

**REPORT TO: DUNDEE, PERTH, ANGUS AND NORTH FIFE
STRATEGIC DEVELOPMENT PLANNING AUTHORITY
JOINT COMMITTEE MEETING ON 18th FEBRUARY 2016**

REPORT ON: TAYPLAN PROGRESS REPORT

**REPORT BY: BILL LINDSAY, ACTING STRATEGIC DEVELOPMENT PLAN
AUTHORITY MANAGER**

REPORT NO: SDPA 01-2016

1 PURPOSE OF REPORT

- 1.1 To update the Joint Committee on the progress of TAYplan's work, TAYplan's achievement in winning an award for the Proposed TAYplan Strategic Development Plan in the Scottish Awards for Quality in Planning 2015, the Minister's feedback on the Planning Performance Report 2014/15, and TAYplan's submission to the Scottish Government's review of the Scottish Planning system.

2 SUMMARY

- 2.1 The project plan continues to be delivered on time without any substantial change. The Strategic Development Plan is continually reviewed through 4 year cycles to ensure it is kept up to date and meets legislative requirements. The report also updates the Joint Committee on the Scottish Government's independent review of planning and TAYplan's response to the review.

3 RECOMMENDATION

- 3.1 It is recommended that the Joint Committee:
- a) Notes the progress to date in implementing the Project Plan and the Planning Performance Framework feedback; and,
 - b) Endorses the TAYplan submission to the panel appointed by the Scottish Government to review the Scottish planning system (Appendix 2).

4 FINANCIAL IMPLICATIONS

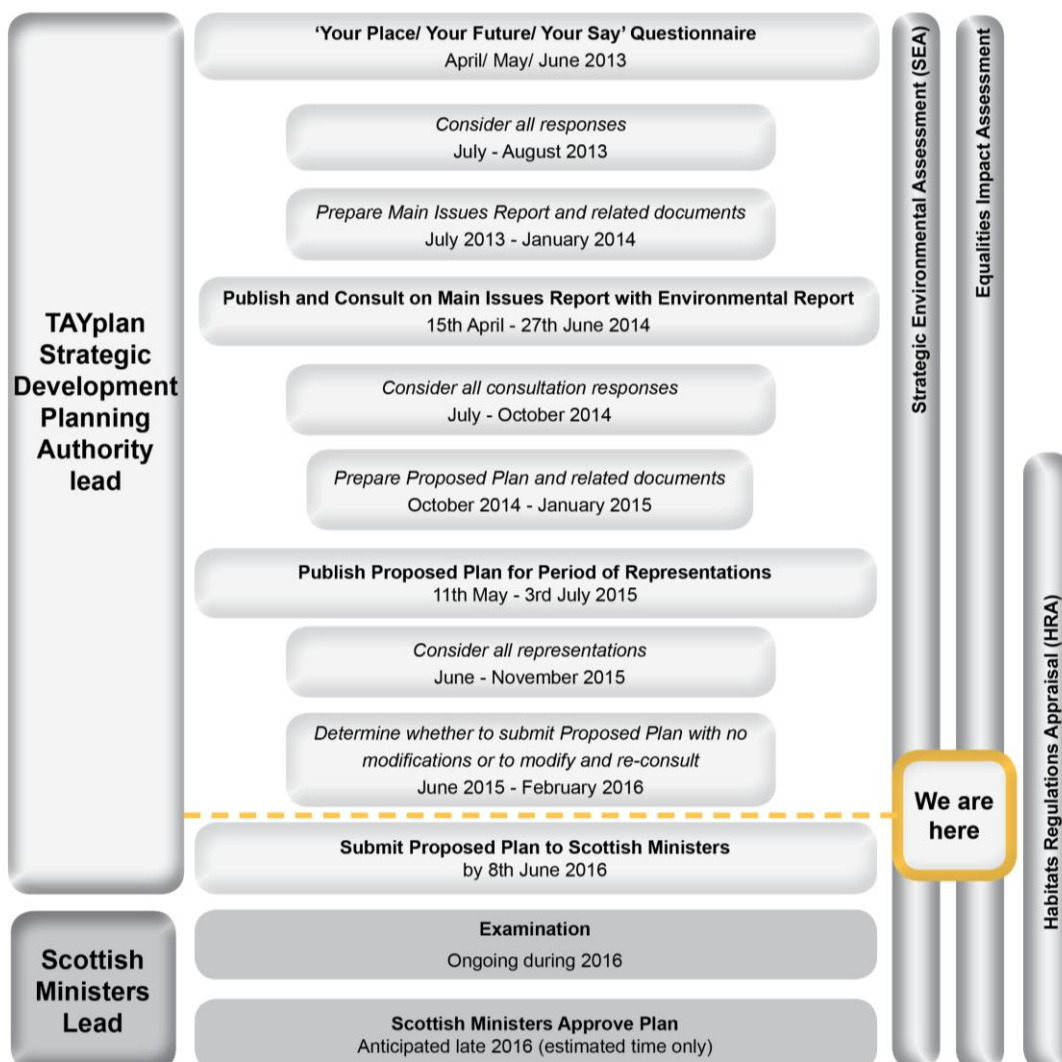
- 4.1 The financial implications of delivering the Plan over the current budget year are set out in Report SDPA05-2016: *TAYplan Budget Update*.

