

## PERTH AND KINROSS COUNCIL

## Enterprise and Infrastructure Committee

28 August 2013

**RESPONSES TO THE NATIONAL PLANNING FRAMEWORK MIR AND THE  
DRAFT SCOTTISH PLANNING POLICY****Report by Executive Director (Environment Service)****PURPOSE OF REPORT**

Two key national documents are being reviewed by the Scottish Government: The third National Planning Framework (NPF 3) and the draft Scottish Planning Policy (SPP). The NPF 3 is the Scottish Government's development strategy for Scotland over the next 20 years. This document identifies key strategic infrastructure needs and developments which are required to enable the country to reach its full potential. The SPP is a statement of the Scottish Government policy on nationally important land use matters and sets out Ministers' expectations of the way the planning system should operate. Responses to these documents are invited from stakeholders, including Perth & Kinross Council. This report contains the Council's responses to the two documents and invites the Committee to homologate the Council's responses to the NPF 3 and SPP.

**1. Introduction**

- 1.1 The Scottish Government is preparing the third National Planning Framework (NPF3) which is anticipated to be adopted in June 2014. This document will set out the Government's strategy for Scotland's spatial development and a statement of what the Scottish Ministers consider to be nationally strategic development priorities for the next 20-30 years. A review of Scottish Planning Policy (SPP) was also announced in September as part of the Scottish Ministers' planning reform agenda. The SPP is a statement of the Government's policy on nationally important land use matters. When these documents are finalised they will be an important part of the Scottish planning system. The Government sought responses from a wide range of stakeholders by 23 July 2013.

**2. National Planning Framework 3: Main Issues Report and Draft Framework**

- 2.1 The NPF 3 sets out the Scottish Government's aspirations for land use planning with a preferred spatial strategy for the next 20-30 years. It also identifies a provisional suite of National Developments that are considered by Ministers to be essential to Scotland's strategic spatial development. The Scottish Government wants NPF 3 to be about ambition, opportunity, and place. It considers the following to be key themes:

- A low carbon place
  - A natural place to invest
  - A successful, sustainable place
  - A connected place
- 2.2 National Developments are those which are defined as making a significant contribution to Scotland's sustainable economic growth. The National Developments need to meet one or more of the following criteria:
- An 80% reduction in emissions by 2050
  - Achieving the aims of the Zero Waste Plan
  - The Scottish Government's Renewable Energy Targets
  - Skills development, reducing unemployment and job creation
  - Strengthening Scotland's links with the rest of the world
  - Improving our digital, transport, utilities or green infrastructure network
  - Adapting to, or mitigating, the effects of climate change
  - Improving the quality of the built or natural environment
- 2.3 In late 2012, the Scottish Government announced a call for proposals for national developments in preparation for NPF 3. Members will be aware of the Council's own aspiration for improved transport infrastructure as presented to the Enterprise and Infrastructure Committee on 7 November 2012, National Planning Framework – Call for Projects (Report 12/504).
- 2.4 The Committee resolved that Perth and Kinross Council submit a bid to include Perth Transport Futures in the third NPF as part of an A9 National Project, thereby recognising these projects' significance at a national level. There were 242 formal proposals for National Developments to be included in NPF 3. An assessment of the proposed National Developments was published that set out the analysis of proposals for national developments. The Scottish Government reviewed Perth and Kinross Council's submission but rejected it on the basis that although there are impacts beyond the region there is an uncertainty to the scale of those impacts. Recognition that Perth Transport Futures has more than local impacts is welcomed however.

### **Response to NPF 3**

- 2.5 The long-term strategy for the spatial development of Scotland has been refocused on sustainable economic growth. The focus on sustainable economic growth is appropriate and the document introduces an implicit rebalancing of expectations in favour of growth and delivery of immediate priorities and longer-term aspirations. It has also been updated to show how existing plans and strategies work together and aims to set a clear vision to guide future development and decisions.
- 2.6 In general, the Council welcomes and supports the vision, themes and spatial strategy of NPF 3. The key sections of most relevance to Perth & Kinross Council are outlined below with the Council's full response in Appendix 1.

## **Onshore wind spatial strategy**

- 2.7 The NPF broadly supports wind energy generation and prioritises this renewable form of electricity generation while seeking to ensure that wind farms are appropriately sited and well designed. It emphasises that local authorities should prepare a spatial strategy that determines which scales of wind farm are appropriate, including identification of areas where cumulative impacts mean capacity has been reached. The NPF also goes on to propose that National Scenic Areas, National Parks and wild land are protected.
- 2.8 A consistent approach to the preparation of spatial strategies for onshore wind development is welcomed and it is agreed that planning authorities are best placed to plan for onshore wind at the local level in Local Development Plans. The approach to protecting National Scenic Areas, National Parks and areas of wild land from wind farms is too simplistic and does not take into account the character and landscape qualities of other non-designated areas. In addition, as wild land is not a statutory designation, it is suggested that wild land would need to be formally designated to give it sufficient weight.

## **Cities and a sustainable settlement strategy**

- 2.9 NPF 3 continues to emphasise the importance of cities and city-regions and points to the work of the Town Centres Review in highlighting a range of innovations that could be supported by national policy.

While this is welcomed, greater focus on Scotland's seven cities for economic growth and investment is needed. In particular the roles of both Perth and the TAYplan region should be given greater prominence as a location for economic growth and as a well connected transport hub.

## **Housing land supply**

- 2.10 Recognising that growth will be focused in and around Scotland's cities, there is a continued emphasis on Strategic and Local Development Plans to meet the requirement for a generous supply of effective housing land.
- 2.11 The focus on new housing development in and around cities is welcomed. Acknowledging and overcoming infrastructure requirements in areas where household growth and economic growth is expected to be high, such as around Perth, will be an important element to be considered in more detail by the Framework. The Council welcomes the proposal to continue the established approach to Housing Need and Demand Assessment at the city region and local level. However the Council would recommend more realistic population projections that take account of external influences such as the economic climate.

## **Transport networks**

- 2.12 NPF 3 and the Strategic Transport Projects Review share the same spatial agenda and a number of the transport projects prioritised aim to: decarbonise

transport and reduce the need to travel; improve links within and between cities and their regions; link to support economic investment; and support key rural links.

- 2.13 Connectivity between Perth and Scotland's other cities remains a priority for the NPF and it is considered just as important that support is given to sustainable transport networks within the city region too. This will promote sustainable economic growth by making the best use of our infrastructure capacity. The link between transport connections to rural areas and tourism is welcomed.

### **3. Scottish Planning Policy**

- 3.1 Scottish Planning Policy (SPP) is a statement of the Scottish Government's policy on nationally important land use matters. It sets out Ministers' expectations of the way the planning system should operate; what it should aim to achieve; and how it should be done. It informs the content of Development Plans, decisions on planning applications and how proposals are to be developed.
- 3.2 The current SPP was published in February 2010. To create a single more concise document, the current SPP consolidated National Planning Policy Guidance into a single document. A review of the current SPP was necessary to update policy and to give greater prominence to sustainable economic growth, sustainable development, engagement, climate change and place making.

