national guidance on biodiversity including in support of policy 3(b) [Biodiversity – national, major and EIA development];
  - new regulations and guidance on Masterplan Consent Areas;
  - new guidance on Regional Spatial Strategies; and
  - new guidance on Housing Land Audits.

More information on these and other workstreams under the Planning Reform umbrella is available within the ['Chief Planner and Planning Minister letter: summer 2023 update – June 2023'](#).

## 5 Highland Regional Spatial Strategy (HRSS) and Highland Local Development Plan (HLDP)

- 5.1 As set out in our [Development Plans Newsletter](#) (formally, the Development Plan Scheme) published in March following Committee's agreement in February, once Scottish Government has produced guidance for the preparation of a formal Regional Spatial Strategy (RSS), the Council will set about the process of transitioning our Indicative Regional Spatial Strategy into the formal HRSS. RSS are a statutory requirement and are to be taken into account when preparing Development Plans but do not form part of the Development Plan. Nevertheless, we will aim to formalise our RSS in a way that is joined up with the preparation of the new HLDP. However, the relevant provisions in the Act have yet to be commenced and it is expected that our duties will only come into force once the RSS guidance has been finalised. The legislation requires us to formally adopt an RSS under those provisions as soon as reasonably practicable after they come into force. We anticipate preparation of the HRSS particularly featuring during 2024 (and feeding directly into the HLDP 'Plan Preparation' stage in 2025). However, our intention in the meantime is to look for opportunities to begin raising awareness of the HRSS and HLDP 'preparation', for example at Area Place Planning events and with Community Planning Partners, to encourage conversation on priorities, issues and evidence and capture some feedback. Members are reminded that new-style LDPs are not to create a new vision but to use and help deliver on the Local Outcome Improvement Plan. Meanwhile we see the HRSS as being vitally important to the HLDP content and function, strengthening the expression of Highland's identity and priorities and making up for some weakness of NPF4 in that respect.
- 5.2 The commencement of the new Development Planning provisions was around two months later than envisaged by our Development Plans Newsletter and this will have some impact on timescales for preparation of the new HLDP. However, a formal start has now been made on the first main stage: Evidence Gathering, including the preparation of the Evidence Report. Scottish Government's 'Local Development Planning guidance' explains the purpose of the Evidence Report as follows:

*“79. Evidence informs plan-making, can help to justify the plan's content, and provides a baseline for later monitoring. The purpose of the Evidence Report is to support the quality and effectiveness of the LDP, given its significant implications for plans for people, places and finances. The Evidence Report should help make a better plan. The aim is to front-load the work and use the evidence to clearly inform what to plan for before the Proposed Plan looks at where development should take place. The Evidence Report is not expected to contain all the detail of evidence, it should provide a summary of what the evidence means for the plan.*

*80. The Evidence Report should be informed by the views of those who will be affected by the plan and involved in its implementation. It will be subject to independent assessment at the 'Gate Check'. This stage will check that there is a sound evidence base on which to prepare an LDP. The intention is that this will result in LDPs that are deliverable and more likely to achieve their intended outcomes.”*

- 5.3 We began signposting to Highland communities the new opportunity coming for them to prepare and submit Local Place Plans (LPPs) towards the end of 2022. However, on 30 June 2023 we issued and [publicised](#) the planning authority's formal invitation for them to do so. Given the delayed commencement noted above, we have revised the deadline for LPPs from the end of March 2024. To enable LPPs to be taken into account as part of the evidence for the new HLDP from the outset of its preparation, LPPs must be capable of being registered by The Highland Council by Friday 28 June 2024. We have further developed the information we provide on our webpage [www.highland.gov.uk/localplaceplans](http://www.highland.gov.uk/localplaceplans) and added links to additional external resources which communities may find helpful.
- 5.4 In February 2023, the Key Agencies Group (KAG) invited expressions of interest for planning authorities interested in working with the group to pilot a collective place-based approach as part of development plan preparations in 2023-2024. The Highland Council was one of 22 planning authorities that expressed interest. Following KAG consideration, on 24 May 2023 it was [announced](#) that pilot work will be taken forward with six planning authorities, including Highland. The Key Agencies will provide input through regular meetings and workshops to support place-based approaches to key stages of evidence gathering, analysis and reporting. Representatives from KAG and from The Highland Council's Development Plans Team held the first joint workshop on 13 July 2023. Associated with this is the work that we are undertaking with KAG in respect of the Inverness and Cromarty Firth Green Freeport. We have identified particular potential for KAG, through this work, to help us with securing wider ownership and collaboration on the HLDP through conversations on the benefits of and need for such an approach. Meanwhile, we are also keeping in touch with and having some input to Heads of Planning Scotland organised discussions on evidence requirements for new LDPs and on how such evidence may best be secured and shared.
- 5.5 As agreed by Committee in February, following publication of the Development Plans Newsletter we launched a survey to seek feedback on the Participation Statement drafted within it and ideas for working it up. The survey [ran from 6 April until 31 May 2023](#) – we are now analysing and considering the responses.
- 5.6 We expect to bring an updated and more detailed work programme for the HLDP, particularly for the Evidence Gathering stage including plans for engagement, to Committee in November 2023 – in the form of an early update to the Development Plan Scheme. We will include in that report the outcomes from the above-mentioned survey and our recommendations for the content of the Participation Statement. Evidence Gathering leads to the Council's approval of an Evidence Report for submission to Scottish Ministers for the Gate Check process. We now anticipate that the Evidence Report will reach that stage in Q3 2024 (not Q2).
- 5.7 The Development Plans Team has begun scoping the evidence requirements for the HLDP. In the autumn we will be reaching out to other teams and services of the Council whose input will add richness to this scoping exercise and should help in identifying ways of filling some evidence gaps. There are a number of policy areas of particular significance in Highland, including aspects that some Members have already been asking us about in the context of NPF4 and preparation of the HLDP. We look forward to engaging with Members on these in due course.

A number of policy topics are already being worked on across the Council following adoption of NPF4 – these too will feed into and inform HLDP preparation e.g., Rural Housing, Biodiversity Enhancement, Community Wealth Building, Developer Contributions, World Heritage, Green Freeport, Local Heat and Energy Efficiency Strategy, Net Zero Strategy. We are currently identifying many other plans and strategies, seeking to understand and record their purpose and status and map out their relationship to the forthcoming HLDP. There are also a range of relevant audits and assessments in place or under way within the Council, some well-established and routine (such as Housing Land Audits), others new (such as play Sufficiency Assessment) – but there are others yet to be planned and undertaken.

