



# **DEVELOPMENT PLAN SCHEME and PARTICIPATION STATEMENT**

**DPS No.14**

MARCH 2022

*Approved by West Lothian Council Executive on 22 March 2022*

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Development Plan Scheme No.14 is available to view [online](#).

During the plan-making process, regular progress updates will appear on the council's [website](#).

## What is a Development Plan Scheme (DPS)?

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A Development Plan Scheme (DPS) is prepared annually, setting out the programme for preparing and reviewing our Local Development Plan and includes:

- Update on implementation of the current Plan
- Information about the process and timescales for preparing a new Local Development Plan
- A participation statement which sets out how and when people can expect to be involved in the preparation of the new Local Development Plan and how we will undertake community and stakeholder engagement



## What is a Development Plan?

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A development plan is a document that sets out policies and proposals for the future development and use of land and identifies where development should or shouldn't take place. It seeks to identify the most appropriate locations for new development while at the same time protecting the places people value or which are environmentally sensitive. Once adopted it becomes the basis for assessing and making decisions on applications for planning permission.

Development Plans are also supported by an Action Programme (AP) which outlines how and when the policies and proposals of the plan are to be delivered. The AP is an important part of the framework for how the council monitors the performance of the LDP.

## The Current Development Plan for West Lothian

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The adopted development plan for West Lothian is provided by the [Strategic Development Plan for Edinburgh and South East Scotland 2013](#) (SDP 1) which was approved with modifications by Scottish Ministers on 27 June 2013, and the [West Lothian Local Development Plan 2018](#) (LDP 1) which was adopted on 4 September 2018.

To support policies of LDP 1 and to assist decision making, the council has prepared a comprehensive suite of statutory and non-statutory [planning guidance](#). These documents have been subject to public consultation, approved by Council Executive, and in the case of statutory guidance, subjected to additional scrutiny by Scottish Ministers before being adopted. Some of the guidance has yet to be completed, however this continues to be addressed by the council and it, and all of the other guidance will remain in force until LDP 1 has been superseded.

Work to replace the Strategic Development Plan had been at an advanced stage but in May 2019 the Scottish Ministers rejected the proposed second [Strategic Development Plan for South East Scotland](#) (SDP 2) and the constituent local authorities of the Strategic Development Planning Authority for Edinburgh and South East Scotland (SESplan) collectively decided not to prepare a revised SDP. This however ceased to be an issue when the Planning (Scotland) Act 2019 came into force (also in May 2019) and disbanded strategic planning authorities and abolished Strategic Development Plans.

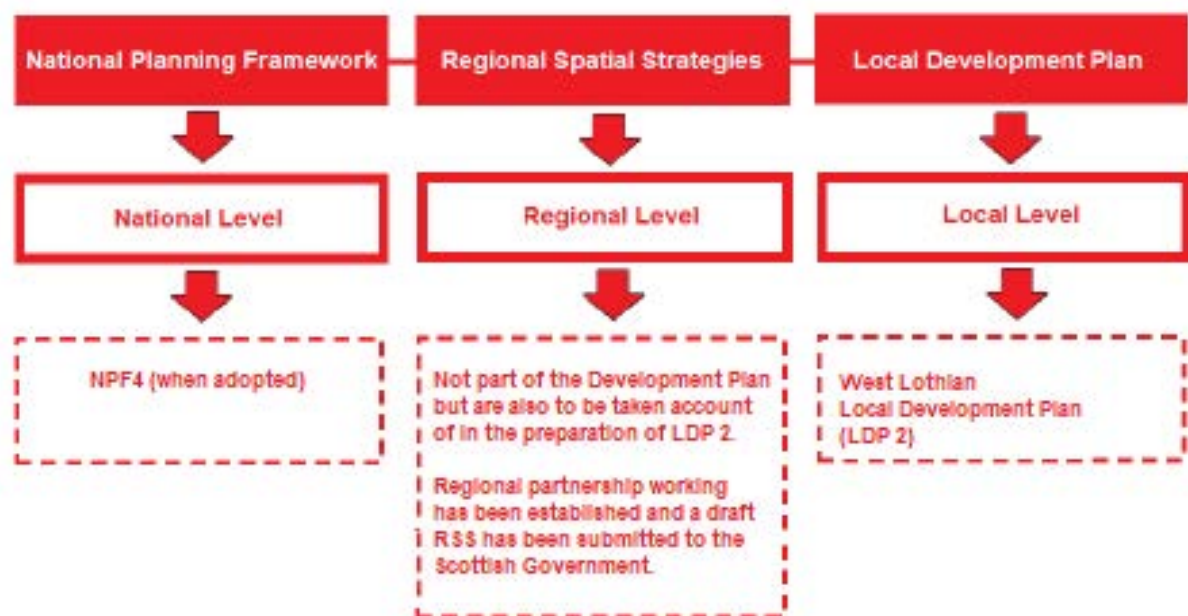
For as long as LDP 1 remains in force there are a number of ongoing tasks which require to be undertaken, one of which is updating the Action Programme (AP) that runs alongside and supports the delivery of the LDP.

