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23 August 2017

Dear Sir/Madam,

**WRITTEN EVIDENCE FOR ENVIRONMENT, CLIMATE CHANGE AND LAND REFORM  
COMMITTEE INQUIRY INTO AIR QUALITY IN SCOTLAND**

The Royal Town Planning Institute (RTPI) is the champion of planning and the planning profession. We work to promote the art and science of planning for the public benefit. We have around 2,000 members in Scotland and a worldwide membership of over 24,000. We:

- Support policy development to improve approaches to planning for the benefit of the public; maintain the professional standards of our members;
- Support our members, and therefore the majority of the planning workforce, to have the skills and knowledge they need to deliver planning effectively;
- Maintain high standards of planning education;
- Develop and promote new thinking, ideas and approaches which can improve planning;
- Support our membership to work with others who have a role in developing places in Scotland;
- Improve the understanding of planning and the planning system to policy makers, politicians, practitioners and the general public.

**Overview**

RTPI Scotland welcomes this opportunity to follow up on the oral and written evidence regarding air quality in Scotland that we provided to the Environment, Climate Change and Land Reform Committee earlier this year. We are pleased that the Committee has decided to investigate this crucial and cross-cutting issue in more detail; this second submission updates the information that RTPI Scotland has already provided, especially in light of the developments that have taken place in the ongoing review of the Scottish planning system.

The planning system is one of the tools that we have available to support efforts to improve air quality. It does this through providing vision on how best to shape our communities over the short, medium and long term. Air quality is a prime consideration for long-term planning, ensuring that land is used and allocated in ways that minimise emissions and exposure of people to air pollution. The planning system is not however a silver bullet solution to air quality issues, but rather has an important role to play in joining up strategies that tackle air quality, human health, and environmental sustainability in a holistic way. For this collaboration to be as effective as possible there is a need for early engagement across disciplines and sectors. The

current reform in the Scottish planning system provides an excellent opportunity to embed this way of working.

## **The role for planning in improving air quality**

***Inquiry question 1 - Does Scotland have the right policies, support and incentives in place to adequately tackle air pollution?***

***Inquiry question 2 - Are the policies sufficiently ambitious?***

The control of air pollution is the responsibility of central government, local authorities and government agencies, as stipulated in several pieces of primary and secondary legislation (both at the UK and Scottish level). Improving air quality and reducing exposure to air pollution is addressed by a strong policy framework, as set out in the Cleaner Air for Scotland (CAFS) strategy, the National Planning Framework 3 (NPF3) and Scottish Planning Policy (SPP). RTPI Scotland has been pleased to be engaged in the development of these policy documents, and will look to continue this involvement when SPP and the NPF are reviewed in line with the Scottish Government's timetable.

Planning policies should set out the national, regional and local authorities' intention to consider new developments so as to sustain compliance with, and contribute towards, meeting European Union (EU) limit values and Scottish domestic objectives for air pollutants. They should take into account the presence of Air Quality Management Areas (AQMAs) and the cumulative impacts on air quality from individual sites in local areas.

Delivery of policies such as these is imperative. However, approaches that shape the built environment to minimise air pollution should be complemented by strategies, beyond the scope of planning, that target behaviour change.

### *National Planning Framework*

The National Planning Framework (NPF) provides a statutory framework for Scotland's long term spatial development. NPF3 paragraph 2.16 states that "Reducing the impact of the car on city and town centres will make a significant contribution to realising their potential as sustainable places to live and invest by addressing congestion, air pollution and noise and improving the public realm. Significant health benefits could be achieved by substantially increasing active travel within our most densely populated areas."

### *Scottish Planning Policy (SPP)*

SPP sets out policy that will help deliver the objectives of NPF. It carries significant weight in the preparation of development plans and is a material consideration in planning decisions. SPP Paragraph 29 states that "policies and decisions should be guided by a number of principles including protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality".

