

Development Plan Scheme for Midlothian No.7

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Development Planning

March 2015

Introduction

Midlothian Council is required to prepare a development plan scheme at least annually, comprising:

- the preparation programme for strategic and local development plans affecting Midlothian, including their proposed timetables and details of what is likely to be involved at each stage of preparation or review;

and

- a 'participation statement', including an account of when consultation is likely to take place; who can expect to be involved; the likely form of that consultation; and the steps to be taken to involve the public at each stage.

The previous Development Plan Scheme for Midlothian No.6 (DPSM 6) was published in March 2014. This updated Development Plan Scheme for Midlothian (DPSM 7) considers the timetable for the remaining stages of the work to prepare the Midlothian Local Development Plan, and the programme for the next round of strategic and local development plans. During the plan-making process, regular progress updates will appear on the Council's website www.midlothian.gov.uk, where a development planning portal provides access to the latest documents, and comments and objections which have been submitted to date.

The Statutory Development Plan for Midlothian

Strategic development plans (SDPs) are produced by strategic development planning authorities covering Scotland's four largest city regions, and local development plans (LDPs) are prepared by the local planning authorities.

The statutory 'Development Plan' for Midlothian currently comprises the **Strategic Development Plan for South East Scotland** (approved with modifications by Scottish Ministers on 27 June 2013) and the **Midlothian Local Plan** (adopted in December 2008). The **Midlothian Local Development Plan**, when adopted by Midlothian Council, will replace the Midlothian Local Plan 2008. Both SDPs and LDPs are to be accompanied by an Action Programme to ensure that the necessary infrastructure is in place to deliver the policies and proposals contained in the Development Plan. The 'key agencies' which help to provide the necessary infrastructure are active partners in plan preparation.

The planning legislation requires LDPs to be prepared as soon as practicable. They must be consistent with the SDP for the wider area and the speed of LDP preparation is therefore controlled to some extent by progress on an SDP. LDPs are expected to be adopted within two years of SDP approval.

When and how are the strategic and local development plans being prepared?

The preparation of a development plan involves a number of key stages as follows:

1. publication of a '**main issues report**' setting out the key land use issues for the area, a preferred development strategy, and 'reasonable alternatives' to this, for the purposes of consultation;
2. publication of a '**proposed plan**' presenting a council's settled position as regards its development strategy, followed by an opportunity for formal representations (both in support and against the plan);
3. submission of the proposed plan (whether modified or not, in response to representations) to Scottish Ministers for approval - in the case of an SDP - or prior to adoption by a council - in the case of an LDP - either of which are likely to be followed by an examination of the plan by a person(s) appointed by Scottish Ministers for this purpose.

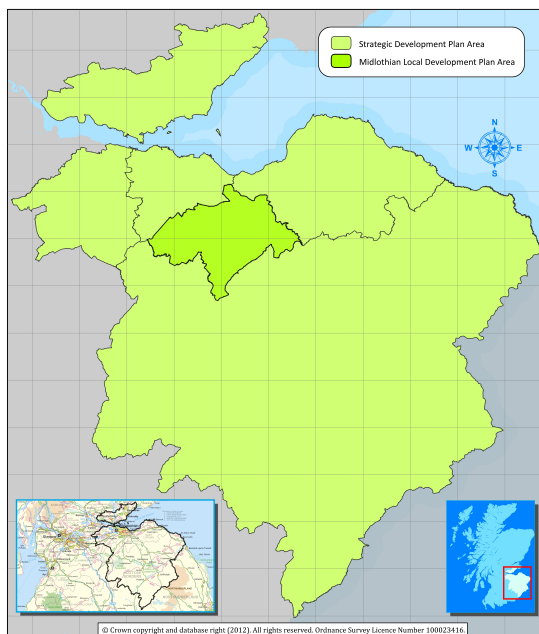
Approval of the first SDP and progress on SDP2 for South East Scotland

The SDPs for the Edinburgh and South East Scotland area are prepared by SESplan, the Strategic Development Planning Authority of which Midlothian Council is a member. The extent of the SESplan area encompasses City of Edinburgh, East Lothian, Midlothian, West Lothian, Scottish Borders and the southern part of Fife.

