

## Local Government and Communities Committee

### Planning (Scotland) Bill

#### Submission from Planning Democracy

Planning Democracy is a charity that campaigns for a fair and inclusive planning system in Scotland. We believe that planning should be a democratic means of exploring and then realising the collective aspirations of communities for the use and development of land.

Since its inception in 2009, Planning Democracy has sought to represent the views of individuals and communities across Scotland who have tried to influence plans and decisions. *Overwhelmingly, they report their frustration with a system that does not listen to or respond to their concerns.*

Our community support network has reached over 3000 people over the last 8 years and we have quickly come to be recognised as a key voice for fairer planning. We have provided written and oral evidence at each stage of the Planning Review process and took part in the working groups. *We would welcome the opportunity to provide more detailed evidence and discussion of our response to the committee's questions.*

#### Summary/ Key points

1. Planning is not a 'problem' that gets in the way of development but a vital part of our democracy.
2. Equal Rights of Appeal will make a plan-led system stronger, improve development and provide much needed public trust in planning
3. Communities must have confidence that getting involved in plan-making will be worthwhile
4. Consultation opportunities need to be enhanced not reduced in the development plan.
5. A statutory purpose for planning should be introduced to give the system direction and a collective aim.

We hope that MSPs will take a positive approach to planning, supporting strong calls from communities to rebuild public trust by ensuring all actors have equal rights to influence the use and development of land.

Below we respond to the committee's questions in more detail:

*1. Do you think the Bill, taken as a whole, will produce a planning system for Scotland that balances the need to secure the appropriate development with the views of communities and protection of the built and natural environment?*

No. The proposals in the Bill reflect an underlying view that the planning system unduly restricts development, particularly of new housing. No clear evidence has been produced to support this assumption which we believe radically overstates the role of planning as a factor in restricting development.

This, primarily negative view of the planning system frames the Bill, leading to a focus on minimising regulation rather than positively improving planning. As a result, the proposed measures threaten to weaken vital protections of the built and natural environment and further undermine already fragile public trust in planning.

Three key changes would help to rebalance the proposals:

- i. Committing to a plan led system
- ii. Equalizing appeal rights
- iii. Introducing a statutory purpose for planning

### **i. The Plan-Led System**

The Scottish Planning System is highly discretionary because decisions on planning applications do not necessarily follow designations in development plans, but can take into account 'other material considerations'. This creates valuable flexibility but also leads to a loss of certainty for developers and communities, making decision-making opaque and complex to understand.

Strengthening the presumption in favour of development that is designated in an up-to-date Local Development Plan would help address these issues.

Committing time, resources and energy to ensure meaningful opportunities for engagement and debate would ensure a sufficiently fair process, where different interests could be *balanced* by the final Plan. The built and natural environment can then be better protected based on a clear understanding of community aspirations. Communities will know that their participation in shaping the Development Plan will be worthwhile because the final Plan will provide a stronger steer for how their local area develops. Developers will be given a clear idea as to what developments are likely to be granted or rejected, saving time and money.

### **ii. Equal Rights of Appeal**

At present, whilst applicants for planning permission have the right to appeal against the decisions of local planning authorities, communities and other affected parties do not. This is a glaring inequality which means decisions to *grant* planning permission are not subject to scrutiny, even when they are highly controversial or go against the provisions of an agreed development plan.

Planning Democracy believe this undermines public trust in the planning system and leads to weaker planning decisions<sup>1</sup>.

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<sup>1</sup> An appendix at the end of this response includes statistics from Ireland that demonstrate how third party appeals over there improve planning decisions (as argued by Dr. Berna Grist, University College Dublin, Prof. Geraint Ellis Queen's University Belfast). The numbers also demonstrate that only a small percentage of planning decisions are actually appealed, highlighting that fears the planning system will be swamped by vexatious appeals are overstated.

An Equal Right of Appeal would also be one of the most powerful mechanisms we have for making a plan-led system a reality in our highly discretionary planning system.

There is no evidence whatsoever to support the argument that ERA would lead to reduction in investment or house building. The evidence from Ireland (and several Australian states) which have forms of ERA demonstrates clearly that this is not the case. Economic activity in Ireland and Australia has not been affected by the presence of ERA. Moreover, ERA would pose no barrier to development that clearly serves the public interest.

