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Planning Reform Update and Local Place Plans



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Planning Reform – Brief Update

- Planning (Scotland) Act 2019 received royal assent 25 July 2019.
- The new Act amends the Town and Country Planning (Scotland) Act 1997 and includes a broad range of changes to be made across the planning system including:
 - arrangements for the **preparation of development plans**
 - **proactive masterplanning**
 - development management **procedures and considerations**
 - strengthening **enforcement**
 - a focus on **improved performance and positive outcomes**
- Provisions brought forward via commencement orders, secondary legislation and guidance.



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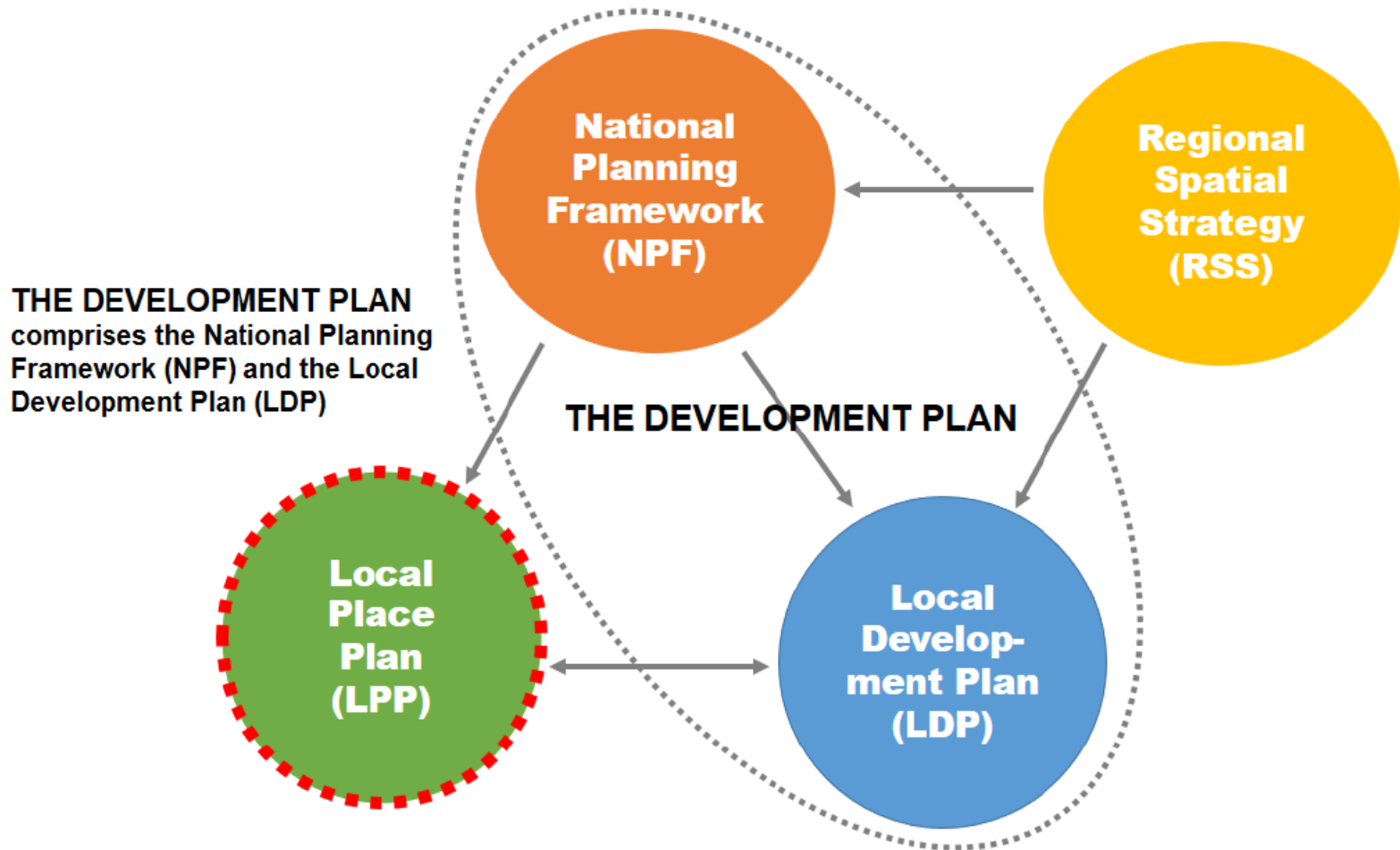
Planning Reform – Purpose of Planning

“To manage the development and use of land in the long term public interest.”



