

PE1518/C

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Dear Mr Howlett

CONSIDERATION OF PUBLIC PETITION PE1518

With reference to your letter of 25 June in relation to the Public Petition on meaningful public consultation within the Scottish Planning System. Thank you for your invitation to respond on the following point: "What are your views on what the petition seeks and the discussions that took place on 17 June 2014?"

The Royal Town Planning Institute (RTPI) is the champion of planning and the planning profession. We work to promote the art and science of planning for the public benefit. We have around 2,200 members in Scotland and a worldwide membership of nearly 23,000.

Planning is about creating great places for people. It does this through providing vision on how best to shape our communities over the short, medium and long term. Scottish Government is currently reforming the planning system and a key part of this is the move towards a plan-led system where development plans provide the direction on the future of places. RTPI Scotland commends the Scottish Government's recognition of the important role that planning, planners and the planning system can play in helping to achieve its objectives and we welcome the demonstration of this commitment through the National Planning Framework and Scottish Planning Policy.

Planning Reform and Frontloading

Although the practice of separating sites into multiple smaller applications to deliberately avoid the legislative requirements of a major planning application appears to be contrary to the spirit and intentions of the regulations, it is not discussed specifically in planning

legislation, guidance or advice. Anecdotally, we do **not** consider this to be general practice, but a rare occurrence across Scotland.

There have been a number of changes to the planning system over the last few years which aim to frontload planning and improve clarity. For example, the move towards a plan-led system means that development sites are promoted and allocated through the Strategic Development Plan and Local Development Plan, frontloading the work of establishing the principle of that development, and thus making the development management stage less onerous. This is not always possible, and of course potential developments do sometimes come about in a more ad hoc way. However RTPI Scotland supports the plan-led system with development plans setting the direction and nature of development at the local and strategic scales over time.

Another important part of the modernised planning system is a more transparent and open approach to development management, that aims to frontload the application process by encouraging engagement between the applicant/agent and the planning authority at the earliest possible stage. RTPI Scotland would strongly encourage applicants to engage with the planning authority to scope out the parameters, timescales and requirements of any planning application, whether major or local. As part of this Scottish Government has recently been promoting a greater use of processing agreements. RTPI Scotland supports this practice for larger local developments and major developments to set out clearly and transparently the timescales and requirements of the planning authority, applicant and consultees at the beginning of the application process. The use of processing agreements and more explicit project management tools can help applicants and agents to understand that the timescales of the planning process should be built in with all other elements of construction etc and to avoid the application process being seen as a barrier to development.

And whilst we now have the necessary legislative changes in place to provide a plan led system which is more efficient and transparent, work is also underway continuing to upskill communities, professionals and developers to understand the intricacies of the planning system, the benefits of engaging communities, and the importance of early pre-application discussions with the planning authority. We have made some headway into this but there is work still to be done across all sectors.

Engagement and Timescales

For a local development, the planning authority has 8 weeks within which to determine the planning application. Major developments have a longer lead in period with the 12 week Pre-Application Consultation (PAC) period, at the end of which the planning application is submitted and the planning authority has 16 weeks within which to determine the application. Some applicants may argue that the 12 week timescale of the PAC for major planning applications is a burden financially and in terms of timescales. We do not believe that this is the case and are of the view it can be used meaningfully if programmed into the application and development programme, allowing for engagement with the planning authority, engagement with the community, finalising

plans and reports before submission at the end of this 12 weeks. Planning Aid for Scotland has a useful engagement tool which can be utilised by public and private sector as well as the community "SP=EED", and we encourage use of this to help with the engagement process.

RTPI Scotland does not consider that situations where sites have been parcelled up to avoid major applications are cost related. The cost in terms of planning application fees is a very small proportion of the overall cost of a development, and many developers have said that they would pay higher planning application fees if this was coupled with an increase in the speed of, and certainty in, determining applications.

Chartered Planners

The Institute has an important role in establishing and monitoring the quality of our members through accrediting University courses on planning, setting professional standards and ensuring that they continue to keep up to date with practice and policy through CPD. These help to ensure that Chartered Town Planners are best placed to undertake planning work such as acting as agents in the application process for major planning applications. From the examples given within the petition, it seems that in the case of the agricultural buildings in Moray for example, neither the applicant nor the agent were Chartered Planners and as such would not be subject to these professional standards and quality thresholds.

Possible Action

There have been situations in the past where the Chief Planner of Scottish Government has clarified planning matters by writing to planning authorities. This situation may be one where such a letter is published reinforcing the planning hierarchy, use of processing agreements, early engagement between applicants and the planning authority and the importance of engaging the community.

However, this is generally only sent to planning authorities so there is a need to see how Applicants, agents and developers can lead by example through organisations such as Homes for Scotland and the Scottish Property Federation.

RTPI Scotland, COSLA, Improvement Service, and HoPS, together with Scottish Government are in initial discussions on how to better share the examples of good practice in planning that exist, in a meaningful way which can be accessible to planners, other professionals and developers. This may also present an opportunity to share good practice in all areas of planning, and this should include good practice in development management, engagement, and utilising the regulations in the way intended by Scottish Government to achieve positive, speedy, transparent planning decisions.

I trust that you will find these comments helpful. If you would like to discuss any aspect, or require clarification of any points raised, please contact me on 0131 229 9628 or by email to craig.mclaren@rtpi.org.uk .

Yours sincerely

Craig McLaren
Director of Scotland and Ireland