

The Highland Council

Agenda Item	8
Report No	ECI/05/24

Committee: Economy and Infrastructure

Date: 15 February 2024

Report Title: Highland Local Development Plan and Development Plan Scheme

Report By: Executive Chief Officer Infrastructure, Environment & Economy

1 Purpose/Executive Summary

1.1 This report seeks to provide an update on the process for preparing a new single Highland Local Development Plan. Alongside, the report seeks approval for an updated Development Plan Scheme, prepared in line with planning regulations, which aims to keep people up to date on where and when they can input to the preparation of development planning documents. This includes suggested updates to the Participation Statement, taking account of a survey undertaken in 2023.

2 Recommendations

2.1 Members are asked to:-

- i. **Agree** the Development Plan Scheme / Newsletter at **Appendix 1**, including the suggested updates to the Participation Statement; and
- ii. **Note** the proposed collaborative approach to preparing a new single Local Development Plan for Highland.

3 Implications

3.1 **Resource** - Progress towards meeting development plan timescales is monitored as part of the existing work programme of the Development Plans team. Resource constraints will be a factor influencing what evidence we secure and how we prepare the Local Development Plan, including how we undertake engagement.

3.2 **Legal** – No direct implications, but legislation sets out requirements for the Development Plan Scheme. Our conformity with our Participation Statement is subject of independent check by the Reporter appointed to hold the Examination.

- 3.3 **Community (Equality, Poverty, Rural and Island)** – Impact assessments to be undertaken for the Local Development Plan as it is prepared, are to be programmed within the Development Plan Scheme.
- 3.4 **Climate Change / Carbon Clever** - The Council will need to ensure, including through its Regional Spatial Strategy and Local Development Plan, that Highland's own transition to net zero and increasingly critical contribution to the national transition to net zero are fully recognised and realised.
- 3.5 **Risk** – We will look to provide clear information and explanation to aid effective engagement in the LDP preparation process. Securing good evidence and a collaborative approach to plan preparation and delivery will be necessary in order to gain greatest benefits from the plan.
- 3.6 **Health and Safety (risks arising from changes to plant, equipment, process, or people)** – No implications.
- 3.7 **Gaelic** - For Development Planning work, we will comply with the Council's policy for use of Gaelic within publications and consider any specific implications for engagement.

4 Highland Local Development Plan (HLDP)

- 4.1 Following publication of NPF4 in February 2023, and associated updates to the regulations for development plan preparation, the Council has been planning its approach to preparing a new Local Development Plan. As outlined in the August 2023 report to this Committee and the bulletin item in November 2023, the Council is intending to move towards a single plan for Highland. The ability to do so is facilitated by NPF4 having put in place a set of consistent policies as part of the Development Plan, not requiring repetition, with our Local Development Plan tasked with providing Highland and locally detailed context, together with a tailored approach where that is required and justified.
- 4.2 As previously explained, we are currently at the first Evidence Gathering stage and seeking a collaborative approach to that, as well as to subsequent Plan Preparation and Delivery stages. There is a growing awareness that although the current LDP is, on the whole, functioning well, there are aspects that need to be updated and brought into line with the new national policies in NPF4. There is also an awareness that we need to provide certain updates to the overall Development Plan for aspects where NPF4 is to an extent being overtaken, not least the identification of the Inverness and Cromarty Firth Green Freeport and the need to plan for its delivery and to manage the implications for communities and the environment. We can do this through the new HLDP and, joined up with that, further work towards formalising our Regional Spatial Strategy. The intended approach to evidence gathering aims to fully engage people working and living and investing in the area, to ensure that the plan addresses their priorities and meets their expectations.
- 4.3 Local communities are being proactively encouraged to input to the plan. This includes the preparation of Local Place Plans (LPPs) with one already registered and published at Stratherrick and Foyers and several others on the way. As Members will be aware, there is also support from officers to Area Place Plans which aim to capture the distinct issues and priorities across Highland's sub-regions. Area Place Plan Project Managers are in post to facilitate these plans and set the framework for any Local Place Plans that might emerge alongside.

4.4 To complement this the work towards the Evidence Report, which is the outcome of the Evidence Gathering stage, needs to engage people on the issues facing Highland communities right now.

- We are developing a bespoke 'place standard' tool for use by anyone, to input to the HLDP and other workstreams of the Council. We intend to launch and promote that early in 2024 and it will be a keyway of gathering people's lived experiences from across and around Highland.
- A key resource that we have begun preparing is a series of Storyboards that provide a walk-through for the areas and issues we think need to be addressed by the HLDP and the evidence we think we should be using. This will be made available and promoted online starting in Spring 2024 and used in meetings with partners, stakeholders and others providing a stimulus and focus for discussion. Through that we will seek to validate or refine our thinking through consideration of feedback received, as well as look to identify ways to collaborate with stakeholders.

These intended actions for engagement are included in the draft Development Plan Scheme including Participation Statement in **Appendix 1**. We would be interested to hear further views on the methods proposed and the particular groups that could be engaged on the plan. It would also be of interest to get Members' views on how they wish to be engaged in the plan process in addition to Committee Reports in line with the Scheme of Delegation, alongside and potentially with senior managers such as workshops or drop-in surgeries.

4.5 As part of a broader approach, we have been meeting with Architecture and Design Scotland who are facilitating our collaborative approach to evidence gathering with the Key Agencies and are making arrangements for the next steps for that, including a 'corporate team' workshop with Council Services as mentioned in the bulletin item of November 2023.

5 Development Plan Scheme (DPS)

5.1 The 2024 Development Plan Newsletter, which also acts as our DPS for submission to Scottish Government, is enclosed at **Appendix 1** for consideration and approval.

5.2 In last year's DPS we launched a survey to seek feedback on our Participation Statement. **Appendix 2** sets out a summary of comments received to the survey and the suggested Council response, along with the associated changes to the Participation Statement. Members are asked to consider and agree these to steer and refine how we engage people on the Development Plan.

5.3 The final version of Scottish Government's "Effective community engagement in local development planning guidance", the draft of which was reported to Committee in August 2023, has yet to be released.

Designation: Executive Chief Officer Infrastructure, Environment & Economy

Date: 15 January 2024

Author: Scott Dalgarno, Development Plans Manager
David Cowie, Principal Planner
Helen Bailey, Graduate Planner

Background Papers: None

Appendices: Appendix 1 – Draft Development Plan Newsletter 2024
Appendix 2 - Summary of comments on Participation Statement Survey 2023 and suggested Council response

Development Plans Newsletter

Cuairt-litir Phlanaichean Leasachaidh

March 2024

**[PHOTOS, PLUS DETAILS OF METHOD
FOR FEEDBACK ON PARTICIPATION
STATEMENT, WILL BE ADDED TO THE
DOCUMENT FOLLOWING COMMITTEE,
BEFORE PUBLICATION]**

A handy guide to how land use planning documents are prepared by The Highland Council, and how and when you or your local community can get involved.

