

4 April 2017

Planning and Architecture Division
The Scottish Government
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Victoria Quay
Edinburgh EH6 6QQ
Planningreview@gov.scot

Dear Sirs

Places, people and planning: consultation response

Ramblers Scotland welcomes the opportunity to comment on this consultation. We are the representative body for walkers in Scotland, recognised by **sportscotland** as a governing body of sport. We help everyone, across Scotland, enjoy walking and protect the places we love to walk. We have over 6,500 members in Scotland with 54 local walking groups entirely run by volunteers.

We support the submission to this consultation by Scottish Environment LINK, and therefore our comments below are limited to additional points in line with our own interests.

Questions 9-12, increasing community involvement in planning

These questions relate to the need to better involve local communities in planning process. While we fully support this vision, we would like to point out that community groups are not always defined as geographical communities. It is also important for planners to engage with 'communities of interest' who may contribute useful and important expertise to the issues under consideration but may be based outwith the local area, or indeed who may be a specific community of interest within one larger geographical area. Communities of interest include national recreation and environmental organisations.

Question 14, enforcement

We agree that enforcement action should be strengthened as suggested. For example, we have experience of cases where our organisation has engaged seriously with the planning system to ensure strong conditions are attached to planning approval on contentious applications, only to find that the planning authority is not able to enforce these conditions, often due to a lack of resources. This risks the public losing confidence in the system as noted in the consultation document.

Question 31, resourcing the planning system

We support the proposal to move towards full cost recovery through an increase in planning fees, and also support the suggestion that agencies would also have the option to recover their costs by charging for certain services. We would like to point out the anomaly that there is currently no fee required to give a Prior Notification (PN) for a hilltrack (private way/track for agriculture or forestry purposes), even though consideration of this PN incurs a cost for the planning authority. We would like to see the introduction of a fee for a PN in this context. We support the proposal for higher fees for a retrospective application, or indeed a retrospective PN.

Convener: Alison Mitchell
President: Ben Dolphin
Director: Brendan Paddy

Question 32, permitted development rights

We oppose the proposal to extend permitted development rights (PDRs) to digital telecommunications infrastructure such as masts. These structures can be very obtrusive and may be located in areas of high landscape quality. With the inclusion of permanent tracks leading to some of these masts, the impact on scenic areas could be significant and we feel it is in the public interest to retain the need for planning permission so that all impacts can be assessed.

While this question is regarding the extension of PDRs to other developments, we believe that there is a case for PDRs to be removed from some developments where they already apply. We would like to see PDRs removed from the creation of new Hilltracks/improvement of existing tracks for agriculture or forestry purposes, which are currently only subject to Prior Notification (PN), as mentioned above. As part of the Scottish Environment LINK Hilltracks group, we have been monitoring the implementation of the PN system and believe that it does not address many of the issues we had identified, such as the lack of a formal opportunity for public comment on PNs, the inability of a planning authority to refuse consent to a new development of a track, for example on landscape grounds, if it is ostensibly being built for agricultural or forestry purposes, and the difficulty in ascertaining the main purpose of a track and therefore assessing whether it truly falls under permitted development. In addition, the fact that the Cairngorms National Park Authority is not a planning authority can cause difficulties regarding the oversight of tracks within the national park as they are not able to call in PNs.

Ramblers Scotland has also long had concerns over deer fencing which can currently be constructed under PDRs if the height is under 2m and away from a roadside. Deer fencing often causes a negative landscape impact and may have associated access tracks alongside. While the case has been made by landowning interests that the use of deer fencing is a legitimate land management practice, we are increasingly concerned over instances of long stretches of deer fencing which is electrified. This forms a barrier to access, even if crossing points are included (the Moorland Forum recommendation is for crossing points every 500m but we have been aware of fencing with less distance between places to cross). We would therefore like to ask for consideration of the removal of PDRs from any electrified fencing, apart from temporary stock fencing.

We trust this information is helpful and would be happy to discuss further at your convenience.

Yours sincerely

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