Dear Ms Tullis

Planning and the Land Use Strategy

I understand that Committee members raised a number of questions for Scottish Government officials at an informal committee briefing on the Land Use Strategy in July. In response, I can offer the following information:

1. To what extent has the Land Use Strategy and its principles been considered in the Planning Bill?

The Planning Bill sets out the overall framework for the operation of the planning system, focusing on systems and procedures. Therefore, as a general rule, the Bill has been designed to remain relatively neutral on matters of policy, given that this is addressed in the National Planning Framework and Scottish Planning Policy.

However, you may wish to note that several of the key changes to the planning system in the Planning Bill are consistent with the more procedurally driven Principles of the Land Use Strategy, in particular:

- **Regulation should continue to protect essential public interests whilst placing as light a burden on businesses as is consistent with achieving its purpose.** The Planning Bill seeks to strengthen and streamline the planning system so that it works more efficiently and effectively for all of its users, including businesses.

- **People should have opportunities to contribute to debates and decisions about land use and management decisions which affect their lives and futures.** The Planning Bill introduces a new right for communities to plan their own places (local place plans) as well as improvements to early engagement in development planning, which we are seeking to strengthen further through amendments at Stage 2.
Alongside this, the Principles that relate to more specific policy objectives such as gaining multiple benefits from the use of land, climate change, ecosystems, landscape change, restoration of derelict and vacant land, access and greenspace and improved understanding of land use are all already embedded in the National Planning Framework (NPF3, 2014) and the Scottish Planning Policy, including:

- The Scottish Planning Policy integrates the Principles of the Land Use Strategy into the principles that underpin the presumption in favour of development that contributes to sustainable development (paragraph 29).

- Paragraph 195 of the Scottish Planning Policy states that we expect public bodies to apply the Principles when taking significant decisions affecting the use of land.

- The Scottish Planning Policy also sets out more specific policies that support each of the specific Principles in turn. For example, paragraph 194 includes a number of policy principles on valuing the natural environment that reflect several Principles; Outcome 2: a low carbon place requires consideration of both climate change mitigation and adaptation; paragraph 40 notes that brownfield land re-use or redevelopment should be considered before new development on greenfield sites, and also notes the value of greening of sites which are unsuitable for development. The Land Use Strategy is also referred to as a key document in the section setting out the six qualities of a successful place, as well as in the sections covering rural development and green infrastructure.

- In addition, the Principles have been woven into the spatial strategy set out in the National Planning Framework (NPF3), with a specific link in paragraph 4.9, and the section on Scotland as a ‘natural, resilient place’ having been particularly closely aligned with the aims of the Land Use Strategy. In addition, the Principles clearly support several national developments included in NPF3, including the Central Scotland Green Network and the National Long Distance Walking and Cycling Network.

We expect work to review the National Planning Framework which, it is proposed, will incorporate the Scottish Planning Policy, to commence following completion of the scrutiny of the Planning Bill, providing an opportunity to build on this already strong alignment with the Land Use Strategy.

2. To what extent do the Scottish Government or planning authorities gather evidence about how the principles of the Land Use Strategy have been taken into account.

There is no single source of evidence showing how the Principles of the Land Use Strategy have been taken into account in development plans or decisions. However, stakeholder engagement that informed the review of the LUS in 2016 explored its application in practice. Largely anecdotal feedback from practitioners shows that the LUS Principles are being applied to different degrees and in different situations.

Analysis of responses to the consultation that informed the 2016 version of the LUS showed information and awareness raising would be helpful as there was uncertainty about its relationship with planning. The Strategy (Policy 3) therefore included a commitment to this and a workshop on planning was included at the annual stakeholder event in 2016 allowing officials to gather more detail on the various applications of the LUS in planning. This showed that Strategy and its Principles have been used to inform policy making, to develop
and design projects, and to guide research and spatial thinking. However, its direct application remains mixed and planning practitioners also noted that planning authorities’ primary point of reference is usually the NPF and Scottish Planning Policy rather than the LUS itself.

This underlines the importance of the strong policy alignment noted above. Rather than focusing on the direct application of the LUS Principles to the planning system, information on the use of NPF and the SPP, which incorporate the principles, would give a more reliable though possibly less directly attributable, picture of its use in practice. We will be undertaking research to inform the next iteration of the NPF when the review process gets underway, and this will help us to establish a clearer picture of how various policies have been applied. Whilst the scope of that work has yet to be defined, I expect that it could, in broad terms, help to inform our understanding of the way in which the Principles of the LUS have been applied through the planning system.

I trust the Committee finds this information of interest.

Yours sincerely

John McNairney
Chief Planner