

Notice of meeting and agenda

Planning Committee

10.00 am, Thursday, 30 March 2017

Dean of Guild Court Room, City Chambers, High Street, Edinburgh

This is a public meeting and members of the public are welcome to attend.

Contacts

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1. Order of business

- 1.1 Including any notices of motion and any other items of business submitted as urgent for consideration at the meeting.

2. Declaration of interests

- 2.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

3. Deputations

- 3.1 If any

4. Minutes

- 4.1 Planning Committee of 2 March 2017 (circulated) – submitted for approval as a correct record

5. Business Bulletin

- 5.1 Planning Committee Business Bulletin (circulated)

6. Conservation

- 6.1 Old and New Town World Heritage Site Draft Management Plan 2017- 2022 - report by the Executive Director of Place (circulated)

7. Planning Policy

- 7.1 Supplementary Guidance: Developer contributions and Infrastructure Delivery - finalised – report by the Executive Director of Place (circulated)

8. Planning Process

- 8.1 Flood Impact of New Developments – Certification Process – report by the Executive Director of Place (circulated)

9. Consultation

- 9.1 Scottish Government Review of Planning – response to Places, People and Planning consultation paper – report by the Executive Director of Place (circulated)
- 9.2 Airspace Change Programme: Consultation of Flight Paths – report by the Executive Director of Place (circulated)

10. Motions

- 10.1 None

Laurence Rockey

Head of Strategy and Insight

Committee Members

Councillors Perry (Convener), Lunn (Vice-Convener), Bagshaw, Balfour, Blacklock, Cairns, Cardownie, Child, Gardner, Heslop, Keil, McVey, Milligan, Mowat and Ritchie.

Information about the Planning Committee

The Planning Committee consists of 15 Councillors and is appointed by the City of Edinburgh Council. The Planning Committee usually meets every eight weeks. It considers planning policy and projects and other matters but excluding planning applications (which are dealt with by the Development Management Sub-Committee).

The Planning Committee usually meets in the Dean of Guild Court Room in the City Chambers on the High Street in Edinburgh. There is a seated public gallery and the meeting is open to all members of the public.

Further information

If you have any questions about the agenda or meeting arrangements, please contact Stephen Broughton or Blair Ritchie, Committee Services, City of Edinburgh Council, Waverley Court, Business Centre 2.1, 4 East Market Street Edinburgh EH8 8BG, Tel 0131 529 4261 or 529 4085, e-mail

stephen.broughton@edinburgh.gov.uk/blair.ritchie@edinburgh.gov.uk.

A copy of the agenda and papers for this meeting will be available for inspection prior to the meeting at the main reception office, City Chambers, High Street, Edinburgh.

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Planning Committee

10.00 am, Thursday, 2 March 2017

Present

Councillors Perry (Convener), Lunn (Vice-Convener), Bagshaw, Cardownie, Child, Dixon (substituting for Councillor Ritchie), Gardner, Keil, McVey, Milligan and Mowat.

1. Minutes

Decision

To approve the minute of the Planning Committee of 8 December 2016 as a correct record.

2. Business Bulletin

The Planning Business Bulletin of 2 March 2017 was presented.

Decision

- 1) To note the Business Bulletin.
- 2) Regular updates on the progress of Building Standards Performance to be included as a standing item in the Committee Business Bulletin.
- 3) Details of overtime costs and shared services costs to Argyle and Bute and Aberdeen City Councils for processing applications to be circulated to committee members.

3. Open Space 2021, Open Space Action Plans

Proposals were detailed of the basis for Open Space Action Plans for each Locality to support delivery of the strategy and capture cross-sector activity contributing to the improvement of the city's green network over the next five years.

The Open Space Action Plans included analysis showing how each Locality compared to the citywide level of access to quality greenspace and play space, highlighting recent changes to provision.

Actions, including estimated costs, might be subject to review, further feasibility studies and changes following local consultations.

Through periodic review, further actions might be included as related strategies were progressed, in particular the Council's revised Allotment Strategy, Sports and Physical Activity Strategy and Play Area Action Plan.

Decision

- 1) To approve the basis of Open Space Action Plans for each Locality to support delivery of 'Open Space 2021' as detailed in Appendices 1 – 4 of the report by the Executive Director of Place.
- 2) To refer the 'Open Space 2021' and the approved Action Plans to the Corporate Policy and Strategy Committee for consideration and inclusion in the localities improvement plans

(References – Planning Committee 8 December 2016 (item 8); report by the by the Executive Director of Place; submitted.)

4. Annual Review of Guidance

The Committee was advised of changes to planning guidance in 2016 and those intended for the coming year. It proposed a pilot of a new approach to preparing guidance which would be trialled on selected guidelines in 2017.

Decision

- 1) To note progress in consolidating and updating guidance for users of the planning service as detailed in appendix 1 of the report by the Executive Director of Place.
- 2) To agree the programme for work in 2017 as set out in Section 3 of the report.

(Reference – report by the by the Executive Director of Place; submitted.)

5. Review of Edinburgh Design Guidance for Consultation

A review of three complimentary Council guidance documents: Edinburgh Design Guidance, Edinburgh Street Design Guidance, and Parking Standards for Development Management had identified opportunities to better achieve synergy and placemaking outcomes.

Issues and opportunities were determined via engagement with a broad range of officers from across the Planning and Transport service during 2016, as well as through members of both the Planning and Transport and Environment Committees. Approval was sought to consult externally on this draft revised guidance.

Decision

- 1) To approve the draft revised Edinburgh Design Guidance for consultation Purposes.

- 2) To approve the specific consultation approach proposed with regards to the Edinburgh Street Design Guidance.
- 3) To refer the draft revised Edinburgh Design Guidance to the Transport and Environment Committee for information.
- 4) The Executive Director of Place to include as part of the consultation process, proposals for a formula for City Car Club parking to replace individual car parking in developments.
- 5) The Executive Director of Place to include as part of the consultation process, design proposals for measures to mitigate conditions caused by adverse weather

(References – Planning Committee 25 February 2016 (item 3); report by the by the Executive Director of Place, submitted.)

6. Supplementary Guidance: Nicolson Street/Clerk Street, Portobello, Stockbridge – Drafts for Consultation

The Edinburgh Local Development Plan (LDP) was adopted on 24 November 2016. The LDP required statutory Supplementary Guidance to be prepared for individual town centres. It would be used to determine planning applications for the change of use of shop units to non-shop uses and help deliver the Council's wider placemaking and sustainability aims.

Decision

- 1) To approve for consultation the draft Supplementary Guidance for Nicolson Street/Clerk Street Town Centre as detailed in Appendix 1 of the report by the Executive Director of Place.
- 2) To approve for consultation the draft Supplementary Guidance for Portobello Town Centre as detailed in Appendix 2 of the report.
- 3) To approve for consultation the draft Supplementary Guidance for Stockbridge Town Centre as detailed in Appendix 3 of the report.

(References – report by the by the Executive Director of Place; submitted.)

7. Planning and Building Standards Customer Engagement Strategy – Timetable for Improvements

A timetable was provided for further changes to customer service changes within Planning and Building Standards.

The report addressed the remit from the meeting of the Planning Committee of 8 December 2016 to provide a programme for forthcoming changes as part of the refocused Planning and Building Standards Customer Engagement Strategy.

Decision

To note the timetable for improvements.

(References – Planning Committee, 8 December 2016 (Item 7); report by the by the Executive Director of Place; submitted.)

8. Short Stay Commercial Visitor Accommodation

Details were provided of the attached report by the Executive Director of Place on Short Stay Commercial Visitor Accommodation (SSCVA) providing an up to date position on

- The number of this type of properties in sensitive areas of the City;
- The categorisation (commercial or residential) of the properties in respect of waste collections etc;
- Any proposals being advanced in other cities to define this type of property in regards to commercial or non commercial, and
- The Council's enforcement action against this type of accommodation since the last update on 6 October 2016.

Edinburgh had a history of short stay letting due to its popularity as a tourist destination and the presence of the festivals. These types of properties were advertised through a variety of letting agencies, private advertisements, websites and word of mouth. Consequently, information on their extent was difficult to gather. However, the rise to prominence of Airbnb and the public availability of its data helped to provide an indication of the current situation in Edinburgh. The data highlighted the location of properties, length of time they were available for let and whether the entire apartment was available.

This market operated in a manner that was unregulated and that issues of overconcentration, public safety, neighbouring amenity, rateable value, waste collection, parking and contribution to housing supply could not be addressed.

Decision

- 1) To note the current position in respect of action taken by Planning Enforcement relating to Short Stay Commercial Visitor Accommodation (SSCVA).
- 2) To note that a standard definition of SSCVAs was not achievable as each case had to be assessed individually as to whether a change of use had occurred.

- 3) To refer the report to the Corporate Policy and Strategy Committee requesting it to make representations to the Scottish Government to;
 - (i) Amend planning legislation to classify Short Stay Commercial Visitor Accommodation let for 90 days or more per calendar year as a commercial business.
 - (ii) Either amend existing legislation in respect of rented accommodation or bring forward legislative proposals for a licensing/registration scheme for Short Stay Commercial Visitor Accommodation let for 90 days or more per calendar year

(References – Planning Committee, 6 October 2016 (item 2); report by the by the Executive Director of Place; submitted.)

9. Grants to Third Sector Organisations 2017/18

Approval was sought for the annual grant awards to Edinburgh World Heritage and to Edinburgh and Lothians Greenspace Trust. Additionally, Committee was asked to note the allocation of small grants to a range of organisations which contributed to ensuring that Edinburgh's built and natural heritage was maintained and enhanced for future generations.

Decision

- 1) To approve a grant of £46,000 to Edinburgh World Heritage and £25,800 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, the Access Panel and Archaeology Scotland.

(References – The Communities and Neighbourhoods Committee 11 February 2014 (item 1); report by the by the Executive Director of Place; submitted.)

Declarations of Interest

Councillor Mowat declared a non-financial interest in the above item as one of the Councils appointees on Edinburgh World Heritage, left the room and took no part in consideration of the item

Councillor Gardner declared a non-financial interest in the above item as one of the Councils appointees on Edinburgh and Lothians Green Space Trust, left the room and took no part in consideration of the item

10. Edinburgh Urban Design Panel: Seventh Progress Report

A summary was provided of the findings from the annual review of the Edinburgh Urban Design Panel's work. A series of recommendations and actions were proposed for Committee approval.

Decision

- 1) To agree the recommendations and actions from the annual review of the Edinburgh Urban Design Panel.
- 2) To record the Committee's appreciation of the voluntary contribution made by Panel members to the design review process.

(References – Planning Committee February 2016 (item 7); report by the by the Executive Director of Place, submitted.)

11. Finalised Old Town Conservation Area Character Appraisal

Approval had been given for a programme for reviewing key conservation area character appraisals in October 2013. This identified six priority areas for review. The Old Town and New Town Conservation Areas were not identified as priority areas, but had been brought forward in the programme in view of the current revision of the Old and New Towns of Edinburgh World Heritage Site Management Plan.

On 11 August 2016 Committee approved a consultative draft revised Old Town Conservation Character Appraisal. Consultation had taken place and the finalised document was now presented for approval.

Decision

To approve the appended finalised version of the Old Town Conservation Area Character Appraisal.

(References – Planning Committee 3 October 2013 (item 7) and 11 August 2016 (item 7); report by the by the Executive Director of Place, submitted.)

12. Planning Fees

Ratification was sought of the response to the Scottish Government consultation on Raising Planning Fees.

Details were provided of the consultation for the proposed raising of planning fees for major applications and the amount involved.

This proposed increase to the maximum fee was likely to result in a substantial increase in major application planning fee revenue for the planning authority. This additional revenue was expected to be linked to improved performance of the planning service.

Decision

- 1) To ratify the consultation response sent to the Scottish Government on raising planning fees.
- 2) To note the potential financial impact on the Council's planning resources.

(Reference – report by the by the Executive Director of Place, submitted.)

13. Edinburgh Airport Masterplan 2016-2040 Consultation Response

Edinburgh Airport has recently published a revised Masterplan which would replace its existing 2011 Masterplan. It presented a development strategy for the airport in three distinct phases. It set out a development scenario up to 2025, up to 2040 and a more speculative plan up to 2050, based on the forecast growth of the airport and the predicted expansion of the airport and it's supporting ancillary facilities. The revised Masterplan was published in draft form for consultation. The consultation ran from November to December 2016. Edinburgh Airport was aware that the Council response would be approved on 2 March 2017.

Decision

To approve Appendix 1 of the report by the Executive Director of Place as the Council's response to the consultative draft Masterplan for Edinburgh Airport 2016 - 2040.

(References – report by the by the Executive Director of Place, submitted.)

14. Edinburgh Street Design Guidance – Process for Approving Part C Detailed Design Manual – Referral from the Transport and Environment Committee

The Transport and Environment Committee on 17 January 2017 considered a report by the Executive Director of Place regarding The Edinburgh Street Design Guidance. The Committee agreed to refer the report to the Planning Committee for approval of matters within its remit (in particular reference to the design of new streets).

Decision

To consider the attached report from the Transport and Environment Committee and to approve matters within its remit (in particular reference to the design of new streets).



(References – Transport and Environment Committee on 17 January 2017 (item 12); report by the by the Executive Director of Place, submitted.)

Planning Committee

10.00am, Thursday, 30 March 2017

Dean of Guild Court Room, City Chambers, High Street, Edinburgh

Planning Committee

Convener:	Members:	Contact:
<p>Convener Cllr Ian Perry</p>  <p>Vice-Convener Cllr Alex Lunn</p> 	<ul style="list-style-type: none">• Cllr Nigel Bagshaw• Cllr Jeremy Balfour• Cllr Angela Blacklock• Cllr Ron Cairns• Cllr Steve Cardownie• Cllr Maureen Child• Cllr Nick Gardner• Cllr Dominic Heslop• Cllr Karen Keil• Cllr Adam McVey• Cllr Eric Milligan• Cllr Joanna Mowat• Cllr Lewis Ritchie	<p>Stephen Broughton Committee Clerk Tel: 0131 529 4261</p> <p>Blair Ritchie Committee Clerk Tel: 0131 529 4105</p>

Building Standards Performance

As reported in the business bulletin to Planning Committee of 2 March 2016, the performance of the Council's Building Standards service has been below the expectations set by Scottish Government for the timescales in which building warrant applications should be progressed.

Measures put in place continue to allow improvements to be made and it is expected that over the next few months that performance will steadily improve.

Recruitment

Recruitment is underway for six building standards surveyors and two senior building standards surveyors. Appointments have been made, with new staff starting in March and April 2017.

Overtime

To deal with the backlog of applications, an overtime team has been formed. Over 480 cases have been progressed through overtime since it was started in January.

Shared services

The reporting stage of some applications is being handled by other local authorities. Since January, 200 cases of a range of sizes have been allocated to Aberdeen City and Argyll and Bute councils. These are being progressed to first report stage.

Proposed Strategic Development Plan 2 - Submission for Examination

The SESplan [Main Issues Report](#) was published in July 2015. Responses received informed the preparation of the Proposed Plan. Following formal ratification by member authorities, the [Proposed Plan](#) was published for a period of representations in October 2016.

Over 800 [representations](#) were received from 168 representees. Representees requested a number of modifications to the Proposed Plan. No representations were received which would require a change to the Proposed Plan's strategy and / or themes around the Vision, Spatial Strategy, a Place to do Business, a Place

for Communities and a Better Connected Place. 17 separate issues were identified from the representations.

The SESplan Joint Committee agreed, at its meeting on 13 March 2017, to approve the Summary of Unresolved Issues 1 - 13 and 15 – 17. In respect of Issue 14 Strategic Transport Infrastructure it was agreed to note a representation from Transport Scotland regarding the identification of strategic transport projects. A Cross Boundary Study being led by Transport Scotland has fallen significantly behind schedule, a draft only recently being received by SESplan. SESplan Joint Committee considered that it would not be appropriate to approve the Proposed Plan for submission for Examination until the impacts of the Study can be fully understood. Submission of the final Study from Transport Scotland has been requested by the end of April 2017. Issue 14 will be reviewed and reported to the next SESplan Joint Committee meeting on 26 June 2017.

The SESPlan Joint Committee agreed in principle that no modifications are made to the Proposed Plan published in October 2016. If no modification is to be made the SESplan Joint Committee is authorised, under delegated authority, to proceed with submission of the Proposed Plan to Scottish Ministers without the need for ratification by member authorities. Subject to the agreement of the SESPlan Joint Committee on 26 June 2017, the Proposed Plan and Summary of Unresolved Issues will be submitted around the end of June 2017.

It is anticipated that an Examination will take place in summer 2017. Approval of the Plan is expected to be in Spring 2018.

Background

The SESplan response to representations received on the Proposed Plan is available on the [SESplan website](#).

Forthcoming activities:

Planning Committee

10.00am, Thursday, 30 March 2017

Old and New Towns of Edinburgh World Heritage Site Draft Management Plan 2017-2022

Item number	6.1
Report number	
Executive/routine	Executive
Wards	City Centre

Executive Summary

The UNESCO Convention on World Heritage requires every World Heritage Site (WHS) to have a management system. The current five year management plan for the Old and New Towns of Edinburgh WHS covering the period 2011-2016 has been reviewed.

A new plan for the next five years is presented in draft for approval. It has been shaped by an extensive and innovative programme of public and stakeholder engagement and awareness-raising.

A range of consultative and promotional activity is planned with the public, community groups and organisations in April to June 2017, prior to finalising the plan for partners' approval by September 2017.

Links

Coalition Pledges	P40
Council Priorities	CP9, CP12
Single Outcome Agreement	SO4

Old and New Towns of Edinburgh World Heritage Site Draft Management Plan 2017-2022

1. Recommendations

- 1.1 It is recommended that the Committee approves the draft Old and New Towns of Edinburgh World Heritage Site Management Plan 2017- 2022 for consultation.

2. Background

- 2.1 The Old and New Towns of Edinburgh (ONTE) site was added to the United Nations Educational, Scientific and Cultural Organisation's (UNESCO) list of World Heritage Sites (WHS) in 1995. The UNESCO World Heritage Committee stated that the Edinburgh Old and New Towns "represent a remarkable blend of two urban phenomena: organic medieval growth and 18th and 19th century town planning".
- 2.2 The Site extends to 4.5 square kilometres of the city centre. It includes the Old Town and New Town conservation areas and parts of five others. It is home to a range of institutions of national and civic significance including the Scottish Parliament, the courts and the University of Edinburgh. It has retained its historic urban form and character to a remarkable extent and contains a wealth of buildings listed for their architectural character or historic interest. It also has the highest concentration of Category A listed buildings in Scotland.
- 2.3 The UK currently has 30 World Heritage Sites; Scotland has six, including the recently inscribed Forth Bridge. Each site must demonstrate how it is meeting its obligations under the WHS Convention which requires every world heritage site to have a management plan which should set out how its Outstanding Universal Value (OUV) will be protected. The UK Government is committed to ensuring management plans are produced for all UK World Heritage Sites and encourages local planning authorities to work with site managers, owners and other agencies to ensure management plans are in place.
- 2.4 The first The Old and New Towns of Edinburgh World Heritage Site (ONTEWHS) Management Plan ran from 2005 to 2010. The second plan covers the period 2011 to 2016. It was not until the late 1990s/early 2000s that it became good practice in the UK to produce management plans this explains the gap between the date of inscription (1995) and the first Management Plan (2005). In the interim, the ONTE WHS was managed by the New Town Conservation Committee and the Old Town Renewal Trust, who merged to form Edinburgh World Heritage Trust in 1999.

3. Main report

- 3.1 A WHS Management Plan is a forward-looking strategic document which sets the framework for the preservation and enhancement of a Site's cultural heritage. It contains a vision for the Site and objectives and delivery mechanisms for its achievement. It is prepared jointly by the World Heritage Site management partners: City of Edinburgh Council, Historic Environment Scotland and Edinburgh World Heritage.
- 3.2 A new management plan which builds on the strengths of the 2011 to 2016 plan has been prepared (Appendix 1) and is presented in draft for approval to consult. The review leading to the draft plan has embraced the opportunity presented in addressing some of the issues/challenges facing the management of the Site as set out in a report to Committee in [February 2016](#).
- 3.3 The management partners have used extensive and inclusive public and stakeholder engagement in drafting the Plan. This included a blog, social media and innovative use of the Place Standard and the Environmental Quality Indicators (established to measure the quality of development on the ground). More than one thousand responses were received to a consultation exercise in summer 2016 which included seeking people's views on 14 themes including the awareness of the World Heritage Site status, the level of care and maintenance of buildings and streets and the quality of recent new developments built within the WHS.
- 3.4 The designation should facilitate the delivery of the highest quality of environment in a living capital city centre. The draft management plan establishes a framework to achieve this and for the preservation and enhancement of the Site's cultural heritage. Since 2005, when the first management plan was produced, the management partnership has worked together with communities, other agencies, institutions and businesses to deliver projects on the ground to deliver the core aims of the management plan.
- 3.5 Much of this activity is ongoing. However, over the next five years, the partners are seeking to focus on addressing the six key themes that scored the lowest in the Place Standard exercise. For these six key themes, the following sets out examples of achievements from the previous two plans and future actions:
- 3.6 Care and maintenance of buildings and streets

3.6.1 Past achievements

The Scotsman steps

In 2011, Edinburgh World Heritage and the City of Edinburgh Council worked with the Fruitmarket Gallery to bring the Scotsman steps back to life, and enhance the public route between the city's Old and New Towns. The steps had become dilapidated with graffiti on the walls, damage to the stairs and recurring anti-social behaviour. The conservation project started in September 2010 and the steps reopened in 2011.

The City of Edinburgh Council's lighting strategy

A [History of Street Lighting report](#) in the Old and New towns of Edinburgh World Heritage Site was published in 2012. It helped to inform the City of [Edinburgh Council's lighting strategy](#), which amongst a number of issues regulates management of historic street lighting in the World Heritage Site. It now informs planning policy by explaining the importance of street lighting in the context of the Old and New Towns of Edinburgh World Heritage Site's Outstanding Universal Value.

3.6.2 Future aspirations

The consultation highlighted that more can be done for the general state of repair and ongoing care and maintenance of historic buildings. Some buildings require some form of repair or maintenance to windows, roofs, stonework or guttering. The management plan seeks to address this issue by promoting a range of initiatives: the new voluntary Shared Repair Service facilitated by City of Edinburgh Council, and the better promotion of existing grants programmes to continue the strong tradition of conservation and preservation in the World Heritage Site.

3.7 Control and guidance

3.7.1 Past achievements

Shopfront Improvement

In the last ten years, Edinburgh World Heritage Trust has been running a scheme that offers advice to shop owners and allocates financial assistance for shop fronts in need of restoration.

This scheme has allowed the implementation on the ground of good practice set out in the City of Edinburgh's Council planning design guidance and guidance in listed buildings and conservation areas.

Some positive examples include: the restoration of a series of Georgian shopfronts at 33-41B William Street; a comprehensive refurbishment of a vacant property at 9-11 Gilmours Close, in the Grassmarket and ongoing improvement on a large scale to West Maintland Street.

Local Development Plan- World Heritage Site policy

Whilst the World Heritage Site has been designated since 1995, its protection was approved as part of the Local Development Plan in 2016.

The Policy Env 1 World Heritage Sites now states:

"Development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh and/or the Forth Bridge as World Heritage Sites or would have a detrimental impact on a Site's setting will not be permitted. This policy requires development to respect and protect the outstanding universal values of the World Heritage Sites and their settings. Setting may include sites in the immediate

vicinity, viewpoints identified in the key views study and prominent landscape features throughout the city.”

3.7.2 Future aspirations

The city is a thriving, living city, important for tourism, retail, business and government as well as having a large residential population. It will evolve overtime with new trends. The challenge is to ensure that development takes appropriate account of the unique qualities of the Site. Care and attention is required to ensure that any change preserves and enhances the OUV. It is the management partner’s responsibility to guarantee that all stakeholders understand the context to allow respectful change in line with the character of the area. In assessing change, the management partners have a responsibility to fully assess the impact on OUV.

3.8 Awareness of World Heritage Site status

3.8.1 Past achievements

World Heritage Business Opportunity Guide

This guide was a joint project between the Edinburgh Tourism Action Group (ETAG) and Edinburgh World Heritage; it is part of a series which offers guidance for tourism businesses in the city. The aim is to illustrate how they can use the World Heritage Site as a promotional tool for visitors. Throughout the guide are practical hints and tips on how to use World Heritage status, including a selection of case studies where tourism businesses have worked with EWH to use the city’s heritage in their promotion.

World Heritage Day

World Heritage Day has been celebrated locally with lectures and events to raise the public’s awareness about the diversity of cultural heritage and the efforts that are required to protect and conserve it.

In 2016, the six Scottish World Heritage Sites were celebrated at the National Museum of Scotland in Edinburgh. Visitors to the Old and New Towns of Edinburgh table were able to handle Corinthian column heads, archaeology from the Tron church, household artefacts as well as interpretation material (maps, leaflets, colouring in sheets). It was a great day of sharing activities and stories with families, school groups, tourists, locals and more.

3.8.2 Future aspirations

Awareness of the World Heritage Site and its Outstanding Universal Value varies through the city, its communities and its visitors. To ensure that we all look after the World Heritage Site as best as we can, the Outstanding Universal Value needs to be clearly understood by stakeholders and members of the public. It is recognised that the management partners must continue to work together to spread the message to as wide an audience as possible.

3.9 Contribution of new development to city centre

3.9.1 Past achievements

Enhancing Construction sites- The New Waverley Fund

To make the best use of the New Waverley Construction site, community groups in Edinburgh bid for grants to enhance this Old Town site. The New Waverley Community Fund (NWCF) was created as a joint project between the City of Edinburgh Council and Artisan Real Estate Investors, the developers of New Waverley. The total fund available is £200,000 including £100,000 held by the Council from the former developer. The initial round of funding paid out to six projects including a community garden, an art installation and a project celebrating the literary history of the area. This involved the unveiling of a 10-metre illuminated art work above the Waverley Arches by movie director and Monty Python star Terry Gilliam as part of the Words on the Street project run by Edinburgh UNESCO City of Literature Trust.

3.9.2 Future aspirations

Policies are in place to ensure that new development is sensitive to historic character. Management partners have a role in raising awareness on how interventions can contribute to the Site's authenticity. Management partners also have a role in reflecting and interpreting the particular quality of its surroundings, responding to and reinforcing distinctive patterns of development, townscape, views, landscape, scale, materials and quality of the World Heritage Site. The City of Edinburgh Council actively promotes the city as a destination for national and international investment. Balancing the needs of the city to maintain its economic vibrancy and the need to protect the heritage is essential for both. The relationship between OUV and economic success needs to be protected, developed and celebrated.

3.10 Visitor management

3.10.1 Past achievements

Heritage Trail leaflets

A number of heritage trails have been produced to raise awareness about encourage residents and visitors to explore hidden historic assets. For example, the food trail revealed some of the hidden links between the city's built heritage and its food traditions, encouraging visitors to explore the 'nooks and crannies' of the World Heritage Site and discover its culinary customs.

3.10.2 Future aspirations

The management partners recognise the need to support the operational systems in place to ensure that cleanliness of streets and spaces standards are maintained even during peak visitor times. This contributes to people's sense of pride and ownership of the city. It also creates the impression that visitors take home with them.

3.11 Influence and sense of control

3.11.1 Past achievements

Meadows festival

For the first time in 2016, the partners had a stall at the Meadows Festival. This was the start of the consultation on both the [Old Town](#) and the [New Town](#) Conservation Area Character Appraisals and helped raise awareness of the conservation of the site. This was an opportunity to carry out the Place Standard face to face and to get feedback on the recent developments in the Old and New Towns of Edinburgh. The stall attracted more than 550 people on the two days. This will now be an annual event for the management partners.

3.11.2 Future aspirations

It is the management partners' responsibility to clearly show the importance of the impact of public participation. Seeking to capture the biggest and widest audience, the management partners will advocate the joined-up approach to consultation. Similar topics will be grouped to make the best use of people's time and to contribute to better policy making.

- 3.12 The remaining themes are not disregarded. The management partners are working with other city stakeholders to ensure the concerns are addressed by other strategies. The scope of the plan includes:
- explaining the special qualities and values of the Site;
 - including the shared vision, long-term goals and shorter-term objectives to preserve the Old and New Towns of Edinburgh World Heritage Site's OUV;
 - providing information on threats and opportunities facing the Site;
 - advocating existing protective policies;
 - influencing day-to-day management issues; and
 - providing a framework to monitor the condition of the built environment.
- 3.13 The Plan's main sections cover vision and aims; a site description; a summary of issues, challenges and opportunities; and proposals for implementation and an action plan.
- 3.14 The Plan is also related to other policies: the LDP; the emerging Local Improvement Plans (LIPs); and the City Vision to be launched later in the year.
- 3.15 If approved for consultation, a series of engagement events is planned in the period April to June. The management partners will work together to prepare World Heritage Day events to promote the consultation of the Management Plan in Edinburgh and Glasgow, attend local festivals and targeted community workshops. It is proposed that the finalised Management Plan will be re-submitted to HES and EWH Board members and return to Planning Committee in late summer/early autumn.

- 3.16 Management partners will also continue to work together on the format and publication of the Plan; it should be an accessible on-line document that is compatible with the format of the other Scottish WHS management plans.

4. Measures of success

- 4.1 The ONTEWHS Management Plan is finalised and approved by Committee in line with the project programme. The Plan will guide and inform planning decisions in a way that protects and conserves the Site's OUV.

5. Financial impact

- 5.1 There are no financial implications associated with this report.

6. Risk, policy, compliance and governance impact

- 6.1 There are no significant risks associated with approval of the report as recommended. The report relates to Policy ENV 1: World Heritage Sites of the adopted Edinburgh LDP. This policy requires development to respect and protect the Outstanding Universal Value of the WHS and its setting.

7. Equalities impact

- 7.1 The aim of managing the WHS is to preserve and enhance the quality of the area. This has the potential to improve the quality of life and supports sustainable communities. There are no predicted negative impacts on equalities.

8. Sustainability impact

- 8.1 Sound management of the built environment can help minimise the use of natural resources and reduce carbon emissions. The management of the historic environment contributes directly to sustainability in a number of ways. These include the unique quality of historic environments which provide a sense of identity and continuity.

9. Consultation and engagement

- 9.1 The draft management plan for 2017 - 2022 flows from an extensive and innovative programme of public and stakeholder engagement and awareness-raising, as detailed above. A range of consultative and promotional activity is planned with the community and stakeholders in the period April to June 2017, if the draft Management Plan is approved for consultation.

- 9.2 Concurrently to the consultation period, there will be awareness raising and promotion and stakeholder engagement events. This includes events on and around World Heritage Day in April and possible joint consultation with the new LIPs. There will be a social media and communications programme throughout the period of consultation to make sure it is inclusive. Other events such as the [Meadows Festival](#) and the [Architecture Fringe](#) (a project-led platform exploring how architecture makes a difference to our lives) will be opportunities to promote the consultation and gauge awareness.

