The following information details Scottish Water’s response to the twelve questions detailed in the call for written evidence on the Planning (Scotland) bill which was introduced to the Scottish Parliament on 4\textsuperscript{th} December 2017. Only those questions relevant to Scottish Water’s area of expertise or engagement with the planning system have been answered.

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?**

Scottish Water has been engaged through the Planning Review and is supportive of the Planning (Scotland) Bill. Scottish Water would like further clarity on the proposals for ‘Simplified Planning Zones’, ‘Local Place Plans’ and the proposed ‘Infrastructure Levy’ and will support the development of the proposals in the Bill and secondary legislation where it is relevant as this develops further. Further information on this is included in the relevant questions below.

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?**

No comment.

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?**

Since the Strategic Development Planning Authorities (SDPA’s) were formed Scottish Water has, along with the other Key Agencies, engaged with them. Scottish Water would want to see the knowledge, experience and information which has been shared and developed with the SDPA’s be maintained through the development of regional partnerships.

There needs to be a clear mechanism for cross boundary engagement to ensure that this is maintained in areas where there were SDPA’s and where other regional partnerships are planned to ensure the success of these.

If these things are done then the regional partnerships will have a strong foundation from which to develop regional planning further without the SDPA’s.
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?

Scottish Water support the proposal to remove the Main Issues Report but work needs to be undertaken to understand what information will be required to inform the proposed gate check. This will help all stakeholders to ensure that the appropriate level of engagement and resource can be allocated to this part of the process to ensure that any issues which could impact the delivery of sites, are identified as early as possible in the process. Engaging with communities at this early stage to gather their views and to develop their understanding of the background work which feeds into the plan may help to address some of the concerns which can be expressed later in the development journey.

Scottish Water supports the proposals for the creation of delivery plans which should help to ensure that sites move from the development plan through to development management. Updating these delivery plans regularly will also help communities understand that concerns they may have are being considered and addressed giving greater community confidence in the plans.

Scottish Water supports the move from a 5 year to 10 year plan and the option for plans to be updated within the plan period if required. This will help to ensure that the plans provide certainty of where development will occur. Further work will be required to understand the mechanism for plans to be updated.

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

Further information is required in relation to how technical assessments and infrastructure provision would be dealt with in order to support Simplified Development Zones (SPZ’s). Scottish Water is unable to reserve capacity within its infrastructure so there would need to be a way to monitor the rate of development over time and the impact of this on available capacity. The promotion of early engagement and collaborative delivery plans within an area may be a more sustainable approach to enabling development within an area.

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?
Further information is required to understand the remit of Local Place Plans and how engagement with these would be managed. During the Planning Review Scottish Water has raised concerns that infrastructure providers and Key Agencies may need to provide information to both LDP’s and Local Place Plans. This would lead to a duplication of effort and the risk of confusion as information may vary between the two if they are being developed at different times. There is a need to ensure that resource is focussed in the right place to ensure maximum benefit for all. Increased community engagement in the LDP process may be a more effective way to engage local communities and share information that creating additional plans.

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?**

No comment.

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?**

Scottish Water has been engaged in a number of workshops relating to the proposed Infrastructure Levy. The funding of infrastructure is a challenge and it is still not clear how the proposed infrastructure levy would work to address the existing challenges. Scottish Water is committed to supporting development and has clear funding policies in place to support development including an infrastructure fund which gathers contributions from developers to support future development. Scottish Water will continue to engage in discussion relating to the proposed Infrastructure Levy.

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?**

Yes, Scottish Water supports the requirement for local government councillors to be trained in planning matters prior to becoming involved in planning decision making. Along with the other Key Agencies Scottish Water is keen to support the development of this training.

10. **Will the proposals in the Bill aimed at monitoring and improving the performance of planning authorities help drive performance improvements?**

No comment.

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?

No comment.

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

Scottish Water is supportive of the proposals to remove supplementary guidance from LDP’s and for this to be consolidated along with Scottish Planning Policy within National Planning Framework 4. Scottish Water are already working in collaboration with the Scottish Government Water Division, SEPA and the Society of Chief Officers of Transportation in Scotland (SCOTS) to jointly influence the Scottish Government planning team to ensure that surface water infrastructure is considered earlier in the planning process. This engagement will continue to with the aim that guidance on the management of surface water is included within NPF 4. We would also be keen to support the LDP/Masterplan to include a minimum requirement for wastewater and surface water infrastructure, and encourage the review to identify a plan to understand where training and upskilling is required to aid implantation of these changes on the ground.

Scottish Water supports the exclusion of a Third Party Right of appeal as part of the Planning (Scotland) Bill.