SESplan has completed its first SDP. In approving the SDP, Scottish Ministers required Supplementary Guidance to be prepared with respect to the scale and location of housing land to be provided for within each LDP area: this guidance was adopted by late 2014.

Work has now commenced on the second SDP. The Main Issues Report for SDP2 is expected to be published for consultation in Summer 2015. The SESplan Development Plan Scheme seeks adoption of SDP2 by 2018. Progress on the SDP can be found on the SESplan website www.sesplan.gov.uk. The diagrams in the following section illustrates the parallel processes of SDP and LDP production and the relationship between them.

Fig 1: Strategic and Local Development Plan Boundaries



Progress on the Midlothian Local Development Plan (MLDP)

The MLDP Main Issues Report was prepared in line with the SESplan requirements and consultation was carried out over a four-month period between 1 May and 31 August 2013, in accordance with the timetable set out in DPSM 5.

The SESplan Supplementary Guidance (now ratified by all constituent authorities) on housing land, required a further 100 housing units be allocated in the A7/A68/Borders Rail Corridor within Midlothian. Midlothian Council did not consider that this scale of additional development required the Main Issues Report consultation to be re-run. The Proposed Plan meets the requirements of the Supplementary Guidance.

The Proposed Plan was approved by Midlothian Council at its meeting on 16th December 2014, subject to modifications. The Proposed Plan will be placed on deposit in Spring 2015. Adoption is expected in 2016. This DPSM 7 updates the

Participation Statement, identifying the remaining opportunities for you to get involved in the plan-making process.

The current programme and timetable for the SDP (which reflects the commencement of work on SDP2) and the MLDP is set out in the following diagrams.

Recent participation activity:

July 2014 Newsletter

Purpose: provide an update on progress of the Proposed Plan preparation. Newsletter distributed to all those who had submitted comments on the MIR and interested parties.

19 December 2014 - 23 January 2015: Pre-Consultation on draft Action Programme

Purpose: a targeted consultation, to seek the views of Scottish Ministers, key agencies, and any person the authority proposes specifying by name in the Action Programme; to seek their views and comments on the draft programme in advance of the formal consultation alongside the publication of the Proposed Plan. The Proposed Action Programme must be published and submitted to Scottish Ministers alongside the proposed Midlothian Local Development Plan.

Figure 2 - Preparation Programme for SDP1 for South East Scotland and the Midlothian Local Development Plan

