

## **CONSULTATION RESPONSE: SPP PLANNING POLICY & HOUSING - TECHNICAL CONSULTATION ON PROPOSED AMENDMENTS**

**OCTOBER 2020**

PAS ([www.pas.org.uk](http://www.pas.org.uk)) is an independent organisation that helps people in Scotland engage with the places around them. Engagement is a key aspect of enhancing local democracy and empowering communities to ensure that Scotland is a fairer and more equal place. PAS provides impartial advice, training, education programmes, facilitation, mediation and community visioning. We welcome the opportunity to respond to this consultation.

### **Question 1: What is your view on our proposal to remove ‘the presumption’ from the SPP, through the changes set out?**

PAS supports the principle of a plan-led planning system for Scotland under which the vast majority of land for new homes will be allocated through development plans and their associated strategies and assessment processes. In a plan-led system, any planning application for a site not allocated in the development plan must also be assessed first against development plan policies. This represents a further aspect of how Scotland’s plan-led system currently operates.

SPP para 11 sets out a vision for the Scottish planning system which includes the following aspiration: “*we live in sustainable, well-designed places and homes which meet our needs*”. It is clear that in the Scottish Government’s view, the current principal policy in SPP on a presumption in favour of sustainable development, and the associated paragraphs relating to development management (paras 32 & 33) are not working effectively or as intended. This has led to proposals for often large areas of new homes on unallocated sites, in some cases being promoted and assessed primarily on arguments of out-of-date development plans and insufficient effective housing land supply, including at appeal or judicial review. PAS has anecdotal experience or hearing from and advising impartially communities impacted upon and responding to some such planning applications.

PAS does not consider that the relevant sections of SPP, as re-worded in the consultation, will remove the occurrence of speculative planning applications for new homes on unallocated sites, and that is not what we understand the intention of Scottish Government to be. Inevitably, it may transpire, too, that other justifications will emerge based on any interim re-wording of SPP. This may still lead to dissatisfaction within existing communities who face housing development - or indeed shortages of new homes - unless much wider issues of engagement and understanding of planning are addressed.

However, PAS does believe that the situation currently is at odds with the aspiration to achieve a more collaborative and less adversarial planning system which lies behind the Planning (Scotland) Act 2019. In this regard, PAS hopes that a revised interim version of SPP, and the future approach in NPF4 to achieving sustainable development, will lead to planning applications for new homes being assessed primarily against the current 13 policy principles in SPP para. 29, or their NPF4 equivalent,

using planning judgement to assess the weight to be attributed to any other material considerations. In the interim SPP and in NPF4, these policy principles should be clearly framed around their intention to achieve sustainable development.

PAS would like to comment on the current prioritisation, content and wording of the 13 principles in SPP para. 29 as follows. This is based on our experience of engaging with communities - including and our understanding of their expectations of the planning system. More widely, it is based on a desire to see a reformed planning system and better delivery model for new homes which will bring forward high-quality and sustainable developments that promote health, active travel and well-being, and inclusive economic growth for Scotland.

- PAS would suggest that principle 3, relating to the 6 qualities of successful place, should be made an over-arching, high level-principle rather than be subsumed within a longer list. This would reflect the status given to the current Policy Principle on Placemaking which introduces SPP para. 38.
- PAS would further comment that the current Scottish Government document Creating Places does not feel fully relevant to the opportunities and challenges of achieving sustainable and high-quality areas of new homes. How to progress this matter is perhaps a separate discussion that needs to be taken forward between Scottish Government and the major home developers and affordable home providers in Scotland. How to incorporate the principles of Designing Streets into new home development could also be re-visited.
- PAS would suggest the insertion of a new principle reflecting the role of community engagement in placemaking and the potential to take into account the quality of engagement in determining planning applications.
- PAS would suggest the insertion of a policy principle relating to the importance of providing affordable homes.

PAS would like to contribute the further following points:

- Regional Spatial Strategies and Housing Land Audits are key determinants of development patterns, locations for new homes, and housing types and tenures. Given the limited community engagement opportunities offered by both, and if this cannot be addressed, it would be useful to consider dedicated information sessions on these processes for community councils.
- It would be useful for Scottish Government to provide a clear definition of what a plan-led system means, possibly based on para.1 of this response. There is currently only one reference to this matter in SPP (para. 3).
- It would also be useful in responding to this consultation to know figures or statistics on how many new homes are delivered annually by speculative planning applications for windfall for non-allocated sites.

**Question 2: What is your view on the proposed changes set out and our aim of clarifying the definition of the 5-year effective housing land supply to reflect the currently exceptional market circumstances?**

PAS supports the Scottish Government's aim of providing clarity and certainty on this process to all stakeholders in the planning system and believes this will help achieve a less adversarial approach.

**Question 3: What is your view on the proposed changes to paragraph 125, including (a) the proposed calculation to establish the scale of the 5-year effective land supply in relation to alternatives and (b) the proposed approach to assessing proposals where a shortfall emerges?**

PAS supports the Scottish Government's aim of providing clarity and certainty on this process to all stakeholders in the planning system and believes this will help achieve a less adversarial approach.

**Question 4: Do you agree that the proposed amendments will not directly impact on other (non-housing) types of development? If not, please provide evidence to support your view.**

No comment.

**Question 5: Do you agree that fuller impact assessments are not required? If not, please provide evidence to support your view.**

PAS agrees that for an interim policy amendment such as this, these assessments are not required.

#### **CONTACTS**

PAS would be pleased to respond to any queries with regard to this response.



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