- 5.8 The duties and responsibilities for the planning authority under the reformed system for Development Planning, coupled with the significant policy expectations set across a range of topics in National Planning Framework 4 and national guidance, will have considerable resourcing implications. There are resource implications too for other services, organisations and communities undertaking roles for and inputting to that process. Corporate, collaborative and smart working on the Development Plan, together with prioritisation, can assist with these pressures. However, potential impacts on resources will need to be carefully monitored.

## **6 Implementation of Policies**

- 6.1 As NPF4 begins to be implemented in local planning application decision making, there is clearly a need to ensure that a national approach allows for local circumstances. In this respect, policies such as those related to housing in the countryside have to be aligned on the flexible approach the Council already has in place in respect of housing groups and general housing in the countryside, rather than a blanket approach.

## **7 Governance Arrangements**

- 7.1 Turning to the matter of governance for the Local Development Plan it is vital that the enhanced, corporate role of new-style LDPs is both acknowledged and embraced at the outset. We are considering how best to secure this and gain assurance that it will endure.
- 7.2 As already mentioned, we will be reaching out to a number of teams and services across the Council, to seek their input to evidence scoping (and gathering). In some cases the Development Plans Team will ask the specialists in the other teams to lead on those topics and for them to have a key role in developing any related policy and guidance. We also recognise the vital link with Community Planning Partnerships, both Highland-wide and sub-Highland.
- 7.3 Turning to Members' input and firstly formal decision-making, the Council's current Scheme of Delegation provides for decisions on Highland-wide content of Local Development Plans to be agreed by the Economy and Infrastructure Committee, with local area content (such as the detail for particular settlements and sites) being agreed by City and Local Committees. Only the decision to adopt the LDP at the end of the plan preparation process is reserved to Full Council. However, for new-style Local Development Plans it is a requirement of the Town and Country Planning (Scotland) Act 1997 as amended, that the following decisions be reserved to Full Council:-

- approval of the proposed Evidence Report, before submitting to Scottish Ministers for Gate Check;
- approval of the proposed Local Development Plan, before publishing it for consultation; and
- approval of the proposed Delivery Programme, before publishing it.

7.4 Ahead of the Evidence Report being brought to Full Council, it is envisaged that progress reports on the HLDP, including any overall project matters requiring Committee agreement, will be brought to meetings of the Economy and Infrastructure Committee over the course of the next 12 months. Our reports will include updates to Members on the numbers and locations of Local Place Plans (LPPs) submitted and registered; our register of LPPs will be accessible via [www.highland.gov.uk/localplaceplans](http://www.highland.gov.uk/localplaceplans). It is further envisaged that wider member involvement in the HLDP during this evidence gathering stage will be secured through appropriately timetabled and focused member workshop(s), briefings and other means of engagement.

7.5 Looking further ahead to the Plan Preparation stage (after Gate Check of the Evidence Report), officers anticipate that the City and Local Committees would likely receive reports for the development of local area content for the HLDP, including taking into account Local Place Plans that have been submitted to and registered by The Highland Council. The Economy and Infrastructure Committee would likely receive reports on Highland-wide content as well as overall project matters during that phase.

7.6 There is opportunity for potential arrangements to be considered by the Governance Review Steering Group as part of the review of Standing Orders and Scheme of Delegation to be undertaken this autumn, to ensure that appropriate and clear arrangements are put in place. As well as arrangements for decision-making on the Local Development Plan, we will also look to establish clarity on how decisions will be made for the Regional Spatial Strategy and on the Council's arrangements for checking, validating and registering Local Place Plans that it receives. We anticipate therefore that any changes required to the Scheme of Delegation may be sought at the October meeting of Full Council.

## **8 Local Living and 20 Minute Neighbourhoods Planning Guidance – Draft for Consultation**

8.1 Local living and 20-minute neighbourhoods planning guidance was published by the Scottish Government on 27 April 2023 to support the implementation of National Planning Framework 4 (NPF4) policy framework. It aims to encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods which prioritise environmental, social and economic stability. It is intended to support planning authorities, communities and others and will be of particular relevance in the preparation of Local Development Plans, Local Place Plans and to support planning decision making. The guidance sets out:-

- the benefits and context for local living and 20-minute neighbourhoods;
- what local living looks like – the key considerations of local living and 20-minute neighbourhoods; and
- ways to support the delivery of local living and 20-minute neighbourhoods, including case studies.

8.2 The consultation comprised a proforma with set questions targeted to specified sections of the document. The Highland Council consultation response was prepared and submitted ahead of the closing date of the consultation set as 20 July 2023, and as such homologation of the Council's response is sought. A copy of the questions with responses is attached as **Appendix 2**.

The response reiterates the Council's strong support for the principle of local living and 20-minute neighbourhoods but raises a number of issues to be considered by the Government when producing the final draft. These are summarised in the bullet points below:

- clearer focus on alignment with NPF Policy 15 (Local Living and 20 Minute Neighbourhoods), recently published Local Development Planning Guidance, Delivery Programmes, National Transport Strategy 2 and the Act and Regulations;
- clearer explanation of the inter-relationship between the guidance and existing, related tools and frameworks;
- greater emphasis on the interconnections between active everyday journeys and local living: 20-minute neighbourhoods cannot happen where a high proportion of everyday journeys are made by private car;
- greater focus on the application of the principles in a rural and island context, in particular on walking / wheeling / cycling / public transport / community transport interconnections between small settlements and from small settlements to larger settlements;
- greater weight given to clear funding streams for both new walking / wheeling / cycling infrastructure and the maintenance of existing infrastructure;
- concern regarding the level of resource required to understand the context of places, particularly due to the characteristics of the Highland Council area;
- inclusion of more detailed advice to inform Development Management decision making; and
- development of supporting materials and training sessions to facilitate the above within LAs, in the current challenging funding and resource context.

