

Response ID ANON-86WF-76UN-U

Submitted to **A consultation on the future of the Scottish Planning System**

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About You

What is your name?

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Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:

North Berwick Community Council

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response with name

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

Making plans for the future

Key Question Do you agree that our proposed package of reforms will improve development planning?

Yes

Please explain your answer.:

We feel that strengthening plan-led development will be beneficial for communities and welcome the commitment to greater involvement and equitable influence in such planning from all stakeholders, including investors and developers. This should result in development plans that reflect local/regional priorities whilst encouraging economic and social growth. It is important to note that good development planning does not necessarily equate with more building, it can sometimes mean not building. Our community is rural, a growing town amidst prime, productive farmland, a finite resource that we feel should be protected now and to ensure future generations' food production. It is disappointing that no part of the proposed legislation acknowledges the contribution made by farms (except wind) and food producers to strengthen the very limited protection they currently enjoy.

We would like to see a greater focus on the impact planning has on communities and quality of life and how it supports the health and well being of our communities

We would like to see the plans strengthened in order to discourage "out-of-plan" development and understand that this can occur through a commitment to deliver outcomes more quickly and also by extending the plan lifespan to 10 years. While we accept the reasons for these proposals, we are concerned that speeding up a development process should not result in less community engagement and that a 10 year lifespan will have to provide sufficient flexibility to adapt to changes in local/regional priorities.

We are happy to support regional planning and would like to add that the proposed planning partnerships need not necessarily be constructed through geography. Shared interests and concerns may result in partnership working from geographically distinct areas and groups and that this should not be precluded.

We think that there should be greater support and resources to enable and empower communities to participate as equals in the process and in particular that timescales should not exclude and 'outpace' us, they should support 'community time' and respect that we work to a different timescale to organisations.

1 Do you agree that local development plans should be required to take account of community planning?

Yes

Do you agree that local development plans should be required to take account of community planning?:

Development planning should not just be about numbers of houses, employment land etc, but should also take into account the services and infrastructure

needed in order to ensure the developing community is successful. The proposed changes, therefore, are most welcome. However, there is an existing disconnect between the statutory responsibility of Community Councils in terms of spatial planning and the recently introduced community planning vehicles (Area Partnerships/ Neighbourhood Groups/ Localities). Community Councils are members of these additional organisations but the relationships and therefore the mechanisms for review, are as yet unclear. Whilst we support this suggestion in principle we are concerned that there is insufficient clarity on how it can be put into practice, what body will be responsible and how can we be assured that its members will have appropriate training and experience? What resources will be at their disposal? We are also concerned at the ambiguous "take account of" in the question. This does not offer any guarantees as to what weight community views have in this process. In addition, there is also little guidance on which element, community or spatial planning, that might take precedence. At present, developer-led planning will inevitably be motivated by profit whereas community planning places greater emphasis on social need/policy; pulling the two together may prove particularly challenging.

It is essential that resources are provided to enable full participation and engagement.

2 Do you agree that strategic development plans should be replaced by improved regional partnership working?

Yes

Do you agree that strategic development plans should be replaced by improved regional partnership working?:

We would like to submit a "qualified yes"

We support the removal of a layer of developing planning (and the associated rounds of consultation) if it results in a more streamlined and accessible planning system. Regional Partnerships suggest a more democratic approach to planning which is welcomed however we are concerned that this puts further strain on local planning officers and departments. It is felt that there should be guarantees of additional resourcing in order to make this work.

And we would want to see provision that ensures that the voice of communities are not lost or ignored in this scaling up process and that there is a clear link with locality planning, including planning by health and social care partnerships.

2a How can planning add greatest value at a regional scale?

How can planning add greatest value at a regional scale?:

Regional views can take account of larger development issues that may be cross-boundary or have wider implications. They may also have a sector-specific elements such as energy generation, fishing, tourism that should inform development. Potentially they provide a way to link up locality planning to inform the strategic vision if done in a community up rather than a top down way.

2(b) Which activities should be carried out at the national and regional levels?

Which activities should be carried out at the national and regional levels?:

2(c) Should regional activities take the form of duties or discretionary powers?

Not Answered

Should regional activities take the form of duties or discretionary powers?:

2(d) What is your view on the scale and geography of regional partnerships?