Introduction

This is the annual update of The Highland Council's Development Plans Newsletter which provides an overview of the timetable for preparing land use planning documents for the Highland Council area*. It lets you know how and when you can get involved in preparing these plans. This newsletter also acts as the Council's **Development Plan Scheme** that we submit annually to Scottish Government.

* Note: The Cairngorms National Park Authority (CNPA) prepare their own Development Plan, please visit: www.cairngorms.co.uk/planning-development for more details.

What is a Development Plan?

The Development Plan is a set of documents that guide where and how new building and development can take place across the Highland Council area. Along with National Planning Framework 4 (NPF4) 2023, it includes Local Development Plans (LDPs) that set out policies and site allocations, and Supplementary Guidance (SG) containing more detail on specific issues or places. Planning applications for all types of development are assessed against these documents, so it is important that people know when and how they can input to them.

Planning law sets out the process for preparing Development Plan documents and this newsletter provides information on that. We encourage people to get involved as early as possible in the process. The best place to view and comment on Development Plans prepared by the Highland Council (LDPs and SG) is the Council's website or the online Development Plans consultation portal – for full details of these, and other ways to contact us, follow us, and contribute to the plans for your area, please see the end of this newsletter.

The current Development Plan for Highland

The Highlands is unique in Scotland, in that our council authority covers a particularly vast and diverse area. The current Development Plan consists of NPF4 and four local development plans (LDPs): the Highland-wide LDP (HwLDP), the Inner Moray Firth LDP (IMFLDP), the Caithness and Sutherland LDP (CaSPlan), and the West Highlands and Islands LDP (WestPlan) – together with a suite of Supplementary Guidance documents.

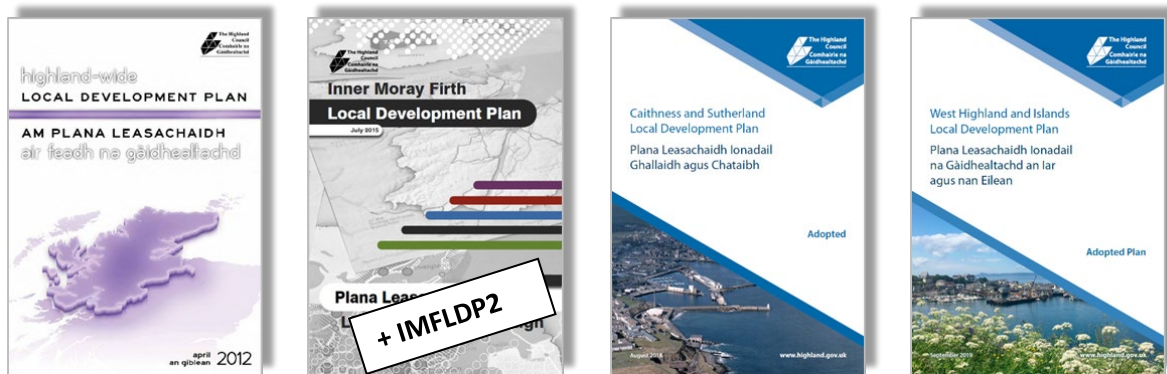
The HwLDP is our vision for the whole Highland Council area (excluding the area covered by the Cairngorms National Park which has its own plan) and sets out general policies which any planning application will be assessed against.

The HwLDP was adopted in 2012. We started the process of reviewing the HwLDP in 2016, but when the Scottish Government published a Planning Bill in 2017 that outlined changes to the Scottish Planning System, we decided to halt the HwLDP review process until more was known about the changes. We also now use NPF4.

The three individual LDPs – IMFLDP, CaSPlan, and WestPlan – focus on the regional and settlement strategies for the Inner Moray Firth, Caithness and Sutherland, and West Highlands and Islands respectively, including the identification of specific site allocations.

Each Supplementary Guidance document is directly related to one of the LDPs and provides more detail for a particular policy topic or site for development.

The first IMFLDP was adopted in 2015. Having consulted on the second IMFLDP in 2022 and submitted the representations and Council responses to Scottish Government as planned in March 2023 (for Examination), we had anticipated adopting IMFLDP2 in Q4 2023-24. The period from submission to end of Examination has taken slightly longer than we had anticipated, with the Report of Examination expected in January 2024. We now expect to adopt the Plan in Q1 2024-25.. CaSPlan was adopted in August 2018 and WestPlan was adopted September 2019. You can read about our progress with a new Highland Local Development Plan (HLDP) in sections below. To read about our plans and guidance, please visit www.highland.gov.uk/developmentplans or for the LDPs you can also click on the images below:



We will continue to monitor and update the Delivery Programme. The Delivery Programme for IMFLDP, CaSPlan, and WestPlan were last subject of full update and publication in March 2022, with a partial update published in 2023. We therefore intend to publish a full update to the Delivery Programme in 2024, taking into account the latest Regulations and Guidance for Development Planning published in 2023. For more information, please visit: www.highland.gov.uk/deliveryprogrammes

New system taking shape

Scotland’s planning system is being reformed. It will be a number of years before all of the reforms take full effect. Once they have, the Development Plan in Highland will comprise two documents: the new National Planning Framework (this part, prepared by Scottish Government, is now in place – NPF4) and a new Highland Local Development Plan (HLDP).

When adopted, the HLDP will replace our HwLDP and our three individual 'area' LDPs. The HLDP may also include some content from our current suite of Supplementary Guidance, with any updating and reviewing as necessary.

Also, under the new system, Highland Council will lead the formal preparation of a Regional Spatial Strategy; whilst communities have opportunity to prepare Local Place Plans and submit them to Highland Council, to be taken into account when the HLDP is prepared.

Background to the new system

The reforms to Scotland's planning system are being brought about by implementation of the Planning (Scotland) Act 2019.

National Planning Framework 4

Scottish Government has prepared National Planning Framework 4 (NPF4). The National Planning Framework sets out the national spatial strategy for Scotland. It sets out the spatial principles, regional priorities, national developments, and national planning policy. Following approval of NPF4 by the Scottish Parliament, NPF4 was adopted and published by Scottish Ministers on 13 February 2023. From that date and for the first time, the NPF has become part of the Development Plan. This will likely lead to a reduction in the number and range of policies that we require in our Local Development Plan.

