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East Lothian Council		

Additional information:

A requirement of the Development Plan process is the production of a Development Plan Scheme. It sets out information on the Local Development Plan. It was consulted on in early 2023 and this final version amended.

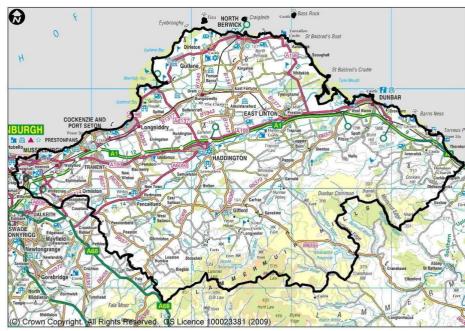
Authorised By	Michaela Sullivan	
Designation	Head of Development	
Date	01/06/23	

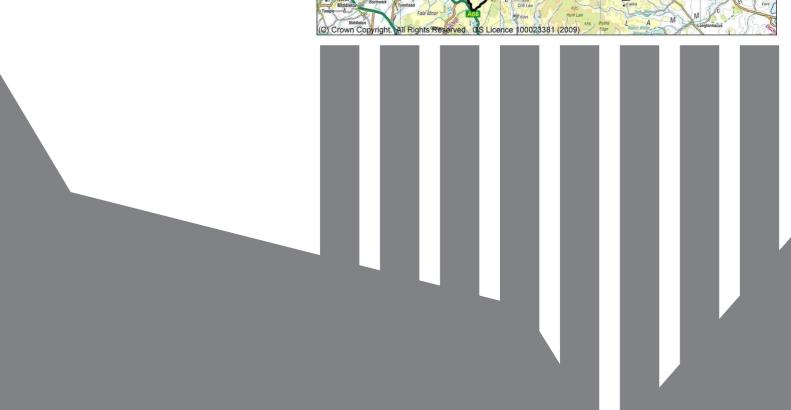
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Local Development Plan Development Plan Scheme

no.14 2022





EAST LOTHIAN COUNCIL DEVELOPMENT PLAN SCHEME AND PARTICIPATION STATEMENT No 14 December 2022

1 INTRODUCTION

- 1.1. All planning authorities are responsible for the preparation of a Local Development Plan (LDP). The first East Lothian Local Development Plan was adopted in 2018. The second LDP will be prepared over the coming years to set out in more detail the planning policies, spatial strategy and national developments identified in National Planning Framework 4.
- 1.2. This updated Development Plan Scheme (DPS) considers the timetable for the work to prepare the second Local Development Plan. During the plan-making process, regular progress updates will appear on the Council's website www.eastlothian.gov.uk and through the Policy and Projects team newsletter.
- 1.3. This DPS has been produced using the draft Development Plan Regulations and Guidance.

What is a Development Plan Scheme?

- 1.4. Planning legislation requires all planning authorities to prepare a Development Plan Scheme (DPS). The DPS sets out a programme for preparing, reviewing and implementing their development plans and includes a participation statement.
- 1.5. East Lothian Council's DPS sets out the Council's programme for the main stages in the preparation and review of its Local Development Plan, what will be involved, and how and when people and organisations can participate.
- 1.6. In addition to these long standing requirements of the DPS the 2019 Planning Act brings in changes to how and what the DPS must contain. Under the 2019 Act and associated Regulations and Guidance the DPS must also:
 - State the planning authority's timetable (specifying the proposed month) for its Evidence Report and its Proposed Local Development Plan; and
 - o ensure that 'the planning authority seek the views of the public at large as to the content of the Participation Statement'.

The draft development plan regulations expect this will include seeking views on who should be engaged at different stages, and on the best approach to involving people. Through this DPS the Council is carrying out this engagement process as good practice, ahead of the requirement to do so coming into force with the approval of the development plan regulations.

What is the Development Plan?

- 1.7. The Development Plan is, collectively, the documents that will be used to determine planning decisions. From a land use perspective they set out how places should change. They set out the locations for development types such as new homes and businesses and protect places of value to people or wildlife. They contain policies and proposals to guide new development. The Development Plan is required by law and is the basis for making decisions on planning applications.
- 1.8 In recent years, different types and numbers of documents have made up the Development Plan. This is again changing through the implementation of the 2019 Planning Act.

2 DEVELOPMENT PLAN POSITION IN EAST LOTHIAN (DECEMBER 2022)

- 2.1 National Planning Framework 3 remains the approved national policy but it is not part of the Development Plan. Under the 2019 Act the National Planning Framework will become part of the Development Plan and will therefore have much greater significance. NPF4 was published by the Scottish Government in draft in November 2021 and is timetabled to be approved by the Scottish Parliament in late 2022 at which time it will become part of the Development Plan. The NPF can be reviewed at any time. It contains a number of 'National Developments' and other provisions with relevance to East Lothian. It also contains national policies. On the approval of NPF4 its policies will become the most up to date part of the Development Plan.
- 2.2 At a regional scale, and until the approval of NPF4, the Strategic Development Plan for Edinburgh and South East Scotland (SESplan) remains part of the Development Plan. Once NPF4 is approved SESplan will cease to have any role in the planning process. SESplan covers the areas of City of Edinburgh, East Lothian, Midlothian, West Lothian and Scottish Borders Councils, as well as the southern part of the Fife Council area. Scottish Ministers approved it in June 2013.
- 2.3 Under the 2019 Act, Regional Spatial Strategies are also prepared by local authorities, either collectively or individually, but these are not part of the development plan. Both the NPF and the LDP are required to have regard to the content of the Regional Spatial Strategy.
- 2.4 At a local scale the Development Plan is made up of the East Lothian Local Development Plan. This was adopted by the Council in September 2018. As set out in this DPS, East Lothian has started the process of producing its LDP2 and this will continue over the next few years.
- 2.5 East Lothian Council has also approved Supplementary Guidance and other planning policy guidance derived from and supportive of the Local Development Plan 2018. This Supplementary Guidance is planning policy and is part of the Development Plan. The Supplementary Planning Guidance is a material consideration in the determination of planning

applications.

