

Glasgow and the Clyde Valley Strategic Development Planning Authority

**To: Glasgow and the Clyde Valley Strategic Development Planning Authority
Joint Committee**

On: 14th December 2015

**Report by
Stuart Tait, Manager**

Review of the Scottish Planning System

1. Summary

- 1.1 The purpose of this report is for the Joint Committee to consider and note the submissions to the Review of the Scottish Planning System.

2. Recommendations

- 2.1 It is recommended that the Joint Committee
- (i) note and approve the submission to the Review (Appendix A) ; and
 - (ii) note the joint response by the four Strategic Development Plan Managers (Appendix B).

3. Context

- 3.1 The Joint Committee will be aware of the recently commenced Review of the Scottish Planning System. The Programme for Government 2015-2016, announced the Scottish Government's intention to review the planning system. The Government have stated that they will review the operation of the planning system in Scotland, identifying the scope for further reform with a focus on delivering a quicker, more accessible and efficient planning process, in particular increasing delivery of high quality housing developments. The aims are to:

- ensure that planning realises its full potential, unlocking land and sites, supporting more quality housing across all tenures and delivering the infrastructure required to support development;
- streamline, simplify and improve current systems and remove unnecessary blockages in the decision-making process;
- ensure that communities are more engaged in the process; and,
- continue to meet statutory and international obligations in protecting and enhancing Scotland's nature and environment.

- 3.2 The review is being undertaken by an independent panel, chaired by Crawford Beveridge, and also including Petra Biberbach, Planning Aid Scotland and John Hamilton, Scottish Property Federation.

- 3.3 The review will focus on 6 key issues.

- i. Development planning;
- ii. Housing delivery;
- iii. Planning for infrastructure;
- iv. Further improvements to development management;
- v. Leadership, resourcing and skills; and
- vi. Community engagement.

- 3.4 The Panel have set out the timetable for the review process and are expected to report in Spring 2016. Thereafter Scottish Ministers will respond to its recommendations with a programme for further targeted improvements to the planning system.
- 3.5 Written submissions have been requested for a deadline of 1st December and as agreed by the Steering Group, Clydeplan has submitted a response subject to Joint Committee approval refer Appendix A.
- 3.6 Also attached is a joint letter submitted by the four SDPA Managers (Appendix B). Clydeplan has also been involved in the preparation of the written submissions by the RTPI and Heads of Planning Scotland.
- 3.7 The Review Panel have now invited the Convenor and the SDP Manager to provide oral evidence, along with other selected stakeholders, within a roundtable discussion on 23rd February.
- 3.8 Members will be kept apprised of the Review's progress and details are available on the Scottish Government website at <http://www.gov.scot/Topics/Built-Environment/planning/Review-of-Planning>.

Item 3 Appendix A
Independent Review of Planning
Clydeplan Response
30th Nov 2015

Context

Clydeplan is the Strategic Development Planning Authority comprising eight Local Authorities (East Dunbartonshire, East Renfrewshire, Glasgow City, Inverclyde, North Lanarkshire, Renfrewshire, South Lanarkshire, West Dunbartonshire) in the Glasgow city region working together on strategic development planning matters

The organisation was formed by the eight authorities during local government reorganisation 1995/96, in recognition of the importance of a regional planning function. The authorities continue to be strongly supportive of the need for strategic planning and the additional benefits of the joint working including, knowledge sharing, best practice development and cost savings on joint projects such as HNDA, green network, and forestry and woodland. This background of successful joint working across Glasgow and the Clyde Valley is evident in the recent award of a 'City Deal' for the region and Clydeplan's ongoing support for regional partnerships such as the Green Network and SPT.

Clydeplan therefore welcomes the review currently taking place, as this provides the opportunity to consider where improvements can be made to enable the Scottish Planning system to fulfil its key purpose to deliver great places for people.

1) Development Planning

- There remains a need to provide certainty, clarity and a basis for development management decision making, for communities, government and developers. The current system may be imperfect, but it fulfils that role.
- In relation to the specific role of strategic development plans, the need for a coordinating strategic plan which addresses cross boundary issues is a principle which is strongly supported, including by a range of professional organisations such as RICS, ICE and RTPI.
- Scotland's strategic planning function is held in high regard and currently being emulated in Wales and Northern Ireland, with the "duty to cooperate" under the Localism Act 2011 in England, generally regarded as a poor substitute.
- The review of SDPs in Scotland in 2014 and the Scottish Government's response, arrived at a number of relevant conclusions on strengthening strategic planning which the panel should take into consideration (<http://www.gov.scot/Topics/Built-Environment/planning/Development-Planning/Strategic-Planning>).
- The existing SDPs provide a ready-made governance structure for the emerging City Deal projects and linkages between the regional spatial plan and community planning require to be forged more closely.
- The National Planning Framework requires to become a much more forward looking plan and to not simply restate committed projects.