New-style Local Development Plan

It has been vital for the Highland Council to know enough about the content of NPF4 before progressing very far with its thinking about the new HLDP. Also, the Council was not able to formally start work on a new-style LDP until the relevant Regulations were in place. Scottish Government finalised and published the relevant Regulations and Guidance for LDPs in spring 2023. The formal start date for the reformed system for local development planning was 19 May 2023. Scottish Government expects planning authorities to adopt their first new-style LDPs within five years of that date – and thereafter to review them at least every ten years.

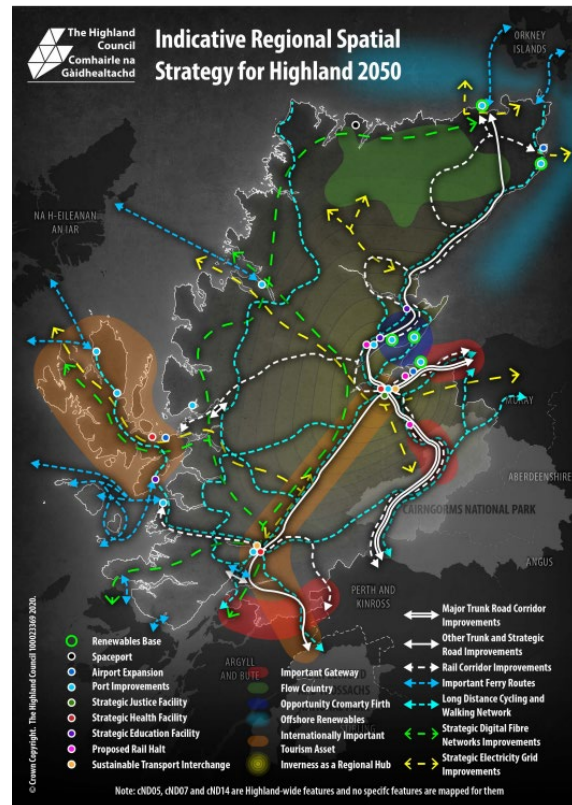
Scotland's reformed planning system includes changes to the key steps for preparing a Local Development Plan. Preparation of a new-style LDP includes:

- Evidence-gathering, including for example through a range of audits and community/stakeholder engagement, leading to an Evidence Report;
- Submission of the Evidence Report to Scottish Ministers for an independent Gate Check;
- Plan preparation, leading to publication of the Proposed Plan for consultation;
- Submission of the Proposed Plan to Scottish Ministers for an independent Examination of outstanding issues; and

- Adoption and Constitution of the Plan – Constitution being the term referring to the Plan becoming part of the adopted Development Plan for the purposes of determining planning applications.

Regional Spatial Strategy

As part of the Highland Council response to the Scottish Government’s preparation of NPF4, the Council developed an Indicative Regional Spatial Strategy (IRSS) for Highland and submitted it to Scottish Government. It will soon be updated and finalised as explained below. To read the April 2021 IRSS, click on the image below or to read more about the IRSS, please visit: www.highland.gov.uk/npf



Highland Indicative Regional Spatial Strategy, image by The Highland Council

How we plan to transition to the new system

We will aim to keep our webpages up to date, so they accurately reflect at any point in time the correct information as to what comprises the Development Plan in Highland, other documents of material consideration and the work programme for the ongoing transition.

New single Highland Local Development Plan

We had expected that throughout 2023 we would be focusing primarily on evidence-gathering for the new single Highland Local Development Plan (HLDP) and that has been the case. However, the commencement of the new arrangements for LDPs was later than we had anticipated and we also consider that more time is needed for the evidence gathering stage than we previously indicated. We now aim to finalise our Evidence Report during Q3 2024-25 and to have cleared the Gate Check stage by Q1 2025-26. We aim to reach Proposed Plan stage in Q3 2025-26. Examination of the new HLDP is anticipated around Q3 2026-27 and we aim for adoption and constitution of the new HLDP around Q3 2027-28.

When the new HLDP is adopted, it will replace the HwLDP and our three individual 'area' LDPs.

In the meantime, implementation and delivery of our current LDPs will continue as planned throughout 2024, with IMFLDP2 expected to progress to adoption.

Planning Guidance

As a result of changes to the planning system, there remains only a short timescale – to 31 March 2025 – to prepare or review, and adopt and issue Supplementary Guidance (SG) in association with the current Local Development Plans. Therefore we will focus primarily on preparing the HLDP and deciding how best to guide future development through that Plan and any non-statutory guidance. The new HLDP may include some content from our current suite of SG, with any updating and review as necessary. Any content from the SG not included in the HLDP will either become non-statutory planning guidance (for use as a material consideration in planning decisions), again with any updating and review as necessary, or will not be carried forward.

In the meantime, we may issue some specific updates to the content of SG where there is a clear and pressing case to inform users of changed circumstances. This may for example be by publishing an information note alongside the SG document, following a partial or full, informal or formal review – with focussed technical or wider engagement where appropriate. For example, in May 2023 we published updated developer contribution rates for education and community facilities in relation to our Developer Contributions SG. We are currently considering preparing updates in relation to the Flood Risk and Drainage Impact Assessment SG (to better reflect and assist with implementing NPF4) and the Managing Waste in New Developments SG (to reflect changes to waste collection arrangements).

A number of other documents have been prepared recently to help guide development. The programme of Conservation Area Appraisals and Management Plans progressed further during 2023. Also, draft Biodiversity Planning Guidance has been published for consultation, that sets out the Council's requirements when implementing the NPF4 policies that support the cross-cutting outcome to 'improve biodiversity'.

Evidence Gathering for the new HLDP

Under the new plan-making system, the Evidence Report is intended 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 should provide a summary of the evidence and an analysis of what it means for the plan, informed by the views of those who are anticipated to be affected by the plan, and involved in its implementation. The Evidence Report stage should check that the future LDP will be based on sound evidence and therefore more likely to achieve its outcomes. The Gate Check will provide an independent assessment of whether the planning authority has sufficient information to prepare an LDP. It will be carried out by a person appointed by Scottish Ministers, usually a Reporter from the Directorate for Planning and Environmental Appeals.

It is anticipated that the Evidence Report will need to cover a wide range of relevant topics, including but not limited to:

- plan outcomes;
- stakeholder involvement;
- infrastructure and services;
- housing land;
- employment land; and
- climate and environment.

