

Local Government and Regeneration Committee
Scrutiny of the Draft Third National Planning Framework

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Room T3.40
The Scottish Parliament
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National Planning Framework 3 (NPF3), Scottish Planning Policy (SPP) and other planning issues

Thank you for your letter of 13 December 2013 inviting me to provide oral evidence to the Committee as part of its consideration of the Proposed National Planning Framework 3, laid in Parliament on 14 January 2014, and on issues relating to planning within my Ministerial portfolio.

In the letter, the Committee raised a number of questions. My response to these questions is enclosed in the following annexes.

- Annex A: Questions on the Draft NPF3 and Review of SPP;
- Annex B: Questions on the Delivery of Regeneration in Scotland;
- Annex C: PE1469 on Neighbour notification distances for wind turbine applications;
- Annex D: Sustainable Economic Growth and Sustainable Development.

My letter of 19 December 2013 confirmed that I would be happy to provide oral evidence to the committee on the issues raised in your letter. I look forward to appearing before the Committee on 29 January 2014.

DEREK MACKAY

Questions on the Draft NPF3 and Review of SPP

1. Strategic overview of the planning system

Q. *What key principles should underpin the strategic vision of the Scottish planning system? How will the draft NPF3 deliver on these principles?*

A. The Scottish planning system has a key role to play in delivering the central purpose of the Scottish Government: *to create a more successful country, with opportunities for all to flourish through increasing sustainable economic growth*. The shared vision for the National Planning Framework (NPF) and Scottish Planning Policy (SPP) is:

“We live in a Scotland with a growing, low carbon economy with progressively narrowing disparities in well-being and opportunity. It is growth that can be achieved whilst reducing emissions and which respects the quality of the environment, place and life which makes our country so special. It is growth which increases solidarity – reducing inequalities between our regions. We live in sustainable, well-designed places and homes which meet our needs. We enjoy excellent transport and digital connections, internally and with the rest of the world.”

To realise this vision, I fully expect planning to enable high quality, sustainable development. It can achieve this through a more streamlined and efficient process, and by having up to date, relevant and positive development plans. Reflecting continuous improvement, Draft SPP sets out the core values of the planning service that it should:

- focus on outcomes, maximising benefits and balancing competing interests;
- play a key role in facilitating economic recovery and sustainable economic growth in the longer term, particularly the creation of new jobs;
- be plan-led, with plans being up to date and relevant;
- make decisions in a timely, transparent and fair way to provide a supportive business environment and engender public confidence in the system;
- be inclusive, engaging all interests as early and effectively as possible;
- be proportionate, only imposing obligations where necessary; and
- uphold the law and enforce the terms of decisions made.

Strategic planning principles as emphasised in Proposed NPF3 and Draft SPP include **placemaking** and high quality development, a clear and positive approach to **spatial planning** and a focus on delivering our potential for growth in the **key sectors** identified in the Government Economic Strategy. Proposed NPF3 aims to deliver on these principles by being clear about the priorities that the Scottish Government expects planning authorities to address within development plans. It emphasises that priorities will be different in our cities and towns, our rural areas, and our coasts and islands. Proposed NPF3 also specifically supports projects that Ministers consider to be needed, by giving them national development status.

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Q. *What are the strategic connections between the National Planning Framework and Scottish Planning Policy? How do they work together to deliver the same priorities?*

A. NPF3 and the SPP will work together to deliver on all 16 of our national outcomes. Whilst NPF3 will be about ‘where’ development should take place, the SPP will focus on ‘how’ planning should be undertaken to facilitate sustainable development.

Both Proposed NPF3 and Draft SPP focus on shared outcomes, specifically ensuring Scotland becomes: ‘a successful, sustainable place’, ‘a low carbon place’, ‘a natural, resilient place’ and ‘a connected place’. NPF3 will achieve this by setting out priorities and opportunities at a national scale, whilst SPP will provide guidance on how development plans and development management can deliver these outcomes at a local level. The planning outcomes set out in Draft SPP were expressed differently, but in response to suggestions from the consultation we are revising to align more closely with NPF.

