

**Report To: Environment and Regeneration Committee Date: 30 August 2012**

**Report By: Corporate Director - Environment,  
Regeneration and Resources**

**Report No: E+R/12/08/01/SJ/FJM**

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**Subject: Glasgow and the Clyde Valley Strategic Development Plan: Proposed Plan  
2012 – Scottish Ministers Approval**

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## **1.0 PURPOSE**

- 1.1 To inform Committee of Scottish Ministers approval of the Glasgow and the Clyde Valley Strategic Development Plan: Proposed Plan in May 2012 and the implications and significance this has for this Council and the forthcoming Inverclyde Local Development Plan: Proposed Plan.

## **2.0 SUMMARY**

- 2.1 The Glasgow and the Clyde Valley Strategic Development Plan: Proposed Plan (SDP: PP) was approved by Scottish Ministers on 29<sup>th</sup> May 2012.
- 2.2 This upper-tier of the two-part Development Plan, the lower-tier being the forthcoming Inverclyde Local Development Plan: Proposed Plan (LDP: PP) was approved, with modifications, following the Reporters' Report on the Examination held on the SDP: PP between December 2011 and March 2012. The Reporters' recommended 18 proposed modifications to the Plan. The SDP: PP with modifications has now been published (July 2012) and is subject to a six-week period open for legal challenge. An Action Programme prepared in accordance with the Planning, etc. (Scotland) Act 2006, will also be published shortly to demonstrate how the Plan will be implemented.
- 2.3 The Scottish Ministers have supported the SDP's vision, philosophy and principles, and its spatial development strategy and related strategic priorities, making only minor changes to the Plan submitted last October. The most substantive modifications relate to housing and in particular the identification of an 'all-tenure housing requirement', by local authority, for the first time.
- 2.4 The most significant impact of the housing modifications for the preparation of the LDP: PP, will require what has been labelled 'indicative and preliminary housing requirements' in the SDP: PP to be considered further by each local authority in the preparation of their LDP: PPs. To do so will require a justification of any variation from the published SDP: PP by taking into account a range of criteria, similar to the exercise already undertaken to devise Housing Supply Targets in our Local Housing Strategy 2011-2016.

## **3.0 RECOMMENDATIONS**

- 3.1 That Committee note the Scottish Ministers approval of the Glasgow and the Clyde Valley Strategic Development Plan: Proposed Plan and the implications and significance of this decision for this Council for the forthcoming Inverclyde Local Development Plan: Proposed Plan.

## 4.0 BACKGROUND

- 4.1 Reports have been presented to Committee over the last two years reporting on progress in bringing forward the first Glasgow and the Clyde Valley Strategic Development Plan. The GCV SDP: Proposed Plan was published for consultation in June 2011 and following representations received, these together with the Plan, were submitted to the Scottish Government in October 2011. Min Refs:  
26/10/10,  
para 628; &  
30/08/11,  
para 516
- 4.2 A public Examination was called in December 2011 and this was conducted through Written Submissions and additional requests for information from the Reporters appointed to conduct the Examination, which concluded in March 2012. The Examination considered 36 separate issues identified by the SDPA, of which 18 the Reporters concluded should be the subject of proposed modifications to the SDP in their recommendations to Scottish Ministers. Most of these were minor but the most significant involved the interpretation of the GCV Housing Need and Demand Assessment (HNDA) and housing requirements across the City Region.