## **9 Effective Community Engagement in Local Development Planning guidance – Draft for Consultation**

9.1 Effective community engagement in Local Development Planning guidance was published by the Scottish Government on 24 May 2023. The guidance forms part of the Government's work on reform of the planning system and implementation of the Planning (Scotland) Act 2019. The reforms overall aim to reduce conflict, improve community engagement and build trust in planning matters. Once finalised, the guidance will set out the Scottish Government's high-level expectations on how planning authorities can comply with their legal duties to engage with the public when preparing their local development plans. The guidance sets out:-

- the new engagement requirements for LDPs arising from planning reform;
- different levels of engagement that are appropriate to policy preparation activity [Inform-Consult-Involve-Collaborate-Empower] – for each level, indicating the activity, the offer to participants, and the purpose / degree of influence;
- the local development plan preparation stages and the corresponding level(s) of engagement that Scottish Government suggests are appropriate; and



- further details on the local development plan stages of preparation, focusing on effective community engagement and consideration of engagement in the associated impact assessments.

9.2 The consultation comprises a proforma with set questions targeted to specified sections of the document. The Highland Council consultation response has been drafted and is in **Appendix 3**. Committee is asked to approve it, for submission to Scottish Government before the consultation closes, noting that the closing date is 13 September 2023. The response:-

- asks for a firmer commitment to sharing widely, examples of good practice in engagement;
- raises some concerns that the spectrum of participation could unduly raise expectations for some participants who may see its broad principles as a promise in every case, irrespective of the planning authority having to balance considerations;
- suggests that certain areas of the guidance be clarified and/or be explained more in-depth to ensure that it is helpful to all potential users;
- raises concern that resource and capacity issues may limit the take-up of Local Place Planning by communities and that limited planning authority resources may mean we are not able to best fill that gap, disadvantaging some communities – we therefore suggest that specific funding for Local Place Planning should be available from Scottish Government.

Designation: Executive Chief Officer Infrastructure & Environment

Date: 24 July 2023

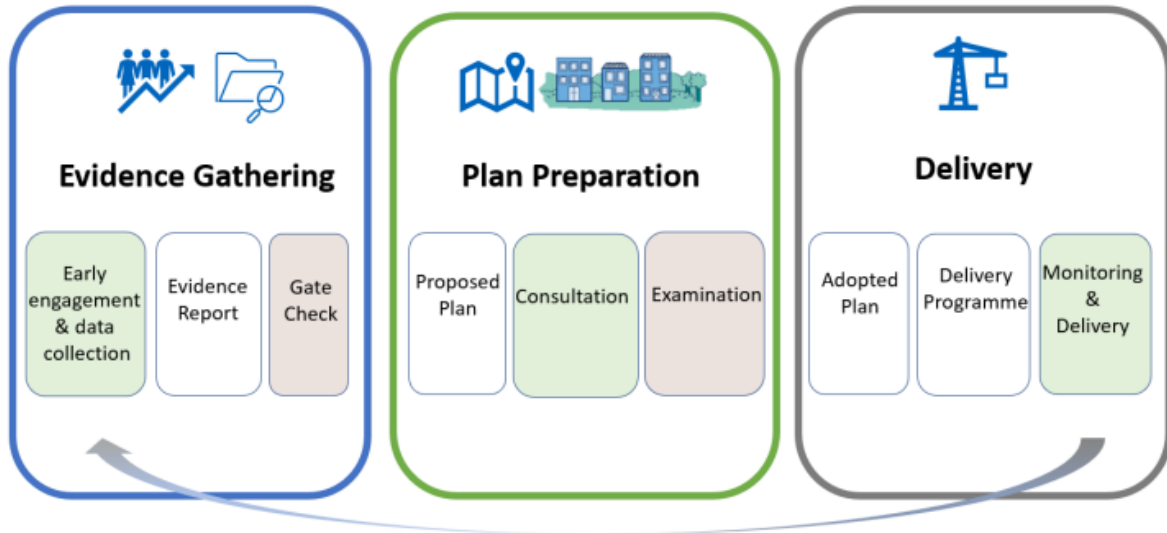
Authors: Scott Dalgarno, Development Plans Manager  
David Cowie, Principal Planner

Background Papers: [Town and Country Planning \(Scotland\) Act 1997 as amended](#)  
[The Town and Country Planning \(Development Planning\) \(Scotland\) Regulations 2023](#)  
[Local Development Planning Guidance \(Scottish Government, May 2023\)](#)

Appendices: Appendix 1 – Extracts of LDP Guidance  
Appendix 2 – Local Living and 20 min Neighbours – THC response  
Appendix 3 – Effective Community Engagement in LDP – recommended THC response

**Appendix 1 – Extracts of Local Development Planning guidance (Scottish Government, May 2023) showing overview and key stages of the Local Development Plan process**

Figure 4 – LDP Process – Overview



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Figure 5 – LDP Process – Key stages and links to assessments

Key Stage	Local Development Plan	Strategic Environmental Assessment (SEA)	Other Appraisal / Assessment
<b>Evidence Gathering</b>			
<u><a href="#">Early Preparation</a></u>	<p><u><a href="#">DPS</a></u> Prepared at least annually (or when directed by the Scottish Ministers), includes Participation Statement.</p> <p>Adopted by planning authority.</p> <p>Invitation to local communities to prepare <u><a href="#">LPPs</a></u>.</p> <p>Early thinking regarding <u><a href="#">Delivery Programme</a></u> and integrating it with plan preparation.</p>	Programme for work on SEA set out in DPS.	<p>DPS sets out programme for work on <u><a href="#">impact assessments</a></u> including:</p> <p>Public Sector Equality Duty Assessment;</p> <p>Fairer Scotland Duty Assessment;</p>
<u><a href="#">Evidence Report</a></u>	<p>Gather and collate appropriate evidence.</p> <p>Seek views of key agencies, children and young people, and the public at large in the preparation of the Evidence Report.</p> <p>Prepare Evidence Report.</p> <p>Approval of Evidence Report by full Council.</p> <p>Submission to the Scottish Ministers.</p>	<p>Scoping workshop.</p> <p>Collect Environmental Baseline.</p> <p>Prepare Scoping Report.</p> <p>Submit Scoping Report to Consultation Authorities.</p>	<p>Island Communities Impact Assessment (where relevant);</p> <p>Habitats Regulations Appraisal (HRA).</p>
<u><a href="#">Gate Check</a></u>	<p>The Scottish Ministers appoint person to assess Evidence Report. Gate Check of Evidence Report.</p> <p>Requests for further information and / or hearings as appropriate.</p> <p>If evidence considered sufficient, appointed person informs planning authority and Scottish Ministers.</p> <p>If evidence not sufficient, appointed person prepares "assessment report".</p>		

