



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

LOCAL GOVERNMENT AND REGENERATION COMMITTEE

Wednesday 5 February 2014

Wednesday 5 February 2014

CONTENTS

NATIONAL PLANNING FRAMEWORK 3 AND SCOTTISH PLANNING POLICY	Col. 3077
---	----------------------

**LOCAL GOVERNMENT AND REGENERATION COMMITTEE
4th Meeting 2014, Session 4**

CONVENER

*Kevin Stewart (Aberdeen Central) (SNP)

DEPUTY CONVENER

*John Wilson (Central Scotland) (SNP)

COMMITTEE MEMBERS

*Richard Baker (North East Scotland) (Lab)

*Cameron Buchanan (Lothian) (Con)

*Mark McDonald (Aberdeen Donside) (SNP)

*Stuart McMillan (West Scotland) (SNP)

*Anne McTaggart (Glasgow) (Lab)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Hugh Crawford (Royal Incorporation of Architects in Scotland)

Malcolm MacLeod (Heads of Planning Scotland)

Suzanne McIntosh (Royal Incorporation of Architects in Scotland)

Stephen Tucker (Royal Town Planning Institute Scotland)

CLERK TO THE COMMITTEE

David Cullum

LOCATION

Committee Room 2

Scottish Parliament

Local Government and Regeneration Committee

Wednesday 5 February 2014

[The Convener opened the meeting at 09:30]

National Planning Framework 3 and Scottish Planning Policy

The Convener (Kevin Stewart): Good morning and welcome to the fourth meeting in 2014 of the Local Government and Regeneration Committee. I ask everyone to ensure that they have switched off all mobile phones and other electronic equipment.

Agenda item 1 is an oral evidence session on the draft third national planning framework and review of the Scottish planning policy. I welcome our panel: Malcolm MacLeod, chair of Heads of Planning Scotland; Stephen Tucker, convener of the Royal Town Planning Institute Scotland; Hugh Crawford, president and official representative of the Royal Incorporation of Architects in Scotland; and Suzanne McIntosh, a committee member of the Royal Incorporation of Architects in Scotland. Welcome and good morning. Do you have any opening statements to make?

Stephen Tucker (Royal Town Planning Institute Scotland): On behalf of the RTPI, I thank the committee for the opportunity to give evidence today. It is much appreciated.

The Convener: Thank you. To what extent has the success of NPF1 and NPF2 in achieving their aims been assessed? Are the monitoring arrangements for NPF3 adequate?

Malcolm MacLeod (Heads of Planning Scotland): I, too, thank you for the opportunity to give evidence.

We very much welcome the draft NPF3, which has taken on board the outcomes from NPF1, NPF2 and the main issues report. It is a more punchy document that is more spatially based, which is a step forward, and it makes much clearer the outcomes in terms of development and what planning can deliver. It covers the where element and leaves the how element to the SPP. Overall, we are pleased with NPF3.

There are a few issues that we feel have perhaps not been addressed as well as they could have been. Some of the national developments that have been proposed by our members have not been taken forward, and there are still areas of Scotland—particularly rural parts of the country—

whose role in national development is not as clearly represented as it could be. That is one area of NPF3 that we think could be improved. Generally speaking, however, we think that NPF3 builds on NPF1 and NPF2 and is definitely going in the right direction in setting out a strong framework in which we can progress our local development plans.

The Convener: When the Minister for Local Government and Planning gave evidence last week, he told us about the number of plans that were originally submitted and talked about how the list was whittled down. Do you think that that is the right process? You say that you are concerned that certain developments have not been included in NPF3. Is the process that is being followed the right one?

Malcolm MacLeod: The consultation that was carried out in the preparation of the plan was proportionate and reasonable, with a good opportunity for everybody to contribute. The emphasis is on establishing a much more place-based approach that is not just about volumes of texts but is clearer and much easier to understand. I welcome that approach—I am not criticising it. In any consultation, there will be those who feel that their views have not been represented as well as they could have been.

One issue with NPF3 as it stands is that some of our members feel that it is perhaps not ambitious enough and that the national developments that it contains centre particularly on Dundee and Ravenscraig. It is fantastic to see those developments in the document, which really sets out the way forward, but where is the next Ravenscraig or Dundee waterfront? Is the NPF just a statement of projects that have currently been identified? Are we being visionary and ambitious enough? However, as with every consultation, whether it is about a strategic development plan or a local development plan, we cannot fit in everyone's expectations.

When the main issues report was published, the relationship to the cities and their role was raised. That issue has been developed in the final draft of NPF3, and there is more evidence of the link to the cities work that is under way. However, that probably could be strengthened and much more of a link could be made to the action programme that is coming separately through the cities stream of work.

The areas of co-ordinated action in the previous draft have been changed to reflect other priorities, such as the low-carbon priority and the focus on cities. There is some disappointment that, for example, a project on the west coast that Argyll and Bute Council, Western Isles Council and Highland Council promoted has not been included. However, we as a group feel that the key elements

have been reflected, albeit in a slightly different form.

