

# **Planning Review: Analysis of Position Statement Responses**

**Final Report**

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Report prepared by:  
Kevin Murray Associates  
33 Lynedoch Street  
Glasgow G3 6AA

The opinions expressed in this report are those of the author.

Report commissioned by: Planning and Architecture Division  
Area 2H South  
Victoria Quay  
Edinburgh  
EH6 6QQ

Tel: 0131 244 7067  
e-mail: [planningreview@gov.scot](mailto:planningreview@gov.scot)  
web: <http://www.gov.scot/Topics/Built-Environment/planning>

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Planning and Architecture Division, Directorate for Local Government and Communities, Area 2H (South) Victoria Quay, Edinburgh, EH6 6QQ

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## Glossary

**Community Infrastructure Levy (CIL):** The Community Infrastructure Levy is a planning charge in England and Wales, introduced by the Planning Act 2008 as a tool for local authorities to help deliver infrastructure to support the development of their area.

**Community Planning:** A process, delivered through Community Planning Partnerships, aimed at helping public agencies to work together with the local community to plan and deliver better services, with community engagement as a key aim. Community planning is, however, separate from the land-use planning system, and how it is implemented generally depends on the local authority. (Planning Aid for Scotland, Glossary of Common Planning Terms in Scotland, 2).

**Development Plan:** A generic term for the Structure and/or Local Plan, or Strategic Development Plan and/or Local Development Plan, which apply to a planning authority area. Any planning application should be determined in accordance with the Development Plan unless material considerations indicate otherwise. (Planning Aid for Scotland, Glossary of Common Planning Terms in Scotland, 3).

**Planning and Environmental Appeals Division (DPEA):** The Scottish Government's Division that handles planning appeals on behalf of the Scottish Ministers (Scottish Government, A Guide to Planning Appeals in Scotland, 2).

**Local Development Plans (LDP):** Part of the Development Plan – a statutory document required to be prepared (as of 2009), after full public consultation, by all planning authorities in Scotland to replace existing Local Plans. The LDP is the basis for making planning decisions in a given area. It must contain a spatial strategy and a vision statement, planning policies and maps. In the four city-regions, the LDP will be supplemented with a Strategic Development Plan; elsewhere the Development Plan will comprise only the Local Development Plan. (Planning Aid for Scotland, Glossary of Common Planning Terms in Scotland, 4).

**Housing Needs and Demand Assessment (HNDA):** An evidence base providing the facts and figures which underpin the preparation of Local Housing Strategies, Strategic Development Plans and Local Development Plans. It is referred to as the HNDA and provides key evidence for housing and planning policy. The HNDA evaluates housing needs and demand, covering “backlog need” (those with a critical housing issue, such as homelessness) and “newly arising” (need for new housing over a given time).

**Infrastructure:** Utility services (roads, sewers, and supplies of gas, water, electricity) or social/community services (schools, community halls, health centres etc.) which are needed to allow a development to take place. (Planning Aid for Scotland, Glossary of Common Planning Terms in Scotland, 4).

**Main Issues Report (MIR):** The initial draft of a local development plan that seeks comment on site and policy options. (Highland Council, CasPlan Glossary: [https://www.highland.gov.uk/download/downloads/id/12130/casplan\\_glossary.pdf](https://www.highland.gov.uk/download/downloads/id/12130/casplan_glossary.pdf))

**National Planning Framework (NPF):** The Scottish Government's strategy for the long-term development of Scotland's towns, cities and countryside. It sets out a vision for Scotland's development for the next 20 to 25 years and designates developments of national importance. Development Plans must have regard to the content of the NPF. (Planning Aid Scotland, Glossary of Common Planning Terms in Scotland, 5).

**Pre-Application Consultation (PAC):** Public events required to be held by prospective applicants prior to submission of applications for national developments and major developments, to enable local communities to be better informed about significant development proposals in their area. Prospective applicants must notify community councils (and other parties as agreed with the planning authority) and hold a minimum of one public event (to be advertised 7 days in advance in a local newspaper) at which members of the public can make comments. (Planning Aid for Scotland, Glossary of Common Planning Terms in Scotland, 6).

**Planning Permission in Principle (PPiP):** formerly known as outline planning permission and allows an application to be submitted to find out if the idea of a proposal is acceptable without the need to submit full plans and drawings. (Aberdeen City Council, Planning Terms A – Z: [http://www.aberdeencity.gov.uk/planning\\_environment/planning/planning\\_sustainable\\_development/pla\\_planning\\_jargon\\_translator.asp](http://www.aberdeencity.gov.uk/planning_environment/planning/planning_sustainable_development/pla_planning_jargon_translator.asp))

**Scottish Planning Policy (SPP):** A document stating Scottish Government policy on nationally important land use and other planning matters. (Planning Aid for Scotland, Glossary of Common Planning Terms in Scotland, 7).

**Section 75 Agreement:** Planning obligations (known as section 75 Agreements in Scotland) are contracts entered into between a landowner/developer and the planning authority. A planning obligation can be entered into at any stage of the planning process, and most commonly arises in connection with applications for planning permission and can include financial contributions towards schools, roads, transport, public realm and affordable housing. (Morton Fraser, Knowledge Hub: <http://www.morton-fraser.com/knowledge-hub/planning-gain-and-section-75-agreements>).

**Section 72 of the Climate Change Act (2009):** Requires planning authorities in any local development plan to include policies requiring all new build developments include greenhouse gas emission policies through installation and operation of low and zero carbon generating technology.

**Strategic Development Plans (SDP):** SDPs apply to the 4 city-regions (Aberdeen, Dundee, Edinburgh, Glasgow and their surrounding areas) and cover several local authority areas. SDPs are required to be prepared jointly by planning authorities acting as Strategic Development Planning Authorities (SDPAs) as of 2009 to replace existing structure plans. SDPS will set parameters for Local Development Plans; contain Vision Statements and Spatial Strategies; and will consider how land use proposals for neighbouring areas will impact on the SDP area. (Planning Aid for Scotland, Glossary of Common Planning Terms in Scotland, 8).

**Supplementary Guidance (SG):** guidance that runs in association with an approved and adopted development plan and which has normally been through an additional consultation stage. The precise status may be affected by the stages of consultation and adoption by relevant parties, so it can be referred to as 'Interim' prior to full adoption.

**Simplified Planning Zone (SPZ):** An area in which a local planning authority wishes to stimulate development and encourage investment. It operates by granting a specific planning permission in the zone without the need for an application for planning permission and the payment of planning fees. (Planning Portal Glossary: [https://www.planningportal.co.uk/directory\\_record/505/simplified\\_planning\\_zone](https://www.planningportal.co.uk/directory_record/505/simplified_planning_zone)).

## Executive Summary

This report records the analysis of the responses to the Scottish Government's Position Statement following the consultation on *Places, People and Planning*. It was prepared by researchers from Kevin Murray Associates.

The Scottish Government's consultation was undertaken in June - August 2017, with responses taken to 11 August 2017. 122 responses to the consultation were duly received, again from a wide range of stakeholders, representing a broad range of perspectives on planning and the planning system.

The purpose of this report is primarily to aid the Scottish Government in moving forward with their work. Therefore, the analysis has sought to draw out the major areas of agreement and concern from across the full body of evidence, and areas in which respondents sought more information or had ideas or comments. Whilst all responses have been taken into account it has not been realistic to set out the qualitative content of every single response in equal detail, because of the volume and length of the report that would ensue.

The analysis identified the sectors that the responses came from. Four primary sectors were identified. The breakdown of responses returned from these primary sectors was as follows:

<b>Main Group</b>	<b>% response to Position Statement</b>
<b>A Civil Society</b>	39.3
<b>B Policy and Planning</b>	32.8
<b>C Business</b>	9.8
<b>D Development Industry</b>	18.0

The research team processed the 122 responses to the Position Statement and had produced this analysis, which follows the four main themes in the consultation document, plus the three questions on the SEA and Environmental Report. The responses were coded using the 20 proposals in the Position Statement as the main framework, with additional codes added as the work progressed to gather information on other issues raised.

The methodology adopted by the research team took the following approach to the submissions:

- First, every submission was given an initial equal weighting, allowing every idea presented to be considered equally.
- Second, while the frequency of an idea may be suggestive of the 'weight' it became apparent this might not be the case. For example, one idea could be

proposed by 30 Group A1 "individuals", while another could be mentioned once by a Group B1 professional body with 100 members who have produced a collaborative response. We have taken the view that while both ideas have validity, undue consideration should not be given to an idea solely based on frequency.

The following summary provides a quick-look overview of the main areas of agreement by theme, and a supporting overview table with additional detail on the responses to the proposals in *Places, People and Planning*.

### **Key Theme 1: Making Plans for the Future**

- Support for a statutory link between community and spatial planning, including a sign-off process.
- Support for stronger partnership working that provides a robust platform at the regional scale.
- Support for enhancing the status of both the National Planning Framework and Scottish Planning Policy.
- Support the 'gatecheck' process and resolution of issues at an early stage.
- Support for the principle of enhanced engagement for unallocated sites – with the detail of what this means varying between the respondent categories.

### **Key Theme 2: People make the system work**

- Support for Local Place Plans that are informed by Local Development Plans.
- Support for early engagement, and engagement with young people.
- Support for mandatory training for elected members.

### **Key Theme 3: Building more homes and delivering infrastructure**

- Support for any move that gives greater certainty to housing numbers and reduces debate.
- Support aims of proposals to close the gap between planning consent and delivery of homes.
- Support for Simplified Planning Zones, and the proposed rebranding. Lessons should be taken from trials, previous experiences and research.
- Support for the infrastructure first approach, with mixed views on whether or not a National Agency or national working group is the better approach.
- Mixed support for the proposed infrastructure levy.
- Support from business and development industry respondents for retaining the ability to modify or discharge Section 75A obligations.
- Support for removal of Section 3F of Section 72 of the Climate Change (Scotland) Act 2009 from planning and policy and development industry respondents, contrary to the Position Statement's approach. It is felt building standards and control is better positioned to enact change in this area.



#### **Key Theme 4: Stronger leadership and smarter resourcing – Areas of Agreement**

- Support for skills and service sharing if it makes for a more able planning service.
- Support for the Royal Town Planning Institute skills audit.
- Increased fees are supported, for business and development industry respondents the caveat to the support is if there is a demonstrable improvement in service.
- Support for monitoring outcomes rather than performance, and seeking ways to improve under-performing planning departments through support systems rather than penalise them.
- Support for expanding permitted development rights, with each respondent category having their own reasons for providing this support.

#### **SEA and Environmental Report**

- Generally it was viewed that the SEA and Environmental Report was covering the right scope.
- The predicted environmental effects in the Report were generally seen to be accurate – the exceptions being on removal of supplementary guidance, monitoring environmental change across 10-year LDPs and potential impacts from Simplified Planning Zones.
- The proposals for mitigation and monitoring were viewed to be appropriate, given that the proposed changes are largely procedural and operational.

#### **Other key threads emerging:**

- For many of the respondents, they were offering **support in principle but would like to see further detail** on the proposals. Consequently, there was some criticism of the current level of detail.
- There continues to be a **high level of interest in Local Place Plans (LPP)**, but with divergent views both across and within the respondent categories; on issues such as the need for additional resources and aid for communities, and on whether this creates an additional burden for the planning service.
- Community organisations were still calling for **some form of Equal Rights of Appeal** – even if that was just an exploration of options.
- **Simplified Planning Zones (SPZ) were generally supported** provided the matters of detail can be worked out to provide heritage and environmental designations with adequate protection, and for design and place quality to be assured. However, the idea of Ministerial designation of SPZs did not have broad support.
- **Investment in an improved planning service was supported** broadly. However, the **development industry** has expressed concern that no measures have been suggested at this stage that demonstrates the link between increased fees and increased performance.

- **Permitted Development Rights proposals drew support from different perspectives** for various reasons across the respondent categories. Community responses focused on small scale development such as bike sheds and community growing space. **Planning and policy** raised different issues on whether or not extending permitted development rights would free up additional resources. The **business** sector sought permitted development rights for energy developments below a certain scale, and the **development industry** supported this on the basis that it would free up additional resources to work on the main applications.

# 1 Introduction

The Scottish Government undertook consultation on its Planning Review Document Places, People and Planning (PP&P) in the first quarter of 2017. Following analysis of the responses, the Scottish Government issued a Position Statement on June 2017, with a consultation closing date of 11 August 2017.

This was one of a series of documents that built upon an earlier consultation in late 2015, and subsequent Analysis of Evidence in March 2016. These included:

- the report produced by the Independent Review Panel, “Empowering Planning to Deliver Great Places”,
- the Ministerial response to the Review Panel report, dated July 2016 and
- the formal consultation paper “Place, People and Planning” published on 10 January 2017

The Position Statement consultation received **122 responses**. Kevin Murray Associates has been appointed to undertake the analysis of the consultation responses that were submitted, and will produce a full report for the Scottish Government that will provide

- (a) a profile of respondents,
- (b) a set of summary papers on each of the four themes with key and recurring issues and solutions.

This analysis process uses a mix of quantitative and qualitative analysis as appropriate.

The Position Statement follows the previous format and is organised into the four main themes, with proposals contained within each theme. In all, there are 20 proposals. Contained within the consultation document, there are four questions, one related to the 20 proposals within the position statement (this question was of most interest to the majority of respondents) and three questions regarding the Strategic Environmental Assessment (SEA).

At the outset, it was recognised in the responses to the consultation that this is a vast, important, and very timely piece of work. There was a significant level of interest and engagement by planning and policy and development industry professionals, including representations from professional bodies that had been prepared after significant consultation with their memberships. Remarkably, in contrast with the previous consultation where around 57% contributions were received from civil society respondents, the number of contributions was 39.3% with fewer from the A1- Unaffiliated individual. It was clear that there is no singular view of the Scottish planning system – there is a broad range of views and opinions, even within sectoral responses.

## Reporting the Analysis

This analysis process has considered each of the 122 responses. Many of the individual responses examined parts (and sometimes the whole) of the Position Statement in detail.

The purpose of this report is primarily to aid the Scottish Government in moving forward with their work. Therefore, our analysis has sought to draw out the major areas of agreement and concern from across the full body of evidence, and for this analysis areas in which more information or clarity was requested. Whilst all responses have been considered, it has not been realistic to set out the qualitative content of every single response in equal detail, because of the volume and length of report that would ensue.

The principle of 'inclusion', respecting all the submissions equally without bias, has informed our analysis throughout and how we have then reported the analysis. Frequent discussions allowed the team to identify whether there were occasions where over-emphasis of an issue or sector was introducing bias or distorting reporting. We hope we have succeeded in this.

## How to read this report

The report is structured in the first instance to aid the Scottish Government in understanding the consultation responses. It is organised around the Government's **four key themes** and sets out under each proposal where the key areas of agreement or concern lie. This is followed by an **overview of the responses by category**. Every effort has been taken to present the voice of the respondents neutrally and to achieve an objective analysis of the evidence, rather than engage in detailed interpretation. However, this concise report cannot do justice to the full richness of opinions, qualifications and nuances expressed, nor to their inevitable tensions and contradictions. To give a sense of this complexity, we provide a broad frequency of response by sector. However, even by doing this, there is an inevitable 'degree of over-simplification' of the data through such selection and representation.

In our approach, we have been interested in the nature of issues, ideas and arguments presented rather than simply their frequency of occurrence, as some individual responses are the result of the inputs of many participants.

The report identifies the **participant sector** from which issues and ideas/proposals were generated within each key theme. This remains largely qualitative, and we have not attempted to attach detailed quantitative data to these statements because:

- First, every submission has been given an initial equal weighting, allowing every idea presented to be considered equally.

- Second, while the frequency of an idea may be suggestive of 'weight,' it became clear this might not be the case. For example, one idea could be proposed by 30 Group A1 "individuals", while another could be mentioned once by a Group B1 professional body with 100 members who have produced a collaborative response. We have taken the view that while both ideas have validity, undue consideration should not be given to an idea solely based on frequency.

The next section explains the research methods used.

## 2. Methodology

As with the earlier Planning Review Consultation analysis (undertaken in 2015-16), and the analysis the *Places, People and Planning* consultation, there were some broad methodological challenges in this analysis of written evidence. These included:

- First, by the very nature of the public call, **participation was on a self-selection basis**. The sole sampling criterion therefore was interest in the topic. This is important and means that no full societal population generalisation can be drawn.
- Second, the planning system relates to a very broad field in terms of **the different stakeholders** likely to pursue different/contradictory agenda, challenging the analysis to compare and contrast their diverse perspectives.
- Third, the **focused timescale for the work required analysis** by multiple team members which, in turn, necessitates clear methodological frames in order to obtain cross-cutting consistency.

The questions posed have resulted in a highly qualitative set of data, in which respondents give their views on the Position Statement. The responses range from brief statements of support or disagreement to proposals in the Position Statement to responses with qualifications, to very detailed responses to the Position Statement. Many of the responses only focus on question-one on the four main themes in the Position Statement, with around only a third responding to Questions 2 – 4.

As previously, the coding of the responses has highlighted the need to consider all the evidence carefully. The ‘mixed methods’ approach addresses the challenge that the **quantitative data cannot stand alone** and must be considered alongside the qualitative data, particularly as so many submissions provided qualifications and caveats to the more overtly measurable element, such as a *yes/no* response.

Furthermore, for the quantitative data, the numbers in the graphs do not represent the number of responses per se, but the **frequency and nature** of each categories response. For example, in a single response, you can have an agreement with part of the proposal, a disagreement or concern with another and further details requested. In some responses, there may have been just a comment or idea related to the proposal. Some respondents, particularly those from the civil society sector, noted that tracking between the consultation document and consultation questions was sometimes difficult, expressing a view that this made responding directly to some proposals somewhat challenging.

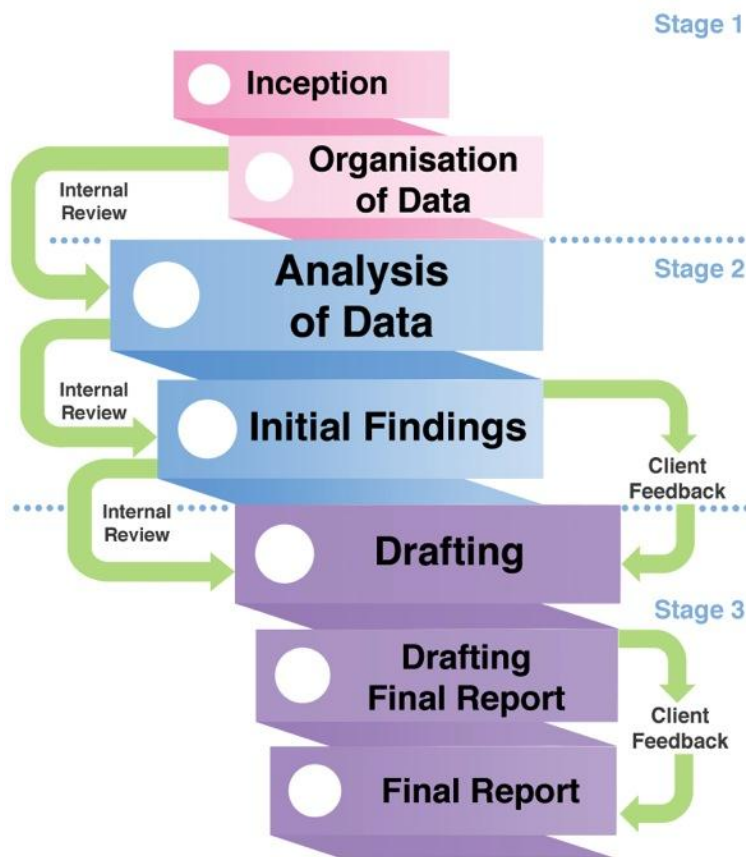
The data analysis comprises three broad stages:

**Stage 1: Review of material and data processing** – organisation and cataloguing of the written evidence.

**Stage 2: Analysis of Evidence** – using both qualitative data software Dedoose

and researcher-led techniques.

**Stage 3: Reporting** – initial reporting of findings, followed by detailed chapters on each theme.



In stage one, we catalogued the anonymised responses by stakeholder groups; we constructed an Excel database and inputted the evidence into a Dedoose database for further analysis linking each submission(s) to a participant case and stakeholder group (descriptor).

In stage two, we established a coding framework for sorting through the responses that were in the first instance based on the Government's Consultation questionnaire. A team member engaged in coding each stakeholder grouping (e.g. civil society; policy and planning; and business) using the Dedoose software. Dedoose is a software package designed specifically for the analysis of qualitative data. It allows researchers to set a coding framework and to then, sort the data according to this framework. This allowed the team to codify a large volume of data and identify patterns and emerging themes. It should be noted that the software is a tool and that the overall research is still dependent on the judgement and analysis of the researchers.

### **Coding and sub-coding**

As the coding progressed and more submissions were reviewed, additions of sub-codes under each question enabled the team to identify how the respondent was answering the question (i.e. agreement, disagreement, presenting an idea, asking for

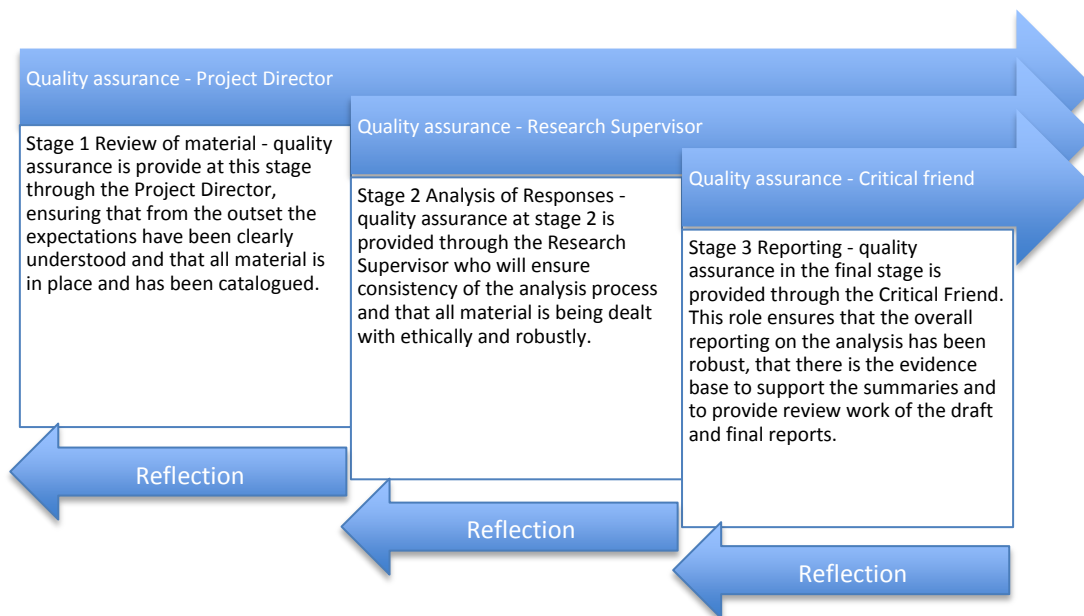
more information). Through Dedoose’s analysis tools the team could see the coding patterns develop, allowing for observation and reflection on differences and similarities between stakeholder groups. The team also held regular updates to talk through emerging findings.