### **Responses to SPP**

- 3.3 It is acknowledged that the document remains short and succinct. In addition much of the draft SPP has not changed since the previous version was published and this consistency is welcomed. The Council supports the main principles in the draft SPP and considers that the revised format, layout and presentation of the draft SPP are an improvement.
- 3.4 In general, the Council welcomes and supports the planning policies and Ministers' priorities in the draft SPP. The key sections of most relevance to Perth & Kinross Council are outlined below with the Council's full response in Appendix 2.

### **Sustainable economic growth**

- 3.5 The primary focus of the SPP on sustainable economic growth is welcomed. The Council would welcome guidance as to how much weight should be given to the economic benefits of proposed development as a material consideration, and how best to assess the circumstances where viability statements are required and on the assessment of viability statements.

## **Engagement**

- 3.6 The Council welcomes the increased emphasis placed on engagement, noting that paragraph 29 highlights that "...all those involved in the planning system have a responsibility to engage constructively and proportionately..." The Council agrees that effective and early engagement between potential applicants, key agencies, communities and the planning authority can lead to better plans and improved, faster decision making; and that engagement should be appropriate and proportionate. Whilst supporting the emphasis placed on engagement, a more aspirational approach involving innovative techniques for engagement is suggested. The Council has successfully used methods such as Placecheck, community focus groups, and engagement with minority groups.

## **Town centres**

- 3.7 An overhaul of Town Centres policy is one of the more significant changes introduced in the draft SPP. Greater emphasis is placed on focusing development on town centres and the Council agrees that a relaxation of the policy to encourage a more diverse mix of uses is necessary. The proposed recasting of the 'town centre first' policy to apply to all significant footfall generating uses is also supported. This reflects the approach taken in Perth and Kinross where the Council has for many years supported a mixed economy within its city and town centres. The SPP also promotes opportunities for residential use in town centres and the Council has been working actively with property owners to bring vacant properties back into use.
- 3.8 The Council supports the principles of town centre health checks. However the suggested two year frequency is considered unnecessarily excessive as the practicality of local authorities carrying out the exercise can be very time consuming and resource intensive. It is suggested that the Development Plan should retain the flexibility to prioritise town centre health checks in the Council area and set their frequency.

## **Rural Development**

- 3.9 The draft SPP has taken a two tier approach guiding rural developments to support sustainable communities and business, while protecting and enhancing environmental qualities. In pressured rural areas, a more restrictive approach has been taken to guide new developments to locations within or adjacent to settlements. In remote rural areas, a more relaxed approach is advocated to help sustain fragile communities. The Council welcomes this approach, which recognises the varying character of rural areas. The Council is, however, concerned that there is no clear definition of rural/remote rural areas within the SPP. Perth and Kinross contains both rural and remote rural areas, and the Council suggests that a distinct definition between the two would be beneficial.

## **Housing land supply**

- 3.10 The SPP draft suggests that planning authorities should provide a generous housing land supply plus an additional margin of 10 to 20%, based on an assessment of housing need and demand in the area; and taking into account wider economic, social and environmental factors. The Council generally supports the provision of a generous supply. However the appropriate means of meeting that is best determined by the Development Plan. It is therefore suggested that the Development Plan should retain the flexibility to assess and set an appropriate and generous housing land supply reflecting local circumstances.

## **Supporting business and employment**

- 3.11 The regular review of whether there is a sufficient supply of marketable business and employment land is welcomed. The Council suggests that for a consistent approach across local authorities, a Planning Advice Note on the preparation of business land audits would be beneficial.

## **Onshore wind**

- 3.12 The draft SPP recognises the need to protect and enhance Scotland's natural environment as a valued national asset. However it seeks to balance this with the need for onshore wind development and its impact on communities. This approach is welcomed.
- 3.13 Spatial strategies for wind energy now cover the full capacity spectrum of wind farm development, and not just those above the 20 MW threshold, which is a positive step forward.
- 3.14 The SPP proposed a separation distance of 2.5 Km between settlements identified in the LDP and wind farms. This is to reduce visual impact but decisions on individual developments should take account of specific local circumstances and geography. In some instances, given the scale of some wind turbines a greater distance of up to 5 Km may be appropriate. The recognition of the importance of 'wild land' is welcomed. However, the status of these areas needs to be clarified. The recognition that some landscapes may have reached their capacity to accommodate development is also welcomed.
- 3.15 The Council is concerned that landscapes identified as high sensitivity through landscape capacity studies may become more vulnerable, for example the Highland Boundary Fault. This is because priority for safeguarding is given to land that is Nationally Designated, and to areas where the cumulative impact of existing and consented wind farms limits development. Also, in some areas the same landscape character type crosses between a designated area and a non-designated area leading to confusion and inconsistency. The SPP does not preclude wind farm development in sensitive landscape areas but the Council recommends local authority Spatial Strategies for wind farm development and landscape

capacity studies are well placed to inform and safeguard areas with highest sensitivity.

### **Shale gas extraction**

- 3.16 Given the emphasis on the need to use our natural resources to support the economy more guidance should be given on this important emerging issue. Large parts of the Council area, including Kinross-shire and Strathearn are licensed for oil and gas exploration and these areas may have the potential for shale gas and coal gas to be extracted. The impact on communities of commercial extraction of coal gas and/or shale gas by hydraulic fracturing ("fracking") has become a contentious and emotive issue in other areas of the UK. The Council suggests more guidance is required to ensure that this resource can be exploited in a way which minimises the impact on communities and the wider environment.

## **4. Conclusion**

- 4.1 The NPF Main Issues Report and Draft Framework, and the draft SPP are generally welcomed by the Council however there are some elements that require further clarification. These elements are summarised in the body of this report and full responses are in the appendices. It is recommended that the Committee agrees to homologate the content of this report and Council's responses to the NPF3 and SPP.

- 4.2 The Committee is asked to:-

- (i) Homologate the comments set out in sections 2 and 3 and in the Appendices.

### **Author**

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### **Approved**

<b>Name</b>	<b>Designation</b>	<b>Signature</b>
<b>Barbara Renton</b>	<b>Depute Director</b>	<b><i>Barbara Renton</i></b>
<b>Date 24 July 2013</b>		

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>None</b>
Workforce	<b>None</b>
Asset Management (land, property, IST)	<b>None</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>Yes</b>
Strategic Environmental Assessment	<b>Yes</b>
Sustainability (community, economic, environmental)	<b>Yes</b>
Legal and Governance	<b>None</b>
Risk	<b>None</b>
<b>Consultation</b>	
Internal	<b>Yes</b>
External	<b>Yes</b>
<b>Communication</b>	
Communications Plan	<b>None</b>

### 1. Strategic Implications

#### Community Plan / Single Outcome Agreement

- 1.1 This report supports the Community Plan/ Single Outcome Agreement visions of creating a thriving local economy, a strong sustainable local economy which act as catalyst to essential elements of a vibrant and successful area.