During 2024 we therefore expect to continue to be focussed on gathering the evidence for the new HLDP and engaging with people in that. Our firm intent is that this engagement will include the following:

- A bespoke 'place standard' tool for use by anyone, to input to the HLDP and other workstreams of the Council – we intend to launch and promote that early in 2024 and it will be a key way of gathering people's lived experiences from across and around Highland.
- A series of Storyboards that provide a walk-through for the areas and issues we think need to be addressed by the HLDP and the evidence we think we should be using. This will be made available and promoted online (starting in Spring 2024) and used in meetings with partners, stakeholders and others – providing a stimulus and focus for discussion. Through that we will seek to validate or refine our thinking through consideration of feedback received, as well as look to identify ways to collaborate with stakeholders.

These opportunities to get involved, when launched, will be well publicised and we will communicate those directly with a wide range of interests.

We will continue our work with the Key Agencies Group on a collaborative, place-based approach to evidence.

The Council's ongoing, resourced work with partners, stakeholders and communities on preparing Area Place Plans aims to capture the distinct issues and priorities across Highland's sub-regions. This complements Local Place Plan (LPP) activity of communities and can help to inform and frame any LPPs that might emerge alongside.

We are also in discussion with Council Services and Partners to identify specific opportunities to engage with particular interests. For example, we are in discussion with other Council services and High Life Highland about opportunities to engage with children and young people, including using existing structures.

One of the new requirements for Development Planning is that we are required to prepare a Play Sufficiency Assessment for Highland. This work is underway. It will include consultation on a draft assessment, which we anticipate carrying out in Q2 2024-25 and will be designed to reach children, parents and carers, community councils and the public.

During 2024, we will also commence the process of Strategic Environmental Assessment (SEA) for the new HLDP – specifically, preparation of the Scoping Report, for which we will arrange workshops with the SEA Consultation Authorities, submitting the Scoping Report and gathering environmental baseline information. We will also develop work programmes for undertaking other impact assessments: a Public Sector Equality Duty Assessment, a Fairer Scotland Duty Assessment, an Island Communities Impact Assessment, and a Habitats Regulations Appraisal.

The Highland Council will share with announce to stakeholders and the public, more details of arrangements for engagement in the evidence gathering stage, when we are in a position to do so during 2024.

We have launched a main webpage for the new Highland Local Development Plan being prepared: www.highland.gov.uk/hldp

Email queries regarding the new HLDP specifically can be sent: hldp@highland.gov.uk

Local Place Plans

The Scottish Government has introduced Local Place Plans (LPPs) so that communities can have a more direct role in the decisions that influence their local community.

We are inviting community-led groups to create their own Local Place Plans, so that communities can express their aspirations for development or the use of land in their local area. We issued and publicised our formal invitation on 30 June 2023. During the course of the past year we have further developed and provided advice and guidance in response to enquiries from communities. To see information on preparing, submitting, and registering Local Place Plans, please visit our Local Place Plans webpage at:

www.highland.gov.uk/localplaceplans

Following our review of the requirements and timelines for the evidence gathering that the Council and other organisations are undertaking for the new Local Development Plan, we extended the deadline by which we ask communities to aim for their Local Place Plans to be able to be registered. The date is now Friday 27 September 2024. This is so that we can use your community plans to feed into the earliest stages of our new Highland Local Development Plan. LPPs can continue to be prepared after that date but they may not be able to be taken into account to the same extent by the particular Local Development Plan for which we are currently gathering evidence. Please visit our Local Place Plans webpage (see above) for the most up-to-date information.

We keep a register of Local Place Plans that have been created and submitted by communities in Highland*. The register was launched in October 2023, following registration of the first LPP to be registered in The Highland Council development plans area: the Stratherrick and Foyers Community Council Local Place Plan. This register is publicly available so that anyone can readily see if there is a Local Place Plan for their area – it may be viewed at: www.highland.gov.uk/localplaceplanregister . We also provide information on Local Place

Plans in preparation, where the community has provided that for sharing. Once registered, we have a legal responsibility to take Local Place Plans into account while preparing our Local Development Plan. If you have any questions about Local Place Plans or to submit your Local Place Plan, please email us at: lpp@highland.gov.uk

* Note: Local Place Plans prepared by communities within the Cairngorms National Park would be submitted to and taken into account by the Cairngorms National Park Authority when preparing the Cairngorms National Park Local Development Plan.

Regional Spatial Strategy

Reforms to the planning system include introduction of a new duty for the Highland Council to prepare a Regional Spatial Strategy (RSS). This has already been done in an informal way through the Council's preparation of an Indicative Regional Spatial Strategy (IRSS) for Highland, as part of its submissions to Scottish Government to inform NPF4. Once Scottish Government has produced guidance for the preparation of a formal RSS, the Council will set about the process of formally transitioning the IRSS into an RSS for Highland. We will aim to do this in a way that is joined up with the preparation of the new HLDP. With this aim in mind and the fact that the guidance has yet to be prepared, we may undertake some informal work on the RSS, ahead of finalised guidance being available.

Participation Statement

Our Participation Statement, together with associated information contained in the Development Plans Newsletter sets out how, when and with whom the Council will engage when developing its Local Development Plan:

1. We will use a range of communication methods, including our development plan webpages www.highland.gov.uk/developmentplans, our consultation portal <https://consult.highland.gov.uk/>, emails to stakeholder groups, and social media for engaging on our Local Development Plan.
2. We will produce interactive online documents that are easy to read and comment upon, and which include clear maps and graphics, and will provide an alternative method, as far as practicable, of reading and responding to consultation documents on request.
3. We will make available online guides, videos, or webinars to share information on our main consultations. We will hold meetings with particular groups and about specific issues, and in-person events in accessible and inviting venues and seek to share information and gather views through existing community networks, meetings and events.
4. We will make announcements at key stages of the consultation process using a range of communication methods, including as appropriate, our consultation portal, local

newspapers, mailings and emails to stakeholder groups, posters, and social media to keep you up to date and let you know how and when you can get involved.

5. At key stages we will liaise with statutory agencies, community councils and wider community and stakeholder groups to guide and encourage their participation.
6. We will use targeted methods to reach under-represented groups, to help make public participation inclusive.
7. We will provide copies of consultation documents in public libraries for viewing, and explore alternative means of making documents available where there are no such facilities.
8. We will notify the immediate neighbours of potential development sites at the Proposed Plan stage of our Local Development Plan.
9. We will monitor feedback on our engagement methods and respond to requests to carry out other forms of engagement and/or extend periods of consultation.
10. We will consider the use of mediation as a method of addressing potentially contentious issues in the preparation of land use plans.

