


Event delivered by PAS for:
Merchant City & Trongate Community Council
June 2022


Introduction to Planning

David Leslie - PAS
www.pas.org.uk



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PAS (Planning Aid Scotland)




We are here to help people navigate the planning system & shape the future of their places

- ✓ Impartial
- ✓ Independent
- ✓ Educational Charity
- ✓ Social Enterprise
- ✓ Volunteer-led

- We act with integrity
- We are inclusive
- We are collaborative
- We are impartial
- We promote participation

Our volunteers offer their time and expertise to help people with planning & placemaking

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What We Do: Planning Advice

Our original & flagship service

Free advice on any aspect of planning Used by Community Councils, community groups, business start-ups & members of the public

- ✓ Independent & impartial
- ✓ Advice from chartered planners
- ✓ Volunteer-led
- ✓ Facilitating approach
- ✓ Eligibility criteria

You are running a wonderful and much needed service – thank you

I am so glad I contacted you and did not expect such a personal service

For more info [click here](#)



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What We Do: Training

For: Community Councils, stakeholder groups, planners, Elected Members & PAS Volunteers

Focusing on:

- Understanding planning
- Effective input & involvement
- Community engagement & facilitation skills
- ... & much more

Totally brilliant – I had been worried I would find it a snooze-fest – however, the absolute opposite – interesting, invigorating & instilled confidence in tackling planning matters as a Community Councillor

For more info [click here](#)



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What We Do: Community Led Plans

Plan-It Applecross
Focus on identifying sites for new and affordable homes



For more info [click here](#)

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Planning: Why is it important?

- A key public service
- Working in the long-term public interest
- Planning for the future
- Wider impacts for health, well-being, equality, climate
- Impacts on day-to-day life:
 - householder alterations to affordable homes to large new developments
- Change can lead to strong feelings & controversy



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Role of Local Authorities

3 key inter-related functions

Development Planning Development Management Enforcement

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Points you have asked about

1. Material Considerations
(this links inherently to “The Development Plan”)
2. Development in Conservation Areas
3. Effective Representations
4. Appeal rights & other avenues to challenge planning decisions

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1. Material Considerations & how planning decisions must be made

Section 25 of the Planning Acts states:
Planning applications must be determined in accordance with the Development Plan *unless material considerations indicate otherwise*

Note - This adds an element of discretion to how planning decisions can be made

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The “Development Plan”:

A key planning term – meaning can change based on what planning legislation stipulates

Currently:

Clydeplan (Strategic Development Plan)

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Glasgow City Local Development Plan

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Your Local Development Plan

GLASGOW CITY DEVELOPMENT PLAN

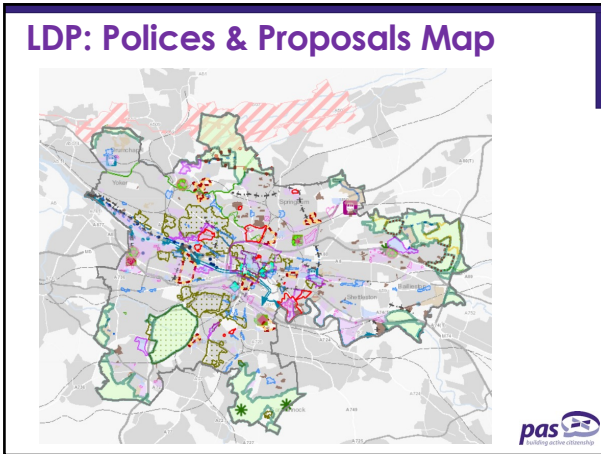
[Click here to view](#)

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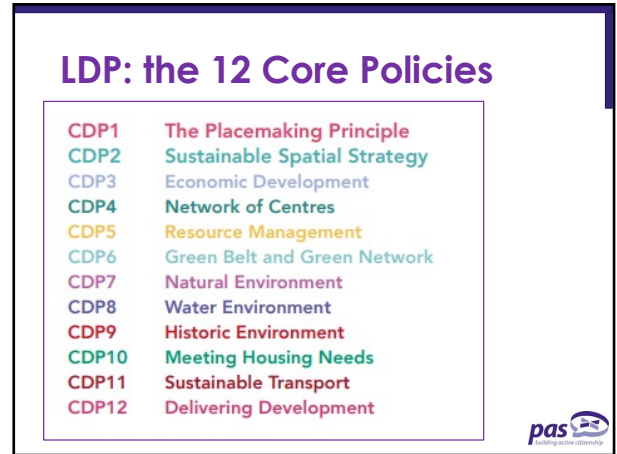
LDP: Structure & Content

KEY AIMS	A HEALTHY, HIGH QUALITY PLACE		A COMPACT CITY FORM THAT SUPPORTS SUSTAINABLE DEVELOPMENT	
STRATEGIC OUTCOMES GLASGOW CITY IS:	A VIBRANT PLACE WITH A GROWING ECONOMY	A THRIVING AND SUSTAINABLE PLACE TO LIVE AND WORK	A CONNECTED PLACE TO MOVE AROUND AND DO BUSINESS IN	A GREEN PLACE WHICH IS RESILIENT, ACCESSIBLE AND ATTRACTIVE
OVERARCHING POLICIES	CDP1 THE PLACEMAKING PRINCIPLE		CDP2 SUSTAINABLE SPATIAL STRATEGY	
POLICIES	CDP3 ECONOMIC DEVELOPMENT CDP4 RESOURCE MANAGEMENT CDP5 GREEN BELT AND GREEN NETWORK CDP6 NATURAL ENVIRONMENT	CDP7 WATER ENVIRONMENT CDP8 WATER RESOURCES CDP9 HEALTHY HOUSING NEEDS CDP10 COMMUNITY ENGAGEMENT CDP11 DELIVERING DEVELOPMENT	ALL POLICIES TO BE READ IN CONJUNCTION WITH RELEVANT SUPPLEMENTARY GUIDANCE	
MAPS	CITY WIDE POLICY AND PROPOSALS MAP			
	NORTH EAST POLICY AND PROPOSALS MAP	NORTH WEST POLICY AND PROPOSALS MAP	SOUTH POLICY AND PROPOSALS MAP	
DELIVERY	ACTION PROGRAMME			