NPF	SPP
Scotland’s long-term development strategy	How nationally important land use matters should be addressed across Scotland
The vision – sets the tone Map based Statutory	The detail – to put into practice Text based – explanatory Non-statutory (flexible)

The NPF and SPP have been prepared in an integrated way and there are many links between the two documents. For example:

- Proposed NPF3 highlights the opportunities for development and economic investment in different parts of the country - Draft SPP sets out policies to strengthen local distinctiveness through a place based approach to planning and design.
- Proposed NPF3 reflects the need to strengthen transport links between cities, lifeline connections to rural areas and our international gateways - Draft SPP sets out how planning authorities should plan for development that makes sustainable use of transport infrastructure capacity.
- Proposed NPF3 states that wind farm developments should not take place in National Parks and National Scenic Areas – Draft SPP provides guidance on how planning authorities should prepare spatial frameworks for wind energy developments to reflect a more detailed hierarchy of national, regional and local sensitivities.
- Proposed NPF3 recognises the role of our high quality environment and green infrastructure in promoting development and investment in Scotland and supports the Central Scotland Green Network as a national development - Draft SPP sets out how planning authorities should provide clear policies for environmental protection and enhancement, and delivery of green infrastructure.

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Q. How does the National Planning Framework influence local and regional development plans? How does it influence the development of policy by the Scottish Government and local authorities? How effective is the NPF Action Plan in translating top-level strategy into the planning system?

A. The NPF has statutory status, and must be taken into account in strategic and local development plans. NPF2, adopted in 2009, has formed the basis for development plans throughout the country. NPF2 forms the foundations for the spatial strategies of Scotland's four strategic development plans. In turn local development plans, which cover the whole of Scotland, take into account the framework provided by both NPF2 and strategic development plans.

An Action Programme was prepared for NPF2, and has been kept up to date during the last 5 years. It includes 80 actions for delivering the strategy. Some of these actions have led to change on the ground in the last five years, whilst others will take longer to progress. Of the national developments identified in NPF2, the Action Programme shows that some have been delivered and some have seen significant progress, whilst others are longer term aspirations.

A draft Action Programme has been prepared to accompany NPF3, and will be finalised when NPF3 is adopted. The Programme has been simplified and includes 30 priority actions and action on the suite of national developments. I believe that this will allow for a sharper focus on delivery over the next five years.

Q. How does the National Planning Framework link to the National Performance Framework/Scotland Performs? How does the Framework and Scottish Planning Policy support preventative spending and the Christie Commission agenda for the reform of public services in Scotland?

A. NPF3 will bring together a wide range of Scottish Government policies and strategies, and as a result, all of the 16 national outcomes, the 8 purpose targets (growth, productivity, participation, population, health, solidarity, cohesion and sustainability) and many of the associated indicators set out in the National Performance Framework are relevant to the NPF.

Some of these links are immediately obvious, for example 'we live in well designed, sustainable places where we are able to access the amenities and services we need' and 'we value and enjoy our natural and built environment and protect it and enhance it for future generations'. But planning is also relevant to other outcomes, not least those focusing on realising our economic potential, making Scotland an attractive place to do business, and reducing inequalities in Scottish society.

Many of the key messages within the Christie Commission Report on the Future Delivery of Public Services are supported by the NPF and SPP. Both encourage collaboration and reflect the co-ordinating role of planning on delivering shared objectives in a joined up way. They demonstrate the role of spatial planning in bringing together public sector policies and applying them in a coherent way to our many distinctive places. Planning is intrinsically designed to facilitate preventative spend, by taking action now to anticipate and respond to future demands through a strategically planned approach. The open and transparent way in

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which both Proposed NPF3 and Draft SPP have been produced, and their emphasis on shared delivery, also demonstrates the need to design effective services with and for people and communities in practical terms.