In preparing this Development Plans Newsletter, we have taken into consideration the comments we received in response to our Participation Statement Survey held in 2023.

Moving forward, to help ensure that our approach to consultation and participation will work for those who are living, working, and investing in the Highland region we invite feedback on the suitability of our intended approach set out in this document. Such feedback can be provided at any time and will be considered when preparing future updates to this document. To provide feedback:

**[METHOD FOR FEEDBACK ON PARTICIPATION STATEMENT
WILL BE ADDED TO THE DOCUMENT FOLLOWING COMMITTEE,
BEFORE PUBLICATION]**

Mediation statement

Mediation is seen as a potentially useful tool for exploring, resolving or reducing disagreement on land use plans. It can be used to aid the engagement process and to help build bridges between stakeholders. It is a voluntary process between two parties, facilitated by a third independent party. There is no legislative requirement for mediation in the Scottish planning system but there are potential scenarios where it might assist in resolving issues that arise through the preparation of different types of land use plan. However, our aim is to remove or reduce the need for mediation by gaining awareness of proposals/sites that may prove contentious through early engagement with stakeholders in the preparation of plans including any community-led Local Place Plans.

National and Regional Marine Plans

Marine plans could be very beneficial to Highland going forward, the region having a vast coastline, significant marine assets and a diverse range of maritime activity and development expected to contribute to priorities and outcomes – nationally, regionally and locally.

National Marine Plan

Scotland's National Marine Plan (NMP) was adopted and published by Scottish Government in 2015. The NMP covers both inshore and offshore waters and serves to support development and activity in the seas around Scotland, while also helping to protect our marine environment through the sustainable management of marine resources. Scottish Government is required to monitor and report on the NMP at least every 3 years. The last such report was published in 2021 and concluded that there have been significant changes that would warrant the development of an updated NMP. In Autumn 2022 it was confirmed that this suggested update would be taken forward. The decision to do so cited Scottish Government's commitment to becoming a net zero nation by 2045, the impacts of EU exit and increased understanding of the impacts of climate change and human activity on the marine environment.

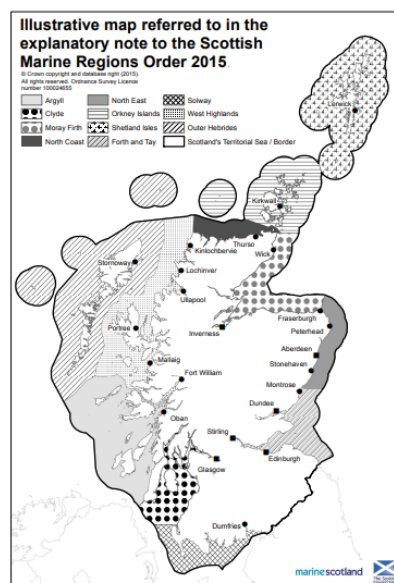
Scottish Government has started work on NMP2, including carrying out some engagement on initial stages during 2023. Consultation on Draft NMP2 is anticipated during 2024 and adoption of finalised NMP2 targeted for 2025. The Highland Council will actively participate in this engagement process. Policies within the NMP will guide development management decisions taken by the Council in relevant circumstances and may influence further work on our Regional Spatial Strategy and policy development within our Local Development Plan.

Regional Marine Plans

Under the Marine (Scotland) Act (2010) regional marine plans may be prepared at the local level by delegated bodies forming a regional marine planning partnership.

The Scottish Marine Regions Order (2015) divided Scotland's Inshore area up into several regions, as shown in their illustrative map (see image to the right). Three of these regions fall within the Highland Council's area: West Highlands, North Coast, and Moray Firth.

To date, the national picture on regional marine plans shows that uptake has been slow with some progress made by the Clyde Marine Planning Partnership, in the Shetland Islands and in the Orkney Islands. Presently there have been no substantial forward steps taken in the Highland area to form a regional marine planning partnership. However, Highland Council will continue to listen to and work with coastal and marine stakeholders with a view to progressing regional



Marine regions, image Crown copyright Marine Scotland

marine planning as and when appropriate. In conjunction with this, Highland Council will engage with Marine Scotland to better understand the interactions with and dependencies on the update to the NMP.

Monitoring of Development

Ongoing monitoring work provides evidence for preparing and implementing Development Plans and provides information to the wider community:

As well as the annual update in Jan 2023, this year we published a mid-year update of the **Highland Wind Turbine Mapping** in June 2023. To view the map or download the data, please visit: www.highland.gov.uk/windmap

House Completions Data is monitored closely, and the data updated monthly. The latest available update shows that to the end of November 2023 1334 new houses were completed in the Highland Council area in the previous 12-month period. To view the completions data by housing market area, please visit the New House Completions in Highland dashboard: www.highland.gov.uk/housinglandinformation

Following evidence gathering from the development industry, our **Housing Land Audit** was updated in 2022 and published in early 2023. Our Housing Land Audit 2022 can be viewed at: www.highland.gov.uk/housinglandinformation . The updated 2023 HLA audit is now nearing completion.

Updated Housing Land Audits coincide with updated **School Roll Forecasts**, which outline the anticipated changes to the pupil rolls in primary and secondary schools in the Highland Council area. The school roll forecasts draw on data from the latest Housing Land Audit, which provides information on the forecasted phasing of new housing. The house completions data, Housing Land Audit, and school roll forecasts all provide essential information that feeds into the annual update of the delivery programmes for our LDPs.

We carried out an extensive refresh of our **Town Centre Health Checks** in 2022. These checks are a way of assessing the strength, vitality and performance of town centres over time, with the results used to formulate strategies for improvements and to inform policy documents. The results from our latest town centre health checks will also inform the new HLDP. The results from the 2022 town centre health checks were published in February 2023 and can be viewed at: www.highland.gov.uk/towncentrehealthchecks . We further plan to update these Health Checks in Summer 2024.

