

Planning Committee

10.00 am, Thursday, 3 October 2013

Present

Councillors Perry (Convener), Howat (Vice-Convener), Bagshaw, Blacklock, Brock, Child, Heslop, McVey, Milligan, Mowat, Robson and Rose.

1. Minutes

Decision

- 1) To approve the minutes of the Planning Committee of 8 August 2013 as a correct record.
- 2) To approve the minutes of the Development Sub-Committees of 31 July, 14 August, 28 August and 11 September 2013 as correct records.
- 3) To note the minutes of the City of Edinburgh Planning Local Review Body of 7 August, 21 August, 4 September 2013.

2. Local Development Plan – Update

The proposed Local Development Plan (LDP) was approved by Committee on 19 March 2013 and the representation stage took place from 1 May – 14 June 2013. Over 2200 individuals and organisations submitted representations to the proposed Local Development Plan.

The Director of Services for Communities advised that eleven submissions had been received shortly after the advertised deadline and not ten as detailed in his report and approval was sought to accept these as formal representations.

An e-mail had been received from Cammo Residents Association commenting on the late representations received.

The proposed LDP and its representations (when made publicly available) would be a material consideration in determining planning applications.

The LDP was required to be consistent with the Strategic Development Plan (SDP) for Edinburgh and South East Scotland. Scottish Ministers when approving the SDP on 27 June 2013 had made a number of modifications which had implications for the content and timescales of the LDP.

Decision

1. To note the summary information on the number and nature of representations submitted to the Proposed LDP.
2. To accept the 11 late submissions outlined in paragraph 2.9 as formal representations.
3. To note that, where relevant, the Proposed LDP and its representations (when made publicly available) were material considerations in determining planning applications.
4. To note that the modifications made by Scottish Ministers in approving the SDP in June 2013 would have implications for the content and timescales of the LDP. The details of these would be covered in a future committee report.

(References – Planning Committee 19 March 2013 (item 1); report by the Director of Services for Communities, submitted)

3. SESplan Annual Report 2012/13

SESplan is the Strategic Development Planning Authority for the Edinburgh city region. It covers the following Council areas - City of Edinburgh, East Lothian, Fife (southern part), Midlothian, Scottish Borders and West Lothian. The Planning etc (Scotland) Act 2006 requires these Councils to work together and prepare and keep under review, a Strategic Development Plan (SDP) for the Edinburgh city region.

The SESplan Joint Committee was formally established in November 2008. The SESplan constitution requires the Joint Committee to prepare an Annual Report on its work for the Member Authorities.

Details of the SESPlan Annual Report 2012/13 were provided, the Director of Services for Communities advised that since publication of the report, amendments had been made in respect to the proposed meeting with Scottish Ministers which would now be held on 12 November 2013 and changes of the membership details from two of the constituent authorities had been agreed.

Decision

- 1) To note the SESplan Annual Report 2012 -2013 .
- 2) The amended report to be circulated to members.

(Reference – report by the Director of Services for Communities, submitted)

4. Developer Contributions and Affordable Housing – Planning Guidance - draft for consultation

Following the approval of the Proposed Local Development Plan (LDP) in March 2013 the Council's approach to developer contributions and affordable housing has been revised.

Approval was sought of the draft guidance on Developer Contributions and Affordable Housing as detailed in appendix 1 of the report by the Director of Services for Communities for consultation.

Motion

To approve the draft guidance on Developer Contributions and Affordable Housing as detailed in appendix 1 of the report by the Director of Services for Communities for consultation and in the meantime to use it to advise any applicants for sites specified in para 2.17 of the Directors report.

- moved by Councillor Perry, seconded by Councillor Howat.

Amendment

To approves the draft guidance on Developer Contributions and Affordable Housing as detailed in appendix 1 of the report by the Director of Services for Communitis for consultation.

- moved by Councillor Mowat, seconded by Councillor Rose.

Voting

For the motion	-	9 votes
For amendment	-	3 votes

Decision

To approve the draft guidance on Developer Contributions and Affordable Housing as detailed in appendix 1 of the report by the Director of Services for Communities for consultation and in the meantime to use it to advise any applicants for sites specified in para 2.17 of the Directors report.

