Local Government and Communities Committee
Planning (Scotland) Bill
Submission from Jill Belch

Thank you for asking for comments on the proposed Planning bill. I write using my experience as a Community Councillor in Perth and Kinross, and my knowledge of effects of pollution and health from my role as a consultant physician in Tayside.

Whilst accepting the crucial need for housing what this bill lacks is engagement right at the start from communities. The bill focussing on fulfilling the need for housing but nowhere on the voice of the communities involved.

1. **What type of Scotland do we want?** Developments seem to be piecemeal, whenever a landowner wants to sell. No thought seems to be given to the communities who suffer these ‘bolt-ons’. Right before you go into this process you should look at what type of Scotland we want. To be homes, no-one seems to want ‘bolt on cookie cutter’ developments which start at a certain number of single storey houses and end up with 50-100% more double storied houses stuffed close together. Further the creaking infrastructure of these villages and towns where these developments occur cause resentment and hostility, and a feeling of impotence in our communities. Where is the overarching strategic planning for NEW villages and towns, as they have in England with their Garden Villages? **My first comment therefore is a wide public consultation on HOW to increase our housing.** I can assure you from my experience it will be new villages and towns, forming new vibrant communities with appropriate infrastructure, affordable housing, preventing the mindless suburbanisation we see today. This is not addressed in your document at all.

2. **EARLY Community involvement.** When it is first suggested that a development occur, the community should be at the table from the start. Then a relationship can be developed with the developer and the Planning Department to ensure we get the kind of expansion we can cope with. Our village has grown by 200% since the 1940s, we are losing our sense of community, becoming an expanded suburb of the city. Our Council are in the bottom 10% of Council for green space. It is assumed as we are surrounded by hills we can go there, but no green space means nowhere for children. And not everyone has a car, - elderly, infirm also need LOCAL greenspace which has an evidence base to show it is vital for mental and physical wellbeing. The Developer appealed against having to provide cycle paths, which we only discovered by FoI as we have no ‘seat at the table’. **My second comment is that we need Early involvement AT THE START with bodies such as community councils will ensure green space, cycle paths etc**

3. **Right of Appeal.** Having had a questionnaire answered by 50% of a community, with 98% against (because of destruction of our community and pollution already over legal limits), with over 900 written comments against the planning application (distilled into half a typed page for the Development
Committee), with at least 5 material considerations completely ignored in favour of the developer’s company finances, I can inform you that no-one seems to care or act on any concerns from a community unless we persuade the press to report it, and even then it is usually ignored. The Government has failed to protect rights and wishes of their constituents in favour of unwanted developments. Further because of laws allowing further, but non community consulted changes, most of these developments grow well above the original planning permission. You MUST allow the right of appeal on these developments from Communities e.g. through Community Councils so Development Management Committees hear both sides and allow happy and healthy community expansion. We WANT thriving communities. But we want input, we request the right of appeal. THIS IS KEY.

4. Training of Committee members. Our Development Committee at the Council was asked to rule on a number of major items 5 days (including a weekend) after appointment to the Council (not just this committee). Our own application ran to 3.6kgs in weight, was over 5000 pages, contained >900 letters of objection, and yet the new committee approved the application based on the recommendation of Planning Department and a threat from the Developer to ‘go to the Government next week on appeal’. At the start of the meeting 3 Councillors left saying they were not trained enough to do this job. Shocking. There were LEGAL irregularities in the application e.g. using out of date legislation for AQAs and EIAs, an INDEPENDENT audit report of the application found severe faults and irregularities, yet all was ignored. Serious material considerations, of the type specified by the Government as being material, were ignored. All we wanted was a delay in the build to allow a major road to take traffic and pollution away from an AQMA which had not decreased emissions over the previous 6 years. But no, no delay. I stood up in front of this new committee and explained the major health risks, pointed out three breaches of regulations, but this inexperienced committee approved an immediate development. Our health doesn’t matter. Perhaps if the Councillors had been trained they would have understood the seriousness of what they were inflicting on the hearts and lungs of all of us. Our own Councillors who live in the area backed us. Maybe if the rest had lived in the area they might have considered their own children’s and parent’s health but yet they condemned ours to major health issues (see Royal College of Physicians and Paediatricians report 2016: Every breath we take: Lifelong impact of pollution, for an evidence based report. https://www.google.at/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKEwjkvfaC84fZAhUCLcAKHZzwDgwQFggnMAA&url=https%3A%2F%2Fwww.rcplondon.ac.uk%2Fprojects%2Foutputs%2Fevery-breath-we-take-lifelong-impact-air-pollution&usg=AOvVaw0eSpyS2TUdeLVILcNrsS2.

Training in key areas such as air quality regulations and access to the FULL paperwork is a key issue and I support this in the new report.

5. Power dynamics: Who actually makes the decisions? Planning, Councils, Government? However, I am not sure training would have worked. It seems to a lot of us that the Planning tail wags the Council and Government
dog. The example above of >900 objections from a village of 2500 households was distilled into ½ a page and minimised. Reference to the independent audit was limited to a few lines and dismissed. Councillors should be made to read ALL the comments both for and against proposals not just distilled items. For example Planning merely stated that the environmental law we quoted was English law. This was wrong, it was a Scottish Government law update that they were not aware of. But because we have no voice, this was accepted by the committee. The Committee were told no-one can change the LDP but the Government regulations say material considerations must be taken onto account. The Committee were told that the Reporter changed the development being ‘allowed when the road was constructed’ to ‘road committed’. We then heard, after much FoI, that the word was changed by Planning as a typo correction, following a series of personalised emails from the Developer/landowner. So a development before a road removing traffic into a polluted area is allowed, as the word constructed was deemed a typo by Planning. Council had approved constructed, this document is still in the library, but the change was made by Planning as a typo. I thus suggest that Council members of Planning Committees ONLY have this one job, are fully trained, and see ALL paperwork relating to a development, complete site visits when dissent occurs, and speak both with the community and the Developers.

6. Laws should be upheld by the Government. We have many examples of regulations breaches. Our appeals for enquiry to the Scottish Government was unsuccessful. Visits to local MPs were unhelpful as they said Councils have own powers, not under control of the Government. We were told Scottish Government meets with Planning but when we looked at the agendas it was not about regulation upholding but only about achieving housing targets! So who ensures regulations are upheld? No-one. I thus suggest that there is a direct link into the Government who ensures and watchdogs Councils to catch and prevent regulation breaches.

7. Climate change. This is not mentioned in your document in any depth. Scotland is ahead of the game with climate change regulations so don’t stop here. Developments should now be required to put in LED lighting, and solar panels. How many developments have actually put in community heating? Hardly any. They just say ‘not feasible’. This report MUST state a level of carbon neutrality for all new Developments. Developers are rich in the main, and profit is their driving force. We need a carbon neutral law for all new developments of our children will suffer the consequences.