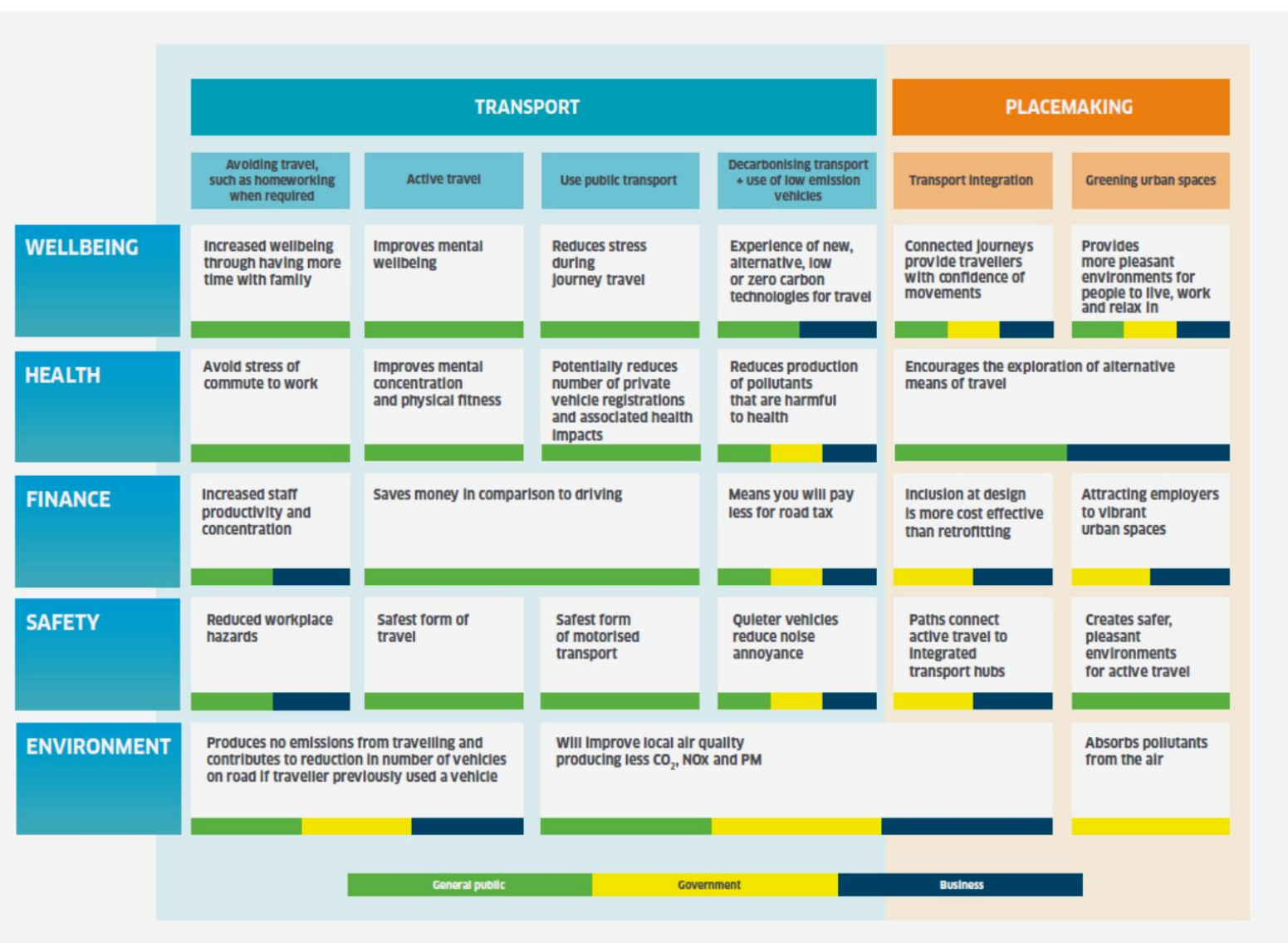
Planning can promote the appropriate location of developments to encourage more sustainable methods of transport, ensuring close proximity to existing bus and rail services with good access to stations and bus stops on foot and by cycling. As well as location, planning can influence the density and design of development. Higher residential density within urban centres is likely to be associated with reductions in travel demand and the encouragement of shifts towards more emissions efficient modes. SPP outlines a number of principles regarding which types of locations and development are generally considered 'sustainable'. For example, there is a preference for developing previously-developed ('brownfield') sites before greenfield ones, and support for higher density development. Likewise, SPP (paragraph 45) recognises the important role for design in making it easier for all people to move around a place by prioritising accessibility for people, not vehicles. When realised in developments, together these three

factors can enable people to make more sustainable choices in their day-to-day lives and reduce issues associated with air quality in our urban centres.

