

1 February 2018

## Local Government and Communities Committee Planning (Scotland) Bill Submission from Ramblers Scotland

Ramblers Scotland is the representative body for walkers in Scotland and is recognised by **sportscotland** as a governing body of sport. We are a membership organisation with 54 local walking groups in Scotland, running 3,500 group walks a year which are led and organised by 1,200 volunteers. Our charitable objectives are broadly to secure and facilitate access, protect the countryside and promote walking to all.

As members of Scottish Environment LINK we are supporting the submission from the LINK planning group. However, we would also like to make the following additional points:

*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?*

We have been supporters of an Equal Right of Appeal (ERA) since prior to the Planning Act 2006 and we remain concerned that this current Planning Bill still does not address the current imbalance within the planning appeals system where communities can struggle to get their concerns properly addressed. We urge the committee to consider the case for ERA, which we believe would help to address inequalities and also help to rebuild trust in the planning system. It is clear from the recent [public survey](#) undertaken by the National Trust for Scotland that there is a serious lack of confidence felt by communities across Scotland in their ability to influence local decisions. The only way these concerns can be expressed is through a costly legal process after decisions are made, which is usually beyond the means of most individuals and communities. When referencing 'communities' we also include communities of interest, such as charities like ourselves who can often act on behalf of the public interest in remote areas where there are often few residents to form a geographic community.

Over the past decade we have been involved in a number of cases where we have supported local Ramblers members and/or communities who have engaged in applications for large developments such as wind farms, trunk road developments, electricity transmission infrastructure or large housing schemes which would all have a significant impact on the local landscape or on public access, such as long distance routes or core paths. Many people who have engaged in this process have found it to be difficult and dispiriting, even when they have been involved in initial consultation processes. We believe that an ERA would have enabled them to feel more confident in the planning system, and that their voices were being heard, given that developers would have been aware of the potential for an appeal at a later stage.

We would like to see the introduction of an ERA mechanism which could be restricted to certain criteria to ensure vexatious appeals do not arise. These criteria may include, for example, cases when the decision is against the provisions of the development plan.

In addition, the LINK submission highlights concerns over the lack of safeguards within the Bill for environmentally sensitive and protected areas. We would add here that there is also a lack of consistency in the way Wild Land Areas are treated within Scottish Planning Policy. While National Parks and National Scenic Areas specifically are excluded from significant development, Wild Land Areas are not, despite WLAs being described within the document as areas needing significant protection, and wild land is described in NPF3 as a “nationally important asset”. We suggest the inconsistency in recent planning decisions relating to large-scale renewable developments would be removed if WLAs were also given the same protection as National Parks and National Scenic Areas. Likewise we have seen cases for hydro schemes within WLAs which have not mentioned this fact and therefore planning authorities have not necessarily been aware of the sensitivity of the location and asked for stronger planning conditions with regard to restoration and siting of the related dam, intakes and access tracks.

*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 support the suggestion made by Paths for All in their own submission to the committee that the legislation should make specific mention of the promotion of walking and active travel. We are aware of many cases where local policies are strongly supportive of designing places according to a hierarchy of needs (ie, walking first, followed by cycling and then public transport, and finally the private motor vehicle) and yet this intention is lost when developments come to fruition. We would support the committee giving consideration to the creation of a duty to promote walking and active travel for planning authorities and other public bodies.

For more information, contact Helen Todd, campaigns & policy manager, [helen.todd@ramblers.org.uk](mailto:helen.todd@ramblers.org.uk)

Ramblers Scotland, Caledonia House, Redheughs Rigg, Edinburgh EH12 9DQ, Tel: 0131 472 7006.  
[www.ramblers.org.uk/scotland](http://www.ramblers.org.uk/scotland)

Director: Jess Dolan    Convener: Alison Mitchell    President: Ben Dolphin

The Ramblers' Association is a registered charity (England and Wales no 1093577, Scotland no SC039799) and a company limited by guarantee, registered in England (no 4458492)