Equal Rights of Appeal (ERA) can strengthen a democratic, plan-led system with:

- a) The introduction of a right of appeal when the decision goes *against* the provisions of the development plan.
- b) The restriction of existing appeal rights to cases when planning permission is refused even though the development plan indicates permission should be granted.

This would effectively restrict appeals to decisions that depart from the logic of the plan. In addition, far from undermining the goal of engaging people 'upfront' (as is often erroneously argued), right of appeals for communities would ***create a powerful incentive for individuals, community groups and developers to get involved in the production of plans*** to make sure they reflect their aspirations. Furthermore, it would provide a strong incentive for local planning authorities to ensure that plans are clear and up-to-date since any ambiguity could lead to an increased number of appeals that might undermine their strategic priorities.

This opinion was reiterated in a participatory inquiry into balanced rights of appeal which ran several appeal scenarios. The workshop was organized by Place Momentum in November 2016, facilitated by Kevin Murray RTPI for all stakeholders including developers and planners. The final report stated "There was a sense that ERA would actually focus a lot more work on getting the development plan right, and in ensuring its continued relevance throughout its lifespan".

Planning Democracy believes that equal appeal rights should also be introduced for both developers and communities (geographical and of interest) in the following circumstances:

- c) Where a decision by elected representatives goes against the recommendation of planning officers. This is not to question the right of elected members to make such decisions or to suggest that their officers know best. It is to recognise that planning decisions are questions of judgment not readily amenable to objective answers. Cases where officers and members disagree can be taken to indicate a marginal or controversial call – precisely the kind that might benefit from further scrutiny.
- d) Where the decision-making authority has a direct financial interest in the land or development in question. This would add a degree of scrutiny to decisions

that might be swayed (or generate suspicions of being swayed) by non-planning considerations.

- e) Where the decision for a development requires an environmental impact assessment. This would ensure that applications with major and lasting environmental impacts are subject to enhanced levels of scrutiny, in keeping with the stated intentions of the EIA Directive and international agreements like the Aarhus Convention.

### iii. A statutory purpose for planning

This planning bill is focused overwhelmingly on streamlining the planning *process* rather than defining the purposes of planning and improving its capacity to achieve defined *outcomes*.

There is currently no overarching, statutory purpose for planning, meaning the system lacks a core direction or collective aims.

We want to see a positive vision for planning as a means of steering the use and development of the plan to secure truly sustainable development through a process of democratic debate that enables communities to explore their collective aspirations. A statutory purpose for planning would provide clarity about the public interest outcomes the system should both work towards and be assessed against, moving away from process-dominated debates about planning being a regulatory burden towards a positive focus on creating high quality places.

*2. To what extent will the proposals in the Bill result in higher levels of new house building? If not, what changes could be made to help further increase house building?*

The proposals may lead to an increase in the allocation of land for new house-building. It is important to stress that *this will not necessarily lead to an increase in house-building* since, under our current model, this is largely dependent on private sector delivery. There are strong historical reasons to doubt whether this private sector model is capable of building housing at the levels required to meet projected need (see e.g. <http://www.gov.scot/Topics/Statistics/Browse/Housing-Regeneration/HSfS/NewBuild>).

The extent to which perceived planning constraints have been a significant factor in restricting housing development is also very questionable. Despite this, there seems to be a view pervading the Bill that planning is a problematic intervention in land and property markets that unduly restricts and delays development.

Planning should instead be understood as a key means of ensuring the delivery of high-quality new housing as part of genuinely sustainable settlements. Alternative more proactive models of planning for housing promise to produce better results than the existing market-led housing system. This should include active experimentation with public sector land assembly (including compulsory purchase at existing-use value), where infrastructure provision is funded by the increase in land values that follows from a change of use (from e.g. agricultural to residential).

Such approaches have long been practiced in countries like Germany and the Netherlands (and were key to the building of Garden Cities and the post-war New Towns in the UK). They could also be used to stimulate greater variety of housing tenure and type (e.g. self-build, co-housing and community land trusts) and to increase market competition in housing delivery through the conditional release of serviced plots in close proximity (as opposed to the current situation where developers frequently profit from land value increases and locational advantages rather than the quality of the housing they build).

*3. Do the proposals in Bill create a sufficiently robust structure to maintain planning at a regional level following the ending of Strategic Development Plans and, if not, what needs to be done to improve regional planning?*

No. Proposals for informal partnership working at the regional level are currently opaque and unclear. It seems at best optimistic that voluntary cooperation can ensure the engagement of all actors in regional planning efforts more effectively than the existing statutory system of strategic development planning.