10. Background reading/external references

- 10.1 [UNESCO WHS Convention](#)
- 10.2 [The Old and New Towns of Edinburgh World Heritage Site Management Plan 2011-2016](#)
- 10.3 [Report to CEC Planning Committee: Old and New Towns of Edinburgh World Heritage Site Update, 25 Feb 2016](#)
- 10.4 [Old and New Towns of Edinburgh World Heritage Site Update, 1 October 2015](#)

Paul Lawrence

Executive Director of Place

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11. Links

Coalition Pledges	P40 - Work with Edinburgh World Heritage Trust and other stakeholders to conserve the City's built heritage.
Council Priorities	CP9 – An attractive city CP12 – A built environment to match our ambition
Single Outcome Agreement	SO4 - Edinburgh's communities are safer and have improved physical and social fabric
Appendices	1 - Old and New Towns of Edinburgh World Heritage Site – Draft Management Plan 2017 – 2022

OLD AND NEW TOWNS OF EDINBURGH WORLD HERITAGE SITE MANAGEMENT PLAN 2017-2022

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- 5.1 Implementation
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A. The Old and New Towns of Edinburgh World Heritage Site

- A.1 Description of the Site**
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C. Review of the previous plans

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- C.2 The Second Management Plan (2011-2016)**

D. Useful links

- D.1 Map of interventions in the past five years (restoration projects/ new developments/ ongoing developments)**
- D.2 Key stakeholders**
- D.3 Key Views Policy**
- D.4 Conservation Areas**
- D.5 The Public Consultation Process**
- D.6 Case studies**
- D.7 Selected bibliography**
- D.8 Sources (images- figures)**

CHAPTER 1: Introduction

1.1 Foreword (to be added in final version)

The Vision

We share an aspiration for the World Heritage Site to sustain its Outstanding Universal Value by safeguarding and enhancing its exceptional historic environment. This underpins a confident and thriving capital city centre, its communities, and its cultural and economic life.

1.2 What is World Heritage?

World Heritage captures the cultural and natural aspects of the global community that are the most significant, unique or best examples of their kind according to the United Nations Education, Scientific and Cultural Organisation (UNESCO). It is important because it promotes important cultural traditions and places as belonging to everyone.

There are over 1000 World Heritage Sites globally and UNESCO is the organisation responsible for adding to or removing from the [List](#). The list is intended to 'ensure as far as possible the identification, protection, conservation and presentation of the world's irreplaceable heritage'.

Each site must demonstrate that it is fulfilling its obligations in respect of UNESCO's requirements in implementing the [World Heritage Convention](#).

The Old and New Towns of Edinburgh

Edinburgh has long been celebrated as a great city: an ancient capital, the medieval Old Town alongside the world renowned eighteenth century classical New Town, all situated in a spectacular landscape of hills and valleys beside the wide estuary of the Firth of Forth.

It is the recognition of these qualities that led to the city's inscription by UNESCO as a World Heritage Site in December 1995.

All World Heritage Sites have an associated Statement of Outstanding Universal Value (SOUV), which explains the importance of the Site. The SOUV is the term UNESCO applies to the detailed description of what is unique about the Site.

World Heritage Properties in the United Kingdom

To date, there are [30 World Heritage Sites](#) in the United Kingdom. The five [other Scottish Sites](#) are New Lanark, St Kilda, the Heart of Neolithic Orkney, the Frontiers of the Roman Empire (the Antonine Wall) and the Forth Bridge. Other urban centres in the UK with World Heritage Site status are Bath, Greenwich, Durham, Liverpool and Westminster.

1.3 Scope and status of the plan

The geographical scope of the plan relates to the WHS itself. This is clarified in section 3.1 (location).

The Plan is a partnership document. It represents the consensus view of the members of the Old and New Towns of Edinburgh World Heritage Site Oversight Group and Steering Group.

The Management Plan sets out what is significant about the Old and New Towns of Edinburgh World Heritage Site, as a basis for understanding its important qualities, in order to determine the action necessary to protect, manage and enhance it.

The management plan:

- Includes the shared vision, long-term goals and shorter-term actions to preserve the Old and New Towns of Edinburgh World Heritage Site's OUV
- Helps to explain the special qualities and values of the Site
- Advocates existing protective policies
- Influences the day-to-day management issues
- Provides supporting information on managing the opportunities and threats facing the Site
- Provides a framework to monitor the condition of the built environment

The Management Plan's success is dependent upon the delivery of objectives and relies on stakeholders across the Site making a commitment to the Action Plan. The careful coordination of partner organisations and the collective effort is possible and resources are used to best effect.

The Plan works within the Local Development Plan of the City of Edinburgh, which sets out planning policies to guide development. The Management Plan is a material consideration in the planning process (see section 3 for further details).

Whilst it is not a statutory document, the Plan will continue to inform and respond to other policies and management proposals relating to the WHS area.

How does it sit alongside other relevant plans?

- Local Development Plan

The Local Development Plan (LDP) sets out policies and proposals to guide development. It was adopted in November 2016 and replaces the Edinburgh City Local Plan and Rural West Edinburgh Local Plan. The policies in the LDP are used to determine planning applications. The Old and New Towns of Edinburgh World Heritage Site is protected by Policy Env 1 in the LDP.

The Policy Env 1 World Heritage Sites states:

"Development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh and/or the Forth Bridge as World Heritage Sites or would have a detrimental impact on a Site's setting will not be permitted. This policy requires development to respect and protect the outstanding universal values of the World Heritage Sites and their settings. Setting may include sites in the immediate vicinity, viewpoints identified in the key views study and prominent landscape features throughout the city."

- Locality Improvement Plan

Locality Improvement Plans (LIPs) 2017 to 2022 will be launched at the end of 2017. They aim to deliver citizen and community 'priorities and aspirations'.

The Locality Improvement Plan covers the city centre and the World Heritage Site. It will include the following management plan objectives:

- to enable the delivery of better social, economic and environmental outcomes
- to improve community engagement and co-production

- to promote enhanced public service integration

Locality Improvement Plans will form part of the Council's and the Edinburgh Partnership's Strategic Planning Framework.

This will help with the delivery of the Action Plan.

The aims of the action plan will also be delivered through a range of strategies, including transport, public realm, economic development, waste and cleansing, tourism and climate change.

1.4 Planning and policy framework

Scottish Planning Policy and Environmental Assessment regulations require planning authorities to take account of OUV both in their policies and decisions on cases.

The Edinburgh Local Development Plan includes Policy Env 1 that serves to protect the OUV of the Site. Historic Environment Scotland (HES) is a statutory consultee in cases where there is potential to impact on OUV. Edinburgh World Heritage is a consultee, and engages with the planning process from the earliest stages through a Planning Protocol.

Where HES objects to a planning application, and the Council is minded to grant consent, Scottish Ministers must be notified for them to determine if they wish to call-in the application for their decision. In practice, this happens on a very small number of occasions across all World Heritage Sites.

1.5 The Management Partners (graphics to be added)

The City of Edinburgh Council

The City of Edinburgh Council is the Planning Authority. It implements the planning system in the city. The Council is responsible for providing political leadership and governance for a comprehensive range of services across the city.

It is also responsible for the provision of a range of [public services](#) that affect day-to-day life within the World Heritage Site, including strengthening and supporting communities, providing jobs and ensuring its residents are well cared for.

Historic Environment Scotland

Historic Environment Scotland is a non-departmental public body. It is the lead public body established to investigate, care for and promote Scotland's historic environment. Its board is appointed by Scottish Ministers.

Historic Environment Scotland offers technical expertise, support and significant funding to the historic environment via its in-house experts and various grants schemes, directly employing the highest number of traditional crafts staff in Scotland and actively fostering apprentice development.

Edinburgh World Heritage

Edinburgh World Heritage is an independent charity formally charged by the City of Edinburgh Council and Historic Environment Scotland with facilitating the work of the World Heritage Steering Group and overseeing the implementation of the Management Plan since 1999.

A World Heritage Site coordinator post was created in 2009 to bring a focus to World Heritage issues across the partnership. The post ensures effective liaison and co-ordination of activities between the partners.

1.6 Preparation and structure of the Plan

This is the third management plan for the site. All the management partners have taken the lead role in preparing the Plan. This work was overseen by the WHS Steering Group and Oversight Group.

This plan is divided into five chapters covering:

- The role of the plan
- Its vision and aims
- Key facts and figures and why the WHS is special
- Challenges to be addressed and actions to achieve this
- Implementation of the Plan and monitoring processes

This management plan relies on information gathered from the consultation process in July 2016. The consultation process coupled with a series of engagement events were the source of the actions.

2.1 The Vision

We share an aspiration for the World Heritage Site to sustain its Outstanding Universal Value by safeguarding and enhancing its exceptional historic environment. This underpins a confident and thriving capital city centre, its communities, and its cultural and economic life.

2.2 Aims of the Management Plan

The main aims of the Management Plans are to:

1. Promote a sustainable approach that integrates conservation with the needs of all communities and visitors to the site
2. Build and maintain strong partnerships between local, regional and national organisations to help deliver the actions of the plan
3. Interpret and present the history and significance of the Old and New Towns of Edinburgh to the highest quality and promote equality of opportunity to access and enjoyment
4. Ensure that the Outstanding Universal Value of the Site and its setting is understood, protected and sustained

CHAPTER 3: Key information about the Old and New Towns of Edinburgh World Heritage Site

3.1 Location

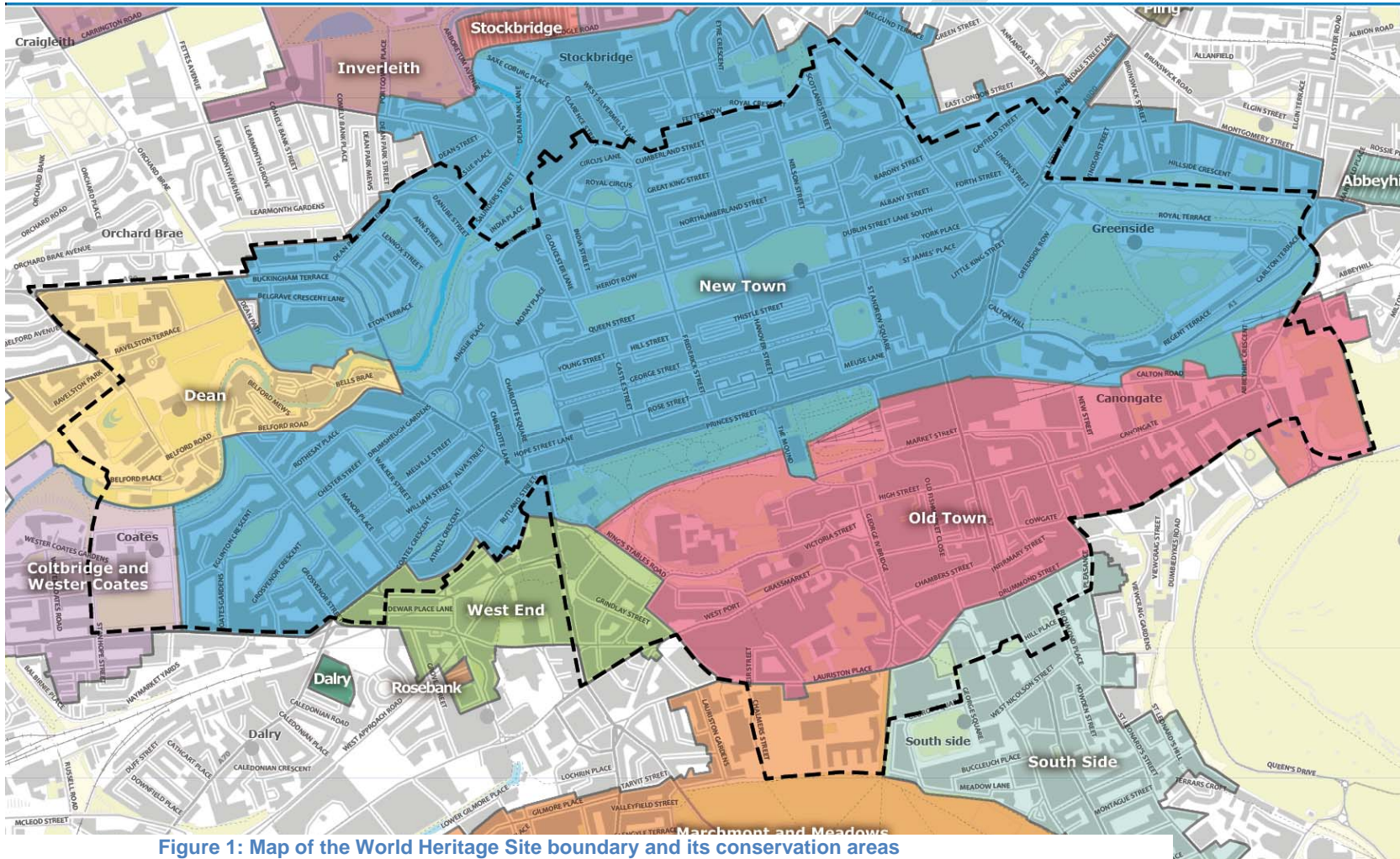


Figure 1: Map of the World Heritage Site boundary and its conservation areas

The Old and New Towns are located in Lothian on the Firth of Forth's southern shore. It is Scotland's second most populous city.

At its greatest extent the Site is about 2 kilometres long from east to west and 1.5 kilometres wide, north to south, giving a total area of some 4.5 km².

3.2 Key facts (graphics to be added)

- UNESCO inscribed the Old and New Towns of Edinburgh as a World Heritage Site in 1995.
- The inscription recognised the striking contrast and quality in architecture between the medieval Old Town and the Georgian New Town. The medieval Old Town has retained its distinctive pattern of narrow passageways, known as closes and wynds. The New Town, first designed in 1767, is the largest and best preserved example of Georgian town planning in the United Kingdom.
- Edinburgh is built on an extraordinary landscape of hills and valleys, formed millions of years ago by volcanoes and ice sheets. Together these factors have created a truly distinctive skyline and stunning views which are recognised around the world.
- The Site contains nearly 4,500 individual buildings, of which over 75% are listed for their special architectural or historic interest.
- The Site also contains Scheduled Monuments, the best known being Edinburgh Castle.
- The Site has retained its historic urban form and character to a remarkable extent.
- The Site 'represents a remarkable blend of two urban phenomena: the organic medieval growth of the Old Town and the eighteenth and nineteenth century town planning of the New Town'.
- In the New Town, the integrity of the street layout is a key defining factor in its character. In the Old Town the 'spine and ribs' pattern of the High Street and its closes and wynds maintains the medieval street pattern.
- The Old Town was overlaid in the nineteenth century by wide streets as a result of the City Improvement Acts.
- There are many open spaces and graveyards throughout the Site.
- The Old Town contains two twelfth century burghs with two early royal palaces (one within the castle), a medieval abbey, and a wealth of early buildings.
- The New Town contains a high concentration of remarkably intact world-class neo-classical buildings
- The Site contains the dramatic river valley of the Water of Leith. The valley includes the original mill settlements of Bell's Mill, the village of Dean and part of Stockbridge.

3.3 Key figures



Figure 2: Key figures of the World Heritage Site



Figure 3: Impact to date of the World Heritage Site status

Listed buildings and designated assets

	2005	2006	2007	2008	2011	2012	2013	2014	2015
A listed buildings*	656	656	656	656	655	655	654	653	654
B listed buildings**	863	864	863	863	864	863	864	867	865
C listed buildings*	157	156	157	157	157	156	157	156	156
Total for the World Heritage Site	1676	1676	1676	1676	1676	1674	1675	1676	1675

Source: Previous monitoring reports

Scheduled ancient monuments	8	Edinburgh Abbey Strand Edinburgh Castle Edinburgh, Palace of Holyroodhouse Edinburgh Town Wall- Flodden Wall and Telfer Wall-Heriot Place Edinburgh Town Wall, Drummond Street to Pleasance Edinburgh Town Wall, Johnston Terrace to Grassmarket Holyrood Abbey and Palace Gardens
Designed landscapes	2	New Town Gardens, Palace of Holyrood House
Conservation areas	7	Coltbridge and Wester Coates (part), Dean (part), Marchmont, Meadows and Bruntsfield (part), New Town (part), Old Town (part) South Side (part)

Source: Previous monitoring reports

3.4 The statement of Outstanding Universal Value

(Pictures to be added)

Introduction to the Statement of Outstanding Universal Value (SOUV):

The SOUV for the World Heritage Site is explained fully in the nomination document for the Site.

This document is used in the assessment of development proposals within the Site. Development proposals must be considered in terms of whether or not they would add to or detract from the ability to understand and appreciate what makes the Site special.

Brief synthesis of the Statement of Outstanding Universal Value:

The remarkable juxtaposition of two clearly articulated urban planning phenomena. The contrast between the organic medieval Old Town and the planned Georgian New Town provides a clarity of urban structure unrivalled in Europe. The juxtaposition of these two distinctive townscapes, each of exceptional historic and architectural interest, which are linked across the landscape divide, the "great arena" of Sir Walter Scott's Waverley Valley, by the urban viaduct, North Bridge, and by the Mound, creates the outstanding urban landscape.

The Old Town stretches along a high ridge from the Castle on its dramatically situated rock down to the Palace of Holyrood. Its form reflects the burgh plots of the Canongate, founded as an "abbatial burgh" dependent on the Abbey of Holyrood, and the national tradition of building tall on the narrow "tofts" or plots separated by lanes or "closes" which created some of the world's tallest buildings of their age, the dramatic, robust, and distinctive tenement buildings. It contains many 16th and 17th century merchants' and nobles' houses such as the early 17th century restored mansion house of Gladstone's Land which rises to six storeys, and important early public buildings such as the Canongate Tolbooth and St Giles' Cathedral.

The Old Town is characterised by the survival of the little-altered medieval "fishbone" street pattern of narrow closes, wynds, and courts leading off the spine formed by the High Street, the broadest, longest street in the Old Town, with a sense of enclosed space derived from its width, the height of the buildings lining it, and the small scale of any breaks between them.

The New Town, constructed between 1767 and 1890 as a collection of seven new towns on the glacial plain to the north of the Old Town, is framed and articulated by an uncommonly high concentration of planned ensembles of ashlar-faced, world-class, neo-classical buildings, associated with renowned architects, including John and Robert Adam, Sir William Chambers, and William Playfair. Contained and integrated with the townscape are gardens, designed to take full advantage of the topography, while forming an extensive system of private and public open spaces. The New Town is integrated with large green spaces. It covers a very large area, is consistent to an unrivalled degree, and survives virtually intact.

Some of the finest public and commercial monuments of the neo-classical revival in Europe survive in the city, reflecting its continuing status as the capital of Scotland since 1437, and a major centre of thought and learning in the 18th century Age of Enlightenment, with its close cultural and political links with mainland Europe.

The successive planned extensions from the first New Town, and the high quality of the architecture, set standards for Scotland and beyond, and exerted a major influence on the development of urban architecture and town planning throughout Europe.

The dramatic topography of the Old Town combined with the planned alignments of key buildings in both the Old and the New Town, results in spectacular views and panoramas and an iconic skyline.

The renewal and revival of the Old Town in the late 19th century, and the adaptation of the distinctive Baronial style of building for use in an urban environment, influenced the development of conservation policies for urban environments.

Edinburgh retains most of its significant buildings and spaces in better condition than most other historic cities of comparable value.

3.5 Safeguard of the Outstanding Universal Value (Pictures to be added)

Edinburgh has a thriving, living city centre, important for tourism, retail, business and government as well as having a large residential population. The city's strong economy has resulted in a number of major development proposals. This means the values for which it was inscribed as a World Heritage Site encourage businesses to make Edinburgh their base.

The City of Edinburgh Council actively promotes the city as a destination for national and international investment.

Balancing the needs of the city to maintain its economic vibrancy and the need to protect the heritage is essential for both. The relationship between OUV and economic success needs to be protected, developed and celebrated.

The challenge is to ensure that development takes appropriate account of the unique qualities of the Site (i.e. the OUV). Care and attention is required to ensure that any change preserves and enhances the OUV.

This Plan is a tool for influencing the development process in order to ensure that the OUV of the Site and its setting are understood, protected and sustained.

Large scale developments may have an impact on OUV. Similarly, small scale changes may also have an impact on OUV. Regardless of scale, the cumulative impact of development must be managed in such a way that the significance of the Site remains understood.

Developers are expected [to assess](#) the impact of proposals on the OUV.

A planning protocol has been agreed by the partners to enable a collaborative response to the impact of development on the World Heritage Site early in the planning process.

International scrutiny on the safeguarding of OUV

State Parties for World Heritage Sites are bound by the Operational Guidelines to monitor the State of Conservation of a Site. State Parties are expected to inform UNESCO of their intention to authorise or undertake any major restorations or constructions which may affect the OUV of the World Heritage Site. This is known as Reactive Monitoring. Its purpose is to allow UNESCO's World Heritage Committee to assist in seeking appropriate solutions to ensure that OUV is fully preserved. UNESCO may also request a [State Of Conservation Report](#) from the State Party for consideration by the World Heritage Committee at its annual session. Decisions by the World Heritage Committee will normally include recommendations and requests for specific actions to be

undertaken to address threats to OUV. The World Heritage Committee may decide to place the WHS on the World Heritage in Danger list if it feels that the threat to OUV is sufficient to warrant this.

Once a site is on the World Heritage in Danger list, it can take many years of action to address UNESCO's concerns before the World Heritage Committee can decide that the threat to OUV has been reduced sufficiently for the site to be removed from the World Heritage in Danger list. If UNESCO's concerns about threats to OUV remain unaddressed for a prolonged period, the World Heritage Committee may eventually decide to remove the WHS from the list of inscribed sites.

DRAFT

Introduction

World Heritage Site designation is a celebration of heritage that is already preserved.

The designation should facilitate the delivery of the highest quality of environment.

Sustaining a living capital city centre is a balance between protecting the environment, strengthening society, supporting a vibrant cultural scene. It should allow uses to evolve and provide for places to live and work (and access to them), without damaging the outstanding universal value of the Site. However, the OUV of the WHS will, at times, be challenged by activity that has the potential to adversely impact on the unique qualities of the Site.

This chapter presents actions for the next five years to help sustain this balance. The management partners now have over 20 years of experience in understanding the challenges that an urban World Heritage Site faces.

The online public consultation undertaken in July 2016 has informed the issues taken forward in this chapter as have the discussions at the oversight group workshops, and the feedback from awareness raising events in 2015 and 2016.

The online public consultation used the Place Standard [methodology](#). It consists of 14 questions which cover both the physical and social elements of a place. The questions were tailored to reflect the World Heritage issues.

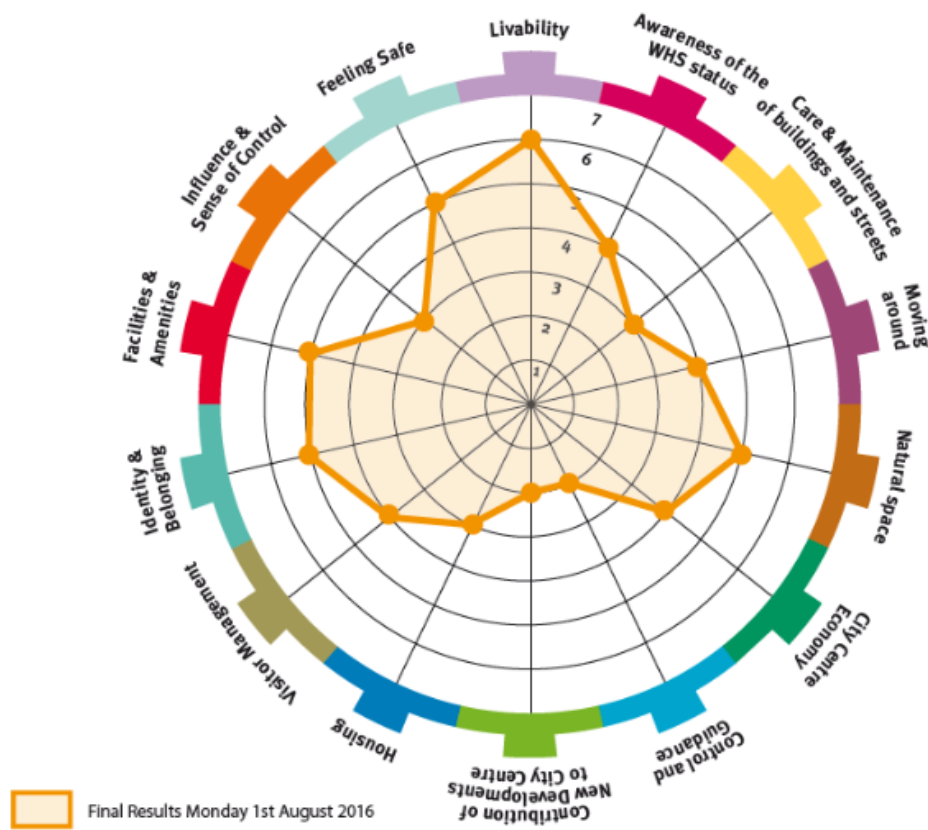


Figure 4: Online public consultation

Members of the public were asked to rate the 14 themes of the Place Standard. The action plan seeks to address the issues that scored the lowest on the “wheel”.

Those six themes are:

- Care and maintenance of buildings and streets
- Control and Guidance
- Awareness of World Heritage Site status
- Contribution of new development to city centre
- Visitor Management
- Influence and sense of control

The remaining themes are not disregarded. The management partners are working with other city stakeholders to ensure the concerns are addressed by other strategies.

Care and maintenance of buildings and streets



Overarching objective:
To ensure ongoing investment in the conservation of the Site

When asked to think about the level of care and maintenance of buildings and streets, residents felt that there is still a lot to be done, namely:

- Improve street surfaces such as setts and general littering
- Difficulty to get agreement from multiple owners to carry out common repairs which gets in the way of preventive conservation
- Too much street clutter
- Over-commercialisation of public spaces (e.g Princes Street Gardens, St Andrew Square)
- Need for stricter rules about shops spilling out on the street
- Need for more reuse of derelict buildings

The following actions seek to address these issues:

Grants

Edinburgh retains most of its significant buildings and spaces in better condition than most other historic cities of comparable value. More than 350 applicants received a grant in the lifetime of the previous management plan. Steps should be taken to make the **process more transparent and accessible**. **Raising awareness of quality craftsmanship and traditional skills is also crucial, alongside understanding the predominant building stock and its specific challenges.**

		Action	Delivery Partner	Review
Grants	1	Raise awareness on the availability of grants and on other services needed to do the work. Publish list of buildings that have received grants	EWH Lead	Short Term
	2	Indicate the priorities for grants Ensure a joined up approach to deliver grants program	EWH Lead	Short Term

Research & Best Practice

The management of the Old and New Towns of Edinburgh World Heritage Site is considered as an **example of best practice internationally**. People come from all over the world to research our practices. **Research needs to be sustained** to keep the management of the Site current and relevant to global trends.

This applies to archaeology for example as every time there is a significant development in the Old Town, there is **potential for undiscovered archaeology**. There is a continual programme of fieldwork and **research should be made accessible**.

		Action	Delivery Partner	Review
Research & Best Practice	3	Support and inform a research agenda which reflects and develops best practice in World Heritage management. Publish work and participate in national and international events	EWH Lead	Mid Term
	4	Direct people to where archaeology research findings are published- Create map of the key discoveries	CEC, HES Lead	Mid Term

Treatment of public space and public realm

The spaces between buildings, known as the “**public realm**” make an essential contribution to the OUV of the Site. This plan must provide the context to **support the existing guidance**.

City life happens in the spaces between the buildings. There is a **high demand for public space use** all year round. There needs to be a balance of use and **greater transparency on decisions about the events and activities** that take place in them.

		Action	Delivery Partner	Review
Treatment of public space and public realm	5	Raise awareness on the contribution that public realm makes to the Site and embed the understanding of the Conservation Areas Character Appraisals in decision making	EWH Lead	Mid Term
	6	Advocate the use of the Street Design guidance and other relevant public realm guidance (lighting, advertising)	CEC Lead	Mid Term
	7	Develop guidance on appropriate use of public spaces	CEC Lead	Mid Term

Sustainable re-use of underused and unused buildings

Underused and unused buildings can be a burden for their owners yet they may present an untapped resource for conversions or temporary use. Securing temporary uses, where appropriate, for underused and unused should become a priority.

		Action	Delivery Partner	Review
Sustainable re-use of underused and unused buildings	8	Support maintenance of Buildings at Risk Register (BARR) and encourage the sustainable re-use of underused and unused buildings	HES, CEC, EWH	Mid Term
	9	Advocate for creative temporary solutions which encourage bringing buildings back into active use	CEC and HES Lead	Mid Term

Climate change and sustainability

Achieving sustainable development is a major goal for Edinburgh as a whole. The city is working on reducing carbon emissions through better use and generation of energy. The Management Plan must contribute to the climate change agenda

		Action	Delivery Partner	Review
Climate change and sustainability	10	Extend the energy efficiency programme with the aim of increasing energy efficiency in historic buildings	EWH and HES Lead	Mid Term
	11	Encourage walking and cycling within the WHS through actions outlined in the Active Travel Action Plan	CEC Lead	Mid Term
	12	Monitor air quality in the WHS	CEC Lead	Mid Term

Control and Guidance



Objective: to improve tools to sustain Outstanding Universal Value

When asked to think about the level of control and guidance, the consultation feedback stated that the enforcement of planning laws was critical for maintaining the quality of the WHS, namely:

- Need for greater guidance for property owners
- Concern about the importance given to existing guidance that protects the site
- Need for guidance outwith the site boundaries
- More protection needs to be given to the skyline
- Suggestion of using an independent panel involving professionals to advise on developments

The following actions seek to address these issues:

Planning process

Managing change is a key priority for the Management Plan. To ensure that the OUV is safeguarded, the Management partners must retain an overview of all the systems in place to make this happen.

		Action	Delivery Partner	Review
Planning process	13	Ensure that the Outstanding Universal Value of the WHS is taken into account in planning decisions and other relevant consents as material consideration	HES, CEC, EWH	Short Term
	14	Review the conservation area character appraisal to ensure up to date information about the unique qualities of the area	CEC Lead	Mid Term

Interpretation and engagement

It is the management partner’s responsibility to guarantee that **all stakeholders understand the context** to allow respectful change in line with the character of the area. Where harmful change occurs, the management partners have a responsibility to make it clear that it is not acceptable.

There is **advice and support for owners** of historic homes in maintaining their building. It is essential that this advice **is pulled together** so that the **owners can navigate through and find what they need**.

		Action	Delivery Partner	Review
Interpretation and engagement	15	Contribute to understanding of decision making by raising awareness around actions and planning decisions taken in the WHS	HES, CEC, EWH	Short Term/continuous
	16	Audit of guidance available to owners in the WHS to identify gaps	HES, CEC, EWH	Mid Term
	17	Understand the user journey for owners and connect to the appropriate guidance	HES, CEC, EWH	Mid Term

Advocacy

The city is a dynamic, thriving capital city. It will evolve overtime with **new trends**. The management partners must ensure that it **participate in changes and influence** in such a way that it supports OUV.

