Local Government and Communities Committee

Planning (Scotland) Bill

Submission from Paths for All

Background

We welcome the opportunity to respond to this request for evidence. Our comments are limited to those aspects that have direct relevance to the work and objectives of Paths for All. These comments build on our responses on the Scottish Planning System consultation (April 2017) and the Places, People and Planning - Position Statement (August 2017).

Our work supports the delivery of the Scottish Government’s Active Scotland Outcomes Framework, National Walking Strategy and the Long-term Vision for Active Travel in Scotland, community and workplace health walking, path network development and active travel policy development.

Our vision is for walking and cycling to be the natural choice for short journeys, creating a healthier, socially inclusive, economically vibrant, environmentally friendly Scotland.

The Bill should aim to not only improve development planning in Scotland but also support key policy areas such as the National Walking Strategy – improving quality of life and quality of place.

A duty to promote walking and active travel

The proposed changes to the planning system offer an opportunity to mainstream walking in everyday life. We consider that current policies often say the right things but do not always, in practice, deliver on walking.

One option is for a specific mention of walking and active travel in the legislation to give more weight to their promotion and ensure less scope for policy intentions to be diluted. This could entail a duty to promote walking and active travel being placed on planning authorities and all other public bodies.

Specific questions:

1. Do you think the Bill, taken as a whole, will produce a planning system for Scotland that balances the need to secure the appropriate development with the views of communities and protection of the built and natural environment?

We do support the intent to focus planning, and planners, on what communities need, rather than on writing plans but we are concerned that there may be too much emphasis on development at the expense of the environment and community needs. We support the overarching intent to front-load the system to lead future development through meaningful engagement, collaboration and clear evidence. We are however unclear if this can be delivered.
2. To what extent will the proposals in the Bill result in higher levels of new house building? If not, what changes could be made to help further increase house building?

We support the intention that health and improved quality of life is supported by well designed, functional places. Whilst we recognise the need to deliver more homes, if the homes do not allow for easy access to opportunities for walking and active travel to and from work, school, amenities, etc there is a danger that we are creating increased future costs to our health and local infrastructure systems, reducing our community safety and increasing our carbon emissions. It’s not just about the numbers, it’s about creating quality, sustainable, pleasant places for people to live.

We support the need for quality homes in the right location, with the appropriate infrastructure. This infrastructure must include the provision of walking and cycling opportunities. Indeed, we believe that one option is for a specific mention of walking and active travel in the proposed legislation to give more weight to their promotion and ensure less scope for policies to be “watered down”. This could entail a duty to promote walking and active travel being placed on planning authorities and all other public bodies.

We understand the need for clarity on legislation and policy regarding land acquisition but are wary that this does not confuse the need for effective legislation to allow compulsory purchase of land to create effective safe, off-road, usable and accessible routes. There is a clear link between this work and the work of the Active Travel Task Force that has been convened by the Transport Minister.

The infrastructure first approach is a welcome proposal. We support the recognition that infrastructure is critical to the functioning of quality places and that people need choices about how they move around. This means priority given to walking and cycling and reduced priority for private cars. This could be extended to encompass other land-use and community planning strategic issues.

Land use and transport planning need to be integrated to ensure that their impact on connectedness, accessibility, and active travel are brought together and used to improve quality of place. There is a clear link between this and the work of the Active Travel Task Force. However, reinforcing the need for walking as a quality of life issue, not just a transport issue is important in meeting the ‘place’ aspirations.

Green infrastructure supports quality of life - the links between planning, place, environmental quality and health are very clear. We very much support the Place Standard approach to planning future development and regeneration and the implementation of Creating Places, Scotland’s Policy for Architecture and Place.

We are not clear how the Government will ensure that local authorities work together to decide where national housing needs will be met in the absence of Strategic Development Plans.
3. Do the proposals in Bill create a sufficiently robust structure to maintain planning at a regional level following the ending of Strategic Development Plans and, if not, what needs to be done to improve regional planning?

There is a need to clarify how regional partnerships will achieve the cooperation needed to deliver important infrastructure and development at the regional level without Strategic Development Plans.

We agree that development plans should take account of wider community planning, but the necessary skills and resources will need to be in place to successfully deliver the new style plans.

There will also be a need to clarify the links between community plans and spatial planning. Local aspirations for active travel, healthy lifestyles and quality of place should be expressed through spatial planning. Core Paths Plans and wider path networks must be integrated into this process.

4. Will the changes in the Bill to the content and process for producing Local Development Plans achieve the aims of creating plans that are focussed on delivery, complement other local authority priorities and meet the needs of developers and communities? If not, what other changes would you like to see introduced?

One option is for a specific mention of walking and active travel in the legislation to give more weight to their promotion and ensure less scope for policy intentions to be diluted. This could entail a duty to promote walking and active travel being placed on planning authorities and all other public bodies.

5. Would Simplified Development Zones balance the need to enable development with enough safeguards for community and environmental interests?

The successful introduction of these zones will be dependent on effective front-loaded consultation and sufficient community and environmental safeguards.

