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**DEVELOPMENT  
PLAN SCHEME No.13  
(2021)**

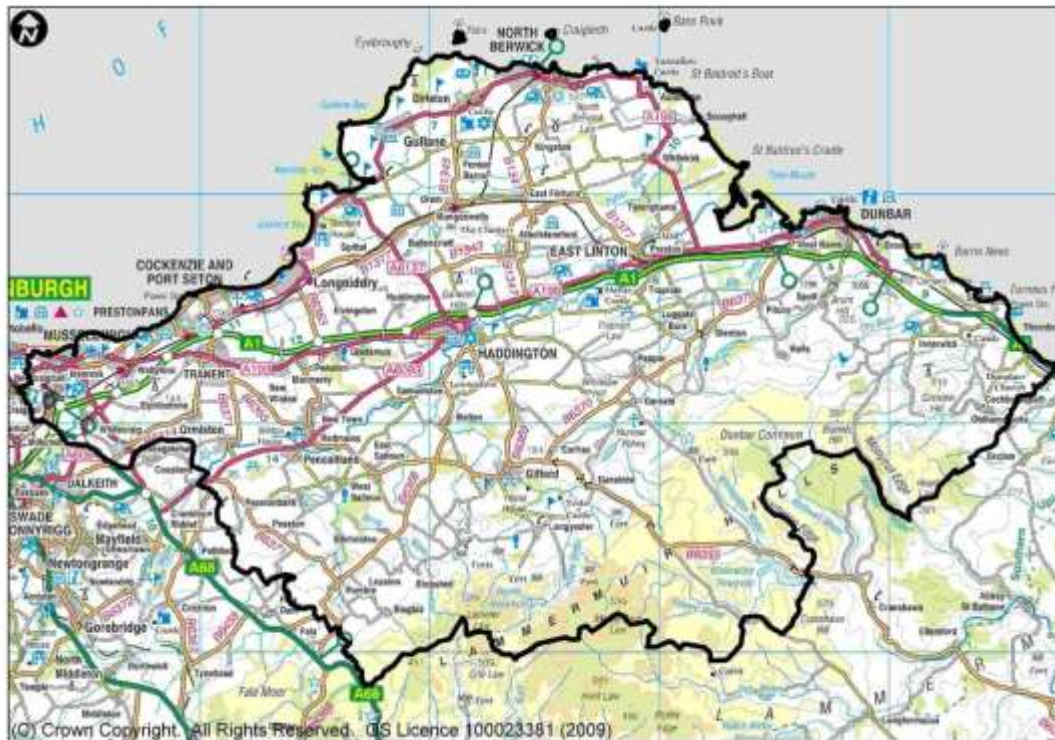
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**East Lothian Council  
Policy & Strategy  
Development Division  
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John Muir House  
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# EAST LOTHIAN COUNCIL DEVELOPMENT PLAN SCHEME AND PARTICIPATION STATEMENT No.12 (2021)

## 1 INTRODUCTION

1.1 Planning legislation requires all planning authorities to prepare a **Development Plan Scheme (DPS)**. The DPS sets out a programme for preparing and reviewing their **development plans** and includes a **participation statement**.



East Lothian Council boundary and Local Development Plan area

1.2 East Lothian Council's DPS sets out the Council's programme for the main stages in the preparation and review of the development plan for East Lothian, what will be involved, and how and when people and organisations can participate. A DPS must be prepared at least annually.

