



Heads of Planning Scotland

**HEADS OF PLANNING SCOTLAND'S RESPONSE  
TO THE PLACES, PLANNING AND PEOPLE  
POSITION STATEMENT ISSUED BY THE  
SCOTTISH GOVERNMENT, JUNE, 2017.**

Finalised and approved by Heads of Planning Scotland.

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## 1.0 INTRODUCTION

1.1 Heads of Planning Scotland (HOPS) has been actively involved and engaged in the planning review process at all previous stages. This work has included,

- The submission of oral evidence to the Independent Review Panel.
- Written submissions setting out the HOPS Vision for a Repositioned, Better Resourced, Streamlined and more Effective planning system.
- A formal HOPS response to the Scottish Government's (SG) Consultation Paper, "Places, People and Planning"
- Dedicated HOPS workstreams on Shared Services, Validation, Permitted Development, Planning Fees and Performance with Final reports and Recommendations submitted to the SG.

1.2 This next stage of the planning review process is the publication of the Position Statement (PS) in June 2017, which sets out the changes that Scottish Ministers are considering taking forward, having assessed the wide range of views expressed to the 4 themes and 20 proposals set out in the Places, People and Planning consultation.

1.3 The PS is accompanied by a Strategic Environmental Assessment (SEA) Environmental Report setting out the likely impact of the proposals and the Position Statement was informed by an independent analysis of all 474 consultation responses published by Kevin Murray Associates (KMA) and Dundee University. The responses were from a broad range of perspectives on planning and the planning system analysed by sector as follows,

- Civil Society- 57%
- Policy and Planning- 22%
- Business Sector- 9%
- Development Industry- 12%

1.4 The Government has now set out its position and a clear direction of travel but stresses that the consideration of consultation responses is still ongoing and no final decisions have yet been made. The PS confirms that the changes set out focus on technical matters and future legislative amendments and restates that this forms part of a much wider programme of reform and behavioural change in planning.

1.5 The PS makes it clear that there is no need to restate the views already expressed by HOPS in relation to the PPP consultation as these have been, and will continue to be, taken into account as the proposals continue to be developed. The open and collaborative approach adopted to the review process will be maintained and ongoing consultation and engagement with a wide range of different interests will continue over the coming months. HOPS is already engaged in a range of detailed aspects and will continue to contribute positively to all aspects of the ongoing review discussions.

## 2.0 HOPS OUTLINE RESPONSE TO THE POSITION STATEMENT

2.1 HOPS supports the logic and rationale behind the new planning reforms as they continue to reflect the 3 strategic objectives set by HOPS for **re-positioning planning, better resourcing for planning and a more streamlined and simplified planning system.**

2.2 HOPS continues to welcome and support the direction of the review of the planning system and particularly the declared focus on,

- The delivery of high quality development in the right places
- The introduction of an effective “infrastructure first” approach
- Alignment of community planning with local development planning
- Shifting from consultation to true engagement, participation and involvement
- A simplified and streamlined development planning system at national and local level
- A better resourced planning system

2.3 The main thrust of the earlier Consultation Paper is being maintained and there are no real surprises in the package of reforms now being considered in detail. The key messages in the Position Statement are consistent with the initial outline considerations.

- A statutory link between development planning and community planning
- Removal of the requirement for Strategic Development Plans and new duties for regional partnership working
- Changes to Development Plan procedures to simplify and streamline
- Measures to strengthen local development plan delivery
- Proposals for new Local Place Plans
- Changes to Examinations and new “Gate checks” to be introduced
- Planning Bill to be “Island Proofed” to reflect the unique context and geographies of Scotland’s island authorities
- Scope to widen discretionary charging
- Working with the Scottish Futures Trust to work on infrastructure support

2.4 HOPS is pleased to see that there is a considerable amount of broad agreement demonstrated across the breadth of the responses received, although there are, not surprisingly, opposing views on some of the key proposals.