#### Corporate Plan

- 1.2 The Council's Corporate Plan 2013 – 2018 lays out five outcomes focussed strategic objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. They are as follows:
- i) Giving every child the best start in life;
  - ii) Developing educated, responsible and informed citizens;
  - iii) Promoting a prosperous, inclusive and sustainable economy;
  - iv) Supporting people to lead independent, healthy and active lives; and
  - v) Creating a safe and sustainable place for future generations.
- 1.3 This report relates to all above.



## 2. Resource Implications

### Financial

2.1 None.

### Workforce

2.2 None.

### Asset Management (land, property, IT)

2.3 None.

## 3. Assessments

### Equality Impact Assessment

3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

3.2 This report was considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

(i) Assessed as **not relevant** for the purposes of EqIA

### Strategic Environmental Assessment

3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.

3.4 However, no action is required as the Act does not apply to the matters presented in this report as this Council is providing comment on a PPS prepared by the Scottish Government who is the responsible authority in this instance.

### Sustainability

3.5 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. In terms of the Climate Change Act, the Council has a general duty to demonstrate its commitment to sustainability and the community, environmental and economic impacts of its actions.

3.6 However, no action is required as the Act does not apply to the matters presented in this report as this Council is providing comment on a PPS

prepared by the Scottish Government who is the responsible authority in this instance.

#### Legal and Governance

3.7 None.

#### Risk

3.8 There are no specific risks associated with the proposals outlined within the report.

### **4. Consultation**

#### Internal

4.1 The consultation workshop involved meeting with various Council departments to discuss their responses to the NPF 3 and the SPP.

#### External

4.2 Tay and Central Scotland Transport Partnership (TACTRAN) and Perth and Kinross Heritage Trust were consulted in the preparation of this report.

### **5. Communication**

5.1 None.

## **2. BACKGROUND PAPERS**

The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing the above report:

- Scotland's Third National Planning Framework Ambition, Opportunity, Place Assessment of Proposed National Development Report, April 2013.
- Report to Enterprise and Infrastructure Committee, 7 November 2012, National Planning Framework – Call for Projects (12/504)
- Scottish Planning Policy 2010
- National Planning Framework 2
- Scotland's Third National Planning Framework: Main Issues Report and Draft Framework, April 2013
- Scottish Planning Policy: Consultation Draft, April 2013

## **3. APPENDICES**

Appendix 1: NPF3 Main Issues Report Consultation Questionnaire

Appendix 2: Draft Scottish Planning Policy Consultation Questionnaire

## NPF 3 Main Issues Report: Consultation Questionnaire

Please send your response to [npfteam@scotland.gsi.gov.uk](mailto:npfteam@scotland.gsi.gov.uk) by July 23, 2013.

**RESPONDENT INFORMATION** – this is to ensure that we handle your response appropriately.

**1. Name/Organisation**

Organisation Name

Perth & Kinross Council

Title Mr ☐ Ms ☐ Mrs ☐ Miss ☐ Dr ☐ Please tick as appropriate

Surname

Forename

**2. Postal Address**

The Environment Service: Planning and Regeneration

Pullar House

35 Kinnoull Street

Perth

Postcode PH1 5GD

Phone 01738 475300

Email developmentplan@pkc.gov.uk

**3. Permissions - I am responding as...**

Individual

☐

/

Group/Organisation

☒

Please tick as appropriate

- (a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate ☐ Yes ☐ No

- (b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available ☐

or

Yes, make my response available, but not my name and address ☐

or

Yes, make my response and name available, but not my address ☐

- (c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate ☒ Yes ☐ No

- (d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

☒ Yes

☐ No

## A LOW CARBON PLACE

### 1. How can NPF3 support the transition to a largely decarbonised heat sector?

Could NPF3 go further in supporting a spatial framework to help achieve our ambition of decarbonising the heat sector and guiding the necessary infrastructure investments?

The use of heat maps to develop a strategic spatial framework for Scotland's cities is suggested and it is considered this would be a strong candidate for National Project or Area of Coordinated Action designation.

Links also need to be made with other energy forms and associated infrastructure requirements such as wood fuel and distribution infrastructure; and road and rail transport networks.

### 2. How should we provide spatial guidance for onshore wind?

Scottish Planning Policy already safeguards areas of wild land character. Do you agree with the Scottish Government's proposal that we use the SNH mapping work to identify more clearly those areas which need to be protected?

Should NPF3 identify and safeguard those areas where we think there remains the greatest potential for further large scale wind energy development? Where do you think this is?

Should further large scale wind energy development be focused in a few key locations or spread more evenly across the country?

Is spatial guidance for onshore wind best left to local authorities?

A consistent approach to the preparation of spatial strategies for onshore wind development is welcomed and it is agreed that planning authorities are best placed to plan for onshore wind at the local level in Local Development Plans. The approach to protecting National Scenic Areas, National Parks and areas of wild land from wind farms is too simplistic and doesn't take into account the character and landscape qualities of other non-designated areas. In addition, as wild land is not a statutory designation it is suggested that wild land would need to be formally designated to give it sufficient weight.

### 3. How can onshore planning best support aspirations for offshore renewable energy?

Should we include onshore infrastructure requirements of the first offshore wind developments, wave and tidal projects as a national development?

Yes. Consideration should also be given to maintenance and supply chain opportunities in other locations to support the sector.

**4. How can we support the decarbonisation of baseload generation?**

Do you think that NPF3 should designate thermal power generation at Peterhead and/or a new CCS power station at Grangemouth, with associated pipeline infrastructure, as national developments?

Is there also a need for Longannet and Cockenzie to retain their national development status as part of a strategy of focusing baseload generation on existing sites?

The Council supports the proposal to identify Peterhead CCS project as a national development in NPF3.

**5. What approach should we take to electricity transmission, distribution and storage?**

Should we update the suite of grid enhancements and include the landfall of a possible interconnector from Peterhead? What projects should be included?

What more can NPF3 do to support the development of energy storage capacity?

NPF3 should do more to support the development of energy storage capacity for hydro schemes and hydrogen development.

**6. Does our emerging spatial strategy help to facilitate investment in sites identified in the National Renewables Infrastructure Plan?**

Are there consenting issues or infrastructure requirements at NRIP sites that should be addressed in NPF3 through national development status or other support?

No comment.

**A NATURAL PLACE TO INVEST**

**7. Can NPF3 do more to support sustainable use of our environmental assets?**

Should NPF3 propose any specific actions in relation to the role of land use in meeting climate change targets, for example for woodland expansion, peatland or habitat restoration?