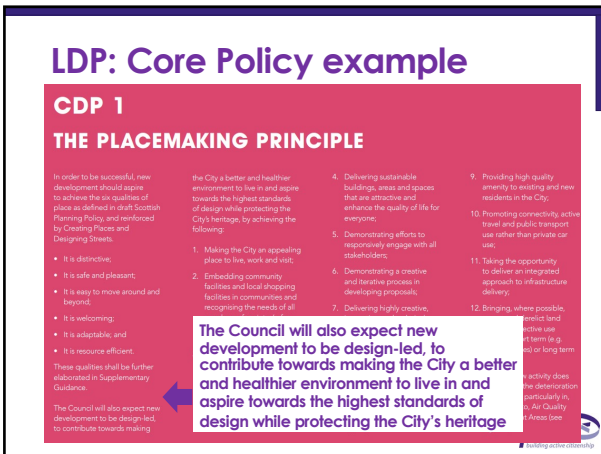
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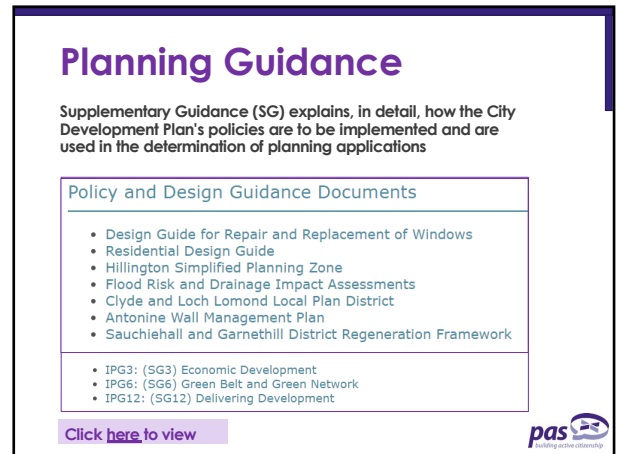
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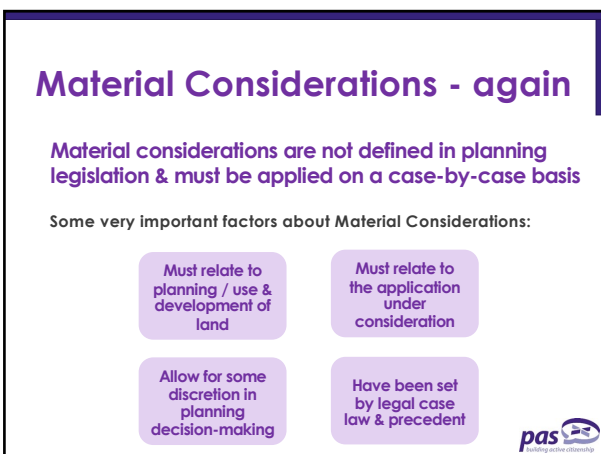
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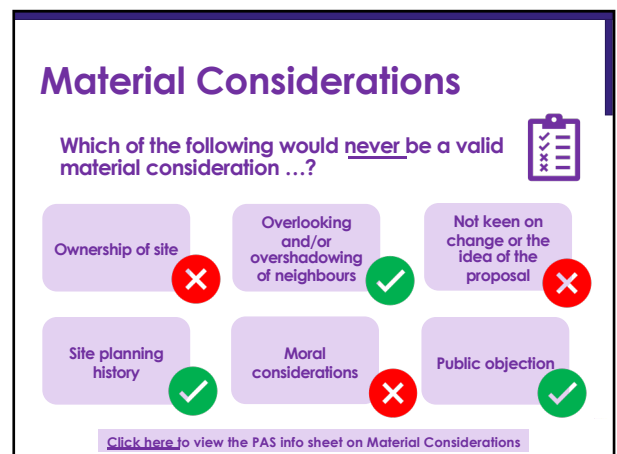
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2. Development in Conservation Areas


- > A conservation area is defined as being of "special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance"
- > All planning authorities are required by the Planning (Listed Buildings and Conservation Area) (Scotland) Act 1997 to determine conservation areas.
- > Local Development Plans will always have a policy on the historic environment



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Glasgow Local Development Plan Policy

CDP 9 HISTORIC ENVIRONMENT



The Council will protect, preserve and, where appropriate, conserve and/or enhance the historic environment, in line with Scottish Planning Policy, Historic Environment Scotland Policy Statement, and this policy together with associated supplementary guidance (SG), for the benefit of our own and future generations. For clarity, historic environment encompasses, in this context, world heritage sites, listed buildings, conservation areas, scheduled monuments, archaeological sites, inventory and non-inventory gardens and designed landscapes and inventory battlefields. The Council will assess the impact of proposed developments that affect historic environment features and/or their settings.

The Council will protect, preserve and, where appropriate, conserve and/or enhance the historic environment, in line with Scottish Planning Policy, Historic Environment Scotland Policy Statement, and this policy together with associated supplementary guidance, for the benefit of our own and future generations.



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SG9: Historic Environment SUPPLEMENTARY GUIDANCE

Supplementary Guidance: relevant in responding to planning application in Conservation Areas

All proposals for new development in, or affecting the setting of Conservation Areas, must:

- preserve and enhance the special character and appearance of the area and respect its historic context;
- be of a high standard of design, respecting the local architectural and historic context and use materials appropriate to the historic environment;
- protect significant views into, and out of, the area;
- retain all existing open space, whether public or private, which contributes positively to the historic character of the area; and
- retain trees which contribute positively to the historic character of the area.