Strategic planning is already too remote from communities but a move towards ad-hoc and informal arrangements will make it harder, rather than easier, for people to understand how they can get involved at the earliest stages of the planning process.

Moving towards the inclusion of regional concerns in the National Planning Framework (NPF) is both centralising and likely to inhibit the effectiveness of the NPF as a high-level strategic plan for Scotland. The inclusion of the NPF as part of the statutory development plan for the purposes of planning decision-making will only exacerbate these problems and seems unnecessary.

Properly resourced regional planning offers an important means of integrating and coordinating development at a strategic level. The SDP system may well be worth persevering with, allowing it to mature and seek to overcome the democratic and participatory deficit that has unfortunately marked practices to date.

*4. Will the changes in the Bill to the content and process for producing Local Development Plans achieve the aims of creating plans that are focussed on delivery, complement other local authority priorities and meet the needs of developers and communities? If not, what other changes would you like to see introduced?*

The current statutory process for the production of Local Development Plans (LDPs) is complex, onerous for communities and creates perverse incentives to minimise genuine dialogue on consultation responses. Notably, requirements to re-consult on any proposed changes to draft plans have led to local planning authorities refusing to engage with community responses, preferring to leave consideration of matters raised to the discretion of the examining Reporter. This undermines local democracy and public trust in the value of engagement.

Unfortunately, it is not clear that the proposed changes will address these concerns. Moreover, in important respects they will reduce opportunities for meaningful public engagement:

One of the key changes introduced to support ‘frontloaded’ or early public participation in local development plans in 2006 was the ‘main issues report’ (MIR). The intention here was to enable real ‘engagement’ in the early identification of key issues rather than just consulting on a draft plan. By dropping the MIR the Bill proposes a significant move away from this approach and a reduction of opportunities for front-loaded public participation in the production of plans. Whilst we accept that the MIR has often struggled to function effectively we believe this is more a question of resources, cultures and unimaginative practices than principle.

The way in which the proposed early evidence ‘Gate check’ is described looks like a missed opportunity in this regard. This could instead be conceived as an early opportunity for public deliberation about the principles that should guide development plans using stakeholder panels or citizens jury formats.

We are also concerned that the move towards a ten-year plan review cycle, with potential for intermittent reviews, will make the plan production process less transparent and predictable for communities who already struggle to understand when and how they can influence the LDP. How will communities be adequately notified, consulted and updated on changes to development plans?

Finally, whilst we welcome the principle of more effectively integrating Community Planning and land-use planning we feel the current proposals are flawed. The aim should be to ensure integration at the lowest possible level not the subsumption of land-use planning to existing, often highly top-down and undemocratic Community Planning processes. Whilst the broad strategic vision for community and land-use planning should be compatible and co-created with communities, it is also important to ensure that a strong, co-created and distinctively *spatial* vision and purpose underpins local development plans.

*5. Would Simplified Development Zones balance the need to enable development with enough safeguards for community and environmental interests?*

No. Proposals to reinvent Simplified Planning Zones by creating a new generation of ‘Simplified Development Zones’ seem a clear symbol of the deregulatory agenda underpinning the bill. The proposed powers are extremely broadly drawn, and are explicitly underpinned by a perception that lighter regulation will lead to more and faster development, justifying the bypassing of community and environmental interests.

The limited uptake of existing powers to designate Simplified Planning Zones highlights the fact that strong planning regulation often supports rather than undermines development. It seems important therefore to ask why we need Simplified Development Zones? Even if successful, there is a risk that unregulated development will lead to the creation of low-quality developments that will succeed only in becoming the slums of the future (a serious risk given that Scotland already has lower space standards, environmental and design requirements than many countries in Europe).

A more positive approach could seek to expand and modify SPZs to encourage experimentation with a 'zoning' approach to plan-led development, where designation in a plan effectively grants planning permission in principle. This would be an alternative to the existing highly discretionary system for areas earmarked for major change. These areas might be more aptly called 'better planning zones' and might be instigated through local place or community plans, setting out high-standards for development and place-quality. Linked to effective mechanisms for public land assembly and value capture they could become a key means of improving development quality and ensuring sustainable change.