Q. Central to the development and delivery of the planning system envisioned by the NPF and SPP and the definitions of sustainable development and sustainable economic growth. European Union legislation provide an accepted definition of sustainable development as—

"development that meets the needs of the present without compromising the ability of future generations to meet their own needs, in other words ensuring that today's growth does not jeopardise the growth possibilities of future generations. Sustainable development thus comprises three elements - economic, social and environmental - which have to be considered in equal measure at the political level".

This definition forms the basis of the Scottish Government's own definition of sustainable development in the context of its policies. However, there does not appear to be a suitably clear definition of sustainable economic growth. Therefore, how does the Scottish Government define sustainable economic growth in terms of the NPF3 and SPP? How do sustainable economic growth and sustainable development relate to each other in terms of planning policy?

A. I recently consulted on a proposal for planning to include a presumption in favour of development that contributes to sustainable development. This means that the planning system should help to build to economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost.

The consultation paper included the definitions of the two terms:

- Sustainable Development: Development that meets the needs of the present without compromising the ability of future generations to meet their own needs. (*The Brundtland Definition. Our Common Future, The World Commission on Environment and Development, 1987.*)
- Sustainable Economic Growth: Building a dynamic and growing economy that will provide prosperity and opportunities for all, while ensuring that future generations can enjoy a better quality of life too. (*Response to Parliamentary Question S4W-10994*)

In short, the Government's purpose of sustainable economic growth is compatible with our wider commitment to sustainable development. These principles form the foundations for the spatial strategy set out in Proposed NPF3 and Draft SPP. Both aim to deliver multiple and complementary benefits for the economy, environment and society.

2. Supporting policy priorities

Q. How will the draft NPF3, and review of SPP support and influence the development of the Scottish Government's strategies on regeneration and town centre development?

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A. The Proposed NPF3 reflects our asset based approach to regeneration. Regeneration cannot and should not be fully prescribed at the national level - it depends on local circumstances and the aspirations of local people and therefore requires a flexible approach.

The national perspective of Proposed NPF3 enables it to highlight opportunities for regeneration in different places, and has designated two leading regeneration projects as national developments. This aims to achieve different things – for Dundee Waterfront, the emphasis is on demonstrating the positive role of planning and its potential to define and deliver a vision for a place. At Ravenscraig, national development status aims to give new impetus to a long-standing project for reusing on a significant area of derelict land, by creating a new community which is an exemplar of sustainable development and high quality placemaking. The recent consultation on ‘sustainability’ within the SPP highlights the role of planning in making efficient use of existing capacities of land, buildings and infrastructure.

Both NPF3 and SPP will also include strong support for town centre development, and contribute to the Scottish Government’s Town Centre Action Plan. Draft SPP proposed broadening the town centre first approach in development plans and consenting, aiming to encourage a wider range of high footfall generating land uses in town centres. Our SPP Position Statement confirms our intention to ensure an updated town centre first planning policy and associated sequential test are included in the finalised SPP. The Proposed NPF3 emphasises the importance of towns in delivering a sustainable spatial strategy across Scotland, including towns within city regions, rural towns and key towns on our coasts and islands. The strategy reflects the many opportunities to strengthen local distinctiveness, promote the low carbon agenda, support investment and quality of life by taking forward the actions set out in the Town Centre Action Plan.

Q. How is top-level planning policy integrated into the economic and social regeneration strategies by planning authorities in Scotland?

A. We fully expect authorities to ensure consistency between the development plan and other strategies. The approach to this will vary according to the circumstances of different local authorities.

The NPF is the spatial expression of the Government Economic Strategy and plays a key role at the national level in bringing together a wide range of policies and strategies, including for economic and social regeneration. This is a model which should be reflected at a local level through collaborative working within local authorities.

Q. How will the draft NPF3, and review of SPP support and influence the community planning process? How do these top-level planning policies ensure that community planning partnerships deliver spatial planning under single outcome agreements? In other words, how do SOAs ensure the effective connection between land use planning and community planning?

A. The new Single Outcome Agreements (SOAs) which Community Planning Partnerships (CPPs) agreed in Summer 2013 with Ministers and Council Leaders are intended to be “plans for place”. They demonstrate a clear understanding of place and

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communities, including inequalities facing different areas and population groups. They then translate that understanding into a genuine plans to address agreed priorities, based around the ways in which six policy priorities apply in their area and their distinctive local needs.