What is your view on the scale and geography of regional partnerships?:

Designated geographic areas already exist, such as those around Scotland's cities however, regional partnerships should not be restricted to geographic areas and could also encompass sectoral groups, eg specific industries etc. There needs to be better linkage with health and social care planning in the light of integration and the impact that planning decisions have on these essential services.

2(e) What role and responsibilities should Scottish Government, agencies, partners and stakeholders have within regional partnership working?

What role and responsibilities should Scottish Government, agencies, partners and stakeholders have within regional partnership working?:

Effective partnerships require shared understanding, common goals and each member to feel empowered and enabled. It is essential that the regional partnerships include all stakeholders, including community representation and are committed to working collaboratively. It is important they also pay attention to local plans.

3 Should the National Planning Framework, Scottish Planning Policy or both be given more weight in decision making?

Not Answered

Should the National Planning Framework, Scottish Planning Policy or both be given more weight in decision making?:

4 Do you agree with our proposals to simplify the preparation of development plans?

Yes

Do you agree with our proposals to simplify the preparation of development plans?:

Community Councils are increasingly tasked with engaging their community in numerous public consultations. Having so many, results in "consultation fatigue" if there is no impact and an associated drop off in response. We welcome, therefore, moves to streamline the development plan process, particularly the removal of

the MIR, commonly confused with the draft LDP (and it's consultations). We also welcome the shortening of the timescale, making it easier to "see" the process of preparation. We are concerned that increasing the lifespan of the LDP to 10 years may not provide sufficient flexibility to respond to changes in the area so welcome the suggestion of review points throughout the cycle. A 10 year plan would allow communities to develop at their own pace but only if adhered to. Taking the full 10 years to deliver all the development within the Plan should not be used as an excuse for "out-of-plan" development. It should be recognised that increasing community engagement and showing that it has an impact on decision making will lead to greater confidence and support ongoing engagement.

3(a) Do you agree with our proposals to update the way in which the National Planning Framework is prepared?

Yes

Do you agree with our proposals to update the way in which the National Planning Framework is prepared?:

Having a long term (30 year) vision is essential however we are concerned over the 10 year life cycle. As mentioned above, we feel this does not offer sufficient flexibility to respond to what may be national changes eg unforeseen economic growth/slow down/ and we think the framework should place a stronger emphasis and direction on delivering the considerable positive health benefits of planning referred to in the NPF.

4(a) Should the plan review cycle be lengthened to 10 years?

Yes

Should the plan review cycle be lengthened to 10 years?:

But qualified as stated above

4(b) Should there be scope to review the plan between review cycles?

Yes

Should there be scope to review the plan between review cycles?:

Yes. There should be clear triggers for review that can be used by communities. However we are concerned that these triggers should not be available to developers and only in a limited fashion by the local authority. This would go a long way to ensure communities' trust in the ability of their local development plan to deliver.

4(c) Should we remove supplementary guidance?

Not Answered

Should we remove supplementary guidance?:

Supplementary guidance allows the LDP to be adapted to suit individual communities and areas. It is a useful tool in localising planning. We wish this ability to be retained but not necessarily as a supplementary document. It could become part of the locally developed plans and from there the LDP. Greater transparency and openness about decision making will enhance this.

5 Do you agree that local development plan examinations should be retained?

Yes

Do you agree that local development plan examinations should be retained?:

Ensuring a development plan is robust and delivers its desired outcomes is essential.

5(a) Should an early gatecheck be added to the process?

Yes

Should an early gatecheck be added to the process?:

We would agree that an early gatecheck could be useful though we have concerns that this may be more of a tick box exercise than, particularly when evidencing community involvement and community planning objectives. We seek assurances that this first check will be robust but also used as a means of encouraging good practice, and that it takes account of the health and well being impact of proposals.

5(b) Who should be involved?

Who should be involved?:

We would welcome the use of citizen panels or similar mechanisms, incorporating community council representatives. It should be highlighted here that all CC members are volunteers drawn from a variety of different backgrounds and experiences. We would not wish to increase the burden on such volunteers nor would we wish to see a high degree of responsibility placed on the shoulders of those who do not have the necessary expertise. The roles and responsibilities of those involved must be made clear.

5(c) What matters should the gatecheck look at?