2.5 In relation to the 4 key themes the principal areas of agreement identified by HOPS from the KMA study of all responses can be summarised as follows,

**Key Theme 1- Making Plans for the Future-A suite of proposals to improve development planning, from the national to the local level.**

- Alignment of community and spatial planning
- Enhancing the status of the National Planning Framework and Scottish Planning Policy
- LDPs to focus on spatial strategy and placemaking
- Removal of Main Issues Reports replaced with a draft Plan
- 10-year Plan life with scope for reviews
- New emphasis on delivery programmes to drive development and infrastructure

**Key Theme 2- People Make the system work- Empowering people to decide the future of their places and involving a wider range of people in the planning system**

- Communities to produce a Local Place Plan in compliance with the LDP
- More people to be involved in planning
- Training for elected members
- Enhance the requirements for Pre-Application Consultation (PAC)
- Enforcement powers to be strengthened

**Key Theme 3- Building more homes and delivering infrastructure- Enabling planning to help deliver more high-quality homes and create better places where people can live healthy lives and developers are inspired to invest.**

- More direction on housing numbers at the national level
- Support for Simplified Planning Zones (SPZs) subject to clarification on costs and fees
- Better infrastructure provision and coordination
- Regional partnership working can be beneficial if dialogue links to national and local levels
- Infrastructure levy
- Support removal of Section 72 of the Climate Change Act.

**Key Theme 4- Stronger Leadership and smarter resourcing- streamlining processes and improving skills and resources so that Scotland's planning system can focus on creating great places**

- Better resourcing of planning departments and opportunities for multi-disciplinary work
- Increased planning fees "ring fenced" and spent on improved services
- Increased use of digital technology
- Extension of permitted development rights

- Consistent validation processes
- Performance monitoring to include quality of outcomes

### 3.0 HOPS PRINCIPAL AREAS OF CONCERN

3.1 As we have said earlier HOPS is content with the overall package of proposed reforms being put forward by the SG but feels that the lack of sufficient overall detail and the lack of transitional arrangements makes it difficult to provide full and meaningful inputs to the Consultation Paper.

3.2 HOPS has identified 4 main areas of concern, summarised as follows,

- **The introduction of new Local Place Plans requires better articulation and evidence, including details of how it will work, be managed, and by whom.**
- **The replacement of SDPs with a regional partnership approach requires clearer evidence to justify the case for change, what are the actual expectations for the new arrangements, and how will these objectives be delivered?**
- **The continuing lack of detail on the relationship between the NPF and SPP is disturbing. Whilst HOPS strongly supports the concept, more detail and clarity is needed, particularly on the consultation and decision-making arrangements.**
- **HOPS has stressed from the outset of this review programme that an outline timetable and transitional arrangements are required to provide some certainty and clarity. HOPS accepts that the lack of detail and definitive and final decisions, makes it difficult to be precise. Nevertheless, the lack of clarity will make it particularly difficult for LPAs undertaking SDP and LDP work, to be able to accurately resource, budget and prioritise work programmes.**

3.3 In relation to both LPPs and SDPAs, HOPS provided detailed commentary and options and hopes that these earlier views will continue to be assessed. For SDPAs, a specific Paper was prepared jointly by the 4 SDPAs setting out a full and comprehensive assessment of the issues and concerns and suggestions for new powers and duties, in the spirit of cooperation and joint working. This is a useful contribution to the ongoing debate on the regional partnership issue which merits further consideration, as recently highlighted at our joint meeting in July. HOPS is pleased to note that the paper is being carefully and actively considered as part of the ongoing detailed implementation work.

3.4 HOPS remains willing to continue to contribute further to these 4 critical areas of work with the SG and considers that these areas are worthy of particular priority attention prior to any finalised decisions being made.

#### **4.0 HOPS SUMMARY RESPONSE TO THE POSITION STATEMENT**

4.1 Despite substantial consultation and engagement and detailed submissions and commentary from a wide range of participants across the planning community the Position Statement is still very light on the detailed implementation aspects. The “devil is still very much in the detail to follow” and this limits the comments at this stage to a more general assessment and overall reaction.

