Local Government and Communities Committee

Planning (Scotland) Bill

Submission from Sustrans

Introduction

Sustrans is the charity making it easier for people to walk and cycle. We connect people and places, create liveable neighbourhoods, transform the school run and deliver a happier, healthier commute.

To summarise our response, the Planning Bill offers potential improvement to Community Engagement in planning and we welcome the introduction of simplified development zones. The introduction of an infrastructure levy is an important step forward, however, there should be greater clarity on how this can or should be spent. Finally, the Bill should offer more to improve the density and siting of development, and take a broader view of measures that can help to tackle climate change, including encouraging active travel.

Our response to the Call for Evidence is limited to questions 1, 3, 5, 6, 8 and 9.

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?**

The Bill misses an opportunity to reinforce the Scottish Government’s commitment to addressing climate change. The planning system is key to creating development and infrastructure which can positively impact environmental issues and social behaviour change, and which is geared towards a sustainable future.

If Scotland is to tackle climate change it is vital that we use all mechanisms available to achieve this, including developing a planning system that encourages active travel. The planning system can contribute to the carbon impact of communities both in building standards and in transport by reducing travel distances and promoting transport by certain modes. The siting and density of development should receive greater focus in Scotland’s planning system to benefit action against climate change, as it can encourage more journeys on foot and by bike and help to embed essential services locally in communities. This reduces reliance on fossil fuels and cars, and has associated benefits for people at risk of transport poverty or in ‘forced car ownership’. Scotland already stipulates that low and zero carbon technologies should be used in housing, as per the Town and Country Planning Act. However, to tackle climate change there is a wider portfolio of issues that planning can address, including encouraging active travel.

The Bill offers the potential for improvement of community engagement in the planning process, which is to be welcomed. However, whilst there is an existing duty in Scottish planning to ensure sustainable development, Sustrans Scotland believes that there is a missed opportunity regarding strengthening planning for climate mitigation.
An improvement to the Planning Bill would be greater weight to Scottish Planning Policy (SPP3) for the siting of new development, and especially to promote use of brownfield sites. A second improvement could be made by reference to policy statements such as Designing Streets to promote increased density. The Bill should also clarify that the infrastructure levy should be used to ensure that an ‘infrastructure first’ approach becomes the norm. People decide on travel habits when they occupy a new development, moving house or to a different office, for example. Walking and cycling routes and facilities need to be available before a new development is occupied, instead of being retrofitted at a later date, to ensure that active travel is a desirable choice from the outset.

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 insufficient detail to demonstrate how regional collaboration between authorities will be maintained or indeed strengthened by the Bill.

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

Overall, Simplified Development Zones are likely to enable development more quickly. Whether the Simplified Development Zones safeguard community and environmental interests is unclear. Consultation will need to be carried out at various stages in the process of designating and designing the zones if it is to be effective.

Sustrans Scotland believe that Simplified Development Zones offer an improved pathway to developing brownfield sites, that can more often offer the type of siting and urban density that makes active travel an easier and more attractive option. This does not remove a requirement for an ‘infrastructure first’ approach to ensure that walking and cycling are safe and attractive immediately. However, in the majority of cases this will make integration with existing networks cheaper and shorter journey distances should support increasing active transport modal share, in line with the Cycling Action Plan for Scotland and National Walking Strategy.

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?

Yes. Local Place Plans (LPPs) will go some way to enabling greater community involvement in development and the decisions affecting their area. We would expect to see the opportunity to create such plans promoted in areas of deprivation. It is vital that inequalities are addressed, which will require funding and support for the production of LPPs, a flexible approach to gathering views and weight given to the views of communities subject to socioeconomic disadvantage. Similarly, we would
expect to see lesser heard groups engaged in the process as a priority and support to enable this within community groups will be required.

Sustrans Scotland are concerned that if the Bill and subsequently the LDPs do not give sufficient weight to environmental issues, as discussed above in our response to question 1, LPPs may be expected to or attempt to tackle these issues alone. Without additional funding and support for these specific issues, this will be difficult to achieve.

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?

While the infrastructure levy could improve infrastructure provision and enable development, we are concerned that there is insufficient detail to demonstrate how it might tackle the issue of transport poverty and the poor siting of developments in locations with little or no existing infrastructure. Sustrans Scotland had hoped to see greater priority for development sites in areas with existing infrastructure (which could still be enhanced through an infrastructure levy) and close to employment centres.

Furthermore, we had hoped to see Green Infrastructure (GI) recognised as a priority for spending the infrastructure levy. While the Bill’s definition of infrastructure makes reference to ‘places for recreation’, which we assume would include parks, Scottish Planning Policy states that GI is far broader and includes blue infrastructure. In the document Green Infrastructure: Design and Placemaking, the government also notes that “Green infrastructure can deliver on functions and services such as shelter, access and travel, sustainable urban drainage, pollution mitigation and food production – as part of a wider ecosystem”. Not including GI within the definition of infrastructure specifically is a missed opportunity to raise the profile for multifunctional GI and its use in development. Well-designed GI helps to promote active travel along with opportunities for improved health and wellbeing, reduced emissions, assisting in flood management, and enhanced biodiversity.

Sustrans Scotland believe that the Bill would benefit from greater clarity on where revenue from the infrastructure fund would be targeted and what in particular it should be spent on. Whilst local authorities will have knowledge of where spending is required, strategic direction within the Bill would ensure that the infrastructure levy contributes to achieving the goals of multiple Scottish Government policy areas (for example, the Cycling Action Plan for Scotland and Cleaner Air for Scotland).

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, in particular councillors should be trained in:
• Sustainable Development
• The Climate Plan
• The Land Use Strategy
• The Scottish Energy Strategy
• The Scottish Climate Change Action Programme
• Active travel