(Reference – report by the Director of Services for Communities, submitted)

5. Cycle Storage in Gardens – motion by Councillor Bagshaw

The following motion by Councillor Bagshaw which was approved by the Planning Committee on 16 May 2013:

Committee:

1. recognises the issues which have arisen, and continue to arise, in connection with cycle storage in gardens, particularly in front gardens where households have very limited other storage options;

2. recognises and welcomes the City Council's ambitious targets to encourage increased cycle use, the achievement of which requires existing barriers to cycle use to be addressed;
3. acknowledges that householders seeking storage solutions find it difficult to get a clear steer on what is permitted and how best to provide storage;
4. notes the proposals prepared by SPOKES in its *draft Factsheet on Cycle Storage in Gardens* and its accompanying note on *Steps that the Council should consider* to clarify and seek to resolve these issues; and
5. instructs officers to investigate the proposals put forward by SPOKES, in order to improve clarity for householders, reduce the likelihood of abortive applications and/or enforcement measures, and reduce costs to a proportional level; and to report on measures to support those proposals or alternatives with the same aim.

Details were provided of the work undertaken with SPOKES to produce guidance which provided advice on cycle storage in gardens.

Decision

1. To note the finalised version of the SPOKES factsheet, "Cycle Storage in Gardens and that it would be publicised by the Council;
2. To agree that the use of the factsheet by householders in submitting applications be monitored for a period of six months and that a summary of activity be presented to the Committee;
3. Agree that no further action by the Council was necessary; and
4. To discharge the motion by Councillor Bagshaw.

(Reference – Planning Committee 19 March 2013 (item 8); report by the Director of Services for Communities, submitted)

Declaration of Interests

Councillors Bagshaw and Rose declared non-financial interests in the above item as members of SPOKES.

6. Development Management Sub Committee – Review of Procedures

On 28 February 2013, the Planning Committee considered a report on a review of procedures in relation to the Development Management Sub-Committee. This report reviewed the ward member hearing process, which was introduced on 9 August 2012 and advised the Committee of the views of the Standards Commission in relation to the Councillors' Code of Conduct with reference to planning matters. The Committee agreed the following:

1. To continue the present procedure for ward members requesting a hearing, with a further review of the hearings procedure in 6 months.
2. To note the recent response from the Standards Commission and that they were to look at the procedures currently being applied across authorities in Scotland.
3. To ask the Convener to seek a meeting with the Minister to express the Committee's concerns over the Standards Commission interpretation of the Code of Conduct regarding members' declarations of interest /requirement to leave the room and the limitations on ward councillors in speaking on planning applications.

The Acting Head of Planning and Strategy provided details of the further review of the hearings process, and updated the Committee on the Standard Commission's advice.

Decision

1. To agree the hearings procedures for ward councillors be made permanent.
2. To note the further information on the Standards Commission advice.
3. The Convener to write to the Standards Commissioner and the Minister for Local Government and Planning, to advise that the concerns raised by the Committee previously over the Code of Conduct regarding member's declarations of interest/requirement to leave the room and the limitations on ward councillors speaking on planning applications, were still relevant, and in the Committee's opinion unnecessary, and to request that further consideration be given to reviewing the Code of Conduct .

(Reference – Planning Committee 28 February 2013 (item 4); report by the Director of Services for Communities, submitted)

7. Review of Conservation Area Character Appraisals

Approval was sought for a programme of review of the existing conservation area character appraisals.

Decision

To approve the proposed review programme for conservation area character appraisals.

(Reference – report by the Director of Services for Communities, submitted)

Minutes

Planning Committee

9.00 am, Wednesday 23 October 2013

Present

Councillor Perry (Convener), Howat (Vice-Convener), Bagshaw, Blacklock, Brock, Child, Dixon, Griffiths, McVey, Milligan, Mowat, Robson, Rose and Ross.

A Special Meeting of the Planning Committee had been called to consider the following items –

1. Demographic Changes – Motion by Councillor Mowat

Councillor Mowat had submitted the following notice of motion for consideration by the Planning Committee -

‘Committee notes that demographic changes are one of the greatest pressures facing the Council and asks for a report detailing how the needs of the increasing numbers of the older people can be taken into consideration as part of the planning process, what the impacts for development are and whether there is a need to include the Health and Social Care department of the Council as a statutory consultee, to ensure we are meeting the needs of older people when determining planning applications.’

Decision

To ask the Head of Planning and Building Standards to report in terms of the motion.