The management partners will also need to advocate for the maintenance of traditional skills. Historic buildings need a variety of crafts for their repair and conservation, from stonemasonry to metalwork, joinery to slating. With over 75% of all the buildings within Edinburgh’s World Heritage Site being listed, **maintaining** these **traditional skills** is vital to the conservation of the city’s built heritage.

		Action	Delivery Partner	Review
Advocacy	18	Integrate WH values in city-wide decision making about the future of the city	HES, CEC, EWH	Short Term
	19	Promote and create opportunities for traditional skills events and advocate for the use of accredited craftsmen	EWH Lead	Mid Term

Awareness of World Heritage Site Status



Overarching objective: To coordinate the actions to ensure a broad level of understanding of the WHS

When asked to think about the level of awareness of WHS status, the consultation feedback stated that the concept of WHS status was known but there not properly understood, namely:

- Uncertainty over where the boundaries of the site are
- Strong sense that more could be done to promote the World Heritage Site status
- Better signage with information on the history and significance of the site
- Need for information on the benefits the status brings in terms of funding and additional protection measures

Interpretation and engagement

Awareness of the World Heritage Site and its Outstanding Universal Value **varies through the city, its communities and its visitors**. Based on the consultation results, the qualities that make the Site unique - of “outstanding value” – appear to be unclear. Yet, to ensure that we all look after the World Heritage Site as best as we can, the **OUV needs to be clearly understood** by stakeholders and members of the public.

		Action	Delivery Partner	Review
Interpretation and engagement	20	Clarify the qualities that make the WHS of Outstanding Universal Value and use as a tool to inform the understanding of the WHS	CEC Lead	Short Term
	21	Produce a programme of themed events for residents and visitors	EWH Lead	Short Term

Communication

The **work done under the World Heritage banner is exceptional**. Achievements include innovative collaborative projects for the public realm, providing grants for buildings in need of repair and sharing expertise internationally. This **work** should be **more widely promoted**.

The number of stakeholders, collaborators and the different groups working under this banner is so widespread that the message can get diluted. It is recognised that to address this we must continue to **work together and communicate on what we do**.

		Action	Delivery Partner	Review
Communication	22	Publicise and crosspromote actions taken around the condition of the WHS	HES, CEC, EWH	Short Term
	23	Establish strategy for interpretation of the Site, with potential for digital interpretation	HES, CEC, EWH	Mid Term

Contribution of New Developments

Contribution of New Developments to City Centre



Overarching objective: To ensure that development embraces the context of the WHS and is of the highest quality in terms of architecture, design and materials

When asked to think about recent new developments, the consultation feedback stated that respondents are seeking more innovative architecture and better quality materials that is respectful of the Old Town and New Town's architectural context, namely:

- Need for better standards of architecture for new developments
- New developments are not seen to be in keeping with the Old and New Towns architectural context
- Need for top quality materials
- How to ensure economic development and preservation of historic environment coexist?

Planning process

Management partners have a role in raising awareness on how interventions can contribute to the Site's authenticity. Management partners also have a role in reflecting and interpreting the particular quality of its surroundings, responding to and reinforcing distinctive patterns of development, townscape, views, landscape, scale, materials and quality of the World Heritage Site. It is the management partner's role to **make sure these qualities (i.e the OUV) continue to be taken into account.**

The World Heritage Site's skyline and setting are vulnerable to unsympathetic development. The city's topography and visual characteristics (landmarks, townscape characteristics) create a uniquely visible landscape setting for the city. A majority of **key views** from the 'Skyline Study' cut across the World Heritage Site; their **protection is essential** to the protection of the historic environment.

		Action	Delivery Partner	Review
Planning process	24	Clarify the qualities that make the WHS of Outstanding Universal Value and produce guidance on their use in the planning process	HES, CEC, EWH	Long Term
	25	Develop a programme of training events and engagement to provide clarity on the unique context of the WHS	HES, CEC, EWH	Short Term
	26	Advocate the importance of the skyline study and provide guidance on its use	CEC Lead	Mid Term

Informing design quality

The vast majority of building stock in the World Heritage Site is constructed in local sandstone under pitched roofs and covered with Scots slate. **New materials should have the quality and integrity that befits this special context**, and detailing should be carefully considered to ensure their long term visual success. Management partners have a role in **raising awareness** on how **interventions can contribute to the Site's authenticity**.

		Action	Delivery Partner	Review
Informing design quality	27	Produce research on appropriate materials for the WHS to inform guidance	HES, CEC, EWH	Mid Term

Influencing new development

Development within the World Heritage Site is expected and welcomed. The management partners must **influence the creation of the structure in which this change can happen**.

		Action	Delivery Partner	Review
Influencing new development	28	Support and inform a research agenda on appropriate economic development which develops best practice in World Heritage management	HES, CEC, EWH	Long Term
	29	Define and share a standard of development in the WHS	CEC Lead	Long Term
	30	Produce place briefs for vacant sites in the WHS	CEC Lead	Long Term

Visitor Management



Overarching objective: To advocate for sustainable tourism within the WHS and the city

When asked to think about the impact of tourism and visitor management, the consultation feedback stated that a sustainable balance is sought between resident and visitor needs, namely:

- How to deal with the concentration and volume of visitors on the Royal Mile
- Need for more informative street signage
- Better balance between tourist shops and shops for those who live and work in the area.

		Action	Delivery Partner	Review
Interpretation and engagement	31	Explain the value of WH to tourism industry and business community	HES, CEC, EWH	Mid Term

Operational Management

The cleanliness of streets and spaces contributes to people's sense of pride and ownership of the city. It also creates the impression that visitors take home with them. It is vital that the management partners **support** the **systems in place** to ensure that standards are maintained even during peak visitor times.

		Action	Delivery Partner	Review
Operational management	33	Encourage street cleanliness through actions outlined in the Waste and Cleansing Improvement Plan	CEC Lead	Mid Term
	34	Develop a supplementary guidance to support the mix of uses and a diverse social mix in the city centre	HES, CEC, EWH	Long Term

Research and Best Practice: Mix of uses and diverse social mix

The livability of the World Heritage Site is at the core of the OUV. Market forces dictate what types of activity are proposed and the planning system and other regulatory functions determines what happens where. The management partner's role is to **help the policy makers understand the impact of these market trends on quality of life** in the city.

		Action	Delivery Partner	Review
Research & Best Practice	32	Understand what sustainable tourism is and promote best practice	CEC Lead	Mid Term

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Influence and sense of control



Overarching objective: To sustain effective partnerships that support the management of the WHS

When asked to think about the sense of influence and control, the consultation feedback stated that there is no clear line of sight between feedback and action on the ground, namely:

- Consultations need to be more widely advertised to attract feedback from more people
- Confusion over why planning application decisions get overturned by councillors against the recommendation from the council officers and advisory bodies
- What is done with the comments received from the public- how are they taken into account?

Partnership working

The Management Plan's success will be dependent upon **careful co-ordination of partner organisations** to ensure that collective effort is possible and resources are used to best effect. The management partners must convey the importance of the WHS to the right people involved in the delivery of actions to safeguard its OUV. This includes **communicating with all sectors**; tourism, economy and local government.

		Action	Delivery Partner	Review
Partnership working	35	Promote a more active role for stakeholders to help deliver the management of the WHS	HES, CEC, EWH	Mid Term
	36	Develop a programme to engage and involve businesses in the management of the WHS	HES, CEC, EWH	Long Term
	37	Involve relevant delivery partners to monitor the progress in the management of the site	HES, CEC, EWH	Short Term

Advocacy and communication

The Management Plan's success will depend upon people giving up their time to tell us what they think. In return, it is the management partner's responsibility to clearly show the importance of the impact of this participation.

		Action	Delivery Partner	Review
Advocacy	38	Audit of the available information that assists the implementation of the management of the WHS to inform a research agenda	HES, CEC, EWH	Mid Term
Communication	39	Consult widely and provide clarity on how decisions were reached. Follow through with the consultations, be accountable for: (You said, we did)	CEC Lead	Short Term

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4.2 Other challenges- A way forward

Six key themes have been the focus of our attention, under the following headings:

1. Care and maintenance of buildings and streets
2. Control and Guidance
3. Awareness of World Heritage Site status
4. Contribution of new developments to the city centre
5. Visitor Management
6. Influence and sense of control

However, because the management plan is not a generic city plan, there are inevitably issues raised which are not directly related to the Outstanding Universal Value of the site and best addressed by other strategies. The Locality Improvement Plan for example, brings together local people, elected members and services to work to make the city centre area of Edinburgh (also the World Heritage Site) a better place.

The Locality Improvement Plan and the World Heritage Site Management Plan share common aspirations and will complement each other in managing the complex range of issues facing the city centre and thus, the World Heritage Site.

The Locality Improvement Plan defines the following five key themes:

- Making it easier to get around the city centre
- Enhancing the citycentre as a living community
- Working together for a clean and green city centre
- Supporting citycentre economy
- Helping people feel safer in the city centre

The eight remaining themes from the consultation that have not been discussed in detail, have been fed into the Locality Improvement Plan

More engaging and intuitive table to come to explain the synergies and how issues will fit in the LIP

Locality Improvement Plan theme	Theme from WHS MP consultation	Feedback
Making it easier to get around the city centre	Moving Around	Need for better cycling provision in the citycentre Need for more pedestrianisation in the citycentre
Enhancing the citycentre as a living community	Facilities and amenities	Need for more public toilets and water fountains, Concern over GP provision in certain areas
	Livability	Can the city aim to be more sustainable, cleaner and more respectful of the community needs?
	Identity and belonging	How to balance competing needs between residents and visitors?

Working together for a clean and green city centre	Natural Space	More to be done to keep public squares as publicly accessible open spaces
Supporting citycentre economy	Citycentre economy	Need for more shopfront improvement? How to ensure local community benefits from tourism? How to support local entrepreneurs and businesses in the area?
Helping people feel safer in the city centre	Feeling safe	Need for additional lighting in parks and smaller alleyways Need to reduce the speed of cars in certain parts of the Old and New Towns

All of the consultation results that relate to other strategies are being fed back into the relevant contacts in the same way.

Housing is possibly one of the most contentious issues that were consulted on. Whilst the concerns surrounding this issue are striking, it goes beyond the remit of this plan and the Locality Improvement Plan and is a citywide/ city region issue that has been at the forefront of shaping the Local Development Plan.

5.1 Implementation

This plan contains 6 objectives and 38 actions, fewer actions than in the previous plan. This is not to say that the scale of ambition has reduced. The intent in this action plan is to focus on fewer projects which can realistically be delivered.

Some actions will be short term and “easy wins” such as Action 14 and Action 25.



- Action 14: “Review and update the Conservation Areas Character Appraisals to ensure up to date information about the unique qualities of the area”

The process of reviewing both Old and New Town Conservation Areas Character Appraisals commenced in parallel with the management plan review because these documents are crucial to an understanding of the unique characteristics of the World Heritage Site.

Contribution of New Developments to City Centre



- Action 25: “Develop a programme of training events and engagement to provide clarity on the unique context of the WHS”

The management partners are already working on a programme of training events and engagement. This will include lectures, continuing professional development activities and events for children and families.

However, other actions will require the formation of new partnerships and will take longer to achieve.

Contribution of New Developments to City Centre



- Action 24: “Clarify the qualities that make the WHS of Outstanding Universal Value and produce guidance on their use in the planning process”

The discussion around this is underway. A draft table of the unique qualities of the World Heritage Site has already been produced and feedback was sought from some of its end users, officers dealing with planning application in the World Heritage Site. Similar methods have already been tried and tested in Bath and Stonehenge. Achieving this action will have untold value in articulating the Site’s OUV on a number of levels; from basic understanding (school children, visitors, members of the public) through to informing the development process (for politicians, planning committee, planners, architects, developers and other stakeholders) by setting a baseline for contextual developments.

Actions will be delivered by a wide range of partners, both Steering Group members themselves and others. The Action Plan may be updated as necessary during the plan period.

5.2 Monitoring

Monitoring of achievement against plan actions will be undertaken once a year with reports presented to the Steering Group. Key messages will also be presented to the community councils in the World Heritage Site (Old Town, New Town, West End, the three main community councils within the site).

State of conservation report

A responsibility of inscription as a World Heritage Site is to monitor the state of conservation of the World Heritage Site. The [last periodic report](#) was completed in 2013, the next one is due in 2018.

Monitoring report

There are six consecutive biennial monitoring reports. The next one will cover 2015 to 2017. This is very helpful exercise as it provides an evaluation of the condition of the site over time.

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APPENDICES

A. The Old and New Towns of Edinburgh World Heritage Site

A.1 Description of the Site

Pictures to be added throughout

Topography

The City of Edinburgh possesses one of the most spectacular urban landscapes in the world. Its dramatically varied terrain rests on a complicated geological pattern of sediments, extinct volcanoes, lava flows and igneous intrusions. This pattern has been emphasised by the differential weathering of hard and soft rocks.

The city's topography is central to the character of the Site. It shaped the city's spectacular townscape and creates the dramatic views into, out of, and through the Site, including the key views out to the 'mountain' of Arthur's Seat; down to the Firth of Forth (the River Forth estuary); towards the green slopes within the city; to open countryside up to 30 kilometres beyond; and to views down from high vantage points onto roofscapes and open spaces.

Within the Site the landforms created the setting for the dramatic juxtaposition of the Old and New Towns across the green valley of Princes Street Gardens (the drained Nor' Loch). The Castle Rock and its geological 'tail' provided the perfect location for the original settlement of the medieval planned Burgh, shaping its subsequent development pattern of narrow property holdings on a single main street. Its steep, rocky slopes also ensured that a highly visible 'island' of natural landscape has been retained in the heart of the Site.

Archaeology

Edinburgh's World Heritage Site, particularly the Old Town, is an area of high archaeological significance and potential, containing a range of nationally important scheduled monuments and extensive areas of well-preserved archaeological deposits. The area was analysed in 1981 as part of the Scottish Burgh Survey (Turner et al. 1981).

Archaeological excavations have shown that Edinburgh's origins extend back into prehistory.

Edinburgh's Castle Rock was fortified from the late Bronze Age (around 900 BC) and is arguably the longest continuously occupied site in Scotland.

By the eleventh century, settlement had almost certainly begun to develop along the rocky ridge that later became the Royal Mile.

Every time there is a significant development in the Old Town, there is potential for undiscovered archaeology.

Architectural History

Edinburgh's architecture and its historical importance set it apart from most other cities of the world. The particular nature of Edinburgh's duality is unusual: on the one hand, on a high ridge is the ancient Old Town, while in contrast lying below and to the north, is the eighteenth and

nineteenth century New Town (the name 'New Town' applies to the whole area developed in classical style between the 1760s and the 1870s).

The Old Town

The Old Town contains two planned twelfth century burghs with two early royal palaces (one within the Castle), a medieval abbey, and a wealth of early buildings. The tradition of building taller was regulated and limited to five storeys on main streets through by-laws in the seventeenth century but the tendency was predominantly vertical and the sloping nature of the Site allowed for the creation of tenements that must have been the world's tallest buildings of their age, some of them still to be seen.

The Old Town grew along the wide main street (the Royal Mile) stretching from the Castle on its rock through the Canongate to the Palace of Holyroodhouse. Edinburgh Castle dominates: a medieval military fortress extended as a Royal Palace within a square in Renaissance times but later re-classified as an army barracks and hugely extended as such from the mid eighteenth century. Of special interest are the twelfth century St Margaret's Chapel and the Great Hall of 1500. At the other end of the Royal Mile are Holyrood Abbey and the Palace of Holyroodhouse.

Along the Royal Mile is an array of architecturally and historically outstanding buildings. The Parliament House and High Court of Justiciary complex comprise the two-storey T-plan Parliament House, a key building of the Scottish Renaissance by Sir James Murray of Kilbaberton (1632-39) with neo-classical additions and extensions as a court of justice complex by Sir Robert Reid and others in the earlier nineteenth century. The City Chambers (formerly a multi-use complex with the Royal Exchange at its core and from 1811 the headquarters of the city council) on the High Street are the work of John and Robert Adam (1753); the plan is that of a private square protected from the Street by a single-storey rusticated screen. The Canongate Tolbooth c.1590 is identified by its powerful turreted steeple. Other notable public buildings within the Old Town include George Heriot's School (1628-60), built in the area 'outside' the town enclosed by the contemporary Telfer Wall, Surgeons' Hall (1829-32, Playfair), and the Old College of the University (1815-27, Robert Adam, completed by Playfair).

By the early seventeenth century, much of the wealth of the Scottish nation had come into the hands of the Edinburgh merchant elite, which resulted in considerable new building. The nobility also built high-quality town houses and all this activity came under the strict control of the municipal authorities. The heyday of the Old Town was the sixteenth and seventeenth centuries.

From the 1790s and especially after the development of the New Town, a slow social and economic decline began. During the later nineteenth century, the withdrawal of the middle classes from the Old Town began to be seen as a problem. In 1892 Sir Patrick Geddes proposed that the Old Town should be 'regenerated' by attracting back to it the university, the bourgeoisie, and the intelligentsia. The value of the pioneering efforts of Geddes in early restoration and new build housing infill, especially along the Royal Mile, was substantial both in terms of conservation and in maintaining the residential population of the area. These are exemplified at the theatrical red-roofed and half-timbered Ramsay Garden which was intended to reflect the character of the medieval town. Sir Patrick Geddes was also active in establishing community gardens or pocket parks in the Old Town during the early part of the 20th century. As part of his Civic Survey of Edinburgh in 1909, 75 open spaces in the Old Town were identified as having potential for community gardens. By 1911, nine of the gardens were 'in working order'. They are now represented by: Advocate's Close; the Patrick Geddes Memorial Garden on the south side of the

West Port and the Scottish Wildlife Trust Garden which occupies a prominent position on the south side of Johnston Terrace, adjoining the Patrick Geddes Steps and the former Castlecliff Workshops.

The New Town

The New Town is important for two main reasons: its high concentration of world-class neoclassical buildings and the sheer extent of the area covered with classical ashlar- faced (highly finished stone) architecture, all consistent to a degree without parallel and, perhaps crucially, all now surviving remarkably intact.

The New Town consists of seven successive major developments, each different from, but closely related to, its predecessors, built in a continuous programme of construction from 1767, arguably until as late as 1890.

The First New Town originated in proposals published by Lord Provost Drummond in 1752. These were embodied in an Act of Parliament, which envisaged the development of the city's lands to the north of the Old Town, linked by an urban viaduct across the valley, the North Bridge. The rectangular layout of the first New Town was the competition-winning work of James Craig, redrawn in 1767 after consultation with John Adam. The second New Town followed from 1801, planned by Sir Robert Reid, and William Sibbald, and located to the north of the first, breaking away from the previous strictly rectangular plan by the incorporation of some curved terraces. The third New Town, the work of Robert Brown from 1813 onwards, essentially continues the approach of its predecessors.

The pattern of terraces and crescents changed with the fourth New Town, planned by William Henry Playfair. Instead of imposing a grid-iron upon the landscape, the buildings exploit the contours, view and trees of Calton Hill in a romantic manner. The fifth New Town, built from 1822 on the lands of the Earl of Moray to designs by James Gillespie Graham, cleverly links the first three New Towns as a unified scheme. It was intended as a self-contained enclave for aristocrats and professional gentry. The sixth New Town followed in the 1850s on Lord Provost Learmonth's Dean Estate, to the north of the Water of Leith, linked since 1831-32 by a spectacular bridge designed by Thomas Telford. The seventh and final New Town brought the hitherto detached Raeburn estate together with the rest, but building continued well into the later nineteenth century within the generally established precepts of the New Town ideal. Although the original idea was that the New Town should be a purely residential suburb, it rapidly proved to be attractive to business and government; drawing this element of the city away from the Old Town.

Most noteworthy for its planned ensembles rather than its individual buildings, the New Town has, however, a number of notable public buildings, including Register House (1774, Robert Adam), the Royal Scottish Academy (1822-36, W H Playfair), and the Royal High School (1829, Thomas Hamilton). The New Town was to become the location for some of the finest public and commercial monuments of the neo-classical revival in Europe.

Monuments symbolic of Scotland's past were grouped together on Calton Hill, in the aspiration to live up to the city's intellectual soubriquet, the 'Athens of the North'.

Timeline to be added

Streetscape

Natural stone paving slabs, extensively used throughout the eighteenth and nineteenth centuries, have an uninterrupted smooth surface which complemented the design of buildings.

The slabs were laid with the same precision as the stone courses of adjacent buildings. Much of the remaining stone paving is carried through into private staircases, closes, and finally even into the hallways, kitchens, bathrooms and cellars of the dwellings themselves. Many of the setted streets in Edinburgh are now more than 150 years old and this represents a remarkable survival. Footways in the New Town were made from various materials, from the horonized paths of Drummond Place, made of slivers of spoil from stone working, to the Hailes-flagstoned pavements of Dundas Street. The Old Town was largely repaved in the nineteenth century with high-quality Carmyllie or Hailes flagstones.

What is now referred to as the 'public realm' was constructed to an extremely high standard in Edinburgh, although this quality was eroded to some extent in the second half of the last century. Carriageways, kerbs, pavements, footpaths, closes and wynds, boundary walls, railings, gatepiers, street signs, lamp posts, some historic bollards, and police boxes and other street furniture were either there from the beginning or were, for the most part, sensitively added as the materials became available or circumstances demanded an intervention.

Local residents' initiatives have also made a contribution. For example, in many streets in the New Town, residents have reinstated original railing-mounted streetlamps.

Parks and Gardens

Edinburgh's parks and gardens are integral to the New Town's layout and architectural composition. In the Old Town the designed landscape at the Palace of Holyroodhouse covering the Palace Yard at Holyrood and the garden enclosed within the boundary wall were identified for their significance in Volume 5 of the first Inventory of Gardens and Designed Landscapes in Scotland (1987). The Old Town also contains gardens – early 'pocket parks' laid out by Sir Patrick Geddes – which are also significant for the part they played in the 'regeneration' of the Old Town and are essential in providing a pleasant environment.

Calton Hill is the most dominant 'designed' landscape within the Site due to its prominence and character. This nevercompleted project attracted complementary schemes of commemoration to focus on Calton Hill, including the Nelson Monument, the Burns Monument and the Playfair Monument.

The most significant of the many designed gardens in the Site is Princes Street Gardens, a green space planned like Queen Street Gardens to offer uninterrupted garden views to onesided streets at each edge of the first New Town. Protected from 1752 as a pleasure ground in the 'proposals' document, the gardens were formally opened in 1821. East Princes Street Gardens was re-designed in 1840 to receive the Sir Walter Scott Monument, one of a number of elaborate Gothic episodes planned within the geometric layout of the New Town. Overlaying its historical role as private pleasure ground, Princes Street Gardens has an important collection of monuments and statuary.

Colour

The original stones of which the city was built were variations of yellow, which have now mellowed to grey. Edinburgh has, at certain times in its life, been colourful by modern standards. Windows have been painted white, green, brown and most other rich dark colours.

New Town railings were also painted in various vibrant shades. Venetian blinds and planted balconies added to the scene. At some point in its history, however, probably around the time of Lord Cockburn in the early nineteenth century, Edinburgh took on an architectural mantle of respectability, often severe. Ruskin noticed this, with dismay. A delayed architectural reaction came eventually in the form of Rowand Anderson's Gothic, red sandstone, National Portrait Gallery (1885-90), Well Court in Dean (1883) and, later in the Old Town, Geddes's white and red-walled, red-roofed, Ramsay Garden (1892-94) which re-visited the perceived architectural chaos and confusion of the medieval town. Along with colour in the later nineteenth century Old Town came an interest in the romantic architectural effects of self-consciously random rubble construction. Layers of harling or limewash were often stripped from existing buildings, or new buildings designed to conform to this aesthetic. The colour issue has ebbed and flowed ever since, but the epoch of New Town conservation brought a renewed interest in 'sanity' and simplicity in keeping with the principles of modernism. The post-modern period revived colour and picturesque outline, notably at Ian Begg's Scandic Crown Hotel (now the Radisson SAS) and Richard Murphy's neo-Geddesian infills in the Canongate and off the High Street.

Materials

From 1674 even the most ordinary buildings were constructed of stone. The main formations used for building are the Upper Old Red Sandstone (Devonian) at Craigmillar, and the carboniferous system of the Craigeith, Ravelston, Hailes, Dunnet and Binny sandstones. The geological processes that formed Edinburgh's landscape also provided the materials for its buildings. Until the mid-nineteenth century the cost of imported building materials was prohibitive, and Edinburgh, situated amidst beds of local sandstone, used this high-quality local material as its main building and paving material. This, together with Scottish slate and the occasional use of high-quality imported stone, has contributed a vital ingredient to the essential character of the Site.

Looking at Rothiemay's famous 1647 map of Edinburgh we can see the important introduction of stone-fronted tenements which takes us to the very beginning of the use of stone in 'ordinary' dwellings. As early as 1550, the expatriate Scot Alexander Alesius wrote that Edinburgh's Royal Mile was 'lined with buildings not constructed from bricks, but natural and square stones, so that even private houses can be compared with great palaces'. What distinguishes Edinburgh from other European capitals is the consistent use of ashlar (dressed stone) in the 'show' parts of the facades: those parts of the building which are on public view. Only in a handful of early New Town houses was rubble-work, originally stuccoed to represent ashlar, adopted for front elevations.

Slate roofs also make an extremely important contribution to the Edinburgh townscape. Generally, roofs are finished in West Highland slate laid characteristically in random widths and diminishing courses with a deeply textured, uneven appearance. New Town roofs were not generally 'architectural' and were concealed behind a parapet in views from the street.

Nevertheless, the topography of the city is such that slate roofs become a dominant feature in distant views.

Conservation

From at least the sixteenth century – early in a European context – building control was enforced through a key burgh figure, the Dean of Guild, whose role was crucial for the direction of future planning in Edinburgh. The Dean's Court controlled, among other matters, new buildings and the role was successively consolidated throughout the coming centuries. For example, as a precaution against fire, all roofs had to be of tile or slate from 1621, and in 1674 this was extended to building

facades, which had thenceforth to be of stone, although many timber-fronted examples survived well into the nineteenth century.

What was just as remarkable as the formal force of the grand plan for a new monumental city was the consistency with which it was carried out over the following decades, through increasingly restrictive development controls by the Town Council and the private landowners and trusts concerned. It was a unique formula, using Town Council speculation along with Dean of Guild and feuing restrictions imposed by private speculators to protect the amenity of successive developments and therefore their value.

After the Second World War, habitation in the Old Town continued to decline. A similar pattern, if much less pronounced, was evident in the New Town where the need for conservation and restoration was first recognised in the late 1960s. A survey carried out by the Edinburgh Architectural Association was followed by an international conference in 1970, the outcome of which was the establishment of the Edinburgh New Town Conservation Committee.

The committee utilised Government and City Council aid to initiate a major programme of repair and rehabilitation. In 1980 the problems of the Old Town were again recognised by a small group of architects, resulting in the establishment of what was to become the Edinburgh Old Town Renewal Trust in 1985. In 1999 this organisation and the Edinburgh New Town Conservation Committee were merged to form the Edinburgh World Heritage Trust with a broad remit focused on the whole Site.

Recent Development

Over many hundreds of years the Site has proved itself capable of adaptation to new uses and new ways of living. However a very important feature of the Site's cultural history has been its self-referential devotion to the idea of an ordered city where heritage has been highly valued. Edinburgh's deeply ingrained culture of conservation has created the conditions for the City's remarkable survival.

A considerable amount of development has taken place since the Site was inscribed. Most of the major changes which have taken place are measurable under the existing monitoring arrangements. However, the nature of the Site is such that often very small changes can have a considerable incremental effect on its character and archaeology. The Site has a complex, multi-layered and very detailed significance. This requires, simultaneously, an overview related to setting, infill and development and a close attention to minute details of building fabric, streetscape and landscape design.

A.2 Justification for inscription

Pictures to be added throughout

Inscription on the list as a cultural site requires one or more of six criteria measuring Outstanding Universal Value to be met.

The Old and New Towns of Edinburgh met two criteria (II), (IV)

Criterion (ii) – Have exerted great influence, over a span of time or within a cultural area of the world, on developments in architecture, monumental arts, or town planning and landscape design.

The successive planned extensions of the New Town, and the high quality of its architecture, set standards for Scotland and beyond, and exerted a major influence on the development of urban architecture and town planning throughout Europe, in the 18th and 19th centuries.

Criterion (iv) - Be an outstanding example of a type of building or architectural ensemble or landscape which illustrates (a) significant stage(s) in human history.

The Old and New Towns together form a dramatic reflection of significant changes in European urban planning, from the inward looking, defensive walled medieval city of royal palaces, abbeys and organically developed burgh plots in the Old Town, through the expansive formal Enlightenment planning of the 18th and 19th centuries in the New Town, to the 19th century rediscovery and revival of the Old Town with its adaptation of a distinctive Baronial style of architecture in an urban setting.

A.3 Integrity

Pictures to be added throughout

It is the exceptional quality and contrast in architecture and streetscape between the medieval Old Town and the Georgian New Town and its scale – it covers 4^{1/2} km² and over 75% of the building stock within the Site is listed for its architectural or historical importance which sets the baseline for gauging the integrity of the Site.

This clarity of the urban structure is what needs to be maintained to ensure integrity remains intact. The combination of the topography and the buildings upon it creates a spectacular urban landscape which is punctuated with church spires, steeples and monuments. The integrity of the Site is fragile as it relies on the legibility of the skyline. The cumulative effect of the mass, height, form, design and materials of a proposed development could potentially damage the skyline and surrounding townscape, impacting landmark buildings, features in the urban area, and the landscape setting of the city. Development that fails to respect the skyline could introduce a form that detracts from the spectacular views, panoramas and iconic skyline that give Edinburgh its integrity.

Irreversible change to the skyline has the potential to compromise the integrity of the site.

A.4 Authenticity

Pictures to be added throughout

The Site continues to retain its historic role as the administrative and cultural capital of Scotland, while remaining a vibrant economic centre.

High-quality workmanship is an aspect of Edinburgh's authenticity which is extremely important to maintain. The identification and support of sources of craft expertise and the necessary traditional materials needed for repair and restoration is a key challenge for the Management Plan.

Material authenticity extends beyond the fabric of buildings, to the patterns of urban form and the qualities of urban spaces.

Edinburgh's setting is an indispensable part of its character and is widely understood as being a key feature of the Site's authenticity. The need to maintain key aspects of the city's setting- such as the

view out to Arthur's Seat or down to the Firth of Forth as well as many other key vistas and views that contribute to this quality cannot be over-emphasized.

The concern for maintaining these patterns is present everywhere. In the New Town, the integrity of the street layout is a key defining factor in maintain the New Town character. In the Old Town, concern was for the 'spine and ribs' pattern of the High Street. The closes and wynds maintain the existing- and reinstated lost- relationships with the medieval street pattern.

