

# Landscape Institute Scotland

## **Scottish Planning Policy (SPP) Consultative Draft**

Response of the Landscape Institute Scotland, June 2009

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### **Introduction**

The Landscape Institute Scotland (LIS) is part of the Chartered Institute in the UK for landscape architects, incorporating designers, managers and scientists, concerned with enhancing and conserving the environment. The Landscape Institute promotes the highest standards in the practice of landscape planning, design, management and research, representing members in private practice, at all levels of government and government agencies and in academic institutions and commercial organisations.

The Institute and its members have considerable interest in how planning policy is developed and interpreted nationally, regionally and at a local level.

In responding to this consultation we recognise that this document seeks to rationalise existing policy into a single document and that the intent has been for simplification and clarification rather than review of policy.

Whilst bringing the existing NPPs and SPPs together has the advantage of stream-lining, there is a risk that valuable information contained in the PPs may be lost and it would be helpful to know what further guidance to support this document is planned.

Perhaps the most significant risk in this approach has been not to review policy. When the stand-alone policies are combined in this way it becomes possible to see that policy as expressed in the PPs is now behind current emerging policy imperatives and implementation in a number of areas, most noticeably around sustainable development, transport and taking steps to respond to climate change. At a national level the LI has recently published 2 position statements. These cover the subjects of climate change and green infrastructure both of which are relevant to this consultation process. A third position statement on housing is in development. The Institute would welcome an early announcement on when and how the policy content of the consolidated SPP will be updated to reflect this type of information.

Having training, skills and experience in planning, design and management which are crucial in achieving good place-making, which addresses social and economic needs whilst making the most of a site's environmental assets or potential, our members are well-placed to provide good quality development.

In responding to this consultation we have elected to respond only to general points and those sections of direct relevance to landscape architecture and the landscape.

### **Q1. Overall, is national planning policy clearer and easier to understand in the consolidated SPP compared with existing SPPs and NPPGs?**

Generally, the document provides a useful summary. However, certain policies do not appear to read across particularly well. For example, the Transport section indicates that development should reduce the need to travel whilst the retail section continues to anticipate out of town development. This is no doubt unintentional, but is a result of the decision to consolidate rather than review policy.

### **Q2. Do you support the proposed structure and format of the consolidated SPP?**

Yes, although the ordering of the subject policies could be improved upon and it becomes clear from the policy headings that there are omissions in respect of newly developing policy on climate change mitigation, health, green networks (albeit covered in the detail) and detailed considerations such as soil.

### **Q3. Do you agree with the removal of advice and background information from the consolidated SPP?**

Whilst a single document is clearly useful, we do have concerns about what has been omitted. Will this information be made available in another form, for example on the Scottish Government website, with written back-up?

**Q4. Does this paragraph provide a clear overview of the expectations for community engagement in the modernised planning system?**

Yes, however, there are resource and timescales implications which should be highlighted, as should the need to ensure that the engagement process is properly thought through and includes time to 'educate' communities in the process and in user and design considerations. In this respect landscape architects regularly lead on or support engagement approaches, such as charrettes, Planning For Real and Making Places and they are used to helping communities get the best out of development.

**Q5. Is the status of this section in relation to the Planning etc. (Scotland) Act 2006 sufficiently clear?**

The section sets out that planning authorities 'should ensure that the development plan facilitates the sustainable development of an area'. It would be helpful to understand how local authorities are expected to respond in areas where capacity (market, landscape carrying) has been reached.

Para 39 – This section covers economy and place, but not people. As well as aspirations for sustainable growth and sustainable places, this section would be strengthened by raising the proposition that good development should be life enhancing and provide for a good quality of life.

**Q6. Is the role of the planning system in assisting climate change mitigation and adaptation clearly highlighted throughout this SPP?**

Whilst the answer is broadly yes, the document could go much further in suggesting that all future development and, importantly, redevelopment, needs to make some contribution either to mitigation or adaptation. We pick up this point again further on in this response.

**Q7. Is the contribution of the planning system to sustainable economic growth, as explained in this section, clear and easy to understand?**

The section is explicit, but could the prospect of sustainability be further strengthened by the following changes:

- Para 40 – last sentence, insert 'appropriate' between 'all' and 'areas'.
- Insert 'the landscape' before 'the natural'.
- Make reference to 'active travel' in para 41.
- Make reference to green infrastructure in para 43 in the list starting 'site assembly'

**Q8. Have the main elements of national planning policy relating to town centres and retailing been included and are they clearly explained?**

Content from SPP8, para. 27 has been edited down leaving reference to a high quality and safe environment as an add-on to para. 49, which is about access. It would be helpful to have a separate paragraph expressing aspirations on quality, design, management and maintenance and how these come together to deliver the intangibles of safety, friendliness, cleanliness and enjoyability, which are key outcomes in urban design terms.