2.6 You can get more information on these documents from the Council's web site at www.eastlothian.gov.uk. Follow the *Planning* link, then the link to *Planning Policy and Guidance* page. This gives access to a range of development planning and policy guidance.

3 INTENDED DEVELOPMENT PLAN PROGRAMME

The National Planning Framework 4

3.1 As detailed above, the Scottish Government is undertaking a review of the National Planning Framework with a draft NPF4 published in November 2021. The NPF4 was approved in February 2023. Further information on NPF4, including a copy of its Development Plan Scheme and participation statement can be obtained from its web site at Draft National Planning Framework 4 - Scottish Government - Citizen Space (consult.gov.scot).

The East Lothian Local Development Plan

3.2 The 2019 Planning Act sets out a new process for the preparation of a Local Development Plan. The main stages in this process are the production of an Evidence Report and Proposed Plan. These stages are intersected by two independent assessments carried out by Reporters, the Gatecheck and the Examination. Regulations require that the Development Plan Scheme must contain a timetable, specifying the month the authority expects to publish its Evidence Report and its Proposed Plan, and when that plan will be submitted to Scottish Ministers. The proposed timescales for the preparation of the LDP are set out below. The programme indicates the associated stages of the LDP's Strategic Environmental Assessment (SEA) and its Appropriate Assessment under the Habitats Directive, Public Sector Equality Duty Assessment (PSEDA) and Fairer Scotland Duty Assessment (FSDA).

Table 1

Programme for preparation of East Lothian Local Development Plan

Publication of Evidence Report (including identification of issues and possible consideration of solutions), and SEA Scoping Repo

Development Plan to Scottish

January 2024

solutions), and SEA Scoping Report	
Gatecheck on Evidence Report	April 2024
Recommended date for Submission of Local Place Plans (for consideration alongside development of draft Proposed Plan)	End of May 2024
Publication of draft Proposed Local Development Plan, SEA Environmental Report, draft Appropriate Assessment, draft PSEDA, draft FSDA and LDP Delivery Programme	December 2024
Consultation and possible modifications to the draft Proposed Plan	January 2025
Submission of Proposed Local	June 2025

Ministers	
Examination into Proposed Plan	August 2025
Adoption of Local Development Plan	January 2026
Monitor and Review	Ongoing

Changes to the LDP timescales since the last Development Plan Scheme

3.3 Since the 2021 Development Plan Scheme the timescale for all the stages of the next LDP have moved back by about a year. This is a direct result of the delays to National Planning Framework 4 and Development Plan Regulations. If there are any further delays or changes to the process at a national level then this could again impact on the timescales of the LDP.

Supplementary and Other Planning Guidance

- 3.4 The 2019 Planning Act removes the opportunity for Planning Authorities to produce Supplementary Guidance (SG). However, there are many areas of policy such as planning obligations, town centre strategies and development briefs that are important parts of the Development Plan. Through the production of LDP2 the Council will consider how best to incorporate the areas currently covered by SG into the new LDP to ensure the continuation of their policy aims.
- 3.5 As part of the review of the LDP the Council will also look to review its Supplementary Planning Guidance (SPG). A full list of the current SG and SPG can be found on the Councils website.
- 3.6 All current SG remains in force until the new LDP is approved by Council. As SPG is not policy but guidance it will not necessarily be superseded by changes to the Development Plan but may be out of date depending on the level of change made through NPF4 and LDP2 policy.

When will we update our Development Plan Scheme?

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

4. Participation Statement

What is a Participation Statement?

The Planning etc (Scotland) Act 2019 requires that a Development Plan Scheme includes a participation statement. The aim of the DPS and the participation statement is to advertise policy related planning activity and encourage engagement in the preparation and delivery of development plans. It sets out when consultation is likely to take place, with whom, the likely form and the steps to be taken to involve the public at large.

- 4.1 Participation statements have been part of the DPS since the 2008 Planning Act but the 2019 Act adds the requirement that in preparing the DPS, the planning authority seeks the views of the public at large as to the content of the Participation Statement. This should include seeking views on who should be engaged at different stages, and on the best approach to involving people.
- 4.2 This participation statement focuses on how East Lothian will progress its second Local Development Plan (LDP2). 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.
- 4.3 Depending on the timing of its publication, the Council will also take into account the expected Scottish Government guidance on effective community engagement.
- 4.4 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 the registered on our mailing list and advertisements in the local newspapers.
- 4.5 Although the preparation of the LDP has several distinct phases there are some overriding principles that the Council will employ across the progression of the plan and as afterwards through its implementation:
- Participation in the plan-making process is open to everyone.
- The Council is aware of its responsibilities to be as inclusive as possible and will make efforts 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 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.
- Through the different plan stages we will include an explanation of why we are consulting, how we will be consulting and what will happen with the responses when they are received.

- 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 area partnership
 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.
- 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 East Lothian Council is committed to actively engaging and involving as many communities and stakeholders in the preparation of the second Local Development Plan.

The Local Development Plan 2: past and proposed consultation programme

- 4.6 We are consulting on this DPS to gather views on the best way to get people involved in the development of the LDP and to check whether there are any sectors that should be added to the consultation list set out in the DPS.
- 4.7 This engagement process will continue alongside the development of the Evidence Report and Proposed Plan where the Council will undertake a wide range of engagement to gather the views of key stakeholders, hard to reach groups and the public at large.
- 4.8 The Scottish Governments draft Development Plan Guidance recommends that through 'early engagement, connections and efficiencies can be made with other plans and strategies, such as the Local Outcomes Improvement Plan, Locality Plans, Regional and Local Transport Strategy, Local Housing Strategy, Strategic Housing Investment Plan or Local Economic Strategy to avoid consultation fatigue'.
- 4.9 The Council is following this recommendation and will where possible engage on the LDP as part of wider consultations to ensure a corporate approach to evidence gathering and decision-making and avoid the consultation fatigue mentioned above.
- 4.10 Prior to the development of this DPS, opportunities have already arisen to link with consultations at a regional scale such as the development of the HNDA process or in a more local context through a council residents survey or the

discussions with focus groups as part of the development of the Local Housing Strategy. These and other opportunities were taken and the following sets out the engagement that has already been undertaken.