Should the strategy be more aspirational in supporting the development of a National Ecological Network? If so, what should the objectives of such a network be?

It is suggested that with investment in woodland expansion, our existing woodlands could be a fuel source for biomass requirements. It is also suggested that an ecosystem services approach is adopted.

**8. What should NPF3 do to facilitate delivery of national development priorities in sensitive locations?**

Would it be helpful for NPF3 to highlight the particular significance of habitat enhancement and compensatory environmental measures around the Firth of Forth? Which projects can deliver most in this respect?

Are there other opportunities for strategic environmental enhancement that would support our wider aspirations for development, or could potentially compensate for adverse environmental impacts elsewhere?

No comment.

**9. Can NPF3 do more to support sustainable tourism?**

What are the key national assets which should be developed to support recreation and tourism?

Should a national network of long distance routes be designated as a national development? What new links should be prioritised?

How can we ensure that best use is made of existing supporting infrastructure in order to increase the cross-sectoral use of these routes, and enhance the quality of the visitor experience?

It is suggested that National Parks are further developed as outdoor and activity tourism locations, and that supporting infrastructure including affordable housing provision is prioritised. Improvements to national infrastructure such as roads, public transport, digital connectivity and other visitor facilities are key to the development of recreation and tourism. It is suggested that investment in both the rural and built environment could provide authentic heritage and nature experiences and activities, as well as the development of cultural assets and the overall event tourism market. Investment in customer service and the quality and value of the product on offer maximises Scotland's attractiveness to visitors.

The proposed development of a national trail is supported with links identified with other nationally significant routes. It is suggested that the following new links be prioritised: Highland Perthshire 100 circular/walking off road cycling route; and a path link from Pitlochry and Carmichael (Rob Roy Way to Cateran Trail).

To increase use and enhance the quality of these routes, it is suggested that

signage, car parking facilities, toilet provision, and regular route maintenance are prioritised, possibly through working with local community or national volunteer groups. An engaging USP is necessary that can sell the story of the long distance routes and allow for effective marketing. Events are also popular on long distance routes with the possibility of income streams being allocated towards route maintenance. Lastly, it is vital to build a relationship between estate owners, land owners and accommodation providers.

#### **10. Can NPF3 do more to support sustainable resource management?**

Should NPF3 support a decentralised approach to provision for waste management or should NPF3 make provision for more strategic waste facilities?

Should the Metropolitan Glasgow Strategic Drainage Plan be retained as a national development in NPF3 or should we replace the focus on it with a broader, national level approach to sustainable catchment management?

It is suggested that the approach to waste management be linked to heat. A strategic approach will be required to ensure that waste management is integrated with district heat networks, however this is unlikely to be able to specify the locations and types of nationally significant facilities that will be required. It is suggested that support for strategic waste facilities could be linked to key sectors, for example food and drink.

### **A SUCCESSFUL, SUSTAINABLE PLACE**

#### **11. How can we help to consolidate and reinvigorate our existing settlements and support economic growth and investment through sustainable development?**

What more can NPF3 do to support the reinvigoration of our town and city centres and bring vacant and derelict land back into beneficial use?

How can NPF3 support our key growth sectors?

Should the Dundee Waterfront be designated as a national development?

Should the redevelopment of the Ravenscraig site be designated as a national development?

Could NPF3 go further in indicating what future city and town centres could look like, in light of long term trends including climate change, distributed energy generation and new technologies?

How can the strategy as a whole help to unlock the potential of our remote and fragile rural areas?

Greater focus on Scotland's seven cities for economic growth and investment is needed. In particular Perth and the TAYplan city-region's role should be given greater prominence as a location for economic growth and as a well connected

transport hub.

Broader development of the Tay Estuary as a tourist destination and a location for cultural; renewable energy; and food & drink sector development (with reference to emerging proposals for ECO Valley through the Scottish Cities Alliance).

Support for, and investment in a sustainable mix of uses and developments in our town and city centres – particularly in cities and rural towns, which act as main economic drivers.

Investment in economic growth in those towns that are linked to key areas, such as tourism; food & drink; creative; and cultural sectors.

## **12. How can NPF3 best contribute to health and wellbeing through placemaking?**

Should the Central Scotland Green Network continue to be designated as a national development? What do you think its top priorities should be? How can it better link with other infrastructure projects in Central Scotland?

The Central Scotland Green Network should continue to be designated as a national development. One of its goals should be to create sustainable locations for business to locate in central Scotland. The concept of eco-corridors should be used to create linkages.

## **13. How can NPF3 help to deliver sufficient homes for our future population?**

Are there spatial aspects of meeting housing needs that NPF3 could highlight and help to tackle?

The focus on new housing development in and around cities is welcomed. Acknowledging and overcoming infrastructure requirements in areas where household growth and economic growth is expected to be high, such as around Perth, will be an important element to be considered in more detail by the Framework. The Council welcomes the proposal to continue the established approach to Housing Need and Demand Assessment at the city region and local level, however more realistic population projections that take account of external influences such as the economic climate are required.

It is also considered important to encourage partnership in the delivery of sustainable, efficient housing – for example Perth & Kinross Council upgrades its housing in partnership with SSE.



#### 14. How can NPF3 help to decarbonise our transport networks?

Is our emerging spatial strategy consistent with the aim of decarbonising transport?

Are there any specific, nationally significant digital infrastructure objectives that should be included in NPF3?

Should NPF3 go further in promoting cycling and walking networks for everyday use, and if so, what form could this take at a national scale?

The emphasis on shifting towards low carbon forms of transport is supported, as is the role of NPF3 in promoting city and town centres as transport hubs. In addition to the alternative fuel sources listed, it is considered that hydrogen transport should be promoted, an example of which could be a hydrogen network for long distance coaches linking Scotland's seven cities. Key sites for hydrogen fuel stations should be identified, including an opportunity site at Perth's transport hub at Broxden.

Investment in and promotion of identified cycling and walking routes linking key locations (such as bus and rail stations) would help attract people into town and city centres..

#### 15. Where are the priorities for targeted improvements to our transport networks?

Are there other nationally significant priorities for investment in transport within and between cities?

As well as prioritising links within and between cities, what national priorities should NPF3 identify to improve physical and digital connections for rural areas?

Connectivity between Perth and Scotland's other cities remains a priority for the NPF and it is considered just as important that support is given to sustainable transport networks within the city region too. This will promote sustainable economic growth by making the best use of our infrastructure capacity. The link between transport connections to rural areas and tourism is welcomed, and improvements to the A9 trunk road north of Perth are supported.

#### 16. How can NPF3 improve our connections with the rest of the world?

Should the Grangemouth Investment Zone, Aberdeen Harbour and new freight capacity on the Forth be designated as national developments?

**NPF 3 Main Issues Report: Consultation Questionnaire**

Should Hunterston and Scapa Flow be viewed as longer-term aspirations, or should they retain national development status?

Do you agree that the aspirations for growth of key airports identified in NPF2 should remain a national developments and be expanded to include Inverness, and broadened to reflect their role as hubs for economic development?

Should the proposed High Speed Rail connection to London be retained as a national development? Should it be expanded to include a high speed rail line between Edinburgh and Glasgow?

Alternatively, should High Speed Rail be removed as a national development and instead supported as a part of the longer-term spatial strategy?

To make the most of the proposed High Speed Rail, improvements to rail speeds north of the central belt, to facilitate connections should be supported in NPF3.

### **NPF 3 Main Issues Report: Consultation Questionnaire**

1. What do you think of the environmental baseline information referred to in the Environmental Report? Are you aware of further information that could be used to inform the assessment findings?
2. Do you agree with the assessment findings? Are there other environmental effects arising from the Main Issues Report and Draft SPP?
3. Taking into account the environmental effects set out in the report, what are your views on:
  - a) The overall approach to NPF3, as outlined in the Main Issues Report, including key strategy proposals.
  - b) The strategic alternatives, as highlighted in the questions in the Main Issues Report?
  - c) The proposed suite of national developments to be included in the Proposed Framework?
  - d) Alternative candidate national developments?
  - e) The policies proposed for the Draft SPP?
  - f) The key questions for consultees set out in the Draft SPP?
4. What are the most significant negative effects arising from the assessment that should be taken into account as the NPF and SPP are finalised?
5. How can the NPF and SPP be enhanced, to maximise their positive environmental effects?
6. What do you think of the proposed approach to mitigation and monitoring proposed in Section 6?

No comment.

### **NPF 3 Main Issues Report: Consultation Questionnaire**

In relation to the Equality Impact Assessment, please tell us about any potential impacts, either positive or negative; you feel the proposals in this consultation document may have on any particular groups of people.

In relation to the Equality Impact Assessment, please tell us what potential there may be within these proposals to advance equality of opportunity between different groups and to foster good relations between different groups.

No comment.

### **Business and Regulatory Impact Assessment (BRIA)**

In relation to the Business and Regulatory Impact Assessment, please tell us about any potential impacts, either positive or negative, you feel the proposals in this consultation document may have on business.

No comment.

## Draft Scottish Planning Policy : Consultation Questionnaire

### Responding to this consultation paper

We are inviting written responses to this consultation paper by Tuesday 23<sup>rd</sup> July 2013.

Please send your response with the completed Respondent Information Form (see 'Handling your Response' below) to:

[sppreview@scotland.gsi.gov.uk](mailto:sppreview@scotland.gsi.gov.uk)

or

SPP Review Team  
Area 2H, Victoria Quay  
Edinburgh. EH6 6QQ

If you have any queries contact:

Helen Wood, Principal Planner	0131 244 7534	<a href="mailto:helen.wood@scotland.gsi.gov.uk">helen.wood@scotland.gsi.gov.uk</a>
Carrie Thomson, Senior Planner	0131 244 7529	<a href="mailto:carrie.thomson@scotland.gsi.gov.uk">carrie.thomson@scotland.gsi.gov.uk</a>

We would be grateful if you would use the consultation questionnaire or could clearly indicate in your response which questions or parts of the consultation paper you are responding to as this will aid our analysis of the responses received.

The consultation, and all other Scottish Government consultation exercises, can be viewed online on the consultation web pages of the Scottish Government website at <http://www.scotland.gov.uk/Consultations/Current>.

The Scottish Government has an email alert system for consultations, <http://register.scotland.gov.uk>. This system allows stakeholder individuals and organisations to register and receive a weekly email containing details of all new consultations (including web links). It complements, but in no way replaces Scottish Government distribution lists, and is designed to allow stakeholders to keep up to date with all SG consultation activity, and therefore be alerted at the earliest opportunity to those of most interest. We would encourage you to register.

### Handling your response

We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return the **Respondent Information Form** which forms part of the consultation questionnaire as this will ensure that we treat your response appropriately. If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government are subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to the responses made to this consultation exercise.

## **Draft Scottish Planning Policy : Consultation Questionnaire**

### **Next steps in the process**

Where respondents have given permission for their response to be made public and after we have checked that they contain no potentially defamatory material, responses will be made available to the public in the Scottish Government Library (see the attached Respondent Information Form). You can make arrangements to view responses by contacting the Scottish Government Library on 0131 244 4552. Responses can be copied and sent to you, but a charge may be made for this service.

### **What happens next?**

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us finalise the document. We aim to publish the finalised Scottish Planning Policy before the end of 2013.

### **Comments and complaints**

If you have any comments about how this consultation exercise has been conducted, please send them to the contact details above.

### **The Scottish Government Consultation Process**

Consultation is an essential and important aspect of Scottish Government working methods. Given the wide-ranging areas of work of the Scottish Government, there are many varied types of consultation. However, in general, Scottish Government consultation exercises aim to provide opportunities for all those who wish to express their opinions on a proposed area of work to do so in ways which will inform and enhance that work.

The Scottish Government encourages consultation that is thorough, effective and appropriate to the issue under consideration and the nature of the target audience. Consultation exercises take account of a wide range of factors, and no two exercises are likely to be the same.

Typically Scottish Government consultations involve a written paper inviting answers to specific questions or more general views about the material presented. Consultation documents are placed on the Scottish Government web site enabling a wider audience to access the papers and submit their responses<sup>1</sup>. Consultation exercises may also involve seeking views in a number of different ways, such as through public meetings, focus groups or questionnaire exercises. Copies of all the written responses received to a consultation exercise (except those where the individual or organisation request confidentiality) are placed in the Scottish Government library at Saughton House, Edinburgh (K Spur, Saughton House, Broomhouse Drive, Edinburgh, EH113XD, telephone 0131 244 4565).

The views and suggestions detailed in consultation response are analysed and used as part of the decision making process, along with a range of other available information and evidence. Depending on the nature of the consultation exercise the responses received may:

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<sup>1</sup><http://www.scotland.gov.uk/consultations>

## **Draft Scottish Planning Policy : Consultation Questionnaire**

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

Final decisions on the issues under consideration will also take account of a range of other factors, including other available information and research evidence.

**While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.**

# Draft Scottish Planning Policy : Consultation Questionnaire

## RESPONDENT INFORMATION FORM

This is to ensure that we handle your response appropriately.