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Key Stage	Local Development Plan	Strategic Environmental Assessment (SEA)	Other Appraisal / Assessment
<b><u>Plan Preparation</u></b>			
<b><u>Work to inform Proposed Plan</u></b>	<p>Using Evidence Report, develop a spatial strategy incorporating an infrastructure first approach and considering the spatial principles in NPF4.</p> <p>Early engagement such as a call for ideas.</p> <p>Site assessment.</p>	<p>Identification and assessment of reasonable alternatives.</p> <p>Site assessment.</p>	<p>Undertake transport appraisal.</p>
<b><u>Proposed Plan (Drafting)</u></b>	<p>Preparation of Proposed Plan, including spatial strategy.</p> <p>Delivery Programme:            - Consult with key agencies, the Scottish Ministers and anyone named in the Programme during preparation            - Approval by full Council before publication.</p> <p>Proposed Plan approval by full Council.</p>	<p>Assess any local policies.</p> <p>Prepare Environmental Report.</p>	<p>Prepare required Assessments (as noted above).</p>
<b><u>Publication &amp; Consultation</u></b>	<p>Publish Proposed Plan, Evidence Report and Delivery Programme together.</p> <p>Consultation:            - 12 weeks statutory minimum            - consult with key agencies and the Scottish Ministers            - consult with Central Scotland Green Network Partnership where appropriate</p>	<p>Consultation on Environmental Report alongside Proposed Plan.</p>	<p>Publish transport appraisal and required Assessments.</p>
<b><u>Modification where appropriate</u></b>	<p>Modification of Proposed Plan where appropriate and preparation of Modification Report.</p>	<p>Revise the Environmental Report to reflect modifications and undertake further consultation, if required.</p>	<p>Revisit and update assessments as appropriate.</p>

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Key Stage	Local Development Plan	Strategic Environmental Assessment (SEA)	Other Appraisal / Assessment
<b><u>Examination</u></b>	<p>Publish Proposed Plan and Modification Report as appropriate.</p> <p>Preparation of Summary of Unresolved Issues (Schedule 3).</p> <p>Where unresolved representations, appointment of person to examine plan.</p> <p>Examination of Proposed Plan.</p> <p>Preparation of Examination Report and Recommendations.</p> <p>Modification of LDP as necessary.</p>	<p>Amend Environmental Report as required following Examination.</p> <p>Submit amended Environmental Report to the Scottish Ministers.</p>	
<b><u>Delivery</u></b>			
<b><u>Adoption and Publication</u></b>	<p>Adoption of LDP by planning authority.</p> <p>Publish LDP.</p> <p>Publish Report on Modifications or 'Recommended Modifications Statement' (where applicable).</p> <p>Adopt and publish Delivery Programme within 3 months of LDP being constituted.</p>	<p>Prepare Post Adoption Statement.</p> <p>Publish Post Adoption Statement.</p>	
<b><u>Monitoring &amp; Delivery</u></b>	<p>LDP kept under review – monitor changes in characteristics, monitor impact of policies / proposals.</p> <p>Delivery Programme: - kept under review and updated at least every 2 years, or if the Scottish Ministers direct the authority to update it.</p> <p>Housing Land Audit (HLA): - prepared annually by each planning authority.</p>	<p>Monitoring.</p>	

## Appendix 2 – submitted Highland Council response (for agreement by homologation)

### Local Living and 20 Minute Neighbourhoods planning guidance consultation

#### Question 1

How helpful is Part 1 of the guidance to further the understanding of local living and 20 minute neighbourhoods in a Scottish context?

#### Additional information for question 1:

Part 1 - Local living, the benefits of local living and 20 minute neighbourhoods.

Part 1 of the guidance explains that local living and 20 minute neighbourhoods in Scotland have the potential to contribute to global, national as well as local goals around climate action, decreased health inequalities, improved local economy and improved liveability/quality of life.

It explains how local living and 20 minute neighbourhoods can be a means of tackling the interrelated environmental, social and economic challenges we face in Scotland through the alignment with policy context, the place context and the rural and island contexts.

More information can be found in part 1 of the guidance document.

- Very helpful
- Somewhat helpful
- Not at all helpful

Please explain your response explaining what else could be helpful

The Highland Council strongly agrees that the concept of 20 minute neighbourhoods and local living provides an opportunity to deliver a range of benefits including supporting climate action, decreasing health inequalities, improving local economies and improving liveability/quality of life in Scotland.

In relation to climate and the environment, an emphasis is placed on reducing car use. To enable this, it is important that mechanisms to promote sustainable and active travel continue to be recognised and funding available, including for new infrastructure, maintenance of existing infrastructure, interconnections between active travel infrastructure and public transport provision, and for community transport. It must also be acknowledged that in certain rural and islands settings, like parts of the Highland Council area, there are significant challenges to achieving this.

We note that the aims of National Transport Strategy 2 align strongly with the principles of 20 Minute Neighbourhood. Safe, affordable, accessible alternatives to the private car are essential to local living. In contrast, if a high proportion of short everyday journeys are carried out by car as at present then communities become less pleasant, less safe, less equal, less healthy and less socially interconnected. 20 Minute Neighbourhoods cannot happen without modal shift in transport.

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We welcome the aim of reduction of health inequalities and note that Scotland's 6 Public Health Priorities are supported by a shift to local living and being more active for everyday journeys; in particular we note that Public Health Scotland have recently published research on the potential benefits of road space reallocation, and that healthcare sites are key trip generators. This alignment between active everyday journeys, local living and public health benefits should explicitly be referenced alongside the other policies and strategies listed.

It is agreed that local living helps to focus on existing assets and potential future uses however promotion of the reuse vacant and derelict buildings and land is a long established concept. It is important that barriers to delivering reuse of buildings and land are explored and additional guidance provided within the document to help explain how this can be achieved, and possibly the inclusion of a case study.

The policy context section provides useful background that explains the principles of local living and 20 minute neighbourhoods have been embedded in Scottish Government strategic documents and a wider range of policy initiatives. This helps to emphasise that the principle can only be delivered in a holistic manner.

The place context section refers to the Place Principle, Place Based Framework and six qualities of successful places. It would be helpful in this section for a diagram to be provided that illustrates the interrelationship between these key concepts, and possibly also the Place Standard Tool and Place Standard Design Version, and where local living and 20 minute neighbourhoods sit within them.