Scottish Government approved the Council's latest **Housing Need and Demand Assessment** as "Robust and Credible" in February 2022. As a result, it has informed and updated evidence for the review of the Inner Moray Firth Local Development Plan. This can be viewed at: www.highland.gov.uk/housinglandinformation

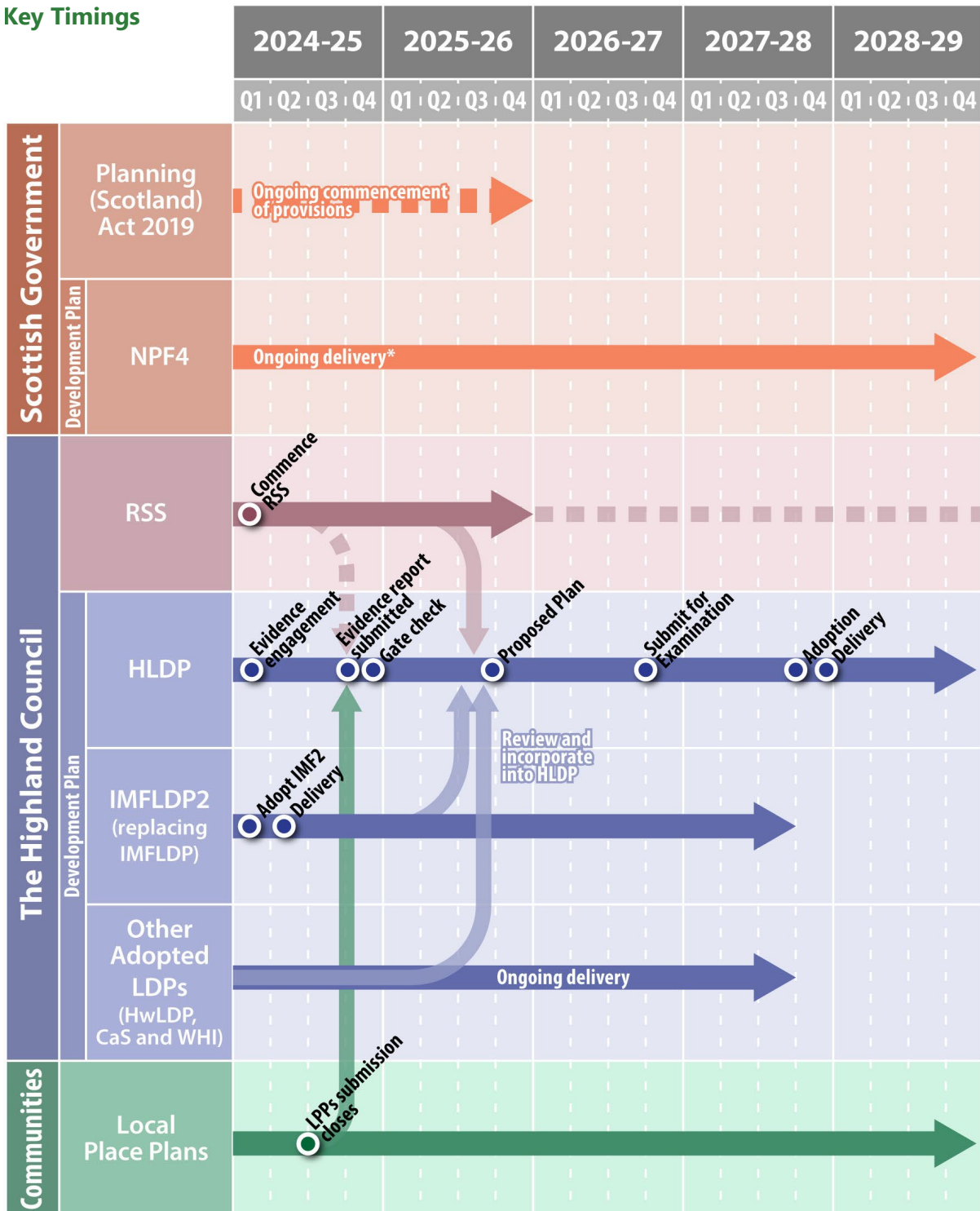
As part of our aim to bring vacant and derelict land and property back into productive use, we provide an annual update of our data on **Vacant and Derelict Land** to Scottish Government.

In 2024 we are continuing to gather **evidence to inform the new HLDP**. So, in addition to the existing ongoing monitoring mentioned above, we are updating our baseline information across a range of subject areas identified in NPF4 and the Local Development Planning Guidance.

Further topics where we will work with partners to gather base evidence and introduce monitoring include:

- demographic trends and forecasts
- education capacity
- transport network capacity assessment
- biodiversity impact assessment.
- play sufficiency assessment
- health facility assessment
- water supply capacity assessment
- energy and heat supply and demand assessment
- economic indicators (including Scottish Vacant and Derelict Land Survey and through an updated Employment Land Audit)

Key Timings



* To view information on the NPF4 delivery, including details on the publication of guidance and funding package announcements, please visit: www.transformingplanning.scot/national-planning-framework/delivery-programme/. Version 2 of the Delivery Programme for NPF4 was published in September 2023.

Please note: The above diagram refers to financial years, whereas diagrams in previous years' Newsletters referred to calendar years. Also, the above diagram assumes that Scottish

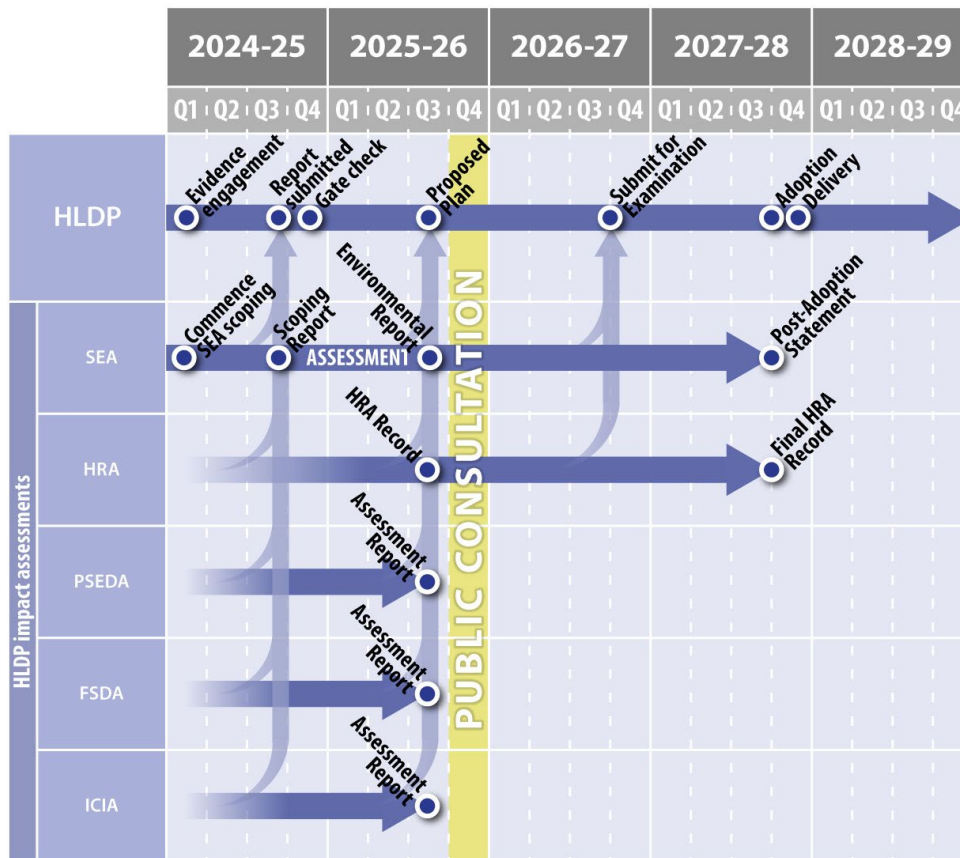
Government statutory guidance for the preparation of Regional Spatial Strategies (RSS) will be prepared, consulted on, finalised and issued by Scottish Government in 2024-25 and that the Council will commence work on the RSS for Highland in an informal way, ahead of the final guidance being available.

