

Schedule:

Other Planning Issues

Issue: Scottish Executive (Publication) Consultation : *Statutory Guidance on Planning and Sustainable Development*

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Considerations:

The Planning, etc (Scotland) Act 2006 gives formal status to the objective of contributing to "sustainable development" through the content of the National Planning Framework and the new development plans. However, despite much debate during the legislative process, the term "sustainable development" was not given a legal definition in the Act. The Executive has instead issued, for consultation, draft Guidance as to its meaning and implications, with responses sought by 22nd June. It may be considered a basic difficulty with this approach that many aspects of the integrated concept of "sustainable development" are described by reference to components that have themselves to be labelled "sustainable" (sustainable transport, sustainable economic growth, etc). This Guidance will sit alongside the national planning policies publications (SPP series), wherein much of the detailed guidance on this widely-interconnected concept is, or will be, found.

Comment: *Given the new legal status of Sustainable Development this guidance is welcomed. This issue is likely to be the subject of future scrutiny and potential challenge. In this context a single planing policy statement, perhaps through a revised SPP1 could help to guide planners and decision makers in the context of the relative weight and priorities to be given to the range of objectives set out in the current topic based planning policy series. Additional practical guidance on the robust assessment of development plans in the context of sustainable development would also be welcomed*

The Guidance is intended to set out the general principles encompassed by "sustainable development" and to suggest how planning, and especially development plans, can contribute to achieving them. It is stated that a sustainable policy must address 5 basic principles:

- Living within environmental limits
- Ensuring a strong, healthy and just society
- Achieving a sustainable economy
- Promoting good governance
- Using sound science responsibly

These principles are also seen as underpinning efforts to combat and/or adapt to climate change, which is seen as one of the key factors determining what is 'sustainable'. Strategic Environmental Assessment (SEA) is emphasised as the means of demonstrating (at national and local level) that the potential environmental consequences of plan implementation have been identified. The SEA process does not encompass the balancing of these effects against economic and social considerations and it is recognised that these will not be simple judgements.

Comment *Recognition of the inherent complexity in balancing these issues is welcomed. Neither this guidance nor the current series of Scottish Planning Policy give clear advice as to how some of these sometimes conflicting objectives may best be reconciled.*

The link between planning and transport is viewed to be crucial, with emphasis placed on reducing the need to travel and the promotion of sustainable modes of transport. There is a clear indication that major development detached from main settlements is likely to be viewed as less sustainable. Development Plan strategies will be required to include a clear logic and

rational for choosing some development locations over others, considering issues such as the capacity of existing towns, urban regeneration potential and rural development.

The consultation paper states that Planning for sustainable development is largely about *location, design* and *layout*. Development plans are mainly about the location of new development and the main contributions to sustainability are:

- Minimising the need to travel, and enabling accessibility by 'public' transport systems
- Avoiding risky locations such as areas subject to flooding, erosion or storm exposure
- Recycling previously used land, such as through urban regeneration.

Design and layout issues should generally be reserved to supplementary planning guidance or site – specific masterplans and briefs. The development plan may, however, provide a framework for energy- and resource-efficient building in styles appropriate to the local environment, and may also take in some aspects of the *operation* of completed developments (such as the management of waste arisings).

Comment It is noted that future development plans will have to clearly set out the rationale for the location of proposed housing and other developments, in the context of sustainable development.

Conclusions

1. The proposed statutory nature of this guidance and its link to The Planning Act emphasise the future importance that will be placed on sustainable development in future development plan preparation.
2. This means that the development plan process is likely to be open to future scrutiny and possible challenge in the context of this objective. Further guidance on the robust assessment and monitoring of plans and policies, and the relative weight to be attached to the various considerations would be welcomed in this respect.
3. A single national policy statement, perhaps replacing SPP1 to clarify the priorities for the Planning system set in the context of sustainable development would be welcomed. This could help to guide planners and decision makers through the current plethora of government guidance for individual topic areas, which may in some instances give conflicting messages in the context of sustainable development.
4. The Guidance is in large part a summary restatement of basic planning principles. The recognition that "promoting and enabling sustainable development ... is however not a simple tick-box exercise" and will involve difficult judgements, is welcomed.

Recommendation

It is recommended that the above comments are submitted to the Scottish Executive in response to this consultation.

RESPONDEE INFORMATION FORM

Please complete the details below and attach it with your response. This will help ensure we handle your response appropriately:

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Consultation title: **STATUTORY GUIDANCE ON PLANNING AND SUSTAINABLE DEVELOPMENT: DRAFT FOR CONSULTATION**

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

- (a) an individual (go to 2a/b)
(b) **on behalf of** a group or organisation (go to 3)

2a. **INDIVIDUALS:** Do you agree to your response being made available to the public (in SE library and/or on SE website)?

- Yes (go to 2b below)
No, not at all

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

3 **ON BEHALF OF GROUPS OR ORGANISATIONS:**

Your name and address as respondents **will be** made available to the public (in the SE library and/or on SE website). Are you content for your response to be made available also?

- Yes
No

4. We will share your response internally with other SE 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