B. Management of the World Heritage Site

B.1 Governance

Diagram Governance structure to be added

World Heritage Sites are subject to local, national and international scrutiny.

Local

To ensure a strong governance of the management plan, an Oversight Group was set up to allow a more strategic discussion of issues emerging from the review. The Oversight Group is made of the convener and vice convener of the planning committee, representatives of the community councils within the Site, ICOMOS UK, the chamber of Commerce and the management partners.

It considers the outputs of the Steering Group and check whether the reports and outputs provided have met the project objectives. The Oversight Group will pursue issues through its members' own organisational arrangements to ensure that decisions are properly informed.

The day-to-day management of the World Heritage Site is overseen by a Steering Group that is made up of members from Historic Environment Scotland, City of Edinburgh Council and Edinburgh World Heritage Trust. There is a communications sub-group of the Steering Group that manages communication of the key messages around the delivery of the Management Plan. This partnership must demonstrate that it is fulfilling its obligation in meeting the requirement of the World Heritage Convention.

National

DCMS (Department for Culture, Media & Sport) has overall responsibility for managing World Heritage Sites in the UK in complying with the World Heritage Convention. This is not devolved but Scottish Government has a role in ensuring DCMS meets the Convention.

UNESCO membership is reserved to the UK Government. DCMS acts as the State Party to UNESCO and is also responsible for nominating sites in the UK for inscription under the Convention. Under the 1999 post-devolution concordat between the UK Government and Scottish Government, DCMS looks to Scottish Ministers to ensure compliance with the Convention in relation to Sites in Scotland, and to identify Scottish Sites that should be on the UK tentative list for possible nomination as World Heritage Sites. As lead public body for the historic environment, Historic Environment Scotland carries out these functions on behalf of Scottish Ministers.

International

UNESCO is the UN agency with global responsibility for protecting cultural heritage internationally. ICOMOS are the UNESCO's advisers on cultural world heritage sites.

B.2 Ownership

Management of the WHS is the responsibility of the resident population, the businesses, the institutions and all the users groups active in the city centre. **The following text will be translated into a diagram to shape understanding of how this document will help inform end users.**

Informative description and history of the Site, useful background information to respond to planning applications:

Community Councils
Politicians
Residents
Wider stakeholders including ETAG, Chamber of Commerce

Assessing impact on OUV:

Management Partners (CEC, HES, EWH)
Planning Officers
Residents

Monitoring the condition of the WHS:

Management Partners (CEC, HES, EWH)
UNESCO
Residents

Aligning strategies for the efficient day to day management of the WHS:

Council internal services (Transport, Waste Management, Lighting, Economic Development)

B.3 Planning, Policy and Legislative Framework

Diagram to be added

National

Scottish Planning Policy recognises the international importance of World Heritage Sites and requires planning authorities to protect and preserve a Site's OUV. This responds to the international importance of World Heritage Sites and the obligations associated with their inscription.

The Town and Country Planning (Scotland) Act 1997 and The Planning etc (Scotland) Act 2006 provide a framework for local and regional planning policy and act as the principal pieces of primary legislation guiding planning and development in Scotland. Additionally, individual buildings, monuments and areas of special archaeological, architectural or historic interest are designated and protected under The Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 and the 1979 Ancient Monuments and Archaeological Areas Act.

Our Place in Time, the Historic Environment Strategy for Scotland, emphasises the need to understand the historic environment holistically, combining both intangible (those aspects we cannot see- stories, traditions and concepts) and tangible heritage (physical things).

Normal statutory controls for each of these designations still apply, and there are local plan policies seeking to protect them.

EIA

EIA is a process for identifying the environmental effects of development proposals. It aims to avoid, reduce and offset any adverse effects. Certain types of development, and development in environmentally sensitive areas, are more likely to require EIA.

UNESCO's guidelines state that 'Impact assessments for proposed interventions are essential for all World Heritage properties.' World Heritage Sites are specifically mentioned in the EIA regulations as a factor which might influence whether or not EIA is required.

The EIA process should address the impact of proposals on a Site's OUV and its specific attributes is available on the Scottish Government's website.

HIA

HIA is used to assess and evaluate impacts on OUV. This includes any effects on specific attributes, setting and underlying archaeology. The International Council on Monuments and Sites (ICOMOS) has produced Guidance on Heritage Impact Assessments. UNESCO encourages assessors to refer to this and use it as a starting point in considering impacts.

When an EIA is required, this assessment should be incorporated into the process. When EIA is not a formal requirement, it is still essential to assess the impact of a proposal for change on the OUV of the World Heritage Site. The planning authority or conservation body may therefore request an HIA to show how proposals will affect OUV.

Local

OUV is also a material consideration in the planning process and Local Development Plan (LDP) policy Env 1 – The World Heritage Site is in place to protect it. The Policy Env 1 states:

"Development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh as a World Heritage Site or would have a detrimental impact on the Site's setting will not be permitted".

The LDP sets out policies and proposals to guide development. It establishes the long term vision for land use in the city. It includes general policies focused on the city-wide built heritage as well as specific guidance regarding the World Heritage Site. These documents are the main source of reference in making decisions on planning applications.

In addition the Council's wider policies and guidance on the design of development provide detail on issues such as heights, massing, detailing and the appropriateness of materials. The Skyline policy plays an important role in protecting the setting of the World Heritage Site. This policy identifies key public viewpoints and is used in assessing proposals for high buildings. This is necessary to protect some of the city's most striking visual characteristics, the views available from

many vantage points within the city and beyond, of landmark buildings, the city's historic skyline, undeveloped hillsides within the urban area and the hills, open countryside and the Firth of Forth which create a unique landscape setting for the city.

Local National Panels

The Urban Design Panel

The Edinburgh Urban Design Panel gives design advice. Its aim is to raise the quality of new buildings, streets and spaces in Edinburgh. It does this by reviewing schemes and giving reports on them. These reports help designers, developers and planners improve their plans.

The panel meets monthly and reviews between one and three schemes per meeting. As well as new developments, the Panel also reviews Council policy and guidance that has an impact on urban design.

Once a planning application is made Panel reports are put online. You can see these in the Panel's directory.

Who are the Panel members?

The members are drawn from a range of organisations including Architecture and Design Scotland, Edinburgh World Heritage, Historic Environment Scotland, The Cockburn Association, Police Scotland, the Royal Town Planning Institute.

C. Review of the previous plans

C.1 First Management Plan (2005-2010)

The [first Management Plan](#) for the World Heritage Site was published in July 2005. It provided a very solid information base around which to build a shared understanding of the outstanding universal value and the partnerships between agencies, the communities, institutions and business.

It set an agenda for action and outlined a range of challenges and opportunities for the World Heritage Site in the context of its outstanding universal value. It remains a very relevant background document.

Key achievements of the first Management Plan (2005-2010):

1. Care and maintenance of buildings and streets

(Infographic to be added)

Restoration of Well Court (Dean Village)

(Picture to be added)

Total Cost	£1.76 million
EWB Grant	£1,153,244

Built between 1883 and 1886, it was designed by Sydney Mitchell to accommodate local workers. It was listed at Category A in 1965.

A grant of £1,153,244 million was awarded to restore the listed building in February 2007. This grant went towards the 18 months conservation work on stonework, roof, windows, the clock tower and communal areas. Part of the costs of restoration was covered by 55 owners who led the project and the other part by Edinburgh World Heritage repayable grants. All works were carried out using traditional building methods and materials in order to meet the best standards of conservation.

Gilmour's Close

(Picture to be added)

Total Cost	£2.84 million
EWB Grant	£140,000

Gilmour's Close is a Category B listed building dating from 1875 and designed by John Lessels.

In 2008, a project made available 17 new energy efficient affordable homes in two refurbished tenement buildings that were previously disused. Ten of the flats were reserved as specialist accommodation for particularly vulnerable youths and shopfronts to commercial premises at the ground floor were restored.

The funding covered works to the exterior of the building, carved stone chimneys to restore the original skyline and repairing stonework on the original crowstepped gables as well as the historic shopfronts on the Grassmarket facade.

Throughout the building, heritage conservation and sustainability measures harmonised as original features were retained and upgraded to provide higher energy efficiency. Independent Housing awarded the project Sustainable Social Housing Refurbishment Project of the Year 2009.

Twelve monuments Restoration Project

(Picture to be added)

Total Cost	£1,2705,16.16
EWB Grant	£1 million

In 2007, the Twelve monuments project was set up to restore the city's most important monuments and statues.

During the first year, the Melville Monument in St. Andrew Square, and the Bow Well in the Grassmarket, were restored as part of the on-going public realm improvements in both areas. The Black Watch Memorial on the Mound also benefited from funding, with contributions from the One O'Clock Gun Association, the War Memorials Trust and the Bank of Scotland. The second year, 2008-9, focussed on Calton Hill, the National Monument, the Burns Monument and the Nelson Monument. The final year of the project saw the restoration of St Bernard's Well on the Water of Leith. Twelve Monumentsd Volunteers were involved in many of the individual projects. Young

people training with the Future Jobs Fund got involved with the conservation of three bronze statues in Princes Street Gardens.

The project was funded by EWH, the City of Edinburgh Council and external sponsorship.

2. Control and guidance **(Infographic)**

The Skyline policy **(Picture to be added)**

It was acknowledged that cumulatively, or individually, a number of factors (city growth, increasing call for density, and fashion for high buildings) can lead to the development of buildings that might have an adverse impact on the unique skyline of the city.

In 2005, the City of Edinburgh Council in partnership with Edinburgh World Heritage and Scottish Enterprise Edinburgh and Lothian, commissioned the landscape consultants Colvin & Moggridge to study the Edinburgh skyline and recommend key views that should be protected from new development.

The consultants were asked to review the existing policy on high buildings and come forward with a mechanism for updating the guidance. As part of this process, they identified key views and skylines that are considered fundamental to the image and sense of Edinburgh and have developed a methodology that allows planners (and developers) to assess the impact of any development on those key views.

The study developed a methodology based on the intrusion of any development into the 'skyspace' that surrounds key features in the townscape. In order to do this, the bottom of the skyspace in front, to the sides and beyond key features from each viewpoint was defined. From this, it was possible to establish the height at which new development at any given location would begin to be visible from the identified viewpoints, and so have an effect on the perception of those features most strongly associated with the image of Edinburgh.

In 2007, this methodology was approved and is now fully part of the assessments of planning applications in the planning department of the City of Edinburgh Council.

There is no formal buffer zone around the Site. The Department for Culture, Media & Sport DCMS maintains the view that buffer zones are not necessary in every case, particularly where adequate layers of protection already exist. In the case of Edinburgh, the implementation of the 'Guidance on the Protection of Key Views' based on the skyline study allied to the existing statutory protections will provide a subtler and more responsive mechanism to protect the Outstanding Universal Value of the property which will cover more of the city surrounding the World Heritage property than any additional definition of a formal buffer zone.

Historic Home guides **(Picture to be added)**

In 2009 Edinburgh World Heritage launched a series of Historic Home Guides, aimed at giving easily understood and practical advice to owners of historic buildings within the World Heritage Site.

The guide to external paintwork covered everything from windows and doors, to balconies, railings and common stairs. Advice was also given on how to find further information and where permission was needed to make changes.

The ironmongery version included fixtures and fittings such as hinges, door handles and locks. Often these details were tailor made for the building, and as such are significant, but easily overlooked, original features.

The comprehensive guide to roofs covered not only slates and pantiles, but also features such as dormers, cornices, gutters, cupolas, chimneys and balustrades. As well as describing the construction and materials, the guide also offered maintenance tips and highlights common problems with roofs in the Old and New Towns.

3. Awareness of WHS status **(Infographic to be added)**

Looking Up! **(Picture to be added)**

Between September 2009 and March 2010, EWH worked with St Thomas of Aquin's school on a project looking at Old and New Town architecture. During this period, a total of 140 Pupils toured the World Heritage Site for inspiration, and then designed their own house based on the historic buildings they had seen. The project completed with an awards presentation at the school, with friends and family invited along.

Learning Section on the EWH website **(Picture to be added)**

Over the autumn and winter of 2009-10, EWH set up a Learning section to their website. This section provides suggested lesson plans, downloadable maps, photos and documents, to enable teachers to include the World Heritage Site in their studies.

Family Learning Space at the Museum of Edinburgh **(Picture to be added)**

In 2008 EWH awarded a grant of £5,000 to the Museum of Edinburgh, to develop a new learning space as facility for families and school visits, which opened in June 2009. The learning space incorporates a variety of art activities for children, including building an Old Town house. Dressing up costumes are available to try on, representing different characters in the Old and New Towns in the eighteenth and nineteenth centuries, and a handling collection of historical objects illustrating everyday life in the past. Children from Royal Mile and Abbeyhill Primary Schools attended the launch of the learning space and helped to evaluate the activities. This facility has since proved to be popular with families and school groups, with much positive feedback.

C.2 Second Management Plan (2011-2016)

Key achievements of the second Management Plan (2011-2016):

1. Care and maintenance of buildings and streets **(Infographic to be added)**

Edinburgh Art Festival collaboration £108,336 **(Picture to be added)**

In 2012, a project under Regent Bridge brought heritage and art together to help transform a neglected route of the New Town. An installation from Turner Prize nominee Callum Innes was commissioned as part of the Edinburgh Art Festival. The piece of public art transformed the sides of the bridge arch with an illuminated plinth of floating colour.

The Scotsman's steps – £354,600 (Picture to be added)

In 2011, Edinburgh World Heritage and the City of Edinburgh Council worked with the Fruitmarket Gallery to bring the Scotsman's steps back to life, and enhance the public route between the city's Old and New Towns.

Originally built in 1899 as part of the Scotsman newspaper offices, the steps had become dilapidated with graffiti on the walls, damage to the stairs and recurring anti-social behaviour. The conservation project started in September 2010, coinciding with Network rail's work to improve the Market Street exit from Waverley Station. Using traditional materials, new lighting and lead work were completed, along with the installation of new handrails and iron gates. The interior windows were also reglazed and there were extensive masonry repairs, to bring the steps back to life.

2. Control and guidance
(Infographic to be added)

The Management Partnership Protocol

In order to align the message amongst the managing partners, a protocol was established in April 2013. It formalises the roles of each partner in the planning process.

(Protocol table to be added)

Edinburgh Design guidance

In 2013, the City of Edinburgh Council published the Edinburgh Design Guidance. It draws together local authorities view on height and form, scale and proportions, layout, materials and detailing, daylight, adaptability, open space, impact on conservation areas, listed buildings and skyline.

The document set out expectations for new buildings and spaces clearly, so that all those involved in future developments can understand from the outset what is required. This guidance has been used by both Planning officials and the Development Management Sub-Committee to help make decisions on the design quality of new development.

Managing Change Guidance

The best practices for managing change in the historic environment and guidance on how to apply Scottish Planning Policy requirements are explained in a series of guidance.

The best practices for managing change in the historic environment are showcased in a suite of guidance produced in 2016. They provide detailed advice on the application of Scottish Planning policy requirements.

September 2016: Managing Change in the Historic Environment: [World Heritage](#)

June 2016: Managing Change in the Historic environment: [Interiors](#)

June 2016: Managing Change in the Historic environment: [Setting](#)

June 2016: Managing Change in the Historic environment: [Microrenewables](#)

June 2016: Managing Change in the Historic environment: [Gardens and Designed landscapes](#)

3. Awareness of WHS status

(Infographic to be added)

The Community Map **(Picture to be added)**

In 2013, over a period of six months, a series of workshops was held with different sections of the community, with the intention of discovering the sights, sounds and smells that make most impression on their journeys. Students, school children, older people, workers and shoppers all took part and the results were turned into a map of the Old and New Towns from a resident's perspective.

Collaboration with businesses **(Picture to be added)**

Edinburgh World Heritage in partnership with businesses in the Old and the New Towns produced a series of trails (Meet the Westenders, Food Heritage, Canongate and Holyrood, University Heritage, Auld Reekie, House histories). The aim is to encourage more visitors to explore the less visited historic streets of the Site.

Traditional skills festival **(Picture to be added +link to Youtube videos)**

A Traditional skills festival was set up in 2011 to keep traditional skills alive, helping employment in the construction sector and sustaining Edinburgh's built heritage. It is funded by Historic Environment Scotland, Construction Skills Scotland, the National Federation of Roofing Contractors and the Stone Federation of Great Britain with the support of Edinburgh's Telford College and Edinburgh World Heritage.

The event celebrates Edinburgh's traditional buildings as well as the materials and the vital skills needed to maintain them for future generations.

The Edinburgh Traditional Building Forum holds talks, live demonstrations and guided walks around Edinburgh. Over the years, specific sessions were developed with demonstrations on lead roofing, sash and case window repair, architectural cast iron, stonemasonry and roof slating.

World Heritage Day **(Picture to be added)**

World Heritage Day has been celebrated locally with lectures and events to raise the public's awareness about the diversity of cultural heritage and the efforts that are required to protect and conserve it.

In 2016, the six Scottish World Heritage Sites were celebrated at the National Museum of Scotland in Edinburgh. Site coordinators and staff from the six sites: New Lanark, St Kilda, Forth Bridge, Heart of Neolithic Orkney, Antonine Wall and the Old and New Towns of Edinburgh were gathered all together in one place to show off the sites.

Visitors to the Old and New Towns of Edinburgh table were able to handle Corinthian column heads, archaeology from the Tron church, household artefacts as well as interpretation material (maps, leaflets, colouring in sheets).

It was a great day of sharing activities and stories with families, school groups, tourists, locals and more. Visitors were also able to try out virtual reality experiences on 3D headsets from the Scottish Ten project and Dig It! 2017 brought along a photo booth so that people could 'time travel' to the sites and have their picture taken.

D. Useful links

D.1 Map of interventions in the past 5 years (restoration projects/ new developments/ ongoing developments)

Map to be added

D.2 Key stakeholders

Diagram to be added

D.3 Key View Policy

Diagram and link to policy to be added

D.4 Conservation Areas

Map of the WHS with 7 conservation areas-
Link to all the 7 relevant conservation areas embed in the map

[Coltbridge and Wester Coates](#)

[Dean](#)

[Marchmont, Meadows & Bruntsfield](#)

[New Town](#) (updated version coming up)

[Old Town](#) (updated version coming up)

[South Side](#)

[West End](#)

D.5 The Public Consultation Process

The Old and New Towns of Edinburgh WHS has been designated since 1995. The management partners now have over 20 years of experience in understanding the threats to health of the WHS. Ongoing dialogue with UNESCO and ICOMOS has informed this review.

It has also been informed by an online public consultation undertaken in July 2016, discussions at the oversight group workshops, and the feedback from awareness raising events in 2015 and 2016.

Results of the public consultation echo some of the [observations of UNESCO and ICOMOS](#) .

Consultation

The first steps

A review of the first and second plan was carried out to reflect the current context. Other similar national and international examples of Management Plans were looked at (Bath, Bruges, Vienna, Regensburg, Florence and Porto) for their good practice.

The WH:UK platform was used to discuss Management Plans. A two day session in Edinburgh in 2016 provided an opportunity to show the latest thinking from all other sites from Orkney all the way to the Jurassic Coast.

A new way of doing things

The WH:UK two day meeting provided a link to the professional context . This is important. However, we need to understand the view of the people who live, work and visit Edinburgh. A novelty of this review was the use of the online survey. Members of the public who live, work and visit Edinburgh were invited to have their say in how the Old and New Towns of Edinburgh World Heritage Site should be managed.

The survey used the Place Standard [methodology](#). It consists of 14 questions which cover both the physical and social elements of a place. The questions were tailored to reflect the World Heritage issues.

Out of the 14 themes of the Place Standard, 9 were kept:

- Moving around (*Infographic*)
- Natural space (*Infographic*)
- Facilities and amenities (*Infographic*)
- Work and local economy (*Infographic*)
- Housing and community (*Infographic*)
- Identity and belonging (*Infographic*)
- Feeling safe (*Infographic*)
- Care and maintenance (*Infographic*)
- Influence and sense of control (*Infographic*)

And 5 “Outstanding Universal Value” related new ones were added:

- Awareness of World Heritage Site status (*Infographic*)
- Control and guidance (*Infographic*)
- Contribution of new developments to the city centre (*Infographic*)
- Livability (*Infographic*)
- Visitor Management (*Infographic*)

The public was asked what they think worked well, and where improvements could be made.

The consultation gathered the views of 588 respondents.

Wheel- Consultation images

The thought process

Once we gathered these views, through the use of a tailored Place Standard, we held a series of workshops and focus groups to come up with deliverable actions to tackle the issues emerging from the consultation.

These workshops together with the results of the consultation were translated into actions to deliver.

Picture of oversight group

How were the issues gathered?

There are items rolling forward from the 2005-2010 and 2011-2016 plan. Other issues have arisen through risk assessment during the life of the previous plan.

Thirdly issues have emerged through the online consultation in July 2016 which gathered the view of 588 respondents. Finally issues have emerged through full public consultation.

A consultation exercise was carried out to allow members of the public to have their say in how the Site should be run. It gathered feedback from almost 600 respondents in the summer of 2016.

Public meetings were held with different community and residents' groups; the methodology of the [Place Standard tool](#) was used to start a conversation on public perception of the issues affecting the Site.

The issues and challenges were grouped under 14 key themes, which due to the nature of the Site are all interrelated.

Some of the celebrated strengths (scoring 5/7 or more):

- Natural Space
- Identity and belonging
- Livability
- Feeling Safe
- Facilities and amenities

Overall, the respondents are very satisfied with Edinburgh's city centre as a place to live and work. The parks and green spaces were very highly rated and the city centre is felt to be safer than most the one's of other comparable capitals. More lighting at night and a reduction of the traffic speed was suggested to create an even greater sense of safety in the area.

Edinburgh's strong visual identity and its years of history were thought to be contributing to a real sense of pride and belonging to the city. The respondents felt generally positive about the level of amenities and facilities the city centre offers, as there is a wide range of offer and there are easily accessible.

Areas of debate (scoring 3 to 4/7):

- Housing

- Moving around
- City centre economy
- The cost of living, the city centre economy and the ease to move around were topics that generated a lot of comments.

Affordable housing is a key issue and it was felt that the city centre should be providing more affordable housing options to retain its resident population in the city centre. And while the compactness of the city is seen as an asset, many said that traffic still dominates pedestrian and cycling movement. Opinion was divided as to whether the Royal Mile achieved enough for its residents as it is thought to be too geared towards tourists.

Out of the 14 initial themes, the 6 themes that scored the lowest or engendered the most negative comments were:

- Care and Maintenance of buildings and streets
- Control and Guidance
- Contribution of new developments to city centre
- Influence and sense of control
- Visitor Management
- Awareness of World Heritage Site

When asked to think about the level of care and maintenance of buildings and streets, residents felt that there is still a lot to be done. Issues such as general litter and the quality of road and pavements were mentioned. Making sure that planning laws were enforced is critical for the respondents. Recent new developments divided opinion, the respondents are hoping for better quality and more innovative architecture that is respectful of the Old Town and New Town's architectural context.

The influence and sense of control is one area that could be improved as the respondents felt they were being asked to participate but failed to see the impact of this participation.

The balance between visitor and resident needs was a source of numerous comments. The Royal Mile attracts the largest number of tourists but is seen to not deliver enough for the resident's population. While despite the fact the awareness of the city centre's World Heritage site status was rated highly, respondents were mostly unaware of what it meant and what the benefits were.

D.6 Case studies

Case study: Awareness of the World Heritage Site status

World Heritage Business Opportunity Guide

Pictures to be added

The guide is a joint project between the *the* Edinburgh Tourism Action Group (ETAG) and Edinburgh World Heritage; it is part of a series which offers guidance for tourism businesses in the city. The aim is to illustrate how they can use the World Heritage Site as a promotional tool for visitors. The guide explains the concept of World Heritage and the historic qualities that give the Old and New Towns the coveted status. It also covers visitor profiles and the importance of the city's built heritage in attracting tourists and shaping their experience whilst in the city.

Throughout the guide are practical hints and tips on how to use World Heritage status, including a selection of case studies where tourism businesses have worked with EWH to use the city's heritage in their promotion.

The examples include hotels, retailers, restaurants and visitor attractions, who EWH has worked with to produce heritage trails, building histories, web and social media content. Each case study highlights how the business became involved and the benefits their project has brought.

Learning Section on the EWH website

Pictures to be added

Over the autumn and winter of 2009-10, EWH set up a Learning section to their website. This section provides suggested lesson plans, downloadable maps, photos and documents, to enable teachers to include the World Heritage Site in their studies.

Case study: Care and maintenance of buildings and streets

Hidden Door Festival- A creative reuse of underuse buildings

Pictures to be added

Hidden Door is a not-for-profit arts organisation entirely run by volunteers. Founded in 2009, it has grown to stage an annual arts festival in unexpected locations around the city.

Hidden Door aims to open up disused urban spaces in Edinburgh, in order to create a platform enabling emerging artists, musicians, theatre-makers, poets, film-makers and all manner of visual artists and performers based in Scotland to showcase their work. One of the benefits of the nature of Hidden Door is that the festival transforms these often uninviting derelict urban spaces into environments that the public can explore, discover and engage with creatively.

In 2014, the Hidden Door team reused 24 C-Listed vaults on East Market Street for their first 9-day festival. The site was formerly on the Buildings at Risk Register and had been out of regular use for decades.

In both 2015 and 2016, the team opened up a site on King's Stables road, hosting their 9-day festival in a disused street lighting depot waiting for redevelopment into flats, a hotel and student accommodation. By utilising these empty urban spaces around the city, Hidden Door has temporarily brought over 65 disused spaces and rooms to life and shared these spaces with around 30, 000 visitors.

Identifying the positive impacts of this type of event, the Council has officialised its wishes to consider the opportunity to secure temporary uses, where appropriate, on land and buildings which become vacant in the future. In September 2016, the Council started to record the requests received for temporary uses of vacant buildings and the licenses agreed on Council property.

Street Lighting

Pictures to be added

A [History of Street Lighting report](#) in the Old and New towns of Edinburgh World Heritage Site was published in 2012. It helped to inform the City of [Edinburgh Council's lighting strategy](#), which amongst a number of issues regulates management of historic street lighting in the World Heritage Site. The statement is one of the outcomes of the study in hand and its main function is to inform the planning policy by explaining the importance of street lighting in the context of the Old and New Towns of Edinburgh World Heritage Site's Outstanding Universal Value.

Lynedoch Place is a good example or reinstatement of historic lighting. The idea of the Lynedoch Place Lighting Scheme was first proposed in 2007 by the Lynedoch Place Residents' Association, with Dr. Morris Bradley, the Association's secretary. It was implemented as a joint initiative between the residents, Edinburgh World Heritage and the City of Edinburgh Council. The costs were shared equally among the three main stakeholders in the project.

The goal was to restore the railings and their lanterns, to enhance the street and return it to its historic character.

The scope of the project included the installation of street lights mounted on the boundary wall of front gardens, starting with No. 4 and then every second property to No. 22. The standards used were exact copies of castings from examples in Ann Street. These were produced by Ballantine's Bo'ness Iron Co. Ltd—one of the few companies in Scotland still using traditional methods of producing cast iron, based on research delivered by Edinburgh World Heritage and LDN Architects.

On the opposite side of the street along Belford Road five lamp standards of a compatible design were also installed. Additional works included cutting back overgrown hedges and the reinstatement of railings.

The project is a good example of productive cooperation between local residents, the City of Edinburgh Council and Edinburgh World Heritage. In the future, it is hoped to replace more of the railings and improve the pavement on the north side of the street.

Case study: Control and Guidance

Edinburgh World Heritage Shop Front Restoration

Pictures to be added and more detail explaining the restoration point by point

A single high-quality shop front can make a significant improvement to the streetscape. Edinburgh World Heritage Trust runs a scheme that offers advice to shop owners and allocates financial assistance for shop fronts in need of restoration. Funding is also available for organisations or individuals who own a historic building, scheduled monument or a designed landscape.

The benefits:

- A positive shopping experience in an attractive area
- Increased property value
- Higher footfall and increased sales turnover
- Creation of a shopping community, which includes those who buy and sell locally
- Public safety
- Attraction of new investment and, if managed properly, a sustainable mix of uses in a visibly improved area

Case study: Contribution of new developments to the city centre

Pictures to be added

Enhancing Construction sites- The New Waverley Fund

To make the best use of the New Waverley Construction site, community groups in Edinburgh were asked to bid for grants to enhance this development site area in the Old Town.

The New Waverley Community Fund (NWCF) was created as a joint project between the City of Edinburgh Council and Artisan Real Estate Investors, the developers of New Waverley. The total fund available is £200,000 including £100,000 held by the Council from the former developer.

The initial round of funding paid out to six projects including a community garden, an art installation and a project celebrating the literary history of the area. This involved the unveiling of a 10-metre illuminated art work above the Waverley Arches by movie director and Monty Python star Terry Gilliam as part of the Words on the Street project run by Edinburgh UNESCO City of Literature Trust.

Case study: Visitor Management

Pictures to be added

Heritage Trail leaflets

Their aim is to explore new ways to maintain and enhance this historic burial ground and encourage local community involvement. Each of the trails features a timeline and map which reveals some of the buried stories about Old and New Calton Burying Grounds, Greyfriars Canongate, and St Cuthbert's Kirkyards. The trails were produced as part of EWH's Edinburgh Graveyards Project, which aims to promote and conserve the five historic graveyards within the World Heritage Site. The project is also supported by Edinburgh World Heritage, the World Monument Fund and the Pilgrim Trust.

The Athens of the North trail is a self-guided trail exploring Edinburgh's New Town, providing insights into everyday Georgian life and how the city became known as the Athens of the North.

The food trail reveals some of the hidden links between the city's built heritage and its food traditions, encouraging visitors to explore the 'nooks and crannies' of the World Heritage Site and discover its culinary customs.

Education programme with universities and schools

In 2012-13, Edinburgh World Heritage worked with the University of Edinburgh to [develop a trail](#) of their historic buildings.

EWH also promotes the World Heritage Site as an educational tool, producing resources to support learning through the curriculum for excellence and encouraging its study in colleges and universities. In 2012-13 the trust developed a [new resource for children](#) focused on the key part Edinburgh played in the Scottish Enlightenment, with support from a charitable trust and the Scottish National Portrait Gallery.

Case study: Influence and sense of control

Pictures to be added

Councillor awareness and training

The election of new councillors happens on a five-year cycle. At the start of this cycle - and consistently throughout – training and awareness raising is provided to elected members to assist them in the delivery of their responsibilities as member of Planning Committee, the Development Management Sub-Committee of the Planning Committee, Transport and Environment Committee and participate fully in taking decisions.

In November 2015 a training workshop was held for Planning Committee members on the review of the Management Plan. This was carried out by the management partners of the WHS: CEC, HES, EWH; also with input from ICOMOS UK. It reminded Councillors of the complex governance structure of the Site, the policies and guidance in place to support the management of development in the site, staff skills in place and the importance of their own sound knowledge and understanding in taking decisions within this challenging context. It set out the timescales and a project plan for the delivery of the draft Management Plan, and secured the commitment of support from ICOMOS UK to actively engage with the process.