5 PROJECT PLAN UPDATE

- 5.1 The project plan, as updated by the Joint Committee in October 2012 (Report SDPA09-2012: *Project Plan Update*), continues to be delivered on time. There have not been any delays in preparing the Proposed Plan and all the related assessments and documents.

5.2 TAYplan has completed an eight week period for representations, and comments were received on the Proposed Plan, as well as the Action Programme and Equalities Impact Assessment. All the representations received between May and July 2015 have been considered and the next key stages in plan preparations are:

- Joint Committee consider Proposed Plan and related documents for submission (February 2016);
- Joint Committee consider Proposed Action Programme (February 2016);
- Submission of Proposed Plan, Proposed Action Programme, Environmental Report, Record of Habitat Regulation Appraisal and related documents to the Scottish Ministers (by 8th June 2016);
- Examination of Proposed Plan and thereafter Ministers' consideration of the examination report and decision (mid-late 2016);
- Approval of Plan (anticipated by end December 2016);
- Publish approved documents (within three months of the Scottish Minister's decision); and
- Adopt the Action Programme and publish within three months of the Strategic Development Plan being approved.



- 5.3 Early work for the preparation of the third Strategic Development Plan for the TAYplan area is programmed to start this year.
- 5.4 Report SDPA03-2016 reports on the submission of the Proposed Plan to Scottish Ministers, the need to submit by 8th June 2016, and the steps to meet that timetable.

6 SCOTTISH QUALITY IN PLANNING AWARDS 2015

- 6.1 TAYplan received an award in the 'Development Plans category' for work on the second Strategic Development Plan for the region. The plan provides a positive spatial strategy for growth and investment across the area with a strong focus on collaborative partnership working from the outset. The judges commented, "*The TAYplan team continually have a desire to move their plan-making agenda forward... the Proposed Plan is easy to read and ambitious.*" Information is available on the TAYplan website.
- 6.2 This was excellent news for TAYplan and builds on previous award successes in 2010, 2011, and 2014. TAYplan were represented at the award ceremony by Cllr Laird (Convenor), Nick Smith (TAYplan Senior Planner), Lorna Sim (TAYplan Planning Officer).

7 SCOTTISH GOVERNMENT'S RESPONSE TO TAYplan's PLANNING PERFORMANCE FRAMEWORK (2014/15)

- 7.1 TAYplan has received feedback from the Scottish Government on the Planning Performance Framework (PPF) 2014/15. Performance markers are given red, amber, green ratings based on the evidence provided within the Planning Performance Framework reports. The feedback has only been provided for the performance markers as noted below:
- Continuous improvement: *Strategic Development Plan (SDP) is up to date and should be replaced within 5 year timescale. Good range of commitments made for the coming year and all previous years commitments completed;*
 - Development plan: *SDP is three years old. Proposed plan to be submitted to Scottish Ministers in June 2016.*
 - Development plan scheme: *On course for adoption within the required 5 years with Proposed plan to be submitted to Scottish Ministers in June 2016. Good evidence of project planning with risks being monitored through TAYplan board; and*
 - Sharing good practice, skills and knowledge: *You have provided some really good examples of sharing good practice with other authorities in Scotland, Wales and Northern Ireland. You have reviewed your action programme following discussion with constituent authorities, agencies and other SDPAs and worked with both NHS Tayside and Fife on Health and Green Network Elements.*