Para, 2.16



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3. Effective Representations

- > Know your Local Development Plan policies
- > Show if & how the planning application complies with LDP policies, or otherwise
- > Refer to relevant supplementary guidance
- > Break your objections into key themes
- > ... & structure representations in sections around these
- > Concise is good
- > If possible, show how you are reflecting public opinion
- > Suggest changes that would make the proposal better
- > Support applications that you like



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4. Planning Appeals

If an application is refused, the applicant has the right to appeal, ie have a second opinion on the decision

- > 3-month deadline to submit an appeal
- > If you made representations to the application under appeal, you can make further comments

Appeals of applications determined at committee & many larger applications:
Heard by Scottish Ministers via DPEA (Directorate of Planning & Environment Appeals)

Appeals of "delegated" applications & most smaller/local applications:
Heard by the Council Local Review Body consisting of Elected Members



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Other challenges to planning decisions

As a member of the public or community group (3rd parties):

- > No right of appeal through planning legislation
- > Right to seek Judicial Review (on matters such as procedural impropriety, unreasonableness – but not matters of planning judgement)

On matters of procedure only:

- Local Authority Complaints System
- Scottish Public Services Ombudsman



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Q&A Discussion

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Questions submitted in advance

1. If there's a proposed development, what does the developer have to do in terms of community engagement, and what remedies does the community have if they fail to do so?
2. If the application was for planning permission in principle, what further applications do they have to make, and are we entitled to comment on all of them?
3. If an application is refused and the developer appeals, what can the community do to ensure their views are taken into account?
4. If the development is not in accordance with the granted permission, what remedies does the community have?
5. What do all the different abbreviations on planning references mean? We see PPP, FUL and several others.

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Glasgow City Council Weekly List

<p>Internal and external alterations Flat 1/1 9 Huntly Gardens Glasgow G12 9AS Ref. No: 22/00492/PLU Received: Thu 03 Mar 2022 Validated: Thu 03 Mar 2022 Status: Decided - Grant Subject to Condition(s)</p> <p>Installation of four rooflights Flat 1/1 6 KirKee Quadrant Glasgow G12 0TR Ref. No: 22/00492/PLU Received: Thu 03 Mar 2022 Validated: Thu 03 Mar 2022 Status: Decided - Grant Subject to Condition(s)</p> <p>Frontage alterations Public House 199 Albion Street City Centre Glasgow G1 1RU Ref. No: 22/00492/PLU Received: Thu 03 Mar 2022 Validated: Thu 03 Mar 2022 Status: Pending - Consideration</p> <p>Display of two internally illuminated fascia signs and one internally illuminated projecting sign 65 - 69 Gordon Street Glasgow Ref. No: 22/00492/PLU Received: Thu 03 Mar 2022 Validated: Tue 08 Mar 2022 Status: Decided - Grant Subject to Condition(s)</p> <p>Use of business premises (Class 4) as bar and function space (Sail Generics) 54 Washington Street Glasgow G2 8AZ Ref. No: 22/00480/FUL Received: Wed 02 Mar 2022 Validated: Thu 10 Mar 2022 Status: Pending - Consideration</p>	<p>FUL: Detailed/Full Planning permission</p> <p>PPP: Planning Permission in Principle</p> <p>LBA: Listed Building Consent Application</p> <p>ADV: Advertisement Consent</p> <p>PNT: Prior Notification</p> <p>TREE: Tree-works Consent</p> <p>Also: Conservation Area Consent Certificate of Lawfulness</p>
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Thank you

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[@PAS_Tweets](https://twitter.com/PAS_Tweets)

For any follow up questions please contact David Wood:
david@pas.org.uk

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