### 1. Name/Organisation

Organisation Name

Perth & Kinross Council

Title Mr ☐ Ms ☐ Mrs ☐ Miss ☐ Dr ☐ Please tick as appropriate

Surname

Forename

### 2. Postal Address

The Environment Service: Planning and Regeneration

Pullar House

35 Kinnoull Street

Perth

Postcode PH1 5GD

Phone 01738 475300

Email developmentplan@pkc.gov.uk

### 3. Permissions- I am responding as...

Individual

☐

/

Group/Organisation

Please tick as appropriate

☒

- (a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate ☐ Yes ☐ No

- (b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available ☐

or

Yes, make my response available, but not my name and address ☐

or

Yes, make my response and name available, but not my address ☐

- (c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate ☒ Yes ☐ No

- (d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

☒ Yes

☐ No



## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

### PRINCIPAL POLICIES

- |   |   |                     |   |
|---|---|---------------------|---|
| <b>1</b>  | <b>Sustainable Economic Growth</b><br>Do you think that the measures outlined in paragraphs 15 to 23 are appropriate to ensure that the planning system supports economic recovery and sustainable economic growth?<br>Are there other measures to support sustainable economic growth that you think should be covered in the SPP? | Y<br><br>Y<br><br>Y | N<br><br><input type="checkbox"/><br><br><input type="checkbox"/> |
| <p>The primary focus of the SPP on sustainable economic growth is welcomed. The Council has identified a need for guidance as to how much weight should be given to the economic benefits of proposed development as a material consideration, and how best to assess the circumstances where viability statements are required and on the assessment of viability statements would be beneficial</p>   |   |                     |   |
| <b>2</b>  | <b>Location of New Development – Town Centres</b><br>Do you think that local authorities should prepare town centre health checks, as set out in paragraph 55?<br>Are there other health check indicators you think should be included in the SPP?  | Y<br><br>Y<br><br>Y | N<br><br><input type="checkbox"/><br><br><input type="checkbox"/> |
| <p>The Council supports the principles of Town Centre Health checks however the suggested two year frequency is considered unnecessarily excessive, the practicality of local authorities carrying out the exercise can be very time consuming and resource intensive. It is suggested that the Development Plan should retain the flexibility to prioritise Town Centre Health checks in the Council area and set their frequency.</p> <p>There are a number of health check indicators missing from paragraph 55, such as a town centre consumer/employers/employee survey; environmental quality; retail or business turnover; and tourism levels. These are recommended in the Scottish Government's Town Centres and Retailing Methodologies 2007</p> <p>Town Centre Health checks should be regularly undertaken through City/Town Centre Management approach this should involve the local communities and be undertaken collaboratively with the business community to ensure intelligence on performance is available to support investment and analyse impact of activities such as events and impact of development. Assessment is also required to assess longer term trends in relation to local expenditure and capacity. Business analytics, imaging/counters and social media should be used as tools</p> |   |                     |   |
| <b>3</b>  | <b>Location of New Development – Town Centres</b>   | Y                   | N   |

Please send your response to [sppreview@scotland.gsi.gov.uk](mailto:sppreview@scotland.gsi.gov.uk) by **23 July 2013**

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

Do you think that local authorities should prepare town centre strategies, as set out in paragraph 56?

Y ☐

Local authorities should prepare town centre strategies and these should form part of the LDP process (spatial strategies). They should be kept reasonably up to date with the requirement for LDPs to be reviewed at least every five years.

Through using a Town Centre Strategies approach local business communities should be encouraged to prepare and take ownership of strategies and to seek to link these with their usps (eg proportion of independents/heritage properties, links with key sectors) and private and public funding sources eg BIDs CARS THIs.

### 4 Location of New Development – Town Centres

Y N

Do you think the town centre first policy should apply to all significant footfall generating uses and the sequential test be extended to this wider range of uses, as outlined in paragraphs 63 to 67?

Y ☐

An alternative would be to apply the sequential test to retail and 'all' leisure development, no longer limiting leisure to 'commercial' development. Do you think this is the appropriate approach?

Y ☐

The proposed recasting of the 'town centre first' policy is supported however it should take full account of local circumstances and needs. A mixture of use should be supported including housing and all forms of commercial leisure.

Greater emphasis should be placed on the benefits of residential uses in town and city centres to improve their vitality and viability

### 5 Location of New Development – Rural Development

Y N

Do you think the approach to spatial strategies for rural areas outlined in paragraphs 68 to 71 is the appropriate approach?

Y ☐

The Council welcomes this approach, which recognises the varying character of rural areas. The Council is however concerned that there is no clear definition of rural/remote rural areas within SPP. As Perth and Kinross will contain both rural and remote rural the Council suggests that a distinct definition between rural and remote rural areas is needed.

## BUILDINGS

### 6 Housing

Y N

Do you think explaining a 'generous' housing land supply as allowing an additional margin of 10 to 20%, as set out in paragraph 85, is the appropriate approach?

☐ N

An alternative would be to state that a generosity factor should be added to the land supply, and that this may be smaller in areas where there can be confidence that

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

the sites identified in the plan will be developed in the plan period, and larger in areas where there is less confidence in the deliverability of the land supply. Do you think this is the appropriate approach?

☐ N

The SPP draft suggests that planning authorities should provide a generous housing land supply plus an additional margin of 10 to 20% based on an assessment of housing need and demand in the area and taking into account wider economic, social and environmental factors. The Council generally supports the provision of a generous supply however the appropriate means of meeting that is best determined by the Development Plan. It is therefore suggested that the Development Plan should retain the flexibility to assess and set an appropriate and generous housing land supply reflecting local circumstances.

### 7 Housing

Y N

Do you think that authorities should be able to include an allowance for windfall development in their calculations for meeting the housing land requirement, as set out in paragraph 86?

Y ☐

It is considered important to re-introduce the potential for local authorities to include an allowance for windfall development to help contribute to the margin of flexibility built into development plan allocations. There can be a number of sources of additional supply which for various reasons are not identified as specific site allocations in the LDP, such as white land and opportunity sites, and the inclusion of a windfall allowance can allow the contribution from such sites to be taken into account in the housing land supply calculations

### 8 Housing

Y

As set out in paragraph 87, do you think strategic development plans should set out the housing supply target:

- a. only for the strategic development area as a whole; ☐
- b. for the individual local authority areas; Y
- c. for the various housing market areas that make up the strategic development plan area; or Y
- d. a combination of the above Y

☐

The current SPP requires SDPs to identify the housing land requirement (HLR) for the Plan area. It is then for LDPs to identify sufficient housing land supply (HLS) to meet the HLR. The draft SPP in paragraph 87 appears to suggest that in future SDPs will set a HLS target as well as the HLR. Whilst there may be merit in SDPs explaining what constitutes a 'generous' supply (as per draft SPP paragraph 85) it is considered that it is most appropriate that the HLS continues to be identified in LDPs rather than SDPs, particularly if it is decided to introduce

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

the notion of a 'generosity factor' as it is at LDP level that the effectiveness of individual sites is best determined.