The council is required to consult on draft versions of the Action Programme with the Key Agencies, the Scottish Ministers and anyone the council proposes specifying by name in the Action Programme. The council must also consider their views when finalising the Action Programme for adoption. The [first annual revision](#) was approved by Council Executive on 15 December 2020.

## Update: Planning Scotland Act (2019)

The Planning (Scotland) Act 2019 is introducing significant changes to the way Local Development Plans are to be prepared. The period of longevity of Local Development Plans has been increased to ten years from the previous five with opportunity for interim reviews on certain matters such as housing and now has a streamlined, front-loaded preparation process. To guide implementation of these changes Scottish Government published [proposals for secondary legislation and draft guidance](#) for consultation in December 2021. The consultation period closes on 31 March 2022.

The Scottish Government updated its [Transforming Planning in Practice work programme](#) (October 2021) which summarises progress to date and sets out a schedule for the remainder of the implementation of the 2019 Act. Their intention is that most sections should be in force by the end of 2022.



## National Planning Framework 4 (NPF4)

A key change in the Planning (Scotland) Act 2019 is that the National Planning Framework (NPF) will now be part of the statutory development plan for planning purposes. This means that its policies will have a stronger role in informing day to day decision making. The current NPF3 published in 2014 will remain in place until a fourth NPF is adopted by Scottish Ministers. When NPF4 is adopted it will now also incorporate Scottish Planning Policy (SPP), this contains detailed national policy on a number of planning topics.

[Draft National Planning Framework 4](#) was published in November 2021 and the Scottish Government are seeking comments by 31<sup>st</sup> March 2022. The forthcoming iteration of the Local Development Plan must have regard to the National Planning Framework. Scottish Government anticipate that NPF4 will be laid before Parliament by the summer of 2022 but its adoption is ultimately dependent on its parliamentary progress and it is therefore not possible to say at this time when that might be



NPF4 sets out that the purpose of planning is to manage the development and use of land in the long-term public interest. A target of net zero emissions by 2045 has been set, with significant progress towards this must be met by 2030. The plan sets out a National Spatial Strategy with four key themes – sustainable, liveable, productive and distinctive places.

## Regional Spatial Strategy

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In preparing the LDP the planning authority must have regard to any adopted Regional Spatial Strategy (RSS), these replace the previous Strategic Development Plans. West Lothian Council has worked collaboratively with other SESplan local authorities to prepare an [Interim Regional Spatial Strategy for Edinburgh and South East Scotland City Region](#) and this was considered by the SESplan Joint Committee on 21 September 2020. Following ratification of the Joint Committee's decision by each of the SESplan member authorities, the Interim Regional Spatial Strategy has been submitted to Scottish Government.

## Local Development Plan Preparation

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Notwithstanding the changes that are being introduced to the planning process, Local Development Plans will continue to be prepared by local planning authorities and will set out detailed policies and proposals for their particular area to guide the use of land and buildings.

## Evidence Report

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The Evidence Report is the first formal stage in preparing the next West Lothian Local Development Plan (LDP2). This will set out the council's view on a wide range of matters related to the development and use of land in West Lothian. It must include a statement on the steps the council have taken in preparing the report to seek the views of the public, community councils and in particular disabled persons, Gypsies and Travellers, and children and young people and demonstrate how their views have been taken into account.

The Evidence Report will be approved by the council and sent to Scottish Ministers for approval. They will appoint an independent assessor to determine whether the report has sufficient information to enable the planning authority to prepare a draft LDP.

## Gate Check

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The Gate Check is the stage in the process where it will be determined by an independent assessment of whether the council 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. Should the Reporter decide there is sufficient information, then council may then move to prepare and publish their Proposed Plan. However, if it is concluded that there is not, the council will be required to address any deficiencies before progressing the plan any further.

