Local Government and Communities Committee

Planning (Scotland) Bill

Submission from Aberdeen City and Shire Strategic Development Planning Authority

1) The Aberdeen City and Shire Strategic Development Planning Authority is a statutory partnership of Aberdeen City Council and Aberdeenshire Council established in 2008 under the Planning etc. (Scotland) Act 2006. Its primary role is the preparation of a Strategic Development Plan (SDP) which covers both Aberdeen City and Aberdeenshire (except the Cairngorms National Park) and contains a growth strategy which looks forward over a 25 year period. A copy of the current plan, approved by Scottish Ministers in March 2014, can be found at http://tinyurl.com/ACSSDP14.

2) Given its remit, this response focuses on strategic planning and partnership working at a regional scale.

3) Although all four SDPAs in Scotland were established at the same time and under the same legislation, they all operate in slightly different. The Aberdeen City and Shire SDPA has particularly sought to influence other plans and strategies at a national and regional level, responding to strategic planning applications, assisting as required with the implementation of the SDP through the LDPs and focusing on co-ordinating infrastructure funding and delivery.

4) While the Aberdeen City and Shire SDPA did not recognise the need for fundamental change to the development plan system in Scotland the publication of the Planning (Scotland) Bill has moved past this point of discussion and we now must consider what are the implications and challenges of the proposals contained within the Bill.

5) The SDPA has only responded to the questions of the Call for Evidence which it believes fall under its remit. Our partner Authorities will provide their own detailed responses to it.

Question 3

Do the proposals in the Bill create a sufficiently robust structure to maintain planning at a regional level following the ending of Strategic Development Plans and, if not, what needs to be done to improve regional planning?

In its submissions on the planning review the SDPA expressed its concern with the proposed removal of strategic development plans. The preference of the SDPA is that a form of city region spatial planning is retained. As such the SDPA does not support Section 2 of the proposed Planning (Scotland) Bill which seeks the removal of the requirement to prepare a strategic development plan along with its related governance processes.
• While there will be no need to produce an SDP it is felt that; given the SDPA’s history of successful regional partnership building, the delivery of a durable spatial strategy and the provision of substantial housing and employment land, the SDPA can still play a positive role in regional planning.

• It is considered that an alternative approach would be to repurpose the existing SDPA. This would take advantage of its established governance and joint working structures and aligning to a greater focus on monitoring, evidence gathering and delivery of development.

A history of partnership

• Before the SDPA was formed, regional planning in the North East was less formalised but successfully produced a 2009 Structure Plan. Both the Structure Plan and the Strategic Development Plan 2014 were developed and prepared through partnership working and reflected the success of its strong joint working ethos and the commitment of its local authorities and stakeholder community. These two plans facilitated historically high levels of employment and housing land.

• The SDPA agrees that the planning system could be refocussed and made more effective in relation to the support for delivery and infrastructure. This is important at all levels of the planning hierarchy be it national, regional or local.

• It is considered that this refocus on delivery could, in part, be achieved by retaining the existing SDPA structure but moving its functions to prepare for example; a regional spatial strategy, regional housing supply targets for the functional housing market areas and facilitating the spatial implementation of the City Region Deal and the Regional Transport Strategy.

• This would have the benefit of both retaining the established joint working structures and practices which currently exist in support of the preparation of the Strategic Development Plan but enhancing them around a focus on delivery.

Flexible Duty for Regional Collaboration

• The Bill proposes a new flexible duty for regional collaboration by two or more planning authorities to assist Scottish Ministers in preparing the National Planning Framework (NPF). This regional collaboration between the local authorities and the NPF currently exists within the existing established SDP processes. However there is no standing obligation to work on a regional basis but a once in a decade duty to co-operate on the NPF. Regional issues are such that they need to be monitored, considered and addressed on a continuous basis and not left idle for long periods of time.

• If the intention is that regional collaboration goes beyond just what is proposed in terms of the Planning (Scotland) Bill into areas such as; transport, education and economic development then it is the SDPA’s experience that
such collaboration requires clarity of purpose, roles and responsibilities, governance, accountability and funding.

- It is considered therefore, that given the wide range of potential partners, and to ensure its effectiveness in supporting strategy development and delivery at a city region level and in support of an enhanced National Planning Framework, any form of collaborative working will require to be established with the following requirements:
  - a clear statutory requirement for local authorities to work together in partnership and for the outputs of these partnerships to be given consideration by the Scottish Government;
  - a formal duty to co-operate on other public bodies (SEPA, Scottish Water etc.) in support of the work of the regional partnership;
  - the ability to determine a clearly defined geography that suits partner authorities administrative and regional objectives;
  - a clear role and remit; and,
  - a single governance structure with associated supporting resources.

The approach to regional working should be framed under a number of general duties and powers relevant to spatial planning including:

- contributing to the achievement of the National Outcomes as set out by the Scottish Government
- creating well-designed and sustainable places;
- contribute to sustainable economic development;
- addressing climate change duties and act in a manner that contributes to achievement of the carbon emissions targets;
- securing environmental protection and management;
- delivery of affordable housing;
- reducing inequality; and,
- improving health and well-being (probably LOIPs).

**Improving Regional Planning**

- More clarity on how regional planning partnerships will work is required.
- It is considered that greater long term economic certainty can be achieved through continuous regional planning in managing transboundary issues through setting out a spatial strategy which supports sustainable economic growth, the efficient use of existing infrastructure and mitigates against adverse environmental impacts and ensuring the efficient use and development of infrastructure.

The range of activities that could be set out as specific to the regional role could include:
development of a regional land use spatial strategy which sets out regional priorities by addressing strategic planning issues in respect of housing, transport, flood risk management, climate change, and biodiversity and supporting the development of priorities for the National Planning Framework;

- ensuring alignment of regional strategies including economic, transport and land use strategies;
- supporting housing delivery;
- supporting economic growth;
- Identifying strategic infrastructure interventions preparing delivery plans;

The above activities would obviously require to be delivery focussed, however, the extent to which the regional partnerships can have a direct influence on delivery would depend on their duties, powers and resources. There are therefore a number of areas where it is considered that regional planning can be improved in support of the collaborative approach envisaged by the Planning (Scotland) Bill, namely:

- building greater capacity, awareness and more effective behaviours in strategic planning particularly at the local authority political and corporate level as well as amongst professional leaders and the wider stakeholder community;
- streamlining the approach to housing assessment;
- fully integrating the NPF/SDP and National Transport Strategy/Regional Transport Strategy into a single national/regional strategy;
- regional land use/transport planning should be the land use expression of city region economic strategies.

Additionally in support of any change to the planning system other public bodies and the key agencies will also require to have a duty to assist in any new process.

**Conclusion**

In creating high quality places where people want to live, work, play and invest, strategic regional land use planning still has an important role to play in supporting the objectives of the Scottish Government in the creating a more successful and equitable country through increasing sustainable economic growth.

The joint working model that currently exists in relation to the Aberdeen City and Shire SDPA for development planning at the city region scale is not considered to be broken. An opportunity exists through the new Planning (Scotland) Bill to enhance this model with additional autonomy (set it up as we want) duties and powers rather than removing it.

Should the current approach be replaced then it is important to recognise that whatever replaces it is clear and recognises the important role regional strategic planning has to play and this should be firmly embedded in the duties set out in the new Planning
(Scotland) Bill in support of not only the requirements to support preparation of the NPF but also in terms of supporting the wider city region areas.