Paragraph 220 in SPP recognises the importance of protecting, enhancing and promoting green infrastructure in terms of successful placemaking yet fails to connect the role in which green infrastructure can have in improving street-level air quality in dense urban areas. RTPI Scotland believes that future iterations of the SPP could include stronger links between green infrastructure provision and air quality in alignment with the CAFS strategy. Traffic pollutants are deposited on vegetation at a higher rate than on hard, built surfaces. Increased provision of green infrastructure and planting could therefore reduce the concentration of nitrogen dioxide (NO<sub>2</sub>) and PM<sub>10</sub> in the air by as much as 40% and 60%, respectively, under certain conditions<sup>1</sup>.

In the *Places, People and Planning* Position Statement published in June 2017 the Scottish Government confirmed that to fit with the timetable for planning reform, updates to the National Planning Framework and Scottish Planning Policy will be slightly delayed, with new versions of both documents expected to be adopted in 2020.

*Clean Air for Scotland (CAFS) (2015)*



<sup>1</sup> European Commission DG Environment News Alert Service (2012) Green infrastructure in street canyons could reduce air pollution. Science for Environment Policy

Figure 1. – Multiple benefits of good air quality (CAFS 2015)

Cleaner Air for Scotland – The Road to a Healthier Future (CAFS) is the national cross-government strategy that sets out how the Scottish Government and its partner organisations propose to reduce the adverse impacts of air pollution on human health and fulfil Scotland's legal responsibilities as soon as possible.

CAFS outlines the important roles of placemaking and reducing transport emissions as core components.

An effective planning system is critical for reducing travel-to-work distances and increasing the use of an integrated active travel and public transport system, aligned with a greenspace network. This enables the multiple and interconnected benefits of good air quality to be unlocked.

This requires an evaluation of the cumulative impacts of emissions along with a spatial plan that reduces human exposure. Currently both Local Development Plans (LDPs) and Strategic Development Plans (SDPs) should make a specific reference to the plan being compliant with the advice within the CAFS Strategy (2015). Guidance produced by Environmental Protection Scotland and RTPI Scotland *Delivering cleaner air for Scotland* advises planners on how to implement CAFS objectives through the planning system (Available: <http://www.ep-scotland.org.uk/wp-content/uploads/2015/04/DeliveringCleanerAirForScotland-18012017.pdf>). This guidance was only published in January 2017, and so with time we hope to see it making an impact on the way that air quality issues are addressed by planning. Its key focus is on:

- Links between poor air quality human health and the environment
- Better placemaking and air quality through design
- Conducting air quality assessments
- Assessing significance and mitigating impacts on air quality of developments

### **Implementation, and opportunities offered by the planning review**

***Inquiry question 3 – Are the policies and delivery mechanisms (support and incentives) being effectively implemented and successful in addressing the issues?***

***Inquiry question 4 – Are there conflicts in policies or barriers to successful delivery of the air quality objectives?***

As described above Scotland has a reasonably strong planning policy framework with regard to delivering higher standards of air quality. RTPI Scotland acknowledges however that there has been a gap between policy and the delivery of better air quality. Planners, and colleagues working in other disciplines, need the right system to be able to ensure that policy ambitions are implemented by the parties directly responsible for development on the ground. RTPI Scotland conceptualises this system as:

- a **corporate and collaborative** service that supports and influences investment and policy across local and national government
- a **frontloaded and proactive** system that allows for community and stakeholder engagement and agreement on the priorities for an area and who is going to take them forward
- able to **deliver development** on the ground by ensuring the vision for an area is viable and resourced
- recognised as a valuable way of **providing solutions** to complex issues, and **resourced** to fulfil this task

The current review of the planning system is an opportunity to ensure that the planning system always embodies these characteristics. RTPI Scotland therefore supports the delivery focus of

the planning review – improving the record on implementing the planning policy framework, including that for air quality, is essential to maximise planning’s contribution to shaping a more sustainable Scotland. The Scottish Government’s ambition is to publish a Planning Bill towards the end of 2017, to be accompanied by relevant secondary legislation and new policy and guidance next year.

