

Opportunities from Modernisation of the Planning System

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1. Introduction

Changes in our approach to land-use and transport planning can make an important contribution to economic development, tackling congestion and reducing Scotland's carbon footprint. We are, however, in a period of significant change in the planning system. There is significant pressure for development (across all sectors, but crystallised in the need to deliver c35,000 new houses per year up to 2015 to meet projected demand), the new Planning Act and its associated legislation and guidance is emerging from the Scottish Government, and the pressure on budgets to maintain and improve infrastructure and connectivity is increasing dramatically.

A key question facing practitioners is: how do we as transport planners contribute to the Government's one central purpose of increasing sustainable economic growth, as set out in the Government Economic Strategy, and take forward the key strategic priority – for us - of 'Infrastructure Development and Place' (the others being Learning, Skills and Well Being, Supportive Business Environment, Effective Government and Equity) whilst contributing to sustainable development objectives, an integrated/sustainable transport system, successful regeneration and climate change targets? Part of the answer lies with us as transport planning practitioners feeding into the development planning and management process at the right times to inform decisions. This includes demonstrating the implications of effective (or ineffective) transport networks on promoting the desired characteristics of growth of solidarity, cohesion and sustainability – contributing to a planning system that properly considers and balances competing (sometimes opposing) aims and objectives.

This paper is not intended as a comprehensive analysis of the Planning Act and its associated secondary legislation, but a presentation of the thoughts and opinions of the author based on his experience of the transport planning situation in Scotland today.

2. Background – Why Change?

Currently there are three key elements within the development planning and management process:

- Development Planning – the Country is covered by a two tier system of strategic plans and local plans that combine to provide the development plan for an area from the vision down to spatial allocation and design detail;
- Development control – the process of the local planning authority considering proposals in the context of the development plan and taking account of the implications of the proposal on the local environment; and
- Enforcement – the process whereby breaches of planning control are rectified, e.g. unauthorised development or breaches of condition.

The planning process has long been criticised as being overly cumbersome and not fully facilitating development. Some of the key reasons for change in the process are summarised below – clearly not an exhaustive list, but highlighting perceptions and the push for change:

- A perception that the planning system is unduly negative and causes significant delay for development proposals;
- The process does not ensure sufficient community involvement and therefore does not allow for the full consideration of local views;
- Causing delay in the planning process, stifling economic growth and ‘obstructing rather than facilitating’ development;
- A lack of clarity in the evidence base for development planning and the reasoning for certain policies and allocations, making development control more contentious and difficult in some circumstances; and
- Causing delay to investment decisions by continued and repetitive debate.

The objective therefore is to create a planning system that is modern, more open and inclusive. Such a change is accepted to need fundamental reform of both how the planning system works and how it involves people. It is also accepted that this can only be achieved by promoting and delivering a ‘culture change’ in professionals involved in the planning system to ‘facilitate rather than obstruct’ development and to engender a more positive outlook in which the underlying attitude should be to promote the right development in the right place and of the right quality.

3. Key Differences

The Planning etc (Scotland) Act introduces a wholly new statutory basis for development planning intended to promote clarity and confidence in the process, facilitate development and introduce the objective of contributing to sustainable development.

A key element of the new process is the status of the National Planning Framework (NPF). The NPF was first issued as a non-statutory guidance document in 2004 outlining the long-term vision for the Country. The NPF is now being reviewed and the update (NPF2) is a statutory document, presenting the strategy for Scotland's long-term spatial development. NPF2 therefore sits at the top of the emerging set of planning strategy documents.

The Act introduces the concept of a hierarchy of proposals. NPF2 provides the first articulation of this hierarchy by designating national developments, that is major transport, energy and environmental infrastructure projects. Designation in the NPF2 effectively establishes the need for these developments in the national interest, that interest being defined by the project's ability to:

- make a significant contribution to Scotland's sustainable economic development;
- strengthen Scotland's links with the rest of the world;
- deliver strategic improvements in internal connectivity;
- make a significant contribution to the achievement of climate change, renewable energy or waste management targets;
- be an essential element of a programme of investment in national infrastructure; or
- raise strategic issues of more than regional importance (projects with impacts on more than one city region).

In terms of key infrastructure needs, this includes:

- Replacement Forth Crossing;
- Edinburgh Airport enhancement;
- Glasgow Airport enhancement;
- Grangemouth Freight Hub;
- Rosyth International Container Terminal;
- Scapa Flow Container Transshipment Facility;
- Grid reinforcements to support renewable energy developments;
- Glasgow Strategic Drainage Scheme;
- 2014 Commonwealth Games facilities.