With this in mind and in answer to the specific question above, it is considered that a combination of b. and c. is most appropriate: the SDP should set the HLR for each Housing Market Area (HMA) and where HMA boundaries cross local authority boundaries then the SDP should indicate how much of the HLR is to be met by each local authority within the HMA. This will provide clarity for LDPs as to the precise extent of the HLS to be identified within the LDP area

### 9 Housing

Do you think the approach to how national parks address their housing land requirements, as set out in paragraph 90, is the appropriate approach?

Y N

☐ N

An alternative would be for national park authorities to assess and meet housing requirements in full within their areas. Do you think this is the appropriate approach?

☐ N

This approach is not welcomed as housing is a Local Authority function and done by Housing Market Area. Although we are in consultation with National Parks it is clear that none of the National Parks correspond to our Housing Market Areas. It is suggested that the approach to be adopted in national parks should be no different from other areas where Housing Market Areas cross local authority boundaries i.e. that the SDP should identify the housing land requirement for each housing market area and then set out how much of the requirement should be met within each local authority or national park area taking into account any particular constraints or sensitivities in the area.

### 10 Housing

Do you think the approach to identifying the five year effective land supply, as set out in paragraph 91, is the appropriate approach?

Y N

☐ ☐

An alternative approach would be for the supply in strategic development plan areas to be calculated across local development plan areas. This would require strategic development plans to set out housing supply targets for each local development plan. Do you think this is the appropriate approach?

☐ N

As noted in the response to consultation question 8 it is considered that the housing land supply should continue to be identified in LDPs rather than in SDPs. If however it is decided that SDPs will set housing land supply targets it is suggested that this would most appropriately be calculated across the housing market area and where housing market area boundaries cross local authority boundaries, also calculated for each local authority within the housing market area. It is not considered appropriate for SDPs to calculate the housing land

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

supply by LDP area as these will not necessarily co-incide with local authority boundaries

### 11 Housing

Y N

Do you think that the level of affordable housing required as part of a housing development should generally be no more than 25%, as set out in paragraph 97?

Y ☐

The established figure of 25% is regarded as reasonable and generally achievable. A figure of more than 25% is generally unlikely to be viable. However there may be the occasional specific site where a higher percentage is justifiable and which does not render a development unviable. It would therefore be helpful if paragraph 97 gave some indication as to the circumstances under which a higher percentage may be sought e.g. where supported by the HNDA

### 12 Housing

Y N

Do you think that the approach to addressing particular housing needs, as outlined in paragraphs 100 to 103, is appropriate?

☐ ☐

The approach to addressing particular needs housing is considered appropriate. However the last sentence in paragraph 97 of the draft SPP which states that an affordable housing contribution will not be required for specialist housing is felt to merit further consideration. Whilst it is recognised that it is not appropriate to require an affordable housing contribution from all forms of specialist housing it is considered that the SPP needs to be more specific in paragraph 100 in identifying when and to which particular forms of specialist housing an affordable housing contribution will and will not be appropriate.

### 13 Business & Employment

Y N

Do you think the regular review of marketable sites for business, as set out in paragraph 110, should take the form of 'business land audits' in order to ensure identified sites are marketable?

Y ☐

The regular review of whether there is a sufficient supply of marketable business and employment land is welcomed. The Council suggests that for a consistent approach across local authorities, a Planning Advice Note on the preparation of business land audits would be beneficial. Customer relationship management systems should also be promoted to ensure business needs are analysed and demand can be quantified to assist the case for investment in existing or new sites and premises.

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

### NATURAL RESOURCES

- 14 Green Infrastructure** **Y** **N**
- Do you think that the provision of green infrastructure in new development should be design-led and based on the place, as set out in paragraph 163? Y ☐
- An alternative would be to continue with a standards based approach. Do you think this is the appropriate approach? ☐ ☐

The Council has standards that require to be met in the provision of green infrastructure in new development, and this is important because green public spaces must meet those standards if the Council is to adopt and maintain them. However it is considered important to allow new development to take account of place and the results of community consultation. It is therefore considered appropriate that a combination of a standards based approach and a design-led approach based on the place

### UTILITIES

- 15 Heat & Electricity** **Y** **N**
- With reference to paragraphs 214 to 215, do you think heat networks should be developed ahead of the availability of renewable or low carbon sources of heat? Y ☐
- An alternative would be for heat networks to only happen where there are existing renewable and waste heat sources or networks. Do you think this is the appropriate approach? Y ☐

The creation of heat networks is supported by the council and would be an appropriate approach

- 16 Heat & Electricity** **Y** **N**
- With reference to paragraph 218 and subsequent groups, do you think that the proposed increased community separation distance of up to 2.5km is appropriate? ☐ **N**

The SPP proposed a separation distance of 2.5 Km between settlements identified in the LDP and wind farms. This is to reduce visual impact but decisions on individual developments should take account of specific local circumstances and geography. In some instances, given the scale of some wind turbines a greater distance of up to 5 Km may be appropriate

- 17 Heat & Electricity** **Y** **N**
- With reference to paragraphs 216 to 219, do you think the proposed approach to spatial frameworks achieves the right balance between supporting onshore wind

Please send your response to [sppreview@scotland.gsi.gov.uk](mailto:sppreview@scotland.gsi.gov.uk) by **23 July 2013**



## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

development whilst protecting the natural environment and managing visual impacts on communities?

☐ N

The draft SPP recognises the need to protect and enhance Scotland's natural environment as a valued national asset however it seeks to balance this with the need for onshore wind development and its impact on communities. This approach is welcomed.

Spatial strategies for wind energy now cover the full range of scales of wind farm development, and not just those above the 20 MW threshold, which is a proactive step forward.

The recognition of the importance of 'wild land' is welcomed. However, the status of these areas needs to be clarified. The recognition that some landscapes may have reached their capacity to accommodate development is also welcomed.

With priority for safeguarding given to land that is Nationally Designated, and areas where the cumulative impact of existing and consented wind farm limits development, concern is raised that landscapes identified as high sensitivity through landscape capacity studies may become more vulnerable, for example the Highland Boundary Fault. It may also be the case that in some areas the same landscape character type crosses between a designated area and a non-designated area leading to confusion and inconsistency. The SPP does not preclude wind farm development in sensitive landscape areas but the Council suggests that local authority Spatial Strategies for wind farm development and landscape capacity studies are well placed to inform and safeguard areas with highest sensitivity.

### 18 Heat & Electricity

Y N

Do you think the SPP could do even more than is drafted in paragraphs 222 to 224 to secure community benefits from renewable energy developments while respecting the principles of impartiality and transparency within the planning system?

☐ N

This is not considered a planning issue and should be removed from the SPP.

### 19 Digital

Y N

Do you think the planning system should promote provision for broadband infrastructure (such as ducting and fibre) in new developments so it is designed and installed as an integral part of development, as set out in paragraph 230?

Y ☐

Promotion of broadband infrastructure is highly desirable as an integral part of new development.

