

**Edinburgh and Lothians**  
**STRUCTURE PLAN**  
*Joint Liaison Committee*



**POSSIBLE ABANDONMENT OF THE REVIEW OF THE  
EDINBURGH & THE LOTHIAN STRUCTURE PLAN 2015**

**Report by the Director of Environment, East Lothian Council**

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**1 Background**

- 1.1 Scottish Ministers approved the Edinburgh and The Lothians Structure Plan 2015 (ELSP2015), with modifications, in June 2004. One modification required that the plan be replaced by 2008. This is two years earlier than the Lothian authorities had intended, when compared with the normal five year plan review cycle.
- 1.2 This requirement for an earlier review has placed particular demands on the four planning authorities. Such a review needed to start by 2006 at the latest, at a time when the four authorities are committed to bringing forward reviews of their respective local plans to secure their conformity with the ELSP2015. The ELSP2015 requires that local plans be finalised no later than 18 months following structure plan approval, that is, by December 2005.
- 1.3 Currently, the Finalised West Lothian Local Plan and Finalised East Lothian Local Plan 2005 are at public local inquiry, with the former programmed to end in early February 2007 and the latter in December 2006. Both local plans have been prepared to conform to the ELSP2015. The Finalised Midlothian Local Plan, also ELSP 2015 compliant, was placed on deposit earlier this year and its public local

inquiry will begin in spring 2007. The City of Edinburgh Council's Rural West Local Plan was adopted in June 2006 and conforms to the ELSP2015. The Edinburgh City Local Plan's consultation draft was approved in March 2006. A substantial and ongoing staff commitment is therefore required of all four planning authorities, at the same time as they are required to bring forward the early review of the ELSP2015.

## **2.0 Current progress**

2.1 Nonetheless, this structure plan review has commenced with a programme aimed at achieving its replacement in 2008, as required by Scottish Ministers. The Committee will be aware of its approval of the ELSP Structure Plan Review 2020 Consultation Paper. This was subsequently the subject of public consultation during May and June of this year. This paper set out the options for reviewing the ELSP2015, suggesting that a limited alteration is appropriate since there may not be a requirement for significant new housing land allocations before 2020. That consultation response is reported separately on this agenda.

2.2 At the same time, work continues on local plan preparation. It is unlikely that the West Lothian and East Lothian Local Plans, the two most advanced local plans currently in preparation, will be adopted before the end of 2007/beginning of 2008, and the others will follow on from this. Since the review of the ELSP2015 is currently programmed to allow approval by 2008, this could happen before some of these local plans have been adopted in conformity with the current ELSP2015. This does begin to question the validity of continuing with this review programme and whether the effort and resources involved are justified. The housing land position to 2020, a fundamental reason for undertaking a limited alteration, further questions the need for the early review and suggests looking at the land supply on a longer term basis.

## **3.0 A changing external context**

### *The Planning Bill*

3.1 The Planning Bill, expected to become law in 2007, will bring forward major changes to the Town & Country Planning (Scotland) Act 1997. It will have substantial implications for the delivery of the land use planning function. Included is the requirement to replace local and structure plans with a single local development plan, other than in the city regions of Aberdeen, Dundee, Edinburgh and Glasgow. Here there will be a requirement to prepare strategic development plans for their city/regions that will take forward a long term settlement strategy, in addition to individual authorities preparing their own local development plans. The 2005 Planning White Paper proposed that the Edinburgh City Region Plan would involve the 4 Lothian authorities, Scottish Borders and Fife.

- 3.2 While this new city/region planning context is yet to become law, replacing the current structure plan/local plan system of the 1997 Act, there is little doubt that it will be introduced as a requirement in 2007. Consequently, at a time when the Lothian authorities are working to implement the ELSP2015 through local plan reviews, and at the same time reviewing the ELSP2015 itself, the whole strategic development plan context will change.