2) Development Delivery (including Housing)

- The real world context in which planning is being asked to deliver development includes: house sales and transactions at half of what they were at the market peak; mortgage availability still constrained, even though mortgage interest rates remain at historically low levels; reduced rates of housebuilding i.e. sites being built out much

more slowly; land ownership constrained with a number of sites held by Banks, and private and public sector still withholding land in the hope of rising values.

- In recent times, as resources have been significantly reduced in the public sector, the role of the planning system has become increasingly limited to the statutory functions only. Most development plans teams are resourced only to deliver the plan itself. This trend has limited the ability to take a proactive enabling role.
- There is a need to create space in the plan making process to enable creative thinking around how limited resources could be better deployed in support of promoting the development strategy, delivery, wider stakeholder engagement and joint working. Improving delivery will require a concerted, national and strategic, long term, sustained approach in the activities of local authorities at the highest political and corporate management levels, and accompanying resources.
- Local authorities require to be encouraged and resourced to place housing delivery and quality place making, at the core of their political and corporate ambitions and activities particularly through the community planning process.
- This will require joint working across planning, housing, community planning, regeneration, economic development, roads education, and estates, all working towards the same goal to drive up delivery, and quality. The bureaucracy around planning process should be removed and reduced where possible in order to free up more resource to commit to proactive activities. This includes Strategic Environmental Assessment and HNDA but a more widespread review of assessments and processes is required.
- The ongoing work of Joint Housing Delivery Plan team should be used to encourage the development and implementation of innovative approaches to housing delivery and in particular its funding.

HNDA

- HNDA is disproportionately resource intensive compared with other elements of the process.
- Specifically on HNDA, and the “housing numbers”, the CHMA HNDA Tool effectively tenures the NRS population and household forecast to produce *housing estimates* which are then nuanced into *housing supply targets* and *housing land requirements* for development plans. In this respect some of the controversy is removed from the process and that should prove helpful although this has not yet been subject to much scrutiny through development plan examinations. The Tool requires further development to produce outputs that align with the requirements in SPP for estimates of “market” and “affordable” housing and to align to functional housing market areas.
- Clarity around the “housing numbers” is required including terminology and the definition and calculation of the effective land supply.
- HNDA preparation within the Glasgow and the Clyde Valley area has involved the formation of a Housing Market Partnership involving housing and planning colleagues for the eight authorities, which has resulted in overly cumbersome governance and organisational arrangements.
- A more resource efficient process is undoubtedly required and the Scottish Government proposed “HNDA stocktake” following the SDP Review in 2014, should be undertaken.

HNDA and Regional Planning

- Assessing need and demand at the level of the strategic planning authority and agreeing the land requirements across the regional area is fundamental tenet of a regional planning strategy.
- If deployed as intended, setting the regional “housing numbers” should assist in removing debate further downstream.

- If the “housing numbers” are to be set centrally, a mechanism should remain in the process to enable local authorities to reflect local knowledge of how functional housing market areas operate and the composition of local housing needs.

Land Issues

- Land ownership is considered a greater impediment to development delivery than land supply and further exploration of the potential role of the public sector in land assembly in the context of Land Reform Bill, is required.
- RICS have recently come out strongly in support of a Housing Land Corporation in Scotland (<http://www.rics.org/uk/news/news-insight/comment/independent-housing-land-corporation/>).
- Further work should be undertaken to establish the nature of constraints affecting the delivery of land, including where those constraints relate to development viability. Processes for prioritising this activity and addressing development constraints, should be explored further.

Other Proactive/ Innovative Approaches

- In the interests of providing certainty, local authorities can make more use of Masterplans, Development Briefs and the power to grant planning permission, detailing any development contribution requirements required, in advance of development proposals.
- A much more collaborative approach between the private sector and planning authority, from concept through to implementation, could yield improved delivery and quality. This generally happens in the case of negotiations between planning authorities and registered social landlords (RSLs), often resulting in positive outcomes in relation to land assembly, housing needs and quality developments.
- Examples of innovative funding arrangements are being explored by the Joint Housing Delivery Plan and include the sharing of risk and reward between public and private sector, Public sector prudential borrowing, and Tax Increment Financing. Crowd funding is another potential source of funding now being used to fund development.
- The potential role of special purpose delivery vehicles such as the proposed Scottish Housing Land Corporation, should be explored further.

3) Planning for Infrastructure

- Strategic and Local Planning Authorities are neither constituted nor resourced to deliver infrastructure or development on the ground. The recent research by Ryden’s (Planning for Infrastructure Research Project: Final Report - <http://www.gov.scot/Publications/2015/08/9339>) cites the role of planning as being in “choreographing the actors”.
- Similarly, the Ministerial SDP approval letter of 29th May 2012 indicates that the approval of the plan does not commit the Scottish Ministers, or any other government department, to any capital expenditure.
- The 2014 SDP Review recommendations relevant to aligning planning and transport should be explored further.
- There is a need for more consistent application of development contributions policies to provide clarity and consistency.
- Greater use of project planning techniques aligned to Action Programme preparation and costed development plans, could become a mainstay of development planning and corporate activities.