- 7.2 Progress across the last three PPFs is shown in Appendix 1. Scottish Government rated one of TAYplan's performance markers as amber last year and suggested additional actions which were addressed. The current Planning Performance Framework shows green in all headings.

8 TAYPLAN'S RESPONSE TO THE REVIEW OF SCOTTISH PLANNING

- 8.1 The Cabinet Secretary for Social Justice, Communities & Pensioners' Rights, Alex Neil MSP, announced in early June 2015 that the Scottish Government would be commencing a national discussion on the next round of planning reform. That review happened from 20 October to 1 December 2015 and focused on 6 key themes: development planning; housing delivery; planning for infrastructure; streamlining development management; leadership, resourcing and skills; and community engagement.
- 8.2 TAYplan's response was submitted by the deadline with circulation to members of the Joint Committee and Board. The response is reproduced in Appendix 2. The review panel visited TAYplan on 27 January 2016 accompanied by Scottish Government officials, and all strategic development planning authority Convenors and Managers are invited to be part of separate roundtable sessions with the panel on 23 February 2016.

9 TAYplan 3

- 9.1 Early work has started on the project planning of the third Strategic Development Plan. In addition to the statutory planning stages, additional work in the project plan includes:
- Developing relationships with community planning partners and chambers of commerce;
 - Reviewing the Monitoring Statement;
 - Youth engagement to build on the success of the June 2015 Youth Camp. It is proposed that in June 2016 there will be a 'light touch' approach to maintain momentum but manage workload and commitment. A working group including a representative from each constituent authority will be established to take forward this work; and,
 - Research and monitoring work to inform the third Strategic Development Plan.
- 9.2 A new project plan will be submitted to the October 2016 meeting of the Joint Committee by which time more should be known about the future of strategic development planning following the planning review.

10 CONSULTATIONS

- 10.1 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 Executive Director (Environment) have been consulted and are in agreement with the contents of this report.

11 BACKGROUND PAPERS

- 11.1 Report SDPA09-2012: Project Plan Update: 2nd October 2012
(<http://www.tayplan-sdpa.gov.uk/jointcommittee>)
- 11.2 Report SDPA05-2015: TAYplan Budget Update: 18th February 2015.
(<http://www.tayplan-sdpa.gov.uk/jointcommittee>)
- 11.3 Town and Country Planning (Scotland) Act 1997
(<http://www.scotland.gov.uk/Publications/2005/01/20576/50663>)
- 11.4 Town & Country Planning (Development Planning) (Scotland) Regulations 2008
(<http://www.legislation.gov.uk/ssi/2008/426/contents/made>
- 11.5 Circular 6/2013: *Development Planning*, Scottish Government
(<http://www.scotland.gov.uk/Resource/0044/00441577.pdf>)
- 11.6 Planning etc. (Scotland) Act 2006
(http://www.legislation.gov.uk/asp/2006/17/pdfs/asp_20060017_en.pdf)
- 11.7 TAYplan Planning Performance Framework 2014/15 feedback, The Scottish Government, October 2015.
- 11.8 Scottish Government Review of the Scottish Planning System
(<http://www.gov.scot/Topics/Built-Environment/planning/Review-of-Planning>)

APPENDICES

1. Planning performance Framework key markers 2012/12-14/15
2. TAYplan's response to the review of the Scottish planning system.

