Local Government and Communities Committee

Planning (Scotland) Bill

Submission from Sylvan Stuart Ltd

We are a small, long established, company based in central Aberdeenshire that has always specialised in timber buildings, predominantly low-energy homes in recent years. We operate throughout the UK, and a major burden in Scotland is the situation with the effective local authority monopoly on the issue of building warrants. This contrasts hugely with south of the border, where work can commence immediately, following notification, at the developer's own risk. The time it takes to obtain such approvals here in Scotland can run into several months or more, and this significantly impacts on us as we have to have an order book many months in advance to accommodate these timescales.

Your questions:

Given this is the last day to submit a response, this will be brief, and pretty general in nature.

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?

Bill looks like an improvement.

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 main constraints on house building is plot availability and a skilled labour shortage. Many people would like to self-build, and this is now our main customer base. Interestingly, when people can design their own homes, these usually differ greatly from the rather limited range of designs offered by developers. Given self-builders often do some of the work themselves, encouraging this sector will allow an increased number of homes to be delivered. Provision to allow a planning condition on making self-build plots available on larger developments would be a good step forward. Provision should also be made to allow planning consent to set the size of homes to be built to some degree, as restricted land supply in some communities limits the supply of smaller houses given developers generally make larger margins on bigger houses.

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?

As a former Aberdeenshire councillor, I have doubts about centralisation of strategic planning and housing allocations. A clear commitment to devolving these decisions must be incorporated in the bill, and this bears particularly on the NE, which is a
major driver of the Scottish economy, but rather isolated from southern Scotland, and frequently following a different economic cycle.

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?

No comment, other than that there must be flexibility within LDPs, and they must be evidence based.

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

Currently, all the focus appears to be on paperwork rather than outcomes, so any proposal for simplification is to be welcomed.

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?

Anything that encourages early and effective, truly representative community involvement is to be welcomed. The desired outcome is a sense of ownership by the local community, which can happen, but very rarely does at present.

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?

No comment. Present system appears ineffectual, but there is frequently inconsistency in planning decisions, even between personnel sharing the same office. If the professionals cannot agree on interpretation, what chance is there of lay persons understanding policy?

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?

Infrastructure levy sounds like a good idea, but may require to be front loaded by the public sector.
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?

Absolutely, as with licensing boards, where training is mandatory, councillors are likewise acting in a quasi-judicial capacity, and the public must be confident they are qualified to do this.

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

Hopefully it will improve the current situation. Anything that encourages greater liaison between local authorities and more joint working should be encouraged. Individual councils still operate with an almost bunker mentality.

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?

This looks doubtful to me. Before LAs can charge higher fees they need to prove they are providing a better service first, not the other way around.

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

The bill is to be welcomed. It is essential that our economy is not constrained by a slow moving, overtly bureaucratic, detached public sector, that pays lip service to democracy and fails to put fee payers, i.e. "customers", first when it comes to providing a service. Focus on outcomes, not paperwork!

Regards

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