

## Development planning and housing policy work programme overview

March 2020

This work programme sets out the outputs and timescales for the following key areas of planning reform:

- Preparation of Scotland's fourth **National Planning Framework (NPF4)**, incorporating the Scottish Planning Policy.
- Development of new ways of working on **strategic planning**, including indicative Regional Spatial Strategies as part of the NPF4 work programme, the development of statutory guidance that will inform the new duties to prepare fuller Regional Spatial Strategies, when enacted.
- Preparation of regulations and guidance to enact the revised provisions on **local development plans**. This should also read across to future guidance and regulations relating to local place plans.
- Development of **national planning policy on housing** including targets for the use of land for housing in National Planning Framework 4.

The Scottish Government is committed to developing this programme in an inclusive way. Collaboration with a wide range of stakeholders will help to ensure that the new arrangements for development planning will work well in practice. In addition, it will be important to ensure that the tiers of development planning, from a national to local level, are brought together and viewed as a whole, to avoid duplication and ensure consistency across boundaries.

Development planning is the most significant area of change within the Planning (Scotland) Act 2019. The legislation adjusts the form and content and processes for preparing plans, from early engagement to the examination and adoption. The overall aim of the reforms is to introduce a stronger and more flexible system of development planning which is more able to align with and contribute to wider policy making at a national, regional and local scale. Beyond the statutory requirements, wider planning reform themes including improving housing delivery and an infrastructure first approach to development will also be important drivers that shape the more detailed arrangements as they emerge.

## 1. Preparation of National Planning Framework 4

The National Planning Framework will in future have full status as part of the statutory development plan. A fuller programme for this workstream can be viewed online at [insert website].

The development of NPF4 is a key priority for the Scottish Ministers, who have also been clear that the spatial strategy and policies should be informed by collaboration, particularly with planning authorities but also involving a wider range of stakeholders.

Early engagement will be undertaken from January to March 2020, with a draft expected to be laid and consulted on from September 2020.

NPF4 will focus on Scotland in 2050, whilst recognising the 10 year review period introduced by the Act. Reflecting the national outcomes and relevant Scottish Government plans, programmes and strategies, the key themes for NPF4 are:

<b>Climate change</b>	<b>People</b>	<b>Work</b>	<b>Place</b>
Reducing emissions, contributing Scotland's target of net zero emissions by 2045, and adapting to the future impacts of climate change.	Supporting the health, wellbeing, sustainability, and quality of life of our current and future population.	Contributing to sustainable economic growth that helps to reduce poverty and inequality across Scotland.	Protecting or enhancing the quality of a place, or improving biodiversity.

The six statutory outcomes for the NPF set out in the 2019 Act will also be reflected in the strategy:

- (a) meeting the housing needs of people living in Scotland including, in particular, the housing needs for older people and disabled people,
- (b) improving the health and wellbeing of people living in Scotland,
- (c) increasing the population of rural areas of Scotland,
- (d) improving equality and eliminating discrimination,
- (e) meeting any targets relating to the reduction of emissions of greenhouse gases, within the meaning of the Climate Change (Scotland) Act 2009, contained in or set by virtue of that Act, and
- (f) securing positive effects for biodiversity.

Following its approval by the Scottish Parliament and adoption by Scottish Ministers, subsequent local development plans will be required to take into account NPF4.

### *Collaborative working on NPF4 - actions*

- *All stakeholders are invited to get involved at the early engagement stage and to more formally input their views during the formal consultation on the draft revised NPF4. Opportunities to get involved have been set out in the early engagement programme, and will subsequently be formally defined in a Participation Statement, to be published in Summer 2020 ahead of the formal consultation stage.*
- *Planning authorities will also be able to influence the content of the draft NPF4 by setting out their proposals for strategic development in the form of indicative Regional Spatial Strategies, as set out below.*

## **2. Strategic Planning**

The 2019 Act will remove existing arrangements for strategic development planning, replacing them with a new duty for preparing Regional Spatial Strategies (RSS). These strategies will not be a formal part of the development plan, but will inform future versions of the National Planning Framework and local development plans.

RSS have also been designed to strengthen horizontal alignment of regional working, in particular bringing spatial planning together with economic planning, city and growth deals and transport planning (specifically the development of the Strategic Transport Projects Review 2).

### *Indicative Regional Spatial Strategies*

As a first step towards developing new ways of working on strategic planning, the Scottish Government has invited authorities to work together, or individually, to prepare 'indicative' RSS (iRSS), which can be used to inform NPF4.

Ahead of fuller RSS, it is expected that indicative strategies will be high level and broadly reflect the statutory requirements to set out:

- the need for strategic development,
- the outcomes to which the authority (or authorities) consider that strategic development will contribute,
- priorities for the delivery of strategic development, and
- proposed locations for strategic development, which must be shown in the strategy in the form of a map or diagram.

