



Falkirk Council
Development Services



**Development Plan Scheme 2021
(Interim)**

June 2021

1. What are development plans?

Development plans are prepared by local authorities to guide the use and development of land within their areas. They contain policies and proposals which indicate where development should or should not take place, and provide guidance on topics such as housing, business, shopping, transport and infrastructure, recreation and community facilities, and built and natural heritage. They usually consist of a written document and one or more maps showing where development is proposed and where various policies apply.

At present there are two types of development plans: **Strategic Development Plans (SDPs)** and **Local Development Plans (LDPs)**. LDPs provide detailed, site-specific policies and proposals. In addition, **Supplementary Guidance (SG)** provides further detailed guidance on particular development plan policies and proposals.

A new Planning Act came into force in 2019 which when fully rolled out will make significant changes to the development plan system. **The National Planning Framework (NPF)** will incorporate Scottish Planning Policy (SPP) and become part of the Development Plan for each Council area. Strategic Development Plans will no longer be produced but planning authorities, or groupings of authorities, will instead prepare **Regional Spatial Strategies** which will identify the need for strategic development and proposed locations for such development. The process for preparing **Local Development Plans** will change significantly and they will be produced every 10 years rather than every 5 years. Meanwhile, local communities will have the opportunity to prepare **Local Place Plans** which are taken into account in the preparation of LDPs. These changes are explained more fully later in Section 4.

2. What is a Development Plan Scheme?

Planning authorities have to prepare a **Development Plan Scheme** every year. This has to set out the authority's programme for preparing and reviewing its Development Plan and how it will go about consulting people during the preparation of the plan.

Falkirk Council adopted the Falkirk Local Development Plan 2 (LDP2) in August 2020. The next review of the LDP (LDP3) will be undertaken under the amended provisions of the Planning (Scotland) Act 2019. However these provisions have yet to be commenced, and draft regulations and guidance on the new process have yet to be published in draft. NPF4, which will be part of the Development Plan, and will have a close relationship with future LDPs, has also yet to be issued in draft. With so many uncertainties around process and requirements, the Council has not yet prepared a detailed programme for LDP3, or set out proposals for future engagement on the plan.

In this context, this Development Plan Scheme is an interim document which:

- Explains the existing development plan framework within the Falkirk Council area, which comprises LDP2 and associated Supplementary Guidance;
- Identifies how the changes under the Act affect future arrangements for development planning in Falkirk, and the Council's broad intentions and early actions with regard to progressing LDP3; and
- Explains in general terms how the Council is likely to engage with communities and agencies in the preparation of LDP3, taking into account the new provisions on community engagement contained in the Act.

Once the relevant guidance and regulations are available in draft form, this will assist project planning for LDP3 and enable a more complete Development Plan Scheme to be prepared.

3. Development Planning in the Falkirk Council Area

Falkirk Local Development Plan 2 (LDP2)

The [Falkirk Local Development Plan 2 \(LDP2\)](#) was adopted in August 2020, replacing LDP1 which had been the operative plan since July 2015. Its detailed policies and proposals are intended to cover the period up to 2030, although its broader vision and strategy look forward to 2040. The plan took some 4½ years to prepare as indicated in Figure 1 below. Engagement with the public and other stakeholders took place at the pre-Main Issues Report, Main Issues Report and Proposed Plan stages.