Stephen Tucker: The RTPI submitted evidence that pointed to the need for the NPF and the SPP to be ambitious, influential, focused on delivery and based on outcomes and for them to provide clarity on how they sit with SDPs and LDPs. We generally support the NPF and the SPP. Possibly most important, we support the planning hierarchy. The hierarchy in Scotland is now genuinely regarded as a good model, but it will take time to get it right and for it to work on the ground. Crucially, it will take time for the vision and ambition in higher-level documents to be passed down through SDPs and LDPs. The machinery is right; the key now is to deliver on the ground. In that regard, we have supported the NPF and the process so far.

The Convener: Does the hierarchy fail when local authorities and regions fail to come up with new LDPs and strategic plans?

Stephen Tucker: That is not a failure as such. The reality is that planning involves a democratic process on which forces act. For example, in the past five years, the market has had an impact on delivery timescales and how things are achieved on the ground. We can set all the objectives we like at a higher national level, but they need to work on the ground and we need to be open to the democratic process. For example, communities sometimes do not want certain developments to happen, and that is part of the planning process. It is right that things are tested as they pass down through the hierarchy at the strategic and local levels.

The key issue that accompanies planning reform, which was identified many years ago, is culture change so that the planning system becomes more ambitious, more proactive and more development and delivery focused. We are getting there, although we do not always get there in the way that we expected when we started.

That is the planning process. The key point for us is that, if we are visionary about what we are trying to achieve, if we focus on doing things for the country's good and the local good, if we take into account the environment and—crucially—if the public and private sectors are willing to work together to ensure that the best and most sustainable developments happen in the best places, the framework will in time deliver the excellent results that it is setting out to deliver.

The Convener: To play devil's advocate a little, we often hear from developers that things take too long and from our constituents that things are done too quickly and that plans that are in place have not been followed. If the national planning framework, planning policies, strategic plans and

local development plans are done right, will they prevent such conflicts or at least soften them?

Stephen Tucker: Planning is not an easy subject, because development impacts on communities and the environment. The balance is always whether a development is sustainable and for the common good. A few years ago, when I was in Germany—it was somewhere in Bavaria—I asked the mayor what happens if somebody challenges his development plan. He looked at me quizzically and asked, "Why would they?" The culture there is plan led, but the culture in this country is different. We are independent and we challenge and test things, and our planning process reflects that culture.

Communication is key. In the move to a plan-led system, we must keep debating and communicating the issues. There must be honesty between the public and private sectors and we must be honest with communities about what we are trying to achieve. Before the meeting, Malcolm MacLeod and I spoke about the fact that, in the past five to 10 years, the planning system has become much more about communication between the public and private sectors. Frustrations exist on all sides, but that is planning and development, and that is why the process is democratic.

Hugh Crawford (Royal Incorporation of Architects in Scotland): Suzanne McIntosh and I are both planners but, in representing the Royal Incorporation of Architects in Scotland, we come from a design perspective. I welcome the opportunity to appear before the committee.

We represent the interests of many practitioners who deal with the planning system and who look at the existing machinery to find out what is necessary for them to make their decisions. The two background documents that we are discussing go a long way to helping that process. In dealing with those who put their time, energy and resources behind something, it is important that they know where they are going with that process. If moves can be made to take out uncertainty, or to at least reduce it to a level where people are prepared to make investments, that is a good thing. We are to a great extent concerned with the process that people will follow and whether the documents are up to helping them to make the decisions on investment. The documents do that. It is helpful that they are place specific, so that we know what we can expect in particular areas, cities and coastlines.

There is a fine line to be drawn between planning too far and not planning far enough. As we have seen over the past four years, many things can arise that are perhaps predictable but that have a severe effect on where we are going, resulting in the sudden need to change the

planning machine, do an about turn and cope with all sorts of things. The five-year plan, which builds on what has gone before, achieves a good balance. We are going not too far but far enough in trying to predict the unpredictable, which is helpful.

It is difficult to talk about both policy documents without considering the lead-up and background to the whole matter of placemaking, all the special interests and, in particular, an environment that people can enjoy and within which they can reach the position of what we call wellbeing. The background to what we are considering has been good.

We could almost have a debate in itself about the machinery that is set out. Our written submission touches on how that affects practitioners who use the system. We even go as far as to look at the appeals system and what we might expect from it. People will go to where their expectations can be more clearly defined.

The Convener: Ms McIntosh, do you have anything to add?

09:45

Suzanne McIntosh (Royal Incorporation of Architects in Scotland): Yes, I have a few points to add. I will not repeat what the previous speakers have said, but I very much agree with them.

I would like more emphasis on the European context, especially in the national planning framework. I felt that that was a real positive in one of the first NPFs. I cannot remember whether it was NPF1 or NPF2, but there was certainly a clear definition of Scotland's role in Europe and specifically in northern Europe. I would like that to feed through into NPF3.