What the above highlights extremely effectively is the relationship between transport and planning, and the recognition of this from the most strategic level down.

Below the level of national developments there will be major and local developments. Applications or proposals at each level will be considered in a different, arguably more efficient, way (broadly in that national proposals will be decided by the Scottish Ministers, while major proposals will be decided by local authorities and some delegated local issues will be decided by officers) to speed up the development management process.

The new statutory duty that has been placed on planning authorities - to exercise their development plan function with the objective of contributing to sustainable development - is a further significant change. While there is certainly a recognition of the importance of sustainable development, the perception is that this is not generally being followed through on the ground. The introduction of this statutory duty is an important development in giving greater emphasis to a recognised need to tackle issues of sustainability as robustly as possible through the planning process.

The development plan remains the prime Planning document in the new approach, though there will be a two tier system for the four city-regions (Glasgow, Edinburgh, Dundee and Aberdeen) with an overarching Strategic Development Plan (SDP) and a more detailed Local Development Plan (LDP). Away from the city-regions a Unitary LDP will be required that is intended to present the overarching vision/strategy and the local policy and detail.

Consultation is already a foundation stone of the planning process and change in the approach to engagement is seen as a critical part of the transformation from the old process to the new. In creating a more credible and effective system communities need to be involved from the outset. This, again, goes back to achieving that culture change in land-use and transport planning, to genuinely involve communities and stakeholders throughout the process, allowing them to influence decisions, but to still create a quicker more efficient process.

Going on from this, preparation of the development plans appears to need a more structured approach with the introduction of the Main Issues Report demonstrating a process of identification of the key problems for the area, development of the vision and objectives and consideration of options, before developing the finalised strategy for the emergent SDP/LDP. This seems to be bringing an appraisal based structure to the process, developing the traditional planning process from:

survey → analysis → plan;

to

issues/ objectives → options → preferred strategy → delivery.

The SDP/LDP is intended to be updated every 5 years.

A further significant change is the introduction of the need for Action Programmes, which will identify those taking responsibility for delivery of aspects of the development plan and over what timescale that delivery is expected. These will be updated every two years.

There is also, through this more structured approach, potentially a greater role for Supplementary Planning Guidance. The Scottish Government view is that development plans themselves will have a greater focus on proposals (and therefore contain more of the detail rather than expanding policies and justification). Supplementary Planning Guidance is likely, in general, to be used as a vehicle for detailed policy (parking standards etc), however I would also see a role for it in capturing any uncertainty remaining in the development planning process. This is likely to be linked to significant masterplan areas – where, for example, potential transport impacts of specific land allocations are still to be fully resolved (e.g. identification of an agreed solution), specifying the additional work required to facilitate a particular allocation and its subsequent process through development management, ensuring that all the implications of a particular proposal are reflected in the statutory planning process.

The result of all of this is hoped to be “a planning and development regime which is joined up, combining greater certainty and speed of decision making with achieving good quality, sustainable places and supporting sustainable economic growth.” (Stewart Stevenson MSP, Minister for Transport, Infrastructure and Climate Change).

4. Opportunities

The new approach to the development planning and management process will need increased efficiency to speed up the process overall and increase levels of community involvement. To be successful, the new approach will rely on current and accurate development plans informed at the right time by robust and clear analysis.

A critical part of this process of creating a more positive and ‘facilitating’ approach will be to achieve a culture change in those involved in taking forward land-use and transportation planning. This is an interesting idea, particularly if we focus on the definition of culture, which can be as simple as the way we do things or the way we approach things. I would suggest that this over-simplifies the principle and powerful underlying concepts and processes. Culture change in the delivery of the development planning and management process requires the co-ordination and co-operation of a wide range of stakeholders who may broadly share the same assumptions, beliefs and values. These assumptions, beliefs and values however will vary in some fundamental ways between different groups or individuals.

Culture change is therefore an extremely complex proposition and will not be achieved through one step-change, but more likely through taking advantage of a number of related opportunities.

