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## NORTH AYRSHIRE COUNCIL

26 November 2019

### Cabinet

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**Title:** **PROPOSED REGIONAL SPATIAL STRATEGY FOR AYRSHIRE**

**Purpose:** The purpose of this report is to advise on a Regional Spatial Strategy, which was introduced through the Planning (Scotland) Act 2019, and to seek approval for the Council to work in partnership with East and South Ayrshire Councils to prepare an Ayrshire Regional Spatial Strategy.

**Recommendation:** It is recommended that Cabinet:

- (i) notes and agrees the proposed programme for undertaking a Regional Spatial Strategy;
- (ii) agrees that the Council will work collaboratively with East and South Ayrshire Councils to prepare an Ayrshire Regional Spatial Strategy;
- (iii) agrees that a Regional Spatial Strategy, when prepared, will be brought to Cabinet for approval in tandem with similar procedures being undertaken in East and South Ayrshire Councils.

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## 1. Executive Summary

- 1.1 The Planning (Scotland) Act 2019 received Royal Assent in July 2019. The Act brings with it significant changes to many aspects of the planning system in Scotland including development planning, development management, performance and fees. A key change is the introduction of a requirement for planning authorities to prepare Regional Spatial Strategies
- 1.2 Planning Officers have met with both the Scottish Government and Officers from East and South Ayrshire Council, and identified broad support for the delivery of an Ayrshire Regional Spatial Strategy to inform the next National Planning Framework (NPF4) which is programmed for public consultation in the Autumn of 2020.

## 2. Background

- 2.1 As reported to the Planning Committee on 3rd September 2019 the Planning (Scotland) Act 2019 received Royal Assent in July 2019. The Act brings with it significant changes to many aspects of the planning system in Scotland including development planning, development management, performance and fees.
- 2.2 A key change brought forward by the Planning (Scotland) Act 2019 with implications for North Ayrshire is the introduction of a requirement for planning authorities to prepare Regional Spatial Strategies. The Act states that Regional Spatial Strategies should be prepared by a planning authority or two or more planning authorities acting jointly. The strategies will provide a long term direction to large scale development, identify the need for strategic development, set out the long term spatial framework for the areas concerned and set priorities for the delivery of strategic development as well as identify locations for strategic development.
- 2.3 Further to the Act itself, on 30 September 2019 the Scottish Government published its post-bill work programme for implementation of the Act. This sets out the programme for producing primarily (i) the new National Planning Framework, which will become a statutory document and comprise part of the Development Plan for North Ayrshire; and (ii) the secondary legislation and guidance that will set out in detail how the various elements of the Act should be implemented.
- 2.4 The work programme anticipates that the draft National Planning Framework (NPF4) will be issued for public consultation in Quarter 3 of 2020. The NPF4 will then be laid before parliament for a period of 120 days to allow representations to be made. A further draft will then be prepared, taking account of the representations. It is anticipated by the Scottish Government that final approval of the NPF4 will be in the final quarter of 2021.
- 2.5 The Act states that the NPF4 should have regard to Regional Spatial Strategies. For this to be possible, RSS's would need to be prepared to a very tight timeframe i.e. within the next 6 – 9 months. This is considered highly ambitious given the level of work and potentially joint working that will be required. However, early dialogue with Scottish Government officials has pointed towards planning authorities preparing an *indicative* regional spatial strategy. They have indicated that should be a 'light touch' strategy that should be prepared by September 2020. Thereafter, they have stated that the Government will work with planning authorities to inform the preparation of statutory guidance relating to regional spatial strategies, so that future versions of RSSs are more detailed and subject to greater levels of engagement.
- 2.6 It is considered that there is significant value in accelerating the production of a regional spatial strategy to be able to meet the Government's September 2020 target. It is critical that the Council's strategic priorities get embedded in NPF4. The Council's Local Development Plan seeks inclusion of Hunterston in NPF4. Having an approved Regional Spatial Strategy will be a key means of ensuring that this happens.
- 2.7 It is proposed that a Regional Spatial Strategy be prepared on an Ayrshire wide basis, through partnership working with East and South Ayrshire Councils. There are a number of strong reasons why an Ayrshire Regional Spatial Strategy should be taken forward.
  - (i) The Act requires RSS's to direct 'strategic development' with strategic development defined in the Act as 'development that is likely to have a

significant impact on future development within the area of more than one planning authority.’ It therefore seems entirely correct for a RSS to be prepared collaboratively, across authority boundaries.

- (ii) East, North and South Ayrshire Councils have a successful track record of coming together for the purposes of strategic land use planning. Before the Planning etc. (Scotland) Act 2006, a number of iterations of the Ayrshire Joint Structure Plan were prepared and approved jointly by the three authorities, with the Ayrshire Joint Planning Unit continuing to provide a joined up strategic planning function up until 2013.
- (iii) The establishment of the Ayrshire Regional Economic Partnership with formal governance arrangements and the associated Economic Strategy sets a marker and precedent for joint working on an Ayrshire regional scale. It is expected that the RSS will use the Ayrshire Regional Economic Strategy as a starting point for the RSS to then develop in a spatial manner.
- (iv) The three Ayrshire Councils are currently working together to take forward the Ayrshire Growth Deal, for which Heads of Terms were agreed in March this year for £251 million investment. The Regional Spatial Strategy will be an important mechanism for ensuring the growth deal projects are embedded within the National Planning Framework. It is also expected that the Regional Spatial Strategy will consider not just the growth deal projects themselves, but also the long term land use requirements that may emerge as a result of the investment i.e. successful growth deal projects will likely simulate demand for further investment that will need to be planned for spatially.
- (v) There are a number of strategic issues (e.g. flooding, the land use implications of climate change, tourism, renewable energy and transport) that are better considered and tackled at a wider, strategic scale.

