

## Draft Scottish Planning Policy : Consultation Questionnaire

### Responding to this consultation paper

We are inviting written responses to this consultation paper by Tuesday 23<sup>rd</sup> July 2013.

Please send your response with the completed Respondent Information Form (see 'Handling your Response' below) to:

[sppreview@scotland.gsi.gov.uk](mailto:sppreview@scotland.gsi.gov.uk)

or

SPP Review Team  
Area 2H, Victoria Quay  
Edinburgh. EH6 6QQ

If you have any queries contact:

Helen Wood, Principal Planner    0131 244 7534    [helen.wood@scotland.gsi.gov.uk](mailto:helen.wood@scotland.gsi.gov.uk)  
Carrie Thomson, Senior Planner    0131 244 7529    [carrie.thomson@scotland.gsi.gov.uk](mailto:carrie.thomson@scotland.gsi.gov.uk)

We would be grateful if you would use the consultation questionnaire or could clearly indicate in your response which questions or parts of the consultation paper you are responding to as this will aid our analysis of the responses received.

The consultation, and all other Scottish Government consultation exercises, can be viewed online on the consultation web pages of the Scottish Government website at <http://www.scotland.gov.uk/Consultations/Current>.

The Scottish Government has an email alert system for consultations, <http://register.scotland.gov.uk>. This system allows stakeholder individuals and organisations to register and receive a weekly email containing details of all new consultations (including web links). It complements, but in no way replaces Scottish Government distribution lists, and is designed to allow stakeholders to keep up to date with all SG consultation activity, and therefore be alerted at the earliest opportunity to those of most interest. We would encourage you to register.

### Handling your response

We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return the **Respondent Information Form** which forms part of the consultation questionnaire as this will ensure that we treat your response appropriately. If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government are subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to the responses made to this consultation exercise.

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### **Next steps in the process**

Where respondents have given permission for their response to be made public and after we have checked that they contain no potentially defamatory material, responses will be made available to the public in the Scottish Government Library (see the attached Respondent Information Form). You can make arrangements to view responses by contacting the Scottish Government Library on 0131 244 4552. Responses can be copied and sent to you, but a charge may be made for this service.

### **What happens next?**

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us finalise the document. We aim to publish the finalised Scottish Planning Policy before the end of 2013.

### **Comments and complaints**

If you have any comments about how this consultation exercise has been conducted, please send them to the contact details above.

### **The Scottish Government Consultation Process**

Consultation is an essential and important aspect of Scottish Government working methods. Given the wide-ranging areas of work of the Scottish Government, there are many varied types of consultation. However, in general, Scottish Government consultation exercises aim to provide opportunities for all those who wish to express their opinions on a proposed area of work to do so in ways which will inform and enhance that work.

The Scottish Government encourages consultation that is thorough, effective and appropriate to the issue under consideration and the nature of the target audience. Consultation exercises take account of a wide range of factors, and no two exercises are likely to be the same.

Typically Scottish Government consultations involve a written paper inviting answers to specific questions or more general views about the material presented. Consultation documents are placed on the Scottish Government web site enabling a wider audience to access the papers and submit their responses<sup>1</sup>. Consultation exercises may also involve seeking views in a number of different ways, such as through public meetings, focus groups or questionnaire exercises. Copies of all the written responses received to a consultation exercise (except those where the individual or organisation request confidentiality) are placed in the Scottish Government library at Saughton House, Edinburgh (K Spur, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD, telephone 0131 244 4565).

The views and suggestions detailed in consultation response are analysed and used as part of the decision making process, along with a range of other available information and evidence. Depending on the nature of the consultation exercise the responses received may:

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<sup>1</sup> <http://www.scotland.gov.uk/consultations>

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- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

Final decisions on the issues under consideration will also take account of a range of other factors, including other available information and research evidence.

**While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.**

# Draft Scottish Planning Policy : Consultation Questionnaire

## RESPONDENT INFORMATION FORM

This is to ensure that we handle your response appropriately.

### 1. Name/Organisation

Organisation Name

Institute of Historic Building Conservation

Title Mr  Ms  Mrs  Miss  Dr  *Please tick as appropriate*

Surname

Cartwright

Forename

Richard

### 2. Postal Address

c/o North Lanarkshire Council

Fleming House

Cumbernauld

CartwrightR@northlan.gov.uk

Postcode G67 1JW

Phone 01236 632628

Email

### 3. Permissions - I am responding as...

Individual

/

Group/Organisation

*Please tick as appropriate*

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

*Please tick as appropriate*  Yes  No

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

*Please tick ONE of the following boxes*

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

*Please tick as appropriate*  Yes  No

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

*Please tick as appropriate*  Yes  No

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Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

### PRINCIPAL POLICIES

- 1 Sustainable Economic Growth** **Y** **N**
- Do you think that the measures outlined in paragraphs 15 to 23 are appropriate to ensure that the planning system supports economic recovery and sustainable economic growth?
- Are there other measures to support sustainable economic growth that you think should be covered in the SPP?

There should be a clear definition of Sustainable Economic Growth in the Glossary.

The SPP needs to stress the importance and value of high quality new development, as part of the 'sustainability' agenda.

The SPP needs to include and recognise the importance of embodied energy.

The statement in the Sc Govt's new Policy on Architecture and Place (on Page 55 on Design for a Low Carbon Economy) that "A 're-use not replace' approach should be considered first when dealing with our existing built environment" is a key policy point in securing sustainable development and sustainable growth, which should be included within the final SPP.

It would also be helpful to place a particular requirement on public bodies to more strictly follow the above approach, perhaps by requiring public bodies relocating from historic buildings to new locations (where planning permission was needed) to provide a statement outlining how they had given due consideration to the existing building, why they require to abandon it and their short and long term plans for it after vacancy.

The inclusion of the Sustainable Development section (currently paras 24-27) is welcomed by IHBC, although this could be expanded.

- 2 Location of New Development – Town Centres** **Y** **N**
- Do you think that local authorities should prepare town centre health checks, as set out in paragraph 55?
- Are there other health check indicators you think should be included in the SPP?

Yes. Assessment of the Quality of Place (for which the 6 qualities listed from Designing Places- now in Policy on Architecture and Place, could be used) and Maintenance of Historic/ Cultural Assets are currently missing from indicators list.

- 3 Location of New Development – Town Centres** **Y** **N**
- Do you think that local authorities should prepare town centre strategies, as set out in paragraph 56?

Yes. IHBC welcomes the recognition given to the importance of town centres in this approach. There should be further guidance that the strategies should

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include a character assessment whci must include setting out the understanding of a sense of place. This is an area too where the importance of local involvement and a partnership approach should be stressed.

### 4 Location of New Development – Town Centres Y N

Do you think the town centre first policy should apply to all significant footfall generating uses and the sequential test be extended to this wider range of uses, as outlined in paragraphs 63 to 67?

An alternative would be to apply the sequential test to retail and 'all' leisure development, no longer limiting leisure to 'commercial' development. Do you think this is the appropriate approach?

Yes, ie to all significant footfall generating uses, which specifically should be stated as including civic uses.  
The findings of the Sc Govt's Town Centre Review might usefully be incorporated or referred to within the text.

### 5 Location of New Development – Rural Development Y N

Do you think the approach to spatial strategies for rural areas outlined in paragraphs 68 to 71 is the appropriate approach?

## BUILDINGS

### 6 Housing Y N

Do you think explaining a 'generous' housing land supply as allowing an additional margin of 10 to 20%, as set out in paragraph 85, is the appropriate approach?

An alternative would be to state that a generosity factor should be added to the land supply, and that this may be smaller in areas where there can be confidence that the sites identified in the plan will be developed in the plan period, and larger in areas where there is less confidence in the deliverability of the land supply. Do you think this is the appropriate approach?

### 7 Housing Y N

Do you think that authorities should be able to include an allowance for windfall development in their calculations for meeting the housing land requirement, as set out in paragraph 86?

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- 
- 8 Housing** **Y**
- As set out in paragraph 87, do you think strategic development plans should set out the housing supply target:
- a. only for the strategic development area as a whole;
  - b. for the individual local authority areas;
  - c. for the various housing market areas that make up the strategic development plan area; or
  - d. a combination of the above
- 
- 9 Housing** **Y** **N**
- Do you think the approach to how national parks address their housing land requirements, as set out in paragraph 90, is the appropriate approach?
- An alternative would be for national park authorities to assess and meet housing requirements in full within their areas. Do you think this is the appropriate approach?
- 
- 10 Housing** **Y** **N**
- Do you think the approach to identifying the five year effective land supply, as set out in paragraph 91, is the appropriate approach?
- An alternative approach would be for the supply in strategic development plan areas to be calculated across local development plan areas. This would require strategic development plans to set out housing supply targets for each local development plan. Do you think this is the appropriate approach?
- 
- 11 Housing** **Y** **N**
- Do you think that the level of affordable housing required as part of a housing development should generally be no more than 25%, as set out in paragraph 97?
-

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- 12 Housing** **Y** **N**  
Do you think that the approach to addressing particular housing needs, as outlined in paragraphs 100 to 103, is appropriate?

- 13 Business & Employment** **Y** **N**  
Do you think the regular review of marketable sites for business, as set out in paragraph 110, should take the form of 'business land audits' in order to ensure identified sites are marketable?

### NATURAL RESOURCES

- 14 Green Infrastructure** **Y** **N**  
Do you think that the provision of green infrastructure in new development should be design-led and based on the place, as set out in paragraph 163?    
An alternative would be to continue with a standards based approach. Do you think this is the appropriate approach?

### UTILITIES

- 15 Heat & Electricity** **Y** **N**  
With reference to paragraphs 214 to 215, do you think heat networks should be developed ahead of the availability of renewable or low carbon sources of heat?    
An alternative would be for heat networks to only happen where there are existing renewable and waste heat sources or networks. Do you think this is the appropriate approach?

- 16 Heat & Electricity** **Y** **N**  
With reference to paragraph 218 and subsequent groups, do you think that the proposed increased community separation distance of up to 2.5km is appropriate?



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- 17 Heat & Electricity** **Y** **N**  
With reference to paragraphs 216 to 219, do you think the proposed approach to spatial frameworks achieves the right balance between supporting onshore wind development whilst protecting the natural environment and managing visual impacts on communities?
- No. Line 3 of the first para of this question should be amended to read: ".. protecting natural, built heritage, battlefields, gardens & designed landscapes and national park environments including their settings, and managing visual impacts on communities.  
Some categories currently in Group 2 – World Heritage Sites, Conservation Areas, Listed Building Curtilages, Scheduled Monuments, and Core Wild Land areas – should be put into Group 1, where wind farms will not be acceptable.
- 18 Heat & Electricity** **Y** **N**  
Do you think the SPP could do even more than is drafted in paragraphs 222 to 224 to secure community benefits from renewable energy developments while respecting the principles of impartiality and transparency within the planning system?
- 
- 19 Digital** **Y** **N**  
Do you think the planning system should promote provision for broadband infrastructure (such as ducting and fibre) in new developments so it is designed and installed as an integral part of development, as set out in paragraph 230?
- 
- 20 Flooding & Drainage** **Y** **N**  
Do you think that Strategic Flood Risk Assessment should inform the location of development, as set out in paragraph 239?
- 
- 21 Flooding & Drainage** **Y** **N**  
With reference to paragraphs 245 to 247, do you think that where the Scottish Environmental Protection Agency (SEPA) has already granted a Controlled Activities Regulations (CAR) license then there should be no need for consideration

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of water and drainage issues by the planning system?

### 22 Reducing & Managing Waste

**Y** **N**

With reference to paragraphs 248 to 262, do you think that planning policy for waste management should be consolidated into the SPP to be clear on the messages and to remove the need for further narrative in Annex B of the Zero Waste Plan?

### 23 Overall

**Y** **N**

Do you think the proposed new structure and tone of the draft SPP is appropriate?

Yes, mostly. IHBC considers it would be helpful for the SPP to incorporate the Architecture & Place Policy more specifically.

### 24 Overall

**Y** **N**

Do you think the SPP should and can be monitored? If so, how?

### 25 Overall

**Y** **N**

Do you think the SPP could be more focused? If so, how?

### 26 Overall

In relation to the Equalities Impact Assessment, please tell us about any potential impacts, either positive or negative, you think the proposals in this consultation document may have on any particular groups of people.

### 27 Overall

In relation to the Equalities Impact Assessment, please tell us what potential there

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may be within these proposals to advance equality of opportunity between different groups and to foster good relations between different groups.

### 28 Overall

In relation to the Business and Regulatory Impact Assessment, please tell us about any potential impacts, either positive or negative, you think the proposals in this consultation document may have on business.

### 29 Overall

Do you have any other comments? If so, please specify the relevant section and/or paragraph.

(1) Page 1- the SHEP should also be listed here under Sc Govt Planning and Architecture Policy

(2) Page 1- the loss of Designing Places from Scottish Government Planning Policy (and its replacement by Creating Places) may leave certain policy vacuums – eg there is a useful section p12-13 on “Design in the landscape”, whose loss is regrettable, as is the loss of reference to Beauty in design terms- IHBC would wish to see these references retained somewhere in national policy. Both Designing Places and the existing SPP (at para 256) include the policy statement that “Design is an important consideration and planning permission may be refused, and the refusal defended at appeal or local review, solely on design grounds “ and this must be retained in the SPP.

(3) Page 1 refers to the new Architecture and Place Policy which was published late June 2013; IHBC particularly welcome sthe statement on page 58 of this that “A ‘re-use not replace’ approach should be considered first when dealing with our existing built environment.”

(4) Page 1- Planning and Design Advice and Guidance should also list the Managing Change in the Historic Environment series here.

(5) Page 6/7 - There is no guidance here in terms of key issues or definitions to ensure the “sustainable” aspect of economic growth. The short para 27 in the following Sustainable Development section, & some other refs eg in para 34 and 44, do not adequately define a 'sustainable approach'.

(6) Historic assets and heritage investment greatly supports sustainable economic growth and makes a huge contribution to employment and wealth creation, in particular in the construction/maintenance and tourism sectors - this should be added in somewhere to the Sustainable Ec Growth/ Sust. Development sections

(7) Pages 11-14 - the inclusion of this Placemaking topic- now listed as a Principal Policy of the Scottish Government - including its incorporation of the 6

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qualities to be considered (taken from Designing Places) is welcomed.

(8) Pages 18-19 on Town Centres. General comment on this section is that IHBC would endorse most of the statement in the joint SPP/ NPF Environmental Report page 226 on Town Centres: Cultural Heritage issues, that; “Effects on the historic built environment may benefit from further consideration. The emphasis of the policy is on improving town centres by making use of existing buildings, and this could provide benefits. The current draft of the policy could make further reference to physical structure of town centres and cultural activities. A more robust approach could be to recognise the intrinsic cultural heritage value and importance of town centres and to use this as an asset upon which local distinctiveness and identity can be strengthened. There will also be a need to overcome constraints of the historic fabric in providing innovative approaches to town centre regeneration, and planning has a key role to play in this.”

(9) The exception to this endorsement is the final sentence above whose reference to the constraints of the historic fabric needing to be overcome, is unfortunate and not in line with latest government view elsewhere that the HE should be seen positively as an asset/ opportunity and NOT a constraint.

(10) Page 29 - Supporting Business and Employment para 105—the word ‘national’ in bullet point 2 should be deleted, as not all natural and built environments are strictly ‘national assets’ (eg listed buildings are graded as Cat A/B/C, reflecting whether they are of national/ regional/ local importance).

(11) Page 31-32 Valuing the Historic Environment: Para 115 –support these aspects, all as taken forward from the existing SPP. Reference to the forthcoming 'Managing Change' on Enabling Development may be appropriate here.

(12) Valuing the HE: Development Planning Para 117 – support the 1st line of para 117 ( a new point in HE policy);

(13) Para 117 Line 2/3 should be amended to read: “Local development plans should designate and review existing and potential conservation areas and...” – there is a need to properly reflect the requirement in legislation and in para 2.37 of the SHEP for considering periodically which areas warrant CA status and then to designate such.

(14). Page 31 should be extended after para 117 to include encouragement of the option where appropriate for Local Planning Authorities to create Local Lists of locally important historic buildings.

(15). Development Management Para 118 – Suggest either delete the last sentence on enabling development OR replace it by the fuller policy on enabling development contained in 3rd sentence of para 115 – putting only part of the policy here is confusing.

(16). Whilst para 121 on World Heritage Sites is welcomed, this should be extended to buffer zones which LPA's should define, in order to properly protect and preserve any WHS.

(17). DM Para 124 on Archaeology- amend last word of line 3 to read “required” not sought.

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COMMENTS ON WHAT IS NOT SAID ON HISTORIC ENVIRONMENT in Consultation Draft SPP that is in existing SPP and should be retained:  
THE FOLLOWING EXISTING SPP REFERENCES SHOULD BE RETAINED:

(18) Para 110 in Historic Environment section of the SPP, which states that Scottish Government policy and guidance on the historic environment is set out in Scottish Historic Environment Policy (SHEP); and that the new SPP, SHEP and the Managing Change in the Historic Environment Guidance Notes should all be taken into account in development management and development plan preparation.

(19) Para 110's ref to the unique quality of historic environments which contribute to sustainable development through the energy and materials invested in buildings.

(20) Para 113's statement that there is a presumption against demolition or other works that will adversely affect a listed building or its setting.

(21) Para 124's statement that Planning Authorities should ensure they have access to a Sites And Monuments Record and/or a Historic Environment Record.

(22) Para 256 in the Outcomes Section of the SPP's useful statement that planning authorities should be clear about their expectations on quality and standards early in the planning process (could go in Arch & Palce Polcy).

(23) Para 256's statement that Design is an important consideration and planning permission may be refused, and the refusal defended at appeal or local review, solely on design grounds.

Other statements that IHBC considers are important to include in the Historic Environment section of the SPP are:

(24) It is vital to ensure that effective systems, underpinned by appropriate legislation and information, are in place to conserve and manage the historic environment.

(25) Suitable knowledge, skills, materials and technology must be available to enable conservation and management to be carried out.

(26) Conservation should use appropriate technical knowledge, materials, skills and methods of working.