



HISTORIC
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SCOTLAND

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ALBA

By email to: planningreview@gov.scot

Planning and Architecture Division
The Scottish Government
2-H South
Victoria Quay
Edinburgh
EH6 6QQ

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Alison.Baisden@hes.scot
T: 0131 668 8575

Our case ID: 300019278

25 June 2021

Dear Planning and Architecture Division,

Local Place Plan Regulations - Consultation

Thank you for seeking our views on the emerging proposals for Regulations on Local Place Plans (March 2021) as well as an associated 'How To Guide'. The following comments are offered on behalf of Historic Environment Scotland which is the lead public body set up to investigate, care for and promote Scotland's historic environment.

We are responsible for leading and enabling the delivery of Scotland's historic environment strategy, [Our Place in Time](#) (2014), and our priorities are set out in our corporate plan, [Heritage for All](#) (2019).

Local Place Plans

Local Place Plans (LPPs) provide an important opportunity for communities to engage with and plan for their places. We therefore welcome that further information is being provided on their implementation through the 'Proposals for Regulations on Local Place Plans' (March 2021) and 'How to Guide' Documents. Overall, we are in broad support of setting limited legal requirements for LPPs, recognising that communities will all take varied approaches to creating them depending on their individual circumstances and requirements. We also welcome the aspiration to support LPPs with detailed web-based guidance, so that everyone will be able to access the tools to create one.

It should, however, be noted that the 'Proposals for Regulations on Local Place Plans' (March 2021) and 'How to Guide' Documents both include limited information regarding the provision within the Planning (Scotland) Act 2019 on the role LPPs could play in identifying land and buildings of particular significance to a local area. In our view, a key element of the LPP is to allow communities to recognise and give status to locally important heritage. We know, for example, that communities already play an active role

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

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in identifying important heritage assets in their areas and finding innovative ways of contributing towards their use and restoration. We therefore suggest that the 'How To Guide', in particular, is revised to give focus to this aspect of local place planning.

As lead body for the historic environment, we are able to provide communities with information and advice on this aspect of Local Place Plans and we would be happy to work with you to ensure that this included in any 'How To' Guidance. Our emerging Guidance on Talking about Heritage, for example, may be helpful to communities seeking to recognise, celebrate and protect land and buildings of particular significance. Through programmes such as Scotland's Urban Past, our staff also have experience of working directly with communities as they engage with and celebrate their heritage.

Further to this, we hope to support local place planning through the publication of resources, guidance and case studies for communities on our webpages. We would also be happy to contribute to any additional web-resources or on-line forums created by the Scottish Government or others. As indicated in the 'How to Guide', we may also be able to assist communities with the preparation of LPPs in certain instances, and we would be happy to explore this with them on a case by case basis.

The attached Annexes include our detailed comments on the questions included in this consultation paper (March 2021), as well as comments on the associated draft 'How To Guide' document.

We hope this is helpful. Should you wish to discuss our comments in more detail, please feel welcome to contact Alison Baisden on 0131 668 8575 or at Alison.Baisden@hes.scot.

Yours faithfully,

Historic Environment Scotland



Annex 1: Consultation Questions

1. Do you agree with the proposal that community bodies should have regard to any Locality Plan that is in place for the area under consideration when preparing their Local Place Plan?

- Yes
- No
- No View

Please comment on your answer (particularly if you do not agree)

Yes - We welcome where efficiencies can be made in the creation of community level plans. Given the strong links between Locality Plans and Local Place Plans (LPPs) we consider that there should be a shared vision and a clear read-across between both documents where they exist. This will help to support a clarity of purpose for communities – as well as preventing any duplication of effort as these plans are produced.

2. Do you consider that community bodies should have to have regard to other additional matters beyond the Locality Plan when preparing their Local Place Plan?

- Yes
- No
- No view

Please comment on your answer, giving examples (particularly if you agree)

Yes – We consider that it would be beneficial for communities to engage with a broad range of relevant plans and strategies as they prepare their Local Place Plans (LPPs). This will help ensure that LPPs are relevant and seek to meet wider objectives for the local area. Additional matters may include, for example, heritage strategies for the retention and use of the local historic environment.

3. Do you agree with the proposal that an LPP should contain a statement setting out the community's proposals plus a map of the area, setting out the LPP boundary?

