



Scottish Planning Policy: Consultation on Removal of Sustainable Development Presumption

9 October 2020

Planning and Architecture
Scottish Government
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Dear Sir/Madam

GreenPower (International) Ltd is a leading independent renewable energy company based in Scotland, and established in 2000.

GreenPower wishes to express its disappointment that the Scottish Government proposes to remove the presumption in favour of development that contributes to sustainable development in Scottish Planning Policy (SPP), and objects to this move.

The proposal appears as a weakening of leadership to deliver on sustainable development and runs counter to the Scottish Government's commitments in other policy areas to support policy that can contribute to international and domestic sustainable development goals.

At a time of climate emergency, and with significant pressure to 'build back greener' to aid recovery from the covid-19 pandemic, we would expect policy to be strengthened towards more presumption in favour of sustainable development, not less. In addition, the National Planning Framework (NPF) and SPP are now out of date and require a significant upgrade to enable the scale of renewable energy deployment required to create jobs, achieve Scotland's Climate Change commitments and deliver 2030 targets. To propose a weakening in this way, as an interim measure appears to be a misstep in the wrong direction.

We do of course welcome the Chief Planner letter of 4 September 2020 which stated that the existing policies in SPP remain in place whilst the consultation period runs, but this holding pattern does not address the need for SPP to be strengthened. The statement that "none of the changes proposed in the consultation aim to undermine or contradict Ministers' stated commitments to delivering good quality development, including... renewable energy projects" is also welcome. This may be a stated intention, but we would question whether this would be the effect of the proposed change.

The proposal to remove the presumption has implications for all types of development including renewable energy, whether proceeding under the Town and Country Planning (Scotland) Act 1997 or other legislation, including the Electricity Act 1989.

If the problem the Scottish Government is trying to solve is one of how housing developments are affected by the policy, then it may be better to address that within the housing provisions set out in policy, not by removing the presumption which affects all policy areas.

Sincerely



George Baxter

Director of Development
GreenPower (International) Ltd

Consultation Questions

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

As stated in our cover letter above, we object to this proposal. Commitments to sustainable development should not be weakened in this way, particularly in the absence of any proposal to immediately replace the presumption with a supportive policy of equal force for renewables.

In the Scottish Programme for Government (PfG) in September 2019, the First Minister highlighted that “the global climate emergency means that the time is right for wide ranging debate on more radical planning policy options”. This move is a step in the wrong direction.

The proposal appears as a weakening of leadership to deliver on sustainable development and runs counter to the Scottish Government’s commitments in other policy areas to support policy that can contribute to international and domestic sustainable development goals.

At a time of climate emergency, and with significant pressure to ‘build back greener’ to aid recovery from the covid-19 pandemic, we would expect policy to be strengthened towards more presumption in favour of sustainable development, not less. In addition, the National Planning Framework (NPF) and SPP are now out of date and require a significant upgrade to enable the scale of renewable energy deployment required to create jobs, achieve Scotland’s Climate Change commitments and deliver 2030 targets.

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?

It may be better to consider housing policy changes rather than make an overarching policy change.

Fundamentally the consultation is a proposal driven by a housing issue. For housing alone, there is a requirement for a five-year supply of housing land. The judgement in the *Gladman* case should therefore not be used to justify a major change across multiple developments types such as onshore wind, where there are no similar specific targets.

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?

We have no comments to make on this question.

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.

We would disagree. The overarching nature of the presumption should be retained and renewable energy development (and associated targets) should also be strengthened and considered sustainable development which can benefit even more from the presumption.

Fundamentally this consultation is a proposal driven by a housing issue but will be applied across multiple types developments including renewable energy.

Planning Authorities will be able afford the presumption minimal weight when considering renewable energy development.

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

N/A