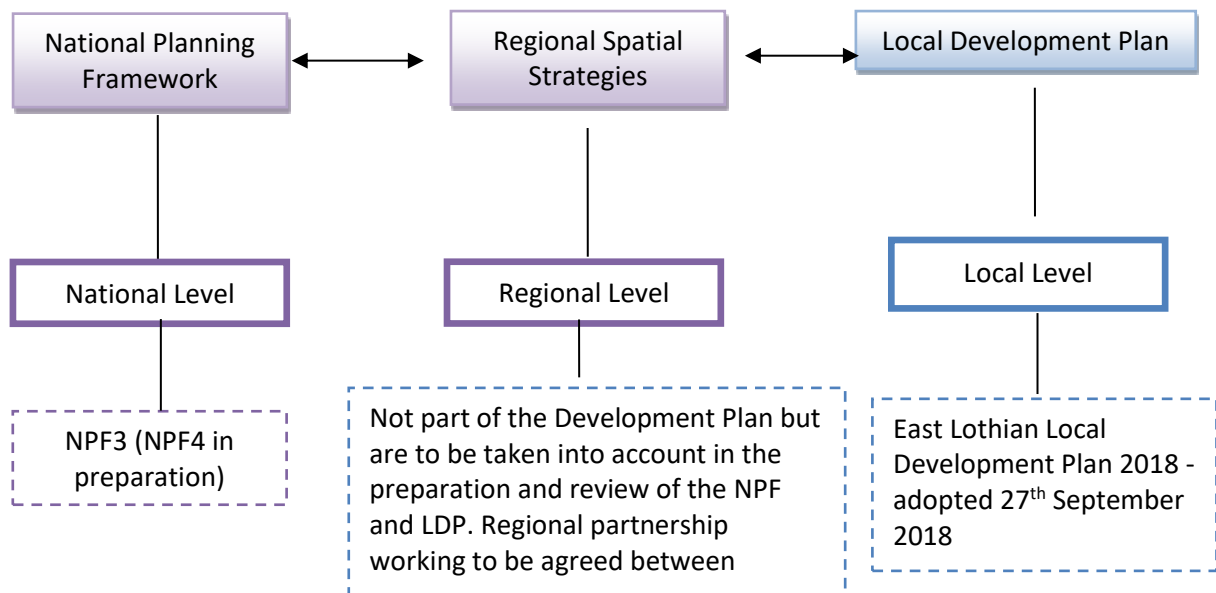
1.3 The previous Development Plan Scheme for East Lothian No.12 was published in December 2020. This updated Development Plan Scheme no.13 considers the timetable for preparation and adoption of Local Development Plan 2 (LDP2). The DPS also outlines the timetable for the review of the ELLDP 2018, and the preparation of an Evidence Report, the first significant stage towards preparation of the next Local Development Plan (LDP2). During the plan-making process, regular progress updates will appear on the Council's website [www.eastlothian.gov.uk](http://www.eastlothian.gov.uk) and through the Planning Policy Teams newsletter.

## What are Development Plans?

1.4 A development plan is a document that sets out the long term vision for how the area it covers should change and what it could be like in the future. It identifies where development may take place and areas where certain development types should be restricted or prevented altogether. It sets out the best locations for new homes and businesses and protects places of value to people or wildlife. It contains policies and proposals to guide new development. It is required by law and is the basis for making decisions on planning applications.

## What types of Development Plans are there?

1.5 Following the introduction of the Planning (Scotland) Act 2019, there are to be two levels of development planning in Scotland:



## The National Planning Framework for Scotland (NPF)

1.6 This is prepared by the Scottish Government and sets out a broad spatial strategy for the development of Scotland as a whole and what Scottish Ministers consider to be priorities for that development. [NPF3](#) (the third National Planning Framework) was published in June 2014. It contains a number of 'National Developments' and other provisions, some with relevance to East Lothian.

1.7 The upcoming National Planning Framework 4, which will set out a strategy up to 2045, is currently being prepared. In November 2021, the Scottish Government published a Draft of NPF4, setting out the draft spatial strategy and development plan policies for the Country. Consultation on this document ends in March 2022 and approval is now likely to be in 2022. Planning Authorities are

required to provide information to the Scottish Ministers to assist with preparing NPF4. Under the Planning (Scotland) Act 2019, the NPF can now be amended at any time.

## **Regional Spatial Strategies**

1.8 The Planning (Scotland) Act 2019 allows for the preparation of Regional Spatial Strategies (RSS). Although not part of the Development Plan, these documents will still provide a framework for both the preparation of the NPF and Local Development Plans. East Lothian Council have worked collaboratively with other planning authorities to prepare an Indicative Regional Spatial Strategy which was agreed by the six Local Authorities in South East Scotland in autumn of 2020. It was submitted to the Scottish Government as part of the Local Authorities' input into the National Planning Framework process. The six South East Scotland Local Authorities, together with other stakeholders, have also produced a Regional Prosperity Framework which was approved by the City Deal Joint Committee in 2021.

