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Editorial

Welcome to the 190th edition of the Scottish Planner!

This edition is themed around land reform. It's been a long journey for land reform in Scotland; right back to the very inception of the Scottish Parliament. The recent consultation published by Scottish Government sets out another milestone on this road and has been published ahead of new Land Reform Bill to be introduced by the end of 2023. Many other shifting policy areas will feed into this process such as the recently announced review of the Community Empowerment (Scotland) Act 2015, the publication of a Community Wealth Building Bill, Compulsory Purchase Order reforms and last but not least – the publication of the National Planning Framework 4.

As a collective I don't think planners need be told the importance of land. Clearly land is a finite source, as Mark Twain said: "Buy land, they're not making it anymore".

As planners, we need to manage the use and development of land to maximise societal benefit. So whilst land reform proposals sit adjacent to planning spheres, the interlinked interdependencies of such proposals will undoubtedly have a significant impact on how we go about our work, especially in rural Scotland. For this edition we have invited contributions from a broad range of stakeholders to try and probe this issue from different perspectives and spark a healthy debate. We also have articles from Scottish Government's Digital Planning Team, on 20-minute neighbourhoods in rural Scotland and heritage-led recovery from COVID-19.

I hope you enjoy this edition as much as we did putting it together.

-Robbie Calvert Co-editor

Convenor's Comments: Let's talk about land



Andrew Trigger
MRTPI,
Convenor
RTPI Scotland
[@convenorrtpis](https://www.rtpi.org.uk/scotland)

RTPI Scotland Convenor Andrew Trigger discusses the importance of land in the work planners do

We all recognise that land is a finite resource. In many ways, that is the reason why Planning endures - the purpose of planning is to manage the development and use of land in the long-term public interest. However, what is abundantly clear is that there are wide-ranging views both within and out with the profession regarding the management and use of land.

To be clear, I am wholly supportive of the redevelopment and repurposing of previously developed land (to emphasise, not all previously developed land is 'brownfield' and is actually quite green!). However, I recognise that it is not straightforward redeveloping such sites and it is not necessarily a lack of will on the part of landowners that prevents them coming back into active use. Addressing historic contamination issues can be cost prohibitive (although advances in technology are beginning to help); likewise, the design and conservation requirements of generally more urban locations can be expensive as well – materials, building design, utilities, scale and then there are logistics to factor in including workforce, road / rail closures and the like. Such factors ultimately impact on profit margins. In the main, the redevelopment of previously developed sites cannot be regarded as a 'not-for-profit' endeavour – it is naïve to think otherwise. Ask yourself, over the past 2 years in light of the strongest property market for decades, have these sites shown any prospect of coming forward? If the answer is no, then the prospect of successful redevelopment seriously needs to be questioned.

Whether planners are sufficiently skilled to ascertain whether a redevelopment project is financially viable and what represents an acceptable profit margin is a debate that has gone on for years – this is perhaps

worthy of greater attention with the spectre of a recession looming on the horizon – but land ownership has never been a material consideration and whilst planners are well placed to guide matters in respect of land use it is another matter entirely for planners to intervene in land ownership. Yes, compulsory purchase is a tool that has been available for some time and is in line for a refresh, but the public interest criteria is a high threshold to demonstrate and the availability of cash reserves is almost as finite as the land itself; it is also a time consuming process that can engender division and animosity, which can undermine the wider placemaking principles that are trying to be realised.

Fundamentally, there is a need for planners to engage positively with landowners and I recognise that a great many of our members already do this. I am in the fortunate position to work with landowners every day and get to witness first hand that a great many of them care deeply about the land and view themselves as custodians. Some are not particularly interested in development whilst others are acutely aware of what can be delivered. As planners, we know that the success of implementing strategies requires buy in from all sides. So, when it comes to identifying sites for development, we must understand whether landowners are willing to put forward their land for consideration or indeed understand their reasoning why they wouldn't. There is little point getting local politicians and communities vexed over proposals that quite simply aren't going to come forward.

The move to 10-year LDP cycles brings that point into sharper focus and may offer council officers some much needed time to proactively engage with landowners and revisit allocations that have simply failed to deliver.

It is imperative that planning promotes the right development – that maximises benefits whilst minimising any negative impact. There are times when the right

“Fundamentally, there is a need for planners to engage positively with landowners and I recognise that a great many of our members already do this.”

development involves undeveloped land – utilising existing infrastructure, economies of scale that can help sustain new infrastructure and wider objectives such as 20-minute neighbourhoods, greater surety of delivery and yes, profit margin. We can ensure such developments are delivered in a manner that enhances biodiversity, safeguards against flood risk and fully embraces renewable technologies. Is it popular, perhaps not but is it the right thing to do?

A balance needs to be struck. Land reform has the potential to be a divisive issue and will not be a quick fix. In the meantime, let's maximise the resources we have and work together. ■

Article:

Building a Digital Planning System for Scotland

Liz Pringle, Head of Digital Planning at Scottish Government, discusses the context and development of a streamlined digital planning system in Scotland, forming under the Transforming Places Together: Scotland's Digital Strategy for Planning project.

Knowing what you can build and where is difficult for anyone that isn't well versed in the workings of the planning world. Part of the reason for this is that our planning system hasn't been making the best use of technologies we have at hand today.

Over the last two decades we may have moved on from sending large paper reports in the mail, to sending PDF documents by email and online submission of applications. That has been a good start. To make the most of modern internet-era technologies, we need to make a fundamental shift; moving from a world of documents to one of data that can be used within new digital services all designed with our users in mind.

In today's world, good quality structured data is considered to be one of the most valuable assets we have. It creates the foundations of digital services and ensures that information is easily accessible to anyone anywhere. The availability of good quality data is the reason we have services that make it easy for us to book plane tickets, find car insurance or book places to stay anywhere in the world. Each of these services query and compare thousands of datasets instantaneously to give us the answers that we need. This is only possible because we can rely on the quality and consistency of data.

Currently things are very different in the planning and building standards world. The planning system produces huge amounts of information on a daily basis – from planning applications and consents submitted to planning authorities, to local development plans, guidance, weekly lists to name a few. The vast majority of this information is embedded in PDF documents making them outdated for the 21st century. Turning all this information into good quality structured data is a mammoth task but the benefits to the general public, local communities, planning authorities and the private sector are vast.

Planning is and always will be a complex process with multiple and often competing views and priorities. It will always need

the expertise and judgment a professional planner brings. However, by turning planning information into more accessible and understandable data, we can build the apps, platforms and digital services that will make it easier for people to interact with such a complex

"... by turning planning information into more accessible and understandable data, we can build the apps, platforms and digital services that will make it easier for people to interact with such a complex system, streamline and improve the efficiency of applying for permissions, driving collaboration and helping improve communications between all parties involved in the process."



Liz Pringle,
Head of Digital
Planning at Scottish
Government

system, streamline and improve the efficiency of applying for permissions, driving collaboration and helping improve communications between all parties involved in the process. The availability of consistent, reliable data will greatly support planning and planners, in making choices and decisions about better futures for our places.

The Scottish Government is now in the second year of a 5 year programme to digitally transform the planning and building control process. Building from the ambitions set out in Transforming Places Together: Scotland's Digital Strategy for Planning we have begun developing new digital services, and establishing the technology and data foundations that will underpin these new services.

One of the key areas we've begun work on is a fundamental overhaul of the current digital service for submitting applications for planning and building consents, eDevelopment.scot, operated in partnership between the Scottish Government and planning and building authorities. eDevelopment currently handles around 95% of all planning applications and 80% of building warrants, proving a successful common approach across Scotland.

eDevelopment helped move the sector from one based on mailing paper submissions to one where documents were instantaneously sent to local authority back-office systems and provided a

single point of access to anyone wanting to submit an application. It enabled both time and cost efficiencies for all. The eDevelopment system was built to process documents rather than data though. We now have a team looking at redesigning and building the service, making it capable of capturing application information as data. This will help simplify and streamline the digital application process, addressing areas we know from user research cause problems for applicants and planning authorities alike, for example: to allow the triaging of information to reduce the number of invalid applications planning authorities receive.

One of the biggest pain points we've heard about in the application process is people paying the wrong fee. This is why we also have a team working to build a payment system which can automatically calculate how much an applicant needs to pay and can accommodate refunds and changes to applications, all dovetailing with the work we are doing on the new application service.

