

## DEVELOPMENT PLAN GATEWAY (DPGW) – SERVICE STANDARD

[developmentplans@gov.scot](mailto:developmentplans@gov.scot)

The purpose of this Service Standard is to outline how the Scottish Government DPGW will work from 5 September 2016 and to provide information on the service that stakeholders can expect.

### Purpose of the DPGW

- To contribute to the Scottish Government aim of having a plan-led system, and
- To ensure Ministerial policies and priorities, particularly NPF3 and SPP, are reflected in development plans.

To achieve the above, the DPGW provides a co-ordinated response from across Scottish Government, including Transport Scotland, Marine Scotland, Forestry Commission Scotland and policy divisions including housing and energy amongst others. It does so to support planning authorities preparing development plans and associated documents. The DPGW also records and publishes correspondence online.

### Approach

Since the publication of NPF3 and SPP in June 2014, we have paid close attention to development plans to ensure Ministerial policies and priorities are implemented in them. Over the last two years we have engaged extensively with planning authorities in preparing plans.

A review of planning is now underway, with development planning one of 6 key themes. Our response of July 2016 indicates we will reduce our input on current development plans. This is to better focus our resources on ensuring the pace and inclusive approach to the review is maintained.

Whilst we will reduce our involvement we will maintain our input in plans at key stages to ensure national policy expectations are considered. We will maintain our involvement as follows:

- **Proposed Plans**  
Planning Authorities are required to consult Scottish Ministers on Proposed Plans. We will provide a single response from Scottish Government within the timescale given by the Planning Authority. There is a statutory minimum of 6 weeks.
- **Requests for Further Information from DPEA relating to National Developments**  
DPEA may wish to request further information from Scottish Government where a representation has been made to an LDP. We will provide a response within the timescale requested by DPEA.
- **Intention to Adopt Local Development Plans**  
Planning Authorities are required to send Scottish Ministers the plan they intend to adopt and associated documents, as set out in section 19 (12) of the Planning etc. (Scotland) Act 2006. We will aim to respond within the 28 day statutory timescale for Ministers consideration. This starts when Planning Authorities advertise their intention to adopt the plan.

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- **Intention to Adopt Supplementary Guidance**

Planning Authorities are required to send to Scottish Ministers a copy of the supplementary guidance they intend to adopt and associated information, as set out in section 27 of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008. We will aim to respond within the 28 day statutory timescale for Ministers consideration. This starts when the information is received in the DPGW.

To ensure the relevant information to meet section 27 parts (a), (b) and (c) is submitted, Planning Authorities should provide the following to the DPGW:

- (a) A statement of what steps the authority took to secure adequate publicity, for example details of: the consultation period, advertisements issued, web and social media use, e-mails issued and locations where consultation documents were available to view.
- (b) Information on the representations made to the Planning Authority with respect to the supplementary guidance consultation, for example details of: who made the representations, the matters raised and the changes sought.
- (c) Information on the extent to which representations were taken into account, for example the response from the Planning Authority to the issues raised, whether or not changes were made, what the changes were or why they were or were not made.

Although not a statutory requirement, it would be helpful if Planning Authorities could identify explicitly the text of the plan that provides the relevant connection to the strategic or local development plan, as required by Section 27 (2) of the 2008 Regulations.

- **Approval of Strategic Development Plans**

Scottish Ministers may approve, in whole or in part and with or without modifications, or reject an SDP. Circular 6/2013, Development Planning indicates at Figure 1 typical timing for this is 2 months.

For other areas of plan preparation Planning and Architecture Division will no longer provide responses. For clarification, this will include:

- Working drafts of documents
- Pre-Main Issues Report engagement
- Main Issues Reports\*
- Pre-Proposed Plan engagement
- Further Information Requests, other than relating to national developments
- Supplementary Guidance consultations
- Non-statutory planning guidance
- Action Programmes\*

\* Planning Authorities are required to seek Ministers views but Ministers are not required to respond. Notification of consultations should be sent to the DPGW.

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### Format of Responses

When responding to Proposed Plan consultations, we will endeavour to use the preferred response format, e.g. online portal or template, unless pressures do not permit.

### Publication of Scottish Government Responses

All responses from the DPGW on formal development plan stages are published on the Scottish Government web page at:

<https://beta.gov.scot/publications/local-development-plan-correspondence-list/>

### Third Party Representations to Scottish Ministers Prior to Adoption

Under the Town and Country Planning (Scotland) Act 1997 as amended, there is no statutory opportunity for representations to be made to Scottish Ministers once planning authorities have notified them of plans or supplementary guidance they intend to adopt. This is because the various statutory opportunities are afforded through the process for interested parties to put forward their views. For plans, where issues are outstanding, these are considered at the independent examination by Reporters. If such representations are received, an acknowledgement will be issued advising of the above.

### Legal Interpretation

The Scottish Government cannot provide legal advice to stakeholders. We shall endeavour to provide guidance based on Circular 6/2013, Development Planning, however, this does not form a legal opinion. As such, independent legal advice should be sought when considered necessary.

### General Enquiries

For general enquires, for example relating to process, we will respond within 2 weeks of receipt unless otherwise agreed.

### Contact Details

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