## **Local Development Plans (LDP)**

1.9 Local Development Plans are prepared by each local planning authority and set out more detailed policies and proposals for their area to guide the use of land and buildings over a 10-year period. Local Development Plan preparation process will firstly comprise of an Evidence Report setting out the Council's position of a range of social, economic and environmental planning matters (as per regulation 15(5)). This is then submitted to Scottish Ministers for review (through an examination type process called a gate check). Following confirmation that the Scottish Ministers are content with the Evidence Report, Local Planning Authorities can then progress with the production of a Proposed Local Development Plan. This will then be submitted to Scottish Ministers and subject to Examination. Following this, Planning Authorities can then adopt their Local Development Plan, taking into account the findings and recommended modifications from the examination.

1.10 The National Planning Framework and the Local Development Plan will in future form the statutory Development Plan for East Lothian.

## **2 DEVELOPMENT PLANNING POSITION IN EAST LoTHIAN (2021)**

2.1 Under the new Planning (Scotland) Act 2019, Strategic Development Plans will be abolished. However, until the approval of NPF4, the current Development Plan for East Lothian consists of the Strategic Development Plan for Edinburgh and South East Scotland (SDP1), read in conjunction with the adopted East Lothian Local Development Plan 2018. The SDP covers the areas of the City of Edinburgh, East Lothian, Midlothian, West Lothian and Scottish Borders Councils, as well as the southern part of the Fife Council area. It was approved by Scottish Ministers in June 2013. The current Local Development Plan 2018 was prepared by East Lothian Council and adopted on 27<sup>th</sup> September 2018.

### **LDP 2018 - Action Programme, Supplementary Guidance and Supplementary Planning Guidance**

2.2 The Council has prepared an Action Programme for the ELLDP 2018, a statutory requirement under the Development Planning (Scotland) Act. The Action Programme sets out how the Council proposes to implement the plan, and includes policy actions, a list of supplementary guidance, and infrastructure requirements. It also reflects the most up-to-date information on developer contributions and specific interventions and projects included within the Supplementary Guidance: Developer Contributions Framework. The Council must consult on its draft version 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.

2.3 The Action Plan is currently being reviewed and a revised version will be presented for Council approval and subsequent submission to the Scottish Ministers in early 2021. Under the new Planning (Scotland) Act 2019, Action Programmes are being re-cast as Delivery Programmes, and East Lothian Council will prepare its own Delivery Programme alongside the LDP beginning in 2022.

2.4 To support the ELLDP 2018 and to assist with decision making, the Council has prepared a series of guidance documents including statutory Supplementary Guidance on Developer Contributions Framework and Town Centre Strategies, and non-statutory Supplementary Planning Guidance on Affordable Housing, Development Briefs, Cultural Heritage and the Built Environment, Design Standards for New Housing Areas, Farm Steading Design Guidance, Green Network Strategy, Special Landscape Areas, and Sustainable Drainage Systems (SuDS). These were all published for at least a minimum 6-week period of consultation.

The Planning (Scotland) Act 2019 alters the status of Supplementary Guidance so that it will no longer form part of the statutory Development Plan. Supplementary Planning Guidance can still be prepared to provide further information on planning matters. East Lothian Council will consider the need for any SPGs as part of Local Development Plan 2 preparation.