The rural and islands context section is welcomed and particularly useful in the context of the Highland Council area. The Council agree that accessing the majority of daily needs within a 20 minute walk, wheel or cycle in remote rural or island areas may not always be achievable. Some helpful information is provided in this section about ways of potentially achieving local living in this context and the flexibility that should be afforded. However additional information, for example on ways to identify a network of local places, would provide further assistance in this context. The inclusion of a reference to the HITRANS commissioned study 'Living Well Locally, 20 minute Communities in the Highland and Islands' is welcomed. Consideration should be given to providing further detail of this findings of this study within the guidance.

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## Question 2

Please refer to the Local Living Framework Diagram on page 19 of the guidance. How helpful is the framework diagram in encouraging flexible, place-based approaches to support local living?

### Additional Information for question 2:

Part 2 of draft guidance - local living framework diagram

20 minute neighbourhoods are one method of achieving 'local Living' and the benefits that flow from it. The way in which 'local living' works will vary from place to place and should evolve, over time as a result of place-based activity with communities and across sectors.

The local living framework diagram was developed to support and encourage the type of flexible, place-based approach when considering the daily needs in a place that supports local living - whilst avoiding tick box approaches.

More information can be found in part 2 of the guidance document.

- Very helpful
- Somewhat helpful
- Not at all helpful

Please explain your response explaining what else could be helpful

The Local Living Framework diagram provides a useful starting point in encouraging flexible, place-based approaches to support local living. The guidance explains that it is derived from the Place Standard Tool. In comparing the Local Living Framework diagram to the Place Standard Tool, Design Version, with the exception of the 'resources' theme it appears very similar, albeit presented in a different format to the Place Standard Tool, Design Version. The Local Living Framework diagram is also included in the recently published Local Development Planning Guidance (figure 10). Given the replication of the Local Living Framework diagram between documents, and that the both the Place Standard Tool, Design Version and Local Development Planning Guidance are published documents it is expected that there is limited flexibility for any changes to the diagram.

The document explains that the full content of the Place Standard Design Version provides detail on how plans and proposals can be developed within the Local Living Framework. The Place Standard, Design Version however does not directly reference the Local Living Framework and this may create confusion for users, particularly communities. Consideration should be given to acknowledging this within the guidance.



[Type here]

### Question 3

Looking at part 2 of the draft guidance: how helpful are the 'categories' and 'key considerations for local living' that are captured within this part of the document?

#### Additional Information for question 3:

Part 2: Categories and key considerations

The 'categories' - Movement, Space, Resources, Civic, and Stewardship, and the related key considerations support the local living framework and are detailed in part 2 of the guidance. They provide detail on the important issues that should be considered and where appropriate, addressed for successful local living.

More information can be found in part 2 of the guidance document.

- Very helpful  
 Somewhat helpful  
 Not at all helpful

Please explain your response explaining what else could be helpful

The beginning of part 2 includes a text box which provides definitions of local living and 20 minute neighbourhoods. It would be helpful for additional detail to be provided within the 20 minute neighbourhood definition that explains that 20 minutes is the time for a return and not one way journey. Acknowledgement should also be given to the differences in distance covered dependent upon whether individuals are walking, wheeling, cycling or cycling an electric bike and the implications of this for planning local living and 20 minute neighbourhoods. We also note that time is not the only factor in decisions about travel mode: quality of infrastructure is crucial – see note on the "movement" category below.

It would also be helpful for the guidance to explain close to the beginning of this section where the key considerations fit with the new Local Development Plan preparation process. The Local Development Planning Guidance should be cross referenced and explain what stage in the plan making process this information should be collected, for example to inform the Evidence Report. The step-by-step guidance in the Local Development Planning Guidance helps to clearly explain to the reader what is required – a similar format would also be helpful in the context of this guidance.

The paragraph relating to rural and island settings within this section is welcomed. It provides a realistic context that allows for flexibility for relevant authorities, including Highland. Whilst it is appreciated the level of data collected for each local authority area will differ dependent on context and resources it would be helpful for some information provided regarding the type or size of settlement data is expected to be collected for, and what data on trips between settlements is expected.

With reference to key considerations for local living most of the aspects described are logical under each category. Many of the key considerations are available in the form of secondary quantitative and spatial data that the Council holds or has access to. Some other considerations are likely to be primary and likely to be resource intensive to collect. This also conflicts with our understanding that Evidence Reports should be based on analysis of secondary evidence rather than the collection and analysis of primary data. Despite this, the value of collecting both forms of information is understood and it would be helpful for the guidance to more clearly present the different types of key considerations to aid methodologies for collecting data.

[Type here]

With regard to the movement category given that public transport is mentioned it is felt important for walking, wheeling, cycling, cycling on electric bikes and other micromobility (for example scooting, escooters, skateboards etc.) to be explicitly referenced. A reason for this is because walking, wheeling or cycling are a necessary part of every public transport journey. Ongoing maintenance of active travel routes both alongside adopted roads and distant from adopted roads, links to public transport and public transport provision should also be key considerations. For example, a 300 metre pavement in disrepair next to fast traffic can be a bigger barrier to movement than a 3km high quality segregated active travel route. Electric vehicle charging points should be included in developments as a key consideration for achieving a reduction in carbon emissions when the use of the private car is necessary, and to support the decarbonisation of public and community transport.

The Highland Council's Active Travel Strategy includes a prioritised list of infrastructure interventions for the Inner Moray Firth area and for a number of settlements across the area. The prioritisation process scores possible interventions on a number of criteria including social deprivation, car ownership / access, and existing transport interconnections including public transport. This makes explicit the connections between local living and access to travel options, and allows THC to focus resource on the interventions which will have the greatest positive impact.

Within the spaces category it would be helpful for the introductory text to more fully emphasise the interconnectivity of streets and spaces, natural space and play and recreation particularly in terms of biodiversity opportunities and climate change resilience. It is also important for infrastructure to provide convenient and attractive access, either retrofitted or designed into new development, from the outset.

[Type here]

#### Question 4

How helpful is the proposed 'structured approach' for use?

#### Additional Information for question 4:

A structured approach to delivering local living.

Part 3 of the draft guidance offers a structured approach that can assist with delivering local living. Three 'key steps' are detailed that can be repeated for incremental change. These are:

1. understand context - understanding the context of the place through the use of quantitative and qualitative information
2. collaborate, plan, design- developing collaborative models of working to inform place-based planning and design processes
3. implement and review - aligning investment, developing delivery capacity and supporting new ways of working

More information can be found in part 3 of the guidance document.