2. Strategic Development Plan – Supplementary Guidance on Housing Land

The Strategic Development Planning Authority for Edinburgh and South-east Scotland (SESplan) on 30 September 2013 had approved draft Supplementary Guidance on identification of housing land to meet the requirements of the Strategic Development Plan. This was as a result of the Scottish Ministers approval of the SDP in June 2013, when they had added a requirement for supplementary guidance that would require Local Development Plans to show how much of the overall housing land requirement was to be met in each of the six member authority areas in the period up to 2024. The SESplan Joint Committee was recommending its member authorities to approve the draft Supplementary Guidance, for public consultation.

The Head of Planning and Building Standards reported that the supplementary guidance was apportioning a target of 107,560 homes across the six council areas, to be provided over two phases. The City of Edinburgh's share was 22,300 houses in the first phase (2009-19) and 7,210 for the second phase (2019-24). He said that most of the land needed to meet the targets had already been identified and had planning support for housing development. However, additional land would need to be allocated, with the guidance requiring that Edinburgh allocate land for 2,700 homes in the West Edinburgh Strategic Development Area and 2,500 in the South East Edinburgh SDA. He said that sites already identified in the Proposed Local Development Plan could count towards the allocations. The draft guidance also stated that land for 2,500 homes needed to be allocated on land out-with the strategic development areas.

In summary, therefore, the supplementary guidance required the City of Edinburgh Council to allocate new land for 7,700 homes, as against the equivalent figure in the earlier proposed Strategic Development Plan of 3,000. The Local Development Plan would require to translate this into site-specific allocations. In doing this, the Local Plan was expected to review both the base land supply position and the contribution to be made from existing sites.

Motion

That the Planning Committee ratify the draft Supplementary Guidance on Housing Land from SESplan.

- moved by Councillor Perry, seconded by Councillor Howat

Amendment

That the Committee does not agree to ratify the supplementary guidance and refers the matter back to the SESplan Joint Committee for further consideration in order to take realistic account of flaws in the process and in the assumptions underlying the calculations of housing land need.

- moved by Councillor Bagshaw, seconded by Councillor Mowat.

Voting

For the motion 12 votes

For the amendment 1 vote

Decision

To agree to ratify the SESplan draft Supplementary Guidance on Housing Land, for public consultation.

(Reference – report by the Director of Services for Communities, 23 October 2013, submitted)

3. Local Development Plan - Development Plan Scheme

SESplan had approved new Supplementary Guidance for local authorities which had set a new housing land requirement for the area of Edinburgh Local Development Plan. The Supplementary Guidance was expected to be adopted in June 2014. The Head of Planning and Building Standards now reported on the implications for the Council for its Local Development Plan programme.

The new guidance meant that the Council would have to allocate significantly more housing land than the sites included in the Proposed Local Development Plan as approved by the Committee in March 2013. The Council would therefore require to publish a revised Local Development Plan. If the revisions should amount to changes in the Plan's underlying aims and strategy, then the revised Plan would be formally described as a second Proposed LDP; if they did not change the strategy, then it would be a Modified Plan. In either case, the required timetable would be the same.

The new proposed timetable was now indicated as follows -

October 2013	Representations published online. New Development Plan Scheme published
May 2014	Report revised LDP ₁ for approval
June 2014	Publish revised LDP for period of representations (10 weeks from end of June – details to be published in advance in next Development Plan Scheme)
December 2014	Submit Proposed LDP to Ministers (examination starts one month later)
July 2015	Report of Examination
October 2015	Adoption

The revised LDP was likely to include some housing proposals on which the Council had not previously consulted. Neighbouring properties would be notified of the start of the period for representations, in line with legislation. It was intended also that, before this stage, community councils and community groups raise local awareness of the potential for housing proposals to come forward from their areas. The Head of Planning and Building Standards therefore intended to carry out some focused engagement activity with community councils and community groups, over the period December – March. It was also intended to continue to engage as appropriate with other stakeholders,

including the development industry; key agencies (national public agencies including SEPA, Scottish Enterprise, Transport Scotland, etc); and elected representatives (councillors, MSPs and MPs).

Decision

To approve the revised Development Plan Scheme, as contained in the report by the Head of Planning and Building Standards, for publication.

(Reference – Planning Committee 19 March 2013 (item 1); report by the Acting Head of Planning and Building Services, submitted)