What matters should the gatecheck look at?:

We would support the gatecheck elements as described in the consultation paper however, perhaps this could also incorporate feedback from community representatives as to the level and effect of their involvement and identified community planning objectives.

5(d) What matters should the final examination look at?

What matters should be the final examination look at?:

As above. The last gatecheck should address areas picked up from the first and any suggested improvements to practice etc. Again, 360o feedback should be sought and taken into account.

5(e) Could professional mediation support the process of allocating land?

Yes

Could professional mediation support the process of allocating land?:

We could support this in principle but fear that in practice, this would not build greater public trust in the planning system. Adding more "professional expertise" has a danger of further alienating the non-expert (usually voluntary) sections of the community. Mediation should be something that is welcomed and accepted by ALL stakeholders.

6 Do you agree that an allocated site in a local development plan should not be afforded planning permission in principle?

Yes

Do you agree that an allocated site in a local development plan should not be afforded planning permission in principle?:

Even if the LDP is built through rigorous public engagement, we would wish community councils to retain the ability to consider any application on its own merits, prior to being granted permission (even in principle). This is especially the case if the LDP lifespan is increased to 10 years as this could result in developers banking land that might require greater infrastructure investment.

7 Do you agree that plans could be strengthened by the following measures:**(a) Setting out the information required to accompany proposed allocations? - (a) Setting out the information required to accompany proposed allocations?:**

Yes

Setting out the information required to accompany proposed allocations:

We would also link to see a requirement to provide such information in easily understood and accessible formats.

(b) Requiring information on the feasibility of the site to be provided - (b) Requiring information on the feasibility of the site to be provided:

Yes

(b) Requiring information on the feasibility of the site to be provided:**Increasing requirements for consultation for applications relating to non- allocated sites - (c) Increasing requirements for consultation for applications relating to non- allocated sites:**

Yes

(c) Increasing requirements for consultation for applications relating to non- allocated sites:

Communities feel threatened by developers seeking permission to build on unallocated land. The consultation document mentions that strengthening the LDP will give communities greater confidence that development will happen in identified sites and that "out-of-plan" sites will be protected. We strongly support this position.

Working with the key agencies so that where they agree to a site being included in the plan, they do not object to the principle of an application - (d) Working with the key agencies so that where they agree to a site being included in the plan, they do not object to the principle of an application:

No

(d) Working with the key agencies so that where they agree to a site being included in the plan, they do not object to the principle of an application:

We would not support this position as it would remove the possibility of objection to a development that may not be needed or welcomed due to changing circumstances. Community Councils are charged with representing community views to other agencies and this would restrict our ability to do so if the community wished to object.

8 Do you agree that stronger delivery programmes could be used to drive delivery of development?

Yes

(a) What should they include?:

We agree but not at the expense of robust community engagement. We are concerned that an increase in speed is valued over considerate delivery and that communities are outpaced.

If you wish to add a document to support your response, please add it here.

File upload component:

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People make the system work**Key Question Do you agree that our proposed package of reforms will increase community involvement in planning?**

Yes

Please explain your answer.:

We support greater community involvement in planning at all stages and levels. There are existing ways for this involvement through community councils, special interest groups and as individuals but it is often reported that such involvement is superficial and does not carry significant weight in decision making. It is, therefore, essential that meaningful and well resourced methods must be used in order to move from "just informing or consulting people to involving them". This investment of time and effort will "improve confidence and trust in planning and lead to better outcomes". We also think it essential that processes and decisions are not only inclusive but are transparent and open to public scrutiny.

9 Should communities be given an opportunity to prepare their own local place plans?

Yes

Should communities be given an opportunity to prepare their own local place plans?:

We feel that communities know their area best and can deliver a better informed, situated development plan. However there are factors that should be considered.

Locally developed plans are to be taken into account by the local authority when creating their own LDS. This raises the question as to how much influence local communities will have, how much of their plan will be accepted or rejected. It has the potential for putting local communities into direct conflict with each other, particularly in the allocation of housing development and it is unclear as to how that would be resolved.