HLDP Impact Assessments

A number of impact assessments are required by law to be undertaken as part of the plan making process. The Council must therefore carry these out to support the preparation of the HLDP. This will include:

- **Strategic Environmental Assessment (SEA)** – is a statutory requirement that aims to ensure the environment is a primary consideration when LDPs are being prepared.
- **Public Sector Equality Duty Assessment (PSEDA)** – places a duty on public authorities to eliminate discrimination, harassment and victimisation, and to foster good relations between all persons.
- **Fairer Scotland Duty Assessment (FSDA)** – places a legal responsibility on particular public bodies to be aware of and reduce where possible, the inequalities of outcome caused by socio-economic disadvantage as a result of strategic decision-making.
- **Island Communities Impact Assessment (ICIA)** – is required when a relevant authority considers that a policy, strategy, or service is likely to have a differing effect on an island community to that of other communities, including other island communities.
- **Habitats Regulations Appraisal (HRA)** - must be carried out when any competent authority considers that a plan or project could have a 'likely significant effect' on a European Site.

During 2024 we will primarily focus on moving forward with the Scoping stage for Strategic Environmental Assessment (SEA), including engagement with the SEA Consultation Authorities (SEPA, NatureScot and Historic Environment Scotland). Further detail on the timing and scope of engagement on each assessment will need to be provided in a later update.



Contact us	Phone	01349 886608
	Email	devplans@highland.gov.uk
	Consultation Portal	http://consult.highland.gov.uk/
	Post	Development Plans, Highland Council HQ, Glenurquhart Road, Inverness, IV3 5NX

Follow us	Website	www.highland.gov.uk/developmentplans
	Twitter	@PlanHighland
	Facebook	Highland Development Plans

We update our Development Plans Newsletter on at least an annual basis, please visit www.highland.gov.uk/developmentplansnewsletter for future updates.

APPENDIX 2: Summary of comments on Participation Statement Survey 2023 and suggested Council response

Summary

The Highland Council has conducted an eight-week survey on the participation statement in their Development Plans Newsletter that was published in March 2023. Analysis of the findings from the 75 responses to the survey indicate that development plan consultation activities should be widely advertised, locally based, and feature a wide range of communication and submission methods. Learnings from this survey have informed changes to the participation statement in the Council's latest Development Plans Newsletter, which will be published in March 2024.

Background to the survey

Scottish Government requires local authorities to produce a development plan scheme each year setting out their programme for preparing and reviewing local development plans. The Highland Council meets this requirement by the annual publication of a [Development Plans Newsletter](#) setting out the preparation of its land use planning documents and how local communities can get involved.

A new requirement in paragraph 20B (4A) of the *Town and Country Planning Act (Scotland) 1997 As Amended* is that "In preparing the development plan scheme the planning authority is to seek the views of, and have regard to any views expressed by the public at large as to the content of the participation statement". Responding to this new requirement, the Council ran its first Participation Statement Survey from 31 March to 31 May 2023 to seek views on the content of the participation statement contained in the Council's [March 2023 Development Plans Newsletter](#).

The Council's proposed approach to consultation proposes the use of the Council website and social media for consultation communication, and a consultation portal for which registration is required for submitting feedback on a plan. The approach proposes the use of interactive online documents containing maps and graphics, and the use of social media for making announcements at key stages during plan consultation. Continued liaison with statutory agencies and community groups would help encourage participation, and targeted methods would help make public participation inclusive.

The survey

The Participation Statement Survey participants were selected in accordance with paragraph 16B (2) of the *Town and Country Planning Act (Scotland) 1997 As Amended*, which requires authorities "to seek the views of, and have regard to any views expressed by – (a) the key agencies, (b) children and young people, in particular school pupils, youth councillors and youth parliament representatives, (c) such other persons as may be prescribed, and (d) the public at large."

The survey comprised of 12 questions (single and multi-choice, open and closed). The survey was emailed to 489 selected participants and was promoted on the Council's website and social media.

The survey received 75 responses: 32 named and 43 anonymous. Most of the responses were received through the MS Forms survey app, with one response received via an alternative method offered by the Council (a Word-based form for email submission). The named respondents included two key agencies, 14 community councils, 10 community development companies, and five other organisations. There were no known responses from representatives for Gypsies and Travellers or for children and young people, who feature in the specifically named groups in paragraph 16B (2) of

the *Town and Country Planning Act (Scotland) 1997 As Amended* (note: the evidence gathering activities for the Highland Local Development Plan is ensuring liaison with these specified groups).

Outcome of the survey

The Council's overall proposed approach to consultation was considered suitable by 63% of respondents; however, 27% of respondents felt that changes should be made to the approach.

Nearly two-thirds of respondents (63%) expressed a wish to use a consultation platform that does not require registration, while 28% of respondents opted for a consultation system that requires registration and 28% of respondents would like another method to give their response. Nearly a fifth (19%) of respondents said that they would like more than one method to submit their consultation comments.

Almost half of the respondents (44%) indicated concerns over the Council relying on its website as the main way of sharing consultation information, whilst almost half of the respondents again (44%) indicated concerns over the Council relying on its website and social media as the main way of making announcements at key stages during plan consultation.

The responses to the open questions frequently expressed that the Council's current system of engagement is lacking, that the Council should not rely on social media, the internet, and the Council website. Respondents' capability with technological communication or a desire to use such methods should not be assumed. The Council website is described as non-user friendly and difficult to navigate. Online-only consultation submission is seen as excluding people, especially older people, in terms of having the necessary equipment and skills. System difficulties experienced during the online IMFLDP2 consultation submission, plus a lack of computing equipment and poor internet access for older people, and especially those living in rural areas, were mentioned.