#### *SPP21*

- 3.3 The context within which the review of the ELSP2015 is being brought forward has also been changed with the publication in April 2006 of the Executive's Scottish Planning Policy (SPP) 21, Green Belts. This policy statement advises that green belts will continue to play a key role in managing change in Scotland's towns and cities and, once in place, should be robustly protected. It advises that the new strategic development plans will consider the issue of need and, as a green belt is intended to achieve long-term certainty, it should have a timeframe of at least 20 years. The green belt boundary should therefore be drawn to reflect a long-term settlement strategy, and ensure that settlements are able to accommodate planned long-term growth. The development industry is focussing on the terms of SPP21 as they relate to green belt objectives and non-conforming/established uses. Objections have been lodged to Finalised Plans in this respect. Even if the Committee wishes to pursue the current structure plan alteration, the Lothian authorities will still need to address the issues raised by SPP21.
- 3.4 The new SPP21 has significant implications for the review of the ELSP2015. The latter has been seen as a 'roll-forward' of key elements of the plan to 2020 and as such capable of being undertaken as an alteration rather than a full review and replacement. However, SPP21's requirement that green belts must be defined in the context of a long-term settlement strategy of at least 20 years would require that any comprehensive review of the ELSP should now plan to at least 2028, rather than 2020. In addition, it will not be sufficient simply to carry forward existing green belt boundaries into the review, subject to any modifications required to meet strategic development requirements. The land allocations required by the current alteration could now only be brought forward in the required timescale of this review if allocations were to avoid green belt land. This may not be a practical option for some of the Lothian authorities. A comprehensive review of green belt boundaries is now required. On the basis of the last green belt review, undertaken in 1999, this would take at least a year. It is a major work package that has not been programmed into the ELSP2015 review.

#### **4.0 Implications for the ELSP2015 Review**

- 4.1 The implications of SPP21 are that (a) the proposed timeframe of the ELSP2015 review, as currently envisaged, to 2020 is not consistent with defining a green belt in the context of a 20 year settlement strategy and (b) a comprehensive review of the extent and boundaries of the green belt is required. This casts serious doubts over the scale and timeframe of the current ELSP2015 review. It is now almost inevitable that the Lothian authorities will not be able to deliver a more comprehensive review of the green belt and its boundaries as part of the current ELSP2015 review in time to secure approval in 2008. Indeed, an approval in 2010 is now more likely. Furthermore, all this is at a time when the evidence is that the passing of the Planning Bill is likely to confirm the requirement for a city/region plan.
- 4.2 Rather than continuing to progress the ELSP2015 review, there could now be clear advantages to be gained in timescale, resources and the quality of the end product by refocusing our strategic planning direction and resources and committing to the preparatory work on a city/region plan now. This would secure its approval earlier than would be the case if the authorities continue to focus on an expanded ELSP2015 review and only then, once it is submitted to Scottish Ministers, begin substantive work on the city/region plan.

## **5.0 The future of the ELSP2015 Review**

- 5.1 Consequently, serious consideration should now be given to the abandonment of the ELSP2015 review, with a repositioning of effort to deliver an early city/region strategic plan in association with Fife and Scottish Borders. This has already been raised informally with planning officials of these Councils and no objection in principle has been raised. However, there are other stakeholders with an interest in the delivery of the structure plan review. Approval will be required from Scottish Ministers. Developers, particularly the housebuilding industry, will wish to have a say in the matter.
- 5.2 Before taking any formal position, this Committee, its constituent authorities and the various stakeholders should be satisfied that suitable mechanisms are in place to deal with any consequences of a later replacement of the ELSP2015. Inevitably, housing land supply will be a significant consideration. Monitoring the five year housing land supply is an annual exercise and allows any such deficiencies to be identified. ELSP2015 Policy HOU10 provides a mechanism for the release of additional housing land within structure plan core development areas should the five year land supply fail defined parameters. The Councils must be able to demonstrate that they can put in place a robust mechanism to ensure that the supply of land for development is monitored and action taken to redress any deficiency, prior to the new city/region plan being in place. **Any such actions must have regard to available or committed infrastructure, including capacity within the strategic transport infrastructure (both public transport and roads), and the ability of existing housing sites to deliver promptly.**

5.3 Consequently, it is recommended a detailed case for abandoning the ELSP2015 review be prepared and the approval of the JLC sought for its formal submission to Scottish Ministers. This process would be accompanied by a refocusing of strategic planning effort to prepare the city/region strategic development plan in partnership with Fife and Scottish Borders; this will require a significant and ongoing contribution from the constituent authorities. The Councils will also need to demonstrate that suitable mechanisms can be put in place to deal with any strategic land use planning issues consequent upon a later replacement plan being approved. The views of other stakeholders, particularly the development industry, would need to be canvassed. Work to date on the ELSP2015 review, particularly the consultation response, would not be wasted and will provide a valuable input into the city/region plan-making process.

5.4 This approach would not rule out the possibility of a narrower topic- or area-specific alteration being made to the ELSP2015 should changes in government policy or other circumstances require.

## **6.0 Recommendation**

6.1 The Committee is asked to authorise the preparation of a submission to Scottish Ministers justifying and seeking their support for the abandonment of the current review of the ELSP2015. The content of the submission would be brought to the Committee for its approval.

6.2 It is also recommended that a draft programme of the major strands of work required to achieve an early start on the city-region plan, including the scope for a major review of the green belt, be brought to the Committee for approval.