Please explain your response explaining what else could be helpful

- Very helpful
- Somewhat helpful
- Not helpful at all

The proposed three step structured approach for use is helpful in understanding the methodology planning authorities and others should use to deliver local living.

It is agreed that there must be a thorough understanding of the context of a place as a starting point. There are significant concerns however regarding resource implications of collecting sufficient quantitative and qualitative data to enable this understanding. The Highland Council area is vast, covering a third of the land area of Scotland, including the most remote and sparsely populated parts of the UK. The Council's three adopted area local development plans include approximately 70 proposals maps for Highland's larger settlements. The Council does not currently have the resource to allow effective data collection for this number of settlements. Whilst the number of proposals maps to be contained in the new Highland Local Development Plan has not yet been determined, regardless of this Highland is likely to have a relatively high number of 'settlements' in comparison to many other authorities. In this context it would be useful for the guidance to provide some advice on the type/size of settlement local authorities are expected to gather information for.

The explanation that the information collected can be referenced by the LDP Evidence Report to help inform decisions about future development is helpful to allow authorities to effectively plan and resource LDP preparation. It would be useful for relevant sections of the Local Development Planning Guidance to be referenced at this section.

[Type here]

### Question 5

Does part 3 of the guidance clearly communicate the importance of both qualitative and quantitative data in establishing a baseline for a place?

#### Additional Information for question 5:

**Part 3** - Ways to support local living and 20 minute neighbourhoods; key step 1 - understand the context

Part 3 of the draft guidance offers a structured approach to support local living. Three 'key steps' are detailed that can be repeated for incremental change.

**Key step 1: Understand context** - understanding the context of the place through the use of quantitative and qualitative information.

This step explains that gaining a full understanding of the context of a place, at the outset, is critical for forming a baseline and for understanding a place.

This part of the guidance aims to communicate and emphasise that while quantitative data is important in this regard, the gathering of qualitative information and the way in which this informs action is equally as critical.

More information can be found in part 3 of the guidance document.

- Very useful
- Somewhat useful
- Not at all useful

Please explain your response explaining what else could be useful

This part of the guidance makes it clear that it is essential for authorities to collect both qualitative and quantitative data to understand the context of a place. Concerns regarding the volume of data required to be collected are reiterated, as outlined in the response to question 4 above.

With regards to quantitative data the Council envisages being able to effectively use GIS to identify some resources that exist to meet people's daily needs sustainably. There are other forms of quantitative data that are likely to be more challenging to source however, where primary data collection and/or local knowledge are likely to be required. These forms of data are likely to be time consuming to collect.

Some quantitative travel data is available through existing sensors / counters. In particular Highland Council has already installed a number of "smart" sensors in Inverness which provide detailed data on different types of movement on roads, pavements etc.; identified resource to support further installation would be helpful to inform intervention planning.

Similar to other authorities, there is potential for the Council to develop a tool which could be replicated to efficiently assess a number of different settlements.

[Type here]

For quantitative data it would be more helpful for the document to list different types and sources of quantitative data expected to be collected. In terms of structure, to apply the methodology comprehensively and consistently it could mirror the Local Living Framework diagram. Furthermore, it would be beneficial for the guidance to directly reflect and build upon requirements set out in Policy 15, as well as the LDP Guidance, in particular reference to the step by step guide for Evidence Reports.

The guidance acknowledges that qualitative data may be more complex to gather. It is agreed however that it is essential to understand the extent to which services meet local need and the experience involved in accessing them. It is understood that community engagement is not mandatory prior to the publication of an Evidence Report however, to present the information required in relation to Local Living and 20 minute neighbourhoods it appears that some form of consultation will be necessary. As such it would be helpful for this section to include some suggestions as to the timing and format of such community engagement. Or at the very least signposting to Planning Advice Note 3/2010: Community Engagement and Effective Community Engagement in Local Development Planning Guidance.

[Type here]

### Question 6

How helpful is the 'collaborate, plan, design' section of part 3 in supporting collaborative practices?

#### Additional Information for question 6:

Part 3 - Ways to support local living and 20 minute neighbourhoods - key step 2 - collaborate, plan, design

**Key step 2: Collaborate, plan, design** - developing collaborative models of working to inform place-based planning and design processes.

Land-use planning is a fundamental tool for embedding local living and 20 minute neighbourhood principles in our places. National Planning Framework 4 (NPF4) provides a new approach to planning by combining the long term spatial strategy with national planning policies to form part of the statutory development plan.

This section explains the context for the delivery of local living and 20 minute neighbourhoods beyond planning mechanisms.

Local living requires input from a broad range of stakeholders and a cross sector commitment to collaborative working, informing place based planning and design. It involves coordination across investment plans and opportunities and the bringing together of the knowledge and skills of different organisations and sectors.

More information can be found in part 3 of the guidance document.

- Very helpful
- Somewhat helpful
- Not at all helpful

Please explain your response explaining what else could be helpful

This section presents a useful holistic view of the ways different sectors can collaborate to help achieve local living and 20 minute neighbourhoods. It outlines the key role planning authorities play, alongside a broad range of other stakeholders.

The information relating to planning and design provides a good explanation of the connection of data gathering in relation to local development plan content and may benefit from being placed in an earlier part of the document.

The role of Delivery Plans could be included in this section. It would also be beneficial for the sentence on leadership to provide additional detail, for example links to recent examples of successful roll out of similar concepts across the world and the role that local members may play. The development of Local Place Plans also offers opportunities for data collection, both qualitative and quantitative.

[Type here]

### Question 7

How helpful is the 'implement and review' section of part 3 in assisting the delivery of collaborative approaches to support local living?

#### Additional Information for question 7:

Part 3 - Ways to support local living and 20 minute neighbourhoods - key step 3 - implement and review

**Key step 3: implement and review** - aligning investment, developing delivery capacity and supporting new ways of working.

This is the stage at which the action identified in the previous steps could be taken forward or planned for.

This section of the guidance explains that while a number of cross government policies, strategies and investments are aligned to support local living and 20 minute neighbourhoods, there needs to be a cross sectoral alignment of knowledge, skills and resources, local knowledge, insights and capacity to maximise the benefits of local living.

The 'trip chain' diagrams in this section demonstrate the issues that can arise for local services when decisions about key infrastructure are made and local living is not prioritised.

More information can be found in part 3 of the guidance document.