“Meadows festival”

For the first time in 2016, the partners had a stall at the Meadows Festival. This spot to kick-start consultation on both the [Old Town](#) and the [New Town](#) Conservation Area Character Appraisals and raise awareness on the conservation of the site. The stall attracted more than 550 people on the two days- an event the management partners intend to do every year. The public could pick up informative leaflets about the site (educational walks, facts about the site but also repair and maintenance advice for the properties). It was also an opportunity to get feedback on the recent developments in the Old and New Towns of Edinburgh. The public were asked 2 questions per each new building: Do you like it? Does it fit within its environment?

D.7 Selected bibliography

To be added

D.8 Sources (images- figures)

To be added

Planning Committee

10.00am, Thursday, 30 March 2017

Supplementary Guidance: Developer Contributions and Infrastructure Delivery - finalised

Item number	7.1
Report number	
Executive/routine	
Wards	All

Executive Summary

The purpose of this report is to seek Committee approval of the finalised Supplementary Guidance (SG) on Developer Contributions and Infrastructure Delivery. The SG has been prepared to support the Local Development Plan's (LDP) policies on infrastructure and developer contributions, and to deliver the infrastructure actions set out in the Action Programme. Once approved, the SG can be formally adopted as part of the development plan, supplementing the LDP.

Links

Coalition Pledges	P4 , P8 , P15 , P17 , P18
Council Priorities	CP2 , CP4 , CP5 , CP8 , CP10 , CP11 , CP12
Single Outcome Agreement	SO1 , SO2 , SO3 , SO4

Supplementary Guidance: Developer Contributions and Infrastructure Delivery - Finalised

1. Recommendations

- 1.1 It is recommended that Committee:
- 1.1.1 approves Appendix 1 as the finalised Supplementary Guidance (SG) on Developer Contributions and Infrastructure Delivery; and
 - 1.1.2 notes that it will be adopted as part of the statutory development plan.

2. Background

- 2.1 The adopted Edinburgh Local Development Plan (LDP November 2016) requires statutory SG on Developer Contributions and Infrastructure Delivery to be prepared to support the LDPs policies on infrastructure and developer contributions, and to deliver the infrastructure actions set out in the adopted Action Programme (December 2016). The SG is to be submitted to Ministers within one year from the date of adoption of the Plan.
- 2.2 On [8 December 2016](#), Planning Committee approved draft SG on Developer Contributions and Infrastructure Delivery for consultation.

3. Main report

Introduction

- 3.1 The Edinburgh LDP aims to:
- support the growth of the city economy;
 - help increase the number, and improve the quality, of new homes being built;
 - help ensure that the citizens of Edinburgh can get around easily by sustainable transport modes to access jobs and services;
 - look after and improve our environment for future generations in a changing climate; and
 - help create strong, sustainable and healthier communities, enabling all residents to enjoy a high quality of life.
- 3.2 Infrastructure is key to the delivery of the aims and strategy of the Plan. The Plan recognises that the growth of the city, through increased population and housing,

business and other development, will require new and improved infrastructure. Therefore, to ensure the city grows in a sustainable way the infrastructure provision, and enhancements associated with new development, must be delivered.

3.3 Policy Del 1 of the Plan requires development to:

- contribute to the infrastructure provision, where relevant and necessary, to mitigate any negative additional impact (either on an individual or cumulative basis) commensurate to the scale of the proposed development; and
- only progress subject to sufficient infrastructure already being available or where it is demonstrated that it can be delivered at the appropriate time.

3.4 To support policy Del 1, the Council prepared SG on Developer Contributions and Infrastructure provision for consultation.

Summary of Consultation Responses

3.5 The consultation ran for 6 weeks between 12 December 2016 and 3 February 2017. 41 responses were received to the consultation from the Scottish Government, Key Agencies and infrastructure providers, community councils, members of the public, land owners and developers.

3.6 A list of the proposed changes to the SG is in Appendix 2. A report of the consultation, which sets out the Council's response to the objections received, is provided in Appendix 3. A summary of individual responses is provided in Appendix 4.

3.7 The key issues and the Council's response to these are set out below.

Circular 3/2012 Planning Obligations and Good Neighbour Agreements

3.8 Consultees have objected to the draft SG in that it does not comply with Scottish Government Circular 3/2012 in that the cumulative approach does not directly link the impacts of developments to the scale and kind of contributions sought. Community organisations and members of the public have raised concerns about infrastructure being planned on a piecemeal basis.

3.9 In response, the Council's approach implements the principles of the Circular in a way which allows consideration of the scale of growth in Edinburgh, in the interests of good overall infrastructure planning. Cumulative assessment is supported by Scottish Planning Policy, Circular 3/2012 Planning Obligations and the adopted Strategic Development Plan. No change is proposed to the finalised SG.

Matters to be dealt with in Supplementary Guidance

3.10 The Scottish Government and other consultees have objected to the draft SG on the basis that SG may only deal with the provision of further information or detail in respect of the policies or proposals set out in an LDP. The objection relates to the LDP Action Programme including an action for a new secondary school in west Edinburgh, for which the SG sets out the required contributions.

3.11 In response, the LDP states clearly that contributions may be sought towards increases to 'school capacities, including new schools' (LDP Para 141 and

Appendix C) and that detail of anticipated requirements will be set out in SG. Accordingly, the matters expressly identified in the LDP itself cover school capacity, including new schools, but do not prescribe or limit what those school capacity or new school actions should be. Instead, they clearly identify that as a matter for the Guidance itself to set. The LDP does not include any provisions which 'do not support' a new secondary school in West Edinburgh.

- 3.12 The International Business Gateway masterplan is still emerging. In the context of such uncertainty, it would be prudent to avoid under-planning the education infrastructure elements of the overall West Edinburgh development corridor. Accordingly, it is appropriate to retain identification of a new secondary school in this area. No change is proposed to the finalised SG.

Housing Land Supply

- 3.13 Consultees have objected to the draft SG on the basis that it does not recognise the full extent of the new infrastructure that will be required in relation to a 'shortfall in the Housing Land Supply amounting to some 7,000 new homes'.
- 3.14 In response, the figure of 7,000 referenced by consultees was the shortfall in housing delivery in the period 2009-2019. It arose because delivery rates on the established land supply were too low in the early part of that period. Sufficient overall land capacity, and associated infrastructure requirements, has already been identified. The Action Programme (December 2016) includes infrastructure actions identified to support the housing sites specifically identified in the adopted LDP; sites otherwise identified in the established housing land supply; and, for education infrastructure, other land within the Urban Area with potential capacity for housing development.
- 3.15 This capacity of housing land is more than sufficient (as evidenced in the 2016 Housing Land Audit and Delivery Programme), accordingly, there is not a need for the Council to identify further infrastructure actions to support additional, Green Belt, housing sites. No change is proposed to the finalised SG.

Education: Infrastructure Assessment

- 3.16 Consultees have objected to the Council's Education Assessment on a number of issues relating to the Council's cumulative assessment approach.
- 3.17 The Council's full response to these objections is set out in Appendix 3. However, in summary, the Education Appraisal (December 2016 and updated March 2017) and SG explain the Council's methodology for determining developer contributions for new education infrastructure. The Education Appraisal has been informed by up-to-date school roll projections. The methodology for determining the school roll projections is set out in the report entitled '[Developing a Vision for the Schools and Lifelong Learning Estate](#)' (Communities & Families Committee December 2016). School roll projections are the basis for determining if there is capacity within a school to accommodate the cumulative number of additional pupils from new development, not the current school roll.

3.18 The Education Appraisal is based on the cumulative impact of new housing development within different parts of the city. As outlined above, cumulative assessment is supported by Scottish Planning Policy, Circular 3/2012 Planning Obligations and the approved Strategic Development Plan. Many of the objections relate to development utilising infrastructure on a 'first come first served' basis. This is not accepted and does not allow consideration of the scale of growth in Edinburgh, in the interests of good overall infrastructure planning. No change is proposed to the finalised SG.

Education: Clauses A-G

3.19 Objections have been received in respect of the Education Contribution clauses set out on pages 4-5 of the draft SG. These clauses are used to determine the appropriate contributions to be applied to development. In summary,

3.19.1 Education Clause C states that 'development should only progress subject to sufficient infrastructure already being available or where it is demonstrated that it can be delivered at the appropriate time'. Objections have been received to Clause C stating that third party delay (i.e. delivery of a school) could be a factor in the determination and issue of planning permissions. In response, the Council aims to ensure that infrastructure is delivered timeously relative to development. As part of this approach, the Council is taking on some of the responsibility and risk for infrastructure delivery itself. However, Clause C has been updated to read 'Third party delays in infrastructure delivery will only be allowed to prevent the granting of planning permission or the undertaking of development where necessary;'

3.19.2 Education Clause D sets how the required contribution from a development will be determined. Consultees have objected to Clause D as it does not accommodate green field housing release. In this regard, Education Clause Dii) has been updated to read: 'If the education infrastructure actions identified in the current Action Programme are not sufficient to accommodate an increase in the cumulative number of new pupils expected in that area as a result of the development (for example greenfield/greenbelt sites being considered under LDP Policy Hou 1, part 2) the Council will consider if it is appropriate to revise the action(s) and associated Contribution Zones'. Further technical detail is set out in the guidance;

3.19.3 Education Clause E states that where 'development is likely to give rise to an impact which cannot be appropriately mitigated in line with the Council's cumulative approach, it should be noted that planning permission will be refused'. Consultees have objected to Clause E as it is considered inflexible and have suggested revised text to refer to an 'alternative approach' to mitigation. Consultees have also objected to Clause E, highlighting this could prevent 'brownfield first' land being delivered. In response, it is considered that revised text submitted by consultees weakens Policy Del 1 and the cumulative assessment approach set out in the SG. As highlighted in Paragraph 3.14, the capacity of land within the urban area, on which the

principle of development is supported by the plan, has already been assessed and actions to mitigate the impact identified. However it is recognised that further detail should be provided on how impact can be 'appropriately mitigated' and the Education Appraisal (March 2017) has been updated in this regard;

3.19.4 Education Clause F states that 'if the pupils from new development cannot be accommodated until education actions have been delivered, conditions may be used to phase the development to reflect the delivery programme for the required infrastructure'. Consultees have objected to Clause F in that, where there is capacity in existing schools to accommodate children arising from new development that this should be taken up first on a first come, first served basis. In response, the suggestion that a 'first come first served' approach should be used is not accepted. This does not follow the Council's cumulative approach to mitigating the impact of new development and is not good infrastructure planning. School roll projections are the basis for determining if there is capacity within a school to accommodate the cumulative number of additional pupils from new development, not the current school roll. No change is proposed to the finalised SG.

Education: Capital School Build Costs

3.20 Consultees have objected to the costs set out in the draft SG for extensions to primary and secondary schools.

3.21 In response, a full answer to this question has been provided in Appendix 3. However, in summary, the SG has been updated to clarify that the capital costs in the SG for school projects are currently estimates based on established rates for extensions and new builds. As each specific project is taken forward through the design and delivery phases and transfer of land it is recognised that the actual costs of each project could vary from the estimates currently provided. If the actual costs of delivering the new infrastructure are lower, S75 legal agreements can make provision for the repayment of unused contributions. In addition, applicants have the opportunity to ask the Council to consider modifying existing S75's to reflect contribution rates that have been updated to take account of up-to-date costs.

Education: Land Value

3.22 With regards to land value, consultees have objected to the use of generic assumption for land costs and servicing remediation requirements.

3.23 In response, the Council has commissioned an independent valuation of the costs which could be applied to the school sites in Action Programme. The SG (Appendix 1, Part 2) has been updated with the revised costs.

Transport: Cumulative Impact Transport and Land Use Appraisal

- 3.24 Transport Scotland has objected to the draft SG as the Action Programme is not up to date in respect of the reporting of the Cumulative Impact Transport and Land Use Appraisal Working Group.
- 3.25 In response, the SG has been updated having regard to a draft report of the Cross Boundary Transport Appraisal (March 2017). Existing contribution zones have been updated as appropriate, and a new zone added for the Hermiston and Calder junction MOVA actions recommended in the draft study report. The LDP Action Programme is formally updated on an annual cycle. The next edition will include any updates arising from the final study report as appropriate.

Transport: Trunk Road Junction Actions

- 3.26 Transport Scotland has objected to the draft SG as it includes Gilmerton Junction as an action towards which contributions will be taken. Transport Scotland, have outlined that the cross boundary transport appraisal study has not identified that these junctions require upgrading. Consequently, Transport Scotland has recommended removing these junctions from the SG, unless further work by the Council has identified a cumulative impact.
- 3.27 In response, these junctions are identified in the SG because the LDP as adopted makes specific reference to them on page 65. These additions were post-examination recommendations made by the reporter in response to Scottish Government representations. As specific provisions of the LDP, they need to be included in the Action Programme and referred to in the SG. In respect of Transport Scotland's objection, the SG has been updated, at this stage, to remove the mapped zone for Gilmerton A720 junction, as the draft report of the Cross Boundary Transport Appraisal report does not identify any requirement for an action.

Transport: other transport contributions

- 3.28 Transport Scotland has objected to the approach set out in Transport Clause B (page 8) in that it is contrary to the position promoted by Transport Scotland in relation to identifying impacts on infrastructure in surrounding authority areas as a result of developments in the Council area.
- 3.29 In response, Transport Clause B sets out that Policy Tra 8 of the LDP requires a transport assessment to be carried out. This transport assessment should be carried out cumulatively. In response to Transport Scotland, the current wording is consistent with that in the LDP, and does not suggest that impacts on infrastructure in surrounding authorities as a result of development in the Council's area should not be assessed. No change is proposed to the finalised SG.
- 3.30 Consultees have also objected to the 6 criteria which a Transport Assessment (TA) will require to take account of. Consultees have responded that, whilst cumulative assessments to take account of committed development is generally considered to be standard practice, the inclusion of item (iii) valid applications, and (iv) Proposal of Application Notices is a concern.

3.31 In response, these comments are noted. However, it is not accepted in the case of proposals which accord with the LDP. The definition of 'cumulative impact' in SPP includes development in valid applications which have not been determined. Given the scope for valid PANs to become such applications, it is reasonable to include them within scope. Doing so ensures that cumulative impacts are assessed – a particular concern identified in the LDP as adopted. However, the SG has been updated to include the following text after Clause B (iv) 'except those for housing development in the Green Belt'.

Healthcare Infrastructure

3.32 Consultees have objected to the principle of contributions towards community facilities including healthcare practices.

3.33 In response, NHS Lothian, in partnership with the Council, has appraised the cumulative impact of new housing development on healthcare infrastructure. Actions to mitigate this impact are set out in the Action Programme. The SG has been updated with Contribution Zones for healthcare infrastructure. These zones have been identified taking into account the following factors:

- Healthcare practices with capacity constraints;
- Development proposals within the catchments of affected practices; and,
- Distribution of practice's registered patients.

3.34 The Contribution Zones and a formula for calculating developer contributions are set out in the finalised SG (Appendix 1, Part 2, Annex 4).

Section 75 legal agreements

3.35 Consultees have objected to the draft SG in that "within Contribution Zones, any remaining contributions will be held and be put towards other actions within the contribution zone that the site lies within as and when required" as they state it does not accord with the Circular 3/2012.

3.36 In response, the responses are noted. Whilst it is considered that the Council's approach accords with the Circular, the SG has been updated to read: "Whilst contributions may be required towards the delivery of a number of actions within a Zone, the Council may apportion money received from a particular development site to the delivery of infrastructure actions that have been prioritised in order to support early phases of development. Remaining or future monies received will then be used for the delivery of other actions set out within the Action Programme".

3.37 Responses have objected to contributions being held for 30 years (for education infrastructure) for payments to be used for unitary payments.

3.38 In response, the funding mechanism for some new build schools means that the construction costs are repaid over a period of up to 30 years. This means that the financial impact of a new development may be spread for over a 30 year period. In view of this, the Council may need to hold developer contributions for up to 30 years to meet these costs. No change is proposed to the finalised SG.

3.39 The Council notes general support for the preparation of a Model Legal Agreement.

Delivery of infrastructure

3.40 Consultees have objected to the draft SG on the basis that the Minister for Local Government and Housing has stated in his letter of 9th November 2016 that he expects “the City of Edinburgh Council to make decisions at the earliest opportunity which provide for or contribute to the infrastructure requirements identified in [the LDP]”.

3.41 In response, the Council’s response to the Ministerial Feedback was reported to Planning Committee on 8 December 2016. It included a commitment to produce the draft SG within ten working days of adopting the LDP. This the Council did. The Council also noted the LDP requirement to finalise the Guidance within one year of LDP adoption. The timeous reporting of finalised SG allows that to happen, and it is hoped that the Scottish Ministers will allow the adoption of the SG at the earliest opportunity. No change is proposed to the finalised SG.

3.42 Consultees have objected to the draft SG highlighting that new schools or extensions must be built in advance of the pupils actually being generated from the occupation of new homes. Consultees have also objected to SG stating that the SG should demonstrate any interim measures the Council intends to adopt to accommodate pupils arising from the ongoing completion of homes.

3.43 In response, education infrastructure will be delivered at a time that is appropriate to ensure that new pupils can be accommodated within their catchment schools. Temporary solutions will be identified if necessary. No change is proposed to the finalised SG.

Funding of infrastructure

3.44 Consultees have objected to the recovery of development of contributions to fund infrastructure relating to development. Consultees have stated that the Council should fund and deliver all of the education infrastructure requirements of new schools and extensions to schools. Consultees have also objected to the SG stating that the Council should front fund and deliver the education infrastructure to support the new development.

3.45 In response, as set out in Policy Del 1 of the LDP, it the purpose of the SG to:

- Set out the Council’s approach to infrastructure provision and improvements associated with development;
- Set out how the required infrastructure has been assessed;
- address community concerns about the timeous delivery of the required infrastructure;
- Ensure that developers make a fair and realistic contribution to the delivery of necessary infrastructure provision and improvement associated with development;
- Provide details of cumulative contribution zones relative to specific transport, education, public realm and green space actions;

- Set out the arrangements for the efficient conclusion of Section 75 legal agreements; and
 - Set out the council's approach should the required contributions raise demonstrable commercial viability constraints, and/or where forward or gap funding may be required.
- 3.46 It is not the purpose of the SG to fund the delivery of infrastructure associated with development. As stated in relevant reports on financial implications of the LDP and its Action Programme, the Council aims for full cost recovery from developments. The provision for viability tests to reduce such contributions ensures that this approach will not render any housing development unviable. It is also not the purpose of the SG to provide a comprehensive report on the financial situations of all the capital projects it refers to. That is intended to be done in reports to the relevant committee of the Council. Front funding and delivery of infrastructure will be carried out by the Council only if it is necessary and justified. No change is proposed to the SG.
- 3.47 Transport Scotland has objected to the draft SG in that it is inaccurate to state that funding will come from the Cumulative Impact Transport and Land Use Appraisal Working Group. This objection is noted and the SG has been updated to include a statement that the Council will transfer any monies collected towards actions on the trunk road network to Transport Scotland once the relevant project is confirmed.

Community involvement in delivery of infrastructure and funding

- 3.48 Community representatives have objected to the draft SG, requesting that there is more transparency and consultation with communities.
- 3.49 In response, the Council is currently preparing locality improvement plans, through which planning will liaise on spatial matters; in order to better align the planning process with locality working.

Other changes to the guidance

West Edinburgh Transport Contribution Zone

- 3.50 The West Edinburgh Transport Appraisal (WETA) has been refined to ensure that the actions identified to mitigate the impact of development in West Edinburgh are necessary, proportionate and transparent. The SG has been updated with a new table of actions and costs towards which developer contributions will be collected within the West Edinburgh Contribution Zone. This table will also form part of a future update to the Action Programme.

Greenspace

- 3.51 An update to Section 2c Greenspace has been made to clarify the arrangements for ongoing maintenance of open space. The SG has been updated to highlight that the Council prefers new open space to be factored on behalf of the private landowner(s), but will consider adoption should sufficient maintenance resources be made available. In addition, open spaces and public realm areas within the development site that are not transferred to the Council will require to be

safeguarded as being publicly accessible, and maintained and managed to a standard acceptable to the Council.

Affordable Housing Guidance

- 3.52 The Council's non-statutory policy on Affordable Housing is not being superseded by this guidance, and will remain as a standalone requirement until it is reviewed as part of the Council's wider review of guidance in 2017.

4. Measures of success

- 4.1 The measure of success is an efficient and effective approach to land use planning which ensures that new developments are suitably served by supporting infrastructure.

5. Financial impact

- 5.1 There is no direct financial impact arising from the approval of this report. The revised developer contribution guidance aims to provide clarity to all parties as to the Council's requirements for developer contributions towards infrastructure provision. Although the revised developer guidance will provide more clarity for Section 75 agreements, it is unlikely to lead to full cost recovery from developers. There is a risk both on the timing and achievement of developer contributions which could create a short-term or overall funding pressure.
- 5.2 It should be noted that the education and transport infrastructure actions required to support the LDP are significant. The LDP Action Programme has been updated to take account of the modifications and is the subject of a separate report to this Committee. A report on the financial implications of the LDP Action Programme was reported to the Finance and Resources Committee in January 2017, with an update to be provided in six months.
- 5.3 Although alternative supplementary income streams are being investigated, there will still likely be an overall large funding requirement falling to the Council as a result of infrastructure provision. With the exception of £0.9m provided in 2015/16, for early design works on likely transport and education infrastructure and the allocation of £3.95m from the Capital Fund, no allowance has been provided for this likely future pressure in the current capital programme or within the indicative five year capital plan 2019-2024.

6. Risk, policy, compliance and governance impact

- 6.1 The risks associated with this area of work are significant in terms of finance, reputation, and performance in relation to the statutory duties of the Council as Planning Authority, Roads Authority and Education Authority.
- 6.2 Members should note that no allowance for the infrastructure costs associated with the LDP is provided for within the current Capital Investment Programme 2015-2020 or indicative five year plan 2019/20 – 2023/24. Therefore, there remains a real risk to the Council that required infrastructure cannot be delivered as required within the LDP proposals, without the identification of additional resources required to fund this.
- 6.3 The capital costs of infrastructure set out in the Action Programme and SG are net of construction inflation. A risk exists that a further funding gap might arise based on the timing of indexed Section 75 developer contributions being received and the council incurring cost of construction at some later point.
- 6.4 Land costs identified in the Action Programme and SG are based on a third party assessment of 'likely value'. A risk exists that a further funding gap might arise if the Council is unable to negotiate this value in Section 75 developer contributions. Again, mitigation of this risk will be considered as far as possible through the forthcoming updated developer contribution guidance and the Section 75 agreement process.
- 6.5 There is also more general risk of a change to either market conditions or economic policy which could slow down housing delivery across the plan period. This could leave the Council in a position where contribution levels are received at a lower level than expected after a financial commitment to address an infrastructure need has been made.
- 6.6 Mitigation of these risks will be considered, as far as possible, through this SG on Developer Contributions and Infrastructure Delivery, and in the Section 75 agreement process. The guidance will help to minimise all of these risks and ensure compliance.
- 6.7 The Council is currently working with its partners to develop fiscal mechanisms for funding delivery of infrastructure. The Council is also modelling projected Section 75 income against the proposed rate of housing delivery to create detailed forecast expenditure and income cash flows for the next ten year time frame. An update on this work will be provided to the Finance and Resources Committee in due course.
- 6.8 The approval of this report and its recommendations has a positive impact in terms of risk, policy, compliance and governance.

7. Equalities impact

- 7.1 No equalities or rights issues have been identified in relation to this report.

8. Sustainability impact

- 8.1 There are no direct sustainability impacts arising from this report although the ability of the Council to mitigate successfully the impacts arising from the growth of the city is critical to achieving sustainable development. The draft SG is a means of managing impact on sustainability.

9. Consultation and engagement

- 9.1 The principle of preparing SG for Developer Contributions and Infrastructure Delivery was established through the LDP process.
- 9.2 Consultation on the draft SG took place prior to its finalisation. The following groups and organisations were consulted: community councils, citywide amenity bodies, property investors, commercial property letting agents, traders associations and the local residents and businesses.
- 9.3 The draft SG was available on the Council's Consultation Hub for a minimum of six weeks.

10. Background reading/external references

- 10.1 Edinburgh Local Development Plan - Adoption, [Report to Full Council 24 November 2016](#)
- 10.2 Edinburgh Local Development Plan Action Programme - Adoption, [Report to Planning Committee 8 December 2016](#)
- 10.3 Developer Contributions and Affordable Housing Guidance - Finalised Version, [Report to Planning Committee, 3 December 2015](#)
- 10.4 Edinburgh Local Development Plan Action Programme - Financial Assessment, [Report to Finance and Resources Committee 19 January 2017](#)
- 10.5 [Item 7.11 - Edinburgh Local Development Plan Action Programme - Financial Assessment](#) – Reports
- 10.6 Planning Obligations and Good Neighbour Agreements - [Circular 3/2012](#)
- 10.7 LDP Education Infrastructure Appraisal update (March 2017)
- 10.8 West Edinburgh Transport Appraisal Refresh (November 2016)
- 10.9 LDP Transport Appraisal Addendum update (November 2016)

Paul Lawrence

Executive Director of Place

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11. Links

Coalition Pledges	<p>P4 Draw up a long-term strategic plan to tackle both over-crowding and under use in schools</p> <p>P8 Make sure the city's people are well-housed, including encouraging developers to built residential communities, starting with brownfield sites</p> <p>P15 Work with public organisations, the private sector and social enterprise to promote Edinburgh to investors</p> <p>P17 Continue efforts to develop the city's gap sites and encourage regeneration</p> <p>P18 Complete the tram project in accordance with current plans</p>
Council Priorities	<p>CP2 Improved health and wellbeing: reduced inequalities</p> <p>CP4 Safe and empowered communities</p> <p>CP5 Business growth and investment</p> <p>CP8 A vibrant, sustainable local economy</p> <p>CP9 An attractive city</p> <p>CP10 - A range of quality housing options</p> <p>CP11 An accessible compact city</p> <p>CP12 - A built environment to match our ambition</p>
Single Outcome Agreement	<p>SO1 Edinburgh's economy delivers increased investment, jobs and opportunities for all</p> <p>SO2 Edinburgh's citizens experience improved health and wellbeing, with reduced inequalities in health</p> <p>SO3 Edinburgh's children and young people enjoy their childhood and fulfil their potential</p> <p>SO4 Edinburgh's communities are safer and have improved physical and social fabric</p>
Appendices	<p>Appendix 1 - Supplementary Guidance - Developer Contributions and Infrastructure Delivery - finalised</p> <p>Appendix 2 - Changes to Supplementary Guidance on Developer Contributions and Infrastructure Delivery</p> <p>Appendix 3 - Report of Consultation and Council Response to Objections Received</p> <p>Appendix 4 - Summary of Responses to Consultation</p>

Developer Contributions and Infrastructure Delivery

1 Introduction and Policies

- What does this guidance do?
- Use of this guidance
- Relevant Policies

2 Delivering the Edinburgh Local Development Plan

- Infrastructure requirements associated with new development
- General Developer Contributions Approach
 - a. Education
 - b. Transport
 - c. Green Space
 - d. Public Realm
 - e. Primary Healthcare

3 Viability Assessments and Funding Mechanisms

4 Legal Agreements and use of monies

5 Audit and Review

Appendices

- Annex 1 Education Contribution Zone Maps and Requirements
- Annex 2 Transport Contribution Zone Maps and Requirements
- Annex 3 Green space revenue costs

1. Introduction

What does this guidance do?

This guidance:

- Sets out the Council’s approach to infrastructure provision and improvements associated with development; and,
- Ensures that developers make a fair and realistic contribution to the delivery of necessary infrastructure provision and improvement associated with development.

Use of this guidance

This draft statutory Supplementary Guidance applies to all development in Edinburgh. This guidance will be used as a material consideration until its adopted following finalisation and statutory submission to Scottish Ministers. This guidance supersedes earlier, non-statutory guidance on developer contributions.

Relevant policies

This consultation draft Supplementary Guidance has been prepared in accordance with the following sections of the Edinburgh Local Development Plan:

- Section 1, Part 4
- Policy Del 1: Developer Contributions and Infrastructure Delivery
- Appendix C – Table of Financial and Other Contributions

This guidance should also be read alongside the following LDP Policies:

Tra 8	Provision of Transport Infrastructure
Hou 1	Housing Development
Hou 10	Community Facilities
Other policies	Del 2 - City Centre Del 3 - Edinburgh Waterfront Del 4 - Edinburgh Park/South Gyle Special Economic Areas Emp 2-7. Hou 3. Env 18, 19 and 20 Des 8
Other parts of the Plan	LDP Part 1 Section 5: Site briefs for housing sites in West, South East and East Edinburgh and Queensferry.
Other relevant documents	LDP Action Programme (December 2016).

Strategic Development Plan policies are also relevant, including Policy 9 - Infrastructure and Policy 11 – Delivering the Green Network

This guidance takes account of Scottish Government **Circular 3/2012** Planning Obligations and Good Neighbour Agreements and other relevant government advice on contributions and legal agreements.

Guidance on commuted sums for affordable housing provision is provided in separate non-statutory guidance on affordable housing. *(Interim usage note: the Affordable Housing section of the December 2015 guidance on Developer Contributions and Affordable Housing should continue to be referred to when using LDP Policy Hou 6 – Affordable Housing. It is intended to issue a free-standing edition of that non-statutory guidance in early 2017.)*

2 Delivering the Edinburgh Local Development Plan

The Local Development Plan (LDP) aims to:

1. support the growth of the city economy;
2. help increase the number and improve the quality of new homes being built;
3. help ensure that the citizens of Edinburgh can get around easily by sustainable transport modes to access jobs and services;
4. look after and improve our environment for future generations in a changing climate; and,
5. help create strong, sustainable and healthier communities, enabling all residents to enjoy a high quality of life.

Infrastructure is key to the delivery of the aims and strategy of the adopted LDP. The Plan recognises that the growth of the city, through increased population and housing, business and other development, will require new and improved infrastructure. Without infrastructure to support Aims 1 and 2, the Plan will not help achieve Aims 3, 4, and 5. The Action Programme sets out how the infrastructure and services required to support the growth of the city will be delivered.

To meet this aim, Policy Del 1 of the LDP requires that ‘development should only progress subject to sufficient infrastructure already being available or where it is demonstrated that it can be delivered at the appropriate time’.

The infrastructure requirements to support the LDP are set out in the accompanying statutory Action Programme. The Action Programme is a statutory document, which is **adopted by Planning Authorities and submitted to Scottish Ministers on at least a two yearly basis.**

To support the delivery of the Plan, this Supplementary Guidance sets out the Council’s approach to the assessment of infrastructure requirements associated with new development and a framework for the collection of developer contributions. It also aims to address community concerns about the timely delivery of the required infrastructure.