- Yes
- No
- No view

Please comment on your answer (particularly if you do not agree)

Yes - We agree with the aspiration to not be overly prescriptive in terms of the form and content of Local Place Plans. As a minimum, we agree that Local Place



Plans (LPPs) should contain a statement setting out the community's proposals plus a map of the area, setting out the LPP boundary.

Further to this, we suggest that any map prepared of the Local Place Plan area could also usefully include any land and buildings identified of significance to the local community. This measure can help communities recognise, share information about and celebrate locally important heritage assets. Identifying locally significant land and buildings on a map would also be useful in the context of development management decisions, ensuring that community assets are given appropriate weight in the planning process.

4. Do you think a requirement for the community body to engage and seek the views of people to assist in the preparation of an LPP should be set out in law?

- **Yes**
- **No**
- **No view**

Please comment on your answer

No – While we support engagement with as broad a range of stakeholders as possible during the preparation of Local Place Plans (LPPs), we consider that the introduction of too many legal requirements may be daunting for communities as they progress with their plans. It may be more helpful, therefore, to encourage engagement with different stakeholders through guidance instead. This is especially the case given the range of consultation methods available to communities and, also, the range of stakeholders which may be potentially drawn into the process.

While we may be able to assist communities with the preparation of LPPs in certain instances, for example, we do not have the resources to provide support to every LPP. We therefore suggest that communities should have the flexibility to take a proportionate approach towards engaging appropriate people and stakeholders.

We note, for example, that the 'How To' guide associated with this consultation helpfully signposts several potential partners who can assist communities with the preparation of LPPs. These include public agencies, such as Historic Environment Scotland, and it is suggested that we may be worth contacting for community advice, grants or loans. We are broadly content with this description as we are likely to be of assistance to communities with an interest in their local historic environment – however understand that we may not be a relevant first contact in the preparation of all LPPs.



We nevertheless aim to support the preparation of LPPs through the publication of targeted resources and guidance on our webpages. This information would be freely accessible to all preparing a LPP and would, also, assist communities in the identification of land and buildings of particular significance to them. We would also welcome the opportunity to contribute to any general on-line resources or forums for the preparation of LPPs produced by Scottish Government or other partners.

5. If a requirement to seek the views of people is put into law, what should any minimum requirement be?

We encourage broad participation in the development of Local Place Plans (LPPs) and would support any general measures to ensure that seldom heard voices are engaged in their preparation.

6. Do you agree with the proposal that there should be a minimum statutory requirement on the community body to consult the community once a draft LPP has been prepared and before submitting an LPP?

Yes – We believe that it is important to invite the views of the wider community and relevant stakeholders once a draft LPP has been prepared. Relevant stakeholders may include public agencies such as Historic Environment Scotland, where changes to an environmental designation are proposed or land/properties in our care are made use of.

7. If a requirement to consult across the community on the content of a draft LPP is to be put into law, what should any minimum requirement be?

- Yes
- No
- No view

Please comment on your answer (particularly if you do not agree)

Yes - We recommend that the views of public agencies such as Historic Environment Scotland should be sought where changes to designated environmental assets are proposed or land/properties within our care are made use of.

8. Do you agree with the proposal that the community body should seek the views of ward councillors when preparing the LPP?

- Yes
- No



- **No view**

Please comment on your answer - particularly if you do not agree or have a view as to how ward councillors' views should be taken into account or reported?

9. Do you agree that, alongside the LPP itself, the community body should submit a statement on how it has complied with the legal requirements?

- **Yes**
- **No**
- **No view**

Please comment on your answer (particularly if you do not agree)

Yes - We agree that any LPP submission should also include a statement on how the community has complied with relevant legal requirements. This statement should include information about where the LPP has had regard to the National Planning Framework 4 and relevant Local Development Plan – as well as where advice from relevant stakeholders, including public agencies, has been taken into account in the preparation of LPPs. We believe that this information would help ensure the robustness of the LPP within the planning process.

We also believe the 'How To Guide' should provide some advice to communities around impact assessment. While the need for these may be limited, there are some legal duties that may apply, particularly where LPPs are co-adopted by or acted upon by local authorities or other public bodies beyond the community group itself.

10. Do you agree the requirements planning authorities have to keep the register of local place plans should be aligned to the existing arrangements for registers?

