Local Government and Communities Committee

Planning (Scotland) Bill

Submission from the Chairs of the Regional Transport Partnerships of Scotland

- We welcome the Scottish Government’s commitment to a plan-led, ‘front-loaded’, more streamlined planning system, with greater community involvement, more emphasis on certainty for developers, encouraging ‘development ready’ land, and a stronger focus on delivery.

- However, the Bill as proposed presents something of a missed opportunity, as its provisions raise various causes for concern and have the potential to create a range of negative consequences.

- Removing statutory Strategic Development Plans from the planning process is a retrograde step which goes against best practice and does not reflect the unique qualities of each of Scotland’s regions, and indeed, has the potential to place the future sustainable economic growth of some regions of Scotland in jeopardy. It is worth highlighting that in their flowchart explaining the Bill, the Scottish Government give significant weight to the importance of “Regional Partnerships” in the future structure of development planning in Scotland. What is not made clear is that these partnerships and are not referred to anywhere in the proposed Bill, and would therefore be voluntary, and would have no statutory footing.

- Furthermore, this is in contrast to not only established ‘regional’ approaches in other sectors such as transport (statutory Regional Transport Partnerships), but also emerging Scottish Government practice such as the outcomes of the Enterprise and Skills Review (proposed ‘Regional Economic Partnerships’), and the emerging National Transport Strategy which is moving towards being supportive of a more ‘regional’ approach. The proposed Bill also appears to ignore the emerging ‘city region’ agenda which is developing in areas across Scotland.

- The Bill appears to present a very much centralised planning system, where despite significant work being undertaken by local authorities and other partners at the local and regional level, the Scottish Government has the ultimate final decision over nearly all aspects of planning: from the National Planning Framework, to Simplified Planning Zones, through to Local Development Plans, contrary to the principle of subsidiarity and the stated aim of giving autonomy to communities.

- There is very little reference to transport within the Bill, as was to be expected, as the new National Transport Strategy and forthcoming Transport Bills will cover that. However, the timing of the NTS and these Bills has unfortunately created a situation where any legislative change required to improve the integration of transport and land-use planning will require the transport sector to ‘play catch-up’ with planning; for example, how will the lack of a statutory
regional focus within the Planning Bill affect the outcomes of the NTS and the forthcoming Transport Bills? It is therefore essential that the Planning Bill makes provision for future changes such as these, in order that they can be taken into account in legislation.

- We welcome greater integration of Community Planning and greater community engagement in the planning system, with the introduction of Local Place Plans and the inter-relationship with Local Outcome Improvement Plans as part of the Local Development Plan.

- We are concerned that there will be a widened gap between 'local' and 'national' planning levels through the provisions of the new Bill. While the Local Place Plans will have a welcome focus on community involvement and accountability, the National Planning Framework will become a far more prescriptive and detailed statement of Scottish Ministers' policies and proposals for the development and use of land across all council areas in Scotland. It is worth remembering that the NPF will also form part of the statutory Development Plan for an area, alongside the Local Development Plan.

- We welcome the principles behind the proposed infrastructure levy, but highlight that greater appreciation of the impact on services (such as transport, and revenue funded) should be given, and the role RTPs can play in that. Furthermore, there is no provision for infrastructure levy funding to go to regional bodies such as Regional Transport Partnerships, despite the levy being intended for strategic/regional infrastructure, and that route often being the most appropriate and deliverable way of utilising such funding.

- In addition, there are number of areas that the Bill fails to address including: recognition of the role of statutory ‘key agencies’ (including RTPs) in the development plan process; strengthening of the role of key stakeholders, including RTPs in the development management process; limited flexibility for city-regions to reflect area-specific circumstances; and last but not least, recognition of the role of transport as a catalyst for development, and the mutually dependent relationship between transport and land use planning, including the relationship between the new Planning Bill, the forthcoming Transport Bill and emerging National Transport Strategy.