- Very helpful
- Somewhat helpful
- Not at all helpful

Please explain your response explaining what else could be helpful

[Type here]

This section is somewhat helpful in assisting the delivery of collaborative approaches to support local living. However it is a short section with limited descriptions of the roles of that different organisations can play. Parts of this section may be more usefully presented in the format of an illustrated table to allow readers to more easily interpret the information. It may also be helpful for this section to acknowledge the role of Delivery Programmes in the implementation process and to recognise the timescales involved for delivering local living and 20 minute neighbourhoods. As referenced in Q1 above, we would include the NHS / Public Health as a key organisation here.

The penultimate paragraph of part three of the guidance provides development management advice for the interpretation of NPF4 Policy 15. This guidance is very limited and likely to be of minimal use when applied by development management planning officers seeking further interpretation of the guidance. It acknowledges that over time local living will be embedded within local development plans, however it will be a number of years before these are adopted.

It would be beneficial for the guidance to include a section that specifically provides development management advice to help interpret the policy. In particular the advice places the onus on applicants to demonstrate how the proposal responds to its context including the existing settlement pattern and level and quality of interconnectivity. This seems like an onerous requirement for smaller developments. Policy 15 of NPF4 states, 'Development proposals will contribute to local living, where relevant, 20 minute neighbourhoods...' The policy does not make it clear what types or size of developments are relevant to the policy – it would be helpful for advice on this to be provided within the guidance to provide some consistency of application of the policy. For example, is it likely that the policy would apply to single rural house plots in remote areas.

Further detail on assessing the level and quality of interconnectivity of the proposed development, with the surrounding area, including local access to amenities and facilities listed in the policy should also be provided.



[Type here]

### Question 8

Looking at part 4 of the draft guidance: do the case studies provide a useful and appropriate range of examples of good practice?

#### Additional Information for question 8:

The case studies in part 4 of the document are included to demonstrate real place-based action being undertaken that helps support local living and 20 minute neighbourhood principles.

More information can be found in part 4 of the guidance document.

- Very useful
- Somewhat useful
- Not at all useful

Please explain your response explaining what else could be useful.

The case studies provide a range of good practice examples from different contexts across Scotland. They provide a really useful insight as to how a number of different local authorities are already implementing local living and 20 minute neighbourhoods. A number relate to rural authorities which have similar characteristics to Highland, these in particular will be useful for devising the methodology for our approach in Highland.

It would be useful at the beginning of the case studies to provide a brief explanation in the summary box of the process each case study relates to. For example preparation of evidence to inform a new Local Development Plan, Local Place Plan or Development Brief/Masterplan. It would also be helpful to know in the summary box what expertise and techniques were required to undertake the research and what consultation techniques were used.

None of the figures in the case studies appear to have captions, it would be useful for a brief description to be provided to provide more context for the reader.

The Shetland case study relates to the content of their Main Issues Report. Given that the new regulations no longer involve the publication of a Main Issues Report this case study may become less relevant in the coming years. Whilst it is appreciated the principles communicated remain useful, particularly in a rural context a different focus of this case study may be more helpful. For example focussing on the co-ordinated approach to land use and transport planning.

It would be useful to provide a range of additional case studies in the form of videos to help make the application of the policy more accessible and inspiring, not only to planners but a range of stakeholders, including communities. Given the distance to travel to different parts of Scotland and further afield from places like Highland this would help stakeholders to learn from a range of examples.

[Type here]

### Question 9

Looking at the impact assessment update report: do you have any views about the initial conclusions of the impact assessment update report that accompany and inform this guidance?

#### Additional Information for question 9:

The impact assessment report update relates to the draft guidance on Local living and 20 Minute Neighbourhoods, produced to support the fourth National Planning Framework (NPF4).

Local Living and 20 minute neighbourhoods are included within the policy framework of NPF4, adopted by Scottish Ministers on 13th February. The concept of local living and 20 minute neighbourhoods is intended to support places where people can meet the majority of their daily needs within a reasonable distance of their home, preferably through active travel modes or by public transport.

NPF4 was the subject of extensive consultation and parliamentary scrutiny and an Integrated Impact Assessment (IIA), involving a number of statutory and non-statutory assessments, was prepared for NPF4 and is available on the [Transforming Planning](#) website.

The policy intent and outcomes for Local Living and 20 minute neighbourhoods were included within this assessment process. Therefore, the impact of the policy has already been assessed and this updated report summarises key content relevant to local living and 20 minute neighbourhoods gathered as part of the previous impact assessment process. Additional content on the impacts of the draft guidance has been added where relevant or necessary.

Read the impact assessment update report.

Yes

No

Please tell us here

[Type here]

**Question 10**

Please provide any further comments on the draft guidance document in the box below.

## Scottish Government’s Effective Community Engagement in Local Development Planning guidance consultation

### Question 1 – Do you agree that the purpose and scope of the guidance is clear?

- Yes
- No
- No view
- Please comment on your answer (particularly if you do not agree).

#### Question 1 - comments

In paragraph 4, the following line is unclear: “Approaches and methods for engagement are in place and will continue to develop over time” and assumes a familiarity with existing engagement approaches and emergent methods that some of those seeking to gain guidance may not have – especially if, for example, a community body were seeking inspiration for engagement on a Local Place Plan (and notwithstanding that the guidance is intended for Local Development Plans). By saying that approaches and methods are in place, the guidance appears to be referring to a defined ‘topic’ without giving useful explanation for those that are less familiar with that ‘topic’.

Our understanding, gained from a Heads of Planning Scotland discussion, is that Scottish Government’s Planning Advice Note 3/2010 Community Engagement will still stand, alongside this guidance. This should be made clear.

In paragraph 5, in relation to “...we will consider opportunities...”, Scottish Government signposting examples through a central location (website) would be useful and this guidance could more firmly commit to doing so as and when suitable examples are identified or are brought forward.

It is noted from the document linked from footnote 31 ([www.equalityhumanrights.com/en/equality-act/protected-characteristics](http://www.equalityhumanrights.com/en/equality-act/protected-characteristics)) that the Protected Characteristics are listed alphabetically; it would be clearer to adopt this same technique where the examples of protected characteristics are listed in paragraph 9.

In paragraph 10, the various groups that could face discrimination during consultation are described; but it is unclear why extra detail is provided in relation to recommending seating for those who are pregnant (noting that ‘pregnancy and maternity’ is a Protected Characteristic), while no extra details are given that could help other individuals/groups/Protected Characteristics. Giving some more examples might help e.g. DDA-compliant, accessible venues.