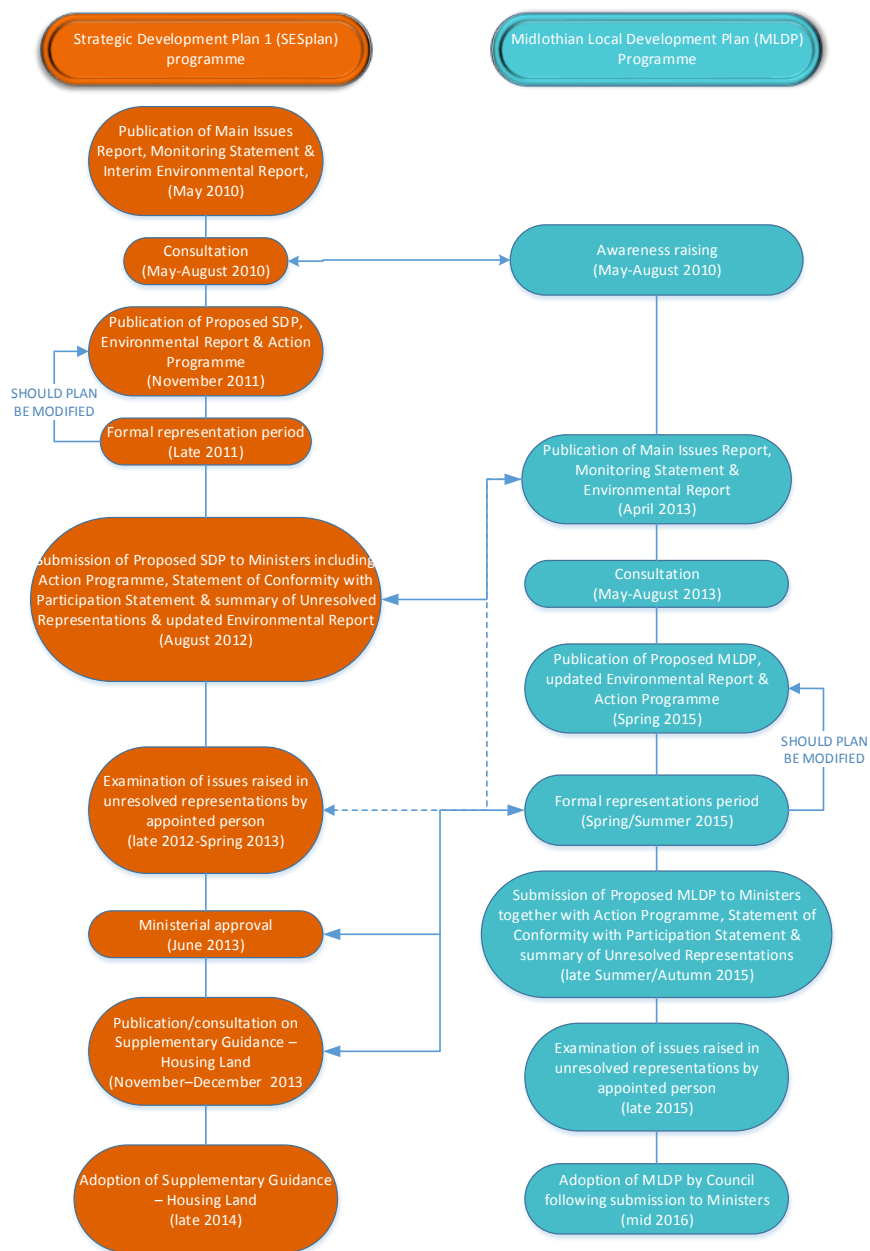
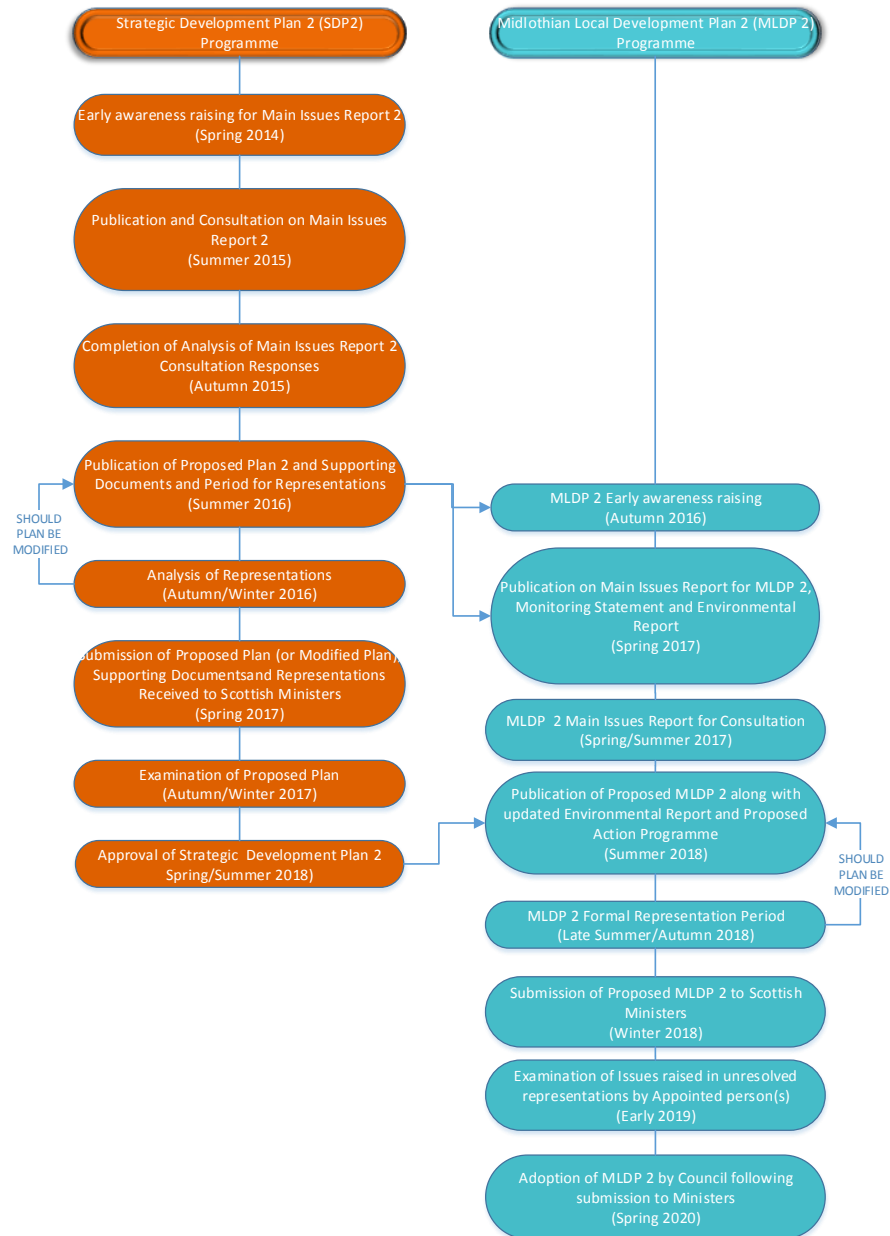