It is, however, **imperative** that such zones should be produced through a robust and transparent processes, ensuring full public engagement in their designation and planning and compliance with the highest environmental and design standards.

*6. Does the Bill provide more effective avenues for community involvement in the development of plans and decisions that affect their area? **Will the proposed Local Place Plans** enable communities to influence local development plans and does the Bill ensure adequate financial and technical support for community bodies wishing to develop local place plans? If not, what more needs to be done?*

Local Place Plans are a potentially worthwhile means of enabling more proactive engagement in the formulation of local planning policy. However, the decision to *exclude these from the statutory development plan seriously weakens their likely influence over decision-making*. Given the time and effort that will required of even the most well-prepared communities to prepare LPPs, it is important to provide meaningful powers to ensure that they are subsequently implemented. The introduction of a right of appeal for community groups who have prepared, or are in the process of preparing, a Local Place Plan is one mechanism that would provide safeguards against subsequent local planning authority decisions undoing their hard work.

Proposed requirements for Local Place Plans to be in accordance with higher level policy and plans also seem unduly restrictive. Whilst broad conformity is desirable, Local Place Plans should offer a constructive opportunity to challenge and change existing plans where it can be proved that they offer proposals that meet current and future community needs.

To make LPPs meaningful, inclusive and effective, considerable support will be required by both communities and local authorities. Evidence from the English experience of Neighbourhood Planning is relevant here and suggests that these new powers will stretch the capacity of even the best-equipped communities. Without the commitment of substantial financial and capacity-building support, there is a marked risk that less well-resourced communities will be left behind. It is worrying that the financial memorandum accompanying the Bill makes very limited provision for publicly funded support to communities. It is also largely silent on the likely distributive implications of relying on an estimated £1.2 million pounds of voluntary effort annually and the current inequalities this may exacerbate.

Whilst Local Place Plans may be a positive change, they will not be a panacea to transform public engagement. Rather they should be seen as one potentially

valuable tool for more democratic planning alongside the other measures discussed elsewhere in this response.

Planning Democracy believe that meaningful, early community involvement will only be possible if:

- Communities are given meaningful powers at the business end of the planning process when decisions are actually made – this is why an Equal Right of Appeal is so important
- Clear and meaningful opportunities are created for people to engage early on in the production of plans and consideration of planning applications
- Resources, time and energy are committed to engaging people in meaningful, early dialogue about the future of their communities- this requires a step change in practice rather than legislative change

*7. Will the proposed changes to enforcement (such as increased level of fines and recovery of expenses) promote better compliance with planning control and, if not, how these could provisions be improved?*

Compliance is an issue for communities and one of the keys to ensuring trust in the system. Financial risk appears to be one reason for poor enforcement. We would therefore welcome the committee exploring if there are other ways to reduce the financial risks associated with taking enforcement action, over and above the proposals already in s23 which introduce powers for planning authorities to make charging orders to assist the recovery of costs.

At present local authorities have considerable discretion to decide whether or not to investigate reported breaches of planning control or take enforcement action. We would also like to see new requirements to investigate, report and give reasons to justify decisions in cases where breaches of enforcement are brought to their attention by citizens.

*8. Is the proposed Infrastructure Levy the best way to secure investment in new infrastructure from developers, how might it impact on levels of development? Are there any other ways (to the proposed Levy) that could raise funds for infrastructure provision in order to provide services and amenities to support land development? Are there lessons that can be learned from the Infrastructure Levy as it operates in England?*

Planning Democracy have no particular view on the technical operation of an infrastructure levy. More broadly, we believe infrastructure should be funded through more effectively capturing increases in land values through the reintroduction of betterment taxation and experimentation with public sector land assembly as outlined above.

*9. Do you support the requirement for local government councillors to be trained in planning matters prior to becoming involved in planning decision making? If not, why not?*



No. Whilst we support the provision of training and the principle of councillor's seeking training or support, we believe this is a question of policy that should not be imposed by statute.

*10. Will the proposals in the Bill aimed at monitoring and improving the performance of planning authorities help drive performance improvements?*

We believe that local planning authorities need more resources and support to improve performance. The proposed measures, however, are centralising and based on a disciplinary approach rather than a commitment to encouraging learning and development. This is particularly worrying when coupled with the apparent belief that planning is a problematic intervention in land and property markets which suggests a narrow definition of performance based largely on the speed of decision-making rather than the quality of planning services.