### Question 2 – Do you agree that the terms inform, consult, involve, collaborate and empower, as described in the table, are helpful terms to support understanding of different levels of engagement and the influence that results from it?

- Yes
- No
- No view
- Please comment on your answer (particularly if you do not agree).

#### Question 2 - comments

The majority of the terms in Table 1 appear helpful, with the following points noted:

[Type here]

In respect of 'Inform', "we will not withhold relevant information" is supported in principle but the guidance itself would be more transparent if it were to acknowledge that in some very limited circumstances data protection considerations may mean that some information needs to be withheld.

In respect of 'Involve', "we will work with you to ensure that your concerns and aspirations are directly reflected in the outcome / alternatives developed" may be going too far or require clarification – the broad intent in terms of where this sits within the spectrum is understood, however, to the participant this could suggest that the Plan will give them what they seek – and this ignores the balancing of considerations that the planning authority may be faced with, including opposing or incompatible positions held by other participants.

It is noted that the draft guidance applies 'Empower' to Local Place Planning which, in the context of communities having the power to prepare and submit a Local Place Plan, is where it does best sit. However, two statements in the bottom row against the term 'Empower/Empowering' may have the potential to over-promise - if there is an expectation of a final sense check over "we will implement what you decide" and "To hand over the ability to make decisions and / or take action" by the Scottish Government or Planning Authority, then this should be clearly stated. If to be retained, then perhaps "we will implement what you decide" would better read "we will play our part in implementing what you decide".

It would be beneficial if the guidance would clearly express the differences between the meanings of 'consultation' and 'formal consultation', and how these terms sit in relation to 'engagement'.

**Question 3 – Do you agree that the appropriate levels of engagement have been identified for the stages of local development plan preparation?**

- Yes
- No
- No view
- Please comment on your answer (particularly if you do not agree).

Question 3 - comments

In general, the appropriate levels of engagement have been identified for the stages of local development plan preparation, with the following points noted:

We presume that Scottish Government considers that 'Involve' sufficiently covers the infrequent but regular 'consultation' on the DPS Participation Statement (before the beginning of the LDP preparation cycle and at a lesser rate thereafter), but if not then this needs to be reflected by the addition of the word 'Consult' with an explanatory asterisk or footnote, in the 'Engagement Level' column in the first row of Table 2 and in the 'Engagement Level' box immediately above stage 1.1.

In Table 2, the Activity 'Publishing the Development Plan Scheme and Participation Statement' should be 'Prepare the....' (in line with the heading given elsewhere in the document for Stage 1) or 'Prepare and Publish the....'.

Stage 1, paragraph 1.11, second bullet should read "place a copy in every public library in the area to which it applies".

Stage 1.5 is unclear - it states that "The DPS Participation Statement will be the means of reporting (publishing) that the planning authority has met its statutory engagement requirements for children and young people"; however, the purpose of the DPS Participation Statement is to communicate

[Type here]

what shall be done, not to report on what was done. Suggest reword: “By including in the DPS Participation Statement information on such arrangements as they consider appropriate to promote and facilitate participation by children and young people in the preparation of the local development plan, and by reviewing/updating that on a sufficiently frequent basis, the planning authority will thereby meet the statutory requirements in relation to engagement of those groups.”

Stage 6.4 – the second bullet point should read ‘disabled people’.

**Question 4 – Do you agree that the appropriate levels of engagement have been identified for the impact assessments?**

- Yes
- No
- No view
- Please comment on your answer (particularly if you do not agree).

Question 4 - comments

In general, the appropriate levels of engagement have been identified for the impact assessments. However, the reformed LDP preparation process has moved away from a Main Issues Report stage that included site-based information, was informed by early and effective Strategic Environmental Assessment and was subject to public consultation, leading to a Proposed Plan which could reasonably represent the settled view of the planning authority. The reform means that it seems likely that in practice, planning authorities will need to consider undertaking pre Environmental Report (and pre Proposed Plan) engagement on SEA – and therefore on actual potential content for the Proposed Plan. There might be a Call for Sites and Ideas too. Whilst this could perhaps take the form of focussed stakeholder engagement rather than general public consultation, it should still be within scope of this guidance and there should be specific and clear recognition of it as likely to feature in plan preparation.

**Question 5 – Overall, is the approach set out in the guidance helpful?**

- Yes
- No
- No view
- Please comment on your answer (particularly if you do not think the approach is helpful).

Question 5 - comments

The approach set out in the guidance is generally helpful; however, certain areas of the guidance would benefit from clarification and/or more in-depth explanation (see previous answers) to ensure that it is helpful to all potential users – although Scottish Government may intend that whilst the views of a wide range of interests may have been sought on the draft to inform its development, the final guidance is for Planning Authorities alone. This would benefit from being clarified.

**Question 6 – Do you have any views about the initial conclusions of the impact assessments that accompany and inform this guidance?**

- Yes

[Type here]

- No
- No view
- Please comment on your answer (particularly if you do have views to share).

#### Question 6 - comments

There is a general issue of concern arising from the potential costs of engagement. Anticipated variable take-up of Local Place Plan production by communities (due to resources, capacity, etc) could leave many communities without an LPP, and the planning authority's resources could very well be too stretched to best fill that gap – thereby disadvantaging some communities – a lack of equality and acting against a Just Transition. Notwithstanding that there are various potential funding sources that communities could try to bid in to, consideration should be given to a specific, sizeable, Scottish Government fund to specifically assist communities with Local Place Planning.

#### **Question 7 – Thinking about the potential impacts of the guidance – will these help to advance equality of opportunity, eliminate unlawful discrimination, and foster good community relations, in particular for people with protected characteristics?**

- Yes
- No
- No view
- Please comment on your answer.

#### Question 7 - comments

The guidance will help advance these things. However, it is through the Planning Authority preparing the LDP in the appropriate, inclusive way that these things can actually be achieved. We note that the Evidence Report must include a statement on how the planning authority has sought particular stakeholders' views, and how these views are taken into account in the report. The Gate Check will prove a useful check to ensure an authority has sufficient evidence prior to proceeding towards creating a proposed plan.

#### **Question 8 – Do you have evidence that can further inform the impact assessments that accompany this guidance, in particular in relation to the impact of the guidance on people with protected characteristics, businesses and costs to businesses?**

- Yes
- No
- No view
- Please comment on your answer.

#### Question 8 - comments

N/A

#### **Question 9 – Please provide any further comments on the guidance set out in this consultation.**

N/A