WSP was commissioned by the Scottish Government and Transport Scotland, through their Planning and Transport Integration Group, to undertake research into the Implementation of Aspects of SPP17 Planning for Transport. This research included a wide-ranging stakeholder consultation exercise and the conclusions will be of no real surprise to many involved in the planning sector. SPP17 promotes the integration of land-use and transport planning in order to achieve the Scottish Ministers' economic, environmental and social objectives. Whilst we have a new administration, the fundamentals of this policy are accepted and have not been changed. From the research into the implementation of SPP17 it was concluded that the key messages of SPP17 are well supported and well understood, however there are problems translating that support into action on the ground – a parallel with the delivery of sustainable development?

From a land-use and transport perspective we have a major challenge in contributing to sustainable development, given the direct links between emissions, transport demand and locational decisions. One of the key findings coming through the SPP17 research was that a significant problem for policy implementation is the lack of integrated working between authorities and within authorities. It was generally considered that this is a critical issue that has been left unaddressed for too long.

If we are to meet the sustainability challenge, and the other key challenges and policy objectives such as increasing economic growth, it is clear that we must work together to find new and innovative ways of integrating land-use and transport planning. Fundamental to this - and a key aspect highlighted within our research - was that structures within local government do not efficiently support the implementation of SPP17.

Clearly there are a number of reasons for this perception, for example limited communication between and within organisations, resource constraints, limitations on knowledge and expertise and the increasing need for strategy and plan development (e.g. currently we could have areas covered by structure plans, local plan, regional and local transport strategies, economic plans....the list goes on).

A recommendation in the research report was therefore that:

“Organisations involved in the implementation of SPP17 (Regional Transport Partnerships and local authority organisations) review their structures with a view to putting in place a structure that fully supports implementation of the policies and principles within SPP17, whilst making efficient use of staff skills and resources.”

The research and consultation underlying the report suggests that communication – and SPP17 implementation – is more efficient where land-use and transportation professionals are structured within the same teams allowing the efficient use of resources and skills within organisations. Indeed the Scottish Government is encouraging the physical co-location of strategic planning teams in the four city-regions along with their transport and economic development colleagues – I understand that this arrangement has already been put in place in Aberdeen.

In relation to the SPP17 research, there was also a clear feeling that structures at present do not always promote best practice, consistency in approach and sharing of knowledge. Again, this is a key conclusion that relates to the implementation of the development planning and management process. We need to create a culture of more openness to develop the skills-base required across the transport and planning sectors to deliver and support sustainable economic growth and sustainable development. This can be facilitated in part by sharing best practice, for example to promote that consistency of appraisal, providing additional guidance on interpretation and application of the policy and promoting an integrated view of land-use planning and transportation.

A further opportunity related to culture change will be to align procedures so that transport appraisal can more meaningfully support and inform the development planning and management process. By bringing a more structured approach to development planning, are we seeing the integration of the Scottish Transport Appraisal Guidance (STAG) into the development planning and management process? The new approach to development planning and management seems to be more issues and objectives led, considering options and considering implementation.

Transport appraisal, and transport modelling, have a major role in frontloading the process – another opportunity. Another pertinent finding from the research into the Implementation of Aspects of SPP17, was that the development sector view was that there was very little evidence that good appraisal and appropriate modelling guides development plans, whilst local authority planners suggested that there was so much appraisal work undertaken that it was causing 'paralysis by analysis'. Focused, proportionate and efficient appraisal can only help the development planning and management process.

Clearly a change is needed and new guidance is being prepared in relation to providing effective transport appraisal and modelling, aligning transport appraisal so that it can feed into the development planning and management process at the appropriate points to make a positive contribution to both policy development and implementation. This will help inform strategy development and development management by clarifying what the impacts and implications are of transport and land-use policy decisions on wider government objectives in relation to the economy, the environment, accessibility etc. The intention is that this new guidance will replace a number of documents to provide a concise and practical guide outlining the benefits of robust transport appraisal and modelling as an integral part of the development planning and management process. A key aspect of this is that transport appraisal is not just the domain of transport planning professional, but must be used by the planning community to inform their decision making and to properly integrate land-use planning and transport.

Transport and land-use modelling approaches and tools can be extremely helpful in assessing the potential impact of different land-use and transport options or particular interventions. It should be emphasised that spatial planning is a complex process, balancing and considering a wide range of potentially competing objectives. Transport appraisal is a key approach to helping inform this consideration and transport appraisal is informed by a range of tools including models (either land-use or transport). These models are tools, potentially very sophisticated tools, but tools nonetheless, that should contribute to the overall appraisal process informing the preparation of spatial strategy. I am not advocating that the process should be driven by either modelling or transport appraisal alone. Appraisal and modelling do, however, provide valuable information on the potential impacts and implications of different land-use and transport policies and proposals on the wider spatial strategy.

Transport and land-use models can help analyse what is currently happening in the spatial system and help forecast what is likely to happen in the future based on any number of different options or scenarios to help inform the development planning and management process. In particular models can help inform consideration of present and future circumstances in a range of ways, for example testing the impact of different options (such as alternative land-use allocations and transport provisions) on different policy indicators in relation to the economy, environment, social inclusion and accessibility. Such tools can allow you to analyse the wider, and sometimes unintended, consequences of particular policy interventions and through testing different scenarios to better understand cause and effect within the spatial system.

A key opportunity stemming from this will be to present outputs from transport appraisal and modelling in a transparent way so that it can be effective and understood, and also to ensure that any conflicts between different policy objectives are clear, as is the approach to how they have been balance/resolved. Given the complexity of some appraisal and modelling exercise this is not a simple task, however it is necessary for us to move forward, and to contribute to that overall 'culture change'.

5. Conclusions

From all of the above we can see that the policies are in place, the process is being put in place via the Planning Act and its supporting advice and guidance and there are some approaches and key tools to help us deliver that central purpose of sustainable economic growth. However we still face some considerable pressures and challenges – and squaring the policy circle isn't always easy.

Arguably the most valuable single physical asset we have in achieving the 'central purpose' is the transport network and we need to make sure that that asset (both road and rail networks):

- is maintained and safely operated to support our economy and facilitate development;

- used efficiently to get the most out of the existing capacity; and
- enhanced by targeted infrastructure and service improvements.

The alignment of the development planning and management process with the transport appraisal approach is critical in allowing land-use and transport planners to work together to deliver a sustainable transport system that contributes to sustainable development and supports the continued growth of the Scottish Economy. In practice this means:

- Reducing the need to travel;
- Creating the conditions that promote sustainable transport modes;
- Making best use of existing infrastructure before investing in new; and
- Avoiding or mitigating adverse impacts of transport.

We have a clear objective from the Scottish Government in terms of achieving sustainable economic growth, and we have clear policies in relation to Planning for Transport, articulated through SPP17. Our challenge as a profession is to deliver on that objective and those policies.

My own view is that robust and appropriate transport appraisal is critical in ensuring that we make the right choices now to achieve sustainable economic growth in the future. The major opportunity we have is to promote that role and present proportionate and appropriate appraisal that:

- Provides **clarity** on decisions and their justification;
- Provides **confidence** in the process;
- Improves **communication**; and
- Promotes **efficiency** by frontloading the development planning and management process.

There is much about culture change in this paper, however there is one aspect of this that is aimed more at Transport Planners than anyone else, and that is our view of STAG. STAG is presented as a process that should be followed in the consideration of transport problems, identifying objectives, looking at options and informing decision makers on which options achieve the desired outcome. I would suggest that we look at STAG as a philosophy rather than a process. A philosophy the principles of which can generate good appraisal, with sound reasoning, resulting in a robust evidence base and which looks at issues from identification through delivery of a solution to its actual impact on addressing problems. These principles are being incorporated into the development planning and management process as the new process requires the main issues report, setting of a vision and/or objectives and the consideration of options before developing the overall strategy.

Communication and early engagement are critical to taking advantage of the opportunities offered by the modernisation of the planning system in Scotland. This communication and engagement should then continue at an appropriate level throughout the planning process. To date, my view is that attempts at early engagement have had varied success, due possibly to a combination of issues such as resource limitations, skills shortages or the willingness of developers and planners to link. The earlier that link is made in the planning process, getting the right people involved at the right time, the greater chance there is of finding shared solutions and achieving consensus. I would suggest that there is much experience demonstrating the outcome when that link is made late in the process – or not at all.

The Planning Act has introduced a number of changes – and it is incumbent on all who are working in land-use or transport planning to embrace the modernisation and culture change needed to achieve integration of planning and transport and contribute fully to sustainable development. Policy and legislation are necessary, and are being put in place, but these can only take us so far. We need to have appropriate guidance and advice; we need access to appropriate resources and expertise; but above all we must be committed to doing things better and differently if need be. Going forward our profession will be measured on what is delivered on the ground – not what strategies or policies are put in place. We should therefore all be committed to delivering integrated and effective transport policies and solutions on the ground that are well informed, appropriate and support the functioning of our communities - supporting sustainable economic growth...