In addition, there is no definition of who in the local community will be responsible for this. Community councils should play a central role but it is recognised that we are not experts in planning or community planning and so would require significant resource and support. This is also true of the alternative community groups therefore there is the danger that affluent, well educated, middle class communities will have greater access to professional help and advice through their own networks than their less advantaged neighbours. Assurances must be made that sufficient support will be made available to all who undertake this process. Lastly, involving the community in developing their own plans, creates a level of expectation that might be difficult to fulfill. Any failure to deliver the Plan will inevitably affect public trust and willingness to engage further.

In East Lothian, Area Partnerships are charged with developing Area Plans for their ward. These should be taken into account when considering the planning landscape.

9(a) Should these plans inform, or be informed by, the development requirements specified in the statutory development plan?

Inform

Should these plans inform, or be informed by, the development requirements specified in the statutory development plan?:

They should inform the LDS.

9(b) Does figure 1 cover all of the relevant considerations?

Not Answered

Does figure 1 cover all of the relevant considerations?:

10 Should local authorities be given a new duty to consult community councils on preparing the statutory development plan?

Yes

Should local authorities be given a new duty to consult community councils on preparing the statutory development plan?:

We would wish to see this strengthened. Community councils should be directly involved in the LDS preparation as an integral part of that process and not just as a consultee.

10(a) Should local authorities be required to involve communities in the preparation of the Development Plan Scheme?

Yes

Should local authorities be required to involve communities in the preparation of the development plan scheme?:

. We support greater community involvement. This must be inclusive and done at a pace that enables all who wish to be involved to do so. Provision must also be made to include statutory equality groups.

11 How can we ensure more people are involved?

How can we ensure more people are involved?:

We would support any moves that increase and widen community involvement. We feel there needs to be a creative and innovative response to this, utilising many different forms of communication and outreach. Again, allowing sufficient time for the process and working with community organisations will make this more effective.

11(a) Should planning authorities be required to use methods to support children and young people in planning?

Yes

Should planning authorities be required to use methods to support children and young people in planning?:

We have a statutory requirement to have children and young people's voices heard and listened to in any decision making that will affect their lives. This also requires creativity and innovation but primarily a commitment from all involved to do what they can in this regard.

12 Should requirements for pre-application consultation with communities be enhanced?

Yes

Please explain your answer.:

We would wish to see a requirements for developers to "adopt or explain" proposals and suggestions made during their PAC. We would also wish that they were required to explain any additional changes made or details added following PAC. We feel that this would strengthen the relationship between developer and community.

12(a) What would be the most effective means of improving this part of the process?

Please explain your answer.:

12(b) Are there procedural aspects relating to pre-application consultation (PAC) that should be clarified?

Not Answered

Please explain your answer.:

12(c) Are the circumstances in which PAC is required still appropriate?

Not Answered

Please explain your answer.:

12(d) Should the period from the serving of the Proposal of Application Notice for PAC to the submission of the application have a maximum time-limit?

Not Answered

Please explain your answer.:

13 Do you agree that the provision for a second planning application to be made at no cost following a refusal should be removed?

Yes

Do you agree that the provision for a second planning application to be made at no cost following a refusal should be removed?:

Like many other Community Councils, we feel that repeat planning applications disregard community and local authority opinion, particularly if they are outwith the LDS. They demonstrate what is often the disconnect between developer and community. We would welcome any measures to address this, including the introduction of fees.

14 Should enforcement powers be strengthened by increasing penalties for non-compliance with enforcement action?

Yes

Should enforcement powers be strengthened by increasing penalties for non- compliance with enforcement action?:

We are aware that enforcement of planning restrictions or conditions can be a concern for our communities. We would, therefore, support strengthening enforcement powers, particularly for transgressions in larger developments although there should also be an element of flexibility for small, individual planning applications. There is no need to use a sledgehammer to crack a nut.

15 Should current appeal and review arrangements be revised:

(a) for more decisions to be made by local review bodies? - (a) for more decisions to be made by local review bodies?:

Yes

Should current appeal and review arrangements be revised?:

In general:

The current appeal system grants the applicant the right to appeal a refusal but does not confer the same rights to either the local authority or any opposition groups. We do not feel that this is an equitable situation. We would suggest that the right to appeal is restricted to those applications that fall within the LDS and is awarded to both the applicant and the local authority. An alternative would be to remove the right to appeal completely. Both of these solutions would help strengthen public confidence in their local authority and LDS and reduce the power of the developer to keep going until they get what they want (a commonly held belief).

