



**West Lothian
Council**

Sandra Carey
Scottish Executive
Planning Division
Victoria Quay
EDINBURGH
EH6 6QQ

22 June 2007

Dear Ms Carey

**CONSULTATION: SCOTTISH EXECUTIVE DEVELOPMENT DEPARTMENT -
PLANNING DIVISION**

**"STATUTORY GUIDANCE ON PLANNING AND SUSTAINABLE DEVELOPMENT
- Consultation Paper"**

RESPONSE FROM WEST LOTHIAN COUNCIL

Please accept this letter as the formal response from West Lothian Council on the above consultation paper. An E-mail response has been sent in for the 22/6/07 deadline to planningandsusdev@scotland.gsi.gov.uk with the paper copy being sent on the same day including the Respondee Information Form. The council has no objection to these comments being published on your web-site.

At the current time, the policy appears supportive, but it does not fully engage with the real issues inherent in climate change as starkly portrayed in The Stern Review and Intergovernmental Panel on Climate Change (IPCC) reports. However, in the coming decades as the impacts of climate change start to take effect in Scotland, and, more seriously elsewhere, it is imperative that policy on adaptation strategies are strengthened and tied in more closely to the changes driven by legislation on carbon emissions reduction. Comments are offered in light of the expectation of an early climate change bill to the Scottish Parliament as intimated by the SNP/Green working agreement.

With respect to development planning, the overarching theme for the West Lothian Local Plan 2005 (WLLP05) is sustainable development. West Lothian Council also features as the first case study in the Annex to the recently published "Best Value and Sustainable Development" report from the Sustainable Scotland Network. WLLP05 is at Public Local Inquiry stage with the reporters' response anticipated in late 2007. Thus, comments from a development planning stance are offered with a view to the longer-term time-frame for a subsequent local development plan, or indeed, the new strategic development plan for the proposed city region.

GENERAL POLICY CONTEXT (paras 1 - 30)

(Paragraph 1) This goal, lifted from UK and Scottish sustainable development strategies, appears weak in contrast to an emerging view that early concerted effort (by 2020/2025) is imperative. A reinforced goal needs to reflect the aim of acting on climate change to avert irreparable damage to the biosphere and avoid subsequent acceleration of the global warming process, if the 2-3C global ambient temperature threshold is breached. The Statutory Guidance on Planning and Sustainable Development (SGPSD) should stress the important and urgent time-scales for incorporating real mitigation, adaptation and carbon reduction strategies in development planning.

Paragraph 8 of the SGPSD suggests areas for **potential implications of climate change:** coast, flooding, storms, landslips, waterlogged ground/rising water, natural environment, historic environment, rural areas. This section needs to be further expanded as it gets at the core of the challenges local authority planning departments, and associated functions, will face in the approaching decades.

The desktop scoping study in Appendix 1 suggests that there are very few areas where additional expertise and resources will not be required for West Lothian. In addition, further studies would need to ascertain measures to be taken for *adaptation* to potential local hazards &, arguably more importantly, *mitigation* of future risks. Critically, scientific experts in government should clarify a time frame for these additional future areas of work and offer more guidance on localised climate change impacts. For smaller authorities like West Lothian with limited resources, there is a case for joint working, such as with neighbour authorities like Falkirk Council, or through the City Region when it comes into existence.

PLANNING'S CONTRIBUTION (paras. 31 - 38)

Most of the sub-headings for planning's contribution to sustainable development in this section reinforce a gentle sustainable development/ business as usual approach. This is no longer a sufficient response to the threat of climate change, given that the most recent report published by the International Panel on Climate Change (4 May 2007) identifies

"2015 as the new target for which global emissions must peak by for the world to have any chance of limiting the expected temperature rise to 2C..."

Further, the Draft UK Climate Change Bill from DEFRA calls for a long-term legal target for reducing CO2 emissions through domestic and international action by 60% by 2050 through a series of phased 5-year carbon budgets. Central UK government and the devolved governments must take a strong lead in making these carbon budget targets deliverable and supporting local authorities, in this case planning departments, in this vital work. The IPCC specifically identifies development planning as an important agent for combining strategic policies with incentive-based approaches. Some thoughts on amplifying this section are:

- **A long-term tie up between major investment and re-structuring for integrated local and regional transport systems** in central Scotland with the phasing-in of carbon reduction management is required to give planning departments the necessary confidence for future strategic location decisions. While West Lothian welcomes the passing of the Bathgate-Airdrie Railway Act, the district's location at the hub of the central belt but with poor north-south public transport links, makes this a priority. This should be tackled within the wider SE Development Department.
- **Land use implications for local food and fuel security** should be an item in its own right for Scotland which has a very limited market garden sector and an emphasis on land

intensive renewables like bio-mass and wind power. The pressures and co-existence with open spaces and the green hinterlands, which support bio-diversity for Scottish towns and cities should be explored and clarified. West Lothian is very likely to experience further land pressures from Edinburgh under this new heading as adaptation measures, and greater agricultural potential, takes hold in the next twenty years.

- **Energy Efficiency** - please add as well a sub-heading for **Low and Zero Carbon Buildings and Developments**. To avoid local authorities replicating or producing poorly-informed technical guidance in this area, and Scottish homeowners mis-spending their money on inappropriate hardware, clarity is needed on best practice, Scottish Planning Policy 6: Renewable Energy notwithstanding. Ultimately, the demand for mechanically based energy needs to be reduced. For new development, the emphasis needs to be on low/zero carbon development. For retrofit of the lions' share of existing buildings, guidance needs to focus on improving air tightness and natural ventilation methods to acceptable standards before advocating hydrocarbon or renewable energy inputs. Clearly, the success of the '**passive house**' approach in other northern European countries shows that it is possible for new buildings to have both low carbon and low ecological footprints. While the *Planning etc. (Scotland) Act* promotes the right development in the right place, further guidance should be offered on the right alternative energy measures for the right building type and right development layout.
- Planning is not the appropriate authority to deal with assessing the provenance of recycled, low-embodied energy and toxic building materials, but it would be able to endorse the use of **accredited sustainable procurement systems**, like the Forest Stewardship Council. Building Standards already deal with many of these matters as does Trading Standards.