## 5.0 PROPOSALS

- 5.1 The GCV SDP: Proposed Plan was approved by Scottish Ministers on 29<sup>th</sup> May 2012, accepting all 18 of the Reporters' modifications. The SDP with modifications has now been published (13th July 2012). If it is not the subject of legal challenge over the six week period from that date, the SDP will supersede the Glasgow and Clyde Valley Joint Structure Plan 2000 and its four Alterations and it will form part of the statutory development plan for the eight GCV SDPA member authorities, for the purposes of local development planning and strategic-level development management. Despite these modifications, Scottish Ministers have supported the bulk of the SDP: its vision, philosophy and principles, spatial development strategy and related strategic priorities. The most substantive modifications relate to housing and in particular the identification of an 'all-tenure housing requirement', by local authority, for the first time.
- 5.2 The most significant impact of the housing modifications for the preparation of the Inverclyde LDP: Proposed Plan will require what has been labelled 'indicative and preliminary housing requirements' in the SDP: PP to be considered further by providing a justification for the variation from the published SDP: PP. This exercise has already been done by taking into account a range of criteria similar to those outlined in the modifications to the SDP, to devise Housing Supply Targets for Inverclyde in our Local Housing Strategy 2011-2016. The adjustments have resulted in a private sector 'target' that is higher than the SDP, to assist the corporate/partnership policy of urban regeneration and area renewal. In contrast, in anticipation of continuing constrained funds to deliver social and affordable housing, this sector 'target' is lower than the SDP. A retrospective exercise will be completed to ensure that the adjustments made accord with and can be justified against the criteria outlined in the modifications. This justification will be part of the LDP: Proposed Plan. Min Ref:  
25/10/11,  
para 698
- 5.3 These adjustments to the SDP 'indicative and preliminary housing requirements' for LDPs and the need to provide a sound justification for them is a significant modification, not only in the crude way in which the private and affordable sectors have been added together despite all the caveats in the GCV HNDA guarding against such an approach, but also in effectively undermining the strategic approach to 'planning for housing'. This modification is likely to result in more lengthy debates at forthcoming LDP Examinations, as Councils defend their position on the effectiveness of housing sites to meet their adjusted housing supply targets.
- 5.4 Accompanying the above modifications is a change to the SDP Strategy Support Measure (No.10), which further emphasises the degree of flexibility that the eight local authorities have to release additional land if the annual land supply audit indicates that this is necessary to maintain a five years' effective land supply, and importantly, to bring forward for earlier development any sites which are programmed to come on stream in the period 2020-2025. Min Ref:  
30/08/11,  
para 516  
(refer paras  
5.29-5.31 of  
item 5)

- 5.5 As indicated above, a number of other modifications have been made but these are of lesser importance and have little impact for Inverclyde. The key locations of strategic significance of relevance to Inverclyde – eg. Inverclyde Waterfront, Ocean Terminal, the Development / Transport Corridor, east to the centre of the City Region, Green Network Priorities, Greenock as a strategic centre – remain unchanged, and will be incorporated and defined in the forthcoming LDP: Proposed Plan accordingly.
- 5.6 An Action Programme prepared in accordance with the Planning, etc. (Scotland) Act 2006, will also be published within three months to demonstrate how the Plan will be implemented. There are a number of ‘Actions’ that are of relevance to the Inverclyde LDP: Proposed Plan and again these will be taken forward in that Plan.

Min Ref: 30/08/11, para 516 (refer paras 5.10-5.34 of item 5)

## 6.0 IMPLICATIONS

- 6.1 **Legal:** there are no direct implications arising from this report.
- 6.2 **Finance:** there could be a third-party challenge to the SDP and a requirement that it be heard at the Court of Session, which is likely to lead to a request from the SDPA for additional funds to defend any challenge.

Financial implications – one-off costs

Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments
n/k	n/k	n/k	n/k	n/k	n/k

Financial implications – annually recurring costs/(savings)

Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments
n/a	n/a	n/a	n/a	n/a	n/a

- 6.3 **Personnel:** there are no direct implications arising from this report.
- 6.4 **Equalities:** the report has no impact on the Council’s Equalities policy.
- ## 7.0 CONSULTATION
- 7.1 **Chief Financial Officer:** no requirement to comment.
- 7.2 **Head of Legal and Democratic Services:** no requirement to comment.
- 7.3 **Head of Organisational Development, HR and Communications:** no requirement to comment.

## 8.0 CONCLUSIONS

- 8.1 The outcome of the Examination into the SDP: Proposed Plan has been generally well received by the SDPA and its member authorities. The scope of the modifications apart from those relating to housing requirements are relatively minor, confirming the Joint Committees’ decisions on the Plan in relation to the overall strategic direction for planning in the City Region for the next 20 years.
- 8.2 However, the Scottish Ministers’ decision to accept the Reporters’ recommended modifications on the ‘all tenure housing requirement’ effectively defers the determination of the detailed housing numbers and related issues of land requirement/supply to the eight authorities in their respective LDPs. This is considered to be a less than

satisfactory outcome, undermining the role of strategic planning for housing, despite the Scottish Government's own guidance expressly requiring authorities in the City Region to combine through the GCV Housing Market Partnership to plan for housing on this basis. A number of fundamental issues raised through Representations, for example, the different geographies (Housing Market Areas) for private and affordable housing, the approach taken to urban capacity to assist planning for the longer term and the inconsistent methodologies arising from inadequate and inconsistent Scottish Government guidance on HNDA and LHS, are left unresolved, or for the eight local authorities to pick up on a consistent basis in their respective LDPs.

