

## Motion S5M-10364: Incinerators, Public Health and Planning in Scotland LINK Briefing

Scottish Environment LINK is the forum for Scotland's voluntary environment community, with over 35 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society.

**Motion S5M-10364 highlights a number of critical issues that need to be addressed within the context of Scotland's planning system. The ongoing scrutiny and deliberations by Scottish Parliament on the Scottish Government Planning Bill is the opportunity to redress those issues.**

**Scottish Environment LINK members are calling for:**

- 1) The introduction of an amendment to the Planning Bill on the purpose of planning and its key role in delivering sustainable development, in line with Scotland's commitment to the UN Sustainable Development Goals which apply equally at the domestic and international level.**

As the motion highlights, planning should indeed "enhance communities and create high-quality, sustainable places that support the health and wellbeing of current and future generations". Sustainable development should therefore be at the heart of the planning system and planning decisions.

However, currently our planning legislation falls short in this respect. It is therefore critical that in scrutinising the Scottish Government's Planning Bill, MSPs consider introducing an amendment that captures the purpose of planning and can therefore provide the overarching goals and ambitions that will guide decisions in this critical policy area.

- 2) The introduction of a requirement for Scottish Parliament to vote on the National Planning Framework and thus ensure that one of the most critical documents, further enhanced by the Planning Bill, outlining Scotland's long-term spatial vision obtains parliamentary approval.**

A vote in the Scottish Parliament would ensure that there is cross-party support for Scotland's spatial long-term vision and it would also help ensure that the activities of the Bill will support policy cohesion and coordination.

If Scotland is to meet its international obligations in terms of climate change and biodiversity loss, as well as tackle issues such as waste generation and air quality, it is critical that planning decisions are contributing towards policy ambitions. Planning can deliver for our environment, health and prosperity by enabling those policy connections.

For example, it is well established that health inequalities between communities with differing economic conditions, are influenced by the wider environment. Access to green space is not equally distributed across the population. More affluent areas and people in higher socio-economic groups have larger amounts and greater access to green space compared to more deprived areas. Promotion of existing spaces and the creation of new green space can help reduce these inequalities. In those areas where there is a greater proportion of green spaces, income-related health inequalities are lower.<sup>1</sup> As the motion highlights, waste management decisions which respect the EU's Waste Hierarchy as

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<sup>1</sup> <https://www.woodlandtrust.org.uk/publications/2015/07/residential-developments-and-trees/>

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enshrined in the EU Waste Framework Directive which is part of Scots Law can deliver on Scotland's circular economy ambitions with resource efficiency gains and job growth implications. According to the Waste Hierarchy framework energy recovery/incineration and landfill are the least preferable options<sup>2</sup>.

**3) Planning decisions that consistently run counter to local communities' wishes are undermining the notion of a "plan-led" system in Scotland and reinforce the trend of disengagement with the planning system. The Planning Bill needs to redress this issue by:**

**a) Reconsidering the rationale for removing opportunities for community engagement and consultation**

The limiting of opportunities for communities to engage in planning runs counter to the aims of the Bill which seeks to support communities. Currently the Bill removes a number of provisions that promote community engagement. Specifically, it removes the Main Issues Report, Strategic Development Plans, Supplementary Planning Guidance; it also shifts the Development Plan and National Planning Framework (NPF) review cycle from 5 to 10 years; and it incorporates Scottish Planning Policy into the NPF.

These changes are introduced with the aim of streamlining the planning process and expediting decision-making. It is critical however that adequate provisions are maintained to ensure robust and meaningful community engagement. The Bill's proposal for Local Place Plans does not go far enough in this respect and therefore it is likely that the Bill's provisions will result in a further roll-back of community engagement opportunities.

**b) Introducing measures for equalising the process of appeals and introducing equal rights for both communities and applicants.**

At the same time the Planning Bill does not provide any provisions that would alleviate the unfairness of the appeal system which consistently favours applicants. The motion highlights the frustration of communities when faced with repeat applications. Incinerators are an example of a development where repeat applications can be a particular problem.

This is why it is important to ensure that the appeals process is equalised. Introducing equal rights of appeals is a solution to this issue which would help reassure communities that they have a clear role in shaping the places they live in.

*This LINK Parliamentary Briefing was prepared on behalf of LINK's Planning Group.*

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<sup>2</sup> <http://ec.europa.eu/environment/waste/framework/>

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