Infrastructure requirements associated with new development

The impact of the growth of the city on schools, roads and other transport requirements, green space and primary healthcare infrastructure, has been considered by the Council during the Plan preparation process.

This consideration has been carried out through cumulative appraisals of the impact of new housing land releases on education and transport infrastructure, and by revisiting earlier transport studies. It has involved using the standards in the Open Space Strategy and

partnership working with NHS Lothian. In addition, cross boundary transport impacts and actions to address them are being considered by SESplan with Transport Scotland.

General Developer Contributions Approach

Proposals will be required to contribute to the following infrastructure provision, as set out in Table 1, where relevant and necessary to mitigate* any negative additional impact (either on an individual or cumulative basis) and where commensurate to the scale of the proposed development.

*further assessments may be required to detail the required mitigation.

Table 1 - Financial and Other Contributions	
Item	Circumstances <ul style="list-style-type: none"> • Types of development • Location & Policy
Education capacity, including new schools	<ul style="list-style-type: none"> • Residential development - houses (Use Class 9) and sui generis flatted developments of all tenures including affordable housing and/or build for rent housing. • Citywide through contribution zones. New schools within LDP Table 5 and site briefs. The Action Programme and Appendix 1 of this guidance.
Edinburgh Tram Project	<ul style="list-style-type: none"> • Local, major & national development as defined by the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations • In identified contribution zone.
Public realm and other pedestrian and cycle actions	<ul style="list-style-type: none"> • Local, major & national development as defined by the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations. • Citywide, including in contribution zones and other locations if required by Policies Del 1, Hou 3, Env 18, 19 or 20 or where identified in Council's public realm strategy*, or as site specific action in Action Programme.
Transport improvements including public transport	<ul style="list-style-type: none"> • Local, major & national developments as defined by the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations. • Citywide, including in contribution zones and other locations if required by Policies Del 1, the Action Programme or a site specific action set out in a LDP site brief.

Traffic management, including strategic infrastructure from the SDP, and junction improvements	<ul style="list-style-type: none"> • Local, major & national development as defined by the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations. • Citywide including in contribution zones and other locations if required by Policies Del 1 and Tra 8
Green space actions	<ul style="list-style-type: none"> • Residential development - houses (Use Class 9) and sui generis flatted developments of all tenures including affordable housing and/or build for rent housing if required by Policy Hou 3. Other local, major or national development as defined by the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations if required by Policy Env 18, 19 or 20. • Citywide, including in contribution zones
Primary healthcare infrastructure capacity	<ul style="list-style-type: none"> • Residential development - houses (Use Class 9) and sui generis flatted developments of all tenures including affordable housing and/or build for rent housing, care homes (Use Class 8) and student housing developments. • In identified contribution zones*

* No relevant actions identified prior to Plan’s adoption.

Table 1 is based on LDP Appendix C, reordered to reflect the hierarchy of transport modes

Contribution Zones

Where infrastructure appraisals have identified cumulative impacts i.e. arising from more than one development, a contribution zone is established. The geographical extent of a contribution zone relates to the type and nature of the action in relation to transport, education, public realm, green space and primary healthcare.

The total cost of delivering infrastructure with zones, including land requirements will be shared proportionally and fairly between all developments which fall within the zone.

The infrastructure actions identified by the assessments and the Contribution Zone requirements are set out in the Action Programme, and Appendix 1-4 and for each individual form of infrastructure, below.

2a. Education Infrastructure

Education infrastructure, including new primary and secondary schools, as well as school extensions, is required to support planned population and housing growth within the city.

Education Infrastructure Requirements and Contribution Zones

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (Updated December 2016). To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area. The number of new pupils expected from this housing development is then identified using pupil generation rates, as set out in Appendix 1.

The Council's assessment has indicated that additional infrastructure will be required to accommodate the cumulative number of additional pupils from development. Education infrastructure 'actions' have been identified and are set out in the Action Programme and Appendix 1 to this guidance. Actions include the delivery of new schools and school extensions.

To ensure that the total cost of delivering the new education infrastructure is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established. These are set out in Appendix 1.

Where land is required to be safeguarded for a school site, the cost of the land, and its servicing and remediation is included within the relevant Contribution Zone. This allows the land costs to be attributed to, and recouped from, all the sites within a Zone

Education Contribution Zones are based on the catchment areas of secondary and primary schools.

Developer Contributions for Education Infrastructure

- A. Residential development is required to contribute towards the cost of education infrastructure to ensure that the cumulative impact of development can be mitigated. Residential development includes houses (Use Class 9) and sui generis flatted development, and includes affordable housing, and build for rent housing.

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- B. The Council will assess the cumulative impact of all new development on education infrastructure. This assessment will consider school roll projections and an assumption about potential developments within the area, at the time of the assessment.
- C. The required contribution from a development will be determined using the following principles:
- i) If appropriate education infrastructure actions are identified in the current Action Programme, the contribution will be based on the established 'per house' and 'per flat' rate for the appropriate part of the Zone. The current actions and contribution rates for all Zones are set out in Appendix 1. For Zones which include proposals for a new school(s), a contribution towards the cost of securing land for the school(s) is also required.
 - ii) If the education infrastructure actions identified in the current Action Programme are not sufficient to accommodate an increase in the cumulative number of new pupils expected in that area as a result of the development (for example greenfield/greenbelt sites being considered under LDP Policy Hou 1, part 2) the Council will consider if it is appropriate to revise the action(s) and associated Contribution Zones.

The established 'per house' and 'per flat' contribution rates will be applied if they are sufficient to cover the cost of the notional new set of actions. This will ensure that sites not allocated within the LDP do not contribute proportionally less to the delivery of new education infrastructure than housing sites allocated in the LDP. If the established contribution rates will not cover the cost of the revised set of actions, the proposed development will be required to make a contribution that is sufficient to cover the revised set of actions, in order that the infrastructure requirements can be delivered.

In some circumstances it may be appropriate to establish a new Contribution Zone or Sub-Area with its own contribution requirements, for example if a development comes forward that would require a new school to be added to the Action Programme.

- iii) In certain circumstances the full 'per unit' contribution will not be required.
 - No contribution is required from developments that are not expected to generate at least one additional primary school pupil.

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- If a development is expected to generate at least one primary school pupil but less than one secondary school pupil, only the 'primary school contribution' is required.
- If a development is expected to generate at least one primary school pupil and at least one secondary school pupil, a 'full contribution' is required.

The 'full contribution' is based on all identified actions. The 'primary school contribution' is based on identified actions for non-denominational and Roman Catholic primary schools only.

- D. Where a development proposal is likely to give rise to an impact on education infrastructure which cannot be appropriately mitigated in line with the Council's cumulative approach, it should be noted that planning permission may be refused.
- E. Development should only progress where it is demonstrated that required education infrastructure can be delivered, and at the appropriate time. The Council will assess whether new development will impact on the education actions set out in the Action Programme, and the current education delivery programme, as set in Appendix 1. Third party delays in infrastructure delivery will not normally be allowed to prevent the granting of planning permission or the undertaking of development.
- F. If the pupils from a new development cannot be accommodated until education actions have been delivered, conditions may be used to phase the development to reflect the delivery programme for the required infrastructure.
- G. The Action Programme, costs and potential housing output set out in Appendix 1 are reviewed on an annual basis. The circumstances within which this guidance will be reviewed are set out in Section 5.

Delivery of Education Infrastructure

The Council's current programme for the delivery of education infrastructure is set out in the Action Programme and Appendix 1 of this guidance.

In setting the programme, the Council aims to balance the need for early provision of infrastructure with the risk of housing development stalling. Education infrastructure capacity will be delivered at a time that is appropriate to ensure that new pupils can be accommodated within their catchment schools. The Council reserves the right to adjust the timing of the education delivery programme to take account of relevant circumstances.

The establishment of any proposed new school (both the intended site and catchment area), would be subject to a statutory consultation and could only be implemented following that process, if approved by the Council.

If the number of additional classrooms that are delivered is no more than what is necessary to accommodate the number of pupils expected to be cumulatively generated from development sites, developer contributions from the relevant part of the Contribution Zone will be expected to cover the full cost of delivering the new infrastructure.

The Council may identify a need to provide education infrastructure over and above what is required to accommodate the number of pupils expected to be cumulatively generated from development sites. This will be set out in the Action Programme, and the Council's appropriate share of the infrastructure identified. The Council will not seek developer contributions to deliver its share of this infrastructure; instead the Council will seek an alternative funding mechanism.

2b. Transport Infrastructure

There is a clear link between most new development and impact on the transport network. Future growth based on excessive car use and dependency would have serious consequences in terms of congestion and deteriorating air quality, as well as impacting on the economy and environment and disadvantaging people who do not have access to a car.

Therefore, reducing the need to travel and promoting use of sustainable modes of transport are key principles underpinning the LDP strategy, and a central objective of the Council's Local Transport Strategy. These outcomes are also sought by national and regional planning policy.

Transport Infrastructure Requirements and Contribution Zones

The Council has prepared a transport appraisal to understand the impact on transport of the new planned growth set out in the LDP and to identify the transport interventions needed to mitigate it.

The Council has also refreshed transport appraisals for its strategic mixed-use development areas, including the West Edinburgh Transport Appraisal (WETA) to support development proposals at Edinburgh Airport, the Royal Highland Centre and International Business Gateway and an earlier study for north Edinburgh relating to the now-superseded local plan's proposals for Edinburgh Waterfront.

SESplan and Transport Scotland are progressing work to establish any actions necessary to address cross boundary traffic flows related to the cumulative impacts of developments in the SESplan area.

The transport improvements identified by the above studies are set out in the Action Programme. These interventions include:

- the delivery of Edinburgh tram,
- access to bus services and park and ride facilities,
- improvements to the public realm and other pedestrian and cycle actions, and,
- traffic management, including junction improvements.

Some of these interventions relate only to a single development site. These are only shown in the Action Programme.

Where transport interventions have been identified due to the cumulative impact of several developments, a transport contribution zone has been established. These are shown in the Action Programme and set out in Appendix 2.

Contribution zone coverage of the Council area is not comprehensive and the Action Programme actions only account for some of the total quantity of development supported by the LDP. Development proposals which are not accounted for by this approach will therefore need to carry out transport assessments as described below.

Developer Contributions for Transport Infrastructure

Development is required to contribute towards the cost of necessary transport infrastructure enhancements.

Edinburgh Tram Contributions

Where the tram network will help to address the transport impacts of a development, a contribution will be sought towards its construction and associated public realm works.

This guidance applies to all new developments requiring planning permission within the defined proximity of the existing and proposed tram lines as shown in Appendix 2, and throughout the city with regard to major developments.

In relation to the completed Phase 1A of the project, the Council has constructed the tram line and its associated public realm. As part of the funding strategy money has been borrowed against future contributions from developers. Given the amount of public money that has been spent and the fact that many developers have already contributed towards the project this approach is an appropriate mechanism for 'front funding' essential infrastructure.

The Council in constructing the tram network has provided a necessary piece of transport infrastructure to allow future development to proceed.

- A. All developments should make an appropriate contribution towards the construction costs of the tram system and associated public realm to ensure the necessary transport infrastructure is in place in time to take account of the impacts of these new developments in the City. Contributions will be sought, where they are required, in an appropriate, transparent and equitable manner.
- B. The level of contribution required depends on the following factors:

- i. type of development,
 - ii. distance from tram route, and
 - iii. size of development.
- C. The level of contribution will be calculated as follows:
- i. Firstly, from Table 1 (Appendix 2) establish scale-factor (1-15) by type of and size (GEA) of development proposed.
 - ii. Secondly, choose appropriate zone within which the development lies. Determination of the zone will be based on the shortest walking distance between any part of the site and the nearest edge of the constructed tram corridor. If the development lies within different zones, the zone closest to the tram will be used. Sites within 250 metres are Zone 1 and sites lying between 250 metres and 500 metres are Zone 2.
 - iii. Thirdly, those sites based on the shortest walking distance between any part of the site and the nearest part of a tram stop lying between 500 metres and 750 metres are Zone 3. (The Plan below gives an indication of these Zones).
 - iv. Fourthly, using the Zone appropriate to the particular development, move along Table 2 to the column numbered as the scale factor obtained from Table 1. The figure shown is the amount in £'000s to be contributed towards the tram project by that particular development.
 - v. Fifthly, the contribution, once agreed, will be index-linked from the date of agreement until date of payment on the basis of the BCIS All-in Tender Price Index.
- D. Proposals for change of use or previously developed land will also require to be calculated with regard to a potential contribution. This will be based on the tram contribution for the proposed planning use(s) for the building(s)/land, minus the tram contribution based on the lawful planning use of the existing building(s)/land. Where, the resultant contribution is positive then that will be the contribution that is required to be paid for that development. Changes of use or subdivision falling below the thresholds shown in Table 1 will not normally be expected to provide a contribution.
- E. Where development proposals are in excess of Tables 1 and 2, these tables will be applied on a pro rata basis to calculate the minimum level of contribution required.

- F. Major developments, as defined within scale factor 15 in Appendix Table 1, on land outwith the defined zone 3 will also be considered in regards to their net impact on transport infrastructure. Where there is a net impact on infrastructure, specifically in relation to trip generation on public transport and this requires mitigation developments may be required to make a contribution to the tram system. In such cases, the Transport Assessment submitted with the application should address fully the potential role which could be played by tram in absorbing the transport impacts of the development.
- G. The construction of the tram system infrastructure (Phase 1A) was completed in 2014. The Council has borrowed £23 million to fund the construction of the tram system and intends to repay this amount through developer contributions. This guideline will continue to apply in relation to development along the tram route until the amount of borrowing, including costs, highlighted above has been repaid. This provision relates to Phase 1A of the construction of the tram route as shown in the appended plan.
- H. Policy Exemptions are as follows:
- i. Small developments falling below the thresholds shown in the Table will not be expected to provide a contribution unless they are clearly part of a phased development of a larger site. In such cases the Council will seek to agree a pro-rata sum with the applicant.
 - ii. In the event of a developer contributing land towards the development of the tram system, the amount of the contribution required under this mechanism may be reduced. Each application will be considered on its individual merits, taking into account factors such as the value of the land, its condition, and the location of existing and proposed services.

The amount of contribution attributable to any development will depend on the exact size of the development (sqm/number of units, etc). Table 2 (Appendix 2) provides the range of financial contribution in each scale factor, which relates to the range of development sizes in each scale factor shown in the map. This table is provided to assist in calculating the level of contribution that will be sought. The exact amount will be confirmed during the planning application process.

Other Transport Contributions

LDP Policy Tra 8 sets out requirements for assessing development proposals relating to major housing or other¹ development sites, and which would generate a significant amount of traffic. Contributions will be identified using the following approach:

- A. For sites identified in the LDP or accounted for by the Action Programme and/or Transport Contribution Zones, contributions will be sought as specified in the Action Programme and Appendix 2.
- B. For development proposals not addressed by A above, Policy Tra 8 requires that a transport assessment be carried out to demonstrate that certain criteria are met. Such assessment should be carried out cumulatively, taking account of:
 - i. Existing development
 - ii. Development with permission
 - iii. Development in valid applications
 - iv. Development in valid Proposal of Application Notices
 - v. Allocations in the LDP
 - vi. Cross boundary impacts, taking account of relevant developments in surrounding authorities. **(except those for housing development in the Green Belt).**

In order to comply with Policies Tra 8, Del 1 and, where applicable, Hou 1, such proposals will need to demonstrate that they can deliver any new transport actions arising from such assessments.

- C. For development proposals required to carry out an assessment and identify actions as described in B above, the developer will be expected to deliver the actions.

For all development,

- I. The Council may require a contribution towards Traffic Regulation Orders/Stopping up Orders and City Car Club (or equivalent). Where an action can only be delivered by the Council as local authority (e.g.), indicative costs are provided in Appendix 2.

¹ The scale of 'other development sites' will be considered on a case-by-case basis, having regard to national guidance on transport assessments.

- II. Where the formation of an active travel connection would involve use of land outwith the developer's control, and the Council is able and willing to deliver such an action, if necessary using its compulsory purchase powers, the full cost of such an action (including land acquisition costs) will be sought.

Delivery of transport infrastructure

The current timescales and responsibility for the delivery of transport infrastructure actions are set out in the Action Programme.

Where the delivery of a transport action in the Action Programme is attributable to a number of development sites and/or requires land outwith the control of the applicant(s), the Council will collect contributions cumulative towards the action and deliver the action.

Where transport actions are required because of development and can be delivered directly by the applicant, the Council will normally secure its delivery as part of the planning permission using conditions or legal agreements (see section C above).

The Council will transfer any monies collected towards actions on the trunk road network to Transport Scotland once the relevant project is confirmed.

2c. Greenspace

Policies set out requirements for the provision of open space in new housing development (Policy Hou 3 in the LDP) and other development (Policy Env 20 in LDP), and identify the limited circumstances in which loss of open space will be permitted (LDP Policies Env 18 and 19). Where greenspace actions which are to be delivered by new development are identified within the LDP, these, with costings where appropriate, are set out in the Action Programme.

The Council's Open Space Strategy sets out analysis and actions which helps interpretation of those policies. Contributions towards the actions identified in the Strategy will be sought where the above requirements for new open space are not to be met fully within a development site or where development involves loss of open space and the relevant policies require off-site enhancement or provision of open space.

Open Space – Ongoing Maintenance

Where development will establish new publicly accessible open space, **trees and other green infrastructure**, there must be adequate arrangements for ongoing management and maintenance. **The Council favours factoring on behalf of the private landowner(s), but will consider adoption should sufficient maintenance resources be made available.**

The Council will only accept responsibility for open space and public realm maintenance and management if it owns the land in question.

If the developer wishes the Council to undertake long term maintenance of these facilities within the development site, land ownership must be transferred to the Council by legal agreement **and adequate revenue resources made available.**

Open spaces and public realm areas within the development site that are not transferred to the Council will **require to be safeguarded as being publicly accessible**, and maintained and managed to a standard acceptable to the Council. This may be undertaken by a property management company or other appropriate body, such as a Trust.

As a condition of the planning consent, the developer will be required to provide details of the proposed management and maintenance arrangements to the Council, and receive approval, before construction starts on site.

2d. Public Realm

Where a strategic public realm action has been identified within the Public Realm Strategy, which will help address a deficiency in the public realm requirements of a development, a contribution will be sought towards its construction.

The Edinburgh Public Realm Strategy was approved by the Planning Committee in December 2009. It set out objectives for the delivery of public realm within Edinburgh and identified a list of public realm project priorities.

A new process is being developed which will help set priorities for public realm investment. Projects will be assessed against a limited number of high level criteria to produce a priority list. By setting out the criteria and a simple scoring system, transparency will be ensured. This process also needs to complement the approach used to determine priorities for the footway and carriageway capital programme. The methodology will be reported to Committee in due course. This Annex will be updated following the approval of the methodology.

Until this methodology is complete and the Public Realm Strategy Updated, strategic public realm contributions will not be pursued. Developments will still be required to provide public realm within their sites and site environs.

2e. Primary healthcare

The LDP recognises that facilities such as local doctor and dental surgeries, local shops, community halls and meeting rooms are necessary to foster community life.

Where an action has been identified within the Action Programme which will help address a deficiency in the healthcare or community requirements of a development, these are set out in the Action Programme. These actions include directly related extensions to healthcare practices, and new practices where cumulative impacts have been identified.

LDP Policy Hou 10 sets out that planning permission for housing development will only be granted where there are associated proposals to provide any necessary health and other community facilities relative to the impact and scale of development proposed.

Contribution zones and a formula for calculating developer contributions are set out in Annex 4.

3 - Viability and Funding Mechanisms

Viability

Where it can be demonstrated that there are such abnormally high site preparation costs that addressing the provisions of this guideline threatens the financial viability of developing the site, the requirement to make a contribution towards physical and social infrastructure may be varied or even waived.

Such costs could include remediation of contamination or unusual infrastructure requirements, but not normally the cost of land purchase. It is accepted that for a development to be viable an appropriate site value needs to be achieved by the landowner and an appropriate return for the developer, taking account of market conditions and risk, needs to be achieved.

However, developers should take account of the Council's policies in bidding for land. The Council will not accept over-inflated land values as a reason for reducing contribution requirements.

Financial viability will be assessed in accordance with the Royal Institution of Chartered Surveyors Guidance Note, Financial Viability in Planning (1st Edition, 2012).

There is an expectation that the applicant will enter into an open book exercise in order to prove viability concerns. This open book exercise should include a financial appraisal supported by an evidence base including forecasting development values, development costs, any abnormally high site preparation costs, and an assessment of land value.

Financial viability is one of many material considerations in the determination of a planning application.

Funding Mechanisms

Should the required contributions raise demonstrable commercial viability constraints, gap and/or forward funding may be required.

Should gap and/or forward funding be required to deliver an infrastructure action in the Action Programme, this will be reported to the appropriate committee(s). This includes Planning Committee with the relevant application.

The financial impact of the Local Development Plan on capital and revenue budgets is reported annually to the Council's Finance & Resources Committee.

4 – Legal Agreements and use of monies

Once Developer Contributions are agreed a Section 75 agreement will normally be required, although other arrangements may be made where smaller contributions are to be delivered by the developer or paid up front.

The Council needs to ensure that contributions are received in good time to allow the necessary infrastructure to be delivered in step with new development. It is anticipated that planning applications will be submitted and construction started at varying timescales.

The timescales for delivery will be agreed between the Council and the applicant. Developers will be required to demonstrate that a site can proceed in the short term prior to the delivery of other infrastructure projects that the site would be expected to contribute to. However, the Council appreciates that the timings of payments may have implications in terms of project cash flow and will take this into account in agreeing terms.

Where a development site includes the land safeguarded for a new school, the site will be secured as part of a legal agreement. The value of the land, as well as the cost of servicing and remediating the site (if appropriate), will be credited against that site's overall contribution requirement once the Council has confirmed that the new school will be delivered. It is likely that this will be following a statutory consultation process to establish the school location and catchment boundaries. All contributions from other development sites which are attributable to the cost of securing land for a new school will then be used towards the general cost of delivering the new education infrastructure that is required within the relevant Zone.

Whilst contributions may be required towards the delivery of a number of actions within a Zone, the Council may apportion money received from a particular development site to the delivery of infrastructure actions that have been prioritised in order to support early phases of development. Remaining or future monies received will then be used for the delivery of other actions set out within the Action Programme.

The Council will continue to collect contributions towards actions in the Action Programme that have been delivered by the Council to facilitate development. This includes the Edinburgh Tram Project and other large cumulative infrastructure. Any monies collected towards actions on the trunk road network to Transport Scotland once the relevant project is confirmed. The Action Programme will provide details of the phasing and delivery of the infrastructure needed to support strategic growth.

Indexing and Repayment

Infrastructure contributions will be index linked. This is based on the increase in the BCIS Forecast All-in Tender Price Index from the current cost Q1 shown in the relevant

Appendix 1 (Part 1)

infrastructure Annex to the date of payment. No indexing will be applied to payments towards land.

The Council will hold contributions towards education infrastructure for 30 years from the date of construction of new school infrastructure. This is in order for payments to be used for unitary charges associated with infrastructure projects which have been delivered through revenue based funding mechanisms. For all other contributions, payments will be held for 10 years.

If the actual costs of delivering the new infrastructure are lower, S75 legal agreements can make provision for the repayment of unused contributions. In addition, applicants have the opportunity to ask the Council to consider modifying existing S75s to reflect contribution rates that have been updated to take account of up-to-date costs.

Model agreement

The Council is preparing a Model Legal Agreement.

5 - Audit and Review

This guidance will be reviewed as part of the development plan process and will be revised in the light of any changes to the development plan or the review of the Action Programme, The Council's Education Infrastructure Appraisal, The Housing Land and Delivery Audit, site-specific transport requirements, the Public Realm Strategy or Open Space Strategy.

In addition, on-going assessment will be carried out to ensure that policies are only applied where it is necessary to do so and revisions to this guidance will be made accordingly. Applicants also have the statutory right to apply to the Council for the modification or discharge of a Section 75 agreement.

Annex 1 Education Infrastructure

Education Action	Capital Cost	Delivery date
3 Primary School classes (Currie PS)	£838,627	Aug-18
2 RC Primary School classes (St Margaret's RC PS)	£705,308	Aug-18
Additional secondary school capacity - 66 pupils (Boroughmuir HS, James Gillespie's HS)	£2,118,310	Aug-19
3 Primary School classes (Gylemuir PS)	£838,627	Aug-19
4 RC Primary School classes (St John Vianney RC PS or St Catherine's RC PS)	£1,052,144	Aug-19
Additional secondary school capacity - 275 pupils (Queensferry Community HS)	£8,826,290	Mar-20
Additional secondary school capacity - 273 pupils (Broughton HS, Craigroyston Community HS)	£8,762,098	Aug-20
New 14 class Primary School and 40/40 nursery (Broomhills)	£11,328,584	Aug-20
New 14 class primary school and 40/40 nursery (Leith Waterfront)	£11,328,584	Aug-20
4 Primary School classes (to be delivered by the new South Edinburgh PS)	£838,627	Aug-20
3 Primary School classes (Hillwood PS)	£838,627	Aug-20
Additional secondary school capacity - 522 pupils (Gracemount HS, Liberton HS)	£16,753,902	Aug-21
Additional secondary school capacity - 251 pupils (Leith Academy, Trinity Academy)	£8,055,955	Aug-21
Additional secondary school capacity - 7 pupils (Firhill HS)	£224,669	Aug-21
New 14 class Primary School and 40/40 nursery (Granton Waterfront)	£11,328,584	Aug-21
New 21 class primary school and 60/60 nursery (Maybury)	£14,887,301	Aug-21
3 Primary School classes (Castleview PS)	£838,627	Aug-21
Extension to Castleview PS dining hall	£293,808	Aug-21
2 RC Primary School classes (St David's RC PS)	£705,308	Aug-21
Additional secondary school capacity - 261 pupils (Castlebrae Community HS)	£8,376,951	Aug-22
Additional secondary school capacity (St Augustine's RC HS)	£3,016,986	Aug-22
New 7 class Primary School and 40/40 nursery (Gilmerton Station Road)	£7,591,930	Aug-22
New 11 class Primary School and 40/40 nursery (Brunstane)	£10,794,776	Aug-22
2 Primary School classes (Dean Park PS)	£705,308	Aug-22

Education Action	Capital Cost	Delivery date
New Secondary School (West Edinburgh)	£19,293,885	Aug-23
New 14 class Primary School and 40/40 nursery (South Queensferry)	£11,328,584	Aug-23
2 Primary School classes (to mitigate the impact of development within Drummond CZ)	£705,308	Aug-23
2 Primary School class (Balgreen PS)	£705,308	Aug-23
5 RC Primary School classes (Fox Covert RC PS or St Joseph's RC PS)	£1,143,549	Aug-23
1 Primary School class (Kirkliston PS)	£350,000	Aug-24
2 Primary School classes (to mitigate the impact of development within the catchment of The Royal High Primary School)	£705,308	Aug-24
2 Primary School classes (Craigour Park PS)	£705,308	Aug-24
2 RC Primary School classes (Holycross RC PS)	£705,308	Aug-24

Land Values

	Proposed School Site Area		Abnormal Costs (External valuation)	Land Value
	Ha	Acre	Q3 2016	
Western Harbour	1.20	2.97	£3,073,781	£1,450,000
South Queensferry	2.00	4.942	£2,047,816	£3,050,000
Granton Waterfront	1.20	2.97	£3,073,781	£525,000
IBG	4.20	10.38	£6,489,179	£2,000,000
Brunstane	2.00	4.94	£4,516,165	£2,950,000
Maybury	2.00	4.94	£2,858,549	£4,750,000
Broomhills	2.00	4.94	£4,516,165	£2,950,000
Gilmerton Station Road	2.00	4.94	£4,516,165	£3,000,000

Education Infrastructure – Costing at Q1 2015																
Action Required	Base Date	Area (m2)	Additional for 2's	Area (m2)	Base Cost/m2	Base Date TPI	Q1 2015 TPI	Uplift	Current Cost/m2	Net Current Cost	Abnormal Costs	FF&E	Internal Fees	Total Current Cost	Contingency 7.5%	Total Cost
New Primary School																
Reference source SFT Cost Metric																
New 21 class primary school and 60/60 nursery	Q2 2012	4,900	120	5,020	£2,350	230	270	17.39%	£2,759	£13,848,652	0	0	0	£13,848,652	£1,038,648.91	£14,887,301
New 18 class primary school and 40/40 nursery	Q2 2012	4,165	120	4,285	£2,350	230	270	17.39%	£2,759	£11,821,011	0	0	0	£11,821,011	£886,575.82	£12,707,587
New 14 class Primary School and 40/40 nursery	Q2 2012	3,700	120	3,820	£2,350	230	270	17.39%	£2,759	£10,538,217	0	0	0	£10,538,217	£790,366.30	£11,328,584
New 13 class Primary School and 40/40 nursery	Q2 2012	3,640	120	3,760	£2,350	230	270	17.39%	£2,759	£10,372,696	0	0	0	£10,372,696	£777,952.17	£11,150,648
New 11 class primary school and 40/40 nursery-	Q2 2012	3,520	120	3,640	£2,350	230	270	17.39%	£2,759	£10,041,652	0	0	0	£10,041,652	£753,123.91	£10,794,776
New 10 class primary school and 40/40 nursery	Q2 2012	3,029	120	3,149	£2,350	230	270	17.39%	£2,759	£8,687,133	0	0	0	£8,687,133	£651,534.95	£9,338,668
New 9 class Primary School and 40/40 nursery	Q2 2012	2,910	120	3,030	£2,350	230	270	17.39%	£2,759	£8,358,848	0	0	0	£8,358,848	£626,913.59	£8,985,761
New 7 class Primary School and 30/30 nursery	Q2 2012	2,440	120	2,560	£2,350	230	270	17.39%	£2,759	£7,062,261	0	0	0	£7,062,261	£529,669.57	£7,591,930
Primary School Extension																
Reference source - Rising Rolls Phase 3																
1 Class Extension	Q1 2015		0							£325,581	0	0	0	£325,581	£24,418.58	£350,000
2 class extension	Q1 2015	213	0	213	£2,171	270	270	0.00%	£2,171	£462,505	165,742	20,000	7,853	£656,100	£49,207.50	£705,308
3 class extension	Q1 2015	276	0	276	£2,290	270	270	0.00%	£2,290	£632,001	108,856	30,000	9,261	£780,118	£58,508.88	£838,627
4 class extension	Q1 2015	412	0	412	£2,006	270	270	0.00%	£2,006	£826,447	100,702	40,000	11,589	£978,738	£73,405.37	£1,052,144
5 class extension	Q1 2015	445	0	445	£2,006	270	270	0.00%	£2,006	£892,643	108,607	50,000	12,516	£1,063,766	£79,782.47	£1,143,549
6 class extension	Q1 2015	667	0	667		270	270	0.00%				60,000	17,509	£1,478,209	£110,865.68	£1,589,074
Secondary School Extension																
Reference source - Cost plan for 1,160m2 extension to Liberton (Option 2b)																
Additional capacity @ 10m2 per pupil	Q3 2014	10	0	10	£2,864	259	270	4.25%	£2,986	£29,856	0	0	0	£29,856	£2,239.23	£32,095.60
New Secondary School																
Reference source SFT Cost Metric																
600 capacity secondary school	Q1 2015			7,800					£2,301	£17,947,800	0	0	0	£17,947,800	£1,346,085.00	£19,293,885