Engagement that has taken place

January - December 2021

> Association of East Lothian Community Councils

Outlined process of LDP and discussed best ways to engage on identification of issues. Also outlined concept of Local Place Plans and how their production fitted into the LDP process.

Outcome

Community Councils are keen to be involved in the LDP process and would consider with their members whether they wished to produce Local Place Plans and the appropriate geography. They did highlight the need to ensure that Community Councils were not inundated with too many consultations, highlighting the scarce resources at their disposal to engage on issues. Clarity in information produced would be vital to ensure that they could respond efficiently.

East Lothian Youth Parliament

Attendance at online event to outline LDP process and gather views on best way to engage with young people.

Outcome

The parliament members welcomed the chance to be involved in shaping their future communities. A key issue raised was climate change and actions that could be taken by organisations or individuals to live more sustainably.

For future engagement members of the parliament highlighted the methods that they though that their peers would most likely to too respond to including quick online questionnaires and discussions through existing school topics.

East Lothian Residents Survey

Addition of place based questions to gather views on impact of quality of place of accessibility, sustainable living and health.

Outcome

Gathered an insight into some of the place based issues that are currently affecting residents and whether changes to their environment would encourage behavioural change in relation to sustainable travel, health and helping to address climate change.

As part of the consultation individuals were also identified who would be willing to be involved in the future workshops to discuss the issues raised. These will take place as part of the further development of the Evidence Report.

Key Agencies

Regular meetings with key agencies to discuss issues and their role in assisting with the development of the LDP. Stakeholders include SEPA, NatureScot, Scottish Water, and Transport Scotland.

Outcome

All key agencies recognised the importance of engaging effectively in the development of the LDP and welcomed these early meetings to discuss the key issues across the County and the availability of data required to provide a baseline for the Evidence Report. Future meetings are scheduled at regular intervals throughout the LDP process to ensure integration between the LDP and the strategies of the key agencies.

> Planning Newsletter

Provide updates on the LDP timescale and invite stakeholders to be on the LDP mailing list.

Outcome

Substantial increase in the size of the mailing list of people who wish to be kept up to date on the timetable of the LDP and involved in the development of its content.

East Lothian Economic Study

Within the context of the Councils Economic Strategy and LDP, consultants were employed to look at the economic trends across the county and the extent to which the employment land supply was sufficient to meet the needs of the area. This included market analysis and speaking to developers on the viability of land.

Analysis was also carried out to consider whether the current policies of the LDP were providing the appropriate context to allow the economy to develop in a sustainable manner. This involved engaging with landowners and agents to get their views on potential future challenges for the delivery of economic land in urban and rural locations.

Outcomes

The information identified through this work provided a strong indication on the issues that require to be addressed through LDP2. Further discussions with local representative bodies will take place as part of the Evidence Report process. The conclusions on this consultancy study and the further engagement will underpin the economy section of the Evidence Report.

Housing Needs and Demand Assessment

These studies are required to provide the housing evidence base for both LDPs and Local Housing Strategies. Consultation is an integral part of their preparation. Groups representing housing providers from the public and private sector and those representing key housing sectors and specialist needs were invited to discuss possible scenarios that could be used to address the levels of future housing.

Outcomes

Engagement with providers of social housing on the levels of need and issues affecting the sector. A greater understanding of the issues affecting the housing market and views on the levels of future growth that the South East Region should aspire to. This has led to an agreed regional HNDA assessment which been submitted to the Centre of Housing Market Analysis and has now been signed off as robust and credible.

January: May 2022

➤ Joint engagement alongside the development of East Lothian Local Housing Strategy (LHS) and the strategy for the Social Care Partnership.

Attendance and engagement at focus groups gathering issues around homelessness, violence against women and girls, veterans accommodation, gypsy and traveller's needs.

Outcomes

Greater understanding on the issues affecting the particular groups. Also more clarity to the extent to which planning can assist in addressing the issues that these groups face.

Publication and consultation on Development Plan Scheme including Participation Statement.

The publication of this document has several purposes.

- This activity publicised the Council's intention to begin preparation of the East Lothian Local Development Plan (ELLDP). It sets out:
- the purpose of the plan;
- how and when it will be prepared;
- the opportunities for participation;
- seeks the views on who should be engaged at different stages; and
- the view of the public at large on the best approach to involving them.

Future Engagement on Local Development Plan

- 4.11 The following table sets out how we intend to engage at the different stages in the LDP process from Evidence Report right through to plan adoption. Some of the proposed engagement is of a general nature and seeks the views of the general public, including hard to reach groups, on the general issues that the LDP will need to address. There is also subject specific consultation with single issue groups which is set out under the different policy areas of the NPF.
- 4.12 The LDP must reflect the strategy and policy of NPF4. This provides the context for the engagement as part of the LDP Evidence Report. The majority of engagement associated with the LDP is still to come and the tables below set out who and how we intend to engage with to identify the issues and discuss the options for addressing them.

<u>Table 2</u> <u>Preparation of Evidence Report:</u>

The Evidence Report is the first formal stage in preparing the next 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 the County. 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 must also include the Councils view on what the Housing Land and Employment Land Requirements should be for the lifetime of the LDP. The Evidence Report will be approved by East Lothian Council and then 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.

Evidence Report		
Section of National Planning Framework/Area of Evidence Report	Indicative engagement list	
Spatial Strategy and National Developments To identify current spatial issues affecting East Lothian. Although the Evidence Report is not required to include a spatial strategy a great deal of information and opinion will be gathered at this stage that will provide the baseline for the development of the Spatial Strategy and the identification of areas of search for future development.	Community Groups through the Area Partnerships (6) and Community Councils Youth parliament and other representative bodies Gypsy travellers representative groups Ethnic minorities and representative groups Disabled Groups Community groups such as Sustaining Dunbar, Sustaining East Linton, Sustaining Musselburgh, Sustaining North Berwick etc. Local Schools Neighbouring Local Authorities	
Delivery of National Development Dialogue to ascertain issues around the progression and timescales for national developments.		