As these services come online and others are developed, it's important that people can easily find out what services they need depending on what they want to do. This is why we are also building a website or 'digital front door' to planning information and services that directs people to where they need to go based on what they are trying to achieve. For example, if you're interested in commenting on a planning application,

“As these services come online and others are developed, it's important that people can easily find out what services they need depending on what they want to do. This is why we are also building a website or 'digital front door' to planning information and services that directs people to where they need to go based on what they are trying to achieve.”

we will direct you to the relevant place and give you some guidance on what you can comment on. If you want to build something we can direct you towards the relevant applications, be that planning or building control, or if you're just curious about what is happening in your local area, we can point you in the right direction.

All this work is underpinned by our emerging data strategy which will set out how we will gradually help planning authorities transition the planning system from documents to data. Our approach to standardisation and how we will make planning data available to other services to use beyond those that we're working on already.

By the end of this 5 year programme, we can expect a truly 21st century digital planning system. At the Scottish Government, we are working with planning and building authorities, statutory consultees and the wider industry to make this happen. Together, digitisation will make the planning system easier for communities to engage with, provide more certainty to developers and provide local authority planners new tools to do their work.

Planning reform is substantially changing the way we think about our places and in how we collaborate and interrogate information to make decisions in the long-term public interest. Those who operate, use and engage with Scotland's planning system deserve to have the tools, data and knowledge to do that. ■



Q&A

Public Enquiries



Emma Fyvie MRTPI,
Senior Manager
– Development,
Clackmannanshire
Council

Emma Fyvie MRTPI, Senior Manager of Development at Clackmannanshire Council, gives her views on the importance of planning, and recounts formative experiences of mentorship and support from colleagues in her own professional development in the sector.

1 Who has been the biggest inspiration or influence on your career and why?

There is not one particular person but there have been a few along the way. Self-belief and confidence were never my strong points early on and my first manager at North Lanarkshire Council, David Millar, saw potential and helped me develop as a planner and person, showing real kindness and having difficult conversations when he thought they were needed. I left that post after a couple of years but he sent me a lovely letter when my first child was born four years later. He sadly passed away not long after that but I haven't forgotten the influence he had. Kindness and thoughtfulness make an impact and are remembered for a long time. I always try to put that into practice myself now as a leader.

I constantly learn from and am inspired by those around me especially the talented people I have worked with along the way and work with now across my teams. There are some pretty inspirational people in the planning world just now too. Irene Beautyman is a great example of someone showing real place leadership, encouraging the rest of us to put our heads above the parapet and try to change things for the better.

2 What do you feel is the biggest issue facing planners and planning at the moment?

Planning is generally an ageing profession and we urgently need newly qualified planners to enter the job market. It is good to see the planning apprenticeship work coming out through Heads of Planning Scotland and the RTPI. This will hopefully provide a range of pathways into the profession. We also need to

try and to raise planning's profile in schools and create demand for apprenticeships and new courses in our colleges and universities.

3 Why is planning important?

Planning is pivotal in creating the places that people need to live happy, healthy and fulfilling lives. If spatial strategies are integrated with and form the spatial expression of those for economy, climate, transportation, and public health, we will have a very good chance of success. None of these will be successful in isolation.

4 Where do you think best exemplifies planning's role in creating great places for people?

There are lots of large high profile developments that I could name here. However, I will shamelessly promote my own authority and mention recent town centre work undertaken in Alloa. Effective collaboration between the Council, local business, the third sector and local residents has resulted in a 'Living Alloa' set of projects including the Alloa Hub, a community owned and run hub that will carry out a range of functions related to community uses, heritage and tourism promotion, health and wellbeing and the retailing of locally produced goods. This project used Scottish Government town centre funding to convert an old Council owned public toilet into an attractive multi purpose building. I won't claim personal credit for this as it was all underway when I arrived in Clackmannanshire Council, but it is an impressive (and hopefully award winning) set of linked projects to improve the town for its residents' businesses and visitors. It is the perfect start to Alloa's

place-making journey and we have plans for much more. We are fortunate to be one of the selected towns for the Shaping Places for Wellbeing programme which will to help us focus on delivering on Place and Wellbeing Outcomes.

5 What are the greatest challenges and opportunities currently for planning practitioners?

Challenges are ever reducing budgets in the wake of increasing statutory duties and aspirations for creating successful places and opportunities are the ability to use our influence to implement the place principle effectively in our respective areas. ■

“Planning is pivotal in creating the places that people need to live happy, healthy and fulfilling lives. If spatial strategies are integrated with and form the spatial expression of those for economy, climate, transportation, and public health, we will have a very good chance of success. None of these will be successful in isolation.”

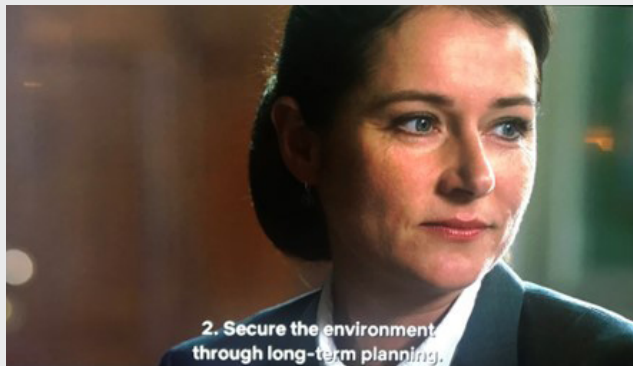
Immaterial Considerations

An irreverent look at the world of planning...

TV Tales

The Immaterial Considerations team came across a quirky, interesting television programme on BBC 2 recently called “How To with John Wilson...”. The particular episode that caught our attention was “How to Put Up Scaffolding” where Mr Wilson offers – in his own particular way – what is described as “a unique history of New York’s hideous yet sprawling network of overhead ‘protection’, otherwise known as scaffolding, and contemplates what it might take to reduce its nearly 300-mile-long eyesore presently overtaking the city”. We were intrigued to hear that every five years, every building in the city must submit documentation on to the condition of its facade to the Department of Buildings. This is part of a law which was introduced decades ago, after a loose brick fell off a building and killed a young girl. The law applies to all buildings six stories or taller and defects can include loose bricks, cracks, deteriorating mortar, crumbling parapets and unstable balconies. Once the

engineer has identified these defects, they will hire contractors to fix these issues. You can watch the programme on BBC I-player, though be warned it does say that it “contains some strong language and some sexual content”.



PM with a Plan

Keeping on the TV theme, we were catching up series two of the on the Danish political drama Borgen in preparation for the launch of a new series. Imagine our surprise and pride that in reflecting on their achievements the Prime Minister Birgitte Nyborg and her close ally Bent Sejro talked through their priorities and that their number 2 was to “secure the environment through long term planning”. We believe our very own First Minister is a great fan of the programme, so here’s hoping that she is watching it!



In Focus: Historic Environment Scotland's Green Recovery Statement



Dr. Ann MacSween
MRTPI,
Head of Planning,
Consents and
Advice Service at
Historic Environment
Scotland

Ann MacSween, Head of Planning, Consents and Advice Service at Historic Environment Scotland, outlines the agency's ambitions in alignment with Green Recovery, particular with the vital role heritage assets will play in Scotland's sustainable development.

Historic Environment Scotland's Green Recovery Statement supports the green principles set out by Scottish Government and considers how the historic environment can contribute to Scotland's recovery from the Covid-19 pandemic including transition to net zero and a climate resilient society.

Whether we live in an urban or rural location, our surroundings have been shaped by humans, and that is the historic environment in its broadest sense. The needs and choices of past populations have resulted in the local and regional variation that give different parts of Scotland their distinct character.

Our current choices are very much driven by how to reach a low carbon, resource efficient and socially inclusive economy, and given the high proportion of traditional buildings in Scotland, by the need to find how these assets can contribute to this ambition.

