OFFICIAL REPORT
AITHISG OIFIGEIL

Local Government, Housing and Planning Committee

Tuesday 7 May 2024

Session 6

The Scottish Parliament
Pàrlamaid na h-Alba

Tuesday 7 May 2024

CONTENTS

LOCAL GOVERNMENT, HOUSING AND PLANNING COMMITTEE

14th Meeting 2024, Session 6

CONVENER

*Ariane Burgess (Highlands and Islands) (Green)

DEPUTY CONVENER

*Willie Coffey (Kilmarnock and Irvine Valley) (SNP)

COMMITTEE MEMBERS

*Miles Briggs (Lothian) (Con)
*Stephanie Callaghan (Uddingston and Bellshill) (SNP)
*Pam Gosal (West Scotland) (Con)
*Mark Griffin (Central Scotland) (Lab)
*Gordon MacDonald (Edinburgh Pentlands) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Tony Cain (Association of Local Authority Chief Housing Officers)
Catriona Hill (Royal Incorporation of Architects in Scotland)
Ailsa Macfarlane (Built Environment Forum Scotland)
Craig McLaren (Improvement Service)
Jenny Munro (Royal Town Planning Institute)
Kevin Murphy (Homes for Scotland)
Ailsa Raeburn (Community Land Scotland)
Donna Young (Rural Housing Scotland)

CLERK TO THE COMMITTEE

Euan Donald

LOCATION

The David Livingstone Room (CR6)

Scottish Parliament

Local Government, Housing and Planning Committee

Tuesday 7 May 2024

[The Convener opened the meeting at 09:03]

Decision on Taking Business in Private

The Convener (Ariane Burgess): Good morning, and welcome to the 14th meeting in 2024 of the Local Government, Housing and Planning Committee. I remind all members and witnesses to ensure that their devices are on silent. Mark Griffin and Stephanie Callaghan are joining us remotely today.

Our first agenda item is to decide whether to take items 4, 5 and 6 in private. Do members agree to do that?

Members *indicated agreement.*

National Planning Framework 4 (Annual Review)

09:03

The Convener: The next item is to take evidence on the committee's annual review of national planning framework 4 from two panels of witnesses. On our first panel, we are joined by Catriona Hill of the Royal Incorporation of Architects in Scotland, who is the chair of the Highlands and Islands Architects Association; Ailsa Macfarlane, who is the director of Built Environment Forum Scotland; Craig McLaren, who is the national planning improvement champion at the Improvement Service; and Jenny Munro, who is the policy and practice officer at the Royal Town Planning Institute Scotland. I welcome our witnesses this morning.

I remind members and those participating in the session that there are active legal proceedings concerning the interpretation of NPF4 policies and the interaction between those policies and existing local plans. Under the Parliament's standing orders,

"A member may not in the proceedings of the Parliament refer to any matter in relation to which legal proceedings are active except to the extent permitted by the Presiding Officer."

Although we do not wish the discussion and debate to be unduly restricted, I would ask members and witnesses to avoid referencing specific matters that are currently before the courts.

We turn to questions. We will try to direct our questions to specific witnesses where possible, but, if you want to come in on a question, please indicate that to me or the clerks. There is no need for you to turn your microphones on and off; we will do that for you. That is one less thing to think about.

I will begin with a couple of questions. I will direct this to you first, Ailsa Macfarlane, so you know that it is coming your way. We have heard calls for the Scottish Government to establish a hierarchy of NPF4 policy priorities, with the idea being that that would help decision makers and developers. Would you support the development of such a hierarchy and, if so, why?

Ailsa Macfarlane (Built Environment Forum Scotland): Good morning. We have long suggested that it might be helpful to have a hierarchy that is more about the prioritisation of policies rather than necessarily having a full hierarchy. We very much appreciate that planning is both an art and a science, and building that flexibility into the system is very important.

However, the wider concern is about planning being asked to do a lot of the heavy lifting in relation to a wide array of additional policies, be that community wealth building, wellbeing, net zero or just transition, and that there is not full policy alignment across a wider suite of policies across Government. That is perhaps where the greater issue comes in—that is, that planning is expected to address all those topics simultaneously. Although we know that planning contributes well to those things, it seems that the heavy lifting is left very much to planning rather than other areas.

The Convener: Does anyone else want to come in on that?

Craig McLaren (Improvement Service): We are at a point when we need to think about how that could be played out. As you know, annex A of NPF4 refers to the need to read all policies and take into account all the different policies across the document. We are taking forward local development plans, which will be a component of the process once they are in place. We are building an evidence base there, and the evidence reports will be a really important aspect of that. We have seen the first one of those emerge from Fife. It has about 400 pages, and contains a wealth of information. The evidence reports will be really important in providing the context for future decision making. That will then lead to people thinking about which policies are more appropriate than others. The hierarchy might come through what you are doing, which takes account of the context and the evidence that you have in front of you.

With regard to how important that evidence is, that is something to think about. As we know, planning decisions are often based on quite a lot of evidence, but that evidence is not always there. There was not an evidence base for the NPF as such, other than the process that it went through. At a local level, that can make a difference, and could perhaps lead to a focus on how decision makers make their decisions.

The Convener: Will you clarify that for me? Are you are saying that a natural hierarchy will emerge?

Craig McLaren: Not necessarily at the national level. However, each planning authority works in certain circumstances, and their evidence report will tell them what the situation is and what the issues, challenges and opportunities are. They can then look at which of the policies in the NPF and in their LDP are most appropriately used in that particular case.

The Convener: In a way, that makes sense. When I think about the 32 local authorities and the parks authorities, they are quite different—take a central belt planning authority versus an island grouping for example.

Would anyone else like to come in?

Jenny Munro (Royal Town Planning Institute): First, I very much agree with Ailsa Macfarlane and Craig McLaren's comments.

The other point to note relates to the development of a hierarchy at the national level. Our members are certainly interested in that issue. When I have had discussions with them, there is an obvious need for a steer on what they should be prioritising. However, when I have asked them what that should look like, nobody has been able to give me a definitive answer. That is quite telling.

That might stem from the fact that, when you look at NPF4 as a document, it is very textual; it has very few spatial elements to it. When you look at the national planning policies, the way in which you could apply those across Scotland is certainly not uniform. Therefore, I think that it requires that local consideration.

Some parts of Scotland might have carbon-rich soils and an increased demand for housing; others parts have degraded areas of peatland and varying potentials for restoration. The situation is not uniform across the board. Perhaps Craig McLaren's point about the evidence reports is true—they might give that sense of hierarchy but at that local level. That is what is required, potentially. However, I am very aware that we are not at the stage where we have all the evidence reports, so what we do in the meantime is an important question.

The Convener: This is our first review of NPF4, which is taking place a bit more than a year after it has come into play, and quite a lot of elements in it need to get bedded in, including the changing approaches to planning. Jenny Munro mentioned some of the policies. At this point, do we have any evidence that the NPF4 policies on climate change and biodiversity are impacting on decision making in planning authorities? Are you seeing that?

Jenny Munro: Yes, there is certainly some evidence that that is the case. All that is anecdotal, because we have not done any research specific to that question. There is evidence from conversations with our members about impacts on onshore wind. Some members are saying that they have noticed a levelling up in relation to how biodiversity, for example, is being handled in proposals, and that those considerations are coming at a much earlier stage of the application process rather than as an afterthought. That is all quite positive.

We are also hearing from our members that the focus on climate change and biodiversity is perhaps not necessarily filtering through to

everybody. I am not just talking about planners but about those who sit alongside them, including statutory consultees. We have heard that some of them, but not all of them, might not be prioritising climate change in their deliberation of proposals. That could in large part be a resourcing and capacity issue for those statutory consultees. However, it could also be an issue of mindset. They have their own areas of interest that they are focused on, so they are perhaps not necessarily thinking about how those things should be weighed up against the focus on climate change, the nature crisis and so on.

The Convener: Do you have any examples of statutory consultees so that we understand who that might be?

Jenny Munro: Yes. Again, the information that I have is very much anecdotal and is from conversations that I have had with our members. If you want specific examples, I could reach out to our members and come back to you on that, if that would be helpful.

The Convener: Yes, that would be useful.

Craig McLaren, Ailsa Macfarlane and Catriona Hill, do you have any thoughts in relation to NPF4 policies on climate change and biodiversity? Are those having more impact?

Craig McLaren: There has been growing awareness of the need to look at approaches that try to ensure that we tackle climate change, particularly as that relates to biodiversity, as Jenny Munro said. The whole issue of biodiversity has moved up the agenda for people; you can certainly see that. I think that that is all good.

However, there are still some issues around the understanding and the application of that, particularly on the biodiversity side of things. The Scottish Government has done quite a lot of work, guidance has been published and NatureScot is currently out for consultation on the metric around how you get a net gain in biodiversity.

09:15

To be honest, I do not know enough about it, but a lot of people have told me that it is quite a shift for them. There is need to support people so that they can apply that in their practice, which is the hard bit. They are up for it and they get it, but we need to invest in some of the tools and skills to do the job.

The Convener: I picked up in Jenny Munro's response something that I am experiencing with some local authorities in my region, which is that decisions are perhaps being made at a planning level but other departments are still doing things differently. We are now in what I think is called "No mow May", when we are not supposed to be mowing anything in order to protect the habitat of a lot of insects and other wildlife that we share this patch of earth with. As I understand it, though, other departments are still getting out there and cutting things down. Perhaps there needs to be a mind shift in the general public, too, with regard to our wanting things to be tidy, clean and neat versus how things should actually look if we are to be a biodiverse and climate-supportive country.

Do you have any other thoughts on that?

Ailsa Macfarlane: On decisions being taken by individual homeowners with regard to climate change, this, again, is anecdotal, but we have been seeing some evidence of more positive decisions being taken around net zero and the use of individual homes, with better protections for non-designated heritage, in particular. For example, I have been considering decisions on windows, and that is an area where a number of positive decisions have been made, specifically because of NPF4. However, I have also had it mentioned to me that the third phase of permitted development rights is undermining that quite substantially and that it has been quite difficult to strike a balance between those policies at local and individual levels.

However, with that—

The Convener: I am sorry, but I wonder whether, for people's understanding, you can say a bit more about what it is about that particular permitted development right that is undermining things.

Ailsa Macfarlane: It relates specifically to the types of windows that can be put into conservation areas. PDR3 does not quite give a blanket yes to change, but it allows materials such as UPVC and so on to be considered, as long as they match in style. The evidence being considered by the planners I am dealing with very much suggests that, in the long run, this is not the best solution for energy and net zero gains, for material uses or for home owner comfort, never mind the heritage impacts.

I still think that, in NPF4, there is a lack of recognition of homes as being part of the infrastructure, as was originally mentioned in the report by the Infrastructure Commisssion. I think that such an approach would help us use our existing built environment more effectively, particularly in relation to climate change.

The Convener: Can you say a bit more about that idea of homes as infrastructure?

Ailsa Macfarlane: I am afraid that I cannot remember what year it came out, but that committee report strongly recommends that homes be considered as infrastructure in Scotland alongside all the other kinds of infrastructure that

we would be more aware of from a planning perspective. The commission also recommended that we ensure that we maintain and reuse what we have when we come to consider our existing built environment more broadly. That has not been recognised in NPF4; obviously, infrastructure itself is well recognised, but the issue of homes as part of that has not been considered.

The Convener: If homes were recognised as infrastructure along with the whole idea of reusing what we have, would we have a stronger retrofitting agenda?

Ailsa Macfarlane: It would be part of a strong drive towards putting in place a better retrofitting agenda, because there would be a better understanding of what we already have and the changes that we can make for the future.

The Convener: Thanks for that. Catriona, do you have anything to add?

Catriona Hill (Royal Incorporation of Architects in Scotland): As far as the retrofitting agenda is concerned, we are strongly supportive of the adaptive reuse of existing buildings. It is something that we would like to see a lot more of, but it needs to be supported by funding. One point that has been raised almost universally by our members is the need for a review of VAT on refurbishing existing buildings, particularly the listed buildings that bring added challenges.

The Convener: Thanks very much for that. I call Willie Coffey.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): Good morning, everybody.

I want to go back briefly to Ailsa Macfarlane's comments about windows and conservation area status. I think that we will be looking at the issue later, but, Ailsa, did you say that conservation areas are excluded from that relaxation in PDRs?

Ailsa Macfarlane: No, they are very much included in PDR3, and that is where some of the concerns arise. The people I talk to are very supportive of appropriate changes that support net zero and climate change protections, but the most recent PDR3 is enabling changes that people believe are not necessarily the best for existing conservation areas or the best long-term choices for the environment.

Willie Coffey: Okay—thanks for that.

We are now a year into NPF4. I realise that it is still early days in what might be a long journey, but are you picking up any change in developers' proposals to reflect the principles behind NPF4? Are you seeing any evidence of that? Craig McLaren mentioned the Fife document, but that is really a guidance document for local development planning. What about developers themselves? Are you getting any sense of proposals beginning to change to align with the principles behind NPF4?

Catriona Hill: We are definitely seeing a move towards more inclusion of biodiversity, active travel, places for people and lots of other positive stuff, but that is tempered almost with dread—a fear—that the planning process is slowing down. Developers are very worried when they put in planning applications that they will take longer than they used to. That is possibly down to a lack of resource in planning authorities, but that has certainly been a move to provide much more material at the point of the planning application. That is all positive and good, but it comes with additional cost and expense, and it puts another burden on the whole development process.

Willie Coffey: Can colleagues share any other experiences of developers' proposals beginning to line up—or not?

Craig McLaren: As Catriona Hill has said, there is a general feeling that this is something that the development sector has to do now, and I think that developers are taking it much more seriously than perhaps they did in the past.

Where we are down the road with that I am not entirely sure, to be honest with you. I feel as if I have said this 10 times already in this evidence session, but because of the stage that we are at with the NPF, we are not quite sure how things will come out in the end. I think that, after the case that was mentioned earlier, there has been some reticence about putting in lots of new planning applications until we see the lay of the land. It is something that we will have to watch as time goes on, but I do know that some of the big bodies are trying to encourage this sort of thing as much as they possibly can.

Developers are still struggling a bit with 20-minute neighbourhoods, which have been seen as an important aspect of the NPF. It is an approach that we must attain and put in place as much as possible, and a lot of planning authorities are trying to figure out how best they can do that. Indeed, guidance on the issue was published last week, and I think that that will help with the process, too.

For me, the 20-minute neighbourhood concept has two bits, the first of which is how we plan and design our places to ensure that they are accessible to all the different services that we need and have to use. The second bit, though, is how we deliver those services, and that, I think, is probably a slightly bigger issue. After all, the direction of travel, particularly in the public sector and with public service provision, is to bring things together rather than to break them up into smaller pieces and put them out in the middle of the community. We have to address that issue.