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

### 20 Flooding & Drainage

Do you think that Strategic Flood Risk Assessment should inform the location of development, as set out in paragraph 239?

Y N

Y ☐

The use of strategic flood risk assessment (SFRA) is welcomed provided that this is competent and properly formulated. In order to achieve this, it is considered that national guidance should be produced for Planning Authorities to ensure that this is achieved on a nationally consistent basis. It is also currently unclear how SFRA will “take account of finalised Flood Risk Management Strategies and Plans” required by the Flood Risk Management (Scotland) Act 2009.

### 21 Flooding & Drainage

With reference to paragraphs 245 to 247, do you think that where the Scottish Environmental Protection Agency (SEPA) has already granted a Controlled Activities Regulations (CAR) license then there should be no need for consideration of water and drainage issues by the planning system?

Y N

☐ N

The Council strongly disagrees with this.

The attainment of a CAR license from SEPA, under the Controlled Activity Regulations, for work on or near a body of water, is not considered to be a suitable substitute for the consideration of water and drainage issues by the various concerns within local authorities (Planning, Flood Risk Management and Roads), SEPA (Planning, Hydrology, etc) and Scottish Water.

Under the Flood Risk Management (Scotland) Act 2009, local authorities are responsible authorities and therefore must exercise their flood risk related functions to manage flood risk from all sources of water (with the exception of sewerage). The management of flood risk includes the consideration of non-structural measures, primarily by ensuring proper control of development on the functional floodplain. The best way to ensure that this succeeds is to ensure that the appropriate internal consultations with the parties noted above takes place where appropriate. This will also have the added benefit of ensuring that local knowledge of flooding and drainage issues will continue to be taken into account in the consideration of new planning applications. This is particularly important in situations where, for example, developments are discharging to sewers as there will be no need for a CAR application to be made by the developer although but flooding or drainage issues may still persist.

It should also be noted that the principal function of the Controlled Activities Regulations is the protection of the water environment from physical damage and pollution. The potential use of CAR for flood risk management functions is



## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

not therefore explicit in the current CAR guidelines nor is it the decision making process for granting CAR consents.

This proposal seems to relate more to River Basin Management (instead of Flood Risk Management) and should therefore not be taken any further

### 22 Reducing & Managing Waste

With reference to paragraphs 248 to 262, do you think that planning policy for waste management should be consolidated into the SPP to be clear on the messages and to remove the need for further narrative in Annex B of the Zero Waste Plan?

Y N

Y ☐

As the SPP should be a definitive resource of planning policy, the consolidation of planning policy for waste management would be supported

### 23 Overall

Do you think the proposed new structure and tone of the draft SPP is appropriate?

Y N

Y ☐

It is acknowledged that the document remains short and succinct and much of the draft SPP has not changed since the previous version was published and this consistency is welcomed. The Council supports the main principles in the draft SPP and considers that the revised format, layout and presentation of the draft SPP are an improvement. An Integration of Designing Places, Designing Streets and SHEP would be helpful to promote a single national policy framework for Scotland.

In general, the Council welcomes and supports the planning policies and Ministers' priorities in the draft SPP.

### 24 Overall

Do you think the SPP should and can be monitored? If so, how?

Y N

Y ☐

Yes, as it would be hard to improve on the current document otherwise. A qualitative approach using existing approaches to monitor the document should be used.

### 25 Overall

Do you think the SPP could be more focused? If so, how?

Y N

☐ ☐

No Comment

## Draft Scottish Planning Policy - Consultation Questionnaire

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Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

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### 26 Overall

In relation to the Equalities Impact Assessment, please tell us about any potential impacts, either positive or negative, you think the proposals in this consultation document may have on any particular groups of people.

No Comment

### 27 Overall

In relation to the Equalities Impact Assessment, please tell us what potential there may be within these proposals to advance equality of opportunity between different groups and to foster good relations between different groups.

No Comment

### 28 Overall

In relation to the Business and Regulatory Impact Assessment, please tell us about any potential impacts, either positive or negative, you think the proposals in this consultation document may have on business.

No Comment

### 29 Overall

Do you have any other comments? If so, please specify the relevant section and/or paragraph.

Paragraphs 28-30: Engagement. The Council welcomes the increased emphasis placed on engagement, noting that paragraph 29 highlights that "...all those involved in the planning system have a responsibility to engage constructively and proportionately..." The Council agrees that effective and early engagement between potential applicants, key agencies, communities and the planning authority can lead to better plans and better, faster decision making; and that engagement should be appropriate and proportionate. Whilst supporting the emphasis placed on engagement, a more aspirational approach involving innovative techniques for engagement is suggested. The Council has successfully used methods such as Placecheck, community focus groups, and engagement with minority groups.

Paragraphs 166-179: Promoting responsible extraction of resources. Given the emphasis on the need to use our natural resources to support the economy

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

more guidance should be given on this important emerging issue. Large parts of the Council area, including Kinross-shire and Strathearn are licensed for oil and gas exploration and these areas may have the potential for shale gas and coal gas to be extracted. The impact on communities of commercial extraction of coal gas and/or shale gas by hydraulic fracturing ("fracking") has become a contentious and emotive issue in other areas of the UK and the Council suggests more guidance is required to ensure that this resource can be exploited in a way which minimises the impact on communities and the wider environment.

Paragraphs 233-247: Managing Flooding Risk and Drainage. The section on Flood Risk and Drainage is considered to be very short and its success will largely depend on the updated Planning Advice Note which is still to be published. While the move to reduce and simplify the content of the SPP is understood, there is a risk that moving much of this to the PAN will weaken the consideration of flood risk within the planning system as advice will be less enforceable than policy.

Paragraph 234 – "flood reduction: ... and avoiding the construction of new or opening up existing culverts;...". This final sentence should be revised and clarified as it could currently be mis-read to suggest avoiding the opening up of existing culverts. SEPA's current policy is to promote the opening up of culverts.

Paragraph 245 – "...where the risk is at the upper end of the probability range or where the nature of the development or local circumstances indicate heightened risk." It is considered that this sentence is too ambiguous and will therefore simply be ignored by developers. The SPP should clearly define what is meant by terms such as "the upper end of the probability range" and "where the nature of the development or local circumstances indicate heightened risk".

Paragraph 246 - "for large developments". It is considered that this sentence is too ambiguous and will therefore simply be ignored by developers. The SPP should clearly define what is meant here. Perth & Kinross's draft supplementary guidance currently requires a Drainage Impact Assessment for development greater than 1,000m<sup>2</sup>.

Paragraph 247 – "SuDS should be adequate for the development". It is considered that this sentence is too ambiguous and will therefore simply be ignored by developers. The SPP should clearly define what is required here, in terms of water quality and flood risk management. Similarly the sentence "appropriate long-term maintenance arrangements should be put in place" is considered to be unclear and the SPP should define what the "appropriate...arrangements" are