Our Green Recovery Statement lists seven ways that the historic environment can contribute to economic and social recovery:

- reuse and adaptation of existing heritage assets to reduce waste by avoiding the carbon impacts of demolition and new build
- good maintenance and retrofitting of traditional buildings to reduce heat loss and improve energy efficiency
- the repair, maintenance and retrofit of existing buildings and other assets resulting in the need for green jobs to deliver local improvements
- regeneration of places by investment in their historic assets acting as a catalyst for further economic investment and business growth
- creating attractive places which will be

enjoyed by those who live there and attract tourists to spend longer and contribute to local business growth

- positive management of rural areas including historic sites, landscapes, soils and ecosystems which will help us to adapt to climate change by enabling natural ecosystems and processes to work well
- providing digital access to our historic places and reducing the impact of physical access

Like HES, many organisations and businesses across Scotland have defined the

“Our current choices are very much driven by how to reach a low carbon, resource efficient and socially inclusive economy, and given the high proportion of traditional buildings in Scotland, by the need to find how these assets can contribute to this ambition.”

contribution that the historic environment can make to a green recovery. For us all, the challenge is how to turn the policy wheel and move from ambitions to positive outcomes.

Unlocking the contribution that the historic environment can make to green recovery requires a combined approach with regulation, innovation, and investment. Taking reuse and retrofitting of disused historic buildings as an example, finding a solution will require input from planners, statutory consultees, developers, communities, and investors. This already happens routinely in

local authorities across the country, so what is different post-pandemic?

The experience of the pandemic underlined the value of community, and the importance of our surroundings to wellbeing. An ambition of many communities is to see the disused historic buildings they value brought back into use, but the cost of retrofit and reuse often exceeds market value and is more viable in areas that can attract higher market prices. If we are mindful of social justice, however, choices about loss and retention of historic buildings should be about value for communities as much as market value. We need to work together to look for solutions that deliver attractive, sustainable places in all parts of Scotland, places which will draw investment in jobs and housing and help level out any geographic inequalities.

Practical suggestions for what we can all do include: working together to identify funding sources to bridge the gap between refurbishment cost and market value; shortening the time that buildings can be left empty to reduce the additional costs of repair that dereliction brings; and from a regulatory point of view, working to dispel the notion that listed buildings are more difficult to refurbish. A green recovery approach will challenge us all to reconsider what should drive our choices. ■



In Practice:

20 Minute Neighbourhoods: a realistic national ambition?



Nick Wright MRTPI,
Principal of Nick
Wright Planning

Nick Wright MRTPI, Principal of Nick Wright Planning consultancy, discusses the ambivalence regarding the practicalities of the 20 Minute Neighbourhoods concept in Scotland, and research signalling the best route forward as NPF4 approaches its final publication.

Since the Scottish Government announced in its [2020-21 Programme for Government](#) that it would take steps to support 20 Minute Neighbourhoods, it's fair to say that the planning profession has been both excited and anxious.

Excited, because the basic principle behind 20 Minute Neighbourhoods - convenient and sustainable access to daily needs - has been a pivotal planning concept since Ebenezer Howard's [Garden Cities of Tomorrow](#) in 1898. 20 Minute Neighbourhoods seem to communicate planning to everyone. No wonder we are excited!

Anxious, because we wonder how a concept pioneered in cities like [Melbourne](#), [Paris](#) and [Barcelona](#) will work across Scotland. Rural communities struggle to see how they could meet their daily needs within 20 minutes walk. Under-resourced planning departments worry how they will define 'daily needs' and gather 20-minute data, let alone fund the inevitable gaps in facilities and services identified across their communities.

20 Minute Neighbourhoods feature prominently in [draft National Planning Framework 4](#). But draft NPF4 raised as many questions as it answered. It promised that the concept will vary in urban and rural areas, but also referred to meeting daily needs by walking and cycling – an apparent contradiction in much of rural Scotland.

Recognising those concerns, [HITRANS](#) decided to investigate two questions. What could a 20 Minute Neighbourhood look like in a rural and island context? And what would need to happen for a rural settlement to become a 20 minute community?

With help from planners and practitioners across Scotland, Ines Triebel from [WMUD](#) and I sought to answer those questions for HITRANS.

Our recent report covers:

- The **evolution** of 20 Minute Neighbourhoods.
- People's **daily needs** in the Highlands and Islands – homes, work, leisure, facilities, broadband, transport, housing and more.
- **Case studies** showing what 20 Minute Neighbourhoods could look like in different rural contexts: Orkney, Ullapool, south Loch Ness and Islay.
- **Examples of real projects** already being delivered across rural Scotland that make it 20 Minute Neighbourhoods a practical concept.
- **Challenges and solutions** to delivering rural 20 Minute Neighbourhoods.

Key findings include:

- 20 Minute Neighbourhoods as envisaged in [draft NPF4](#) could work in the Highlands and Islands with three simple adjustments: a broader definition of sustainable transport, treating 20 minutes as a target rather than a requirement, and ensuring policy language and tone encompasses rural as well as urban Scotland.
- Designing and delivering 20 Minute Neighbourhoods is an ideal opportunity to align community action, local authority services and planning, and national policy and resources – ideally [through the lens of Local Place Plans](#).
- There are plenty of examples of good projects which deliver individual elements of 20 Minute Neighbourhoods across Scotland, as the report demonstrates. The challenge – and the opportunity – is to deliver all of those things in every place.

You can read more detail and access the report [here](#).

We're delighted that others are already building on and refining its content. Much exciting work is being done across urban and rural Scotland encompassing GIS data and analysis, [pilot community projects](#), planning policy, [liveable neighbourhoods](#), and [cross-cutting public service strategies](#). Some great examples are documented on the excellent [SURF 20 Minute Neighbourhood Practice Network](#) webpage. There are too many to list here.

The Scottish Government is finalising NPF4 and preparing guidance on 20 Minute Neighbourhoods. This presents a timely opportunity to develop a route map for nationwide delivery of 20 Minute Neighbourhoods that builds on and supports the good work already being done across Scotland. So, let's use this exciting opportunity to demonstrate planning's central role not only in creating better places, but in enabling people to live well locally. ■

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Article:

In the public interest: Land Reform, Planning, and Community Land Ownership



Dr. Carey Doyle,
Urban Hub Manager
at Community Land
Scotland

Dr Carey Doyle, Urban Hub Manager for Glasgow and Clyde Valley at Community Land Scotland, discusses the developing policy ecosystem encompassing Land Reform, Planning, and Community Land Ownership, and how her work with Community Land Scotland is moving forward in providing accessible, rationalised tools for local community bodies.

This summer the consultation for a new Land Reform Act was published, followed swiftly by a review of the 2016 Community Empowerment Act, and a Community Wealth Building Bill is expected this winter. Planners may see this as separate to their work.

However, land reform is key to the work of Scottish planners. In terms of desired outcomes, Scotland's land reform process and town planning system are both defined

“Community landowners have achieved much over the last 20 years of the land reform process. Community Bodies are taking on problems which others can't address, such as market failure, and delivering results.”

in the public interest. Scotland has land reform in order to deliver fair, responsible and productive land use and ownership - the Land Commission's research on topics like Housing, and Vacant and Derelict Land, evidences the value of working on land use and ownership together.

Land reform is a means to an end—as is community land ownership. In Scotland in 2022, what constitutes “community landownership” is well established: ownership by a “Community Body” managed by democratic processes, with a defined geographic community. Community Bodies

demonstrate that their purchase is in the public interest—they are the only type of landowner that is required to do this. [There are 612 assets owned by 422 community bodies across Scotland](#). Most have been bought by negotiated sale with private landowners, although asset transfer from public bodies and Community Right to Buy provide other routes to ownership.

Community landowners have achieved much over the last 20 years of the land reform process. Community Bodies are taking on problems which others can't address, such as market failure, and delivering results. They are skilled at delivering [locally supported climate projects](#), and work collaboratively with public and private sectors. This is important work, rebalancing our development system to include local, non-profit, social enterprise-based land development. I see this as part of creating a fairer property development sector, operating with meaningful benefits to local communities.

In 2016, land reform was applied across Scotland, and [many communities in towns and cities have bought land and buildings](#). However, the potential of land reform is only starting to be realised. We are half way through an action research project in the greater Glasgow area which is working on the links between town planning and land reform. Glasgow will not be the first place which comes to mind for many readers when they

think of community land buy outs, and that is exactly the point.

The case study by The Pyramid demonstrates what urban communities are achieving, well as the scale of ambition. There are many challenges but also great opportunities. To address both, we set up a [Community Ownership Hub](#): Glasgow and Clyde Valley to work in depth on land reform issues. Our [year 1 report](#) outlines the exceptional level of interest we've had, and the progress we've made on our policy priorities of Planning, Vacant and Derelict Land, and Inclusion and Diversity. There is strong interest from those in more deprived areas, and in buying land and buildings owned by all types of landowners, with notable interest in those owned privately.