Bill Lindsay
Acting Strategic Development Plan Authority Manager
25 January 2016

Appendix 1 - Planning performance Framework key markers 2012/12-14/15

Performance against Key Markers

Marker		2012-13	2013-14	2014-15
1	Decision making timescales	N/A	N/A	N/A
2	Processing agreements	N/A	N/A	N/A
3	Early collaboration	N/A	N/A	N/A
4	Legal agreements	N/A	N/A	N/A
5	Enforcement charter	N/A	N/A	N/A
6	Continuous improvement			
7	Local development plan			
8	Development plan scheme			
9	Elected members engaged early (pre-MIR)	N/A		N/A
10	Stakeholders engaged early (pre-MIR)	N/A		N/A
11	Regular and proportionate advice to support applications	N/A	N/A	N/A
12	Corporate working across services	N/A	N/A	N/A
13	Sharing good practice, skills and knowledge			
14	Stalled sites/legacy cases	N/A	N/A	N/A
15	Developer contributions	N/A	N/A	N/A

Overall Markings (total numbers for red, amber and green)

2012-13	0	1	3
2013-14	0	1	5
2014-15	0	0	4

(Sources: TAYplan Planning Performance Framework 2014/15 feedback, The Scottish Government, October 2015.)

Appendix 2 - TAYplan's Response to the independent Review of Planning



Independent Review of Planning

RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

TAYplan Strategic Development Planning Authority

Title Mr Ms Mrs Miss Dr Please tick as appropriate

Surname

Lindsay

Forename

Bill

2. Postal Address

Enterprise House		
3 Greenmarket		
Dundee		
Postcode DD1 4QB	Phone 01382 307180	Email. tayplan.manager@tayplan-sdpa.gov.uk

3. Permissions - I am responding as...

Individual / Group/Organisation
Please tick as appropriate

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate
 Yes No

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis
Please tick ONE of the following boxes

Are you content for your **response** to be made available?

Please tick as appropriate

Yes **No**

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

Yes

No

TAYplan Strategic Development Planning Authority for Dundee, Angus, Perth and North Fife

Response to the Independent Review of Planning

TAYplan welcomes the opportunity to contribute to the independent review of the Scottish planning system. We focus on those issues we feel most relevant to our role. This represents TAYplan's views and the four constituent councils covered by TAYplan will submit their own responses separately.

Propositions for change are included in this response and an appendix is attached with further suggestions to improve development planning.

There are opportunities to enhance the operation of the current planning system but it is only 10 years since the last major review and many of the improvements introduced are still bedding in. Whilst lessons can be learned from recent experience, the panel should reflect on the benefits of the system we have in place. Culture and attitude play an important role in making effective the system we have.

External influences must also be taken into account. Barriers to development are often the consequence of development economics following the downturn that affected most of the period since the last review rather than being down to land use planning. Better delivery of infrastructure/site assembly, and de-risking sites through effective action programming will have more of an impact on the scale and quality of new development than major changes to the way the planning system involves people and organisations in deciding how best to plan for the future.

1. Value of the Development Plan system

Development plan primacy should remain. A democratically agreed plan provides certainty about where development is proposed and the decision-making framework for determining planning proposals. Planning is thinking in advance to develop a vision, realise opportunities, and avoid problems. Development plans are essential to consider many competing (and sometimes conflicting) social, economic, and environmental issues together and to allow dialogue in doing so.

The current system is generally fit for purpose. There is total strategic development plan (SDP) coverage – achieved with fewer than 20 staff nationally – and almost complete coverage of current local development plans (LDPs). All are in the final stages of round 1 or part way through round 2 and applying lessons learned. Fundamental change is unlikely to result in more homes or better quality places.

That is not to say that the way we practise planning cannot be improved. Plan making needs to maintain speed of preparation and minimise points of delay.

