



The Development Plan Scheme 2021

March 2021

If you have any questions in respect of the Development Plan Scheme 2021, please contact the Development & Marine Planning Team on 01856 873535 or email devplan@orkney.gov.uk.

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Introduction

The Council are required by statute to produce an annual Development Plan Scheme (DPS), which provides an update on the work programme and timescales for the review of the Orkney Local Development Plan. Additionally, the DPS provides details on the consultation and engagement with our stakeholders and members of the public.

What is a Local Development Plan (LDP)?

A LDP provides a strategy for the future of an area and a land use framework within which investment and development can take place. It is the main policy tool used by the Planning Authority in the determination of planning applications. It must be consistent with Scottish Planning Policy (SPP) and National Planning Framework 3 (NPF3), which are the national planning documents for Scotland.

The Changing Legislative Position

The Planning (Scotland) Act 2019 received Royal Assent in July 2019 and makes significant changes to the Town and Country Planning (Scotland) Act 1997 including alternations to the development planning system. Secondary legislation to enable implementation of the new Act was originally expected to be largely completed by 2021, however the current coronavirus pandemic has seen timescales shift to mid-2022.

The Main Development Planning Changes

The next **National Planning Framework** will incorporate Scottish Planning Policy (SPP), be part of the Development Plan and is subject to Parliamentary approval. Work on the National Planning Framework 4 (NPF4) began in January 2020 with the Call for Ideas consultation.

There is a requirement for all authorities, working together as they see fit, to prepare **Regional Spatial Strategies** (RSS) setting out strategic development priorities. The NPF4 is required to have regard to these RSS. Work is underway on the preparation of an Indicative Regional Spatial Strategy for Orkney that covers the land and marine based planning functions of the Council.

The aim of the Act is to make **Local Development Plans** (LDP) more effective, prepared with greater community involvement and with more focus on delivery of development. The LDP sets out the spatial strategy for the development and use of land in the area. It sits in the context of the purpose of planning and must take account of the Local Outcomes Improvement Plan (LOIP) and the National Planning Framework. LDPs are moved to a 10-year cycle rather than a 5-year cycle.

The review process will commence with the preparation by the planning authority of an **Evidence Report** that will detail why the LDP review is required and if there are national policies that that planning authority require a different approach.

Local communities will be invited to produce **Local Place Plans** that will look at the land, buildings and issues that they consider to be importance for their communities as well as a requirement to consider development and the use of land for the location.

The Drafting of National Planning Framework 4

In early 2020, the Scottish Government had a “Call for Ideas” to inform their early drafting work for NPF4. In November 2020, the Scottish Government published a Position Statement on the issues that they consider need to be addressed in NPF4.

NPF4 will be a new spatial and policy plan for Scotland that will look to 2050 and contain “model policies” for all planning authorities. It will focus on achieving 4 key outcomes of Net-Zero Emissions, Resilient Communities, A Wellbeing Economy and Better, Greener Places.

After delays associated with the Coronavirus pandemic, a draft is expected to be consulted on in autumn 2021 with the final version being approved and published by the Scottish Government in spring/summer 2022.

Transitional Guidance for Development Planning

In November 2020, the Scottish Government published the Development Planning – Transitional Guidance. The guidance is to allow for a smooth changeover and to reduce duplication of work. For Local Development Plans that have not commenced the review and preparation of a new Local Development Plan, it is considered that preparatory work towards the new style plans can begin prior to the publication of NPF4 and the new local development plan regulations. This preparatory work could include evidence gathering and engagement with stakeholders.

The Transitional Guidance envisages that every planning authority in Scotland will have a new style local development plan in place within 5 years of the development plan regulations coming into force.

What is the current position with the Orkney Local Development Plan?

The current LDP for Orkney is the Orkney Local Development Plan 2017 (OLDP2017). It has been approved for a 5-year period by the Council and the Scottish Government; and runs until April 2022 and can be found at <https://www.orkney.gov.uk/Service-Directory/O/Orkney-Local-Development-Plan.htm> along with the current suite of statutory supplementary guidance <https://www.orkney.gov.uk/Service-Directory/D/guidance-for-the-plan-2.htm>

As the Council has not formerly commenced the review of the OLPD2017, apart from monitoring works, it is considered under the Transitional Guidance that we will commence early preparation work until the publication of NPF4 and the Development Planning Regulations, that is anticipated to be spring/summer 2022.

