



Mr. Des Murray
Chief Executive
North Lanarkshire Council
Civic Centre
Windmillhill Street
Motherwell
ML1 1AB

14 November 2018

Supporting the Delivery of New Homes in North Lanarkshire

Dear Mr Murray

I write to appraise you of our serious concerns over blockages in your authority's planning approval process. Whilst we have raised these concerns with your Planning Team, the main issues relate to the approach that statutory consultees in your Protective Services and Roads departments are taking to planning applications for new housing. I hope that through supportive action at your strategic level it will be possible to reconcile what seems to be a mismatch in the priorities of these departments and arrive at a collaborative solution which removes constraints, enabling the home building which North Lanarkshire requires if it is to meet its housing supply target.

We have two principal concerns:

1. Noise Guidance used by Protective Services is not consistent with the North Lanarkshire Local Development Plan and is leading to the issuing of recommendations to refuse planning applications on sites which are allocated in the plan for new housing;
2. Statutory consultees in other departments of North Lanarkshire Council are taking a problematically long time to respond to Planning Officers' consultation responses, leading to substantial delays in the planning process.

Protective Services Officers have been basing their planning consultation responses on a document called *Noise Guidance for New Developments*. This has recently led to them recommending refusal for the development of an allocated housing site because it would not meet the prescribed noise standard at night with the windows open. This guidance is substantially more onerous than the Scottish Government's Planning Advice (Planning Advice Note 1/2011) which simply states the meeting noise standards with open windows is preferable but context dependent. It is also more onerous than the guidance used by any other authorities in our experience.

The guidance is not consistent with the Council's plan, it is unclear whether it has been reported to committee and does not even have a date on it, so it is not evident when it was introduced and what status it has. Most importantly, strict application of this in-house, non-statutory guidance makes some of your own statutory development plan allocations impossible to implement and threatens your ability to meet the housing target you have set and against which performance your performance is judged. Recent planning appeal decisions have confirmed that North Lanarkshire has insufficient housing land supply to meet the targets set out in Clydeplan.

Setting guidance which is inconsistent with the adopted Local Development Plan, a strategy endorsed by both Councillors and the Government, undermines the plan-led decision-making process which is set out in Statute. It serves to unreasonably place our Members, as planning applicants, in between two Council departments pursuing different agendas with Planning Policy endorsing development of the site on the one hand while Protective Services are recommending refusal. This clearly creates uncertainty, delaying the delivery of new homes and undermining investor confidence.

The adopted Local Development Plan and the emerging Local Development Plan both focus development in locations close to roads and railways which are considered more sustainable and where landscape impact is deemed to be minimised. This spatial strategy represents the settled will of the Council and we would therefore expect that other policies related to the built environment are aligned with this to ensure applicants and other stakeholders can have confidence in the planning system. Accordingly, we respectfully request that the primacy of the Local Development Plan is reasserted to enable allocated housing sites to come forward for development.

Linked to the issue of ensuring the plan is delivered is the coordination between the planning department and the statutory consultees in other departments which are relied upon to inform the decision-making process. Liaison with the roads department has been particularly slow, but other consultees are also not responding in a timely manner. These delays have further knock-on impacts as they prevent officers from properly assessing applications in the round and reporting them to the planning committee. Ultimately this delays the commencement of construction and delivery of much needed new homes.

Your recent Agent's Focus Group Meeting was a helpful start in seeking to address these issues by bringing together different departments, though it was evident that differences in priorities existed. We also welcome the news that cuts to the planning budget come to an end in the next financial year and that the Council is actively recruiting new Officers. Whilst this progress is to be welcomed we nevertheless consider that urgent action is needed to align departments to ensure that they are all working to support the delivery of the Plan and timely determination of planning applications.

We consider that the implementation of a clear, reliable and efficient planning system is something Homes for Scotland and the Council has a shared interest in and we would welcome continued dialogue on how this can be achieved. As a first step it would be beneficial to meet to discuss these matters further and I'd be grateful if you could advise on your availability to meet over the coming weeks. I look forward to hearing from you.

Yours Sincerely



Tammy Swift-Adams
Director of Planning

Cc

Robert McKinnon, Chair, Strathclyde Home Builder's Committee, Homes for Scotland
Lorna Bowden, Planning and Place Manager, North Lanarkshire Council