Other services of the Council including Education, Transportation, Housing, Flooding, Sport and Leisure and Economic Development.
Scottish Government – initially using the NPF Delivery Programme as context.
Key agencies – they have a major role in providing the baseline information for the Evidence Report:
Nature Scot
Historic Environment Scotland
Scottish Enterprise
Scottish Water
SEPA
Transport Scotland
NHS Lothian
And:
Public Health Scotland
SUStrans
SEStrans
CSGN
Infrastructure Providers such as energy and broadband suppliers e.g. Scottish Gas Networks, National Grid
Forestry Commission
Homes for Scotland, Development Industry and Landowners

As well as the general LDP wide engagement mentioned above there will be targeted discussions with interest groups to identify the issues around their area of interest and also explore further the policy ideas introduced through the NPF.

Sustainable Places

Engagement under this theme will cover the following issues:

Nature Crisis, Climate Emergency, Equality, Design Quality and Place) Historic environment, town centres and retail, green belt, rural places, natural places, peatland, trees, woodland and coasts) Community groups such as Community Councils, Area Partnerships.

NatureScot and Scottish Environment Protection Agency

Scottish Wildlife Trust

Wildlife Information Centre

John Muir Trust

Rewilding Scotland

Scotways

RSPB

Scottish Land and Estates (based in Musselburgh)

Rural residents to gather information on issues around rural housing and other place related issues.

Local business organisations including on town centre audits developed in collaboration with town centre partnerships

Consultation with stakeholders on the development of the forestry strategy

Productive Places

Engagement under this theme will cover the following issues:

(Employment land, sustainable tourism, culture and creativity, green energy, zero waste, minerals, digital infrastructure).

Using consultancy study as a base engaging with the landowners and industrial property developers to consider the viability and location of employment land.

Business advisory groups to help identify issues on firm's locational choices.

Using consultancy study outputs as a base, consider further the potential need for further tourism facilities across East Lothian and coastal management requirements.

Representatives of the rural economy to highlight the issues around rural diversification.

Liveable Places Engagement under this theme will cover the following issues: (Local Living, 20 minute neighbourhoods, infrastructure first, quality homes, sustainable transport, heat and cooling, blue and green infrastructure, flooding, health and wellbeing).	Minerals operators to ascertain the levels of remaining supply and potential demand. Issues in the minerals sector, environmental, supply/demand. Digital infrastructure providers to get understanding of extent of current network and potential barriers to it improving. Nature Scot and other key agencies where relevant. Community Councils Area partnerships and Community Councils to get views of place related issues affecting east Lothian Communities Hard to reach groups such as disabled, old people and gypsy travellers to identify the specific place related issues. Young adults, teenagers and school representatives to get an appreciation of the use of place and assessment of play opportunities. NHS Lothian, Public Health Scotland and other health providers to links and challenges in relation to communities and healthy living. Engaging with all stakeholders, including the development industry, to discuss issues around housing delivery and the setting of the housing land requirement. Nature Scot and other key agencies where relevant.
	General Public.
Other assessments	
Work on the Strategic Environmental Assessment Scoping Report will also be progressed, including detailed site	Key agencies and other relevant organisations.

assessments, and initial stages of the Habitats Regulations Appraisal.

Scoping of the Public Sector Equality Duty Assessment (PSEDA), Fairer Scotland Duty Assessment (FSDA) will also take place.

How We Propose to Engage on the Evidence Report

The starting point for the engagement will be the policy approaches being proposed through NPF4 and other national strategies. The Council already has commitments to address issues like health, the nature crisis and climate change and these known challenges will provide the context for the discussions on issues that the LDP should address. Discussions will inevitably lead to possible solutions that could be used to address the issues and this will also form a key element of the engagement with all groups in the indicative list above.

There will be general public consultation seeking to identify what the issues residents feel are affecting their area and therefore should be highlighted in the Evidence Report and addressed in the Proposed Plan. Workshops and meetings will be arranged and well-advertised in advance, aimed at drawing out the key issues that need to be addressed at strategic and local levels.

Using the place standard we will consider holding a series of workshops to ascertain views on the spatial issues affecting East Lothian that the LDP could address. This will be able to look at the spatial strategy and issues at a strategic, county wide scale, area partnership scale and main settlement level. This will provide us with an understanding of local issues that can be used in the development of the spatial strategy in the Proposed Plan. We will investigate the use of online map based engagement tools that allow respondents to highlight issues affecting their area at town or area partnership level.

The possibility of having in school discussions on general LDP issues will be investigated. One area of focus will be the Play Sufficiency Assessment which requires to be completed alongside the Evidence Report. The views of school children will be sought on the quality of play areas in their town.

Our engagement will ensure it has a focus on discussions with hard to reach groups. We will engage with representatives of the gypsy and traveller community to identify the needs of their community.

We will aim to produce a pack of information covering the general LDP issues that can be discussed independently by existing focus groups.

Regular LDP project meetings with key agencies, either individually or together to ensure that they are kept up to date with the progress of the LDP. This will also ensure that the LDP can appropriately link with the strategies of these agencies. Those engaged at this stage of the process will also have a key role in providing baseline data and capacity information to guide the future spatial strategy.

Engage alongside Local Housing Strategy and other Council plans to ensure synergy and avoid consultation fatigue.

Gate Check

The Gate Check is the stage in the process where it will be decided by an independent assessment whether the Council has enough information to prepare an LDP. It will be carried out by a Reporter appointed by Scottish Ministers. Should the Reporter decide there is sufficient information, then Council will be allowed to move to the next step in the plan process and prepare and publish their Proposed Plan.

The Evidence Report will be submitted to the Reporters unit for consideration

Additional information may be sought from those who have been involved in the discussions on issues, leading up to the production of the Evidence Report.

Meetings or written submissions.

Format and content of requests will be the responsibility of the reporters unit.

Proposed Plan

Preparation of Proposed Plan

The Proposed Plan will set out where new development should take place and where it should not. It highlights allocated areas where the different types of development should take place. 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. When required, policy wording will develop the NPF4 national policies into the East Lothian context.

