

ABERDEEN CITY & SHIRE STRATEGIC DEVELOPMENT PLANNING AUTHORITY

Date: 22 June 2012

Title: Scottish Government Consultations

1 Purpose of Report

1.1 The purpose of this report is to inform the Strategic Development Planning Authority (SDPA) of the announcements made by the Minister for Local Government and Planning (Derek Mackay MSP) to the Scottish Parliament on 28 March 2012 and agree responses to two of the five consultation documents published to coincide with that announcement.

2 Background

2.1 Significant changes to the planning system in Scotland have been brought in over the last few years through the implementation of the Planning etc (Scotland) Act 2006. In addition to the legislative changes, culture change was also a significant element of the modernisation process.

2.2 The period since 2006 has brought considerable challenges in terms of delivering development, an issue reflected in the recent Main Issues Report.

2.3 The Scottish Government propose to use the experience over the last few years to consolidate and intensify the process of planning modernisation in Scotland.

3 Announcement

3.1 The Scottish Government made a statement on planning reform to the Scottish Parliament on 28 March 2012. The '[Official Report](#)' of the debate is on the Scottish Parliament website, along with a [video](#) of the proceedings lasting 30 minutes.

3.2 In its statement, the Scottish Government recognised the work that had already been done but set four priorities for the next stage of planning modernisation:

- a) Promoting the plan-led system
- b) Driving improved performance
- c) Simplifying and streamlining
- d) Delivering development

3.3 Along with the parliamentary statement and debate the Scottish Government published a number of reports and consultation documents to move forward the next stages of reform. The main documents are listed below, although only those marked with an asterisk (*) are directly relevant to the work of the SDPA.

- Planning Reform – Next Steps*
<http://www.scotland.gov.uk/Resource/0039/00390626.pdf>

- Delivering Development Consultation*
<http://www.scotland.gov.uk/Resource/0039/00390629.pdf>
- Development Plan Examinations Consultation*
<http://www.scotland.gov.uk/Resource/0039/00390632.pdf>
- Amendments to Non-Domestic Elements of Permitted Development Consultation
<http://www.scotland.gov.uk/Resource/0039/00390638.pdf>
- Fees for Planning Applications Consultation
<http://www.scotland.gov.uk/Resource/0039/00390663.pdf>
- Miscellaneous Amendments to the Modernised Planning System
<http://www.scotland.gov.uk/Resource/0039/00390635.pdf>
- National Planning Framework Monitoring Report*
<http://www.scotland.gov.uk/Resource/0039/00390668.pdf>

3.4 All five consultation documents have a closing date for responses today (22 June 2012).

3.5 A discussion is given below in relation to the two consultations of direct relevance to the work of the SDPA, with proposed responses contained in appendices to this report.

National Planning Framework

3.6 Consideration is given to the National Planning Framework Monitoring Report in the SDPA Bulletin. However, the Scottish Government have committed to preparing a new National Planning Framework (NPF3), with work commencing in the autumn. The Scottish Government believe that the spatial strategy in NPF2 (published in 2009) remains relevant and that NPF3 should focus strongly on economic recovery and the transition to a low carbon economy. It is interesting to note that these were the two major influences identified in the Strategic Development Plan Main Issues Report last year.

Review of Strategic Development Plans

3.7 The Scottish Government proposes to review the experience with the first generation of strategic development plans in 2013. The purpose of the review will be to ensure that current procedural arrangements and approaches to the preparation of SDPs are fit for purpose. Although the Aberdeen City and Shire Strategic Development Plan is likely to be still going through the process to approval during the period of the review, it will be important that the lessons learnt and experience gained are shared in the context of making improvements for the future.

4 Development Plan Examinations

4.1 The consultation recognises that the percentage of development plans less than five years old has increased significantly over recent years but that there is still some way to go. In Aberdeen City and Shire, however, the structure plan is less than three years old and the two local development plans were only adopted in the last four months. Aberdeen and Aberdeenshire have not had both parts of the development plan less than five years for a long time so

achieving it this year has been a significant achievement and it will be important that this is maintained.

- 4.2 In terms of the examination phase of the development plan process, both councils have now been through examinations on their local development plans and will be submitting responses based on these experiences. However, examinations are also conducted on strategic development plans and there are a number of important differences between the examination for LDPs and that for SDPs, as set out in table 1 below:

Table 1: LDP and SDP Examinations

	Scale and Nature of Representations	Cost	Recommendations
LDP Examination	Large number of representations concerned with individual sites and matters of detail.	100% Planning Authority	Planning Authorities adopt the plans and are to a great extent bound by the recommendations of the Reporters with a few exceptions set out in legislation.
SDP Examination	Smaller number of representations concerned largely with issues of strategy.	50% SDPA, 50% Scottish Government	Scottish Ministers approve the plans and are required to have regard to the recommendations of the Reporters but are not bound by them.

- 4.3 Two examinations have now taken place on strategic development plans in Scotland (Glasgow and the Clyde Valley and TAYplan). Both of these took 20-22 weeks from initial submission until publication of the Reporters Report and both have now been approved by Scottish Ministers. No hearing or inquiry sessions were held in either case and there were 12 requests for further information from Glasgow (36 Issues) and 14 from TAYplan (24 Issues). Both examinations cost the respective SDPA around £15k.
- 4.4 The consultation proposes four options for dealing with development plan examinations, only some of which are applicable to examinations for strategic development plans. Appendix 1 sets out a proposed response to the consultation, recognising that the review in 2013 provides a further potential opportunity comment on this element of the strategic development plan process.

5 Development Delivery

- 5.1 Since 2007 the wider global financial climate has had a significant impact on the delivery of development and infrastructure. In many areas demand and the ability of the private sector to fund development and infrastructure delivery through borrowing have both reduced considerably. In some cases, the existing processes are struggling to provide the required infrastructure, with resultant impact on the delivery of development.

- 5.3 The purpose of this consultation is to get views on the efficacy of current processes in delivering development; and to invite views on what could assist the delivery of development and infrastructure. It seeks views on the current planning system, delivering development and developer contributions and discusses some new and innovative approaches to development and infrastructure delivery.
- 5.4 The consultation represents part one of a two-part consultation, with more detailed proposals subject to consultation at a later date. As a consequence, the response to the second round of consultation will be very important but a proposed response to the current consultation can be found in Appendix 2.

6 Financial Implications

- 6.1 There are no financial implications arising from this report. There may be financial implications arising from any subsequent decision by the Scottish Government but this is more likely to reduce costs than increase them and there would be a further opportunity to comment on any draft legislation.

7 Recommendations

- 7.1 It is recommended that the SDPA note this report and agree the two consultation responses attached at Appendices 1 and 2.

David Jennings
Aberdeen City & Shire Strategic Development Plan Manager

Dr Margaret Bochel
Head of Planning & Sustainable Development
Aberdeen City Council

Robert Gray
Head of Planning & Building Standards
Aberdeenshire Council



Report prepared by: David Jennings, Aberdeen City and Shire Strategic Development Plan Manager