



Carrie Thomson Scottish Government Planning Legislation and Performance 2J (South) Victoria Quay Edinburgh EH6 6QQ	John A Lawson Chair ALGAO:Scotland c/o City of Edinburgh Council Archaeology Service Museum of Edinburgh 142 Canongate Edinburgh EH8 8DD
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23 July 2013

Dear Carrie Thomson,

Scottish Government Consultation on Draft SPP

ALGAO:Scotland represents the views of Local Authority and National Park archaeological services in Scotland and is part of the UK-wide organisation, ALGAO:UK. We welcome this opportunity to comment upon this Scottish Government consultation draft and wish to offer the following responses to the consultation.

We broadly welcome the revised Scottish Planning Policy document as we believe it continues to deliver protection to the historic environment within the Planning System. However we do have some general concerns regarding the over-simplification and reduction of the proposed revised SPP which could be read as a shift in importance and a possible downgrading of protection of the historic environment. These general concerns are followed by some specific suggestions for rewording which would address these concerns.

General concerns

1. Although we welcome the aim of SPP to encourage and support sustainable economic growth, it is critical to recognise that aspects of the historic environment, in particular archaeological remains, are a fragile, finite and non-renewable resource. This is recognised in paragraph 123 of the current SPP and PAN 2/2011, so we have grave concerns over the omission of this fact within the current SPP draft. Accordingly we strongly recommend that this important statement on the nature of the historic environment resource is reinstated, bringing it in line with both the current SPP and PAN 2/2011.
2. Furthermore, we feel that the importance of the historic environment in contributing to the success of creating sustainable economic growth is not fully recognised within the draft document and indeed the draft seems to emphasise potential constraints rather than the benefits. The value of the historic environment and the benefits which can be realised from it have recently been emphasised by Fiona Hyslop MSP (Cabinet Secretary for Culture and External Affairs), at a meeting of BEFS on the 13th June 2013 at which she

stated ‘...the huge value which the historic environment has in its own right. Not only as evidence of past creativity and ingenuity, but also in terms of other values, through its contribution to social fabric, community cohesion and economic wellbeing’, and that ‘The heritage sector does not need to make a new economic case to justify public support for its work.’

Although the new paragraph 114 goes in some way to meet this, we feel that it is not reflected within the stated new Policy Principles (para 115). We therefore suggest that new policy principles are added to reflect this important policy, as is the case for the Natural Environment. This would also, we believe, have the added benefit of realising the stated aims of the Scottish Government in mainstreaming the Historic Environment

- 3 Additionally, a major concern is the omission of a central policy regarding the successful management of the historic environment, namely that Planning Authorities must maintain a Historic Environment Record (HER).

ALGAO:Scotland specific points

NPF Context

114. We agree with the aims of the NPF context as outlined in para 114, but the historic environment is more than just ‘places’ as implied by this policy, covering a wide range of different elements including buried archaeological remains. Therefore it is essential that a clear definition of the *historic environment*, as set out in our suggested Glossary addenda below is included within the document’s Glossary.

Policy Principles

115. As stated above, although we agree with the two stated aims we feel that this must be broadened out to encompass the positive benefits that the historic environment can bring to sustainable economic growth, the place-making agenda and tourism. We therefore strongly recommend the addition of the following principle in line with those stated within the current PAN 2/2011 and with the principles in the Natural Resources section of this revised SPP (para 126)

- *Support opportunities for enjoying and learning about the Historic Environment*

Key Documents

We recommend the addition of a reference to the following document given its central role in managing and development of Historic Environment Records to meet the demands of Planning and Development Management:

- *SHED (Scottish Historic Environment Databases), currently a consultation draft available at http://www.algao.org.uk/sites/default/files/SHED_Strategy_Stage_2_Consultation-v2a.PDF*

Delivery

116. Development planning

Although the policy is correct in principle, in that strategic development plans must include reference to the historic environment, we feel that the term ‘strategically’ as used in line one of paragraph 116 is confusing, and potentially limits the scope of what it hopes to achieve.

Currently there is no definition of what a strategically important asset means in terms of the historic environment. Accordingly, we recommend that paragraph 116 is altered with the deletion of the word ‘strategically’ from the first sentence.

117. Although we are broadly happy with the overarching statement of the first sentence of paragraph 117, requiring that Planning Authorities should consider the historic environment when preparing spatial strategies, we have concerns over the level of detail expressed within the rest of this paragraph. It appears to single out Conservation Areas in detail, at the potential expense of all the other areas of the historic environment. We therefore suggest that this paragraph is changed along the following lines to avoid potential confusion and provide greater clarity on the scope of Local Development Plans and other Spatial Strategies:

*117. Planning authorities should consider any significant implications and opportunities for **all elements of** the historic environment when preparing the spatial strategy. Local development plans should **also** designate and review conservation areas and identify existing and proposed Article 4 Directions. This should be supported by Conservation Area Appraisals and Management Plans.*

Development Management

In principle we agree with the scope of paragraphs 118-123 within this section, however as stated above, we have concerns over the wording and scope of paragraph 124 which could lead to significant loss of protection for the historic environment. Accordingly we strongly recommend that the proposed text for para 124 is replaced by the first of the following paragraphs, and that the second paragraph is added to ensure that planning authorities have the vital information on the historic environment that they need to deliver successful development planning and management:

124 Archaeological sites and monuments are an important, finite and non-renewable resource. Planning Authorities should therefore protect both designated and non-designated archaeological sites and monuments, and preserve them in situ and in their appropriate setting wherever possible. Where in-situ preservation is not possible, planning authorities should ensure that developers undertake appropriate excavation, recording, analysis, publication and archiving before and/or during development. If unexpected discoveries are made during any development, they should be reported to the planning authority to enable appropriate mitigation measures to be undertaken by the developer to ensure their appropriate excavation, recording and analysis where preservation in situ cannot be achieved.

125 Planning Authorities should ensure they have access to a Historic Environment Record that contains necessary information about known historic environment assets in their area.

Onshore Wind, para 218 Pages 51-2

Group 3 should also include the historic environment and non-designated historic environment assets.

Glossary Addenda

We suggest that the following inclusive definition of the historic environment should be in the Glossary:

Historic environment

The historic environment includes ancient monuments, archaeological sites and landscapes, historic buildings, townscapes, parks, gardens and designed landscapes, battlefields, wrecks and submerged landscapes and other features both on dry land and underwater. It comprises both

statutory and non-statutory designations. The location of historic features in the landscape and the patterns of past use are part of the historic environment.

Additional terms which should appear in the Glossary are as follows:

Scheduled ancient monuments

Sites and monuments (including some historic wrecks) which are protected under the Ancient Monuments and Archaeological Areas Act 1979 as being of national importance

Non-designated assets

The vast majority of historic environment assets are not designated – this does not necessarily mean that they are of lesser importance than scheduled ancient monuments, as the process of designation is ongoing and new sites continue to be discovered. The effects of planning proposals on non-designated assets must be taken into consideration. The planning authority Historic Environment Record will contain details of non-designated assets.

Yours sincerely,

John Lawson
Chair ALGAO:Scotland