### **3 OUR INTENDED DEVELOPMENT PLAN PROGRAMME**

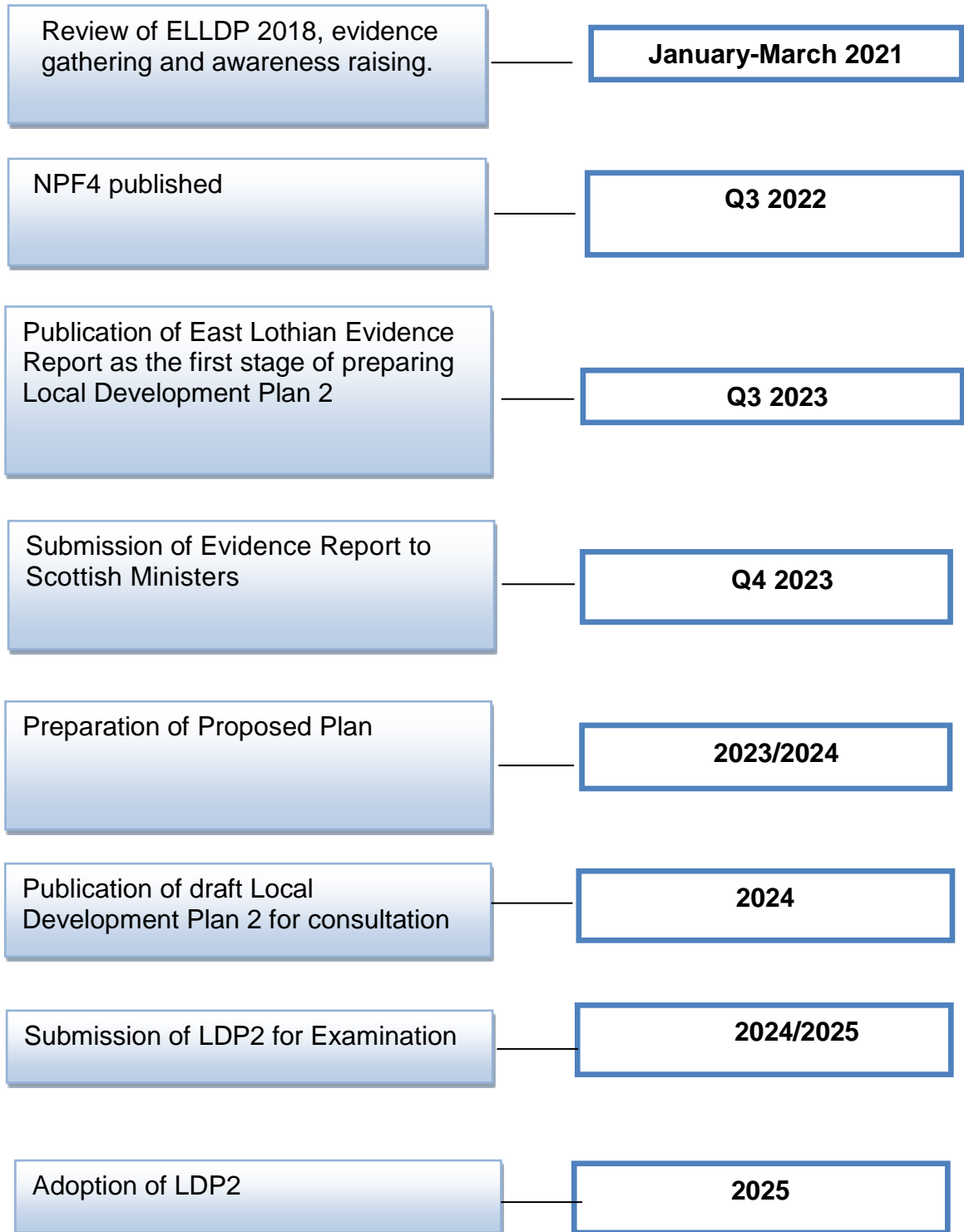
#### **The Edinburgh and South East Scotland Strategic Development Plan (SDP)**

3.1 The second Strategic Development Plan (SDP2) was rejected by Scottish Ministers in 2019. Subsequently, the strategic planning context for South East Scotland is still provided by SDP1 although SDP2 can be taken into account as a material consideration. This will be until such time as the NPF4 is produced.

#### **Review of East Lothian Local Development Plan 2018**

3.2 Following the Planning (Scotland) Act 2019, the Council will follow the new procedure for preparing the next Local Development Plan for East Lothian. This will begin with a period of evidence gathering which will be combined to create an Evidence Report. The table below indicates the programme for reviewing the LDP 2018, preparing an Evidence Report, drafting LDP2, examination, and then adoption. This timetable is indicative and will depend upon the Scottish Government's progress and timetable for the NPF4.

## Programme for preparation of East Lothian Local Development Plan 2





### **When will we update our Development Plan Scheme?**

- 3.2 The DPS will be reviewed every year, providing there are no significant changes, in which case an earlier update may be required.

## **4 EAST LoTHIAN COUNCIL DEVELOPMENT PLAN SCHEME: PARTICIPATION STATEMENT**

### **What is a participation statement?**

4.1 The Planning etc. (Scotland) Act 2006 requires that a Development Plan Scheme includes a Participation Statement. This is an account of when consultation is likely to take place, with whom, the likely form and the steps to be taken to involve the public at large.

