

Local Government, Housing and Planning Committee

12th Meeting, 2023 (Session 6)

Tuesday 25 April 2023

Evidence session on The Town and Country Planning (Development Planning) (Scotland) Regulations 2023

Introduction

1. The purpose of this paper is to provide information for the Committee's evidence session with the Minister for Local Government Empowerment and Planning on the Town and Country Planning (Development Planning) (Scotland) Regulations 2023.
2. A copy of the Regulations can be accessed via the following link—

[Town and Country Planning \(Development Planning\) \(Scotland\) Regulations 2023](#)

Background

3. The Planning (Scotland) 2019 Act ("the 2019 Act") introduced significant changes to development planning including significant changes to the content and process for drafting or amending local development plans.
4. These Regulations make provision in connection with the preparation of local development plans under Part 2 of the Town and Country Planning (Scotland) Act 1997, as amended ("the Act").
5. A local development plan (LDP) is a plan which sets out for land in the part of the district to which it relates a spatial strategy (being a detailed statement of the planning authority's policies and proposals as to the development and use of land, taking account of matters prescribed) and any other matter which the planning authority consider it appropriate to include.
6. LDPs cover the whole of Scotland; they identify sites for new developments and set out policies that guide decision making on planning applications. Each planning authority (i.e. local authority or national park authority) is required to publish and then update local development plan(s) covering their area at least once every 10 years. In addition, planning authorities must publish, and update, a development plan scheme which outlines its programme for preparing and reviewing local development plans and for engaging the public. The scheme must also contain a participation

statement setting out the ways in which local people and other stakeholders will be involved in the preparation of the plan. Each local development plan must be accompanied by a delivery programme that must be updated at least once every two years.

7. The Regulations set out detail on how planning authorities should carry out specific requirements set out in the Town and Country Planning (Scotland) Act 1997, as amended by the 2019 Act.

8. The Policy note accompanying the Regulations contends that:

“The changes will support implementation of a new approach to preparing LDPs that will result in new style plans that support the management and use of land in the long term public interest.”

9. The Policy note also highlights that the Regulations form part of a wider package of measures to improve development planning, both in terms of what constitutes the statutory development plan and the process to prepare plans. It further notes that the Scottish Government will publish guidance covering the content of plans and advice on their preparation.

Next steps

10. The Committee will reflect on the evidence from the Minister and consider whether it wishes to make any recommendations in relation to the Regulations. The Committee will subsequently consider the guidance to support the Regulations once it has been published.

**Clerks,
Local Government, Housing and Planning Committee**