Another issue that much of my work and that of RIAS practitioners is involved with is rural development and acting for people in remote locations, where it can often be particularly tricky to gain planning permission for an existing business or operation to grow. I feel really strongly about that, given the emphasis on sustainable economic growth and the need to resist the depopulation of rural areas. I was disappointed to note the decline in the dissemination of grants to developers for rural homes for rent, which happened two or three years ago, and that those grants have not been replaced by anything else.

Through the national developments and the strategic layer of planning, there is an important opportunity to think about how we assist rural development and how implementation on the ground assists those who are attempting to resist rural depopulation through small-scale

developments that are perhaps not always part of the local plan. We have to keep an eye on the fact that not everything in the plan happens on the ground and that some things that are not in the plan do happen.

Another issue that we have heard a lot about is the completely different topic of conflict resolution, which has been mentioned perhaps three times this morning. As a planning mediator, I feel strongly about mediation and planning. My colleague Hugh Crawford is a mediator, too. We have attempted to bring mediation into the mainstream planning system, but it is difficult to embed it in the system. We have to rely on willing partners coming to the table to take part. Mediation has not taken off in a serious way, but there is an opportunity at the strategic level of thinking to embed conflict resolution in order to get a smoother planning system.

The Convener: We will probably come back to conflict resolution and mediation through questions from other members.

John Wilson (Central Scotland) (SNP): The convener's first question at the start of the meeting was directed to Mr MacLeod of Heads of Planning Scotland. The first question that his organisation addressed in its written submission to the committee for today's discussion was on what key principles should underpin the planning system. The submission issued a challenge to the Government on how

"the legal duty on local planning authorities to comply with sustainable development objectives"

can be reconciled with the emphasis on economic development. The submission also said that environmental issues should be considered.

Mr MacLeod, do NPF3 and the SPP sufficiently recognise the issues that you have raised? With regard to economic development, in many communities throughout Scotland, there could be major challenges in creating healthy environments, particularly when communities see the eradication of the green belt and environmental considerations being pushed aside for what it is argued is progress in certain areas in economic development.

Malcolm MacLeod: We certainly welcomed the additional consultation on the sustainable development element and we contributed to it. It will always be a challenge to balance social, economic and environmental factors. Indeed, I think that the first round of questions today has shown that that is at the heart of planning. However, although it will always be a challenge to achieve that balance, I think that what has been produced so far and what has been consulted on indicate that we are certainly going in the right

direction. Obviously, we await the final version of NPF3.

We want to ensure that the process does not become an industry in itself, given the various assessments that are required to demonstrate things such as economic viability, and that there is a proportionate approach. Our job is all about balancing out those three elements. We already do that daily when dealing with every application and when we are determining allocations within plans. We are going in the right direction. The issue is right at the heart of planning, and we are already good at making judgments about sustainable developments and developments in the right places.

John Wilson: I would like to follow up a number of issues but, given the shortage of time, I will focus on Mr Tucker's comments.

You referred to the balance between the public and private sectors and the need for a culture change, and you spoke about your conversation with a mayor in Bavaria. Is there a different culture on the continent, not only in Germany but in other countries? You talked about the public and private sectors, but I am talking about communities. The convener alluded to one of the big issues that we face as elected members when we deal with planning issues, which is that we often get drawn into debates about what happens when communities have engaged fully in the process of developing a local plan and, all of a sudden, a developer comes along out of the blue and slaps another development down in front of planners. In that situation, planners are being asked to take on board the new development despite the fact that communities have been engaged for some time.

Last week, I raised the issue of the confidence that communities have in the planning process. What is the difference between Bavaria, for example, and Scotland in that respect? There seems to be a lack of confidence and participation among the public in planning decisions.

Stephen Tucker: I will try my best to answer that question. I am not an expert on Bavarian or European planning, but I can share my experiences and knowledge. Without going into detail, I can say that the culture is different; indeed, the culture varies in different parts of our country.

Communities exist at many different levels. There is the local community—the street where someone lives and the neighbourhood in which they live. There is then the town in which they live and perhaps the city or the city region. Those communities feel differently about proposals. For example, at a city level, the community can feel really positive about a new factory, the 2,000 jobs that are being created and all the investment that

is coming into the local community. However, the people who live in the street next to the factory will feel differently. That is a real challenge. We, as planners, have to balance those views and the impacts of development at those different levels, which is also something that elected members have to do regularly.

With the plan-led system, which I think is quite common on the continent, we are getting towards openness and transparency about planning. Planning is much longer term on the continent, and countries there will produce plans for 30 or 40 years—the plan is a real vision of how a city or a city region will develop. It is a very physical vision of how the city will develop over time, where the tramlines and the railways will run and how the city will grow.