Much of this interest is from those who have previously engaged reactively in planning – such as objecting to a planning application. We help communities better understand and implement the available tools to become proactive over land – including both land use and ownership. This could be many things, such as a Local Place Plan, a meanwhile use of space, or purchase of a building.

Scottish communities benefit from world-leading policy and legislation to address their land needs in the public interest. These tools are complex and would benefit from being rationalised into a coherent framework. We are developing policy proposals to make proactive community steps overland more straight forward - beginning with easy to use initial tasks, through to purchase of the land to implement a long term sustainable vision for the community. ■

Article: Public Interest Led Development

Professor David Adams,
Land Commissioner at the
Scottish Land Commission,
discusses the need for public
interest led development.



**Anderston Regeneration
Project in Glasgow,**
Credit Collective Architecture



**Professor David
Adams,**
Emeritus Professor
in Urban Studies
at Glasgow
University and Land
Commissioner at
the Scottish Land
Commission

This summer's record temperatures underline the urgent need for action to tackle the climate emergency. All aspects of society and infrastructure must move towards facilitating a just transition to net zero, including how we design and develop our places. The fundamental purpose of planning, as set out in the Planning (Scotland) Act 2019, is to "manage the development and use of land in the long term public interest". Public interest led development (PILD) – when the public sector plays an important leadership role in driving forward major development to produce greater benefits for all – is a key tool in putting this into practice. It is certainly in the public's interest for us to move towards a greener, more sustainable future based on more environmentally friendly ways of living, working, and traveling. PILD can be a crucial instrument to help achieve Scotland's policy commitments, such as the creation of twenty-minute neighbourhoods, rural repopulation, and transition to net zero.

If we are to create the social value envisaged by policy commitments such as these, we need to establish an alternative way of bringing land forward for development. We should be aiming to build well-planned sustainable communities in places people want to live at prices they can afford. The speculative private development model in Scotland is not well suited to either increasing the supply of new homes or to making homes more affordable. It tends to focus more on greenfield sites than redeveloping existing brownfield land.

The Scottish Land Commission's review '[Land for Housing: Towards a Public Interest Led Approach to Development](#),' made recommendations to Scottish Ministers

proposing that the public sector plays a much more active role in land assembly and strategic land promotion to reduce development risk, thereby increasing housing delivery and creating better places. An important focus is on public sector activity making better use – and re-use – of public sector land, bringing forward sites for development that wouldn't usually be developed on their own by the private sector, especially mixed ownership sites in regeneration areas and rural land. We recommended land agency functions within the public sector to be more proactive in bringing the land supply into ownership

“We should be aiming to build well-planned sustainable communities in places people want to live at prices they can afford.”

that will unlock development. Development of housing on vacant and derelict land can regenerate communities, while well-planned new housing developments can deliver energy-efficient homes and support active travel. The [draft NPF4](#) – the national planning framework for development in Scotland – marks a clear shift from greenfield development to the re-use of land to support net zero. The challenge will be in delivering this change, and PILD can help to achieve this. PILD can also support rural repopulation, revitalising communities. Volume housebuilders, on the whole, do not build homes in rural Scotland as it doesn't

provide the return on investment that their shareholders require. While communities often fill the gap, developing housing is time consuming and risky. Our Review of Land for Housing called for additional support for rural communities to develop the homes that they need.

How might Scotland change the way we deliver land for housing to create better outcomes? Previous work by the Commission found strong evidence to support an increase in the percentage of the land value created by development being captured for public good. Our research concluded that the best new places saw public bodies taking an active role

in promoting development, assembling land and shaping local markets. Better results were achieved where a landowner, whether private or public sector, took a 'patient capital' approach and emphasised quality of place over profit. This type of development, however, is the

exception – not the norm.

Moving from our current market-led approach to one governed by public interest will not be easy, and will take significant shift in behaviour towards greater collaboration between the private and public sectors, but the potential rewards make the changes worthwhile – creating the homes people can afford, in places where they want to live, and providing a basis for sustainable and inclusive economic growth. ■

Article:

Compulsory Purchase Orders Reform in England



Raj Gupta,
Partner at Town
Legal LLP

Raj Gupta, Partner at Town Legal LLP, overviews the developing reforms to the Compulsory Purchase Orders (CPOs) system in England and Wales, and tensions present regarding land values during this consultation phase.

The UK Government's Levelling Up and Regeneration Bill ("LURB") proposes reforms to the process of securing compulsory purchase orders ("CPOs"). A subsequent consultation by the Department of Levelling Up, Housing and Communities ("DLUHC") foreshadows significant reforms to the assessment of compulsory purchase compensation to be included in the LURB at its House of Lords stage. These apply only to England and Wales but with reform of Scottish CPO system anticipated, this article provides a brief overview of the proposals.

CPO process reform

The LURB includes some uncontroversial proposals including a modest move towards digitalisation, requiring CPO promoters to publish various statutory notices on a website. There is also the possibility of allowing CPOs to have a longer life span than the current three years.

More contentious is the removal of the automatic right of statutory objectors (landowners and certain public bodies) to a public inquiry as to whether a CPO should be confirmed or not. Instead, the confirming authority (the Secretary of State or an inspector) can decide that a "representations procedure" will be followed instead. As with much else in the LURB, details of this procedure are to be set out in secondary legislation but will probably allow for a less formal hearing or written representations.

The most eye-catching proposal is to allow CPOs to be confirmed subject to conditions. The effect of this "conditional confirmation" (probably relating to financing and planning) is that the CPO cannot be implemented until the conditions have been discharged by the confirming authority. The CPO will expire if

the confirming authority has not received an application by a certain time or once an application is made decides that the conditions have not been met. Both conditions and time limits are to be specified by the confirming authority when it confirms the order. Again, the process is to be set out in secondary legislation but must allow for an affected objector to have the opportunity to make written representations.

Land compensation reform

DLUHC has published a consultation on proposed reforms to aspects of compensation code.

Currently, where land is compulsorily purchased, the former owner can apply to the local planning authority for a certificate of appropriate alternative development ("CAAD"). A CAAD certifies that if absent of the CPO scheme, there was a reasonable prospect that a specified form of development would have been granted planning permission. If a CAAD is granted compensation, it is assessed on whether the planning permission for the development certified was in place at the relevant valuation date.

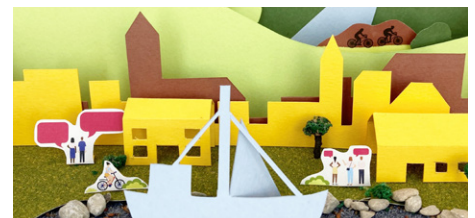
The consultation proposes changes to the CAAD system, most notably removing the right of the landowner to apply directly to the Lands Tribunal to determine whether there is AAD and requiring them to bear their own costs of the process rather than claim it as compensation.

The reform that has led to the most opposition is labelled as "land value capture".

This would allow the CPO promoter to apply for a direction from the Secretary of State requiring that compensation for the land acquired is assessed only on the basis of its existing use value, ignoring any potential it had for development. To most specialists in this field, the proposal appears to fly in the face of the most fundamental principal in land compensation law – that the owner of land compulsorily purchased should receive what the land is worth – no more and no

“...the proposal appears to fly in the face of the most fundamental principal in land compensation law – that the owner of land compulsorily purchased should receive what the land is worth – no more and no less...”

less (known as the principle of equivalence). A number of bodies have responded to the consultation with a degree of outrage (though some including the RTPI are in support). We will have to wait until the Autumn for DLUHC's response. ■



Article:

Developer contributions in Scotland and England: lessons for each nation from S75 and S106/CIL



Prof Tony Crook
FRTPI,
Professor Emeritus
of Town and
Regional Planning
at The University of
Sheffield

Professor Tony Crook, CBE FAcSS FRTPI, Emeritus Professor of Town & Regional Planning at the University of Sheffield, discusses the emerging landscape of developer contributions policy in Scotland and England.

Introduction

Our recent studies (Blanc et al, 2021; Lord, et al, 2020) have allowed us to measure the incidence, impact, and delivery of developer contributions. This is an important time for thinking about lessons from these studies as each nation is on the cusp of making significant changes in its approach. In Scotland to introduce an infrastructure levy and in England to replace its costs based approach to developer contributions with a sales tax on the gross sales value of all completed developments (Crook et al, 2022).