Note: The capital and land costs in the Statutory Guidance for school projects are currently estimates based on established rates for extensions and new builds. As each specific project is taken forward through the design and delivery phases and transfer of land it is recognised that the actual costs of each project could vary from the estimates currently provided. **The cost of extending a secondary school equates to a pro-rata contribution of £6419 per house and £963 per flat (as at Q1 2015). In Zones where contributions are only required towards extending a Roman Catholic secondary school the pro-rate contribution is £963 per house and £128 per flat (as at Q1 2015).**

Education Infrastructure - Pupil Generation Rates (per dwelling type):

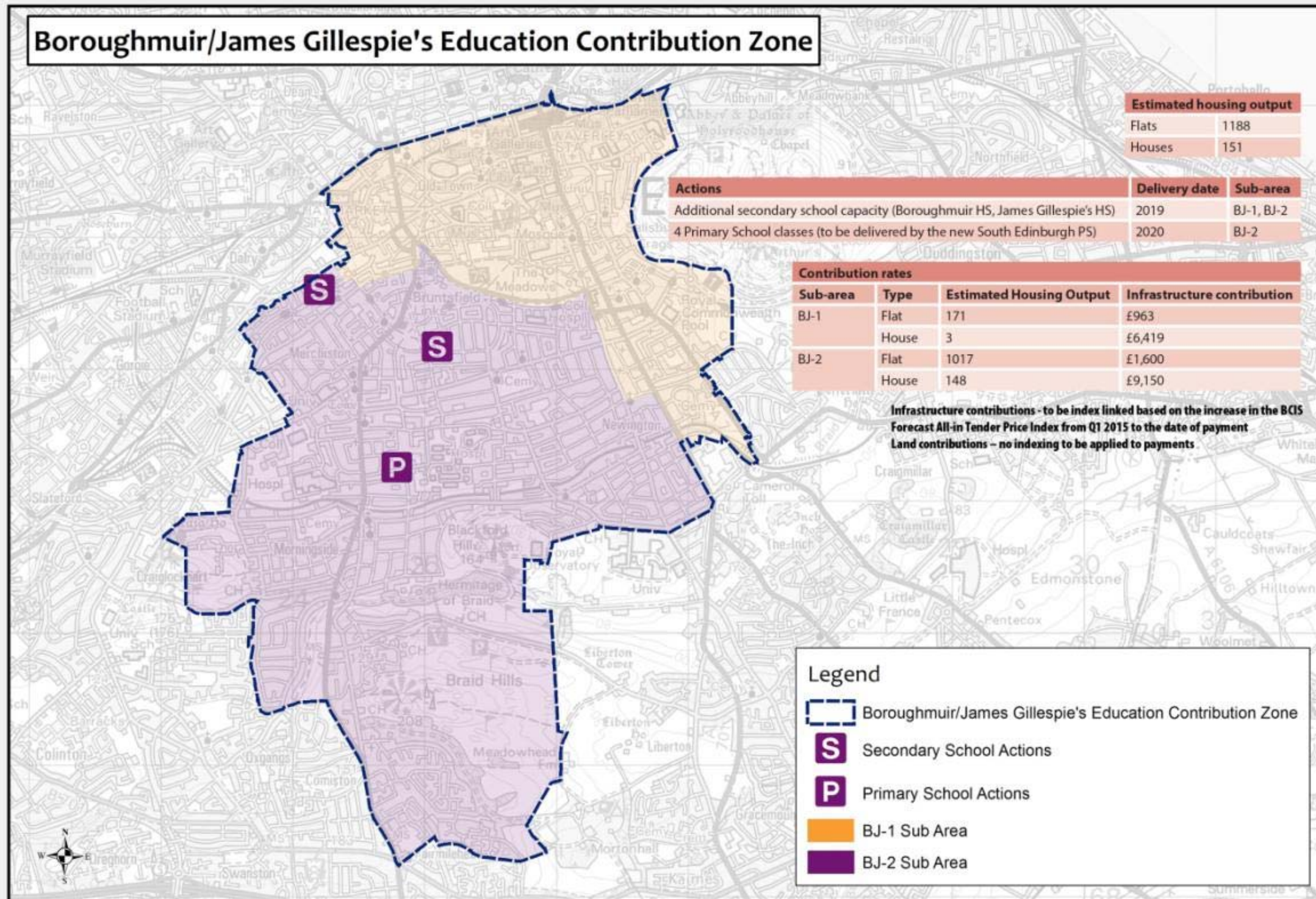
	Primary School			Secondary School		
	Total ¹	ND ²	RC ³	Total	ND	RC
Per Flat	0.07	0.06	0.01	0.03	0.026	0.004
Per House	0.3	0.26	0.04	0.2	0.17	0.03

¹ The number of additional pupils expected to be generated by a development;

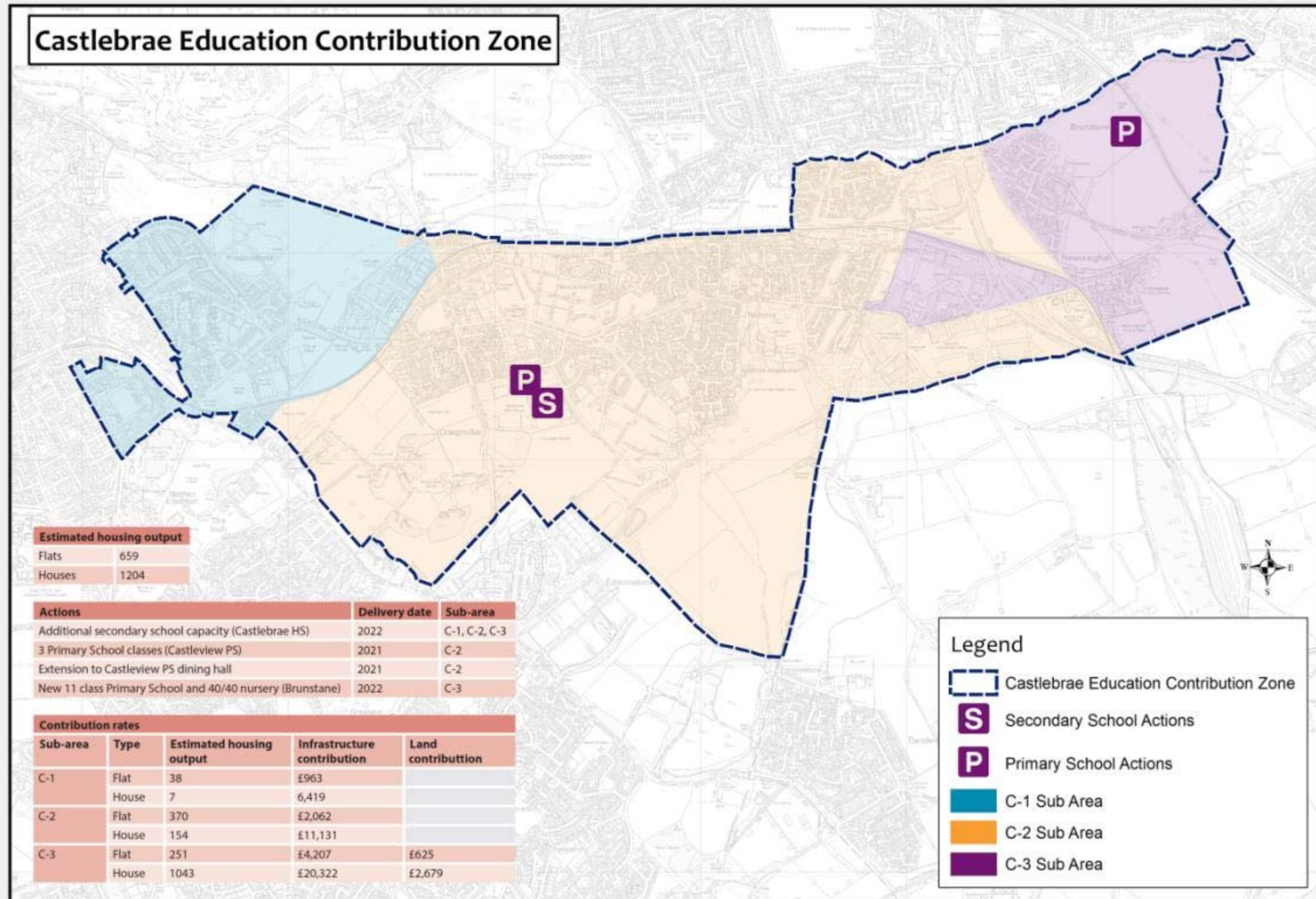
¹ The proportion of additional pupils that will attend a non-denominational school, based on Council area information for 2012/13;

¹ The proportion of additional pupils that will attend a Roman Catholic school, based on Council area information for 2012/13.