Whilst each indicative RSS will reflect its specific regional context, it would be beneficial if the overarching drivers for the wider NPF4 area were used to inform their content.

Each indicative RSS is expected to identify regionally significant developments as well as potential national developments for designation in NPF4 as part of a high level spatial strategy in the form of a map or diagram.

It is not expected that indicative RSS will set out specific figures or housing land requirements. This will be the subject of a separate workstream set out below. Following production of interim targets, subsequent iterations and ultimately the fuller RSS will need to reflect national targets.

Given that iRSS would be prepared on a voluntary basis, engagement and stakeholder involvement in indicative strategies is not a legal requirement ahead of their submission to the Scottish Government. Relevant outputs and priorities will be incorporated into the draft NPF4 which will be formally consulted on and subject to Parliamentary scrutiny from September 2020 onwards. However, early involvement and collaboration with both public and private sector stakeholders and communities is expected, in order to develop shared ownership and collective support for any emerging strategy from an early stage.

### *Statutory guidance*

Under section 4ZE of the 1997 Act as amended, the Scottish Government can prepare statutory guidance on RSS. The guidance must be consulted on, and it is expected that planning authorities' collective experience of developing iRSS will provide useful learning to inform its content. The guidance has been provisionally scheduled for finalisation by the end of 2021.

When adopted, the guidance will form the basis of future practice in strategic planning by guiding the preparation and content of RSS.

### *Collaborative working on strategic planning –actions*

- *The Scottish Government has invited planning authorities to lead work on iRSS, within the overarching framework provided by the emerging NPF4. The Scottish Government is making a digital mapping tool available to provide a joint evidence base for emerging work on iRSS, and has provided grant funding to every planning authority to support this work. To inform NPF4, iRSS should be submitted to the Scottish Government by the end of June 2020.*
- *Wider stakeholder input to this will be facilitated as part of the formal consultation and Parliamentary Scrutiny of the draft NPF4.*
- *Planning authorities and stakeholders will be invited to contribute to the development of draft statutory guidance on RSS over the course of 2020, and are also encouraged to respond to the formal consultation on the draft guidance in early 2021.*

### 3. Local development plans – regulations and guidance

Local development plans will change as a result of significant new requirements arising from the Planning (Scotland) Act 2019. Given the extent of these changes, it is expected that the development of regulations and guidance will depend on a high level of collaboration and will take around two years to conclude.

The changes are consistent with the need for stronger local development plans that provide greater certainty for developers and communities, whilst also being flexible and responsive to wider priorities. Key changes include adjusted procedures for preparing plans, with the removal of main issues reports and the introduction of evidence reports which are subject to early independent scrutiny. Supplementary guidance and Ministerial powers to intervene at the adoption stage will be removed, and local development plans will move to a 10 year review cycle to allow for a new focus on implementation and delivery. This is an opportunity to re-imagine the role of local development plans so that they are based on wider consensus, more focused on place and driven less by procedure.

#### *Key areas for regulations and guidance*

Based on initial feedback, three key areas require further development to inform the drafting of more detailed requirements in regulations and / or guidance:

1. **LDP procedures.** The key stages of the process, milestones, outputs and procedural requirements (e.g. for publication and advertisement), including duties arising from the Planning Act and other associated guidance (e.g. Strategic Environmental Assessment). Within this the new requirements for development plan schemes and the recommended-modification report / modification report as well as the more detailed provisions expected for evidence reports (see below) can be more fully described. Consultation, engagement and collaboration will also be a key part of this workstream.
2. the **scope and content** of local development plans. Any relevant information and considerations, the level of detail required, methods of analysis and good practice. Consideration of detail previously in Supplementary Guidance. This should also reflect wider planning reform themes including the importance of an infrastructure first approach to local development planning.
3. **evidence reports and the gatecheck** Building on pilot work that proceeded the introduction of the Planning Bill, more detailed prescription of the matters to be included in the evidence (aligning with 2. above) and the procedure, costs and scope of the gatecheck can be developed in more detail. Potential use of templates and consideration of what preparatory work can be done prior to Q3 2021.
4. **streamline transition to new system.** Through the work on points 1-3 above, we will progress work prior to Q3 2021 to enable a smoother transition and to minimise the delay in the adoption of new style plans after the regulations are brought into force. We will consider what elements of current

process and plan preparation can contribute towards this and take into account indicative timescales for the preparation of new style plans.

#### *Collaborative working on local development planning –actions*

- *The planning reform working group has been invited to particularly contribute to this workstream. Based on initial feedback from the group, it is proposed that sub-groups are formed and invited to explore and develop proposals for the three key areas identified above. This input will be facilitated by the Scottish Government. Members are invited to join the subgroups to ensure each reflects the breadth and balance of interests across the working group as a whole.*
- *The Heads of Planning Scotland (HoPS) development planning sub-committee and the Scottish Government's development planning forum will be invited to act as a sounding board for the proposals and detailed arrangements developed by the working group.*
- *The Scottish Government will prepare draft regulations and guidance, drawing on this collaborative input. All stakeholders will be invited to contribute their views in response to consultation on the draft proposals.*

#### **4. Housing land supply**

Alongside our work to introduce a new system of development plans, the Scottish Government will take forward a programme of work on housing land.

