

REPORT TO: DUNDEE, PERTH, ANGUS AND NORTH FIFE STRATEGIC DEVELOPMENT PLANNING AUTHORITY JOINT COMMITTEE MEETING ON 21st FEBRUARY 2017

REPORT ON: PLANNING REVIEW CONSULTATION

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REPORT NO: SDPA 02-2017

1 PURPOSE OF REPORT

1.1 To advise the Joint Committee of the consultation by Scottish Government of its proposals for the review of the Scottish Planning system.

2 SUMMARY

2.1 The Scottish Government has now published a consultation document with 22 proposals for the future of the Scottish planning system. The Scottish Government has invited comments on these proposals by 4 April 2017.

2.2 The proposals include the removal of Strategic Development Plans and the transfer of strategic planning from councils to Scottish Government through an enhanced National Planning Framework. This would involve National Planning Framework setting out regional priorities informed by the work of regional partnerships, made up from groups of local authorities and potentially others.

2.3 Views are also sought on the establishment, geographies and duties of proposed regional partnerships to support this work (above) – perhaps based on SDPAs. Views are also sought on whether these bodies would be statutory or discretionary.

2.4 There are also proposals to give National Planning Framework more strength – including the requirement to examine the conformity of Local Development Plans with National Planning Framework. Similarly, there are also proposals for an infrastructure levy and changes to how housing would be planned for by councils, regional partnerships and Scottish Government.

3 RECOMMENDATION

3.1 It is recommended that the Joint Committee:

a) Note the issues raised in this report.

4 FINANCIAL IMPLICATIONS

4.1 There are no financial implications to the TAYplan budget at present. However the outcome of the review will affect how strategic planning is delivered and funded in Scotland.

5 BACKGROUND AND RECENT CONTEXT

- 5.1 During 2015/16 an Independent Panel undertook a review of the Scottish planning system and published its recommendations in summer 2016.
- 5.2 The Panel recommended the abolition of Strategic Development Plans and that their functions; including setting housing supply targets and land requirements should transfer to an enhanced National Planning Framework.
- 5.3 They also recommended that Strategic Development Planning Authorities should be re-purposed to '*support infrastructure and delivery focussed partnership working*' and have '*some statutory role to support the preparation of the newly enhanced National Planning Framework*'. There was no further detail around these recommendations.
- 5.4 In July 2016 Scottish Ministers made an initial response on some recommendations. They also committed to work with the Strategic Development Planning Authorities and other organisations to determine the most appropriate way to proceed. Numerous workshops took place throughout autumn 2016.
- 5.3 Scottish Ministers published their proposals for a reformed planning system - as a consultation document on 10 January 2017. This document can be seen at: <http://www.gov.scot/Publications/2017/01/3486>

The consultation document invites views on the proposals by 4 April 2017.

6. SCOTTISH GOVERNMENT PROPOSALS

- 6.1 Scottish Ministers have set out 22 proposals and asked for views on these. Several of the proposals have specific implications for strategic planning and these are summarised below.

Proposal 2: Regional partnership working

- 6.2 Currently strategic planning is carried out by statutory partnerships of councils in city-regions, jointly through Strategic Development Planning Authorities. Elsewhere strategic planning is carried out by individual councils through Local Development Plans. The Scottish Government proposes to change this by transferring strategic planning from all planning authorities to Scottish Government through an enhanced National Planning Framework. In doing so it proposes to abolish Strategic Development Plans.
- 6.3 The proposals suggest that enhanced National Planning Framework should define regional priorities. It is proposed that this would happen by incorporation of regional strategies for regions (see paragraph 6.4 below).
- 6.4 Scottish Government proposes to replace Strategic Development Plans with new duties or powers for local authorities to work together on defining regional priorities. These groups of local authorities are described in the document as Regional Partnerships. It is proposed that Strategic Development Planning Authorities either form part of, or are replaced by regional partnerships. It is

therefore clear that regional partnerships would play a critical role in the regional components of the enhanced National Planning Framework.

- 6.5 Scottish Government invites views about the potential roles and duties of regional partnerships. Views are also invited on whether they are statutory or discretionary. However it makes several suggestions about some of the duties that regional partnerships could carry out. These are listed below:
- Coordinating local authority work to support aspirations for housing delivery as set out in National Planning Framework;
 - Bringing together infrastructure investment programmes to provide an infrastructure first approach;
 - Provide a coordinated audit of regional economic and social infrastructure;
 - Identify need for strategic investment and support cross boundary working;
 - Coordinating funding on infrastructure projects, potentially including an infrastructure levy, and working with others, in both the public and private sectors, to develop regional funding and finance packages to support their strategies for growth.
 - Acting as a bridge between local and national levels by making sure local development plans support the delivery of wider strategic priorities.
 - Partnerships involving business representatives as well as the public sector could provide a forum where regionally significant matters and common goals can be discussed and used to inform local strategies and development planning.

