

1 December 2015

Scottish Wildlife Trust's response to: Independent Review of Planning



General comments

The Scottish Wildlife Trust welcomes the opportunity to provide evidence on the Independent Review of Planning. The Scottish Wildlife Trust's central aim is to advance the conservation of Scotland's biodiversity for the benefit of present and future generations. We have a 25-year vision for Scotland in which we want to see a network of healthy, resilient ecosystems supporting expanding communities of native species across large areas of Scotland's land, water and seas.

The Scottish Wildlife Trust believes that inappropriately located and badly designed developments can have significant, detrimental impacts on people's quality of life as well as Scotland's biodiversity. We believe that delivering high quality sustainable places where people want to live can only be achieved by having a robust, well-resourced planning system which recognises that planning is about creating places for communities to flourish as opposed to building houses *per se*.

Game changing ideas

Planning is about people, communities, social cohesion, health and wellbeing and places - not buildings. For Scotland to consistently deliver sustainable settlements, decision makers must adopt this mind set. This accords with the Scottish Government's Creating Places policy on Architecture and Place for Scotland in which it is quoted:

First Life, then Spaces then Buildings.

The Trust believes that planning should not be considered as just a process, rather it should be seen as a meaningful journey of engagement which delivers sustainable places that add value to people's lives.

We agree with Sandifer et al.¹ that what is needed is:

"a re- envisioning of land-use planning that places human well-being at its centre"

For this be realised, there needs to be a broad coalition of experts to develop and align policies that promote human health and wellbeing in planning.² As part of this, it needs to be recognised that health and wellbeing are linked to nature and biodiversity. Which means that planners and decision makers needs to consider and invest in the 'green' as much as the 'grey' in the design process. Decisions should relate to placemaking rather than creating new housing stock and involve ecologists, urban ecologists, health and social scientists as well as planners.

It should be standard practice that communities engage in a meaningful way in the planning process – because it is their lives that will be affected - to ensure that planning delivers the places that they want. This accords with the Community Empowerment (Scotland) Act 2015 and the ambitions of the Land Reform Bill.

¹ Sandifer et al (2015) Ecosystem Services. Exploring connections among nature, biodiversity, ecosystem services, and human health and well-being: Opportunities to enhance health and biodiversity conservation. 12 1–15

² *Ibid*

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The charrette type process and using tools like the 'Place standard' are the best way to ensure that consultation is meaningful and front loaded. And, it is more likely that proposed new places will be accepted and have a 'smoother ride' through the planning system if citizens believe that what is to be delivered is what they have asked for and will add value to their lives.

Strengths and weaknesses of the planning system

The planning system is currently plan-led and should remain so.

Scotland has good planning policies which are laid out in documents such as National Planning Framework, Scottish Planning Policy (SPP), Creating Places, Planning Advice Notes and Circulars.

However, these policies do not always translate into high quality sustainable developments on the ground. Or indeed realise the Scottish Government's four strategic outcomes of the planning system:

- A successful, sustainable place – supporting sustainable economic growth and regeneration, and the creation of well-designed, sustainable places
- A low carbon place – reducing our carbon emissions and adapting to climate change
- A natural, resilient place – helping to protect and enhance our natural and cultural assets, and facilitating their sustainable use
- A more connected place – supporting better transport and digital connectivity

The Trust would encourage the Review Panel to examine how this 'lost in translation' issue can be rectified as we believe it is a fundamental flaw of the present planning system and tackling this issue is key to addressing the aims this review.

For example, developments are still coming forward and being approved which do not reflect Scottish Government ambitions. Why is this? How can a development be sustainable and resilient if it is located in an area with limited access to public transport, is not designed to encourage walking and cycling, or is built on prime agricultural land?

How can local development plans be approved which contain land earmarked for housing that are contrary to the principles of sustainable development? How can developments create natural resilient places if they do not plan for, and design in, high quality green infrastructure as part of the development from the outset?

We believe one of the problems of SPP is that decision makers are not compelled to deliver Scottish Government ambitions. SPP states:

Where 'must' is used it reflects a legislative requirement to take action. Where 'should' is used it reflects Scottish Ministers' expectations of an efficient and effective planning system.

Here are some examples of where we believe Scottish Government objectives would be delivered consistently within and across local authorities if 'shoulds' became 'musts' in SPP.