**Q9. Have the main areas of national planning policy relating to housing been included and are they clearly explained?**

Given the competing demands for land around settlements – food production, leisure, energy production, flood control etc. the expression 'a generous supply of land' to meet housing needs seems somewhat unrealistic. Would it not be prudent to replace 'generous' with 'appropriate'?

Para 60 would be improved by reference to 'green space'.

Para 61 would benefit from an additional bullet point: 'the potential to develop connected greenspace, which can contribute to regional green networks.'

**Q10. Have the main areas of national planning policy relating to rural development been included and are they clearly explained?**

Para 71 should include reference to the protection and enhancement of landscape heritage alongside the existing reference to natural and cultural heritage.

We reiterate concerns about the use of 'generous' in para. 72.

Again, in para. 72, whilst we support the notion of maintaining local identity, road construction standards and specifications standardise and urbanise rural development, frequently changing the character of an area, and detracting from the local identity. This needs to be addressed if Scotland's rural character is to be maintained.

Surely all housing, everywhere, should 'seek to achieve high design and environmental standards' and that these should extend beyond energy efficiency to cover water and waste water management, use of reclaimed or recycled materials, etc.

**Q11. Do you support the proposed policy on protection of prime agricultural land?**

Yes.

**Q12. Do you support the removal of the specific requirement for development plans to classify coastal areas as developed, undeveloped or isolated?**

No. It would be helpful to break para. 76 into three sections to ease understanding of the 3 categories of developed, undeveloped or isolated.

Scotland is a land of islands and coastline which have played a critical part in our development from early times when the sea and our rivers were the primary routes for transportation of people, goods and armies. The relationship between land and sea and impacts of development on one viewed from another are fundamental. Land-based activity can be visible miles out to sea and water – based developments can be visible miles inland. Planning systems need to be capable of ensuring that either form of development is appropriate to that particular coastline or island landscape.

To help direct development to appropriate coastal areas, we believe there is a need to classify coastal areas and, therefore, do not support the removal of the specific requirement for development plans to classify coastal areas as developed, undeveloped or isolated. There is a role for SNH, SEPA, other agencies, communities and NGOs to be involved in the categorisation process. Landscape Character studies carried out previously for SNH on Scotland's island landscapes might help inform the debate.

**Q13. Have the main elements of national planning policy relating to fish farming been included and are they clearly explained?**

Yes, but is it possible to insert 'landscape' in front of 'carrying capacity' in para 78?

**Q14. Have the main elements of national planning policy relating to the historic environment been included and are they clearly explained?**

Yes

**Q15. Do you agree with the principle of limiting local non-statutory designations to two types?**

In response to Q16, standardisation of local designations across local authorities would be helpful particularly for development which spans across local authority boundaries where currently there can be different types of designation.

**Q16. Have the main elements of national planning policy relating to landscape and natural heritage been included and are they clearly explained?**

In part. The Landscape Institute in Scotland welcomes inclusion of a section headed Landscape and Natural Heritage and reference to the European Landscape Convention. We draw your attention to the recent “gap analysis” work carried out by SNH into current landscape activity in Scotland against the articles of the ELC. This broadly indicates that while in general Scotland is compliant with the ELC (dated 2006), there is substantial room for improvement.

To assist in amplifying our comments, it may be useful to highlight some of the most useful opportunities, that relate to this restatement of the planning policy system, identified in the “gap analysis”:

1. To bring together landscape expertise and resources more effectively at the national level to establish Scotland’s reputation as a centre of excellence for matters relating to landscape protection, management and planning.
2. To consider how visioning exercises and debate on local landscapes can best be supported at the community level through recent Scottish Government initiatives.
3. To mainstream tools and approaches to help communities take forward landscape visioning exercises, for example as part of the roll-out of the new development plan system.
4. To produce and promote a digest of law pertaining to landscape in Scotland and consider further the need to enshrine the ELC approach to landscape within new landscape legislation.
5. To consider how to promote landscape better through existing legislative frameworks for environment management (including designations, catchment management and EIA/SEA regulations) and the well-being duty on local authorities.
6. To put in place through the proposed marine legislation measures to recognise, plan for and protect the landscapes of Scotland’s coastal waters.
7. For SNH to draw up with key partners a new landscape policy framework to fully reflect the ELC and to provide stronger leadership on this topic on behalf of the Scottish Government.
8. To ensure that the ELC vision for landscape planning, management and protection is effectively encapsulated in the new SPP.
9. To consider the better planning and management of strategic and local landscape interests in the development of the proposals in the NPF2 for the Central Scotland Green Network.
10. For local authorities to take forward reviews of local landscape designations to inform the preparation of their new development plans.
11. To promote the Scottish Landscape Charter and related best practice to communities to encourage them to get involved in decision making for their local landscapes.
12. To mainstream tools and approaches to help communities take forward landscape visioning exercises, for example as part of the roll-out of the new development plan system.
13. To publicise examples where public participation has made a difference.
14. To establish better access to landscape-related information on agency and Scottish Government websites.
15. To integrate landscape considerations into all relevant policy sectors through an overarching statement in the forthcoming SPP. Landscape is not explicitly included in some key SPPs at present, such as Transport and Minerals, even though development in these sectors could have a high and adverse impact upon landscapes.
16. A clear Government framework and guidance on implementing the ELC in Scotland within which sectoral landscape policies to deliver the Convention should be developed. The importance of landscape for people and place is clearly articulated at national policy level, but this is not expressly carried through into policy sectors such as health and education, which clearly have an implicit link with landscape.

The ELC is being actively implemented elsewhere in the UK, and it would be helpful to understand how the Scottish Government will embed the ELC in national, strategic and local development planning and other policy development. We draw your attention to the ELC “Framework for Implementation” agreed between Defra,

English Heritage, and Natural England 20 months ago. Action Plans are an important aspects of the Framework. The first Plans all strongly emphasise the diversity of landscape and of approaches to managing it. They also demonstrate how their aesthetic, cultural, historic and ecological dimensions are valued, looked after and considered as a whole. We feel that a similar approach is needed here in Scotland.

Para. 93 message would be supported by adding 'and carrying capacity' at the end of the 3<sup>rd</sup> sentence.

Para. 94 should be extended to make reference to green networks (of which Integrated Habitat Networks will be a component). Reference should also be made to "creation of" as well as restoration of habitats.

In respect of nationally designated sites (para. 101), it would be helpful if future policy could require compensatory measures to mitigate development as is set out in para. 99 for internationally designated sites.

In para. 110 on Trees and Woodland we would have expected to see some form of reference to the Government's new policy on the Control of Woodland Removal.

**Q17. Have the main elements of national planning policy relating to open space been included and are they clearly explained?**

Para 15 in SPP11 clearly sets out the duties of a planning authority in respect of open space. Whilst the actions 'read through' into this document, the action points are contained in paragraphs of supporting text and are much harder to find.

We also feel that, whilst this section summarises most of SPP11, inevitably much of the (important) detail has been lost.

Page 26 would benefit from reference to the need for not only good planning and design but also robust properly-resourced management. Para. 116 does cover management, but again more could have been carried over from the SPP.

There is enormous potential for landscape practitioners to support government policy on health and climate change adaptation and mitigation through open space development. For example, given the increasing focus on health, open spaces provide ideal settings for healthy walking, green gym and creation of allotments to address the national and growing shortage of sites. Greening open space can help to address the issues of urban heat islands and can provide space for sustainable urban drainage systems thus helping adaptation.

These are areas where policy isn't keeping pace with need. For example, there needs to be a requirement for planning authorities to designate open space for such purposes. There should be a requirement on all public bodies to prepare plans for the sustainable management of all land held in their estates, recognising that multiple benefits can flow from appropriate design and management, for the above purposes and also in terms of reduction of crime, and anti-social behaviour, while assisting improving training, education and mental health.

**Q18. Have the main elements of national planning policy relating to green belts been included and are they clearly explained?**

No, this section does not reflect the full content of SPP21, lacking reference to the 20 year planning time frame, for the requirement for a masterplan, for 20 year reviews or the requirement to consider adjusting outer as well as inner boundaries of adjusted greenbelts. In addition it does not refer to the usefulness of preparing the new outer edge so that access, green infrastructure and biodiversity outcomes can be developed in advance of greenbelt designation.

**Q19. Do you support the retention of the policy on the use of maximum parking standards and the relocation of national maximum parking standards into advice?**

Whilst parking numbers do need to be controlled, there is also much to be done on the layout and design of car parks, which can dominate development to such a degree that the legibility of urban form is completely lost. Where car parks have to be accommodated, the layout, design and choice of materials should assist with slowing down run-off of storm water by the application of SUDS techniques.

**Q20. Have the main elements of national planning policy relating to transport been included and are they clearly explained?**

Landscape practitioners have made and make a significant contribution to the good siting and design of Scotland's road infrastructure. Despite significant capital investment, management and maintenance of roadside landscaping is not of the same standard and can be particularly poor locally. This would suggest that planning for management should also be a requirement of this type of development.

