

## Planning Committee

10.00 am Thursday 26 February 2015

### Present

Councillors Perry (Convener), Howat (Vice-Convener), Bagshaw, Blacklock, Brock, Cairns, Child, Dixon, Heslop, McVey, Milligan, Mowat, Robson, Rose and Ross (agenda item 5.1 onwards).

### 1. Deputations

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#### (a) Crammond and Barnton Community Council

Crammond and Barnton Community Council had submitted a request for a deputation in respect of the Local Development Plan

#### Decision

To continue consideration of the request to the meeting of the Planning Committee on 14 May 2015.

(Reference – email from Crammond and Barnton Community Council, submitted.)

#### (b) Friends of Granton Castle Walled Garden

The Committee agreed to hear a deputation from Kirsty Sutherland, Linda Garcia and David Leslie representing the Friends of Granton Castle Walled Garden.

The deputation made the following points:-

- The site comprised 7 hectares of walled Stuart-era garden, and use of the land for horticultural purposes dated back at least 500 years. While the castle itself had been entirely quarried in the 1920's, the garden had survived, though it had become very overgrown in the eight years it had been locked up following planning permission being given on a 'minded to grant' basis.
- The garden provided an important link with the past and had been connected with famous figures throughout its history. It was important to preserve this link for future generations.
- Given the site's significance, it did not appear to be the most appropriate land for development. Other sites along the Waterfront provided more suitable land for housing.
- In terms of planning procedures, 'minded to grant' status meant that the application could be left on hold for protracted periods. In the event that the applicant did not conclude the Section 75 agreement, the application did not

lapse, but neither was it cleared. This suggested that a review of the procedures was necessary, bringing in a time limit for the conclusion of agreements.

### **Decision**

- 1) To thank the deputation for their presentation.
- 2) The Acting Head of Planning and Building Standards to submit a report to the Development Management Sub-Committee on the progress of the 2003 application (03/04595/FUL).
- 3) The Acting Director of Services for Communities to report to the Planning Committee on procedures for legacy applications and options available to time-limit the conclusion of legal agreements.

(References – email from Kirsty Sutherland on behalf of the Friends of Granton Castle Walled Garden, report by the Acting Director of Services for Communities, submitted.)

## **2. Minutes**

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### **Decision**

- 1) To approve the minutes of the Planning Committee of 4 December 2014 as a correct record.
- 2) To approve the minute of the Development Management Sub-Committee of 3 and 17 December 2014, 14 and 28 January 2015, and 11 February 2015 as correct records.
- 3) To note the minutes of the City of Edinburgh Planning Local Review Body of 1 and 29 October 2014.

## **3. Annual Review of Guidance**

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Committee was advised of changes in guidance in 2014 and those intended for the coming year.

### **Decision**

- 1) To note progress in consolidating and updating guidance for users of the planning service.
- 2) To include in the list of guidance the issue of Low Emission Strategies, as currently being consulted on by the Scottish Government and to be reported to Cttee in the coming year. The issue should be considered in relation to both the strategic and local development planning process, and how the planning process can contribute towards low emission strategies.
- 3) To note that the Convener would consult the Acting Director of Services for Communities on the possibility of bringing the guidance on student housing to

the Committee in May 2015. If this was not possible, to hold an additional meeting before the Summer recess.

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

#### **4. Edinburgh Urban Design Panel**

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A summary of the findings from the annual review of the Edinburgh Urban Design Panel's work was presented.

##### **Decision**

1. To note the review the Panel has carried out and the range of issues covered.
2. To record Committee's appreciation of the voluntary contribution made by existing Panel members to the design review process.
3. To note that as part of the annual reporting process, a review of the membership would be included.

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

#### **5. Stopping Up Orders – Authorisation of Signing to Head of Planning and Building Standards**

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Authorisation was sought for the Acting Head of Planning and Building Standards, or a senior officer nominated by him the signing of the "make" section of the Stopping Up Orders to, in order to permit the obligatory statutory procedure governing the Stopping Up Orders to commence.

