



PE1534/K

Petition PE01534 - Equal right of appeal in the planning system.

Submission by Scottish Community Alliance.

The Scottish Community Alliance is a coalition of 18 national community based networks that offer support, advice and representation on a wide range of community issues including energy, transport, housing, health, horticulture, retail, housing, local economic development, land stewardship, woodland management, reuse and recycling. The many hundreds of community organisations that these networks represent have been significantly disadvantaged by the systemic inequalities within the appeal process of Scotland's planning system. The absence of any third party right of appeal appears to run contrary not just with any notion of 'planning justice' but also with the direction of travel of several strands of Scottish Government policy that have developed in the recent years.

In particular, the current national regeneration strategy – Achieving a Sustainable Future – published in 2011 has, as its central emphasis, a new focus on community led regeneration. The absence of a third party right of appeal reflects the failed regeneration strategies of the preceding 30 years where the developer and public sector acted in consort with little regard for community interests. Achieving a Sustainable Future recognised the failures of previous models and has set out this new, community led direction for regeneration. It is important therefore that the planning system is able to reflect and compliment this policy shift.

This lack of equity in the planning system is equally inconsistent with Scottish Government's recent stated intentions in relation to land reform. The First Minister has declared that land should be for the benefit of the many and not just the few, suggests that communities should be treated as active and equal stakeholders in the decisions that are taken about their land and other associated assets. Therefore it would seem only logical that this should result in communities enjoying the same rights of appeal as the developer/owner of land.

Finally, the centrepiece of the Scottish Government's current legislative programme – the Community Empowerment Bill – has been described as the most significant transfer of power since devolution. It would seem be highly anomalous for this imbalance of power in the planning system to be allowed to continue at a time when the Scottish Government is so intent on devolving powers to communities in so many other respects.

For these reasons, SCA would ask that members of the Petitions Committee support PE01534 and that the Scottish Government legislate to introduce an equal right of appeal in the planning system.