Land use planning has an important role in identifying and responding to need. It can facilitate improvements to infrastructure to stimulate economic growth, support regeneration or combat depopulation where this is an issue in rural and remote areas. It can contribute to efforts to make neighbourhoods safer and greener, and promote physical and mental well-being. It can help bring services, jobs, family and friends closer to people. It can stimulate local civic pride and community identity.

Delivery of shared outcomes in both SOAs and development plans depends on effective partnership working. The same people are often involved in community planning and development planning. Local authorities are responsible for development planning and are key partners in community planning. Both require public engagement and there is scope to combine this to produce a more complete and coherent picture.

I fully acknowledge there is a need to strengthen the links between land use planning and community planning. I expect this to improve, aided by the complementary expectations which Proposed NPF, Draft SPP and joint Scottish Government/COSLA Statement of Ambition for Community Planning. Action is underway to strengthen community planning in line with the Statement of Ambition, and I propose to build on this to promote better links between community planning and land use planning.

Our expectations for NPF/SPP and for community planning complement each other. Draft SPP highlights the importance of planning contributing to the delivery of SOAs, and the need for greater integration between land use planning and community planning. Proposed NPF3 sets out place-based outcomes for Scotland as a whole and we expect this vision to be translated into development plans throughout the country. As this happens, there will be significant opportunities for development plans to play a key role in the delivery of SOAs through community planning.

As the Committee knows, with the National Community Planning Group we are implementing a major programme to strengthen community planning in Scotland, which should assist these efforts. The new SOAs provide a clear focus for CPP activity. The Agreement on Joint Working on Community Planning and Resourcing from September 2013 sets clear expectations on CPPs and community planning partners to be clear about total collective resources available, and ensure resources (which includes the work of staff as well as their budgets and buildings) are deployed and aligned towards priority outcomes identified in their SOAs. We have recently consulted on policy proposals for inclusion in the forthcoming Community Empowerment (Scotland) Bill, which will place new duties on partner bodies, including local authorities, to support the CPP in planning and delivering its priority outcomes. Like other key partners, local authorities need to work through what changes are necessary within and across their organisations to meet these expectations.

I do not believe that better links between community planning and land use planning will be achieved by simply issuing further guidance - this is about relationships and collaboration, rather than simply aligning processes and there is therefore not a quick or immediately obvious solution. It is for local partners to find locally specific solutions. However, to

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instigate change, I will ensure that the matter is discussed at the Scottish Government's national development planning forum in March 2014.

Q. How are the outcomes of the NPF to be measured? How does the SPP relate to local government benchmarking and best value?

A. Proposed NPF3 is clear about the outcomes we expect to see from the spatial strategy. The Planning etc.(Scotland) Act 2006 requires monitoring of the delivery of the NPF. A Monitoring Report for NPF2 was published in 2012. This played a key role in informing the development of NPF3. For NPF3 we will continue monitoring and produce a report as required.

There are currently no formal requirements for monitoring of the SPP. The consultation on Draft SPP showed strong support for monitoring of its impact. However in practice monitoring of the use and effectiveness of the SPP and its outcomes is challenging. It might best be achieved by monitoring the way in which strategic and local development plans respond to the SPP, but could also be supported by a number of the indicators that are already included in the Planning Performance Framework, such as housing and employment land supply and delivering high quality development on the ground. We will consider these responses further and set out our plans for monitoring in due course.

Q. How does the Scottish Government incentivise planning authorities to achieve the delivery of the outcomes from the NPF and SPP (e.g. through variations in the planning fee system etc.)?

A. Compliance with NPF3 is a statutory requirement of planning legislation. The SPP includes references to some requirements set out in legislation, for example minimum requirements for consultation and engagement set out in the Town and Country Planning (Scotland) Act 1997 as amended and associated secondary legislation. The SPP also contains policies which the Scottish Government expects planning authorities to take forward. There is no direct incentivisation for this, or penalties for non-conformity.