The agreed issues from the Gatecheck process will	be used to develop the content of the LDP.
Spatial Strategy	
	Who will engagement be with?
Based on the agreed spatial issues in the Evidence Report. The Proposed Plans role is to identify where future allocations or designations should be placed to manage development. This covers all types of allocation including housing, employment and retail as well as the protection of natural and historic assets.	Landowners. Depending on the level of development required there may be a need to speak directly to those with control over sites in the best locations for additional development.
The spatial strategy will look at the strategic context for the county all the way down to the allocation of individual sites to meet any deficit in housing or employment land allocations.	
There is the possibility that a call for sites/issues exercise will be undertaken but this could be focussed on specific areas that avoid the constraints which have been highlighted through the Evidence Report such as environmental designations, issues relating to climate change and food security and locations that have experience recent proportionately large levels of growth.	
National Developments Delivery of National Developments through their detailed spatial identification.	Scottish Government using the NPF Delivery Programme as context. Transportation projects through the development of Blindwells. SEStrans – spatial opportunities for delivery of cycle/wheeling etc network. Other local cycling groups. CSGN/Forestry Scotland – Opportunities for the Climate Forest to contribute to th delivery of CSGN.

	Also Landowners and other stakeholders involved in the delivery process.	
Development of Policy and Strategy of the Proposed Plan	Key agencies and other Council services. Young People. Communities where land use change may be identified. The public at large.	

How will we engage on the development of the Proposed Plan?

We will look to hold workshop and online engagement with communities that could be the focus of future development proposals, of any sort.

We will discuss potential policy direction with the key agencies to ensure policy alignment and deliverability.

The Development Plan Guidance mentions the possibility of having a call for ideas/call for sites exercise. The need for a call for sites exercise will be dependent on the outcomes of the Gatecheck exercise. If one is undertaken then it will be a general consultation but potentially focussed on areas which have the capacity to accommodate future land use change.

The Delivery programme will be developed alongside the Proposed Plan and we will engage with all those who have a responsibility to progress proposals, particularly national developments, to ensure that costs and timescales are accurately reflected in the Delivery Programme.

	Local Place Plans	
	Who will Engagement be with?	How do we propose to engage?
Communities may wish to produce Local Place Plans (LPPs) to highlight how they would like to see their communities develop over the next 10 years.	Local Communities in whichever form they have decided to come together to produce LPPs.	The Council will advertise the possibility for local communities to produce a Local Place Plan. The Council will recommend that they should be prepared by the spring of 2024 so they can be taken into account in the development of the spatial and place making elements of the Proposed Plan. Although the Council will not prepare the

		LPPs we will ensure that those preparing the plans are aware of the most up to date planning context and the timescales for the LDP. This will ensure that they can programme the development of LPPs to fit in with the development of the Local Development Plan.
Publica	ation and Consultation on Propos	
	Who do we intend to consult with?	How do we intend to consult on it?
The Proposed Plan will be published for a period of representation during with those interested can submit letter of support or objection to the proposals.	All those who have expressed an interest in the LDP, key agencies and other stakeholders and the public at large.	 The Proposed Plan's availability, content and purpose will be extensively advertised: in the local press on the Council's web site, including its Consultation Hub by contacting key participants and those who have expressed a desire to engage in the plan-making process Copies of the report (and/or weblinks, as appropriate) will be sent to community councils, neighbouring planning authorities and key agencies will be available for inspection in local libraries and at the planning authority's offices in Haddington The Council will allow a period of no less than six weeks during which formal representations can be made to the proposed plan. Public notice will be given about how and by when representations may be made.

	on by an independent reporter of any issu	Plan prior to it moving to the Examination stage. The
Following publication of the Proposed LDP and an assessment of the representations received, the Council will consider if it should make any significant changes to the plan. Any unresolved objections will be considered at	All those who have expressed views on the Proposed Plan.	Any 'notifiable' modifications will be advertised and all objectors, and those who have previously engaged in the plan process, will be notified.

an examination. The recommendations of any		
examination will be largely binding on the		
Council. Required changes will be incorporated		
as modifications to the Proposed Plan.		

The process for arranging the Examination and notifying participants will be the responsibility of the DPEA.

Any modifications will be advertised and all objectors, and those who have previously engaged in the plan process, will be notified.

The modifications and modified plan will be available for inspection in the planning authority's offices, in public libraries and on the Council's web site.

Plan Adoption

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. Further consideration will be given on how to engage on the bo annual review of the Delivery Programme.

Mediation in Planning

4.14 In line with the advice set out in Circular 2/2021 (Guidance on the promotion and use of mediation in the Scottish Planning System) and the Draft 2021 Development Plan Guidance, the Council will consider the use of mediation if conflicts should result during the development of the Local Development Plan. Opportunities for informal mediation and mediation will be tailored to local circumstances and the issues being dealt with in the plan. We will look to use the place standard both through the engagement on the Evidence Report and any mediation required through the plan process. The extent of the need for mediation is unknown at present until the levels of future development are agreed through the Gatecheck and local areas of conflict are identified.

5 CONTACT US

Comments

- 5.1 Should you have any views on the Participation Statement set out above then we would be grateful if you could email these to ldp@eastlothian.gov.uk.
- 5.2To be added to the LDP newsletter mailing list or for any questions on the LDP process then please e mail ldp@eastlothian.gov.uk or send by postto:

Policy & Projects
Development
East Lothian Council
John Muir
House
Haddington
EH41 3HA

5.3 For further information on progress on the LDP please check the Development Planning page of the Council's website at www.eastlothian.gov.uk/ldp

Responder	Comments	Response	Actions
Graeme Patrick, Springfield Group	Q1 In respect of Liveable Places, the Participation Statement appears to ignore the requirement to allocate land to meet the housing land requirement. As with Employment land in "Productive Places" the Council should commit to engage with the landowners and developers to consider the viability and location of housing land	The Housing Land Requirement (HLR) being part of the Evidence Report could be more clearly set out in the introduction and the Liveable Places section.	Alter text to make it clearer that HLR is not missed out but is a key part of the Evidence Report.
	Q2 Springfield Group would like to see meaningful engagement in the consideration of the extent to which the Council is proposing to exceed the 10yr MATHLR? This engagement should be in the form of face to face meetings and workshops.	DPS includes opportunities for face to face meetings. Commitment has been separately given to Homes for Scotland to engage on housing process.	Meet with HfS to discuss housing land requirement process and engagement. All individual landowners will have the chance to respond as part of the general public consultation.
	Q3 Homes for Scotland	HfS are already included in the list of consultees.	None required.
Mrs Pat Morris	No information provided to any of questions		
Vivienne Gray, NatureScot	Q1 We agree with the topics identified in Table 2 of the Participation Statement but recommend that NatureScot is added to Productive Places and Liveable Places as both include topic areas that we hold data or expertise on.	Noted.	Add NatureScot to the sections requested.
	Q2 We are committed to working with you to support LDP preparation and ensure that it contributes to demands and priorities such as planning for nature networks and delivering Positive Effects for Biodiversity. The new approach to preparing LDPs will require a different way of working to previous	Agree that a range of methods will be required for engagement based on the stage of the LDP.	Comments noted. We have submitted a note of interest to be involved in the KAG process.

plans. As part of this, we highlight the approach being offered by the Key Agencies Group (KAG), which aims to maximise the value of inputs through a co-designed, place-based approach to LDPs. The detail of the offer will be published on 31 January but in the meantime, the general principles of the approach can be found here: https://www.gov.scot/publications/keyagencies-planning-group-supporting-a-green-recovery-offer-august-2020/

Working in this way with us as KAG members, and also as an individual agency, as required by topic would help to streamline evidence gathering and allow us to provide effective support and input. As we expect multiple LDPs to be at the same stage and around the same time, it would be helpful to consider evidence requirements as early as possible. As some datasets may require our assistance for interpretation or to make best use of them, early identification of need will help us to plan and resource our support.

On that basis, we suggest that a range of methods will be required and that these will depend on the nature of the work and our role in it. In general, we expect that a hybrid approach will work well, using virtual or inperson meetings and workshops depending on the nature of the work being undertaken.

Q3 No comment

David Adam	Q1 Why bother setting up a planning strategy?	Views noted	
	National government will override it,		
	developers will ignore it and the council will		
	jump to the highest bidder.		
	Q2 & Q3 no answer		
Donna Rodgers	Q1 You've missed off Disabled People from		
	your list in the table, but mention that you are	Hard to reach is a term used nationally	Investigate groups mentioned in
	interested in hearing from the disabled	and possibly represents a view on	response for further engagement.
	community in the paragraph above the table.	previous engagement in the	
	As a member of the disabled community, I am	development plan process, rather than	
	confused.	in a wider sense.	
	Where you have not identified Community		
	Groups, I would suggest that you do so.	We are already engaging with ELC	
	Prestonpans Folks, Tranent Folks, Musselburgh	Social Care but the emphasis is noted.	
	Folks. The 'Folks' groups certainly have more of		
	an audience in my area of East Lothian.		
	When you mention the NHS, you should		
	include NHS facility user groups for a more		
	balanced opinion.		
	You appear to have missed Transport		
	companies, Lothian Buses, Scotrail etc.		
	"Hard to reach groups such as disabled, old		
	people and gypsy travellers to identify the		
	specific place related issues." I refute that		
	disabled and elderly people are hard to reach -		
	ELC Social Care will have details of literally		
	hundreds of us, it's a good place to start, you		
	may also consider contacting SCOPE.		
	https://www.gypsy-traveller.org/ is a great		
	place to start for the traveller community.		
	Q2 I'd like to be kept informed of meetings,	Being kept informed on the	Add respondee to the LDP mailing
	policy changes and proposed policy changes	development of the plan can be done	list.
		by being added to the LDP mailing list.	

	regarding the Local Development Plan. I'd like to see an area on your website, that was easy to find and to access, and that was updated regularly (certainly within 3 days of a new document becoming available). I'd like to see alerts to updated or 'most recent' documents on the main page of the ELC website so that we don't miss these things.	The point about the website is an important one as it is key that we allow the public to understand the progress with the plan.	We have a location on the website that will be kept up to date with information as the plan progresses.
	Q3 SCOPE gypsy-traveller.org ELCAP	Noted	Added to the consultation list
Veronica Noone, Fisherrow Harbour and Seafront Association	Q1 Coastal and impact of housing and other infrastructure on the coastal system - I'm thinking in particular of new housing, misconnections in terms of water and sewage and the impact this has on coastal places	Comments noted. The impacts on the coast are an important issue and will be addressed in the spatial strategy of the plan.	Reinforces need to have regard to issues affecting the coast.
	Q2 We would like to engage with you via written and workshop communication. We believe that it would be helpful to have an east lothian coastal voice but in the absence of this we would wish to be consulted individually	Noted	Add group to consultees list.
	Q3 Fisherrow Harbour and Seafront Association along with Dunbar, North Berwick etc. These associations often bring together disparate groups with differing perspectives but often with a common goal	As above	
Tony Thomas, apt planning & development ltd.	Q1 All of them - I am a consultant working on numerous projects across East Lothian	Noted	

	Q2 Email	Noted	
	Workshops		
	Subject and site specific Written Submissions		
	Q3 No comment		
Richard Lewington,	Q1 1.1 Homes for Scotland (HFS) welcomes the		
Home for Scotland	opportunity to comment on the LDP	We will determine the need for a call	No change to process set out as it
(Submitted twice)	Participation Statement, and Development Plan	for idea closer to the time of the	leaves the option open for a call
	Scheme.	Proposed Plan and once there is a	for ideas.
	1.2 A key ask is that the Call for Ideas stage is	clearer indication of the housing land	
	not optional. It should be incumbent upon East	requirement.	
	Lothian Council to complete a robust Call for		
	Ideas stage, to	The Council recognises that we are	
	enable the most transparent approach to policy	required to ensure that sites in the LDP	
	formation, and the selection of sites for	are deliverable.	
	development. Failing to carry out this stage		
	risks limiting		
	selection to those sites put forward by the		
	Planning Authority and may preclude the most	The Council welcomes HfS input into	
	deliverable and sustainable sites.	the discussion of deliverability and will	
	1.3 The regulations require defining the	take into account their views when	
	"deliverability" criteria more clearly. The	reviewing existing sites and any future	
	definition in the NPF4 glossary states	allocations.	
	Deliverable Land is "Land that is		
	free from constraints or there is a commitment	Future approaches will be also directed	
	to overcome constraints, and development is	by forthcoming Scottish Government	
	able to be delivered in the period identified for	guidance.	
	the site		
	within the Deliverable Housing Land Pipeline.".		
	This definition reflects a degree of ambiguity	Assessed the time could be DDC	Times and a share state of the state of
	with regards to the level of commitment	Accept that the timescale the DPS does	Timescale changed to reflect
	required to be in	not reflect the draft Development Plan	wording in draft guidance.
	place to overcome confirmed constraints. HFS	Guidance and requires a revision.	
	would suggest that, to meet the definition of		

"deliverable", the land must also be confirmed to be both available and viable.		
to be both available and viable.		
1.4 Clarity is required with respect to Table 1 of the draft Development Plan Scheme. At present, it outlines a one-month timeline between the publication of the proposed LDP and its submission to Scottish Ministers. This is not in line with Part C of draft LDP Regulations and Guidance which sets out (under	Agree that the Development industry will be involved in the development of the spatial strategy.	Add development industry to engagement on the spatial strategy.
paragraph 145) that the proposed LDP must be published no fewer than 12 weeks from the date of publication.	The Council has always engaged in open discussions around the housing land audit and we would look to ensure that there was similar discussions around	The process or the delivery programme remains unclear and will be expanded upon in the next DPS.
1.5 With regards to the Spatial Strategy, at present, the DPS notes that there may be continued engagement solely with landowners.	the delivery programme. What form these would take is not possible to say at present.	
It is suggested that this is widened out to include the development industry more	•	
broadly. This would enable the provision of a more broad, robust and detailed knowledge base with regards to the deliverability of future		
allocations or designations.		
1.6 Lastly, there remains ambiguity regarding whether the required biannual post-Plan adoption Delivery Programme update would be consulted on. This update must go through a		
robust and thorough assessment stage, including genuine engagement with key stakeholders		
 Q2		

	Q3 3.1 Homes for Scotland is an organization that represents circa 200 companies that together provide the vast majority of all new homes built across Scotland, and, given the importance of home building to the social and economic success of East Lothian, it is vital that Homes for Scotland is listed specifically in the list of key stakeholders to be engaged.	HfS will be engaged in the consultation and this was intended where there are references to engagement with development industry representatives. However, this engagement can be made more overt.	Specifically add HfS to the list of consultees.
Emily Burt, Law Primary Parent Council	Q1 Law Primary Parent Council would like to be considered as part of the discussions Spatial Strategy & National Developments Sustainable Places Liveable Places Other Assessments	School will be involved in the LDP process, particularly through the Evidence Report and the development of the Play Sufficiency Assessment and the Place Standard.	Primary and secondary schools will be invited to engage in the process of the LDP and there will be engagement with
	Q2 Representatives of Law Primary Parent Council can be contacted; (Names provided)	Noted	
	Q3 Law Primary Law Primary Nursery North Berwick High School Law Primary Parent Council North Berwick High School Parent Council	Noted	We will ensure that these groups are on the consultation list.
Andrew McCafferty, Andrew McCafferty Associates Planning and Development Consultants	Q1 - Housing supply and potential allocations - Sustainable transportation infrastructure Q2 workshops and/or on line consultation	Noted Noted	

	Q3 – no comment	
Rachael Robertson,	Q1 - Miller Homes supports and welcomes the	Support for consultation noted.
Miller Homes	opportunity to comment on the LDP	
	Participation Statement, and Development Plan	For other responses see comments on
	Scheme.	HfS response above.
	A key ask is that the Call for Ideas stage is not	
	optional, and should be carried out ahead of	
	the Gate Check stage. It should be incumbent	
	upon East Lothian Council to complete a robust	
	Call for Ideas stage, to enable the most	
	transparent approach to policy formation, and	
	the selection of sites for development. Failing	
	to carry out this stage risks limiting selection to	
	those sites put forward by the Planning	
	Authority and may preclude the most	
	deliverable and sustainable sites.	
	The regulations require defining the	
	"deliverability" criteria more clearly. The	
	definition in the NPF4 glossary states	
	Deliverable Land is "Land that is free	
	from constraints or there is a commitment to	
	overcome constraints, and development is able	
	to be delivered in the period identified for the	
	site within the Deliverable Housing Land	
	Pipeline.". This definition reflects a degree of	
	ambiguity with regards to the level of	
	commitment required to be in place to	
	overcome confirmed constraints. HFS would	
	suggest that, to meet the definition of	
	"deliverable", the land must also be confirmed	
	to be both available and viable.	

Clarity is required with respect to Table 1 of the draft Development Plan Scheme. At present, it outlines a one-month timeline between the publication of the proposed LDP and its submission to Scottish Ministers. This is not in line with Part C of draft LDP Regulations and Guidance which sets out (under paragraph 145) that the proposed LDP must be published no fewer than 12 weeks from the date of publication.

With regards to the Spatial Strategy, at present, the DPS notes that there may be continued engagement solely with landowners. It is suggested that this is widened out to include the development industry more broadly. Further clarity is required to understand the wider development industry involvement as per each stage of the LDP review. This would enable the provision of a more broad, robust and detailed knowledge base with regards to the deliverability of future allocations or designations. Furthermore, HFS should always be included in any consultation or engagement opportunities to represent the industry / developers.

Lastly, there remains ambiguity regarding whether the required biannual post-Plan adoption Delivery Programme update would be consulted on. This

	data wayat aa thaayayah a wahyat ayat the everyele		
	update must go through a robust and thorough		
	assessment stage, including genuine		
	engagement with key stakeholders		
	Q2- Homes for Scotland is an organization that	Noted	
	represents circa 200 companies that together		
	provide the vast majority of all new homes		
	built across Scotland, and, given the		
	importance of home building to the social and		
	economic success of East Lothian, it is vital that		
	Homes for Scotland is listed specifically in the		
	list of key stakeholders to be engaged.		
	Developers should also be listed and liaised		
	with throughout engagement.		
	Q3 – no comment		
Clive Lucas	Q1 - Sustainable Places		
	Q2 - The online submission of views relating to	Noted	
	development in rural locations.		
	Q3 - Scottish Badgers, Bat Conservation Trust,	Noted	
	Barn Owl Trust		
Kerry Gibson,	Q1- Sportscotland would welcome the	Offer of support welcomed and we will	
Sportscotland, Planner	opportunity to engage and comment on the	ensure that Sport Scotland are involved	
	spatial strategy and national developments	in the spatial strategy process.	
	including allocations for future		
	development and other areas involving the		
	development of new/existing sporting		
	infrastructure. We are also happy to provide		
	advice on other assessments such as sports		
	pitch assessments and open space strategies		
	when required.		
	Q2 - Via email to	Noted	
	eplanning@sportscotland.org.uk		
	Q3 - sportscotland	Noted	
Sally Lucas	Q1 - Sustainable places	Noted	

	Liveable places		
	Q2 - Online engagement	Noted	
	Q3 - Scottish Badgers	Noted	
	Bat Conservation Trust		
Sharon Wellwood, Chair	Q1 - North Berwick High School parent council		
of North Berwick High	represent the wider High School parent forum	Requests to be involved in the future	
School Parent Council	and as such wish to be considered as part of	LDP process noted. Site specific issues	
	discussions around Spatial Strategy & National	will be considered through the	
	Developments, Sustainable Places, Liveable	development of settlement strategies	
	Places and Other Assessments.	as part of the Proposed Plan.	
	These will all impact upon ground immediately		
	surrounding the school and the current Local		
	Development Plan 2018 has this land to the		
	west of the High School & Nursery site		
	designated for education expansion.		
	Under previous discussion it was confirmed		
	that NBHS would never be in a position where		
	it would be 'landlocked' and prevented from		
	future expansion as the population and thus		
	school role would continue to increase over		
	time.		
	Q2 - NBHS Parent Council who can be	Noted	
	contacted through various channels.		
	Contact details provided.		
	Q3 - NBHS Parent Council feel strongly that as	Noted	
	the school campus has now become an 3-18		
	year old site that all 3 educational sites should		
	have a voice via their Headteachers/Manager		
	in addition to their parent bodies.		
	Names and contact details provided.		
Don McKee, North	Q1 - Under the themes for the Evidence		
Berwick Community	Report, Community Councils will be consulted	Comments noted and agree with	Add Community Councils to the
Council	on work relating to Sustainable Places and	comment that this is an oversight.	Productive Places section.

	T	
Liveable Places, but not Productive Places		
which includes employment land and		
sustainable tourism. This is presumably an		
oversight which should be corrected.		
Q2 - It is noted that some of the actions for the		
Council on engagement in the LDP process are	The language used is to reflect the	No change.
less than definitive e.g. "consider holding a	range of options available. The exact	
series of workshops", "investigate the use of	type of consultation undertaken will	
online map based engagement tools", "aim to	depend on a variety of factors including	
produce a pack of information". More	how groups will want to be consulted.	
definitive and categoric commitments have to		
be made so there is certainty and communities	The language is not designed to be	
know what to expect. The Council must	evasive but to reflect that we will be	
undertake that it will do what is said i.e. it is	using a variety of means to get	
not discretionary.	comments.	
,		
	But the point is noted and we will	
	engage with a wide a range of groups as	
	possible in the manner they prefer.	
Q3 – No comment	, , , , , , , , , , , , , , , , , , , ,	
North Berwick Community Council has a		
substantive and fundamental concern	Communities wanting to prepare Local	No change.
regarding the approach to the relationship	Place Plans can prepare them at any	3 3 6
between Local Place Plans and the Local	time. We have set out when it would fit	
Development Plan and the way in which this is	best with the current LDP process	
not adequately reflected in the Development	which is feeding into the Proposed Plan	
Scheme in general and the Participation	stage, not the Evidence Report.	
Statement in particular. Local Place Plans have	and a state of the	
been introduced by the 2019 Planning Act as a		
means of allowing communities to play a		
greater role in shaping their own future and		
North Berwick Community Council is keen to		
embark on work with groups and individuals in		
Chibark on work with groups and marviadas in		

the town to prepare a Local Place Plan for		
North Berwick.		
Other - The timetable in the DPS programme		
shows publication of the Evidence Report in	As stated above, Local Place Plans can	No change.
November 2023. This in itself presents a	be prepared at any time and at present	
significant challenge for communities if they	the point where they would fit best	
are to prepare Local Place Plans alongside the	with the Local Development Plan	
development of the Evidence Report.	process would be feeding on the	
A fundamental aspect of the Local Place Plan	Proposed Plan stage.	
(LPP) is to identify sites that the community		
considers necessary for housing including	This give more time to prepare the LPPs	
numbers, tenure mix and expectations for	that is envisaged in this response and	
design and layout. In order to do this the	hopefully removes the issue about the	
Community Council requires information from	timescales being unrealistic.	
East Lothian Council regarding its expectations		
for North Berwick's share of the housing	We are also under obligation form the	
allocation for the local authority area. The DPS	Scottish Government to prepare the	
does not say when this fundamental	next LDP within a five year period so	
information will be available and at an online	there is no opportunity to delay the	
meeting between the Head of Planning and all	LDP.	
Community Councils in December 2022 he		
indicated that the necessary information may	At present and even into the	
not be available until later in 2023.	production of the Evidence Report and	
On this basis it is just not possible or practical	Gatecheck we will not know whether	
to adhere to the programme set out in the DPS.	there is any additional housing required	
The programme must be adjusted to reflect a	in North Berwick so the request for this	
realistic and meaningful timescale and clearly	information cannot be met.	
indicate when the Council will share with		
communities the housing and other	The Local Place Plans are not created as	
information necessary for LPPs and the LDP.	a vehicle to comment on the Councils	
	proposals, rather an opportunity for	
	communities to express how they	

		would like to see their towns developing.	
Alasdair McKenzie, Historic Environment Scotland	Thank you for highlighting your Development Plan Scheme and Participation Statement. This is very clear and helpful and we do not have any comments to offer at this stage. We look forward to working with you in preparing your Evidence Report and we will be happy to provide advice and data on the historic environment in due course. We will also be in touch shortly with a specific contact at Historic Environment Scotland for ongoing engagement on your LDP.	Noted.	It is already planned to engage with HES on the LDP so no additional action or changes to DPS required.