The open questions also resulted in suggestions for change to the proposed approach, with a view to improving the accessibility of consultation activities for stakeholders, specified groups, and the public at large in The Highland Council area.

Recommended response to the matters raised in survey comments, including recommended changes to the Participation Statement

The recommended Council response to the matters raised in survey comments, including indication of where and how it is recommended that changes be made to the Participation Statement, are laid out in the table below in a ‘you said – we did’ style. The recommended 2024 Participation Statement (as incorporated in the recommended Development Plan Scheme 2024) with the changes to the 2023 version shown tracked, can be seen below the table.

You said	We did
Survey theme: Widely advertised	
Use printed materials, including correspondence and posters, when carrying out consultation exercises.	We have updated Point 4 to include reference to mailings (postal) and the use of posters alongside other methods. Point 2 also reinforces that an alternative (paper) method of reading and responding to consultations will be made available.
Use local newspapers and other types of communication when carrying out consultation exercises.	We have updated Point 4 to include reference to a wider range of communication methods. We will consider the cost and relative benefit of a range of options including radio and TV.
Use email to send notifications of key consultation activities to stakeholder groups.	In Point 4 we have clarified that email is one of the methods already used to notify stakeholder groups of key consultation activities. To ensure effective liaison by email, we will check with Council services and partners involved with specified groups to ensure that our consultation database is updated and covers the relevant range of stakeholder interest.
Survey theme: Locally based	
Hold face-to-face consultation events and consider oral responses in person or by phone.	In Point 3 we have strengthened reference to in-person events as part of our approach to consultation, and we recognise that oral responses are often summarised as part of such events. In addition, we would regard oral representations as one of the potential alternative methods of response that could be utilised in exceptional circumstances as referenced in the updates to Point 2.
Hold wide-ranging consultation events in local community facilities, schools, public places like supermarkets, and local existing events. Consider door to door engagement. Offer incentives to engage.	In Point 3 we have strengthened reference to in-person events as part of our approach to consultation. With the scale and breadth of the LDP, door-to-door engagement is very difficult to resource, but in-person events work very well and could include a combination of timed, publicised events and drop-in exhibitions in high footfall, accessible and inviting venues to incentivise participation. Point 3 also refers to our proposed use of existing local events when selecting venues for consultation activities.

You said	We did
Survey theme: Wide range of response methods	
<p>Allow consultation submissions in various formats.</p>	<p>The range of response methods that can be made available can vary depending on the stage of engagement.</p> <p>We will continue our efforts to make online platforms the easiest and most intuitive way of reading and responding to development plans consultations because of the benefits to the customer and the Council. However, it is recognised that alternative methods of responding to consultation activities are sometimes required.</p> <p>We have updated Point 2 to reinforce that an alternative method of reading and responding to consultations will be made available, as far as practicable, on request.</p> <p>We will always be contactable by phone or email.</p>
Survey theme: Wide range of communication methods	
<p>Do not rely on only the Council website when consulting on the local development plan in the Highland Council area.</p>	<p>Point 1 has been updated to include reference to a wider range of methods for engaging on the LDP.</p> <p>We have also updated Point 4 to confirm that we will use a wider range of communication methods when making announcements at key stages of the consultation.</p>
<p>Find an alternative location to share consultation-related information when rural locations do not have a public library.</p>	<p>We have updated Point 7 to confirm that we will explore alternative means of making documents available in the absence of suitably accessible public library facilities. We will liaise with the relevant community council to explore location options; where an area is not represented by an active community council, we will liaise with a community group that is best placed to understand the needs of its residents.</p>
<p>Ensure that organisations who are important to the plan preparation, but are not specifically referenced in legislation, are included in the consultation process. Provide community councils with resources to aid LDP consultation within the community.</p>	<p>As part of the consultation process, we will liaise at key stages with statutory agencies, community councils, community groups, and stakeholders associated with key topics for the LDP and those identified in The Town and Country Planning (Scotland) Act 1997 As Amended, to guide and encourage their participation, as reflected by the amended wording in Point 5.</p> <p>To ensure effective liaison at key stages of the consultation process, we will check with Council services and partners involved with specified groups to ensure that our consultation database is updated and covers the relevant range of stakeholder interest.</p>

Recommended changes to the 2023 Participation Statement for 2024

~~Changes to the planning system will have implications for how and when development plans are prepared. While further guidance and regulations are awaited from Scottish Government the following Participation Statement provides confidence on the format and timing of consultation on the Highland Local Development Plan (HLDP). Our Participation Statement, together with associated information contained in the Development Plans Newsletter sets out how, when and with whom the Council will engage when developing its Local Development Plan:~~

- ~~1. We will use a range of communication methods, including our development plan webpages www.highland.gov.uk/developmentplans, and corresponding our consultation portal <https://consult.highland.gov.uk/>, emails to stakeholder groups, and social media as the central location for engaging on our Highland Local Development Plan. Those that have registered through the portal will receive updates and announcements at key stages of development plan preparation.~~
- ~~2. We will produce interactive online documents that are easy to read and comment upon, and which include clear maps and graphics, and will provide an alternative method, as far as practicable, of reading and responding to consultation documents on request.~~
- ~~3. We will make available online guides, videos, or webinars to share information on our main consultations. and we We will hold meetings with particular groups and about specific issues, and in-person events in accessible and inviting venues and seek to share information and gather views through existing community networks, meetings and events.~~
- ~~4. We will make announcements at key stages of the consultation process using a range of media communication methods, including as appropriate, our consultation portal, local newspapers, mailings and emails to stakeholder groups, posters, and social media to keep you up to date and let you know how and when you can get involved.~~
- ~~5. At key stages wWe will continue to liaise with statutory agencies, community councils, and wider community and stakeholder groups at key stages to guide and encourage them to their participatione.~~
- ~~6. We will use targeted methods to reach under-represented groups, to help make public participation inclusive.~~
- ~~7. We will provide copies of consultation documents in public libraries for viewing, and explore alternative means of making documents available where there are no such facilities.~~
- ~~8. We will notify the immediate neighbours of potential development sites at the Proposed Plan stage of our Highland Local Development Plan.~~
- ~~9. We will monitor feedback on our engagement methods and respond to requests to carry out other forms of engagement and/or extend periods of consultation.~~
- ~~10. We will consider the use of mediation as a method of addressing potentially contentious issues in the preparation of land use plans.~~