Review of the Scottish Planning System 2015

Sustrans Comments

December 2015

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Table of contents

1   Development Planning

Steps should be taken to ensure Development Planning in Scotland does not undermine Scottish Government or Local Authority policy. We have observed a significant disconnect between a number of high-profile planning decisions and Scottish Government policy objectives, particularly those which relate to modal shift away from private vehicle use towards public transport and active travel[1] and to improve air quality in Scotland[2]. For example, we do not consider that significant increases in parking capacity proposed as part of the St James' development in Edinburgh, can reasonably be seen to support the shared aim of the Scottish Government and City of Edinburgh Council to enable modal shift away from private vehicle use towards public transport and active travel. Rather, we believe that this development has the capacity to undermine efforts to enable modal shift[3].

We welcome the Scottish Government's commitment to a strong third sector and the recognition of the important role that the third sector plays in the delivery of public services. We believe that in recognition of this, the third sector, where relevant to planning, should be given the opportunity to engage with the planning system, in the same way that statutory and key agencies do at present, and resources made available for this. This would allow the expertise of such organisations to be integrated into developments from the outset instead of retrospectively following the completion of a project.

Specific recommendations:

- Local authorities should be obliged to engage with third sector organisations relevant to planning, such as Sustrans Scotland, which are delivering public services on behalf of the Scottish Government;
- An incentive should be given to develop on brownfield sites, over greenfield. All plans should enable this;
- Developments which have a negative impact on air quality in Air Quality Management Areas OR areas susceptible to becoming AQMAs should not be permitted – explicit guidelines should be developed to support this and PAN 51 redrafted.

2   Housing Delivery/Planning for Infrastructure

Housing and mixed use developments continue to be built around distributor roads with a focus on vehicle movement rather than quality of place, contrary to Scottish Government policy set out in Designing Streets. At present, Designing Streets can be used as a material consideration but we consider that, in practice, other factors counteract its potential. For example, new street designs are often dominated by the perceived need to accommodate motorised traffic volumes predicted to be generated by developments, as part of the Transport Assessment process. **We believe that a more balanced approach is required where transport and place are given equal weight**. This would involve having a strong inter-professional approach to each project.

We strongly believe that, in the case of new housing developments, new, innovative approaches should be encouraged and embraced. For example, car free developments like those seen in Frieburg, where car parks are available in areas that people live, but on the periphery in one compact area. This leaves the rest of the area car free, for people to enjoy unimpeded by traffic.
In commercial developments a clear provision should be made for staff to choose active modes of transport. All new developments should include secure cycle parking in easily accessible locations, showers,

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[1] RPP2 states: "We are also aiming for significant modal shift from the private car to public transport and active travel" (Scottish Government, 2013, pp. 171-172).
[2] "Cleaner Air For Scotland: The Road to a Healthier Future" is the Scottish Government's national strategy "to work towards the common aim of achieving the best possible air quality for Scotland" (p. 1).
[3] A similar argument could be made about proposals to increase parking capacity at Buchanan Galleries in Glasgow.

changing rooms and so on, as well as suitable links to cycle networks. At present, not all new developments are following current guidelines on provision of cycle parking.

The provision of new or upgraded strategic transport infrastructure should be more closely linked to enable delivery of strategic housing areas identified in Strategic Development Plans (SDPs), particularly to support sustainable travel to/from them. The recent SESplan MIR preferred option identifies housing growth along existing public transport corridors, which we support in principle. However, many of the railway lines are at capacity at peak times. We are concerned that development of such sites will therefore lead to increases in travel by private motor vehicles. The subsequent cost of increasing rail capacity to meet future demand will likely be greater than can be secured from developer and local authority contributions. Therefore additional investment is needed to support development of these sites and ensure sustainable travel is a realistic option for most people.

Specific recommendations:

- Developments should provide adequate measures for staff to cycle/walk to work in addition to public transport and the effects measured as part of the travel plan process;
- New housing developments should be placed and designed in such a way that reflects the principles of Designing Streets;
- A framework for monitoring whether new housing developments are adhering to Designing Streets should be established;
- Infrastructure to enable travel by sustainable modes of transport should be designed and delivered from the outset of a development;
- Different approaches to housing design should be embraced;
- Strategic transport investment should be targeted to enable sustainable travel to/from SDP housing sites.

3   Development Management

Tight time constraints have a negative impact on quality development. An efficient system should not mitigate effective engagement or quality sustainable design.

A greater level of enforcement is needed in the implementation of development travel plans. There is a requirement to produce them for larger developments, in order to mitigate transport impacts and set targets to deliver modal shift away from private vehicle use. However we feel insufficient resources are dedicated to following up their implementation and assessing the impacts.

We would like to see changes to the permitted development rights of Network Rail. We agree it is right that they have permitted development rights in order to maintain and enhance railway operations (e.g. railway electrification). However this should not be at the expense of public access on foot and by bicycle. For example, in one instance in Edinburgh, public access under a railway bridge has been permanently prevented, due to replacing the structure with an embankment as part of maintenance works. Despite this severing the alignment of a safeguarded walking and cycling route identified in Edinburgh's Local Development Plan, the Council was powerless to prevent the works, due to its designation as permitted development. In such instances, local authorities currently have no legal basis for ensuring public access is maintained.

Specific recommendations:

- Any change to make the planning system more efficient should not be taken at the cost of quality and sustainability;
- A requirement to implement and assess travel plans and the provision of resources for this;
- We would like to see a clause added to permitted development rights legislation such that Planning Authorities can require Network Rail to ensure that existing and proposed public access is maintained as a result of changes they make to railway infrastructure.

4   Resourcing and Leadership

The planning process should involve all local authority departments throughout each of the stages. It should not be a linear, segmented system that enables one department to do their bit and pass it on to the next. Expertise and examples of good practice should be shared across regions as well as departments.

Planning Officers, Elected members and their reporters should be trained in areas such as active and sustainable travel. Elected members should work *with* local authorities to establish a full understanding of the consequences of their decisions with regards to the urban, social and natural environment. Access to training from the Royal Town Planning Institute and other groups offering insight into planning innovations should also be offered.

Specific recommendations:

- Collaborative working across departments and regions;
- Less aspiration and more explicit guidelines on design and development to empower local authorities;
- Planners should be given training in areas which can affect real change such as active and sustainable travel;
- Elected members to be similarly trained.

5   Community Engagement

Engagement should not be a tick box exercise. True, creative, engagement is needed and organisations such as PAS and Sustrans have expertise in this field and should lead the way.
Community Councils do not always reflect their communities' social composition. Therefore, while engaging and consulting with them is valuable, increasing the authority they have will not necessarily equate to more effective community engagement.

To enable wider engagement, online planning portals should be designed around the end user and of a consistent standard across the country. To increase engagement, we would welcome steps to simplify and improve the local authority portals. At present there is significant variation across the country. They should be designed around the end user and actively enable wider engagement.

Specific recommendations:

- Public Social Partnerships should be mandatory for large scale developments;
- Engagement standards and procedures should be led by organisations such as PAS;
- Planning portals be designed to a set standard across the country with engagement and straightforward access to information being key functions.