In the third stage of the analysis, we (re)-coded the textual data **in a second cycle** under the full set of the Consultation’s key themes, proposals and questions in order to highlight areas of agreement, areas of concern, more information requested, and ideas suggested. This was an iterative process. The report follows this structure for each of the review theme summary papers, which have informed the chapters.

**Second cycle coding identified:**

- (1) Areas of agreement** – what are the areas in which opinion generally agrees across the four response categories
- (2) Concerns** – what are the key concerns – or contentions - highlighted.
- (3) More information/clarification** – questions and further details requested by the respondents.
- (4) Ideas** – what were the ideas and opinion suggested by the respondents.

It is, therefore, this third stage material; see process diagram below that has formed the basis for this report, with additional supporting material placed in the Appendices.



The three stages of the analysis process.



### **3. Participants**

#### **Identifying the sectoral responses**

Determining the sectors from which the responses came was an important step. The Respondent Information Form required self-identification of participant from individuals and resident groups, to politicians, industry representatives and professional bodies, practising architects, planners, academics, and developers and their advisers. The Respondent Information Form required self-identification of participating individuals and organisations.

The challenge was, therefore, to categorise what type of individual or organisation had responded and their relationship to the planning system and its processes. This was undertaken because both organisations and individuals have different perspectives, according to their specific field of practice and experience of the various parts of the planning system.

It was possible to identify consistently the sectoral position of each respondent, based primarily on the information in the Respondent Information Form, or by  
(a) self-declared introductory presentation in the actual submission or  
(b) context identified within the submission.

We differentiated between four sectoral groups, each one comprised of sub-groups or individuals with a particular relationship to the planning system, namely:

#### **A. Community and Civil Society**

Respondents who are concerned with the system from a non-developer or planner perspective. For instance, civic groups and community councils, individuals, charities and community developers.

#### **B. Authorities, Planners and Policy Makers**

Respondents who are concerned with the system from the perspective of operators or shapers of the planning system, its plans and policies. For instance, local authorities (including National Park Authorities and Strategic Development Planning Authorities), national government bodies and key agencies.

#### **C. Business and Economy**

Respondents who are concerned with the system from the perspective of its impact and influence on conducting business, but not necessarily regular applicants. These include business bodies like chambers and federations, self-employed, financial institutions, as well as retailers, and some business sectors like energy.

#### **D. Developers, Landowners and Agents**

Respondents who are concerned with the system primarily from a development and

land value perspective. These included landowners, investors, development surveyors, developers, housing associations and housebuilders.

The following table provides a breakdown of the submissions by Main Group types:

Main Group	Sub-groups	Number of respondents	% from total
<b>A Civil Society</b>	A1 Unaffiliated individual	48	39.3
	A2 Community Council		
	A3 Civic Group		
	A4 Political Groups		
	A5 Community Developer		
<b>B Policy and Planning</b>	B1 Related Professional	40	32.8
	B2 Local Authority/SDPA/National Park		
	B3 Regional/National/Government Agency		
	B4 Transport Authority		
<b>C Business</b>	C1 Small Business	12	9.8
	C2 Large corporation		
	C3 Business Association/Group		
	C4 Infrastructure Provider etc		
<b>D Development Industry</b>	D1 Housing Association	22	18.0
	D2 House builder		
	D3 Construction firm		
	D4 Developer (other than housing)		
	D5 Landowner/manager		
	D6 Consultants and Agents		

NB: There were 0 (zero) responses from Construction Firms.

The ratio of respondent types varies from the *Places, People and Planning* Consultation in the following manner, which illustrates a smaller proportion of civil society responses (though still the largest), with an increase in both policy and planning sector and development industry sector. This was not necessarily unexpected for this stage in the process.

Main Group	% response to Places, People and Planning	% response to Position Statement
<b>A Civil Society</b>	56.8	39.3
<b>B Policy and Planning</b>	22.7	32.8
<b>C Business</b>	8.9	9.8
<b>D Development Industry</b>	11.5	18.0

## Areas of interest

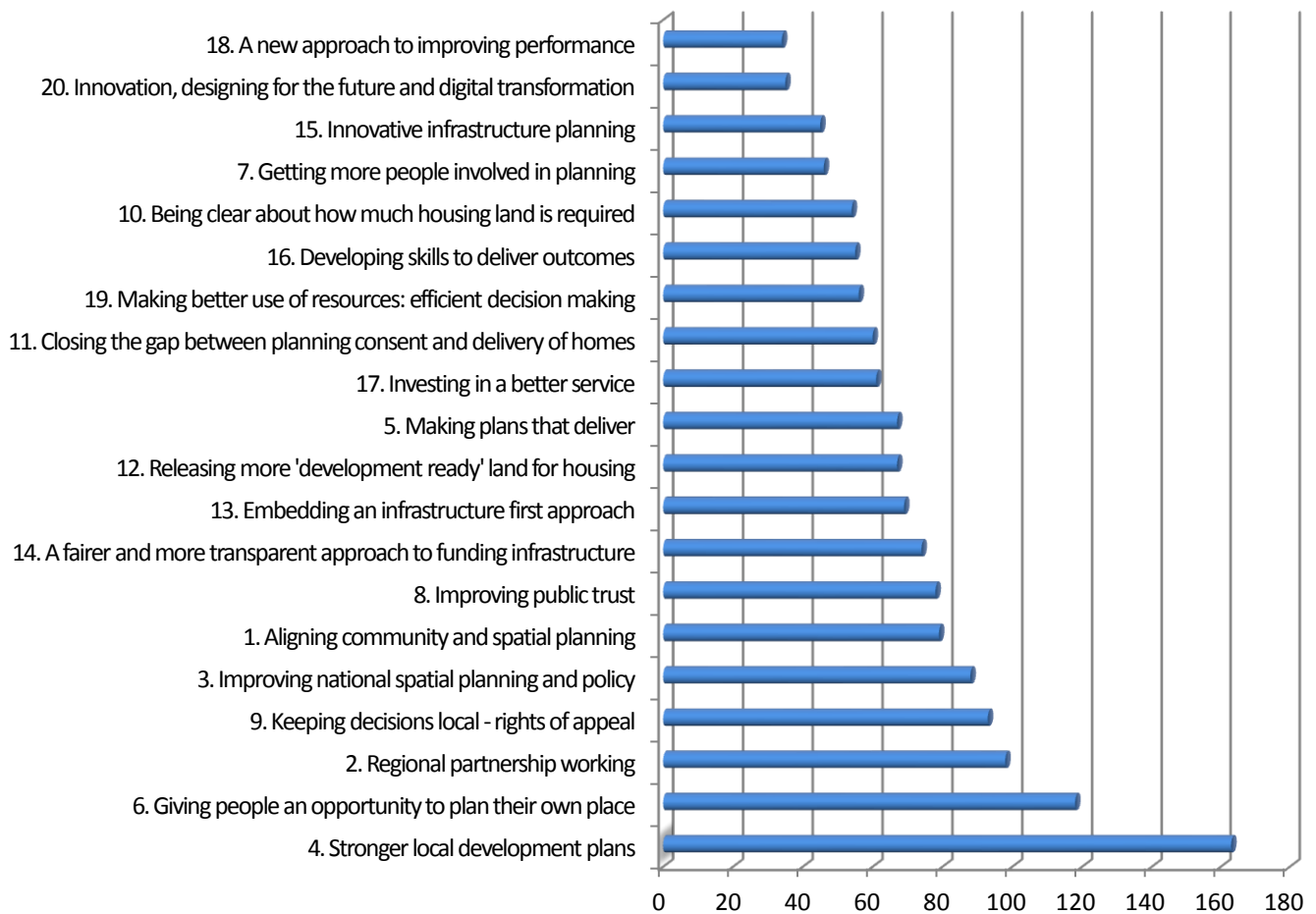


Figure 1: Areas of interest

The above figure 1 illustrates the areas of interest in the Position Statement. Collating the total number of 'codes' or 'thoughts' under each proposal has generated the chart. This shows that the areas of most interest were:

- 4. Stronger local development plans (168)
- 6. Giving people an opportunity to plan their own place (118)
- 2. Regional partnership working (98)
- 9. Keeping decisions local – rights of appeal (93)
- 3. Improving national spatial planning and policy. (88)
- 1. Aligning community and spatial planning (79)

Areas that generated less interest were:

- 18. A new approach to improving performance (34)
- 20. Innovation, designing for the future and the digital transformation of the planning service (35)
- 15. Innovative infrastructure planning (45)
- 7. Getting more people involved in planning (46)

16. Developing skills to deliver outcomes (55)

19. Making better use of resources: efficient decision making (56)

In terms of comparison with previous consultations, the proportion of respondents from each category has remained broadly similar, even while the overall numbers have risen and fallen. This suggests a continuum of a core group of respondents.

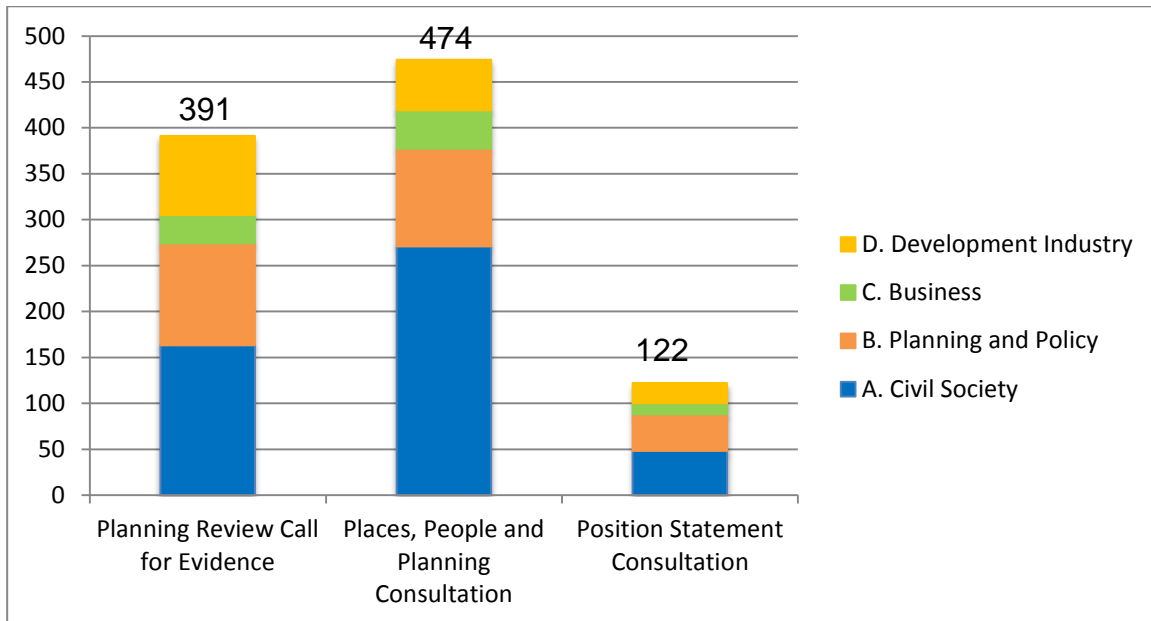


Figure 2 Number of respondents in comparison with previous consultation

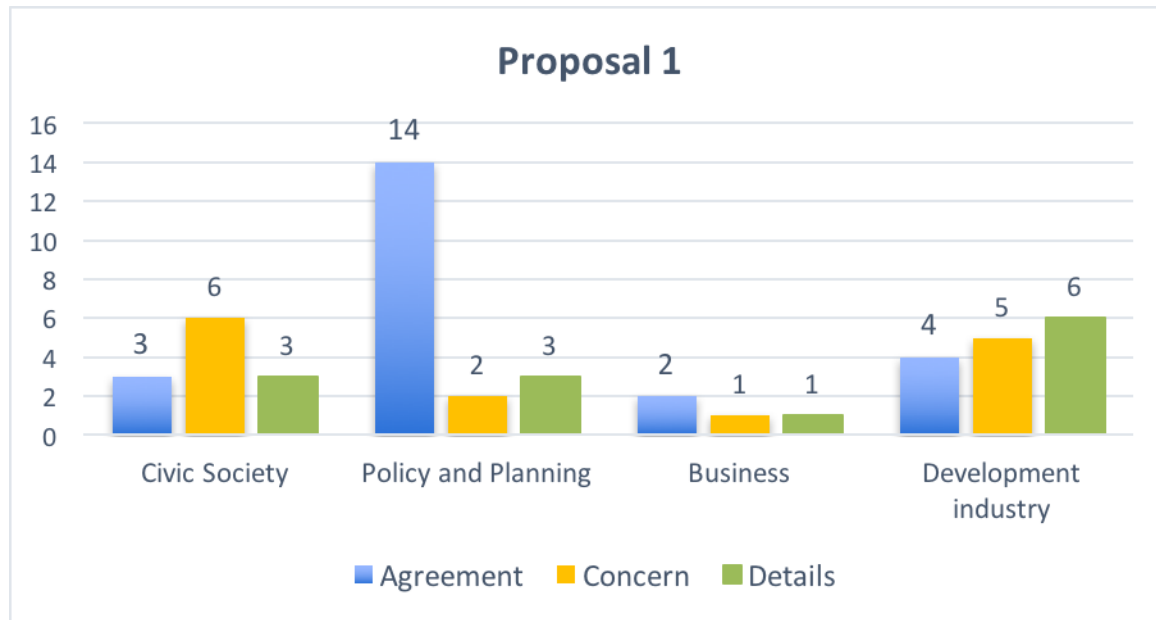
## 4 Main Planning Review Themes

### Emerging key threads:

- For many of the respondents, they were offering **support in principle but would like to see further detail** on the proposals. Consequently, there was some criticism of the current level of detail.
- There continues to be a **high degree of interest in Local Place Plans (LPP)**, but with divergent views both across and within the respondent categories; on issues such as the need for additional resources and aid for communities, and on whether this creates an additional burden for the planning service.
- Community organisations were still calling for **some form of Equal Rights of Appeal** – even if that was just an exploration of options.
- **Simplified Planning Zones (SPZ) were generally supported** provided the matters of detail can be worked out to provide heritage and environmental designations with adequate protection, and for design and place quality to be assured. However, the idea of Ministerial designation of SPZs did not have broad support.
- **Investment in an improved planning service was supported** broadly. However, the **development industry** has expressed concern that no measures have been suggested at this stage that demonstrates the link between increased fees and increased performance.
- **Permitted Development Rights proposals drew support from different perspectives** for different reasons across the respondent categories. Community responses focused on small scale development such as bike sheds and community growing space. **Planning and policy** raised different issues on whether or not extending permitted development rights would free up additional resources. The **business** sector sought permitted development rights for energy developments below a certain scale and the **development industry** supported this on the basis that it would free up additional resources to work on major applications.

# Theme 1 Making plans for the future

## 1. Aligning community and spatial planning



### Areas of support/agreement

Within all four respondent categories, there was support expressed for creating a statutory link between community planning and development planning. **Planning and policy** respondents supported the proposal for Chief Executives to sign-off Local Development Plans (LDP) on the basis that this affords planning a more corporate status.

### Concerns expressed

Within **civil society** and **planning and policy** a question was raised as to the need for a statutory link, and if policy or guidance issued would be enough to ensure a connection between community planning and spatial/development planning. This was a bid to make sure that the system does not become overly complicated and the increased risk/potential for delays to the preparation of LDPs.

**Business** responses were also concerned about the alignment with other plans and other policies, such as Climate Change Plan, Onshore Wind Policy Statement and Energy Strategy, in case alignment with community planning prevented this type of alignment from taking place.

Within **civil society** responses, there was also a question raised regarding resourcing the proposed connection, presuming that this would take additional work. As well,

some expressed concerns about potential centralisation and the loss of strategic expertise.

**Development industry** respondents noted concern that aligning the plans would lead to delays, and that the LDP might be “diluted” and the focus moved away from Spatial Planning.

### **More information/clarifications**

**Civil society** and **development industry** respondents requested clarification on the process when there would be a conflict between the community plan and LDP. Which would be afforded more weight/primacy? As well, there were questions about what it meant by Community Planning?

The detail of how plans would align if there would be particular matters on which they should do so, and how the plans would then sit alongside each other was requested by **civil society** and **development industry** respondents.

More detail was also sought on the proposed sign-off process, how this might add value to the process and if the sign-off process will ensure the LDP will be taken account of in corporate strategies.

Some of the **civil society** wanted to know how can Community Planning or Spatial Planning process become more inclusive.

From the **policy and planning**, they requested details on what additional requirements would this impose on councils? And how it will be implemented on the practical level.

Some from the **development industry** requested more details on how Community Plans would sit alongside the proposed LPP, about the link and on the weight/primacy of Community Planning in the LDP process, and how representative will be the community groups and what their focus would be?

### **Ideas and additional thoughts**

**Civil society** respondents were hopeful that the alignment of the two plans creates greater opportunities for communities to influence their places. Furthermore, some considered that there should be a requirement for Community Planning to work within the statutory planning system, not the other way around

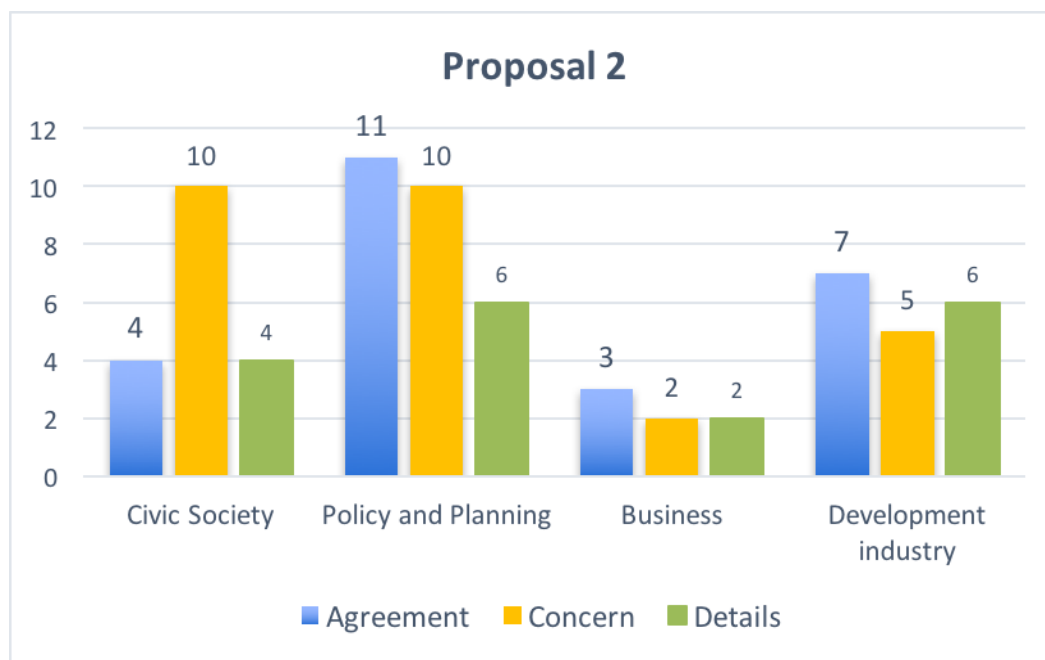
For **planning and policy**, additional ideas and considerations included the implications on staff time and resources in aligning the two plans, an idea to introduce a Chief Planning Officer in each local authority area whose role would be to oversee

the impact of investment on the spatial development plan. There were also calls for ensuring there was alignment of land-use planning with transport infrastructure and economic plans (including labour market areas). Some believed that the change to the LDP should be made organically according to the vision of the local community it is targeting rather than having all the decision imposed on the local community.

**Business** and **development industry** respondents both considered the impact that there might be on the deliverability of the development plan – this is something that in their view must remain central to its purpose, and not be derailed through alignment with the community plan. Moreover, they advocated that the relationship between both parties should be reciprocal, it should add-value, reduce double-working and maximise resources within authorities.

For some in the **development industry**, local authorities should take the ultimate decision of the content of LDP, and they should “sign off” the LDP.

## 2. Regional partnership working



### Areas of support/agreement

Across the respondent categories regional partnership working was supported, provided that it produces a way of working that is robust (at least as robust as Strategic Development Plans (SDPs) if replacing them) and supports delivery of infrastructure and housing.



**Civil society** and **planning and policy** respondents expressed a lower level of support for removing SDPs, while **business** and **development industry** respondents expressed a higher level of support.

### **Concerns expressed**

While there were some supporters of removing SDPs, there were concerns across the respondent categories regarding their removal.

**Civil society** respondents were concerned that the move would represent centralisation and risks overloading NPF to the point that it becomes ineffective. There was also concern that SDPs are effective partnerships between local authorities and this would need to be replaced.

**Planning and policy** were concerned that removal would create a skills and knowledge gap. There was also concern that voluntary partnerships would be highly dependent on healthy relationships and may break down without a statutory underpinning.

**Business** respondents' concerns were that any replacement must be just as effective.

**Development industry** respondents who expressed concern did so on the basis that certainty in the system may be undermined if there is a move from an accountable statutory body at a regional level to an unaccountable, voluntary arrangement. Therefore, the removal of the SDP would overflow the system with regional partnership working that lacks statutory powers and duties and thus, will slow down the process.

### **More information/clarifications**

How disputes between parties will be resolved was a question from **civil society**, **policy and planning** and **development industry** respondents. The geographic coverage of regional partnerships, and where responsibilities, priorities, expertise and resources lie were areas that clarification was sought in.

