

**AYRSHIRE JOINT PLANNING STEERING GROUP
25 NOVEMBER 2010**

Draft Land Use Strategy

PURPOSE OF THE REPORT

1. To advise Members of the Scottish Government's consultation on the National Land Use Strategy and to agree a joint response on behalf of the three authorities.

INTRODUCTION

2. The Government published its first draft National Land Use Strategy for Scotland on 23 September 2010 with written responses invited by 17 December. This paper provides a brief overview of the strategy and comments thereon.

BACKGROUND

3. The Government is required to produce the National Land Use Strategy under the Climate Change (Scotland) Act 2009 and its primary purpose is to guide the sustainable use of land to tackle climate change. The LUS proposes a comprehensive agenda for all land uses, including urban, with a strategic direction of moving to a low carbon economy. Traditionally attention has focused on particular sectors such as forestry, land for energy generation and agriculture and these have often been seen in isolation from each other. The Strategy recognizes that there can often be competing demands placed on land and seeks to identify high-level principles on which future decisions can be made. The intent of the Strategy is to provide clear objectives and principles which will guide future decisions.

BRIEF OVERVIEW

4. The purpose of the Strategy is to guide, support and inform all those involved in deciding how land is used by setting out a vision and long term objectives for an integrated approach to sustainable land use in Scotland. The Vision seeks to promote a prosperous and sustainable low carbon economy underpinned by successful land based businesses, flourishing natural environments and vibrant communities. It seeks to achieve this vision by advocating strategic directions which promote a low carbon economy, give better consideration to the natural environment and connect people to the land. To achieve the vision and objectives, ten guiding principles are set out to inform decision makers and help others involved in developing policies relating to the use of land. Whilst there is a statutory duty to prepare the LUS, there are no new legal powers or new government structures proposed to implement it. Implementation of the

LUS will therefore rely upon influencing the statutory land use planning system and the operational plans and strategies prepared by other elements of the Government and, indeed, upon the actions of individual landowners and managers.

RELATIONSHIP WITH THE STATUTORY PLANNING SYSTEM

5. The need for the LUS under the Climate Change (Scotland) Act is a reflection of the fact that the statutory land use planning system, by virtue of the definition of “development” does not fully address the new challenges set by European environmental legislation such as the Water Framework Directive and Habitats Directive. The solutions to these challenges often operate at a “landscape” scale and revolve around the way that land is managed as well as used. As the document recognises, nearly two thirds of land is used for agriculture whilst forestry covers a further 17%. Whilst there are overlaps with agriculture and forestry, nearly 20% of land is used primarily for sporting uses such as game shooting and deer-stalking. These activities are generally not regulated through the statutory planning system.
6. The use of land has always tended to adapt to changing needs within society. However new challenges posed by climate change, infrastructure requirements and the impact of global markets now look challenging, particularly as they are occurring in combination. There is a recognition that we now need to respond to these changes and to plan for our land use in more effective ways. The scope of the draft LUS is a response to the gap between the statutory planning system and the new environmental agendas.
7. The draft LUS’s relationship with the statutory planning not always entirely clear. The National Planning Framework articulates in an integrated way the spatial consequences of policies for economic development, climate change, transport, energy, housing and regeneration, waste management, water and drainage, catchment management and the protection of the environment. There is clearly a great deal of overlap therefore between the two documents. This ambiguity is not helpful and could over time lead to inconsistencies between the LUS and the National Planning Framework. This would not be helpful and the Government should seriously consider the option for one document during the preparation of NPF3.
8. Separating landscape scale environmental matters from urban planning is somewhat arbitrary since the supply of eco-system services is as vital and relevant to urban areas as it is to rural areas. Thus it is the view that the two documents should be better integrated and indeed it is questioned whether they should in fact be separate documents.

IMPLICATIONS FOR AYRSHIRE

9. As the document acknowledges there are many individual stakeholders who have a role to play in delivering sustainable land use. All these stakeholders can help or hinder

sustainable land use. To make sense of this locally requires the creation of governance arrangements that allow all relevant interested parties to contribute towards a locally derived strategy that reflects the national priorities.

10. When the issues are considered at a regional level there are some serious fundamental limitations in the document which threaten to render it inadequate in tackling the challenges it has set for itself. To illustrate, the LUS refers to and maps key environmental resources that are of national significance such as prime agricultural land, deeper areas of peat, forestry and valued landscapes. However the LUS does not go as far as to say that the protection of these assets should have the highest priority in decision making. Unless clear statements come forward in the final version, this will always be a weakness within the Strategy.
11. The LUS also makes reference to national targets for renewable energy and forestry but ignores the spatial implications of delivering these at a regional level. Whilst it is agreed that finding regional solutions to delivering renewable energy and forestry targets is the most sustainable means of achieving these national objectives, the lack of recognition in the LUS that different areas will have different capacities for accommodating them is a significant weakness. Failure to disaggregate national targets is a missed opportunity for regional areas to engage in meaningful dialogue with Government on the capacity of local areas to meet these national requirements. The draft therefore misses the opportunity to tackle head on the conflicts that arise between competing demands on land. A pertinent example is the conflicts that arise between on-shore windfarms and other interests. It is argued that the LUS can only add real value if it addresses these issues head on.

DELIVERING SUSTAINABLE LAND USE

12. We support the view that it is necessary to develop the enabling aspects set out in Section 6 of the document to ensure successful delivery of the LUS at the local level. Forward planning, well informed decision making, capacity building and supportive governance are all key elements in delivering the outcomes locally. Local delivery needs to take place at appropriate geographic scales. These may be reflective of bio-geographic regions and may well require working across local administrative boundaries and sectoral interest. Greater direction is desirable from the Government on what local structures are likely to be most effective.
13. In this regard, we would bring to the Government's attention the work being undertaken to designate a modern biosphere for Galloway and Southern Ayrshire and highlight the opportunity that this presents to develop a pilot to illustrate how sustainable land use practices can be delivered on the ground.

CONCLUSION

14. The broad scope of the draft land use strategy which seeks integrated planning across a diverse range of activities and stakeholders is welcomed. There are some concerns however that the draft strategy fails to adequately address some of the more fundamental issues concerning conflicting objectives for land use, these have been commented on above. If these were to be addressed the LUS could make a significant contribution toward delivering sustainable land uses in the future.

RECOMMENDATION

15. It is recommended that the Steering Group agree the contents of this report and that it forms the basis of the response of the Ayrshire Joint Steering Group on behalf of the three Ayrshire councils to the Scottish Government.

John Esslemont
Acting Manager
Ayrshire Joint Planning Unit

Person to Contact: Alan Edgar, Policy Officer 01292 673764
alan.edgar@south-ayrshire.gov.uk