Each of the sections below outlines where RTPI Scotland believes there are opportunities in the planning review to improve implementation and delivery of policies.

### *A corporate and collaborative service*

Planning on its own will not be able to close the gap between policy and delivery. A culture change is required to encourage effective joined-up working across disciplines and sectors that results in a holistic approach to dealing with issues associated with air quality.

#### 1. National Planning Framework and Scottish Planning Policy

This approach begins at the national level. In the Scottish Government planning reform consultation paper *Places, People and Planning* a vision for a strengthened NPF and SPP was set out. It is important that the next NPF and SPP fully reflect the aims and targets set out in the CAFS strategy. RTPI Scotland has proposed that this strengthening of the NPF should include incorporating the NPF and SPP into one National Development Plan (NDP). A proposed NDP may benefit issues associated with air quality by combining strong policy with clear spatial guidance, especially when considering Air Quality Management Zones (AQMZs) and the proposed introduction of Low Emission Zones (LEZs).

As well as a strengthened planning strategy at the national level, the planning review has addressed the relationship between the NPF and SPP and other national strategies, such as the National Transport Strategy and National Economic Strategy. The Scottish Government *Places, People and Planning* Position Statement published in June states that the Government will strive for this integration ‘where possible’. RTPI Scotland is concerned that this commitment is not strong enough to overcome the silo working that can result in divergent national strategies. Air quality is an excellent example of an issue where a close relationship between strategies is needed to deliver results. For example, economic investments should reflect where sustainable travel options will be available, to minimise the air quality consequences of new development.

#### 2. Strategic Planning

At the regional level, the planning review is likely to mean major change for strategic planning. The Scottish Government has proposed replacing the existing Strategic Development Planning Authorities with a new Regional Planning Partnership approach to addressing strategic issues. The detail of how these Partnerships will work, and resolve complex cross-boundary issues, is yet to be seen. RTPI Scotland believes that all relevant stakeholders, including those with environmental assessment and transport responsibilities, should have a statutory obligation to participate in Regional Partnerships, and find solutions on contentious issues. This will be particularly important for issues that are not restricted by political boundaries, of which air quality is one important example.

#### 3. Strategic Environmental Assessment

The Environmental Assessment process for planning applications and the Strategic Environmental Assessment (SEA) process for plans both derive from European legislation. With the UK’s impending exit from the European Union it is important to consider how EU environmental legislation associated with air quality will be transferred, so as the UK and Scottish Governments’ air quality ambitions are not undermined. It is also important that changes to environmental assessments fit with the on-going reform in the Scottish planning system. The

Scottish Government is currently conducting research into the SEA of development plans to understand how future assessment and reporting requirements can support and be proportionate to a new planning system. It is important to consider how the two-level modelling system for regional and local scales will provide evidence for appraising and identifying potential transport and planning solutions to local air quality issues within this new governance structure.

#### 4. Local authority Chief Planning Officers

To support a corporate and collaborative approach to policy delivery at the local level RTPI Scotland has proposed the introduction of Chief Planning Officers (CPO) for each planning authority. This role would ensure that the corporate management team in a local authority engage early with a named officer on investment decisions which will have an impact on the way that places work. It would also allow them to be provided with expertise about place and spatial planning when making strategic policy and investment decisions. This could include the consideration of medium and long-term implications of development and service provision on air quality issues both at, and beyond the immediate area.

##### *A delivery focused system*

#### 1. Development Management

Development management is a key regulatory means for implementing national and local policies for improving air quality. Development management can evaluate potential air quality issues of proposed developments by utilising Air Quality Impact Assessment Reports in alignment with the CAFS objectives. The assessments need to have clear methodology and capture any cumulative impacts of development. Good practice includes the use of design guidance through, for example, in avoiding street canyons effects.

Furthermore, conditions attached to development can mitigate issues associated with air quality through requiring sustainable travel plans, electric vehicle charging points and offsetting measures. The presence of an AQMA or an LEZ should not halt all development, but where development is permitted, development management can ensure that any impacts are minimised as far as is practicable. Air quality planning guidance will need updated to reflect both the impending implementation of LEZs and changes to the planning system.