4.2 HOPS has consistently requested a detailed legislative timetable and transition arrangements to accompany the proposed changes, particularly for SDPAs, but these aspects are still quite “light touch” which brings uncertainty and the inability to budget ahead for continued work or new areas of work.

4.2 There has been extensive research carried out by the SG throughout the planning review and it seems like a missed opportunity for the Position Statement not to have been more definitive and detailed on some of the key aspects of change. Perhaps the Position Statement should have been published as an Interim Statement or a Summary Statement with details to follow in a specified timescale. Notwithstanding these concerns and criticisms, HOPS does value and appreciate the genuine attempts by the SG to consult and engage widely and allow inputs to be made at all stages.

4.3 Some critics have challenged the ambition and vision of the approach being adopted. Recurring themes include, the apparent reliance on English legislation, the difficulties associated with working with private utility companies and the removal of statutory duties to be replaced with partnerships in the case of strategic/regional planning. Although HOPS does not agree with this criticism per se, it would like to see more evidence on the issues raised and an assurance that the new planning system will be “truly world class” as has been referenced in earlier comments by the SG.

4.4 HOPS is aware that supporting work will be required to provide a Business and Regulatory Impact Assessment (BRIA) and Financial Memorandum to accompany the Planning Bill and this will be an essential element in the overall review changes, to ensure that the proposals are properly costed, where they can be, and this feeds directly in to the comprehensive review of planning fees. HOPS is contributing to this process separately but sees this as an essential component of the review and emphasises the need to capture and predict likely additional costs to LPAs as accurately as possible. It may well be that more detailed work is required once the detailed implantation of proposals is more certain and after final Parliamentary approval of all the measures which are to be implemented.

## 5.0 HOPS COMMENTS ON THE 20 SPECIFIC PROPOSALS

### **MAKING PLANS FOR THE FUTURE**

#### **1. Aligning community planning and spatial planning**

5.1 A statutory link between these 2 crucial areas of local community planning is essential and the intrinsic relationship between the 2 plans should be fostered at corporate level and board level as appropriate. A new role for Chief Executives to “sign off” LDPs will assist in overseeing a corporate lead but there must be real “buy in” from councillors and senior officers on a daily basis to ensure that effective cross-cutting and joint work is carried out to avoid unnecessary repetition of processes and real spatial and community issues are intertwined in a single, coherent and transparent approach.

5.2 This needs to include clear, statutory requirements imposed on the community planning partners strategies, financial and implementation plans to ensure that the aspirations of the local development plan are reflected. It will also be necessary for the LDPs to address future growth targets and service provision, particularly buildings and infrastructure.

5.3 The precise way this is to be managed and “controlled” will be critical to the success of such a comprehensive transition which is considered fundamental to the achievement of real change.

#### **Regional Partnership Working**

5.4 The Scottish Government expects to bring forward changes to remove current requirements for strategic development plans to be prepared and replace them with more flexible power at this scale. Whilst HOPS understands the basic logic behind this proposal it feels that the evidence for the changes is neither clear nor self-evident. Without a clear specification of the roles, remits and purpose of Regional Partnerships, including specifically in relation to Local Development Plans and Development Management, new confusion may be introduced in to the planning system.

5.5 Views are very mixed on this proposal and there is a worry that a voluntary partnership arrangement without any clear output plan is precarious and will depend on the individual relationships between LPAs and possibly even the local political affiliations.

5.6 Much more development of these outline proposals and more detail on implementation, transition arrangements and likely timetable for change are required before HOPS is in apposition to support the changes to the status quo.



## **2. Improving national spatial planning and policy**

5.7 An enhanced status for the National Planning Framework (NPF) and Scottish Planning Policy (SPP) is very welcome and if synchronised appropriately will free up and unclutter LDPs to focus on delivery and essential material only. HOPS agrees with concerns about avoiding a top down approach or increased centralisation and would welcome more details on the consultation and engagement processes to be adopted and how final approval and adoption will be achieved.

5.8 The related decision to postpone NPF 4 to start in 2018 and be adopted in 2020 is supported, provided the required alignments with other key strategies and investment plans is achieved e.g. National Transport Strategy, Strategic Transport Projects Review and Infrastructure Investment Plan.