The existing performance framework developed in partnership with Heads of Planning Scotland did attempt to provide a more holistic understanding of performance. However, it remains too focused on speed and does not, for example, include any measure of meaningful community engagement.

We see no rationale for central government to define what good performance means for local planning authorities, alongside granting itself powers to intervene in the day-to-day operation of local authorities. *Section 26 should therefore be removed from the Bill.*

Instead, Planning Democracy believes *a new performance framework should be coproduced with all service users* and should seek to develop meaningful measures related to a core, statutorily defined purpose for planning (as proposed above).

*11. Will the changes in the Bill to enable flexibility in the fees charged by councils and the Scottish Government (such as charging for or waiving fees for some services) provide enough funding for local authority planning departments to deliver the high –performing planning system the Scottish Government wants? If not, what needs to change?*

Planning is a public service with responsibilities to a wide range of stakeholders, including the wider public interest and future generations. As a result, fees should not be allowed to reshape planning services in the interests of the 'paying customer' (i.e. applicants for planning permission).

A stronger case needs to be made for the preventative spend benefits of investing up-front in good planning. A more systematic approach to the capture of increases in land values (betterment) could provide an alternative source of funding for planning services and would end the current anomaly whereby landowners and the development industry are effectively being subsidized from the public purse (since they are allowed to keep most of the uplift in land value despite this being publicly created by the grant of planning permission).

*12. Are there any other comments you would like to make about the Bill?*

Developers submitting repeat applications for the same site are a particular cause of concern for communities, leading to concerns that planning permission can be granted by attrition. This was raised during the review as a source of public mistrust. We would suggest that where planning permission is refused because the principle of development is considered inappropriate this should lead to an automatic updating of the development plan to reflect a presumption against that form of development on the site in question. This would help to provide certainty and protection for communities, raising the bar for repeat applications which would need to provide clear evidence as to why this presumption no longer applied.

Specific changes we suggest for the Bill

New or major changes:

- ERA: a new section on appeal rights be incorporated into the Bill to include a section for a community right of appeal.
- Purpose for planning: a new statutory purpose for planning be inserted into the Bill.
- Repeat applications: Add in to section 39 of the 1997 Planning Act that the period before an application can be reviewed is increased from 2 to 6 years. Add in that a section that requires local authorities to update a development plan to reflect a refusal decision (section 16 of the 1997 Act under monitoring of LDPs?)
- Reconsider Part 2 on Simplified Development Zones

Part 1:

- Section 2: Strategic plans: Strategic plans are maintained
- Section 3 sub section 5: Main Issues Report process is maintained
- Sub section 4 Include in this section that the Government to appoint a panel with community representation to do the gatecheck
- Sub section 6e: increase the requirement for consultation be extended to not 8 but **12** weeks
- Section 7 new section 20AA include statutory notification procedures for communities for Development Plan Updates
- Local Place Plans to have stronger commitment to incorporate them into the development plan
- Section 8 (2) remove requirement for the development plan to include the NPF and the local development plan. The NPF should be retained as a national level document.

Part 4:

- Section 23 Enforcement: Include other ways to reduce the financial risks associated with a local authority taking enforcement action and add new requirements to investigate, report breaches.

- Section 24: Remove section 24 (2) a whereby training for councillors is set out by Scottish Ministers.
- Section 25 Remove the power to transfer functions when elected members are insufficiently trained.
- Section 26: Remove the section on performance from the Bill in particular the reference to section 251G where Ministers have the power to issue directions where the local authority has not taken action

#### Appendix: Evidence from Ireland on Benefits of Appeals

Ireland statistics demonstrate a small number of appeals by third parties, but those decisions that are appealed led to the decision being strengthened through revised conditions or reversal of a decision. In 2016 there were 24,001 applications decided. Of these 6.9% (1646) were appealed, 3.8% were by appealed by third parties. Of the third party appeals 81% were revised with conditions and 19% led to the revision or reversal of the original decision. In 2016 no third party appeals led to permission with no changes ie 100% of appeal decisions led to an alteration or reversal of the original application demonstrating the validity of the community appeals. Average time taken on all appeals is 17 weeks.

