RNIB Scotland Logo

RNIB Scotland

12-14 Hillside Crescent,

Edinburgh EH7 5EA

rnib.org.uk

RNIB Helpline: 0303 123 9999

helpline@rnib.org.uk

13 March 2023

To Ariane Burgess MSP

Convener, Local Government, Housing and Planning Committee

[localgov.committee@parliament.scot](mailto:localgov.committee@parliament.scot)

Cc: [Alan.Hunter@parliament.scot](mailto:Alan.Hunter@parliament.scot); [Euan.Donald@parliament.scot](mailto:Euan.Donald@parliament.scot); [Natalie.Giblin@Parliament.scot](mailto:Natalie.Giblin@Parliament.scot)

Dear Ms Burgess

**RNIB Scotland - SSI 2023/035: The Town and Country Planning (General Permitted Development and Use Classes) (Scotland) Miscellaneous Amendment Order 2023**

Thank you for your letter of 27 February offering us the opportunity to make some comments on SSI 2023/035 to help inform the committee’s consideration of the Order.

We understand that the SSI is a negative instrument and that there is no requirement for the Committee to take evidence and report on it. However, it may do so should it consider that the proposed changes merit further scrutiny.

As your letter points out, in 2022 the Scottish Government carried out a public consultation on Permitted Development Rights (PDR). The Royal National Institute of Blind People (RNIB) Scotland submitted a consultation response. This focussed on our concerns about the impact of new PDR that would permit hospitality businesses to place tables and chairs on the pavement outside their premises without submitting a planning application and Electric Vehicle (EV) Charging Infrastructure.

In this letter we would like to first set out our general concerns about the impact that the new PDR may have on public spaces. We will conclude by asking how those who believe themselves to be negatively impacted by the changes can effectively raise concerns or ask for changes given that PDR does not need planning permission.

RNIB Scotland believes that streets and public spaces should be safe and accessible for everyone to use. We agree that supporting the recovery of Scotland's town centres is crucial following the coronavirus pandemic.

However, prior to the pandemic the streetscape was already challenging for people with sight loss, as was travel by public transport and having accessible information.

A 2020 RNIB survey found that 66 per cent of people surveyed said that they feel less independent than they did before the COVID-19 pandemic.

Blind and partially sighted people throughout the pandemic suffered from increased levels of social isolation and loneliness, which also resulted in reduced confidence and independence getting around/going out independently, due to changing environments.

During the pandemic this was primarily because of social distancing measures which were inaccessible to blind and partially sighted people, but also changing spacing requirements, access to environments, and routes had adverse consequences for many blind and partially sighted people. The impacts on practicalities such as getting to and from places independently, as well as loss of confidence in going out of the home has been felt by many.

People have told us of issues that were important for them to help them get around safely. In the main, these fell into three key themes:

* Avoiding moving vehicles.
* The importance of kerbs and crossings.
* The hazards of cluttered pavements.

Blind and partially sighted people rely on clear demarcations to distinguish between pavement/footways and roadsides, crossing points, bus stops, etc.

Those with navigation canes and guide dogs, use pavement and building lines as a means of orientation and navigation. We are concerned that rapid alterations in change of use of public spaces, could have negative consequences, on the confidence and independence of blind and partially sighted people to find places they need to get to.

Chairs, tables, and other movable furniture placed, on the road outside of food and drink premises can have a very real and negative impact on the accessibility of spaces.

Maintaining clear pavements is key to avoid injury and loss of confidence, amongst blind and partially sighted people, whilst being able to maintain independence by walking. One RNIB survey respondent said: “I’ve had a lot of issues with having to avoid some routes. This has made me more dependent on taxis and other public transport, as it’s just not possible to safely walk to these places.”

However well-meaning changes may seem, alterations or placement of street furniture should be done in a way so as not to disadvantage space available for blind and partially sighted people to navigate, as well as other street users such as those with pushchairs/prams and wheelchair users. A survey by Insight Angels and Guide Dogs found that “83% of people with sight loss said that reducing obstacles on pavements and street clutter was important to improving their quality of life.”

Keeping pavements clear also has implications for the positioning of the emerging Electric Vehicle (EV) Charging Infrastructure. RNIB Scotland believes that although developments are carried out by public and private bodies, due to the changing nature of demand for services, shops, etc, all EV charging points should adhere to minimum standards to reduce the risk of injury related to the positioning and design of new EV infrastructure.

While visually impaired people may be particularly vulnerable to trip risks, everybody, that is, those with or without disabilities, could be affected, for example, by trailing cables. Any obvious changes to the streetscape and diversions during delivering and operating EV charging infrastructure, should remain as accessible and clear as possible.

The press release issued by the Scottish Government on 10 February 2023 described the proposed changes as “flexible planning measures to boost hospitality and town centre recovery” and stated that:

“Simplifying planning rules for electric vehicle chargers will support the roll-out of infrastructure across Scotland as part of our commitment to tackling climate change and making Scotland a Net Zero nation.”

It went on to state that:

“Councils will, however, retain powers to prevent and deal with obstructions that make it difficult for people to access pavements safely and effectively, for example people in wheelchairs or with visual impairments, or families with children in pushchairs.”

Planning Minister Tom Arthur was quoted as saying:

“The important safeguards for councils seek to ensure that no one should be prevented from using pavements and visiting town and city centres safely.”

However, the essence of PDR enables rapid change. This makes it likely that complaints will be made after the event while it is likely to be contended that the changes are permissible under permitted development.

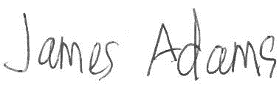
We would like to have further information on how the safeguarding process will work in practice. Will local councils offer clear procedures for raising concerns and complaints?

We hope that your committee consideration might help to clarify this.

Thank you once again for giving us the opportunity to write to you on the potential impact of the new permitted development rights.

We look forward to your response.

Yours sincerely



James Adams

Director,

RNIB Scotland