5.9 There is still no detail about how a revised NPF which sets housing numbers will work and what influence the regions will have in the setting of these numbers.

5.10 The lack of detail on a new SPP document is also disturbing. There is still no clarity about what issues will be dealt with centrally and what will be dealt with at a regional or local level.

5.11 HOPS is concerned that the lack of transitional arrangements means that some parts of the country are likely not to have up to date Development Plans and become more vulnerable to development by appeal, contrary to our aspirations for a plan-led system.

## **3. Stronger local development plans.**

5.12 HOPS has strongly supported the need for local plans to be much simpler, shorter and more visionary with the emphasis on actual delivery. A longer timescale of 10 years with reviews as necessary is welcomed, as is the move to a Draft Plan with no Main Issues Report.

5.13 It is also considered essential that DPEA Examinations focus more on national issues and conformity to the NPF and SPP rather than local and site-specific issues which should be determined locally and within the new, enhanced gateway context.

5.14 The key issue is the new gate check processes which the PS acknowledges requires more detail and definition to be more helpful. HOPS submitted detailed proposals, and indeed suggested a second gate check near to the end of the process. An agreed list of matters to be tested in the gate check is also essential, as well as the suggested participants and how this process is project managed and by whom.

5.15 HOPS will be happy to contribute to the further detailed work necessary and outlined in the PS.

#### **4. Making plans that deliver**

5.16 A plan can never deliver anything on its own but the new emphasis on delivery, leadership, commitment from the key agencies, minimum level of information will all strengthen the plan led system. Again, more detail needs to be developed on minimum information, pre- application consultation requirements, status of delivery programmes and the status of sites allocated in the LDP.

5.17 SG expects to bring forward measures to strengthen local plan delivery programmes in the Planning Bill and related changes to secondary legislation.

### **PEOPLE MAKE THE SYSTEM WORK**

#### **5. Giving people an opportunity to plan their own place**

5.18 The logic behind Local Place Plans (LPP) is understood but there are still concerns about resources, who participates and produces the LPP and the potential duplication with the LDP engagement and consultation processes. HOPS argued that it should be consistent with the LDP and subordinate to it and is pleased to note that the PS states that LPPs will be consistent with the LDP.

5.19 An LPP must have the backing of the” whole “community and not just parts of the community who are resourced and articulate. There are contemporary examples of Local Place Plans produced this year and lessons learned from these should be assessed by SG as part of the more detailed work to be undertaken.

5.20 This proposal for LPPs also links in to Proposal 1 for the alignment of community planning and spatial planning and it needs to be seen in that context.

5.21 Whilst HOPS recognises the widespread support for community councils being involved in the preparation of the Development Plan, involvement in the preparation of the Development Plan Scheme (DPS) which is essentially a broad, project management tool for LPAs is not seen as a positive improvement.

#### **6. Getting more people involved in planning**

5.22 HOPS welcomes the drive towards more people being involved in planning but this cannot be guaranteed simply by introducing and imposing new legislation. It will depend on a full range of factors including, effective engagement processes and techniques, interesting and easily understood plans and options, use of inspiring presentations and leadership styles, extensive use of social media platforms and digital technologies.

5.23 Getting views from a whole community is often difficult, and sometimes not possible, but the system must move away from a one-way dialogue with objectors to a more comprehensive and balanced engagement. LDP “gate checks”, Local Place Plans

or similar, and more active involvement by children, and young people will all assist in that aspiration.

5.24 HOPS agrees with the need to strengthen and widen Development Plan Schemes and Participation Statements and will be happy to participate in future discussions on how these improvements can be developed.

## **7. Improving public trust**

5.25 This is another laudable objective but very difficult to achieve given the balancing role which LPAs must perform in determining plans and proposals in the public interest. The suggestions made will all contribute to improved processes, better understanding of the distinct roles and more effective and real pre- application engagement. A need for fuller community engagement and participation, community feedback, consideration of alternative options are considered to be key elements in such an improved process.

