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**RESPONSE TO WEST LOTHIAN COUNCIL DRAFT HEALTH IMPACT
ASSESSMENT PLANNING GUIDANCE**

30 January 2017

ABOUT HOMES FOR SCOTLAND

Homes for Scotland is **the** voice of the home building industry.

With a membership of some 200 organisations together providing 95% of new homes built for sale in Scotland each year as well as a significant proportion of affordable housing, we are committed to improving the quality of living in Scotland by providing this and future generations with warm, sustainable homes in places people *want* to live.

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PROCESS

Homes for Scotland represents members on a wide range of issues affecting their ability to deliver much needed homes.

Our views are endorsed by committees and advisory groups utilising the skills and expertise of key representatives drawn from member companies.

This response has been discussed and agreed by the Homes for Scotland South East Scotland Home Builders' Committee.

Response to West Lothian Council Draft Health Impact Assessment Planning Guidance

1. Introduction and Context

- 1.1 Homes for Scotland welcomes the opportunity to respond to this draft Planning Guidance on Health Impact Assessments and this representation comprises the comments set out below.
- 1.2 In the first instance we query the status of this Planning Guidance. We note that it is not entitled Supplementary Guidance, but rather Planning Guidance, and therefore assume that it will not be statutory. We suggest that the status of the guidance is set out explicitly within the document as part of an introduction, or text setting the context for the guidance.
- 1.3 Further, we query the relevance of the guidance to the Proposed West Lothian Local Development Plan. It is noted that the only reference to a HIA within the Proposed Plan is within Appendix 4 which identifies guidance in existence or to be produced. As such, this guidance has no policy hook within the Proposed LDP. There is also no mention of Health Impact Assessments within Scottish Planning Policy. There is no introductory text to the guidance to explain the policy context within which it sits. Given a lack of a direct policy link at national or local level, and the non statutory basis of the guidance, we therefore question the weight that should and will be given to it in the determination of applications and appeals.
- 1.4 We query the principle of seeking a HIA at the Development Management stage. It is the duty of the planning authority to assess allocated sites for potential impacts. Health impacts could be included within the SEA process, for example. Has West Lothian Council produced a HIA for the Development Plan as part of setting out any potential positive and negative impacts of the development proposed within the plan?
- 1.5 We note that the sources derived in compiling this guidance are English based, or further afield, therefore we query whether an assessment has been carried out to ascertain their relevance and weight to be afforded to these within the Scottish planning system?

2. Planning Guidance Content

- 2.1 The draft Planning Guidance sets out the process of undertaking the HIA, but fails to adequately set out the reasons for such assessment in any detail. Paragraph 2.18 is the only part of the guidance which refers to what should be done by an applicant in the event that significant impacts are identified through the HIA. No suggestions are provided of the kind of mitigation measures that might be acceptable to the planning authority other than a Health Management Plan, and no details are provided at all to suggest what should be included in such a Plan. We request that the guidance is redrafted to be clear on the purpose of the HIA. It cannot be another burden on the applicant which will sit alongside the planning application. If it is to be carried out, the HIA must be a meaningful exercise adding value to the application process.
- 2.2 Homes for Scotland notes that the thresholds for undertaking a HIA have fallen from previous guidance. Paragraph 1.8 states that a HIA will be requested for major residential developments of 50 units or more, where as the threshold was previously 100 units. We do not see any evidence presented to justify this change, and some of our Members have expressed concern that this reduction in the threshold for undertaking a HIA is a sign of the planning authority's intention to take these assessments as a more serious consideration which causes particular concern given the inconsistencies in approach to HIA at present. We would also like to see evidence from the Council as to why residential development is the only specific land use singled out to require the preparation and submission of a HIA. We accept that health may be a relevant consideration in an Environmental Statement for applications requiring an EIA, however there is no justification within the draft guidance as to why other developments categorised as 'Major' within the hierarchy of development, for example, are not subject to this requirement. We therefore do not consider that applications which do not require an EIA should be required to submit a HIA.
- 2.3 Paragraph 2.5 refers to seeking advice from NHS Lothian Public Health on the screening report. We suggest that consultation should only take place where a real need has been identified, to ensure that delays to progressing applications are avoided. The screening process itself seems overly onerous and cumbersome, and could result in significant cost to the developer.
- 2.4 In terms of the Health Impact Checklist in Appendix 1 and Appendix 2, we appreciate that the checklist is intended to stimulate thinking, but consider a number of the points on the checklist to be subjective. Further, a number of these would already be covered by a standard site assessment or within other statutory planning documents. We query the need to duplicate work.

3. Conclusion

- 3.1 Ultimately, Homes for Scotland is seeking coherent, clear and transparent Supplementary Guidance with a clear purpose and status, setting out all of the requirements for applicants in the delivery of new homes in West Lothian which are proportionate and reasonable, and a policy and guidance position which actively encourages and facilitates the delivery of new homes rather than hindering delivery through increased pressures on viability. We therefore query the status and legitimacy of this Planning Guidance, and suggest that clarity is provided, and that HIAs should not be requested for applications other than EIA applications.

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