

Independent Review of Planning – Comments from PAS public events

Below are comments made by attendees at a series of three public events held by PAS to give members of the public the opportunity to share their views on the planning system and the topics of the Review of the Planning System. There are also comments which were separately submitted to PAS via email by those unable to attend.

Development planning

- Retain the primacy of the development plan in the Scottish planning system.
- Development plans should contain clear, unambiguous proposals, reflecting established local needs, plus a delivery framework tailored to the particular community.
- Planning departments need more than planners and wider skills and experience, e.g. surveyors, architects.
- Planners need to work and communicate across Local Authority department boundaries.
- There is a lack of staff and resources in development planning.
- Development plans should be concise and developed with a bottom-up approach.
- The Main Issues Report (MIR) process is hard for communities to understand and access.
- Developers submit representations to MIR processes, while communities rarely do.
- Developers have greater influence over MIRs than communities or local authorities.
- Community Councils should have a statutory role in the development plan process.
- While the statutory role of Community Councils should be strengthened, their internal structures would need to be amended to ensure appropriate membership. Training would also be needed.
- There should be a greater role for Community Councils during the MIR stage.
- Development planning should be linked to community planning and infrastructure planning.
- Draft plans should be more quickly produced to maintain momentum and public interest.
- Development plans should be made more local in focus.
- Planning documents and information are of variable quality.
- Planning documents are often large and can be overly wordy, lacking in clarity. They should be more visual and easy to understand.
- Development plans can often use vague wording which is open to interpretation by developers.
- Development plans should be continually reassessed and amended to take into account any substantial changes in local circumstances.
- Many speculative applications are not aligned with development plan allocations.
- There should be greater adherence to development plan designations, giving greater certainty for all concerned.

Housing delivery

- An integrated approach is needed for housing and infrastructure, based on long-term solutions, rather than piecemeal development.
- There is a lack of understanding of the Housing Needs and Demands Assessment (HNDA) process.

- Housing numbers should be determined locally, utilising local knowledge of need and demand, and required size, tenure type etc.
- Housing numbers need to be determined through a process which combines local and national data.
- Tighter housing delivery timescales should ensure demand is met in a timely fashion.
- A greater emphasis on enforcement could achieve better quality housing.
- In smaller communities, large housing developments should be completed before further applications are approved.
- 'Barriers' to some are 'reasonable safeguards' to others.
- In principle brownfield land should be used before greenfield for housing development.

Planning for infrastructure

- An integrated approach is needed for housing and infrastructure, based on long-term solutions, rather than piecemeal developments.
- More investment in transport infrastructure and links is needed.
- Transport infrastructure investment can help resolve other issues with development sites.
- Infrastructure needs should be considered in Local Authority business plans.
- Development plans should include infrastructure investment and finance plans demonstrating how developments are to be funded.
- Planning gain should be used to fund infrastructure necessitated by development.
- There could be provisions to make community benefits more binding.

Development management

- Planning officers are too inward-looking.
- There is a perception of an insider world vs. the wider public, and that planners and developers are 'in it together'.
- Planning departments need more than planners and wider skills and experience, e.g. surveyors, architects.
- Planners need to work and communicate across Local Authority department boundaries.
- Stronger enforcement is required.
- The role of conservation officers should be strengthened.
- Neighbour Notification should be increased beyond the 20m guideline, which is particularly relevant for rural areas where it is effectively meaningless.
- The 21 day response window is inappropriate for some applications. The time available should be proportional to the scale of the proposals.
- Mediators could improve the relationship between applicants and community and ensure better proposals and greater acceptance of outcomes.
- Any mediation would need to be independent.
- Many speculative applications are not aligned with development plan allocations.
- Repeat applications are a burden for Community Councils, as they need to respond numerous times. Could limits be placed on the number of applications submitted in a set time period?
- Not all decisions align with development plans.
- Planning committees are not seen as representative of the community.
- Non-determination levels are rising as applications outpace the number of staff to handle them, creating uncertainty for applicants and public.