## **8. Keeping decisions local-rights of appeal**

5.26 HOPS has consistently supported the view that more decisions should be taken locally, including advertisement consent and there should be more consistency on local schemes of delegation and best practice guidance on operating a Local Review Body. There appears to be too much variation on procedures and processes, which also does not improve public trust in the planning system.

5.27 The proposal to “island proof” the Planning Bill is welcomed as is the position on greater subsidiarity.

5.28 Mandatory training for elected members on a Planning Committee or Local Review Body is also supported and should be led nationally to a consistent set of requirements, assessments and testing.

## **BUILDING MORE HOMES AND DELIVERING INFRASTRUCTURE**

## **9. Being clear about how much housing land is required**

5.29 The Position Statement confirms that joint work is still required in this area as views are mixed and the development industry is concerned that too much flexibility will not improve clarity.

5.30 HOPS believes that the suggested NPF/SPP improvements and integration will provide better clarity and understanding. Definitions must be clear and the HNDA process requires to be more transparent and consultative.

5.31 The clear objective for all parties is to focus on delivering good quality housing which improves places and is supported by the appropriate social and physical infrastructure.

## **10. Closing the gap between planning consent and delivery of homes**

5.32 This is another defined area of complexity where the SG will continue to work with others to ensure that planning is well placed to enable the building of more quality homes and quality places.

5.33 This is not an automatic outcome created by legislative change per se but a holistic process where all the partners are required to positively contribute.

5.34 It is essential that the environment and environmental assets remain protected and the drivers cannot be increased number of houses, in isolation to other relevant planning and environmental objectives.

5.35 HOPS believes that it is crucial that more information on the viability of sites and actual development delivery should be essential parts of the planning process and is pleased to note that further guidance will be issued.

5.36 Related workstreams on changes to Compulsory Purchase Powers (CPO), Compulsory Sales Orders and a development land tax can all influence planning processes, although they will not feature in the Planning Bill but will be pursued separately.

## **11. Releasing more “development ready” land for housing**

5.37 HOPS supports the refresh and re-badging of Simplified Planning Zones (SPZ) but suggests a change of title would be beneficial to signal a new approach. E.g. Strategic Development Zones or Areas.

5.38 Work is still underway on this concept of “master planning a place” and should be able to assist the delivery of more houses and businesses, and create opportunities for design, innovation and place making, as well as social integration.

5.39 An appropriate and proportionate charging regime will require to be introduced.

## **12. Embedding an infrastructure first approach**

5.40 This is still very much a “work in progress” area of reform, although it is clear that a new agency is not required, but there is consensus on a need for urgent actions.

5.41 The direct involvement of the Scottish Futures Trust (SFT) is welcomed. The task based approach preferred by the SG will not have any statutory powers and this may

prove to be its Achilles heel. It will be necessary to be clear on the precise roles and responsibilities expected from the infrastructure providers.

5.42 The options for some form of “National Delivery Group” are still being considered and this forum is considered to be a critical first step in testing and assessing what requires to be implemented in legislation to better coordination and delivery of infrastructure investment.

5.43 The precise role of partnership working to help improve infrastructure governance and co-ordination needs further clarification and more details.

### **13. Creating a fairer and more transparent approach to funding infrastructure**

5.44 The options for an infrastructure levy or infrastructure charge are still being considered further. The Stage 3 Research Report is to be finalised and published and other options will be highlighted and tested.

5.45 The proposal to remove S75A- modifying/discharging planning obligations is not being brought forward by the SG at this time. This proposal was strongly resisted by the development industry but it was supported by communities and planning interests.

5.46 HOPS is disappointed that this proposal has been rejected, or delayed, but notes that changes may be required regarding any future infrastructure levy.

### **14. Innovative infrastructure planning**

5.47 This area of reform continues to progress, including extensive collaboration across SG policy areas.

5.48 HOPS notes the progress made by extending Permitted Development for Telecommunications Operations and the continuing work on education, infrastructure planning, energy and digital infrastructure which is considered to be critical in the overall improvements package.

