

# **Research Project: Adoption of Scottish Planning Policy in Local Development Plans**

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# 1. Executive Summary

## 1.1 EXECUTIVE SUMMARY

### Introduction

The Scottish Planning Policy (SPP) is a statement of Scottish Government policy on how nationally important land use planning matters should be addressed across the country. The SPP currently has no statutory status.

An independent review of the Scottish planning system was undertaken in 2015-2016. One of the recommendations to come out of the review was that consideration should be given to integrating the SPP with the National Planning Framework (NPF), with both being afforded the same statutory weight as the development plan.

This change to the planning system was taken forward in the Planning (Scotland) Bill which was introduced to the Scottish Parliament in December 2017<sup>1</sup>. The Bill was passed on the 20th of June 2019 and officially became the Planning (Scotland) Act 2019 on the 25th of July 2019, when it received Royal Assent. The Act outlines that the status of the NPF will be elevated, from material consideration, to part of the development plan.

The Scottish Government appointed Ironside Farrar, to gather information on how planning authorities have incorporated Scottish Planning Policy (2014) policies into their development plans. The research undertaken has explored how future national policies could be developed in light of the changes brought forward by the Planning (Scotland) Act 2019 which result in NPF being elevated from material consideration to part of the development plan.

The aim of this research was to undertake a review of how the existing arrangements are currently being applied in development planning and identify the issues that will need to be considered and addressed in framing future policies. The objective of this project was to ensure that the Scottish Government has a sound overview of how effective the policies in the current SPP are in influencing local development planning and decision making.

### Research Methodology

With a view to responding to the defined aim and objective of the project, Stage 1 involved desk-based data collection to gather a robust baseline of development plan policies identifying any direct correlation between SDP/LDP policy, SG and SPP. This established:

<sup>1</sup> [Planning \(Scotland\) Bill](#)

- Which SPP policies are widely applied in a consistent way.
- Which SPP policies appear to cause issues for implementation e.g. with interpretation, confusion or are being inconsistently applied.
- Where SPP policies have been changed or adapted to meet local circumstances, including possible explanations for doing so.
- Which policies not covered in the SPP appear frequently in plans.

In Stage 2, a survey was set up to gather feedback from Planning Authorities and other stakeholders with experience of dealing with the implementation of SPP policies through development plans and an understanding of how they are influencing planning decisions. The survey gathered 69 online responses, and a further 4 written submissions.

### **Policy Summaries**

The following paragraphs summarise the findings of Stage 1 and 2 with regards to how well the range of topics covered in development plans relate to the existing policies in the current SPP, what SPP policies work well for decision making purposes, which policies are widely applied in a consistent way and which are causing issues for implementation.

#### ***Sustainability***

The overall concept of Sustainability was well represented through all Local Development Plans and is widely regarded as a useful policy. Sustainability was one of the most selected answers for policies that work well for plan making purposes. Some concerns were raised about how to consistently apply the policy in Development Management as proposals may be sustainable in certain aspects but fail in others. The policy was described by some as too vague and open to interpretation yet others considered the term broad enough in its own right to merit flexible interpretation.

#### ***Placemaking***

The overall concept of Placemaking was well represented through all Local Development Plans and is widely considered a useful policy. Placemaking was the most selected answer for policies that work well for plan making purposes. The policy is considered practical for Development Management purposes as it ensures that the material consideration of design is represented. Confusion arose around the wording of the policy and it was noted that it is unclear what parts of the policy are statements or guidance. It was noted that placemaking is sometimes compromised to meet housing targets, making it difficult to apply. Placemaking was the most selected answer for policies that need local flexibility as local context is important to design.

### ***Promoting Town Centres***

All Local Development Plans promoted a town centre first policy, but the requirements for retail impact assessments, town centre health checks and avoidance of clustering non-retail uses in town centres are less consistently applied. Five LDP policies were identified that varied from SPP to meet local circumstances. Promoting Town Centres was the second most selected answers for policies that work well for plan making purposes, noted as giving a clear and detailed statement of Scottish Government's expectations. Promoting Town Centres was the most selected answers for policies that work well for Development Management purposes, the sequential approach was identified as a particularly useful tool. It was considered that the policy could go further to promote mixed use development which would allow the role of town centres to adapt to the modern retail environment. Geographical differences require the policy to clearly distinguish how it should be applied in urban and rural areas.

### ***Promoting Rural Development***

The promotion of rural development was represented in the majority of Local Development Plans, not as applicable to some authorities due to geographical make up. Policies regarding the provision of leisure accommodation, promoting special qualities of an area, discouraging the suburbanisation of the countryside and refusing development which requires new defences against coastal erosion are less consistently applied. The policy was considered to work well for plan making purposes as it provides a sensible distinction between pressured and remote areas. For Development Management purposes the wording of the policy was noted as articulate and still allows for appropriate variation when required. It was considered that the policy could be improved by providing more detail on how wild land policies should be applied, adopting a more lenient approach to protecting land of less than prime agricultural quality and a more consistent approach to rural housing. Promoting Rural Development was the most selected answer for policies that need local flexibility as each rural locality has widely different priorities.

### ***Supporting Business and Employment***

All Local Development Plans supported business and employment, but the requirements for home working/community hub units, appropriately allocating land for accessible freight movement and business land audits are less consistently applied. Three LDP policies were identified that varied from SPP to meet local circumstances. The policy was considered to work well for plan making purposes as it sets out detailed requirements on how to allocate business land. For Development Management purposes the policy was considered non-contentious and allows decisions to be made that consider wider social and economic implications. Very few thought the policy to be unclear or difficult to apply. Local flexibility is required for this policy area due to differing economic strategies and disparity across the country.

### ***Enabling Delivery of New Homes***

All Local Development Plans supported the delivery of new homes, but the requirements for specialist housing provision and sites for travellers are less consistently applied. The policy works well for plan making purposes as it promotes the development of housing and recognises the need for an effective 5-year supply. The main downfall is the absence of a standardised method used to calculate housing supply figures. This has a subsequent effect on Development Management procedures, and was the prevailing reason why Enabling Delivery of New Homes was the most selected answer regarding policies that are unclear or confusing and policies that are difficult to apply. Local flexibility is required for this policy area to allow authorities to meet their housing targets.

### ***Valuing the Historic Environment***

All Local Development Plans valued the historic environment, but the requirements for Marine Protected Areas and World Heritage sites are less consistently applied as they are not relevant for many localities. 3 policies were identified that varied from SPP to meet local circumstances. The policy works well for plan making purposes as it provides a clear list of considerations that should be covered by local policy. For Development Management purposes the policy provides a good balance between the conservation of historic buildings and locations and the need to promote economic development. The policy could provide more clarity on battlefield and archaeological sites, but the fact that key agencies like Historic Environment Scotland provide additional detailed guidance means this policy is potentially superseded. Archaeological studies are difficult to apply due to resourcing issues in smaller localities. Flexibility was not deemed as suitable for this policy to ensure historically important assets are preserved but the right balance should be sought in areas of high sensitivity.

### ***Delivering Heat and Electricity***

All Local Development Plans included policies that helped deliver heat and electricity, but the requirements for microgeneration technologies and repowering existing wind farm in suitable sites are less consistently applied. 2 policies were identified that varied from SPP to meet local circumstances. The policy works well for plan making purposes as it supports renewable energy infrastructure and the national aim of a Low Carbon Place. For Development Management purposes the policy works well as it provides a clear spatial hierarchy and provides a comprehensive list of criteria to consider specifically for wind farms, however it was suggested that basing decisions on landscape capacity studies would be more robust. This is partly why Delivering Heat and Electricity was one of the most selected answers regarding policies that are unclear or confusing and policies that are difficult to apply. The idea of heat networks is supported in principle but the reality of implementing them is much more difficult. Flexibility is

required for this policy as new forms of generating renewable energy may become more sustainable than current technology.

### ***Planning for Zero Waste***

All Local Development Plans included policies that helped deliver heat and electricity, but the requirements for maximising the value of secondary resources and utilising energy from waste facilities for renewable heat and energy are less consistently applied. 1 policy was identified that varied from SPP to meet local circumstances. The policy works well for plan making purposes as it provides clear direction and guidance for allocating land for waste management facilities. Planning for Zero Waste was the least selected answer for policies that work well for Development Management purposes, more guidance should be provided about the impacts that waste facilities have near non-compatible uses. Buffer zones were identified as useful for plan making purposes but were identified to be difficult to apply and should be made stronger. Few selected Planning for Zero Waste regarding policies that need local flexibility.

### ***Valuing the Natural Environment***

All Local Development Plans valued the natural environment, but the requirements that plans should address the potential effects of major-accident hazard sites on the natural environment was less consistently applied. 1 policy was identified that varied from SPP to meet local circumstances. The policy works well for plan making purposes as it provides a clear list of considerations that should be covered by local policy. For Development Management purposes the policy provides clear and articulate direction for appropriate reasons to refuse a proposal. The policy could provide more detail on the treatment of biodiversity and ecosystem services sites, but the fact that key agencies provide additional detailed guidance means this policy is potentially superseded. Lack of depth on how positive outcomes for biodiversity can be realised can make the policy confusing and difficult to apply. Few selected Valuing the Natural Environment regarding policies that need local flexibility.

### ***Maximising the Benefits of Green Infrastructure***

All Local Development Plans include policies that maximise the benefits of green infrastructure, but the requirements to encourage the temporary use of unused land and promote the creation of new green infrastructure through a design led approach are less consistently applied. The policy works well for plan making purposes as it provides a clear approach to the importance of green networks, outdoor sports facilities and community growing spaces. This is also useful for Development Management purposes. The policy is considered not to be unclear but could be easier to apply through the introduction of clearer standards and



minimum requirements. Flexibility is required to deliver appropriate measures for both dense and rural areas.

### ***Promoting Responsible Extraction of Resources***

31 of the 33 examined Local Development Plans included policies that promote the responsible extraction of resources. Most requirements are taking into consideration with the exception of identifying areas where surface coal extraction would be acceptable and supporting the maintenance of a landbank of permitted reserves for construction aggregates of at least 10 years at all times in all market areas. Promoting Responsible Extraction of Resources was the joint least selected answer for policies that work well for plan making purposes, and joint second least selected answer for policies than work well for Development Management purposes. The subject policy was also the least selected policy for policies that are confusing or unclear. The protection currently in place for peatlands needs clarification and the protection of carbon rich soils does not align across other policy topics. The policy is difficult to apply as the right balance between the use of existing facilities for extraction and the impacts of transporting materials over long distances has not been created. Few selected Promoting Responsible Extraction of Resources regarding policies that need local flexibility.

### ***Supporting Aquaculture***

The support of aquaculture development was not applicable to all authorities due to geographical constraints and was only represented in 18 of the 33 examined Local Development Plans. The three main aspects of the policy area have not been incorporated consistently although this reflects the number of authorities where aquaculture takes place. Few responses were received regarding the policy due to limited applicable authorities, meaning that the subject policy was one of the least selected answers for policies that work well for plan making purposes and policies that work well for Development Management purposes. Respondents found the policy confusing as there is a general lack of clarity over the role of planning in relation to marine farming, and difficult to apply as there is no guidance to assess impacts on marine environment.

### ***Managing Flood Risk***

All Local Development Plans include policies to manage flood risk with all requirements consistently applied. 1 policy was identified that varied from SPP to meet local circumstances. The policy works well for plan making purposes as the risk framework is robust. For Development Management purposes the policy is useful as several concepts are very well addressed, with the only confusion arising around the role of key agencies like SEPA and how to assess proposals in areas with existing flood defences. Difficulty in applying the policy comes from

balancing flood risk with promoting waterside development and is more challenging to apply in rural areas. Flexibility is required to account for climate change and recognise a departure from policy may be required.

### ***Promoting Sustainable Transport and Active Travel***

All Local Development Plans promote sustainable transport and active travel, but the requirements to promote disused railways lines, electric vehicle charging points, safeguard strategic freight sites and canals are less consistently applied. 2 policies were identified that varied from SPP to meet local circumstances. The policy works well for plan making purposes as it clearly sets out principles for transport policies. For Development Management purposes the policy works well but other guidance is largely duplicated. It is hard to understand the role planning can have on promoting this subject policy and is hard to meaningfully apply it to large scale rural development. Flexibility is required to cater for different localities but tools such as lower parking requirements should be set to promote sustainable travel.

### ***Supporting Digital Connectivity***

All Local Development Plans include policies to support digital connectivity with all requirements consistently applied. The policy works well for plan making purposes as it clearly indicates what is required for local policy. For Development Management purposes the intent is clear and sufficiently broad to allow for application of appropriate statements for individual applications. Priorities over social and economic benefits against visual impact could be revisited to rebalance Development Management decisions. The subject policy is unclear over the appropriate weight that should be given to telecommunication applications. Having to explain why the need for development is making the policy harder to apply. Flexibility is required due to the ever increasing rate of technology improvements to allow the planning system to provide sufficient support.

## **Recommendations and Conclusions**

The following recommendations on possible priority areas for change to be considered as part of the review of SPP have emerged following the research.

- NPF should clearly set out the remit of the Local Development Plan making it clear that national policies are not required to be repeated in Local Development Plans, unless justified amendments have been made.
- NPF should include a clear and concise set of national policies to enable greater consistency in decision making across Scotland based broadly on the Principal and Subject policies included in the 2014 SPP. This will ensure

consistency and support an efficient Planning Authority function. Specific criteria for the assessment of planning applications was considered useful.

- NPF should clearly identify where there is flexibility to adapt policies at a local level. This would ensure policies can be varied where appropriate to reflect the varied nature of Scottish planning authorities. Through the research examples have been identified where SPP policies have been changed or adapted to meet local circumstances. The following two examples demonstrate the type of local variations identified:
  - Angus Policy TC18 (Core Retail Areas) states that development proposals seeking to change the use of existing ground floor retail premises will be acceptable where the proposed use is a restaurant/or at least 10% of units are vacant. SPP notes that town centres should display a diverse mix of uses and wider economic and social activity during the day and in the evening. Angus Council have quantified their policy, an adaptation of SPP Subject Policy on Promoting Town Centres to meet local circumstances.
  - Loch Lomond National Park Authority (Economic Development Policy 3) safeguards land for economic purposes and will only be contravened if, after twelve months of marketing, there is not viable interest in the site. SPP notes that allocations should be flexible enough to accommodate changing circumstances, but Loch Lomond National Park Authority have quantified their policy, an adaptation of SPP Subject Policy on Supporting Business and Employment to meet local circumstances.
- NPF should consider the inclusion of policies that frequently appear in LDPs but that are not covered in SPP whilst retaining a level of flexibility to cater for local circumstances. The following policy areas were identified through the research:
  - Developer Obligations
  - Householder Development
  - Advertisements
  - Cemeteries/Crematoria Provision
  - Social, Community and Health Facilities
  - Contamination
  - Pipeline and Hazard Consultation Zones
  - Public Art
- As widely advocated through the consultation process, NPF should enable planning to support and deliver climate change mitigation and adaptation, whilst recognising the role of Building Standards and other regulatory functions. NPF should take the opportunity to promote aspirations for active travel, energy efficiency, waste reduction, heat networks, reducing energy demand and other means of reducing carbon emissions and, where practicable, look to increase those associated minimum standards currently set out in relevant regulations.

- Where possible, policy principles throughout NPF should continue to be cross referenced to relevant detailed guidance, adding weight to the policy requirement. While SPP provides sufficient guidance for topics such as the historic environment, natural environment and flooding, key agencies such as Historic Environment Scotland and the Scottish Environment Protection Agency provide more detailed guidance. This would ensure consistency and support an efficient Planning Authority function.
- The presumption in favour of sustainable development should remain at the forefront of the plan making process. Policy wording should ensure sufficient weight is given in the Development Management process.
- Placemaking should be at the forefront of development. NPF should be more prescriptive to ensure that placemaking principles are carried through to Development Management. Pressure to meet housing targets should not compromise the ability to deliver high quality design and local context should be considered to ensure new developments respond appropriately to the surrounding area.
- A significant issue for the delivery of new housing was noted as the absence of a robust methodology which could be consistently applied to calculate housing land requirements. NPF should provide a robust methodology and measures to evaluate site effectiveness.
- Planning authorities should be required to critically review the effectiveness of housing and business land when preparing LDPs to ensure LDPs support effective sites.
- Development should deliver an infrastructure first approach which encourages longer term strategic planning and subsequently addresses future transportation, health, education and community facility requirements.
- More coherent guidance should be provided regarding SPP Subject Policy on 'Delivering Heat and Electricity' to ensure the delivery of renewable energy to meet low carbon ambitions. The Spatial Framework should provide more certainty on the circumstances in which windfarm sites are considered acceptable. The policy should be further detailed to ensure other renewable electricity generating technologies and storage are appropriately addressed.
- Improvements to digital infrastructure and connectivity should be supported through NPF to reflect the significant economic and social benefits that connectivity will bring to businesses, residents and visitors. Policy should allow flexibility to support technological advances throughout the lifespan of the plan.

Opportunities for community growing spaces and allotment provision should be further encouraged within NPF.

# 2. Introduction

## 2.1 INTRODUCTION

2.1.1 Ironside Farrar was commissioned by Building Standards Division (BSD) of the Scottish Government on behalf of Planning and Architecture Division (PAD).

2.1.2 The following research has gathered information on how local authorities have incorporated the policies in Scottish Planning Policy (2014)<sup>2</sup> into their development plans. It has explored how future national policies could be developed in light of the proposed new arrangements included in the Planning (Scotland) Bill.

## 2.2 BACKGROUND

2.2.1 The Scottish Planning Policy (SPP) is a statement of Scottish Government policy on how nationally important land use planning matters should be addressed across the country. The SPP includes policies on the following subjects:

**Table 1: SPP Principal and Subject Policies**

<b>Principal Policies</b>	- Delivering Heat and Electricity
- Sustainability	- Planning for Zero Waste
- Placemaking	- Valuing the Natural Environment
	- Maximising the Benefits of Green Infrastructure
<b>Subject Policies</b>	- Promoting Responsible Extraction of Resources
- Promoting Town Centres	- Supporting Aquaculture
- Promoting Rural Development	- Managing Flood Risk and Drainage
- Supporting Business and Employment	- Promoting Sustainable Transport and Active Travel
- Enabling Delivery of New Homes	- Supporting Digital Connectivity
- Valuing the Historic Environment	

2.2.2 The SPP currently has no statutory status. There is, however, an expectation that strategic and local development plan policies (including supplementary guidance) will be consistent with the policies set out in the SPP. These development plans are currently the basis for planning decision making in Scotland, as decisions are to be made in accordance with the plan unless material considerations indicate otherwise.

<sup>2</sup> [Scottish Planning Policy](#)

- 2.2.3 An independent review of the Scottish planning system was undertaken in 2015-2016. This suggested that existing arrangements have led to substantial repetition of national policy throughout local development plans.
- 2.24 The Independent Review Panel's report<sup>3</sup>, published in May 2016, recommended that the role of the SPP should be extended so that there is no need for national policies to be repeated in development plans. This would ensure greater consistency between national and local policies whilst allowing development plans to be less focussed on policy and more effectively based on the places that they cover. It was, however, accepted that local development plans should be able to waive or vary national policies to reflect local circumstances.
- 2.2.5 The Panel also recommended that consideration should be given to integrating the SPP with the National Planning Framework (NPF), with both being afforded the same statutory weight as the development plan. This would mean that, for the first time, policies in the SPP would have a statutory status.
- 2.2.6 Existing legislation includes provisions for the preparation of supplementary planning guidance. This can be adopted and issued by a strategic development planning authority in connection with a strategic development plan, or by a planning authority in connection with a local development plan. Any such guidance currently forms part of the development plan. The Planning (Scotland) Bill however has proposed that these provisions be removed from legislation to ensure that key policies are more clearly set out in development plans.
- 2.2.7 The above changes to the planning system were taken forward in the Planning (Scotland) Bill which was introduced to the Scottish Parliament in December 2017<sup>4</sup>.
- 2.2.8 The Bill was passed on the 20th of June 2019 and officially became the Planning (Scotland) Act 2019 on the 25th of July 2019, when it received Royal Assent.
- 2.2.9 The Act outlines that the status of the NPF will be elevated, from material consideration, to part of the development plan.

## **2.3 AIM AND OBJECTIVE**

- 2.3.1 As the Planning (Scotland) Act has received Royal Assent, the format, content and influence of the future NPF is going to change significantly given it now has an elevated role in decision making as part of the development plan.

<sup>3</sup> [Empowering Planning to Deliver Great Places](#)

<sup>4</sup> [Planning \(Scotland\) Bill](#)

2.3.2 **AIM** - The aim of this research is to undertake a review of how the existing arrangements are currently being applied in development planning and identify the issues that will need to be considered and addressed in framing future policies.

2.3.3 **OBJECTIVE** - The objective of this project is to ensure that the Scottish Government has a sound overview of how effective the policies in the current SPP are in influencing local development planning and decision making.

## 2.4 RESEARCH METHODS

2.4.1 The outputs from this research gathers information on how local authorities have incorporated the policies in Scottish Planning Policy (2014) into their development plans. It then explores how future national policies could be developed in light of the proposed new arrangements included in the Planning (Scotland) Bill.

2.4.2 The Research Methodology employed is set out in Table 2, below.

**Table 2: Methodology**

Stage	Task
<b>STAGE 1a INCEPTION</b>	<ul style="list-style-type: none"> <li>• Met with Client Group to discuss and agree programme of work, main aims, strategic vision and work programme.</li> <li>• Developed and explored understanding(s) of the legislative context, breadth &amp; opportunity of project and key issues.</li> <li>• Discuss and agree the reporting, format, information and data recording and agreement on consultation arrangements.</li> <li>• Agree study methodology and identify key contacts, key information requirements and sources.</li> <li>• Add to outline study programme presented within this submission to illustrate when each of the methodology stages will be undertaken.</li> </ul>
<b>STAGE 1b DESK BASED DATA COLLECTION</b>	<ul style="list-style-type: none"> <li>• Gathered a robust baseline of development plan policies which covered policies from 33 of 34 authorities to allow the opportunity for all planning authorities to engage when it comes to Phase 2 consultation. This was felt to be the most appropriate means by which a true picture of existing policies across Scotland's adopted and emerging Strategic Development Plans (SDPs), Local Development Plans (LDPs) and Supplementary Guidance (SG) could be formed.</li> <li>• Extracted pertinent policy points of the 2 principal and 14 subject policies within SPP to ensure a robust understanding of what each of the 16 policy areas are</li> </ul>

	<p>trying to achieve, to assist with comparison of SPP policies against emerging and adopted development plan policies.</p> <ul style="list-style-type: none"> <li>• Set up workbook spreadsheet 1 to include all SDP policies for comparison with SPP.</li> <li>• Set up workbook spreadsheet 2 to include all LDP policies for comparison with SPP.</li> <li>• Based on the workbooks, prepare a Phase 1 Initial Findings Report. This would include a succinct review of each SDP/LDP identifying any direct correlation between SDP/LDP policy, SG and SPP and establishing: <ul style="list-style-type: none"> <li>- Which SPP policies are widely applied in a consistent way.</li> <li>- Which SPP policies appear to cause issues for implementation e.g. with interpretation, confusion or are being inconsistently applied.</li> <li>- Where SPP policies have been changed or adapted to meet local circumstances, including possible explanations for doing so.</li> <li>- Which policies not covered in the SPP appear frequently in plans.</li> </ul> </li> <li>• Discuss Stage 1 findings with steering group.</li> </ul>
<b>STAGE 2 CONSULTATION</b>	Gather and analyse information from Planning Authorities and other stakeholders with experience of dealing with the implementation of SPP policies through development plans and an understanding of how they are influencing planning decisions throughout Scotland.
<b>STAGE 3 WRITTEN REPORT</b>	<ul style="list-style-type: none"> <li>• Draft of the report issued to Client Group for comment.</li> <li>• Final version of the review for approval and finalisation by the Client Group. The output being a written report covering project aims and objectives, including an executive summary and conclusions and interpretation of information where relevant.</li> </ul>

## 2.5 REPORT STRUCTURE

2.5.1 The report will be structured as follows:

- Section 1 Executive Summary
- Section 2 Introduction
- Section 3 Stage 1 – Desktop Findings
- Section 4 Stage 2 – Consultation
- Section 5 Conclusions and Recommendations



## 3. Stage 1 - Desktop Findings

### 3.1 INTRODUCTION

3.1.1 Stage 1 consisted of a desk-based information gathering exercise involving Strategic and Local Development Plans and, where relevant, Supplementary Guidance. The exercise involved policies from 33 Local Authorities and the four Strategic Development Planning Authorities to ensure comprehensive coverage.

### 3.2 DEVELOPMENT PLAN POLICY BASELINE

3.2.1 In accordance with the project specification we established a robust baseline of development plan policies representative of existing policies across Scotland's adopted and emerging SDPs, LDPs and supplementary guidance.

3.2.2 The research involved reviewing policies from the following plans.

**Table 3:** Strategic Development Plans

No.	Strategic Area	Plan Reviewed
1	Aberdeen City and Shire	Proposed Plan, August 2018
2	Dundee, Perth, Angus and North Fife	Approved Plan, October 2017
3	Edinburgh and South East Scotland	Proposed Plan, October 2016
4	Glasgow and the Clyde Valley	Approved Plan, July 2017

**Table 4:** Local Development Plans

No.	Authority	Plan Reviewed
1	Aberdeen	Adopted Plan, April 2017
2	Aberdeenshire	Adopted Plan, January 2017
3	Angus	Adopted Plan, September 2016
4	Argyll & Bute	Adopted Plan, March 2015
5	Clackmannanshire	Adopted Plan, August 2015
6	Dumfries & Galloway	Proposed Plan, January 2018
7	Dundee	Adopted Plan, February 2019
8	East Ayrshire	Adopted Plan, February 2017
9	East Dunbartonshire	Adopted Plan, February 2017
10	East Lothian	Adopted Plan, September 2018
11	East Renfrewshire	Adopted Plan, June 2015
12	Edinburgh	Adopted Plan, November 2016
13	Falkirk	Proposed Plan, September 2018
14	Fife	Adopted Plan, September 2017
15	Glasgow	Adopted Plan, March 2017
16	Highland	Not Reviewed as LDP Postponed due to Planning Bill
17	Inverclyde	Proposed Plan, April 2018
18	Midlothian	Adopted Plan, November 2017
19	Moray	Adopted Plan, July 2015
20	North Ayrshire	Proposed Plan, April 2018
21	North Lanarkshire	Modified Proposed Plan, 2018
22	Orkney Islands	Adopted Plan, April 2017
23	Perth & Kinross	Proposed Plan, December 2017
24	Renfrewshire	Adopted Plan, August 2014
25	Scottish Borders	Adopted Plan, May 2016
26	Shetland Islands	Adopted Plan, September 2014
27	South Ayrshire	Adopted Plan, June 2014
28	South Lanarkshire	Proposed Plan, July 2018
29	Stirling	Adopted Plan, October 2018
30	West Dunbartonshire	Proposed Plan, September 2018
31	Western Isles	Adopted Plan, November 2018
32	West Lothian	Adopted Plan, September 2018
33	Cairngorm National Park	Adopted Plan, March 2015
34	Loch Lomond National Park	Adopted Plan, October 2017

### 3.3 ANALYSIS OF DEVELOPMENT PLAN RELATIONSHIP TO SPP

3.3.1 In accordance with the project specification we have analysed how well the range of topics/ themes covered in development plans relate to the existing policies and groupings in the current SPP. The results of our data collection exercise are set out below.

#### Principle Policy: Sustainability

- 3.3.2 The SPP Principle Policy on Sustainability notes that the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost.
- 3.3.3 Of the 33 Local Development Plans reviewed it was noted that all 33 contain policies which relate to the SPP Principle Policy on Sustainability. Due to the broad nature of the Principal Policy, a number of the pertinent points within the Sustainability Principle Policy are repeated and further expanded upon within the Subject Policies. Most of the pertinent points are reflected in standalone LDP policies and therefore the theme of Sustainability runs throughout the majority of LDP policies.
- 3.3.4 Of the 4 Strategic Development Plans reviewed it was noted that all 4 contain policies which relate to the SPP Principle Policy on Sustainability.

#### **Principle Policy: Placemaking**

- 3.3.5 The SPP Principle Policy on Placemaking notes that planning should take every opportunity to create high quality places by taking a design-led approach. This means taking a holistic approach that responds to and enhances the existing place while balancing the costs and benefits of potential opportunities over the long term. The SPP also notes that the relationship between a successful, sustainable place, a natural, resilient place, a connected place and a low carbon place should be considered.
- 3.3.6 Of the 33 Local Development Plans reviewed it was noted that all 33 contain policies which relate to the SPP Principle Policy on Placemaking. It is covered through a range of place making and design related policies throughout each LDP. In addition to reflecting the pertinent points from the Principle Policy, the research found that the LDP policies often reference Designing Streets and/or Creating Places policy statements.
- 3.3.7 Of the 4 Strategic Development Plans reviewed it was noted that all 4 contain policies which relate to the SPP Principle Policy on Placemaking.

#### **Subject Policy: Promoting Town Centres**

- 3.3.8 The SPP Subject Policy on Promoting Town Centres notes that the planning system should apply a town centre first policy when planning for uses which attract significant numbers of people, including retail and commercial leisure, offices, community and cultural facilities. It also notes that a mix of uses in town

centres should be encouraged to support their vibrancy, vitality and viability throughout the day and into the evening.

3.3.9 Of the 33 Local Development Plans reviewed it was noted that all 33 contain policies which relate to the SPP Subject Policy on Promoting Town Centres.

3.3.10 Following a review of the detail of each policy the research finds that SPP detailed requirements with respect to the following are being widely adopted within LDPs:

- Plans should identify a network of centres and explain how they can complement each other (taken forward by 33 authorities).
- Plans should adopt a sequential town centre first approach (taken forward by 32 authorities).

3.3.11 The following detailed requirements set out within SPP were less consistently incorporated:

- Development over 2,500 m<sup>2</sup> should provide a town centre impact assessment or retail impact analysis (taken forward by 16 authorities).
- Local authorities should conduct regular town centre health checks (min. every 2 years) (taken forward by 15 authorities).
- Plans should aim to avoid clustering non-retail uses in town centres (taken forward by 9 authorities).

3.3.12 Of the 4 Strategic Development Plans reviewed it was noted that all 4 contained policies which related to the SPP Subject Policy on Promoting Town Centres.

### **Subject Policy: Promoting Rural Development**

3.3.13 The SPP Subject Policy on Promoting Rural Development notes that the planning system should promote a pattern of development that is appropriate to the character of the particular rural area and the challenges it faces. It also notes that planning should encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality; and supporting an integrated approach to coastal planning.

3.3.14 Of the 33 Local Development Plans reviewed it was noted that the majority (28) contain policies which relate to the SPP Subject Policy Promoting Rural Development. This is due to most planning authority areas in Scotland having a rural element and, in line with this, the majority of those LDPs not making reference to the Subject Policy are urban planning authority areas. Following a review of the detail of each policy, it has been noted that the following detailed requirements set out within SPP are being consistently incorporated within LDPs:

- Promotes economic activity and diversification including tourism, forestry, farm diversification, aquaculture, renewable energy (taken forward by 27 authorities).
- Makes provision for housing in rural areas in accordance with the spatial strategy, taking account of the different development needs of local communities (taken forward by 26 authorities).
- Support an integrated approach to coastal planning (taken forward by 20 authorities).

3.3.15 The following detailed requirements set out within SPP were more difficult to identify within LDPs, suggesting they are not being consistently incorporated:

- Protect against car-based commuting and the suburbanisation of the countryside (taken forward by 13 authorities).
- Set out policies and proposals for leisure accommodation, such as holiday units, caravans, and huts, where appropriate (taken forward by 10 authorities, 6 policies referring to huts and 4 policies referring to caravans).
- Promote understanding and enjoyment of the special qualities of the area by the public (taken forward by 9 authorities).
- Development requiring new defences against coastal erosion should be refused unless clear justification to depart from general policy to avoid expanding areas at risk (taken forward by 7 authorities).

3.3.16 Of the 4 Strategic Development Plans reviewed it was noted that 3 contain policies which relate to the SPP Subject Policy on Promoting Rural Development.

### **Subject Policy: Supporting Business and Employment**

3.3.17 The SPP Subject Policy on Supporting Business and Employment notes that the planning system should promote business and industrial development that increases economic activity while safeguarding and enhancing the natural and built environments as national assets. It also notes that planning should allocate sites that meet the diverse needs of different sectors and scales of business which are important to the plan area in a way which is flexible enough to accommodate changing circumstances and allow the realisation of new opportunities, whilst giving due weight to net economic benefit of proposed development.

3.3.18 Of the 33 Local Development Plans reviewed it was noted that all 33 contain policies which relate to Business and Employment. Following a review of the detail of each policy, it has been noted that the following detailed requirements set out within SPP are being consistently incorporated within LDPs:

- LDPs should align with relevant local economic strategies and recognise key sectors for growth in Scotland (taken forward by 31 authorities).
- LDPs should support integrating energy efficiency and waste innovations within business environments (taken forward by 31 authorities).

- LDPs should be informed by Tourism Development Framework and encourage tourism and recreation facilities (taken forward by 25 authorities).

3.3.19 The following detailed requirements set out within SPP were more difficult to identify within the LDPs, suggesting they are not being consistently incorporated:

- LDPs should encourage home-working, live work unit, micro businesses and community hubs (taken forward by 12 authorities).
- LDPs should locate development which generates significant freight movements at appropriate and accessible locations (taken forward by 18 authorities).
- Business land audits should be undertaken and should inform LDPs (noted by 2 authorities).

3.3.20 Of the 4 Strategic Development Plans reviewed it was noted that 4 contain policies which relate to the SPP Subject Policy on Supporting Business and Employment.

### **Subject Policy: Enabling Delivery of New Homes**

3.3.21 The SPP Subject Policy on Enabling Delivery of New Homes notes that the planning system should identify a generous supply of land for each housing market area. It also notes that planning should enable provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places.

3.3.22 Of the 33 Local Development Plans reviewed it was noted that all 33 contain policies which relate to Housing. The detail of these policies was analysed to understand how well the requirements of the SPP Housing Subject Policy was covered.

3.3.23 SPP requires plans to be informed by a robust Housing Need and Demand Assessment (HNDA). Of the 33 Local Development Plans reviewed, all 33 state that the housing supply targets noted are based on a HNDA. A number of LDPs falling within a Strategic Development Planning Authority have referred to the strategic HNDA undertaken.

3.3.24 SPP's requirement for LDPs to maintain a minimum of 5-year effective land supply at all times has been noted by 32 authorities. City of Edinburgh Council LDP (2016) noted a shortfall in the effective housing supply to 2019 and potential on-going difficulties in maintaining a 5-year land supply.

3.3.25 SPP's requirement for LDPs to clearly set out the scale and distribution of the affordable housing requirement for their area has been taken forward by all 33 local authorities. A number of these provide the detailed requirements within Supplementary Guidance.

3.3.26 SPP notes that local authorities are required to consider the need for specialist provision that covers accessible and adapted housing, wheelchair housing and

supported accommodation, including care homes and sheltered housing. This is brought forward in policy terms within 15 LDPs.

- 3.3.27 SPP's requirement for LDPs to allocate sites for Gypsy/Travellers, where there is a need, has been taken forward by 24 authorities. A number of these have noted that they have worked with neighbouring authorities to identify sites e.g. Midlothian and East Lothian
- 3.3.28 Of the 4 Strategic Development Plans reviewed it was noted that all 4 contain policies which relate to the SPP Subject Policy on Housing.

### **Subject Policy: Valuing the Historic Environment**

- 3.3.29 The SPP Subject Policy on Valuing the Historic Environment notes that the planning system should promote the care and protection of the designated and non-designated historic environment and its contribution to sense of place, cultural identity, social well-being, economic growth, civic participation and lifelong learning. It also notes that positive change in the historic environment should be enabled to ensure future use.
- 3.3.30 Of the 33 Local Development Plans reviewed it was noted that all 33 contain policies which relate to the Subject Policy on Valuing the Historic Environment. Following a review of the detail of each policy, it was evident that all LDP's provided a framework for protecting and enhancing all elements of the historic environment, as required by SPP.
- 3.3.31 The following aspects of the historic environment are noted within SPP - Listed Buildings, Conservation Areas, Scheduled Monuments, Gardens & Designed Landscapes and Archaeology. The inclusion of standalone policies or reference to these elements was noted in all 33 LDPs reviewed.
- 3.3.32 Less consistently referenced was Historic Marine Protected Areas (noted by 5 authorities) and World Heritage Sites (noted by 11 authorities).
- 3.3.33 Of the 4 Strategic Development Plans reviewed it was noted that all 4 contained policies which related to the SPP Subject Policy on Valuing the Historic Environment.

### **Subject Policy: Delivering Heat and Electricity**

- 3.3.34 The SPP Subject Policy on Delivering Heat and Electricity notes that the planning system should support the transformational change to a low carbon economy, consistent with national objectives and targets. SPP specifically notes that development plans should seek to ensure an area's full potential for electricity and heat from renewable sources is achieved in line with climate change targets, giving due regard to relevant environmental, community and cumulative impact considerations.

3.3.35 Of the 33 Local Development Plans reviewed it was noted that all 33 contain policies which relate to the SPP Subject Policy on Delivering Heat and Electricity. SPP gives further detail on heat, onshore wind and other renewable electricity generating technologies and storage. A number of authorities have included standalone policies with regard to these elements whereas some have included one catch-all renewable energy policy.

3.3.36 Following a review of the detail of each policy, it was identified that the detailed requirements in SPP are being consistently incorporated within LDPs:

- LDPs should identify appropriate areas for onshore wind farms and the minimum scale (taken forward by 33 authorities).
- LDPs should identify areas capable of accommodating other renewable electricity projects including hydro-electricity (taken forward by 32 authorities).
- LDPs should support the development of heat networks in as many locations as possible (taken forward by 27 authorities).
- LDPs should use heat mapping to identify the potential for co-locating developments with a high heat demand with sources of heat supply (taken forward by 22 authorities).

3.3.37 The following detailed requirements set out within SPP were less consistently incorporated within the LDPs:

- Microgeneration and heat recovery technologies should be encouraged in individual cases (taken forward by 16 authorities).
- Proposals to repower existing wind farms in suitable sites would help enhance capacity (taken forward by 8 authorities).

3.3.38 Of the 4 Strategic Development Plans reviewed it was noted that all 4 contain policies which relate to the SPP Subject Policy on Delivering Heat and Electricity.

### **Subject Policy: Planning for Zero Waste**

3.3.39 The SPP Subject Policy on Planning for Zero Waste notes that the planning system should support achievement of Scotland's zero waste targets and help deliver infrastructure at appropriate locations, prioritising development in line with the waste hierarchy. It also notes that developments that minimise the unnecessary use of primary materials and promote efficient use of secondary materials should be promoted.

3.3.40 Of the 33 Local Development Plans reviewed it was noted that all 33 contain policies which relate to Waste. Following a review of the detail of each policy, it has been noted that the following detailed requirements set out within SPP are being consistently incorporated within LDPs:

- Plans should reflect the aims of the Zero Waste Plan and promote the waste hierarchy (taken forward by 31 authorities).



- Plans should promote resource efficiency and the minimisation of waste during construction and operation of new developments (taken forward by 24 authorities).
- Plans should safeguard existing waste management installations and allocation of land on adjacent sites (taken forward by 31 authorities).
- Plans should support the provision of a network of infrastructure that allows waste and secondary resources to be managed in one of the nearest appropriate installations (taken forward by 24 authorities).

3.3.41 The following detailed requirements set out within SPP were more difficult to identify within the LDPs, suggesting they are not being consistently incorporated:

- Plans should enable investment opportunities in a range of technologies and industries to maximise the value of secondary resources and waste to the economy.
- Sites identified specifically for energy from waste facilities should enable links to be made to potential users of renewable heat and energy.

3.3.42 Of the 4 Strategic Development Plans reviewed it was noted that all 4 contain policies which relate to the Subject Policy on Planning for Zero Waste.

### **Subject Policy: Valuing the Natural Environment**

3.3.43 The SPP Subject Policy on Valuing the Natural Environment notes that the planning system should facilitate positive change while maintaining and enhancing distinctive landscape character. It notes a number of points around the conservation and enhancement of protected sites and species, the water environment, soils and woodland.

3.3.44 Of the 33 Local Development Plans reviewed it was noted that all 33 contain policies which relate to the SPP Subject Policy on Valuing the Natural Environment. Following a review of the detail of each policy, it has been noted that the following detailed requirements set out within SPP are being consistently incorporated within LDPs:

- International, national and locally designated areas and sites should be identified and afforded the appropriate level of protection in development plans (taken forward by 33 authorities).
- Natura 2000 Sites/ Ramsar Sites - Development may only be approved if the authority has ascertained that there will be no adverse effect on the integrity of the site (taken forward by 32 authorities).
- The objectives of national designations and the overall integrity of the area will not be compromised (taken forward by 33 authorities).
- The presence of protected species is an important consideration in decisions on planning applications (taken forward by 33 authorities).
- Plans should identify woodlands of high nature conservation value and include policies for protecting and enhancing them (taken forward by 33 authorities).

3.3.45 Less consistently identified within the LDPs, suggesting it is not being consistently incorporated, was the requirement that plans should address the potential effects of major-accident hazard sites on the natural environment – noted within 10 LDPs.

3.3.46 Of the 4 Strategic Development Plans reviewed it was noted that all 4 contain policies which relate to the Subject Policy on Valuing the Natural Environment.

### **Subject Policy: Maximising the Benefits of Green Infrastructure**

3.3.47 The SPP Subject Policy on Maximising the Benefits of Green Infrastructure notes that the planning system should protect, enhance and promote green infrastructure, including open space and green networks, as an integral component of successful placemaking.

3.3.48 Of the 33 Local Development Plans reviewed it was noted that all 33 contain policies which relate to the SPP Subject Policy on Maximising the Benefits of Green Infrastructure. Following a review of the detail of each policy, it has been noted that the following detailed requirements set out within SPP are being consistently incorporated within LDPs:

- Plans should be informed by relevant, up-to-date audits, strategies and action plans (taken forward by 23 authorities).
- LDPs should protect open space identified in the strategy /audit (taken forward by 32 authorities).
- LDPs should identify sites for new sports, recreation or play facilities (taken forward by 31 authorities).
- Plans should safeguard existing and potential allotment sites (taken forward by 26 authorities).
- Plans should safeguard access rights and core paths (taken forward by 31 authorities).

3.3.49 The following detailed requirements set out within SPP were less consistently incorporated within the LDPs:

- Promote the creation of new green infrastructure through a design-led approach (taken forward by 16 authorities).
- Plans should encourage the temporary use of unused or underused land as green infrastructure (taken forward by 13 authorities).

3.3.50 Of the 4 Strategic Development Plans reviewed it was noted that all 4 contain policies which relate to the SPP Subject Policy on Maximising the Benefits of Green Infrastructure.

### **Subject Policy: Promoting Responsible Extraction of Resources**

3.3.51 The SPP Subject Policy on Promoting Responsible Extraction of Resources notes that the planning system should recognise the benefit of ensuring an

adequate and steady supply of minerals. It also notes that workable resources should be safeguarded and that the impacts of extraction on local communities, the environment and the built and natural heritage should be minimised.

3.3.52 Of the 33 Local Development Plans reviewed it was noted that 31 contain policies which relate to the SPP Subject Policy on Promoting Responsible Extraction of Resources. Following a review of the detail of each policy, it has been noted that the following detailed requirements set out within SPP are being consistently incorporated within LDPs:

- LDPs should safeguard all workable mineral resources which are of economic or conservation value and ensure that these are not sterilised by other development (taken forward by 28 authorities).
- Plans should set out the factors that specific proposals will need to address (taken forward by 25 authorities).
- Policies should protect areas of peatland and only permit commercial extraction in areas where the conservation value is low and restoration is impossible (taken forward by 29 authorities).

3.3.53 The following detailed requirements set out within SPP were less consistently incorporated within the LDPs:

- Plans should support the maintenance of a landbank of permitted reserves for construction aggregates of at least 10 years at all times in all market areas through the identification of areas of search (taken forward by 15 authorities).
- LDPs should identify areas of search where surface coal extraction is most likely to be acceptable during the plan period and set out the preferred programme for the development of other safeguarded areas beyond the plan period (taken forward by 14 authorities).

3.3.54 SPP sets out a number of requirements for LDP Areas covered by a Petroleum Exploration & Development Licence (PEDL). This was taken forward by 7 authorities.

3.3.55 Of the 4 Strategic Development Plans reviewed it was noted that all 4 contained policies which related to the SPP Subject Policy on Promoting Responsible Extraction of Resources.

### **Subject Policy: Supporting Aquaculture**

3.3.56 The SPP Subject Policy on Supporting Aquaculture notes that the planning system should play a supporting role in the sustainable growth of the finfish and shellfish sectors to ensure that the aquaculture industry is diverse, competitive and economically viable. It also notes that development should be guided to coastal locations that best suit industry and that a presumption against further marine finfish farm developments on the north and east coasts should be maintained to safeguard migratory fish species.

3.3.57 Of the 33 Local Development Plans reviewed it was noted that 18 contained policies which related to the SPP Subject Policy on Supporting Aquaculture. Policies on Supporting Aquaculture have only been included where considered relevant i.e. those coastal local authorities.

3.3.58 Following a review of the detail of each policy, it has been noted that the detailed requirements of SPP have not been consistently incorporated:

- Local development plans should make positive provision for aquaculture developments (taken forward by 9 authorities).
- Plans should also set out the issues that will be considered (taken forward by 10 authorities).
- Marine Scotland's locational policies should be considered when identifying suitable areas (taken forward by 8 authorities).

3.3.59 Of the 4 Strategic Development Plans reviewed it was noted that 3 contained policies which related to the SPP Principle Policy on Supporting Aquaculture.

### **Subject Policy: Managing Flood Risk and Drainage**

3.3.60 The SPP Subject Policy on Managing Flood Risk and Drainage notes that the planning system should promote a precautionary approach to flood risk from all sources, taking account of the predicted effects of climate change. It also notes the promotion of flood avoidance/reduction and the avoidance of increased surface water flooding through requirements for Sustainable Drainage Systems.

3.3.61 Of the 33 Local Development Plans reviewed it was noted that all 33 contained policies which related to the SPP Subject Policy on Managing Flood Risk and Drainage. Following a review of the detail of each policy, it has been noted that the following detailed requirements set out within SPP are being consistently incorporated within LDPs:

- Local development plans should protect land with the potential to contribute to managing flood risk (taken forward by 33 authorities).
- LDPs should use the SPP flood risk framework to guide development (taken forward by 29 authorities).
- Infrastructure and buildings should generally be designed to be free from surface water flooding in rainfall events where the annual probability of occurrence is greater than 0.5% (1:200 years) (taken forward by 31 authorities).
- Surface water drainage measures should have a neutral or better effect on the risk of flooding both on and off the site, taking account of rain falling on the site and run-off from adjacent areas (taken forward by 32 authorities)

3.3.62 Of the 4 Strategic Development Plans reviewed it was noted that all 4 contained policies which related to the SPP Principle Policy on Managing Flood Risk and Drainage.

### **Subject Policy: Promoting Sustainable Transport and Active Travel**

3.3.63 The SPP Subject Policy on Promoting Sustainable Transport and Active Travel notes that the planning system should support patterns of development that reduce the need to travel and provide safe and convenient opportunities for walking and cycling. It also notes that the use of existing infrastructure should be optimised and travel by public transport facilitated.

3.3.64 Of the 33 Local Development Plans reviewed it was noted that all 33 contained policies which related to the SPP Policy on Promoting Sustainable Transport and Active Travel. Following a review of the detail of each policy, it has been noted that the following detailed requirements set out within SPP are being consistently incorporated within LDPs:

- Promote opportunities for travel by more sustainable modes in the following order of priority: walking, cycling, public transport, cars (taken forward by 33 authorities).
- Identify any required new transport infrastructure or public transport services, including cycle and pedestrian routes, trunk road and rail infrastructure (taken forward by 33 authorities).
- Cycle routes, cycle parking and storage should be safeguarded and enhanced (taken forward by 31 authorities).
- Set out how contributions can be provided where public transport is required to serve a development (taken forward by 26 authorities).

3.3.65 The following detailed requirements set out within SPP were less frequently incorporated within the LDPs:

- Disused railway lines with a reasonable prospect of being reused as rail, tram, bus rapid transit or active travel routes should be safeguarded in development plans (taken forward by 18 authorities).
- Electric vehicle charge points should be considered where appropriate (taken forward by 18 authorities)
- Strategic freight sites should be safeguarded in development plans (taken forward by 15 authorities).
- LDPs should safeguard canals which can contribute to sustainable economic growth through sensitive development and regeneration (taken forward by 10 authorities).

3.3.66 Of the 4 Strategic Development Plans reviewed it was noted that 4 contained policies which related to the SPP Principle Policy on Promoting Sustainable Transport and Active Travel.

### **Subject Policy: Supporting Digital Connectivity**

3.3.67 The SPP Subject Policy on Supporting Digital Connectivity notes that the planning system should support development which helps deliver the Scottish Government's commitment to world-class digital connectivity. It also notes the need for networks to evolve and respond to technology improvements/services and for the inclusion of digital infrastructure in new homes and business premises.

3.3.68 Of the 33 Local Development Plans reviewed it was noted that 31 contained policies which relate directly to digital infrastructure. Following a review of the detail of each policy, it has been noted that the detailed requirements set out within SPP are being consistently incorporated within LDPs:

- LDPs should reflect the infrastructure roll-out of digital communications development (taken forward by 33 authorities).
- Local development plans should provide a consistent basis for decision-making by setting out the criteria which will be applied when determining planning applications for communications equipment (taken forward by 28 authorities).
- Policies should encourage developers to explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development (taken forward by 25 authorities).
- The cumulative visual effects of equipment should be considered (taken forward by 27 authorities).

3.3.69 Of the 4 Strategic Development Plans reviewed it was noted that 3 contained policies or supporting text which relate to Supporting Digital Connectivity.

## **3.4 IDENTIFICATION OF LDP POLICY VARIATION FROM SPP**

3.4.1 From the review of LDPs the following section highlights where SPP policies have been changed or adapted to meet local circumstances, including the identification of possible explanations. Variations identified are explored further at Stage 2.

### **Subject Policy - Promoting Town Centres**

3.4.2 The following policies are examples of where the Subject Policy has been changed or adapted with a local variation to meet local circumstances:

- Angus Policy TC18 (Core Retail Areas) states that development proposals seeking to change the use of existing ground floor retail premises will be acceptable where the proposed use is a restaurant/or at least 10% of units are vacant. SPP notes that town centres should display a diverse mix of uses and wider economic and social activity during the day and in the evening. Angus Council have quantified their policy, an adaptation of SPP to meet local circumstances.
- Angus Policy TC19 (Retail and Town Centre Uses) states that relevant assessments (retail/town centre impact and transport assessment) are required for developments exceeding 1000m<sup>2</sup>. This is a variation from SPP, that states development over 2,500 m<sup>2</sup> should provide a town centre

impact assessment or retail impact analysis. It is noted in SPP however that smaller retail and leisure proposals may provide a retail impact analysis, if the authority deems it necessary.

- Dumfries & Galloway Policy ED7 (Town Centre Accessibility) puts an emphasis on car parking in the town centre, noting the provision of additional car parking where required and ensuring proposals do not result in the loss of established parking. This is a variation on SPP, which notes the importance of promoting more sustainable patterns of transport and travel as part of the transition to a low carbon economy. This is likely due to the large rural catchment area that the town centre is serving and possible limited public transport offer.
- Perth & Kinross Policy 3 (Perth City) promotes the development of underutilised land and buildings to assist the delivery of social and environmental benefits identified in the Perth City Plan 2015-2035. This builds upon the point within SPP that town centres should 'create a sense of place and further the well-being of communities' by adding a specific local variation with regard to the aims of the Perth City Plan 2015-2035.
- West Dunbartonshire Clydebank Policy 2 (Kilbowie Retail Park and Clyde Retail Park) prohibits the subdivision of existing units and creation of units under 1,000 square metres to protect the viability of the town centre. SPP notes that proposals outwith town centres must not impact the viability of existing town centres. West Dunbartonshire Council have quantified their policy, an adaptation of SPP to meet local circumstances.

### **Subject Policy - Supporting Business and Employment**

3.4.3 The following policies are examples of where the Subject Policy has been changed or adapted with a local variation to meet local circumstances:

- Aberdeen Policy LR1 (Land Release Policy) identifies employment allocations for a ten-year period (2017-2026) and further safeguards additional employment allocations from 2027-2035. SPP notes that LDPs should allocate a range of sites for business, taking into account a number of factors yet no timescales are prescribed. Aberdeen City Council have quantified their policy, an adaptation of SPP to meet local circumstances.
- West Lothian Policy EMP 4 (Masterplan Requirements for Employment Sites) notes that proposals for those employment sites identified within the policy must be accompanied by a masterplan to support development. This is not a requirement of SPP and the subject policy has been adapted to ensure appropriate phasing and that piecemeal development is avoided.
- Loch Lomond National Park Authority (Economic Development Policy 3) safeguards land for economic purposes and will only be contravened if after twelve months of marketing there is not viable interest in the site. SPP notes that allocations should be flexible enough to accommodate changing circumstances, but Loch Lomond National Park Authority have quantified their policy, an adaptation of SPP to meet local circumstances.

### **Subject Policy - Enabling Delivery of New Homes**

- 3.4.4 There were no policies identified where the Subject Policy has been changed or adapted with a local variation to meet local circumstances.

### **Subject Policy - Valuing the Historic Environment**

- 3.4.5 The following policies are examples of where the Subject Policy has been changed or adapted with a local variation to meet local circumstances:
- Aberdeen Policy D5 (Our Granite Heritage) refers to the retention and appropriate re use, conversion and adaptation of all granite features. SPP notes that LDPs should protect and enhance all elements of the historic environment. The policy complies with the pertinent points from the subject policy but as granite buildings are such a prominent landmark in the city, the inclusion of a policy specific to granite adapts the subject policy to meet local circumstances.
  - Loch Lomond National Park Authority (Historic Environment Policy 5) refers to the sympathetic conversion and reuse of buildings of a local vernacular quality and local historic and/or architectural interest. SPP notes that LDPs should provide a framework for protecting and enhancing all elements of the historic environment. The policy builds upon the pertinent points in SPP but is more specific with reference to the conversion and re-use of redundant buildings, which may be due to the volume of unused buildings with the opportunity to be converted.
  - West Dunbartonshire Dumbarton Policy 7 (Dumbarton Castle) supports proposals to enhance the visitor experience in principle but these should recognise, protect and where possible enhance the Dumbarton Rock and the setting of the castle. The policy complies with the pertinent points from the subject policy but as Dumbarton Castle/Rock is such a prominent landmark, the inclusion of a policy specific to this has been included to meet local circumstances.

### **Subject Policy - Delivering Heat and Electricity**

- 3.4.6 The following policies are examples of where the Subject Policy has been changed or adapted with a local variation to meet local circumstances:
- Aberdeenshire Policy PR2 (Protecting Important Development Sites) identifies development sites to be protected that include proposals for contribution to capturing and storing carbon and making use of heat generation. The policy identifies Peterhead power station but also other locations associated with the pipeline from the central belt to St Fergus. The policy notes that these sites will be protected, and alternative development will not be permitted. SPP notes that transformational change to a low carbon economy should be supported and LDPs should guide



development to appropriate locations. The LDP policy complies with the pertinent points from the subject policy but the inclusion of a policy specifically identifying these sites has been included to meet local circumstances.

- Western Isles Policy PD4 (Zero and Low Carbon Buildings) notes that all applications for new buildings must demonstrate that the carbon dioxide emissions reduction target, as required by Scottish Building Standards, has been met; with at least 15% of this target being met through the use of low or zero carbon technology. Similarly, West Lothian Policy NRG 1a (Low and Zero Carbon Generating Technology) requires new buildings to demonstrate that at least 10% of the current carbon emission reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies. A Low Carbon Place' is noted within SPP and broad targets are noted within the subject policy. These policies are in line with the pertinent points of SPP but additional detail has been added with regards to quantifying targets for carbon dioxide emissions associated with all new buildings.

### **Subject Policy - Planning for Zero Waste**

3.4.7 The following policy is an example of where the Subject Policy has been changed or adapted with a local variation to meet local circumstances:

- East Ayrshire Policy WM 5 (Further requirements for new Waste Management Facilities) sets out the detailed requirements necessary to accompany applications for new waste management facilities. This includes the setting up of Liaison Committees where appropriate and servicing any existing or proposed waste management development by rail if feasible. The policy goes beyond the pertinent points in SPP and has been included to meet local circumstances.

### **Subject Policy - Valuing the Natural Environment**

3.4.8 The following policy is an example of where the Subject Policy has been changed or adapted with a local variation to meet local circumstances:

- Loch Lomond National Park Authority (Natural Environment Policy 7) provide detail on the protection of geological conservation review sites. This is not a requirement of SPP and the subject policy has been adapted to protect these areas and discourage development which will have an adverse effect.

### **Subject Policy - Maximising the Benefits of Green Infrastructure**

3.4.9 There were no policies identified where the Subject Policy has been changed or adapted with a local variation to meet local circumstances.

### **Subject Policy – Promoting Responsible Extraction of Resources**

3.4.10 There were no policies identified where the Subject Policy has been changed or adapted with a local variation to meet local circumstances.

### **Subject Policy - Supporting Aquaculture**

3.4.11 There were no policies identified where the Subject Policy has been changed or adapted with a local variation to meet local circumstances.

### **Subject Policy - Managing Flood Risk and Drainage**

3.4.12 Through the review of SDPs and LDPs there was only a single example of where the Subject Policy has been changed or adapted with a local variation to meet local circumstances. East Renfrewshire Council through Policy E4 (Flooding) introduce a presumption against development within water attenuation areas which are designed to reduce the incidence of flooding in other locations. It is assumed that the water attenuation areas referred to are SUDs facilities.

### **Subject Policy - Promoting Sustainable Transport and Active Travel**

3.4.13 The following policies are examples of where the Subject Policy has been changed or adapted with a local variation to meet local circumstances:

- Shetland Policy TRANS2 (Inter-Island Links) states that the Council is committed to supporting and safeguarding Shetland's air services, ferry services and associated infrastructure noting that development proposals that prejudice the present or future operation of transport routes including fixed link approach routes and services will not be permitted. SPP notes that planning authorities and airport operators should work together to prepare airport masterplans and address other planning and transport issues relating to airports. With regard to ports SPP notes that planning authorities and port operators should work together to address the planning and transport needs of ports and opportunities for rail access should be safeguarded in development plans. Shetland Council however have been quite specific on ensuring that present or future air and sea transport routes are not prejudiced which is a variation of SPP reflecting the geographical nature of the locality.
- Dumfries & Galloway Policy ED7 (Town Centre Accessibility) puts an emphasis on car parking in the town centre, noting the provision of additional car parking where required and ensuring proposals do not result in the loss of established parking. This is a variation on SPP, which notes the importance of promoting more sustainable patterns of transport and travel as part of the transition to a low carbon economy. This is likely due to the large rural catchment area that the town centre is serving and limited public transport offer.

### **Subject Policy - Supporting Digital Connectivity**

3.4.14 There were no policies identified where the Subject Policy has been changed or adapted with a local variation to meet local circumstances.

### **3.5 IDENTIFICATION OF FREQUENT LDP POLICIES NOT COVERED IN SPP**

3.5.1 A number of policies appear frequently in Local Development Plans but are not covered directly within Scottish Planning Policy. The research identifies the following policy areas.

#### **Developer Obligations**

3.5.2 Developer Obligations pertaining to transport infrastructure and affordable housing are referred to within SPP. As required by SPP, LDPs consistently set out Developer Obligations on transportation and affordable housing.

3.5.3 The majority of the LDPs reviewed however also include a policy containing further guidance on the contribution required to ensure other development specific requirements are delivered including new and/or improved open space, education, community facilities and waste management infrastructure.

3.5.4 Of the 33 LDPs reviewed the majority contained policies specific to developer contributions with many referencing additional supplementary guidance. For example, Aberdeenshire's Policy RD2: Developers' Obligations stipulates that contributions are required for development concerning Transport, Local Transport Infrastructure, Open Space & Access, Primary Education, Community Facilities, Waste & recycling and Health Facilities – as set out in the relevant settlement statements.

#### **Householder Development**

3.5.5 Policies pertaining to Householder Development arose frequently throughout the LDPs reviewed, despite SPP providing no clear guidance on householder extensions and alterations.

3.5.6 The two principle policies Placemaking and Sustainability focus on a design led approach for development but do not go into detail with regard to extensions and alterations to existing residential buildings.

3.5.7 Of the 33 LDPs reviewed the majority contained policies specific to Householder Development including, for example, policies in Falkirk (Policy HC08 Residential Extensions and Alterations) and Angus (Policy TC4 Householder/Domestic Development).

#### **Advertisements**

3.5.8 Policies pertaining to the display of advertisements were noted frequently within the LDPs reviewed, despite not being noted specifically within SPP.

3.5.9 Of the 33 LDPs reviewed 14 contained policies specific to the display of advertisements, therefore providing a local policy basis to inform decision making. This includes policies in West Dunbartonshire (Policy ENV11 Advertisements) and Dumfries and Galloway (Policy ED15: Advertisements).

### **Cemeteries/Crematoria Provision**

3.5.10 SPP does not provide a policy framework on the provision of cemeteries and crematoria although these were identified a number of times within LDPs. Of the 33 LDPs reviewed 3 contained policies specific to cemeteries/crematoria provision – Angus (Policy TC9: Safeguard of land for Cemetery Use), North Ayrshire (Policy 21: Cemetery Sites) and Scottish Borders (Policy IS14: Crematorium Provision). In addition to these, Perth and Kinross Council's Policy 41 on the Green Belt notes that cemetery provision constitutes essential infrastructure that may be permitted in the Green Belt where relevant criteria have been met.

## **Social, Community and Health Facilities**

- 3.5.11 SPP supports the provision of community facilities in accessible locations (applying the town centre first approach) and in terms of improving general health and wellbeing.
- 3.5.12 Of the 33 LDPs reviewed 11 contained policies specific to provision of social, community and health facilities necessary within their locality. The majority of community facility policies were broad, although some were more specific with reference to health services such as Midlothian (Policy IMP4: Health Centres and Policy IMP5: Emergency Services) and East Lothian (Policy HSC1: Health Care Sites). The provision of health services is not explicitly referenced in SPP although the encouragement of facilities that will improve general health and wellbeing is noted.
- 3.5.13 Social, community and health facilities were also noted within a number of developer contribution policies e.g. Dumfries & Galloway (Policy OP3: Developer Contributions) and Clackmannanshire (SC9: Developer Contributions).

## **Contamination**

- 3.5.14 Policies relating to contamination were noted frequently within LDPs, despite not being noted specifically within SPP. Of the 33 LDPs reviewed 9 contained policies specific to contamination. The policies largely aimed to remediate contaminated land and prevent new contamination, for example in Perth & Kinross Council (Policy 56: Contaminated Land), Inverclyde (Policy 16: Contaminated Land) and Dumfries and Galloway (Policy IN10: Contaminated and Unstable Land).

## **Pipeline and Hazard Consultation Zones**

- 3.5.15 SPP provides policy on major-accident hazard sites however no reference is made to pipelines in SPP. A total of 9 of the 33 LDPs reviewed contain policy on pipelines including Aberdeen (Policy B6: Pipelines, Major Hazards and Explosives Storage Sites) and Angus (Policy PV21 Pipeline Consultation Zones).

## **Public Art**

- 3.5.16 SPP does not provide policy on the provision of public art, yet policies relating to this topic have been noted frequently within LDPs, notably Dundee (Policy 2: Public Art Contribution), West Lothian (Policy 'ENV 34 Art and Development), Clackmannanshire (Policy SC9: Developer Contributions) and Fife (Policy 4: Planning Obligations).

## Occasionally Occurring Policies

3.5.17 In addition to the above noted policies which appear frequently in LDPs but are not referenced in SPP there are also several policies which appear occasionally within LDPs but are not referenced in SPP as follows:

- Although brief reference is made to Houses in Multiple Occupation (HMO), SPP does not provide guidance for Student accommodation as this issue is only prevalent within specific planning authority areas. Dundee Council for example have included Policy 15 'Student Accommodation' to supply the growing demand generated by the student population which helps control and guide development to the correct location.
- Moray policy 'EP13 Ministry of Defence Safeguarding Areas' requires consultation with defence infrastructure organisation close to local MoD airfields.
- Shetland policy 'H8 Uninhabited Islands' does not support the repopulation of uninhabited islands and discourages housing development.
- South Lanarkshire policy 'DM20 Supporting Information' stipulates the information that is required to be submitted alongside a planning application to provide contextual information regarding the development.
- South Lanarkshire policy 'DM21 Legal Agreements' states that councils may require legal agreements to enforce conditions placed onto the applicant.
- South Lanarkshire policy 'DM23 Monitoring' puts priority on monitoring development which will likely have an adverse effect on the environment and neighbours.
- Stirling policy '2.15: Mobile Hot Food Outlets' sets out the requirements mobile outlets would have to adhere to and ensure that neighbouring amenity is protected.
- Moray policy 'IMP2 Development Impact Assessments' requires developers to submit (when applicable) an Environmental Impact Assessment, Transport Assessment, Retail Impact Assessment and other relevant studies.
- Moray policy 'IMP4 Development Plan Monitoring' calls for a 2-year monitoring period of the LDP action plan which includes an annual provision of a Housing Land Audit, Employment Land Audit. The policy also calls for a Town Centre Health Check every two years.
- Dundee policy '8: Visitor Accommodation' encourages high quality visitor accommodation within the city centre and central Broughty Ferry area.
- South Lanarkshire policy 'VET2 Visitor Accommodation' state that accommodation should be appropriate for the visitor demographic. Applicants must provide a business plan showing the need and viability of their proposal.

## 4. Stage 2 - Consultation

### 4.1 INTRODUCTION

4.1.1 Stage 2 involved defining a set of six questions to appear on an online questionnaire, designed to build upon the information gathered through the Stage 1 desk-based exercise:

1. Which SPP policies work well for plan making purposes?
2. Which SPP policies work well for Development Management purposes?
3. Do you find any SPP policies unclear or confusing?
4. Do you find any SPP policies difficult to apply or implement?
5. What policies need the most local flexibility?
6. What do you see as the main issues for the Scottish Government to consider when developing future national policies?

4.1.2 Invitations to complete the questionnaire were sent by the Scottish Government to Planning Authorities and other stakeholders with experience of the implementation of SPP policies into Development Plans and an understanding of how they influence planning decision making. Recommendations on possible priority areas for change were also sought to be considered as part of the review of the SPP.

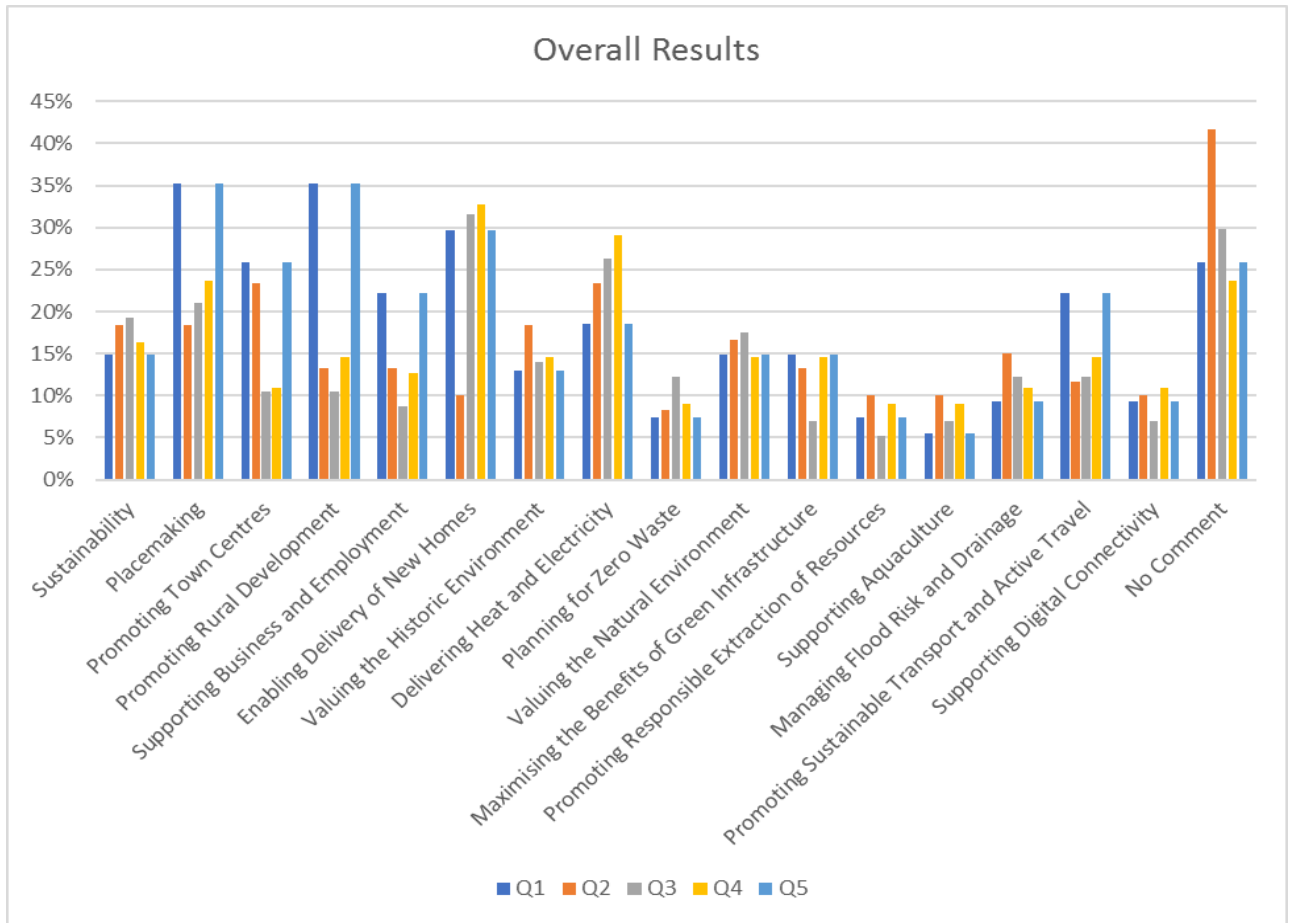
4.1.3 The survey gathered 69 online responses, and a further 4 written submissions. Of the 69 received 20 were not fully completed and eight respondents did not record the organisation they were answering on behalf of. The list of respondents is listed below:

<b>Sector</b>	<b>No. of Responses</b>
<b>Local Planning Authorities</b>	
Aberdeen City Council	1
Aberdeenshire Council	1
Angus Council	1
Argyll & Bute Council	1
City of Edinburgh Council	1
Comhairle Nan Eilean Siar	2
Dundee City Council	2
East Ayrshire Council	4
East Dunbartonshire	1
East Lothian Council	1
Falkirk Council	1

Fife Council	3
Glasgow City Council	6
Highland Council	1
Moray Council	1
North Ayrshire Council	1
Perth & Kinross Council	2
Renfrewshire Council	1
South Lanarkshire Council	1
Stirling Council	1
West Dunbartonshire Council	1
West Lothian Council	4
<b>Strategic Development Planning Authorities</b>	
Aberdeen City and Shire Strategic Development Planning Authority	2
Glasgow and the Clyde Valley Strategic Development Planning Authority (Clydeplan)	2
<b>National Agencies</b>	
Central Scotland Green Network	2
Historic Environment Scotland	1
Planning and Environmental Appeals Division (DPEA)	3
Scottish Environment Protection Agency	1
Scottish Natural Heritage	1
sportscotland	1
<b>Private Companies/Organisations</b>	
Cornerstone (Telefonica (O2) and Vodafone)	1
Gladman Developments Ltd	2
Homes for Scotland	1
Hutchison 3G	1
Innogy Renewables UK Ltd	1
Mineral Products Association Scotland	1
Mobile Broadband Network Limited	1
Scottish Power Renewables	2
<b>Charities</b>	
National Trust for Scotland	1
Social Farms and Gardens	1
<b>Other</b>	
Scottish Planning Consultants Forum	2
Unknown	8



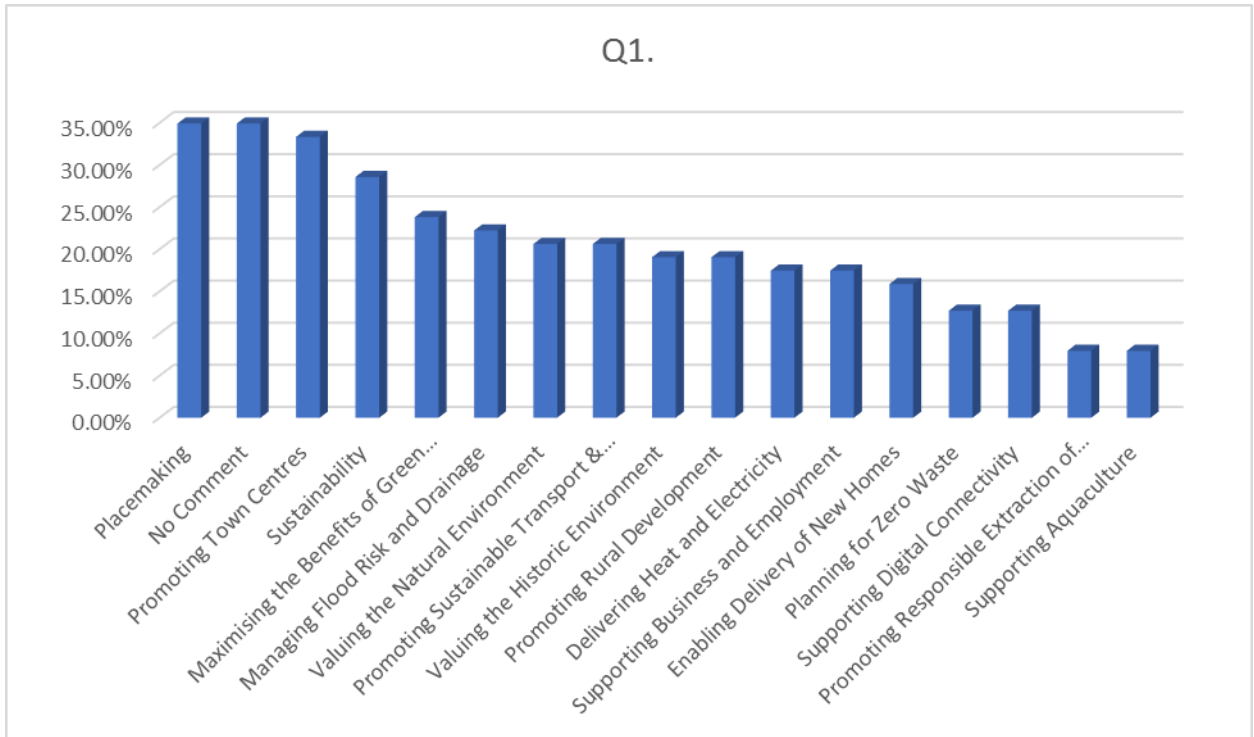
4.1.4 A summary of the comments received during Stage 2 is set out below.



## 4.2 ANALYSIS OF QUESTION 1

**Which SPP policies work well for plan making purposes?**  
*63 respondents*

**Figure 1:** Question 1 Responses



Placemaking	35%	22
No Comment	35%	22
Promoting Town Centres	33%	21
Sustainability	29%	18
Maximising the Benefits of Green Infrastructure	24%	15
Managing Flood Risk and Drainage	22%	14
Valuing the Natural Environment	21%	13
Promoting Sustainable Transport & Active Travel	21%	13
Valuing the Historic Environment	19%	12
Promoting Rural Development	19%	12
Delivering Heat and Electricity	17%	11
Supporting Business and Employment	17%	11
Enabling Delivery of New Homes	16%	10
Planning for Zero Waste	13%	8
Supporting Digital Connectivity	13%	8
Promoting Responsible Extraction of Resources	8%	5
Supporting Aquaculture	8%	5

## Results

4.2.1 Figure 1 identifies ‘Placemaking’, ‘Promoting Town Centres’ and ‘Sustainability’ as the most commonly selected SPP policies that work well for plan making purposes. Of the 63 responses to this question they were selected 22, 21 and 18 times respectively. Various reasons were given for this such as providing clear strategic direction and aspirations that enable planning services the

opportunity to customise them in a local context. More detailed justification provided by respondents is set out below.

- 4.2.2 The least common SPP policies selected as working well for plan making purposes were 'Promoting Responsible Extraction of Resources' and 'Supporting Aquaculture', each selected 5 times.

### **General Feedback**

- 4.2.3 It was noted that the subject policies work well and there is no need for these to be duplicated over every Development Plan in Scotland, as is current practice. It was considered that a national set of policies would significantly reduce resource input to plan preparation.
- 4.2.4 In addition, it was considered that a more standardised approach will enable planning authorities to use accepted best practice in a resource efficient manner rather than each individual authority re-inventing its own approach. This should then lead to greater consistency in the Scottish planning system and develop public confidence in it.
- 4.2.5 The introduction of clear statements within SPP, setting out what Local Development Plans must or should do, was considered to work well for plan making purposes. This approach was noted as particularly important should SPP and NPF merge and become part of the Development Plan. Similarly, a number of respondents noted that the most useful SPP policies are those where there is certainty on the policy guidance. The following examples were given:
- Flood Risk Framework
  - 'Town Centre First' Principle
  - National maximum parking standards
- 4.2.6 It was considered useful to have the policy principles set out at the start and the discussion in the delivery section. Listing of key documents was also noted as very helpful in directing interested parties to further information sources which can also be referenced in decision making.
- 4.2.7 One respondent stated that the SPP policies recognise the requirement for sufficient flexibility to allow planning authorities to provide a local or regional response to achieving national objectives taking local circumstance into account. They went on to say that this flexibility must however be tempered by the opportunity for different interpretation of the wording or intent of the guidance provided by the SPP. Similarly, one respondent stated that a standardised approach means that local flexibility should be curtailed unless it is justified for local and exceptional reasons to encourage more consistency. The proposed change to the planning system, SPP becoming part of the Development Plan, was noted as having a fundamental role to ensure that the planning system across Scotland is applied in a consistent manner and is understood by all partners in the development process as well as the public.

- 4.2.8 A number of policy areas (Sustainability, Promoting Town Centres, Promoting Rural Development, Supporting Business and Employment, Promoting Sustainable Transport & Active Travel, Supporting Digital Connectivity) were noted as most significant in plan-making because they oblige the plan writer to consider the main sustainability elements when writing the plan and designating land for specific land use.
- 4.2.9 It was noted that it is vital that plans, policy and designations are written in consideration of the wider social and economic implications and how to make that policy/designation sustainable now and for the future e.g. transport network and digital connectivity - modern connectivity is vital for sustainability in the modern world with society depending upon it more and more.
- 4.2.10 SPP was criticised by some respondents for being too general and out of date. The focus on housing land figures causes confusion and does not provide clear guidance.

### **Policy Specific Feedback**

#### ***Sustainability***

- 4.2.11 29% of respondents selected the 'Sustainability' policy as working well for plan making purposes by helping to set the context and links between the subject policies. The sentence "*The aim is to create the right development in the right place. It is not to allow development at any cost.*" was noted as particularly helpful and should be retained as it is a reminder of the overarching themes. In addition, it was noted that the overarching themes of sustainability and placemaking should be retained as they are; and these should probably be considered front and centre with climate change.
- 4.2.12 The presumption in favour of sustainable development should be at the forefront of the plan making process. It was considered that the policy itself is clear and easily understood due to the guiding principles set out in paragraph 29. These provide a clear context for plan makers to both form Development Plan policy and against which to assess proposals.
- 4.2.13 The sustainability principle was also noted as a proportionate mechanism to allow proposals not ostensibly in compliance with the Development Plan to be balanced against wider planning objectives; however, it was considered that there are consistency issues with how it is applied in practice, including through appeal decisions.

#### ***Placemaking***

- 4.2.14 'Placemaking' was the most commonly selected policy with regards to working well for plan making purposes, selected by 35% of respondents. Of the feedback given, Placemaking was noted as the glue that holds it all together and provides clear guidance about ensuring the right development in the right places. Giving high level support to placemaking in national policy was noted as important so that it can be supported in the plan making process.

- 4.2.15 The 'Placemaking' policy sets high level principles to guide LDPs but it was considered that enough flexibility was provided to ensure plans are tailored to local circumstances. It was noted that the policy demonstrates a high-level commitment to making better places through a design-led, holistic approach that has filtered through to LDPs and supplementary guidance.
- 4.2.16 One planning authority stated that the placemaking policy strongly influenced their LDP, as they sought to push design to the fore, and introduced a new design policy that requires development to be designed to a high quality demonstrating the six qualities of successful place. SPP policy wording was used to make the council's expectations clear.
- 4.2.17 One weakness of the placemaking policy is that it is often usurped by other priorities. SPP should therefore be more prescriptive to ensure that placemaking principles are carried through to Development Management.

### ***Promoting Town Centres***

- 4.2.18 33% of respondents selected 'Promoting Town Centres' with regards to working well for plan making purposes. It was considered that 'Promoting Town Centres' works as a policy as it is clear in what it is trying to achieve and can be measured. The 'town centre first principle' was noted as providing clarity to the plan making process. With regards to retail development, paragraphs 61-69 were considered essential in clearly setting out how LDP policies should manage and implement a town centre first approach. It works very well in plan preparation as it gives a clear and detailed statement of Scottish Government's expectations and no further interpretation was required. The clear setting out how a government principle should be implemented at a local level was considered to have worked particularly well. Questions were raised about how the impact of the policy is measured, retail impact assessments are useful for DM purposes.

### ***Promoting Rural Development***

- 4.2.19 19% of respondents selected the 'Promoting Rural Development' policy with regards to working well for plan making purposes. It was considered that the 'Promoting Rural Development' policy is sufficient to allow local flexibility and Development Plans can pick up a local interpretation of this as appropriate. It was noted that the policy clearly sets out how LDPs should manage rural development and paragraphs 76 and 81 are very useful, and the distinction drawn between pressured and remote areas in this section is sensible.

### ***Supporting Business and Employment***

- 4.2.20 17% of respondents selected the 'Supporting Business and Employment' policy with regards to working well for plan making purposes. It was noted that the principles set out within the 'Supporting Business and Employment' policy are clear. The delivery section was also considered clear and was helpful in setting out the detailed requirements particularly the alignment with specific policy documents and how local authorities should allocate business land.

### ***Enabling Delivery of New Homes***

- 4.2.21 16% of respondents selected the ‘Enabling Delivery of New Homes’ policy with regards to working well for plan making purposes. The policy was considered essential in calculating housing land supply figures. It was noted that the intention of paragraphs 113 - 122 are explicitly clear in seeking to ensure the delivery of new homes will be achieved. Similarly, the requirement for Development Plans to identify a generous supply of land for each housing market area to achieve the housing land requirement and maintain at least a 5-year supply of effective housing land at all times was considered crucial.
- 4.2.22 The requirements for specialist housing provision are clearly stated and considered easy to translate these into the LDP. In addition, the recognition that the National Parks need not meet the entirety of their housing requirement was considered sensible. It was also noted that more could be done to encourage sustainable mixed communities with a range of housing types.

### ***Valuing the Historic Environment***

- 4.2.23 19% of respondents selected the ‘Valuing the Historic Environment’ policy with regards to working well for plan making purposes. The ‘Valuing the Historic Environment’ policies provide a steer to Planning Authorities on the considerations which should be included within the policies for the statutory Development Plan and areas such as Article 4 Directions are clear and work well at this level. The policy was considered sufficiently clear to transpose to work in the local context and it links well with guidance prepared by key agencies.

### ***Delivering Heat and Electricity***

- 4.2.24 17% of respondents selected the ‘Delivering Heat and Electricity’ policy with regards to working well for plan making purposes. It was noted that clear direction is given (paragraph 154) to the role planning must play in supporting the delivery of the renewable energy infrastructure Scotland needs to meet the low carbon ambitions. The identification of planning as a key tool is considered useful and reiterates the importance of delivering low carbon ambitions and targets through the planning system, and Development Plans in particular.
- 4.2.25 For plan making purposes, the policy delivers clear ambitions regarding transforming Scotland to a Low Carbon Place, for example through energy provision and setting out the locations where developments are likely to be acceptable. Additionally, the subsection relating to Heat (paragraphs 158 to 160 inclusive) provides clarity for plan makers regarding the integration of heat in Development Plans, the expectation for Development Plans to appropriately consider where heat networks should be located, and the expectation that sites will be designed to enable district heating pipe run networks to be safeguarded for later connection. These policy paragraphs are supportive and directive, without being overly restrictive or recognising that local flexibility is required.
- 4.2.26 Moving forward however, it was considered that these ambitions and targets must be updated to reflect the Climate Emergency declared by Scottish

Government through the new energy policy context and wider aspects of low carbon place.

### ***Planning for Zero Waste***

4.2.27 13% of respondents selected the 'Zero Waste' policy with regards to working well for plan making purposes. It was considered that the 'Planning for Zero Waste' policy works well and that the majority of Local Development Plans identify waste management facilities on their plan or within policy text and have policies which accord with the direction and guidance contained in SPP (most notably paragraphs 184 and 186).

### ***Valuing the Natural Environment***

4.2.28 21% of respondents selected the 'Valuing the Natural Environment' policy with regards to working well for plan making purposes. The policy was considered helpful in setting out the various specific points that LDPs must address and the policy is sufficiently clear to transpose to work in the local context.

4.2.29 One respondent felt SPP should provide advice about how to promote food growing in the planning process.

### ***Maximising the Benefits of Green Infrastructure***

4.2.30 24% of respondents selected the 'Maximising the Benefits of Green Infrastructure' policy with regards to working well for plan making purposes. It was considered that SPP sets out a relatively clear approach to the importance of, and protection for, open space and green networks/infrastructure generally. It was also considered helpful in setting out the various specific points that LDPs must address.

4.2.31 With regards to outdoor sports facilities, paragraph 226 was noted as particularly helpful in setting out how outdoor sports facilities should be safeguarded and was useful in forming local Development Plan policy. However, it was noted that further explanation in this area would be beneficial e.g. where an outdoor sports facility may no longer be required for that specific purpose, it may still have an important green infrastructure role that means it is worthy of retention as open space.

4.2.32 The inclusion of community growing spaces and allotment provision in the definition of green infrastructure was welcomed (paragraph 227 and 229) stating plans should encourage opportunities for community growing. However, it was considered that this is not translating into LDP policy and more could be done to bring these provisions into practice.

### ***Promoting Responsible Extraction of Resources***

4.2.33 8% of respondents selected 'Promoting Responsible Extraction of Resources' with regards to working well for plan making purposes. No comments were received regarding this policy.

### ***Supporting Aquaculture***

4.2.34 8% of respondents selected 'Supporting Aquaculture' with regards to working well for plan making purposes. No comments were received regarding this policy.

### ***Managing Flood Risk and Drainage***

4.2.35 21% of respondents selected the 'Managing Flood Risk and Drainage' policy with regards to working well for plan making purposes. The risk framework in Paragraph 263 was noted as particularly helpful in setting out the specifics of flood risk and is well understood and accepted by all stakeholders involved in land use planning and flood risk.

4.2.36 The policy principles set out in paras 255 to 257 were also considered very helpful and set a useful policy framework for Development Plans. However, it was noted that they do not translate well into the sections that follow on Development Planning and Development Management, and therefore do not always translate into plan making.

### ***Promoting Sustainable Transport & Active Travel***

4.2.37 21% of respondents selected the 'Promoting Sustainable Transport & Active Travel' policy with regards to working well for plan making purposes. It was considered helpful in setting out principles for transport policies and also the specifics for what policies should contain.

### ***Supporting Digital Connectivity***

4.2.38 13% of respondents selected the 'Supporting Digital Connectivity' policy with regards to working well for plan making purposes. The feedback gathered noted that the policy clearly set out criteria that LDPs should contain and helped form a Local Development Plan policy.

## **4.3 ANALYSIS OF QUESTION 2**

### **Which SPP policies work well for Development Management purposes?**

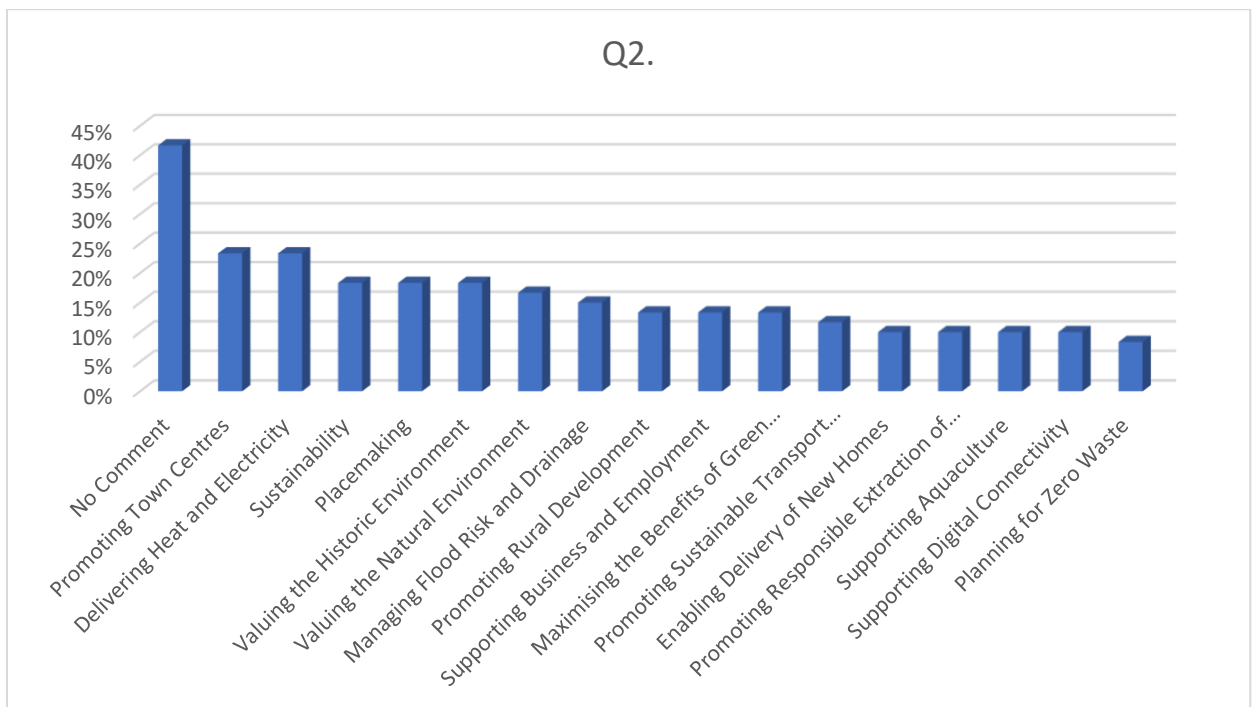
*60 respondents*

**Figure 2:** Question 2 Responses

No Comment	42%	25
Promoting Town Centres	23%	14
Delivering Heat and Electricity	23%	14
Sustainability	18%	11
Placemaking	18%	11
Valuing the Historic Environment	18%	11
Valuing the Natural Environment	17%	10



Managing Flood Risk and Drainage	15%	9
Promoting Rural Development	13%	8
Supporting Business and Employment	13%	8
Maximising the Benefits of Green Infrastructure	13%	8
Promoting Sustainable Transport and Active Travel	12%	7
Enabling Delivery of New Homes	10%	6
Promoting Responsible Extraction of Resources	10%	6
Supporting Aquaculture	10%	6
Supporting Digital Connectivity	10%	6
Planning for Zero Waste	8%	5



## Results

- 4.3.1 Figure 2 identifies 'Promoting Town Centres' and 'Delivering Heat and Electricity' as the most commonly selected SPP policies that work well for Development Management purposes. Of the 60 responses to this question they were each selected 14 times. Various reasons were given for this such as providing a good sequential approach to development with regards to 'Promoting Town Centres' and providing a useful checklist for assessing wind farms with regards to 'Delivering Heat and Electricity'. More detailed justification provided by respondents is set out below.
- 4.3.2 The least common SPP policy to be selected as to working well for Development Management purposes was 'Planning for Zero Waste', selected 5 times.

## General Feedback

- 4.3.3 It was noted that the policy principles throughout SPP coupled with the more detailed guidance and sign posting to relevant documents in the subject policies

section is particularly useful in discussions with applicants and developers and adds weight to council policies on individual issues.

- 4.3.4 Most of the sections of SPP, when replicated into LDP's, help with Development Management processes as it gives specific criteria for the assessment of planning applications. SPP on its own is considered too vague in certain sections to allow an assessment of a planning application and it was noted that SPP is very rarely reflected in planning application decisions as it is not part of the statutory Development Plan.
- 4.3.5 It was considered that in general the policies that guide Development Management are clear and strike the right balance between the need for development and the need to protect and enhance the environment. It was noted that policies and their supporting text provide an overarching direction for localised Development Management policies and guidance.
- 4.3.6 In contrast the current SPP is considered a step backwards from the more detailed guidance and advice that used to be outlined in the old NPPG's and SPP's planners used to use without being too restrictive at local level.
- 4.3.7 In addition, it was noted that the SPP policies are good but the way that they get interpreted and applied can be messy - this is the area where current planning policy tends to fall down. It was noted that SPP (and indeed LDP) policy commitments are being set aside to accommodate other priorities for example, a playing down of greenspace/green infrastructure requirements to ensure investment in affordable housing.
- 4.3.8 Moving forward, it is considered that once SPP is incorporated in the new NPF and made part of the Development Plan, it will need to work more effectively and decisively for Development Management purposes. Assuming the bulk of its content will be directly applicable to local decisions, it should be clear and unambiguous and not cluttered with narrative text of the type that has undermined the true policy content of some LDPs and SDPs.
- 4.3.9 The following points were raised:
- Where a policy is not intended to be directly applicable or is intended to be altered or elaborated on in the LDP, this should be clearly demarked.
  - Separate sections on directly applicable policies and policies to inform detailed LDP policies would help.
  - Structure and direction will need to be carefully thought through to ensure the two tiers of the future Development Plan – NPF/SPP and LDP work with each other and not against each other.
  - SPP when amalgamated with NPF, has a fundamental role to ensure that the plan system across Scotland is applied in a consistent manner and is understood by all partners in the development process as well as the public.
  - A revised SPP needs to deliver more detailed guidance to deliver a consistent approach across Scotland for these topics.

## **Policy Specific Feedback**

### ***Sustainability***

- 4.3.10 18% of respondents selected 'Sustainability' with regards to working well for Development Management purposes. It was noted that the policy is useful for setting out the Scottish Government's overarching policy position for the whole of Scotland, particularly in respect of its sustainable development.
- 4.3.11 Paragraphs 32-35 were noted as valuable in setting out how the presumption in favour of sustainable development should be considered in Development Management. The paragraphs work well for Development Management purposes and set out the requirement in the event the Development Plan is considered out-of-date due to the shortfall in the five-year supply of effective housing land. However, implementation of this, in practice was considered inconsistent and sometimes ignored. Despite an identified shortfall in the five-year supply of effective housing land, paragraphs 32-35, and sustainability guiding principles, are very often not given sufficient weight in the Development Management process where the balance should be tilted in favour of development that contributes towards sustainable development. Despite the principles forming the basis to work well, how they are implemented in the Development Management process is a limiting factor.
- 4.3.12 The emphasis on enabling high quality development, making efficient use of land and protecting and enhancing natural and cultural resources is also welcomed in the context of Development Management, together with Paragraph 28 which states *"the aim is to achieve the right development in the right place; it is not to allow development at any cost"*. Paragraph 29 was also noted as being very helpful in making connections with other agendas such as health, climate change, inequalities, education etc. It was suggested that the bullet point on climate change was moved up the list given the current climate change emergency.

### ***Placemaking***

- 4.3.13 18% of respondents selected 'Placemaking' with regards to working well for Development Management purposes. The policy was described as clear and precise in purpose and articulation. The overarching policies in paras 38 to 40 were noted as being very helpful, making it clear the SPP must be fully considered when planning new places and considering individual applications. Paragraph 56 was also considered helpful in stating that design is a material consideration. The policies listed under paragraphs 49-52 provide green belt guidance that should be reflected in Local Development Plans and although SPP identifies that LDP policies should show the detailed green belt boundary (paragraph 51), in practice it was noted that boundaries are not always detailed.

### ***Promoting Town Centres***

- 4.3.14 23% of respondents selected 'Promoting Town Centres' with regards to working well for Development Management purposes. 'Promoting Town Centres' was noted as one of the most challenged areas of Development Management so it is

useful to have clear direction and the specific requirements set out in the SPP to further support planning decisions.

4.3.15 The 'Promoting Town Centres' policy was noted as working well for Development Management as it provides a reasonable context for decision making. The sequential test was noted as useful in addition to the sound criteria provided in paragraphs 70 – 73 (73 in particular).

#### ***Promoting Rural Development***

4.3.16 13% of respondents selected 'Promoting Rural Development' with regards to working well for Development Management purposes. It was noted as clear and precise in purpose and articulation, yet sufficiently vague to allow for application of appropriate statements for individual applications.

#### ***Supporting Business and Employment***

4.3.17 13% of respondents selected 'Supporting Business and Employment' with regards to working well for Development Management purposes. It was noted as clear and precise in purpose and articulation and generally non-contentious. In addition, it was noted that it is vital that decisions are made with consideration of the wider social and economic implications.

#### ***Enabling Delivery of New Homes***

4.3.18 10% of respondents selected 'Enabling Delivery of New Homes' with regards to working well for Development Management purposes. It was noted that if implemented appropriately the policy can work well in the Development Management process (in combination with the other relevant parts of SPP) to ensure the delivery of new homes. However, it was also noted by some respondents that few Local Authorities have recognised or accept that there is a shortfall in the 5-year effective housing land supply when a potential shortfall has been identified by an applicant or Scottish Government appointed Reporter via an appeal decision. This leads to the relevant parts of SPP not being utilised properly in the Development Management process.

#### ***Valuing the Historic Environment***

4.3.19 18% of respondents selected 'Valuing the Historic Environment' with regards to working well for Development Management purposes. It was noted that it sets out a useful framework for balancing the importance of conservation of historic buildings and locations, with the need to promote economic development and to allow change where necessary. In contrast, it was considered to be of limited benefit, as largely overtaken by Historic Environment Scotland documents.

4.3.20 Historic Environment Scotland provided feedback on this policy area. The following points were submitted:

- Pleased with the inclusion of HES 'Managing Change' guidance as a key document within the SPP.

- Paragraph 141 is well worded and ties together a building and its setting.
- Paragraph 142 on enabling development is concise and useful. It could be enhanced by further thinking about the level of detail in the policy and definition of enabling development. HES would like to see more consideration of enabling development as a positive option, but subject to clearer conditions.
- Paragraph 145 on scheduled monuments, 147 on World Heritage Sites and 149 on Battlefields are all clear and useful – especially 145 as the exceptional circumstances test is usually well-understood and implemented.

### ***Delivering Heat and Electricity***

4.3.21 23% of respondents selected 'Delivering Heat and Electricity' with regards to working well for Development Management purposes. The policy works well as it is clear and precise in purpose and articulation, there is a clear spatial hierarchy to follow and provides a comprehensive list of criteria to consider.

4.3.22 It was noted that the policies set out in 'A Low Carbon Place' are clear and set out the locations where developments are likely to be acceptable, as well as the relevant considerations to be taken into account by the decision-maker (SPP paragraph 169). It was considered that this section needs to be strengthened given the urgent climate change imperative and the need to continue to decarbonise the electricity, heat and transport sectors. Future iterations of planning policy, including the new combined NPF and SPP, must ensure policies are in place which clearly facilitate the development of new and repowered onshore wind sites, incorporating the latest, most efficient technologies. Supportive policies for new, stand alone and co-located solar and battery storage projects could also help with climate change goals.

4.3.23 With regards to windfarms, paragraph 169 contains a useful checklist of relevant considerations. The provision of strategic rather than local guidance on the appropriate siting of onshore wind was welcomed, in support of ensuring a better coordinated approach between LPAs. Confirmation within SPP that areas identified for windfarm development should be considered suitable in perpetuity and that this is a material consideration in planning was welcomed and considered this clarity should be retained within future iterations of the SPP. This was noted as especially important in light of the recently published Scottish Energy Strategy and Onshore Wind Policy Statement.

4.3.24 With regards to spatial framework, within Group 2 (Areas of Significant Protection) the position on wild land and the conflict between this policy and the 'Valuing the Natural Environment' policy which states that wild land has little capacity to deal with new development should be clarified. The wording within Group 2 could be improved, terminology like 'significantly' and 'substantially' is too loose. Others argued that within Group 3 (Areas with potential for wind farm development) there should be a stronger presumption in favour of development and significant landscape change should be accepted in these areas.

4.3.25 The scope of Landscape Capacity Studies should be fully addressed within this policy. It should be noted that these high level studies are not a substitute for

detailed and site-specific landscape and visual impact assessments. Preferably, these should be replaced by Landscape Sensitivity Studies which are restricted to the sensitivity of the landscape and do not attempt to arbitrarily advise on the likely acceptable capacity of an area to different scales of onshore wind development. One respondent chose this policy due to the success in respect of electricity but felt let down by the guidance surrounding heat.

### ***Planning for Zero Waste***

4.3.26 8% of respondents selected 'Planning for Zero Waste' with regards to working well for Development Management purposes. It was noted that it was helpful having buffer distances set out here.

4.3.27 Paragraph 188 is clear with regard to authorities determining where Waste uses are allocated to appropriate land. This paragraph could be improved if authorities are directed to also consider whether issues could arise due to locating the proposed waste facility adjacent to non-compatible uses.

4.3.28 Paragraph 190 is also clear about the duties on new development to include provision for waste separation and collection which has enabled recycling and waste collection to become part of design of new developments and supported the delivery of the Waste (Scotland) Regulations and the Zero Waste Plan and Circular Economy ambitions.

### ***Valuing the Natural Environment***

4.3.29 17% of respondents selected 'Valuing the Natural Environment' with regards to working well for Development Management purposes. The policy was described as clear and precise in purpose and articulation. Paragraph 203 in particular was noted as offering clear direction on when something isn't appropriate to refuse.

### ***Maximising the Benefits of Green Infrastructure***

4.3.30 13% of respondents selected 'Maximising the Benefits of Green Infrastructure' with regards to working well for Development Management purposes. Paragraph 226 in particular provides important guidance for protecting outdoor sports facilities as it is clearly worded and unambiguous.

4.3.31 Paragraph 232 regarding the design of green infrastructure in DM was described as very helpful. The only criticism drawn from the DM section was the lack of support for community growing spaces. It was also suggested that the Green Belt policy should identify telecoms infrastructure as 'not inappropriate in the Green Belt'.

### ***Promoting Responsible Extraction of Resources***

4.3.32 10% of respondents selected 'Promoting Responsible Extraction of Resources' with regards to working well for Development Management purposes. No specific comments were made as to why the policy was selected.

### ***Supporting Aquaculture***

4.3.33 10% of respondents selected 'Supporting Aquaculture' with regards to working well for Development Management purposes. No specific comments were made as to why the policy was selected.

### ***Managing Flood Risk and Drainage***

4.3.34 15% of respondents selected 'Managing Flood Risk and Drainage' with regards to working well for Development Management purposes.

4.3.35 In addition to the risk framework the following concepts were identified as most helpful within the Development Management sphere: -

- Avoiding increasing risk elsewhere, as well as to the proposed development.
- Piecemeal reduction of functional floodplain and cumulative effects of reducing storage capacity.
- Have regard to probability of flooding from all sources.
- The calculated probability of flooding should be regarded as a best estimate and not a precise forecast.
- Developers should take into account flood risk and the ability of future occupiers to insure development before committing themselves to a site or project.
- Emphasis on occupiers having ultimate responsibility for safeguarding their property.
- All bullet points of hazards and considerations as stated in para 264

4.3.36 Whilst the section was described as useful, it was also noted by one respondent that it largely duplicates policy and other guidance. The policy principles are very helpful but there is difficulty in translating them well into decision making in Development Management.

### ***Promoting Sustainable Transport & Active Travel***

4.3.37 12% of respondents selected 'Promoting Sustainable Transport & Active Travel' with regards to working well for Development Management purposes. It was noted as largely duplicating policy and other guidance.

### ***Supporting Digital Connectivity***

4.3.38 10% of respondents selected 'Supporting Digital Connectivity' with regards to working well for Development Management purposes. It was noted that this area of SSP works well for Development Management as it provides a reasonable context for decision making. The intent is clear and sufficiently broad to allow for application of appropriate statements for individual applications.

4.3.39 It was noted that when considering a proposal for a piece of mobile telecommunications infrastructure most weight is often given to the environmental/visual aspects that piece of infrastructure has with insufficient weight attached to the significant material social and economic benefits that proposal will bring to local residents, visitors and businesses. Appropriate

balance is required with regards to consideration of the constraints and limitations of mobile infrastructure in terms of siting and design requirements and this should be reflected in policy for Development Management purposes. Paragraph 300 was noted as useful as it states that radiofrequency radiation is not a material consideration.

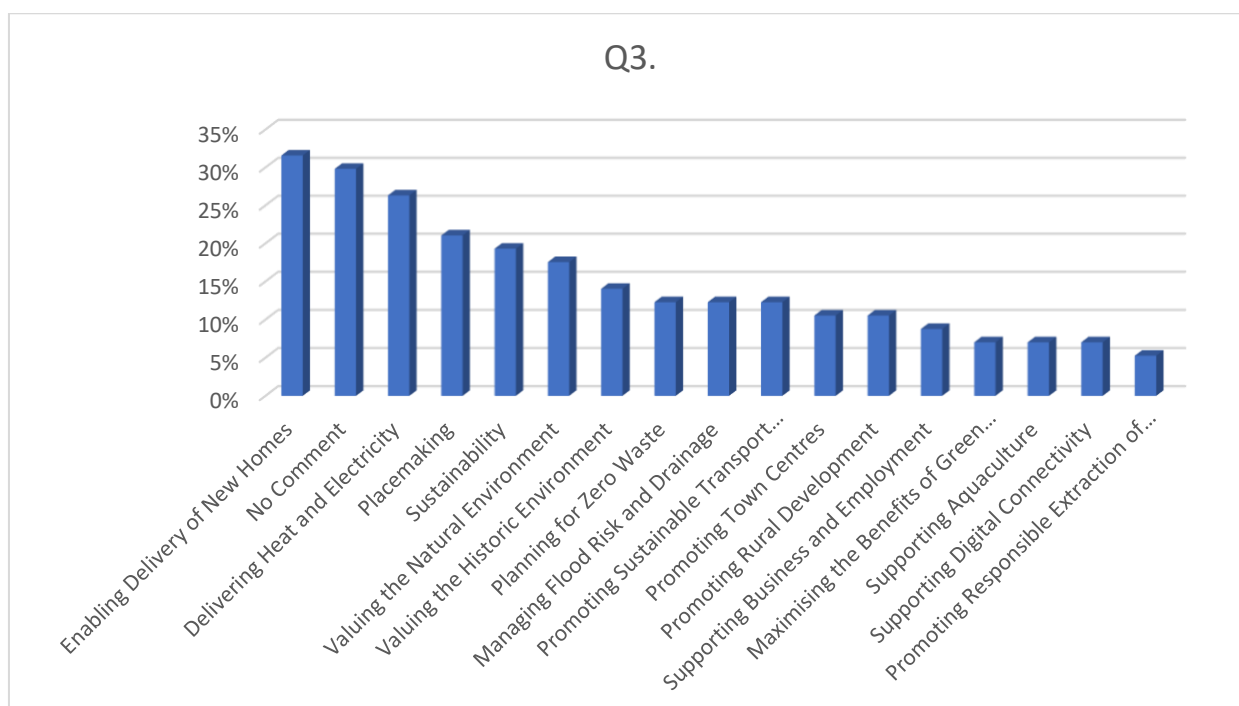
#### 4.4 ANALYSIS OF QUESTION 3

**Do you find any SPP policies unclear or confusing?**

*57 respondents*

**Figure 3: Question 3 Responses**

Enabling Delivery of New Homes	32%	18
No Comment	30%	17
Delivering Heat and Electricity	26%	15
Placemaking	21%	12
Sustainability	19%	11
Valuing the Natural Environment	18%	10
Valuing the Historic Environment	14%	8
Planning for Zero Waste	12%	7
Managing Flood Risk and Drainage	12%	7
Promoting Sustainable Transport and Active Travel	12%	7
Promoting Town Centres	11%	6
Promoting Rural Development	11%	6
Supporting Business and Employment	9%	5
Maximising the Benefits of Green Infrastructure	7%	4
Supporting Aquaculture	7%	4
Supporting Digital Connectivity	7%	4
Promoting Responsible Extraction of Resources	5%	3





## **Results**

- 4.4.1 Figure 3 identifies 'Enabling Delivery of New Homes' 'Delivering Heat and Electricity' and 'Placemaking' as the most commonly selected SPP policies that are deemed to be confusing or unclear. Of the 57 responses to this question they were selected 18, 15 and 12 times respectively. Various reasons were given for this such as no set way to calculate a 5-year land supply with regards to 'Enabling Delivery of New Homes' and the difficulty involved with establishing a heat network with regards to 'Delivering Heat and Electricity'. More detailed justification provided by respondents is set out below.
- 4.4.2 The least common SPP policy to be selected as unclear or confusing was 'Promoting Responsible Extraction of Resources', selected 3 times.

### **General Feedback**

- 4.4.3 Several responses noted that throughout SPP it is difficult to decipher what text is policy, guidance and principles. The way in which it is written is ambiguous and with a lack of clarity. The need for local flexibility is acknowledged, but this can still be achieved while providing clear guidance. It is noted that subject matter loses emphasis and causes confusion due to the lack of clear structure which can lead to variation in policy approaches across Scotland and reduces certainty for developers and communities on how proposals for development will be considered.
- 4.4.4 The interplay between policy priorities was cited as an area where confusion occurs. The increasing alignment of spatial and community planning is welcome but may add to this confusion. This could lead to some LDP (and SPP) priorities being effectively downgraded. There is also the argument concerning competing interests and how economic targets are affected by public and private interests.
- 4.4.5 One response noted that the SPP catered better for urban and mainland settlements and was more difficult to apply in rural areas. A countering response noted that SPP does not go far enough at tackling challenges in an urban context. This problem could also be exacerbated by the potential move to 10-year plans.
- 4.4.6 Some respondents welcomed the idea of NPF 4 incorporating SPP to enhance its status in the statutory Development Plan. The current planning system in Scotland is best categorised by its diversity and lack of standardisation of a policy framework or appraisal process. A more standardised approach to the Scottish planning system could develop public confidence.

### **Policy Specific Feedback**

#### ***Sustainability***

- 4.4.7 19% of respondents selected 'Sustainability' with regards to policies that are unclear or confusing. The main complaint is that sustainability is a hard term to define and it can be argued that a development is sustainable in differing ways

from another. Some felt that it sets a low bar and most proposals can be determined to be sustainable.

- 4.4.8 It was noted that the Development Management section (paragraphs 32 to 35) contains vital policy but the overarching principal needs to be better understood by decision makers. Problems occur in practice as sustainability is not given its suitable weight as a material consideration. Many felt that the policy faced similar problems to the rest of SPP, it is difficult to establish when content is a statement or policy.

### ***Placemaking***

- 4.4.9 21% of respondents selected 'Placemaking' with regards to policies that are unclear or confusing. As noted in other sections it was brought up that there is confusion over what parts of the policy are guidance and which parts are principles.
- 4.4.10 The main concerns are that the policy is not definitive enough and doesn't give enough direction or detail. Broad headings should be further explored with smaller sub headings. It was also felt by a number of respondents that there is not enough weight given to trying to create communities, and that placemaking is often overlooked in favour of high land value development. The wider benefits of placemaking such as public health benefits should be incorporated.
- 4.4.11 Some respondents felt that 'Placemaking' was an empty term that would simply be used to promote development with no real substance to follow. Design led approaches like charrettes/community engagement events do not necessarily have a direct impact on the end result of a proposal. The existing set up is too vague and does not help create new places.
- 4.4.12 It was noted that the Development Planning section mainly focuses on Green Belts. This would be better suited to fall under a 'Spatial Strategy' section within the policy. Paragraph 49 seems to encourage planning authorities to designate new areas of Green Belt which is echoed in paragraph 82. It would be more conducive to sustainable economic growth to look on Green Belts as an established designation that should be reviewed critically overtime to ensure it is not restricting options for the sustainable growth of any settlement. Whilst a Green Belt review may be undertaken when preparing a new Local Development Plan, the purpose of the review and the methodology used is often unclear. It is apparent across different authorities that when developing the spatial strategy for longer term growth, the Green Belt and Green Belt locations are not considered suitable for development, despite adhering to the objectives. Community growing spaces could be better represented in paragraph 52 of this section.
- 4.4.13 Paragraph 56 on design as a reason for refusal reads oddly amongst the wider policy content: it is very geared toward refusing development purely on design grounds and in doing so seems to elevate design above other considerations. Design being a subjective concept, this policy seems unduly risky. Any single issue can – dependent on circumstances – be a reason for refusal. Singling design out like this feels unbalanced.

### ***Promoting Town Centres***

4.4.14 11% of respondents selected 'Promoting Town Centres' with regards to policies that are unclear or confusing. Paragraph 67 references mixed use development, it was suggested that there should be a stronger and broader requirement to deliver mixed use, probably best placed in the Placemaking section. This should be encouraged mainly in suburban housing and business parks.

### ***Promoting Rural Development***

4.4.15 11% of respondents selected 'Promoting Rural Development' with regards to policies that are unclear or confusing. There was support for the policies on wild land, however it was noted that there is some confusion about how this should be applied. Clarity on how the policies on wild land should apply to other forms of development, e.g. housing, forestry, aquaculture would be welcomed.

4.4.16 Comments regarding paragraph 80 stated it went too far in protecting agricultural land, especially in encouraging a moratorium approach in some localities to protection of land that is of less than 'prime agricultural' quality. Sub-prime land should not be a reason to set aside the presumption rather than consider this issue against other issues.

4.4.17 It was noted that paragraphs 81 & 82 were difficult to understand for one respondent, guidance could do with a more consistent and specified approach particularly in regard to rural housing.

### ***Supporting Business and Employment***

4.4.18 8.77% of respondents selected 'Supporting Business and Employment' with regards to policies that are unclear or confusing. No comments were received regarding this policy.

### ***Enabling Delivery of New Homes***

4.4.19 22% of respondents selected 'Enabling Delivery of New Homes' with regards to policies that are unclear or confusing, making it the most picked policy. The main concern is that the policy isn't definitive enough or give sufficient direction, due to the lack of standardised method to calculate a 5-year effective housing land supply. Furthermore if 10 year plans become a reality this should be appropriately adapted. Local authorities could potentially work with housing and infrastructure providers to prepare an annual housing land audit which would help calculate the availability of effective housing land.

4.4.20 Some suggested including a template or a table of housing numbers and calculations that could form the basis of each local calculation. The terms 'effective' and 'generous supply' were also questioned as it leaves room for interpretation. It was argued that undelivered sites that cannot reasonably be delivered within the next 5 year period should be discounted from the supply. Past completions should be taken into account as this would give a more realistic version that takes account of what has actually been delivered rather than what was hoped to be delivered.

- 4.4.21 Some respondents said that details should be included in SPP when a locality falls short of their housing targets to help the authority deal with the situation. The role of Local Place Plans in achieving housing targets should also be defined within SPP.
- 4.4.22 Others noted that guidance on tenure integration and guidance on accessible housing should be included. Affordable housing should be provided within a planned system and not seen as an easy exception to policies. Concerns were raised about the range of housing being provided, with the current planning bill putting emphasis on housing provision for the elderly, students, disabled etc. SPP should address this within the subject policy and explain how the LDP is expected to identify and address these targets.

### ***Valuing the Historic Environment***

- 4.4.23 14% of respondents selected 'Valuing the Historic Environment' with regards to policies that are unclear or confusing. It was noted that whilst the topic area was useful Key Agencies provided more in-depth guidance. It was also mentioned that the text on the historic environment is relatively brief, and doesn't explain well how conflicts should be managed. For sites such as battlefields, there is no attempt to identify how relative significance might be managed.
- 4.4.24 One respondent valued the inclusion of paragraph 145 on Scheduled Monuments as important as it provides a measure which allows for further explanation of what the key issues are in relation to impacts. A clearer definition of what this means relative to this policy should be provided, whether this is in SPP or in supporting guidance such as HES's Managing Change Guidance.
- 4.4.25 Another respondent argued against paragraph 150 on Archaeology and said that rather than completely deterring the excavation of sites SPP should promote the excavation of historical assets. Much archaeological learning now comes about as a result of development-funded investigation. Therefore sub-surface archaeology should not be presented, as here, as a real constraint to development. The distinction should be made with upstanding archaeology which people can appreciate in-situ and which requires stronger protection.

### ***Delivering Heat and Electricity***

- 4.4.26 26% of respondents selected 'Delivering Heat and Electricity' with regards to policies that are unclear or confusing. It was noted that whilst the topic area was useful Key Agencies provided more in-depth guidance. It was also noted that while planning can aim to improve energy efficiency this is more of a building standards issue in delivering sustainable development. A complementary approach would be to have a national energy plan with enforceable policies. Generally, there is a lack of understanding of how heat networks can add value to development, and how heat mapping can be implemented by the LDP.
- 4.4.27 Paragraphs 158-159 on heat are easily misinterpreted according to a number of responses. Others felt that the LDP should have gone further and mapped out specific opportunities and included a requirement for heat networks, rather than support for their implementation.

4.4.28 The spatial framework for onshore wind was critiqued, described as a broad brush meaningless exercise. This could be better identified within landscape capacity studies and their role should be strengthened. Paragraphs 161 & 162 ask for different levels of detail to be provided which has caused confusion for several respondents.

4.4.29 Many comments were received about the Spatial Framework table. It was said the table is misleading in stating that wind farms are likely to be acceptable in Group 3 areas. The reality is that many wind farms have been found to be unacceptable in Group 3 areas (mainly for landscape reasons). The title of Group 3: 'Areas with potential', is a more accurate description of the real situation, and should be repeated in the text below. In Group 2 areas, SPP should clarify its position on wild land and address the conflict between the Group 2 status of wild land, paragraphs 200 & 215 contradict each other on this matter.

4.4.30 One respondent praised SPP for the strong focus on wind farm developments but countered this with a criticism of the limited detail regarding other forms of renewable energy.

#### ***Planning for Zero Waste***

4.4.31 12% of respondents selected 'Planning for Zero Waste' with regards to policies that are unclear or confusing. It was noted that whilst the topic area was useful Key Agencies provided more in-depth guidance.

4.4.32 One respondent did not agree that industrial locations are appropriate for waste management as they are often located in close proximity to residential uses. This in turn leads to more objections and prolongs the Development Management process.

4.4.33 Paragraph 188 was said to give good direction for planning authorities, but more information should be provided to determine whether waste management facilities should be appropriate uses of the land. More clarity should be provided to planning authorities about the impacts that can arise when new non waste development is granted planning permission adjacent to waste management facilities, or when waste facilities are granted planning permission adjacent to non waste uses.

4.4.34 Paragraph 191 does well to provide buffer zones between waste development and sensitive receptors. This should be strengthened as in its current form is merely guidance and needs more weight.

### ***Valuing the Natural Environment***

- 4.4.35 18% of respondents selected 'Valuing the Natural Environment' with regards to policies that are unclear or confusing. It was noted that whilst the topic area was useful Key Agencies provided more in-depth guidance.
- 4.4.36 One respondent was of the opinion that the policy does not go far enough regarding the treatment of biodiversity and ecosystem services. There was also concern about how landscape impact of wind turbines is to be considered.
- 4.4.37 Some noted that the subject area provides too much encouragement for various local designations which both increases the constraints on how a planning authority and its development community can serve housing need and demand and debases the coinage of higher-tier design.
- 4.4.38 Paragraph 205 on peatland gives no indication on how authorities are supposed to calculate the effects of development on carbon dioxide emissions. Paragraph 212 could more clearly relate to the wording of SSSI legislation and citations.

### ***Maximising the Benefits of Green Infrastructure***

- 4.4.39 7% of respondents selected 'Maximising the Benefits of Green Infrastructure' with regards to policies that are unclear or confusing. It was noted that whilst the topic area was useful Key Agencies provided more in-depth guidance.

### ***Promoting Responsible Extraction of Resources***

- 4.4.40 5% of respondents selected 'Promoting Responsible Extraction of Resources' with regards to policies that are unclear or confusing. One respondent cited paragraph 241 on the protection of peatland areas as slightly problematic. The terminology used needs clarification, and there are concerns that it does not align with paragraph 161 on onshore windfarm framework that only protects deep peat and priority peatland habitats.
- 4.4.41 Policies relating to the protection of carbon rich soil throughout SPP were deemed confusing and the approach taken does not align across the policy topics. The terminology used includes carbon rich soils, peat, deep peat, peatland and priority peatland habitat. The words 'peat' and 'peatland' mean different things to different people and are often used interchangeably. Policy should set a clear framework for the approach to carbon rich soils.

### ***Supporting Aquaculture***

- 4.4.42 7% of respondents selected 'Supporting Aquaculture' with regards to policies that are unclear or confusing. It was said that there is a general lack of clarity over the role of planning and what Scottish Govt Policy to access and use when dealing with marine fish farm applications. Proportionate, succinct policy for the end user is what is required. The SPP gives local authorities the responsibility for managing the health of wild fish stocks, but without any accompanying expertise or capacity to do so.

### ***Managing Flood Risk and Drainage***

4.4.43 12% of respondents selected 'Managing Flood Risk and Drainage' with regards to policies that are unclear or confusing. It was noted that whilst the topic area was useful Key Agencies provided more in-depth guidance. The transition from SPP to Key Agency Guidance and ultimately Development Management can result in some issues in the assessment of development proposals.

4.4.44 One respondent identified a minor difficulty interpreting the subject policy. In areas with existing flood defences, assessments should be made under the assumption there is no flood defences. There were also calls for a clearer statement on different urban/rural development pressures within functional flood plain and the need for wider regional understanding of flood storage. The same was said of coastal flooding, which is addressed within the Rural Development policy.

### ***Promoting Sustainable Transport & Active Travel***

4.4.45 12% of respondents selected 'Promoting Sustainable Transport & Active Travel' with regards to policies that are unclear or confusing. One respondent noted that it is a bit vague as to what planning can do to promote this.

### ***Supporting Digital Connectivity***

4.4.46 7% of respondents selected 'Supporting Digital Connectivity' with regards to policies that are unclear or confusing. One respondent noted regarding paragraph 300 that planning authorities should not question the need for the service to be provided and that applicants will provide information in their submission indicating the need for the development. However, the need for the development is considered in DPEA reports which contradicts the wording of the policy.

4.4.47 One respondent noted that SPP is nowhere near clear enough in explaining, or adding appropriate weight, to the significance of mobile digital connectivity in terms of delivering sustainability to all land uses and the economic significance/implications as a whole. These policies need to be abundantly clear with regards their relationship with telecommunications and digital infrastructure and what it means for national and local economy and society.

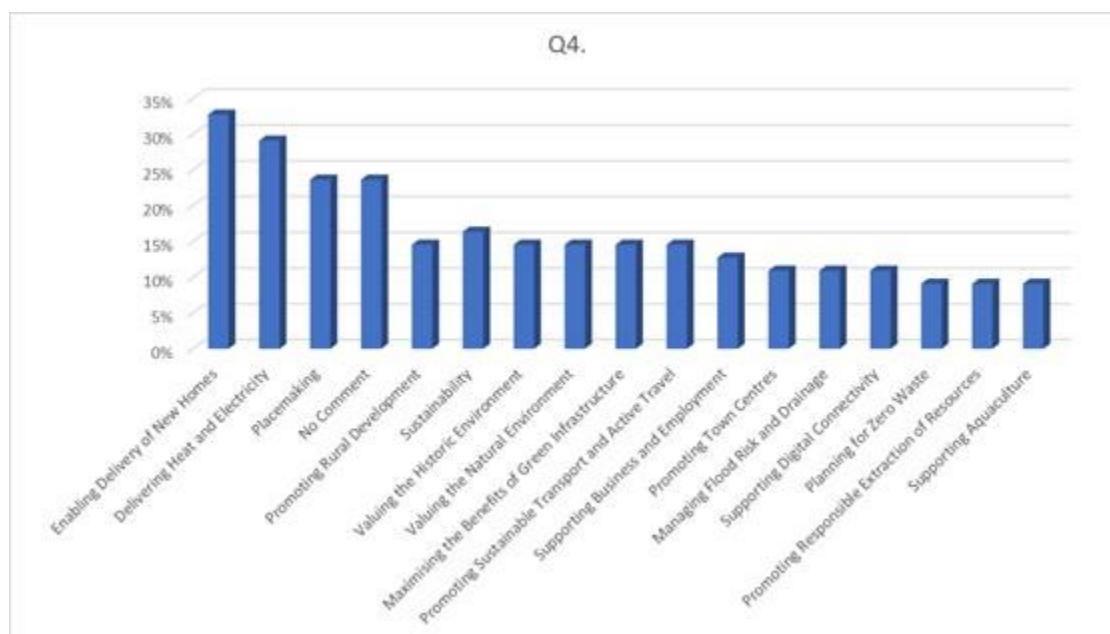
## 4.5 ANALYSIS OF QUESTION 4

### Do you find any SPP policies difficult to apply or implement?

55 respondents

**Figure 4:** Question 4 Responses

Enabling Delivery of New Homes	33%	18
Delivering Heat and Electricity	29%	16
Placemaking	24%	13
No Comment	24%	13
Promoting Rural Development	15%	8
Sustainability	16%	9
Valuing the Historic Environment	15%	8
Valuing the Natural Environment	15%	8
Maximising the Benefits of Green Infrastructure	15%	8
Promoting Sustainable Transport and Active Travel	15%	8
Supporting Business and Employment	13%	7
Promoting Town Centres	11%	6
Managing Flood Risk and Drainage	11%	6
Supporting Digital Connectivity	11%	6
Planning for Zero Waste	9%	5
Promoting Responsible Extraction of Resources	9%	5
Supporting Aquaculture	9%	5



## Results

4.5.1 Figure 4 identifies 'Enabling Delivery of New Homes' 'Delivering Heat and Electricity' and 'Placemaking' as the most commonly selected SPP policies that are difficult to apply or implement. Of the 55 responses to this question they were selected 18, 16 and 13 times respectively. Various reasons were given for this such as the lack of method to calculate a 5-year land supply and the difficulty



involved with establishing a heat network. More detailed justification provided by respondents is set out below.

- 4.5.2 The least common SPP policies to be selected as difficult to apply or implement were 'Supporting Aquaculture' 'Promoting Responsible Extraction of Resources' and 'Planning for Zero Waste' selected 5 times each.

### **General Feedback**

- 4.5.3 A recurring theme of the feedback noted that while SPP provides good quality abstract and ideals, when it comes to the translation of the policy into on the ground development, it is difficult to balance the interest of public and private bodies. Political and business pressures can potentially compromise the policies of SPP. Pressure to hit housing targets can compromise the ability to provide things like high quality design, open space and energy efficient technology in order to meet the housing demand.
- 4.5.4 It was also noted that the presentation of SPP can cause some confusion. Many suggested that a revised version could identify where text is referring to policy, explanation and procedure to make the document easier to interpret.
- 4.5.5 Regional differences between the central belt and highland area of Scotland can make it problematic to apply policy nationwide. Some local authorities do not have the resources or capacity to undertake all of the stated requirements.
- 4.5.6 It was stated that there remained a gap between SPP and the Land Use Strategy which means that some forms of development (e.g. housing) can have effects on assets such as prime agricultural land which is a land use matter.
- 4.5.7 Ultimately, LDPs and SDPs should take the concepts established by national documents and adapt them accordingly. SPP should provide policy framework that emphasises the need for local interpretation.

### **Policy Specific Feedback**

#### ***Sustainability***

- 4.5.8 16% of respondents selected 'Sustainability' with regards to policies that are difficult to apply or implement. It was noted that the principle policies are too vague and open to interpretation. It was also considered that the lack of guidance on how to interpret and apply the presumption in favour of development that contributes to sustainable development has led to the interpretation of this issue evolving through appeal decisions.
- 4.5.9 From a housebuilders point of view, it can be frustrating when a residential development is rejected as the principle of providing this use is integral to meeting a sustainable growth in housing supply. SPP states that planning should direct the right development to the right place, considering the re-use or re-development of brownfield land before new development takes place on greenfield sites. Brownfield land is difficult to deliver, and as SPP policies on

housing land supply focus on speed, this is at the expense of sustainable development.

- 4.5.10 Sustainability and climate change are key issues for the future of planning. If they are to be addressed then national policy has to be much stronger on issues like energy efficiency, connectivity, design and protection of natural resources.

### ***Placemaking***

- 4.5.11 24% of respondents selected 'Placemaking' with regards to policies that are difficult to apply or implement. Some respondents commented that placemaking is often contradicted by the need to meet housing demands. Therefore, the quality of a development is potentially compromised by the need to actually deliver it.
- 4.5.12 One response stated that the green belt policy was not being properly applied as a strategic land use tool. As stated within SPP a green belt is not necessary for most settlements but should be appropriate to the location when implemented. The stance is being used to restrict and discourage development. There is also some confusion over what constitutes a "sufficiently robust boundary", with rear gardens receiving preference over rivers and train lines.
- 4.5.13 SPP does not allow for a sustainable brownfield focused delivery strategy due to the increased pressure to deliver housing at a faster pace. Policies on greenfield release allowed under 5 year effective housing land supply policies also constrain this strategy. When a proposed plan is due to be adopted and supersede the previous iteration SPP states that it should be considered whether granting planning permission would prejudice the emerging plan. To ascertain in what situation this should be applied, SPP should clearly define the circumstances in which a proposal is substantial, or one which has a significant cumulative effect.

### ***Promoting Town Centres***

- 4.5.14 11% of respondents selected 'Promoting Town Centres' with regards to policies that are difficult to apply or implement. There were calls for SPP to clearly differentiate how the policy applies to urban and rural town centres due to geographical differences. Specifically within urban areas there is a potential to expand the definition of Town Centres in recognition of their different functions.
- 4.5.15 Within the policy it should be illustrated what constitutes "significant footfall generating uses" as the vague wording leaves the term open to interpretation. This has caused problems at appeals, with developments like coffee shops arguing that their use does not attract more footfall as most customers utilise their drive thru windows.

