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SPP Consultation
Directorate for the Built Environment
The Scottish Government
2-H Victoria Quay
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Dear Ms Richardson,

SPP consultation – response from BEFS

Thank you for consulting on the draft Scottish Planning Policy. Built Environment Forum Scotland (BEFS) is a forum that brings together 25 non-governmental organisations – both professional and voluntary – that work within the built environment sector. 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 consultation on the draft Scottish Planning Policy, BEFS held a meeting which formed the basis of the response to which all members have had opportunity to provide input. This response is designed to complement the responses submitted by individual members, which include more detailed commentary.

Key issues

BEFS would like to highlight three key issues, which respond to **questions 1 - 3** in the SPP consultation draft:

- changes which have weakened policy content.
- the importance of contextual information, much of which is absent from the document as currently drafted, in helping to explain the policy intention,
- the relationship between policy, contextual information, and guidance - and where these types of information should sit.

The short answer to Questions 1-3 is: No. Further comments on these key issues are given below.

• *Changes of policy direction, content and emphasis*

In the streamlining exercise there have been changes that have weakened policy content through the removal of detailed requirements, advice and justification, as well as more conditional rewording. Members have highlighted examples particularly in the areas of the historic environment, design and sustainable development. There have also been changes in the meaning/strength of wording – whilst the clarity of former guidance is too often lost. Members will

provide detailed comments, but it is raised here as an issue apparent in more than one part of the consolidated document.

- ***Value of contextual information***

Significantly, removal of some of the detail or contextual information provided under the subject policies is highlighted as problematic. Members emphasised a real danger of over-simplification and raised the question of who the document's audience/key users are? Recent revisions for example to documents SPP3 and SPP23 with extensive stakeholder input, resulted in documents which contain information that supports planning authorities and developers in communicating the ideas and principles behind the headline statements which helps to establish a level playing field and enables clarity for negotiation to take place. While the objective to streamline the former suite of documents is appreciated, the undersigned bodies are keen to promote the importance of the contextual information provided under the current subject policies. This information is very much valued by practitioners since it helps them to understand and convey the intention behind the strategic policy, enabling them to make arguments/cases in support of particular policy objectives and/or development proposals.

This type of information is still required in some form. In response to the current draft it is anticipated that authorities would need to develop separate policies to fill gaps, which would most likely lead to variable interpretation of central Government's strategic policy intention. As currently presented therefore, there is strong concern that a significant body of information and support will be lost to practitioners using the policy documentation.

- ***Policy/guidance framework***

The undersigned bodies are keen to understand the role of this document as part of the overall policy/guidance framework. The consolidated document, as currently drafted, either makes an assumption that detailed guidance can be substituted by sufficient skills/advice to ensure effective implementation on the ground or that each planning authority will, as suggested above, need to prepare its own supplementary guidance. This is at a time when the economic situation means resources for authorities are stretched and that an already hard-pressed development industry is left with a potential scenario of having to address 34 different planning authority sets of policy requirements.

There is also a real risk that protection of the built environment will be compromised by removal of information from SPP 23, which is not covered in SHEP, especially the omission of the precautionary principle and the requirement for historic environment assets to be a material consideration in the planning process. The concurrent use of a revised SHEP with SPP in planning decisions should be made absolutely clear.

Comments on specific issues

The revised SPP is short on clearly setting out the overarching objectives of the planning system and has weaknesses particularly in the three key areas: Community Engagement, Sustainable Development, and Place making and Design Quality.

Community Engagement

Responding to question 4 - relating to para 35

This was a key issue surrounding the development of the Planning etc. (Scotland) Act 2006 and we are concerned that community engagement at the start of the development plan process is not

just considered to be about 'added value', but is set at the core of the plan led philosophy of the reformed system.

Sustainable Development (Responding to question 5 - relating to para 36-37)

We are not convinced that appropriate consideration, clear guidance and sufficient substance are offered in the draft SPP to replace the recommendations contained in the former consultation on 'Statutory Guidance on Planning and Sustainable Development'. BEFS would urge that SPP demonstrates clearly the significant contribution that spatial planning can make to achieving sustainable development and addressing climate change.

Further comments

Place making and Design Quality

As an organisation with concerns for the quality of place making as a core remit we are sorry to see that greater prominence has not been given to Designing Places and few references made to the importance of design quality. This was seen, and needs to be retained, as a key element in bringing a range of social, economic and environmental benefits ensuring Scotland's places are distinctive and successful.

There should be a theme section in the SPP devoted to how the planning process should seek to set the context for achieving good design, and principles set out in SPP1 could at least be summarised in the SPP.

Outcomes (Relating to para 189-191)

The emphasis on outcomes in planning in the final section of the draft SPP is welcome but this short section with its general message should not be a substitute for clear policy statements on the important issues of design and sustainable development in planning.

Model Policies for Planning

The consolidated SPP is an excellent opportunity to place model policies in context. Those prepared for the Historic Environment were included in the review of SPP 23. Such policies are guidance to a more consistent interpretation of national policy across the country.

In conclusion

BEFS members support the aim of the Scottish Government to develop a coherent, accessible planning policy, but we are genuinely concerned about the impacts this revision may have on the quality of decisions and place making that may result.

In conclusion our members, from across the private, public and voluntary sectors, urge the following:

- 1) That this revised SPP is withdrawn and the former SPPs reinstated
- 2) If this is not possible: that it forms a summary document which is cross referenced to the existing SPPs
- 3) Or if neither of these options is acceptable: that further time is allowed for comprehensive redrafting of the document

We would be keen to engage in continued discussion over the evolution of this and supporting guidance documents.

We hope these comments are useful – please get in touch if you require any further clarification.
We would be grateful if you could keep us informed on the outcome of this consultation process.

Yours sincerely



Pernilla Rinsell
Forum Co-ordinator

This document is supported by the following member organisations of BEFS:

Archaeology Scotland
Architectural Heritage Society of Scotland
Association for the Protection of Rural Scotland
Garden History Society in Scotland
Institute of Historic Building Conservation
Institute of Field Archaeologists – Scottish Group
National Trust for Scotland
Scottish Civic Trust
Society of Antiquaries of Scotland