- 8.3 It is considered that the Scottish Ministers' modifications are likely to result in lengthy debates at forthcoming LDP Examinations, particularly with regard to the effectiveness of housing sites in relation to the finalised LDP 'all tenure housing land requirements'. Therefore, while the approach taken by the Reporters and the Scottish Ministers' approval of the SDP has led to a shorter Examination than anticipated, with unexpectedly no 'hearing' called to debate the issues, this could lead to unnecessary delays to come in the adoption of LDPs.
- 8.4 Finishing on a more positive note, the time and cost of the Examination was considerably less than had been anticipated and is considered to have been overall a proportionate response to the issues raised. The timescale between the Reporters' Report of Examination and the Scottish Ministers' decision (8 weeks) has also been welcomed by the SDPA.
- 8.5 The SDP, subject to no legal challenge, now supersedes the GCV JSP 2000 and its four Alterations and forms part of the statutory development plan for the eight GCV SDPA member authorities, for the purposes of local development planning and strategic-level development management.

## **9.0 BACKGROUND PAPERS**

- 9.1 The Glasgow and the Clyde Valley Strategic Development Planning Authority – Strategic Development Plan: Proposed Plan (plus modifications), approved by Scottish Ministers, 29<sup>th</sup> May 2012 (reprinted July 2012).

A Strategic Environmental Assessment (SEA) Post Adoption Statement and Scottish Ministers Decision Letter are also available on request.

### **ATTACHMENT**

Annex One : Public notice published in The Herald on 13<sup>th</sup> July 2012.

A notice was also placed on the Public Information Notices for Scotland website '[www.tellmesotland.gov.uk](http://www.tellmesotland.gov.uk)'

Head of Regeneration and Planning  
Cathcart House  
6 Cathcart Square  
Greenock  
PA15 1LS

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**  
**THE TOWN AND COUNTRY PLANNING (DEVELOPMENT PLANNING) (SCOTLAND)**  
**REGULATIONS 2008**

**THE ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005: ENVIRONMENTAL**  
**REPORT**

**NOTICE OF PUBLICATION OF THE APPROVED GLASGOW AND THE CLYDE VALLEY**  
**STRATEGIC DEVELOPMENT PLAN AND RELATED STRATEGIC ENVIRONMENTAL**  
**ASSESSMENT POST-ADOPTION STATEMENT**

The Glasgow and the Clyde Valley Strategic Development Planning Authority, in exercise of the functions delegated to it by the Councils of East Dunbartonshire, East Renfrewshire, Glasgow City, Inverclyde, North Lanarkshire, Renfrewshire, South Lanarkshire and West Dunbartonshire hereby give notice that they have published on 13<sup>th</sup> July 2012 the Glasgow and the Clyde Valley Strategic Development Plan as approved, by the Scottish Ministers with modifications.

The Glasgow and the Clyde Valley Strategic Development Plan as modified is constituted as the Strategic Development Plan for the Glasgow and the Clyde Valley Strategic Development Plan Area from 29<sup>th</sup> May 2012, and supersedes the Glasgow and the Clyde Valley Joint Structure Plan 2000 and its associated four Alterations.

The foregoing decision is final, subject to the right, conferred by Section 238 of the Planning Act, of any person aggrieved by the Scottish Ministers' decision to apply to the Court of Session within six weeks from the date of publication of the Plan, as modified, whereby the Court may quash the plan (in whole or in part) if it is satisfied that it is not within the powers of the Act or that the applicant's interests have been substantially prejudiced by a failure to comply with any requirement of the Act.

Notice is also given of the publication of the related Strategic Environmental Assessment (SEA) Post Adoption Statement in respect of the above Plan.

The Post Adoption Statement identifies how the environmental considerations have been integrated into the plan and how opinions expressed throughout the SEA consultation process have been taken into account.

Copies of the approved Strategic Development Plan and related Scottish Ministers decision letter, and the Post Adoption Statement are available for inspection at the offices of the Glasgow and the Clyde Valley Strategic Development Planning Authority, 125 West Regent Street, Glasgow, G2 2SA, in all local libraries across the plan area and at [www.gcvsdpa.gov.uk](http://www.gcvsdpa.gov.uk).

The documents are available for inspection during normal office hours free of charge.

For further information please contact 0141 229 7730 or at [info@gcvsdpa.gov.uk](mailto:info@gcvsdpa.gov.uk).