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Planning Reform – Development Planning





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Planning Reform – Local Development Plan

- Local Development Plans (LDPs) set out how places will change into the future, including identifying where development should and should not happen.
- LDP forms part of the statutory development plan and will, alongside the NPF, be the main basis for all decisions on planning applications.
- The 2019 Act introduces a new approach to preparing LDPs.
-

Local Development Planning

Regulations & Guidance Consultation

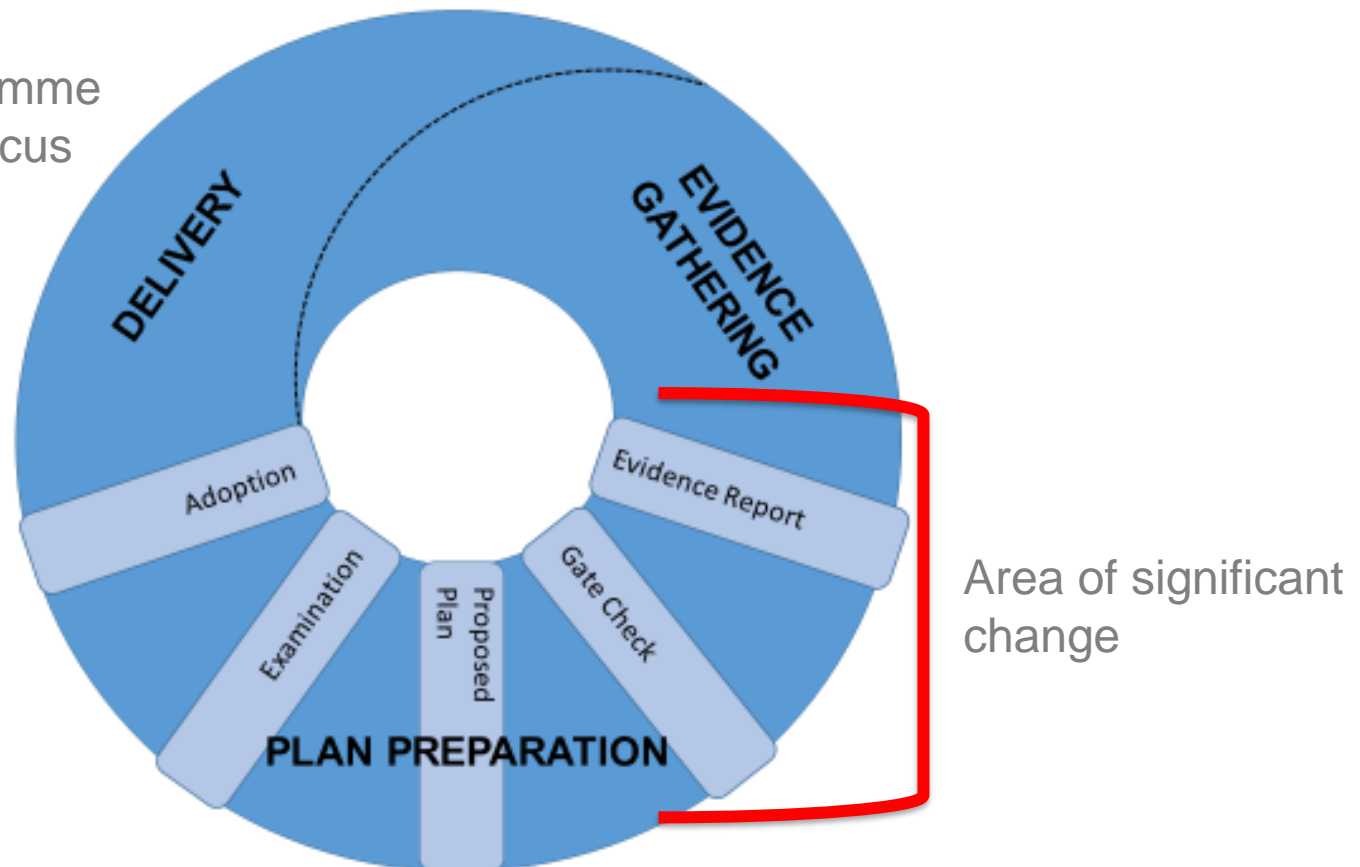
December 2021



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Planning Reform – Local Development Plan-Making Process

Delivery Programme given greater focus and scrutiny





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Local Place Plans – Legislation & Guidance



- Section 14 of the Planning (Scotland) Act 2019 introduces a new right for communities to produce Local Place Plans (LPPs).
- Town and Country Planning (Local Place Plans) (Scotland) Regulations 2021 came into force on 22 January 2022.
- ‘Planning Circular 1/2022: Local Place Plans’ sets out Scottish Government guidance on the implementation of the legislation.
- Draft ‘How to’ Guide aimed at supporting communities to prepare LPPs.
- There remains some elements of the 2019 Act which have yet to be commenced, namely, Sections 14(2) relating to the local authority invitation to prepare Local Place Plans, plus sections 14(4) and (6) relating to the taking into account of registered LPPs in the LDP.