- Health service capacity should be a key consideration, as with Education. Applications can be refused if there is not sufficient capacity in local schools, so why not local clinics/hospitals?
- There is asymmetrical treatment of expert reports commissioned by developers vs. those commissioned by objectors in the community.
- Specialist agencies are at times ignored by planning officers and Elected Members despite their expertise and statutory consultee role.
- Strengthen the powers of statutory consultees to prevent inappropriate development.
- At times Elected Members are listening to a vocal minority and going against officers' recommendations that applications should be granted.
- Economic issues are pressuring officers' decisions.
- There should be greater regulation to prevent applicant lobbying during the application process.
- Politics and money are influencing decision-making.
- Planning committees should be more accessible to a wider audience and interactive, e.g. through livestreaming.
- Publication of information on the Local Authority planning portals is not consistent.
- Planning documentation online, e.g. application materials, should be fully accessible to ensure transparency.
- There should be standardisation of planning committee procedure to ensure equal treatment across Local Authorities and guaranteed opportunities to contribute/submit.
- There should be a right to speak at planning committees, to ensure openness, transparency and a fair hearing for all parties.
- Planning committee workings are at times opaque and based on politics.
- There are issues with the interaction between planning committees and other Elected Member functions, e.g. licensing committee membership, influencing decision-making.
- Permitted development rights, in particular agricultural, can result in inappropriate development/overdevelopment, so there need to be some safeguards.
- There is a need to strengthen enforcement to ensure that developments are completed, as per consents.
- More resources are needed for enforcement activities.
- Introduce third party rights/equal of appeal, but limit them to particular developments, e.g. major applications.

Leadership, resourcing and skills

- There is a need for collaborative working, as planning officers cannot be expected to be experts in everything.
- Planning departments need more than planners and wider skills and experience, e.g. surveyors, architects.
- There is a need for specialist skills to deal with particular applications.
- Many officers are unable to adequately assess EIA reports.
- More resources are needed for enforcement activities.
- The role of conservation officers should be strengthened.
- Planners need to be more approachable and engaging in their practice.
- Local Authorities can produce engagement plans but planning officers often lack the capacity to carry them out.

- Planning officers should be trained in how to effectively engage and communicate with the public.
- Local Authorities could designate an officer to oversee consultation on development plans with communities and Community Councils.
- The education system, including universities, is vital to sustaining the planning profession.
- Engagement skills should be taught in planning courses.
- Private sector planners professional practice is influenced by business/economic concerns
- Planning officers have significant upfront workloads, and fees should address this.
- Fees are currently inadequate to cover expenses incurred for complex applications, e.g. windfarms.
- Lower fees mean that Local Authorities cannot afford external expert advice in some cases.
- There is a lack of staff and resources for development planning.
- Non-determination levels are rising as applications outpace the number of staff to handle them, creating uncertainty for applicants and public.
- A lack of resources results in pre-application consultation being marginalised.
- Planning performance indicators are skewed and don't consider all the issues.
- Fee penalties are counter-productive, prioritising quantity of applications processed over the quality of handling and engagement.
- There are questions as to whether Community Councils and planning committees/Elected Members are suited to decision-making, given their lack of training in planning.
- There are unequal resources to support participation: professional developers vs. volunteer Community Councils.
- Community Councils and Elected Members need training in planning to support decision-making.
- Elected Member training should be compulsory, with attendance at planning committees dependent on it.
- Compulsory Elected Member training would be hard to enforce in practice as they are elected representatives and not employees.

Community engagement

- Planning should go beyond a mechanistic approach and be operated on the basis of people rather than process.
- The technical aspects and processes pose a barrier to participation.
- Engagement is inconsistent between Local Authorities.
- Effective and meaningful engagement requires Local Authorities to be properly funded, as engagement requires staff and resources, and has significant working time implications.
- The planning system could be community plan-led.
- Planning documents are large and overly wordy, lacking in clarity. They should be more visual and easier to understand.
- There are issues with communities being presented with plans and data which are incomplete. They want full details about assets, contaminated land, suitability for housing etc.
- It is difficult to engage with wider communities beyond Community Councils.
- Community Councils feel that they lack influence/effectiveness, and that their opinions are often ignored.
- There is often mistrust between Community Councils and developers.

