

Response ID ANON-2A4V-SZC7-4

Submitted to Development plan amendment regulations: consultation
Submitted on 2024-05-22 17:00:33

Amendments to National Planning Framework: full review requirements

1 To what extent do you agree that it is appropriate to adopt a broad and high-level approach as to when a full review of the National Planning Framework is required? Where applicable, please give reasons for your answer.

Neutral

Please give us your views:

There needs to be guidance on what a 'significant' alteration would be, and what level of consultation or parliamentary process would be expected for government to make such changes. It would be helpful to discuss examples. For instance; adding a new national development, amending a policy, adding a new policy. Each of these examples would likely have different definitions for significant. Guidance should look at the impact of changes as part of a consideration of whether a change is significant.

We agree that there should be flexibility to make such changes without triggering a full review, but we would like to ensure that Government does not have carte blanche to change much-debated policies without an expectation of due process.

2 In cases where amendments would require changes to half or more of the contents of the National Planning Framework (NPF), to what extent do you agree that a full review of the NPF would be required? Where applicable, please give reasons for your answer.

Neutral

Please give us your views:

We suggest an additional element to account for cumulative change. For example, if Government were to change half or more of national planning policies 'within a 12-month period'. This would prevent a situation where Government amends slightly fewer than half of the policies one month, then slightly fewer than half in a subsequent month.

Amendments to National Planning Framework: engagement and preparation

3 In preparing an amendment to the National Planning Framework (NPF), to what extent do you agree that the Scottish Ministers should have the same considerations as they would for a full review of the NPF, where that is relevant to the proposed amendment? Where applicable, please give reasons for your answer.

Agree

Please give us your views :

4 To what extent do you agree with the list of those the Scottish Ministers should consult with on a proposed amendment? Where applicable, please give reasons for your answer.

Disagree

Please give us your views:

We would welcome explicit reference to expert independent stakeholders bodies, as we do not think that it is reasonable to suggest that these stakeholders are in the same category as the 'public at large'.

Sufficient time and resource must be given to ensure that key stakeholders are consulted on material changes to national planning policies.

5 To what extent do you agree that a copy of the proposed amendment should be laid in the Scottish Parliament during the consultation period? Where applicable, please give reasons for your answer.

Agree

Please give us your views:

It is important to ensure that the NPF, which is subject to public scrutiny in its full review, cannot be altered in potentially significant ways without proportionate scrutiny of any changes.

6 To what extent do you agree with the proposed minimum 6 week consultation period, understanding that the timescale may be extended when deemed appropriate given the significance and nature of the amendment? Where applicable, please give reasons for your answer

Disagree

Please give us your views:

We support the 12 week standard for consultation for any material policy changes. We recognise that non-material changes may not require a full 12 week consultation, but it would be more appropriate to set out circumstances in which a shorter consultation may be appropriate, rather than a blanket minimum which could be more easily abused.

Amendments to National Planning Framework: adoption

7 To what extent do you agree that the Scottish Ministers be required to publish an Explanatory Report before the amended National Planning Framework is adopted? Where applicable, please give reasons for your answer

Agree

Please give us your views:

8 To what extent do you agree that all amendments to the National Performance Framework should have to be approved by a resolution of the Scottish Parliament? Where applicable, please give reasons for your answer

Agree

Please give us your views:

9 To what extent do you agree that the amended National Planning Framework should take effect when it has been adopted by Scottish Ministers?Where applicable, please give reasons for your answer.

Neutral

Please give us your views:

10 To what extent do you agree that the full updated version of the amended National Planning Framework, incorporating the amendment, should be published as soon as practicable after it has been adopted by Scottish Ministers?Where applicable, please give reasons for your answer.

Agree

Please give us your views:

Amendments to Local Development Plans: preparation and considerations

11 To what extent do you agree that planning authorities should be required to have regard to community engagement guidance issued by the Scottish Ministers under section 16C when amending a Local Development Plan? Where applicable, please give reasons for your answer.

Not Answered

Please give us your views:

12 To what extent do you agree that planning authorities should be required to provide a statement outlining how they intend to engage with stakeholders on an amendment to a Local Development Plan? Where applicable, please give reasons for your answer.

Not Answered

Please give us your views:

13 To what extent do you agree that not every amendment to a Local Development Plan should require specific participation of children and young people? Where applicable, please give reasons for your answer.

Not Answered

Please give us your views:

14 To what extent do you agree that, when preparing an amendment, a planning authority must have regard to the information and considerations set out in regulation 9 of the Town and Country Planning (Scotland)(Development Planning) regulations 2023? Where applicable, please give reasons for your answer.

Not Answered

Please give us your views:

Amendments to Local Development Plans: justification

15 To what extent do you agree that an authority should be required to collate relevant evidence to inform the proposed amendment and prepare a Justification of Amendment Statement?Where applicable, please give reasons for your answer.

Not Answered

Please give us your views:

16 To what extent do you agree that a Play Sufficiency Assessment should not be required for an amendment to a Local Development Plan? Where applicable, please give reasons for your answer.

Not Answered

Please give us your views:

17 To what extent do you agree that an authority should not be required to have regard to the self-build list for every amendment to a Local Development Plan?Where applicable, please give reasons for your answer.

Not Answered

Please give us your views:

Amendment to Local Development Plans: consultation

18 To what extent do you agree that approval by the full council is not always required before the publication of a proposed amendment to a Local Development Plan for consultation?Where applicable, please give reasons for your answer.

Not Answered

Please give us your views:

19 To what extent do you agree that the proposed amendment to a Local Development Plan should be published for consultation, alongside the Justification of Amendment statement and any statement on the consequences for the Delivery Programme which are to be published for information?Where applicable, please give reasons for your answer

Not Answered

Please give us your views:

20 To what extent do you agree that planning authorities should be required to notify Scottish Ministers and to consult with the public at large and key agencies, alongside others they consider appropriate, when amending a Local Development Plan?Where applicable, please give reasons for your answer.

Not Answered

Please give us your views:

21 To what extent do you agree with the proposed minimum 6 weeks consultation period, understanding that the timescale may be extended when deemed appropriate given the scale of the amendment?Where applicable, please give reasons for your answer.

Not Answered

Please give us your views:

Amendment to Local Development Plans: adoption

22 To what extent do you agree with our proposed approach to independent examination? Where applicable, please give reasons for your answer

Not Answered

Please give us your views:

23 To what extent do you agree that an amendment to a Local Development Plan should take effect when it is adopted by the planning authority?Where applicable, please give reasons for your answer.

Not Answered

Please give us your views:

24 To what extent do you agree that a full, updated version of the amended Local Development Plan (LDP), incorporating the amendment, should be published in the same way as the initial LDP? Where applicable, please give reasons for your answer

Not Answered

Please give us your views:

Impact assessments

25 To what extent do you agree with our approach to the impact assessments for the proposed regulations? Where applicable, please give reasons for your answer.

Not Answered

Please give us your views:

About you

26 What is your name?

Name:

Dr Rob Lennox

27 Are you responding as an individual or an organisation?

Organisation

28 What is your organisation?

Organisation:

Chartered Institute for Archaeologists

29 Further information about your organisation's response

Please add any additional context:

30 The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response with name

31 Do you consent to Scottish Government contacting you again in relation to this consultation exercise?

Yes

32 What is your email address?

Email:

rob.lennox@archaeologists.net

33 I confirm that I have read the privacy policy and consent to the data I provide being used as set out in the policy.

I consent

Evaluation

34 Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)

Matrix 1 - How satisfied were you with this consultation?:

Please enter comments here.:

Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:

Please enter comments here.: