

The Independent Review of Planning Historic Environment Scotland (HES) response to call for evidence

Development Planning

Primacy of Development Plans

HES supports the continuing primacy of development plans within the Scottish Planning System as this allows consideration of how the historic environment can contribute to the creation of new places, while providing a framework against which development proposals can be assessed. As development plans have been informed by broad consultation, underpinned by strategic environmental assessment (SEA), and tested through examination, we consider that they should remain as the primary reference point for planning decisions.

One of the main benefits of development plans is the certainty they provide to both developers, consultees and the public. A development allocated within a plan should transition smoothly into a planning permission at application stage with little scope for the parameters of a development to change after allocation. Significantly changing the parameters after allocation can result, for example, in significant impacts on the historic environment.

Quality of information

We would encourage local authorities to review sites in terms of their deliverability at the Call for Sites stage and, as part of this process, ensure that an adequate level of information has been provided by the developer in support of the allocation. The quality of information provided as part of this process is important to HES when identifying emerging historic environment issues and opportunities for mitigation.

Development Plan policies

For some aspects of development plan policies for the historic environment, there is little scope for variation. The provision of a series of model policies (for example on World Heritage Sites, scheduled monuments and listed buildings) which local authorities could use in forming their own suite of policies could speed up the process. *The panel may wish to consider if the publication of 'model' historic environment policies by HES would be beneficial to local authorities.*

Supplementary Guidance

There is a lack of clarity around the level of information that should be included within Supplementary Guidance, with many local authorities preparing Supplementary Guidance documents when it may be more appropriate to include a greater level of detail within the local development plan.

The panel may also wish to consider if the guidance provided by key agencies such as HES should form a greater role in the toolkit for decision making.

SEA

We would emphasize that SEA is fundamental to ensuring that development plans are sustainable and allow for the holistic review of the environmental implications of development. There is scope to further integrate SEA and development planning processes.

Strategic planning

HES considers there should be greater connection between national, strategic and local planning with national planning policies and priorities effectively linked through strategic plans to local development plans.

The panel may also wish to consider whether allocations should have a finite 'life' with a re-submission process after one or two plans.

Housing Delivery / Planning for Infrastructure

HES would be keen to be involved in a consideration of how new development can be more successfully integrated with existing buildings and neighbourhoods to create successful new places. Planning at the Strategic level could play a greater role in not only defining housing numbers but also ensuring that quality of place is a prime concern for housing delivery. An allocation is no guarantee of delivery. In creating coherent places this is a problem where local authorities cannot control how sites come forward.

More weight should be given to the 'Town Centre First' principle as part of development management decisions with greater priority given to the delivery of housing within town and city centres. Regeneration of brownfield sites and the refurbishment of existing building stock for housing can revive failing town centres and bring positive benefits to the historic environment. Brownfield sites often benefit from pre-existing infrastructure provision.

Better identification of 'National Planning Priorities'?

We would support the delivery of housing and associated infrastructure through better integrated LDP Action Plans backed up by a delivery steering group led by the local authority and including key agencies and developers. This would help ensure that housing sites allocated within the development plan are deliverable.

We would recommend that any mitigation requirements for a site, as highlighted by the SEA process, are included in the Action Plan. Greater consideration should be given to other cross-boundary issues such as landscape and historic environment strategies.

Development Management

Listing

The Listed Building Consent (LBC) procedure was revised on 1 October 2015, to allow for more timely, transparent and effective decision-making. Listed Building Consents are administered and determined by local planning authorities, with HES acting as a statutory consultee. HES is required to respond to consultations within 14 days. Our performance for Listed Building Consent is reported on through the Planning Performance Framework, as is our performance for other consultations and advice (www.historic-scotland.gov.uk/planning).

Procedures for listing buildings are continually under review and we welcome feedback on our service as it is important that listing meets the needs of the 21st century. A review of the Scottish Historic Environment Policy 2011 is expected to take place in the near future and listing procedures and policies will be reviewed as part of this process. *It would be helpful to know more about what the key issues are which prompted this question in the planning review.*

Permitted development rights

There is further scope to extend permitted development rights, however there would need to be careful consideration of the environmental impacts including to undesignated archaeology.

Quality of applications

The development community as a whole has a role to play in the timely and effective delivery of planning permissions. In some cases issues around the quality of information submitted by developers and consultants in support of applications can act as a barrier to timely decision making. This is especially the case in terms of EIA development where a lack of information can result in requests for further information.

We welcome positive pre-application engagement as set out in the [Key Agencies statement](#). While, in the majority of cases, our involvement at pre-application stage allows us to help secure good outcomes for the historic environment, there is a small but growing number of cases where extended periods of pre-application engagement are followed by an equally extensive period of post-application engagement. *The panel may wish to ask developers whether the current key agencies' pre-application statement is useful to them.*

e-planning

e-planning has brought efficiencies to the development management process. However, complex cases with multiple documents and a reliance on availability of public access portals can make accessing the right information to provide timely responses challenging. *The panel may wish to consider if there is a need to review the effectiveness of e planning in delivering for major and complex projects*

Leadership, Resourcing and Skills

HES is keen to engage with the development community regarding the significance of the historic environment and the ways in which it can add value to the development process. HES are also keen to understand if we are seen to be adding value to the process and the additional guidance that planners and developers need to support them.

In-house conservation and archaeology advice informs planning decisions across Scotland and many local authorities have successfully integrated this advice within their planning service which means that advice is on hand throughout the development process. Where there is no advice available within an authority this can be problematic. The fee structures for applications do not take account of the complexity of cases and the need to seek additional specialist advice. In some

cases, as with LBC, no fee is submitted. *The panel may wish to consider if these are issues which should be further examined.*

SEA and EIA

There are opportunities for SEA and plan-making to be more integrated and we would be happy to provide further training and guidance on SEA to local authority planners and elected members, given its importance in underpinning the development planning process. Similarly, we would welcome the opportunity to provide further training and guidance for the development community on EIA.

Skills

We would encourage the involvement of architects and urban designers within local authorities so that the place-making aims of development planning can be better supported.

Community Engagement

Education

HES believes that the profile of planning should be raised. The benefits of participating within the planning system and place-making, and how to use planning resources could be provided as part of school curriculum and continuing education.

Arts initiatives

There are other ways to increase communities' understanding of the planning system, for example, through community arts initiatives. The multi-media, arts and heritage project 'From Here' was created in collaboration with Lou Brodie, Lyra Theatre, HES and young people from Craigmillar and Niddrie. This offered space and resource for young people to curate and commission their own events and works of art inspired by their relationship to local heritage.

Charettes

While we are broadly supportive of Charettes, they are resource-hungry and can be inconsistent in their delivery and outcomes. We would welcome an analysis of the process to date.