2.8 Whilst consideration has been given to cross-border working with other neighbouring authorities, for the reasons described above, it is considered there are clearer advantages and practical benefits in taking forward an Ayrshire Regional Spatial Strategy. However, it is anticipated that there will need to be close co-operation and consultation with neighbouring authorities’ out-with Ayrshire as they prepare their Regional Spatial Strategies and the ability of the Ayrshire authorities to speak ‘in one voice’ will be an advantage in that regard.

2.9 Discussion with officials from the Planning Services of East and South Ayrshire Council have arrived at a mutual recommendation that an Ayrshire Regional Spatial Strategy should be prepared. The decision to move forward on this basis will require to be taken by the other Ayrshire Councils as per their respective decision-making processes. It is understood that East Ayrshire Council’s Cabinet approved the recommendation on 6<sup>th</sup> November 2019 and that South Ayrshire Council will also be giving consideration to the matter in due course, which is required if the preparation of an RSS is to be accelerated to meet Scottish Government target dates.

- 2.10 Should agreement be reached by all three Councils to proceed, work will be required to commence as soon as possible to develop a Regional Spatial Strategy over the next 6 – 9 months. It is anticipated that this work will be coordinated by a working group derived primarily from the Planning Services of the three Councils, but with engagement with appropriate other stakeholders, particular those responsible for taking forward the Ayrshire Growth Deal and the Ayrshire Economic Strategy, as well as the Regional and National Transport Strategies which are currently under review.
- 2.11 The introduction of Regional Spatial Strategies within the Planning (Scotland) Act 2019 presents a new opportunity to think strategically about the long-term development of Ayrshire and North Ayrshire's place within Ayrshire and Scotland more generally. This report recommends that a Regional Spatial Strategy is most appropriately taken forward on an Ayrshire-wide basis. It is also considered critical that this work be accelerated and prioritised, so it can be considered by Scottish Government in the development of the statutory NPF4.

### **3. Proposals**

- 3.1 That Cabinet notes and agrees the proposal to undertake a Regional Spatial Strategy.
- 3.2 That Cabinet agrees that the Council will work collaboratively with East and South Ayrshire Councils to prepare an Ayrshire Regional Spatial Strategy;
- 3.3 That Cabinet agrees that a Regional Spatial Strategy, when prepared, will be brought to Cabinet for approval in tandem with similar procedures being undertaken by both East and South Ayrshire Councils.

### **4. Implications/Socio-economic Duty**

#### **Financial**

- 4.1 None.

#### **Human Resources**

- 4.2 As suggested above and subject to agreement by all three authorities, the preparation of a Regional Spatial Strategy will be carried out by existing officers within the Planning Services of the three Ayrshire Councils. Given the relatively short timeframe in which the 'indicative' RSS needs to be prepared in order that it can feed into the National Planning Framework, there will be a need to prioritise staff resources on this over the 6 – 9 month period.

#### **Legal**

- 4.3 The requirement to prepare a Regional Spatial Strategy has been introduced by the Planning (Scotland) Act 2019. The Act also states that any RSS should be taken into account in the development of the National Planning Framework. It is therefore

considered critical that in order for the priorities of North Ayrshire, and indeed Ayrshire as a whole to be fully represented within the NPF4 and for the region to be strongly positioned in a Scotland wide context, a Regional Spatial Strategy should be prepared in early course in order that it can be included in the preparation of NPF4. The Planning (Scotland) Act 2019 offers little detail on what should be included within an RSS. This will be picked up and expanded upon in Scottish Government guidance at a later date. In the absence of detailed guidance to inform the first indicative RSS, the Councils will have significant flexibility to shape the strategy and to ensure that key priorities are fully embedded in the strategy.

### **Equality/Socio-economic**

- 4.4 The Regional Spatial Strategy would further support inclusive growth on a regional scale in line with the emerging Regional Economic Strategy.

### **Environmental and Sustainability**

- 4.5 The Regional Spatial Strategy would be subject to a Strategic Environmental Assessment. The process would play a critical role in maximising the environmental performance of the Regional Spatial Strategy.

### **Key Priorities**

- 4.6 The proposed Regional Spatial Strategy would be a spatial representation of the Council's emerging regional Economic Strategy and support the delivery of the Council Plan's priorities of 'Inclusive, growing and enterprising local economy', 'People enjoy good life-long health and well-being', 'Effective infrastructure and digital connectivity', 'Affordable, modern and well-designed homes that meets residents' needs', 'Vibrant, welcoming and attractive places', and 'A sustainable environment.'

### **Community Wealth Building**

- 4.7 The preparation of a Regional Spatial Strategy will contribute significantly to the aims and aspirations of the Locality Outcome Improvement Plan, and in particular the delivery of the Ayrshire Economic Strategy and the Ayrshire Growth Deal. These strategies and plans aim to progress a more inclusive economy by promoting a community wealth approach.

## **5. Consultation**

- 5.1 A consultation strategy will be developed with colleagues in East and South Ayrshire as an integral part of the process for preparing an indicative Regional Spatial Strategy over the next 6-9 months. It is envisaged that early engagement with the Ayrshire Regional Economic Partnership will be central to preparing the Strategy, ensuring that it aligns with the Ayrshire Growth Deal projects in order to embed them within the National Planning Framework. Additionally, consultation across Council services and with a wider range of local, regional and national stakeholders will inform the indicative strategy.

- 5.2 It is envisaged that once RSS moves to a statutory footing following the preparation of guidance, future versions of the RSS will be subject to greater levels of engagement, including with communities.

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## **Background Papers**

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