## Proposed Plan

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The Proposed Plan should identify where new development should take place and where it should not. It can articulate the ambitions and priorities for the future development of the plan area. It should coordinate development and service provision and an Infrastructure First approach should inform its preparation and support its delivery. New style plans are expected to be place-based: there should be greater emphasis on maps, site briefs and masterplans, with minimal policy wording.

## Examination

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The examination is the opportunity for independent consideration of any issues raised during the formal consultation on the Proposed Plan that have not been resolved through modifications.

## Adoption and Delivery

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The plan once adopted constitutes part of the Development Plan which, alongside NPF4 will be the basis against which to make decisions on planning applications. Within 3 months of the plan being adopted, the planning authority must adopt and publish the associated Delivery Programme

## West Lothian Local Development Plan 2 Timetable

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The next Local Development Plan will be prepared under the new legislation and guidance.

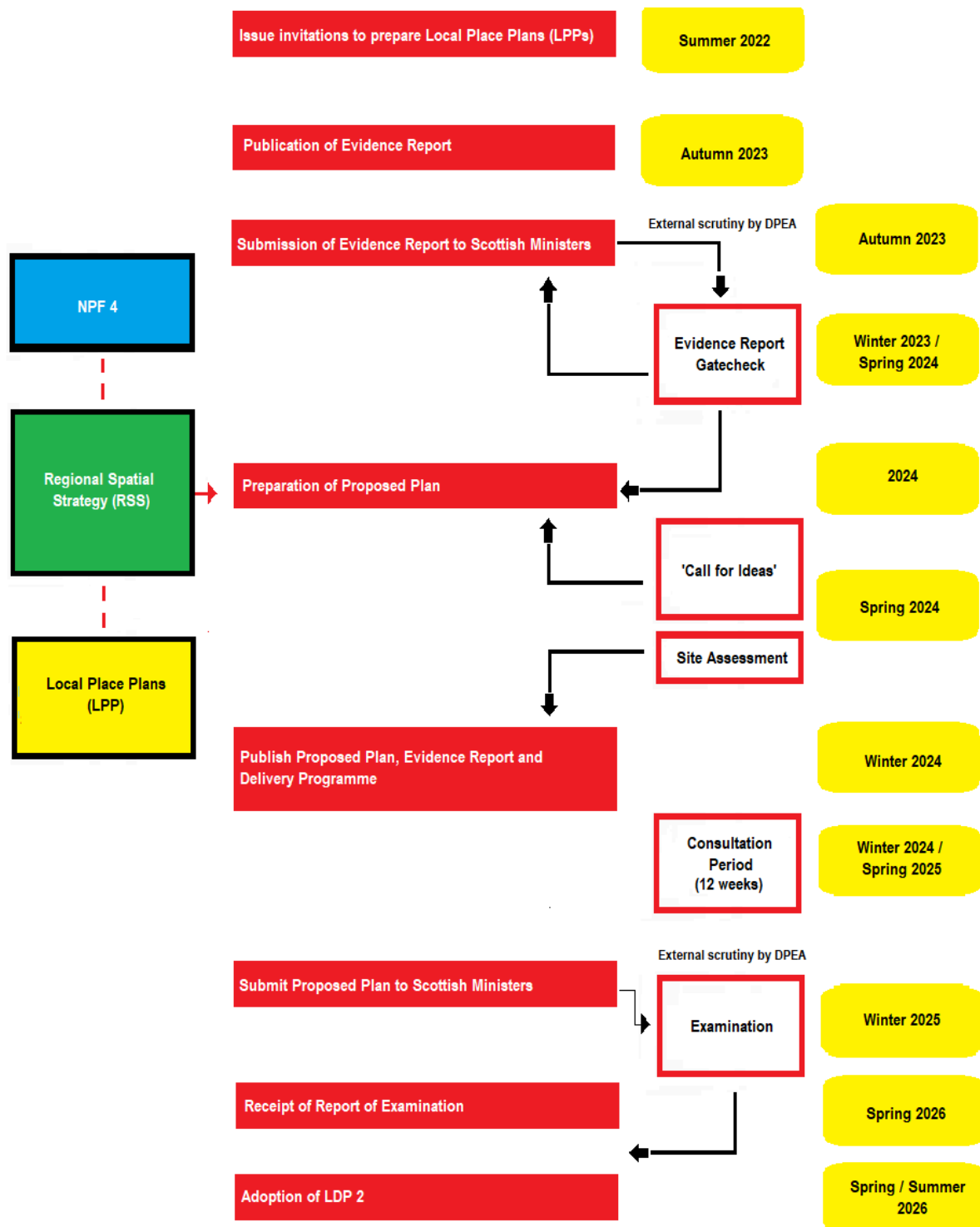
<b><u>Plan Preparation Stage</u></b>	<b><u>Anticipated Date</u></b>
Gather and collate appropriate evidence	Spring 2022– Summer 2023
Invitation to Prepare Local Place Plans	Summer 2022
Seek views of key agencies, children and young people, and the public at large in the preparation of the Evidence Report	*Following Scottish Government publication guidance on effective community engagement
<b>Submission of the Evidence Report to Scottish Ministers</b>	Autumn 2023
<b>Gatecheck of Evidence Report</b>	Winter 2023 – Spring 2024
<b>Preparation of Proposed Plan and Delivery Programme</b>	2024
<b>Call for ideas</b>	Spring 2024
<b>Site assessment</b>	Summer 2024



