

Glasgow and the Clyde Valley Strategic Development Planning Authority

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

On: 10th June 2019

**Report by
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Planning (Scotland) Bill Update

1. Summary

- 1.1 The purpose of this report is to update the Joint Committee on the Planning (Scotland) Bill.

2. Recommendation

- 2.1 It is recommended that the Joint Committee
- note the contents of this report; and,
 - consider the proposed Stage 3 amendments to the Planning (Scotland) Bill in respect of regional spatial planning.

3. Introduction

- 3.1 This report is for the Joint Committee to note and consider the Stage 3 amendments to the Planning (Scotland) Bill in respect of regional spatial planning.

4. Planning (Scotland) Bill Update

- 4.1 The Planning (Scotland) Bill as proposed in December 2017 set out the removal of the requirement to prepare a Strategic Development Plans (SDP) along with its related processes of consultation and examination. As it currently stands after consideration of the Stage 2 amendments promoted by MSPs, SDPs are to be retained.
- 4.2 On 22nd May the Minister for Local Government, Housing and Planning lodged new amendments which again continue to seek to remove SDPs and their related processes but the amendment now includes a requirement on planning authorities to prepare '*Regional Spatial Strategies*'. It is anticipated that this and other amendments to the Planning (Scotland) Bill will be considered by the Scottish Parliament during June 2019.

5. Regional Spatial Strategies

- 5.1 The Ministerial amendment now proposes the preparation of '*Regional Spatial Strategies*' instead of SDPs and that both the National Planning Framework (NPF) and Local Development Plans (LDP) '*must have regard*' to such Strategies, once adopted.

- 5.2 Whilst a statutory requirement, such Strategies will not form part of the statutory Development Plan system which will now comprise the NPF and the LDP. The requirement to prepare Regional Spatial Strategies is Scotland wide and will not be specific to the four existing SDP areas.
- 5.3 The amendment relating to Regional Spatial Strategies states
- that a planning authority, or two or more such authorities acting jointly, are to prepare and adopt a regional spatial strategy;
 - a regional spatial strategy is a long-term spatial strategy in respect of the strategic development of an area (or areas) which must, in particular:
 - (a) specify the area (or areas) of the planning authority (or authorities) to which it relates (“the region”), and
 - (b) identify, in relation to the region:
 - (i) the need for strategic development,
 - (ii) the outcomes to which the authority (or authorities) consider that strategic development will contribute,
 - (iii) priorities for the delivery of strategic development, and
 - (iv) proposed locations for strategic development, which must be shown in the strategy in the form of a map or diagram.

Consultation

- 5.4 The consultation requirements are similar to the requirements for the preparation of SDPs and LDPs, but not as specific or prescriptive in terms of details such as timescales and publication requirements. Also of note, a regional spatial strategy is not subject to a formal Examination process but becomes adopted by the planning authority.
- 5.5 Before adopting a regional spatial strategy, a planning authority must
- (a) publish, by such means as they consider appropriate:
 - (i) a draft of the strategy,
 - (ii) a summary of the information taken into account in preparing the draft of the strategy, and
 - (iii) a statement inviting representations in relation to the strategy by a date specified in the statement,
 - (b) as soon as practicable after publishing the documents send a copy of them to
 - (i) the planning authority (other than one involved in producing the report) for any area in which future development is likely to be significantly impacted by the strategic development to which the strategy is to relate,
 - (ii) the key agencies, and
 - (iii) any other person the planning authority (or authorities) producing the strategy consider appropriate, and
 - (c) otherwise, consult such persons as they consider are likely to have an interest in the strategy.

- as soon as practicable after a strategy is adopted, the planning authority must publish the strategy by such means as they consider appropriate, and submit it to the Scottish Ministers.

Strategic Development

- 5.6 In this section, “strategic development” means development that is likely to have a significant impact on future development within the area of more than one planning authority.

Timescales for First Strategy

- 5.7 In terms of timescale the planning authority must adopt a regional spatial strategy ‘as soon as reasonably practicable’ after the section (Strategic development: regional spatial strategies) of the Planning (Scotland) Act 2018 comes into force.

Review

- 5.8 The planning authority is to keep the adopted regional spatial strategy under review, and if they consider it appropriate, may at any time prepare and adopt a replacement strategy or review at least once in every 10 year period.
- 5.9 Following such a review the planning authority must either prepare and adopt a replacement strategy or publish an explanation as to why they have decided not to do so.

Guidance

- 5.10 The Scottish Ministers may issue guidance in relation to the preparation, adoption, review and content of regional spatial strategies and the planning authority must have regard to any such guidance.

6. Observations

- 6.1 Any future Regional Spatial Strategy will be informed by the revision of Scottish Planning Policy as part of the new National Planning Framework 4 (NPF4). In this context any future Regional Spatial Strategy could be viewed as being the ‘city region proposition’ with agreed priorities for inclusion in the NPF4.
- 6.2 The Scottish Government have indicated that the NPF4 will be developed on a ‘co-production’ basis with the regional partnerships and Clydeplan have already commenced dialogue with Scottish Government officials in this respect.
- 6.3 Irrespective of the delays in the progression of the Planning (Scotland) Bill, both Clydeplan and the Glasgow City Region are committed to preparation of a Regional Spatial Strategy as an action relating to the delivery of its Regional Economic Strategy.
- 6.4 The Glasgow City Region Regional Economic Strategy is currently being ‘refreshed’ and it is intended that this will be considered by the Glasgow City Region Cabinet in December this year. In relation to this refresh, and through the Land Use and Sustainability Portfolio discussions, led by East Dunbartonshire Council, the Economic Strategy Action Plan will include a specific action to “*develop a Regional Land Use Spatial Strategy providing a successor to the approved statutory Strategic Development Plan (July 2017)*”.

- 6.5 The current amendments to the Bill as set out above are therefore aligned to the approach being taken within the Glasgow City Region.
- 6.6 Whilst the timescales, related transitional arrangements and associated governance arrangements for implementation of the new Bill are currently unclear this does present an opportunity for the Clydeplan Local Authorities to consider the potential future shape, content and governance approach to the delivery of a Regional Spatial Strategy for the Glasgow City Region. A further report on these matters will be brought to a future meeting of the Joint Committee.