5.49 The intention not to proceed with the removal of S3F of the 1997 Act (S72 of the Climate Change (S) Act 2009) is understood but HOPS expects further clarity in the guidance and related legislation to avoid confusion and unnecessary duplication of existing controls and enforcement.

## **STRONGER LEADERSHIP AND SMARTER RESOURCING**

### **15. Developing skills to deliver outcomes**

5.50 Related work was carried out by HOPS, COSLA, RTPI, and IS and this will continue in further ongoing discussions with SG.

5.51 All the various areas of skills development require to be tackled, together with assessing the scope for shared services or shared expertise.

5.52 HOPS will continue to contribute in these further discussions.

## **16. Investing in a better service**

5.53 HOPS produced a detailed response to the related issues of better resourcing the planning system and the need to improve the current approaches to improving planning performance.

5.54 HOPS wants these proposals and recommendations to be fully considered by the SG. It is anticipated that a final, comprehensive assessment of funding and resourcing requirements needs to wait until the final publication of the new planning measures so that a full position of new and additional duties and related costs can be predicted.

5.55 Ongoing work on the Business and Regulatory Impact Assessment (BRIA) and the Financial Memorandum to accompany the Planning Bill will help to contribute to this process. HOPS is currently canvassing LPAs in a short survey to help provide some contextual financial figures to assist SG in this crucial area of resourcing.

## **17. A new approach to improving performance**

5.56 As mentioned above, HOPS supports this objective and has submitted detailed conclusions and recommendations for continued SG consideration.

5.57 HOPS has already implemented improvements to the Planning Performance Framework (PPF) processes, including assessing customer feedback and hosting workshops with LPAs across Scotland.

5.58 We will continue to participate in the High-Level Group on Performance and ensure that the intrinsic relationship between planning fees and planning performance levels is maintained and enhanced.

## **18. Making better use of resources – efficient decision making**

5.59 This area of proposed reform has attracted broad overall support and the HOPS workstream on increasing PD rights has provided positive suggestions and inputs to this process which will continue to be assessed by SG.

5.60 It is one area of planning activity which can be further simplified and extended, in a proportionate manner, whilst protecting rural and environmental interests, such as Conservation Areas.

5.61 HOPS is continuing to engage with SG on the possible range of improvements to development management procedures.

## **19. Innovation, designing for the future and the digital transformation of the planning service.**

5.62 Although the Digital Task Force (DTF) is still to be formed, and this is an unfortunate delay, there is a clear recognition that there is enormous potential to harness more effective digital technologies and data in wide range of planning and planning related activities.

5.63 This is an ever-evolving area of technological innovation and computer specialisms which can bring significant benefits to a digitised planning system in Scotland.

5.64 Much has been achieved already but the DTF will provide a critical focus and focal point for this exciting work area, and HOPS expects it to be prioritised in order to achieve the technological and transformational step changes which are necessary.

## 6.0 CONCLUSIONS

1. The Position Statement sets out the clear direction of travel for the new planning measures but it is still very light on detail and there is much more detailed work and assessment to be carried out.
2. This is disappointing in the context of the overall process which has been inclusive and transparent but now needs to move on to a position of certainty and clarity.
3. As many of the proposals and options are still being “fleshed out” and confirmed by SG it is not easy to be definitive at this stage on all the 20 proposed change areas.
4. HOPS remains concerned about the possible demise of SDPAs without a clear evidence base and an assessment of the relative benefits and disbenefits between the status quo and new regional partnerships. What Regional Partnerships are to be asked to do is unclear. Previously there was mention of a potential role in relation to an infrastructure levy, but this has been omitted from the Position Statement.
5. The introduction of another layer of planning in the shape of Local Place Plans may still be problematic and its relationship to Local Plans and Community Plans needs further clarification.
6. HOPS hopes that SG will be able to move quickly on the items to be included in the Planning Bill after this latest round of consultations is completed to minimise any further delays and uncertainty.
7. The detailed work on the NPF and SPP integration also needs to be prioritised and the scope and coverage of each needs to be set out for further comments, as it will be a critical component in the new, enhanced planning system.
8. It is clear that the review of fees and resourcing will be delayed until the full impact of the proposed changes is able to be assessed and this work needs to be undertaken relatively quickly and based on a comprehensive review of all the relevant factors. HOPS has already submitted detailed views, data and suggestions on Fees and performance and will continue to work jointly with SG to provide clear context and evidence for radical changes to the funding and resourcing of LPAS, including discretionary charging and specific funding allocation to the LPA, linked to improved performance levels and quality outcomes.
9. Currently there are considerable delays in the LDP processes due to Strategic Environmental Assessments (SEA), Habitat Regulation Appraisal (HRA) and DPEA Examination processes and HOPS would like to see completion of the