Our planning system is moving towards that approach, helped by the planning hierarchy. It is a healthy direction that we are travelling in, but it means that we need to be much more honest and up front with communities about how places might develop over 30 or 40 years. We need to say that in the plan, instead of developers—whom I often represent—coming along with individual ideas for this or that site. Developers propose those projects or ideas partly because they feel that the plan does not take fully into account the opportunities that exist around a city or town. In moving to a plan-led system, we might need a greater awareness of market forces, where developers want to build and where opportunities exist.

This is a really exciting time in planning. With the move to a plan-led approach, we will get a much more physical, ambitious and visionary planning system over the next few years. We just need to ensure that, collectively, we take communities at every level with us.

John Wilson: We need to strike a balance between that 30 or 40-year vision and what is in the NPF, the SPP and the local development plan and find a way of getting that message across. In that respect, I should perhaps ask Ms McIntosh about the arbitration and mediation that take place with communities. When someone moves into a new housing development, they expect the nice wooded areas, the fields around them and so on to stay nice, only to find that, five or 10 years down the road—to take Mr Tucker's example—a factory gets planted next door to them. How do we deal with such long-term issues and engage with communities to ensure that they are fully aware of future developments and proposals?

Suzanne McIntosh: I come to this discussion not only with experience of lower-level mediation, but having acted for communities in high-conflict situations such as public inquiries and having helped them to engage in the process at that level.

I have noticed, over the years, that communities are or have been reluctant to get involved at the strategic level of thinking. It is easy for a person to think that, say, a factory is going to be built behind their house only once they get the neighbour notification through their door, and that is the point at which they begin to engage in the process. They do not physically engage at the point in the process at which they should engage—at the plan-making stage. We have gone a long way to try to get people involved at that stage. Local authorities have moved from simply having an exhibition in the library and that sort of thing to using social media and engaging with schools and young people, trying to get them involved in the plan-making process. For me, that is the starting point that we need to move to. We need to communicate with people and get them involved at that early stage.

We will, however, still have to deal with disgruntled people coming to the door when the planning application appears on the council's planning portal. At that stage, there is often an opportunity for more effective communication between developers, local authority planners and communities. Although community councils are statutory consultees, some local authorities do not have community councils in their areas and some community councils have a non-existent membership or just do not meet. I would describe that as a failure in getting people to fulfil their roles and responsibilities as active citizens. The question is how we tackle that and get people to participate not just in the planning process, but in other processes in their communities. On the other hand, of course, there are some very active communities that will threaten legal challenges to councils' proposals. We need to address that imbalance, and we work very closely on that issue on a day-to-day basis.

The Convener: Is it fair to say that wealthier communities are more able to do that sort of thing than certain poorer communities? If so, does that suggest that some advocacy might be required?

Suzanne McIntosh: It is about not just financial wealth but knowledge.

The Convener: That is why I referred to advocacy, not money.

Suzanne McIntosh: Speaking as a mother and planner, I think that it comes back to education in schools and teaching children to be active citizens. We have a responsibility to ensure that people get involved in their environments. Indeed, I have seen some very good projects in that respect. For example, the Parliament hosted an exhibition by a high school in Penicuik that had been involved in what might be called a placemaking project. The young people became very active and spoke to a number of planners and architects about the

matter. That was fantastic, and we should all ask ourselves why that is not happening in every community.

The Convener: Mr MacLeod wants to come back on this subject, but I must ask him to be brief as I have a huge number of names on my waiting list.

10:00

Malcolm MacLeod: I want to come back on the issue of communities engaging with local plans. That is difficult, particularly given the timescales that are involved, but we are doing the right thing. We are moving towards a much more design-led approach to development plans that, instead of just showing a block of housing and people not appreciating what that means, shows what the development will actually look like if it is developed.

My final point is about how we could make a big difference. At the moment, we send out neighbour notifications at the point of the proposed plan, which is, in many ways, too late. For example, Highland Council sent out 15,000 letters in our recent consultation on the inner Moray Firth local development plan. However, that is done at the last stage of the process, and the notification is in legal and regulatory speak. As a group, the Government and planning authorities could make a big difference by carrying out the neighbour notifications earlier and making people aware much earlier in the process.

The Convener: How many responses did you get to your 15,000 letters?

Malcolm MacLeod: You have caught me out. I would say that we got a 10 per cent response, although not all the responses would have resulted directly from the neighbour notifications.

The Convener: Perhaps you could drop us a wee note to let us know the exact figure.

Malcolm MacLeod: I certainly will.

Richard Baker (North East Scotland) (Lab): Mr MacLeod, at the beginning of the evidence session you praised the NPF as a punchy document. Last week, we explored the lack of budgetary information in the document in relation to the national infrastructure projects that are listed in it. Since then, we have received evidence from Aberdeen city and shire strategic development planning authority on household growth, which states:

"While failing to facilitate such growth is strongly warned against, how it can be achieved in a time of severely limited public spending is not addressed."