3. The process for development and review of NPF and SPP

Q. How effective has the Government's consultation process been on the development of the draft NPF3?

A. NPF3 and the SPP are being prepared in an open and transparent way, with participation forming an integral part of the process. We have built on experience gained in preparing NPF2, and used innovation and best practice in public engagement, to achieve this.

A Participation Statement has been published and updated throughout the preparation process – the latest version was published alongside laying of Proposed NPF3 in January 2014. It sets out the many components of the tailored engagement process – different methods have been used to ensure the effective involvement of a wide range of stakeholders, from individuals to local authorities, businesses and organisations.

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Independent consultants analysed the responses to the consultation on the draft documents. The level of response to the NPF3 Main Issues Report was more than double the number of responses received to NPF2 (some 550 responses). The level of response to consultation on Draft SPP has been unprecedented, with some 1600 responses.

Proposed NPF3 builds on the views and opinions raised in response to the consultation. Views on Draft SPP will be taken into account as the policy is finalised.

Q. The 2006 Act requires the Scottish Government to review the NPF at regular intervals (currently 5 years) and to lay draft revisions of the NPF before the Parliament for consideration. However, no such statutory requirements exist for reviews of the SPP. Should there be an agreed cycle for review of the SPP (statutory or otherwise)? Should this be linked to the cycle for review of the NPF? Should the SPP be subject to a similar level of parliamentary consideration as the NPF?

A. There have been clear benefits in aligning the review of the NPF and the SPP. However, whilst the NPF has a statutory basis within the Planning etc. (Scotland) Act 2006, the SPP does not. I believe that there is benefit in maintaining the flexibility that we have to update the SPP, given its non statutory status and role as document setting out Government policy. Similarly, whilst Parliament may wish to consider the content of Draft SPP, I believe the focus should be on NPF, as this part of the process is designed specifically to reflect its statutory role.

Q. Is the 60-day statutory timeframe for parliamentary consideration of the draft NPF sufficient to allow for proper scrutiny?

A. When the Planning Bill was introduced in December 2005, the statutory period was set at 40 days. The then administration responded to the recommendation at Stage 1 of the Parliament's then Communities Committee to extend this period to 60 days. The issue of whether there was a need to extend beyond the 60 day period was not raised.

The issue did not arise in the Report of the Committee on NPF2, rather Parliament requested that greater notice be given for the laying of the document to allow for scheduling of business – we have addressed this through publication and updating of a clear timetable throughout the process of preparing NPF3.

Providing the consideration focuses specifically on the role of planning and the NPF, I believe that the 60 day period is sufficient.

4. The planning process and the work of the committee

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Q. During its recent scrutiny of the Scottish Government's 2014/15 draft budget, the Committee received evidence of a reduction in local government staffing level of over 30,000 in the last five years. As part of this evidence the Committee received anecdotal evidence of a major reduction in the level of resources for the planning system in the financial year 2012/13. In light of this evidence, is the current number of planning officers employed by planning authorities across Scotland adequate?

A. This is not a matter for the Scottish Government to comment on. The employment of planning officers is a matter for planning authorities. Under the 2007 Concordat between the Scottish Government and local government the presumption is against the establishment of new ring fenced grants. This provides each local authority with more freedom and flexibility to allocate their resources to meet local needs and priorities of their area.

Q. In the wake of the recent review, is the current planning fee regime in Scotland sufficient to support the planning system? How does reform of the planning system feature within the Scottish Government's/COSLA's plans for delivery of the Christie Commission principles?

A. As approved by the Scottish Parliament, the Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment Regulations 2013 increased planning fees by approximately 20% on 6 April 2013. We consider that increase will strengthen resources and the capability of planning authorities to deliver a high performing service whilst maintaining a supportive business environment to encourage sustainable economic growth. And, to incentivise performance improvement, we are establishing a link between planning fees and performance, through the Regulatory Reform (Scotland) Bill which received approval from Parliament on 17th January.