Figure 3 - Programme for SDP2 for South East Scotland and MLDP2 for Midlothian



Participation Statement

Key future stages for getting involved in the preparation of the Midlothian Local Development Plan:

Spring 2015: Publication of the Proposed MLDP and formal representations stage

- **Purpose:** To publicise and seek representations on the Proposed Plan containing the Council's settled views on the future development strategy for Midlothian to 2024. This will be accompanied by an Updated Environmental Report and a Proposed Action Programme explaining how the Plan's proposals will be delivered.
- The Proposed Plan will be placed on deposit for a minimum of six weeks to allow the submission of formal representations (either in support of or opposing the development strategy which comprises the policies and proposals of the Plan).
- The Council will notify the publication of the Plan to those interested parties registered on its online database (including those who the Council has included in the database, having contacted it by other means). This includes all those who submitted representations at the Main Issues Report stage, unless they have asked to be removed from the database or mail has been returned from their address.

- Articles will be posted on the Midlothian website advising of the Plan's publication.
- Advertisements will be placed in the Midlothian Advertiser.
- Copies of the Proposed Plan will be made available in libraries and in Fairfield House.
- Neighbour notification will be undertaken as required by legislation in relation to new development proposals.

Late Summer/ Autumn 2015: Submission of Proposed MLDP to Scottish Ministers

- **Purpose:** To submit the Proposed Plan and Proposed Action Programme to Scottish Ministers, together with a Statement of Conformity with the Participation Statement current at that time (which is likely to be the Participation Statement in this DPS), a Summary of Unresolved Representations (where these have been submitted to the Council and have not been resolved through negotiation), and the account taken of these in preparing the MLDP for adoption.
- Any representations that cannot be resolved through negotiation and are not withdrawn will be dealt with by an 'appointed person' (an independent Reporter) who will hold a public Examination, if necessary.
- Following receipt of the Reporter's findings, the Council will prepare the MLDP for submission to Scottish

Ministers (who have 28 days to intervene before the Council can proceed to adopt the Plan).

- This is followed by a period during which a legal challenge to the Plan can be mounted, if the Council has failed to follow the statutory plan-making procedures.
- The Council's website will include information on the progress of the Plan towards adoption.

Mid 2016: The Council expects to adopt the MLDP

- Depending on the timing of the Examination and the time taken for the Report of the Examination to be received by the Council, the adoption of the MLDP is expected later in 2015; the exact timing is dependent upon the complexity of the Examination and the matters arising in the unresolved issues to be considered by the Reporter(s).
- Adoption will be widely announced, including through the local press, adverts, the Council's website and notification directly to Community Councils and those who have made representations on the Proposed Plan.
- The programme set out above reflects current thinking but the timing and content of planned stages are provisional. If the Plan requires to be modified as a result of representations made, timescales will have to be amended accordingly. The ongoing review of the Development Plan Scheme will monitor and report on progress.

Keeping you informed/getting involved

Registering an interest:

The Council maintains a list of interested people, groups and organisations who will be notified of the Proposed Plan publication and other important events. Your name can be added to the list by registering online or contacting the Planning Policy & Environment team (details given at the end of this document). You can also register with SESplan to receive updates on progress with the Strategic Development Plan. The relevant websites are www.midlothian.gov.uk and www.sesplan.gov.uk respectively.