### ***Promoting Rural Development***

- 4.5.16 15% of respondents selected 'Promoting Rural Development' with regards to policies that are difficult to apply or implement. No comments were received regarding this policy.

### ***Supporting Business and Employment***

4.5.17 15% of respondents selected 'Supporting Business and Employment' with regards to policies that are difficult to apply or implement. No comments were received regarding this policy.

### ***Enabling Delivery of New Homes***

4.5.18 33% of respondents selected 'Enabling Delivery of New Homes' with regards to policies that are difficult to apply or implement. The most common point raised was the lack of defined method used to calculate effective housing land supply. The Housing Need and Demand Assessment (HNDA) is an overly complex tool that needs to be modified, and the document should specify that HNDA is a material consideration. HNDAs should be subject to more engagement and scrutiny. The SPP preference for development on brownfield land would be more deliverable if planning authorities were encouraged to critically review their existing stocks of employment and business land each time they prepare a new LDP, identifying any that is no longer providing significant employment benefit to the area, and re-designating it for housing.

4.5.19 Paragraphs 118 and 123 note that the measure of land should be about the availability and nature of available land. It was suggested that the supply of land and the delivery of new homes should be measured separately.

4.5.20 On the matter of housing market areas (HMA) and sub-market areas it was recognised that HMAs cannot always be contained within the planning authority boundary. The overlapping of HMAs between neighbouring areas leads to difficulties in ensuring housing land requirements are met across relevant regions. These difficulties result from a lack of evidence, data collection and inconsistencies between planning authorities.

### ***Valuing the Historic Environment***

4.5.21 15% of respondents selected 'Valuing the Historic Environment' with regards to policies that are difficult to apply or implement. It was argued that the policy was largely redundant given the extensive range of guidance HES provides on the matter.

4.5.22 It was noted that there is a lack of information on how conflicts should be addressed, and where historic environment assets should be prioritised. In regard to listed buildings (paragraph 142) where a proposal is contrary to the Development Plan, the definition of what "enabling development" means could be clearer. In regard to archaeology (paragraph 150), the subject policy needs to be updated as not all planning authorities have access to archaeological advice.

### ***Delivering Heat and Electricity***

4.5.23 29% of respondents selected 'Delivering Heat and Electricity' with regards to policies that are difficult to apply or implement. It was largely agreed that heat networks are intrinsically a good idea, however, there is little or no guidance on

how this is to be achieved. Planning authorities that do not have significant urban settlements and instead focus on low carbon heat find this particularly hard. Heat mapping is difficult to integrate into a LDP.

- 4.5.24 In general, it was noted that technology is advancing at a faster rate than plans are being made. This makes it harder to write policy that will still be relevant in 5 years' time, let alone the potential 10 year timescale proposed in the new planning bill.
- 4.5.25 It was noted that Building Standards should deliver sustainable buildings and communities. Development Plans should seek to ensure an area's full potential for electricity and heat from renewable sources is achieved, in line with national climate change targets, giving due regard to relevant environmental, community and cumulative impact considerations.
- 4.5.26 Some comments argued that the policy effectively removes the purpose of the LDP which is to provide a spatial context for renewable energy and other energy facilities. It was suggested that sufficient existing designations such as NSAs and National Parks which effectively ensure appropriate location of onshore wind developments and additional restrictions placed through Wild Land Areas are not required and this should be made clear in future iterations of the SPP.
- 4.5.27 One response noted that policies relating to heat are more likely to be applied to housing or mixed-use developments. The policies can at present be applied to non-residential uses (for example major retail developments which would have long term consistent heat demand) but rarely are. The wording in the introduction section of A Low Carbon Place must be amended to make it explicitly clear that all energy using developments are expected to contribute towards the delivery of the Scottish Government's low carbon and climate change ambitions and targets.

### ***Planning for Zero Waste***

- 4.5.28 9% of respondents selected 'Valuing the Historic Environment' with regards to policies that are difficult to apply or implement. It was suggested that within the subject policy (paragraph 191) the buffer guide between waste facilities and dwellings should be upgraded to a minimum distance to discourage developers attempting to reduce the buffer.

### ***Valuing the Natural Environment***

- 4.5.29 15% of respondents selected 'Valuing the Historic Environment' with regards to policies that are difficult to apply or implement. Some noted that there was a lack of depth on how positive outcomes for biodiversity can be realised, and no development of ecosystems services as a tool for developing plans and making planning decisions.

### ***Maximising the Benefits of Green Infrastructure***

- 4.5.30 15% of respondents selected 'Maximising the Benefits of Green Infrastructure' with regards to policies that are difficult to apply or implement. Clearer standards

and minimum requirements could be set for new developments to further encourage the policy. This could include a certain percentage of housing required to have green roofs.

4.5.31 It was suggested that the policy could be expanded upon to further promote community growing spaces and ensure it is applied consistently.

### ***Promoting Responsible Extraction of Resources***

4.5.32 9% of respondents selected 'Promoting Responsible Extraction of Resources' with regards to policies that are difficult to apply or implement. It was noted that paragraph 243 on borrow pits potentially discourages the use of materials available on site and therefore increases the transport effects and carbon emissions associated with some developments (eg wind farms in remote upland locations). A balance needs to be struck between the use of existing facilities for extraction and the impacts of transporting materials over long distances.

### ***Supporting Aquaculture***

4.5.33 9% of respondents selected 'Supporting Aquaculture' with regards to policies that are difficult to apply or implement. It was suggested that there could be a better connection between marine planning and terrestrial planning to allow for infrastructure development that cross over between the two systems. It was commented that there was no guidance for planning authorities on assessing impacts on marine environment in general, and wild fish stocks in particular.

### ***Managing Flood Risk and Drainage***

4.5.34 11% of respondents selected 'Managing Flood Risk and Drainage' with regards to policies that are difficult to apply or implement. It was noted that the Development Planning and Development Management sections of this policy were more difficult to interpret. For example, it would be extremely helpful if the exceptional circumstances where land raising may be acceptable were set out in one of these sections. Specifically, in Glasgow, the upper Clyde presents a geographically unique situation. It is difficult to promote development along this corridor when it is curtailed by flood risk policy.

### ***Promoting Sustainable Transport & Active Travel***

4.5.35 15% of respondents selected 'Promoting Sustainable Transport & Active Travel' with regards to policies that are difficult to apply or implement. This section was said to be more direct and controlling, which could potentially be redressed to sit well with the rest of SPP. Another response noted that it is harder to meaningfully apply this policy in in larger rural areas.

### ***Supporting Digital Connectivity***

4.5.36 11% of respondents selected 'Supporting Digital Connectivity' with regards to policies that are difficult to apply or implement. The main concern is that technology is improving at a faster rate than plans are being made, making it more difficult to adapt and account for modern technology.

4.5.37 Telecommunication deployment is often a contentious issue and more could be included within the policy to support their development and counterbalance it against other material considerations.

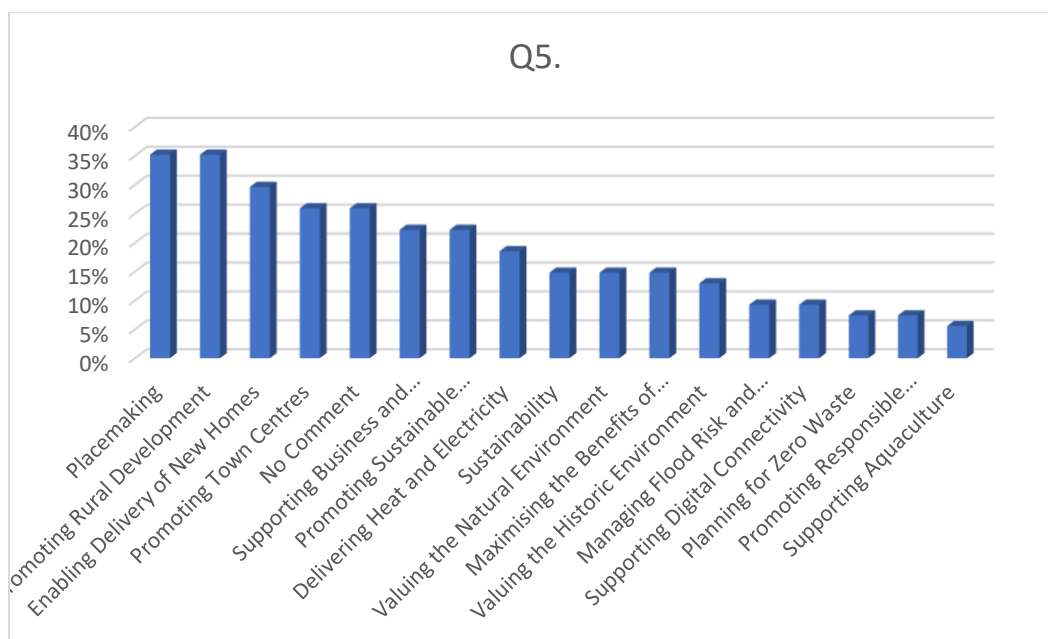
## 4.6 ANALYSIS OF QUESTION 5

### What policies need the most local flexibility?

54 respondents

**Figure 5:** Question 5 Responses

Placemaking	35.19%	19
Promoting Rural Development	35.19%	19
Enabling Delivery of New Homes	29.63%	16
Promoting Town Centres	25.93%	14
No Comment	25.93%	14
Supporting Business and Employment	22.22%	12
Promoting Sustainable Transport and Active Travel	22.22%	12
Delivering Heat and Electricity	18.52%	10
Sustainability	14.81%	8
Valuing the Natural Environment	14.81%	8
Maximising the Benefits of Green Infrastructure	14.81%	8
Valuing the Historic Environment	12.96%	7
Managing Flood Risk and Drainage	9.26%	5
Supporting Digital Connectivity	9.26%	5
Planning for Zero Waste	7.41%	4
Promoting Responsible Extraction of Resources	7.41%	4
Supporting Aquaculture	5.56%	3



## Results

- 4.6.1 Figure 5 identifies 'Placemaking' 'Promoting Rural Development' and 'Enabling Delivery of New Homes' as the most commonly selected SPP policies that need the most local flexibility. Of the 60 responses to this question they were selected 19, 19 and 16 times respectively. Various reasons were given for this such as the need for local influence on placemaking and criteria on land for allowing

residential development. More detailed justification provided by respondents is set out below.

- 4.6.2 The least common SPP policy to be selected as to needing the most local flexibility was 'Supporting Aquaculture, selected 3 times.

### **General Feedback**

- 4.6.3 It was noted that a more standardised approach to the Scottish planning system should improve public confidence but also that a one size fits all approach is not appropriate to a region like Scotland with so many varying economic, social and environmental factors. It was noted that some councils face resource issues that others may not have e.g. archaeological expertise.
- 4.6.4 It was noted that if policies are dealt with at a national level, clear guidance was required as to which can then be adapted at local level. It was suggested that SPP could form the principle of the policy and local authorities should provide an answer to these principles in their LDPs based on local circumstances. It was considered that this would improve consistency across Scotland and account for regional variations.
- 4.6.5 It was considered that future flexibility will be dependent on how the next SPP is framed and if greater weight/national status is given to SPP then it may be harder to deviate from national policy at a local level. A statement in SPP that allows for the policy to be interpreted and amended to meet local requirements would be considered useful.
- 4.6.6 One respondent did not welcome flexibility in certain aspects of planning like community growing spaces as this is seen as a positive thing that should only be encouraged.
- 4.6.7 The idea of placing associated developments in tandem was suggested so that cumulative effects can be more effectively addressed. Areas of Coordinated Action was considered helpful in identifying the priorities for local places and encourage joined up action across agencies.

### **Policy Specific Feedback**

#### ***Sustainability***

- 4.6.8 15% of respondents selected 'Sustainability' with regards to policies that need the most local flexibility. It was noted that the term sustainability is broad enough in its own right to merit flexible interpretation. It was also noted that if greater local flexibility was implemented this would potentially exacerbate the issues that are currently present with regards to sustainable delivery of housing and other issues.

#### ***Placemaking***

- 4.6.9 35% of respondents selected 'Placemaking' with regards to policies that require the most local flexibility. It was noted that Placemaking needs the most amount



of flexibility because of the varied nature of different parts of Scotland. It was considered that local context should be at the heart of placemaking to ensure developments respond appropriately to, and are in keeping with, the surrounding area. It was also noted that the risk of local variation for placemaking is that strategic aims are diluted by local decisions and ultimately fall short of national targets.

4.6.10 Paragraph 39 of SPP was highlighted ('planning should direct development to the right place') and it was noted that this emphasises the importance of local knowledge in Development Plan production and DM application processes. It was considered that directing development to the right place, requires sufficient flexibility in respect to technical solutions, but equally with regard to how different 'material considerations' are given weight in the decision-making process.

4.6.11 It was noted that more emphasis should be given to implementing Paragraphs 49 - 52 and adhering to these policies through Local Development Plan preparations e.g. given the disparities between planning authorities and Local Development Plans for the use of the green belt, it is evident that there is a need to be more robust in the application of certain policies.

### ***Promoting Town Centres***

4.6.12 26% of respondents selected 'Promoting Town Centres' with regards to policies that need the most local flexibility. This was cited as one of the policies that should be most adaptable due to the changing modern shopping environment and SPP needs to allow planning authorities to clearly define the role and function of their network of centres.

### ***Promoting Rural Development***

4.6.13 35% of respondents selected 'Promoting Rural Development' with regards to policies that need the most local flexibility. It was noted that one size fits all policies could be problematic e.g. distillery related development.

4.6.14 It was also noted that in some instances the policy can be too generic and could be used against planning authorities. It was suggested that it may be more appropriate for planning authorities to set out the circumstances in which development can take place in the countryside, specifically the scale and form of development which is likely to differ between localities/landscapes.

### ***Supporting Business and Employment***

4.6.15 22% of respondents selected 'Supporting Business and Employment' with regards to policies that need the most local flexibility. Respondents noted that this policy is influenced by local economic strategies and a national policy can be useful but the disparity between localities requires local variation. A potential risk noted was that a national policy would take a purely quantitative approach and ignore the qualitative aspects which can be key to ensuring that particular local economies can respond positively and quickly to inward investment and indigenous business expansion at all scales.

### ***Enabling Delivery of New Homes***

4.6.16 30% of respondents selected 'Enabling Delivery of New Homes' with regards to policies that need the most local flexibility. It was considered that flexibility within this subject area is required to match targets to spatial strategies. It was also noted that flexibility would allow innovative approaches like Accessible Housing Strategies to be implemented without worrying that 5-year effective supply of housing will not be met.

4.6.17 It was noted that LDP policies are a response to the character and nature of the city and contain a clear and detailed policy approach. Each area has unique circumstances and it was considered that planning authorities or city regions are in the best position to determine their own housing needs.

4.6.18 It was noted that SPP should allow for targets for the delivery of affordable homes to be flexible and the level of affordable housing required as a contribution within a market site should generally be no more than 25% of the total number of houses. It was considered more difficult to implement affordable housing in cities like Edinburgh and Glasgow and suggested that recognition should be given to this in SPP.

4.6.19 In contrast, it was also noted that there should be no scope for flexibility on planning to meet housing need and demand in full. It was noted that the existence of wider factors that may potentially limit delivery potential should not be used as a reason not to plan for what it required.

### ***Valuing the Historic Environment***

4.6.20 13% of respondents selected 'Valuing the Historic Environment' with regards to policies that need the most local flexibility. It was considered a challenge to always strike the right balance between interests in areas of high sensitivity.

### ***Delivering Heat and Electricity***

4.6.21 19% of respondents selected 'Delivering Heat and Electricity' with regards to policies that need the most local flexibility. Across the responses received it was noted that some planning authorities are more advanced with heat networks and district heating than others. It was noted that strategies and how networks will be delivered through planning are likely to vary considerably to best meet local needs and it was suggested that SPP policy should reflect this.

4.6.22 Regarding onshore wind farms, it was noted that SPP should acknowledge some areas have designated large portions of land and have now reached cumulative capacity. It was noted that the policy should allow authorities to limit where appropriate their provision of more land for this use. One respondent commented that rather than flexibility they would rather see a whole new approach to onshore wind policy and delivering renewable energy across a range of technologies.

### ***Planning for Zero Waste***

4.6.23 7% of respondents selected 'Planning for Zero Waste' with regards to policies that need the most local flexibility. No comments were received regarding this policy.

### ***Valuing the Natural Environment***

4.6.24 15% of respondents selected 'Valuing the Natural Environment' with regards to policies that need the most local flexibility. No comments were received regarding this policy.

### ***Maximising the Benefits of Green Infrastructure***

4.6.25 15% of respondents selected 'Maximising the Benefits of Green Infrastructure' with regards to policies that need the most local flexibility. It was noted that a more flexible approach to green infrastructure in dense urban areas could be provided through the greening of buildings to improve air quality, biodiversity, drainage and other environmental factors.

### ***Promoting Responsible Extraction of Resources***

4.6.26 7% of respondents selected 'Promoting Responsible Extraction of Resources' with regards to policies that need the most local flexibility. No comments were received regarding this policy.

### ***Supporting Aquaculture***

4.6.27 6% of respondents selected 'Supporting Aquaculture' with regards to policies that need the most local flexibility. No comments were received regarding this policy.

### ***Managing Flood Risk and Drainage***

4.6.29 9% of respondents selected 'Managing Flood Risk and Drainage' with regards to policies that need the most local flexibility. It was noted that the policy should adapt to the challenge of climate change and recognise that a departure from a national approach may be appropriate in certain areas.

### ***Promoting Sustainable Transport & Active Travel***

4.6.30 22% of respondents selected 'Promoting Sustainable Transport & Active Travel' with regards to policies that need the most local flexibility. It was noted that transport policies should encourage lower maximum parking standards in areas well served by public and active transport to align with climate change goals.

### ***Supporting Digital Connectivity***

4.6.31 9% of respondents selected 'Supporting Digital Connectivity' with regards to policies that need the most local flexibility. It was noted that as 5G rolls out

telecom structures may become taller and bulkier and planning should recognise the need for this service. It was suggested that local policies should be more flexible, and priorities should be revisited regarding digital network infrastructure on heritage assets.

## **4.7 ANALYSIS OF QUESTION 6**

### **What do you see as the main issues for the Scottish Government to consider when developing future national policies?**

*48 respondents*

#### **General**

- 4.7.1 It was noted that, in order for SPP to function as part of a robust Development Plan, the Scottish Government should look at examples of best practice and work closely with Planning Authorities, Heads of Planning Scotland (HOPS) and other contributors. It was further noted that, when it comes to meeting SPP aims, resource constraints across Planning Authorities and consultees could be a barrier to effective collaboration.
- 4.7.2 Some contributors noted that a clear and concise set of national policies (combined NPF4 and SPP), not open to widespread interpretation, would lead to greater consistency in decision making across Scotland allowing planning authorities to use accepted best practice in a resource efficient manner rather than each planning authority coming up with their own individual approach.
- 4.7.3 It was suggested that SPP should make it clear when national policy is not required to be repeated in LDPs. It was also considered that a standardised approach should be advocated when creating LDP policies which would mean local flexibility was limited (unless justified for exceptional reasons) encouraging consistency in decision making. It was suggested that a national framework of criteria could be set out to help guide local policy.
- 4.7.4 It was further noted that SPP should be sufficiently detailed to provide certainty to developers and communities on how policy should be interpreted and implemented by decision makers.
- 4.7.5 It was considered that one of the main issues to the preparation of SPP as part of the Development Plan is how to accommodate the highly varied geographies of the country. It was noted that model policies should be prepared for nationwide application where Scottish Government are fully clear on what Planning Authorities should do. The following examples given:
- Urban Area;
  - Sustainable development;
  - Climate change mitigation and adaptation;
  - Place making should be at the heart of the national policy;
  - Housing delivery (particularly on brownfield land);
  - Support for the re-use of vacant and derelict;

- Continued focus on supporting town centres;
- Low carbon renewable energy and heat;
- Improving digital and travel connectivity;
- Natural and Built Heritage (in particular when dealing with nationally designated sites).

4.7.6 The implications of Brexit to the Scottish economy, businesses, investment and rural areas was noted as a possible area to be reflected in SPP.

4.7.7 It was suggested that the content of SPP should be cross checked (against other legislation/policy/guidance) for consistency. It noted that, for example, paragraph 244 of SPP was too prescriptive and as such conflicted with Article 3 of the EIA Directive.

### ***Climate Change***

4.7.8 Climate change was frequently raised, noted as an immediate universal threat. It was noted that SPP should enable planning to support and deliver climate change mitigation and adaptation, whilst recognising the role of Building Standards. Aspirations for active travel, energy efficiency, heat networks, reducing energy demand and others means of reducing carbon emissions should be increased above minimum standards currently set out in relevant regulation.

4.7.9 In line with climate change goals an interlinked approach to public and active transport that reduces reliance on cars and decarbonises travel should be promoted. SPP should ensure the provision of walking and cycling infrastructure as an attractive means of getting around, not just for leisure. Placing a requirement within SPP to allocate low emission zones was also suggested to contribute towards a low carbon economy.

4.7.10 It was noted that nature can play an important role in reducing climate change risks and by supporting the development of green infrastructure, coastal infrastructure, flood risk management and biodiversity net gain, the next SPP can help Scotland adapt to a changing climate.

4.7.11 The effective protection of carbon stores including carbon rich soils was also noted with regards to mitigating climate change. A clear, cohesive and consistent policy framework for the effective protection and enhancement of carbon rich soils would be beneficial across all policy areas. National policy should provide direction as to how Development Plans can support the delivery of Local Heat and Energy Efficiency Strategies in planning for energy use and heat supply.

4.7.12 The future management of surface water due to climate change was also noted and the creation of a stronger policy framework on blue/green infrastructure to address surface water flooding was suggested. It was considered that this would make Scotland's urban drainage more resilient and contribute towards greener, healthier and more prosperous cities and towns.

4.7.13 It was also suggested that SPP could place a requirement for all 'big shed' roofs to be either green or to host solar panels.