#### 2. Access to land

Minimising or eliminating air pollution associated with new development depends to some extent on ensuring that development happens in the best possible locations. Planning is clearly able to influence this through development planning and decision-making on planning applications. However, once a site is allocated, planning is normally dependent on private landowners and developers to bring it forward for delivery. RTPI Scotland has urged the Scottish Government to consider how it can strengthen the tools - including Compulsory Purchase Orders and Compulsory Sale Orders - available to local authorities for ensuring that the development of sustainable sites is delivered.

##### *A frontloaded and proactive system*

#### 1. Local Development Plans

A key part of planning reform is the move towards a plan-led system where Local Development Plans (LDPs) provide a stronger direction on the future of places. It is likely that as a result of the planning review the plan period for LDPs will be extended to 10 years with an early 'gatecheck' introduced to improve plan examinations, dealing with significant issues at an earlier stage. RTPI Scotland supports as much frontloading of the planning system as possible. Full integration of the inputs of the planning, transport, housing, education and environment sectors are key to

ensure that environmental considerations, including those related to air quality, are considered at the earliest stages of the development plan process. In turn this should facilitate the delivery of development that addresses air quality deficits.

To achieve a stronger plan led process increased collaboration and decision-making between key stakeholders is needed. This includes joined up working between environmental health/air quality officers, transport officers and planners to ensure that potential air pollution zones are referenced within the LDP. This may include statutory pre-application discussions for certain types of development.

## 2. Supplementary Planning Guidance

At present, statutory Supplementary Planning Guidance (SPG) can be used to provide more detail on a policy in an LDP which can be useful if an air quality issue arises during the life of an LDP. It is likely that statutory SPG will be removed as part of the planning review, which could have direct implications towards the enactment of CAFS strategy. It is important to ensure that issues of air quality are embedded into the evaluation process where appropriate. RTPI Scotland has suggested that if statutory SPG is removed, another solution will need to be provided, for example through the form of non-statutory supplementary guidance or more detailed national guidance.

*A system that is resourced to provide solutions to complex issues*

### 1. Resources

Resourcing is partly about ensuring that an adequate number of planners is available to ensure air quality is mainstreamed into development planning and development management. RTPI Scotland analysis of data in the Planning Performance Framework shows that between 2009 and 2015 23% of planning roles were lost from planning authorities, while 32.5% of planning budgets was lost over the equivalent time period. These figures illustrate clearly the reported trend that local government has fewer planners, working harder. Only 63% of the cost of processing planning applications is recovered by local authorities, and 0.57% of total local authority budgets is spent on planning services. For planning policies that target higher air quality to be successful, funding must be available to employ the skills needed to ensure that they are robustly applied.

### 2. Skills

As well as numbers, adequate resourcing is also about ensuring that planners have the necessary skills to assess the air quality implications of proposed development, and where appropriate mitigate negative impacts. This will sometimes require specialist knowledge that might not be available in every local authority. As part of its review of the planning system the Scottish Government is exploring opportunities for 'shared skills' in local authority planning teams, and air quality is one area to which this approach could be applied. It will be important to ensure however that 'shared skills' does not mean furthering hollowing out of planning team resources, but rather introducing a way of working that makes specialist skills more readily available.

To reduce the gap between air quality policy and delivery RTPI Scotland advocates a strengthened approach to skills and training for planners. This includes specialist planning skills directly related to air quality management. The Scottish Transport Emissions Partnership (STEP) provides bespoke training for transport and planning professionals. RTPI Scotland supports the continued work STEP undertakes with Local Authorities especially in regards to complex areas of the legislation such as the SEAs, Environmental Impact Assessments (EIA), Habitats Regulation and Appraisals (HRA).

As well as specialist skills associated with air quality management RTPi Scotland supports the continued investment in a range of generic skills training for planners incorporating elements of procedural, professional and management training. This skills development will be essential for developing the collaborative working needed to tackle an issue as wide-ranging and complex as poor air quality.

I trust that you will find these comments helpful. If you would like to discuss any aspect, or require clarification of any points raised, please contact me on 0131 229 9628 or by email to [kate.houghton@rtpi.org.uk](mailto:kate.houghton@rtpi.org.uk).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'K Houghton', written in a cursive style.

**Kate Houghton**  
Policy and Practice Officer