In giving oral evidence to the Local Government and Regeneration Committee on 6 March 2013 on the proposed regulations, I considered that if we move to full cost recovery - which is an aspiration I share with local government colleagues – it must be robust and fair to people who pay for applications. I am completely dependent on local authorities to improve their performance to give me justification for increasing fees further. Through the High Level Group on Planning Performance – which I chair jointly with Councillor Stephen Hagan, COSLA Spokesperson for Development, Economy and Sustainability – we have been taking forward a shared programme of work to ensure performance and service improvements are delivered across the planning service. The detailed practical arrangements for the use of new provisions linking planning fees and performance are also being taken forward with our COSLA partners through the High Level Group.

I also considered that in probing the fee issue a fuller understanding of the costs that are associated with each application is required. I am pleased therefore that Heads of Planning Scotland and the Improvement Service have been working with 16 planning authorities to collect, monitor and report data on the cost of development management. I hope that the Report will be available shortly.

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Our planning reform programme makes a strong commitment to simplifying and streamlining procedures through removing unnecessary processes and advocating much closer working between planning and other public services. A key principle running through planning reform, including the 2006 Planning Act, has been to front-load the system, ensuring important issues are addressed and, where possible, resolved at the earliest stage. This increases certainty both to public bodies and to those seeking to invest in development, and so can prevent substantial costs and delays from occurring later in the process, such as through appeals and legal challenges.

The changes being made through NPF3 and SPP should result in greater alignment between those services they improve and the principles for public service transformation identified in the Government's response to the Christie Commission. The Government's reform principles and characteristics are set out in the table below, along with further detail on alignment with progress being made on the planning reform agenda.

Reform outcomes	Relationship with planning reform
<i>Person centred, value driven and assets based</i>	Future reforms and performance improvements driven by customer focus; i.e. how public authorities, through planning services, can support delivery of good quality development and sustainable economic growth.
<i>Integration & Collaboration</i>	By improving the quality of engagement, communication and relationships between planning authorities and other public bodies through work on, planning appraisals, multiple consents, culture change, skills development and the performance framework.
<i>Prevention</i>	Promotion of a plan-led system to provide certainty to investors and communities. Better early engagement and simplification of process / requirements should resolve issues and potential showstoppers to proposed developments at early stage, and so prevent unexpected costs and protracted processes at later stage.
<i>Performance Improvement</i>	By working with local government and key agencies on a performance framework which will give a more rounded view of service quality and priorities for improvement and to drive a culture of continuous improvement and by further simplification of processes.
<i>Workforce Development & Leadership</i>	Performance framework focused on driving a culture of continuous improvement, including evidence of ongoing development of staff, management and elected members.

Q. *Is the current supply of graduate planners into the Scottish planning system adequate? How many third-level educational institutions currently offer accredited courses in Scotland in terms of urban planning and associated studies?*

A. The effectiveness of our planning system depends on the skills, experience and judgement of our planning professionals. Scotland has a long tradition of planning education. Four universities currently offer courses that are accredited by the Royal Town

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Planning Institute: Heriot Watt University, University of Dundee, University of Glasgow and Strathclyde University. Recruitment can also of course come from planning and related courses that are run outwith Scotland. I am not aware of any issues with the supply of graduate planners into the Scottish planning system.

Questions on the Delivery of Regeneration in Scotland

1. *What guidance has been given to CPPs in relation to planning for delivering regeneration?*

A. The Scottish Government's 2012 Guidance to Community Planning Partnerships on SOAs emphasises the need to establish a clear understanding of place within community planning. There is a focus on six national policy priorities: economic recovery and growth; employability; early years; outcomes for older people; reducing health inequalities and increasing physical participation and community safety / reduced reoffending. In addition, the guidance steers CPPs towards tackling place-specific, distinctive local priorities in SOAs – this will include planning for delivering regeneration in many community planning areas.

2. *What discussions have, or are, taking place with SLAED, in relation to planning and delivery of regeneration in Scotland?*

A. The Scottish Local Authorities Economic Development group (SLAED) comprises senior officials from economic development teams across all 32 Scottish local authorities. It acts as a joint local authority forum allowing economic development professionals to discuss and co-ordinate, share experience, expertise and best practice on a wide range of economic development issues – including planning and regeneration - relevant to Scotland's local authorities, and the Scottish economy.