Proposition:

- *Plan reviews should focus on what needs to change rather than continual wide-ranging reviews. This will focus resources and make engagement easier for stakeholders.*
- *Planning authorities should have a duty to adopt project plans to ensure delivery.*

- *Review SDPs less frequently after approval but with frequent monitoring. Move away from the rigid 4-year review cycle to one that uses Action Programmes to monitor plan implementation and trigger change when required.*
- *Reconsider the number, scale and proportionality of supporting assessments, which can divert resources from plan making and implementation, and can reduce plan making to a series of processes.*

Main Issues Reports (MIRs) symbolise a system designed to listen to stakeholders before deciding what the plan should say. Circular 6/2013 should better recognise and structure ‘charrettes’, workshops, research studies, calls for sites, and other ‘conversations’ to culminate in the MIR and consultation. This allows those involved in any of these exercises, and those with no previous involvement, to see the issues/options in the MIR and comment ahead of the plan. Removing this would transfer all attention to the proposed plan with inevitable delays downstream. MIRs are still being understood and need time to mature. They were intended to focus on what is proposed for change, not wholesale review, and future rounds of plans should have more concise MIRs and quicker reviews.

2. Planning permission in principle and frontloading

The idea that Local Development Plan allocations become ‘planning permission in principle’ should be explored further. It may streamline the development management process and would focus attention on MIRs and Proposed Plans where the debate on details normally covered by matters to be reserved by condition will be critical. This would, however, affect project planning and resourcing for that stage of plan preparation; but it would also emphasise the importance of work that informs the MIR.

3. Value of strategic planning

Sub-national, city-wide strategic planning is vital because our largest urban areas and their functional geographies cover more than one council area; markets and people’s behaviours do not stop at administrative boundaries.

City region based strategic development planning ensures decision making on strategic, cross-boundary issues are made in an equal partnership of locally elected representatives based on local knowledge, issues, and involvement. We note Wales is adopting the Scottish model of strategic development planning and, after a strategic planning deficit, England is moving to combined authorities covering its principal cities where planning is a vital function.

Strategic Development Planning Authorities provide ready-made partnerships and governance structures for capital planning and funding (e.g. City Deals), enabling joint prioritisation and planning for solutions and the subsequent opportunities in a coordinated way. They are also examples of a shared service: in the TAYplan area, council staff have temporarily joined TAYplan in peak work times and vice versa. We argue that city based strategic planning remains the most appropriate level for strategic planning.

The [Scottish Government's Review of Strategic Development Plans \(2014\)](#)¹ and the recent [Institute of Civil Engineers State of the Nation Report \(2015\)](#)² both acknowledge the importance of strategic planning for city regions. The review describes the opportunities for more 'teeth' at strategic level indicating opportunities for more joined up strategic planning and transport.

Proposition:

- *Land use and transport are interdependent. As a 'game changer', combine strategic land use plans and transport plans, working to the same geographies to help co-ordinate needs and capital funding programmes.*

4. Planning for housing

Setting a number does not, on its own, deliver more homes or better quality places. Current low build rates are the consequence of tighter lending to builders, purchasers and supply chain industry, as well as reduced construction capacity. Planning authorities actively support new development of the right scale and quality in the right place and recognise it as one of the nation's highest priorities.

Looking beyond land supply, infrastructure and available land is critical to support and unlock development potential. Planning authorities and developers need help in this and there is a case for national agencies to support them to that end by front-funding infrastructure and land assembly. The current model where the private sector carries the risk for assembling land and providing infrastructure presents major challenges when infrastructure is needed ahead of the development and increased land values that pay for it.

Communities affected by new housing often do not see associated benefits from new services and infrastructure. They would be more open to the case for new building if planning moves away from a numbers based target towards creating places of a quality people aspire to live in. Design and build quality, internal space standards, and external environmental standards should be included in measures of successful planning.

Proposition:

- *Placemaking must be promoted over setting targets and debating land supply; this should be supported by land reform measures to make land available for development in a manner that funds infrastructure as a public good.*
- *Use design quality and external environmental standards as performance indicators in creating successful, sustainable places.*
- *Review the role of Scottish Futures Trust or an equivalent body to have a role in working jointly with Councils to assemble land/provide infrastructure to unlock development potential and deliver local priorities and outcomes.*
- *The panel is asked to take account of the [Joint Housing Delivery Plan for Scotland](#)³ which identifies priority actions for various players to achieve the country's housing objectives.*

¹ <http://www.gov.scot/Resource/0044/00448818.pdf>

² https://www.ice.org.uk/getattachment/media-and-policy/policy/state-of-the-nation-scotland-infrastructure-2015/SoN_Scotland_INFRASTRUCTURE_2015_3.pdf.aspx

³ <http://www.gov.scot/Resource/0047/00477306.pdf>

Too much debate is focused on the definition of effectiveness and on land supply numbers. A comparison of available land with planning permission relative to building activity underlines the issue. It would be more worthwhile to concentrate efforts on de-risking sites to ensure that they remain or become effective and define a workable measure of land supply.