KEY MECHANISMS FOR DELIVERING SUSTAINABLE DEVELOPMENT THROUGH PLANNING (paras 39 - 51)

There are several areas where this section needs to be strengthened to support planning authorities in fulfilling their expanding role in the strategic response to climate change.

(Para 39) National Planning Framework is an appropriate mechanism for tackling the large-scale and far-reaching decisions, which will be need to be taken to combat climate change. A framework, which supports the strategic requirements of mitigation, adaptation and carbon reduction, would be welcome.

(Paras 40 - 44) Development Plans and Environmental Health Matters: The council's Environmental Health Manager reports that two areas of concern, which are not mentioned in the draft guidance, are impact on air quality and general noise pollution. In West Lothian our air quality meets national standards but in some locations it is very close to the limit. If Air Quality Management Areas are declared, we would need to use development planning guidance to reduce pollution sources: such as severe limits on housing growth, increased pedestrian areas etc. Our noise complaints are rising year on year due to people living closer together and being less tolerant. Population growth in West Lothian is contributing to our reducing air quality and noise increase, and thought should be given in the SGPSD on how these matters can be tackled and resolved because moves towards 'eco-density'/density intensification at transport hubs will require solutions.

(Paras 45 - 46) Supplementary Planning Guidance (SPG): To achieve greater levels of sustainable development, detailed SPGs will be an important vehicle. Where local authorities have advanced development plans, it should be possible to produce robust and defensible SPGs which are not signalled in the development plan. SGPSD should offer such authorities

a hook upon which to hang additional guidance if planning is to make its full contribution to supporting sustainable development.

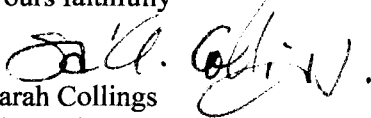
(Paras 49 - 50) Knowledge and Skills: More emphasis must be given to the relevant areas of earth and environmental sciences for planners to carry out their increasing role in sustainable development planning. A range of Continuing Professional Development courses should be developed and offered in this area.

CONCLUSION

For West Lothian Council, a strengthening of the guidance to allow the authority's development planning service to make a full contribution to combating climate change is recommended. For the anticipated concentrated effort this will require throughout the life span of the SGPSD and beyond, appropriate levels of additional resources and increased expertise are sought.

We welcome the outcome of the consultation process on the consultation paper, "Statutory Guidance on Planning and Sustainable Development" and urge the executive to produce a more robust and stronger policy document which responds to the challenging scenario Scottish planning departments face in the approaching decades.

Yours faithfully


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**APPENDIX 1: INITIAL SCOPING OF POTENTIAL CLIMATE CHANGE IMPACTS
IN WEST LOTHIAN**

Potential Climate Change Implication	WLC Area Potential Vulnerability	Internal Expertise Available	Existing Resources Available	External expertise required?/ Additional resources Required?
Coast: protection works	Ltd: short coast-line, quickly rising to 20m+	None known.	None known.	Yes/ yes, but limited.
Flooding: inland flooding/ pressure on other land	West WL, R Almond watershed	Flood Risk Officer	Budget only meets current needs	No/ yes
Storms: exposed sites, more robust construction & infrastructure	West & south WL over 200m contour	Civil engineers - extra training/ specialists may be needed	No dedicated funds known.	Some/ yes
Landslides: threats to existing and proposed development	Potential in or near steeper ground in west & south WL	Civil engineers - extra training/ specialists may be needed.	Soils strategy updates; slope stability analysis required	Some/yes
Waterlogged ground/rising ground water: land drainage systems	Significant issue for most of West Lothian due to poor soils.	Drainage specialist expertise required.	No dedicated funds known.	Yes/yes.
Natural Environment: stress of habitats; pressure from biomass, food production etc.	Significant pressure on Central Belt	Environment manager.	Very ltd staff & budget.	Yes/ yes.
Historic Environment: vulnerability to harsher weather	Threats to industrial heritage.	Conservation officer.	Ltd budget.	No/ some.
Rural Areas: Longer growing seasons, farming & forestry changes.	Strong pressure on central belt.	No agricultural expertise; forestry - some.	Ltd staff & budget.	Some/some.

<ends>

RESPONDEE INFORMATION FORM: Draft Statutory Guidance on Planning and Sustainable Development

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

Name: SARAH COLLINGS (MS)

Postal Address: WEST LOTHIAN COUNCIL, PLANNING
COUNTY BUILDINGS, LINLITHGOW EH49 6BP

1. Are you responding as: (please tick one box)
- | | | |
|------------------------------------------|-------------------------------------|-------------------------|
| (a) an individual | <input type="checkbox"/> | go to Q2a/b and then Q4 |
| (b) on behalf of a group or organisation | <input checked="" type="checkbox"/> | go to Q3 and then Q4 |

INDIVIDUALS

- 2a. Do you agree to your response being made available to the public (in the 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 all available

Yes, make my response 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. Your name and address of your organisation *will be* made available to the public (in the Scottish Executive library and/or on Scottish Executive website). Are you content for your response to be made available?

Yes

No We will treat your response as confidential

SHARING RESPONSES/FUTURE ENGAGEMENT

4. 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 we require your permission to do so. Are you content for the Scottish Executive to contact you again in the future for consultation or research purposes?

Yes

No

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