##### **Decision**

- 1) To authorise the signing of the "make" section of stopping up orders, under the terms of section 207 and 208 of the Town and Country Planning (Scotland) Act 1997, to the Acting Head of Planning and Building Standards, or a senior officer nominated by him.
- 2) To instruct the Director of Corporate Governance to include this authorisation in the next report on the Scheme of Delegation.

(References – report by the Acting Director of Services for Communities, submitted.)

#### **6. Grants to Third Sector Organisations 2015/16**

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Approval was sought for the award of grants to Edinburgh World Heritage and the Edinburgh and Lothians Greenspace Trust, the Committee was also requested to note the allocation of small grants to a number of organisations

##### **Decision**

- 1) To approve a grant of £48,750 to Edinburgh World Heritage and £27,144 to Edinburgh and Lothians Greenspace Trust.

- 2) To note the grant awards to the National Trust for Scotland, the Scottish Civic Trust, the Architectural Heritage Society of Scotland (AHSS), the Access Panel and Archaeology Scotland.
- 3) To agree that savings are sought from grant recipients during 2015/16, with a view to making recommendations to Committee on grant awards from 2016/17 onwards.

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

## **7. Queensferry Conservation Area Character Appraisal Final Version**

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The Committee was asked to approve the finalised version of the Queensferry Conservation Area Character Appraisal, which had been revised following engagement with local community groups and individuals.

### **Decision**

- 1) To approve the final version of the Queensferry Conservation Area Character Appraisal.
- 2) To approve the proposed conservation area extension in the Rosshill Terrace area.

(References – Planning Committee, 7 August 2014 (item 12); report by the Acting Director of Services for Communities, submitted.)

## **8. Inverleith Conservation Area - Review Character Appraisal Final Version**

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The Committee was asked to approve the revised Inverleith Conservation Area Character Appraisal in draft for consultation.

### **Decision**

To approve the revised Inverleith Conservation Area Character Appraisal in draft for consultation.

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

## **9. Article 4 Direction Orders in the Colony and Pilrig Conservation Areas**

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Under Article 4 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, the planning authority can seek approval of the Scottish Ministers for Directions that restrict permitted development rights which may lead to the erosion of the character and appearance of Conservation Areas.

The Committee was asked to approve Article 4 Direction Orders to control works in the Colony and Pilrig Conservation Areas by statutory undertakers.

## **Decision**

To approve the introduction of Article 4 Direction Orders to control work by the statutory undertakers in the Colony and Pilrig Conservation Areas.

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

## **10. Consultation on the Historic Environment Scotland Act 2014 etcetera – Secondary Legislation**

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Approval was sought for the Council's proposed response to the Scottish Government consultation on draft regulations, which had been produced to detail new processes arising from the Historic Environment Scotland Act 2014.

### **Decision**

To approve the report by the Acting Director of Services for Communities as the Council's response to the Scottish Government consultation.

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

## **11. Motion by Councillor Mowat – Student Housing**

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The following motion by Councillor Mowat was submitted in terms of Standing Order 16:

“Committee notes:

- That the increasing numbers of applications for student housing in Edinburgh specifically in the Southside/Newington, City Centre, Leith Walk and Craightinny/Duddingston Wards and that recent applications have raised concerns from residents that a large quantity of student housing is being granted in areas which require additional housing.
- That there are fewer burdens on the providers of student housing and is concerned that the market is being artificially skewed in their favour.
- That overwhelmingly responses to the Local Plan have asked that housing be kept off the Greenbelt and directed to brownfield sites some of which are the same sites being utilised for student housing and .
- Asks officers to compile a report in 2 cycles detailing the relative burdens placed on student housing and housing and proposals as to how the burdens could be equalised or removed.”

### **Decision**

To continue the motion until such time as the requested report on guidance for student housing is considered by the Planning Committee.

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

## **12. Motion by Councillor Mowat – House In Multiple Occupation - License Requirements for Student Housing**

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The following motion by Councillor Mowat was submitted in terms of Standing Order 16:

“The recent confusion as to whether or not student housing requires an HMO license and that certain developments do whilst others don’t and asks officers to prepare a report in two cycles with their colleagues in Licensing detailing when such licenses will be required.”

### **Decision**

1. To note that a briefing note would be circulated to members on this within 2 weeks.
2. To discharge the motion by Councillor Mowat