### ***Delivery of Housing***

- 4.7.14 The most consistently identified issue for the delivery of housing was the lack of methodology to calculate housing land requirements and it was considered that this can sometimes be to the detriment of placemaking and well-designed places. Several respondents were concerned about the volume of development that is required across the country and questioned if quality placemaking was suffering due to this demand. It was noted that focus should be on the design and liveability of areas rather than only meeting housing targets and priority should be given to sustainable development that supports public health reform.
- 4.7.15 It was noted that SPP should recognise the implications of housing targets and the different markets across the country. It was considered that the 25% provision of affordable housing should be maintained, and a similar self-built/custom-built requirement should be included within the policy section.
- 4.7.16 It was suggested that SPP policies should ensure community facilities are included as an integral part of volume house building layouts.
- 4.7.17 It was suggested that future rural housing policies should be more flexible to allow for sustainable developments.
- 4.7.18 It was suggested that site effectiveness should be a matter for unambiguous policy, and it should be rooted in ensuring councils do not continue to support sites which will not be delivered. SPP policies should be tested for viability/deliverability and should be accompanied by a delivery programme. One response from a planning authority echoes this comment.

### ***Food Security***

- 4.7.19 Respondents noted that prime agricultural land should be protected to support the security of local food supply and lessen reliance on imported foodstuffs. Community growing spaces should be encouraged to further support this goal.

### ***Energy Generation & Heating***

- 4.7.20 Several respondents wanted more direction at national level to require better and more efficient energy networks to be part of Development Planning and plan implementation through Development Management (and building standards) requirements. The SPP heat and energy subject policy can play a role in reducing energy consumption.
- 4.7.21 The effect of private water supply was noted as this is a regular issue with onshore wind developments. It was suggested that onshore wind farms should be emphasised as in perpetuity as already described in paragraph 170. Whilst support for onshore wind through the spatial framework has helped the industry and the electricity sector to work towards decarbonising, the more limited opportunities available must be acknowledged and should be reflected in the spatial frameworks for onshore wind. Explicit reference to landscape capacity is needed in light of the complicated cumulative scenarios and the trend for very large turbine typology now being proposed. Supportive policies should be put in

place that recognise the need for the use of efficient and cost-effective technologies and support the repowering of unused turbines.

- 4.7.22 It was noted that the viability of the North Sea may suffer with the switch to a low carbon economy and with more environmentally friendly practices being put into place the oil industry will suffer.

### ***Historic & Natural Environment***

- 4.7.23 Preserving the natural and historic environment was noted as a key issue for the new SPP. It was noted that the new SPP has the potential to provide a degree of consistency which is currently missing, and the policies should promote biodiversity as much as possible. The importance of natural capital for the economy and society should be emphasised in SPP and NPF, and the next version of SPP could include a clear requirement for all new developments to deliver Biodiversity Net Gain. It was also suggested that where net gain is not achievable on site, developments should contribute to nearby opportunities.
- 4.7.24 It was noted that while there is a commitment to protect and enhance designated sites, application of this can be varied, due to lack of prioritisation, lack of guidance on handling conflicts, and lack of expertise and capacity in central and local government. Others noted that it is important to allow scope for case by case assessment between planning authorities and statutory bodies within the policies to ensure sufficient flexibility to deliver locally important business and industry improvements in these sensitive areas. One respondent noted that a tree planting standard for car parks and new streets could be implemented to offset the carbon emissions from these traffic increasing uses.

### ***Infrastructure***

- 4.7.25 Infrastructure was commonly mentioned as a key issue. It was suggested that development should deliver an infrastructure first approach which encourages longer term strategic planning and subsequently addresses future transportation, health, education and community facility requirements.
- 4.7.26 Blue and green infrastructure is an essential component of sustainable development and would benefit from a much stronger drive from Scottish Government if delivery on the ground is to be ensured.

### ***Waste Hierarchy & Recycling***

- 4.7.27 It was noted that waste would be a main issue for Scotland moving forward as there will be an increased need to reuse/recycle/recover items. This will increase the need for facilities and it was suggested that SPP should appropriately account for this growing demand. There also needs to be adequate policies for pushing waste up the waste hierarchy and providing facilities for dealing with residual waste.

### ***Digital Connectivity & Modern Technology***

- 4.7.28 There were calls to provide greater guidance for digital connectivity and the rollout of telecoms infrastructure. Future national policy should emphasise the viability of communities that rely upon improved connectivity, which would result in more visually impacting structures. Understanding the local delivery constraints of digital infrastructure, how it relates with all other land uses, the significant material benefits of this locally and nationally, and how to write policy that is abundantly clear and concise on the matter so that it is easily transferred and interpreted at a local level.
- 4.7.29 The future of online shopping was also cited as an issue, as less people will make trips to town centres for retail purposes. New policy should reflect this shift and rethink town centre policies as a result of modern technology.

### ***Key Agencies***

- 4.7.30 It was noted that while SPP provides sufficient guidance for topics such as the historic environment, natural environment and flooding, key agencies such as HES and SEPA provide more detailed guidance. Policy models could be set out within SPP to be included in LDPs. It would ensure that there is commonality across Scottish planning authorities and avoid each planning authority having to devise policy positions that are essentially the same and it would provide much more certainty.

### ***Flood Risk & Coastal Planning***

- 4.7.31 It was noted that there is a significant benefit in flood risk policy being set out at the national level. While the risk of flooding varies with geography, the impact and experience of being flooded is the same across Scotland and therefore local flexibility would not be appropriate. This would also allow SEPA to engage with Development Plans in a much more efficient and effective way. It was considered that future policy should be clear on who should do what and specify what exactly is required of developers, planning authorities and agencies. Clarity should be provided on which areas are open to flexible interpretation, and those which are not.

### ***Air Quality***

- 4.7.32 It was noted that SPP should provide a clear policy framework for the consideration of air quality in delivering healthy places in both Development Plans and Development Management. It was noted that at the moment there is very little policy direction as to how Development Plans and Development Management can ensure development does not have a detrimental impact on local air quality.



# 5. Conclusions & Recommendations

## 5.1 INTRODUCTION

- 5.1.1 The research has gathered information on how planning authorities have incorporated Scottish Planning Policy (2014) policies into their development plans. It has explored how future national policies could be developed in light of the changes brought forward by the Planning (Scotland) Act 2019 which result in NPF being elevated from material consideration to part of the development plan.
- 5.1.2 The aim of this research was to undertake a review of how the existing arrangements are currently being applied in development planning and identify the issues that will need to be considered and addressed in framing future policies. The objective of this project was to ensure that the Scottish Government has a sound overview of how effective the policies in the current SPP are in influencing local development planning and decision making.
- 5.1.3 With a view to responding to the defined aim and objective of the project, Stage 1 involved desk-based data collection to gather a robust baseline of development plan policies identifying any direct correlation between SDP/LDP policy, SG and SPP. This established:
- Which SPP policies are widely applied in a consistent way.
  - Which SPP policies appear to cause issues for implementation e.g. with interpretation, confusion or are being inconsistently applied.
  - Where SPP policies have been changed or adapted to meet local circumstances, including possible explanations for doing so.
  - Which policies not covered in the SPP appear frequently in plans.
- 5.1.4 In Stage 2, we gathered and analysed feedback from Planning Authorities and other stakeholders with experience of dealing with the implementation of SPP policies through development plans and an understanding of how they are influencing planning decisions. Recommendations on possible priority areas for change were also to be considered as part of the review of the SPP.

## 5.2 POLICY SUMMARIES

- 5.2.1 Taking both stages of the research into account we can identify which policies are working well and which policies need to be revisited.

### **Sustainability**

- 5.2.2 The overall concept of Sustainability was well represented through all Local Development Plans and is widely regarded as a useful policy. Sustainability was one of the most selected answers for policies that work well for plan making

purposes. Some concerns were raised about how to consistently apply the policy in Development Management as proposals may be sustainable in certain aspects but fail in others. The policy was described by some as too vague and open to interpretation yet others considered the term broad enough in its own right to merit flexible interpretation.

### **Placemaking**

- 5.2.3 The overall concept of Placemaking was well represented through all Local Development Plans and is widely considered a useful policy. Placemaking was the most selected answer for policies that work well for plan making purposes. The policy is considered practical for Development Management purposes as it ensures that the material consideration of design is represented. Confusion arose around the wording of the policy and it was noted that it is unclear what parts of the policy are statements or guidance. It was noted that placemaking is sometimes compromised to meet housing targets, making it difficult to apply. Placemaking was the most selected answer for policies that need local flexibility as local context is important to design.

### **Promoting Town Centres**

- 5.2.4 All Local Development Plans promoted a town centre first policy, but the requirements for retail impact assessments, town centre health checks and avoidance of clustering non-retail uses in town centres are less consistently applied. Five LDP policies were identified that varied from SPP to meet local circumstances. Promoting Town Centres was the second most selected answers for policies that work well for plan making purposes, noted as giving a clear and detailed statement of Scottish Government's expectations. Promoting Town Centres was the most selected answers for policies that work well for Development Management purposes, the sequential approach was identified as a particularly useful tool. It was considered that the policy could go further to promote mixed use development which would allow the role of town centres to adapt to the modern retail environment. Geographical differences require the policy to clearly distinguish how it should be applied in urban and rural areas.

### **Promoting Rural Development**

- 5.2.5 The promotion of rural development was represented in the majority of Local Development Plans, not as applicable to some authorities due to geographical make up. Policies regarding the provision of leisure accommodation, promoting special qualities of an area, discouraging the suburbanisation of the countryside and refusing development which requires new defences against coastal erosion are less consistently applied. The policy was considered to work well for plan making purposes as it provides a sensible distinction between pressured and remote areas. For Development Management purposes the wording of the policy

was noted as articulate and still allows for appropriate variation when required. It was considered that the policy could be improved by providing more detail on how wild land policies should be applied, adopting a more lenient approach to protecting land of less than prime agricultural quality and a more consistent approach to rural housing. Promoting Rural Development was the most selected answer for policies that need local flexibility as each rural locality has widely different priorities.

### **Supporting Business and Employment**

- 5.2.6 All Local Development Plans supported business and employment, but the requirements for home working/community hub units, appropriately allocating land for accessible freight movement and business land audits are less consistently applied. Three LDP policies were identified that varied from SPP to meet local circumstances. The policy was considered to work well for plan making purposes as it sets out detailed requirements on how to allocate business land. For Development Management purposes the policy was considered non-contentious and allows decisions to be made that consider wider social and economic implications. Very few thought the policy to be unclear or difficult to apply. Local flexibility is required for this policy area due to differing economic strategies and disparity across the country.

### **Enabling Delivery of New Homes**

- 5.2.7 All Local Development Plans supported the delivery of new homes, but the requirements for specialist housing provision and sites for travellers are less consistently applied. The policy works well for plan making purposes as it promotes the development of housing and recognises the need for an effective 5-year supply. The main downfall is the absence of a standardised method used to calculate housing supply figures. This has a subsequent effect on Development Management procedures, and was the prevailing reason why Enabling Delivery of New Homes was the most selected answer regarding policies that are unclear or confusing and policies that are difficult to apply. Local flexibility is required for this policy area to allow authorities to meet their housing targets.

### **Valuing the Historic Environment**

- 5.2.8 All Local Development Plans valued the historic environment, but the requirements for Marine Protected Areas and World Heritage sites are less consistently applied as they are not relevant for many localities. 3 policies were identified that varied from SPP to meet local circumstances. The policy works well for plan making purposes as it provides a clear list of considerations that should be covered by local policy. For Development Management purposes the policy provides a good balance between the conservation of historic buildings and locations and the need to promote economic development. The policy could

provide more clarity on battlefield and archaeological sites, but the fact that key agencies like Historic Environment Scotland provide additional detailed guidance means this policy is potentially superseded. Archaeological studies are difficult to apply due to resourcing issues in smaller localities. Flexibility was not deemed as suitable for this policy to ensure historically important assets are preserved but the right balance should be sought in areas of high sensitivity.

### **Delivering Heat and Electricity**

5.2.9 All Local Development Plans included policies that helped deliver heat and electricity, but the requirements for microgeneration technologies and repowering existing wind farm in suitable sites are less consistently applied. 2 policies were identified that varied from SPP to meet local circumstances. The policy works well for plan making purposes as it supports renewable energy infrastructure and the national aim of a Low Carbon Place. For Development Management purposes the policy works well as it provides a clear spatial hierarchy and provides a comprehensive list of criteria to consider specifically for wind farms, however it was suggested that basing decisions on landscape capacity studies would be more robust. This is partly why Delivering Heat and Electricity was one of the most selected answers regarding policies that are unclear or confusing and policies that are difficult to apply. The idea of heat networks is supported in principle but the reality of implementing them is much more difficult. Flexibility is required for this policy as new forms of generating renewable energy may become more sustainable than current technology.

### **Planning for Zero Waste**

5.2.10 All Local Development Plans included policies that helped deliver heat and electricity, but the requirements for maximising the value of secondary resources and utilising energy from waste facilities for renewable heat and energy are less consistently applied. 1 policy was identified that varied from SPP to meet local circumstances. The policy works well for plan making purposes as it provides clear direction and guidance for allocating land for waste management facilities. Planning for Zero Waste was the least selected answer for policies that work well for Development Management purposes, more guidance should be provided about the impacts that waste facilities have near non-compatible uses. Buffer zones were identified as useful for plan making purposes but were identified to be difficult to apply and should be made stronger. Few selected Planning for Zero Waste regarding policies that need local flexibility.

### **Valuing the Natural Environment**

5.2.11 All Local Development Plans valued the natural environment, but the requirements that plans should address the potential effects of major-accident hazard sites on the natural environment was less consistently applied. 1 policy

was identified that varied from SPP to meet local circumstances. The policy works well for plan making purposes as it provides a clear list of considerations that should be covered by local policy. For Development Management purposes the policy provides clear and articulate direction for appropriate reasons to refuse a proposal. The policy could provide more detail on the treatment of biodiversity and ecosystem services sites, but the fact that key agencies provide additional detailed guidance means this policy is potentially superseded. Lack of depth on how positive outcomes for biodiversity can be realised can make the policy confusing and difficult to apply. Few selected Valuing the Natural Environment regarding policies that need local flexibility.

### **Maximising the Benefits of Green Infrastructure**

5.2.12 All Local Development Plans include policies that maximise the benefits of green infrastructure, but the requirements to encourage the temporary use of unused land and promote the creation of new green infrastructure through a design led approach are less consistently applied. The policy works well for plan making purposes as it provides a clear approach to the importance of green networks, outdoor sports facilities and community growing spaces. This is also useful for Development Management purposes. The policy is considered not to be unclear but could be easier to apply through the introduction of clearer standards and minimum requirements. Flexibility is required to deliver appropriate measures for both dense and rural areas.

### **Promoting Responsible Extraction of Resources**

5.2.13 31 of the 33 examined Local Development Plans included policies that promote the responsible extraction of resources. Most requirements are taking into consideration with the exception of identifying areas where surface coal extraction would be acceptable and supporting the maintenance of a landbank of permitted reserves for construction aggregates of at least 10 years at all times in all market areas. Promoting Responsible Extraction of Resources was the joint least selected answer for policies that work well for plan making purposes, and joint second least selected answer for policies that work well for Development Management purposes. The subject policy was also the least selected policy for policies that are confusing or unclear. The protection currently in place for peatlands needs clarification and the protection of carbon rich soils does not align across other policy topics. The policy is difficult to apply as the right balance between the use of existing facilities for extraction and the impacts of transporting materials over long distances has not been created. Few selected Promoting Responsible Extraction of Resources regarding policies that need local flexibility.

### **Supporting Aquaculture**

5.2.14 The support of aquaculture development was not applicable to all authorities due to geographical constraints and was only represented in 18 of the 33 examined Local Development Plans. The three main aspects of the policy area have not been incorporated consistently although this reflects the number of authorities where aquaculture takes place. Few responses were received regarding the policy due to limited applicable authorities, meaning that the subject policy was one of the least selected answers for policies that work well for plan making purposes and policies that work well for Development Management purposes. Respondents found the policy confusing as there is a general lack of clarity over the role of planning in relation to marine farming, and difficult to apply as there is no guidance to assess impacts on marine environment.

### **Managing Flood Risk**

5.2.15 All Local Development Plans include policies to manage flood risk with all requirements consistently applied. 1 policy was identified that varied from SPP to meet local circumstances. The policy works well for plan making purposes as the risk framework is robust. For Development Management purposes the policy is useful as several concepts are very well addressed, with the only confusion arising around the role of key agencies like SEPA and how to assess proposals in areas with existing flood defences. Difficulty in applying the policy comes from balancing flood risk with promoting waterside development and is more challenging to apply in rural areas. Flexibility is required to account for climate change and recognise a departure from policy may be required.

### **Promoting Sustainable Transport and Active Travel**

5.2.16 All Local Development Plans promote sustainable transport and active travel, but the requirements to promote disused railways lines, electric vehicle charging points, safeguard strategic freight sites and canals are less consistently applied. 2 policies were identified that varied from SPP to meet local circumstances. The policy works well for plan making purposes as it clearly sets out principles for transport policies. For Development Management purposes the policy works well but other guidance is largely duplicated. It is hard to understand the role planning can have on promoting this subject policy and is hard to meaningfully apply it to large scale rural development. Flexibility is required to cater for different localities but tools such as lower parking requirements should be set to promote sustainable travel.

## Supporting Digital Connectivity

5.2.17 All Local Development Plans include policies to support digital connectivity with all requirements consistently applied. The policy works well for plan making purposes as it clearly indicates what is required for local policy. For Development Management purposes the intent is clear and sufficiently broad to allow for application of appropriate statements for individual applications. Priorities over social and economic benefits against visual impact could be revisited to rebalance Development Management decisions. The subject policy is unclear over the appropriate weight that should be given to telecommunication applications. Having to explain why the need for development is making the policy harder to apply. Flexibility is required due to the ever increasing rate of technology improvements to allow the planning system to provide sufficient support.

### 5.3 RECOMMENDATIONS

5.3.1 The survey gathered 69 online responses, and a further 4 written submissions. The following recommendations on possible priority areas for change have emerged following the research.

- NPF should clearly set out the remit of the Local Development Plan making it clear that national policies are not required to be repeated in Local Development Plans, unless justified amendments have been made.
- NPF should include a clear and concise set of national policies to enable greater consistency in decision making across Scotland based broadly on the Principal and Subject policies included in the 2014 SPP. This will ensure consistency and support an efficient Planning Authority function. Specific criteria for the assessment of planning applications was considered useful.
- NPF should clearly identify where there is flexibility to adapt policies at a local level. This would ensure policies can be varied where appropriate to reflect the varied nature of Scottish planning authorities. Through the research examples have been identified where SPP policies have been changed or adapted to meet local circumstances. The following two examples demonstrate the type of local variations identified:
  - Angus Policy TC18 (Core Retail Areas) states that development proposals seeking to change the use of existing ground floor retail premises will be acceptable where the proposed use is a restaurant/or at least 10% of units are vacant. SPP notes that town centres should display a diverse mix of uses and wider economic and social activity during the day and in the evening. Angus Council have quantified their policy, an adaptation of SPP Subject Policy on Promoting Town Centres to meet local circumstances.
  - Loch Lomond National Park Authority (Economic Development Policy 3) safeguards land for economic purposes and will only be contravened if, after twelve months of marketing, there is not viable interest in the site. SPP notes that allocations should be flexible enough to

accommodate changing circumstances, but Loch Lomond National Park Authority have quantified their policy, an adaptation of SPP Subject Policy on Supporting Business and Employment to meet local circumstances.

- NPF should consider the inclusion of policies that frequently appear in LDPs but that are not covered in SPP whilst retaining a level of flexibility to cater for local circumstances. The following policy areas were identified through the research:
  - Developer Obligations
  - Householder Development
  - Advertisements
  - Cemeteries/Crematoria Provision
  - Social, Community and Health Facilities
  - Contamination
  - Pipeline and Hazard Consultation Zones
  - Public Art
- As widely advocated through the consultation process, NPF should enable planning to support and deliver climate change mitigation and adaptation, whilst recognising the role of Building Standards and other regulatory functions. NPF should take the opportunity to promote aspirations for active travel, energy efficiency, waste reduction, heat networks, reducing energy demand and other means of reducing carbon emissions and, where practicable, look to increase those associated minimum standards currently set out in relevant regulations.
- Where possible, policy principles throughout NPF should continue to be cross referenced to relevant detailed guidance, adding weight to the policy requirement. While SPP provides sufficient guidance for topics such as the historic environment, natural environment and flooding, key agencies such as Historic Environment Scotland and the Scottish Environment Protection Agency provide more detailed guidance. This would ensure consistency and support an efficient Planning Authority function.
- The presumption in favour of sustainable development should remain at the forefront of the plan making process. Policy wording should ensure sufficient weight is given in the Development Management process.
- Placemaking should be at the forefront of development. NPF should be more prescriptive to ensure that placemaking principles are carried through to Development Management. Pressure to meet housing targets should not compromise the ability to deliver high quality design and local context should be considered to ensure new developments respond appropriately to the surrounding area.



- A significant issue for the delivery of new housing was noted as the absence of a robust methodology which could be consistently applied to calculate housing land requirements. NPF should provide a robust methodology and measures to evaluate site effectiveness.
- Planning authorities should be required to critically review the effectiveness of housing and business land when preparing LDPs to ensure LDPs support effective sites.
- Development should deliver an infrastructure first approach which encourages longer term strategic planning and subsequently addresses future transportation, health, education and community facility requirements.
- More coherent guidance should be provided regarding SPP Subject Policy on 'Delivering Heat and Electricity' to ensure the delivery of renewable energy to meet low carbon ambitions. The Spatial Framework should provide more certainty on the circumstances in which windfarm sites are considered acceptable. The policy should be further detailed to ensure other renewable electricity generating technologies and storage are appropriately addressed.
- Improvements to digital infrastructure and connectivity should be supported through NPF to reflect the significant economic and social benefits that connectivity will bring to businesses, residents and visitors. Policy should allow flexibility to support technological advances throughout the lifespan of the plan.
- Opportunities for community growing spaces and allotment provision should be further encouraged within NPF.



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