Making representations online:

In addition, the preparation of the MLDP is being assisted by an online development plan facility. If you have a representation to make as regards the content of the Proposed Plan, you will be able to register and make this comment online in relation to the appropriate part of the Proposed Plan.

Publicising key stages and events:

Interested people, groups and organisations have been alerted at key stages during the process through a range of media such as advertisements, press and web articles to publicise progress and provide information about opportunities for engagement. The intention is that this should be genuine engagement, more than just maintaining a flow of information. Consultees have been encouraged, through the questionnaire accompanying each DPSM, to give us feedback on what we could do to improve the consultation process.

Encouraging involvement:

At the Main Issues Report consultation stage, there was a focus on identifying different groups of consultees and tailoring the consultation programme to encourage as wide-ranging engagement as possible. The Council used community 'drop-in' sessions in all the main communities to seek the views of those who live and work in Midlothian. The online development plan facility is intended to assist those, in particular, who cannot attend public events to provide their views and get involved in the consultation.

Involving 'key agencies' and other interested bodies:

The planning system requires that 'key agencies' are involved in the preparation of development plans. Both through SESplan and directly, the Council is undertaking regular liaison and information sharing with these agencies who comprise: Scottish Water, the Scottish Environment Protection Agency (SEPA), Scottish Natural Heritage (SNH), NHS Lothian, SEStran (the Regional Transport Partnership), Scottish Enterprise, Historic Scotland and Transport Scotland. Consultation has been going with the above key agencies, as it has with the other SESplan Member Councils.

Some of these agencies are core partners through the Midlothian Community Planning Partnership, established to enable the partner organisations to work together to plan and deliver services more effectively. Other community planning partners, such as the Police and Fire Services and Midlothian and East Lothian Chamber of Commerce, have been engaged through the plan preparation process.

Other bodies, including the Forestry Commission Scotland, Architecture+Design Scotland, the Borders Railway Partnership, the South East Scotland Housing Forum and

the South East of Scotland Economic Community, are also regarded as key consultees. Close working with the Forestry Commission and Architecture+Design Scotland has informed the content of the Plan.

Seeking views of interested parties:

The Council sought the views and professional advice of a wide range of bodies on the Main Issues Report, and is doing so again for the Proposed Plan. There are a wide range of voluntary bodies and community groups who have an active interest in the future direction of growth in Midlothian. Representing the interests of local communities in the widest sense and seeking to ensure quality of place and quality of life in Midlothian, these groups can provide a valuable counterbalance to development interests to improve the outcomes of the Plan. At relevant stages of plan-making, views are being invited from as wide a representation of such interests as possible, including Community Councils, Community Development Trusts

and village associations, as well as the neighbourhood planning groups established across the main communities of Midlothian, and the general public. The completed Neighbourhood plans have helped to identify the issues for their relevant settlements.

Equality matters:

The Council has considered its duties under the Equality Act 2010. Where possible, representatives from the target equality groups have been identified for inclusion in the public engagement. The Council has sought to utilise accessible buildings for public events. A separate Equalities and Human Rights Impact Assessment will be published alongside the Proposed Plan.

Feedback:

The Council would welcome comments on the best ways to get the public more involved in the plan-making process in future and a feedback questionnaire is provided with this Development Plan Scheme for this purpose.

If you want to be involved in the MLDP process (or discuss SDP matters particularly relevant to Midlothian), you can contact the Planning Policy and Environment Section at Midlothian Council:

by phoning: 0131 271 3470 (during normal office hours)

by e-mail at: ldplan@midlothian.gov.uk

by letter to: Planning Policy and Environment
Midlothian Council
Fairfield House
8 Lothian Road
Dalkeith
Midlothian
EH22 3ZN

If you want to find out more about the SDP process across the SESplan area, you can contact the SESplan team:

by phoning: 01506 282883 (during normal office hours; voicemail at weekends)

by e-mail at: **contactus@sesplan.gov.uk**

by letter to: SDP Team
SESplan
West Lothian Civic Centre
Howden South Road
Livingston
EH54 6FF