To be honest, this is a public sector as well as a private sector issue, and one that we are still on a journey with.

Willie Coffey: I was just about to come on to that issue. I am trying to stay out of areas that other colleagues will ask about, but on that issue of 20-minute neighbourhoods and developer proposals, are you hearing that the developers are having difficulty defining and articulating what they mean and what they are planning in order to line up with NPF4? Are you hearing that local authorities might have a different interpretation of what is meant? Is that one of the reasons that, as Catriona Hill mentioned, things are slowing down a little?

Catriona Hill: I think that the professional bodies understand 20-minute neighbourhoods very well and are able to steer their developers through the process. There is, I think, a good understanding of how to do this sort of thing, but it needs to be backed by funding and some ability to deliver it. We are seeing challenges in that respect, and some of the case studies that have been presented to me have highlighted difficulties in making the budget work alongside all the desires that people need to include within their development.

Willie Coffey: Could you give us a wee example of that? Are developers saying, "Yes, we can comply with this overarching requirement, but we need extra resource and funding"? What exactly are they saying?

Catriona Hill: For instance, the project that is being funded through the levelling-up fund has a very clear budget; it is being funded from a Government development source and, as such, needs to meet the criteria of the framework that was introduced in February. However, the development process was started—and the budget put in place—some four years ago. As a result, finding the extra funding now to deliver those extra things—things, I should say, that we all want—is challenging. Many developers are in the same situation of having to look for extra ways of bringing more funding into a project.

Willie Coffey: Are developers expecting these additional components—let us call them—to be funded differently and separately by somebody else, not them, even though they are including them in their proposals?

Catriona Hill: It depends on the nature of the project. I am involved in a lot of community housing developments where the development itself is being undertaken by the community. Largely, these are amateurs who are not involved in capital works on a day-to-day basis; the Scottish Government really supports the idea of communities developing projects, but those communities run into challenges when asked to add in, say, that extra active travel path. That path might well be a great idea, but it might be a project killer when they try to find funding for it. You will probably hear a lot more about this from the next panel, as they will be talking about delivering rural housing and rural projects.

Willie Coffey: Okay. Are there any other comments?

Craig McLaren: I just want to add one thing to what Catriona Hill has said. It is the nature of 20-minute neighbourhoods that they bring in more complexity. We all agree that the ambition is a good one, but it is more complex than, say, putting something with one particular use somewhere on a site. The 20-minute neighbourhoods bring together lots of different uses, which means lots of different funders, different people who can do it and the involvement of the public, private and voluntary sectors, too. We need to deal with and, in some ways, get used to that complexity, because it is always going to be there. That said, although these things might not be as simple as they might have been in the past, the things that we had in the past were probably not what we wanted. The point is that they will be more complex, but the benefits will be more worthwhile.

Willie Coffey: I do not think that there any more comments on 20-minute neighbourhoods and how they are shaping developers' proposals, so thanks very much for your comments. I know that colleagues will want to come back in on some of these areas.

The Convener: I want to come back on 20-minute neighbourhoods. I know that we are talking about new builds, but I would also point that 80 per cent of Scotland's housing stock still exists. How do we transform those areas into 20-minute neighbourhoods? It is something that I have been trying to get my head around, but do you have any thoughts on that?

Ailsa Macfarlane: Not specifically. It is helpful that NPF4 has policies built in that support how we change our existing places, particularly with regard to the provision of services. However, I think that complexity only grows when you begin to consider the existing built environment and where you put those services.

It is possible that we need even more information about what we have and where it is to best plan those options for communities, particularly at times of transition when local government provision might be changing. Within any community, be it urban or rural, a number of sites might come up for community ownership, and the shape of those places should involve community decision making and looking at the best options. However, that will sometimes involve

taking a longer-term view than perhaps communities are considering when faced with a building that they are suddenly asked to take on, save and use for the community. Is that building the right space and the right place and will it provide a very sustainable future for that community? It is an area where more information might need to be in the hands of communities to enable them to look at and take those decisions.

09:30

The Convener: I wonder whether the climate action hubs and networks, which are beginning to grow, could be places where we can start to see some of that action on the ground. After all, they seem to be well placed; Moray Climate Action Network and the North East Scotland Climate Action Network, for example, are in place to do this sort of thing, and perhaps the next big step is for some of those networks to start those community discussions and get people thinking about 20-minute neighbourhoods and what they mean—or, for more rural areas, the sustainable living approach that we are aware of.

I call Mark Griffin, who joins us online with some questions that relate to a recent case. The status of that case has, as we now know, changed, so he is able to ask them.

Mark Griffin (Central Scotland) (Lab): Good morning. To kick off, the Miller Homes Ltd v Scottish ministers case decision came through on Friday. Do members of the panel have an indication of whether that decision means that NPF4 and the planning system is working as we would have expected? Does the decision throw up any issues related to how developments will get approval between the introductions of different local development plans? I will go to Craig McLaren first.

Craig McLaren: I thought that you might say that, and I was dreading it. I am not a planning lawyer and, I will be honest, I have not read the full details of the case. I tried to read it on the train this morning coming over.

The gist of it is that the way in which the case has been decided and the appeal turned down means that the judges saw the NPF as being the key part of how we are trying to deliver housing. One of the interesting things about the NPF is that we all want to create much more certainty and predictability through it. It is trying to put in place a process where the development plan is seen as the prime document to be used to make a decision on things. Consequently, if you are developing housing, that means getting your housing sites into the development plan. There is some flexibility in the NPF to do that, but it is much more about trying to ensure that there is a plan-led approach to make this work. From my very quick reading of the case, I think that it has reinforced that even more.

When the new local development plans start coming in, the interesting thing will be what they say, what flexibility they add and how they deal with the issue. I will say again that we are on a bit of a journey. We will need to see how the local development plans refer to the case and use it. The policies on LDPs are more recent than the NPF, and LDPs and the NPF have to relate to each other. There is a journey to go on, but the case has reinforced the primacy and importance of the national development plan. I could have that totally wrong, but I hope not.

The Convener: Okay. Does anybody else have anything to add on that? No. Okay. It is such fresh material there. That is the impression I have, too, Craig, but we might both be wrong. I will bring in Miles Briggs with a number of questions.

Miles Briggs (Lothian) (Con): Good morning, panel. Thank you for joining us today. I wanted to ask a question about some of the concerns that have been put to the committee around wording in NPF4 policies being unclear and leading to inconsistent decision making. We have heard specific concerns with regards to the Scottish Environment Protection Agency's strict interpretation of NPF4. Could the panel provide examples of how that has been the case over the last year and how that could be addressed?

The Convener: I will pick on somebody—Jenny Munro.

Jenny Munro: I could probably not give any specific examples of particular cases, but we are certainly hearing from our members that there is quite a lot of uncertainty about some of the wording in particular policies and a lack of clarity around how they should be interpreted. That is quite challenging.

One of the examples that I have is policy 22, on flood risk, which I imagine is the SEPA one that you referred to before. We are hearing that the way that that policy is written has resulted in quite a rigid interpretation of it, with the consequence being that it is not open to innovation and design that could, in some contexts—not all, perhaps—allow for the practical alleviation of some of that risk. Even in circumstances when there might be a suitable design solution, consent cannot be granted because local authorities essentially are struggling to find their way around that particular policy.

Another example is policy 3, on biodiversity. It seems like the looseness of the language in that policy rather is causing issues, rather than its rigidity, so we are looking at it from the other side. Its requirements, such as enhancing biodiversity

and using proportionate measures, are leaving a lot of our members struggling to grasp what those things means in practice and what they looks like, particularly in each individual context. I know that SEPA has been eagerly awaiting guidance in this area. I know that some of our members and some colleges that I have spoken to have been using the English metric while they are waiting for the Scotland equivalent to help them through the process.

Those are probably the two key examples that have come up time and again when I have had discussions about this topic.

Miles Briggs: That is helpful. Some of the evidence we have had on settlements with flood defences has shown that it is becoming proportionately difficult to take them forward. Catriona Hill, did you want to come in on that?

Catriona Hill: We do not particularly have concerns with the wording—we think that the looseness is actually helpful for interpretation—but we are finding that there is quite a wide range of interpretation of policy and a misuse of policy. Some of case study examples that I have been given relate to policy 6, which is to do with forestry and woodland. We have had an example of a planner turning around and using policy 6 to reject a planning application in a private domestic garden due to trees in a garden. If you read policy 6 clearly, it does not relate to garden trees. It is about woodland.

Similarly, there are worries and concerns related to policy 10, on coastal development. You could read that and come to the conclusion that development in most coastal communities is now not possible if you are within the one-year-in-200 flood area. I think that the issue comes down to interpretation rather than the wording.

Miles Briggs: That is helpful. Thank you for that.

Ailsa Macfarlane, I want to go back to the points you made earlier regarding community wealth building, which is the committee has been looking at. Do you feel that NPF4 has gained greater prominence in planning decisions since its introduction? Do you have any examples of what that might look like?

Ailsa Macfarlane: I am not able to give you any examples, but my understanding is that community wealth building was introduced at the LDP stage and, therefore, is not strongly reflected within NPF4 itself. Although we are very supportive of the intentions of community wealth building, it perhaps came from other policies and was bolted on to NPF4, rather than something that was fully embedded in it. I appreciate that there are other policies in NPF4 that support sustainable community growth and other aspects that then support community wealth building, but I am afraid that I do not have any specific examples for you.

Craig McLaren: I tend to agree with what Ailsa Macfarlane said about the policy for community wealth building. I remember that when it first came out, there was a lot of discussion across the profession as to exactly how planning fitted alongside it.

There are the five pillars of community wealth building, and the key one is around land and property. Even with that, it the link with NPF4 seemed to be tenuous. I think that North Ayrshire did some interesting work on the policy that looked at how best it could be marked out and what planning could contribute to it. I do not know where it got to with that, but it might be useful to look at that work to see where that connection can be made.

Miles Briggs: That is helpful.

When the committee was doing work on NPF4 and I spoke to members of the public and my constituents, one thing that came up was the infrastructure first approach. For a lot of people, there is often frustration when development takes place—such as a new primary school, a general practitioner surgery investment or even just play parks—and parts of designs are not delivered. We had some good examples, such as Bertha Park secondary school in Perthshire, where the school was built early and to plan. Has that infrastructure first approach started to be embedded in planning over—this is quite a short period—the past year? It is certainly something that members of the public want to see NPF4 deliver.

Craig McLaren: My feeling is that people want to do it but, to be honest with you, the state of public sector finances has taken the legs from under it. It is very difficult to get the money to make such things work at the moment. We are in a position where we do not know whether that will be embedded. It depends on public sector as well as private sector involvement. Even the private sector is struggling to get the finances together for that.

At a more strategic level, a group has been set up to try to help deliver the infrastructure first approach in relation to the national planning framework: PIPAG—the planning, infrastructure and place advisory group. I am not involved in it, but I think that it has met about three or four times already, and it is bringing together a lot of stakeholders who have an interest and own some of the resources that are needed for the approach. They are on a journey to try to pull things together and see where that goes, and that is not helped by the fact that very severe restrictions have been put on the public sector, particularly in relation to capital finance.

Catriona Hill: Craig McLaren has just reminded me of a case study that I will share with you, which is a commercial development in the Cairngorms national park where the developer very sensibly built the car park before doing anything else. It was a huge cost to them and a good investment that has been very well received. The critical bit of connecting it up to the public infrastructure of the active travel path there is proving more challenging, because that needs funding from the public sector. That is where it has hit a stop. The intent, the will and the need to do it is there, but it is proving to be a challenge to find the funds to deliver it.

Miles Briggs: How could that be reformed? We can think of planning gain and the amount of money that a new build house, for example, provides a local authority. People will often complain that that money has been lost in the system or lost in translation in relation to a new primary school and, especially, GP surgeries. Here in Edinburgh, that is one of the biggest issues, given the amount of new build homes that we have had and will have, and the predicted developments that we will be seeing. Does that need to change so that the money that is allocated has to go to the projects that the community has been led to believe that they would enjoy? It seems to happen with retail in communities, so why not public services? Why is that not necessarily being better managed within NPF4? From what you have said, it does not seem as though that has really improved the picture.

Craig McLaren: There are moneys coming in through section 75 agreements and the like, although one of the things that sometimes stops development happening on the ground is the signing off of the section 75 agreement, which has come up in a lot of discussions I have been having with people about the need to make that a more effective process. There may be something about how we can do that. There has been talk of looking at some examples in England where there is a common approach and common documentation.

The reality is that sometimes the developer does not want a section 75 agreement to be signed, because they do not have the money at that time, or it can be that the planning authority has an issue with it. There is a need for a much more collaborative and transparent way to make that happen, and that will bring in the resources.

On the resources that come in from section 75 agreements, the issue just now is that they are not aggregated enough to give us some of the big-ticket projects that we are looking for. The cost of a school will be more than the money that will come from just one housing development, for example. It will need a number of different housing developments. There is a job to be done to pull all that together and make sure that you can get the resource and finance from that to fund the building of a particular school, for example.

09:45

The other thing is that some planning authorities will not insist on planning gain, because it is not worth their while and it would mean that the development will not be viable for them, particularly in parts of the west of Scotland. They are just keen to get the housing in, because that is what is needed. In some areas, there might be capacity in schools anyway, because of population demographics. It is happening differently in different places.

Miles Briggs: Thank you for that.

The Convener: Gordon MacDonald wants to come in with some questions.

Gordon MacDonald (Edinburgh Pentlands) (SNP): Good morning, panel. I have a number of questions I want to ask.

First I want to start with local place plans. Certainly, in my constituency, a number of the communities, including Balerno, have worked on local place plans. Has NPF4 helped the development of local place plans? Is the creation of local place plans quite widespread? Are there any examples of them having an impact on planning decisions?

Jenny Munro: Local place plans are not a subject that we have received a lot of feedback on from our members, so others probably have more insight. I know that Planning Aid Scotland is doing a lot of work with communities on this area, so it is probably best placed to give you specific examples of how that is playing out.

There is the potential for an infinite number of local place plans to come about from the reformed planning system, which is a great thing. However, associated with that are concerns about the lack of resources within certain communities, as well as within local planning authorities, for how this will play out in practice. For example, a resource-rich community might have a lot of the in-house skills and funding to create a very detailed and efficient local place plan. That is not the case in every community across Scotland, which I am sure you are aware of. In terms of resources and internal skills, there is not a level playing field. There are a few concerns about how the quality of local place plans will vary. Some communities will not be able to produce a local place plan at all.

I am afraid I do not have specific examples of that, but those are the concerns that we are hearing from our members.

Craig McLaren: I do not think that the NPF is the only driver of local place plans. They also come from the Planning (Scotland) Act 2019 itself. You will know that local place plans have to have regard to the NPF, so that should help to drive them.

The anecdotal evidence that I have is very similar to Jenny Munro's. I think that planning authorities understand the value of local place plans. They think that they could be useful in bringing a more bottom-up approach to what they do and that they could help with delivery of policies.

The issue is how they can be funded and how they can ensure that they are fair. I know that a couple of planning authorities have set up funds to help local communities to deliver a local place plan, or have put advice out. It is a bit of a struggle for them because they are doing other things just now, including trying to develop their own local development plans. The resourcing issue has always been at the back of how we take forward local place plans.

There is also the equity point that Jenny Munro made. We must try to ensure that local place plans are inclusive in terms of who they involve. They are very much about trying to bring the community together on a vision for what is wanted, rather than about being divisive and keeping people out, so to speak. I will say it again: we are on a journey with local place plans as well.

Gordon MacDonald: You quite rightly pointed out that the policy was brought in with the 2019 act, so it has been around for the past five years. Is there evidence that has any influence on planning decisions?

Catriona Hill: We have seen a positive example in Moray, in the town of Elgin, where there is a local place plan that is very constructive and is to do with economic growth and cultural growth within the town. It is being delivered through individual projects that are working towards achieving the place plan. We are in the early days yet, but we definitely see it as a positive thing.

Ailsa Macfarlane: In terms of the resourcing, I was looking at an article written by Nick Wright. He has combed through all the local and planning authority websites to find how many local place plans have been registered. He has found 10: four about to be registered and six pilot projects. That is not to say that there will not be many others that are being worked on across many communities, but it makes clear the very small scale that we are talking about when it comes to the ability of communities to make local place plans. The plan is only part of the process. The delivery of the plans is also entirely underresourced. That refers back to the conversation that we have been having about local authority resources as well as the resources within communities.

Gordon MacDonald: There are a lot of gap sites that blight communities. I know that the local development plans set out opportunities for sustainable use of brownfield land. Looking at the register of vacant and derelict land as part of my research, I found that there are 3,500 empty plots across Scotland, which cover 9,500 hectares. To put it into perspective, that land could house 95,000 homes. Does NPF4 help to unlock the use of brownfield sites, or is it a hindrance, given that it says:

"In determining whether the reuse"

of a site

"is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account"?

Will it unlock these development sites?

Catriona Hill: The answer is yes and no. A small example is a west coast town up in the Highlands where there are three available sites, as you just mentioned, but because of the time that has elapsed and ownership issues, none of them is practical for development as a housing site. The challenge that we have now is that we have found an alternative site for the community, but we are being told, "Well, you really should be looking at the three sites in the LDP first and demonstrating why they cannot be used." We are doing that, obviously, but it is slowing down the process of development. This is a community that critically needs housing, yet we are adding another two years to the process. That is an example of how NPF4 is unhelpful. Maybe someone has a positive example.

Craig McLaren: I do not know whether it is a positive example as such, but I think that the NPF provides the right policy context to try to ensure that we remediate and use as much brownfield land as possible for a variety of uses. The issue that we have with vacant and derelict land is the fact that it costs money to remediate it. There are issues with ownership and identifying who owns it, as Catriona Hill said. There is the whole issue of viability because of the costs that are involved in bringing it up to spec. We do not have the funding to make that work. If you put it on to the private sector, the private sector has to work out how that works for it, and that might make a development unviable.

We need to think through where the public sector can help with that once it has the resource. I do not think that it has the resource at the moment, but the ideal way of doing this would be to have some model whereby the public sector can help with remediation and provide sites that are ready to develop. That is a long way away, given the financial circumstances that we are in.

Gordon MacDonald: Certainly, what you have said in general terms is right, but we are sitting on 460 sites that were previously used for residential housing. Some of them have lain empty for 10 years. There has to be a mechanism to unlock those residential sites. What we are doing in Lothian—I can talk only about Lothian—is building on good arable land in a country that cannae feed its population, as is the case in the United Kingdom.

Craig McLaren: There is another issue with where vacant and derelict land is located. Looking at the register, we see that a very large majority of that land is in Glasgow, Lanarkshire and the west of Scotland. Quite often, it is in areas where the housing market is not attractive for developers. Again, that brings in whether there is a role for the public sector, whether it is for public sector social housing to be the way forward or whether it is for the public sector to help in some way to make the market for those sites. I think that you will find that most of the vacant land in the more prosperous areas, where there is housing demand, will have been taken up, more or less. The issue arises in those other areas, because that is where there is that market failure.

Gordon MacDonald: This is my last question. We have received conflicting evidence on the balance that is struck in NPF4 between protecting areas with carbon-rich soils and the development of renewable energy infrastructure. How do we get the balance right?

Catriona Hill: That is a particular challenge in the Highlands, where we are seeing the need for so much renewable energy infrastructure. There is so much opportunity there, yet it is on carbon-rich soil. It has to be about balance. We need that infrastructure. We need that grid. It is about how we tread lightly on the ground in the best way possible. We cannot put a blanket ban on building on carbon-rich soil. It has to be moderated.

Gordon MacDonald: Thanks very much.

Pam Gosal (West Scotland) (Con): Good morning, panel. We know that fewer people are applying to build major housing developments and we have heard that there are delays in planning applications being approved. The Scottish Government has cut the planning budget by 43 per cent. Do you think that the policies in NPF4 are helping to make good-quality homes that people want to live in? What else can be done?

Catriona Hill: Obviously, we all want to build good-quality homes. I do not think that there is anyone in my profession out there who would want to build a bad-quality home. There are other vehicles for ensuring that there are good-quality homes, such as building standards. I think that NPF4 supports building good-quality homes well but, at the moment—I think because it is in its infancy—you will have heard that lack of resource is the strongest theme. We are finding real challenges at the coalface. I represent the body that is putting the planning applications in and, at the moment, what we are seeing is delay. We are seeing reasons for refusal. We are seeing unsure planners who are lacking resource. We are seeing an impact on economic development as a result. Where a planning proposal is slowed down in the process, ultimately the economic output will be affected. We would like to see a bit more tolerance in the early stages at the moment.

Pam Gosal: You have cited delays, reasons for refusal and planners' lack of resources. Those have been highlighted in the committee before as well. When you talk about working at it early, what do you mean? Those are three different areas. One is obviously the resourcing and the planning, but reasons for refusal will have to be to a material degree, going back to planning documents and policies. What else can be done there?

Catriona Hill: We are more concerned about reasons for delay. For instance, a large amount of material needs to be submitted to support the ecological case for a submission, but it could realistically be conditioned in the process. We are very well informed about the archaeological impact of a development, which will then be conditioned during the process. You will have an initial report that will go in with your application. If there are likely to be findings in the ground, there is a process to be followed, but it will not delay the decision making, whereas for an ecological issue—let us say, bats—there will be a huge timing issue. We are seeing delays of up to a year waiting for additional reports to come in. In our collective opinion, we think that that could be conditioned into the process rather than waiting.

10:00

As a simple case study, maternity bat roosts cannot be surveyed until May. If your application was put in in August the previous year and your ecologist has put in a desktop study saying, "We recommend further studies of the bats," we would like that to be conditioned, rather than the response that we are facing at the moment, which is for the planner to say, "I cannot consider this decision until I have all the surveys." That then delays the process. There is then an economic impact and a cost impact on the development, which we think could be better dealt with. That is why I am saying that there is a teething issue here at the beginning of rolling out the policy. At there moment there is too much of a knee-jerk reaction to have a very strong response, whereas in fact we could be a bit more tempered in how we deal with it.

The Convener: Catriona, could you explain for those of us who are not into the planning lore what "conditioned" means?

Catriona Hill: Planning can be approved and you can be granted approval on the basis of a series of conditions; those conditions need to be discharged as you develop that project. That is particularly important when it comes to funding. For instance, a community project that is funded in stages—a housing proposal, for instance—will have its initial funding to get to planning. It will then probably get some additional funding to get to building warrant and compliance, and then it will look for its proper capital funding. That whole process takes time, but to unlock the funding, it needs to get the planning approval first. If we say right at the beginning, "We will wait a year for that bat survey that we cannot carry out," we have then inhibited that community from delivering the project that it is trying to deliver. We are making it more difficult.

What I am flagging up are some of the unintended consequences. We are fully supportive of the long-term objective, but the detail of it is thwarting developments. You will see that some communities will just give up, because it is so difficult for them.

The Convener: Okay. You are saying that there is precedent and something that we can point to in terms of the experience with archaeology?

Catriona Hill: Exactly, because the clear position there is that you will have a desktop study and then, when you get to site and are digging in your trenches, you will have a watching brief and you will have an archaeological expert come along and watch. It is monitored and it does not delay the process. That same sensible approach should be applied to ecology.

The Convener: Craig McLaren, did you want to come in on that?

Craig McLaren: Yes. My point is about conditions, but it is a bit broader than that. There is a general issue. I put out a call for ideas last year asking people what the issues were with the planning system. One of the things that came back was proportionality in what is asked, which relates to Catriona Hill's point. There is a bit to be discussed, because I think that we have got into a little bit of a rut in the way planning works, just adding more and more impact assessments, conditions and things like that.

One of the issues that we have as a profession is how we handle risk. We have become a very risk-averse profession and we should discuss how we can get better at using risk. Most organisations will have their own corporate risk register, which will identify what the risks are, what the probability is of that risk happening and what mitigation will be put in place. Do we need to introduce something to the planning side of things that gives us a better understanding of where we can take the risk or whether something is less of a risk than we perhaps think it is? There is a discussion to be had about that, which will touch on the whole proportionality side of things as well.

Gordon MacDonald: I am looking for a bit of clarification. I can understand that there are problems with individual sites, and that that creates problems for developers. However, am I right in saying that, in the year to March 2023, there were more than 24,000 homes built in Scotland, across all tenures, which is double the rate per head of population of Wales and a third higher than what is happening south of the border in terms of completions, and that there was the highest number of affordable homes built in Scotland since 2000?

Catriona Hill: I do not know the figures.

The Convener: Pam Gosal, do you want to pick up your next question?

Pam Gosal: Thank you.

NPF4 seeks to deliver both compact and urban growth and development that is balanced between areas of high and low demand. Is there any evidence of those aims being delivered?

Craig McLaren: As I have said, we are still in the early stages with this. I think that the approach in the policy context that is provided by NPF4 puts a very strong emphasis on quality of place. It talks about the six distinctive characteristics of place. It talks about 20-minute neighbourhoods as part of that process as well. Also, more generally, this relates to what the 2019 act provides for, and the local development plan guidance talks a lot about place being the key emphasis of what the LDP should be about—less policy, more about place and more about ambition as well.

I definitely think that that is there. Whether it is having an impact yet in that developers are listening to it, I am not entirely sure. I am sure that some will be. They are on a journey, if I can use that phrase again. As we see the evolution of local development plans, that will become a much more important part of the essence of LDPs. I think that place will be important, and compact place as well.

Catriona Hill: I would agree. We are seeing good evidence of it. We are seeing that density is extremely helpful, and it is being delivered. I have a good example of a project that is car free. That has been accepted because it is urban, and it has allowed the design of the proposal to be focused on the placemaking rather than the car. I think that it is a strong policy, but it needs to be tempered for rural development. Different solutions are needed in rural settings.

Ailsa Macfarlane: There have been a few questions about what we know of the number of applications and that sort of thing, but there have also been questions very much related to that place-scale impact and understanding and development of good sustainable places. We just do not have enough information about that yet. We are asking for place-scale impact, but what we are monitoring remains relatively numerical in terms of the numbers of decisions and the number of units. We are not necessarily measuring that quality and place-scale impact. That is something that could be examined for the future.

Craig McLaren: Can I come back on that, not to contradict Ailsa Macfarlane but just to mention something? One of the roles that I have in my job is to set up a new performance and improvement framework for planning authorities. We have started piloting that in the last month or so. One of the things that we are trying to do is to start measuring the place outcomes and the outcomes delivered by planning authorities. It is incredibly difficult and again—dare I say it?—we are on a journey with it.

It is something that we want to try to do because that is something that came through very strongly from the call for ideas that I put out, which I mentioned earlier. We want to get away from some of the more numerical things, such as how quickly you process a planning application and how many are done, to some of the more qualitative and quantitative stuff around what place outcomes you have, the quality of service and the culture of the organisation. We are not there yet, but it is something that we need to try to do. Of course, if you measure certain things that affect behaviours, it should, hopefully, embed that place-based approach.

Jenny Munro: I agree with everything that has been said by the panel. There is very much a central focus to placemaking that is coming out of NPF4. I know that the place principle is something that RTPI Scotland has been a huge supporter of over the years. The place principle features in NPF4—it was referenced six times, I think, when I did a search.

The place principle has moved the dial in terms of placemaking. We are seeing a lot more concerted effort to break down the silos. We can see a lot of good work happening, particularly in certain areas. I have heard of good things happening in West Dunbartonshire, Fife, Aberdeen and Glasgow—some of the key areas where there is a dynamic group of people who are able to collaborate and break down those silos and do good things. It may be difficult to understand the extent to which that is happening because of the individuals in that group or because of NPF4 itself. It is difficult to say what the influence is there, because it is safe to say that it is certainly not something that is happening everywhere. It is still quite early days in terms of what the impact is of NPF4 specifically.

The Convener: I will pick up a couple of questions to explore the rural revitalisation that NPF4 aims to produce. When we were talking about compact urban growth and finding the balance, Catriona Hill said that we need a different approach and different solutions for rural areas. What evidence do you have on rural revitalisation?

I also have a very specific question that has been raised with me in my region around policy 17, which is on rural homes. It was raised by an architectural firm that does design and build. In the past, it has been able to use infill and gap sites and to extend existing groups of domestic or non-domestic buildings. Under NPF4, the council that it works with has turned down its using such sites. Maybe there is a bit of conflict around the need for biodiversity in that space. We have such a desperate need for housing in rural areas. Are you aware of such things?

Catriona Hill: Yes. Similar case studies have been presented to me. We have seen some planning authorities taking very literally the requirement to focus development on sites that are identified in the LDP, such that sites that are not in the LDP cannot be developed. I have numerous examples from practices that are trying to provide individual houses in the wider countryside. They are observing all the things that they need to do—it is not straightforward to build in the wider countryside—but are still being rejected because the site is not specified in the LDP. They are not even taking applications to the point at which they are rejected; they are taking them only to pre-application but are getting a negative response, so they do not take them further. If you look at the statistics, you will therefore not see lots of rejections. The reason why they have not progressed projects is the pre-app process.

I would like to go back to rural development. I would like to see a bit of a step change in rural areas. We are developing a number of projects with the Communities Housing Trust, and our general feeling is that density could be higher in rural areas. We are still dragging a little: our local authorities are a step behind and want far less dense development in rural areas. In fact, because land is precious we still need to consider dense solutions in rural settings.

Perhaps I am not explaining myself completely clearly. Take a village where the pattern is that there are individual houses with lots of garden space around them. That is a pattern that could be interpreted as a precedent to be followed. On a development site where you could get a cluster of

10, 12 or 15 houses, do they need to follow that same pattern of having a large space around them? “Not necessarily”, is the answer, I think. We need to consider dense solutions in rural areas, similar to how we consider them for urban places.

The Convener: I agree with you. Certainly, I have seen great examples of terracing and of two-storey and maybe even three-storey houses working really well in their landscape. I know that there is sensitivity about building high and that we have to be thoughtful about where to do that, but I have seen it working well. There are also two-level buildings that are one and a half storeys high, and that kind of thing. I observe that in terraces of houses that are all next to each other, blocks of houses or flats are heated, rather than individual houses being heated, which takes a lot more energy.

I will go back to my specific example. Regarding applications to build housing on existing infill or gap sites, or to extend an existing group of domestic—or non-domestic—buildings, I imagine that such sites would surely have been in the local development plan, because housing already exists. There is something else at play, so maybe there is something to unearth around other policies.

Catriona Hill: Indeed.

The Convener: Does anyone else have any thoughts around NPF4 and how it is contributing to rural revitalisation so far? I know that we are on a long journey, and that it might be too early to tell.

10:15

Jenny Munro: I have spoken to RTPI members who are based in rural local authorities—Shetland being an example of where there is a lot of reliance on windfall development for providing necessary housing. In terms of policy 16, there is a definite conflict, in that a development could be interpreted as being prohibited despite its being vital in the rural context. Our members have highlighted to us the importance of NPF4 being viewed as a complete document, rather than its individual policies being viewed in a very prescriptive way.

Local living is another policy that we have touched on. We have heard that some rural local authorities are looking to implement it using locality hubs and co-location of services, rather than expecting people in rural communities to move completely away from reliance on their private motor vehicles, which is unrealistic.

All the evidence that I have heard is anecdotal, but it shows just some examples of how things potentially play out in rural areas.

The Convener: Thanks for that. Having heard you talk about that, I note that we have a big push on renewable energy, certainly in the Highlands, which is my region. I come across companies that will need to house hundreds of workers on site that will be temporary housing. Have you come across that? I wonder how planners will handle the situation in which we have to build a village that lasts for a number of years. I know that the idea is to take such villages down and move the houses elsewhere. Catriona, have you come across that?

Catriona Hill: I do not have specific examples, but we are well aware of the lack of housing for big new projects that are to be delivered. Belford hospital in Fort William is an example, although it is temporarily on hold. When that moves forward, as one assumes it will, it will be a massive challenge to accommodate the workers who will be needed to deliver it. We would like some joined-up thinking, with not temporary homes being built but homes that become communities that are part of an established culture.

The Convener: That is a slightly different situation because that is in a town and there is a need for workers’ accommodation—and not “accommodation”, but homes. I referred to a temporary situation where there will be—I do not know the number—many houses for a limited number of years, which is really more about accommodation. I guess that that is something that we will come across. Hopefully NPF4 will not hinder that but will support it.

Stephanie Callaghan is joining us online and has a number of questions.

Stephanie Callaghan (Uddingston and Bellshill) (SNP): Good morning.

I am interested in resourcing of local authority and national planning departments. Has there been any improvement in resourcing? What impacts are the proposed changes to planning fees and available resources expected to have?

Jenny Munro: Resourcing is a huge issue. It comes up in every conversation that we have about planning and has come up a few times in this session. RTPI Scotland has been tracking the resourcing question for a number of years and in our last update, which was published in December of last year, we found that there had been a 28.6 per cent drop in planning expenditure since 2010-11 and a 2.4 per cent drop between 2020-21 and 2021-22. We also found that there is a workforce crisis in planning authorities; the workforce is at its lowest level for five years. Certainly, there is a lot to be done. The situation is compounded by the fact that a lot of unfunded duties were introduced by the Planning (Scotland) Act 2019.

There are no simple answers, unfortunately. I wish there were. Resourcing can be a critical

barrier or a critical enabler of implementation of NPF4; resources need to be in place to be an enabler.

All local planning authorities have this issue, but there is not necessarily a level playing field. For example, some local planning authorities employ specialists and have their own in-house biodiversity officers to assist them with the expertise that is required to interpret policy 3 and other relevant policies of NPF4. Not all local authorities necessarily have that specific in-house expertise. Archaeology is another area that I know is in a bit of a crisis at the moment. There are a lot of funding cuts to specialist areas that planning departments rely on quite heavily.

We were pleased that the Scottish Government released its "Investing in Planning" consultation, which we will definitely respond to. It is good to see that it looks not just at fees and income generation but at smarter ways of working, which will be critical. We have, in the past, seen evidence that greater fees do not automatically bring about better services or provide more resources for planning authorities. We definitely need to look more broadly.

We need process efficiency and we need to understand that resourcing issues go beyond planning. We have talked about statutory consultees, which are also going through a resourcing crisis. We have heard about instances of statutory consultees taking over a year to respond to an application that has been referred to them. That relates to the delays that we have heard about. That is probably all that I have to say. Thank you.

The Convener: That was a really helpful response: you said plenty. Does anyone else want to come in? Craig McLaren will answer, then I will move on. We are over time, but the subject is important and we still have a few questions to get into.

Craig McLaren: I will keep it brief.

I completely recognise the situation that Jenny Munro outlined. I put out the call for ideas that I mentioned earlier across sectors; it went not just to the public sector but to the private sector and the third sector. A key thing that came out of that was that resourcing is now a performance issue for planning authorities in that they are not able to do what they want to do, and they are not able to do it as quickly as they want to do it. It is increasingly urgent that some things need to happen in the short term in order that we can to overcome some of the issues that we have.

Jenny Munro mentioned the "Investing in Planning" consultation paper, which the Scottish Government has out now. It proposes a hub to which technical experts and other people could be brought in when a planning authority has a surge. That is an interesting concept. We need to guard against the people whom we get to act as technical experts being taken from already underresourced planning authorities. We should be careful of that.

We need to do other short-term things. I have asked about bringing retired members back to do certain things for us. Can we build a smaller cohort of younger planners whom we can accelerate through the system quicker? Many of the gaps are at senior level. Can we bring in people from other built-environment professions, such as architects, to help us to face the challenge? Apprenticeships are also being progressed; the RTPI is working on that. It is important to address the urgency about getting short-term answers. We should think about that.

The Convener: I have a couple of supplementary questions on that. Pam Gosal has indicated that she wants to come in before Stephanie Callaghan asks her next question.

We have been talking about the fact that it takes time for applications to move through the process. The requirement for reasonable engagement has been raised with me. Concern has been expressed that, since we got used to working from home during Covid, quite a lot of planners now work from home.

One issue is this: how are inexperienced planners mentored and how do they gain understanding of how to move through the processes? Also, things are slowing down on the developer/architect applicant side, so could there be a requirement to connect a planner from a department with a plan to follow things up and be in touch with its progress? Those are two questions, or suggestions.

Craig McLaren talked about this already, in a way. I understand that NPF4 is a significant mindset change. Is there an education programme to help planners to embrace significant changes, so that rather than just bringing in ecologists, we give planners some fundamental training and the skill sets to allow them to look at things in different ways?

Craig McLaren: I will go back to your first point, which was about customer care, essentially. That came through quite strongly in response to my call for ideas—so much so that we will look at that criterion for the new national planning improvement framework. My team and I will likely undertake an annual customer care review across planning authorities.

It is difficult. A lot of that goes back to Covid, but a lot is to do purely with resources and getting things done.

There is also a role for technology. How can we get better at using technology? I know that a number of heads of planning grapple with how best to do the work. Should it all be face-to-face, all using technology or a combination of both. The subject is on the radar and we need to look at it.

The idea of having people in the office as mentors is good. Mentoring does not necessarily have to happen in the office, but that is sometimes needed and it can be built in. I see more and more planners going back into the offices; I now know of few planners who work from home all the time.

The point about upskilling is good. The idea behind the hub that is mentioned in the consultation that I talked about is partly about upskilling. We need to see how we can make that work. We need some sort of clearing house for good practice and for helping people to do things.

My team and I have a role to play in that. I am grappling with the matter in my own head. It cuts across planning and other sectors. We are all good at identifying good practice and we actually have a decent share of it, but we always fall down on working with people to apply it, to make the difference and to make the change. We perhaps need to concentrate more on how we do that, which is intensive and probably expensive. The hub might have a role to play in that, in helping people to make the change.

The Convener: Catriona Hill wants to come in. Pam—do you still want to ask your supplementary question?

Pam Gosal: Yes, convener.

Catriona Hill: I have a point to make quickly. I consulted with one of our heads of planning last week in our chapter in the north. He wanted me to share this. He would like more dialogue between his planners and applicants, and he would like there to be more trust in the professionals who put in the applications. He thinks that we have resorted to a procedure in which everything is checked and challenged, which is gobbling up resources unnecessarily.

The Convener: How would you see that happening? Would there be in-person meetings, with an initial discussion and discussions at points in the process?

Catriona Hill: The pre-app process is extremely helpful. It lays out what applicants need to submit. They then submit what they have been asked to submit. If any pieces are missing or if areas need further work or are challenged , there is a dialogue and evidence or a submission is produced. The process could be much more positive.

Pam Gosal: Craig McLaren must have known that I am going to talk about technology. He mentioned that.

Obviously, technology is coming in and artificial intelligence is around. That is moving at a fast pace. Where do you see that helping planning and planners? Can you give me a little more on that? We know that that could help with efficiencies and save time that planners could use elsewhere.

In the past, I have looked at planners having a laptop, an iPad or whatever to take on site and do reports there, rather than going back to the office. I have seen such examples in England, as well. How will more efficient technology and devices help?

10:30

Craig McLaren: There is absolutely a role for that. Technology can help in different ways. It can help us to have a more transparent planning system and in making it something that people can understand. For example, some good visualisation technology gives people a better idea of things than looking at a map does. I love looking at maps, but not everybody does.

There are things to do with the end-to-end process, particularly how planning applications are done, the different touchpoints for that, and how the process can be made to work in a much more effective and efficient way, and perhaps a much more transparent way.

There are some really interesting digital technologies out there that help engagement between communities, planners and developers. They can help the process. I have seen a lot of different things being developed through that.

The key thing for me is investing in spatial data. That is a real game changer. If we have an open, accessible and transparent national spatial data set that gives us evidence that all of us can see, that can help us to speed up some decision-making processes and have a much more robust approach. That requires investment. That is happening through geographic information systems, for example. The spatial data aspect will, in particular, bring in a place-based approach, which we talked about earlier on, as we will look at things through the lens of place rather than just as statistics.

The Convener: There are three more questions, but I have a quick supplementary question on that. Would a cadastral system be useful?

Craig McLaren: What is a cadastral system?

The Convener: Great. [*Laughter.*] Jenny?

Jenny Munro: I used to work as a planner in Victoria, Australia, where there was a freely available online mapping cadastral system—I think that that is what you are talking about.

The Convener: Yes—absolutely.

Jenny Munro: People could plug in their address and look up their property and all the planning controls that were applicable to that particular property. I am talking about that in the past tense because I am no longer there, but I am sure that that is still in place.

When I came back to this country—this is more of a personal reflection—I was quite surprised that there was not anything of that level in place here, because that provided the level of transparency that Craig McLaren talked about. A person could clearly see what was applicable to their site and all the requirements that they would have to meet to get a particular proposal under way with the local authority.

I love maps, so I am all for having that spatial data publicly available, transparent and open to all. That is hugely important. If we could get that off the ground in this country, that would be valuable.

The Convener: Great. I am glad to hear that you support that. I am talking to the Government about that because it could, for all the reasons that you have given, really help to move a lot of things forward.

We have jumped in with some supplementary questions between Stephanie Callaghan's questions. Does she want to come back in?

Stephanie Callaghan: Yes. Thank you very much, convener.

Craig McLaren has covered quite a bit of this. He talked about ideas for the future and the young cohort of planners, accelerated mentors, apprenticeships and so on. The Scottish Government has bursary funding for planning postgraduates. Has progress been made in attracting people into planning education? Do you want to say anything else about recruiting people directly into the profession?

The Convener: There are some nodding heads. Did you catch that? Basically, what are we doing to attract people? I think that that is your job, Craig, is it not?

Craig McLaren: To be honest, that is everyone's job. We should all be doing that.

I say to a lot of people now, "Can you please stop slagging off planners in public, because that does not make it easy to bring people into the profession and to make planning a distinct career destination?"

To be honest, we are still in a perilous place, but a lot of things that are happening behind the scenes will soon come to fruition. I think that the apprenticeship model in England has brought in around 400 planners from different backgrounds. It is good that they are available almost immediately, as they are trained on the job and people are there. People do not wait for people to do a four-year degree—actually, they do, but they can work with them during that period, and they can do certain things. I know that some universities are looking at more practice-based approaches to learning on the job. That is a similar approach, but not as formal as apprenticeships are.

We should try to present the profession as a good thing. Too often, we are seen as bureaucratic. We are seen as grumpy and as not helping. I have said before that I became a planner because I wanted to make things happen. I think that the majority of planners want to do that, but the process has become overcomplicated and probably overbureaucratic. The focus on place can be a valuable tool for us to show what planners are. It is a place profession that makes great places for people. Changing that narrative is incredibly important.

The Convener: We do what we can in the committee to help with that.

Jenny Munro: I agree with everything that Craig McLaren said. We also need to do a lot more to make people aware that the planning profession exists. I did not know that that was a profession that I could choose until I stumbled into a position as a town planning assistant. I did not know what that was at the time. I have spoken to people at the secondary school level who might be doing things in their geography classes that are essentially planning and human geography, but they do not know that that is what they are doing. They are unaware of that.

There needs to be communications with schools. We need to get into the schools and make secondary school pupils aware that that profession is an option for them. I think that that is lacking, although people are doing that. I know that some of our members go into schools off their own bat and on their own initiative, and present to students, but that is done very much on a piecemeal, ad hoc basis, based on the time that they have. There needs to be a concerted effort in the profession to do that and to get the message out about how great planning is.

The Convener: Certainly. With one drop into a busy curriculum, how do you get that follow-through? I have a sense that any young person who is concerned about the climate and nature emergency should go into planning because they could have a great effect there.

Mark Griffin has a question.

Mark Griffin: What progress has been made on the delivery of the 18 national developments? I know that it is still early on, but do you have any

concerns that the delivery of any of them might be off track?

The Convener: Who wants to pick up that question? You do not have to go through all 18 of those. It might be a very early stage for that.

Craig McLaren: I do not have anything to say about any one of them in particular. I will go back to two things that I said earlier on.

First, the state of capital finances is making things difficult. Some of those developments will be reliant on that, and that might be having an impact.

Secondly—I hope that this is more positive—I mentioned the planning, infrastructure and place advisory group, which the Scottish Government set up. I would like to think that it has an important role in monitoring. I think that it has a role in monitoring the progress made against the national developments. We will look at where the issues or challenges are and what can be done to try to address them.

The Convener: That might be something that we can look into, as well. Active travel is a network, and it has a budget. It would be interesting to understand how that is progressing.

I have a final question about the national outcomes. Last week, the Scottish Government proposed a new set of national outcomes, including a new outcome for housing:

"We live in safe, high-quality and affordable homes that meet our needs."

Earlier, our panellists spoke about the difficulty in aligning the various national policies. Could a new overarching national outcome for housing help with that alignment? To what extent does the delivery of NPF4 already connect with the existing national outcomes—for example, on communities and the environment? That is a small question to end. Does anybody have any thoughts about a new national outcome for housing?

Craig McLaren: Maybe not so much about the new outcome. I would probably prefer that to be more about place than just homes, but that is a personal perspective.

The national planning improvement champion team has been talking quite a lot to the national performance framework people in the Scottish Government about how they monitor the NPF and how it is being delivered. I know that they are working away quite feverishly on a monitoring framework. We have been talking to them about how, in the work that we do, which is focused very much on how planning authorities perform individually, we can have a process in which we can see how we can aggregate that up, based on what outcomes have been achieved at the local level, and how that relates directly to the ambitions of the NPF. Those people can take that on board to look at how the NPF impacts on other, more strategic outcome-based approaches.

I know that the Scottish Government is looking at that. I am not sure exactly where it is with it and when that will become public, but the fact that it is doing that is a good thing. It is looking towards an outcome-based approach. The conversations that we have had with the Scottish Government have been useful in allowing us to see where we can contribute and where we can have a thread between what we do and what it does, and so that we do not get in each other's way. The key point is that the NPF team is looking at outcomes as a key measure of the effectiveness of the national planning framework.

The Convener: That is very helpful. The national performance framework is, of course, linked to the sustainable development goals, which featured at some point in the early NPF4. It crosses through all of that.

Craig McLaren: There should be a thread through all of it.

The Convener: Exactly.

We have come to the end of our questions. This is the first of a number of sessions that we will have on national planning framework 4, and it has been very helpful. Thank you very much for joining us.

I will briefly suspend the meeting to allow for a changeover of witnesses.

10:41

Meeting suspended.

10:47

On resuming—

The Convener: I welcome our witnesses on our second and final panel this morning. I apologise for starting quite a bit later than we anticipated, but we had a good first discussion on the national planning framework with the previous panel.

We are joined in the room by Kevin Murphy, head of planning at Homes for Scotland, and Ailsa Raeburn, chair of Community Land Scotland. Online, we are joined by Tony Cain, policy manager at the Association of Local Authority Chief Housing Officers, otherwise known as ALACHO, and Donna Young, co-ordinator at Rural Housing Scotland. I welcome you all.

We will try to direct our questions to a specific person initially but, if you want to come in, please indicate to me or the clerks. Donna and Tony, you can do that by typing R in the chat function and we

will bring you in. There is no need to operate your microphones—we will do that for you.

I will start with a question for Kevin Murphy. How have house builders changed their approach to development in light of the policy priorities set out in NPF4, particularly with regard to climate change and biodiversity?

Kevin Murphy (Homes for Scotland): House builders have, for a number of years, adapted their products to reduce greenhouse gas emissions. A lot of that has been led by building control, and some house builders are trying to exceed those standards. You are probably aware that the new building heat standards and regulations came out, which has resulted in new homes being 83 per cent more efficient than they were in 2015. That simple improvement has been done through fabric-first technology and so on.

For a number of years, in the submissions that house builders have been putting in, they have been improving what they are looking to do on various issues. Biodiversity has the headlines now, but they have been looking to expand green space and make better-quality places because, ultimately, they want to sell homes and so they need to make good-quality places in which people can live.

The Convener: I will throw that question to Tony Cain as well.

Tony Cain (Association of Local Authority Chief Housing Officers): Similarly, the social and affordable housing sector has been improving standards in conjunction with the developing standards around building control over the past 10 years.

First, we need to acknowledge in this conversation that the people of Scotland—those who have a house, at least—are better housed now than they have ever been in our history. The quality of what is being built at the moment is, for the most part, extremely high, especially in the social housing sector. We pay a price for that in our costs but, without a shadow of a doubt, they are safe, well designed, well laid out and very energy efficient homes.

The Convener: I do not know whether you were watching the previous evidence session, which was more focused on the planning side. When you apply for permission, is there any evidence that the planning authorities have changed their approach because of NPF4?

Tony Cain: First, I am not a practitioner and I have not been for a number of years, so I am no longer directly involved day to day with the process of making planning applications. Planning is part of the process, and you engage with it as positively as you can. Our members are well experienced and well skilled at that, and they work closely with colleagues in the private sector.

I am not of the view that our major problem in the delivery of more homes is planning. I do not share the view of some that our planning system is the major problem. In fact, there is evidence that our planning system approves more homes than are currently built. You will be familiar with the Competition and Markets Authority report that was published back in February that said that between 8,000 and 10,000 homes a year are approved but not developed. Approvals outstrip completions by quite a distance. The planning system is a work in progress. We have been working to improve it over a long time, and it is better than it was. It is not our principal problem in the delivery of more homes, though.

The Convener: Thanks. I go back to Kevin Murphy on the planning application side.

Kevin Murphy: Our members have improved their submissions in line with NPF4 and are highlighting how some of the new policies are addressed.

Local authorities may have lacked a bit of clarity and direction when NPF4 landed last year, and they took different approaches to assessing the planning applications that were already in the system. Some took applications that had been to committee and were going through section 75 negotiations back to committee to reassess them. Some local authorities did their own assessment on whether the applications complied with the NPF4 policies. Some of them asked developers and indeed applicants generally to provide additional information. There was a delay while authorities adjusted to the new system.

The Convener: Ailsa Raeburn, I realise that I should have asked those two questions as one, because they are the same. From your perspective, have house builders changed their approach? Do you have any sense that planning authorities have changed their approach, specifically in relation to climate change and biodiversity policies?

Ailsa Raeburn (Community Land Scotland): From the projects that I am aware of, communities are aware that standards are increasing and that the costs are increasing. I am not sure that that is always reflected in the funding arrangements that are available from the principal funder for affordable housing, which is the Scottish Government, so there is a mismatch there.

Communities want to build the best quality housing that they can, because they are in it for the long term and most of them will hold the houses in the long term, so they are keen to see best practice as far as possible. However, it comes back to the point that Craig McLaren made

earlier about the issue of proportionality. Is it reasonable to accept the same sorts of conditions on one or two small community houses in a village where the key outcome is delivering those houses? If that issue would make the difference between delivering a development and not delivering it, particularly given where we are with funding, what flexibility is there?

It is good that NPF4 takes that holistic approach, which is how communities tend to work. They think holistically about housing, jobs, people and population, and NPF4 allows that. However, once you get down to the implementation, as was said earlier, some planning authorities focus very much on individual elements of NPF4 rather than thinking holistically about what the planning framework is trying to achieve.

That is a long way of saying that, yes, communities are aware of the additional requirements, particularly in relation to some of the up-front costs of the plans that are required, which are not reflected in the current funding arrangements. We can certainly see that that will perhaps slow down community-led housing.

The Convener: Those two questions were about climate, nature and biodiversity policies, but I will pull in a piece around rural house building. You have talked about community-led development and development in rural areas. I will bring in Donna Young on this as well, because of her Rural Housing Scotland hat. As far as you can see, are the policies supporting rural house building and the placemaking aspect, especially where there is a need to support significant economic and infrastructure development? If not, what needs to change?

Ailsa Raeburn: As I said, NPF4 takes a holistic approach. NPF4, in isolation, is a good approach. However, there are issues with the things that wrap around it. For example, the housing need and demand assessment does not reflect the demand from the economic potential, particularly in the Highlands and Islands. The system as a whole does not work particularly well, but NPF4 is working well.

One good thing about it is the opportunity around rural resettlement. As everyone has said, we are at quite an early stage, but it has great potential, particularly in areas that are suffering from depopulation. We need to look locally, flexibly and proportionately at issues such as 20-minute neighbourhoods and infrastructure first. Those approaches will not be feasible in some areas but, if we focus on outcomes rather than procedure, we will get there in the end. NPF4 has a lot of positive things that, over time, will develop and enable us to deliver more housing in those areas.

Sorry, but was there a second part to the question?

The Convener: I think that you have covered it. Do you have a sense that NPF4 will help us to deliver rural revitalisation, as it aims to do?

Ailsa Raeburn: Yes, it will—because it looks holistically—but only if we are outcomes focused rather than specific-policy focused. That comes back to a point that was made earlier about some planning officers and planning authorities being risk averse. You can understand why, if they have a finance department behind them saying, “The cost of an appeal is £X, so we do not want to get into that position or we do not want these things to take a huge amount of time.” That comes back to having good LDPs and good local place plans where a lot of the discussion has already happened about what is acceptable, what is not likely to be acceptable, what will be appealed and what communities will object to. That part of the process is valuable, but these things take time. It will take time for communities to understand NPF4 and the potential of it.

The Convener: Donna, what do you hear about NPF4 from your perspective on housing? Do you see the changes in terms of climate change and biodiversity?

Donna Young (Rural Housing Scotland): We speak to communities that work on community-led projects about this and, from a planning perspective, we speak to local authorities on their views.

On communities, I was in a meeting yesterday where NPF4 was discussed. I will share some powerful feedback quotes from a community group that has had a housing project at the planning stage for some time. The group said:

> “The agencies involved in planning are conspiring against the local communities in rural and island Scotland. They will do anything to make life difficult and we are fed up.”

It went on:

> “We are exhausted at the number of hoops we must jump through over a long, unproductive period of time.”

Obviously, NPF4 has been around for only a year, so it is difficult to see whether that is affected by the previous framework or what is happening with NPF4. However, although I agree completely with Ailsa Raeburn that the concept is good—it is only a year in, but the policy is good—the implementation is where it struggles.

11:00

On rural proofing, as you well know, rural and island communities vary greatly in their needs, the types of housing developments and the land. There are so many different difficulties when it

comes to planning, such as flood risk, coastal erosion, peatland restoration and looking at wildlife, with things such as otter surveys. That comes at a great cost to communities. They have to consider and pay for all those assessments.

Through time, that can be improved, but it feels as though the planners are struggling to implement NPF4 in rural settings. I have another feedback quote, which is from a planner I spoke to, who said:

> "NPF4 was created by urban, central based folk, who despite maybe visiting an island once or twice on holiday, have absolutely no idea or experience in life here. The lack of a holistic approach to remote rural living is evident in many areas of the document."

That is one view from a local authority planning officer. They went on to add:

> "Third party agencies are slowing the process, but that is not their fault."

Planning has many different aspects, which deflates communities that are trying to do their best to create housing and, ultimately, increase the population. Particularly in depopulated areas that the Scottish Government recognises as repopulation zones, what can be done to make the process a lot quicker instead of having applications stuck in planning for more than a year while one survey after another is done? Improvements can definitely be made.

The Convener: When we produced NPF4, did we miss an opportunity to look at an urban framework and a rural one? Did we need to go there?

Donna Young: Yes. I think that, with all aspects of everything in Scotland, we should have urban and rural approaches, and particularly in housing. I feel that rural and island communities would completely agree with that.

Willie Coffey: I want to switch the discussion to 20-minute neighbourhoods and local living. We had a good discussion with the previous panel about how well everyone is embracing those concepts, but I would like to hear your views on whether builders, developers and communities are getting close to achieving them.

Having listened to the previous comments, I note that Lugton, a small village in my constituency with a population of about 80, is incredibly rural but is only 15 miles from Glasgow and about 10 miles from Kilmarnock, so there is a contradiction in relation to whether it is, in fact, rural because it is so close to the biggest city in Scotland.

The concept of 20-minute neighbourhoods is bound to mean different things in different places. Is NPF4 flexible enough to recognise that, so that the concept can be applied properly locally? What is your perspective on whether the three groups that I mentioned are embracing the concept of 20-minute neighbourhoods? Are we beginning to see signs that it is working for us?

Kevin Murphy: It is important to highlight that the Government consulted not only on 20-minute neighbourhoods but on local living. As you touched on, some communities will not have everything within a 10-minute walk or cycle, although you can obviously get a wee bit further if you cycle. We need to start looking at the concept, because it was consulted on last year and, as Craig McLaren said in the earlier session, new guidance was published last week.

We need a flexible approach and to understand how house building can support existing services in communities, such as post offices and local schools with declining rolls. Equally, house building can add to services. If there is a big enough land release, a primary school or retail units can be delivered, which can create or expand the 20-minute neighbourhood so that people can live locally. We need to look at how sites are brought forward and how they can help existing settlements so that, ultimately, people can live more locally and are encouraged to use active travel.

Ailsa Raeburn: On the Isle of Eigg, where I am the chair of the heritage trust, local living and 20-minute neighbourhoods mean something completely different from what they mean for the community that Willie Coffey talked about. The concept is really good, but there needs to be local flexibility.

I come back to the point that the outcome that we are trying to achieve is to create good places to live where people can access services. On Eigg, the dentist might come every three weeks, and there is a primary school, but people need to send their kids to the high school in Mallaig. What does local living look like there? What would people accept? What would people accept in the community that Willie Coffey mentioned? What would people accept in the centre of Glasgow?

I get the sense that we are moving towards what is written down saying that what happens should be relevant to the place. As Donna Young said, we should not try to impose national standards on individual places, because that does not work, as the whole planning system can lose credibility. If 20-minute neighbourhoods are imposed when local people just want to build five houses to keep their kids in the village, they might say that the whole planning system has gone completely mad. As long as there is flexibility, proportionality and an awareness of risk and appropriateness, the concept is great.

Willie Coffey: Do Tony Cain and Donna Young want to comment on 20-minute neighbourhoods? Are we embracing the concept fully or partially?

Tony Cain: The affordable housing supply programme is delivered in developments of, on average, 25 or 26 units, but in many communities, particularly in rural areas, the number is a great deal smaller than that. A lot of thought goes into ensuring that developments are balanced and include homes for families, for single people, for older people and for people with disabilities. It is not just a matter of beaming down a set of house types; thought goes into how the development will fit with local services, the local community and local needs.

The one concern that I will raise is that 20-minute neighbourhoods require services within 20 minutes, but it is a genuine struggle at the moment to deliver transport and a range of other services within that type of space. There is a risk with what is a very positive idea, because services—a GP and a dentist, for example—must be available. Those are particular challenges in our island communities, but getting a dentist appointment in some urban communities is just as challenging, and people have to travel. It is not just a matter of what is built in an area; it is also about what services are provided.

Donna Young: In many rural and island communities, 20-minute neighbourhoods do not fit with life there; it is more about local living.

We should ensure that wellbeing is considered in house building and development. People should not think, “Let’s just build houses, and that will solve the problem.” That is a huge challenge for rural and island communities, because the funding for services is not available. While there has been depopulation in a lot of communities, services have been greatly reduced. How do we deal with that? We want to repopulate, but how do we ensure that people can live locally when services have been reduced? There is a balance to strike. Planners are completely aware of what is needed for local living and what is available, but they are very restricted, as are communities as a whole.

Active travel is difficult when there has been a reduction in public transport services—it is almost impossible in a lot of rural and island communities because services have been reduced.

I highlight what Ailsa Raeburn said about each area being so different. With regard to 20-minute neighbourhoods and local living, we should do what suits the particular area and what will meet the needs of that community. That will vary from the Isle of Lewis and Mull to Arran and areas such as Applecross. What is accessible to those communities will be completely different.

Willie Coffey: That is really helpful. I will turn to planning for housing and the much-talked-about minimum all-tenure housing land requirement. What are your views on the MATHLR proposals? Are they sufficient, acceptable, useful or otherwise?

Kevin Murphy: The MATHLR figure was applied from NPF4. As was touched on earlier, the Mossend decision landed on Friday. That has perhaps led to more questions than answers, and the housing industry is still digesting that decision, so I will not go into too much detail, but it suggests that the MATHLR applied from February last year. As far as I am aware, most housing developers and local authorities were applying the MATHLR from when their new LDP came into play. Some of those plans will not arrive until 2026, 2027, 2028 or 2029, so it could be six years on from when the MATHLR was put in place through NPF4.

A lot of additional levels of housing need are being identified. A lot of house builders and local authorities are doing housing need and demand assessments to try to identify the housing need across Scotland. That is all based on secondary research, but Homes for Scotland has undertaken some primary research and has gathered data to identify housing need across Scotland: almost 700,000 households are in housing need. As Catriona Hill pointed out in the earlier session, some of that need can be addressed by bringing up to standard existing properties, but a lot of the issues can be solved through new house building.

The MATHLR links into a housing delivery programme and, from what I understand of the Mossend decision, ties into the current housing land audits. In most cases, the same sites keep getting rolled forward. In a previous life, I looked at the matter in one of the Lanarkshire authorities, and 66 per cent of its sites had been rolled forward for 15 to 20 years. The reasons why sites have not come forward relate to coal mining, contamination and, as was touched on earlier, naturalisation—some of the sites will have a much higher biodiversity value than new brownfield sites or even greenfield sites for that matter.

The MATHLR figure was supposed to result in an ambitious local housing land requirement, but most authorities are now looking at just going for the MATHLR. That has been shown to be the case from recent examination decisions in the Scottish Borders and Edinburgh. We are not looking at ambitious figures to address the housing needs that Homes for Scotland and others have identified across the country so that we can address the housing crisis and the five housing emergencies that have been declared.

Tony Cain: I have been doing things like this for the better part of 40 years. We have had a number of approaches to trying to estimate housing need

or housing demand over that period, but none has been entirely satisfactory, because it is an art, not a science. It is unhelpful to attempt to calculate an exact figure at the national level or even at a regional or local authority level. Instead, we should take a pragmatic approach to understanding what a particular area might require and what the demand might be for both market housing and affordable social housing.

The MATHLR is a crude estimate, and we layer on top of that another crude estimate, which is the core of the HNDA. We have consistently underestimated the scale of demand for housing across Scotland for a very long time. The work that Homes for Scotland did demonstrates that. I know that people have views about the methodology, but, nevertheless, it presents a reasonable picture.

Two years ago, we published work on the extent to which the human right to adequate housing was being met in Scotland, and we came up with a similar figure. Something like half a million households were living in homes that did not meet people's human right to adequate housing, insofar as we can define it—there are data issues with all these things.

The practical problem is that we obsess about numbers. Local authorities are naturally risk averse and want to fall back to the safest position—which is not necessarily the most productive position—because they do not want to get challenged in court and, quite rightly, do not want to have planning applications appealed.

We probably need to be a little bit more relaxed about what the actual number is and take a slightly broader view. Homes for Scotland's work demonstrates the power of taking a broader view on how we define need. People can define their own housing need and demand for themselves. If they think that they are not living in a house that meets their needs, they are not living in a house that meets their needs, but we are rather inclined to tell folk what does and what does not meet their needs in how we measure things. We need to be more flexible in our understanding of what housing need and demand means.

Ailsa Raeburn: I am not particularly familiar with the process that we are talking about, but I know that the potential demand for new housing as a result of all the big net zero developments, whether they relate to renewables or to transmission upgrades, came up in last week's session. The two development agencies—South of Scotland Enterprise and Highlands and Islands Enterprise—are also looking at that potential demand. I do not expect that that is reflected in the figures that we are talking about, so I suspect that those figures are out of date, given that housing will be required to enable us to maximise the opportunities that are ahead for Scotland. In that respect, the figures are probably out of date, so more work needs to be done.

Willie Coffey: Donna Young, do you have any comments on the MATHLR?

11:15

Donna Young: I do not know too much about that regime, but, having spoken to local authorities, I feel that a more holistic approach must be taken when considering needs. Housing needs surveys are out of date as soon as they are done, because the needs are ever changing. I agree that, in relation to local economic growth, there is so much potential for housing and for community legacy. In the previous session, temporary accommodation was mentioned, as well as the housing legacies that can be left. I agree with everyone's comments that we should consider other ways of understanding housing needs instead of taking a very general approach.

Willie Coffey: Thank you.

The Convener: Thanks. We have a couple of supplementary questions on the MATHLR. Mark wanted to come in; he is joining us online.

Mark Griffin: I come back to Kevin Murphy to expand on the industry's response to the decision in the Miller Homes Ltd v Scottish Ministers case on 3 May. How do you understand the impact of that decision on approvals on viable sites over the next few years, until we see LDPs being drafted and implemented?

Kevin Murphy: It will be challenging for the house building industry to meet the numbers that are expected within the MATHLR. As touched upon, the housing land audit sets out all the houses that are deemed to be coming forward in the next five to seven years. We are moving to a 10-year pipeline. A lot of the sites within the current housing land audits need to be reassessed as to whether they continue to be included within local development plans. They are two, three, four or potentially five years away. There will be a downturn in house building. We have already seen that. We have touched upon the 41 per cent reduction in major housing applications in the first two quarters of last year. Site starts are down 24 per cent across all tenures. It will be a challenging few years, not to mention the budget cuts that do not feature in those figures.

Mark Griffin: Previously, when we were getting towards the end of an LDP cycle, if a developer could prove that some of the allocations within an LDP were not viable, and that the figures that the local authority wanted to achieve would not be made under that LDP as it reached the end of the cycle, there was a mechanism that allowed a

developer to say that there had not been effective land supply. Does the ruling on Friday in effect stop that happening?

Kevin Murphy: In essence, yes, because a lot of local authority LDPs had a safety valve that allowed unallocated sites to come forward. The judgment may also affect windfall sites—sites that are not currently allocated for housing—and that could blight a settlement, of whatever size, that might not be able to be brought forward based on the ruling. We are still digesting it to understand all the potential and unintended consequences.

Mark Griffin: Finally, will this be a bigger issue as we move from five-year to 10-year LDP cycles? An almost nine-year-old document that includes sites that have not come forward during that period now has no safety release mechanism. Will that cause a bigger problem?

Kevin Murphy: Yes. The idea is that there will be a pipeline of short-term, medium-term and long-term housing land supply. Long-term sites are those that might, for example, currently have constraints that the local authority, with the developer, will work to address. The way in which policy 16(f) is worded means that it has a safety valve for, essentially, local developments for affordable housing. That is fine, but we need an all-tenures approach. Also, a percentage of all private developments is affordable housing. As was touched on earlier, is there a need for a safety valve in the next five years, or should the onus be on the planners to plan and to make that balanced decision? How many will go against NPF4? I am not sure.

Pam Gosal: Last week, West Dunbartonshire Council became the fifth council to declare a housing emergency. Previously, Homes For Scotland highlighted that the NPF4 must be deliverable and must be clear on how a deliverable land pipeline is to be identified and reviewed, so that a consistent supply of homes is maintained over the long term. Does the panel think that NPF4 puts the housing emergency at the heart of the planning system?

Kevin Murphy: It does not put it at the heart of the planning system at present. Housing need must be elevated. It must be taken into consideration alongside all other planning policies, but we must also recognise, not just as an organisation but as a country, that there is a housing need and an emergency now. It is about how we address that.

Homes For Scotland is doing lots of bits of work to try to help local authorities. The first panel touched on local authorities having to do just shy of 50 additional tasks with dwindling resources. I know that when it did its last LDP, Midlothian had eight planning officers. It now has five and they have all these additional tasks. Homes For Scotland is trying to pick up some of that slack. We are producing guidance on housing land audits, site assessment methodologies and deliverability tests to try to help establish a deliverable pipeline of homes, so that we can have that system in place to deliver more homes for Scotland up and down the country.

Pam Gosal: It is good to hear that Homes For Scotland is stepping in, with other people, to help—local authorities do have fewer resources and there are shortages. But what do you need from the Government? You are here today, at the committee meeting. Where can we help? West Dunbartonshire is the fifth council to declare a housing emergency. You have said that NPF4 does not help to deliver and it does not take that emergency into account. How can the Scottish Government help you? We are here as a committee.

Kevin Murphy: We will take part in short-term working groups to try to speed up the delivery of local development plans. As I said, if we include the national parks, we do not want 34 different versions of documents, and preparing them in the first place takes up resources in those local authorities. We could have five public sector and three private sector people together in a room to create documents and try to accelerate sites being brought forward. We will probably touch on resourcing later, but reporters could be used to assess new sites for LDPs or to help with planning applications to try to bring those forward. Government funding might be needed to help with, potentially, centralising the production of the resource or with the short-term working groups to free up resources at local authority level.

Tony Cain: I will unpick the issues around the housing emergency a little bit. The principal driver behind the declaration of a housing emergency is the situation that many councils face in the delivery of their homelessness services and their growing inability to meet their statutory obligations. The five councils are all struggling, every single day, to meet statutory obligations around temporary accommodation. That drives the decisions around housing emergencies. Edinburgh is a good example, with 1,500 individuals in temporary accommodation every single night.

That is caused by, straightforwardly, a shortage of social housing. We have a chronic shortage of social housing across Scotland in our rural and in our urban areas and in our cities. That underpins the fact that these councils, probably a third to one half of the sector, are now not regularly and consistently in a position to meet their statutory obligations. A shortage of social housing is driving those housing emergencies.

You will forgive me. I cannot avoid commenting that that will only get worse in a world where those councils are now looking at resource planning assumptions for their affordable housing supply programme, which this year are between 26 and 27 per cent lower than they were last year. I am not entirely clear how we have come from a 16 per cent reduction in the capital allocation to housing by the Scottish Government, off the back of a 10 per cent reduction in the capital allocation from the Westminster Government to the Scottish Government, to a 26 to 27 per cent reduction in the local resource planning assumptions. We are having that conversation with colleagues in the more homes division, but the programme has been cut by a quarter for the coming year and there is no certainty about what the programme will look like next year.

These are long-term programmes. The work being done now will be about putting on site developments for next year, but that work will have to get suspended or held back because you cannot commit to a contract if you do not know what the resources will be. Many of these contracts span more than one financial year. The position that we have with the affordable housing supply programme is absolutely critical. Our core problem—what drives housing emergencies—is the shortage of social housing. That is not necessarily directly addressed by NPF4. The housing market has changed dramatically in the last four years for a whole variety of reasons that the folk who wrote NPF4 could not necessarily have been fully sighted on. We have an acute problem with the supply of social housing.

Ailsa Raeburn: I agree with colleagues that NPF4 has not prioritised housing. As Tony says, things are moving very quickly and we need flexibility in NPF4. The proposal to bring forward things such as master plan consent areas could be quite helpful to some issues. I come back to some of the points that we made earlier about proportionality and being outcomes focused. NPF4 could be made sufficiently flexible to help contribute to some of the outcomes that we need to see to address the housing crisis, which is, as Tony says, focused on homelessness, but there is also a broader issue about economic demand.

The question is how we can ensure that NPF4 is sufficiently flexible and that the people delivering NPF4 on the ground are able to take risks and take a proportionate approach without fear of constantly being taken to appeal. I suggest that planning authorities need the cover from the Scottish Government to know that we need to be slightly more robust in our decision making and be more outcomes focused and not process focused.

Gordon MacDonald: Before I ask my question, I would like to continue the conversation. Kevin, I am keen to understand how much the naturalisation in NPF4 is holding back reusing brownfield land. The register of derelict and vacant land shows that much of it has previously been used for housing, hotels or hostel accommodation, education facilities, recreation, retail or for office space. Much of that—there are over 3,000 sites in Scotland—could easily be used for housing. What is stopping brownfield land being used? I know that some of the land will be contaminated from industrial use, but a large proportion was used for other purposes. Does NPF4 help or hinder moving forward?

Kevin Murphy: NPF4 puts a priority on the development of brownfield land, but there are all those other things, some of which you touched on. On sites in eastern Glasgow, for example, housing was cleared because it was undermined, but it is now covered in water voles, which are protected. It is challenging to rehome them elsewhere in that area because there is not suitable habitat.

There are other issues. Many of our brownfield sites are around town centres, and towns and villages were predominantly centred around watercourses when they were built up. Now SEPA has flood maps that look at 2100, when water levels will have risen, and some of those brownfield sites are at risk of flooding. When it comes to the application of policy in those places, it is very much “Computer says no.” The system does not allow housing to come forward, even with pragmatic solutions. Particularly in the west of Scotland, land is undermined by coal. All those issues add up to mean that a site is potentially not viable, because a landowner will sell a site only once. They are looking to get a certain land value and it may not be in their interests to sell if all the abnormals associated with the housing development mean that they do not get the land value they are looking for.

Gordon MacDonald: Certainly, I accept some of what you have said, but some of the sites are flagged as short-term or medium-term development, which means that people think that they are viable. You mentioned the housing emergency that we face. Would it be more helpful, rather than continuing to build on good arable land in Scotland, to try to bring back into use the 90,000 empty homes that we have in Scotland?

11:30

Kevin Murphy: That is part of a bigger solution. New house building has its place in building forward new communities and helping to support existing communities, but bringing some of the existing vacant or empty houses forward is part of a bigger solution to solve the housing emergency.

Gordon MacDonald: Tony Cain, I want to ask you about the number of council voids. You spoke about the housing emergency. A recent newspaper article said there are more than 10,000 voids in Scotland. Is that correct?

Tony Cain: The short answer to that is that I do not know, because we will not get an accurate figure on the voids until last year's statistical returns are submitted, but I can say, from looking at previous years' returns, that around 1,000 of those homes will have been identified as being for demolition, and a number of them will not be suitable for re-letting.

More generally, many local authorities and some housing associations are carrying more operational voids—homes that they want to get re-let—than they would want to. They are certainly carrying more than they did in 2019. We took a hit during the pandemic, and it has been difficult to recover from that.

Two weeks ago, at our most recent ALACHO meeting, we had a detailed and focused conversation—a deep dive, if you like—on that very subject. We heard that consistent efforts are being made across the sector to recognise and to reduce the number of voids. Most councils are reporting some success. However, we recognise that, from a resource point of view, voids are still coming in. We need to be resourced to process all the new voids that are coming in and to perform above our normal business-as-usual rate of void return, as well as returning to use properties that have been purchased second hand from the private sector to add to the stock. It is a challenge and a process that will take time. While some authorities say that they have reduced their number of voids by 25 per cent this year, others say that they have struggled to make much progress.

A range of challenges are involved. One of the most frequent challenges over the past five years has been problems with electricity meters. At the start of the pandemic, most electricity companies simply cancelled unilaterally the void supply contracts, which left councils with no way of putting power into a void property once it was empty.

In addition, there are huge problems with replacing meters when they are damaged or need to be cleared. One authority told me that it has three members of staff working full-time to phone utility companies to arrange to have meters removed, changed, repaired or cleared. I have heard stories of individuals spending four or five hours on the phone to utility companies to arrange an appointment, only for that appointment not to be met.

There are lots of practical problems, but a huge effort is under way to reduce the number of voids. We will have another conversation on the subject this afternoon at the Convention of Scottish Local Authorities. It is a live issue. There is a problem with voids, but dealing with voids is not the solution to our homelessness challenge. At the moment, there are around 30,000 households in the homelessness system that are in temporary accommodation or are waiting for an offer of accommodation. Dealing with the voids will help, but it will not solve that problem. We have a shortage of social housing.

Ailsa Raeburn: Empty or underused homes can be a real blight in a lot of rural and island communities, and NPF4 does not address the issue. Community Land Scotland proposed that we should consider having a different use class for houses that are not in permanent residential use to enable local planning authorities and communities to identify houses that are underused in that regard. That could be done in different ways—it could be done through the planning system or through the tax system. The doubling of council tax on second homes has been proposed. There are a lot of levers within the Scottish Government's control that could be available under NPF4 that could be used to address empty homes and bring some of them back into use.

On the Isle of Eigg and in other places, there are some people who are interested in selling their second homes to the community, but we need to have a system that ensures that those homes remain as permanent residential homes. Measures such as rural housing burdens provide an opportunity in that regard. The Scottish Government could be supportive in sending out the message that we can use our existing stock in a much better way than we are at the moment.

Gordon MacDonald: Communities' concerns about second homes—of which there are about 24,000 in Scotland—and how to tackle them will be reflected in local place plans. Do you have any experience of local place plans being developed in your community? What impact have they had on planning decisions in your area?

Ailsa Raeburn: Yes, we have experience of that. Second homes and short-term lets are often a high priority in local place plans. That is not the case in every community, but it is in those communities where second homes and short-term lets have a huge impact, which tend to be rural and island communities. In such areas, they will often be a priority for action in local place plans.

We have found that local planners have been instrumental in saying to communities, "Here's a really good approach. Why don't you try a local place plan? We will help you." Often, they do not come with funding, which is a problem. We know

that local place plans can cost from £2,000 to £100,000, depending on what is being looked at, but many local planning authorities have seen local place plans as a good way of addressing what communities want to see in their local development plan. It is very much a bottom-up approach. Local place plans have identified projects for action. To come back to a point that was made earlier, plans are good in themselves, but the important outcomes are the things that are delivered as a result of them.

I will give an example that involves a community close to me. The local planning authority, Argyll and Bute Council, suggested to the Isle of Luing community that it develop a local place plan. It got funding to do that and brought in a firm of architects that did a fantastic consultation with the community. As a result of that, projects have been brought forward that the planners are supportive of, because although they were not terribly involved in the development of the local place plan, they will adopt it as part of the LDP.

The local place plan process is a good one. The issue is whether the communities have the capacity to do it. There will always be some communities that have the planners, the lawyers and the accountants that they need, and some communities that do not. It is an issue of equity and an issue of cost, and we need to make sure that the local planning authority has the resources to contribute to the process and that it is not presented with a document at the end of the process, only to say, "We can't do any of that."

Gordon MacDonald: Tony Cain, what is your experience of local place plans?

Tony Cain: In short, my recent experience is little—I apologise. I am aware that they are a feature of the new planning system in NPF4 and are a powerful addition to the planning legislation. I have been involved in such processes in the past but not in this planning regime.

Local place plans are important in providing communities with an opportunity to have an open discussion about the types of pressures that they are experiencing and their concerns about new housing. There remains a problem with some communities that are concerned about the impact of new housing. I have had some quite difficult conversations in public meetings with communities that are concerned about the impact of council housing on their communities, even where council housing already exists. Processes such as the local place plan process provide an opportunity to unpick those concerns, understand them better and—hopefully—answer them, with the result that what is delivered meets local needs.

However, I cannot claim to have any immediate experience of the process of developing local place plans.

The Convener: Kevin Murphy, would you like to come in on that?

Kevin Murphy: Yes. My experience, predominantly, is that local place plans tend to be reactive. If a local community does not support a planning proposal, whether it has been made through a local development plan or a planning application, it might produce a local place plan afterwards. Proactive engagement is needed between local communities and developers so that shared goals can be identified and, together, they can bring forward proposals for housing in the area.

The Convener: Donna Young, do you have anything to add on local place plans?

Donna Young: I reiterate what has already been said. Local place plans provide an opportunity to empower communities but also to build partnership and collaboration between local authorities and communities. In some rural and island communities, that relationship is not great or has not been great in the past.

Argyll and Bute Council has been doing some fantastic work. There are some great examples of how it has empowered its communities by listening, supporting and encouraging them. That obviously has a positive effect on community-led housing delivery, whereby the Scottish Government is relying on communities to come forward and provide a lot of the housing.

Tony Cain mentioned social housing. There is a huge expectation on local authorities to provide social housing. Given that the Scottish Government is looking at community-led delivery, local place plans are a great way to bring together the local authority and communities to ensure not only that needs are met but that the goals are realistic.

Local place plans need to be rural proofed and used effectively as a tool. As Ailsa Raeburn mentioned, funding is a key issue. Many community groups simply do not have the necessary funding or key skill set to produce such documents. That means that they need to rely on external people to come in, but they do not have the money to bring them in.

NPF4 talks about the delivery of rural housing, but how will that delivery happen and how will the support that is needed by communities, in particular, be put in place?

The Convener: There is a question that I meant to ask earlier that is less about local place plans and more about the funding part. Do you think that the rural and islands housing fund needs to be

more flexible—to use the term that Ronnie MacRae used last week—in acknowledging the requirement for all the different pieces of work that need to go together, such as the bat report and so on? Do you think that the funding process needs to acknowledge that better?

Donna Young: Absolutely. I think that the feasibility funding element is not enough—that has been highlighted by communities. Communities end up scrambling around to find pots of cash—we provide them with a lot of support to do that—so that they can gather together enough money to be able to pull together all the information, documents and surveys that they require. There does not seem to be one element of support funding that supports all that and encourages communities to continue the process. Many of them just give up, because it involves too much from the point of view of skills and costs.

I definitely think that there is huge room for improvement in that area. It is brilliant to see that the Scottish Government is encouraging communities, but I definitely feel that the support system has to be put in place.

The Convener: Thanks. I will bring in Miles Briggs.

Miles Briggs: Thanks and good morning. I asked a question of the previous panel about some of the concerns that have been raised with the committee about the wording of some of the policies in NPF4 being unclear and leading to inconsistent decision-making. We have heard evidence about evidence reports and how different councils are looking at the guidance not being in place. What is your experience of that and what solutions do you think could be put in place to have a more consistent approach?

Kevin Murphy: I will start. Across the country, there have been different approaches to implementation. For example, we have local guidance on biodiversity that came out last year that still has "Draft" on it. We have a consultation being run by NatureScot over a four-week period on a first phase of looking at a metric that will be brought in. Although it is important to get that right and learn from experiences in other parts of the UK, a lot of clarity needs to be brought in to the next level just below NPF4, whether that be the biodiversity net gain or perhaps local living, as we have touched upon earlier, and flooding. SEPA has produced about three different pieces of guidance and I think that it has a few more to produce below that.

There is uncertainty and a need for clarity just now. As we said earlier, we are keen to help and take part in working groups and so on to help accelerate these things because we are a year on from NPF4 and local development plans are a couple of years away, so we need more clarity to make decisions now to deliver more homes.

Ailsa Raeburn: I do not really have much to contribute to what my colleague said earlier, but I think that there is an issue with consistency. Donna Young and I are saying, "Yes, but you need local flexibility" and the situation is dynamic and changing. Consistency would be great, but we need to be realistic about the fact that it is not always possible and that we need that local guidance. There is a balance to be struck there and we probably have not reached that balance yet, but it is not as straightforward as just having a blanket consistent policy across the whole of Scotland.

11:45

Tony Cain: There are a couple of observations worth making about the question of consistency. The first one is that one person's postcode lottery is another person's democratic outcome. Local authorities have to have the ability to interpret and make decisions based on their local community's needs and their local situation. We need to not be too obsessed about consistency.

There are one or two areas where the wording has not produced what we hoped it would produce. From the way in which NPF4 policy 16 on housing is worded, there is an expectation that all developments would have to have at least 25 per cent of affordable or social housing and that is not how it has turned out. Some quite substantial developments have been approved without any affordable housing at all.

One that springs to mind is a community not far from where I am where 1,000 homes were approved by the reporter on appeal with no affordable or social housing because, in the reporter's view, there was no demonstrated need, which is in the next sentence in that paragraph. I am not sure whether those two sentences connect up in quite the way the reporter thought they did. The bottom line is that 1,000 homes were approved and there will be no social or affordable housing in any part of the development. I struggle to understand how that is a balanced or sustainable community that is being developed there and that is problematic. We need to be clearer about that.

I also think that we need to be more confident in being clear that these outcomes need to be public policy-led. One of the problems with our planning system, which our developer colleagues are quite rightly concerned about, is that it is not very predictable. The section 75 negotiation process, for example, will, on occasion, involve a degree of gaming of the system, which is entirely legitimate given the way in which it works. It would be helpful

if we could remove some of that uncertainty. I will leave it at that.

Miles Briggs: Thank you; that is helpful, and leads on quite well to my next question on the infrastructure first approach. I wanted to ask whether there has been a different approach. We touched on some of the potential section 75 reforms, but, as a Lothian MSP, I think that the regional growth that we have seen in house building has not necessarily been matched by the necessary infrastructure. There are predictions that around 80 per cent of all future growth will be here in Edinburgh and the south-east of Scotland, so we need to make sure that we take that infrastructure first approach.

How do you think NPF4 is helping to facilitate that and, if it is not, how could it be tweaked to ensure that the services that we will all rely on will be there, especially in the significant developments in the peripheral areas of the capital, for example? Tony Cain, do you want to answer that, and then anyone else can come in?

Tony Cain : Others will know more. When we think about infrastructure, we tend to think about roads, water and drainage, for example, and then, after that, perhaps social infrastructure such as schools, health services and the like.

One of the major constraints that we are starting to face, particularly given the way in which building standards have gone, is around the grid and the electricity supplies in moving from essentially predominantly gas-based domestic heating to effectively 100 per cent electric heating. We are moving towards a position where the current grid is simply incapable of sustaining that level of demand and the investment is not being put in to address that.

The document acknowledges infrastructure first as the appropriate way to go and that is important, but the trick will be to tie up investment programmes in a way that works effectively. That means that it will have to be a plan-led approach because you will not persuade utility or network providers to invest heavily if there is not some certainty about growing demand in those areas, so it will mean a bit more discipline in the way in which larger schemes in particular are brought forward, approved, developed and then built.

I made a point earlier on about 9,000 or 10,000 homes a year being consented in the system that have not then been constructed. On current needs, that is 50,000 or 60,000 planning approvals that have not been actioned and it is significantly more than the number of empty homes in the council sector, for example. It is a critical part of the approach, but we need to aware of all the elements of infrastructure.

Miles Briggs: Does anyone else have anything they want to add?

Kevin Murphy: On infrastructure first, as you say, it is important to have the infrastructure that supports new homes, new residents and, indeed, the existing residents. Something that is new within NPF4 is the six tests that have to be met for any developer contribution, so when house builders develop a site, they might end up paying a contribution towards transport infrastructure, education, health and so on. However, if you think about it, even the cost of putting a planning application in cannot be paid for up front. Looking at an example just outside Ayr, millions of pounds are being required up front before a developer can put a spade in the ground. A developer does not have that sort of money when they are putting all the other infrastructure in, so there is a need for mechanisms to perhaps front-fund that and recoup the funding through the section 75 payment.

It is also important to realise that there have been cases up and down the country where developer contributions have been taken to fund infrastructure that has not been delivered. I am aware of cases in Aberdeenshire where healthcare infrastructure contributions were sought and nothing was implemented so the money was returned to the developer. It has to be the right infrastructure that is tried, tested and reasonable to be delivered.

Ailsa Raeburn: A lot of the barriers to development in the community sector around the infrastructure that Tony Cain talked about, particularly power and water, are completely outwith the influence of NPF4. Planning policy could help provide that certainty for development in large scales but, in small scale sites that the planners I am sure are keen to approve and do approve, developments do not proceed because of those infrastructure barriers.

Miles Briggs: I want to ask a question that follows on from Gordon MacDonald's earlier line of questioning about town centre regeneration. Here in Edinburgh, a lot of former office sites are being changed to housing and other sites have become student housing, for example. I know that some colleagues across Parliament from more rural areas have seen their high streets completely disappear where, in the past year, NPF4 does not seem to have facilitated any real change. It could help to look towards housing being part of that. What different model needs to be provided to make that stack up financially for developers to look at town centre regeneration in a completely different way and facilitate that? Do you have any views on what currently is not in NPF4 that could help to shape that?

Ailsa Raeburn: The idea of the masterplan consent areas is quite a good one for town centre

living, if there was a presumption that properties above shops could be immediately returned to residential. Again, it depends on whether we want to prioritise that. We talked earlier about the housing emergency but we also have a climate emergency, a funding emergency and a biodiversity emergency—we have loads of emergencies. What takes priority? In town centre living, there are opportunities under NPF4. There are proposals for the masterplan consent areas to enable more private sector development. Again, what are we trying to achieve by taking that outcomes approach and what is the best route to getting it?

Kevin Murphy: A lot of regeneration of brownfield and windfall sites in town centres and villages is delivered by small and medium-sized enterprises. Pre-recession, 40 per cent of all house completions were delivered by SMEs. Homes for Scotland has just done some research and we are about to give some headlines before we publish it. That figure is now down to 15 per cent because a lot of those companies do not exist any more. It is not worth them continuing. There will be a need for a more proportionate approach to bringing forward smaller sites and the hoops that they have to jump through.

One of the other panel members talked earlier about the number of conditions and ways that a decision can be looked at. What could perhaps be deferred to a later date so that smaller developers can get funding up front to get on site and then get further along to then get the funding for the last part?

Miles Briggs: Do Donna Young or Tony Cain have anything to add to that?

Tony Cain: I suppose that one of the issues to be aware of is the extent to which town centres are resident-friendly in the way in which they operate. It is all very well saying, “Yes, we could make these areas above shops work as housing”, but people need to want to live in them, which means that what goes on around them and their other uses, whether it be fast food outlets, pubs or the night-time economy, need to be appropriate. There needs to be a demand from people that want to live in central urban areas.

In larger cities, there is absolutely no reason why we should not be able to develop a great many of the vacant spaces on upper floors. In other communities where that is not the aspiration of families in particular, or where it is difficult to provide the types of facilities that a family would need in that location, we need to have a think about how that would work.

That said, I can think of two relatively large-scale city centre developments on brownfield sites not far from where I am sitting. There are 50-odd homes in one of the developments. One was for older people and one for mid-market rent and there was some doubt about whether there would be demand for them but a significant number of people absolutely wanted to live at that location and in those homes, albeit that they were four and five-storey buildings in a central urban area. The social housing sector is particularly nervous of those types of developments; it could sometimes be a bit braver.

The Convener: Miles, you might be interested in some recent work that was led by Scotland’s Towns Partnership, the Scottish Land Commission, Architecture and Design Scotland and Scotland’s Futures Forum, which was all about town centre living. We might want to dip into that, because they have uncovered some very useful information and have recently reported to the Scottish Government and COSLA. That is something for us to pick up.

Stephanie Callaghan has had to leave—she sends her apologies—so I will pick up the two questions that she wanted to ask. In a way, the first is connected to town centre living. NPF4 seeks to deliver both compact urban growth and development that is balanced between areas of high and low demand. I am interested in understanding from Kevin Murphy what builders are doing to support the delivery of those aims, and I would then like to hear from Tony Cain on local authorities and from Donna Young and Ailsa Raeburn on community groups.

Kevin Murphy: Ultimately, land is a precious resource and developers will look to maximise what they can get out of a site, but not at the expense of place. However, there are things that go counter to that. An example is the parking requirements on sites. A three-bed house or flat may need three parking spaces, but they are very land hungry at a time when we are looking to move away from cars to active travel. It is a question of getting the right balance and having the right density so that sites are viable for development and we can deliver the new homes that are needed.

The Convener: The continuing parking issue is a great example. Tony, how are local authorities managing to strike the balance?

Tony Cain: Councils will look positively on developments that contribute to place and bring people into a central urban area. There is no question about that. However, they have to work. They have to be places where folk want to live. Some of that is about understanding what people are looking for and some of it is about recognising that it costs a great of money. It costs more to develop brownfield sites and sites in central urban areas than it does to develop nice flat, connected greenfield sites, and we are already in a world

where councils are talking about a cost of £300,000 to build a council flat. In some places, we are spending more to build council homes than we could sell them for. That is partly to do with the quality, but it is also to do with the range of other costs that now go with building homes. There is always a balance to be struck in determining how we get best value for the money that we spend.

I think that we have, in part, lost the habit of inner urban living, and we need to relearn that. We need to make our inner urban spaces attractive places for families to live as well as attractive places to visit. We can probably learn a great deal from our European neighbours on how to create child-friendly spaces in town centres. There are plenty of good examples of that in Europe. If we are going to create car-free developments, we absolutely need to have public transport available in order to make them viable for families and individuals. We are a long way short of that.

The Convener: Your point about the need to relearn urban living is a good one. There are some great examples of that. Moray Council is leading on a very good example in Elgin, with a bit of town centre regeneration that will be mixed use. We also have a fantastic example in Dumfries, where there is community-led mixed use, including housing, in the Midsteeple Quarter.

Donna, what are your thoughts on the balance?

12:00

Donna Young: I do not have many examples of town centre living or rural-urban living, as we call it, but there is an interesting point to be made about areas of regeneration. Quite a few rural communities, particularly on islands, are looking at areas that were parts of town centres but have been massively depopulated. In those areas, housing has fallen into disrepair or is derelict. In one area, a housing project is on the horizon, but the costs for communities are high. For that project, the cost of the ground works alone is £500,000.

In relation to planning and NPF4, there are many barriers in the way of innovative housing and sustainable community living where cars do not go through housing developments and there is co-sharing and co-housing in places that are safe and green, where we encourage cycling and walking. Unfortunately, when projects get to the planning stage, people are told, “You need to have a two-way road through those houses because you might have a bin lorry and a fire engine turn up at the same time”. The chances are that, in such places, the driver of the bin lorry is also the driver of the fire engine. It is important to consider how we can mould the approach to suit the area.

The creation of a housing development would completely revitalise the place that I mentioned and bring a whole sense of life. It would encourage families to live somewhere that they would probably not have lived previously. That links to the point about town centres in a remote and rural sense. It would massively increase the footfall in the area in a healthy, positive way. Unfortunately, however, the planning system is currently standing in the way of that.

The Convener: Thanks. Ailsa, do you have anything to add?

Ailsa Raeburn: In relation to a lot of the sites that we are talking about, particularly in town centres, the private sector is not intervening because the profit is not there. We all understand that. Bringing such sites forward will be dependent on having an enabling planning regime under NPF4—it is potentially not yet enabling enough—and having the right funding regime from the Scottish Government. We know that some of those funds have been cut recently for reasons that we all understand. There are also issues over land and asset ownership.

Until the land reform agenda addresses urban issues as well, enabling the owners of sites to be identified, a route forward to be found and sites to be acquired and then developed, there will continue to be a lot of blockers in the way of the urban regeneration that we are talking about. NPF4 is part of it, but it is only a small part.

The Convener: I have a question on the place principle, which Donna Young touched on when she gave her example of people being told that a two-way street was needed but that did not suit the community. I am interested in hearing from others about that. To what extent does the place principle that underpins the NPF4 delivery plan actually guide the actions of planning departments, developers and others? What could be done to further embed that principle in decision making?

Kevin Murphy: When I worked for a public limited company house builder, we would go in and have pre-application discussions and look at the designing streets solution. Some councils welcomed that. Others welcomed it in principle but they knew that their roads colleagues would not support it. There were occasions when we took proposals through the planning committee and moved on to the designing streets solution. We would then get to the road construction consent stage and be told, “We don’t support this—we want a 5m-wide road and a 2m-wide footpath either side.” That changes the dynamic of a development from one that balances people and cars moving through the site to one that is dominated by cars and other vehicles such as fire engines and refuse vehicles.

There is a need not so much for education, but for reflection by other consultees in the planning process on how they engage to deliver place.

The Convener: That is a good point. Does anyone else want to comment on how the place principle is being delivered?

Tony Cain: We have heard about the width of pavements and roads, and street lighting is another issue. When I worked in housing, I had debates with rural communities where people said, "We don't have street lights in the rest of the village. Why do we need them here?" However, there are good reasons why the principles are in place. We are not just designing for the likes of us. The width of pavements and roads and street lighting bear on community safety. They bear on access for people with disabilities including wheelchair users and people with limited sight. We need to think about it with a slightly broader frame than just thinking, "I can walk on a 1m-wide payment. What's the problem?" It is not just about us. Can we think about it in slightly wider terms? That does not mean that there is no scope for flexibility, but let us not miss the equalities, accessibility and human rights agenda that is attached to some of those concerns.

The Convener: Thanks for bringing up that point. We definitely need to look at it with a wider scope.

Pam Gosal: We have touched on the fact that the planning budget has been cut by 43 per cent by the Scottish Government. My question might be for you, Tony. Are our planning departments still facing resource shortages that hinder their ability to effectively oversee development planning and management systems? If so, what confidence do you have in the proposed changes to the planning fee system to address the issue?

Tony Cain: I confess that I was hoping that the previous panel would be asked that question and I would not have to deal with it, because it is not an area that I am particularly strong on.

My understanding is that the reduction in the planning budget involves a central budget and the development of online planning services rather than the delivery of local planning services. I could be wrong, but that is my understanding. As has been mentioned, planning services, like all other services, have faced significant resource reductions over recent years. The issue of planning fees and whether the planning system should be self-funding remains to be resolved. It would probably make sense to have a clear statement of principle on how the planning system should be funded and where the burdens should fall, as that would give a degree of certainty that planning fees will be applied in the appropriate way.

I confess that this is one of the areas where we occasionally disagree with colleagues in COSLA, who are very firm in their view that local authority funding should not be ring fenced and that councils should have the ability to spend their income in the way that they see fit. I think that, in some areas, there is a case for a very clear and quite strict demarcation of income, and planning fees might be one of those. That would give developers confidence that they will get what they pay for. However, if they get a service, they need to pay for it. That might bear on other considerations about how the planning system operates and who pays for what.

We are in a place where the services are underresourced. The previous panel commented on the lack of planners and trainee planners and the difficulties in recruiting. If we want the system to operate in a particular way, we have to resource it to achieve that.

Kevin Murphy: From a house builder's perspective, we advocate the ring fencing of planning fees to help to support the delivery of the development management function. The need to resource the system came out in the Competition and Markets Authority report. The Scottish Government is looking in its current consultation at different ways in which the system can be funded and delivered, and we have touched on ways in which Homes for Scotland is willing to take part and assist in picking up some of the slack.

Ultimately, however, if the system cannot deliver, the fees cannot be put up further, because we are not getting the quality back. It is a concern for house builders that we will be asked to pay more. We were asked to pay more three years ago and we were asked two years before that but, unfortunately, the system and the service have not improved in that time.

Digital interventions were touched on earlier. There is a huge opportunity in that regard. It is disappointing that the funding has been cut for that, although the Government is looking to start the funding again. There might be digital solutions for looking at permitted development rights, getting answers on whether we need permission and a digitised validation system for planning applications. Those are simple examples of ways to free up planner time and resource.

The Convener: Great. I will move on to the final question, which I asked the previous panel as well. Last week, the Scottish Government proposed a new set of national outcomes including a new outcome for housing, which is that we live in safe, high-quality and affordable homes that meet our needs. Panellists in the earlier session spoke about the difficulties of aligning various national policies, and we have talked about that with this panel, too. Could a new overarching national

outcome for housing help with that alignment, and to what extent does the delivery of NPF4 already connect with the existing national outcomes—for example, those on communities and environment? Are there any thoughts on that? Do we need a new outcome for housing specifically?

Ailsa Raeburn: I think that it would be helpful, given the fact that we have five housing emergencies and probably more to be declared. There is nothing to be lost by having it.

As we have said, the polices are all fine; it is the gaps in the implementation that are the issue, and they have been fairly well detailed today—we all know where we need more housing. We need more new housing, and we need our existing housing stock to be better used. How we will achieve those things is not easy or straightforward, but we do have the levers available to us.

Kevin Murphy: I second that, and I think it is something that Craig McLaren touched on earlier. The likes of PIPAG and the housing to 2040 strategy need to pick that up and knit it all together.

The Convener: Does anybody online want to come in on that?

Tony Cain: Not surprisingly, we, too, are in favour of a national outcome for housing, but I offer a word of caution: it needs to be measurable and it needs to be measured. Our own work suggests that a significant number of households in Scotland do not live in safe high-quality homes that meet their needs. We suggest that the figure is at least 500,000, and colleagues at Homes for Scotland have suggested a higher figure. The outcome needs to be measurable and we need to measure it. Our data, which is not currently as good as it needs to be, must be substantially improved if we are going to do that. We need to track it and be accountable for improvements or declines in it as well.

It is a bit like the human rights outcome that we have in the framework at the moment, which is no more than a statement of the international treaty obligations. There are no metrics against it—it has never been measured, so we have no idea about progress towards it. It is the same with housing. If we are to have a housing outcome, we need to agree what the measures are, we need to measure it and we need to track it as well, so we can see whether we are making progress.

The Convener: Thanks for that. We are doing a piece of work around building quality and safety, so it was interesting to hear you say that 500,000 people are not living in appropriate housing.

We are looking into the issues around what is going on in people's housing, and something that has come up quite frequently is the idea of having some kind of database or tracking of what is going on in housing and what it is made of, given the issues that have come to light around cladding and reinforced autoclaved aerated concrete. How do we start to look at those things as well?

Tony Cain: I was aware of a conversation around trying to develop a database of the construction details of Scotland's buildings. That would be a huge task. I would not start by being as ambitious as that. It would be helpful just to define what we mean by "adequate housing" in broad terms and then to put a metric against each of the key elements.

I would say that the two areas in which we found the most shortfall were affordability and accessibility and adaptations. A very large number of households have people with disabilities who cannot access every room in the house, and a very, very large number of people struggle from day to day to afford the home that they are living in.

The Convener: Great. Thanks so much for that.

That brings us to the end of our questions, and it has been another really useful panel. It has been good to hear all your perspectives on national planning framework 4. I will now briefly suspend the meeting to allow our witnesses to leave. Thanks very much.

12:13

Meeting suspended.

12:14

On resuming—

Subordinate Legislation

Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2024 (SSI 2024/102)

The Convener: The next item is consideration of a negative statutory instrument. There is no requirement for the committee to make any recommendations on negative instruments.

Do members have any comments to make on the instrument?

Miles Briggs: With regard to the committee's consideration of the instrument, I would like to see some further information about the areas that it will cover and its scope. If we have time to explore that, whether it involves inviting the minister or writing to them, that would be useful.

The Convener: Okay. We will take that idea away and look at it.

The committee previously agreed to take the next three items in private. As that was the last public item on our agenda for today, I close the public part of the meeting.

12:15

Meeting continued in private until 12:19.

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