Proposal 3: Improving national spatial planning and policy

- 6.6 It is suggested that a national spatial strategy, would provide greater clarity on regional priorities (as identified by regional partnerships – above). The document considered this to give greater significance and relevance across Scottish Government policy areas. The review considers that stronger alignment of national infrastructure and planning policy could be achieved in this way.
- 6.7 It is proposed to increase the National Planning Framework review timescale from five to ten years (with a 30 year vision) and to extend the period of parliamentary consideration from 60 to 90 days.
- 6.8 It is also proposed to give the National Planning Framework (and Scottish Planning Policy) stronger status. Consistency of Local Development Plans with the National Planning Framework would also be tested and confirmed.
- 6.9 Scottish Government sees this as an opportunity to streamline planning policy. They consider this to be possible by either making National Planning Framework and Scottish Planning Policy part of the statutory development plan or by ensuring both are given due weight in decision making.
- 6.10 Scottish Government considers either of these options could '*allow Local Development Plans to focus on providing a clear and engaging strategy rather than acting as a rule book*'. It is further suggested that Local Development Plans could still include policies where they are required to justify departures from Scottish Planning Policy.

Proposal 10: Being clear about how much housing land is required

- 6.11 The Independent Panel has recommended that Scottish Government should include figures for housing supply targets and housing land requirements in National Planning Framework. However, Scottish Government makes clear that *'national and regional targets within the National Planning Framework'* could provide some clarity, but would have little practical effect if it is not clear or consistent with local and developer priorities and commitments to investment.
- 6.12 Instead Scottish Government proposes that National Planning Framework should be clear on *'national and regional aspirations to be used to guide and inform the way housing is planned for at local level'*. It intends to do this by publishing figures in National Planning Framework to provide *'a strategic steer on national and regional aspirations for housing'*.
- 6.13 It is proposed that this approach would result in decisions about the number of homes at an early stage in the production of Local Development Plans. Scottish Government proposes that this could be done centrally or as part of a proposed early gate check. (The gate check is an approach that is proposed by Scottish Government to take place early on when preparing a Local Development Plan instead of as part of the examination at the end). Scottish Government also invites views about how gate checks could work, what their remit could be and who should participate.

Proposal 13: Embedding an infrastructure first approach

- 6.14 Scottish Government recognises that infrastructure is *'the most significant challenge for planning at this time'*. They do not consider this to be *'the right time to create a new infrastructure agency at national level'*. However, they do propose the establishment of a national infrastructure and development delivery group. This would comprise Scottish Government, its agencies, public and private sector and the Scottish Futures Trust. Its duties are proposed to be:
- To ensure that knowledge about key areas for growth and future development in National Planning Framework and Local Development Plans is used to help prioritise future infrastructure spending as reflected in the national infrastructure plan.
 - Work with local government and the development industry to broker solutions to support delivery of key housing sites across Scotland.
 - Contribute to developing more detailed proposals for an infrastructure levy.
 - Consider how developer contributions could work with wider funding and finance solutions, including city deals, to secure investment that fully supports regional priorities for growth.
 - Encourage better coordination of development plan strategic and infrastructure capital investment programmes.
 - Potentially oversee and consider regional infrastructure audits, prepared by regional partnerships.
- 6.15 Scottish Government agrees with the Independent Panel recommendations that co-ordination of infrastructure planning and investment at regional scale should be significantly improved. It is proposed that the replacement of Strategic Development Plans with Regional Partnerships would *'empower regional planners'* to provide fuller and more reliable evidence for strategic decisions on

investment. These proposals rely on a regional infrastructure audit of infrastructure capacity prepared by regional partnerships. These audits would be expected to consider infrastructure capacity eg:

- Transport;
- Schools;
- Healthcare facilities;
- Water;
- Flooding;
- Drainage;
- Sewerage;
- Energy;
- Telecommunications;
- Digital; and,
- Green networks.

7 CONSULTATIONS

- 7.1 TAYplan's Treasurer and Clerk; Angus Council's Director of Communities Directorate; Dundee City Council's Executive Director of City Development; Fife Council's Executive Director, Enterprise & Environment; and Perth & Kinross Council's Director (Environment) have been consulted and are in agreement with the contents of this report.

8 BACKGROUND PAPERS

- 8.1 Empowering Planning to Deliver Great Places - Scottish Government January 2017
<http://www.gov.scot/Publications/2017/01/3486>
- 8.2 Planning Review Recommendations response – Scottish Government July 2016
<http://www.gov.scot/Resource/0050/00502867.pdf>
- 8.3 Independent Panel Planning Review Recommendations – May 2016
<http://www.gov.scot/Resource/0050/00500949.pdf>
- 8.4 Town and Country Planning (Scotland) Act 1997
<http://www.scotland.gov.uk/Publications/2005/01/20576/50663>
- 8.5 Town & Country Planning (Development Planning) (Scotland) Regulations 2008
<http://www.legislation.gov.uk/ssi/2008/426/contents/made>
- 8.6 Circular 6/2013: *Development Planning*, Scottish Government
<http://www.scotland.gov.uk/Resource/0044/00441577.pdf>
- 8.7 Planning etc. (Scotland) Act 2006
http://www.legislation.gov.uk/asp/2006/17/pdfs/asp_20060017_en.pdf

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