Would it not be better if some of those important and practical budgetary issues were identified properly within the NPF document?

Malcolm MacLeod: The role of the NPF is to set out the picture of what is going to happen, and there are other mechanisms for considering how it is delivered. There will be an action plan associated with it, within which there should be recognition of where the funding for national developments and so on will come from. Keeping the national planning framework as the spatial representation of where we want to go is the right way to present it at the moment. The action programme that is associated with the NPF or, indeed, other strategic documents that relate to such things as transport schemes, for example, should be where the budget decisions are made.

The NPF is already a good representation of the national funding that is committed by the Scottish Government. I am not sure that I have picked up your question right—I do not know how much more detail would be useful.

Richard Baker: You are saying that the budgetary issues should be in the action plan rather than in the NPF document. I appreciate that. However, I note from your written submission that the draft action programme that was set out in January could be improved by identifying in it where funding has been committed. There is a general lack of information throughout the process as a whole.

Malcolm MacLeod: That is right. For example, the green infrastructure part of the NPF is absolutely fantastic. It ticks all the right boxes for how we will deliver a healthier population over the next 20 years and it is absolutely critical. However, when it trickles down—as it inevitably will—to local development plans and to decisions on individual planning applications, there will be questions about the burden that can be placed on individual councils or developers to deliver the plans. It is all a big jigsaw, and if we do not have the bits at the local level, what is in the national plans will never happen. The detail that I would like to see coming out of action programmes is the joint working between local government and national Government.

Certainty has been mentioned a few times today. When a developer comes in, they need to be given confidence and certainty about what they are expected to provide. We are getting much better at that, but it is one of the areas in which there has properly been criticism of the planning system because of the time that it takes to negotiate section 75 agreements in the delivery of infrastructure. That has partly involved a lack of clarity about what is to be provided by whom and when. The action programme provides a really good way of improving that clarity, and HOPS, the

Convention of Scottish Local Authorities and the Scottish Government are making efforts on things such as processing agreements to speed up the process and give more certainty. We are also working with our legal colleagues at all levels to ensure that section 75 agreements are drawn up more quickly and that developers are given proportionate requirements.

There are a host of things that planning authorities and the Scottish Government can do, but there is also a role for the action programme in setting out the big picture.

Cameron Buchanan (Lothian) (Con): I have another question for Mr MacLeod. You state in your written submission that the 60-day statutory timeframe is “sufficient and proportionate” but that the timings of committee proceedings make it difficult for local authorities to respond in time. Do you agree that denying councils the time to respond is a fairly significant deficiency in the system? You touched on that earlier.

Malcolm MacLeod: The general view that I express in our written submission is that the period is not long enough to allow an appropriate timescale for committee involvement. It is fantastic that not just this committee but others are spending so much time on the subject, and I think that some authorities commented on that. We have this great opportunity to speak to you, but there was perhaps not enough time in the run-in to prepare properly and get democratic input.

Cameron Buchanan: If local authorities cannot always respond within the 60-day period, should we not extend it?

Malcolm MacLeod: That is where I was coming from in my comments. A longer period would perhaps have been more appropriate. However, as HOPS, we managed to get our response to you.

Cameron Buchanan: Thank you.

The Convener: The entire consultation period extends over quite a long time. Is that not where local authorities should have their say?

Malcolm MacLeod: That is why I wrote first that the overall period of consultation on the NPF has been right and proper and has allowed time for democratic input. It is the last phase in particular that I refer to in my other comments.

The Scottish Government made a lot of effort to go out not just to the traditional draughty halls and community centres, but to speak to people in shopping centres and to try to get them to be creative and draw how they would like Scotland to develop. That has been a real step forward, and it has definitely trickled down to how we deliver development plans.

Mark McDonald (Aberdeen Donside) (SNP): I will work my way along the panel in the other direction to give Mr MacLeod a wee break. The RIAS submission states on page 3:

"In representing the view of RIAS members, we find that there can be much negativity and unreasonable restraint in processing applications."

Will the witnesses from the RIAS expand on that for us?

Suzanne McIntosh: I am just trying to find that comment.

Mark McDonald: It is in the third to last paragraph.

Suzanne McIntosh: I am trying to see whether it relates to planning applications or appeals.

Mark McDonald: It is about

"delivery of the outcomes from the NPF and SPP".

The paragraph mentions

"a culture where the focus is not the process, but the enthusiastic encouragement of an outcome which is beneficial to all concerned, within a reasonable time scale",

so it is about the planning process in general rather than a specific element of it.

The Convener: Mr Crawford, do you want to comment?

Hugh Crawford: It is important to look at the bottom line and what we expect to get out of the process. We do not give primacy to the process; we must look to what we actually end up with. On the road that we take to get to that beneficial outcome, there can be an awful lot of frustration and irritation and a lot of impediments. That is perhaps what we were getting at.

