

**REPORT TO: PLANNING & TRANSPORTATION COMMITTEE – 26 AUGUST 2002**

**REPORT ON: REVIEW OF STRATEGIC PLANNING: CONCLUSIONS AND NEXT STEPS**

**REPORT BY: DIRECTOR OF PLANNING AND TRANSPORTATION**

**REPORT NO: 584-2002**

## **1 PURPOSE OF REPORT**

- 1.1 This report advises the Committee of the Scottish Executive's conclusions following the analysis of responses to its consultation paper 'Review of Strategic Planning'. It also outlines the next steps which the Scottish Ministers propose to take as part of the Review process.

## **2 RECOMMENDATIONS**

- 2.1 It is recommended that the Committee:
- a notes the implications of the conclusions and next steps arising from the Review of Strategic Planning, and
  - b has regard to the provisions of this Report when considering its response to more detailed proposals, which will in due course emerge from the Scottish Executive.

## **3 FINANCIAL IMPLICATIONS**

- 3.1 There are no financial implications directly associated with this Report.

## **4 LOCAL AGENDA 21 IMPLICATIONS**

- 4.1 The Local Agenda 21 implications of this Report cover a wide range of key themes, which include issues of sustainable development, the efficient use of resources and minimising of waste, and access to facilities, goods and people is not achieved at the expense of the environment and are accessible to all.

## **5 EQUAL OPPORTUNITIES IMPLICATIONS**

- 5.1 No equal opportunity implications are associated with this Report.

## **6 BACKGROUND**

- 6.1 At its meeting on 24 September 2001, the Committee agreed its response to the Scottish Executive on the consultation paper on the Review of Strategic Planning (Report No 562-2001 refers). The paper represented the first major reassessment of strategic planning arrangements in Scotland since 1975 and sought to explore how these could be made more effective within the changing context in which the planning system operates. Key among these changes are the 1996 reform of local government and the establishment in 1999 of the Scottish Parliament. Members were advised of the difficulties and shortcomings of the existing situation and of the problems which these involved for Dundee. These included the anomalies presented by the City's tight administrative boundary and the restricted boundary for Joint Structure Plan purposes. This includes Angus but excludes any part of neighbouring Fife and Perth and Kinross and thereby fails to reflect the City's sphere of influence.
- 6.2 The City Council welcomed the overall content of the consultation paper and noted that the Review reflected many of the comments which it had made on the earlier consultation document "Land Use Planning Under a Scottish Parliament". In particular, it addressed the fact that current structure plan areas do not reflect geographic realities. The proposed system

of 'City Regions' encompassing a number of local authority areas was seen as providing a much more effective unit for strategic planning purposes. The proposal that the production of the new Strategic Development Plans would be jointly overseen by the constituent authorities was also supported.

- 6.3 The Scottish Executive received in excess of 300 responses on the consultation. The document "Review of Strategic Planning: Conclusions and Next Steps" sets out its responses to the comments received relative to the issues raised in the earlier consultation paper. These are outlined in Appendix 1 to this Report. This also includes details of the views submitted by the City Council at that time and comments on the Scottish Executive's responses to the consultation exercise.

## **7 CONCLUSIONS**

- 7.1 Overall, it is reassuring to note that in most key aspects the Scottish Executive remains committed to fundamental change aimed at resolving the major anomalies inherent in the present system. From a Dundee City Council viewpoint, the proposals represent a welcome approach which should address a number of the problems currently inhibiting the scope for effective strategic planning within the Dundee City Region.

## **8 CONSULTATIONS**

- 8.1 The Chief Executive, Director of Finance, Director of Support Services and Director of Corporate Planning, have been consulted and are in agreement with the contents of this report.

## **9 BACKGROUND PAPERS**

- 9.1 Review of Strategic Planning (2001)
- 9.2 Review of Strategic Planning: Conclusions and Next Steps (2002)

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Mike Galloway  
Director of Planning & Transportation

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Keith Winter  
Policy and Regeneration Manager

2 August 2002

KW/AB/EJ/PO36

Dundee City Council  
Tayside House  
Dundee

**APPENDIX 1****REVIEW OF STRATEGIC PLANNING****OBSERVATIONS ON SCOTTISH MINISTERS' PROPOSALS****Question 1: Should National Planning Policy Guidelines be renamed National Planning Policy Statements?**

Decision: The Scottish Ministers have decided to adopt this proposal and are considering calling these policy statements Scottish Planning Policies (SPP). The intention is "to make the documents more concise and the policy content more explicit". An indicative programme is provided for the review/updating of the existing NPPGs and for their replacement with SPPs. This includes the review of NPPG1 (The Planning System) during 2002.

Comment: Decision welcomed. The replacement of NPPGs with SPPs was supported by the City Council and considered useful as a means of clarifying the status of these statements.