Figure 1 LDP2 Process and Timescales

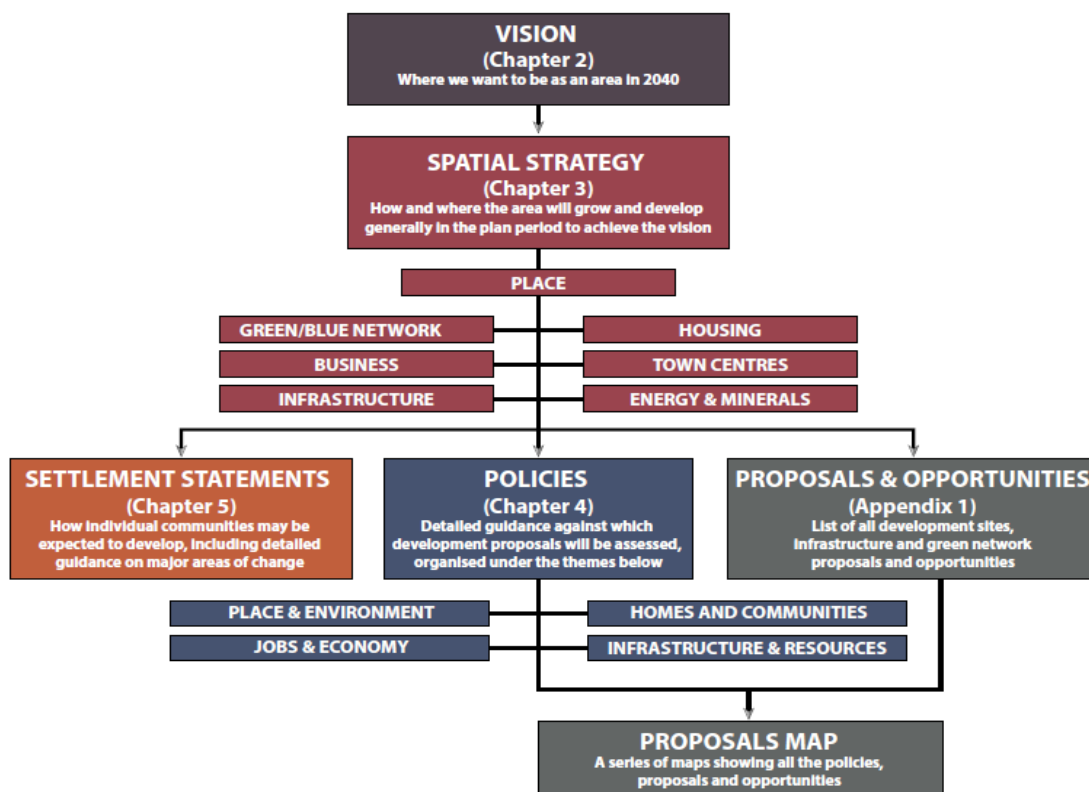
LDP2 Stage	When?
Pre-Main Issues Report	October 2015 – June 2016
Main Issues Report (MIR)	February 2017
Proposed Plan	September 2018
Submission to Scottish Government	July 2019
Examination	Oct 2019 – March 2020
Adoption	August 2020
Implementation	2020+

LDP2 covers all of the Council area, and its vision and spatial strategy paints a broad picture of how the area as a whole will develop in the years to come. It also includes settlement statements which explain the implications of the plan and the key proposals and opportunities as they relate to each of the main communities or grouping of communities. It also includes policies which set out the Council’s attitude to particular types of development across the area, or in defined types of areas (e.g., conservation areas, business areas, green belt etc). A proposals map illustrates the proposals and policies on a detailed OS map. The structure and content of LDP2 is illustrated in Figure 2.

An [Action Programme](#) has been prepared to accompany LDP2, setting out the actions required to deliver the various elements of the plan, and the agencies responsible. This was adopted in October 2020, and will be updated on a two yearly basis.

LDP2 is available in hard copy form, and as a pdf on the Council's web site. However, our [online interactive version](#) provides a user friendly interface for customers wanting to explore the plan and what it says about particular locations.

Figure 2 LDP2 Structure and Content



Supplementary Guidance

In conjunction with LDP2, the Council is preparing 14 [Supplementary Guidance \(SG\) notes](#) to provide further guidance and interpretation on some key policies in the plan. These SGs are part of the Development Plan. The scope and progress with these SGs is illustrated in Figure 3 below. The Council intends to take the remaining SGs to adoption by December 2021.

Figure 3 LDP2 Supplementary Guidance (as at June 2021)

Ref	Title	Adopted
SG01	Development in the Countryside	√
SG02	Neighbourhood Design	√
SG03	Residential Extension & Alterations	√
SG04	Shopfronts	√
SG05	Green Infrastructure & New Development	√
SG06	Affordable Housing	√
SG07	Biodiversity and Development	√
SG08	Local Nature Conservation & Geodiversity Sites	√
SG09	Landscape Character Assessment & Landscape Designations	√
SG10	Trees and Development	√
SG11	Antonine Wall World Heritage Site	
SG12	Listed Buildings & Unlisted Properties in Conservation Areas	√
SG13	Developer Contributions	
SG14	Renewable & Low Carbon Energy	

Under the new Planning Act, there is no provision for statutory supplementary guidance. Planning authorities can continue to produce guidance on policies within the Development Plan but these will be non-statutory and not part of the Development Plan.

