

Transforming Planning in Practice Development Planning Regulations and Guidance Subgroups

Procedures

Meeting 2, 3 February 2021 - notes

Attending:

Fiona Clandillon - SFT
Emma Doyle – NHS Health Scotland
Kath Lakeman - SEPA
Alison Laurence - HoPS
Kevin Murphy - HfS
Stuart Salter - SPCF
Stefano Smith – RTPi Scotland
Stuart Tait - Clydeplan
David Wood - PAS

Lorna Aird – PAD
Kate Houghton – PAD
Andy Kinnaird – PAD
Fiona Simpson – PAD
Carrie Thomson – PAD

Subgroup Outputs – Top 3 Priorities

The subgroup was still finalising its outputs, and so had not yet agreed three priorities. The discussion highlighted two key issues for the subgroup, however:

Development Plan Scheme Call for Sites

Development Plan Scheme

- The subgroup sees the potential benefit of the Development Plan Scheme (DPS) expanding its role, as a mechanism for collaboration and integration that would support infrastructure first.
- It was suggested that the quality of DPS varies across local authorities.
- SG confirmed a review of DPS had not been completed and invited comments from the group on how to improve the use of DPS. SG asked if, within the bounds of the primary legislation would there be value in expanding the guidance on DPS.
- SG also asked whether the DPS could sit as the 'communications arm' of broader development planning project management. The subgroup responded that DPS should be easier to locate. There was also a query about the level of assessment that the Participation Statement part of the DPS undergoes. There was acknowledgement that the DPS might not be the best way to achieve what is wanted. The HoPS response to the Evidence Report &

Gate Check Discussion Paper suggests that the DPS is just one part of the necessary development planning project management. It was highlighted that the DPS however provides a statutory 'hook' for the alignment sought.

- The links with other SG workstreams, including that dealing with community engagement and mediation, were highlighted. Nonetheless, it was proposed that the development planning guidance may also need to consider for example, efforts to reach people who face barriers to engagement (beyond those groups listed in the primary legislation). The role of Health and Inequalities Assessment in highlighting where engagement might need to be targeted was noted.

Call for sites

- SG asked whether the call for sites should continue to happen, and if so, when. There were diverse views among the group, and it was noted that the detail of how the Evidence Report will function will help determine the answer.
- One suggestion was that including the call for sites as part of evidence gathering could satisfy the legislative requirement to assess the availability of land for housing. It was also noted that completing the call for sites as part of the Evidence Report would allow a subsequent assessment of whether infrastructure capacity supports the submissions received. If not, early assessment of whether it is feasible to enhance the necessary infrastructure would not be possible. It was noted that a potential difficulty of not including a call for sites is that at examination a Reporter cannot suggest insertion of a site if it has not been subject to public consultation and/or SEA.
- SG highlighted feedback from the Evidence Report and Gate Check subgroup regarding where the line should be drawn on site specific information to be included in the Evidence Report. Maintaining a distinction between the Gate Check and Examination is important, and introducing sites at the Gate Check stage risks a 'double examination'. The subgroup concluded that there would be some benefit in including some locational information – i.e. a spatial strategy – but there would be benefit in holding back more detailed site information for inclusion in the Proposed Plan.
- It was noted that if an early view on what the plan is trying to achieve can be provided (i.e. a spatial strategy), this would help to inform which sites are then being sought. Likewise if infrastructure capacity is understood, this could help to guide which sites come forward.
- It was queried whether there could be two call for sites – a more general one at the Evidence Report stage, and then a more detailed one framed by locational direction later on.
- There was discussion of how the Evidence Report should evaluate progress on existing allocated sites, including deliverability.
- The subgroup agreed that there is some benefit in establishing site availability early on in the LDP process, and ensuring that this understanding stays up to date. Awareness of land status varies across local authorities. Is a call for sites as currently framed therefore necessary for every plan iteration? And should there be standardisation in the content expected to be included with submissions to local authorities?
- There was some discussion of how the call for sites could work alongside SEA, including a possible two-stage environmental assessment.

- It was noted that if the call for sites continues to be included, there could benefit in involving a wider range of stakeholders.
- SG commented that the discussion got to the heart of the changes in plan making and delivery we want to see in practice. The intended purpose of the Evidence Report is to establish the information needed to support an infrastructure first approach. This information will then lead a spatial strategy.

SG Overview of Progress & Process

- It was commented that 'infrastructure first' should be a priority of the new guidance.
- It was noted that references to digital development should include data and analytics, especially enabling the sharing of data across organisations.
- The absence of reference to the four key outcomes of the National Performance Framework was queried.
- The relationship to the Regional Spatial Strategy (RSS) was also highlighted, particularly with regard to evidence, which in the case of RSS will not have been required to have been tested as robustly as that used to support LDPs.
- The subgroup confirmed that it is keen to continue assisting with the development of the guidance. Further comments on the outputs will be taken in the next week, and then a final submission made.
- There was no time to comment on the subgroup's experience of contributing to the guidance. Any written comments will be gratefully received.