The Work Programme

This work programme is based on the Planning (Scotland) Act 2019 and the Transitional Guidance from the Scottish Government. Until the publication of NPF4 and the Development Planning Regulations, the work programme from spring/summer 2022 onwards is not clear. It is considered that the Development Plan Scheme for 2022 would be able to provide more clarification.

For 2021 and 2022

To commence the review of the OLDP2017, we are proposing to:

1. Continue to engage with the Scottish Government on the development of associated regulations, guidance in regard to the review of the planning system that includes Regional Spatial Strategies and the drafting of NPF4.
2. Commence early consultation and engagement with our communities and planning stakeholders; the outcomes of which will form part of the Evidence Report. We are proposing to have a period of open consultation in July, August and September 2021 that will look to gather views on planning in the County through the banner of *Planning Matters*. Consultation will commence with online surveys and polls; and then engagement with our communities in their communities. We wish to ask communities about the new provision of Local Place Plans and the support they may need to engage with this provision.
3. Develop matters to be addressed in the Evidence Report; meaning what evidence will be required to inform Orkney's new Local Development Plan? This could include development land audits, educational, healthcare and infrastructure requirements as well as monitoring of the OLDP2017 and associated Supplementary Guidance. The development of the Evidence Report will involve key agencies, planning stakeholders (including internal colleagues such as Housing, Engineering and Roads) and Elected Members. It is anticipated that the Evidence Report will include evidence as to why the Council may decide to have a different policy approach to that of the national planning policies of NPF4. The Evidence Report is published alongside the Proposed Plan that will be after spring / summer 2022.
4. Review our existing hierarchy of guidance including the requirement for development briefs. One provision of the Planning (Scotland) Act 2019 is that supplementary guidance will not be statutory. We wish to take this opportunity to review our present hierarchy with planning stakeholder engagement. We aim to ensure that we have the right level of non-statutory guidance that delivers good development for Orkney. This work stream is in line with the local review of the Council's Planning Service that was completed in early 2020.

Our Commitment to Engage and Consult – Participation Statement

After the publication of the Development Planning Regulations, we will publish a full Participation Statement to accompany the Development Plan Scheme for 2022. For the review of the LDP, we will design engagement and consultation around our

stakeholders and the best way to communicate and consider them positively, within the remit of Orkney Islands Council and current planning legislations and regulations. We hope that we will be able to meet our community in their communities and talk to them face to face about their concerns and aspirations for their Islands.

The Planning (Scotland) Act 2019 has included the provision to have effective engagement with school and young people and to consider the development needs of students and other people studying, the elderly and disabled and Traveller and Gypsies. Going forward we are committed to engage with these stakeholders and organisations that represent them.

Our Stakeholders include:

- Community Councils and Local Development Trusts.
- Community Planning Partners.
- Interest Groups such as Voluntary Action Orkney.
- Elected Members.
- Internal Officials such as Education, Housing and Economic Development.
- Landowners.
- Developers and Builders.
- Development Sectors such as Renewable Energy and Aquaculture.
- Key Agencies.
- The Scottish Government and Marine Scotland.
- Our Neighbouring Authorities.
- OIC Education – Schools and Colleges.
- Higher Education – University of the Highlands and Islands, Harriot Watt.
- University and Robert Gordons University.
- Key Agencies such as NatureScot and SEPA.

We will continue to use local press outlets such as The Orcadian and BBC Radio Orkney as well as Social Media to let the public know about consultations and how they can get involved. In addition, through our Development Plans database we will regularly send email updates and notification of consultations. If you would like to be added please contact us at devplan@orkney.gov.uk

Our consultation methods also include open meetings, focused seminars and face to face meetings with individuals.

Note that all methods will comply with the latest guidance associated with the coronavirus pandemic.

Effective community engagement and empowerment; and strategy planning will help to unlock Orkney's potential.