



Evidence to the Local Government and Regeneration Committee, the Scottish Parliament

National Planning Framework 3 (NPF3) and Scottish Planning Policy (SPP)

January 2014

Written evidence in response to the questions on the Draft NPF3 and Review of SPP as sent to Mrs Pamela Ewen, TAYplan SDPA on 14th January 2014.

1. Strategic overview of the planning system

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

The response to this question is based generally on what the key principles should be, rather than on the 12 key principles set out in SPP and in the subsequent draft SPP 'sustainability and planning', although I will refer to the later also.

The Proposed NPF does not set out clearly Key Principles; 4 planning outcomes are set out which translate the role planning will have in achieving the planning vision and in turn achieving the national outcomes. The 12 principles set out in draft SPP may result in more debate on what weight is attached to these and how these are used, rather than being used positively as guiding principles. If they are to remain TAYplan suggests that more guidance is offered. Assessing proposals against these principles will, in TAYplan's view, require further studies to be submitted by applicants to demonstrate, for example, the net economic benefit. What impact this would have on local authority resources, investment and speed of planning decisions needs to be considered. The one principle that is missing in draft SPP is the overarching point that proposals should be in accordance with SPP, covering all policies, and assessed in that regard. TAYplan's key point in that the SPP brings clarity and does not leave phrases/policy open to wide interpretation.

The key overarching principle should be sustainable development (of which economic growth is a part) in accordance with the Planning Act. This is a balance between economic, social and environmental factors and that balance will differ from proposal to proposal and by local area.

The focus on outcomes is welcomed. In respect of Key Principles, TAYplan supports the 10 principles set out by the Royal Town Planning Institute in its response to the draft NPF3 consultation (dated 16th July 2013). These principles are:

1. *Is ambitious*
2. *Prioritises*
3. *Integrates*
4. *Is influential*
5. *Is clear and holistic*
6. *Focuses on delivery*
7. *Is based around outcomes*
8. *Is directly linked to revised SPP*

9. *Provides clarity on where it links with other policy, guidance, advice and good practice*
10. *Is based on sound evidence and needs to be monitored to ensure it continues to be fit for purpose.*

TAYplan considers that the Proposed NPF3 largely provides a focus on these principles. It sets out the Government's ambition for how the country should change and does so in a way that takes forward these principles.

The NPF is a long term framework that needs to provide certainty to investors, communities, developers and planning authorities –it is an investment and marketing document, not just a spatial planning framework.

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

The move to a clearer outcomes focus in NPF3 and as indicated in the SPP position statement, provides greater clarity on how the NPF and SPP are aligned. The key to how they work together is through the Action Programme which is where the clarity should be provided on delivering national projects.

The NPF is essentially about the what and where, and the SPP is about the how. A more radical approach may be to consider, next time around, if the two documents could become one perhaps providing more of a national plan approach.

As commented on elsewhere in this response, the NPF could be strengthened by Government better aligning spending priorities with NPF priorities. Also, the Scottish Government could provide a stronger framework by providing more national direction. In TAYplan's response to draft NPF3 (July, 2013) the Authority considered that NPF should set out a framework for population and demographics and how landuse change should respond to this. The response asked the question, what parts of the country should plan for population growth/stabilisation/decline? TAYplan is not suggesting at this stage in the review this is now incorporated but raises this as a key aspect of the future review through NPF4. This, amongst other areas of work highlighted in this response, would require more research to be undertaken to inform the review and would suggest that work on the next review should commence early. Perhaps the NPF should be continually reviewed, akin to the process for Strategic Development Plans and Local Development Plans.

Both the NPF and SPP are regarded internationally as good practice. It is therefore important to focus on lessons learnt from this review to look to implement improvements for NPF4 and the next review of SPP.

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?

The NPF provides a framework which sets a national context for other plans and strategies. Strategic Development Plans relate to the NPF and take forward national priorities and projects in more detail, which in turn is translated into Local Development Plans.

NPF (and SPP) does influence local authorities plans and strategies, particularly in landuse planning. In respect of how NPF influences Scottish Government policy this relationship is clear in landuse planning through SPP. Perhaps it is not so clear on how the NPF influences wider transport, economic, social policy. The NPF could be stronger in influencing spending on the national priorities and projects and aligning Scottish Government budgets to delivering on the outcomes e.g. better aligning Transport Scotland spending through STPR and review of spending programme aligned with NPF.

Overall, TAYplan considers that largely NPF sets out projects which are already committed. TAYplan considers that the NPF should be driving what those future priorities should be through a spatial framework and influencing the alignment of budgets in doing so, to achieve agreed outcomes. This would be a beneficial shift in the next review, NPF4.

The draft Action Programme (January 2014) could be improved by setting out the priority attached to actions, the extent to which it has been implemented and where funding has been committed.

**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?**

TAYplan is unsure how the NPF links to national performance framework and considers this a matter for Government to align their strategic frameworks.

In respect of the Christie Commission and preventative spending, the NPF provides a clear national context and focus to align the work of the Scottish Government, Key Agencies and Planning Authorities. The proposed NPF provides clarity on how the Framework will be aligned to achieving national outcomes. The focus on outcomes should bring with it a focus on what needs to be delivered to improve and help achieve these outcomes over a long period. The focus on national projects and through the Action Programme should align spending. The NPF adds value to the overall planning system. The Framework helps provide certainty to investors and developers as well as communities and other stakeholders. The NPF is as much an investment strategy as it is a landuse spatial framework.

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".[1]

This definition forms the basis of the Scottish Government's own definition of sustainable development in the context of its policies.[2] 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?

Planning has a key role in driving economic growth. Sustainable economic growth does need to be defined for clarity and to avoid different interpretations. Sustainable development is the overarching policy and sustainable economic growth should be considered as part of this, not as a separate element. Sustainable development should not be seen to imply no detriment to the environment, but rather a balance between environment, economic and social and seeking net benefits in all to achieve the most sustainable development solution for a strategy or development proposal.

How the Government defines 'sustainable economic growth' really hinges on what is sustainable in this regard. What economic benefit a proposal brings will vary not only by proposal but also by the local area. The SPP would need to

set out guidance on how decisions would be taken where economic arguments are to be set against environmental impact. The use of the term 'significant' needs to be carefully used as it could add more complexity in considering how to balance economic, environmental and social aspects of a proposal. Perhaps 'appropriate' would be better.

TAYplan considers that the issue still remains of how to properly assess a development proposal giving due weight to 'net economic benefit'. More policy guidance is needed. Measuring and understanding what this net benefit is, TAYplan believes would require further independent assessment to be submitted by the applicant with the application. Care needs to be taken to balance achieving outcomes with not adding additional complexity into the planning system that could slow process down and add costs for applicants and investors, as well as planning authorities through additional time to assess.

TAYplan is concerned at the terminology 'out of date' development plan and Government would need to define what this means. TAYplan is not involved in assessing planning applications and a more detailed response representing views of local authorities could be sought from Heads of Planning, Royal Town Planning Institute and COSLA. Sustainable development is the overarching principle which will help Scotland create great places and enhance our existing cities, towns, neighbourhoods and the wider environment. This is already achieved through the planning system with decisions balanced on economic as well as environmental and social factors. If a greater emphasis is placed on 'sustainable economic growth' the Government will need to consider how this will be reconciled with a planning authority's legal duty to comply with sustainable development objectives.

If there were to be a presumption in favour of sustainable development then it places the onus on the planning authority to determine whether a proposal does or does not contribute to sustainability. Our planning system already has a presumption in favour of development and the majority of development proposals are granted. These decisions consider economic, social and environmental factors.

2. Supporting policy priorities

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?

TAYplan cannot answer how the Government will do this. The draft SPP preceded the Town Centre Review and the Scottish Government's response. TAYplan generally supports the recommendations arising from the Town Centre Review and hope that Government embed these within national planning policy. In respect of the planning system, one of the key recommendations is for a town centres first policy approach. The TAYplan approved Strategic Development Plan already has a similar policy and the forthcoming Main Issues Report is likely to raise this further. This policy could have a very significant change in where development is located in support of achieving national outcomes.

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

TAYplan have interpreted 'top level planning policy' as being SPP. Within TAYplan's 4 constituent Councils the various planning, economic, social, transport and other plans and strategies are integrated. TAYplan works in collaboration with the 4 constituent Councils and Key Agencies and aligns the Strategic Development Plan with a range of other plans and strategies including SOAs, Community Plans, NPF, Economic Strategy and Regional Transport Strategies. Planning policy through SPP, Strategic Development Plan and Local Development Plans are aligned with Community Plans. This could be strengthened at the national level with the Scottish Government better aligning spending priorities with NPF spatial priorities.

