Local Government and Communities Committee
Planning (Scotland) Bill
Anonymous Submission

Q1 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.

In short, no. I don’t think there is enough protection for built and natural environment, I think it makes it even weaker. Casing point at present is the category A listed Central Library in Edinburgh and the hotel development behind it, approved by Edinburgh Council against wishes of community and no regard for important heritage of library and the Andrew Carnegie legacy. Culloden Battlefield site development rejected by Highland Council, but overturned on appeal to Scottish Ministers but community still fighting. There are many others I could mention, Menie Golf Course, Canonmills, Pentland Studios, Pitiz site at Portobello. How are the communities expected to trust the Planning System? Simplified Development Zones do nothing to protect Scotland’s Heritage, in fact weakens them in my opinion.

We also need an Equal Right of Appeal incorporated into the Bill in order for it to be fair and just.

Q2 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?

There are alternative ways to increase housing stock via rent controls, tough regulation on short term lets. Example, Edinburgh, many investors/property speculators buying up flats purely to rent as Airbnb or Stag/hen party flats as more lucrative without the legislation. This also impacts amount of properties available for rent. Tighter regulation could release more properties to address shortages in rental properties as well as bring more money to Council.

Everything seems to be based on volume development, maximising numbers with no sympathetic planning, no real properly thought out planning or consideration to enhancing existing communities. It’s not about numbers, many people cannot afford new developments so are they actually addressing housing that is desperately needed – no! Communities want to see quality house building which are sympathetic to the areas and fit in with what is already there. We want quality and enhancement not volume blocks.

What I would like to see is more cooperative, social focussed house building by small scale developers who engage with architects and communities. How many communities are actively engaged in LDP’s or planning process, not many? The communities that have have been ridden roughshod over so there is very little confidence in the planning system.
Q4 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?

Planning should be set out with community at heart and proper engagement, we feel we are not consulted in right way - this is the plan and you can disagree but there’s not much you can do. Planning veers on the side of developers and not communities and the result is total disengagement. This attitude needs to change. It should be a 2 way/3 way process with open dialogue. Also it depends on huge proactive communities are. LDP’s are not highlighted enough to people in order for engagement to take place. Not everyone uses internet or knows how to access these on council websites particularly older residents. Not enough young people are engaged either, most would not know so perhaps enhancing technology to address that but there needs to be a range of ways available. Community Councils need to play a big part in this and again, how effective are they. Again all depends where you live and how proactive the community is.

Q5 Would Simplified Development Zones balance the need to enable development with enough safeguards for community and environmental interests?

Huge reservations on Simplified Development Zones – why are they being re-introduced when they were dissed years ago. This is very concerning.

Q6 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?

LPP’s – only heard about this very recently when Action Porty were awarded funds to do one after the fiasco with the proposed sell off of the Pitz. Is this available to all communities as part of the LDP or is it discretionary depending on how vocal and angry the community is? Again back to same issue how do communities engage? Some communities more proactive and more skilled at participating than others. Will there be funds available for professionals to help the less skilled communities?

Q8 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?

In order to be effective it has to be a realistic levy based on the scale of development to support additional infrastructure, public services and the communities.
Q9 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?

Yes, absolutely and not just for those who sit on the planning committee making the decisions. It should also be mandatory for those consulting on the LDPs, perhaps in line with Black Cab taxi drivers who have to sit a test in order to obtain their taxi licence. Any training should be to a standard required for understanding and decision making and be accessible. This should also apply to Community Councillors who are at the front line of the communities they represent in order to help their communities understand and engage in the planning process and decision making.

Q10 Will the proposals in the Bill aimed at monitoring and improving the performance of planning authorities help drive performance improvements?

We need sympathetic, well planned and well thought out development which enhances the environment, is suitable, affordable and appropriate for the area and communities surrounding it with the right infrastructure and services to cope with the expansion. How to do this would require increased expenditure. It should not just be about performance.

Q11 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?

I am not sure what the fees are for making a planning application but surely it makes sense to ring fence these fees and use them to enhance/support the planning system!!

Q12 Are there any other comments you would like to make about the Bill?

I want to see communities given an equal right of appeal. It is important that people have a right to appeal as developers currently have. I mentioned a few decisions in my first question which were initially rejected by Council planners (not the fiasco of the hotel development behind Central Library which the community fought and lost) but then appealed and overturned. To me that is riding rough shod over local democracy and it does nothing to encourage engagement or indeed trust in the planning system. This really has to change and must be included in the planning bill.

I have concerns about conflicts of interest and I would like to see communities and councils able to challenge decisions made on large scale applications. In particular I am thinking about Meadowbank right now. Our community has been told and we have very little time in the planning system to respond as a community to not one but 2 applications each containing 70 documents. That is major and we as the community want to be able to question and appeal decisions not just be consulted. This would go some way to help more community engagement and being more proactive in dealing with such applications. If communities feel listened to and views considered it could help to define their areas in the future. At the end of the day what
is the point in developing LPPs or taking an active part in LDPs if communities cannot then challenge any decisions made which might be contrary to those plans. That would likely cause disempowerment and disengagement.

Lastly, I also have concerns about the funding required to enhance the planning process, given we need training for Councillors on planning; Community Councillors; Local Place Planning and all the associated costs of implementing these.