

LOCAL GOVERNMENT AND REGENERATION COMMITTEE

QUESTIONS ON THE DRAFT NPF3 AND REVIEW OF SPP

RESPONSE FROM NEIL COLLAR

Introduction

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This Response contains Neil's personal opinions, not those of Brodies or its clients.

Response to Questions from the Local Government and Regeneration Committee

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?**

Response: The key principle is sustainable economic growth. The SPP states that:

"Planning should take a positive approach to enabling quality development and making efficient use of land to deliver long term benefits for people while protecting and enhancing natural and cultural resources." (para 2)

The references to "positive approach" and "enabling quality development" are important. The proposal to introduce a presumption in favour of development that contributes to sustainable development is also welcome, because of the focus on delivering (appropriate) development.

The draft NPF3 chapter 6 deals with delivery, which is a combination of the 14 national developments which will help deliver the spatial strategy, and 30 key actions to ensure that the delivery of priorities is co-ordinated with other strategies and targets for the Scottish Government and its agencies.

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

Response: The Scottish Government Position Statement January 2014 discusses the alignment between the NPF and SPP (page 3).

Reviewing the NPF and SPP at the same time has been a positive innovation. It raises the question of whether there needs to be 2 separate documents, or if the purposes of both could be fulfilled in a single document.

- **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?**

Response: The statutory provisions require the NPF to be taken into account in preparing strategic development plans and local development plans (Town and Country (Planning) Scotland Act 1997, sections 8 and 16). The NPF is a material (planning) consideration for Scottish Government and local authorities to take into account.

The NPF Action Plan records progress but could do more to analyse the quality of outcomes.

- **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?**

Response: These issues are outwith my expertise.

- **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?

Response: The Scottish Government Position Statement January 2014 discusses sustainability and planning (page 4). It notes that the consultation paper ("Sustainability and Planning" October 2013) proposes replacing the draft SPP principal policies on sustainable economic growth and sustainable development, with a principal policy on sustainability.

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?**

Response: The NPF Key Actions include: "5 We will implement the Town Centre Action Plan, taking forward a series of demonstration projects including a programme of town centre charrettes" (page 45). The Scottish Government Position Statement January 2014 reports on Proactive Policy in Support of Town Centres (page 6).

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

Response: My practical experience relates to planning policy, rather than economic and social regeneration strategies.

- **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?**

Response: My practical experience does not include the community planning process.

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

Response: The NPF states that the actions and outcomes identified in the Action Programme will be used to monitor progress over the next 5 years (page 47, para 6.11). As mentioned above, the NPF Action Plan records progress but could do more to analyse quality of outcomes.

My practical experience does not include local government benchmarking and best value.

- **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.)?**

Response: I am not aware of any general incentivisation; there may be examples of incentivisation in relation to specific policy initiatives.

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?**

Response: Consultation on the draft NPF3 has been wider and more effective than previous consultation. The Participation Statement shows there has been a wide range of consultation and some innovative approaches. It is disappointing that only 549 responses were received to the NPF3 Main Issues Report.

- **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?**

Response: Reviewing the SPP in tandem with the NPF appears to have worked well, so consideration should be given to formalising this arrangement. Indeed, as mentioned above, consideration should be given to combining them into a single document.

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

Response: This is a question for the MSPs doing the scrutinising to answer. One of the continuing problems with the planning system is the length of time it takes to prepare and approve development plans and other policy documents. The statutory provisions require the NPF to be revised every 5 years (Town and Country Planning (Scotland) Act 1997, section 3A).

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?**

Response: Developers are concerned about whether sufficient resources are being made available for the planning system. There is still scope for resources being used more effectively – for example, processing time for planning applications is often increased by requesting too much information, which then has to be assessed.

- **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?**

Response: The planning fee regime needs to be kept under review. I do not have information on the Scottish Government's/ COSLA's plans for delivery of the Christie Commission principles.

- **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?**

Response: I do not have direct experience of these issues.