- Communities and Community Councils often lack the expertise and knowledge to effectively engage – too much responsibility placed on those without the right skills.
- Community Councils need training in the planning system and how to effectively engage.
- Some Community Councils seek to engage with parents on the impact of development on school capacities.
- Community Councils work is limited by available resources. They would do more if they had more support and funding.
- Repeat applications are a burden for Community Councils, as they need to respond numerous times. Could limits be placed on the number of applications submitted in a set time period?
- Community Councils with more influence and means would be reinvigorated and able to do more.
- Engagement is needed before MIR stage.
- The MIR process is hard for communities to understand.
- The MIR process is led by developers and Local Authorities, and communities find it hard to get involved.
- The MIR can work well if communities are proactively engaged by Local Authorities.
- Local Authorities could designate an officer to oversee development plan with communities and Community Councils.
- Charrettes are good in principle but there needs to be buy-in from development planning and community planning, with investment to progress the vision and actions.
- Charrettes could be deployed on a smaller scale for locality planning.
- Charrettes cannot be seen as a universal model, as there may be issues with poor attendance, superficial consultation, and outputs that are merely a wish list of 'actions'.
- The Scottish Government and Local Authorities should be more selective with charrettes. Direct funding of costed and viable community initiatives would provide better and more effective use of public funds.
- Communities themselves need to be involved in the process of writing charrette briefs and appointing consultants, otherwise the role of the community is marginalised and disadvantaged. A top-down, closed process needs to be avoided.
- There are concerns that participants are 'locked-in' to charrette processes and bound by their outputs regardless of the level of community support.
- A problem with charrettes is the duration, and the difficulties some in the community will face in attending due to other commitments, e.g. work, childcare. Interactive and accessible engagement techniques, streaming, social media etc. could be used to bridge this gap.
- Charrettes need public buy-in. Political support is not enough if a community is not on board.
- Neighbour Notification should be increased beyond the 20m guideline, which is particularly relevant for rural areas where it is effectively meaningless.
- Members of the public are often unaware of how to make a formal representation.
- Accessible and comprehensive guidance to the planning system should be produced which is aimed at a general audience and which explains how the system works and how to engage with it.
- Good Practice Guidance on Community Engagement does currently exist, but is being ignored in practice.

- Pre-application consultation is supported by planners but can be seen as a tick-box exercise by both developers/applicants and the public.
- Current engagement activities lack tangible outcomes for communities.
- Developers should be obliged to respond to the feedback and opinions expressed during the pre-application consultation process and justify their proposals.
- Developers should be encouraged or required to go beyond current statutory minimums for community consultation.
- Mediators could be used to tackle mistrust and facilitate communication.
- Any mediation would need to be independent
- Planning documentation online, e.g. application materials, should be fully accessible to ensure transparency.
- Planning committees should be more accessible to a wider audience and interactive, e.g. through livestreaming.
- There should be a right to speak at planning committees, to ensure openness, transparency and a fair hearing for all parties.
- Current notification and publicity methods, such as newspaper adverts and lamp post notices are increasingly ineffective as a result of the changing media landscape.
- Modern and innovative engagement techniques need to be embraced, e.g. social media, video technology, public transport, apps, and more accessible and interactive websites. These can create feedback loops which inform and refine outcomes, decision-making, charrette outputs etc.
- Social media is a means of engaging with working families and young people.
- Social media can be more difficult in the pre-application stage when there is less to publicise.
- There needs to be a more consistent approach to engaging young people.
- To engage young people, a high-profile campaign and/or event could get the message across.
- Young peoples' priorities are housing and employment, so it can be hard to engage with planning as an issue.
- Young people can be engaged through education. Engagement through schools has been effective.
- Locations are very important in attempting to engage young people.
- Charrettes should be run in visible locations, such as local shops.
- Introduce third party/equal rights of appeal, but limit them to particular developments, e.g. major applications.