

Draft Scottish Planning Policy : Consultation Questionnaire

Responding to this consultation paper

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

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

sppreview@scotland.gsi.gov.uk

or

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

If you have any queries contact:

Helen Wood, Principal Planner 0131 244 7534 helen.wood@scotland.gsi.gov.uk
Carrie Thomson, Senior Planner 0131 244 7529 carrie.thomson@scotland.gsi.gov.uk

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

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

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

Handling your response

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 If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly.

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

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Next steps in the process

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

What happens next?

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

Comments and complaints

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

The Scottish Government Consultation Process

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

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

Typically Scottish Government consultations involve a written paper inviting answers to specific questions or more general views about the material presented. Consultation documents are placed on the Scottish Government web site enabling a wider audience to access the papers and submit their responses¹. Consultation exercises may also involve seeking views in a number of different ways, such as through public meetings, focus groups or questionnaire exercises. Copies of all the written responses received to a consultation exercise (except those where the individual or organisation request confidentiality) are placed in the Scottish Government library at Saughton House, Edinburgh (K Spur, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD, telephone 0131 244 4565).

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

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

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

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

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

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RESPONDENT INFORMATION FORM

This is to ensure that we handle your response appropriately.

1. Name/Organisation

Organisation Name

Rhu and Shandon Community Council

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

Surname

Rudram

Forename

Jack

2. Postal Address

21 Queens Point

Shandon

Helensburgh

Atgyll & Bute

Postcode G84 8QZ

Phone 01436 820906

Email

3. Permissions - I am responding as...

Individual

/

Group/Organisation

Please tick as appropriate

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

Please tick as appropriate Yes No

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

Please tick ONE of the following boxes

Yes, make my response, name and address all available

or

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

or

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

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

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

Please tick as appropriate Yes No

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

Please tick as appropriate

Yes

No

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

PRINCIPAL POLICIES

- | | | | |
|----------|---|----------|----------|
| 1 | <p>Sustainable Economic Growth</p> <p>Do you think that the measures outlined in paragraphs 15 to 23 are appropriate to ensure that the planning system supports economic recovery and sustainable economic growth?</p> <p>Are there other measures to support sustainable economic growth that you think should be covered in the SPP?</p> | Y | N |
| | <input type="checkbox"/> <input type="checkbox"/>
<input checked="" type="checkbox"/> <input type="checkbox"/> | | |
| | <p>There should be more emphasis on environmental quality eg in paragraphs 2, 8, 12, 13</p> | | |
| 2 | <p>Location of New Development – Town Centres</p> <p>Do you think that local authorities should prepare town centre health checks, as set out in paragraph 55?</p> <p>Are there other health check indicators you think should be included in the SPP?</p> | Y | N |
| | <input checked="" type="checkbox"/> <input type="checkbox"/>
<input checked="" type="checkbox"/> <input type="checkbox"/> | | |
| | <p>We would suggest considering health checks on green networks, natural landscape near cities and towns and the Greenbelt. These should be updated regularly but 2 yearly is too frequent, suggest 4 yearly.</p> | | |
| 3 | <p>Location of New Development – Town Centres</p> <p>Do you think that local authorities should prepare town centre strategies, as set out in paragraph 56?</p> | Y | N |
| | <input checked="" type="checkbox"/> <input type="checkbox"/> | | |
| | | | |
| 4 | <p>Location of New Development – Town Centres</p> <p>Do you think the town centre first policy should apply to all significant footfall generating uses and the sequential test be extended to this wider range of uses, as outlined in paragraphs 63 to 67?</p> <p>An alternative would be to apply the sequential test to retail and ‘all’ leisure development, no longer limiting leisure to ‘commercial’ development. Do you think this is the appropriate approach?</p> | Y | N |
| | <input checked="" type="checkbox"/> <input type="checkbox"/>
<input checked="" type="checkbox"/> <input type="checkbox"/> | | |
| | <p>In principle high footfall uses, whether public or commercial investments, should be directed where practicable to town centres. However if no suitable town centre site is available then development outside a town centre should be possible.</p> | | |
| 5 | <p>Location of New Development – Rural Development</p> | Y | N |

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

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

In general, yes, but the approach to rural areas has to be more proactive. Community owned energy development schemes should not be facilitated with subsidies to persuade communities to accept otherwise unwanted developments such as windfarms. eg Delete para 71, bullet point 2.

Also para 69 bullet point 7 the requirement for land restoration at end of life must be absolute and clear guidelines provided on how this is to be financed by the beneficiaries of the scheme.

BUILDINGS

6 Housing

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

Y **N**

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

We prefer the approach where margins are locally determined. A blanket 10 or 20% is not acceptable. An alternative might be to use a statistical analysis of possible outcomes and determine an allowance as, eg: one standard deviation.

7 Housing

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

Y **N**

An allowance for windfall development should be permitted but determined by local conditions

8 Housing

As set out in paragraph 87, do you think strategic development plans should set out the housing supply target:

Y

a. only for the strategic development area as a whole;

b. for the individual local authority areas;

c. for the various housing market areas that make up the strategic development plan area; or

d. a combination of the above

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

The housing supply target in each local area should be specified but clearly based on a critiqued and peer-reviewed Housing Needs and Demand Assessment which can be demonstrated to be robust.

9 Housing

Do you think the approach to how national parks address their housing land requirements, as set out in paragraph 90, is the appropriate approach?

Y N

An alternative would be for national park authorities to assess and meet housing requirements in full within their areas. Do you think this is the appropriate approach?

10 Housing

Do you think the approach to identifying the five year effective land supply, as set out in paragraph 91, is the appropriate approach?

Y N

An alternative approach would be for the supply in strategic development plan areas to be calculated across local development plan areas. This would require strategic development plans to set out housing supply targets for each local development plan. Do you think this is the appropriate approach?

11 Housing

Do you think that the level of affordable housing required as part of a housing development should generally be no more than 25%, as set out in paragraph 97?

Y N

There needs to be some flexibility to take the case for affordable housing on the merits of each individual site. Some sites might be 100% affordable. However others are unsuitable for affordable housing through position, transport links, available retail outlets and schools. In these case developers should contribute to provision of affordable housing on more appropriate sites.

12 Housing

Do you think that the approach to addressing particular housing needs, as outlined in paragraphs 100 to 103, is appropriate?

Y N

There should be more emphasis on special groups such as disabled and elderly.

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

- | | | | |
|-------------------------------------|---|-------------------------------------|--------------------------|
| 13 Business & Employment | Do you think the regular review of marketable sites for business, as set out in paragraph 110, should take the form of 'business land audits' in order to ensure identified sites are marketable? | Y | N |
| | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

NATURAL RESOURCES

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

Provision should be based on a design-led approach but against a set of minimum standards which must be maintained.

UTILITIES

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

If not economic heat networks will not happen, or will fall into disuse. There needs to be an available supply of heat and linked demand for it to work. It is pie in the sky to think people will be happy to pay for heat from uneconomic schemes, such as subsidised wind farms, and not want flexibility in their choice of supply.

This has got to be market led or it will fail before it happens.

- | | | | |
|----------------------------------|--|-------------------------------------|--------------------------|
| 16 Heat & Electricity | With reference to paragraph 218 and subsequent groups, do you think that the proposed increased community separation distance of up to 2.5km is appropriate? | Y | N |
| | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

A minimum separation of 2.5km seems appropriate but care must be taken in deciding to where the distance is measured in terms of the edge of settlement.

17 Heat & Electricity

Y N

With reference to paragraphs 216 to 219, do you think the proposed approach to spatial frameworks achieves the right balance between supporting onshore wind development whilst protecting the natural environment and managing visual impacts on communities?

The thrust of the comments are supported but local authorities should be required to carry out a Wind Energy Landscape Capacity study (eg Argyll & Bute Landscape Wind Energy Capacity Study March 2012) and, having done so, apply its recommendations. When it says a site is unsuitable for wind turbines it means that wind turbines must not be placed there!

Paragraph 219 should be deleted as it implies presumption in favour.

18 Heat & Electricity

Y N

Do you think the SPP could do even more than is drafted in paragraphs 222 to 224 to secure community benefits from renewable energy developments while respecting the principles of impartiality and transparency within the planning system?

What is proposed is too much and tantamount to offering bribes to communities to persuade them to accept developments to which they would otherwise be opposed. It is being used by the Scottish Government to promote a policy which, in the case of wind, is increasingly being shown to be uneconomic and unpopular. It is a device to avoid the Government having to properly address support of small, often isolated, communities as a whole.

19 Digital

Y N

Do you think the planning system should promote provision for broadband infrastructure (such as ducting and fibre) in new developments so it is designed and installed as an integral part of development, as set out in paragraph 230?

The extension of broadband to remote communities is essential to sustaining these communities in the 21st century.

20 Flooding & Drainage

Y N

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

Do you think that Strategic Flood Risk Assessment should inform the location of development, as set out in paragraph 239?

21 Flooding & Drainage

Y N

With reference to paragraphs 245 to 247, do you think that where the Scottish Environmental Protection Agency (SEPA) has already granted a Controlled Activities Regulations (CAR) licence then there should be no need for consideration of water and drainage issues by the planning system?

The planning system may wish to ensure that conditions in such a licence are clearly recognised as part of planning approval.

22 Reducing & Managing Waste

Y N

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

23 Overall

Y N

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

No comment

24 Overall

Y N

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

No comment

25 Overall

Y N

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

No comment

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

26 Overall

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

No comment

27 Overall

In relation to the Equalities Impact Assessment, please tell us what potential there may be within these proposals to advance equality of opportunity between different groups and to foster good relations between different groups.

No comment

28 Overall

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

No comment

29 Overall

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

Para 66: Formerly a Retail Impact Assessment was required when a site was over 300m² but this appears to extend this to 2500m². For small villages and towns the smaller area would appear more appropriate.

Para 105: If the planning system is to "take full account of the economic benefits of proposed developments" then these should be clear, quantified, and included in the application and thus subject to challenge. There have been too many "economic" developments which have subsequently failed leaving a mess behind which detracts from the quality of the local environment.

Para 119: In determining whether a proposal "does not harm the character or appearance of the conservation area" the planning system must take into account the views of local residents in assessing the degree to which harm is done.

Para 210: Support of all scales of development associated with the generation of electricity is far too wide a category. Such support must be dependent on, and should only be forthcoming, where such proposals do not impact the quality

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

of the local environment following an environmental impact assessment, where such schemes are based on sound economics, and where proper financial provision has been made for land restoration at end-of-life.