Answer to above:

The make up of such bodies requires careful consideration, ensuring equitable representation.

(b) to introduce fees for appeals and reviews? - (b) to introduce fees for appeals and reviews?:

Yes

(b) to introduce fees for appeals and reviews?:

This should be seen as a resource for planning authorities

(c) for training of elected members involved in a Planning Committee or Local Review Body to be mandatory? - (c) for training of elected members involved in a Planning Committee or Local Review Body to be mandatory?:

Yes

(c) for training of elected members involved in a Planning Committee or Local Review Body to be mandatory?:

We would also wish that planning committees and the entire planning process be wholly transparent and accessible by all at every stage.

(d) do you agree that Ministers, rather than reporters, should make decisions more often? - (d) do you agree that Ministers, rather than reporters, should make decisions more often?:

No

(d) do you agree that Ministers, rather than reporters, should make decisions more often?:

Ministers are politicians and as such can be swayed by political motivations and the demands of the wider party. Politicians come and go but the office of the reporter should remain. What is important is the impartiality and consistency of approach to all appeals.

16 What changes to the planning system are required to reflect the particular challenges and opportunities of island communities?

What changes to the planning system are required to reflect the particular challenges and opportunities of island communities?:

Building more homes and delivering infrastructure

Key Question Will these proposals help to deliver more homes and the infrastructure we need?

Not Answered

Will these proposals help to deliver more homes and the infrastructure we need?:

We are concerned that the measure of success for planning appears to be the number of houses that can be built. This broad brush approach does not support housing that responds to community needs. Good quality affordable (rented and purchased), amenity and adaptable housing is simply not what is being built. We seek assurance that planning decisions will take community wishes into consideration in this regard on an "adopt or explain" basis. And that thought is given to the longer term implications of decisions that affect generations to come.

17 Do you agree with the proposed improvements to defining how much housing land should be allocated in the development plan?

No

Do you agree with the proposed improvements to defining how much housing land should be allocated in the development plan?:

The NPF offers an overarching strategic view of planning growth and development. However, having such a top down approach appears to be in direct contrast with the community-led planning suggested in sections A and B above. It is not clear how this is to be resolved and increases the likelihood of communities feeling alienated from and distrustful of the planning system.

18 Should there be a requirement to provide evidence on the viability of major housing developments as part of information required to validate a planning application?

Yes

Should there be a requirement to provide evidence on the viability of major housing developments as part of information required to validate a planning application?:

This would be helpful, particularly when determining the size and make-up of the development. This information should be freely available. This should include an assessment of the impact on the infrastructure, education and health and social care

19 Do you agree that planning can help to diversify the ways we deliver homes?

Yes

Do you agree that planning can help to diversify the ways we deliver homes?:

Having a more creative approach widens the scope for small, local developers and investors, self-builds, community-led development, local social landlords. It should also allow for housing to be built with a sense of place, in character with the area and community it joins.

19(a) What practical tools can be used to achieve this?

What practical tools can be used to achieve this?:

Local planners need to feel confident that they can make localised decisions on size, scale, type of development that they feel protect and enhance their local environment, without the danger of having these decisions overturned through external bodies adopting nationally-led strategies. Planners should be supported and trusted to provide the development called for in such strategies in their own way (and time).

20 What are your views on greater use of zoning to support housing delivery?

What are your views on greater use of zoning to support housing delivery?:

We do not support any measures that reduce community involvement. Although having SPZ allocated might speed up the delivery of homes, we are concerned that this confers a blanket approval for developers to build the most profitable housing with only minimal concern for the style, size and type of housing the community needs. Housing developments are more than just places for people to stay, they also need open spaces, paths, allotments etc and it is not clear how

these could be ensured using SPZs.

20(a) How can the procedures for Simplified Planning Zones be improved to allow for their wider use in Scotland?

How can the procedures for Simplified Planning Zones be improved to allow for their wider use in Scotland?:

20(b) What needs to be done to help resource them?

what needs to be done to help resource them?:

21 Do you agree that rather than introducing a new infrastructure agency, improved national co-ordination of development and infrastructure delivery in the shorter term would be more effective?

