

## Linlithgow Planning Forum

### Minutes of the Special Meeting held at 6, Springfield Grange 4<sup>th</sup> April 2016

1. **Present:** John Kelly, (JK) Convenor (L&LBCC), John McNairney (JM) Scottish Government, Ian Gilzean (IG) Scottish Government, Ron Smith (RS), (BB, LCT, L&LBCC), Councillor David Tait (DT) (LBA, WLC), Mike Vickers (MV), (LCT, L&LBCC & LBA)
2. **Introduction:** JK introduced the discussion by outlining the background to the Planning Forum and the document Linlithgow: A Plan for the Future 2015-30.
  - a. The Planning Forum was formed in April 2013 following a public meeting to discuss a major planning application for a proposed multi use development at Burghmuir. It was recognised that the Community Council required a rapid response team to respond to planning applications and that the team should comprise representatives of other organisations in Linlithgow.
  - b. In October 2014 the Planning Forum held the Main Issues Report exhibition and public meeting with an accompanying questionnaire. This informed the detailed comments to West Lothian Council.
  - c. Meetings were held with representatives of West Lothian Council in 2014/15 but it was difficult to engage with officers on the specific issues raised in the Main Issues Report. It was decided to produce a plan for the future to familiarise and sensitise the Forum to the issues surrounding the forthcoming Local Development Plan (LDP) and also to guide any response to planning applications for housing developments coming forward at that time. The plan for the future document was forwarded to West Lothian Council.
  - d. After a number of missed dates the proposed LDP was issued for a six-week consultation on 12 October 2015. The Planning Forum organised an exhibition with an accompanying questionnaire on 17 November 2015. This informed a letter to West Lothian Council dated 19 November 2015 three days ahead of the closing date for consultation.
  - e. There has been no response from West Lothian Council to the letter.
3. **The most effective and efficient ways of involving the Community in the planning process**
  - a. JK introduced the topic by stating that the Linlithgow community is defined by the settlement boundary of Linlithgow but the LDP is representative of the whole of the West Lothian authority area. The LDP is not sensitive enough to recognise individual communities and it is difficult to effectively engage Linlithgow residents in a generalised plan. Additionally, it is difficult to abstract those West Lothian policies which apply to Linlithgow, for example,

the cycling policy can not apply to Linlithgow because there is no safe cycling route through the High St.

- b. IG described the South Queensferry Charrette and the plans for a new east-west cycleway in similarly constrained circumstances. This led to a general discussion of community involvement through a Charrette as a means of harnessing local knowledge and developing a vision for the community. The recommended focus was on proper land use planning ahead of implementation. The method should always include an assets based approach and recognise the Town Centres First principle as described in the Town Centre Action Plan.

Examples of relevant charrettes included:

- Callander
- Loch Lomond

[note these can be found at <http://www.gov.scot/Topics/Built-Environment/AandP/Projects/SSCI/Mainstreaming/Reportspre2014> ]

- c. JM highlighted the importance of engagement and consultation during the Main Issues stage of the LDP process indicating the difficulties of modification at the proposed LDP stage.
- d. There was a brief discussion on the “call for sites” as a part of the LDP process and the preference for a holistic approach to planning the preferred settlement boundary together with its attendant infrastructure.

#### **4. The requirements for consultation (the Statutory consultees) and what this means in practice**

- a. The Community Council is defined as a Statutory Consultee but in practice this does not confer any rights beyond those of any other member of the public. In Linlithgow the Community Council is signed up to the weekly planning list and receives these - as would any other member of the public. RS stated his opinion that there should be a legislative necessity for the Local Planning Authority to proactively consult the Community Council on the Local Development Plan and also Planning Applications. This led to a general discussion of procedure including delegated powers, contesting inaccuracies in the planning officer’s report, the five minute presentation at planning meetings (same as an individual member of the public) and the lack of minutes of the proceedings. Although the view was expressed that a discussion between the planning officer and the Community Council on major planning applications could enhance understanding on both sides, the resource implication of this could be an impediment.

- b. In the context of community consultation during the Development Plan process, the Loch Lomond proposed Local Development Plan was cited as a useful benchmark for the process of consultation informing the Local Development Plan process.
- c. A full Charrette was perceived to be a costly if extremely worthwhile exercise. IG recommended the use of the Place Standard tool as a means of directing and focusing discussion.  
[Note: the Place Standard tool is available at <http://www.placestandard.scot/#/home>

**5. Our experiences, from a settlement perspective, with regard to housing development and the impact of development on infrastructure**

- a. JK introduced the discussion on housing by stating that the 5 year timescale for the LDP is too short - we have adopted a 15 year vision for the settlement of Linlithgow. JM pointed out that the LDP should not be a barrier to development if, for example, a change in local circumstances or an opportunity gives rise to local employment. The discussion concluded that the focus should be long term.
- b. A discussion of “effective land supply” addressed a number of issues - the strategic focus on numbers, the marketability of sites and the importance to developers of having a clear and workable plan for a settlement which describes the infrastructure obligation. The idea of a roof tax to pay for infrastructure within settlements was discussed.
- c. A draft planning advice document is currently available for comment entitled “Housing and Infrastructure”. [Note: this is available at <http://www.gov.scot/Resource/0049/00494177.pdf> ]

**6. The Pre Application Consultation**

- a. JK expressed the view that the Pre Application Consultation is not a valuable exercise. It's only benefit is as a marketing exercise by the developer. The form of the consultation is not prescribed and there are no requirements for the form of data collection. Independent validation of the data collected by the developer is not required and the data is currently selectively presented in such a way as to support the developer’s intentions. JM stated that this was introduced in 2006 as a means of alerting the community to impending development. It is accepted that there is variability in the carrying out of the consultation.

## **7. Planning Permission in Perpetuity**

- a. There was a short final discussion on the amount of specified works which had to be completed to preserve a planning permission in perpetuity. A particular case in Linlithgow is having a significant impact on secondary school planning. JM advised the Forum to write to the Council to ask for their legal understanding of the issue. There is case law on this topic.

## **8. Enhancing Engagement**

- a. IG suggested that the Planning Forum consider a programme of engagement using the Place Standard tool and involving not only the established community organisations but also developers. Workshops for young people can be very beneficial.

The meeting ended at 12.00

John Kelly  
Convenor  
5<sup>th</sup> April 2016.

Postscript - RS supplied the following links on 'exemplar' development projects elsewhere in Scotland:

<http://chapeltonofelsick.com/>

<http://www.tornagrain-newtown.co.uk/>

<http://www.gov.scot/Topics/Built-Environment/AandP/Projects/Polnoon> referred to by JM