Incidence, impact and delivery

In both nations developer contributions for site mitigation and affordable housing are now generally accepted, especially when these are clearly set out in adopted plans.

The most recent evidence for Scotland shows that the proportion of planning permissions with developer obligations has risen to eight percent in 2019/20. The value of these contributions has also grown. £490 million worth of developer contributions were agreed in 2019/20, of which £300 million was for affordable housing. The vast majority was delivered, as long as developments went ahead and were not subject to revised planning consents.

The evidence from England (with its much larger population than Scotland) shows that £7bn was agreed for affordable housing and infrastructure in 2018/19 through S106 developer contributions and Community Infrastructure Levy (CIL), of which £4.7bn was for affordable housing. The majority of what is agreed in England is delivered, although the recent financial crisis has led to more renegotiations, which often result in a reduction in the numbers of affordable homes agreed.

In both nations our evidence shows that

the costs of developer contributions is generally paid for by landowners in lower land prices as developers price their contributions into what they will pay for land. In both nations developer contributions capture about a third of the value of land with planning consent. Developers and local authorities favour a cost based developer contributions approach as they contractually guarantee provision of what is agreed.

The challenges of developer contributions

In both nations there were very similar challenges, especially on the lengthy negotiations, often with multiple agencies that were often necessary on large and complex sites and when market conditions change. Securing contributions was also challenging where local plans were not up to date, with developers often complaining about mission creep as contributions were sought (e.g. for health) that had not been set out in relevant planning policy documents.

In both nations there were also challenges in securing major sub-regional and regional infrastructure. In Scotland there were problems integrating development plans with capital programmes of infrastructure providers. Legal cases and reporters' decisions have placed doubts on whether S75 can be used to secure sub-regional infrastructure. In England CIL was deliberately introduced to help finance sub-regional needs, but its operation has been much criticised by developers.

Lessons for each nation

England has had challenges delivering genuinely affordable social rented housing through developer contributions, as it has a zero grant policy for building new affordable homes on developer contributions sites. As a result, most provision is for (more expensive)

affordable rent and shared ownership housing. In Scotland, matching developer contributions with public grants has enabled much (more affordable) social rent to be delivered (although it appears to result in higher prices being paid for land). England can also learn from the way Scotland has used planning conditions to secure developer contributions that speed up the whole process.

Scotland has plans to institute a new infrastructure levy to secure contributions to sub-regional infrastructure but there are (as yet) no details of whether this will be a cost or value-based levy. England's attempt to secure this funding via CIL has had a mixed outcome with many developers now wanting a return to a cost based negotiated contributions approach which takes account of the complexity of large and complex sites with lengthy build out times. Significantly, England has now changed its initial approach to entirely replacing S106 and CIL with a simple non-negotiated value-based sales levy on all developments to an approach that keeps S106 for large and complex sites and also for the integral infrastructure needed for all new developments.

Conclusions

Perhaps the key lesson from our recent studies is that there is not one single approach that can secure developer contributions by capturing some of the land value created by planning permission. Development sites vary enormously in the value they attract and the costs they incur. Developer contributions policy needs to take these into account. A three-pronged approach might work better in both nations: (i) a simple tariff on small sites; (ii) a negotiated levy on larger sites; and (iii) a public/private partnership approach on major development on green and brownfield land. ■

Article:

Natural Capital

James MacKessack-Leitch, Policy & Practice Lead at Scottish Land Commission, introduces the impact of natural capital's rapid uptick on the Scottish land market.



James MacKessack-Leitch,
Policy & Practice
Lead, Scottish Land
Commission

Interest in maintaining, improving, and investing in Scotland's natural capital has shot up the agenda over the past couple of years as we seek to address the climate and biodiversity crises. In pursuit of net-zero, that has meant not just a focus on emissions reduction, but also on carbon sequestration – which in turn is starting to have noticeable effects in the land market.

Following a number of high-profile, large land purchases last year, the Scottish Land Commission sought to find out what was happening in the land market – to get behind the 'Green Lairds' headlines – and make recommendations to help ensure new land acquisitions and investment are supporting the just transition.

Earlier this year the Commission published two reports, the [Rural Land Market Insights Report](#), which draws on the experience of agents and others involved in the land market; and the [Rural Land Market Data Report](#), which looks at the detail of transactions taking place in 2020 and 2021.

Combined, the evidence from these reports shows that while activity in the land market is subject to multiple influences and regional variation, commercial forestry appears to have been the biggest driver of increasing land values through 2020 and 2021.

Natural capital, and specifically carbon sequestration, had a bigger influence on land values in upland regions and areas with large extents of peatland, low quality non-plantable agricultural land, and smaller less productive farm holdings.

More generally, the Scottish land market is experiencing exceptionally high demand and low supply. However, supply is in line with the ten-year average, pointing to the rise in land values being very much demand driven.

The evidence also shows that around half of all estates purchased in Scotland in 2021 were acquired by corporate bodies,

investment funds or charitable trusts. Off-market sales have increased across all land categories in the last two years, driven mainly by high demand and continued low supply.

Crucially, many of these new buyers are focussed on carbon offsetting, planting forestry, renewables, and rewilding – increasingly competing with agricultural, lifestyle, and sporting buyers, and transforming the way land is being valued.

These changes, and the rapid pace at which they are happening, show there are real opportunities to attract significant investment into Scotland's land and natural capital.

To ensure this investment in Scotland's land is managed responsibly and provides widely shared benefits, communities, individuals, local businesses, and farmers need to be able to engage, influence, and participate in the market.

Therefore, the Commission has made eight recommendations where we see the opportunity to positively shape the land market.

These include reaffirming the need to introduce mechanisms to ensure the public interest is safeguarded in land transactions and ongoing management, as well as introducing a simple but broad pre-sale notification process to improve participation and transparency. Better data, reporting and integration with parallel markets – such as the trade in carbon credits – should also be priorities.

Supporting collaborative ownership and governance structures for land and investment, alongside better land use planning through empowering Regional Land Use Partnerships, should create a joined-up

and well-supported approach to land use change.

Finally, influencing behaviour through adjusting the targeting of public finance – and tying support to management expectations – alongside reviewing tax policy to secure public value, are perhaps two of the most powerful levers government can use to shape the market.

Scotland's land market is complex, but it is also at the beginning of a period of rapid, and quite possibly volatile, change. Our recommendations address not just the risks

“Supporting collaborative ownership and governance structures for land and investment, alongside better land use planning through empowering Regional Land Use Partnerships, should create a joined-up and well-supported approach to land use change.”

and opportunities of the immediate changes, but how the ways we own and manage Scotland's land can adapt to other new influences, investment, and value in future. ■



Article: Land Reform Consultation



Sarah Madden,
Policy Advisor
(Rural Communities),
Scottish Land
& Estates

Sarah Madden, Policy Advisor (Rural Communities) at Scottish Land & Estates discusses the ambitions of the current Land Reform in a Net Zero Nation consultation.

There are few topics in rural affairs as emotive as land reform, and the subject is well and truly back on the table thanks to the Scottish Government’s Land Reform in a Net Zero Nation consultation, which closes on the 25 September 2022.

Scotland’s current pattern of landownership is plentiful with opportunities for achieving the nation’s net-zero and biodiversity targets, and there are several land-use and planning mechanisms in place that could make a real difference if utilised in conjunction with the expertise and resources of landowners. However, the proposals seek only to alienate landowners who are arguably best placed to help the Scottish Government achieve its targets and deliver benefits for rural Scotland.

The inclusion of ‘net-zero’ in the consultation title connotes significant positive impacts for net-zero through land use, however the proposals fall short in demonstrating how they are going to achieve this. It also conflates the journey to net-zero with a somewhat incompatible drive to address “adverse effects of scale and concentration,” despite the growing evidence that ownership at scale actually delivers a myriad of environmental, economic and social benefits, acknowledged in a Scottish Land Commission report in 2019.