Yes

Do you agree that rather than introducing a new infrastructure agency, improved national co-ordination of development and infrastructure delivery in the shorter term would be more effective?:

We feel there is no need for a new agency at the moment however, additional resources must be made available across the country to enable existing planning authorities to devote sufficient time and effort into making this work.

22 Would the proposed arrangements for regional partnership working support better infrastructure planning and delivery?

Not Answered

Would the proposed arrangements for regional partnership working support better infrastructure planning and delivery?:

It is difficult to respond to this question as it is not clear who the regional partnerships will be, what their remit might be and how long they will continue to work together. As stated above, partnerships need not be geographic but can also be sector specific etc.

22(a) What actions or duties at this scale would help?

What actions or duties at this scale would help?:

We would envisage that regional partnerships would be involved with planning for

Transportation

Heritage and conservation

Sector specific eg health care, education provision

Industry eg farming, fishing

Energy

Digital connectivity

Infrastructure - water & sewage

23 Should the ability to modify or discharge Section 75 planning obligations (Section 75A) be restricted?

Not Answered

Should the ability to modify or discharge Section 75 planning obligations (Section 75A) be restricted?:

24 Do you agree that future legislation should include new powers for an infrastructure levy?

Yes

If not, please explain why.:

(a) At what scale should it be applied?:

(b) What type of development should it apply?:

(c) Who should be responsible for administering it?:

(d) What type of infrastructure should it be used for?:

25 Do you agree that Section 3F of the Town and Country Planning (Scotland) Act 1997, as introduced by Section 72 of the Climate Change (Scotland) Act 2009, should be removed?

No

Do you agree that Section 3F of the Town and Country Planning (Scotland) Act 1997, as introduced by Section 72 of the Climate Change (Scotland) Act 2009, should be removed?:

We would not support any move that reduces the onus on developers to build to the highest energy efficiency and low carbon emissions targets. Indeed we would like to go further and suggest that all new developments must have renewable energy sources (ground source, solar panels etc), water conservation (reclamation and/or rainwater collection), be constructed using passive energy conservation principles, low energy communal lighting etc. Housing should also be for life, easily adaptable for people with disabilities and so people can adapt their homes as their life and health change. This will enable people to live independently in

their own homes as long as possible, which is what most people want, and reduce demand for public services.

This technology is available and should be used to ensure that the homes being built today are accessible, adaptable, inexpensive to run now and in the future.

Stronger leadership and smarter resourcing

Key Question Do you agree the measures set out here will improve the way that the planning service is resourced?

Yes

Do you agree the measures set out here will improve the way that the planning service is resourced?:

We agree that the measures are to be welcomed however we are concerned that they will be implemented without significant resourcing. There is little in the document that suggests this section has been costed and that sufficient funds and time can be allocated both centrally and locally. And the resource implications for communities.

26 What measures can we take to improve leadership of the Scottish Planning profession?

What measures can we take to improve leadership of the Scottish Planning profession?:

27 What are the priorities for developing skills in the planning profession?

What are the priorities for developing skills in the planning profession?:

Better awareness of the health and social care opportunities and imperatives in planning, greater thought for the implications of family , life span and work changes which have significant implications for what people need from their homes, workplaces and amenities.

28 Are there ways in which we can support stronger multidisciplinary working between built environment professions?

Not Answered

Are there ways in which we can support stronger multidisciplinary working between built environment professions?:

29 How can we better support planning authorities to improve their performance as well as the performance of others involved in the process?

How can we better support planning authorities to improve their performance as well as the performance of others involved in the process?:

30 Do you agree that we should focus more on monitoring outcomes from planning (e.g. how places have changed)?

Yes

(a) Do you have any ideas on how this could be achieved?:

It is important to make sure identified outcomes have been achieved. This should also include quantitative and qualitative feedback from the communities themselves as this will help inform future developments. This section information should be collected in the short, medium and long term and be made freely available. There should be data collected on health and social care outcomes.

31 Do you have any comments on our early proposals for restructuring of planning fees?

Do you have any comments on our early proposals for restructuring of planning fees?:

Having a good, professional planning system costs money. All stakeholders should be made aware of this, including developers and investors.