**Civil society** respondents would like information on how communities feed into regional partnerships.

**Planning and policy** would like more information on how regional partnerships/ strategic planning feed into NPF, whether it would be as the evidence base and what influence will they have.

**Businesses** respondents called for more information about the proposal in general and about regional partnership working in particular.

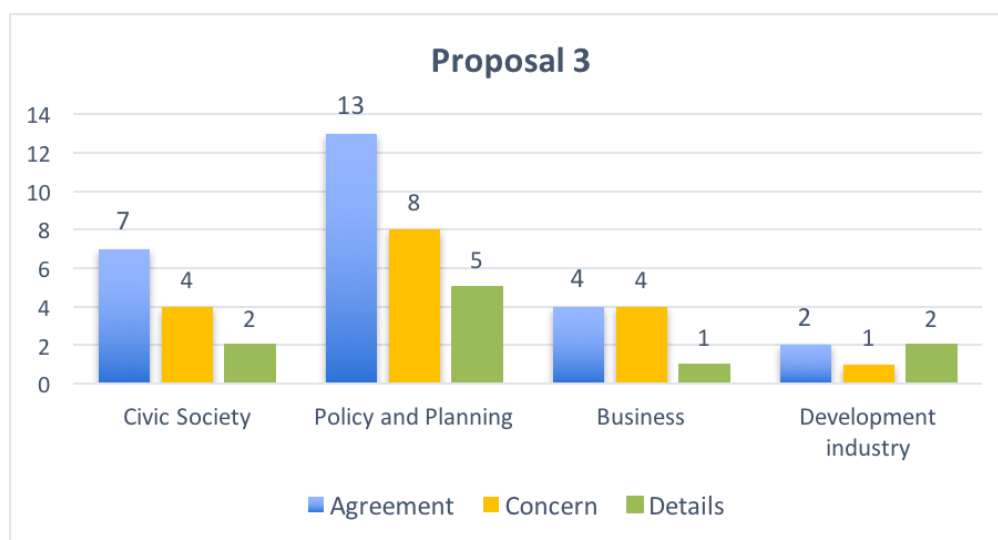
**Development industry** respondents were interested in knowing through what mechanism and who will set the housing supply target and spatial growth patterns. They demanded more assurance for house building industries on how duties and powers will be considered.

### Ideas and additional thoughts

The **planning and policy** respondents thought that more consideration should be given to:

- The status which a spatial strategy will have and the role it will play;
- The mechanism to ensure stakeholders contribute to the preparation of a strategy; and
- The process to guarantee meaningful governance and accountability.

### 3. Improving national spatial planning and policy



#### Areas of support/agreement

Respondents from **planning and policy**, **business** and **development industry** supported the enhanced role proposed for National Planning Framework (NPF) and Scottish Planning Policy (SPP). For **planning and policy** and the **development industry** respondents who supported this also noted support for policies that are developed at a national level and therefore, do not need to be repeated in LDPs.

**Civil society** respondents individually supported different aspects of the Position Statement under this proposal, but there was no single area around which there was agreement.

## Concerns expressed

Similarly, to the previous consultation, **civil society** respondents continued to express concern that this was a move towards centralisation.

**Planning and policy** respondents were concerned that no transitional arrangements have been proposed at this stage. Turning to a new system without transition arrangements in place for local authorities with Development Plans in the process could undermine the plan-led system by leaving local authorities with invalid LDPs. This respondent category also has responses that express concern that enhancing NPF and SPP will be viewed as a top-down approach to planning.

**Business** respondents were concerned that the timescale for preparation of enhanced NPF is ambitious, as is the alignment between planning reform and other policy change. The concern was that this could lead to uncertainty in the planning system.

The **development industry** respondents did not raise any major concerns regarding the proposals in the Position Statement.

## More information/clarifications

**Civil society** respondents would like more information on how communities can/will be involved in the production of an enhanced NPF.

**Planning and policy** respondents sought clarification on the relationship between regional partnerships and NPF, how regional partnership views will be taken into account and vice-versa how NPF will influence regional planning. There was also a question of how the revised and enhanced NPF will set housing numbers and how this, in turn, feeds down to regional and local levels.

**Business** respondents requested more information on the statutory role of NPF and SPP and how these duties will influence decision-making.

**Development industry** respondents wished clarification with regards to the circumstances in which departures from the national policy at a local level might be appropriate, and how local authorities would justify this, through the provision of evidence or other means.

## Ideas and additional thoughts

For **civil society** respondents, the enhanced NPF should be matched with an equally enhanced programme of consultation with the public, and scrutiny in the Scottish Parliament to match the new status. Additionally, from both **civil society** and **planning and policy**, the NPF must align with other national policies and strategies to

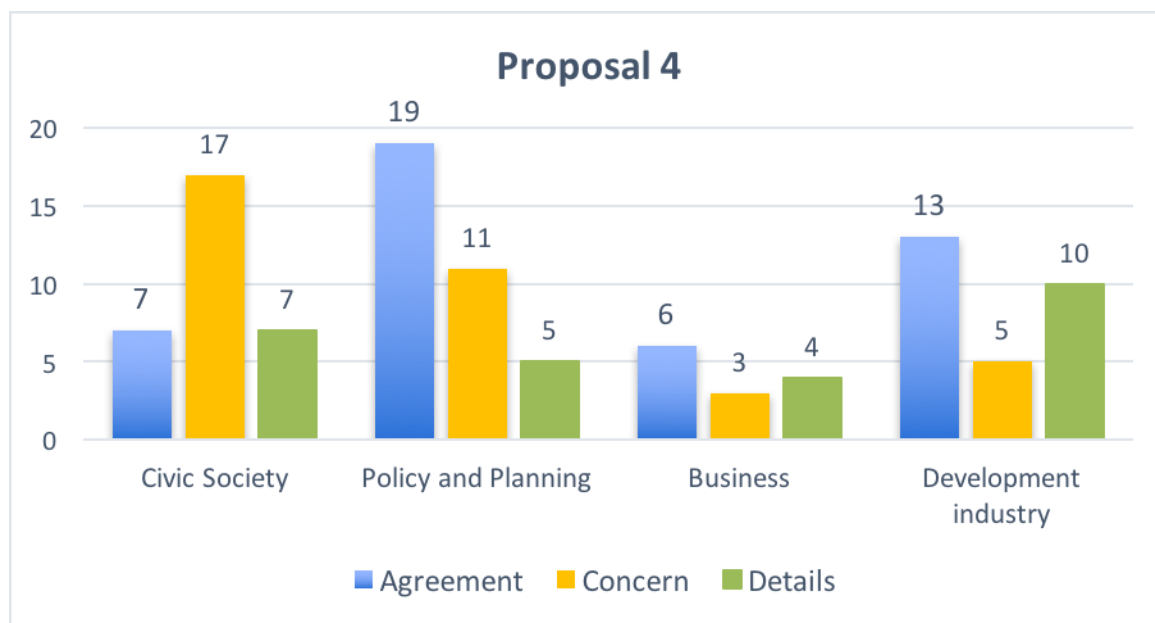
deliver high-quality places (alignment with health, transport, education etc.).

**Planning and policy** respondents highlighted a need to keep a degree of subsidiarity of policy in the system to take account of differing local circumstances.

In line with previous comments, **business** respondents would like to see a clear alignment between NPF and LDPs to provide a coherent and consistent policy framework of which they can work.

The **development industry** respondents suggested that should NPF, and SPP have a policy that is to be inserted into LDPs, there needs to be a greater level of detail and clarity than currently expressed to streamline the process. Respondents from this category also suggested the need for a set of transitional arrangements – to prevent a situation arising where there might be a need to call a moratorium on new development.

#### 4. Stronger local development plans



#### Areas of support/agreement

The gatecheck and early resolution of issues were supported by both **civil society** and **development industry**. For **civil society**, the support was based on opportunities to resolve departures from national policy, and for the **development industry**, this was very much in line with their support for early engagement, resolving issues early to provide longer-term certainties.

Support for the 10-year plan was contained within all of the respondent categories, but

this support was caveated with the need for a provision for updates and review.

**Business** respondent supported the role of NPF and SPP in influencing LDPs, therefore balancing local and national interests.

### **Concerns expressed**

The proposed removal of Supplementary Guidance (SG) was a concern for **civil society** and **planning and policy** respondents. For **civil society**, this concern was based primarily on the protections that SG offers for natural and heritage assets, if this protection were not in SG then, it would need to be contained somewhere else. For **planning and policy**, the current detail in SG was viewed as necessary; therefore, a new location for this detail will be needed, and if it is in the LDP then, this appears contradictory to the aims of a streamlined system.

**Civil society** respondents were, also, concerned about the proposed removal of the Main Issues Report (MIR) stage as this was a key point for communities to engage with options.

Resolution of conflict at the gatecheck stage was an issue raised by **planning and policy** and **development industry** respondents – this was raised as a concern due to the potential for legal challenges and delays should there not be a method for resolving conflicts at this stage.

As in the previous consultation, the 10-year plan time frame for production and the length of the plan period continued to be a source of concern. Some **planning and policy** respondents considered the production timeframe to be overly ambitious, with a more realistic expectation being 3-4 years. **Business** respondents were concerned that a 10-year plan will be very out of date, particularly when it comes to the rate of technological advances in sectors such as renewable energy and telecommunications. The **development industry** respondents were concerned that a 10-year plan will not maintain a 5-year effective supply of housing land and will, therefore, need to be responsive to keep this up to date.

### **More information/clarifications**

The two areas in which more information was requested under this proposal were the gatecheck process, and the LDP review/update process.

For the gatecheck process, detail on what matters should be considered and by whom was requested. **Planning and policy** suggested there will be a need for pre-agreed lists of matters, participants and a statement on how the process is managed. **Development industry** respondents requested detail on the level of certainty the gatecheck process will provide for the rest of the plan preparation process.

For the LDP review/update process, **civil society, business and development industry** respondents wanted a definition of what the triggers for a review/update will be.

### **Ideas and additional thoughts**

**Civil society** respondents had several ideas related to SG:

- Retain it as complimentary to the Draft Plans, providing detail on issues of local context and delivery.
- Retain it as part of ongoing engagement, it has been useful in drawing together community, business and development views and could continue to have this type of function.
- Hold SG at national level as part of SPP – it could be drawn down and adapted for local use as necessary.

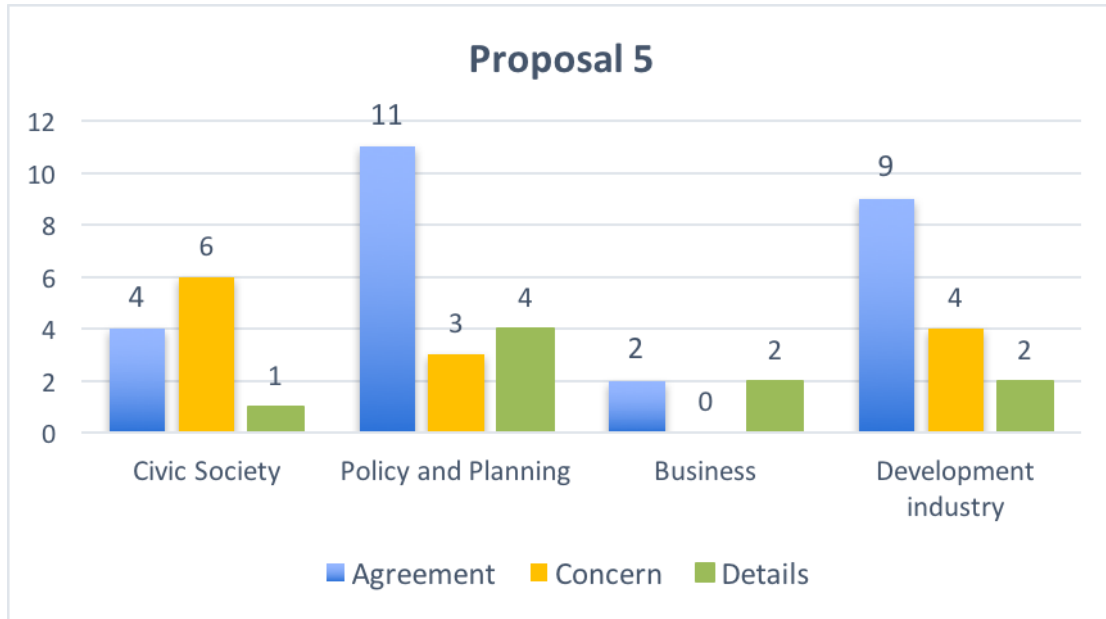
**Planning and policy** respondents had a series of suggestions regarding the gatecheck process and what this could involve. Matters suggested included:

- Whether there is an adequate evidence base (e.g. infrastructure capacity, environmental assets and constraints, housing land assessments and audits);
- Outcomes to be sought from the plan (housing requirements, targets for other development types, reuse of vacant and derelict land);
- Proposed departures from national policy on the basis of local circumstances;
- Methods for the plan preparation including the approach to engaging delivery bodies and the public, alignment with community planning and the scope of the accompanying environmental assessment.

**Planning and policy** respondents, also, suggested aligning the gatecheck process with the SEA process by adding a further stage or making it iterative.

**Development industry** respondents suggested annual Housing Land Audits will be carried out and these act as the key trigger for an LDP review or update, with the aim of maintaining a 5-year effective supply of housing land.

## 5. Making plans that deliver



### Areas of support/agreement

There was support for enhanced engagement for unallocated sites across the respondent categories – but with significant variation in what would be deemed acceptable in that regard. **Civil society** and **planning and policy** presumed that this engagement would be an extension of current arrangements, while **business** and **development industry** viewed this enhanced engagement as being so in proportion to a reduced engagement period for allocated sites. For example, one suggestion was that a Pre-Application Consultation (PAC) period for an unallocated site remains at 12 weeks, while the PAC for an allocated site would be reduced to 6 weeks.

**Planning and policy** respondents supported the replacement of action programmes with delivery programmes.

### Concerns expressed

**Civil society** respondents were concerned that engagement periods for allocated sites would be reduced below what they currently are. Communities wanted to be involved in matters of detail beyond the principle of development.

Some **planning and policy** respondents were concerned that different engagement requirements for allocated and unallocated sites create a two-tier system in which it is difficult to justify to communities why less engagement will be required on a site by right of it having been allocated.

## **More information/clarifications**

**Civil society** respondents would like clarification on the point at which the local authority would be involved in the strengthening of the local plan delivery programme.

**Planning and policy** respondents request further information on how local development plan delivery can be strengthened through secondary legislation.

**Business** and **development industry** respondents would like more information on how the de-allocation of sites might fit with this, and if there is scope for some form of formal de-allocation process or if it would be a matter to be addressed in a review of an adopted local development plan.

## **Ideas and additional thoughts**

**Civil society** respondents emphasised that a strong plan led system was critical for the success of the planning system in Scotland. The system has to be incentivised to ensure that windfall sites are an exception.

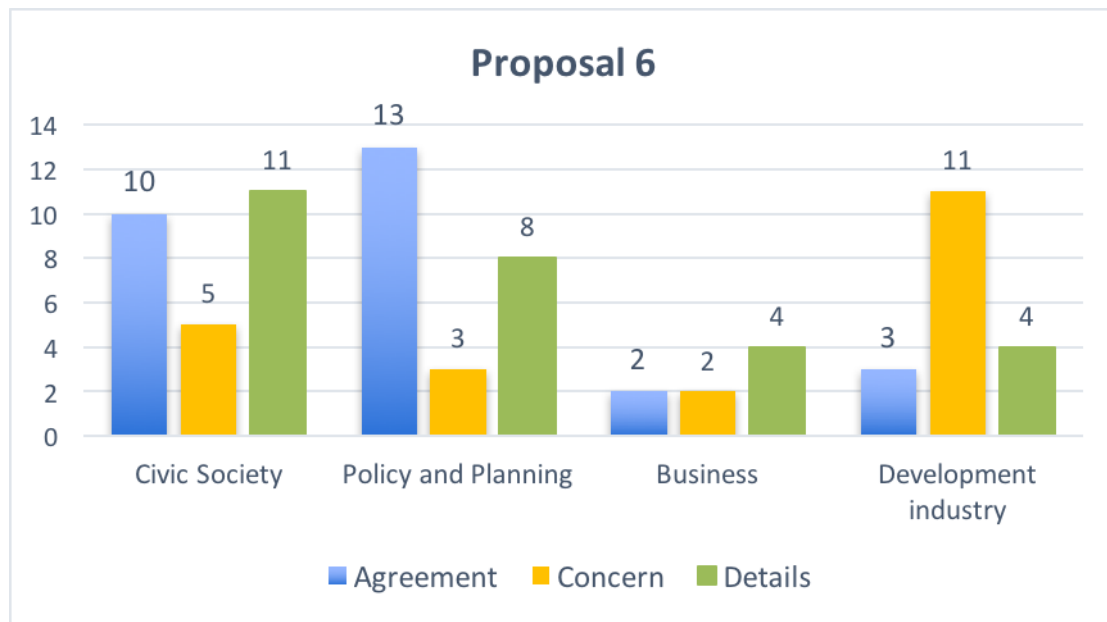
**Planning and policy** respondents suggested that there be a set of duties for all community planning partners, external delivery partners, and corporate stakeholders within local authorities to play a full part and be committed to delivery. Additionally, timescales for delivery should be set in order to encourage sites to be progressed, with sites that do not deliver within that timescale being removed and alternative sites being identified to compensate.

**Development industry** respondents suggest that once a site is allocated in the LDP, this presumes buy-in from all into principle of development and its delivery, the planning application process for allocated sites should not undermine this buy-in, and the level of community consultation should recognise this.



## Theme 2. People make the system work

### 6. Giving people an opportunity to plan their own place.



#### Areas of support/agreement

Across the respondent categories, there was support for Local Place Plans (LPP) – for different reasons. **Civil society** respondents supported LPPs as an opportunity for communities to have a meaningful input to LDP. **Planning and policy** respondents were supportive of the proposal that LPPs are informed by LDPs. For both **business and development industry** respondents, they were supportive of the proposition that LPPs have a stated purpose of promoting appropriate development.

#### Concerns expressed

**Civil society** respondents were concerned that LPPs will not have any influential status, that they will not inform LDPs. There was also concern that communities are not resourced nor have the skills to participate meaningfully, this was a particular concern for communities in disadvantaged areas.

**Planning and policy** respondents' concerns were around resourcing, both for communities and planning departments, and the potential for delays that may occur if LPPs will be required to have an adopted LDP in place. There was concern that articulate and better-resourced communities will be in a position to produce LPPs, while disadvantaged communities will not, thus, creating a greater gap between these communities.

**Business** and **development industry** respondents' concerns were that community groups could still attempt to use LPPs to block or delay development. There were, also, concerns that LPPs will delay LDP production and that the addition of this process is contradictory to aims to streamline and gain efficiencies in the planning system.

### **More information/clarifications**

Information on the process for how LPPs will be prepared was sought from **civil society**, including who can be involved in requesting to produce an LPP and in the production process. On participation, **planning and policy** respondents were seeking clarity on how Community Planning Partnerships who are subject to participation requests will be impacted by LPPs.

On community council involvement in development plan schemes, **planning and policy** respondents questioned how this differs from current arrangements, and if there is any impact on the assessment of the Development Plan Scheme at examination.

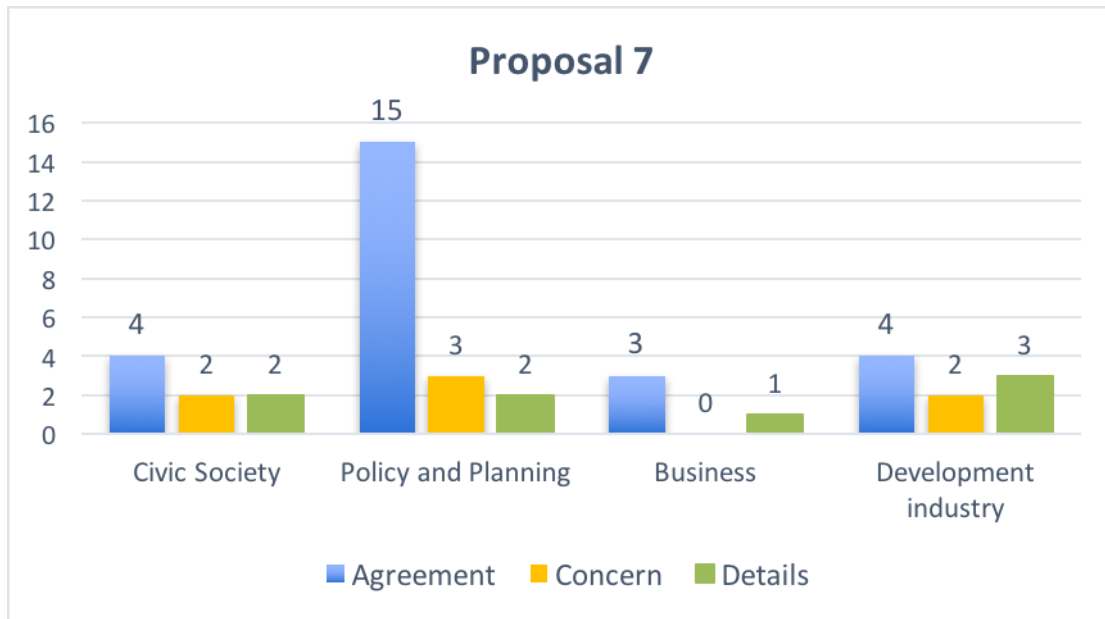
### **Ideas and additional thoughts**

Responses suggested that the definition of community will be key to who can be involved. **Civil society** respondents have suggested that a definition could be drawn from either land reform or community empowerment legislation.

Both **civil society** and **business** respondents have highlighted a need for communities to understand the role that LPPs play in the broader framework of plans. For **civil society**, this is so that there is not an undermining of trust if a development management decision is contradictory to an LPP, for **business** this is so that communities have a more positive outlook on change and development.

**Development industry** respondents would like a clear set of guidance to be produced that keeps LPP production a positive process that does not become a mechanism for blocking development. Also, there is the suggestion that LPPs are subject to independent scrutiny prior to being integrated with LDPs.

## 7. Getting more people involved in planning



### Areas of support/agreement

Across the respondent categories, there was support for getting more people, particularly young people, involved in planning. **Business** and **development industry** respondents were supportive of early engagement. **Civil society** and **planning and policy** respondents were also aware that there was additional hard to reach groups beyond young people that may need additional work in engaging.

### Concerns expressed

**Civil society** respondents were concerned that despite these proposals token approaches to engagement would prevail. They are, also, concerned that some engagement with young people produces unrealistic outputs.

**Planning and policy** respondents' concerns were around resourcing for planning departments – particularly if additional skills are needed for engaging with particular groups.

**Development industry** respondents were concerned if engagement with particular groups becomes a statutory requirement.

### More information/clarifications

Across the respondent categories, there was a request for detail on how engagement can be broadened if the moves towards more meaningful agreement will be in primary

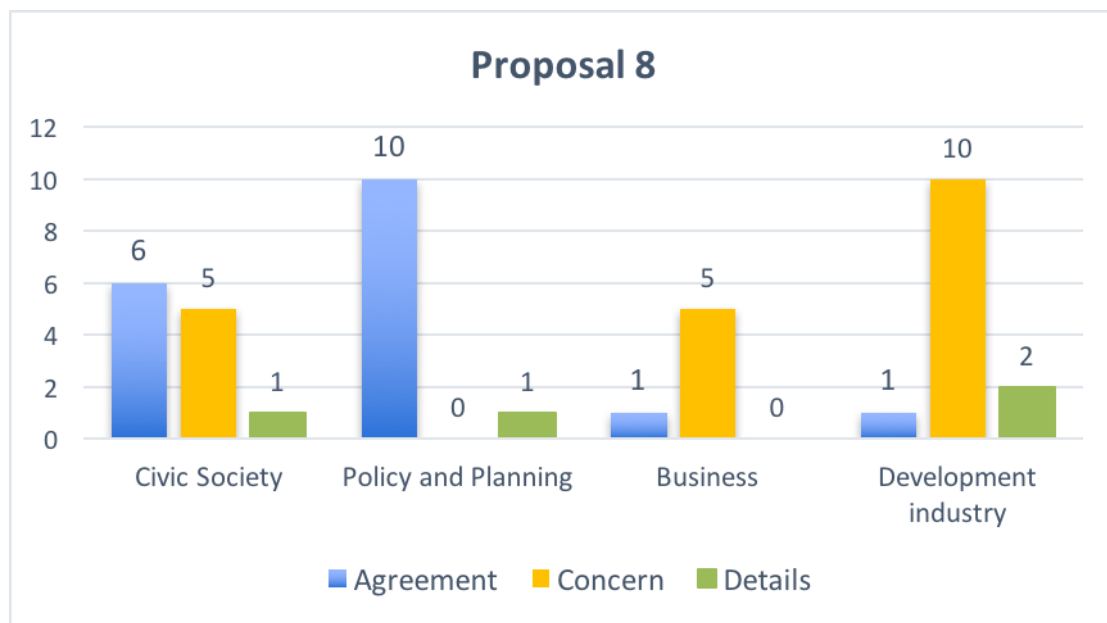
legislation or secondary legislation and guidance. Detail on Development Plan Scheme and Participation Statements was also requested by the **development industry** respondents.

### Ideas and additional thoughts

**Civil society** respondents would like to see the findings from the *Barriers to Engagement in Planning* research implemented. It also suggested that transparency and trust could be built through responding to public comments on PAC and planning applications, resulting in more interest in engaging with the planning system.

A suggestion from the **planning and policy** respondents was a duty to up-skill community councils and individuals to enable them to engage meaningfully with the planning system. Linking planning into school curriculum could be another route to engaging with young people, creating a more meaningful and lasting effect.

## 8. Improving public trust



### Areas of support/agreement

**Civil society** respondents supported the removal of repeat applications at no cost, and support proposals to strengthen enforcement powers.

**Planning and policy** respondents supported proposed PAC enhancement.

## **Concerns expressed**

**Civil society** respondents continued to note disappointment in the rejection of introducing an Equal Rights of Appeal into the planning system with the request to reconsider this option.

**Business** and **development industry** respondents were concerned at the proposal to remove the second application at no cost. Both state that there are multiple reasons for submitting second planning applications. The repeat application is a mechanism that developers can use to deal with amendments; often technical in nature, and removing this may lead to more appeals. Should this be removed, the repeat application should be charged at a reduced fee.

## **More information/clarifications**

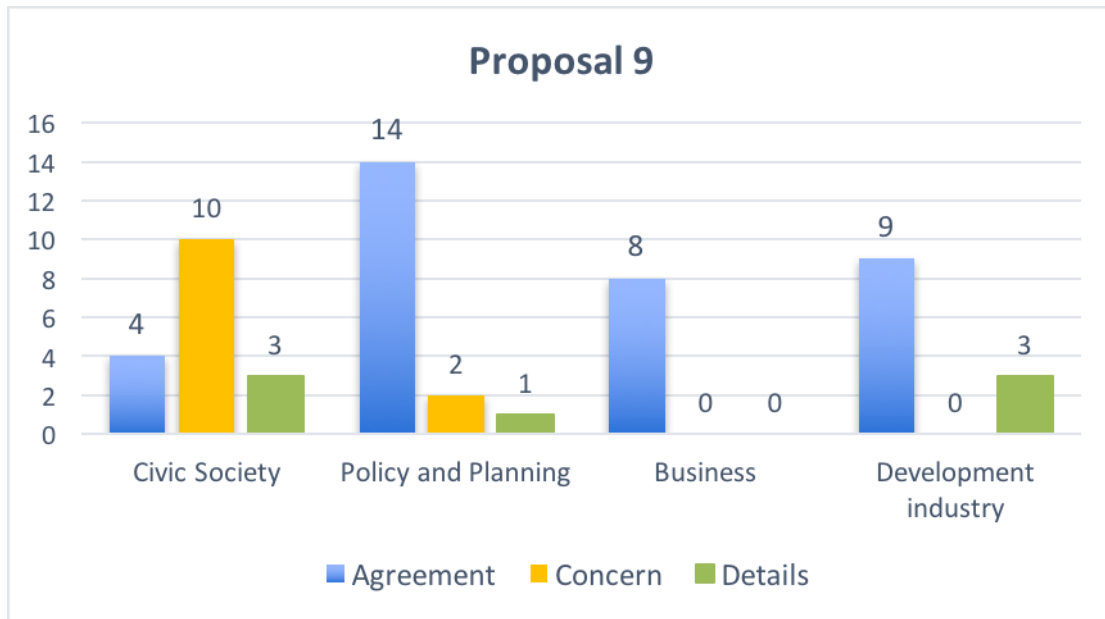
**Development industry** respondents requested further detail on PAC changes and requested that the home building industry is consulted on any changes prior to them being in draft legislation.

## **Ideas and additional thoughts**

**Civil society** respondents have suggested an alternative to a full Equal Right of Appeal, a mechanism that allows for an appeal in a particular set of circumstances, such as when applications do not conform to the LDP. It is again suggested under this proposal that trust in the system would be improved if comments on planning applications received a response.

**Planning and policy** respondents would like consideration to be given to whether participation in planning is driven by community empowerment or through providing more opportunities to influence through participation and engagement. There is a key difference between these, which will determine what shape reforms need to take.

## 9. Keeping decisions local - rights of appeal



### Areas of support/agreement

**Civil society, business and development industry** respondents supported the proposed review of Local Review Bodies, including reviewing their effectiveness, and whether there should be a limit on the range of applications that they can consider.

There was also support across all the respondent categories for introducing mandatory training for elected officials.

**Civil society** respondents agreed that ministers should not take planning appeal decisions more frequently.

**Planning and policy, business** and **development industry** respondents supported the decision to not introduce Equal Rights of Appeal, with a preference for better early engagement.

**Development industry** respondents supported the decision not to introduce fees for appeals.

### Concerns expressed

**Civil society** respondents were disappointed that there will be no introduction of an Equal Right of Appeal. There was, also, concern from **civil society** and **planning and policy** that there will not be a fee introduced for appeals.

## **More information/clarifications**

**Civil society** and **development industry** respondents requested information on how training for elected officials would be delivered, who would be responsible for this and if it will be consistent across the country.

**Civil society** respondents would also like more information on how Reporters will take community views into account in their decisions and why the Equal Right of Appeal was not adopted.

## **Ideas and additional thoughts**

**Civil society** respondents requested that the Scottish Government review their position with regard to Equal Rights of Appeal, as they view this as having great potential in allowing communities to express their views and thus, restoring the trust into the planning system.

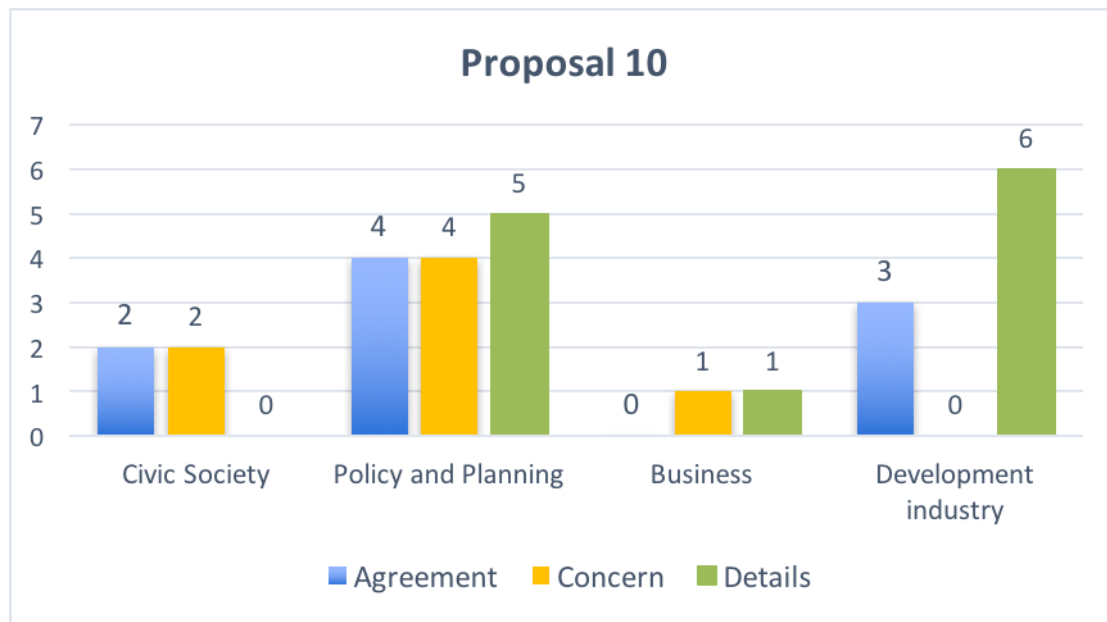
On the matter of charging fees for appeals, **civil society** respondents suggested that proportionate fee scale is introduced based on ability to pay or to impose fees on unsuccessful appeals. **Planning and policy** suggested that fees should be returned should an appellant be successful. The intent of these suggestions was to create a disincentive to developers who are attempting to gain an unpopular planning permission through a process of repeat applications, which burden the system.

**Planning and policy** respondents have suggested that while subsidiarity in decision-making was a sound principle, there comes the point at which applicants need the opportunity to test their case through an appeal process heard by a Reporter.

**Business** respondents suggested that only householder or smaller scale applications should go to Local Review Bodies.

### Theme 3. Building more homes and delivering infrastructure

#### 10. Being clear about how much housing land is required



#### Areas of support/agreement

**Planning and policy** respondents welcomed moves to give greater certainty to setting housing numbers and reducing debate.

**Development industry** respondents supported discussions around this proposal including Homes for Scotland – and suggested that these discussions take place prior to the Bill and legislation drafting.

#### Concerns expressed

**Civil society** respondents were concerned that the proposals regarding housing are tipping the balance between economic growth and protecting the environment against the latter.

**Planning and policy** respondents, while supporting moves that give greater certainty and reducing debate, highlighted that setting targets nationally does not necessarily avoid a repeat of debates about numbers when it comes to development plan preparation.

**Development industry** respondents were concerned that there are not fuller details at this stage in the process, with the next step is drafting the Bill and legislation.



## More information/clarifications

**Planning and policy, business and development industry** respondents would all like clarity on what level housing numbers will be determined at, and what role Regional Partnerships will play in this.

## Ideas and additional thoughts

**Civil society** and **planning and policy** respondents suggested that communities of place and interest should be added to the list of stakeholders being consulted “housing professionals, planning authorities and developers”, to ensure that there is satisfaction with the method.

**Planning and policy** respondents, also, highlighted a challenge in identifying housing need and demand in rural areas, which may be geographically large, but with sparse populations. Respondents, also, raised the need to identify housing at a sub-national/regional level to understand the impact of major development on transport networks in order to better plan for sustainable transportation.

**Business** and **development industry** respondents agreed that there is a need to set housing targets that are clear and have a robust evidence base, rather than aspirations, which they felt could prove to be ineffective. It was suggested this is set through NPF or nationally produced regional guidance.

## 11. Closing the gap between planning consent and delivery of homes



## Areas of support/agreement

**Civil society** respondents welcomed the recognition of environmental assets as being important to Scotland and the creation of great places.

Regarding Compulsory Purchase Orders (CPO), **civil society, planning and policy** and **business** respondents supported the proposal to pursue short term revisions of the operation of existing CPOs; while **development industry** respondents were supportive of not taking forward changes or the options being explored on CPOs and development land taxes ahead of the Planning Bill.

## Concerns expressed

**Planning and policy** respondents raise concerns around the implications of removing Strategic Development Plans for delivery of homes. Their view was that without SDPAs there could be a diminished capacity to understand regional delivery issues.

**Development industry** respondents were concerned that proposals to include viability information become a statutory requirement, which may delay development proposals. It was highlighted that different levels of viability information become available at different points in a development delivery timeline, and that viability can change over time. It was suggested that viability information should only be required where viability has been identified as a potential impediment to delivery. There was also concern that even if the information is provided, there was not the skills base in local authority planning teams to assess complex viability information.

## More information/clarifications

While much of the closing the gap was predicated on other changes in the planning system, across the respondent categories there was a call for detail on how the planning system will close the gap and demonstrate how this works in practice, including how it delivers not just homes, but high-quality homes in great places.

**Planning and policy** respondents requested more consultation takes place with local authorities on CPO changes, which can bring benefits, but also risks for LAs.

## Ideas and additional thoughts

**Civil society** respondents suggested that the planning system could determine the types of homes that should be developed as well as the number. This would tie into another suggestion that consideration should be given to developing criteria for high-quality homes, which could include being fit for lifetime occupancy, adaptable for people later in life. This could also include defining densities, such as a minimum density of 30 dwellings per hectare (as used to exist in England) would both ensure

effective and efficient use of available land, but also help improve the design and use of the “Designing Streets” approach (i.e. more houses and less tarmac).

**Planning and policy** respondents suggested that there is an opportunity for local authorities to lead in creating high-quality places, and tools that enable this should be under consideration – such as CPO powers and capturing land value uplift. The risks of this also need to be taken into account and balanced against the opportunities.

**Business and Development industry** respondents raise the issue of viability and make the following suggestions:

- Consideration should be given to the appropriate points in the planning process of considering the viability of sites and development delivery – at what point from development planning to development management should this take place?
- Site viability and deliverability should be proven at the allocation stage which would prevent sites which are not deliverable within the plan period being included within LDPs when there is little or no chance of them delivering within the required period.
- Viability submissions must remain confidential, and it should be submitted when the developer contribution threatens the viability of the scheme

From Housing Associations (within the **development industry** respondents) there were suggestions for ensuring that more affordable housing is delivered when land prices are the primary barrier. They suggested exploring the potential for land to be transferred at existing use value in order to allow increased delivery of affordable housing.

Several of the **development industry** respondents have offered and want to work with the Scottish Government on taking the proposal forward.

## 12. Releasing more 'development ready' land for housing



### Areas of support/agreement

**Civil society** respondents supported the Scottish Government's commitment to robust environmental assessment and not undermining this.

**Planning and policy, business** and **development industry** respondents all support the Simplified Planning Zone (SPZ) proposals.

### Concerns expressed

**Civil society** respondents were concerned that SPZs could be allowed in conservation areas or other areas with protection designations. Allowing this was seen as at odds with the aim of creating high-quality places.

**Planning and policy** respondents were concerned that SPZs may require additional resourcing without necessarily speeding up the delivery of homes. Other concerns were around front-funding infrastructure and other resourcing issues such as a funding-gap when no planning application fees are collected.

**Development industry** respondents echoed the concerns of **planning and policy** that SPZs may not speed up the delivery of homes. There was also some caution from this category, with a desire for consultation on both the operation of SPZs and on discretionary charging proposals before anything is taken further forwards.

## More information/clarifications

**Planning and policy** respondents sought clarity on how any funding-gap, should it arise, would be addressed. There was also a question of how community or local authority concerns would be dealt with in the event that a Minister directs the establishment of an SPZ in the national interest.

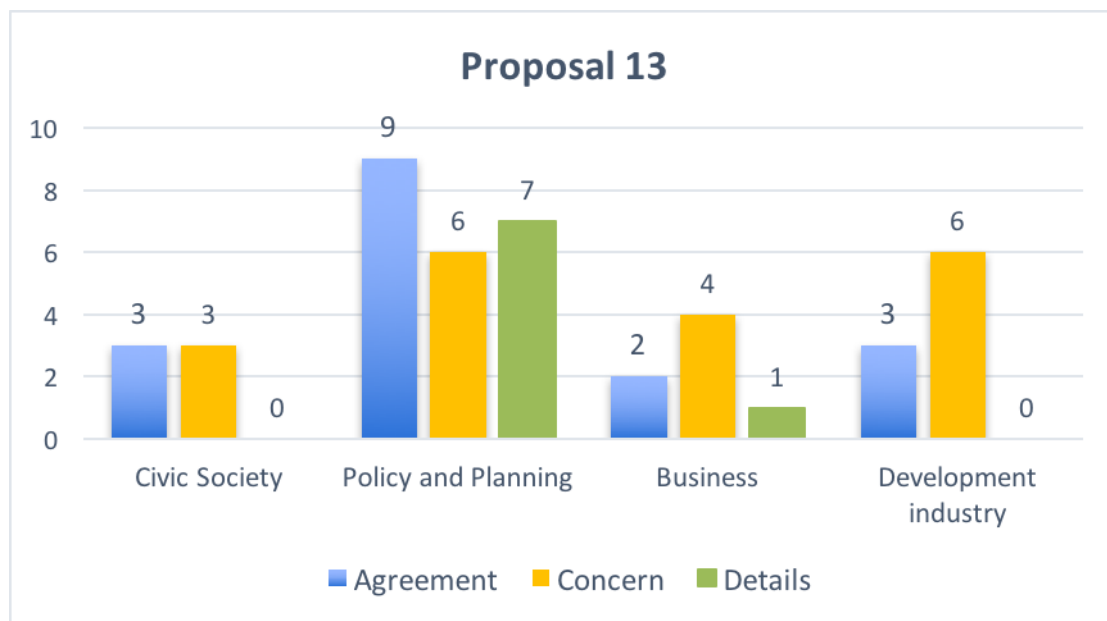
**Development industry** respondents would like to see further detail on delivery, management and funding of SPZs.

## Ideas and additional thoughts

The rebranding of SPZs was supported by **civil society** and **planning and policy** respondents, with suggestions of renaming “Strategic Development Zones”, and that the rebrand and refresh should reflect the purpose set out in *Places, People and Planning* as a tool for encouraging masterplanning and strong design codes. The success of SPZs will be if they deliver high standards of design and quality of place.

**Civil society** respondents suggested that exclusions should be made as to where or where not SPZs can be established. A suggestion for these exclusions is all areas around listed buildings or scheduled monuments, conservation areas, designated landscapes, SSSI, greenspace network, wildlife corridors, and related settings and surroundings.

## 13. Embedding an infrastructure first approach



## **Areas of support/agreement**

There was support across the respondent categories for the infrastructure first approach.

**Civil society** respondents supported the regional infrastructure audits, and that this should incorporate green infrastructure.

**Business** respondents supported the commitment to consult with key delivery partners as to the role and purpose of the proposed national delivery group.

**Development industry** respondents had differing views on the National Infrastructure Delivery Group, with some in part supported the decision not to introduce an agency, but the delivery group in its stead, and there was support the proposal for infrastructure auditing.

## **Concerns expressed**

**Civil society** respondents were concerned that infrastructure is currently under such pressure that a new approach will be unable to alleviate these pressures. A transition to a new approach would be needed to address current pressures. Regarding the national development group proposed, there was concern as to how this group will have local and national accountability.

**Planning and policy** respondents expressed disappointment in rejection of a national agency model. Local authorities need help in unlocking development – assistance, if not provided by an agency could be provided in other ways as a priority. There was also a feeling that a strategic and long-term view not adequately addressed through proposals.

**Business** respondents were concerned that a national delivery group will not be as effective as an agency may be. Without a set of duties to steer the delivery group may not have the necessary drive or clout to deliver. Another concern was that the focus in the Position Statement was on housing delivery, but infrastructure considerations need to include utilities, energy, telecommunications, waste, transport etc. Finally, there was concern that a Scottish Infrastructure Levy would be imposed on energy infrastructure or telecommunications projects, the argument being that these developments do not impact on development the same way and should be exempted.

**Development industry** respondents with a different view to those who supported the delivery group approach were concerned that without statutory requirements the status quo will remain when it comes to constraints, and would prefer the commitment and certainty that would be provided by a national infrastructure agency.

## **More information/clarifications**

**Planning and policy** respondents requested more details on the precise role of partnership working to help improve infrastructure governance and co-ordination. Additionally, they requested more information on the source of funds that any national body established would manage, and who would mediate and take the final decision if competing priorities were identified.

## **Ideas and additional thoughts**

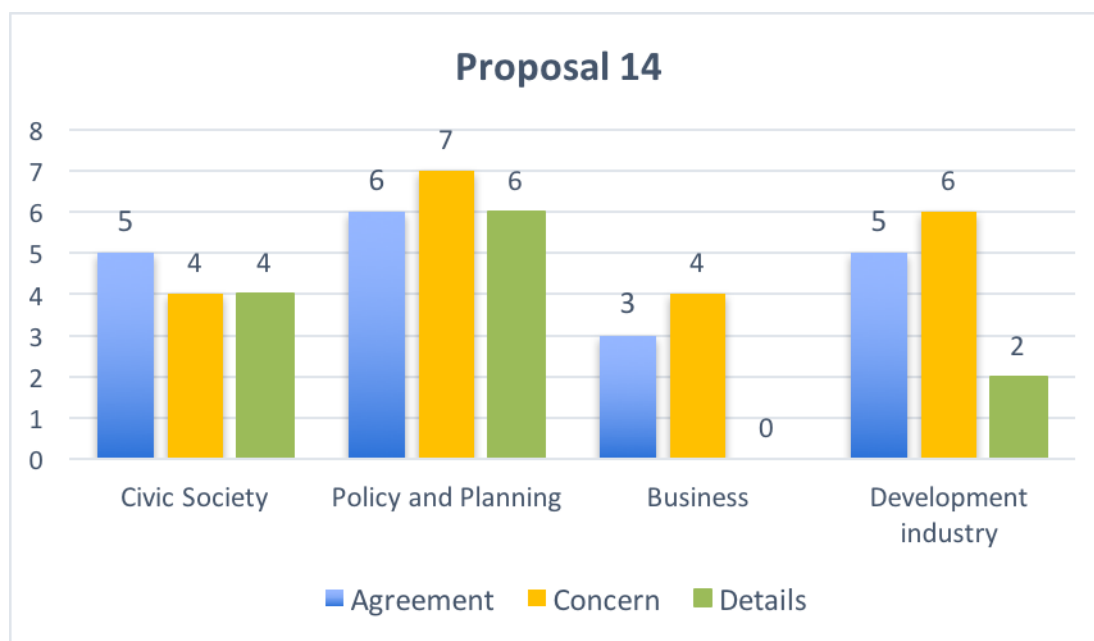
**Civil society** respondents suggested that multi-agency Regional Partnerships may be well placed to have responsibility for infrastructure planning, coordination and delivery. They also sounded a note of caution, that account must be taken of community and environmental impacts when considering an infrastructure first approach, and it must not be a top-down imposition of proposals in the name of quicker delivery.

**Planning and policy** respondents suggested a learning approach – to learn from what has worked and to learn what causes development blockages. There was also the suggestion that Regional Transport Partnerships could play an important role in terms of continuity and knowledge at a regional level, and Transport Scotland could play a role in front-funding key infrastructure to pump-prime sites.

RTPI Scotland proposed the introduction of a task force charged with carrying out a national infrastructure audit. This would not require the setting up of a new infrastructure agency but could help to improve horizon scanning for needed national and strategic infrastructure projects.

**Development industry** respondents noted that infrastructure constraints were probably one of the most significant barriers to development. Alignment of infrastructure provision within the proposed regional partnership working will be important, and proactive working and upfront delivery of infrastructure from Councils to enable delivery of development. They also noted that education infrastructure is a key constraint, and requires consideration.

## 14. Creating a fairer and more transparent approach to funding infrastructure



### Areas of support/agreement

**Civil society** and **planning and policy** respondents were supportive of the ongoing research into an infrastructure levy. **Civil society** would like green infrastructure to be included in what can be funded from the levy, and that the levy is in addition to site-specific obligations and not a replacement. **Planning and policy** supported the proposed levy on the basis that the following can be resolved: the cumulative impact of new infrastructure levy and S75 obligations does not negatively impact on developers and viability; that monies from the fund can be used to deliver infrastructure upfront, and whether or not the fund will be managed to leverage its value, as a solution to long-term infrastructure challenges.

**Business** and **development industry** respondents supported not moving to remove the provisions at Section 75A for modifying planning obligations.

### Concerns expressed

Both **civil society** and **planning and policy** suggested that the proposal avoids consideration of funding through public buying at existing values or taxation to gain uplift in value when land use is changed. Both of these respondent categories were as well disappointed that removal of the ability to modify/discharge has been rejected, but noted that changes may be required regarding future infrastructure levy.

**Business** respondents' concerns were that while a levy could help fund infrastructure for housing development, it could impact development, which has little or no impact on



infrastructures, such as energy or telecommunications. There was, also, concern regarding the CIL experience. S75A obligations must be considered alongside future decisions on the role of a levy.

**Development industry** respondents were concerned about any levy/taxation that is not supported by delivery mechanism – rates and collection can be set through Supplementary Guidance but difficult to guarantee what funds are spent or programmed to be spent on.

### **More information/clarifications**

**Planning and policy** and **business** respondents acknowledged that following the Stage 3 research report there will need to be consideration of further options, with **business** respondents seeking further consultation on these options.

**Development industry** respondents suggested the following as matters still requiring further detail and consideration: who has responsibility for delivering and coordinating infrastructure; how this fits with housing delivery; how the levy will be scrutinised; and what financial burden should be anticipated by the development industry.

### **Ideas and additional thoughts**

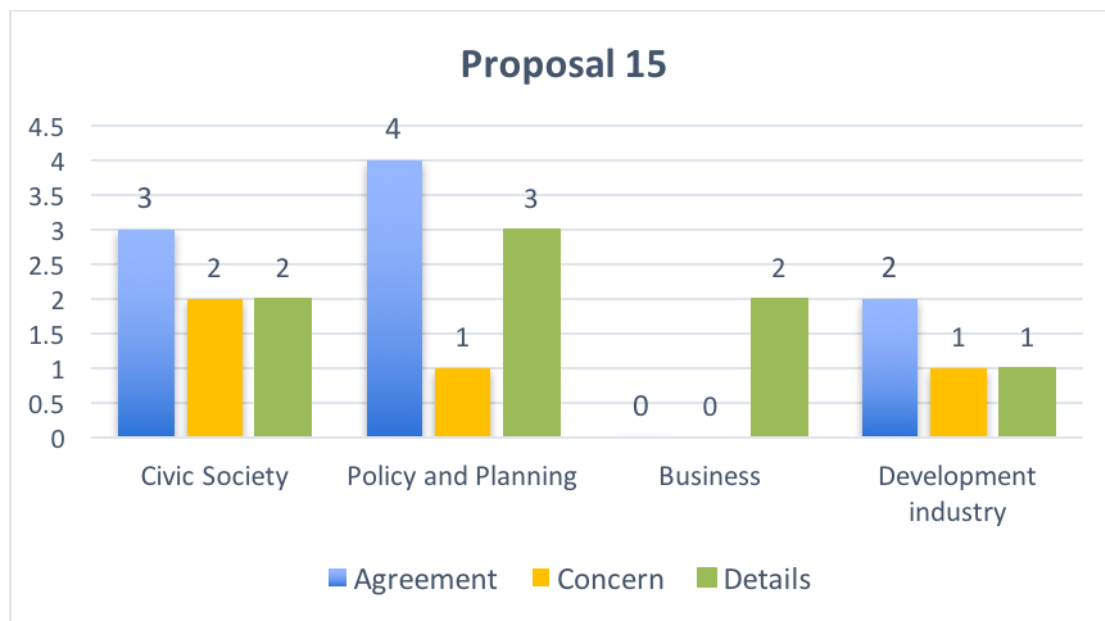
**Civil society** respondents highlighted that while the focus appears primarily to be the provision of new infrastructure, existing infrastructure remains important in terms of maintaining quality of place and should also be under consideration.

**Planning and policy** respondents suggested that in place of removing the ability to modify Section 75A obligations, Local Authorities should have the option as co-signatory to modify or discharge based on changing circumstances. There is also a suggestion that Regional Transport Partnerships are explicitly asked to feed into the Scottish Futures Trust work. Finally, from this respondent category, the idea re-emphasises that the Scottish Government needs to consider how land value uplift can be captured when land is allocated or made viable through infrastructure provision.

**Business** respondents suggested that development such as energy or telecommunications infrastructure arguably does not put the same pressures on infrastructure. Therefore, they recommend a similar approach (a development that is not a building) to exclusions as in the English Community Infrastructure Levy.

Both **business** and **development industry** respondents sought consultation prior to changes being implemented.

## 15. Innovative infrastructure planning



### Areas of support/agreement

**Civil society** respondents supported not removing Section 3F. They also supported the extension of permitted development rights and would like to see consideration given to small-scale low-carbon improvements such as micro renewables, electric vehicle charging points and cycling infrastructure in some circumstances.

**Planning and policy** respondents were supportive of the principle of encouraging new developments to install and operate low and zero carbon-generating technologies. But as noted below do not consider Section 3F of the Town & Country Planning (Scotland) Act 1997, as introduced by Section 72 of the Climate Change (Scotland) Act 2009 the best or most efficient means of doing so. **Development industry** respondents held similar views.

### Concerns expressed

**Civil society** respondents believed more could be made in the Position Statement of the role of planning in tackling climate change. While it was acknowledged that this was implicit, there would be a lot of value in being explicit.

**Planning and policy** and **development industry** respondents both expressed disappointment that Section 3F will not be removed. They argued that it creates a potential burden, adds double working to aspects of development already assessed by building standards and control, and adds a layer of complexity to the planning system where it is not necessary to do so.

## **More information/clarifications**

**Civil society** and **business** respondents would like further detail on how planning can tackle climate change, how it aids in planning for future energy needs and the alignment between planning reform and the finalised Climate Change Plan, Energy Strategy and Onshore Wind Policy Statement, due to be published in the coming months.

**Planning and policy** respondents would like more detail or guidance on how duplication of work between planning and building control can be avoided with regard to Section 3F.

**Development industry** respondents noted that education infrastructure is a large barrier to housing delivery and would, therefore, like to see the detail on the continuing work on education infrastructure planning.

## **Ideas and additional thoughts**

**Civil society** respondents suggested that climate change and environmental protections should be embedded in any legislation.

**Planning and policy** believed that consideration needs to be given to how the planning system can have an effective role in supporting Scotland's climate change targets – as they argue that Section 3F is not progressing change.

**Business** respondents reiterated the point that discussion needs to be on more than infrastructure supporting housing delivery. Policy needs to support delivery of other policy objectives such as renewable energy and a low carbon future – it is not just about delivering housing.

## Theme 4. Stronger leadership and smarter resourcing

### 16. Developing skills to deliver outcomes



#### Areas of support/agreement

Across the respondent categories there was support for the proposals. With regards to skills sharing, the **development industry** respondents supported this as a route to greater efficiencies and increased performance, **civil society** respondents supported this as they think it will fill gaps in environmental assessment, and **planning and policy** supported skills sharing provided that it means supporting archaeology and heritage services (through improved training) – rather than depletion and stretching those services.

There was welcome for the RTPPI skills audit.

#### Concerns expressed

**Civil society** respondents who had previously suggested a role of Chief Planning Officer in Local Authorities were concerned that there was no mention of that as if ignored.

**Planning and policy** respondents were concerned that sharing services should not come at the expense of role archaeologist or another specialist can play when embedded in an LA.

#### More information/clarifications

**Planning and policy** would like more opportunity for needed discussions on developing skills.

A **civil society** respondent would like more information on how local authorities will take this proposal forward.

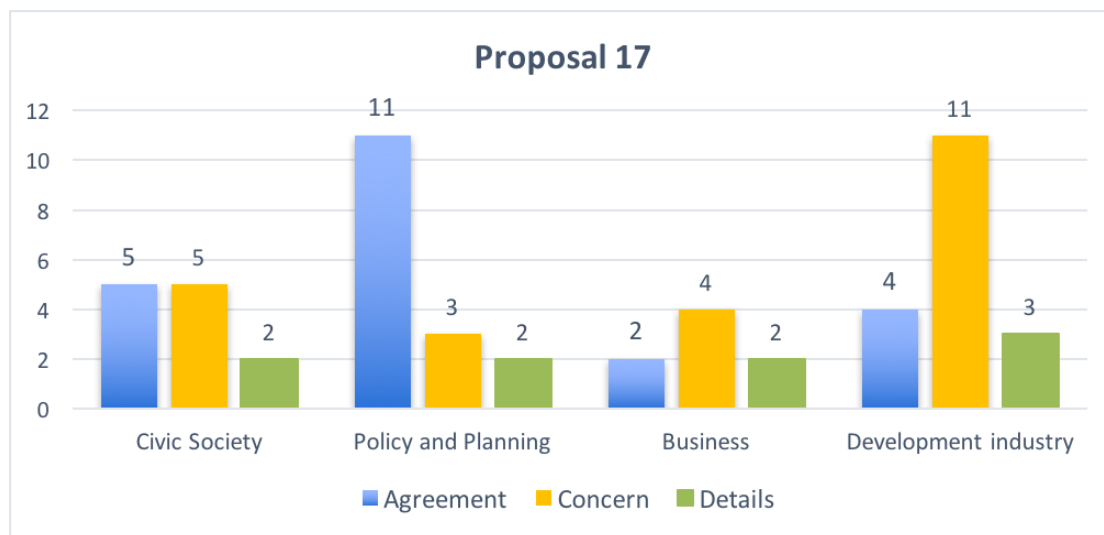
### Ideas and additional thoughts

**Civil society** respondents suggested a central Scottish Government expert team that would support planning authorities with specialist advice as and when needed. Areas that could benefit from additional support include mineral extraction, retail assessment, heritage and archaeology and onshore wind.

**Planning and policy** respondents recognised that up-skilling is good, but also awareness of opportunities from new technology and how to embrace these.

**Development industry** respondents noted that development of skills should be through transparent engagement between public and private sector to develop mutual understanding. Specialist skills could be improved through closer collaboration between neighbouring authorities or through regional planning partnerships. Development viability, archaeology, retail impact assessment, EIA, housing and employment land supply assessment, economic assessment.

### 17. Investing in a better service



### Areas of support/agreement

**Civil society** respondents support increased fees, with the aim of increasing the quality of decisions, not just speed. There was support for full cost recovery.

**Planning and policy** respondents supported increasing planning fees, suggesting these should be ring-fenced to provide an improved service. They also support the proposal to enable discretionary charging and an extension of the services for which fees can be charged.

**Business** respondents support increased fees if it can deliver a demonstrable improvement in service.

### **Concerns expressed**

**Civil society** respondents were concerned that paying a higher or additional fee could lead to a multi-tier system with larger fees capturing time and attention.

**Planning and policy** respondents believed that clarity on final resource implications for planning departments is needed before decisions on fees can be made. There were concern and disappointment expressed that there will be a delay in increasing fees and therefore, no immediate fix – planning departments have a long-standing funding gap in many instances that needs to be met before services can be improved or adapted to reforms.

**Business** and **development industry** respondents were concerned that discretionary charging could create an uneven playing field across Scotland – applicants being held to ransom or a race to the bottom. They were also concerned that clear performance indicators do not accompany the suggested increase to fees, as this improved service and performance were the primary basis on which these sectors support these proposals. The **development industry** was disappointed that the new fee schedule was implemented ahead of the planning review completion.

### **More information/clarifications**

**Planning and policy** respondents would like more detail on discretionary charging – what the scale might be and what additional services could be charged for.

Across **civil society, business** and **development industry** respondents, further detail on how improved performance will be measured is requested.

**Business** and **development industry** respondents would like work to be conducted on the potential impact of increased fees on users of the planning system.

### **Ideas and additional thoughts**

**Civil society** respondents suggested that additional services that could be charged for might include monitoring of consents for EIA developments, energy developments and

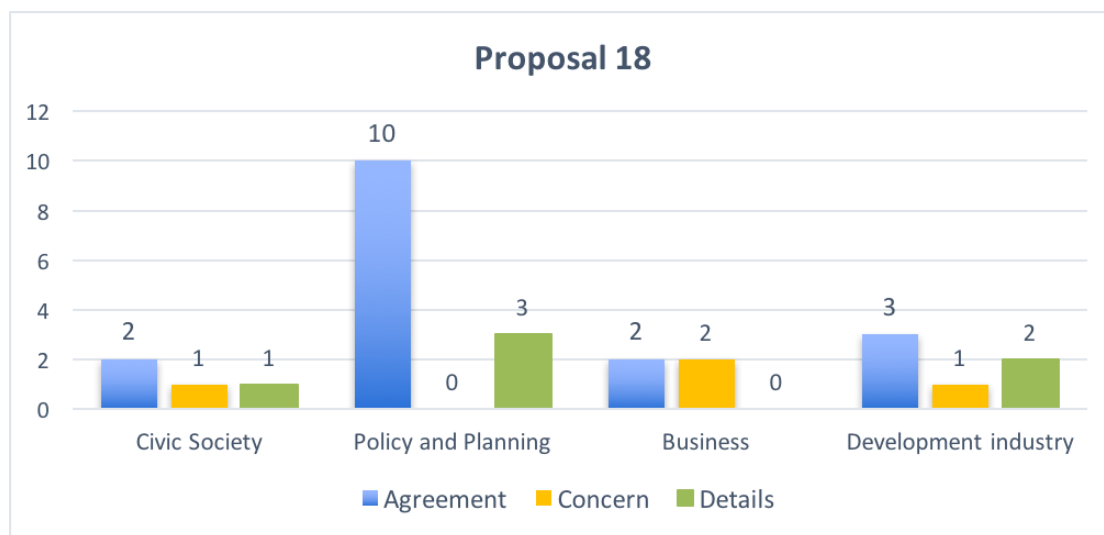
mineral extraction in particular. There was also a suggestion that an additional fee or penalty should be charged for retrospective planning applications.

**Planning and policy** respondents suggested that a final, comprehensive assessment of funding and resourcing requirements needs to wait until the final publication of the new planning measures so that a full position of new and additional duties and related costs can be predicted. There was, also, acknowledgement that new or increased costs should be proportionate to the type and quality of service, and not be excessively onerous to the applicant. Some suggested that a reduced fee could be introduced for online application.

**Business** and **development industry** respondents suggested that any increase in fees paid by the private sector needs to result directly in an injection of additional resources for planning services, delivering stronger leadership that supports the appropriate development and encourages new investment in our built environment. Alongside this, there needs to be meaningful quality control in place to ensure the improved service aligns with increased fees.

There was also a suggestion that applications submitted online can be subject to a reduced fee.

### 18. A new approach to improving performance



#### Areas of support/agreement

**Civil society** and **planning and policy** respondents remained supportive of the monitoring of outcomes over procedures – and respondents were pleased to note climate change and carbon emissions monitoring included the Position Statement. Place Standard also remained a tool that was considered useful for this purpose.

**Business** and **Development industry** respondents were supportive of any measures in support of improvements to performance across the planning system.

### **Concerns expressed**

**Civil society** respondents were disappointed that how outcomes will be monitored is not defined: will it be decision-making speed, quality of development or both?

**Business** respondents would be concerned if a penalty clause were to be retained, as these could place a strain on already underperforming authorities. They also hoped that a lack of detail does not mean that focus on high performing system will be reduced, whether or not planning fees are increased.

### **More information/clarifications**

**Planning and policy** respondents asked for clarification on any new performance framework, will it be designed to fit the reformed system with a focus on quality outcomes as opposed to measuring procedures?

**Civil society** and **development industry** respondents asked for further details about the proposal.

### **Ideas and additional thoughts**

**Civil society** respondents suggested that performance could include the impact of public engagement on planning decisions, the quality of public engagement processes and independent, expert assessments of economic, environmental, and social outcomes as products of the planning system's operation.

**Planning and policy** respondents suggested including health and well-being outcomes, climate change and carbon emission targets, and monitor the impact of the link between community planning and spatial planning. Monitoring could be on a core set of outcomes as different authorities may have different priorities dependent on local needs.

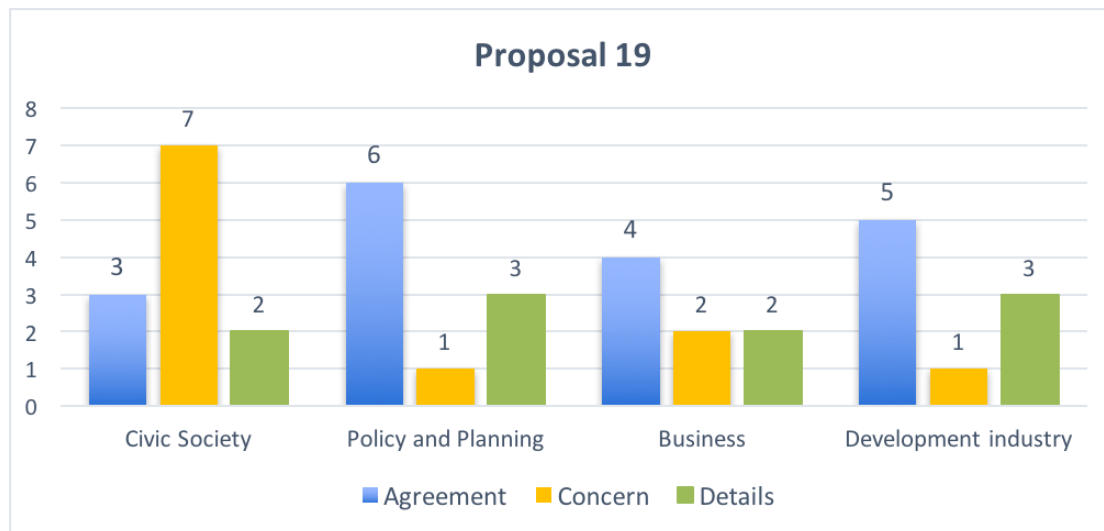
**Business** respondents suggested that low performance may be better addressed through imposing statutory improvements or peer intervention instead of penalties. They also suggested that the high-level group looking at performance should include private sector voice with experience of major applications.

**Development industry** respondents did suggest that sanctions for authorities that consistently fail to improve could be brought through either Regulatory Reform (Scotland) Act 2013, or under Part12A of 2006 Act. Greater transparency of



performance will be required. Other respondents within the sector suggest that Audit Scotland should carry out necessary assessment. Poor productivity seems to be the root issue and should be addressed before money is spent.

### 19. Making better use of resources: efficient decision-making



#### Areas of support/agreement

**Civil society** respondents supported extended permitted development rights provided that it does not give developers free reign. There were also a few (4) campaign-type responses seeking permitted development rights for front garden bike stores or sheds.

**Planning and policy** respondents supported the expansion of PDR with appropriate protections for rural, environmental and conservation designations.

**Business** respondents supported the proposals as a move to deliver more robust consents ultimately, and reduce the occasion for legal challenges to be brought forward.

**Development industry** respondents supported an expansion of PDR on the basis that this could free time for planning officers to work on the main applications.

#### Concerns expressed

**Civil society** respondents were concerned that some forms of permitted development rights could have a negative impact – for instance, what would be acceptable in conservation areas and other designated sites, and in the immediate surroundings of such areas. There was also concern that the extension of permitted development rights should not be purely about efficiency at the expense of quality decision-making.

**Planning and policy** respondents were concerned that the extension of PDR may not free up resources as intended as people seek guidance on whether development is permitted or not. Alongside this was a concern that there could be a loss of application fee income.

**Development industry** respondents were concerned that details on measures to improve development management procedures had not been outlined. Some expressed concern that the extended use of PDR will not impact the resources positively and thus, result in an improved performance and productivity.

### **More information/clarifications**

**Civil society** respondents suggested that information could be gathered on the current impact of PDR and this ought to be used to inform any proposed extension of PDR.

**Policy and planning** respondents requested more details about PDR and wanted to know if local authorities would be allowed to decide examples of PDR in their own areas.

**Business** respondents requested further information on the development management procedures.

**Development industry** respondents would like further consultation on development management procedures to be carried out as the detail on this is developed. As well more details on what the changes for PDR will comprise.

### **Ideas and additional thoughts**

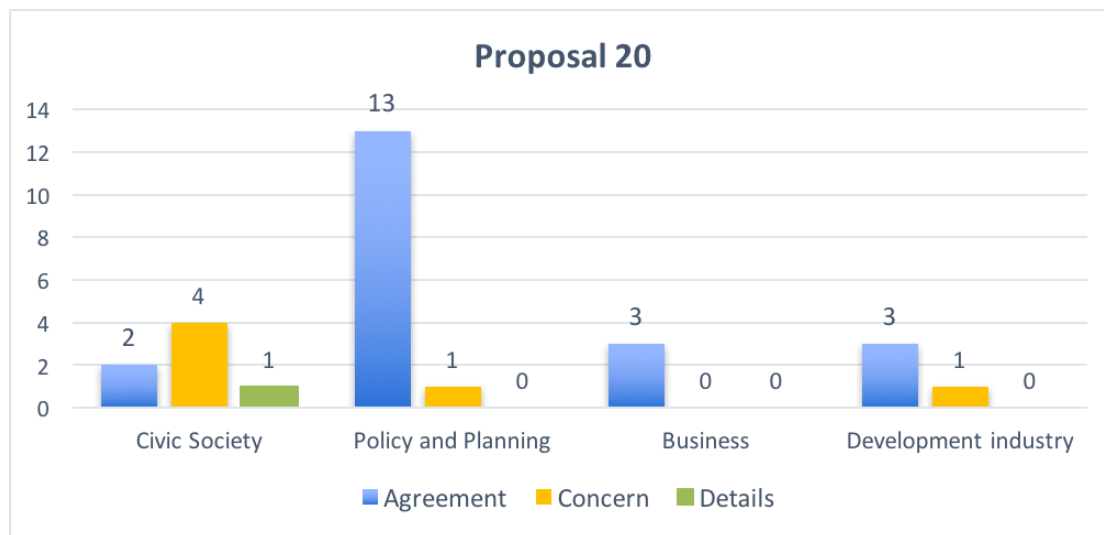
**Planning and policy** suggested that the same PDR rules should be applied to contractors if they are carrying out the same works that a statutory under-taker would, for example laying cabling in roadside verges.

**Business** respondents suggested that PDR should be extended to small-scale renewable energy projects with a capacity of 2-3kw and under. They suggested that there is a need for improved knowledge of on-shore wind sector needed – repowering and modern turbines especially. There was also the issue of Electricity Generation Licenses; these should be extended to proposals under 50MW in order to grant the same rights and level the playing field. This is important in a sector, which has shifted from a few large-scale producers of energy to a multiplicity of smaller scale producers.

**Development industry** respondents suggested the following areas for development management review:

- Introducing application procedures to change planning permissions by a non-material variation (under section 64) or a minor material amendment – and allow the opportunity to appeal;
- Definition of planning applications – such as a requirement for Design (and Access) Statements for applications for planning permission in principle;
- Timescales for certain procedures – registration, request for further information, neighbour notification, consultation responses, and issuing planning decisions. Refreshed government circular on the use of conditions in granting planning consents.

## 20. Innovation, designing for the future and the digital transformation of the planning service



### Areas of support/agreement

**Civil society** respondents were pleased that concerns regarding digital exclusion have been considered. Community council respondents suggested that assistance should be made available to ensure that community councils have the facilities and skills to work online and to be able to produce paper copies of materials for people who do not have access.

**Planning and policy** respondents were supportive of the proposals.

**Businesses** respondents were supportive of ePlanning system proposals – although resources and skills needed to implement. Both **business** and **development industry** respondents supported the establishment of a Digital Task Force, technology is an enabler and could help more people interact with the planning system.

## Concerns expressed

**Civil society** respondents were concerned that the adoption of the digital technology could lead to ‘bigger and better mistakes’ – when the emphasis should be on improving public disenchantment and poor quality outcomes.

Concern from **policy and planning** respondents that some people might feel marginalised by the digital transformation.

Some from the **development industry** respondent felt that digital technology should not replace the requirements for a strong approach to “survey, analysis, plan”.

## More information/clarifications

**Civil society** respondents suggested that an ePlanning Code of Good Practice should be a priority, to stop the perceived abuse of the system.

## Ideas and additional thoughts

**Civil society** respondents suggested that consideration needs to be given to rural communities and ability to skip content that takes a long time to load over slower connections.

**Planning and policy** respondents suggested that technology reforms should run in parallel to other reforms or risk wasting resources. For example, the new LDP process should be put in place with supporting technology and not have it retrofitted. Digital exclusion should be a consideration for the Digital Task Force, how to overcome this and ensure that with a move to using more technology people or groups are not excluded from using the planning system. The Digital Task Force could also consider national standards for planning application submissions online. Currently, each Local Authority adapts to match their system leading to quite different formats around the country. Scotland’s Greenspace Map was cited as an example of what can be achieved with national standards.

**Business** respondents believed there are opportunities in using social media to engage more people in the planning system.

**Development industry** respondents suggested that digital technology could introduce ‘real time’ tracking of applications, providing a valuable piece of information to applicants. They also noted that technology would never replace the need in planning to have dialogue among stakeholders as to the right location for development – technology can help facilitate with the right information.

## 5. SEA Review Questions

**Question 2: What are your views on the accuracy and scope of the information used to describe the SEA environmental baseline set out in the Environmental Report?**

### Areas of support/agreement

**Civil society** respondents broadly supported the four key areas of change identified in the Consultation. The scope appeared to be comprehensive and separating the SEA into two stages, strategic and indirect environmental effects, was considered to be a sensible approach.

**Planning and policy** respondents noted the high-level nature of the proposals, and given this agree that the detail in the environmental baseline seems appropriate. Additionally, they noted that the scope of the information used to describe the SEA environmental baseline to be accurate and capture the key environmental issues across Scotland.

### Concerns expressed

Only **civil society** respondents noted concerns, which were around the non-Technical Summary not being simple and clear enough to fully understand the consequences of the specific proposals.

### More information/clarifications

**Civil society** respondents would like clarity on the following issues:

- Need clarity on the Wild Land Areas; these must be explicitly identified alongside National Parks and National Scenic Areas.
- Clarity about whether it will be specified clearly in the planning bill that SEA will have at least as important a role in SPZs as in other planning matters
- More information on what the environmental implications of removing supplementary planning guidance will be.
- More information on what it meant by “High-quality homes.”

### Ideas and additional thoughts

**Civil society** respondents noted that the SEA/HRA provide important checks and these should be used to ensure that environmental policies in the NPF/SPP are not weakened by the drive to improve development delivery.

From **planning and policy** respondents, there was a thought on archaeological assets, that majority of which are undesignated, and these should be identified and the Historic Environment Records (HERs) should be the key source of information and advice on Scotland's historic environment assets and how to address the issues they raise in the planning system.

### **Question 3: What are your views on the predicted environmental effects as set out in the Environmental Report?**

#### **Areas of support/agreement**

**Civil society** respondents agreed that the future Planning Bill will unlikely have significant direct environmental effects due to the fact it is expected to make largely procedural changes.

**Planning and policy** respondents also agreed that the Planning Review will unlikely cause direct Environmental impact, per section 3 of the Paper.

#### **Concerns expressed**

**Civil society** respondents did not agree with the removal of restrictions in S.54 of the Planning Act and S.37 of the EIA regulations.

**Planning and policy** respondents noted that the removal of supplementary guidance will remove a mechanism for environmental scrutiny that is currently available, which was a concern for landscape matters. There was also disappointment expressed that implications for statutory environmental assessment are not embedded fully into the plan making process. Concerns were also raised regarding the 10-year LDP may have a negative effect on the environment due to a lack of opportunities to address environmental change over the 10-year period.

The **planning and policy** sector also disagreed that no significant environmental impacts are likely to arise from potential changes to 'Simplified Planning Zones'.

#### **More information/clarifications**

**Planning and policy** respondents would like clarification as to who is responsible for carrying out SEA of the Local Place Plans and where Local Place Plans sit in the lifecycle of the LDP.

#### **Ideas and additional thoughts**

**Civil society** respondents suggested combining and integrating Health Impact Assessments (HIA) within the proposed changes will benefit both environmental and population health.

**Planning and policy** noted that the extension of Permitted Development Rights, the rebranding of SPZ and removal of certain planning and EIA restrictions will have an environmental impact and thus, mitigation and monitoring should be employed to address the issues raised as well from those arising from moving to a 10-year plan cycle. Additional impacts could arise at local level from the method of development and infrastructure being delivered, and that these should be assessed by local authorities during the plan-making process.

#### **Question 4: What are your views on the findings of the SEA and the proposals for mitigation and monitoring of the environmental effects set out in the Environmental Report?**

##### **Areas of support/agreement**

**Planning and policy** respondents agreed with the findings of the SEA and the proposals for mitigation and monitoring, in particular the recommendations for specific guidance and alignment of SEA and HRA procedures.

##### **Concerns expressed**

**Civil society** respondents were concerned that that with the pressure on delivery, individual developments with a requirement of an EIA will still go through the planning process and damage the landscape, or other natural heritage assets.

**Planning and policy** respondents were concerned that the removal of supplementary guidance applies increased pressure at the 'gatecheck' stage of the planning process. Not getting it right at this stage will have negative impacts further down the line.

##### **More information/clarifications**

**Civil society** respondents would like more guidance on how areas where environmental effects such as air quality are already an existing priority could be addressed and improved by changes to the planning system and planning process.

**Planning and policy** respondents request clarifications on how consideration of indirect effects from the potential extension of PDR will be taken forward. Additionally, further clarification on how SPZ and permitted development rights will both protect and enhance the Historic Environment.

## **Ideas and additional thoughts**

**Civil society** respondents suggested monitoring the performance of the amended planning system will be particularly important as will be the enforcement of SEA/HRA findings. This must also assess whether or not there is any weakening of environmental policies due to the drive for enhanced delivery of development. Further research could be undertaken on the potential impact upon people, wildlife and natural environment (flora and fauna) that could come with future changes and developments, and how this could be robustly measured and monitored.

**Planning and policy** respondents noted that positive or negative effects might arise from the changes in permitted development rights and Simplified Planning Zones. These should be added to the schedule of mitigation, as a way of highlighting that further assessment may be required, given that this will remain uncertain until specific measures are brought forward.

**Business** respondents similarly noted that the predicted environmental effects set out in the Environmental Report have potential for both positive and negative effects. Any changes must be carefully designed to achieve a more efficient system that delivers better outcomes.



# Appendix 1: Summary Tables.

## Theme 1 Making plans for the future

### 1. Aligning community and spatial planning

	<b>A. Civil Society</b>	<b>B. Planning and Policy</b>	<b>C. Business</b>	<b>D. Development Industry</b>
<b>Agreement</b>	Supportive of statutory link between development planning and community planning	Supportive of statutory link between development planning and community planning and the two-way process  Support need for Chief Executives to sign-off	Welcome statutory link and sign-off.	Welcome statutory link and sign-off.
<b>Concerns</b>	That there is not a need for a statutory link, as policy or guidance may be enough, or existing links such as to community councils are sufficient.  Resourcing the changes  Centralisation and loss of strategic expertise	Concern that statutory link is not really required to achieve better alignment between the two plans, it risks of overcomplicating the process and delaying the preparation of one or both plans.  The proposal is asymmetric and does not appear to meet the objective of a two-way relationship	Concern on how the reform of the planning system will align with the final Climate Change Plan, Onshore Wind Policy Statement and Energy Strategy	The LDP should remain spatial and if they are aligned with community planning, it must not be delayed.  Concern that the link with community planning can “dilute” the position of the LDP since the community will focus on creating “their plan” instead of maintaining their involvement in the statutory development plan
<b>More information</b>	If there is conflict, is spatial or community planning given greater weight?  How might alignment be effected – are there specific areas in which the two must account for each other?	What these connections are and, at a practical level, how closer working could yield greater benefits than the status quo.  The types of requirement it would impose on community councils  How will the system ensure that Chief Executives and their senior management teams will be involved throughout plan preparation, ensuring that it informs and is informed by other corporate strategies?  More information on how this would be achieved	General request for detail	More details about the link and on the weight/primacy of Community Planning in the LDP process.  What is meant by or would be achieved by having local authority chief executives “sign off” local development plans  How it will work in practice and how Community Plans would sit alongside the proposed Local Place Plans

<p><b>Ideas</b></p>	<p>Creates more opportunity for community involvement in shaping places</p>	<p>Consider the consequent need for the planning service to take on a more active role in the community planning process will have resource and training implications</p> <p>Change to the LDP should be made organically, according to the vision of the local community it is targeting in order for it to succeed rather than having all the decision imposed on the local community. If done this way, it will result in more distinctive places rather than poor places.</p> <p>Introduction of a chief planning official to each local authority to make sure that the impacts of investment on place is being considered.</p> <p>In some local authorities they might be more than 2 LDP to be signed-off by Chief Executive</p> <p>Spatial planning should include land-use, transport and labour market amongst other policy areas</p>	<p>If there will be an increased status for community planning, deliverability must be a key consideration, as should robust criteria for departures from community plans</p>	<p>More work is required to meaningfully link the processes and outcomes of spatial and community planning to reduce double working, maximise resources within authorities, and support the delivery of the development plan.</p> <p>The ultimate decision of the content of LDP is taken by local authorities and they should “sign off” the LDP</p> <p>It should be reciprocal between both parties. It should add value and not slow down the system</p>
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## 2. Regional partnership working

	<b>A. Civil Society</b>	<b>B. Planning and Policy</b>	<b>C. Business</b>	<b>D. Development Industry</b>
<b>Agreement</b>	<p>Support removal of SDPs from two responses</p> <p>Support for more flexible approach to strategic planning at a regional level</p>	<p>Support for stronger partnership working at regional level.</p> <p>If SDPs are replaced – a robust regional partnership system needs to replace them.</p> <p>Some support the removal of SDPs</p>	<p>Support for removal of SDPs and regional partnership working.</p>	<p>Support removal of SDPs for a procedure that supports the delivery of housing and infrastructure</p>
<b>Concerns</b>	<p>Concern that this is centralisation, removes opportunity for community input and the NPF would become overloaded and less effective</p> <p>Concern for removal of SDP since they reflect a partnership that is formed between Local Authorities and regions throughout Scotland.</p>	<p>Removal of SDPs will leave a gap and loss of skills – lack of justification for such a move.</p> <p>Concern that if the partnership arrangement is voluntary it will not deliver.</p> <p>Concern that a voluntary partnership arrangement without any clear output plan is precarious and will depend on the individual relationships between LPAs and possibly even the local political affiliations</p>	<p>Effectiveness of new regional partnerships against current SDPs.</p>	<p>Removal of SDPs will result in unclear, unaccountable and variable regional structures as well it might slow down the system.</p> <p>Concern that in the absence of clear government framework, the regional partnerships will not be able to make a significant contribution to the delivery of important strategic infrastructure</p>
<b>More information</b>	<p>If differences of view arise between participants, how will they be resolved so that the whole plan-making process is not brought to a halt?</p> <p>How will the interests of local communities be represented in the work of regional partnerships?</p> <p>“A stronger model of shared responsibility and co-production with regional partnerships” may be desirable but raises issues around</p>	<p>Detail on geographical coverage of regional partnerships</p> <p>How will regional plans feed into NPF? As part of evidence base? What influence will they have? How potential tension would be solved?</p> <p>More details on the financial support of regional partnerships</p> <p>More information on how regional partnership working envisaged by the position statement will happen in practice</p>	<p>On operation and arrangements of regional partnerships.</p>	<p>How housing supply targets will be set and through what mechanism.</p> <p>How duties and powers of regional partnerships will be established.</p> <p>Who will have lead responsibility and adjudicate disputes between partners.</p> <p>Where the responsibility for coordination of this new regional partnership working will lie; how the effectiveness of the partnerships will be monitored; how they will be resourced</p>

	partnerships composition and management – what in more detail is proposed? What about test case studies?			
<b>Ideas</b>	<p>Need for clearly defined duties</p> <p>Define the clear scale for regional partnership working</p> <p>Need to specify the new vehicle for regional planning by preparing a model of the document</p> <p>Adequate resources and expertise are needed to address effectively the issues that might rise at a regional level</p>	<p>Should SDPs be replaced they need to be replaced by something equally strong and effective – particularly in terms of partnership working.</p> <p>Clearly define duties, powers and outputs for regional partnerships around their purpose, roles and responsibilities, governance, accountability, and funding</p> <p>Introduce a mechanism that retains a 'regional' vision for growth</p> <p>Any framework set out at a national level must be flexible to allow partnerships to react to local circumstances and priorities, no one-size fits all approach</p>	<p>Duties to encourage partnership working and formal structures.</p> <p>Discretionary powers should be secondary to obligations.</p> <p>Define clearly robust duties, powers and outputs for regional partnership working, fully considering the overall need for a more streamlined and efficient system.</p>	<p>Regional targets and regional spatial development strategies must be reflected in the new regional partnership system to ensure that delivery is not held up by individual local authority objectives</p> <p>Clearly set out details of the responsibilities and the processes for monitoring outcomes</p> <p>Clearly set out duties and powers for regional partnership working</p> <p>Any replacement for the current SDP process must be robust and allow for tangible outcomes to be achieved</p>

### 3. Improving national spatial planning and policy

	<b>A. Civil Society</b>	<b>B. Planning and Policy</b>	<b>C. Business</b>	<b>D. Development Industry</b>
<b>Agreement</b>	Support for aspects across responses, but no single area of agreement.	Support for enhancement of role for NPF and SPP  Support national policies that do not have to be restated in LDPs	Support enhanced role of NPF and SPP	Supportive of enhanced status of NPF and SPP.
<b>Concerns</b>	Concern that this move leads to centralisation.  Concern that Regional Partnerships could well lead to in-fighting concerning the distribution of resources, new infrastructure	Concerns that without transitional arrangements, areas will have out of date Development Plans therefore undermining a plan-led system. Creation of a top-down approach through NPF and SPP.	Timescale for preparation seems overly ambitious.  Concern that the planning system will become an even more constraint-led regime which severely restricts low carbon generation deployment  Concerns about alignment between planning reform and other policy changes	No major concerns were raised.
<b>More information</b>	How can communities be involved in the production of an enhanced NPF?	How views of regional partnerships will be taken into account and in turn how NPF will influence regional planning.  More details about how a revised NPF which sets housing numbers will work and what influence the regions will have in the setting of these numbers	Detail on change on statutory role of NPF and SPP.	More information on the circumstances in which the departures from national policy could be appropriate and the evidence, which the planning authority would require to provide as sufficient justification for departure.  What are the implications for delivery of homes?
<b>Ideas</b>	If greater use is to be made of the NPF, then there should be commensurately greater consultation and greater scrutiny by the Scottish Parliament  If the planning system is to deliver truly sustainable high quality places it will also be important that the NPF is strongly aligned with other key national policy documents	A process for subsidiarity of policy and consideration of local circumstances needs to be allowed for.  The NPF need to be aligned with other key national policy documents	Alignment from NPF to LDPs will be key to providing a coherent and consistent policy platform from which all can work.	The policies which are to apply nationally must provide greater detail and be expressed more clearly than the broad statements in the current versions of NPF and SPP in order to streamline the process  Transitional arrangements must also be set out in order to avoid a moratorium on development in the interim

#### 4. Stronger local development plans

	<b>A. Civil Society</b>	<b>B. Planning and Policy</b>	<b>C. Business</b>	<b>D. Development Industry</b>
<b>Agreement</b>	Support gatecheck and resolution of issues at an early stage – including departures from national policy.	Support for change to 10-year plan with provision for updates and review.	Support role of NPF and SPP in role of balancing local and national interest.	Support for removal of the MIR  Support for the introduction of gatecheck and early resolution of issues.
<b>Concerns</b>	Removal of Supplementary Guidance – particularly the protections this offered for natural and heritage assets.  Removal of Main Issues Report Stage – a key point for communities to engage with options.	Preparation timescales seem overly ambitious.  Removal of Supplementary Guidance – where will this detail be located instead?  How will conflict at the gatecheck stage be resolved?	10-year plans may become very out-dated quickly, particularly when it comes to rapidly evolving areas of development such as low carbon and renewable technologies.	How will a 10-year plan deal with the SPP requirement for LAs to maintain a 5-year effective housing supply?  Concern gatechecks could be subject to legal challenges (through unresolved issues) and result in delays.
<b>More information</b>	What would trigger an update/review of the LDP?	Detail on what should be considered and by whom at gatecheck. Needs an agreed list of matters, participants and how process is managed.	What will trigger a review/update of the LDP?	Further detail on the gatecheck process – who will lead the process and what level of certainty will the process lead to?  Triggers for updating/reviewing the plan – what will these be?
<b>Ideas</b>	SG retained as a complimentary to Draft Plans – providing detail on local context and delivery. SG also an important element in drawing together community views, business and development industry views  SG could be held at national level as part of SPP – and adapted by LAs for local needs.  Involve communities in gatecheck through citizen panels.	Align Gatecheck with SEA process by making it multi-stage/iterative.  Gatecheck matters: <ul style="list-style-type: none"> <li>○ Whether there is an adequate evidence base (e.g. infrastructure capacity, environmental assets and constraints, housing land assessments and audits);</li> <li>○ Outcomes to be sought from the plan (housing requirements, targets for other development types, reuse of vacant and derelict land);</li> <li>○ Proposed departures from national policy on the basis of local circumstances;</li> <li>○ Methods for the plan preparation including the approach to engaging</li> </ul>	Gatecheck needs to be inclusive and comprehensive including resolution of issues – otherwise benefit is lost.	Housing Land Audit should be carried regularly and form the basis of a trigger.

		delivery bodies and the public, alignment with community planning and the scope of the accompanying environmental assessment.		
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## 5. Making plans that deliver

	<b>A. Civil Society</b>	<b>B. Planning and Policy</b>	<b>C. Business</b>	<b>D. Development Industry</b>
<b>Agreement</b>	Support enhanced engagement for unallocated sites.	Support enhanced engagement for unallocated sites  Support replacement of action programmes with delivery programmes.	Support of enhanced consultation for unallocated sites. For allocated sites support for the reduction to 6 weeks but for unallocated sites more consultation is required and thus the period should still be 12 weeks	Support “proportionate” engagement for allocated sites.  Support the principle of engagement for unallocated sites
<b>Concerns</b>	Reduction in engagement for allocated sites – still matters of detail that communities want to be involved in.	Concern that having a two-tier system for pre-application consultation – dependent upon whether a site was or was not allocated in the development plan may be difficult to justify to local communities and consultees.  Concern that different communities would have a different capacity to contribute  Concern that without the buy-in of the development industry the ability of the Council to set out a realistic approach to delivery will be limited.	No significant concerns noted.	Enhanced engagement for non-allocated sites is a cause of concern. Also concerned that enhanced consultation might raise community expectations as to the level of influence they could have.  Engagement for non-allocated sites should only apply to major applications in order not to limit the development of small windfall sites for housing and other uses. For small sites, the developers should judge on what level of consultation should be undertaken
<b>More information</b>	Where would the local council be involved in strengthening of the local plan delivery programme?	Further information on how local development plan delivery can be strengthened – through secondary legislation – is required.  More detail in relation to the role of stakeholders is required	More details about the mechanism regarding the de-allocation of sites and if this would be some form of formal de-allocation process or if it would be a matter to be addressed in a review of an adopted local development plan.	More information on the potential de-allocation of sites.

<p><b>Ideas</b></p>	<p>Strong plan led system is critical for the success of the planning system in Scotland. The system has to be incentivised to ensure that windfall sites are an exception</p>	<p>There should be a duty for all community planning partners, external delivery partners, and corporate stakeholders within local authorities to play a full part and be committed to delivery.</p> <p>LDP would need to set clear timescales for delivery in order to encourage sites to be progressed, with sites that don't deliver within that timescale being removed and alternative sites being identified to compensate.</p> <p>Requirement to explore what training opportunities could be made available for planners, with a focus on development finance and viability</p>	<p>Ensure the gatecheck aligns with other government policy areas.</p>	<p>For allocated sites the 12 weeks PAN period should be waived or reduced, however for non-allocated sites a 12 weeks PAN period is sufficient for public engagement.</p> <p>Once a site is allocated in the LDP, this presumes buy-in from all the principle of development and its delivery, the planning application process for allocated sites should not undermine this buy-in, and the level of community consultation should recognise this</p> <p>Any requirement for enhanced engagement should be left to the discretion of planning authorities</p>
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## Theme 2. People make the system work

### 6. Giving people an opportunity to plan their own place.

	<b>A. Civil Society</b>	<b>B. Planning and Policy</b>	<b>C. Business</b>	<b>D. Development Industry</b>
<b>Agreement</b>	Supportive of Local Place Plans – with calls for ensuring there is support in place.	Supportive of LPPs informed by LDPs.	Supportive of stated purpose of LPPs to promote appropriate development.	Supportive of stated purpose of LPPs to promote appropriate development.  Supportive of LPPs being informed by the LDP.
<b>Concerns</b>	Concerned that LPP will not have any influential status.  That communities are not resourced nor have the skills to participate – including concerns for communities in disadvantaged areas.	Resourcing and delay are the primary concerns.  How will LPP production be resourced? Concern that funding will go to well resourced communities creating a greater deficit for disadvantaged.	Risk that community groups could still attempt to use LPP to block development.  Concerns that LPP is contrary to streamlining and efficiency in the planning system.	LPPs will delay LDP production  Risk that community groups could still attempt to use LPP to block development.  Concerns that LPP is contrary to streamlining and efficiency in the planning system.
<b>More information</b>	General request for information on how LPPs will be prepared.  Guidance on who can be involved in preparation.	How will LPP work for CPP partners subject to participation requests from community groups?  Community council involvement in Development Plan Scheme – how does this differ from current arrangements? How does this impact assessment at examination?		
<b>Ideas</b>	Definition of community is important – draw from land reform or community empowerment.  Preparation of LPP will require significant resources – including professional advice. Must come from Government. Communities will need to	Risk that LPPs become tool only used by the already informed, articulate and affluent.	Communities need to understand strategy of long-term development plans and accept need for change and development.	Clear guidance required keeping LPPs positive.  Independent scrutiny at the point of integrating the LPP with the LDP would be welcome.

	understand the role LPPs play in the broader framework of plans. Without clarity it risks undermining trust in the system e.g. if DM decision is contra to LPP.			
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## 7. Getting more people involved in planning

	<b>A. Civil Society</b>	<b>B. Planning and Policy</b>	<b>C. Business</b>	<b>D. Development Industry</b>
<b>Agreement</b>	Support involving young people in planning – and wider engagement.	Supportive of the proposals – aware of need to reach “hard to reach” groups.	Supportive of early engagement in plan preparation.	Support engagement with young people and getting more people involved in planning.
<b>Concerns</b>	Token approaches to engagement will prevail.  Concern that some engagement with young people produces unrealistic outputs.	Additional resources and training required carrying out further engagement – diverting from other necessary tasks.  Community Council involvement in Development Plan Schemes may not be the right focus, which should be on early engagement.	-	Concerned if engagement with particular groups becomes a statutory requirement.  More detail on what the requirements will be is needed ahead of drafting the Bill.
<b>More information</b>	-	More details on how to get more people involved in planning and how this will be achieved.	More details on how to broaden engagement	Will moves towards meaningful engagement be in primary legislation, or secondary legislation and guidance?  More details on the development Plan Scheme and Participation Statements and how will they be achieved
<b>Ideas</b>	Implement findings of the Barriers to Engagement in Planning research.  Enhance transparency by responding to public comments on PAC and applications.	LAs should have a duty to upskill community councils, individuals and other groups so they can engage meaningfully with the planning system.  Consider how to promote planning through the education system through a strong link into the school curriculum	Balance community engagement and empowerment with wider societal interests (more homes, jobs, etc)	More guidance on getting people – both young and old - involved in planning should be introduced

## 8. Improving public trust

	<b>A. Civil Society</b>	<b>B. Planning and Policy</b>	<b>C. Business</b>	<b>D. Development Industry</b>
<b>Agreement</b>	Support removal of repeat application at no cost.  Support strengthening enforcement powers.	Support PAC enhancement	-	
<b>Concerns</b>	Rejection of equal rights of appeal.	-	Removal of second application at no cost. Many refusals are technical; this would discourage dealing with through amendments, but lead to more appeals.	Removal of second application at no cost. There are multiple reasons for re-submitting. If introduced – should be at reduced fee.
<b>More information</b>	-	-	-	Further detail on PAC changes required. Home building industry needs to be consulted on these changes.
<b>Ideas</b>	Introduce a right of appeal for applications that do not conform with the LDP  Improve trust by responding to comments on planning applications.	Participation in planning just one part of community empowerment – define whether public role in planning is driven by empowerment or more influence through participation and engagement.	-	-

## 9. Keeping decisions local - rights of appeal

	<b>A. Civil Society</b>	<b>B. Planning and Policy</b>	<b>C. Business</b>	<b>D. Development Industry</b>
<b>Agreement</b>	Agree that a review of local review bodies would be beneficial.  Welcome of mandatory training for elected members  Agree that ministers should not take planning appeal decisions more frequently	Welcomes the proposal for stronger early engagement rather than the introduction of equal or third party rights of appeal  Mandatory training for elected officials is welcomed.	Support for mandatory training for Local Review Bodies and welcome the reviewing of the effectiveness of local review bodies to explore lessons learned, share issues / solutions and identify scope for future improvement  Welcomes the rejection of third party rights of Appeal	Welcome the limit the range of application that can be considered by local review bodies, support mandatory training and not introduce third party rights of appeal  Welcome the decision not to introduce fees for lodging review or appeals, avoiding adding a new barrier to delivery
<b>Concerns</b>	Disappointment for not introducing the equal rights of appeal and fees	Disappointment that fees will not be introduced for appeals	-	Concerns about how local review bodies operate

	<p>for either lodging reviews or appeals</p> <p>Concern that the whole proposal would not improve public trust</p>			
<b>More information</b>	<p>How reporters will reflect community views in their decisions</p> <p>More details on how training would be delivered, or who would be responsible for the training and its content or how the quality of training would be assessed and made consistent over the country and through time.</p>		-	<p>Clarification about how the training will work across all the local and planning authorities in Scotland and who is to receive it</p> <p>More detail is required for the scope of examination and powers of the reporter</p>
<b>Ideas</b>	<p>Ask the Gov. to review their position regarding equal right of appeal, as it is a mechanism that allows communities to express themselves.</p> <p>Proportionate fee: the introduction of fees should be estimated which reflects the resources and capacity of the parties that must pay the fee. Or impose fees for unsuccessful appeal on developers to discourage them from burdening the system</p>	<p>Subsidiarity in decision-making is a sound principle but there comes a point at which applicants need the opportunity to test their case through an appeal process heard by a Reporter.</p> <p>Fees should still be charged for reviews and appeals but the fee should be returned if the appeal is successful</p> <p>If training is to be made mandatory then it needs to be done via statute</p>	<p>LRB's should apply only to householder appeals and that overhaul of the LRB process is necessary</p>	<p>The introduction of third party rights of appeal would have caused major delays and further demand on LPA resources to the detriment of housing and infrastructure delivery, and would serve to be a disincentive for investment in Scotland.</p> <p>It is unclear at present why schemes of delegation vary markedly across Scotland and that in many Council areas these should afford greater weight to letters of objection than those for support, in terms of the level of decision making for applications</p>

### Theme 3. Building more homes and delivering infrastructure

#### 10. Being clear about how much housing land is required

	A. Civil Society	B. Planning and Policy	C. Business	D. Development Industry
<b>Agreement</b>	-	Welcome any move that gives greater certainty to setting housing numbers and reduces debate.	-	Support involvement in discussions including Homes for Scotland – should take place prior to Bill and legislation drafting.
<b>Concerns</b>	Concern re balance between economic growth and environment.	Concerned re suggestion to set targets nationally, as this does not avoid a repeat of arguments about numbers delivered at development plan process.	-	Concern at lack of detail at this stage in the process.
<b>More information</b>	-	Role of Regional Partnerships and regional spatial strategies in housing number determination.	Unclear at what level Housing Land decisions will be made.	Clarity as to what level housing targets will be set at.
<b>Ideas</b>	Communities of place and communities of interest and designers involved in housing should be added to 'housing professionals, planning authorities and developers'.	<p>Community reps to be included in discussion around “a solution which minimises the level of debate” to ensure satisfaction with method.</p> <p>Challenge remains in identifying housing need and demand in rural areas. Current HNDA not robust for rural areas with small/sparse population – therefore challenging to identify and plan for new housing.</p> <p>Must be at a sub-national/regional level in order to understand impact of major developments on transport network. Allows a greater sustainable transport response.</p>	Clear targets rather than aspirations need to be set to be effective.	<p>Bill and primary legislation should set out provision for clear, robust evidence housing target (not aspiration). Set at NPF or nationally produced regional guidance.</p> <p>Gatecheck assess LA compliance.</p>

## 11. Closing the gap between planning consent and delivery of homes

	A. Civil Society	B. Planning and Policy	C. Business	D. Development Industry
<b>Agreement</b>	<p>Support recognition of environmental assets.</p> <p>Support enabling authorities to use CPO powers.</p>	<p>Supportive of proposals overall – CPOs and requirements for viability of sites.</p> <p>Welcome the delivery of high quality development in the right places</p>	<p>Welcome the proposal and particularly the use of compulsory purchase power to facilitate development</p>	<p>Supportive of the objectives of this proposal.</p> <p>Welcome decision not to include changes to CPO or Development Land Tax at this point.</p>
<b>Concerns</b>	-	<p>Removal of strategic planning could diminish capacity to understand regional delivery issues.</p> <p>Concern that the legislation as it is written would not help in the delivery of housing</p>	-	<p>Viability information should not be a statutory requirement and only required where viability issues have been identified as an impediment to delivery.</p> <p>Viability can change over time.</p> <p>Concerned that LAs do not have the skills to assess viability and its complexities.</p>
<b>More information</b>	<p>How will planning enable building more high quality homes?</p>	<p>Consultation on proposed revision to CPO guidance needed – CPO can bring benefits, but also additional risks for LAs.</p> <p>More clarity is required as to how this might be carried out in practice</p>	-	<p>De-allocation – more consideration of how this would operate should be considered.</p> <p>More details on how the Scottish Government plan to close the gap between planning consent and delivery of homes</p>
<b>Ideas</b>	<p>Types of homes developed should be part of the consideration.</p> <p>High quality homes should mean adequate space, fit for lifetime occupancy.</p> <p>A minimum density of 30dwellings per hectare (as used to exist in England) would both ensure</p>	<p>Meeting housing needs and creating places of quality are public objectives and should be led by the public sector, as they are widely on the Continent.</p> <p>Opportunities for LAs to capture land value uplift.</p> <p>Need to factor into consideration that viability issue could change with times</p>	<p>Consideration should be given to the appropriate points in the planning process of considering the viability of sites and development delivery – at what point from development planning to development management should this take place?</p>	<p>The cost and availability of land often has limits the ability of housing associations to deliver affordable housing. Explore the potential for land to be transferred at existing use value in order to allow increased delivery of affordable housing.</p> <p>Explore how the uplift in value on land designated for housing can be used to fund infrastructure.</p>

	<p>effective and efficient use of available land, but also help improve design and use of the “Designing Streets” approach (i.e. more houses and less tarmac).</p>	<p>Improved and consolidated planning system that enables the use by planning authorities of CPO. CPOs can be an effective way of unlocking difficult sites but it needs to be borne in mind that the local authorities take on a considerable amount of risk and additional costs in these circumstances</p> <p>Help individuals and small groups to deliver houses by supporting local co-operatives and self-builders and making it easier for them to develop through LDP.</p>		<p>Unlocking sites would require involvement with key agencies</p> <p>Site viability and deliverability should be proven at the allocation stage which would prevent sites which are not deliverable within the plan period being included within LDPs when there is little or no chance of them delivering within the required period. Viability submission must remain confidential and it should be submitted when the developer contribution threatens the viability of the scheme</p>
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## 12. Releasing more 'development ready' land for housing

	<b>A. Civil Society</b>	<b>B. Planning and Policy</b>	<b>C. Business</b>	<b>D. Development Industry</b>
<b>Agreement</b>	Support reflection of concerns in position statement re environmental assessment requirements	Support SPZ and proposed CPO powers	Welcome research and Piloting of SPZ – consultation on outcomes required prior to legislative change.	Supportive of SPZ – learning from trials and research
<b>Concerns</b>	Rationale required for removing restrictions to SPZs in conservation areas etc. At odds with achieving high quality places	<p>How will funding for upfront infrastructure work, plus other resourcing issues such as funding-gap when no planning application fees are collected.</p> <p>Could be resource intensive process without speeding up the process.</p>	-	<p>Results of research into SPZ need to be subject of further consultation prior to being embedded in legislation. Currently unclear as to how SPZ leads to delivery of more homes.</p> <p>Discretionary charging – no legislation should be taken forwards until consultation on this has taken place on both operation of SPZ and level of charging.</p>
<b>More information</b>	-	<p>How will any funding gap be addressed?</p> <p>How would local authority or resident concerns be addressed in event of SPZ by Ministerial direction?</p>	-	Further thought on delivery, management and funding required.
<b>Ideas</b>	Rebrand as Strategic Development	Need to ensure any large-scale	-	Opportunities for custom and self-build

	<p>Zones</p> <p>Exclusions – all areas around listed buildings or scheduled monuments, conservation areas, designated landscapes, SSSI, greenspace network, wildlife corridors, and related settings and surroundings.</p> <p>SPZ only successful if high standards of design and non-interference of historic environment.</p>	<p>designation is well served by transport infrastructure, services and marketing to ensure sustainable travel is embedded.</p> <p>Rebrand SPZ to reflect purpose in PPP – tools for encouraging masterplanning and strong design codes.</p> <p>Need to be able to secure land at existing values.</p>		<p>need to be specifically identified.</p> <p>Experience of pilot schemes must be used to inform.</p>
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### 13. Embedding an infrastructure first approach

	<b>A. Civil Society</b>	<b>B. Planning and Policy</b>	<b>C. Business</b>	<b>D. Development Industry</b>
<b>Agreement</b>	Support the approach – regional infrastructure audits, incorporate green infrastructure.	Supportive of an infrastructure first approach – but requests for detail on how, including alignment from the national to local.	Support for an infrastructure first approach.  Welcome the commitment within the Position Statement that key delivery partners, will be consulted as to the role and purpose of this group	Support decision to not introduce an agency (not all).  Support infrastructure auditing.
<b>Concerns</b>	Concerned that infrastructure is under such pressure that a new approach will be unable to alleviate these pressures.  No mention of district heating.  Without a formal agency how will there be local and national accountability.	Disappointment in rejection of a national agency model. Local authorities need help in unlocking development – assistance if not provided by an agency could be provided in other ways as a priority.  Strategic and long-term view not adequately addressed through proposals.	Concerned that a delivery group will be less effective than an agency with duties.  Infrastructure in the position statement seems concerned with housing delivery but needs to include utilities, energy, telecommunications, waste, transport etc.  Concern at the potential for the imposition of a Scottish Infrastructure Levy on energy infrastructure project	Concerned the task-based approach will fail to deliver – without statutory requirement for providers and developers to work together long-term constraints will remain.  Would prefer commitment and certainty provided by a national infrastructure agency.
<b>More information</b>		More details on the ideas proposed  More details on the precise role of partnership working to help improve infrastructure governance and co-ordination  More information on the source of funds that any national body established would manage, and who would mediate and take the final decision if competing priorities were identified	More details if the infrastructure levy would apply to infrastructure projects	How regional partnerships will ensure alignment of infrastructure delivery will be important.
<b>Ideas</b>	Infrastructure planning and coordination as a responsibility for multi-agency Regional Partnership.  Finance infrastructure upfront and recoup cost from developer contributions.	More evidence on why sites have stalled may be beneficial in taking a task-based approach.  Include water and flooding 'infrastructure' in community and spatial planning systems.	UK-wide alignment of infrastructure objectives needed for the energy sector.	Scottish Government action on funding education infrastructure is key to unlocking housing development.  Infrastructure audit should also identify where new infrastructure be delivered, its funding and method of delivery.

	<p>Careful account should be taken of local community and environmental factors, rather than merely imposing proposals from a great height in the interests of early development.</p>	<p>Regional Transport Partnerships could provide continuity of knowledge regarding regional infrastructure needs.</p> <p>Transport Scotland could play a role in pump-priming transport infrastructure through a revolving fund.</p> <p>The issue of delivery of infrastructure should be given due priority, and local authorities should be given due support to unlock development. Look at case studies in the UK</p> <p>Define the delivery mechanism from national – regional – local to optimise collaboration and be clear on the precise roles and responsibilities expected from the infrastructure providers</p>		<p>Infrastructure constraints are probably one of the most significant barriers to development.</p> <p>Alignment of infrastructure provision within the proposed regional partnership working will be important, and proactive working and upfront delivery of infrastructure from Councils to enable delivery of development.</p>
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#### 14. Creating a fairer and more transparent approach to funding infrastructure

	<b>A. Civil Society</b>	<b>B. Planning and Policy</b>	<b>C. Business</b>	<b>D. Development Industry</b>
<b>Agreement</b>	<p>Support on-going research and levy – provided levy can also fund green infrastructure and is in addition to site-specific obligations.</p> <p>Welcome infrastructure levy being given further consideration.</p>	<p>Supportive of levy subject to resolution of – cumulative impact of new infrastructure levy and S75 obligations on developers and viability, fund to be able to deliver infrastructure upfront, managing fund to leverage its value – solution to long-term infrastructure challenge.</p>	<p>Welcome retention of S75 ability to modify/discharge.</p>	<p>Support retention of ability to apply for modification and discharge of S75</p>
<b>Concerns</b>	<p>Avoids consideration of funding through public buying at existing values or taxation to gain uplift in value when land use is changed.</p> <p>Disappointed that removal of ability to modify/discharge S75 obligations not in Position Statement.</p>	<p>Avoids consideration of funding through public buying at existing values or taxation to gain uplift in value when land use is changed.</p> <p>Disappointed that removal of ability to modify/discharge has been rejected. Notes changes may be required regarding future</p>	<p>While levy could help fund infrastructure for housing development, it could impact development, which has little or no impact on infrastructure.</p> <p>Concerns remain re CIL experience. S75A obligations must be considered alongside future decisions on the role of a levy.</p>	<p>Concerned re any levy/taxation that is not supported by delivery mechanism – rates and collection can be set through Supplementary Guidance but difficult to guarantee what funds are spent or programmed to be spent on.</p> <p>Levy is not solution – waiting for fees to</p>

		infrastructure levy.  Of the view that allowing modification prejudices medium-long term planning.		accumulate will delay development.
<b>More information</b>		Detail /justification on proposals – such as no removal of provisions for S75 modification.  Levy requires further consideration following Stage 3 research report – presents further options to test.	Clarity and full consultation on detail will be required on SFT research outcomes, unlikely this can be completed prior to Bill on current timetable.	Matters still to be considered – who has responsibility for delivering and coordinating infrastructure, how it fits with housing delivery, how levy will be scrutinised, and what financial burden should be anticipated.
<b>Ideas</b>	Focus is on new infrastructure provision – existing infrastructure is important in maintaining quality of place and should be considered.  Innovative infrastructure planning and levy must be tailored to local circumstances.	Local Authorities should have option as co-signatory to modify or discharge based on changing circumstances.  Scottish Futures Trust work should allow feed in from RTPs. Scottish Government needs to consider how land value uplift can be captured when land is allocated or made viable through infrastructure provision.	Infrastructure required as result of increased pressures – renewable energy arguably does not put similar pressures. Recommend similar approach (development that is not a building) to exclusions as in CIL.  Consultation on scope of levy should take place prior to committing to it.	Any changes should be made in consultation with the development industry.

