

## **Consultation on the Implementation of the Removal of the Duty of Planning Authorities to Notify Historic Scotland on Certain Types of Listed Building Consent Application (CON 1158)**

### **Response by Stirling Council:**

Stirling Council welcomes the proposal to remove the duty to notify Historic Scotland on certain types of listed building consent application. The opportunity to improve the speed of decision making whilst maintaining quality decisions is supported however the implementation of any scheme must within a timescale to suit the local planning authority.

It is agreed that certain criteria should be met by a planning authority entering into the delegated scheme including:

- Access to adequate levels of suitably qualified conservation staff
- Suitable policies and guidance in place
- Suitable procedures in place
- Adequate monitoring system in place

It is also agreed that a planning authority's policies in relation to listed buildings should, as a minimum, be in-line with national policy before taking on responsibility for determining applications.

It is considered that monitoring should be implemented in any future scheme as it is an important tool in ensuring quality decision making. The method of monitoring used during the pilot is considered to be generally effective and should be used as a template for future delegation. It is agreed that the monitoring process should highlight applications which are approved contrary to policy, or conservation officer recommendation.

Monitoring information on C(s) listed buildings should also be included in order to prevent any perception of a further reduced status for category C(s) listed buildings. The information gathered in monitoring both categories would be valuable to both Historic Scotland and planning authorities in assessing policy effectiveness and determining future policy development.

The proposed delegation would only relate to specific types of development affecting category B listed buildings and schedule 1 of the consultation lists these. The schedule includes a range of generally straightforward application types relating to external and internal works but omits larger more complex application types. It is considered that the scope of application types identified in the schedule is appropriate.

Review of a planning authority's overall performance should be undertaken annually and based on the submission by the planning authority of an annual report. Issues, which might lead to the removal of a planning authority's ability to determine delegated applications, should include:

- Evidence of decision making contrary to policy and guidance
- Evidence of decision making contrary to officer recommendation
- Evidence of insufficient levels of appropriately trained staff
- Evidence of planning authority policy inconsistent with national policy
- Failure to provide required monitoring and review information

**1<sup>st</sup> October 2009**