Scottish Government Ministers and officials regularly meet with SLAED to discuss a range of economic development issues. For example, SLAED is a member of the Local Economic Development Partnership Forum which was established, in part, as a response to calls from the EET Committee for greater political oversight and alignment between central and local government and key enterprise and delivery agencies involved in local economic development.

The Forum's key objective is to improve the impact of local economic development activity by securing partnership approaches and to ensure alignment. The Forum meets twice yearly and is chaired jointly by the Minister for Energy, Enterprise and Tourism and COSLA's Spokesperson for Development, Economy and Sustainability. Its membership also includes senior officers of key enterprise agencies, Visit Scotland, SDS, and senior representatives from COSLA, Business Gateway, Heads of Planning Scotland and the Scottish Government.

A Senior Officers' Group, of which SLAED is also a member, meets 6 times a year to support discussion at the Partnership Forum. The most recent Senior Officers' Group meeting was held on 10 December and regeneration issues formed part of the discussion.

As an example of further recent engagement with SLAED, the Minister for Energy, Enterprise and Tourism attended the SLAED annual conference on 28 November where a wide range of economic development issues were discussed.

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3. *How is SLAED supporting and delivering this agenda?*

A. In partnership with the Improvement Service and SLAED, the Scottish Government has jointly funded the production of an improvement guide for local authority economic development services. Developed in partnership, this guide is supporting local authorities in delivering economic development and regeneration including: tackling market failure; exchanging good practice; assessing overall performance in delivering economic development; benchmarking performance; and identifying practice improvements to strengthen their performance and impact. The Scottish Government is supporting the implementation of this guide alongside the Improvement Service and SLAED.

SLAED sit on the Regeneration Capital Grant Fund Independent Panel and have also acted as key representatives on the review group for the national review of town centres and will continue to advise Scottish Government on views on policy and actions emerging from the Town Centre Action Plan.

SLAED also met with Scottish Government officials early in the NPF3 process, prior to preparation of the Main Issues Report. Their views were used to inform development of the strategy. Discussions focused on achieving a balance between responding to opportunities and addressing need. Ideas included: the need for planning to support regeneration projects (such as Dundee); promoting low carbon opportunities; and improving transport links within, and to, key growth corridors.

4. *What direction have local authorities been given in relation to involving communities in their planning arrangements?*

A. SPP recognises that effective engagement with the public can lead to better plans, better decisions and more satisfactory outcomes and can help to avoid delays in the planning process. It also improves confidence in the fairness of the planning system. The existing policy is clear that the Scottish Government expects engagement with the public to be meaningful and to occur from the earliest stages in the planning process to enable community views to be reflected in development plans and development proposals. A requirement for engagement that is meaningful, early and proportionate is reflected in Draft SPP.

Fuller advice on community engagement in the planning system is provided in Planning Advice Note (PAN) 3/2010: *Community Engagement*. This advises communities on how they can get involved and advice to planning authorities and developers on ways of effectively engaging with communities on planning matters. The PAN also links directly with the **National Standards for Community Engagement** which set out best practice principles for the way that councils and other public bodies should engage with communities.

There is clearly potential for those involved in land use and community planning to work together to provide linked opportunities for engagement. Scottish Government guidance on SOAs also emphasises the importance of community involvement in their development. It notes that CPPs should understand communities and provide genuine opportunities to

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consult, engage and involve them. Our policy proposals for statutory community planning duties in the forthcoming Community Empowerment (Scotland) Bill anticipate that one of the duties to be placed on CPPs should be to consult and engage with communities in identifying and prioritising the outcomes that are to be delivered and ensure that community engagement is properly planned, resourced and integrated across partners.

5. *How is the Government working with planning authorities to ensure that quality design features are at the heart of placemaking?*

A. The current review of SPP has brought placemaking into Draft SPP and set it out as an overarching principal policy that is relevant to all development. This is a positive step which is further strengthened by the emphasis on high quality natural and built environments and placemaking in Proposed NPF3.