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Local Place Plans – Circular 1/2022

- **Getting ready** to prepare a Local Place Plan
- **Preparing** a Local Place Plan
- **Submitting** a Local Place Plan
- **Registering** a Local Place Plan

CIRCULAR	 Scottish Government Riaghaltas na h-Alba gov.scot
1	2022 LOCAL PLACE PLANS
	
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Local Place Plans – Getting ready to prepare a Local Place Plan

- There are some fundamental requirements for a LPP that it must be fulfilled.
- It must:
 - be prepared by a Community Body (as defined by section 19 of the Community Empowerment (Scotland) Act 2015, or a Community Council established in accordance with Part 4 of the Local Government (Scotland) Act 1973);
 - be a proposal as to the development or use of land; and
 - fulfil the legal requirements set out in the 1997 Act (as amended) and the 2021 Regulations.



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Local Place Plans – Questions to Consider

- What land or buildings do you want your Local Place Plan to cover?
- Who needs to be involved?
 - i. Sub-committee or steering group?
 - ii. Residents, politicians, council officers, public agencies, landowners, local groups.
- Will you need specialist advice? For example, facilitation, engagement, analysis, GIS/ mapping, presentation or project management.
- What support, if any, are you likely to need? For example, from the Council, financial support or technical support.
- Is it possible to work collaboratively with other local Community Bodies to prepare a joint Local Place Plan?
- How would the local place plan sit alongside or within your wider community action plan?



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Local Place Plans – Getting ready to prepare a Local Place Plan

- Proposal as to the development or use of land may include:
 - sites which support climate change adaptation, such as renewable energy or flood mitigation;
 - local initiatives for the promotion of active travel and community food growing;
 - sites for housing, including for affordable housing, new or retained local employment or new tourism/community facilities;
 - retaining, improving, and expanding quality open space and green/blue infrastructure and play facilities;
 - conservation of the natural/built environment;
 - improvements in the town/neighbourhood centre;
 - support for a national development, as featured in the National Planning Framework.

**This is not consideration to be an exhaustive list.*



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Local Place Plans – Preparing a Local Place Plan

- In preparing a LPP, a Community Body must have regard to certain other plans including:
 - the Local Development Plan for the land, or any part of the land, to which the Local Place Plan relates;
 - the National Planning Framework; and
 - a Locality Plan published for the area to which a proposed LPP relates.
- When submitting the LPP, the Community Body will be required to set out in a statement how it has had regard to these documents.
- Through a statement accompanying the LPP, the Community Body must set out why it considers that the Local Development Plan should be amended.



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Local Place Plans – Preparing a Local Place Plan (form & content)

- Regulation 3 of the 2021 Regulations requires that the LPP contains three elements. It is to:
 - identify the Community Body who prepared the LPP;
 - contain a map that shows the land to which the LPP relates; and
 - contain a statement of the Community Body's proposals as to the development or use of land within the LPP area.
- It is expected that the Community Body will seek views on its Proposed LPP including issuing of an 'Information Notice' to certain parties.



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Local Place Plans – Submitting a Local Place Plan

- Once the Community Body has prepared the LPP and accompanying information as set out in legislation, it can then be submitted to the planning authority.
- Accompanying information includes:
 - contact details for the Community Body preparing the LPP.
 - evidence of compliance with requirement to send a copy of the proposed LPP and an information notice to (a) each councillor for the LPP area; and (b) a community council any part of whose area is within, or adjoins, the LPP area.
 - evidence the Community Body has ‘had regard’ to certain documents in preparing the LPP.
 - a statement outlining why the Local Development Plan should be changed.
 - a statement setting out (i) its view of the level and nature of support for the LPP; and (ii) the basis on which it has reached that view, including a description of any consultation in respect of the proposed LPP.



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Local Place Plans – Registering a Local Place Plan

- When the planning authority receives the LPP and accompanying information, it will check it contains all the required information, and that the organisation qualifies as a Community Body.
- If the organisation is a Community Body and has complied with the legal requirements, then the planning authority must accept the LPP and proceed to register it.
- If the organisation is not a Community Body under the terms of the legislation, or if the information provided is incomplete, then the planning authority cannot register the LPP. It is required to advise that it is not valid, giving its reasons for reaching that view.

Local Place Plans

Find out about Local Place Plans and view registered Local Place Plans.



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Local Place Plans – Further Information

- Aberdeenshire Council Register of Local Place Plans: <https://www.aberdeenshire.gov.uk/planning/plans-and-policies/local-place-plans/>
- Transforming Planning: <https://www.transformingplanning.scot/planning-reform/work-packages/community-engagement/>
- Planning circular 1/2022: Local Place Plans: <https://www.gov.scot/publications/circular-1-2022-local-place-plans/documents/>
- Local Place Plan Guide – The PAS Approach: <https://www.pas.org.uk/wp-content/uploads/2020/01/Local-Place-Plans-Guide-PAS-Approach.pdf>
- Imagine Udney: <https://udnycommunitytrust.org.uk/Docs/ImagineUdney/Imagine-Udney-Action-Plan.pdf>
- Huntly Room to Thrive: <http://www.huntly.town/strategy/>



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Thank you

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