Given that the days are being counted by the applicant, who has perhaps taken a borrowing, and given that there is great cost associated with any delay, it is important that the progress of an application through the system is not inhibited by someone stepping in at a higher level than the officer who is dealing with the application in order to send it back to the beginning of the process. There must be a clear and transparent process with the expectation of a positive outcome.

Related to that comment, I would also like local authority officials to participate more fully in achieving a positive outcome as opposed to being people who, to many practitioners, seem to be standing in the way, producing another policy or looking at some other difficulty that may arise. We are looking for a more positive and progressive process that leads to a positive result.

Mark McDonald: I appreciate that, but I think that we are still talking a little bit round the houses on the issue. I am not asking you to name names;

I am simply looking for examples of the restraint or negativity that your members are coming across. You may not have that information to hand, but it might be beneficial for the committee to receive case studies that do not name names or identify locations but which give examples to contextualise what you say. When I read your written submission it struck me that, if there are problems in the system, we need to know about them so that we can look at them in the future.

Stephen Tucker: We spend quite a significant amount of time debating the principle of development and the principle of location. One of the encouraging things to emerge from the national planning framework, which is being supported through the Scottish planning policy, is the presumption in favour of development that contributes to sustainable development. There are some slight uncertainties about exactly what we mean by the term "sustainable development", but the SPP will explain that in greater detail, and I welcome that.

I would like us to spend less time debating the principle of development and more time focusing on the quality of development, the placemaking of development and how we deliver it. Someone asked earlier where the delivery is, when things are going to happen and how they are going to happen. Once we start to pin down the location and the principle of development, we can focus on how we are going to deliver it, how the developers are going to afford it and how we can work together to meet the aspirations and expectations of communities on the ground.

Mark McDonald: I note that your submission is peppered throughout with talk about proper resourcing and investment in planning. I do not have any money to give you, but planning is a statutory function. Are local authorities not providing adequate funding for that statutory function, or is there an issue with the fee structure? Would addressing the fee structure be one way of providing the improvement in the investment in planning to which you refer?

Stephen Tucker: There are a number of issues. It is important that the national planning framework and the national planning level can influence decisions on the resourcing and delivery of major projects generally. The issue is partly about the planning system and the resources that exist in planning departments, but it is also partly about skills and the seniority of planning staff. Figures have been provided that show that there has been a reduction in the number of planning staff, but that information does not pick up on the seniority of some of the people who have left the planning process over the past few years. Some very well-informed, skilled people have moved out of planning departments. The issue is also partly

about the work of the other agencies. We must ensure that other agencies across the country all feed into and support the developments that are identified in the national planning framework, SDPs, LDPs and so on. That, too, is crucial.

10:15

Mark McDonald: You make an interesting point about the profile of individuals who have left planning departments. How do you encourage knowledge sharing and knowledge retention? We know of examples from across local government—indeed, from most organisations—of an individual who is an expert in a particular area leaving and their knowledge not being shared or retained in other ways within the organisation, which creates a gap. Are you concerned about that within the planning set-up?

Stephen Tucker: To use the word “concern” would perhaps be a little bit strong, but it is certainly worthy of note. The issue is partly about how departments share knowledge internally; I would rather not go into that, because Malcolm MacLeod is better placed to talk about it. For me, the key is that planning authorities have a vision for where they want to go and what they want to achieve. If they have a direction of travel and a vision for what they want to achieve, they can get people behind it and there can be a greater understanding of the direction of travel.

When people are responding or reacting to things that are coming into the planning process, that is a bit more difficult. In that case, the issue is much more about expertise, experience of sites and situations or even legal knowledge of how to deal with an application. The plan-led system will help, but having a clear direction of travel that is set nationally and passed down through strategic and local development plans is crucial and will also be part of the answer.

Mark McDonald: Okay. Perhaps Mr MacLeod would like to pick up on that.

Malcolm MacLeod: A few points arise. I come at this slightly differently, because I do not see such negativity and unreasonable restraint in processing applications. Cases always crop up in which there are opposing views, but I think that we have done an awful lot in the past couple of years to improve how things are done. Obviously, you are aware of the approach that planning authorities have taken to preparing planning performance frameworks. It is not all about speed, and it is more about outcomes as opposed to process. We have seen good examples of how we are improving the quality side of planning in the last two submissions of our planning performance frameworks.

There are always issues, but it is all about continuous improvement and I genuinely feel that we are going in the right direction. We touch a lot on certainty and the fact that some officers perhaps get involved with an application on which people are at loggerheads, and suddenly someone else steps in and moves everything back. However, a lot of planning authorities are getting much better at pre-application discussions and at putting in place procedures to ensure that they happen in an organised way. That is about performance and it is about ensuring that officers go back with as comprehensive a view as possible. HOPS is doing a lot of work on that and that is one thing that gives certainty. We have done a lot of work on ensuring that the Government's wish for processing agreements to be put in place is enacted.

