

On behalf of Clackmannanshire Council, this Service has been examining the Development Management Consultation paper and associated Town and Country Planning (Development Management Procedure)(Scotland) Regulations.

The consultation document is comprehensive. Indeed, the depth and content of issues are so extensive that they demand significant time and resources in order to provide the Scottish Government with a full response. Unfortunately, our normally limited resources within this small team have been further eroded in recent weeks by absence and abnormal pressures of work. For those reasons, we have been unable to provide a detailed response to all the questions set out in the consultation paper. Nevertheless, the document is clearly a vital part of the modernising government process, and we therefore thought it appropriate to at least provide some modest feedback on the main elements Council's findings. The principal overarching issues to emerge from our analysis of the paper are as follows.

1. The Council generally supports the measures set out for the enhanced scrutiny of planning applications. This will represent improved transparency in the decision making process, and notwithstanding the resource and other business management implications for each planning authority, are broadly to be welcomed. Regrettably, the perception may nevertheless be of a planning system where government intervention in the development industry is having an even more significant impact on the delivery process.
2. We anticipate significant challenges in managing and concluding processing agreements. The timescales and components will pose serious demands on efficient work management, and history tells us that agreements are invariably time consuming exercises. Can such agreement be resolved before the process starts?
3. The present arrangements for outline planning permission generally work well. Planning authorities have the appropriate powers to request whatever information they reasonably require to decide the principle of any development. we are not aware of any customers expressing discontent at these provisions, and do not therefore regard planning permission in principle to be a positive change. For example, it introduces unnecessary complications on scrutiny that should be avoided.
4. Extending the period for representations from 14 to 21 days, combined with enhanced scrutiny and transparency of the decision making process, will represent potential barriers to enhanced performance on decision making timescales. This Council has already embarked on a successful series of measures to improve participation in the process, while at the same time maintaining standards of performance. This includes electronic document management and oral representations to the decision making committee. However, it may be that the further inclusion of measures such as extended periods of publicity, pre determination hearings and processing agreements will have major implications for performance targets.
5. We would encourage the Scottish Government to provide additional templates for new documentation, such as the proposal of application notice and reports on the handling of planning applications.

We trust that the foregoing comments, albeit brief, assist in the finalising of the Regulations.