4) Development Management

- Key Agencies require to be more proactive in their involvement in the development plan process. Each Key Agency should have a 'named' contact responsible for liaison with the SDPA.

5) Leadership Resourcing and Skills

- Taking the delivery and regeneration agenda forward has its challenges, given the resource reductions that have taken place. The planning system both at officer and elected member level is well placed to take a central and coordinating role but practitioners will require to be freed up from the red tape and bureaucracy of current processes, to create space for proactive activities. Whilst planners may not currently have the specific skill set or indeed a job description that extends to the activities required, in general, the profession will welcome the opportunity to play a significantly more central role in facilitating high quality development of benefit to communities.

6) Community Engagement

- In respect of development planning, current processes require statutory consultation relevant only to land use planning, at specific periods in plan preparation. If development plan preparation were to become more centrally aligned within the corporate activities of local authorities through community planning processes and governance, much more meaningful and ongoing engagement on wider local authority activities and service provision could be built in.

Mr Crawford Beveridge CBE
Chair of Planning Review Panel,
c/o Planning & Architecture Division,
The Scottish Government
[sent by email - planningreview@gov.scot]

19 November 2015

Dear Mr Beveridge

**Independent Review of the Scottish Planning System:
Response by Scotland's Strategic Development Plan Managers**

This is a joint letter from the four Strategic Development Plan Managers in Scotland and supplements individual responses which will be made by the four Strategic Development Planning Authorities (SDPAs).

Scotland's four city regions account for 75% of the country's population and households along with all of the population growth anticipated in Scotland over the next two decades. They also account for 82% of the country's Gross Value Added and are central to Scotland's future sustainable economic growth. It is vital that the planning system delivers effective and efficient outcomes for these areas. In light of this, the Scottish Government commissioned a *Review of Strategic Development Plans* by Kevin Murray Associates and the University of Glasgow which reported in April 2014. The review's findings concluded:

- There need to build greater capacity, awareness, and cost effective behaviours in strategic planning;
- There is a benefit in integrating strategic land use and transport in city regions, and in aligning SDP strategy with community planning partnerships;
- There is a need for additional resourcing of SDPAs; and
- There is an urgent need to refresh and relaunch strategic development planning – this current review offers that opportunity.

The Government's response in June 2014 has not yet led to any firm actions but we still see the recommendations of that review as important in helping to shape the future of strategic planning in Scotland, albeit that their implementation would now need to be seen within the wider context of the current review's findings. We agree that the system is not currently optimised and positive steps can and should be taken to help it more effectively deliver for Scotland.

The last major review of the planning system in Scotland (culminating in the 2006 Act) started with a review of strategic planning in 2001. This concluded that strategic planning in Scotland's largest city regions was vital and we consider this to still be the case. Strategic Development Plans are integrated strategies which include but extend well beyond housing numbers. Indeed, you only need to look south of the border to see the consequences of removing strategic planning: with the Planning (Wales) Act 2015, Wales

is now moving towards replicating Scotland's strategic development plan system; and England is taking an approach which focuses on governance at a city region scale as well (following the significant weaknesses of the 'duty to co-operate').

The system of development planning now in place in Scotland is not yet 7 years old but shows a marked improvement in the up-to-date coverage of land use plans across the country; the Scottish Government recently quoted that over 80% of all development plans in Scotland are less than 5 years old – well above the position at the time of the previous review. The system is still maturing and has been reforming during a period of unanticipated economic difficulties. In the case of SDPAs, we have operated effectively with limited resources, demonstrated excellent partnership working across constituent councils and partner agencies, and set long term strategies to support investment and land use decisions.

City regions are the geography within which many of the systems being managed by the planning system operate – principally housing and labour markets, as well as retail catchments and the transport networks these rely on within their travel to work areas. Waste, minerals, flooding and energy infrastructure are also matters which are best addressed at a city region level. Infrastructure provision and funding as a whole is critical in enabling and supporting development and growth. The fact that the City Deals being progressed in Scotland are actually city region deals is illustrative of the fact that intervention at the city region scale is essential and strategic planning is needed to both make a case for and help deliver projects.

As Managers of Strategic Development Planning Authorities, we believe there is a strong argument for role of strategic land use planning in a plan-led system for Scotland and we request the opportunity to give oral evidence to the Panel to aid your deliberations.

Yours sincerely,



David Jennings
SDP Manager

ABERDEEN
CITY AND
SHIRE

*Strategic Development
Planning Authority*



Bill Lindsay
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