



Briefing 20-80

September 2020

Scottish Planning Policy and Housing: Technical Consultation on Proposed Policy Amendments

To: All Chief Executives, Main Contacts and APSE Contacts in Scotland. For information only: England, Northern Ireland and Wales

Key Points

Scottish Government released a consultation on proposed interim changes to the Scottish Planning Policy to clarify specific parts that relate to planning for housing.

The consultation ends on **9th October 2020**.

Click here to complete the survey: <https://consult.gov.scot/planning-architecture/proposed-policy-amendments/consultation>

The full consultation paper is available here:

<https://www.gov.scot/isbn/9781839609114>

For more information on the survey, please contact:

spphousingconsultation@gov.scot

1.0 Introduction

Scottish Government is consulting on proposed interim changes to the Scottish Planning Policy 2014 in order to clarify parts of the policy that relate to planning for housing. These changes will apply in the interim period until the adoption of the National Planning Framework 4, with a final version expected to be published in 2022.

They are consulting for several reasons including:

- A Court of Session decision on an appeal by Gladman Developments Ltd has led to the wording of the current policy requiring clarification
- The global COVID-19 pandemic is having an impact on the ability of planning authorities to maintain the review cycle of local development plans, delivery programmes and the rate of housing completions

The sections of the policy that the Scottish Government wish to clarify and update include:

- Clarifying what a 5 year effective housing land supply means
- Providing a clearer basis for decisions on applications for housing on sites that have not been allocated in the local development plan
- Removing the presumption in favour of development that contributes to sustainable development
- Generally supporting a plan-led approach to decision-making
- Maintaining the legal status of the development plan as a basis for decisions

The relevant policies can be found in the [Scottish Planning Policy](#) paragraphs 28, 29, 30, 32, 33 and 123/125. Paragraphs 28 and 29 have suggested rewrites (the full text is shown in the consultation). Scottish Ministers have suggested removing the presumption in favour of development that contributes to sustainable development entirely from paragraphs 30, 32 and 33 on development planning and development management. Scottish Ministers have suggested that paragraph 123 and the glossary could be amended to provide more flexibility in the types of sites that could form part of a 5 year effective housing land supply.

2.0 Consultation questions

The consultation questions are copied below:

1	What is your view on our proposal to remove ‘the presumption’ from the SPP, through the changes set out?
2	What is your view on the proposed changes set out and our aim of clarifying the definition of the 5 year effective housing land supply to reflect the currently exceptional market circumstances?
3	What is your view on the proposed changes to paragraph 125, including (a) the proposed calculation to establish the scale of the 5 year effective land supply in relation to alternatives and (b) the proposed approach to assessing proposals where a shortfall emerges?
4	Do you agree that the proposed amendments will not directly impact on other (non-housing) types of development?
5	Do you agree that fuller impact assessments are not required?

3.0 APSE Comment

APSE encourages our member local authorities to respond to the consultation above to make their views known on the potential interim changes to the Scottish Planning Policy, making sure to provide reasons and supported evidence where possible. Responses will be taken into account before the updated policy is finalised and published.

A recent report published by APSE, researched and written by the TCPA, covers a number of these areas and is calling on the Government to put public health at the heart of housing delivery; empowering local decision-makers to create healthy and high-quality places. For more information on “At a crossroads: Building Foundations for healthy communities”, please [click here](#)

APSE has continued to host online Building and Housing advisory groups throughout the global COVID-19 pandemic to allow officers, managers and councillors to stay up-to-date on important issues and developments in the field, and to share knowledge and best

practice. For more information on upcoming meeting dates, please [visit our website](#) or contact the APSE Scotland office at glee@apse.org.uk.

Reminder: APSE has set up a COVID-19 Information Hub to deal with frontline service issues as they arise, ensuring greater resilience and learning between each other during this difficult time. You can access this hub by [clicking here](#) and you can also join our WhatsApp Support Network by [clicking here](#).

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