

Built Environment Forum Scotland (BEFS) is an umbrella body for organisations working in the built environment in Scotland. Drawing on extensive expertise in a membership-led forum, BEFS informs, debates and advocates on the strategic issues, opportunities and challenges facing Scotland's historic and contemporary built environment.

BEFS responded to the following consultation questions:

**3.e. Do you have any suggestions about how we could measure the outcomes from planning such as: Placemaking; Sustainable Development; Quality of decisions?**

Using data already gathered for the Scottish Household Survey: Perception of Local Area Scottish House Condition Survey. The existence of Local Place Plans could also be an indicator of community engagement.

**5 Do you agree with the proposed planning fees for Category 1 - Residential Development 5.b. Do you have any comments on the proposed fees and for calculating the planning fee?**

The Scottish Government declared a Climate Emergency in 2019 and the revision of planning fees is an opportunity to embed a new approach to development in Scotland in advance of COP26. The methodology for calculating planning fees should not be on the number of units or floor size. In recognition of the carbon targets set for Scotland by the UK Committee on Climate Change the fees should be carbon based, relating to the whole life operational carbon emissions of the development proposed, including the loss of embodied carbon arising from any demolition/fabric removal. The fees could be weighted heavily against the demolition of existing buildings reflecting the environmental benefits of reusing and re-purposing all Scotland's existing building stock because of the embodied energy.

**7 Do you agree with the proposed planning fees for Category 6 – Retail and Leisure including extensions? 7.b. Do you have any comments on the proposed fees and for calculating the planning fee?**

The methodology for calculating planning fees should not be on the number of units or floor size. In recognition of the carbon targets set for Scotland by the UK Committee on Climate Change the fees should be carbon based, relating to the whole life operational carbon emissions of the development proposed, including the loss of embodied carbon arising from any demolition/fabric removal. The fees could be weighted heavily against the demolition of existing buildings reflecting the environmental benefits of reusing and re-purposing all Scotland's existing building stock because of the embodied energy.

**8 Do you agree with the proposed planning fees for Category 7 - Business and Commercial including extensions? 8.b. Do you have any comments on the proposed fees and for calculating the planning fee?**

The methodology for calculating planning fees should not be on the number of units or floor size. In recognition of the carbon targets set for Scotland by the UK Committee on Climate Change the fees should be carbon based, relating to the whole life operational carbon emissions of the development proposed, including the loss of embodied carbon arising from any demolition/fabric removal. The fees could be weighted heavily against the demolition of existing buildings reflecting the environmental benefits of reusing and repurposing all Scotland's existing building stock because of the embodied energy.

**24 Do you agree with the proposed planning fees for Category 24 - Conversion of Flats and Houses? 24.b. Do you have any comments on the proposed fees and for calculating the planning fee?**

In recognition of the carbon targets set for Scotland by the UK Committee on Climate Change the fees should be carbon based, relating to the whole life operational carbon emissions of the development proposed, including the loss of embodied carbon arising from fabric removal. Re-purposing all Scotland's existing building stock because of its embodied energy should incur a lesser fee than new build.

**27 Please list any types of developments not included within the proposed categories that you consider should be. Please explain your view.**

Brownfield Land. Fees should be lower than greenfield site reflecting remediation costs and as an incentive to redevelop brownfield sites before greenfield.

**30 Do you agree or disagree with the proposal that where applications are required because permitted development rights for dwellings in conservation areas are restricted, then a reduced fee should be payable?**

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Disagree

**Please provide reasons for your answer:**

While recognising the costs to a local authority for processing planning applications arising through the removal of permitted development rights (PDR) in conservation areas BEFS would prefer there to be no fees, even at 50%. Conservation Areas are designated in the wider public interest. The absence of PDR will often require owners to commission qualified professionals to submit planning applications therefore they are already subject to additional costs within the conservation area designation. If fees are introduced on top of professional costs it may result in public resistance to new, or extending, conservation areas. It may be appropriate to require fees for retrospective planning applications within conservation areas, including the 100% surcharge proposed (at local authority discretion), to act as a disincentive. Some may argue that conservation area status confers greater market value upon a property, therefore the planning fee should reflect this. This is not universal. While some properties may benefit from their conservation area status it is unlikely that this alone increases their market value. The conservation areas of the urban Central Belt should not be a measure. Conservation Area Consent is not referred to in this consultation. Consent for demolition within a conservation area should incur a carbon based fee for the reasons given previously.

**31 Is the introduction of a fee for applying for Listed Building Consent appropriate? No How should that fee be set?**

Listed buildings are designated in the public interest, and the current absence of a fee for listed building consent reflects this. The absence of PDR will often require owners to commission qualified professionals to submit applications for listed building consent therefore they are already subject to additional burdens due to the listing. The introduction of fees on top of professional costs would likely result in an increase in requests for de-listing and appeals against new listings. It could be argued that as the designation is in the public interest, legislated by the Scottish Government, then the Scottish Government should cover the costs of processing applications for listed building consent as they too are in the public interest. The records kept by local authorities would make this a simple annual transaction if they are pegged at the same rate as Categories 2, 3, 4 and 5. It would be appropriate to require fees for retrospective listed building consent, including the 100% surcharge proposed as a disincentive to owners undertaking unauthorised works. If fees were introduced for listed building consent would the Scottish Government provide additional resource to Historic Environment Scotland to handle the upsurge in requests for listing reviews and appeals against listing?

**RESPONDENT INFORMATION**

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Responding on behalf of an Organisation - **BEFS** (Built Environment Forum Scotland)

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The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference: **Publish response with name**

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise? **YES**