### **Consultation on LDP 2018 Supplementary Planning Guidance**

4.2 Consultation on the Action Programme, Town Centre Strategies Supplementary Guidance, Developer Contributions Framework Supplementary Guidance, and Supplementary Planning Guidance each ran for at least 6 weeks. Publicity for the consultation was carried out by:

- Placing Press Adverts in the East Lothian Courier;
- Publication on the Consultation Hub of online survey with consultation documents;
- Displaying of consultation documents and information on how to get involved with the consultation at Public Libraries throughout East Lothian, and
- Publication on a dedicated East Lothian Council web page of documents for consultation and a link to the Council's Consultation Hub.

4.3 Through each of these publicity methods, details have been provided of the different ways in which comments can be made on the documents (i.e. using the online survey, by email to LDP inbox, or in hard copy to the Planning Service).

### **Review of East Lothian Local Development Plan 2018: forthcoming awareness raising, engagement and consultation programme**

4.4 The ELLDP 2018 review process has now begun. This will initially involve a policy review and period of evidence gathering, particularly focussing on gathering the views of land use related matters from a wide variety of groups as set out in the new Planning Act (2019). Further details of this engagement will be set out in the 2022 Development Plan Scheme.

4.5 Based on the results from the above work, including the early engagement, and the findings from technical/background work, the Council will prepare an Evidence Report setting out those matters as required by the new Planning (Scotland) Act 2019.

4.6 Once finalised, the Evidence Report will be submitted to Scottish Ministers for review under the gate check process. Once confirmation is received from Scottish Ministers that they are satisfied with the content of the Evidence

Report, this will be taken forward to prepare a proposed Local Development Plan 2. Once the proposed LDP2 has been prepared, there will be a period of consultation on this, involving the following (as a minimum):

- Placing Press Notices in the East Lothian Courier regarding consultation period for draft LDP2, including where and when the documents can be accessed/viewed, and how to submit comments;
- Relevant consultation documents to be placed in all libraries across East Lothian;
- Publication on the East Lothian Council Consultation Hub
- Publication on the ELC website
- Digital Engagement Strategy

Following this period of public consultation, any comments will be taken into account in finalising the proposed LDP2. Subsequent stages will involve the following:

- Submission to Scottish Ministers for Examination in Public
- Period of Examination in Public including any Further Information Requests, Public Enquiries or Hearing Sessions;
- Scottish Ministers issuing of the Report of Examination and recommended post-examination modifications;
- Council to consider the Report of Examination and recommended modifications;
- Modify the LDP2 (as necessary);
- Publish modified LDP2;
- Submitting the LDP2 (as modified or otherwise) to Scottish Ministers stating the Council's intention to adopt the plan;
- Issuing of Direction from Scottish Ministers that the Council can adopt the LDP2 (if applicable), and
- Period of 6 weeks for legal challenge of LDP2.

## 5 LOCAL DEVELOPMENT PLAN PROGRAMME SUMMARY

	2021			2022			2023			2024			2025		
ELLDP 2018 review			■	■	■	■									
Evidence Gathering				■	■	■	■	■	■						
Publish Evidence Report									■	■					
Gate Check										■	■				
Prepare draft LDP2										■	■	■	■		
Publish draft LDP2													■		
Consider responses														■	■
Submit to Ministers														■	
Examination														■	■
Consider report															■
Adopt LDP2															■

## 6 CONTACT US

6.1 If you have any queries regarding progress on the preparation of the next Local Development Plan, please email us at [ldp@eastlothian.gov.uk](mailto:ldp@eastlothian.gov.uk) or send any correspondence to:

Policy and Strategy  
Development  
Partnerships and Services for Communities  
East Lothian Council  
John Muir House  
Brewery Park  
Haddington  
EH41 3HA

6.2 Further information on Development Planning in East Lothian can be found on the Council's website:

[https://www.eastlothian.gov.uk/info/210547/planning\\_and\\_building\\_standards/12242/local\\_development\\_plan](https://www.eastlothian.gov.uk/info/210547/planning_and_building_standards/12242/local_development_plan)