Placemaking policy principle:

Planning **should** take every opportunity to create high quality places by taking a design-led approach. (page 12)

Planning **should** support development that is designed to a high-quality, which demonstrates the six qualities of successful place (page 13)

Planning **should** adopt a consistent and relevant approach to the assessment of design and place quality such as that set out in the forthcoming Scottish Government Place Standard (page13)

Maximising the Benefits of Green Infrastructure:

Planning **should** protect, enhance and promote green infrastructure, including open space and green networks, as an integral component of successful placemaking (page 50)

The planning system **should**:

- consider green infrastructure as an integral element of places from the outset of the planning process;

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- assess current and future needs and opportunities for green infrastructure to provide multiple benefits;
- facilitate the provision and long-term, integrated management of green infrastructure and prevent fragmentation (page 50)

Development proposals that would result in or exacerbate a deficit of green infrastructure **should** include provision to remedy that deficit with accessible infrastructure of an appropriate type, quantity and quality. (page 52)

Green infrastructure **should** be treated as an integral element in how the proposal responds to local circumstances, including being well-integrated into the overall design layout and multi-functional. Arrangements for the long-term management and maintenance of green infrastructure, and associated water features, including common facilities, **should** be incorporated into any planning permission. (page 52).

The Land Use Strategy

The Trust believes there should be a stronger link between planning and the Scottish Government's Land Use Strategy (LUS). The LUS has three objectives relating to the economy, environment and communities - the three pillars of sustainability and principles for sustainable land use.³

The LUS is about getting the best from land – so that land use delivers multiple benefits. When local development plans are being drawn up, applying the principles of the LUS would help determine where development should and should not occur. It concerns mapping opportunities and constraints (in terms of ecosystem services) within a landscape/catchment/local authority to deliver the maximum benefits for people whilst still protecting and enhancing natural capital. The LUS applies the ecosystem approach⁴ which is about placing people at the heart of decisions relating to the land.

The outputs of applying the LUS support a plan-led system.

Two pilot studies have been conducted involving Scottish Borders Local Authority (LA) and Aberdeenshire LA. The Trust believes the ecosystem services mapping should help inform the next local development plans and guide future investment relating to natural capital.⁵

The Natural Capital Standard for Green Infrastructure

To address the inconsistency in quality of green infrastructure (GI) between developments, the Scottish Wildlife Trust is developing a tool - The Natural Capital Standard for Green Infrastructure - which assesses the quality and quantity of GI within a specific development, be it new housing, a school, a retail park or an industrial zone. The tool scores the quality of the total 'green layout' based on the ecosystem services provided by the types of GI within the development. For example native trees and shrubs score more highly than amenity grassland (because they deliver more ecosystem services). SUDS which are designed to be attractive to wildlife (and also have high aesthetic appeal) score more than those that are based on hard engineering. Hard surfaces score zero because they do not deliver any ecosystem services and in the case of non-permeable surfaces increase soil sealing and add to surface water flood risk.

This type of tool has been used by planners in Berlin, Malmö, Seattle and Chicago⁶. In some of these places it is statutory, in others it is not, but developers are incentivised to use it because it helps process their application in the planning system.

The Scottish Wildlife Trust would welcome the opportunity to discuss the applications of the tool with the Review Panel. We believe it contributes to the Scottish Government's ambition to deliver high-quality places for Scotland. Because it uses ecosystem services as a weighting factor it quantifies (in terms of GI) how a particular development is delivering benefits for people (and wildlife).

³ See: <http://www.gov.scot/Topics/Environment/Countryside/Landusestrategy>

⁴ The ecosystem approach is a strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way.

⁵ See <http://www.scotborders.gov.uk/info/1220/conservation/964/biodiversity/5>

⁶ See: GRaBS Project Website <http://www.grabs-eu.org/>

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Leadership, resources and skills

Because local authorities continue to face substantial cuts to their budgets - we are concerned that there are neither the resources nor the appropriate skills available to support the vision and creation of high quality sustainable places – places where citizens want to be, allowing communities to flourish. Meaningful community engagement which we would support, is time consuming; how will hard pressed local authorities be encouraged to devote resources to this process and what is the opportunity cost forgone by them doing so? Should the onus be on developers to invest in this type of engagement as opposed to consultation?

The Trust believes strong leadership is needed both within central and local government. It does not have to emanate from planning. Indeed, if planning is about addressing people's health and wellbeing, what is needed is a health and wellbeing champion – someone who understands the concept of *First Life, then Space then Buildings*. This would also tie in with community planning partnership objectives.

The ultimate goal of planning must be outcomes focussed – as outlined in SPP. This is unlikely to happen under the present system given the lack of incentives/regulations and variability in interpretation of policy across planning authorities. Under the present system we believe some local authorities are still focussed on delivering buildings and grey infrastructure, rather than high quality places.

The Trust is also concerned that some local authorities have lost biodiversity officers and/or ecologists; some are sharing them and others have no plans to replace them. This means that planning decisions impacting on Scotland's natural capital - in terms of protecting, enhancing or restoring depleted stocks – are not being made by those with the right set of skills. This may impact on a Scottish Government key priority (detailed in the Economic Strategy) which is to: Invest in natural capital, resource efficiency and low carbon.

The Scottish Wildlife Trust would like to be kept informed of the planning review process and would welcome the opportunity to discuss the issues raised in our response with the Review Panel.

For further information please contact:

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