Proposition:

- *Clearly define housing land supply and explore whether this should reflect development activity over a 7 year period and so trigger releases on upturns as well as remove the need for excess supply in times of low build rates.*
- *Developers and land owners seeking their land to be included in development plans should have a duty to undertake due diligence to demonstrate the land will be effective, serviced, and available for development. This should be demonstrated in delivery plans accompanying submission for consideration at MIR stage.*

The review invites comments on housing needs and demand assessments (HNDAs). These are important as they consider future housing needs based on the collective influence of household, demographic, and economic factors and how these affect housing markets. They offer the opportunity to run scenarios linking economic and demographic thinking based on local issues to inform housing supply targets and form a joint evidence base for development plans and local housing strategies.

Criticisms of housing need and demand assessments often relate to time and resource commitments. However, recent changes by Scottish Government provide national consistency in methodology and remove the need for consultants; this new approach is still bedding-in. Future iterations will be more proportionate and less resource intensive, focusing on what has changed and continuous monitoring.

Centralising HNDAs would break the joint evidence base for development plans and housing strategies unless Scottish Government also chose to prepare local housing strategies (requiring a similar level of resource, knowledge, and expertise if it were to carry out this work). Any centrally defined targets must be evidence-based. The drivers of future house building are based on experiences in each of Scotland's 87 functional housing market areas. Planning authorities are best placed to apply their local knowledge and thinking to interpret the specific implications of change to deliver meaningful, place focused policy.

5. A holistic view of planning

Planning is about more than just land use. Communities' wider needs have to be considered and so more should be done to link wider community planning with land use policy. The Audit Commission's 2013 report [Improving community planning in Scotland](http://www.audit-scotland.gov.uk/docs/central/2013/nr_130320_improving_cpp.pdf)⁴ recognised Community Planning Partnerships (CPPs) are not as effective as they should be. Development planning can have a role in strengthening the link between land use planning and community planning. Action Programmes should have a more central role as a corporate monitoring tool to inform community plans and improving co-ordination

⁴ http://www.audit-scotland.gov.uk/docs/central/2013/nr_130320_improving_cpp.pdf

within CPPs. This offers the opportunity to orientate evidence, policy, funding, and actions together around 'place' to unlock development potential, provide services, and make for better places and a better quality of life.

Proposition:

- *Action programmes should be given a statutory role within councils corporately to identify investment priorities and actions needed to make things happen.*

To close, communities and local organisations need to understand what planning does and how it works if they are to have faith in the planning system. Additional significant change so soon after the last review undermines that confidence although the review offers the opportunity to strengthen areas that can improve performance and governance. Involving young people is essential if they are to become active citizens with an understanding of planning as part of wider community governance and how it works. TAYplan has worked closely with young people and learned the importance of reaching out to them in schools and university with a focus on place to help them realise what planners do and why it is important.

Appendix – Further propositions for change

1. The emphasis on getting it right the first time with main issues and a proposed plan should continue. However, legislation should change to allow SDPs to make non-notifiable modifications without the need to re-consult following a period for representations. Allow SDP edits and report in Summaries of Unresolved Issues for reporters to see and make any recommendations as with Local Development Plans.
2. Design and build quality, internal space standards, and external environmental standards should be central in measures of successful planning.
3. Avoid rehearsing land supply arguments at each stage of the local development plan process once there is an approved strategic development plan position.
4. Review the effectiveness of key agencies' involvement and their capacity to play an active role in development planning throughout plan preparation and implementation, including with Action Programmes.