



Scottish Borders Council response to

**Statutory Guidance on Planning and Sustainable Development
Consultation paper - March 2007
Scottish Executive Development Department**

Introduction

Scottish Borders Council welcomes the opportunity to comment on the *Statutory Guidance on Planning and Sustainable Development* consultation paper.

The Council has been actively promoting a more sustainable approach to planning at both policy and implementation level through various activities which include strengthening the Sustainability Principle in the revised Finalised Local Plan, and establishing a training programme for planning and building standards officers.

Positioning the guidance in the existing hierarchy

Para 2: Given the overarching nature of sustainability and the imperative of adopting an integrated approach to addressing sustainability within the planning system, rather than this new guidance sitting alongside the Scottish Planning Policy series it should become an Annex to SPP1 to ensure that sustainable development is seen as an overarching principle for all planning activity.

Recommendation 1
Guidance on sustainable development should be an Annex to SPP1.

Purpose of the guidance

Para 31 - 50 of the guidance identify the current contributions and mechanisms through which planning contributes to the achievement of sustainable development. This is a comprehensive account demonstrating a process which is already set up to enable sustainable outcomes through the integration of sustainability issues in current SPPs, NPPGs, PANs, Circulars and through legislation which impacts on the planning system including that relating to strategic environmental assessment, local government, and of course the planning legislation itself.

This demonstrates that the planning system has been focussed on sustainable development for some considerable time. It is important to acknowledge this and stress that sustainability it is not a new issue which planners are required to take on board. Additional emphasis should be put on the implementation and monitoring stages, as adopting a sustainable approach at policy development level is perhaps already fairly wide-spread.

Recommendation 2
Emphasis should be given to ensuring that sustainable development is followed through from policy to implementation and monitoring.

Para 31 - 50 of the draft guidance highlights where more detailed existing guidance on delivering sustainable outcomes for specific topic areas can be found. A checklist of the

sustainability issues identified in these paragraphs tabulated alongside the specific existing guidance would be a useful inclusion. This could be used as an aid memoir / prompt (with active links on the web-version of the guidance) – and as such would be an effective web-based compendium of planning-related guidance for sustainable development.

Recommendation 3

A web-enabled checklist tabulating existing planning guidance against specific sustainability issues should be included in the guidance.

Layout of the guidance

Whilst the content of the draft guidance document is fairly comprehensive, the layout is slightly confusing; especially in terms of bringing the issues of climate change (Para 2, 7-10), transport (Para 23-25) Strategic Environmental Assessment (Para 11-14), Planning Modernisation (Para 15-17) and Building Standards (Para 18-19) to the fore rather than incorporating them into the sections on Planning’s Contribution and Key Mechanisms for Delivery.

Para 26 - 30: Arguably the most important section of the guidance is that which makes explicit links between the UK sustainable development principles / outcomes and planning (Para 26-30). This section effectively translates sustainable development “jargon” into the planning context. This section should therefore be at the front end of the guidance.

Greater emphasis is required, particularly at the beginning of the guidance, on integrating sustainable development and planning processes and on ensuring that the emphasis of activity is on looking for solutions which maximise economic, social and environmental outcomes no matter where the focus of a particular policy lies.

Recommendation 4

A suggested re-ordering of the text is as follows:

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|---|---|
| 1. Sustainable development policy context | Para 4 – 6 |
| 2. Sustainable development principles | Para 21 – 30 |
| 3. Planning’s contribution to sust. dev. | Para 31 – 38
Para 23 – 25
Para 7 – 10 |
| 4. Mechanisms to achieve sust. dev. | Para 39 – 50
Para 11 – 19 |
| 5. Monitoring | expanded Para 51 |

Long-term vision

Land use planning does not have a remit to solve all of the issues with which we are faced at local, regional, national or international levels; however, it does have a key role to play in many issues which are not strictly land-use based including inequality, social inclusion, and poverty. It is therefore important to stress that the development plan must be seen as part of a wider vision of sustainable development, whether this is at a local or international level.

It is therefore important for those preparing the development plan to understand the overall goal / vision for the area; the community planning process is key in this respect. Ensuring that the development plan has synergy with other relevant strategies including those which address such diverse issues as poverty, biodiversity, and economic development is vital in

ensuring that the development plan is able to contribute to this overall vision for sustainable development at a policy level and that interactions between planning and other strategies and programmes are clearly identified and acted on at the implementation level.

It is also important to stress that decisions will sometimes have to be made which are unable to achieve positive outcomes for all three aspects of sustainable development ie: economic, social, and environmental concerns, at the local level. In these instances it is important to ensure transparency of the decision making process, and that the decision is seen in the wider sustainable development context for example at a regional or national level.

Recommendation 5

Emphasis should be given to ensuring that the Development Plan is seen as part of the wider vision for sustainable development of the area which is most likely to be encapsulated in the Community Plan.

Recommendation 6

The inability to always achieve the “triple bottom line” which allows the “win-win-win” outcome for economic, social and environmental objectives should be highlighted.

Plan preparation and Implementation

It would be useful if the guidance emphasised the importance of adopting a culture of sustainability in both the development and delivery of the planning process. The two key stages of the development planning process (a) plan preparation, and (b) plan implementation have different requirements in terms of adopting a sustainable approach eg:

(a) **Plan preparation** - a sustainable approach will be evident through:

- Early and effective engagement and consultation with stakeholders; inclusive and transparent policy making processes; and effective, clear, and accountable communications throughout.

