



HISTORIC
ENVIRONMENT
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Mr Chris Hynd
The Local Government and Communities Committee
The Scottish Parliament
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Our case ID: 300019278

2 February 2018

Dear Mr Hynd,

Parliamentary Call for Views, Planning (Scotland) Bill

Thank you for seeking our views on the Planning (Scotland) Bill as part of your call for written evidence. I offer the following comments on behalf of Historic Environment Scotland which is the lead public body set up to investigate, care for and promote Scotland's historic environment.

We are a non-departmental public body with charitable status, governed by a [Board of Trustees](#), who are appointed by Scottish Ministers. We lead and enable Scotland's first historic environment strategy [Our Place in Time](#), which sets out how our historic environment will be managed. It ensures our historic environment is cared for, valued and enhanced, both now and for future generations.

Historic Environment Scotland's role in planning

We provide advice on the effects of plans, policies and development proposals on Scotland's historic environment. This includes Scotland's six World Heritage Sites, nationally important marine and terrestrial archaeology, historic buildings, gardens and designed landscapes and battlefields.

We are a statutory consultee for some planning applications and all projects accompanied by an environmental impact assessment. We are also consulted on certain applications for listed building consent and conservation area consent. Our role in the planning system is to advise decision makers, particularly planning authorities, Scottish Ministers and other regulators. We do not determine planning applications. The advice we provide is a material consideration and it is for the relevant decision maker to consider its relative weight against planning policy and a range of other factors.

As a Key Agency, we also provide guidance on a range of topics relating to our environmental objectives and support Local Authority partners in preparing and delivering Local Development Plans.

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

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Planning (Scotland) Bill – call for evidence

We have provided comments in relation to some of the questions highlighted by the Committee and would be happy to provide further information in support of these, or other related matters, should this be helpful.

1. Do you think the Bill, taken as a whole, will produce a planning system for Scotland that balances the need to secure the appropriate development with the views of communities and protection of the built and natural environment?

Change is an inevitable part of the dynamic of the historic environment, and how this is managed is the critical factor. It is vital to strike the right balance between development and the protection of significant and valued historic environment assets. The planning system is one of the main mechanisms in which this balance between protection and managing change must be considered – in specific cases and more strategically.

In light of this, Historic Environment Scotland is committed to supporting reform of the Scottish planning system and welcomes the preparation of this Bill as a next step in taking this forward. Reflecting on the change introduced by the current planning act, we feel that significant process has been made in front loading both the development planning and development management processes, but that there is more to be done. Such front loading is crucial for ensuring the historic environment plays a key role in planning decisions and we welcome the provisions within the Bill that continue with this direction of travel.

Overall we see the Bill as delivering a series of small but important amendments to the existing planning system, which we think will support improved outcomes in a number of areas. However, there remain a number of factors out with the legislative process that will continue to play a significant role in successful planning, including land ownership, financing, culture change and innovative approaches for working together.

3. Do the proposals in Bill create a sufficiently robust structure to maintain planning at a regional level following the ending of Strategic Development Plans and, if not, what needs to be done to improve regional planning?

We are generally content with the proposals outlined in the Bill as a successor to Strategic Development Plans. However, we would hope that the experience and partnership working that has been created around these plan areas, in some places over many years, is carried forward into the Regional Partnerships where possible.

We welcome that the Key Agencies are identified as playing a role in supporting the preparation of the next National Planning Framework and the proposed Regional Partnerships and look forward to inputting to this process.

We also feel that greater linkages could be made through this new proposal for Regional Partnerships with current frameworks for City Region Deals and Local Growth Plans. The



committee will be aware from its recent consideration of City Deals that in many instances there will be a strong interdependency between projects identified as part of that process and the planning system. Indeed, the Local Development Plans, their associated impact assessments and delivery programmes, will be a key delivery mechanism for city deal projects and their wider aspirations.

Finally, we would highlight that further steps could be taken to further integrate regional spatial planning with the Landuse Strategy, building upon the experience gained from the two Regional Partnership Pilot Projects in Aberdeenshire and Scottish Borders.

4. Will the changes in the Bill to the content and process for producing Local Development Plans achieve the aims of creating plans that are focussed on delivery, complement other local authority priorities and meet the needs of developers and communities? If not, what other changes would you like to see introduced?

We are broadly supportive of the proposals for the preparation of development plans as these should provide greater clarity and engagement as well as allow for the delivery of coordinated development which incorporates consideration of the historic environment.

Lessons learned from the current development planning process have demonstrated that close alignment between plan preparation and its environmental assessment are crucial for achieving proportionate and effective outcomes. We therefore see the evidence report and early gate check as being a key opportunity to better integrate the strategic environmental assessment into the plan preparation process. Similarly, we support the move from 5 years to 10 years, with greater emphasis upon delivery.

5. Would Simplified Development Zones balance the need to enable development with enough safeguards for community and environmental interests?

We are generally supportive of the proposals for new Simplified Development Zones providing there is a robust early consultation process with the Key Agencies, other interested parties and local people. The new process will require substantial front loading of environmental information to ensure adverse effects can be identified early and be avoided.

6. Does the Bill provide more effective avenues for community involvement in the development of plans and decisions that affect their area? Will the proposed Local Place Plans enable communities to influence local development plans and does the Bill ensure adequate financial and technical support for community bodies wishing to develop local place plans? If not, what more needs to be done?

We welcome the provisions which seek to increase participation in the plan-making process and agree that local communities should be given a greater opportunity to positively shape the development of their areas. Local communities play an instrumental role in identifying important historic environment assets in their areas and are often best



placed to identify innovative ways of enhancing these assets within the context of future growth.

The Bill, through the provision for local place plans, brings significant new expectations for Local Authorities and relevant bodies, including ourselves, to support their preparation. It is important that the resources required to build capacity and facilitate local place planning are not underestimated. We feel that further clarification on both financial and technical support that will be available to support local communities in bringing forward these plans will be essential.

9. Do you support the requirement for local government councillors to be trained in planning matters prior to becoming involved in planning decision making? If not, why not?

We support the development of training for local government councillors and believe this should encompass both development planning and management functions. We, along with fellow Key Agencies, would welcome the opportunity to play a role in the provision and delivery of this training.

I hope this is helpful. Should you wish to discuss our comments in more detail, please feel welcome to contact Alasdair McKenzie on 0131 668 8924 or at alasdair.mckenzie@hes.scot.

Yours sincerely,

Barbara Cummins
Director of Heritage

Historic Environment Scotland