**Question 2: Should some form of national overview document be prepared?**

Decision: It has been decided to proceed with this proposal. The national planning framework will be prepared with extensive stakeholder involvement and this will commence with a series of regional workshops in autumn this year. No further detail on the nature of the document and the process for its preparation is provided.

Comment: Decision welcomed. The concept of a national overview document was supported in principle by the City Council with the proviso that it should be restricted to issues affecting the country as a whole. The Scottish Executive was also urged to produce the overview on a biennial basis with consultation and with approval by the Scottish Ministers.

**Question 3: Should model development plan policies be drawn up?**

Decision: This proposal is to be adopted. Consultants will be appointed to undertake this work but probably not until 2003/2004.

Comment: Decision welcomed. The City Council previously indicated its support for model policies and highlighted their potential benefits, including consistency between authorities and improved clarity for development control.

**Question 4: Should the current requirement to prepare structure plans for all parts of Scotland be removed?**

Decision: It has been decided that the requirement for comprehensive structure plan coverage of Scotland will be removed. While retaining the requirement for development plan coverage of all areas, it has been decided that only in the case of Dundee and the other 3 largest cities is there also a need for a broader overview.

Comment: Decision welcomed. The City Council had previously noted that for many areas there are no strategic issues to be addressed and the requirement in such instances to produce structure plans is unduly onerous.

**Question 5: Do you agree that strategic development plans should be prepared only for the 4 largest city regions? What should the boundaries of these areas be?**

Decision: This proposal is to be adopted. The Scottish Ministers will indicate the local authorities which will be required to work jointly to produce city region plans. However, the boundaries to be covered by each plan will be agreed by the Councils involved.

Comment: Decision welcomed. The City Council previously noted the tendency for the larger city regions to be a focus for strategic issues. It also suggested the factors which could assist in defining the boundaries for strategic development plans, ie travel to work areas, shopping catchments, housing market areas etc. No indication is given regarding the authorities which, together with Dundee, would produce the plan covering the City Region. However, logic suggests that these would be Angus, Fife and Perth and Kinross.

**Question 6: Do you agree that joint committees be set up to oversee the preparation of strategic development plans?**

Decision: This proposal is to be adopted.

Comment: The City Council previously noted that since the review of strategic planning arrangements would not be accompanied by an overhaul of local government, then a number of authorities would need to be involved in preparing strategic development plans for the areas concerned. It also queried how joint committees would be constituted and whether different structures could be devised to suit the circumstances of different areas. The possibility of including the structure as part of the Development Plan scheme submitted to Ministers was also raised. The option of introducing Boards was a further suggestion. While the latter would appear to have been ruled out, no further details are provided by the Scottish Executive on the other issues raised. These will no doubt be the subject of further consideration.

**Question 7: Do you agree that strategic development plans should concentrate on a limited number of strategic issues and they should not restate national policy?**

Decision: This proposal is to be adopted. The Executive's view is that strategic development plans should be focussed on genuinely strategic issues with a potential impact on the development of the city region. Employment, housing and transport had previously been highlighted as key areas of focus.

Comment: The City Council previously indicated its support for this proposal with the proviso that there should be the flexibility to other address other issues where justified by local circumstances. Retailing was felt to be a significant omission given the provisions of NPPG8. No further detail is provided by the Conclusions and Next Steps document in respect of these matters.

**Question 8: Do you agree that strategic development plans should be site specific?**

Decision: While it intends to adopt this proposal, the Scottish Executive indicates that it does not expect precise boundaries to be identified in strategic development plans. It acknowledges that the term "locationally specific" may be more appropriate than "site specific". Further discussion will be held on this issue.

Comment: While the City Council previously indicated its support for more specific guidance in strategic development plans, it recognised that further consideration was needed regarding the appropriate level of detail. The Scottish Executive's decision acknowledges the need to further investigate this issue.

**Question 9: Do you agree that an action plan should be prepared as part of the strategic development plan and that it should be reviewed every two years as part of the process of monitoring and review?**

Decision: This proposal is to be adopted. Action Plans will be required for all development plans. These will set out how it is intended to implement the plan and will cover matters including phasing of development, land acquisition and infrastructure provision. Although Action Plans will be a statutory requirement, they will not be formally approved by the Scottish Ministers. As a result, the Scottish Executive expects that the updating process (every 2 years) will be simpler.

Comment: Decision welcomed. The City Council previously indicated its support for this proposal.

**Question 10: Do you agree that a public examination of objections should be made mandatory?**

Decision: This proposal is to be adopted. A consultation paper is due to be published on Streamlining Inquiries. This will indicate how such examinations could be conducted. The Scottish Executive's current view is that the report of the Inquiry should be binding on the joint committee and constituent authorities unless they indicate to the contrary within a prescribed period.