Monitoring

The Council produces a [Development Plan Monitoring Report](#) periodically which assesses progress on the implementation of the strategy, policies and proposals in the plan, based on a set of monitoring indicators. It provides information, for example, on population, housing completions and supply, school capacity, employment, business land take up, visitor numbers, transport trends and environmental improvements. The latest Monitoring Report was published by the Council in June 2020. Other monitoring processes which support the development plan include the [Housing Land Audit](#), the [Employment Land Audit](#), and the [Town Centres Health Check](#).

4. Future Development Plan Arrangements

National Planning Framework

Under the Planning (Scotland) Act 2019, the National Planning Framework (NPF) will incorporate Scottish Planning Policy (SPP) into one document and, significantly, will be a formal part of the statutory Development Plan alongside local development plans. NPF4 will be produced by the Scottish Government and will set out the priorities for development across Scotland with a long term view to 2050. It will contain targets for the use of land for housing across Scotland and address a number of outcomes such as housing needs for older people and disabled people, improving health and wellbeing and equality, and meeting targets for greenhouse gas emissions. NPF4 may also designate national developments in the same way that the current NPF3 does.

The Scottish Government carried out consultation on what should be included in NPF4 between January and April 2020. In November 2020 it published a [NPF4 Position Statement](#) in which the key themes are identified as: Net Zero Emissions; Resilient Communities; A Well Being Economy; and Better, Greener Places. A draft NPF4 is expected to be published in Autumn 2021, followed by a period of consultation and Parliamentary scrutiny. Approval and adoption is expected in 2022.

The Council is engaging on an ongoing basis with the NPF4 process:

- A response was submitted to the 2020 'Call for Ideas' consultation, identifying policy priorities from a Falkirk perspective;
- An indicative Regional Spatial Strategy for the Forth Valley area has been submitted to highlight the importance of the region in the national context;
- Engagement has taken place with the Scottish Government on housing targets as they relate to the Falkirk Council area; and
- The Council will respond fully to the draft NPF4 when it is issued for consultation.

Regional Spatial Strategies

A new duty has been introduced requiring planning authorities, acting individually or in groupings, to produce a regional spatial strategy (RSS) as soon as is practicable after the relevant legislation comes into force. Regional spatial strategies will identify the need for strategic development and proposed locations for such development. Strategic development is defined as development which has a significant impact on future development in more than one local authority area. Though not part of the statutory development plan, they will provide a context for LDPs. Statutory guidance on the preparation of RSSs is awaited.

In the short term, Scottish Government has invited planning authorities to form regional groupings and develop indicative regional spatial strategies (iRSS) to feed into the consultation on NPF4. The Council has worked with Stirling and Clackmannanshire Councils on the preparation of an iRSS for the Forth Valley area, which was submitted in April 2021, to ensure that our collective interests are properly represented in NPF4. This may lead to the production of a joint regional spatial strategy, although the Council has made no commitment on formal partnerships with other planning authorities at this stage. However, regional partnership working at a Forth Valley level developing in relation to both economic development and transport functions, and planning could logically integrate with this approach.

The Forth Valley iRSS identifies the following 'next steps':

- Discuss and agree mechanisms for ongoing cross-authority working;
- Confirm what grouping(s) RSS is to be based on;
- Identify a broad timetable and work programme for future cross-authority working toward a potential formal RSS;
- Undertake feasibility work on preparing a cross-authority RSS including issues around resourcing, political factors, consultation, timescales, risk, delivery, governance arrangements etc.;
- Review the scope and content of the iRSS; and
- Continue to work to develop and implement City/Growth Deals/LDPs and other strategic programmes, whilst encouraging greater cross authority collaboration, and joint working.

The next Local Development Plan (LDP3)

The next Local Development Plan (LDP3) will be produced under the new procedures introduced by the Planning (Scotland) Act 2019. As shown in Figure 4, the Act makes significant changes to the process of preparing LDPs. Instead of a Main Issues Report, the Council will produce an Evidence Report setting out information on a range of factors including the housing, health and education needs of the area, and the impact of development on such needs. This will be subject to scrutiny by Scottish Ministers through a 'gate check' process. The process of producing the local development plan will then follow a broadly similar path although the new Act details specific topics which must be addressed in the Plan. These include housing needs, the availability of housing land, the health needs of the population, education needs and infrastructure. Local development plans will then require to be reviewed at least every 10 years rather than every 5 years as at present.