6. Does the Bill provide more effective avenues for community involvement in the development of plans and decisions that affect their area? Will the proposed Local Place Plans enable communities to influence local development plans and does the Bill ensure adequate financial and technical support for community bodies wishing to develop local place plans? If not, what more needs to be done?

In principle we support the intent to empower people and communities to get more involved and to have a real influence over future development, but we do have concerns over the position of communities.

Many feel they have little influence on the planning decisions affecting their area. Some of our partners very much support third party right of appeal and we understand this. We remain to be convinced that promises of early involvement of communities will remove this issue.
We support the intention that a wider range of people – including young people - should be encouraged and inspired to get involved in planning. We agree the system should be more front loaded – encouraging early involvement.

The proposals appear to increase the opportunity for communities to engage in planning. Whether it does increase community involvement will depend on how this is promoted and implemented and the capacity of communities to engage. We would support local place plans but would like clarification if these will be part of Community Planning Partnerships or separate.

Planners will need to be in a position, with the right tools, to provide communities with the information they need about context and constraints such as the impacts of climate change. This will be essential to ensure that community plans are deliverable.

There will need to be a clear commitment to community development, empowerment and engagement if all communities are to be able to participate in the planning system. We would suggest that the use of the Place Standard is standard in all community consultation.

7. Will the proposed changes to enforcement (such as increased level of fines and recovery of expenses) promote better compliance with planning control and, if not, how these could provisions be improved?

8. Is the proposed Infrastructure Levy the best way to secure investment in new infrastructure from developers, how might it impact on levels of development? Are there any other ways (to the proposed Levy) that could raise funds for infrastructure provision in order to provide services and amenities to support land development? Are there lessons that can be learned from the Infrastructure Levy as it operates in England?

We would support introducing powers for a new local levy to raise additional finance for infrastructure in addition to Section 75 obligations. Enhanced infrastructure for walking and active travel should be prioritised.

Any Infrastructure Levy that is to be applied needs to ensure that there is no public subsidy for developments that promote car use, or place unsustainable operational costs on to local Councils.

9. Do you support the requirement for local government councillors to be trained in planning matters prior to becoming involved in planning decision making? If not, why not?

We would support this proposal as it should encourage consistent and well-founded planning decisions at a local level. There is also a need to work with planning professionals and elected members to improve and broaden skills relating to walking, cycling and active travel.
10. Will the proposals in the Bill aimed at monitoring and improving the performance of planning authorities help drive performance improvements?

-  

11. Will the changes in the Bill to enable flexibility in the fees charged by councils and the Scottish Government (such as charging for or waiving fees for some services) provide enough funding for local authority planning departments to deliver the high –performing planning system the Scottish Government wants? If not, what needs to change?

-  

12. Are there any other comments you would like to make about the Bill?

The National Planning Framework brings together wider Scottish Government policies. However, we suggest that the net is cast wider to include Transport Scotland’s Long-term Vision for Active Travel, the National Walking Strategy, the Cycling Action Plan for Scotland and the Active Scotland Outcomes Framework. There are clear links to be made with the review of the National Transport Strategy, the work of the Active Travel Task Force and the review of National Planning Framework.

Let’s Get Scotland Walking - The National Walking Strategy (NWS) and Planning

The National Walking Strategy sits within the context of the Active Scotland Outcomes Framework which describes the key outcomes desired for sport and physical activity in Scotland over the next ten years, National Planning Framework 3 and the Long-term Vision for Active Travel in Scotland 2030.

The National Walking Strategy makes the links between active travel, health and environment. It has three strategic aims:

• Create a culture of walking
• Better walking environments throughout Scotland
• Ensure easy, convenient independent mobility for all

The NWS Action Plan outlines some key game-changers. One of these is the role that planning can play in promoting multi-use development where people live in walkable proximity to employment and retail and through supporting the Town Centre First principle.

Planning is highlighted further in a strategic theme of the Action Plan which is to: “achieve better quality walking environments with attractive, well designed and managed built and natural spaces and places for everyone”.

Specific actions where planners can contribute are also contained in the action plan. They include:
• Prioritise and support good quality walking environments, including green infrastructure, through planning and development (land use, transport, housing etc.) at national and local authority levels in both urban and rural areas
• Ensure all households in Scotland’s urban areas are no more than 5 minutes’ walk from promoted, publicly accessible and attractive greenspace, parks or local path networks
• Ensure all future planning policies / developments prioritise walking
• Ensure designs for public and private developments deliver secure connectivity within communities for pedestrians
• Develop the capacity of locally based organisations, including community planning partnerships, to identify the scope for large and small improvements to the walking environment
• Ensure all local authorities, national park authorities and other land managers adopt the Path Grading System across Scotland
• The National Planning Framework, Scottish Planning Policy, development plans and development management processes should mainstream infrastructure and the right environments to encourage walking.
• Promote the Place Standard as a means of encouraging developments to mainstream walking in their design

We understand that the policy review will come later, and we will also be pleased to participate in that. Better planning of our built environments – including making them more walkable and suitable for active travel will reduce inequalities – particularly health inequalities.

Ian McCall
Senior Development Officer