Comment: The City Council previously expressed doubt as to the need for a mandatory public examination. As an alternative, it was suggested that objections to finalised plans could be referred to the Scottish Parliament for a decision. A special committee could be established for this purpose. While the decision to proceed with the mandatory public examination raises concerns regarding extended timescales for plan preparation, much will depend on the procedures and arrangements put in place for public examinations.

**Question 11: Do you agree that the Scottish Ministers should issue a certificate of conformity with national policy rather than formally approve structure plans as at present?**

Decision: It is not intended to adopt this proposal. It has been decided that Ministerial approval makes the status of the plan clearer than would be the case with a certificate of conformity. The intention is that the Scottish Ministers will not be involved in minor modifications to plans and will work to a 3 month target for approving city region plans.

Comment: The City Council previously indicated its support for the concept of the certificate of conformity. This was on the basis that it could speed up the plan preparation process and add to the validation of the plan. While the decision to drop this proposal is noted, the three month target for approval is strongly welcomed and should overcome concerns regarding the speed of approval (the current target for structure plan approval is 40 weeks).

**Question 12: Do you support the arrangements for monitoring set out in paragraph 36 of the consultation document.?**

Decision: It is intended to adopt this proposal. This will involve taking stock of progress with the strategy every two years. It will also require the joint committee to consider within five years of the issue of a certificate of conformity whether to formally review the plan. The views of stakeholders will require to be sought as part of this process.

Comment: Decision welcomed. The City Council previously indicated its support for this proposal. However, the reference to "the issue of a certificate of conformity" is presumably an error, given the decision (see Question 11) not to proceed with this approach.

**Question 13: Do you agree that, outwith the 4 city regions, there is no need for two tiers of development planning?**

Decision: It is intended to adopt this proposal. However it is acknowledged by the Scottish Executive that all development plans may have a concise strategic component.

Comment: Decision welcomed. The City Council, in supporting this proposal, noted that there are extensive parts of the country where there is an absence of strategic issues and in such instances the two tier planning system is inappropriate.

**Question 14: Do you think that there should be a requirement for Councils to submit a development plan scheme for the agreement of the Scottish Ministers?**

Decision: It is intended to adopt this proposal in part. The requirement will be that development plan schemes are prepared and submitted for information, rather than for Ministerial approval.

Comment: The City Council supported the original proposals involving the requirement for Ministerial approval. The removal of this requirement could assist in speeding up this stage of the plan preparation process.

**Question 15: Do you think that the process for drawing up development plans and local development plans should be similar to the procedures for strategic development plans?**

Decision: It is intended to adopt this proposal in part. However, a number of issues remain to be resolved in the process of devising how best to accelerate plan making and approval. Pilot projects will be undertaken to assist in this and the Scottish Executive will also consult with other stakeholders. The results of the recent consultation on "Getting Involved in Planning" will also be taken into account. Further discussions will also be undertaken with planning authorities and others on matters including transitional arrangements and timetabling.

Comment: The City Council did not support this proposal, being of the view that Ministerial approval should not be required for local development plans and could unduly extend the process. The additional work to be undertaken by the Scottish Executive in the course of finalising its proposals means that it may be some time before this matter is resolved.

**Question 16: Do you agree that more use should be made of supplementary guidance?**

Decision: It is intended to adopt this proposal. However, the value of such guidance depends on the degree of consultation involved in its preparation and the extent to which it is up to date.

Comment: Decision welcomed. The City Council supported this proposal.

**Question 17: Do you agree that Waste Subject Plans should be drawn up and that their boundaries should be aligned with Area Waste Plans?**

Decision: It is not intended to adopt this proposal. The Scottish Executive acknowledges that there are difficult issues to be resolved here. It concludes that Area Waste Plans must clearly set out the spatial and land use implications of their proposals and that development plans would then address and resolve these issues.

Comment: The City Council had indicated its support for this proposal at a time when the Tayside Area Waste Plan was in the early stages of preparation. At that stage there was uncertainty as to how the Waste Plan's provisions would be reflected in the Dundee Local Plan. There is now greater clarity regarding the Waste Plan/Local Plan relationship and, on this basis, the Scottish Executive's revised approach on these matters is accepted.

**Question 18: Do you agree that a period of stability is required in respect of the strategic planning policy framework for opencast coal? In the case of aggregates, strategic planning arrangements will be informed by the current review of NPPG4.**

Decision: The Scottish Executive is examining the report of the Transport and the Environment Committee investigation on opencast coal. In the case of aggregates, "The Review of NPPG4: Land for Mineral Working" will be published shortly.

Comment: The City Council supported this suggestion. The Scottish Executive's position on the matters involved will presumably be clarified in due course.