With regard to the loss of staff and perhaps loss of skills, one initiative that we have committed to and which we are keen to progress is around better benchmarking. There has been a tendency to have benchmarking within authorities but not to look at what is happening around them, so this year we have taken forward benchmarking groups in line with the Society of Local Authority Chief Executives and Senior Managers' benchmarking families, so all our families are now set up. Instead of the discussions being a chat, a very focused discussion takes place about performance, in which we try to pick up best practice from across authorities. That is one way in which we will start to fill the skills gaps. We will be able to see what works in East Dunbartonshire or Orkney and, as a partnership, we hope to translate that within HOPS and along with the Scottish Government.

If I may, I will make one last point about fees. Clearly, our wish is for further fee increases. There was a very welcome increase in fees last year and there is evidence from across Scotland that that money is being invested in planning authorities, in getting graduate planners and in trying to focus on the types of application that are blocking the system. For example, some authorities have been investing in the renewables schemes side of things. We would like to see further fee increases. My submission refers to a piece of work that was done by 15 authorities. We hope that the outcomes of that work will inform the Scottish Government's approach.

Mark McDonald: Can I have one final question, convener?

The Convener: If we have time at the end, Mr McDonald. Anne McTaggart, please.

Anne McTaggart (Glasgow) (Lab): I return to the tie-in to the European Union, which I am sure that Ms McIntosh mentioned at the beginning. Is the omission of the EU perspective about culture,

vision, focusing or resourcing, or is it about all of that together? Can you explain that more?

Suzanne McIntosh: One of the initial NPFs—I am sorry; I cannot remember whether it was NPF1 or NPF2—looked at Scotland very much in its European context, as a market that we do business with. It looked at Scotland's position in that market and how national developments at that time did not just look inward; it looked at how we exported and what our growth industries were.

I represent a lot of people in the food and drinks industry. Things are coming up for Scotland's promotion of food and drink worldwide: there are tie-ins for business in the NPF in a European context. That is what I am saying. A thread of continuity runs through all that, which may have been slightly missed because of the spatial focus purely on our boundaries.

Anne McTaggart: If that is missing from NPF3, what are you putting in place to make that happen and link things together?

Suzanne McIntosh: It would not be for me to put something in place.

The Convener: What do you think that the Government should put in place?

Suzanne McIntosh: Maybe an extra paragraph is needed on that. It links to the focus on sustainable economic growth. To have that thread run through the document, mentioning our European context, is very important to those who are looking at us as well as those who are within our boundaries. The Scottish planning system—albeit that we all have niggles with it—is watched closely from a European context. We were happy and proud to host the European Council of Town Planners two years ago and my colleague was president of that. We are watched, because we have a progressive planning system.

Let us not beat ourselves up about that; we are good at planning. Patrick Geddes is the founder of modern planning and we are proud to be planners. We need to get back to that and ensure that we sing the praises of planning through the documents; we should not just focus on where there are problems.

Stuart McMillan (West Scotland) (SNP): Mr Tucker said that planning is a democratic process. I will play devil's advocate for a moment: it could be suggested that there occasions when local planners' recommendations to councillors are overturned if an application goes to the reporter. Is that accurate?

Stephen Tucker: That does happen; that is the system. We have mechanisms in our planning system that, for example, allow departures from the plan. Our system allows members to overturn a recommendation for approval and sometimes

even overturn recommendations that apply with a plan that has been approved by members. The system is capable of debate, influence and flexibility, which is hugely important. I am not suggesting that a system whereby something happens just because it is in a plan, and that that is the way that everything happens, would be the right way for things to happen.

When things go to appeal, communities get an opportunity to be represented and address the reporter. They can be part of that discussion. Sometimes the appeal decision is that the process was wrong and the appeal is upheld. Sometimes the reporter's view is that, for good planning reasons, something should be allowed and a development should be given consent. I do not think that that necessarily cuts across the democratic process of planning. My point is that the first step in the process is a planning recommendation, and then a group of locally elected members makes a decision on that.

Stuart McMillan: In summary, the current process is flexible and adaptable and you think that it is correct.

Stephen Tucker: It is flexible and adaptable, although we would probably all accept that we could do with a bit more certainty. We sometimes need to be a bit more open with communities up front. A point was made earlier about longer-term and visionary planning. I think that it is healthy if people know what is coming well in advance of buying a house or making a decision to locate in a community. Although up-front discussion is sometimes more difficult, it avoids the disappointment and frustration that can come further down the line when things happen that people did not expect or maintain that they were not aware of.

Stuart McMillan: Ms McIntosh spoke about communities getting involved at an earlier stage, which relates to the comments that Mr Tucker has just made. She mentioned that individuals and communities do not do that. Of course, local community councils are statutory consultees. In recent years and perhaps further in the past, have planning departments not so much treated local areas with disdain but perhaps not fully considered that other opinions, views or suggestions might come from communities or individuals and could be taken on board to improve planning applications?