- **Yes**
- **No**
- **No view**

Please comment on your answer (particularly if you do not agree)

Yes – We would welcome any requirement to ensure that the register of Local Place Plans (LPPs) is kept centrally and made publicly available by the local planning authority. We would particularly welcome the development of a shared on-line platform for the retention of LPP information as this would give public agencies, such as HES, a greater understanding of the landscape for LPPs as well as community aspirations for their areas.



We would also welcome the opportunity to access information about and review any LPPs where land and buildings of significance to the local area have been identified. This could allow us to update our own on-line resources, such as the Canmore website, with community-sourced information about locally important heritage assets – and therefore enrich our collective understanding of Scotland’s heritage.

11. Do you agree that the additional information provided by the community body alongside the LPP should be kept on the register of local place plans?

- **Yes**
- **No**
- **No view**

Please comment on your answer (particularly if you do not agree)

Yes – We agree that it would be useful to understand the process by which any LPP was created and the matters taken into account.

12. Please provide your views on the level and content of information to be placed in the register.

We would recommend that information on any land or buildings of particular significance to the local area should be included on the register of Local Place Plans. This will help ensure that any important community assets are appropriately recognised and given status in planning decisions. This information could be used to enrich our on-line resources and, consequently, our collective understanding of Scotland’s historic environment.

13. Do you agree with the proposal that a planning authority may remove an LPP from the register once it has been taken into account in the LDP, and must do so when requested by the community body that prepared it?

- **Yes**
- **No**
- **No view**

Please comment on your answer (particularly if you do not agree)

14. Do you agree the requirements planning authorities have for making the map of local place plans available should be aligned to the existing arrangements for registers?

- **Yes**
- **No**
- **No view**

Please comment on your answer (particularly if you do not agree)



17. Please give us your views on the Fairer Scotland Duty and Strategic Environmental Assessment screening documents and our conclusion that full assessments are not required.

As a Strategic Environmental Assessment (SEA) consultation authority we are aware of the SEA pre-screening notification and have no further comments to make.

We do, however, believe that the 'How To Guide' should provide some advice to communities around impact assessment. While the need for these may be limited, there are some legal duties that may apply, particularly where LPPs are co-adopted by or acted upon by local authorities or other public bodies beyond the community group itself.

18. If you consider that full assessments are required, please suggest any information sources that could help inform these assessments?



Annex 2: 'How To' Guide

Overall, we welcome that the Local Place Plan (LPP) Regulations will be supported by the preparation of detailed and interactive guidance for communities. We note that it is intended that this guidance will function as a live document with the opportunity to add case studies and other helpful information at any point and, also, welcome this approach.

It should be noted that, in its current form, the draft 'How To' guide does not show alignment with the local place plan process included at pages 6 and 7 of the 'Proposals for Regulations on Local Place Plans' (March 2021) consultation document. We therefore recommend that any guidance prepared should closely reflect the content of the existing and emerging LPP legislation. This is to ensure that communities have a full understanding of the opportunities and requirements presented by the creation of Local Place Plans (LPPs).

We note, for example, that the guide has not highlighted the role LPPs could play in identifying land and buildings that a community body considers to be of particular significance. This function is included at Schedule 19 of the Planning (Scotland) Act 2019 and we would expect any guidance to incorporate information for communities on this. In particular, we consider that this function should be listed amongst the 'defining characteristics of Local Place Plans' at Section 1 of the document. We also consider that information on this can usefully be incorporated at Stage 1 (doing your research) of Section 2 of the Guidance.

As lead body for Scotland's historic environment, we would be happy to assist as any 'How to Guidance' is updated to consider the role of LPPs in identifying land and buildings that a community body considers to be of particular significance. Our emerging Guidance on [Talking about Heritage](#), for example, may be helpful to communities seeking to recognise, celebrate and protect land and buildings of particular significance. Through programmes such as [Scotland's Urban Past](#), our staff also have experience of working directly with communities as they engage with and celebrate their local heritage. We therefore suggest greater collaboration on this aspect of the 'How to' Guidance.

We also note that the 'How To' Guidance identifies Historic Environment Scotland amongst several public agencies who are positioned to assist communities in the preparation of LPPs (page 13). Here, it is suggested that we may be worth contacting for community advice, grants or loans. We confirm that we are content with this description as we are likely to be of assistance to some communities with an interest in their local heritage. While we are likely to offer in-person support to communities on a limited basis, we envisage that we will support the preparation of LPPs through the publication of targeted resources and guidance on our webpages.

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