**Q21. Do you agree with the integration of policy on spatial frameworks for wind farms over 20 megawatts generating capacity with general planning policy on wind farm development?**

Yes. Not only will climate change alter landscape and landscape character, but our technical responses to mitigate climate change will have additional implications. We will therefore increasingly be faced with the difficult task of making decisions relating to the scale, nature and location of renewable energy solutions and balancing such requirements with the values we attribute to landscapes.

Our members have developed particular skills in respect of landscape assessment for wind farms. The expertise that landscape architects have in design and the use of landscape and visual impact assessments ensures that proposals for the development of renewable energy generation, including bio-energy, can respond to and be properly considered in their wider environmental context. The Landscape Institute is fully committed to the maximisation of renewable energy capacity as an essential aspect of climate change mitigation whilst ensuring the robust protection and enhancement of landscape character and condition. The profession is also well placed to ensure that renewable and low-carbon energy installations do not lead to perverse carbon impacts, such as carbon release through the drying of peat bogs resulting from inappropriate wind turbine development.

**Q22. Have the main elements of national planning policy relating to renewable energy been included and are they clearly explained?**

The need for energy takes 3 forms – for heat, for electricity and as fuel for transport. A broad approach is required to reduce use across all 3 areas of consumption and to replace fossil fuels. So whilst much of the focus is on wind energy to address electricity consumption, future focus will need to address generation of heat and identification of substitute fuels.

Clearly the planning system will need to consider the impacts of many technologies and at different scales right down to micro-generation. As this is a fast moving field, planning policy in this area will need to be kept under more or less constant review.

On a point of detail, reference to compensatory planting as set out in the new policy on Control of Woodland Removal would be helpful in this section.

**Q23. Have the main elements of national planning policy relating to flooding and drainage been included and are they clearly explained?**

This is another area where the science is moving on considerably and the expression of current policy is perhaps inadequate. It is clear from work abroad, that we should not only be focussing on new development but seeking to make radical changes to our built environment if flood events are not to be repeated at significant cost emotionally and financially.

We would like to see policy developed such that even quite modest redevelopment should be seen as an opportunity to require the developer to help with climate change mitigation, for example, when applications for change of use or modifications come in the planning authority should have the powers to insist on a water management strategy for that scheme which would see down pipes disconnected, the creation of storm water and infiltration planters and gardens, use of permeable street surfaces etc so that every new development makes a contribution to reducing storm water flows. Requirements for green walls, green roofs, and so-called grey roofs should also become the norm not the exception. Collectively quite small steps could have a significant cumulative impact and without significant public expenditure.

**Q24. Have the main elements of national planning policy relating to waste management been included and are they clearly explained?**

Whilst expressing policy, this section fails to raise the creative potential of this type of activity. Landscape practitioners and land artists could play a major role in creating something very positive, a new park for example, out of other people's waste. We believe the planning process should encourage a strong masterplan for sites so that it is clear that restoration will give something back, which is valuable and valued by the communities who have had to live with the blight of landfills etc., usually over many decades.

At a technical level, the planning process should ensure that sites are well-screened in advance of working and that planning conditions seek to ensure that methane capture is maximised and that capping techniques provide optimum conditions for new uses, particularly when this is for quality green space.

**Q25. Have the main elements of national planning policy relating to mineral extraction been included and are they clearly explained?**

Again largely seen as a negative process, restoration proposals should seek to be creative, offering up new potential to communities or businesses.

**Q26. Have the main elements of national planning policy relating to opencast coal extraction been included and are they clearly explained?**

Whilst often a short term process, screening of sites from communities is essential. We agree that new uses should be considered which add to the cultural, recreational or environmental 'assets' of an area and that restoration to low grade agriculture should not be the preferred outcome.

There is an example from Saxony Anhalt in Germany of a major lake creation project (27,000ha.) from former opencast brown coalfield workings, which is now developing as a significant tourism and recreational draw.

**Q27. Have the main elements of national planning policy relating to telecommunications been included and are they clearly explained?**

Yes.

**Q28. How might the consolidated SPP impact positively or negatively on equalities groups?**

No response.

**Q29. Will any groups not identified already in the partial EqlA be affected by the consolidated SPP?**

No response.

The LIS is anxious to work with the Scottish Government to help raise awareness around the contribution that landscape and landscape architects can make to the built environment and in addressing the challenges

presented by climate change. We stress our desire to secure an on-going dialogue with the Scottish Government and other stakeholders to this end.

The Landscape Institute (Scotland) would like to thank the Scottish Government for the opportunity to contribute to this consultation.

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