The aim of this work in the first instance is to inform NPF4 and meet the statutory requirements arising from the Planning (Scotland) Act 2019, specifically the requirements for NPF to contain:

- targets for the use of land in different areas of Scotland for housing.
- a statement setting out how it will contribute to meeting the housing needs of people living in Scotland including, in particular, the housing needs for older people and disabled people.

Whilst it will initially focus on NPF4, the workstream will be developed in a way which recognises the wider system of development plans and in particular the future form and content of local development plans. This includes a requirement for LDPs to include targets for meeting the housing needs of people living in the part of the district to which it relates, and for the spatial strategy to take into account housing needs including the needs of students, older people and disabled people, and the availability of land in the district for housing, including for older people and disabled people.

Allocation of land for housing has long been a contentious part of the Scottish planning system. The aim of this workstream is to establish targets for the use of land for housing to meet Scotland's needs, that are clear enough to reduce debate

within the system, but also sufficiently flexible to work within the longer term timeframe for the NPF and local development plans.

It is also important to note that targets for the use of land for housing are just one part of the picture – wider national planning policy for housing and our wider policies will also be open to debate from the early engagement in NPF4 onwards. The opportunities for improved practice, including a greater focus on the deliverability of housing land, links with infrastructure and a more consistent approach to housing land audits, will also be explored alongside the policy review.

#### *Collaborative working on local development planning –actions*

- *A focused stakeholder panel of invited representatives will be invited to act as a sounding board from early 2020 onwards on a proposed methodology that could be used for setting ‘targets for the use of land for housing in different areas of Scotland’ as required in National Planning Framework (NPF) 4 by the Planning (Scotland) Act 2019 (the Act)*
- *A discussion paper setting out the Scottish Government’s preferred approach to setting targets for the use of land for housing in NPF4, will be published in early 2020 to inform debate during the early engagement period.*
- *In terms of the requirement for planning authorities to provide information to assist in the preparation of NPF, planning authorities will be invited to contribute to the wider evidence gathering and analysis undertaken by the Scottish Government during spring / summer 2020. The resource requirements on authorities will be minimised as far as possible and it is not expected that a full HNDA will be required to be undertaken by each authority in order to allow them to contribute to NPF4.*
- *The draft revised NPF4 in September 2020 will contain an interim response to the requirements for targets for the use of land for housing, based on the discussions on methodology to that point. These targets will be open to full public engagement and Parliamentary scrutiny.*
- *The draft revised NPF4 will be accompanied by a technical report that explains in detail the analysis undertaken to inform them.*
- *The interim approach will be updated to reflect population and household projections which are expected to be published in 2020, and any other relevant new evidence. Finalised targets will be set out in the revised draft NPF4 which is laid for Parliamentary approval. Where there is a significant change, additional public consultation will be undertaken.*

*Proposed timetable for workstreams and outputs*

<b>Month</b>	<b>National Planning Framework 4</b>	<b>Regional Spatial Strategies</b>	<b>Development Planning Regulations and Guidance</b>	<b>Housing land supply</b>					
Jan 2020	Early engagement	Develop iRSS  Interim event to share emerging practice	Update and finalise Transitional Arrangements Paper  Develop key areas for guidance and regulation (facilitated subgroups):  <ul style="list-style-type: none"> <li>• LDP procedures</li> <li>• LDP scope and content</li> <li>• Evidence report and gatecheck</li> </ul>	Stakeholder panel established to act as a sounding board					
Feb				SG will publish a paper setting out a preferred approach together with questions and options					
Mar				SG undertake national analysis					
Apr				Analysis and drafting	Submit output to SG	Authorities and stakeholders provide input			
May						SG prepare technical paper with interim response to requirement for targets			
Jun									
Jul	Feedback / negotiation								
Aug	Clearance		Working group meets to discuss subgroup outputs	Clearance					
Sep	Draft laid / scrutiny and engagement		Develop consultation paper and draft regulations	Interim targets included in NPF4					
Oct				Draft statutory guidance published for consultation	Draft regulations published for consultation	Targets updated to incorporate new population and household projections and to reflect consultation findings			
Nov									
Dec									
Jan 2021									
Feb									
Mar									
Apr						Analysis and revision of draft revised NPF4	Consultation analysis	Consultation analysis	Finalised targets laid in revised draft NPF
May									
Jun									
Jul	Finalise statutory guidance	Finalise regulations	Scrutiny (as part of NPF4)						
Aug									
Sep	Revised draft laid for approval		Lay in Parliament Scrutiny						
Oct									
Nov									
Dec	Approval	Adoption	Adoption	Adoption					