<b>Publish Proposed Plan, Evidence Report and Delivery Programme together</b>	End 2024
<b>Consultation period – 12 weeks minimum</b>	Winter 2024 / Spring 2025
<b>Publish Proposed Plan and Modification Report (if appropriate)</b>	Autumn 2025
<b>Preparation of summary of unresolved issues (Schedule 3)</b>	Summer 2025
<b>Examination of Proposed Plan</b>	Winter 2025
<b>Preparation of Examination Report and recommendations</b>	Winter 2025
<b>Modification of LDP (where necessary)</b>	Spring 2026
<b>Adoption of LDP</b>	Spring 2026
<b>Publish Delivery Programme</b>	Summer 2026
<b>Strategic Environmental Appraisal Public Sector Equality Duty Fairer Scotland Duty Assessment Habitats Regulation Appraisal</b>	During Evidence Report and Proposed Plan stages

\*Dates are based on an assumption that the Scottish Government will adopt guidance and regulations pertaining to Local Development Plans and adopt the National Planning Framework 4 by Summer 2022.

Figure 1: Indicative diagram indicating the Local Development Plan Preparation Process



## PARTICIPATION STATEMENT

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In preparing LDP2 we will encourage everyone with an interest in West Lothian to get involved in the preparation of the new Local Development Plan, LDP2. Consultation and engagement are important to us; the LDP can affect where people live, work, shop, play and travel in West Lothian, in addition local people and organisations have useful knowledge which can help us understand potential issues in West Lothian and build a better plan.

We are always exploring different options for consultation and would welcome any comments or views that you may have. Scottish Government guidance on effective community engagement is anticipated and will help formalise our participation statement and strategy.

There will be many opportunities to become involved in the preparation of LDP2 these will be clearly advertised, through social media, updates on our websites, invitations to everyone who has registered on our mailing list and advertisements in the local newspapers.

