



Planning Modernisation Team
Planning Division
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Scottish Executive
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Dear Sirs

COMMENTS ON WHITE PAPER: MODERNISING THE PLANNING SYSTEM

The Built Environment Forum Scotland (BEFS) is a forum that brings together non-governmental organisations – both professional and voluntary – that work within the built environment sector. A unique aspect about the membership is that it includes both voluntary sector organisations and professional institutes. In addition, BEFS is aiming to bring together in one forum representative organisations from both the contemporary and historic built environment sectors. The purpose of BEFS is to raise awareness of policy issues within the sector, encourage debate and share information, with a view to influencing policy and legislation.

In response to the White Paper: Modernising the Planning System, BEFS arranged jointly with the Scottish Sustainable Development Forum (SSDF) a workshop which looked at the following themes in relation to the White Paper: sustainable development, the national planning framework, quality outcomes, development planning and community participation, and culture change. The workshop was attended by members of BEFS, members of the SSDF and other interested parties¹.

Overall, it was felt that the direction of the White Paper is to be welcomed and that the proposals will go some way to achieving the objectives set out by the Executive for a modernised planning system. However, a number of concerns were raised. The following seven points are the key areas in which we would like to see improvements made and reflect commonly held views of those present at the workshop. Many of the members of BEFS are providing comments on the White Paper separately.

1. In relation to **sustainable development**; the section in the White Paper on sustainable development focuses largely on the implementation of Strategic Environmental Assessment. SEA was welcomed, however there is considerable concern over the extent to which resources will be made available to ensure the effective administration of SEA, and the extent to which it will be possible to apply SEA successfully to local plans. In general SEA is seen as a useful tool which should strengthen transparency and will, most likely over time, become more robust – but this will require significant additional resourcing. Some disappointment was expressed over the fact that sustainable development appears as something of an 'add on' - it is not adequately defined early in the document and there are no *new* proposals in the White Paper for tools that would help facilitate the delivery of sustainable development as a core theme running

throughout the planning system. Much hinges on the reference to 'right development, in the right place, of the right quality and at the right time'. A strong basis is needed in terms of planning policy to ensure the delivery of sustainable development.

2. The National Planning Framework was welcomed, particularly for the fact that it provides greater scope for inter-departmental co-operation across Government and also a means for relating to issues at the UK and European scale. However, concern was expressed over the scope for **scrutiny of the NPF** through public examination, given the fact that it forms the backdrop for the development of other plans, policies and programmes. It was felt that processes should be in place to permit public and parliamentary scrutiny at this most strategic level, and that in order to enable this, the public should be sufficiently equipped to engage in this way. There must be transparency at this level.
3. In relation to achieving **quality**, it was felt that the White Paper is not as strong as it could be. Reference to the Publication *Designing Places*, *SPP 1* and *SPP 20* on Architecture + Design Scotland is not made until section 6. The pursuit of design quality should be given greater prominence – as it stands there is no *new* or further provision within the White Paper for improving design quality in Scotland. It was questioned whether the White Paper actually tackles the acknowledged deficiencies of the planning system, as illustrated by the quality of development on the ground (ultimately it is the quality of development on the ground that mainly shapes peoples perception of the planning system). Participants advocated the need for Quality Audits as a means of measuring achievement in this area.
4. Much is made in the White Paper of making the planning system more inclusive – essentially by front-loading the system (the Issues Report was recognised as a key stage although engagement must be much wider than this). Concern was expressed over the fact that there is little reference to how proposals might be supported through **capacity building**, to enable the public, and indeed all stakeholders, to engage effectively with the planning process. Equipping people to engage at the right stage in the process will require significant resourcing. The lack of a link into Community Planning and the potential role of community councils were highlighted, as was an enhanced role for Planning Aid. It was noted that much work is required on the practical implementation of notification procedures in relation to Local Plan proposals, to ensure widespread engagement including involvement of the 'silent majority'. All information must be accessible. Widespread engagement is one of the biggest challenges for the planning system.
5. Significant **culture change** is required amongst *all stakeholders* in their involvement with the planning system, if objectives are to be met and quality outcomes improved. Aspirations need to be raised beyond minimal standards towards achieving a higher quality outcome (we need to move towards asking: is this good enough to approve? - rather than bad enough to reject?). This will require a shift away from reactionary development control processes, to be supported by building the confidence, knowledge and understanding of officers and elected members within local authorities. An enhanced expectation for quality needs to be understood by everyone including the public.
6. Some frustration was expressed over the lack of rationale for strategic decision-making (for example on determining figures for housing allocation and spatial distribution) – and that **survey** work, which provides the base of information and framework for decision-making, is currently weak. Strategic decision-making must be transparent, and justifiable to all stakeholders.
7. There was a call for local authority **Historic Environment Record Services** to become statutory, in order to enhance protection of the cultural heritage by providing a base of information to inform decision-making in this area.

Further points were raised as follows:

8. There was a call for the introduction of a specific **Duty of Care towards the Historic Environment**.
9. It was noted that progress with the preparation of **Conservation Area Character Appraisals** should be audited. In addition to fulfilling statutory obligations, these are an important vehicle in identifying aspects of essential character which contribute to an area's particular 'sense of place'.
10. Concern was expressed that no process or timetable has been set out to examine the proposal for combining **historic environment consent** procedures.
11. There was some concern over the lack of clarity on the types of development that will constitute **national developments**.
12. Greater clarity is required on the proposal for introducing a statutory requirement for **pre-application consultation**.
13. A question was raised as to how **Community Planning** will relate to a modernised planning system.

I hope these points are useful – if you have any questions please get in touch.

Yours faithfully

Jo Robertson
Administrator

ⁱ The workshop was attended by representatives from the following organisations: Architectural Heritage Society of Scotland; Association of Regional & Island Archaeologists; Council for Scottish Archaeology; Edinburgh World Heritage; Institute of Field Archaeologists – Scottish Group; Institute of Historic Building Conservation; National Trust for Scotland; Royal Town Planning Institute in Scotland; Scottish Civic Trust; Scottish Stone Liaison Group; Scottish Sustainable Development Forum.