ongoing review of SEA, a new lead role for SNH in HRAs and Examinations restricted to national not local issues.

10. In terms of simplifying and streamlining the system HOPS has previously suggested more joint working on areas such as national planning conditions, national planning policies in LDPs to free up time and resources for LPAs. This whole area of planning process should be looked at as a matter of urgency, to avoid duplication of effort and additional costs. HOPS will be pleased to work jointly with SG, and other relevant partners, to pursue these areas further.
11. HOPS suggests that it would be helpful and essential for SG to prepare an interim position on “Supplementary Guidance”, particularly for those LPAs preparing LDPs whilst the review proposals are still being finalised. This equally applies to SDPAs who are embarking on the next stages of review and revision of SDPs and will require some guidance, clarity and assistance on the likely transition arrangements so that staff and finances can be effectively managed in the interim.
12. In the overall planning review process, there are many other areas beyond the scope of the new Planning Bill which will impact on the realisation of the objectives to create an enhanced and more participatory planning system with an emphasis on delivery and it is important that the other relevant legislative streams are reviewed and amended accordingly. This includes areas such as land reform, compulsory purchase, skills, education, and infrastructure provision and funding, as well as non-legislative matters such as leadership, and better corporate and partnership working. Of particular relevance is the current SG consultation on the likely implementation of a new socio-economic duty on public bodies, including councils, which will affect empowerment of people and communities, partnership working and integrated service provision. This will impact on our aspirations for place making and putting the development of land and buildings in the right places for the community. HOPS will be providing a separate response on this Paper by the deadline of 12<sup>th</sup> September 2017.

## **7.0 HOPS COMMENTS ON THE STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) REPORT**

7.1 HOPS agrees with the overall conclusions of the SEA that the proposed changes are largely procedural and operational and are unlikely to have any significant, direct environmental effects.

7.2 The accuracy and scope of the information used to describe the SEA environmental baseline set out in the Environmental Report is considered to be relevant and comprehensive.

7.3 There are already a wide range of statutory and non-statutory measures in place to assess the likely environmental impacts from development proposals at both development plan and individual project levels. These will all remain in place and are unaffected by the proposed review changes.

7.4 HOPS believes that the measures to be introduced have the real potential to produce indirect positive benefits, through such proposals as the increased transparency and engagement with a broader range of interests and the creation of Local Place Plans.

7.5 Some individual measures have the opportunity to help strengthen the environmental considerations of plans, again at both national and local level. E.g. the new “Gate check” processes and the provision of more information on the viability of proposed sites.

7.6 The new drivers for increased infrastructure investment and more houses to be built across Scotland will have both positive and negative effects on the environment, but will be assessed using current assessment measures, such as Environmental Assessment.

7.7 HOPS welcomes the recognition given to the High-Level Group on Planning Performance and the related Planning Performance Frameworks produced by the LPAs and SDPAs. This process needs to be strengthened and extended to provide clear data and evidence that the planning system is delivering on the proposed measures.

7.8 The recommendations set out in the SEA are supported by HOPS and particularly the future alignment of the SEA and Habitats Regulations Appraisal (HRA), and a revised development plan process. Specific guidance will need to be prepared for Local Place Plans and Regional Partnerships on the specific application of SEA and HRA and this will need to apply to all parties, in particular local and community groups.

7.9 The SEA concludes that there are no likely significant direct effects arising from the proposed changes and HOPS agrees with this position.