This contributes specifically to the sustainable development objectives of: ensuring a strong, healthy and just society, and promoting good governance.

- A proactive approach will be to ensure that the planning process itself enables sustainable solutions to be brought forward in the first place, rather than assessing them for their sustainability once they have already been conceptualised.
- Emphasis should be given to the SEA process as part of the plan preparation, particularly the requirements for the environmental baseline and prediction of environmental impacts, together with the requirement to consult with SEPA, SNH, and HS (the statutory bodies with responsibility for the protection and enhancement of the natural and built environment).

This contributes to the sustainable development objectives of using sound science responsibly and living within environmental limits.

(b) **Plan implementation** - a sustainable approach will be evident through:

- Partnership working (across departments within local authorities, and with external partners) to achieve outcomes for economic, social and environmental goals through individual projects, and through ensuring that synergies with the implementation of other strategies are identified and acted on.
- This should not divert from the specific outcomes which are required from each policy, but rather should ensure that in the delivery of an individual project / policy cognisance is taken of the wider outcomes which can also be achieved.

This should contribute to all four of the priorities for sustainable outcomes contained in Scotland's Sustainable Development Strategy ie: sustainable production and consumption, climate change and energy, natural resource protection and environmental enhancement, and sustainable communities.

Recommendation 7

Emphasis should be given to the different manifestations of sustainable development which should be evident at (a) plan preparation, and (b) plan implementation stages.

Role of SEA

Whilst sustainability appraisal of development plans remains an option it is vitally important that statutory guidance on planning and sustainable development identifies practical actions that can be taken to ensure the sustainable development duty outlined in the Planning etc (Scotland) Act 2006 is met.

It would be helpful if the guidance considered how planning authorities are to use the outcome of SEA work in relation to meeting the sustainability requirement. Some direction / examples of how SEA outputs can be brought together with other planning activity relating to social and economic issues and how robust conclusions can be drawn would be helpful in determining what a sustainable approach to plan making may look like.

Recommendation 8

Guidance should be included on how planning authorities can use the outcome of SEA work to meet the sustainability requirement of the Planning etc (Scotland) Act 2006.

Monitoring

Para 51: although the issue of Outcomes is dealt with in Para 51, more detail on monitoring would be helpful, especially as progress on sustainable development is notoriously difficult to assess and usually cannot be reduced to tables of figures.

Development plans should promote outcomes which ensure social, economic and environmental goals can be achieved together, whilst acknowledging that they cannot be held responsible for delivering outcomes which are not land-use related.

Monitoring the implementation of development plans must therefore ensure that mechanisms are put in place to ensure that social, economic and environmental outcomes are able to be captured through some means which may not be the monitoring of the development plan itself. Traditional monitoring mechanisms may not be appropriate for this

purpose, and more creative solutions may be required – including carbon counting, eco-footprinting, etc.

Capturing the contribution of the development plan towards the wider sustainable development of an area may also be done through linking into monitoring systems for community planning for example.

Recommendation 9

Guidance on how to capture the sustainable development outcomes of the development plan through means which may not be through monitoring of the development plan itself should be included.

General comments

Para 2: The guidance should focus on sustainability. Although climate change is a good example of how economic, social and environmental issues interact and the need to identify solutions which will achieve outcomes in all three areas, it should not be the focus of the proposed guidance. Climate change should be dealt with in the same way as other issues under paragraphs 26-50.

Recommendation 10

Climate change should not be the focus of the guidance; it should be dealt with in the same way as other issues under paragraphs 26-50.

Recommendation 11

An additional bullet point should be inserted in paragraph 7 on the need to reconsider what constitutes good design as a result of adaptation to the changing climate – “traditional” design may no longer be the most sustainable.

Recommendation 12

Paragraph 30 should make reference to the requirement for an environmental baseline under SEA requirements rather than to climate change which is only one aspect of the SEA requirement.

Conclusion

With the requirement for planning to contribute to sustainable development now enshrined in legislation, statutory guidance on planning and sustainable development is very much welcomed.

A sustainable approach must be embedded in the planning process from plan preparation stages through to implementation, monitoring, and review. As such it will be important that any proposed guidance on sustainable development is seen to provide an overarching framework within which the functions of land use planning are carried out.

Sustainability should be the principle which binds together all other guidance on planning, and should at the very least be adopted as an Annex to SPP1, with a view to incorporation of the guidance as main text within SPP1 at its next review.

Response Form

Please complete the details below and return with your response. This will help ensure we handle your response appropriately. Thank you for your help.

Name: Scottish Borders Council

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1. Are you responding: (please tick one box)

(a) as an individual (go to Q2a/b then Q4)

(b) on behalf of a group/organisations (go to Q3 and then Q4)

INDIVIDUALS

2a. Do you agree to your response being made available to the public (in Scottish Executive library and/or on the Scottish executive website)?

Yes (go to 2b below)

No, not at all (we will treat your response as confidential)

2b. Where confidentiality is not requested, we will make your response available to the public on the following basis (please tick one of the following boxes).

Yes, make my response, name and address available

Yes, make my response and name available, but not my name or address

Yes, make my response and name available, but not my address

ON BEHALF OF GROUPS OR ORGANISATIONS:

3. The name and address of your organisation will be made available to the public (in the Scottish Executive library and/or on the Scottish Executive website. Are you also content for your response to be made available?

Yes

No (we will treat your response as confidential)

SHARING RESPONSES / FUTURE ENGAGEMENT

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

Yes

No