The Scottish Government has been working with planning authorities since 2012 on the charrette mainstreaming programme, which aims to increase the level of engagement, design input and quality of outcomes in planning processes. Charrettes bring communities, planning authorities and other stakeholders together with a specialist design team to work together intensively over a short period to develop plans for local areas. The process is specifically focussed on increasing the quality of design by engaging those with detailed local knowledge and specialist design and planning skills together.

Recent charrettes, supported by the Scottish Government, have taken place at an early point in the preparation of local development plans. This allows the outputs of the charrette to have an effective influence over the development of long-term plans and brings the benefits of design thinking into very early planning stages where it may not typically be employed. The charrette mainstreaming programme has recently been expanded to address the issues raised through the national review of town centres. As part of the Scottish Government Town Centre Action Plan, a fund of £120,000 is available in 2013/14 to support local authorities, communities and anyone with an interest in town centre regeneration to deliver charrettes.

PE1469 on Neighbour notification distances for wind turbine applications

Q. The Local Government and Regeneration would appreciate your views on this petition when responding to the questions on the draft NPF3 and SPP.

A. While we appreciate the concerns of people living near proposals for wind turbines, our overall aim is to provide opportunities for interested parties to comment on applications while not placing disproportionate burdens on planning authorities and applicants. We believe in the round the current statutory requirements do that.

Neighbour notification is intended for those living next to a proposal site, not everyone who might be affected by or have an interest in an application. Other publicity requirements also apply. Where developments are likely to have wider impacts on amenity because of their size (e.g. structures over 20 metres in height) or noise or in that they significantly alter an area of established amenity, then a notice must be published in a local newspaper. Information on all planning applications is required to be published on an online list by the planning authority for the area and available in the planning office, local libraries and weekly lists of new applications sent to all community councils in the planning authority's area.

We recognise, however, that guidance on public engagement beyond the statutory minimum can encourage a more tailored approach to individual circumstances and consider this a proportionate response to the particular concerns about wind turbines. We have advised the Public Petitions Committee previously that we will issue such guidance for wind turbine proposals, and we will advise both Committees shortly on the timetable for its production.

Sustainable Economic Growth and Sustainable Development

Q. Is a planning authority required to take account of the duty to support sustainable economic growth when considering a planning application? The Regulatory Reform (Scotland) Bill would seem to specifically exempt them from this duty, is this the case? The Local Government and Regeneration Committee would appreciate your views on this position and explain whether these policy objectives are compatible?

A. The Regulatory Reform (Scotland) Bill [as amended at Stage 2] specifically exempts planning authorities to being subject to the duty to contribute to sustainable economic growth. The amendment at Stage 2 was proposed by the Government after considering the evidence and views of stakeholders that were discussed at the Economy, Energy and Tourism (EET) Committee with regard to planning, and concluding that the Bill is not the appropriate way of dealing with matters in the planning system. The amendment was agreed to unanimously by the EET Committee.

This does not mean that planning authorities do not need to deliver better regulation or contribute to sustainable economic growth. The established planning framework already ensures balanced decision making by planning authorities and takes into account sustainable economic growth. Our planning system's important role in contributing to sustainable economic growth will continue to be taken forward through SPP and NPF3

When considering planning applications a planning authority is not required to take account of the **duty** to support sustainable economic growth. However, planning authorities, must determine planning applications in line with the development plan unless material considerations indicate otherwise.

In preparing their development plans, planning authorities are required by the Planning etc. (Scotland) Act 2006 to take account of the NPF, which has sustainable economic growth as a key driver. Authorities must also have regard to such other information and considerations as appear to them to be relevant. This would include the SPP which sets out Scottish Minister's priorities and expectations of the planning system.

The SPP, which supports sustainable economic growth, is also an established material consideration in the determination of planning applications.

The policy objectives are compatible – our approach will achieve the same outcomes, but in a way that aligns with established planning legislation.