

Review of Planning Scottish Government Response

July 2016



BACKGROUND

On 31 May 2016, the independent panel, Crawford Beveridge, Petra Biberbach and John Hamilton published their report '[Empowering Planning to Deliver Great Places](#)'. The report outlines the panel's consideration of 6 key themes and sets out 48 recommendations designed to rationalise, improve and modernise our planning system.

Scottish Ministers welcome the report and would like to thank the panel for such a comprehensive assessment of the planning system, covering many complex issues and a wide range of topics.

We would also like to thank all who participated in the review and provided evidence to the panel. We are extremely encouraged by the number of stakeholders that took part. We intend to maintain strong engagement as we develop a programme that ensures our planning system is world class, supporting economic growth, the delivery of quality homes and community empowerment.

OUR INITIAL RESPONSE TO THE INDEPENDENT REPORT

We agree with the panel that our planning system could be significantly strengthened to ensure that the aspirations which underpinned the 2006 Act are fully met. To achieve this, it is clear that change is required. We want to simplify and strengthen the planning system to ensure it better serves all of Scotland's communities.

This review provides an excellent opportunity to improve Scottish planning's confidence, reputation and ability to deliver real and positive change on the ground. We have considered the independent panel's findings and strongly support the six outcomes proposed by the review:



- Strong and flexible development plans.
- The delivery of more high quality homes.
- An infrastructure first approach to planning and development.
- Efficient and transparent development management.
- Stronger leadership, smarter resourcing and sharing of skills.
- Collaboration rather than conflict – inclusion and empowerment.

At this early stage it is already clear that we agree in principle with many of the recommendations. We recognise that further work is required to consider each recommendation in more detail. Some, as set out below, are widely supported and can be implemented swiftly, without the need for further consultation. Others are more challenging and will benefit from more detailed consideration, research input, discussion and consultation.

OUR COMMITMENT TO AMBITIOUS AND INCLUSIVE PLANNING REFORM

Bringing forward a coherent programme of planning reform for the coming years is a priority for the Scottish Government. We fully commit to taking forward the review recommendations with pace and professionalism.

We want to build on the open, objective and constructive approach to the review and the fresh thinking it has encouraged. The success of future reform will depend on all those with expertise and experience in the planning system getting involved. It is critical that others are able to fully engage rather than just be consulted on proposals. We call on planners, developers, agencies and communities and wider interests to work with us to develop, implement and invest in a strong and positive programme of reform.

We are encouraged by the supportive feedback from stakeholders following publication of the panel's report. We also recognise that others may disagree with some of the panel's recommendations. Our view is that this report is a significant and positive step in enabling planning to better support our communities and economy. As the panel have thoroughly considered the evidence, we do not intend to re-open the debate on what should be done, but to focus instead on how improvements could be delivered. We want to move forward constructively and swiftly, building on the recommendations to develop improvements for the benefit of future generations.

IMMEDIATE ACTIONS

To demonstrate our commitment to the planning review and ensure the report has an immediate impact, ten key actions will be taken forward as a priority.

We will:

1. help local authorities to strengthen their skills and capacity for housing delivery in the short term through a range of measures including financial assistance where appropriate (Recommendations 13 and 16).
2. finalise the draft advice on planning for housing and infrastructure delivery, including a clear definition of effective housing land which will be consistently applied within the current system. (Recommendation 13).
3. work with Heads of Planning Scotland to identify how permitted development rights could be extended (Recommendation 31).
4. work with Heads of Planning Scotland and COSLA to explore potential to establish shared services (Recommendation 41).
5. take forward pilot Simplified Planning Zones for housing. (Recommendation 14).
6. consult on enhanced fees to ensure that planning authorities are better resourced (Recommendations 37 and 38).
7. work with the high level group on performance to look for alternative methods of improving performance (Recommendation 39).
8. continue our commitment to authorities to not implement the penalty clause until further work on performance improvement has been considered (Recommendation 39).
9. confirm that, in line with the panel's recommendation, we do not intend to introduce a third party or equal right of appeal. We will instead focus on more effective methods of engaging people, including the use of innovative techniques such as 3D visualisation, at an earlier stage in the planning process (Recommendation 46).
10. work with Heads of Planning Scotland to finalise national guidance on minimum requirements for validation (Recommendation 29).

To better focus our resources on these early actions and ensure this work is open and inclusive, we will also:

- withdraw current arrangements for the recall of housing appeals to avoid unnecessary delays in housing consents and reduce our input on current development plans; and
- ensure stakeholders are kept up to date with progress through our website at www.gov.scot/planningreview and our twitter feed @ScotGovPlanning.

COLLABORATION TO DEFINE THE SCOPE OF FUTURE REFORM

Over Summer / Autumn 2016, we will work with key stakeholders to develop more detailed proposals for all the other recommendations. This work will explore the practicalities of their implementation and their interdependencies. Analysis to prioritise and phase the recommendations will also be required.

We will:

- establish working groups to focus on each of the six key themes addressed by the review: development planning; housing; infrastructure; development management; leadership, resources and skills; and community engagement. These groups will involve representatives of the public and private sector at different scales, the key agencies, communities and other related interests. Urban and rural interests will also be represented. They will be tasked with exploring practical options for implementation of the recommendations.
- liaise across Ministerial portfolios and with relevant stakeholders to discuss the panel's recommendations in more detail.
- appoint an IT task force to explore relevant recommendations from the review, including work to improve information management in development planning and development management and innovative techniques such as the use of 3D visualisations in engagement (Recommendation 10).
- work with strategic development plan teams to identify options for re-purposed strategic development planning authorities, taking into account their relationship with National Planning Framework and wider governance of city region planning, development and infrastructure delivery (Recommendation 2).
- work with the island authorities to allow for 'island proofing' of options and proposals as they emerge (Recommendation 11).
- work with the RTPI, universities and the Improvement Service to address priority areas for further skills development (Recommendation 40) and to look at options for a graduate intern program (Recommendation 42).
- appoint a working group to identify barriers to involvement in planning (Recommendation 47).
- take forward a programme of research focusing on a number of the recommendations where further evidence is required.

CONSULTATION ON A WHITE PAPER

We are aiming to consult fully on a White Paper in Autumn / Winter 2016. This will enable a Planning Bill to be brought forward in 2017.

The scope of the paper will depend on the work over the summer but we currently expect a White Paper to seek views on proposals for:

- a reconfigured system of development plans. This will link with proposals to extend the role and scope of the National Planning Framework and Scottish Planning Policy;
- new tools to assist housing delivery and diversification of types of housing;
- an approach to infrastructure delivery which recognises the development planning process;
- changes to the development management process to improve efficiency and transparency;
- a renewed approach to performance improvement which links with an enhanced fee structure and more innovative resourcing solutions;
- more meaningful and inclusive community engagement;
- embedding IT and innovation to achieve a digitally transformed planning system.

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