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4 April 2017

Consultation on the future of the Scottish Planning System

We are pleased to share Living Streets Scotland's views on the future of the Scottish Planning System. A planning system that supports walking is critical to achieving a range of strategic policy aims dependant upon increasing levels of physical activity, reduced air pollution and maintaining vibrant town centres. The historic decline in walking is strongly linked to poor planning choices. We believe the downward trend in walking can only be reversed if the planning system has a much stronger focus on health and wellbeing outcomes. In this context we have addressed the central planks of the consultation as follows:

- 1. Why Scotland should plan for walking?**
- 2. Does the Scottish planning system create good walking environments?**
- 3. Making plans for the future**
- 4. Building houses and delivering infrastructure**
- 5. Leadership and smarter resources**
- 6. People make the system work**

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Living Streets Scotland Consultation Response

The future of the Scottish Planning System

April 2017

Living Streets Scotland

Living Streets Scotland is part of the UK charity for everyday walking, which has worked on these issues since 1929 when we were first founded as the Pedestrians' Association. We want to see a Scotland where all generations benefit from streets fit for walking. Our priorities are: tackling the decline in walking; making walking the natural choice for short journeys and helping everyone enjoy the benefits of walking more often. The schools' walking project we deliver on behalf of the Scottish Government instils good habits that can last a lifetime. Our community street audits identify changes, both big and small, that can remove barriers to walking. Our expertise helps to put walking at the heart of public policy at a local and national and local level, including working in partnership with Paths for All to realise the ambitions of the Scottish Government's National Walking Strategy.

Walking as key indicator of wellbeing

Walking is the simplest form of transport accessible to almost everyone for short local journeys up to a range of about two miles or forty minutes. It is zero carbon and also delivers a wide range of health benefits, allowing physical activity to be integrated into everyday routines. It is also the most popular recreational activity, allowing people to not only exercise but socialise and appreciate their local environment. High levels of walking are also critical to a sense of place and essential to the vibrancy of Scotland's town centres. These benefits are recognised by the Scottish Government at a strategic level in policies for physical activity and the National Walking Strategy. Walking should be seen as a key indicator of whether the reforms are proving effective in contributing to national outcomes on health and wellbeing.

Does the Scottish Planning System create good walking environments?

The Scottish Planning system already promotes a strong suite of strategic suite of policies that encourage walking. Key documents include:

1. [Scottish Planning Policy \(2014\)](#) aims to promote development “*that considers place and the needs of people before the movement of motor vehicles.*”¹
2. [Creating Places - A policy statement on architecture and place for Scotland \(2013\)](#) supports “*the delivery of places that prioritise pedestrians and encourage activity and healthy lifestyles*”
3. [Designing Streets a Policy Statement for Scotland \(2010\)](#) which marks “*a change in the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles.*”
4. [The Town Centre First Principle](#) and [Town Centre Action Plan](#)

Despite this strong national framework delivery of places which support walking is very poor at a local level. This can be seen in most Scottish towns, where most new developments are either located out of reach of local facilities or basic walking infrastructure and links are of poor quality, especially for use by younger or older people. This result is a range of negative outcomes including low levels of physical activity, high transport costs aligned with long commutes, unnecessary car journeys, congestion and serious challenges in meeting emissions reduction targets. This situation points to a fundamental failure in the planning system in terms of its vision, values and processes. It is therefore vital that the reforms tackle the mismatch between Scottish Governments laudable policy ambitions on active travel and the failure to deliver positive outcomes at a local level.

¹ SPP June 2014, p.14, section 46.

Making plans for the future

The review states

“Planning should be central to the delivery of great places and a force for positive change”

Despite this statement we are disappointed that the consultation fails to discuss the values and purposes of the planning system. This section of the review largely focuses on processes and structures but does not link them to national outcomes. For example, the requirement to align community and spatial planning appears to be about structures and administrative consistency.

We support the focus on using national policies to make local development planning simpler and more consistent, especially if it frees planners to focus more on places and working with communities. Removing the main issues report and supplementary guidance is positive in terms of simplification. However, care is needed to ensure communities are informed about key issues and assumptions underpinning the proposed strategy.

At present many active travel policies are relegated to supplementary guidance and could therefore be lost if this tier of documentation is retired. However, putting Scottish planning policy on as statutory footing will help to promote active travel. The wording in national policies is critical. At present, this area of policy seems subject to interpretation at a local level which routinely allows development on unsustainable sites.

The focus on ‘making plans that deliver’, via land allocation, needs to be transparent in terms of how sites are prioritised taking account of factors such as good transport links. We believe that national health and environmental outcomes can only be delivered if local delivery avoids allocating development sites which lead to more car journeys. To avoid constraining land supply councils and developers should proactively work together to provide the necessary infrastructure, within realistic timescales. The new ‘gate check’ could have a role in scrutinising transport implications, particularly where congestion, pressure on local roads and parking and pollution seem likely.

People make the system work

Living Streets Scotland notes the planning system at present only delivers places that

developers think people and companies will invest in, whilst innovation is rare. There is an assumption that people want car based mobility and ease of access to parking. Sadly, most communities lack a knowledge and understanding of alternatives, for example developments with limited parking but provide access to car clubs and excellent public transport links. Without education, giving people and opportunity to plan their own places could deliver more of the same types of unsustainable development. Secondly, not all communities are equally able to take on this role without advice and support. Considerable investment in community development is needed. Use of the Place Standard is a useful starting point, but must be built upon.

We welcome steps to get more people involved in planning. Consultation should be seen as more than simply a stage in the process. A much stronger onus on being able to demonstrate participation from across communities is needed. Again the 'gate check' should send development proposals back to the drawing board were the response of communities has been limited. The creative use of equalities assessments at this stage is critical and should not be a generic or a tick box exercise. Both developers and planning authorities should be able to demonstrate engagement with a diverse range of groups.

Informed communities can often pick significant holes in developers understanding of local transport needs and opportunities. Public trust will be improved by demanding much more robust evidence of transport impact from developers. This is especially the case where sites aren't in the development plan e.g. those not near could public transport and active travel links.

Involving communities in place making exercises and early consultation is a much more positive use of people's time than fighting appeals. Therefore, reducing the overall number of appeals is vital to improve confidence in the system. This could be achieved preventing developers from appealing rejected applications which are deemed development plan departures. This is also likely to discourage speculative development on sites which have poor transport links. This could be further reinforced by barring appeals where councillors unanimously (or via a suitably high threshold) accept planning officer recommendations.

Building housing and delivering infrastructure

Housing sites

The focus on clearer aspirations for the amount of housing land is understandable. However, aspirations need to consider the type of land and housing to be provided as well as raw numbers estimated by developers. Without a focus on the type and quality of housing sites there will be pressure to consider less well located locations where walking isn't an attractive option. Issues of density should be part of the aspiration if vibrant and well connected places are to be created. Land reform to provide key active travel routes is also needed – e.g. parcelling land beyond the development for walkways and cycle lanes.

Zoned housing land must only be allowed where good active travel networks are already in place. Until the networks exist land should not be considered 'development ready'. Development ready shouldn't just mean ready for construction, but ready to support sustainable lifestyles. National policy should be very clear on this point.

Infrastructure

Walking and cycling links and ease of access to public transport should be key parts of the infrastructure first approach. A stronger commitment by both local authorities and developers to funding these links is required. The provision of good infrastructure is critical to promoting active travel. Our understanding of current housing and commercial proposals indicates few sites are development ready in terms of meeting users active travel needs or easy access to public transport. Finding and creating suitable sites should be a key focus of regional planning.

A more strategic approach could be promoted via an 'A BC' or 'Gold, Silver, Bronze' rating which takes account time distance to key local services and local sustainable transport connections. Large or strategic developments would only be allowed where a rating of gold could be achieved given appropriate investment. This process should be reinforced by directing the infrastructure levy to create sites which can cost effectively deliver gold class connections. A system of this nature has been used in Netherlands for several decades delivering much better results than the Scottish planning system.

Strategic Funding

Creating an infrastructure levy offers a compelling alternative to using planning conditions and agreements, which has proven a fragment and piecemeal approach resulting in conflicts, delays and uncertainties. The levy must be directed towards walking and cycling infrastructure, possibly by using a tariff based approach. Any tariff pricing should reflect the excellent value that walking projects delivers. We believe section 75 agreements are only really suitable for very local improvements e.g. crossings adjacent to a development. Without reform on funding in active travel goals will not be realised because new infrastructure will continue to be an aspiration rather than a necessity.

Stronger leadership and smarter resourcing

We strongly agree that planners need skills that deliver outcomes, particularly related to the health of communities and effective levels of participation. This needs investment, but we have some concerns that using increased fee income could lead to a focus on developer outcomes. Developers want quick decisions which can constrain opportunities to pursue high levels of participation and adequate consideration of longer term impacts.

To counter a focus on short-term objectives, planners should be judged on the types of development they consent over a suitably long timescale. In this respect, the lack of an evaluation culture in the planning system is a remarkable weakness. The evidence suggests sites chosen in development plans and the built forms they facilitate make people unhealthy by promoting inactivity, pollution and isolation. Tools such as the Place Standard have a role here in helping planners understand how people living and working in new places actually feel about them.

Care must be taken in removing the need for planning consent for minor developments – especially at street level. Altering footways can have significant equalities impacts and safeguards need to be place to protect vulnerable groups.

Whilst digital technology has a role, planners should not lose sight of people experiencing actual places e.g. site visits and bring people to together in the same place.

Conclusions

1. Making plans for the future is about more than processes and structures. More focus is needed on the ultimate aims and objectives of the planning system, especially how it delivers key outcomes related to health and wellbeing using indicators such as increased levels of walking.
2. Opportunities for people to plan their own places are welcome but this will require resources to support inclusive processes. Conversely communities need to be protected from appeals which distract from more positive forms of engagement.
3. Facilitating discussion on housing land requirements needs to consider the type and quality of development, particularly sustainable transport links. Mitigating transport impacts and promoting good travel behaviours should be a key focus of the infrastructure levy.
4. Performance needs to improve, but the focus must be on outcomes for communities not just the efficiency of the process. More robust evaluation is required to determine whether the planning system is working for or against the delivery of national outcomes, particularly health and wellbeing.

Our planning system has created conditions which create many negative outcomes for Scottish communities associated with a lack of opportunities to access active travel. It is not yet clear whether the package of reforms will deliver healthier types of development in the future.

Further information

Living Streets Scotland is happy to provide further information or clarification regarding our views and how the planning system can be improved to support walking.

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