Suzanne McIntosh: Some community councils have manipulated the process for their own good. As a result of a lack of elections in the community council process, people have occupied positions for too long, while others have a particular agenda to push. We have seen that throughout Scotland and we all know of such instances. However, through the promotion of active citizenship, there

is hope that that will change. Planning authorities certainly have a duty to go wider, although they are bound by statute, and I am not sure that the current system allows them to do that. The hierarchy of development allows developers to go wider with specific types of development.

That possibly links to the issue of where we are getting it right. For major developments over a certain threshold, we are doing a lot more at national level, but an awful lot of developments come forward that are within the minor developments box in the hierarchy but which can have significant impacts on local communities. We do not necessarily have a formal consultation process for such developments. On the one hand, we are doing well in the planning process, because we are eliminating small-scale applications and giving people increased permitted development rights, and, with major developments, we have a focus on early engagement. However, that does not apply to everything that is left in the middle, which is probably the largest proportion of applications. For things such as expansions to small and medium-sized enterprises—let us face it, they are keeping us going at the moment—people often find barriers in the planning process, as Hugh Crawford talked about. At the same time, such developments often have an impact on communities—positive, negative or otherwise—and people ought to get involved in them, but we do not really allow them to do that. We are not quite there with the middle zone of applications.

There are opportunities. We need to use the mediation process and to identify the key players in local communities. Those people often do not sit on community councils on a windy Monday night for two hours listening to issues about street lighting and signposts, because they are doing other things. At present, we do not speak to those people—we are not finding them and getting them involved in planning.

The Convener: Mr McMillan can ask a very brief question and I ask for brief responses, because I am aware that Mr MacLeod has to be at another committee later this morning.

Stuart McMillan: Do you have any brief suggestions on how we can empower such individuals and get them involved?

Suzanne McIntosh: I will keep it brief. I have been impressed with the increase in community development trusts and in people getting involved in their community and linking to the planning process that way. There are local planning forums, area partnerships and other such networking between different organisations, which can increase the social capital in a particular zone of a city or community. That can feed into the planning process. We need to seize the opportunity, get

involved in those different types of meeting and get people involved.

10:30

The Convener: Please be brief with your last point, Mr McDonald.

Mark McDonald: It was simply to ask a question of Mr MacLeod, of all people. When you talk about the NPF being the where and about our need for the how, there are also the local development plans and strategic development plans that lie underneath that. At our previous evidence session, we heard from the minister that there are too many authorities that do not have up-to-date local plans. What is being done to rectify that?

Malcolm MacLeod: We are taking a number of actions. I absolutely agree: speed in preparing development plans is key to getting people involved. If things drag out over a long period, people lose interest or it goes off the radar. Before you know it, you have missed them.

We are looking at things such as gateway reviews; we have other local authorities coming in and looking at experience elsewhere and at what particular authorities are doing, to see whether that can be improved. That should be of benefit.

The other approach that has been useful—although we have to find another word for it—is the use of charrettes, or design workshops. That is being mainstreamed into the preparation of local development plans; it gets a much quicker outcome than going away from a public event and coming back three months later. There are big resource implications, but if we find a way of making the process affordable for local authorities and change our traditional way of doing things, we will get there with speedier development plans. We are trying. Getting plans done much more quickly is one of the HOPS workstreams.

The Convener: I will not let Mr McDonald back in on charrettes, because he had his say on that last week.

Some of the folk round the table know that I am an anorak—one of my favourite documents is the 1952 Aberdeen local plan. The foreword was written by Tom Johnston, the former Secretary of State for Scotland, and in it he had a real go at the red weevils of bureaucracy holding up the planning system. Have we dealt with the red weevils of bureaucracy? Very brief answers, please.

Suzanne McIntosh: Not everywhere.

Hugh Crawford: We are most of the way there.

Stephen Tucker: Planning is not about saying no.

Malcolm MacLeod: Yes.

10:33

The Convener: Those were very different answers—I wish that we had more time to delve into them. You might want to send us a wee note about where those red weevils still exist; we would certainly have a look at it.

Meeting continued in private until 10:57.

Thank you very much for your evidence today.

Members who would like a printed copy of the *Official Report* to be forwarded to them should give notice to SPICe.

Available in e-format only. Printed Scottish Parliament documentation is published in Edinburgh by APS Group Scotland.

All documents are available on
the Scottish Parliament website at:

www.scottish.parliament.uk

For details of documents available to
order in hard copy format, please contact:
APS Scottish Parliament Publications on 0131 629 9941.

For information on the Scottish Parliament contact
Public Information on:

Telephone: 0131 348 5000
Textphone: 0800 092 7100
Email: sp.info@scottish.parliament.uk

e-format first available
ISBN 978-1-78392-692-3

Revised e-format available
ISBN 978-1-78392-705-0

Printed in Scotland by APS Group Scotland