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?

Strategic Development Planning Authorities are not required by law to be part of Community Planning Partnerships, unlike Regional Transport Partnerships. Within TAYplan's 4 constituent Councils the alignment of community planning with development planning (and vice versa) is delivered through corporate and collaborative working with key partners. NPF3 is one of many national plans/strategies/frameworks which the Community Planning Partnerships will take account of. Single Outcome Agreements focus on outcomes which are aligned to national outcomes. NPF will be implemented and delivered locally.

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

TAYplan is unsure in the detail of how the outcomes of the NPF are to be measured by the Scottish Government. Certainly it would be TAYplan's preference for national planning indicators to be part of a 'set' of indicators for development plans, this would best ensure that national outcomes are being monitored efficiently and effectively without undue overlap in monitoring, thereby achieving indicators at national-city region-local levels aligned to NPF3 -Strategic Development Plans-Local Development Plans.

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.)?

How this could be best achieved is through a framework which is aligned with national spending priorities and is deliverable.

TAYplan does not deal with planning applications and therefore does not receive fees. As such the example of fees would be best answered by Heads of Planning Scotland, the Royal Town Planning Institute in Scotland and COSLA.

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

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

TAYplan cannot comment on overall how effective the consultation has been. Certainly it was clearly evident that a considerable resource was put into holding a range of events and seeking to engage with communities, individuals whom otherwise may not have been aware of NPF and the overall planning system, as well as planning authorities, developers etc. This was positive, engaging and supportive.

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?

The SPP should be reviewed and published in parallel with the NPF. The dual consultation in 2013 as part of the current reviews was well received and allowed interested parties to better understand the relationship between the two. It would have been more beneficial to have the 2 documents published together – proposed SPP with proposed NPF.

The SPP is much more technical than the NPF, the focus for many is on how the policies are worded and what the implications of this are. Certainly providing an opportunity for parliamentary consideration of the SPP would allow Parliament to consider the national documents together. A change in legislation would likely be required.

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

This is a similar timeframe which planning authorities would provide interested parties an opportunity to submit representations to the Proposed Plan stage of development plans. TAYplan considers that there is a balance with having a reasonable period for scrutiny with completing the NPF3 review process expeditiously. The 60 day period seems proportionate.

4. The planning process and the work of the committee

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.[3] In light of this evidence, is the current number of planning officers employed by planning authorities across Scotland adequate?

TAYplan cannot answer this question across planning authorities. This would best be answered by Heads of Planning Scotland and the Royal Town Planning Institute in Scotland. TAYplan would comment that in addition to considering reduction in staff resources, consideration is also given to increased workloads relating to planning applications, the need to review development plans quicker, more emphasis on masterplanning etc.

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?

TAYplan cannot answer the first part of this question on the planning fee regime. This would best be answered by Heads of Planning Scotland, the Royal Town Planning Institute in Scotland and COSLA.

In respect of the Christie Commission TAYplan considers that the planning system has a key role in delivering sustainable communities, improving the quality of place and quality life, as well as tackling inequalities and taking preventative action. The planning system sets a context for economic growth, the importance of jobs and financial security in helping people lift out of poverty, deprivation and ultimately the risk of poor health and lower life expectancy. The socio-economic circumstances are a critical factor in health and quality of life and the planning system has a key role.

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?

As external Examiner at University of Dundee I have some knowledge. In respect of HEIs three universities offer RTPI fully accredited courses and specialist masters courses – Dundee, Heriot Watt and Glasgow. I understand both Dundee and Heriot Watt have undergraduate and post-graduate programmes while Glasgow only has post graduates. Strathclyde does offer one RTPI specialist degree (MSc in Urban Design), but this as I understand is not fully accredited.

Whether the number of graduates is adequate is difficult to answer and would require a view from across all planning authorities. It may be that as the economy recovers and more planners are sought a shortage may become evident. I understand that numbers have fallen in recent years and a significant proportion of students are international.

Annually TAYplan employs a summer planning student and this year provided an internship. Not only does this assist with resourcing but importantly provides training for students.

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(This response does not represent a formal view of the TAYplan SDPA, but the views of the TAYplan Manager)