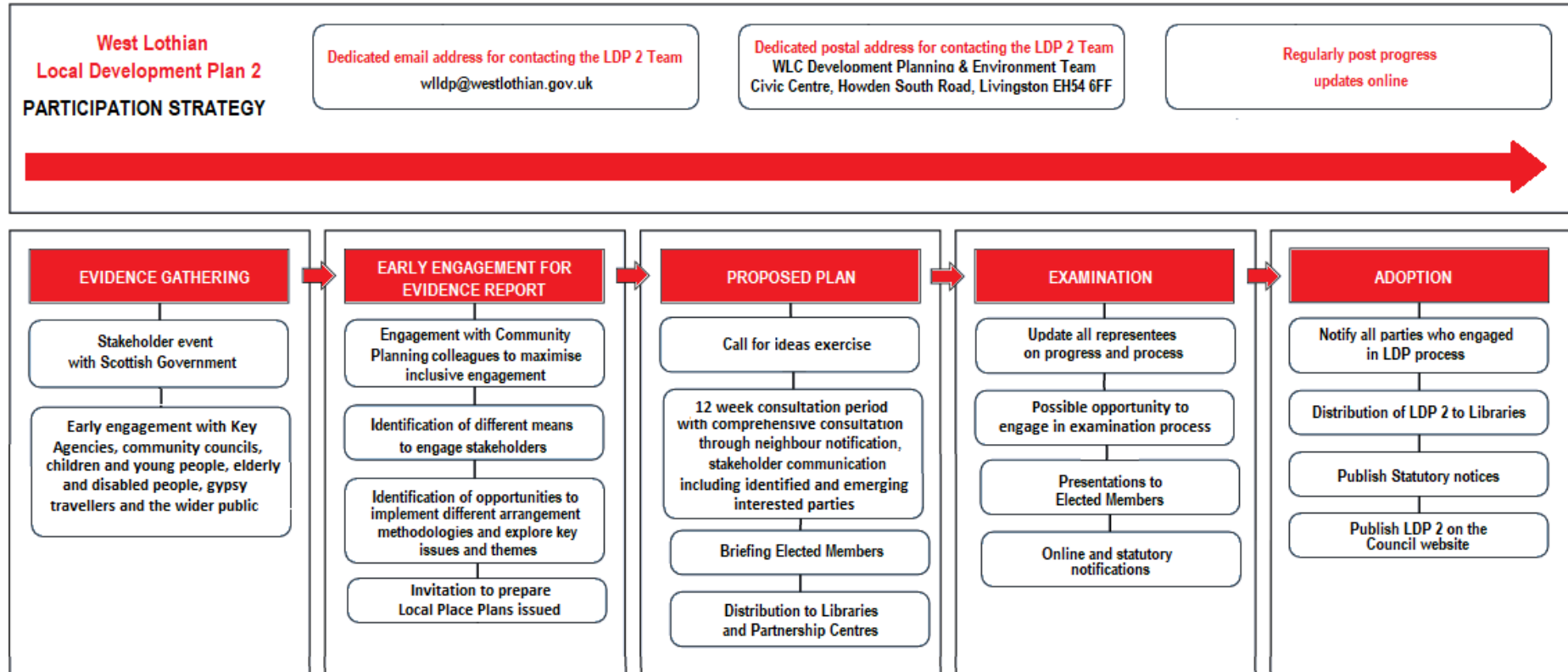
### Current Participation Strategy

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- Participation in the plan-making process is open to everyone.

- The Planning (Scotland) Act 2019 puts particular emphasis on empowering and engaging with local communities in the preparation of local development plans, and the council is committed to adhering to these principles.
- The council is mindful of its responsibilities to be as inclusive as possible and will make a particular effort to reach out to previously 'hard to reach' groups and overcome barriers to their participation.
- We will make the best use of our resources to establish and maintain meaningful engagement with all stakeholders. This includes individuals, local communities, employers, community councils, community planning partners, community interest groups, key agencies, the development industry, infrastructure providers, council service providers and Scottish Government.
- This will include an explanation of **why** we are consulting, **how** we will be consulting and **what** will happen with the responses that we hope to receive.
- We want to ensure that anyone taking the time and making the effort to actively engage in the process can do so in the knowledge that their contribution matters and can make a difference.
- It is important that people are aware of the process and of the opportunities to comment, particularly at key stages in the production of LDP 2, and we will use the media, newspaper notices and the council's website to achieve this. We will also employ the council's extensive community planning network and will work through our community councils to share and distribute information.
- We will make every effort to produce clear, concise and accessible documents that are written in everyday language and which people can readily understand.
- We will engage with communities and stakeholders and initiate a programme of consultation events as soon as it is meaningful and practicable to do so to.
- While it is anticipated that an increasing amount of engagement and exchange of information is likely to take place via the internet, we recognise that not everyone has access to an online facility or broadband and some people may choose not to use them. We will therefore seek to adopt and offer alternative consultation and engagement methods wherever possible.
- Above all, the council is committed to actively engaging and involving all communities and all stakeholders in the preparation of the second West Lothian Local Development Plan.



## Local Place Plans

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The opportunity to prepare Local Place Plans came into force on 22 January 2022. They are a new type of plan that offers the opportunity for a community-led, collaborative approach to creating great local places. Local Place Plans can support community aspirations on the big challenges for a future Scotland, such as responding to the global climate emergency and tackling inequalities. It is vital that local people have the opportunity to engage meaningfully and have a positive influence in the future planning of development in their areas. The aim is to significantly enhance engagement in development planning, effectively empowering communities to play a proactive role in defining the future of their places.

We will keep a register of validated Local Place Plans in West Lothian and will make information about them available online so that you can see if there is a Local Place Plan in your area.

Once completed and then registered by the council, they are to be taken into account in the preparation of the new Local Development Plan.

Scottish Government Planning [Circular 1/2022: Local Place Plan](#) provides guidance to communities and planning authorities on the preparation, submission and registration of Local Place Plans.

If you have any questions about Local Place Plans, please contact us at [DPgeneral@westlothian.gov.uk](mailto:DPgeneral@westlothian.gov.uk).

- visit the Local Development Plan website at:  
<https://www.westlothian.gov.uk/developmentplans>
- email us at:  
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