## 15. Innovative infrastructure planning

	<b>A. Civil Society</b>	<b>B. Planning and Policy</b>	<b>C. Business</b>	<b>D. Development Industry</b>
<b>Agreement</b>	Support not removing Section 3F.  Welcome the proposal to consider extending permitted development status to small-scale low-carbon improvements such as micro renewables, electric vehicle charging points and cycling infrastructure in some circumstances.	Support removal of Section 72 of the Climate Change Act.  Support the principle of encouraging new developments to install and operate low and zero carbon-generating technologies.	-	Support removal of Section 3F of the Town & Country Planning (Scotland) Act 1997, as introduced by Section 72 of the Climate Change (Scotland) Act 2009
<b>Concerns</b>	More could be made in the Position Statement of role of planning in	Disappointed that a potential burden in Section 3F has not been removed – better	-	Concern that retaining Section 3F doubles up aspects already assessed by

	tackling climate change.	tackled through Building Standards/Control.		Building Control. Adds complexity to planning that is unnecessary.
<b>More information</b>	<p>More details on what the Scottish Government proposed to do in planning for our future energy needs</p> <p>More details on how planning can help tackle climate change</p>	<p>More information on existing controls with regard to Section 3F to ensure there is not duplication between Planning and Building Control.</p> <p>Further clarity in the guidance and related legislation to avoid confusion and unnecessary duplication of existing controls and enforcement.</p>	<p>As Section 3F is said to be of limited value – will this be removed by another route?</p> <p>More information on how the proposed reform to the Scottish Planning System, will support the objectives of the finalised Climate Change Plan, Energy Strategy and Onshore Wind Policy Statement, due to be published in the coming months.</p>	<p>Will work on education infrastructure planning have any bearing on the Bill and legislation? Currently one of the largest barriers to housing delivery.</p>
<b>Ideas</b>	<p>Climate change and environmental protections should be embedded in any legislation.</p>	<p>Consider how the planning system can have an effective role in supporting Scotland’s climate change targets – Section 3F not progressing change.</p> <p>RTPI Scotland proposed the introduction of a task force charged with carrying out a national infrastructure audit. This would not require the setting up of a new infrastructure agency, but could help to improve horizon scanning for needed national and strategic infrastructure projects.</p> <p>Data sharing between utility providers and local authorities could be much improved and create efficiencies in the planning system.</p> <p>Need for innovative behavioural mechanisms for the use of infrastructure.</p>	<p>Policy needs to support delivery of other policy objectives such as renewable energy and a low carbon future – it is not just about delivering housing.</p>	-

## Theme 4. Stronger leadership and smarter resourcing

### 16. Developing skills to deliver outcomes

	<b>A. Civil Society</b>	<b>B. Planning and Policy</b>	<b>C. Business</b>	<b>D. Development Industry</b>
<b>Agreement</b>	Support proposals for sharing skills in environmental assessment	Support for proposals.  Support skills sharing provided this means support archaeology and heritage services (through improved training) – rather than depletion and stretching those services.	Welcome RTPI audit and look forward to outcomes where skills shortage is demonstrated.	Support sharing services particularly if it makes for a more efficient system, increased performance in determination of planning applications.
<b>Concerns</b>	Calls for Chief Planning Officer at Senior Level appear ignored.	Sharing services should not come at the expense of role archaeologist or other specialist can play when embedded in an LA.	-	-
<b>More information</b>	-	More opportunity for discussions needed.	-	-
<b>Ideas</b>	Scottish Government expert team could support planning authorities.  Areas that could do with additional support – coal mining and onshore wind.	Upskilling is good, but also awareness of opportunities from new technology and how to embrace these.  Thought needed on how skills shortfalls will be bridged while making provisions for reformed system.	-	Development of skills should be transparent engagement between public and private sector to develop mutual understanding.  Specialist skills could be improved through closer collaboration between neighbouring authorities or through regional planning partnerships. Development viability, archaeology, retail impact assessment, EIA, housing and employment land supply assessment, economic assessment.

## 17. Investing in a better service

	<b>A. Civil Society</b>	<b>B. Planning and Policy</b>	<b>C. Business</b>	<b>D. Development Industry</b>
<b>Agreement</b>	<p>Support increased fees – with aim of increasing quality decisions, not just speed.</p> <p>Support full cost recovery from planning application fees.</p> <p>Support the extension of permitted development rights</p>	<p>Support ability to charge for other/additional services – proportionate to said service.</p> <p>Support increased fee and it should be ring fenced to improve service</p>	<p>Support increase in fees if it can demonstrate an improvement in service.</p>	-
<b>Concerns</b>	<p>Concern that paying a higher fee leads to a multi-tier system with larger fees capturing time and attention.</p>	<p>Clarity on final resource implications for planning departments is needed before decisions on fees can be made.</p> <p>Concern and disappointment that there will be delay in increasing fees – planning departments have a long-standing funding gap in many instances that needs met before services can be improved or adapted to reforms.</p>	<p>Discretionary charging could create uneven playing field across Scotland – applicants being held to ransom or a race to the bottom.</p> <p>Concern over the long-term implication of the increase of fees on the energy industry</p>	<p>Concerns regarding discretionary charging – current practice does not demonstrate improvement in quality of service.</p> <p>Disappointed new fee schedule implemented ahead of planning review completion.</p> <p>Increased fees need to be accompanied by additional performance indicators.</p>
<b>More information</b>	<p>More information on how additional fees could be used to implement improvement measures</p>	<p>More details on discretionary charging</p>	<p>How will a link between increased fees and improved performance be demonstrated?</p>	<p>How will Local Authority performance be measured to justify increased fees?</p> <p>More information on what effect the increase in planning fee will have?</p>
<b>Ideas</b>	<p>Additional fees for enhanced monitoring of consents – EIA developments, energy developments and mineral extraction in particular.</p> <p>Planning is a public good and therefore could be funded from general taxation.</p>	<p>Guidance on fee levels should be provided to give an indication of expectations, while still allowing discretion of individual LA.</p> <p>A final, comprehensive assessment of funding and resourcing requirements needs to wait until the final publication of the new planning measures so that a full position of new and additional duties and related costs can be predicted</p>	<p>Planning application fees need to be ring-fenced for planning departments.</p>	<p>Meaningful quality control needs to be in place to ensure improved service aligns with increased fees.</p> <p>Online applications could attract a discounted fee</p> <p>Any increase in the fees paid by the private sector needs to result directly in an injection of additional resources for</p>

	Penalty fee for retrospective applications.	New or increased costs should be proportionate to the type and quality of service, and not be excessively onerous to the applicant		planning services, delivering stronger leadership that supports appropriate development and encourages new investment in our built environment.
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## 18. A new approach to improving performance

	A. Civil Society	B. Planning and Policy	C. Business	D. Development Industry
<b>Agreement</b>	Support monitoring of outcomes over procedures – pleased to see climate change and carbon emissions monitoring in statement.	Consistent Validation process. And performance monitoring of outcomes.  Support measuring of outcomes – Place Standard could be a reasonable method.	-	Support improving performance across whole planning system
<b>Concerns</b>	Disappointed how outcomes will be monitored is not defined: will it be decision-making speed, quality of development or both?		Penalties could place a strain on already struggling authorities.  Hope that lack of detail does not mean that focus on high performing system is reduced, whether or not planning fees are increased.	
<b>More information</b>	-	More detail welcomed. Will a new performance framework be designed to fit reformed system with focus on quality outcomes?	-	Further detail on any new approaches to improving performance need to/should be provided ahead of legislation.
<b>Ideas</b>	Could also include impact of public engagement on planning decisions, quality of public engagement processes.  Independent, expert assessments of economic, environmental, and social outcomes as products of the planning system's operation.	Monitor health and well-being outcomes, climate change and carbon emissions.  Monitor link between community planning and spatial planning – core set of outcomes as different authorities may have different priorities.	Better addressed through imposing statutory improvements or peer intervention.  High-level group looking at performance should include private sector voice with experience of major applications.	Sanction for authorities that consistently fail to improve through either Regulatory Reform (Scotland) Act 2013, or under Part12A of 2006 Act.  Greater transparency of performance is required.  Audit Scotland should carry out necessary assessment. Poor productivity seems to be root issue and should be addressed before money is

				spent.  KPI for determining what is acceptable performance for assessing applications and registering applications needed.
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### 19. Making better use of resources: efficient decision-making

	<b>A. Civil Society</b>	<b>B. Planning and Policy</b>	<b>C. Business</b>	<b>D. Development Industry</b>
<b>Agreement</b>	Permitted development rights for front garden bike stores, community-growing spaces etc.  Support provided it does not give developers free reign.	Support expansion of PDR with appropriate protections for rural, environmental and conservation designations.	Support proposals as a move to ultimately deliver more robust consents, reduce legal challenge.	Support expansion of PDR – freeing time for planning officers to work on major applications.
<b>Concerns</b>	Concerns with some forms of permitted development rights – particularly concerned about conservation areas and other designated sites.  Efficiency should not undermine quality decision-making.	Concern that it may not free up resources as people still seek guidance on whether or not development is permitted.  Concern that there could be a loss of application fee income.	Concern that the Scottish planning system is not geared up to create economic benefits from the green energy industry	Disappointed measures to improve development management procedures have not been outlined.
<b>More information</b>	Consideration of impact of current PDR should be made before extension.	Complex proposals, therefore further work required.	-	Further consultation on development management procedures should be sought.
<b>Ideas</b>	-	Apply same PDR rules to contractors carrying out same works as statutory under-takers – e.g. laying cabling in roadside verges.	PDR provision for small-scale renewable energy projects – 2-3kw and under scale.  Improved knowledge of on-shore wind sector needed – repowering and modern turbines especially.  Electricity Generation Licenses for proposals under 50MW – in order to grant the same rights and level the playing field.	Suggested areas for development management review: <ul style="list-style-type: none"> <li>• Introducing application procedures to change planning permissions by a non-material variation (under section 64) or a minor material amendment – and allow the opportunity to appeal;</li> <li>• Definition of planning applications – such as a requirement for Design (and Access) Statements for applications for planning permission in principle;</li> <li>• Timescales for certain procedures –</li> </ul>



				<p>registration, request for further information, neighbour notification, consultation responses, issuing planning decisions.</p> <ul style="list-style-type: none"> <li>• Refreshed government circular on the use of conditions.</li> </ul>
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## 20. Innovation, designing for the future and the digital transformation of the planning service

	A. Civil Society	B. Planning and Policy	C. Business	D. Development Industry
<b>Agreement</b>	Pleased that concerns re digital exclusion have been considered. Yes – ensure community councils have facilities to work online and print paper copies.	<b>Broad support</b>	Supportive of E-Planning system proposals – resources and skills needed to implement. Supports DTF establishing – technology can help people interact with the planning system.	Support establishing a DTF
<b>Concerns</b>	Concern that adoption of digital could lead to ‘bigger and better mistakes’ – emphasis should be on improving public disenchantment and poor quality outcomes.	-	Concern that review is not utilising opportunity to strengthen commitment to low carbon development and economic investment.	-
<b>More information</b>	Getting ePlanning Code of Good Professional Practice should be a priority to stop abuse of the system.	The Digital Task Force will be key to focus and focal point.	-	-
<b>Ideas</b>	Consideration needs to be given to rural communities and ability to skip content that takes a long time to load over slower connections.	Technology reforms should run in parallel to other reforms or risk wasting resources. E.g. new LDP process should be put in place with supporting technology. DTF should consider digital exclusion, how can LAs communicate using relevant methods. National Standards for submission of applications needed, currently each LA adapts. Scotland’s Greenspace Map shows what can be achieved.	Opportunities in using social media.	Digital technology could introduce ‘real time’ tracking of applications. Technology will never replace the need in planning to have dialogue among stakeholders as to the right location for development – technology can help facilitate with right information.

## SEA Review Questions

**Question 2: What are your views on the accuracy and scope of the information used to describe the SEA environmental baseline set out in the Environmental Report?**

	<b>A. Civil Society</b>	<b>B. Planning and Policy</b>	<b>C. Business</b>	<b>D. Development Industry</b>
<b>Agreement</b>	<p>Broadly support the 4 key areas of change identified in the Consultation</p> <p>The scope appeared to be comprehensive and separating the SEA into two stages, strategic and indirect environmental effects, was sensible</p>	<p>Given the high-level nature of the plan, the level of detail in the environmental baseline seems appropriate</p> <p>The scope of the information used to describe the SEA environmental baseline to be accurate and capture the key environmental issues across Scotland</p>	-	<b>No comments</b>
<b>More information /clarifications</b>	<p>Need for clarity on the Wild Land Areas, it must be explicitly identified alongside National Parks and National Scenic Areas.</p> <p>Clearly specify in the planning bill that SEA will have at least as important a role in SPZs as in other planning matters</p> <p>More information on what the environmental implications of removing supplementary planning guidance will be</p> <p>More information on what it meant by “High-quality homes”</p>			
<b>Concern</b>	<p>Non-Technical Summary is not simple and clear enough to fully understand the consequences of the specific proposals</p>			

<p><b>Idea</b></p>	<p>Incentives need to be offered to developers to build on brownfield sites.</p> <p>The SEA/HRA provide important checks to ensure that environmental policies in the NPF/SPP are not weakened by the drive to improve development delivery</p>	<p>More reference to "landscape character", land use, archaeology and biodiversity.</p> <p>A clear majority (&gt;97%) of the known archaeological resource is undesignated, these should be identified and The Historic Environment Records (HERs) should be the key source of information and advice on Scotland's historic environment assets and how to address the issues they raise in the planning system</p>	<p>"The predicted environmental effects set out in the Environmental Report have potential for both positive and negative effects. Any changes must be carefully designed to achieve a more efficient system that delivers better outcomes. Welcome the reference to improving opportunities for developing low carbon infrastructure in table 3.1 within the Environmental Report."</p> <p>It does not recognise the value that natural resources and material assets present to co-location of renewable energy projects.</p>	
<p><b>Quotes</b></p>	<p>"Additional relevant sources we would recommend for inclusion in Section 2 Biodiversity, Flora and Fauna in Appendix A are: □The UN Sustainable Development Goals, two of which relate directly to biodiversity conservation: Goal 14 Conserve and sustainably use the oceans, seas and marine resources for sustainable development, Goal 15 Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss." 061-A3</p>	<p>We welcome the inclusion of the Historic Environment (3.2.3) within the scope of the document and the recognition of its importance to Scotland's landscapes and wider environment, together with the statement that "Many further archaeological resources remain undiscovered". 083-B1</p> <p>"The environmental baseline information and accompanying protection objectives for cultural heritage provide a helpful basis for the assessment and we have no comments to offer on these." 070-B3</p>	<p>"The predicted environmental effects set out in the Environmental Report have potential for both positive and negative effects. Any changes must be carefully designed to achieve a more efficient system that delivers better outcomes. Welcome the reference to improving opportunities for developing low carbon infrastructure in table 3.1 within the Environmental Report." 093-C4</p>	<p><b>No comments</b></p>

**Question 3: What are your views on the predicted environmental effects as set out in the Environmental Report?**

	<b>A. Civil Society</b>	<b>B. Planning and Policy</b>	<b>C. Business</b>	<b>D. Development Industry</b>
<b>Agreement</b>	Agree that the future Planning Bill is unlikely to have significant direct environmental effects due to the fact it is expected to make largely procedural changes	<p>Agree that the Planning Review is unlikely to cause direct Environmental impact, per section 3 of the Paper.</p> <p>Agreement with the predicted environmental effects set out in the Environmental Report including the approach to alternatives</p> <p>Welcome the section of Population and Human Health</p>	-	-
<b>Concern</b>	Do not agree with the removal of restrictions in S.54 of the Planning Act and S.37 of the EIA regulations	<p>The removal of SPG will remove a mechanism for environmental scrutiny that is currently available which is a concern for landscape matters</p> <p>Disappointment that implications for statutory environmental assessment are not embedded fully into the plan making process</p> <p>Concern that the proposed move to 10-year plan period would have a negative effect on the environment due to a lack of opportunities to address environmental change over the 10-year.</p> <p>Disagree that no significant environmental impacts are likely to arise from potential changes to 'Simplified Planning Zones'</p>	-	-
<b>More Information</b>	Guidance on how the scarce knowledge of early engagement pre-Gatecheck process might be overcome would be helpful.	<p>Who is responsible for carrying out SEA of the Local Place Plans and where Local Place Plans sit in the lifecycle of the LDP</p> <p>More information on the reasoning behind why some of the recommendations that formed part of the Places, People and Planning consultation exercise were not taken forward, and to what extent this was based upon their environmental effect or other factors</p>	-	-

<b>Idea</b>	To combine and integrate Health Impact Assessments (HIA) within the proposed changes will benefit both environmental and population health.	<p>Permitted Development Right, the rebranding of SPZ and removal of certain planning and EIA restrictions will have an environmental impact and thus, mitigation and monitoring should be employed to address the issues raised as well from those arising from moving to a 10-years plan cycle.</p> <p>Localised indirect impact may occur due to the method development and infrastructure will be delivered, these should be assessed by local authorities during the plan-making process</p> <p>Communities active participation in planning and placemaking can lead to the creation of better green spaces and environmental improvement</p>		-
<b>Quotes</b>	“The first stage does not recognise the impact that a lack of strategic planning has on the environment. Current practice has seen disorganised, piece-meal development with a loss to the environment. The proposals seem to ignore their own inherent contradictions which need addressing at national, not local, level (for instance the drive to low carbon economy has seen the growth of windfarms and the destruction of our landscape).” 013-A3	“We agree that the Planning Review is unlikely to cause direct Environmental impact, per section 3 of the Paper. Indirect impacts may arise as a result of the procedures in which development and infrastructure is delivered, however these more localised impacts are better assessed by the local authority during the plan-making process, therefore we agree that the predicted effects provided in the Paper are appropriate for this context.”	“To achieve our ambitions regulation must match these ambitions and it must not unnecessarily frustrate same by creating financial obstacles or uncertainty in intent. This industry has massive economic potential as well as its potential to impact positively on reducing reliance on fossil fuels and carbon emissions.”	<b>No comments</b>

**Question 4: What are your views on the findings of the SEA and the proposals for mitigation and monitoring of the environmental effects set out in the Environmental Report?**

	<b>A. Civil Society</b>	<b>B. Planning and Policy</b>	<b>C. Business</b>	<b>D. Development Industry</b>
<b>Agreement</b>		<p>Agreement with the overall conclusions of the SEA that the proposed changes are largely procedural and operational and are unlikely to have any significant, direct environmental effects</p> <p>Agreement that the introduction of a gatecheck might have the potential to help strengthen environmental consideration</p> <p>Agreement with the findings of the SEA and the proposals for mitigation and monitoring, in particular the recommendations for specific guidance and alignment of SEA and HRA procedures</p> <p>Welcome the recognition that community buy-in and trust are essential to achieving successful places and environmental improvements</p>	<p>Welcome the reference to improving opportunities for developing low carbon infrastructure</p>	
<b>Concern</b>	<p>Scotland's natural landscape is very important and concern that with the pressure on delivery, the individual developments with a requirement of an EIA will still go through the planning process and thus, damaging the landscape</p>	<p>Concern that the removal of supplementary guidance applies increased pressure at the 'gatecheck' stage of the planning process</p>		
<b>More information</b>	<p>More guidance on how in areas where environmental effects such as air quality are already an existing priority will be addressed and improved by changes to the planning system and planning process.</p>	<p>More clarifications to how consideration of indirect effects within these new PDR's will be taken forward</p> <p>More information on how SPZ and permitted development rights protect and enhance the Historic Environment</p>		
<b>Idea</b>	<p>Monitoring the performance of the amended planning system will be particularly important, as will be the enforcement of SEA/HRA findings. This must also assess whether or not there is any weakening of environmental policies due to the drive for enhanced delivery of development.</p> <p>Further research on the potential impact upon people, wildlife and natural environment (flora and fauna) that</p>	<p>Potential negative environmental impacts of the proposed changes might arise as the structure of the new system becomes clear through the drafting of primary and secondary legislation, regulations, circulars and NPF/SPP themselves, it is important to be able to mitigate these impacts.</p> <p>Localised impacts are better assessed by the local</p>	<p>The predicted environmental effects set out in the Environmental Report have potential for both positive and negative effects. Any changes must be carefully designed to</p>	<b>No comments</b>

	could come with future changes and developments, and how this could be robustly measured and monitored.	<p>authority during the plan-making process</p> <p>A focus on outcomes rather than procedures and statistics would be beneficial</p> <p>Need to consider alignment between environmental assessment legislation (HRA and SEA) and the new plan preparation process, as well as the need for alignment with new provisions around Local Place Plans.</p> <p>Positive or negative effects might arise from the changes in permitted development rights and Simplified Use of Planning Zones. These should be added to the schedule of mitigation, as a way of highlighting that further assessment may be required, given that this will remain uncertain until specific measures are brought forward.</p> <p>Environmental effects might rise from the potential changes to SPZs; therefore, further scrutiny of the proposals for SPZs must be taken once the options are more detailed.</p>	achieve a more efficient system that delivers better outcomes	
<b>Quotes</b>	<p>“In the second stage there is recognition of impacts to the landscape. However it is mentioned once and glossed over because the emphasis is on the benefits of development (the emphasis on delivery). Whilst we are not against development, and recognise its importance, the natural landscape has much to offer, Indeed the document in its early stages mentions that “Scotland has high quality landscapes, with many iconic views and scenic areas”. Our concern is that whilst individual developments with a requirement of an EIA will still go through the planning process that process will have undue pressure on it to deliver.” 013-A3</p> <p>“Monitoring the performance of the amended planning</p>	<p>“Mitigation – it will be important that the potentially negative impacts of the proposed changes are taken into account as the structure of the new system becomes clear through the drafting of primary and secondary legislation, regulations, circulars and NPF/SPP themselves. It is likely to be at these stages that the environmental impacts of the proposals will be identified with more certainty and can be mitigated.” 040-B2</p> <p>“HOPS agrees with the overall conclusions of the SEA that the proposed changes are largely procedural and operational and are unlikely to have any significant, direct environmental effects.” 076-B1</p>	<b>No comments</b>	<b>No comments</b>

	system will be particularly important as will be the enforcement of SEA/HRA findings. This must also assess whether or not there is any weakening of environmental policies due to the drive for enhanced delivery of development." 068-A3			
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