



Planning and Architecture Division
The Scottish Government
2-H South, Victoria Quay
Edinburgh
EH6 6QQ

4th April 2017

Dear Sir/Madam

Archaeology Scotland's response to "Places, People and Planning" consultation.

SECTION A

Archaeology Scotland welcomes the ethos of Places, People and Planning which aims to develop clearer plans and empower people to get more involved in decision-making. We recognise too that there is a demand for more homes in Scotland but that this should be considered as part of other outcomes for landscapes, the historic environment and for place-making.

Places, People and Planning will place more expectations around community participation which is welcomed. However this new direction needs to be underpinned by professional support and there are differences in approach that will need to be managed. This in turn may add to the pressures on local authority planning and archaeology services which are already over-stretched and under-resourced.

Archaeology Scotland welcomes Scottish Government's recognition of the importance of the planning system and the proposed package of reforms but this endorsement has several caveats. Planning is important for more reasons than just to support economic growth and delivering quality homes - it should not come at the cost of the management and protection of the historic environment or of realising the full potential that good place-making can have on the health and wellbeing of a nation and of achieving wider governmental outcomes within the National Performance Framework for Scotland.

As stated in 'Our Place in Time', the Scottish Government's strategy for Scotland's Historic Environment, our past is "...intrinsic to our sense of place and [can create] strong cultural identity". As the Scottish Planning System evolves, it should embrace the contribution that the Historic Environment can give to our identity, our sense of place and our health and wellbeing, factors which are an important part of good planning.

Question 1: Do you agree that local development plans should be required to take account of community planning?

In principle, strengthening of links between the Community Planning Partnerships and land use planning is to be welcomed but it remains unclear how in practice this would happen. This new approach needs to be underpinned by professional support. The term ‘Community Planning partnerships’ is a bit of a misnomer in that they do not involve local communities *per se* and for most people it remains unclear about how they can get involved in planning other than through commenting on planning applications. If partnerships are to be set up, these will need resourcing.

The proposed opportunities (1.6) to mainstream the historic environment through earlier engagement with spatial planning across a wider range of stakeholders is welcomed.

Question 2: Do you agree that strategic development plans should be replaced by improved regional partnership working?

We would agree with the response from BEFS that further detail are needed on how, with the proposed withdrawal of strategic development plans, agreement will be reached on regional priorities and spatial strategies.

Question 3: Should the National Planning Framework (NPF), Scottish Planning Policy (SPP) or both be given more weight in decision making?

Yes.

Question 4: Do you agree with our proposals to simplify the preparation of development plans?

We would agree with BEFS, CIfA and ALGAO: Scotland that the removal of supplementary planning guidance (1.29) is a concern, as is new proposals referenced in 1.44 which relate to setting out a new minimum level of information required to support land allocation within development plans. A number of these proposals are sensible at face value and could be helpful in ensuring that appropriate archaeological information is provided and considered before sites are allocated. However, references to a ‘more streamlined’ evidence base at paragraph 1.37 and to a ‘broader zoned approach’ at paragraph 1.44 suggest that less information might be required than is currently the case, with potentially serious implications for the historic environment.

Question 5: Do you agree that local development plan examinations should be retained?

To a degree. We believe that while it is important that local development plan examinations are retained, there is an opportunity for local development plans to better reflect the wishes and concerns of the local communities they represent. There is an opportunity to review the effectiveness of the current process, which could facilitate more meaningful engagement with the public.

We do, however, agree with ALGAO: Scotland that any ‘gatechecks’ should include appropriate environmental assessment which would assess impacts on any heritage assets.

There is a need to improve the effectiveness of local review bodies and enable greater use of independent mediation to facilitate discussion in local communities.

Question 6: Do you agree that an allocated site in a local development plan should not be afforded planning permission in principle?

Yes. Planning permission in principle should not preclude the need for a thorough environmental assessment of potential adverse impacts on the Historic Environment and there is a concern that allocated sites awarded PPP would not complete a through environmental assessment.

We are fortunate in Scotland with a rich and diverse archaeological resource, much of which is still preserved hidden in the ground, waiting to be identified and understood. In the last 20 years, some of Scotland’s most spectacular archaeological discoveries have been identified through pre-development site investigations. Discoveries such as a Bronze Age Cemetery at Armadale on the Isle of Skye, identified in advance of a housing scheme, or the recently discovered metal weapon hoard in Carnoustie in advance of the development of sporting facilities. Both examples demonstrate the necessity of completing thorough archaeological assessments before development can take place. Neither discovery would have been identified had not each site been assessed for archaeological potential, at the planning stage.

We are concerned by proposal listed in 1.34 of ‘front loading’ the assessment of Environmental Impacts at the local development plan stage, which potentially could have an adverse impact on the assessment of archaeological remains. We agree with ALGAO: Scotland that this method of assessment would potentially only identify ‘known heritage assets’ which only represent c. 10% of Scotland’s Historic Environment. It is also unclear how this method of assessment would be funded and we would request further detail is provided.

SECTION B

Question 9: Should communities be given an opportunity to prepare their own local place plans?

Local Place Plans could be very positive and whilst we are in favour of more community participation, this initiative needs to be underpinned by professional support. In this current era of under-resourced local authority departments, there is a potential challenge in terms of supporting this proposal and there will be a host of different priorities and expectations to be managed.

Question 14: Should enforcement powers be strengthened by increasing penalties for non-compliance with enforcement action?

Yes, enforcement powers must be strengthened/invested in to improve the credibility of the planning system.

SECTION C

We recognise the urgent need for increased housing and infrastructure development throughout areas of Scotland. However this should not come at the cost of adverse and irreversible impacts on the Historic Environment. There is an opportunity for the Historic Environment to play a key part in forming these new housing communities and contributing towards better place-making.

We are concerned that the proposals listed in 3.3 which focus more enabling development and adapting to different market circumstances could come at the expense of Scotland's unique archaeological resource.

The consultation is on the future of the Scottish planning system and while it is recognised that housing and infrastructure development are key issues within that system, the proposals should arguably be geared towards achieving better place-making. In relation to infrastructure, there is a lack of information on the deficit in infrastructure provision and on the extent to which infrastructure providers are delivering on commitments. Plans are just one of many factors determining housing development and land banking is a strategic issue that should be researched further to inform policy development.

Question 20: What are your views on greater use of zoning to support housing delivery?

We have concerns regarding the use of Simplified Planning Zones and request more information on how this key change would be delivered.

We believe that this could have adverse and irreversible impact on as yet to be identified archaeological remains, without a pre-development investigation. Should this assessment be completed when land is zoned for housing, there needs to be consideration on resource management. We would be concerned for example if 'brown field' sites were automatically included within SPZ's without any cultural heritage assessment. As we saw at the site of Brunton Wire Works in Musselburgh, archaeological site investigation identified prehistoric and Roman burial remains, preserved under the later industrial site.

We also agree with BEFS that SPZ's could potentially have an adverse impact on Conservation Areas, as well as the setting of Listed Buildings and Scheduled Monuments. We believe that it would be difficult to assess the impact of a development before the scale and design of a development is proposed and finalised.

Further clarity is needed on the operation of Simplified Planning Zones (SPZs) including the context and extent to which their use is anticipated (for example the document proposes removal of the blanket restriction for SPZs in conservation areas).

Deregulation of the planning system diminishes the likelihood of planning resulting in sustainable place-making as various checks and balances are removed. There may, however, also be opportunities; SPZs could, for example, be used to proactively flag historic environment assets at an early stage. What are the resource implications for local authorities of preparing SPZs? The meaning of ‘development ready’ is also queried.

SECTION D

Question 26: What measures can we take to improve leadership of the Scottish planning profession?

We agree with BEFS that there is a need to strengthen the status of the planning system and change perceptions around the role that planning plays in managing development. Through our work with voluntary community heritage groups throughout Scotland, we believe in working alongside civic champions or gatekeepers to local communities to promote the conservation and management of their local cultural heritage. Such an approach would be beneficial to the planning system, providing it was properly resourced.

There is a need to strengthen the status of the planning system as a corporate function within local authorities, enabling it to lead in co-ordinating management systems within the authority to deliver development. Stronger leadership will require a change in culture. There is currently no obligation on elected members to heed the advice of planning officials. There is also a need to change perceptions around the role that planning plays in managing development; statutory development management is a small part of the development process but is often blamed as an impediment to progress.

Question 27: What are the priorities for developing skills in the planning profession?

We welcome the move towards more community involvement in planning and planning decisions, however this shift needs to be delivered by staff experienced in community engagement. The planning profession could also consider working in partnership with organisations that are already based in the community. For example utilising Archaeology Scotland’s community networks developed by the Adopt-a-Monument scheme, could afford planners the opportunity to talk directly to the communities which could see their cultural heritage impacted by developments.

We strongly agree with BEFS and ALGAO Scotland on the need to retain specialist expertise on the Historic Environment, within local government.

Retention of local authority resources including access to specialist skills and expertise on the historic environment is fundamental. We welcome recognition of this in the consultation document (4.7). There is a particular need for training in ‘softer’ skills such as leadership and facilitation, especially given the proposal for a more ‘front-loaded’ system with more meaningful public involvement.

Question 30: Do you agree that we should focus more on monitoring outcomes from planning (e.g. how places have changed)?

With regards to the Historic Environment, there is great potential for the wider dissemination of the results of archaeological interventions. As previously stated, the Historic Environment has great potential to contribute towards a sense of identity and health and wellbeing. Something as simple as a school visit, to share the results of an archaeology project, can potentially spark a lifelong interest in our Historic Environment. We agree that monitoring the outcomes from planning could benefit the planning decisions of the future.

Yes, a stronger focus on outcomes and evaluation of how places have changed will help demonstrate the impact of the planning system ‘on the ground’. This will require skills development in monitoring and evaluation. A stronger emphasis on achieving ‘quality’ outcomes is needed – the current document seems light on this.

Question 31: Do you have any comments on our early proposals for restructuring of planning fees?

Archaeology Scotland supports proposals to increase planning fees with a view towards moving towards full cost recovery for planning services. Those planning services include advice and input from local authority historic environment services and we support the Chartered Institute for Archaeologists’ call that Scottish Government ensures that a proportionate part of any fees collected is committed to supporting the engagement of local authority historic environment services in the planning process.

Question 32: What type of developments would be suitable for extended permitted development rights?

We agree with ALGAO Scotland that there are serious concerns about the continuing extension of permitted development rights without consideration for the adverse and irreversible impact on the Historic Environment, regardless of the type of development.

Question 34: What scope is there for digitally enabling the transformation of the planning service around the user need?

Better training in using and awareness of using the E-Planning portal to view and comment on planning applications could help widen audiences for the planning system.

There is support for further use of three-dimensional visualisation, especially alongside proposals in section B to support community engagement but we do have concerns around storage of data.

Yours faithfully



Eila Macqueen
Director