*Sources An Bord Pleanála Annual Report 2016 and Irish planning statistics*

#### Research evidence

In 2016 Geraint Ellis a Professor of Environmental Planning at Queen's University Belfast gave a presentation to MSPs in Holyrood providing evidence from his research on the Irish planning system and appeal rights. He stressed three key issues that came out most strongly from his work:

#### *The purpose of the planning system and the importance of planning appeals*

It is essential that development is used to deliver long term benefits, that decisions are taken in a transparent way, and which upholds public confidence in the system. I believe all these principles are already written into Scottish planning law and policy. It is important to remember that these are really important issues to consider when we discuss planning policy, although debates often focus narrowly on how we can deliver more economic growth through development. Yet, the planning is, and always has been, about ensuring only development that is in the *public interest* is permitted. The role of extending rights of appeal must be seen in this wider context. Indeed, in the last 20 years there has been much reform of the UK's planning systems, but hardly any of these have been designed to increase public confidence in planning and as a consequence we are witnessing wide scale disillusionment in this and other democratic institutions. Time and time again, introducing an equal right of appeal been shown to have strong public support and a commitment to some form of equal right of appeal would be a major indication that the Scottish Parliament was committed to progressive, democratic planning.

### Rights of appeal in the Irish Republic

The planning system in the Republic of Ireland has had a wide third party right of appeal since it was established in 1963 (as have many other countries, in different forms). This is interesting to examine as this suggests that the common arguments against ERA are not experienced in practice. These include the suggestion that ERA would discourage investment and make Scotland uncompetitive; that they would slow down the planning system; that they would introduce a huge level of red tape or that they would be a NIMBYs charter. This is not recognisable from the Irish system. The Irish experience suggests that you can still have a buoyant, property led economy, with third party rights of appeal. Clearly the appeals system has to be well managed and efficient, but this is true of whether we have Equal Rights of Appeal or not.

There are some key statistics that underline the role of appeals in Ireland. From my research it appears that only 3.4% of all planning applications are decided by a third party appeal, with only 1.0% of planning applications being refused as a result of third party appeals. Furthermore, when a third party appeal is made, the planning board refuses 40% of the planning permissions and alters 51% in light of the evidence given at an appeal. This underlines the reasons why such a mechanism can be so important in building public confidence in the planning system – when people do feel motivated to take such an appeal, they are proved right in over 90% of the cases. (NB 2016 figures are above). There is currently no comparable mechanism for reconsidering planning decisions in the Scottish system.

Indeed, when I researched why people initiated appeals I did not find the NIMBYs that developers often point to, but mostly people motivated by a duty to protect their local area from what they saw as a damaging development, or because they thought that the decision had been made as a result of a poor process or on the basis of inaccurate information. There are in any case several safeguards to the Irish planning system that ensure this right is not abused so vexatious appeals can be denied and costs can be awarded. The most significant national infrastructure projects are not subject to third party appeals. There are also tight timescales – all appeals have to be submitted within four weeks and there are tight deadlines for observations and evidence. In 2015 the average time to deal with appeals was 15 weeks in Ireland and ranged from 11 to 34 weeks in Scotland depending on the nature of the appeal.

The main conclusions from my research indicate that in the context of the Irish planning system, equal rights of appeal played an important and valued role; they were accepted and welcomed by a wide range of parties and that there was very limited evidence of abuse. Indeed, overall I found that they provided a valuable way that citizens could express their views in a robust way and that such rights really increased public confidence in the system and resulted in a better quality of development. I don't see why they would not have the same impact on the Scottish Planning system.

Designing a system of rights of appeal to best meet society needs.

The final point I want to make is that the decision to equalise rights of appeal is not simply about replicating the Irish system, but about deciding about what are the most important values that should be secured in the Scottish planning system and to ensure that the planning appeal process reflects these. Indeed, many organisations have an over simplified view of the implications of extending rights of appeal. It is not just a yes/no decision on ERA, but can be crafted in different ways to best meet Scottish needs. A system of rights of appeal can be designed around many variables and limited according to the type of decision (outline, full planning permission, listed building consent, enforcement etc); the type of development (major/minor, subject to EIA, certain types of land use); the type of decision (e.g. when a local authority is awarding permission to itself; making a decision contrary to an officer recommendation; or contrary to a local plan); different interests could be awarded rights of appeal (e.g. only those materially affected by a decision, recognised bodies, or only statutory agencies). *An appeal system can be designed to reflect what you, as elected representatives want the planning system to do.*

Clare Symonds  
Chair