Statutory implementation of the Land Rights and Responsibilities Statement, mandatory Land Management Plans, and a Public Interest Test are three main proposals in the consultation, with the caveat that these proposals apply to ‘large-scale’ land holdings of over 3000Ha and exempt ‘family farms’ (a rather ambiguous concept preoccupied with the type of landowner rather than positive outcomes). Cross compliance and enforcement mechanisms are also proposed,

such as the loss of land-based subsidies or financial penalties, which only serve to stifle essential investment in our environment and fragile rural communities.

The Land Rights and Responsibilities Statement and its associated principles and protocols were introduced in 2017 as a voluntary piece of guidance for responsible land management (with its impact still not fully evaluated). The Statement is full of ‘recommends’ and ‘shoulds’ around community engagement and more diverse or fragmented ownership – language irreconcilable with the black and white nature of the law. Nevertheless, the Scottish Government clearly aims to legislate for more fragmented ownership through this channel.

This drive for more fragmented ownership contradicts the Government’s own measure of a £20bn private funding gap in land use that will help achieve net-zero, achievable through the cohesion and integrated land use that ownership at scale offers.

Mechanisms for achieving net-zero and communities having their say over how their places are developed are already in place: Regional Land Use Partnerships are a prime example of a collaborative land use forum based on regional priorities, but these appear to be another project not seen through to fruition.

The planning system can also work to its advantage – the proper resourcing of planning authorities could give communities far more support in forging Community Action Plans that could inform Local Development Plans, which local landowners would work with to achieve local aims.

The Scottish Government and Scottish Land & Estates have a common goal of thriving rural communities and economies, and a genuine drive to tackle the nature and climate crises through integrated management of our natural resources. However, we believe this should be done by taking full advantage of the expertise and enthusiasm already thriving in the landowning community. We should also be strengthening existing systems and seeing through current projects before further implementation of ill thought through legislation based on ideology, which could potentially stifle this much needed investment in Scotland’s land. ■

“The planning system can also work to its advantage – the proper resourcing of planning authorities could give communities far more support in forging Community Action Plans that could inform Local Development Plans, which local landowners would work with to achieve local aims.”

Article: Crown Estate Scotland



Campbell Gerrard MRTPI, Senior Planner and Policy Manager at Crown Estate Scotland, overviews the management of the Scottish estate.

CSE and consultant team discuss future of Whitehall Estate with school children

Campbell Gerrard, Senior Planning and Policy Manager at Crown Estate Scotland

Crown Estate Scotland has been managing the Scottish Crown Estate since 2017. The Scottish Crown Estate comprises four rural estates, (Glenlivet, Fochabers, Applegirth, and Whitehill), roughly half of the foreshore, most of the seabed to 12 nautical miles, leasing rights for renewable energy and gas storage out to 200 nautical miles, retail and office space in Edinburgh and Montrose, salmon fishing rights and rights to naturally occurring gold and silver across most of Scotland.

The Scottish Crown Estate is held 'in right of the Crown', whilst management responsibility sits with Scottish Ministers who in turn delegate to Crown Estate Scotland. As a public corporation we are accountable to Scottish Ministers and the Scottish Parliament, but we are managed by an independent board. Net revenues are returned to Scottish Government.

The Scottish Crown Estate Act 2019 provides a new legislative framework for the management of the Estate. Managers (Crown Estate Scotland and any eligible bodies who manage parts of the Estate in the future) are required to act in a way that furthers the achievement of sustainable development and promotes social, economic and environmental benefits. Crown Estate Scotland's purpose is to invest in property, natural resources and people to generate lasting value for Scotland.

Managers operate within the wider framework of Scottish Government policy and the National Performance Framework including contributing to policies on land reform and community empowerment by offering opportunities to own or manage Estate assets directly.

The 2019 Act provides for the transfer or delegation of the management of individual assets to a defined range of eligible managers including local authorities, other Scottish public authorities, Scottish Harbour Authorities, or community organisations.

To test different models of local management, Crown Estate Scotland launched a local management pilots scheme in 2018. The scheme is designed to encourage the greater involvement of Scotland's communities in managing the land and property near them. The scheme allows us to form partnerships with bodies which represent their local community and through them, give those communities a say in how some of the Scottish Crown Estate assets near them are used. Pilot projects in Orkney and the Forth District Salmon Fishery Board are testing different approaches to management, community empowerment and giving communities more say in decision making. Further pilot projects in Shetland and Na h-Eileanan an Iar are in development.

In January we launched a pilot initiative, supported by the Scottish Tenant Farmers Association and informed by engagement with tenants, to offer farmers on secure tenancies, in Applegirth and Auchindoun, the opportunity to buy the holdings which they currently lease. 22 out of 23 tenants have expressed an interest. The pilot not only aims to increase diversity in land ownership, but also to allow tenants to take full control of the holdings which they already care for and, in some cases, have worked for generations.

Since 2021 we have been working towards the transfer of ownership of Portgordon Harbour to Portgordon Community Trust. The harbour will form a key part of the wider regeneration of the village facilitating the development of a new community hub which will enable a more economically resilient model for ownership.

Crown Estate Scotland seeks to align with the Land Rights and Responsibilities Statement, including on collaboration and community engagement in decisions about land. Our built development team are taking work forward looking at future aspirations

“Crown Estate Scotland seeks to align with the Land Rights and Responsibilities Statement, including on collaboration and community engagement in decisions about land.”

on our Whitehill Estate. We have engaged consultants to lead on a comprehensive community engagement and placemaking exercise. A dedicated web site has been set up providing a virtual town hall approach to engagement. We have taken a 'blank page' approach facilitating those who live and work on the estate to shape the future of the estate. Engagement has been excellent with 170 voices heard. These will inform the development of an authentic future vision and framework for Whitehill.

We note with interest the current consultation on the Land Reform Bill and look forward to engaging on future proposals. ■

Article:

In depth look at The Pyramid at Anderston



Ailsa MacKenzie,
Chief Officer at
The Pyramid

Ailsa MacKenzie, Chief Officer at The Pyramid and Dr Carey Doyle discuss the history and collaborative re-imagining of The Pyramid as a community site in Anderston, Glasgow.

The Pyramid at Anderston is a landmark on the Glasgow skyline. Designed by Glasgow architects Honeyman, Jack and Robertson and completed in 1968, it was built for the Church of Scotland as part of the post-war redevelopment of the Anderston area. The design vision was for a less-hierarchical church building, within a notable pyramid modernist design with brutalist traits and an extraordinary amount and range of community spaces. In 2019, following further re-development of the area and a significant decline in the congregation, the Church of Scotland sold the building which then entered its new life as The Pyramid.

The B-listed church was bought out for the community as the 100th project to receive support from the Scottish Land Fund. It transferred to a community-led Trust and was recognised as a Community Anchor Organisation by the Scottish Government due to its essential role during the pandemic. The Pyramid had responded quickly, with a fast-evolving programme; even during the most severe lockdowns, it continued to operate, providing essential food, fuel, digital and welfare support, hand sanitiser and masks, along with well-being and recovery programmes, sports and exercise, community festivals and celebrations, music groups, online activities, a Summer of Play with over 100 sessions for local young people, community café and cooking, new adult learning and ESOL programmes - and more. Many new networks, groups and activities have been created at The Pyramid during the pandemic, including a Green Spaces group, Women's Integration Network, a Families Club, Wheel-Being and cycling programmes. Team Pyramid has grown from two part-time staff in August 2019 to a complement of

eight, and the Pyramid's network of members, volunteers, supporters and partners has grown exponentially.

Alongside this, the team embarked on a programme of major capital development to conserve the building, redevelop the community spaces, improve accessibility, and incorporate carbon reduction measures. In June 2020 they secured a £1.1 million award from the National Lottery Community Fund to undertake a phased programme of building improvements and renovation, with a new lift making the whole building accessible for the first time, concrete and roof repairs and the renovation of the kitchen and large hall. Despite challenges of under-resourced local planning departments, post-pandemic operation and exceptional increases in construction costs, work began on site in Autumn 2021. More funders, organisations and individuals have bought into The Pyramid's rights-based vision for a community facility focused on wellbeing - the health, prosperity and quality of life of community members - and protecting and improving its environment. This has led to further support for the organisation to transform the large hall

into a high spec sports hall, make heritage standard external repairs and create a new zero waste community shop and pantry.

Despite challenges, the Pyramid has been able to continue to serve the community by developing a phased development plan allowing sections of the building to stay in use. A range of innovative programmes and projects continue to be produced and The Pyramid is also home to the community's celebrations and groups. Bigger questions also tempt the team at The Pyramid, such as how to better address proximity to the motorway, with its attendant noise and air quality pollution? What lessons from The Pyramid can be used to bring other historic buildings in Glasgow?