32 What types of development would be suitable for extended permitted development rights?

What types of development would be suitable for extended permitted development rights?:

Each community across Scotland is different. We are concerned that by allowing certain types of development to happen without a planning application process, there will be no opportunity for the community to voice any concerns. As an example, whilst for some communities, allowing a change of use for a town centre shop may not be a concern, for others it may be a significant blow to their High Street. We would suggest that permitted development status was optionally granted and only after extensive discussion with the local community.

33 What targeted improvements should be made to further simplify and clarify development management procedures?

What targeted improvements should be made to further simplify and clarify development management procedures?:

33(a) Should we make provisions on the duration of planning permission in principle more flexible by introducing powers to amend the duration after permission has been granted?

Not Answered

How can existing provisions be simplified?:

33(b) Currently developers can apply for a new planning permission with different conditions to those attached to an existing permission for the same development. Can these procedures be improved?

Currently developers can apply for a new planning permission with different conditions to those attached to an existing permission for the same development. Can these procedures be improved?:

33(c) What changes, if any, would you like to see to arrangements for public consultation of applications for approvals of detail required by a condition on a planning permission in principle?

What changes, if any, would you like to see to arrangements for public consultation of applications for approvals of detail required by a condition on a planning permission in principle?:

33(d) Do you have any views on the requirements for pre-determination hearings and determination of applications by full council?

Do you have any views on the requirements for pre-determination hearings and determination of applications by full council?:

34 What scope is there for digitally enabling the transformation of the planning service around the user need?

What scope is there for digitally enabling the transformation of the planning service around the user need?:

All documentation associated with a planning application, including the additional information described in earlier sections, should be made freely available and as soon as possible after it has been received.

It is essential that this documentation be easily accessible, that it should be written clearly in plain English and with a minimum of technical language. This should also be the case for LDP and NPF documentation.

All online information should be easily navigated through – not always the case with local authority websites – and available in desktop and mobile (apple and android) versions.

3D technology can be used to visualise how a development will appear. In addition, the use of drone footage can also help with this visualisation.

Next steps

35 Do you think any of the proposals set out in this consultation will have an impact, positive or negative, on equalities as set out above.

Not Answered

If so, what impact do you think that will be?:

"Scotland needs a great planning system!"

This is our response. We endorse the sentiment but seek assurances that the proposed system will be great for everyone. It is a widely held belief that the present situation is great for developers, leaving communities and local authorities feeling disempowered and without a voice in matters that affect them directly. Therefore any changes to planning legislation must address this imbalance as a priority. To do so will go some way in restoring public confidence and encourage greater community engagement. It would allow for greater localisation of development, reflecting the character and priorities of local communities whilst remaining within the National Planning Framework. It is with this in mind that we have read the consultation document, looking to see how the proposed changes will rebalance the relative power of developer, local authority, central government and community. One area of inequality.

We welcome the endorsement that planning is about more than buildings and is more than economic development but also about communities, families and quality of life. It materially affects the health and well being of everyone. A second area where inequality has consequences. We also think our planning system needs a more strategic and long term vision, that captures the aspirations of communities as the decisions we make today will affect generations to come.

We would like to think that democratising the planning process, making it more accessible, accountable and responsive to local communities, would have a positive influence on equality. However, as with many public consultations, there is a widely held belief that they are commonly only tick box exercises and that little account is paid to the numerous responses they elicit. We feel we have played our part in approaching this particular consultation seriously and with consideration, offering our genuinely held opinions and would hope that the Scottish Government would treat them and the community they represent with equal respect. This is the first step in having a positive influence on equality.

36 What implications (including potential costs) will there be for business and public sector delivery organisations from these proposals?

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We recognise that there needs to be significant resources put into our planning system to aid existing planning departments, to train and educate elected members, local authority employees and community representatives and to provide additional expertise to communities tasked with developing their own plans. This funding must come from external agencies and developers.

37 Do you think any of these proposals will have an impact, positive or negative, on children's rights?

Yes

If so, what impact do you think that will be?:

38 Do you have any early views on whether these proposals will generate significant environmental effects? Please explain your answer.

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Evaluation

Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)

Matrix 1 - How satisfied were you with this consultation?:

Slightly satisfied

Please enter comments here.:

The introductory statement – “Scotland needs a great planning system!”

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Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:

Neither satisfied nor dissatisfied

Please enter comments here.: