

Draft Scottish Planning Policy: Sustainability & Planning



RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

John Muir Trust

Title Mr Ms Mrs Miss Dr Please tick as appropriate

Surname

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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

(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

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

(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

X **Yes**

No

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

Responses should focus on the content of the consultation paper. There is no need to repeat comments on other sections of the Draft SPP that was consulted on previously.

Consultation Question 1

Y **N**

Do you think the SPP should include a presumption in favour of development that contributes to sustainable development?

X

The John Muir Trust is a UK conservation charity dedicated to protecting wild land and campaigning for its long-term protection. The Trust welcomes the opportunity to contribute to this further consultation to inform Draft Scottish Planning Policy.

In its response to the Scottish Planning Policy earlier in 2013 the Trust made a strong representation on the need for SPP to properly uphold the principles of “sustainable development.” Specifically, the Trust was concerned that the focus in the proposed SPP on “sustainable economic growth” was a contradiction in terms as it prioritises economic growth over the other two pillars of sustainability - social and environmental considerations. The Trust was concerned that the prominence given to sustainable economic growth in the draft document placed economic growth above environmental concerns and social justice.

The Trust therefore welcomes the proposal to replace the Draft SPP principal policies on “sustainable economic growth” and “sustainable development” with a principal policy on “Sustainability and Planning” – which explicitly brings in a presumption in favour of sustainable development to the SPP (*Policy Presumption: This SPP presumes in favour of development that contributes to sustainable development.*). In particular, the Trust very much welcomes the explicit inclusion of the UK’s shared framework for sustainable development and the referencing of the Brundtland definition of “sustainable development”.

The Trust, along with other social and environmental organisations, has been concerned that an over-emphasis on sustainable economic growth might lead to too little consideration being given to social and environmental factors. The “Context – Sustainability and Planning” identifies several key Scottish Government policy references to “*sustainable economic growth*” in paras 2,3 and 5. However, it also correctly includes the 2006 Planning Act’s explicit reference to decisions needing to be in line with the objective of contributing to sustainable development and the Town and Country Planning (Scotland) Act 1997 requiring “planning applications to be determined in accordance with the development plan **unless material considerations indicate otherwise**”.

It is essential that planning decisions give due weight to material

considerations, even if the Development Plan has not fully included them, Recent planning decision-making suggests to the Trust that other material considerations may not be being given due weight. In particular, the NPF’s recognition of the national importance of protecting wild land has not been reflected in some development plans and, therefore, would need to be brought into such a balancing process. So the wording of the SPP needs to ensure that the importance of undertaking this overarching assessment, and giving due weight to all material considerations, is understood by planners and decision-makers.

The Trust considers that the proposed wording in Policy Principles 7 reintroduces the potential for economic growth to override the principle of appropriate environmental protection. There is an apparent exclusion of a specific policy principle of protecting the natural environment in Policy Principles 7. Here, the protection and enhancement of *cultural heritage* (including in particular the historic environment) and the protection, enhancement and promotion of *access* to natural heritage are specifically stated, but not the protection and enhancement of the *natural heritage*.

In addition, the Trust would note that the list of Policy Principles does not make it clear that this list is presumably not a list of principles in descending order of importance. As presently set out, it leads with economic and financial considerations and it should be made clear that all of these principles must be considered in the context of truly sustainable development.

Consultation Question 2

Y N

Do you think the proposed approach to sustainability and planning is appropriate?

X

The Trust notes the proposal in para 8: Development Planning that “*development plans should reflect the presumption in favour of development that contributes to sustainable development, as set out in this SPP.*” We question whether this is necessary and consider that although it qualifies this with a presumption in favour of development that contributes to sustainable development, it could nonetheless potentially undermine the over-riding Policy Principle” that “*planning should enable development that creates sustainable places across Scotland*” through appearing to prioritise in favour of development per se.

Consultation Question 3

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.

The Trust considers that the proposals as currently drafted do not adequately

provide for the interests of those individuals, organisations and businesses with an interest in the conservation, protection and enhancement of the natural environment to be recognised and reflected in the decision-making process.

Consultation Question 4

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

N/A

Consultation Question 5

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

The Trust considers that, because the proposals do not sufficiently reflect the principle of protection of the natural environment, the proposals potentially benefit larger business interests to the detriment of those smaller-scale businesses that are dependent on the continued existence of a high quality environment, including natural landscapes. Examples of the latter might include walking tour operators, wildlife watching holidays, adventure tourism operators, accommodation providers, etc. for whom Scotland's outstanding natural heritage is fundamental to their business and their key marketing tool.