The Pyramid has demonstrated how far and fast progress can be made when a community takes control of an asset, is involved from the beginning and is the consideration for everything that happens in their space. The first years of The Pyramid as a community facility have been a baptism of fire but have led to an abundance of resilience, optimism, and energy in and beyond the building. ■



Article:

Lochboisdale Harbour

Darren Taylor, Chief Executive of Stòras Uibhist and chair of Community Land Outer Hebrides (CLOH), discusses the foundation of community-owned assets in South Uist, Benbecula and Eriskay.



Darren Taylor,
Chief Executive
Officer, Stòras Uibhist

The community buy-out of South Uist, Benbecula and Eriskay in 2006 created Scotland's largest community-owned estate. It was a hugely ambitious project which saw a number of assets come under community control including not only the 93,000-acre estate itself, the vast majority of which is under crofting tenure with over 850 tenant crofters, but also Askernish golf course, Grogarry sporting lodge and a number of commercial leases. With the construction of a windfarm in 2013 the estate moved onto a more viable economic footing and was able to then pursue further development projects.

an 80-metre quayside, 10 metre slipway, a boat hoist and marine repair business along with commercial units and toilet block.

The whole operation is managed by Lochboisdale Development Ltd, a wholly owned subsidiary of the South Uist Estate. 2 full time jobs have been created and the marina has proved to be very popular with local fishermen, the aquaculture sector and with leisure users.

Lochboisdale Development Limited is now working with partners on the next phases of development. Heads of Terms have been agreed with CMAL for the construction of a new ferry terminal to replace the existing pier in Lochboisdale village with work scheduled for completion in 2026.

An exciting affordable housing scheme, the Smart Clachan, will be developed along the causeway on the island of Rubha Bhuailt. This scheme of 8 homes will be aimed at local families struggling to get a foothold on the local housing ladder. It will be situated midway between the marina and Lochboisdale village helping to create a sense of unity between the two.

Meanwhile a wider regeneration plan is being prepared in partnership with Highlands & Islands Enterprise and Comhairle nan Eilean Siar (Western Isles Council). It is

anticipated that this will look at short-term improvements including a new playground, improved pedestrian access along with a plan to encourage small businesses to move into empty commercial units and also a longer-term plan for repurposing of the CMAL ferry terminal when it relocates to Gasaigh, and perhaps also a tidal drying-out berth.

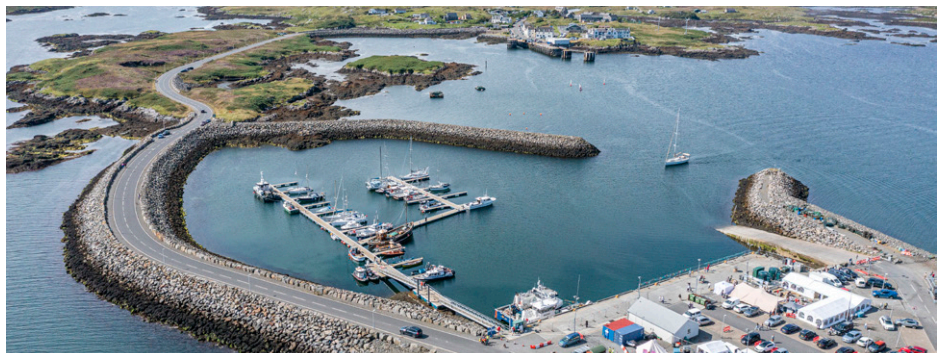
Meanwhile a few miles south of Lochboisdale near the causeway linking South Uist to Eriskay, a disused ferry waiting room is being repurposed as a small café / takeaway food unit and will be available to let in the spring of 2023.

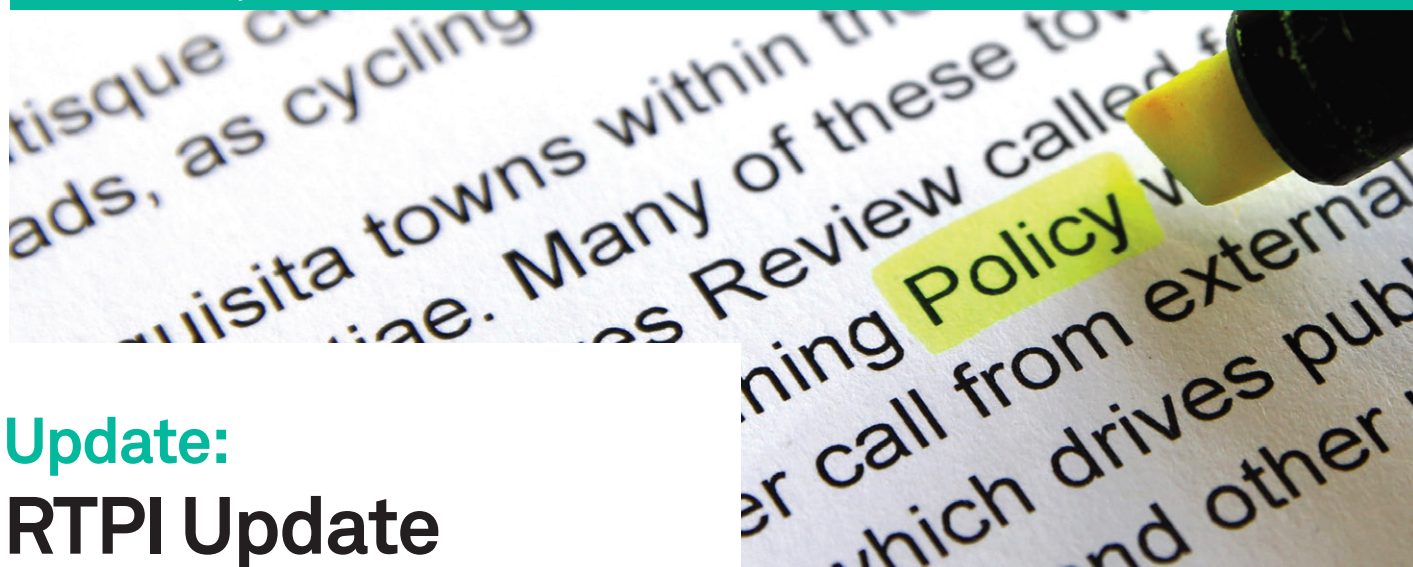
The estate is also working on plans to bring a disused farm steading at Drimore farm back to life as a Food Hub with plans for a number of small production units and a cooperative shop giving local food producers easy access to market. At the moment virtually all of South Uist's world class seafood is exported wholesale, as is local lamb and the food hub will help to reduce food miles as well as improve food resilience.

In keeping with the original aims of the community buyout, all of these initiatives will look at developing and supporting the natural, social, and economic assets of the area to foster a vibrant and sustainable local economy. ■

“With the construction of a windfarm in 2013 the estate moved onto a more viable economic footing and was able to then pursue further development projects. To date the most significant of these came in 2015 when a new marina was created at a cost of over £10million by connecting Gasaigh island via a 2km causeway to Lochboisdale.”

To date the most significant of these came in 2015 when a new marina was created at a cost of over £10million by connecting Gasaigh island via a 2km causeway to Lochboisdale. The marina consists of a sheltered harbour with pontoon access for more than 50 boats,





Update: RTPI Update

Policy Consultations

RTPI Scotland have submitted responses to the following consultations and requests for written evidence:

- Response to the call for views on Environmental Common Frameworks.
- Response to the proposed changes to fees under the Electricity Act 1989.
- Response to review of Permitted Development Rights.
- Response to Environmental Standards Scotland (ESS) Draft Strategic Plan.
- Response to 'Delivering Scotland's Circular Economy' A Route Map to 2025 and Beyond.
- Response to 'Delivering Scotland's Circular Economy' Proposed Circular Economy Bill consultation.
- Response to the Scottish Biodiversity Strategy

Consultations currently under consideration are:

- Land reform in a Net Zero Nation. Deadline 25th September
- New build heat standard consultation: part II. Deadline 20th October

Parliament

Parliament has been in recess since the last edition.