Figure 4 New LDP process



The relevant sections of the Act have not yet been commenced, and guidance for the new process and the associated regulations are yet to be issued in draft, and will not be in place until 2022.

The Council has, nonetheless, started work on a project plan for LDP3, which will be firmed up once there is more certainty around procedures. At this stage, key factors which are expected to influence the preparation of the plan include:

- responding to emerging national priorities around net zero carbon, resilient communities and the concept of 20 minute neighbourhoods; a well-being economy; and better, greener places;
- ensuring that the housing needs of a growing population are met;
- supporting the recovery from the Covid 19 pandemic;
- a greater focus on place and the needs of individual communities as well as presenting a strategic vision for the Council area;
- extending the range of engagement with communities and groups such as children and young people, in exploring the future planning of their places;
- making greater use of digital technology in engaging people and managing and presenting data, in line the Scottish Government's Digital Strategy.

Local Place Plans

A new provision has been introduced in the Planning Act for community bodies to prepare local place plans (LPPs). A local place plan is a proposal for the development or use of land and it may also identify land and buildings of particular significance in the local area. It can also set out reasons why the local development plan should be amended. The planning authority must take local place plans into account in preparing the local development plan. Consultation has recently taken place on regulations governing the LPP process, and a 'How To' guide prepared for local communities.

The Council is considering the next steps required to support the LPP process. This will include:

- Initial awareness raising and guidance to communities on the provisions;
- Assessing what support and resources the Council may be able to provide communities who wish to prepare LPPs; and
- Formally publishing an invitation to communities to prepare LPPs at the start of the LDP3 process, such that LPPs can feed in to the preparation of LDP3.

Timescales

The programming of the various plans described above will have to take account of a number of factors:

- The interdependent nature of the documents and their preparation processes;
- The need to wait until the relevant guidance and regulations are published to avoid potentially abortive work;
- Uncertainties around the impact of new duties on plan preparation times, and the resources available to tackle the new duties; and
- Transitional arrangements for LDPs.

Specifically:

- The timetable for **NPF4** has been set out by the Scottish Government with adoption expected in summer 2022, although this is dependent on the Parliamentary process.
- Progress on the **RSS** is dependent on confirmation of the regional grouping that is going to prepare the strategy, and putting in place appropriate governance arrangements to support the process. Substantive progress on the strategy itself will have to await the publication of the final NPF4.
- Progress on **LDP3** needs to await NPF4 and the publication of the development plan guidance and regulations. However, it may be possible to undertake early engagement to gather evidence prior to this. The timetable will also have to take into account the Scottish Government's aspiration that all 'new style' LDPs be in place within 5 years of the development plan regulations coming into force (likely to be 2022). The possibility of linking the plan to the preparation of other closely related strategies, e.g. the Council's consolidated greenspace strategy, may also be a key factor.
- Progress and coverage of **LPPs** will be dependent on the appetite and capacity of communities to prepare such plans. The legislation envisages a distinct window for the preparation of LPPs early in the LDP3 process, although in practice community bodies may well come to the process at different stages.

Taking into account these various factors, Figure 5 sets out a very broad picture of how the various plans might roll out over the coming years.

Figure 5 Indicative programme for the NPF4, RSS, LDP3 and LPPs

	NPF4	RSS	LDP3	Local Place Plans
2021	Draft NPF4 consultation			Early guidance Awareness raising
2022	NPF4 adoption		Early Consultation Call for Ideas & Sites	Formal invitation to prepare LPPs
2023		Draft RSS	Evidence Report Gatecheck	LPPs feed into Evidence Report and Proposed Plan
2024		RSS adoption	Proposed Plan	
2025			Examination	
2026			Modifications LDP3 Adoption	

5. Getting People Involved – Participation Statement

General

The success of LDP3 depends on getting a wide range of stakeholders involved in its preparation. Many different people and organisations have an interest in the future development of the area and the plan will have an impact on everyone who lives and works here. It is important that they are given the opportunity to provide an input to plan preparation.

Planning legislation sets out requirements for community engagement. These have been enhanced by the Planning (Scotland) Act 2019 through the introduction of local place plans, as described previously, and the specific provisions to involve children and young people, and other groups such as gypsy/travellers and disabled people. The Council aspires to go well beyond the minimum required by the legislation, and aims to improve on the level of participation achieved through LDP2. New opportunities to engage more widely and effectively are being opened up by the

greater use of digital technology, as was demonstrated during the Covid 19 pandemic, and social media.

The approach to engagement will take its lead from the principles set out in the Council's Strategy for Community Engagement which are as follows:

- Inclusion: We will identify and involve the people and organisations who are affected by, or interested in, the focus of the engagement.
- Support: We will identify and seek to overcome any barriers to participation in community engagement.
- Planning: Engagement activities will be well planned and have a clear purpose.
- Methods: We will use methods of engagement that are fit for purpose.
- Working together: We will work together with individuals, communities and organisations.
- Communication: We will communicate clearly and regularly with the people, organisations and communities who want to take part in the engagement.
- Impact: We will demonstrate the impact of the engagement and use what we have learned to improve our approach to involving communities in decision making.

LDP2 Customer and Stakeholder Survey

In October 2020, the Council carried out a survey to assess people's awareness and experience of LDP2, including how people would like to be involved in future plans. Although the response rate was low, the survey confirmed that:

- many people still are not aware of the LDP;
- people are nonetheless interested in planning, and want to have a say on a wide range of issues affecting their places;
- people increasingly want to access information and make comments by digital means, although a minority still prefer to engage through more traditional means;
- where people did engage, they found it easy to make comments; and
- people often feel that their input has no influence on the plan.

The results of the survey will help to shape the consultation plan for LDP3, allowing us to focus on areas for improvement.

What shape is engagement on LDP3 likely to take?

A final consultation plan for LDP3 has still to be prepared and will need to be informed by the relevant regulations and guidance which are still to be produced. However, we expect to do the following:

- Provide training and/or other material that will help stakeholders and the community understand the new LDP process;
- Use a range of techniques to broaden and increase the level of engagement, with a particular emphasis on digital technologies;
- Find ways of engaging with children and young people and other hard to reach groups; and
- Review our publicity and social media strategy to build greater awareness of the plan and the opportunities to influence it.

When will we engage?

We expect to engage at each key stage of the plan broadly as follows:

Pre-Evidence Report (2022)	<ul style="list-style-type: none"> • Early consultation to ascertain how people feel about the places they live and the issues they face • A call for ideas/sites • An invitation to communities to prepare local plan plans • Seeking other information from key stakeholders to inform the Evidence Report
Evidence Report (2023)	<ul style="list-style-type: none"> • Publication of a draft Evidence Report for comments prior to its finalisation and submission for the Gatecheck • Communities submit local place plans for consideration as part of input to the Evidence Report or Proposed Plan
Proposed Plan (2024)	<ul style="list-style-type: none"> • Publication of the Proposed Plan for representations prior to the making of modifications and the submission of the plan for Examination

Who will we engage with?

The Council will aim to reach as many people across the community as possible, with a particular focus on hard to reach groups. LDP3 will affect the future of all our places, and so it is important that everyone has the opportunity to find out about the plan and contribute to it.

A wide range of organisations will be involved. The development plan team has an extensive database of relevant organisations with whom we communicate on a regular basis, and we will seek to expand this as we prepare to work on the plan. The main groups involved will include:

Public sector

- Scottish Government (including executive agencies of the Government such as Historic Environment Scotland and Transport Scotland)
- Key agencies (bodies specified by Scottish Ministers who have to co-operate with the Council in preparing the development plan, i.e. NatureScot, SEPA, Scottish Water, Scottish Enterprise, SEStran, NHS Forth Valley)
- Neighbouring local authorities (i.e. Clackmannanshire Council, Fife Council, North Lanarkshire Council, Stirling Council, West Lothian Council)
- Other public sector organisations (e.g. Scottish Canals, Sportscotland, Scottish Land and Forestry)

Private sector

- Landowners
- Developers and housebuilders
- Key local companies and businesses
- Transport companies (e.g. Network Rail, First Bus, Scotrail)
- Energy and utility companies (e.g. Scottish Power, National Grid)
- Telecommunication companies
- Mineral operators

Other organisations

- Environmental and amenity organisations (e.g. Green Action Trust, RSPB, Scottish Wildlife Trust, Civic Trust)
- Transport organisations (e.g. Sustrans)
- Business organisations (e.g. Falkirk BID)
- Housing Associations

Community Organisations & Representatives

- Community Councils
- Local councillors
- Local MPs and MSPs
- Residents associations and groups
- Local amenity and interest groups
- Churches and faith groups
- Equalities and advocacy groups

6. Let us know what you think

The Council welcomes comments on this interim Development Plan Scheme, to help inform how we go about preparing LDP3 and how we involve people in it. At this stage, any comments we receive will feed into the more detailed version to be published later in 2021. Consultation on the content of the Participation Statement is due to become a statutory requirement, so there will be further opportunities to provide comment on subsequent versions.

The contact details for sending comments or finding out more about the local development plan are as follows:

Planning & Environment Unit, Development Services, Falkirk Council, Abbotsford House, David's Loan, Falkirk FK2 7YZ

E-mail: ldp@falkirk.gov.uk



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Glossary

Action Programme

A document which is prepared alongside a development plan which sets out how the planning authority proposes to implement the plan. This includes a list of actions required to deliver each of the plan's policies and proposals, the name of the party who is to carry out the actions, and the timescale. Under the Planning (Scotland) Act 2019, this will now be called the Delivery Programme.

Adoption

The name for the final step in the local development plan process, when the plan becomes operative, and formally replaces the previous plan.

Development Plan Scheme

A document which planning authorities are required to prepare every year which sets out their programme for preparing and reviewing the Local Development Plan, and what is likely to be involved at each stage. It must also contain a Participation Statement which states when, how, and with whom consultation on the plan will take place.

Development Plan

A document or documents which guides future development and land use in an area. The Development Plan is the basis for planning decision making. Applications for planning permission have to be made in accordance with the Development Plan unless material considerations indicate otherwise. Currently, in Falkirk it consists of the Local Development Plan and Supplementary Guidance. Under the Planning (Scotland) Act 2019, the Development Plan will comprise the National Planning Framework and the Local Development Plan.

Evidence Report

Under the new LDP process introduced by the Planning (Scotland) Act 2019, this is the first formal stage in the preparation of the plan. It gathers together information which provided the evidence base for the plan, and is scrutinised by Scottish Ministers through a 'gate check' process.

Examination

The process whereby unresolved issues raised by objections to a plan are subject to scrutiny and adjudication by an independent reporter. They are usually overseen by a team of reporters appointed by Scottish Ministers, who may seek further information by means of inquiry sessions, hearings, or written information requests. Most issues are now dealt with through written submissions. At the need of the process, an Examination Report is published containing the reporters' recommended modifications to the plan, which are largely binding on the planning authority.

Local Development Plan (LDP)

A detailed spatial plan for an area which contains a spatial strategy and site specific policies and proposals for future development, represented on a proposals map.

Main Issues Report (MIR)

A document which represents the first formal stage in the preparation of a strategic development plan or local development plan, through which issues are identified and options for future development explored. It is the most important stage for engagement with the public when the planning authority has not yet fixed its view

on the content of the plan. Under the Planning (Scotland) Act 2019, the Main Issues Report stage is being removed from the process.

National Planning Framework

A spatial plan covering the whole of Scotland, which identifies national developments. The current version is NPF3. Under the Planning (Scotland) Act 2019, its status will be enhanced. It will incorporate national planning policies which are currently set out in Scottish Planning Policy, and will become a formal part of the statutory Development Plan

Policies

Statements that express the planning authority's views on a given topic, or a particular type of area, and provide standards and criteria against which proposals for development will be judged.

Proposals

Sites identified in a plan for a specific development (e.g. housing, business, infrastructure).

Proposed Plan

A document which represents the Council's settled view on what the final content of the plan should be.

Regional Spatial Strategy

A document produced by planning authorities, acting individually or in regional groupings, setting out the need for, and location of strategic development in an area. It has been introduced by the Planning (Scotland) Act 2019 to replace Strategic Development Plans.

Strategic Development Plan

A strategic spatial plan which is produced for each of the four city regions in Scotland, and provides a broadly based view on the overall scale and location of future development in each region. Under the Planning (Scotland) Act 2019, strategic development plans are being abolished.

Strategic Environmental Assessment

A process whereby the effects of plans on the environment are identified, and mitigation to reduce negative environment effects is outlined. The findings of the process are detailed in the Environmental Report.

Supplementary Guidance

Documents which provide more detail about the interpretation and implementation of plan policies. Statutory supplementary guidance, which currently forms part of the development plan, must have a clear reference in the strategic/local development plan, must be subject to consultation, and be approved by Scottish Ministers. Under the Planning (Scotland) Act 2019, supplementary guidance will no longer be part of the Development Plan and will not have statutory status.