

WRITTEN EVIDENCE ON THE INDEPENDENT REVIEW OF THE SCOTTISH PLANNING SYSTEM

NOVEMBER 2015

INTRODUCTION

RTPI Scotland welcomes the Independent Review of Planning. It is an opportunity to maximise and recognise the added value that planning, planners and the planning system bring to economic growth, environmental protection, community empowerment and social justice. Scotland has an internationally renowned planning system and much of it works well, however we believe that there are parts that need to be improved.

The review provides a timely opportunity to think ahead about how a refocused Scottish planning system might best enable the kind of society we want in the future. The review offers a chance to state a clear sense of purpose about how and why planning generates long term benefits and helps to deliver great places for people. The ideas offered here represent a basis to inform a wider discussion about the continual ongoing improvement of Scotland's planning system. RTPI Scotland looks forward to positively assisting this discussion both during and beyond this review.

CONTEXT

The review has to look to how the planning system can function where there will be fewer resources and a subsequent need to embed the principles of the Christie Commission including integration, prevention and outcomes. It should also promote a central purpose of the planning system facilitating good quality outcomes – well designed places and buildings – as established in the First Annual Report of the Council of Economic Advisors. We believe there are 4 principles that the Panel should take forward to do this:

1. The planning system must be both **delivery** and **outcome focussed**. There is a need to address the implementation gap that currently exists between process and delivery and in providing predictability and certainty to enable things to happen.
2. Planning must be more of a **corporate function** within local authorities and Scottish Government. It needs to be able to promote collaboration and influence policy and resource allocation across organisations to maximise benefits for places. This requires spatial planning to link effectively with community planning, and vice versa.
3. The planning system must be more **proactive** and **frontloaded**. This requires a truly plan-led approach that promotes the primacy of the Development Plan through upstreamed community and stakeholder engagement that builds consensus and provides clarity on responsibilities for delivery.
4. The planning system must be **resourced to add value**. It must have the resources it needs to deliver (money, staffing, information, intelligence, and systems); be organised to be fit for purpose and efficient; and have skills required.

Working towards these principles will allow the planning system to further support the Government's drive for sustainable economic growth. However, there is a need to look beyond the statutory planning system to provide solutions to this, especially in aligning decision making and resourcing that better connects planning with development delivery, infrastructure provision, funding and financing.

DEVELOPMENT PLANNING

A front-loaded, integrated and plan-led system can provide predictability for developers, communities and investors to support delivery.

Function and Format

- Development Plans should be delivery plans. They should be costed to reflect the proposed change in an area over a period of time and identify where funding will be required. There should be a greater role for Action Programmes that are updated annually.
- Allocations within the Local Development Plan (LDP) should establish the principle of development; deemed consents. This will reduce double-working on subsequent planning applications on allocated sites as less information and input will be required.
- Development Plans should be more succinct, place-focussed and visual and include long term settlement strategies to spatially articulate the Community Planning vision for the place.

Process

- There should be more frontloaded community and stakeholder engagement in the preparation of the development plan. A “Call for Ideas, Assets and Sites” at an early stage could replace the Main Issues Report.
- The review period for LDPs should be extended to allow them to deliver the plan, whilst not lengthening the preparation period. More frequent monitoring on the effectiveness of policy and delivery should be supported. There is a role for Action Programmes in this.

Hierarchy

- National, strategic and local plans are all important levels of the planning hierarchy and, as such, should be retained.
- The National Planning Framework (NPF) should be more influential in specifying future areas of growth, consolidation and protection. This means that it should be used as a corporate tool for Government that articulates policy and establishes future decisions on infrastructure provision and resource allocation.
- Strategic Development Plans (SDPs) should be recast to become Regional Infrastructure Plans across the 7 cities and should integrate Regional Transport Partnerships. Key agencies should have more explicit responsibilities in drawing up and delivering them.
- There should be a simpler process of examinations for Development Plans, perhaps using tools such as mediation to help the process.

HOUSING DELIVERY

The planning system must aim to provide a quality home for everyone who needs one. However, planning is not the key barrier to delivering housing given that funding, financing and infrastructure are significant obstacles.

Housing Targets

- We should explore the possibility of undertaking an open and transparent needs and demand assessment to set housing targets at a national level for SDPs and/ or local authority areas. This could support the NPF to be more specific on areas of growth and where investment and infrastructure will be required to promote housing.

- Once a Housing Needs and Demand Assessment has been deemed 'robust and credible' it must be accepted by all parties and not subject to further debate. A regular monitoring report should be published to assess progress.
- Local authorities and Registered Social Landlords should be supported in the delivery of large volumes of housing. We cannot expect the private sector to achieve this on its own.

Effectiveness

- The onus should be on the promoter to demonstrate the effectiveness of a site before allocation within the LDP, and we should be bolder in reconsidering allocations from subsequent LDPs if they are no longer appropriate.

PLANNING FOR INFRASTRUCTURE

Proactive and front loaded infrastructure is essential to maximise its ability to stimulate development.

Models and Approach

- Scottish Government must take a greater role in supporting the delivery of infrastructure through funding, integration and de-risking. In doing this there is an opportunity to explore an infrastructure fund or special purpose vehicles to support the delivery of infrastructure.
- The current models for delivering infrastructure (including Section 75) need to be reviewed. There may be scope to introduce a new more strategic infrastructure fund, closely aligned to a costed Development Plan.

Funding and Financing

- There should be longer funding cycles (20 to 30 years), linked to a more certain and predictable Development Plan, to attract investment from funders.
- City Deals need to be linked more closely with public sector funding and Development Plans (and vice versa).
- Funding for housing and infrastructure should be prioritised to non-prime areas and sites to make them more attractive and less risky for developers and investors.
- There is a need to explore how to support more joint venture, open book and cash-flow models for financing and funding infrastructure and development.

DEVELOPMENT MANAGEMENT

The development management system needs to be easier to understand, fit for purpose and add value within the context of continued public sector austerity.

Processes

- There should be examination of
 - the potential of extending permitted development rights
 - the scope to better join up consenting regimes
 - frontloading impact assessments on sites where the principle of development is established in the development plan
 - the need for Pre-Application Consultation on sites where the principle of development is established in the development plan

Decision Making

- The effectiveness of Local Review Bodies should be assessed.
- The enforcement regime should have increased penalties for breaches.

LEADERSHIP, RESOURCES AND SKILLS

Planning has to become a corporate tool in local authorities and Scottish Government. It needs to be resourced to deliver.

Corporate Approaches

- There is a need to better connect spatial planning, community planning and Single Outcome Agreements to help make best use of skills across disciplines, allow services to work more efficiently, and involve communities more effectively.

Resourcing

- Planning fees should cover the full cost of processing planning applications, including supporting tasks such as development planning.
- Planning fees should be ring-fenced to ensure that monies support the planning service.
- New models of income generation for planning authorities should be explored, looking at potential in terms of pre-application (i.e. advice); in processing the application (i.e. fees); and in post approval (i.e. discharging conditions, Section 75s).

Skills

- A “one-stop-shop” planning portal should be established to support planning skills and sharing good practice.
- Councillors should be required to have regular training and up-skilling on planning, especially to support them to plan beyond short-term political cycles.

COMMUNITY ENGAGEMENT

Community engagement is a core part of planning. There is a need to support more upstream engagement.

Engagement

- Community involvement in planning should be focussed on the Development Plan stage. As part of this Community Councils’ right to request to be a statutory consultee on planning applications should be removed and replaced by the right to request to be a statutory consultee on the Development Plan.
- Public sector community engagement exercises should be joined up corporately.

Support and Promotion

- There needs to be continued and enhanced support from Scottish Government for PAS.
- Planning and the built environment should be included within the Curriculum for Excellence.

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ANNEX: REFERENCES

RTPI Scotland's response was informed in large part by a series of discussions with our chapter membership, both public and private sector, across Scotland. In addition, a review of recent policy and research literature was carried out. The key documents reviewed for each topic are outlined below.

CONTEXT

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