Apprenticeships

We continue to take forward work aimed at promoting a planning apprenticeship programme. Key to this was a meeting with Scottish Government lifelong Learning colleagues where it was agreed that they would explore the possibility of a planning apprenticeship being part of a pilot of their new approach to developing apprenticeships. They will get back on this within the next 4 – 6 weeks.

In the meantime, the Intern Project Officer is leading on developing a business case for the introduction of an RTPI-accredited town planning apprenticeship in Scotland, following the recommendation of the 'Future Planners Project' report (2022) and 'Skills in Planning Research Paper' (2021). This will pull together:

- The context, outlining current routes in the profession and information on Scotland's Apprenticeship Programmes
- details on the need and demand for planners, including metrics on Scotland's planning workforce, meeting replacement and expansion demand, scoping supply-side, testimonials and demand from planning authorities, key agencies and planning consultants
- experience and lessons learned from planning apprenticeships on England

Digital Planning

Progress being made on the Digital Planning Skills and Capabilities programme being taken forward by RTPI for Scottish Government includes:

- A new Programme Manager has started
- An Invitation to Tender for the deep dive research and co-design of the skills programme to be launched, closely followed by an ITT published on the establishment of an online best practice portal.
- The establishment of an Advisory Group to oversee the programme with the first meeting to be held at the end of September
- Agreement on the Governance arrangements for the programme with Scottish Government

Media

The following news releases have been published

- A new report published today has said there is a need to introduce new initiatives to increase the number of planners working in Scotland.

Social Media

The @RTPIScotland Twitter account has 1,462 followers and the @ConvenorRTPI account has 1662.



Update: Scottish Government

We are moving into a crucial phase in the reform of Scotland's planning system. Work on our fourth National Planning Framework, which began at the beginning of 2020, is now nearing completion. That will be closely followed by implementation of the new system for producing local development plans. Meanwhile, some of the development management elements of the planning reform programme are also about to come into force.

Here we give an update on news and activity over recent weeks across those workstreams and point to what you can expect to see soon. This includes changes being made to the planning system as we transition away from the emergency legislation introduced in response to the impacts of working during the Coronavirus pandemic.

National Planning Framework 4

We are, of course, well aware of the very significant interest in progress towards the completion of Scotland's fourth National Planning Framework (NPF4), following on from the public consultation and Scottish Parliament scrutiny which completed in the spring.

We have been carefully considering the wealth of evidence we received as we review, reconsider and refine the NPF4 text. We are committed to progressing to a final version as quickly as we can, but we are clear that it is most important that we get NPF4 right. That has been, and will remain, our focus. It is our intention to lay a finalised version for the Scottish Parliament's consideration and



approval this autumn. Once laid, it will be a matter for the Parliament to decide how to handle it prior to a vote whether to approve it. The finalised version will be accompanied by an explanatory report setting out the changes made to the consultation draft as a result of the representations made to the consultation. It will also be accompanied by a delivery programme.

Following an approval, the Scottish Government will progress towards its adoption and publication. When NPF4 is published, we will also commence the provisions of the Planning (Scotland) Act 2019 which make the National Planning Framework part of the development plan.

Planning Reform Programme

As work progresses to finalise NPF4, we are aware planning authorities and wider stakeholders are keen to begin work on the new-style local development plans. The responses received to the development planning consultation which ran alongside the NPF4 consultation are available on the [Transforming Planning website](#). So strong are the links between NPF4 and LDPs that it was appropriate to consult on them at the same time, and also alongside the related Open Space Strategy and Play Sufficiency Assessment consultation. We are considering all views and expect final versions of the regulations and guidance to come into force shortly after NPF4 has been adopted.

On development management, [commencement regulations](#) were laid in the Scottish Parliament on 20 September which will bring several provisions of the Planning (Scotland) Act 2019 into force with effect from 1 October 2022. These are the provisions which relate to the duration of planning permission, completion notices and repeat applications. We will publish updated guidance on the new procedures shortly.

In May 2022 we published a public consultation on Phase 2 of the review of permitted development rights (PDR). The [Phase 2 consultation](#) sought views on new and extended PDR related to electric vehicle charging infrastructure, changes of use in city, town and local centres as well as port development. The consultation closed on 3 August. We are currently considering the responses, which will inform the finalisation of our proposals.

You can keep up-to-date and view all planning reform consultations and legislation at www.transformingplanning.scot/planning-reform/.

Coronavirus (COVID-19) Legislation and Pre-application Consultation (PAC)

A number of temporary legislative provisions were introduced in response to the pandemic to enable specified aspects of the planning system to continue to operate. Those which remain in force are now due to expire at the end of September. Specifically, those which provided for the temporary:

- Extension of the duration of planning permission, listed building consent and conservation area consent.
- Enabling of online publication of documents that are normally required to be available at physical locations.
- Suspension of the requirement for physical public events as part of the PAC process.
- Suspension of the requirement to make environmental impact assessment reports available at a physical location.

In August 2020, the Scottish Government consulted on a package of changes to pre-application consultation (PAC) requirements – including an additional mandatory public event, statutory prescription as to the content of PAC reports and a number of exemptions from the process. [Legislation giving effect to these changes](#) had been laid in the Scottish Parliament in February 2021. However, these new PAC requirements coming into force had subsequently been delayed while the requirement for physical PAC public events remained suspended. Accordingly the new PAC requirements will come into force on 1 October 2022 once the above suspensions lapse. We will publish guidance on the new procedures.

Staying In Touch

For the latest messages from the Planning and Architecture Division, follow us on Twitter [@ScotGovPlanning](#) and [@DigiPlanningSG](#) and register to receive our Planning and Architecture news updates. ■



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Update:

Planning and Environmental Appeals Division

The [DPEA Annual Review](#) was published recently, reflecting on the past year and setting out our priorities for the current year.

DPEA operations have now transitioned back to normal, carefully following the lifting of wider Scottish Government pandemic restrictions. Reporters have resumed in-person site inspections where those are necessary, and the resumption of in-person hearings and inquiries is now underway. We aim to facilitate hybrid participation wherever possible and intend to publish a Guidance Note on our approach later this year.

There will be a challenging few years ahead. The division, like many others in Scottish Government, will experience real terms budget cuts for the next three years,

which will mean that we are intensifying initiatives already underway to introduce a more proportionate and efficient approach to our work, particularly so in inquiry and report casework. This work is already resulting in faster processing times for onshore wind proposals, contributing to the achievement of Scottish Government renewable energy targets.

In the year ahead I intend that DPEA will focus on maintaining good performance against targets. We will also continue to work with Planning, Architecture and Regeneration Division on planning modernisation, particularly contributing to preparation of NPF4 and development planning guidance, including introduction of the LDP gatecheck process.

Finally, I'd like to draw attention to the DPEA [Customer Survey](#) which was introduced earlier this year. Take-up of this so far has been disappointingly low. I encourage all users of our service to provide feedback so that we can continue to improve the experience of all stakeholders.

- **Scott Ferrie, Chief Reporter** ■

Update:

SYPN

The year is marching on (I can't believe its September already!).

The SYPN had its Summer Social back in July, and it was great to see familiar faces as well as new ones. Now we look to the rest of the year and events being lined up.

As Chair, my main aim was to ensure that our key calendar events were brought back as restrictions were lifted. We are two down with one to go - the Planning Law Update with networking. We hope to hold this on 10th November. Please pencil this in and look out for details.

We are also lining up a joint event with West of Scotland Chapter - a Design Skills webinar which should also be in November, again please look out for details.

We are always open to event suggestions whether this is jointly with Chapters, a suggestion by a Young Planner, or even a suggestion from the wider RTPI Scotland membership. The SYPN is network for Young Planners, but it is also a network that is happy bridge gaps between experienced planners and those still to discover planning.

I was pleased to be asked to join a short-term working group for the Futures Planners project which seeks to support the growth of entrants into the planning profession. I know that the Steering Group and wider network will be supportive this and willing to lend a hand in encouraging and attracting more people into planning as a career. Its a great career, and I am fully onboard with the projects aims and ambitions.

The Steering Group has recently been contacted by RTPI Ambassadors to do a careers talk at school level. This is a great opportunity to reach out and promote planning to those who are starting to think what they could do for a career. The skills we need and subject matter we deal with can be vast, theres always something interesting going on... its now time to sell it and get that pipeline flowing!

- **Jane Tennant, SYPN Chair** ■

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