

## **Appendix A Scottish Government Consultation on Development Plan Examinations**

### **Response to Consultation Questions**

#### **Question 1: How well do you think the examination process is functioning and should any changes be made to the process at this stage?**

Recent changes to the Examination process have made it more efficient without removing the opportunity for objectors to have their concerns examined. The move from adversarial inquiry-type sessions to hearings enables a less pressured and more open discussion of the issues surrounding an objection, and has reduced the cost and time involved in preparing for Examinations. This is welcomed. The focus on the original representation and evidence submitted during the consultation process, and reduced opportunity for additional evidence to be submitted purely for the Examination is also welcomed as this reduces cost and resources. The formalisation of the process whereby the Council provides a summary of the objector's and planning authority's position on an objection for the Reporter to include within the Examination report is also considered to make the system more efficient.

#### **Question 2: If you think changes are needed which option do you support, and why?**

Option 1 whereby a Reporter could resolve most of the matters submitted to an Examination, but in certain circumstances could highlight the need for the planning authority to address an outstanding issue, is supported, as this is a means by which the adoption of a Plan could not be held up by a single issue. However, what is not made clear is if the planning authority could go on to adopt a Plan before addressing this issue, or whether the issue would have to be addressed in advance of adoption. Nor is it made clear, how objections to how the planning authority subsequently decides on this issue would be resolved.

The restoration of the right for a planning authority to depart from a Reporter's recommendation following Examination is supported (Option 2).

This Council considers that a Local Development Plan Examination should consider all unresolved representations including site specific issues. This provides a comprehensive view on the Local Development Plan, is more transparent, and removes the likelihood of later objections and challenges.

#### **Question 3: Are there other ways in which we might reduce the period taken to complete the plan-making process without removing stakeholder confidence?**

Participants submitting representations at the Proposed Plan stage could be asked to provide their own summary of their representation for inclusion in the Schedule 4. This would save the Council time and remove the risk of key points not being included in the Council's summary.

#### **Question 4: Do you think any of the options would have an impact on particular sections of Scottish society?**

The options for Councils to choose what representations are taken to Examination or not to have Examinations at all could have a disproportionate impact upon individual participants, community and voluntary groups unfamiliar with the planning process, who could have representations effectively dismissed with little recourse.