Local Government and Communities Committee

Planning (Scotland) Bill

Submission from Scone and District Community Council

We applaud the intent of the Scottish Government to introduce the Planning (Scotland) Bill in order to update and upgrade the position of Planning in Scotland.

However we have major concerns that the intent of the Scottish Government, to give people a greater say in the future of their places and support delivery of planned development, is likely to be overcome by the actions of Local Planning Authorities only paying lip service to this concept as has been experienced in the past.

In respect of the Bill, taken as a whole, we are concerned that there is an overemphasis on the need to secure the appropriate development, without taking cognisance of the full planning sequence.

We understand that the Scottish Government in 2017 was promoting the concept of “infrastructure first” and as such the Bill should stress the necessity for any infrastructure, associated with the "appropriate development", to be installed PRIOR to commencement of the development.

We also consider that greater emphasis should be given by Planning Authorities in respect of genuine treatment of concerns regarding the natural environment.

We are concerned that the proposals in the Bill, without due controls, will result in higher levels of new house building. The impact of such developments must be considered in the broad spectrum, whereby concerns about pollution, schools, medical provision and travel are dealt with IN ADVANCE of these housing developments.

The proposals in the Bill theoretically create a sufficiently robust structure to maintain planning at a regional level.

However we are concerned that the structure should ensure full compliance with the Scottish Government’s intent, when carried out by the Local Planning Authority and the Bill should contain controls on these Authorities to ensure compliance.

We are in agreement with the changes in the Bill to the content and process for producing Local Development Plans, which can theoretically achieve the aims of creating plans that are focussed on delivery, complement other local authority priorities and meet the needs of developers and communities.

Subsidiary documentation makes statements that “Active Community participation is a core element of the locality planning process”.

We are concerned that previous experience has shown the Local Planning Authority only pay lip-service to the concept of Community participation.
We consider therefore that the Bill should contain some form of controls to ensure full compliance by the Local Planning Authorities with the overall Government concept.

Previous experience has shown that Local Planning Authorities have been reluctant to become involved with local communities in a realistic and effective manner.

The Bill appears to provide more effective avenues for community involvement in the development of plans and decisions that affect their area, which should enable communities to influence local development plans. It may be that provision of adequate financial and technical support for community bodies wishing to develop local place plans would assist if implemented.

However, again, the Bill should contain some form of controls to ensure full compliance by the Local Planning Authorities with the overall Government concept.

In theory the proposed changes to enforcement should promote better compliance with planning control, however previous experience has shown that Planning Authorities have failed to take the appropriate action, despite flagrant breaches of conditions.

We consider therefore that the Bill should contain some form of controls to ensure full compliance by the Local Planning Authorities with the overall Government concept.

It is essential in our opinion that the concept of “infrastructure first” is incorporated as a general policy and as such investment should be secured through public funding to ensure completion of infrastructure prior to development taking place. Once development commences then use of an Infrastructure Levy from developers would be the best way to secure recovery of part or all the costs involved.

To deal with Development management matters, especially for major developments, it is essential that Local Government Councillors are trained in planning matters prior to becoming involved in planning decision making. In addition it is essential that these Councillors are provided with honest and impartial, specialist advice from the relevant expert Council officers to assist them in fulfilling their duties.

We consider that the proposals, in the Bill aimed at monitoring and improving the performance of planning authorities, are not adequate.

As in the present Act, there is no real intent or route for a full monitoring and investigating system into the actions of Local Planning Authorities.

Previous experience has shown Local Planning Authorities to knowingly and deliberately breach their own planning policies as well as failing to carry out correct enforcement procedures.

We consider therefore that the Bill should contain some form of controls to ensure that full monitoring of the actions of Local Planning Authorities can be undertaken and thereafter some form of control issued.
We would reiterate that we applaud the intent of the Scottish Government to introduce the Planning (Scotland) Bill in order to update and upgrade the position of Planning in Scotland but trust that our concerns, as stated above, will be taken into cognisance by the Committee when proceeding with this Bill.

Hazel MacKinnon
Secretary