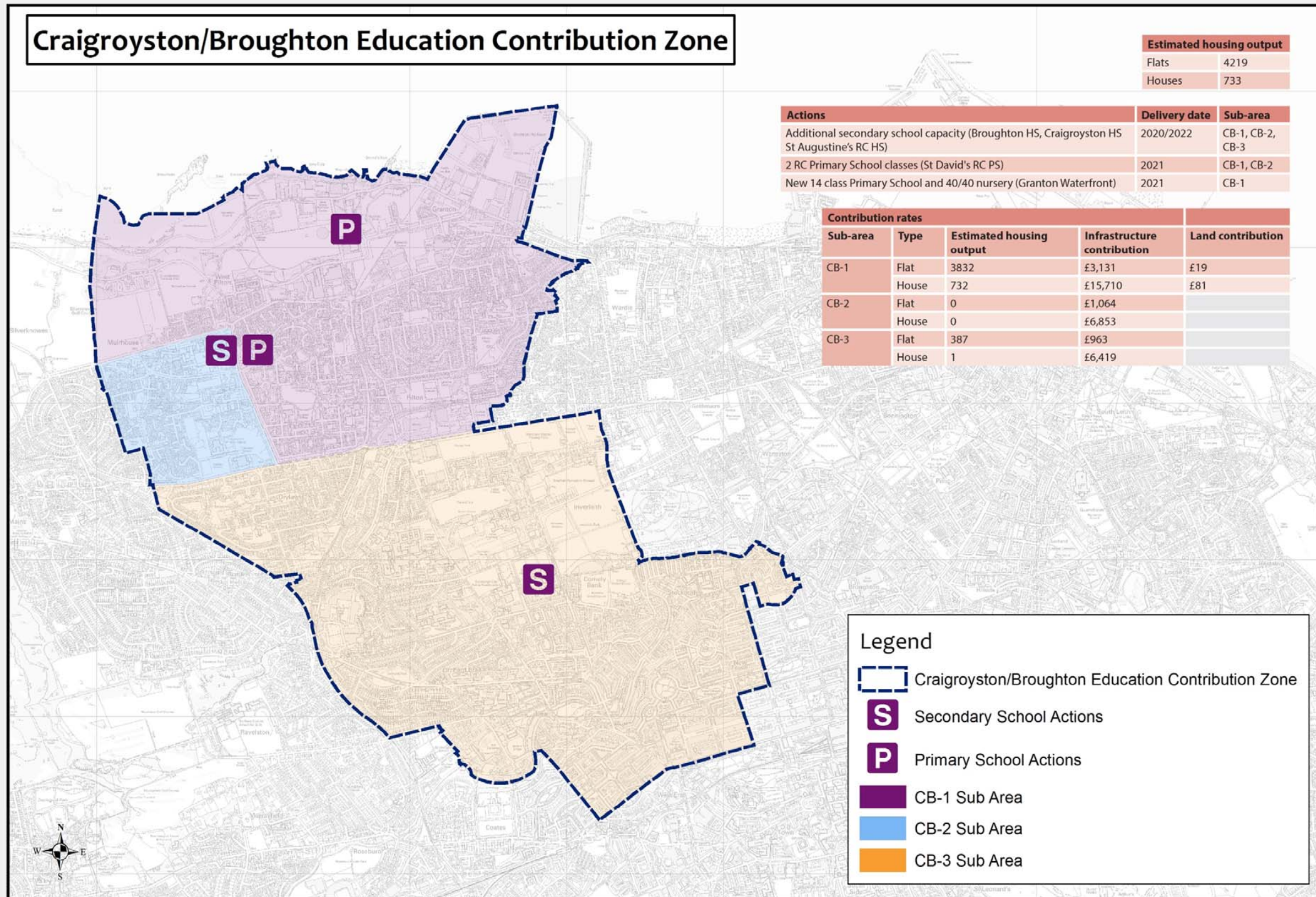
Education Contribution Zones



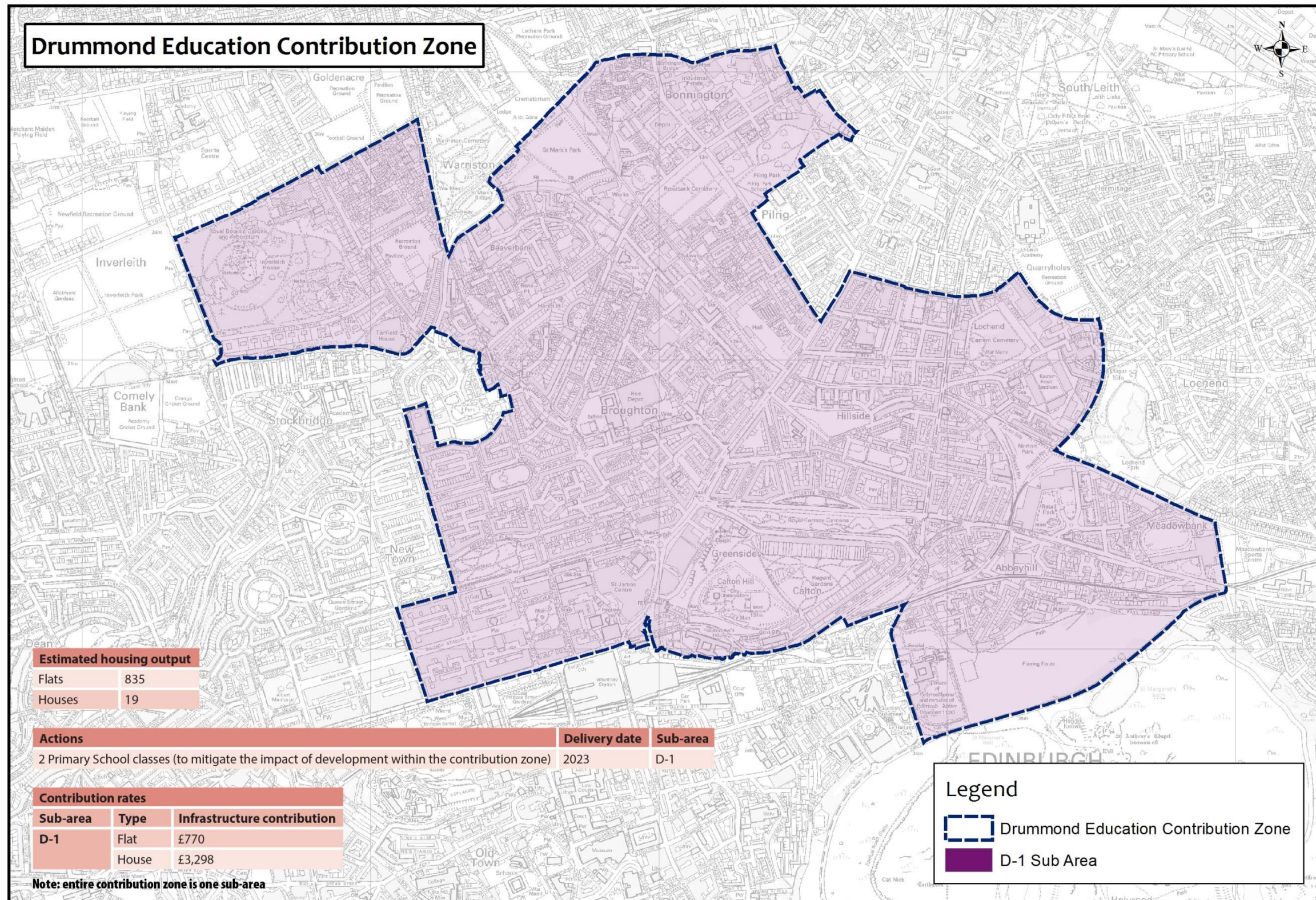
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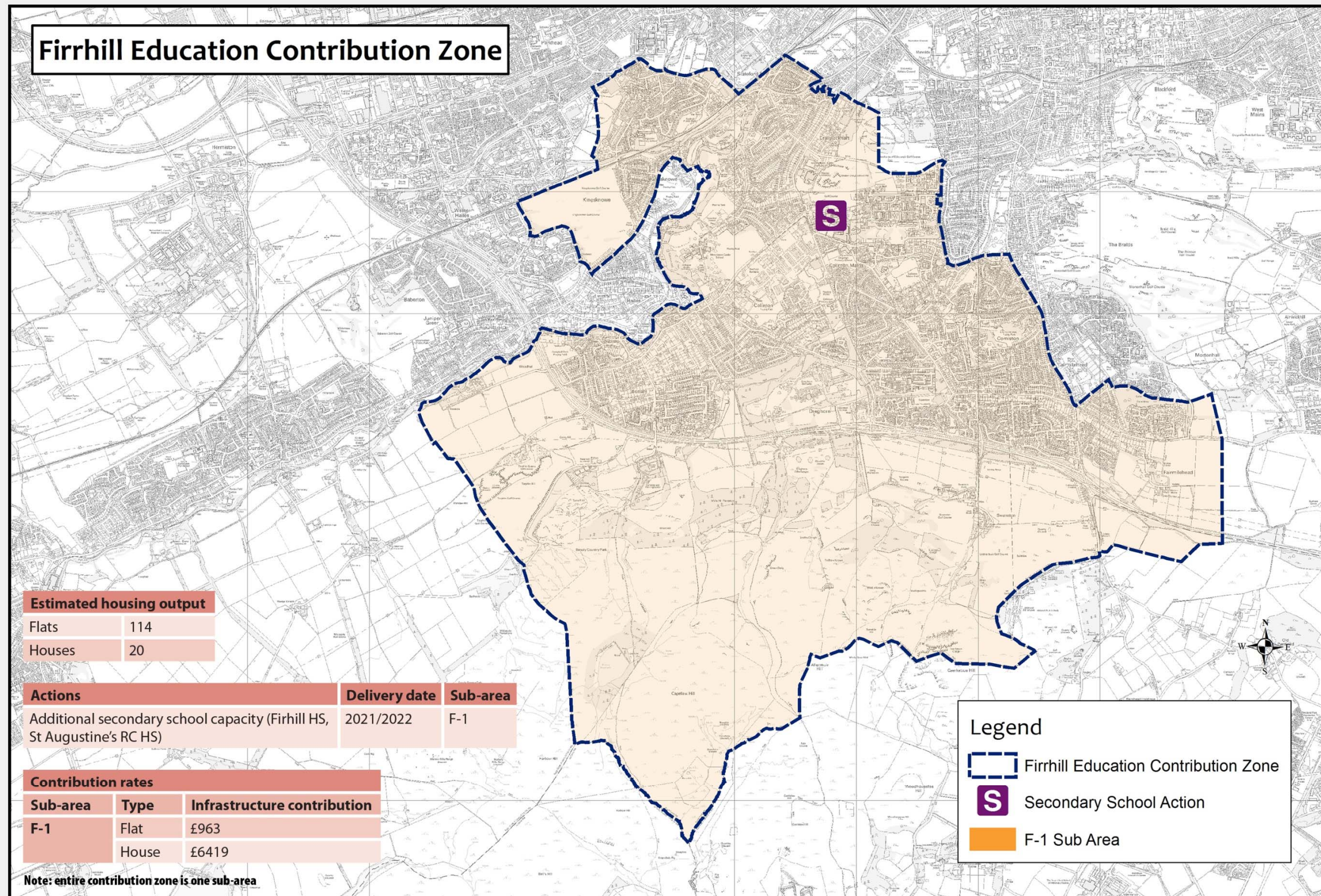
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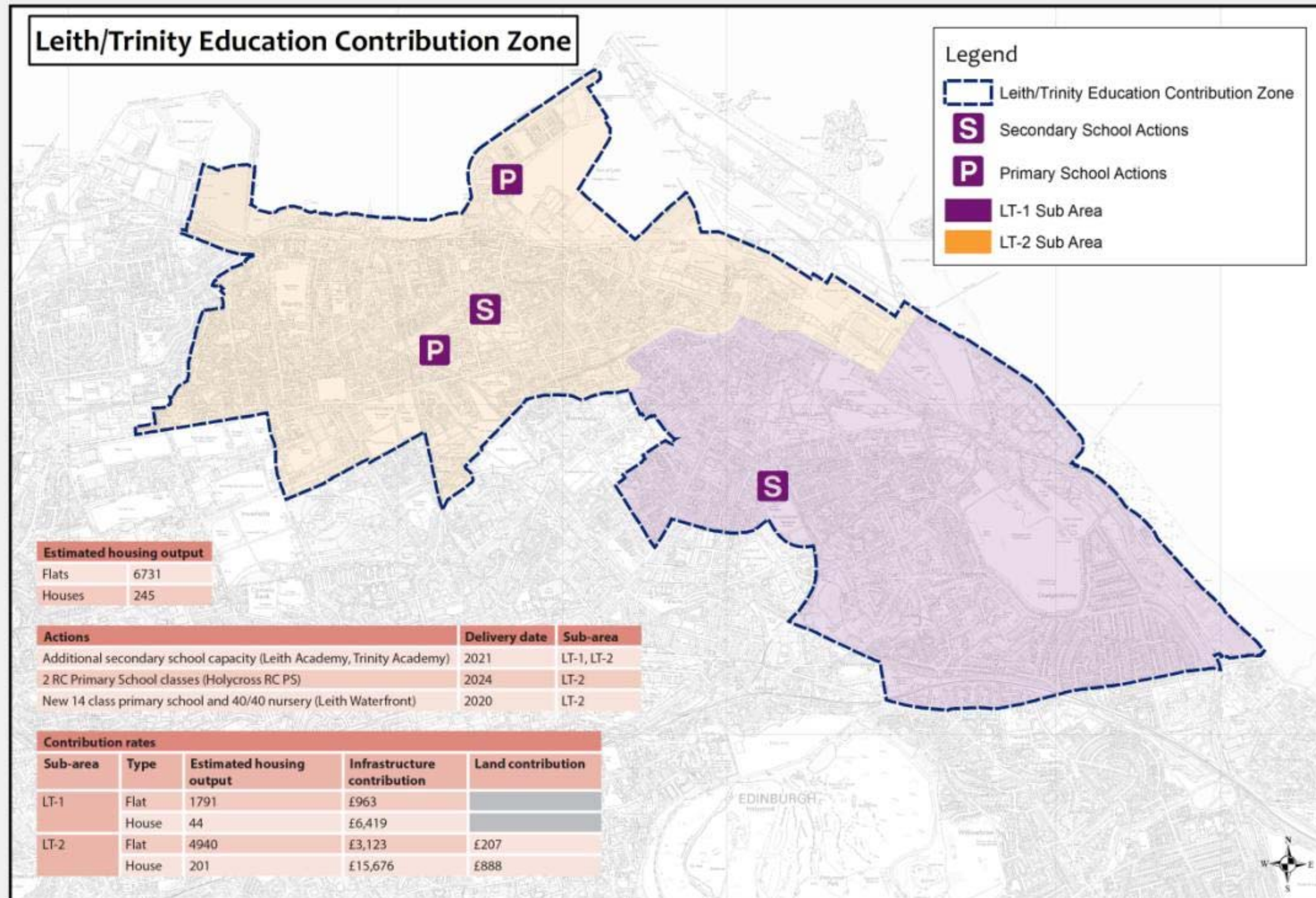
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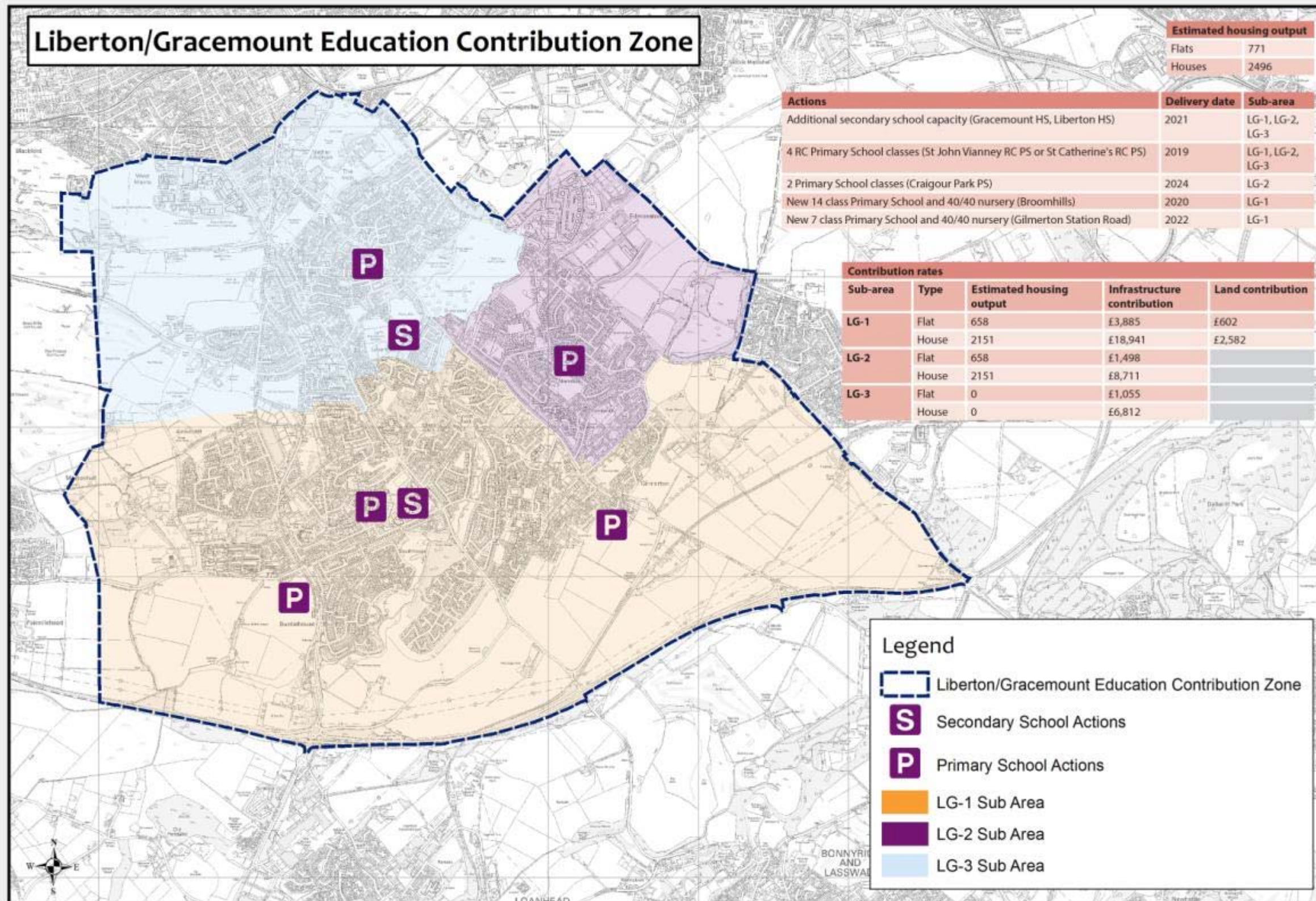
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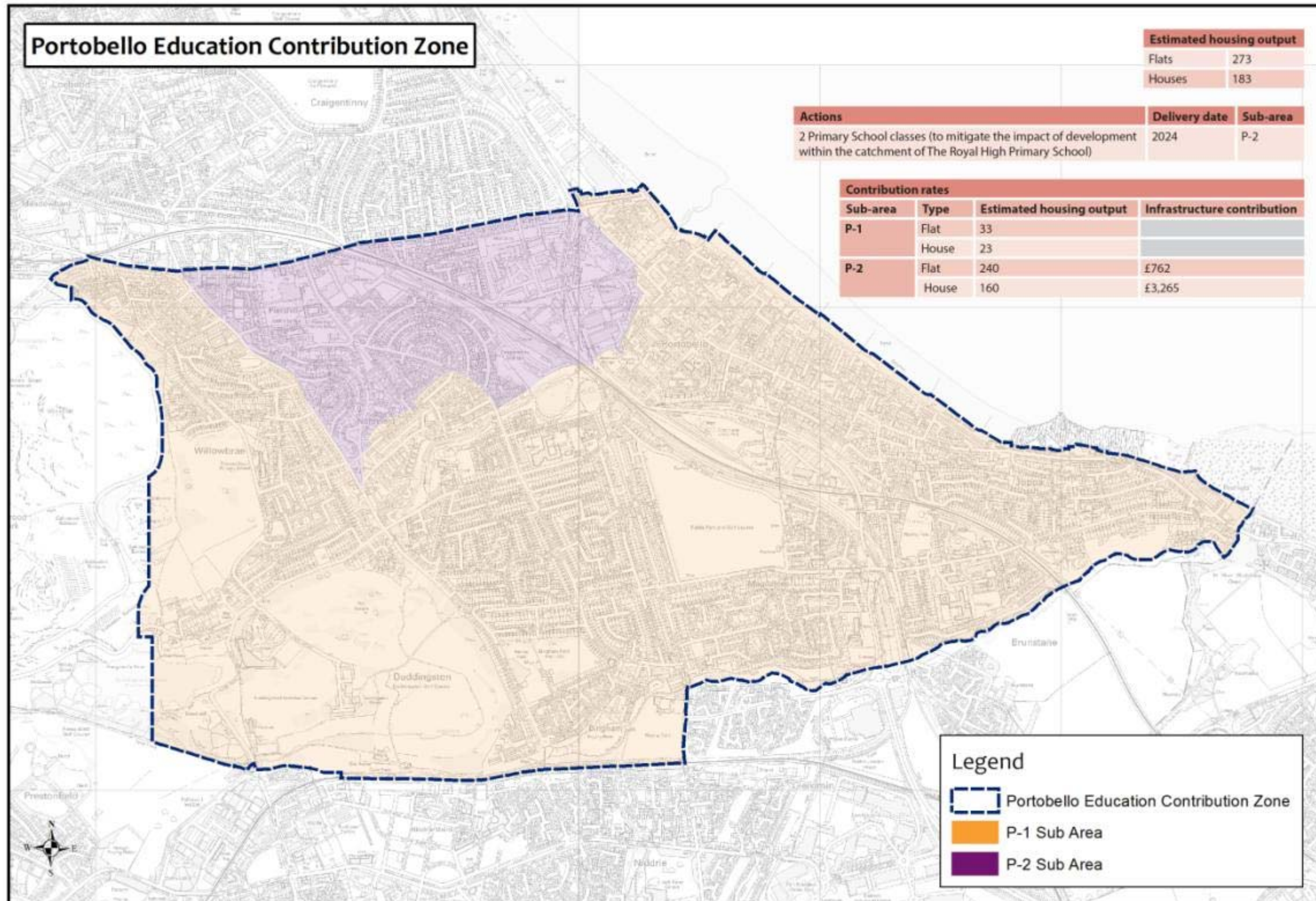
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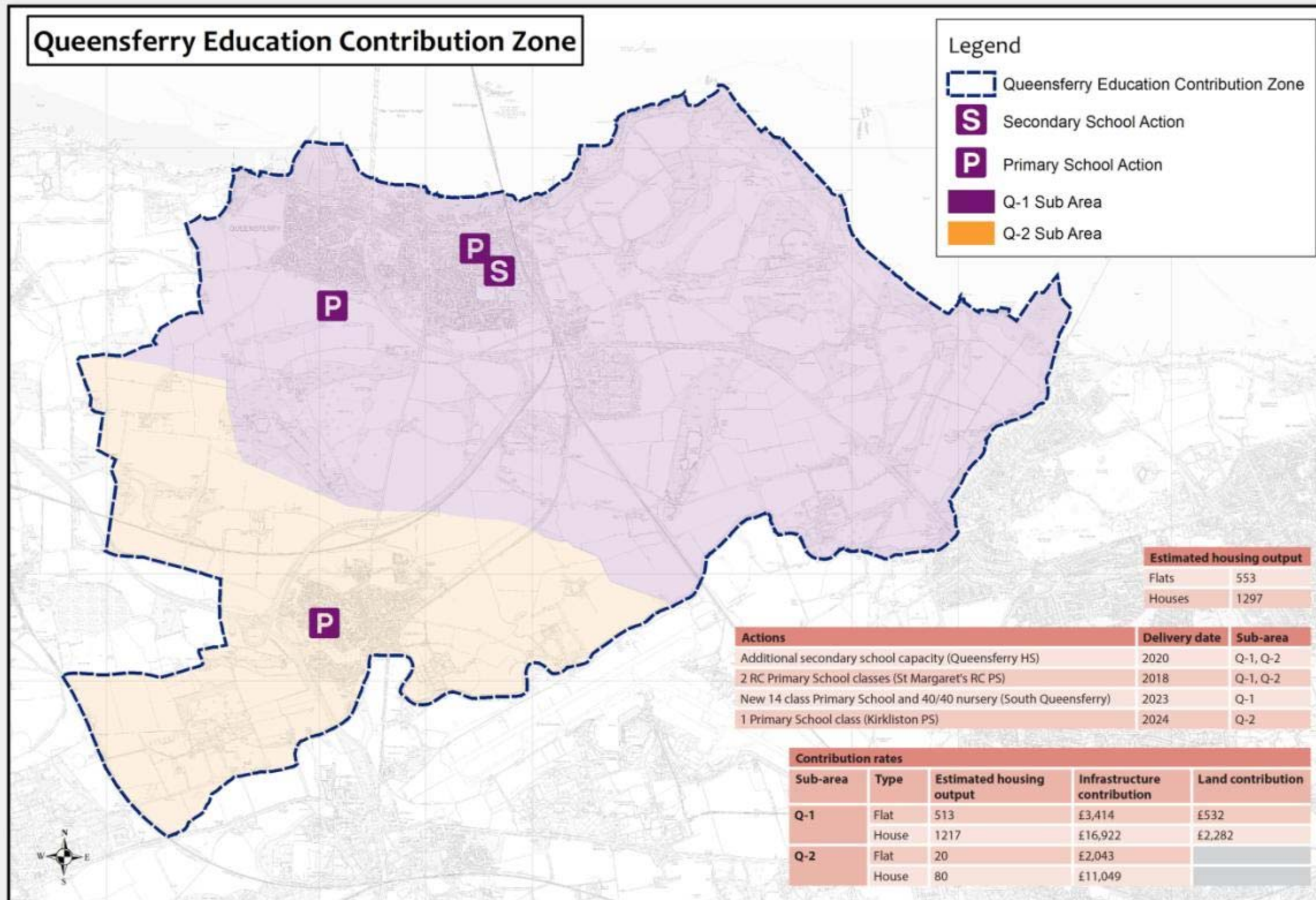
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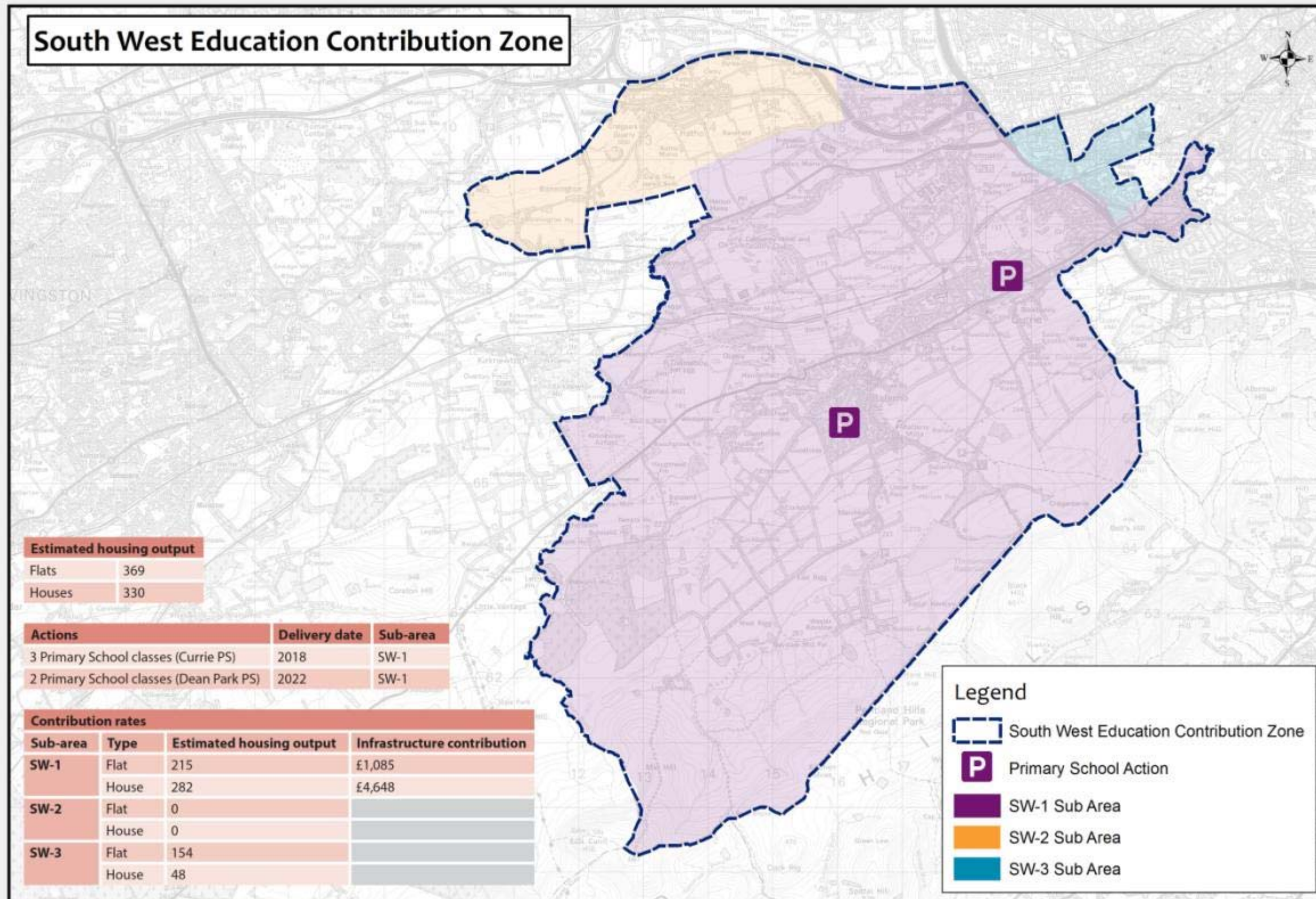
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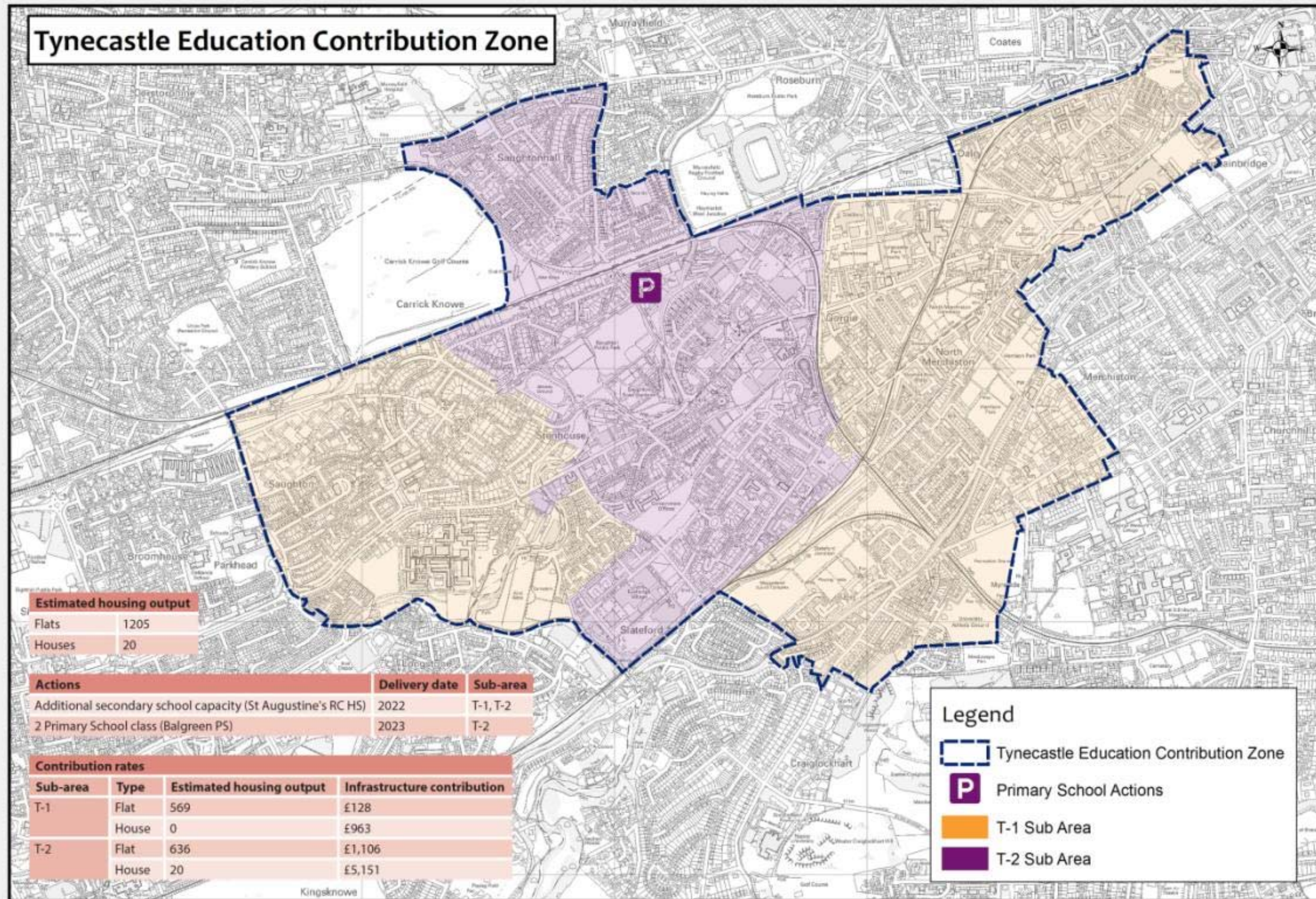
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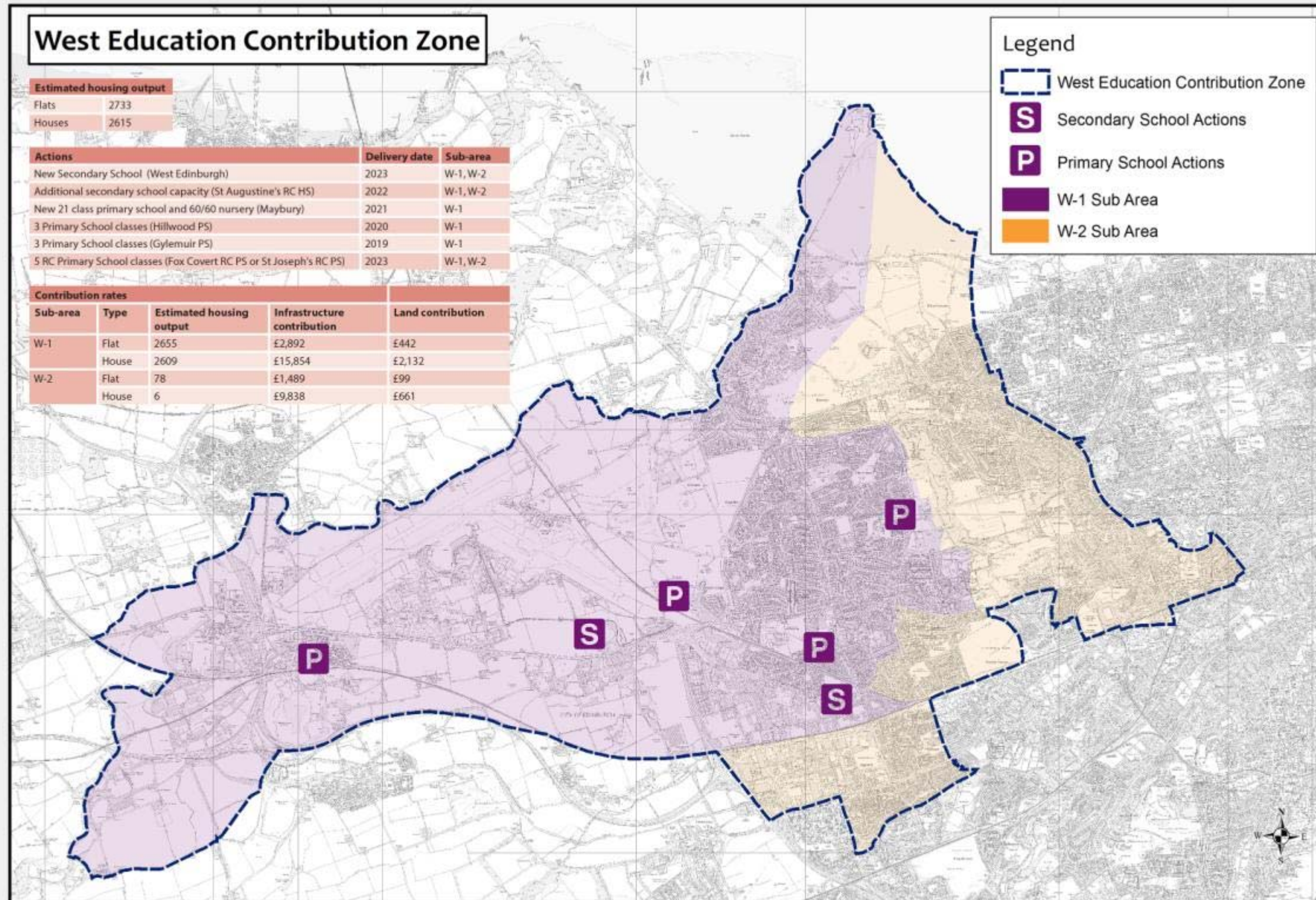
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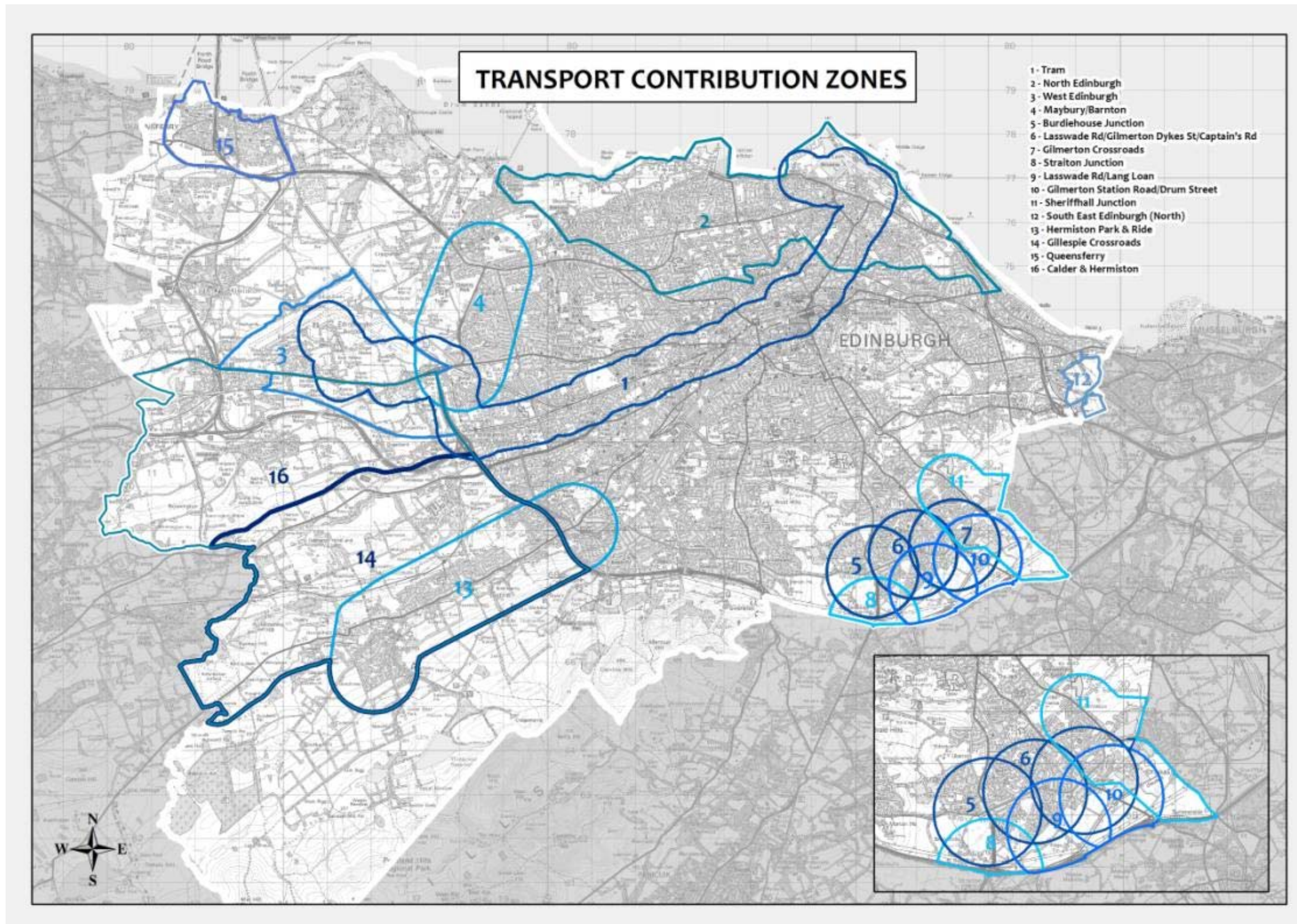
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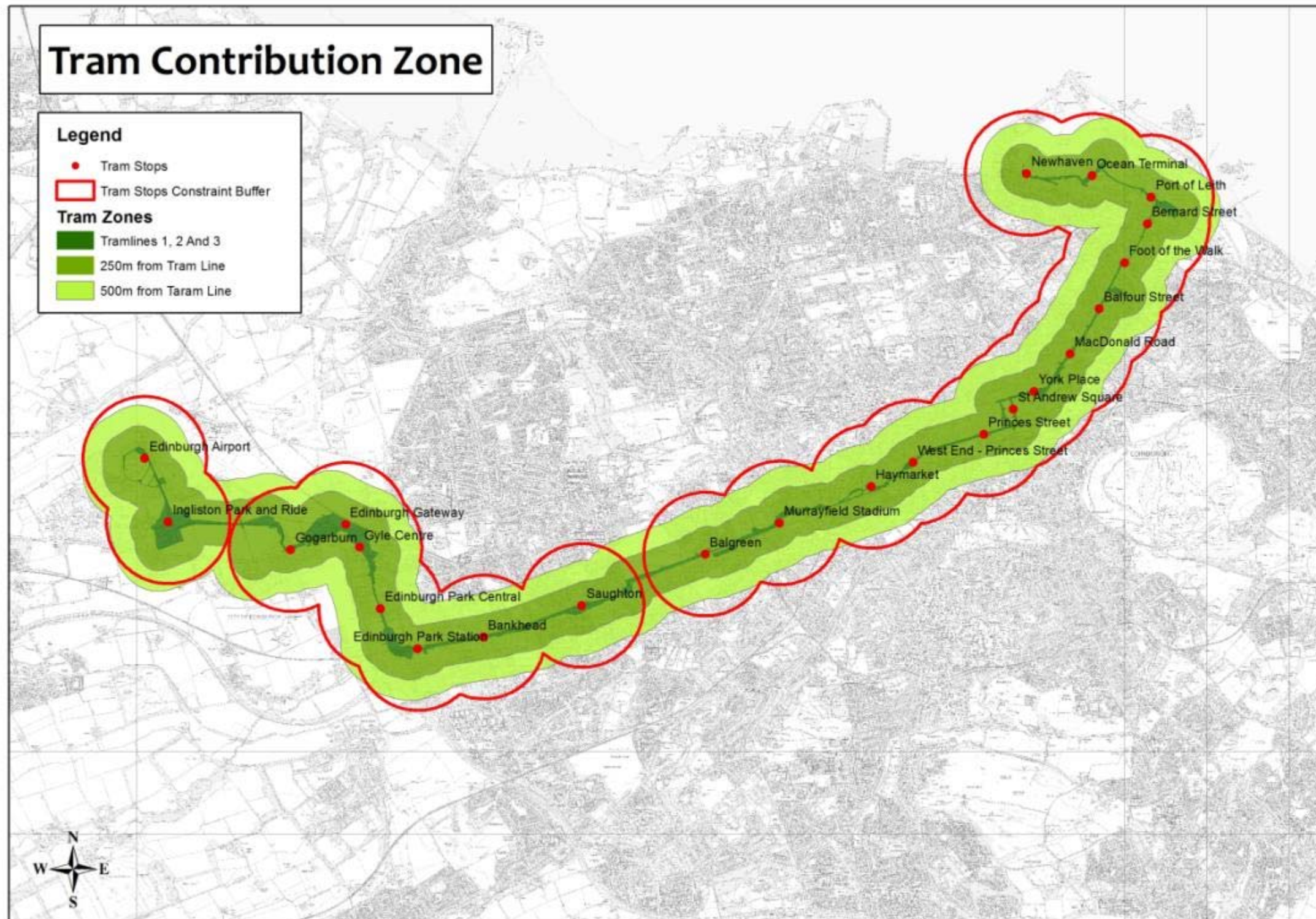


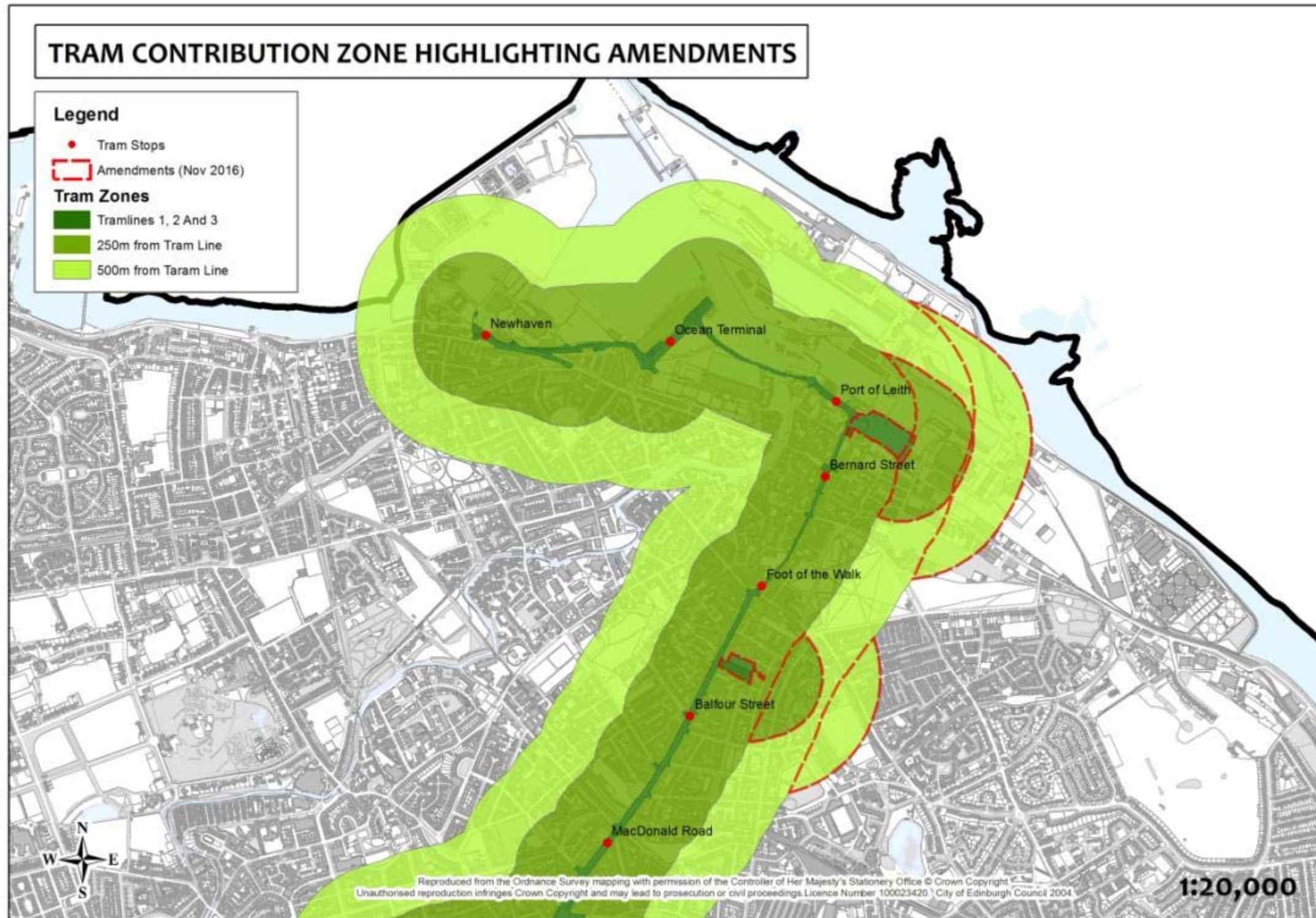
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TRANSPORT

MAPS OF TRANSPORT ZONES







Tram Developer Contribution - Calculations

scale factor	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Retail (sqm)	250-499	500-999	1,000-1,499	1,500-1,999	2,000-2,499	2,500-2,999	3,000-3,499	3,500-3,999	4,000-4,499	4,500-4,999	5,000-5,999	6,000-6,999	7,000-7,999	8,000-8,999	9,000+
Offices (sqm)	250-499	500-999	1,000-1,499	1,500-1,999	2,000-2,499	2,500-2,999	3,000-3,499	3,500-3,999	4,000-4,499	4,500-4,999	5,000-5,999	6,000-6,999	7,000-7,999	8,000-8,999	9,000+
Residential (units)	5-19	20-34	35-69	70-104	105-139	140-174	175-209	210-244	245-279	280-314	315-349	350-384	385-419	420-459	460+
Pubs and Restaurants (sq m)	100-199	200-499	500-799	800-1,099	1,100-1,399	1,400-1,699	1,700-1,999	2,000-2,299	2,300-2,599	2,600-2,899	2,900-3,199	3,200-3,499	3,500-3,799	3,800-4,099	4,100+
Business Park (sq m)	250-499	500-999	1,000-1,499	1,500-1,999	2,000-2,499	2,500-2,999	3,000-3,499	3,500-3,999	4,000-4,499	4,500-4,999	5,000-5,999	6,000-6,999	7,000-7,999	8,000-8,999	9,000+
Industry (sq m)	500-999	1,000-1,999	2,000-2,999	3,000-3,999	4,000-4,999	5,000-5,999	6,000-6,999	7,000-7,999	8,000-8,999	9,000-9,999	10,000-10,999	11,000-11,999	12,000-12,999	13,000-13,999	14,000+
Warehousing (sq m)	1500-2,999	3,000-5,999	6,000-8,999	9,000-11,999	12,000-14,999	15,000-17,999	18,000-20,999	21,000-23,999	24,000-26,999	27,000-29,999	30,000-32,999	33,000-35,999	36,000-38,999	39,000-41,999	42,000+
Hotels (bedrooms)	5-9	10-24	25-40	41-60	61-75	76-90	91-105	106-120	121-135	136-150	151-165	166-180	181-195	196-210	211+
Hospitals/Residential Institutions (sq m)	1000-1,499	1,500-2,999	3,000-4,499	4,500-5,999	6,000-7,499	7,500-8,999	9,000-10,499	10,500-11,999	12,000-13,499	13,500-14,999	15,000-16,499	16,500-17,999	18,000-19,499	19,500-20,999	21,000+
Non-residential Institutions (sq m)	1000-1,999	2,000-2,999	3,000-4,499	4,500-5,999	6,000-7,499	7,500-8,999	9,000-10,499	10,500-11,999	12,000-13,499	13,500-14,999	15,000-16,499	16,500-17,999	18,000-19,499	19,500-20,999	21,000+
Medical/Health Services (sq m)	200-299	300-599	600-899	900-1,199	1,200-1,499	1,500-1,799	1,800-2,099	2,100-2,399	2,400-2,699	2,700-2,999	3,000-3,299	3,300-3,599	3,600-3,899	3,900-4,199	4,200+
Multiplexes (sq m)	250-499	500-999	1,000-1,499	1,500-1,999	2,000-2,499	2,500-2,999	3,000-3,499	3,500-3,999	4,000-4,499	4,500-4,999	5,000-5,499	5,500-5,999	6,000-6,499	6,500-6,999	7,000+
Other Leisure Uses (sq m)	1000-1,499	1,500-2,999	3,000-4,499	4,500-5,999	6,000-7,499	7,500-8,999	9,000-10,499	10,500-11,999	12,000-13,499	13,500-14,999	15,000-16,499	16,500-17,999	18,000-19,499	19,500-20,999	21,000+

Larger Developments will be negotiated separately (The application of these tables on a pro rata basis, will be used as a starting point.)

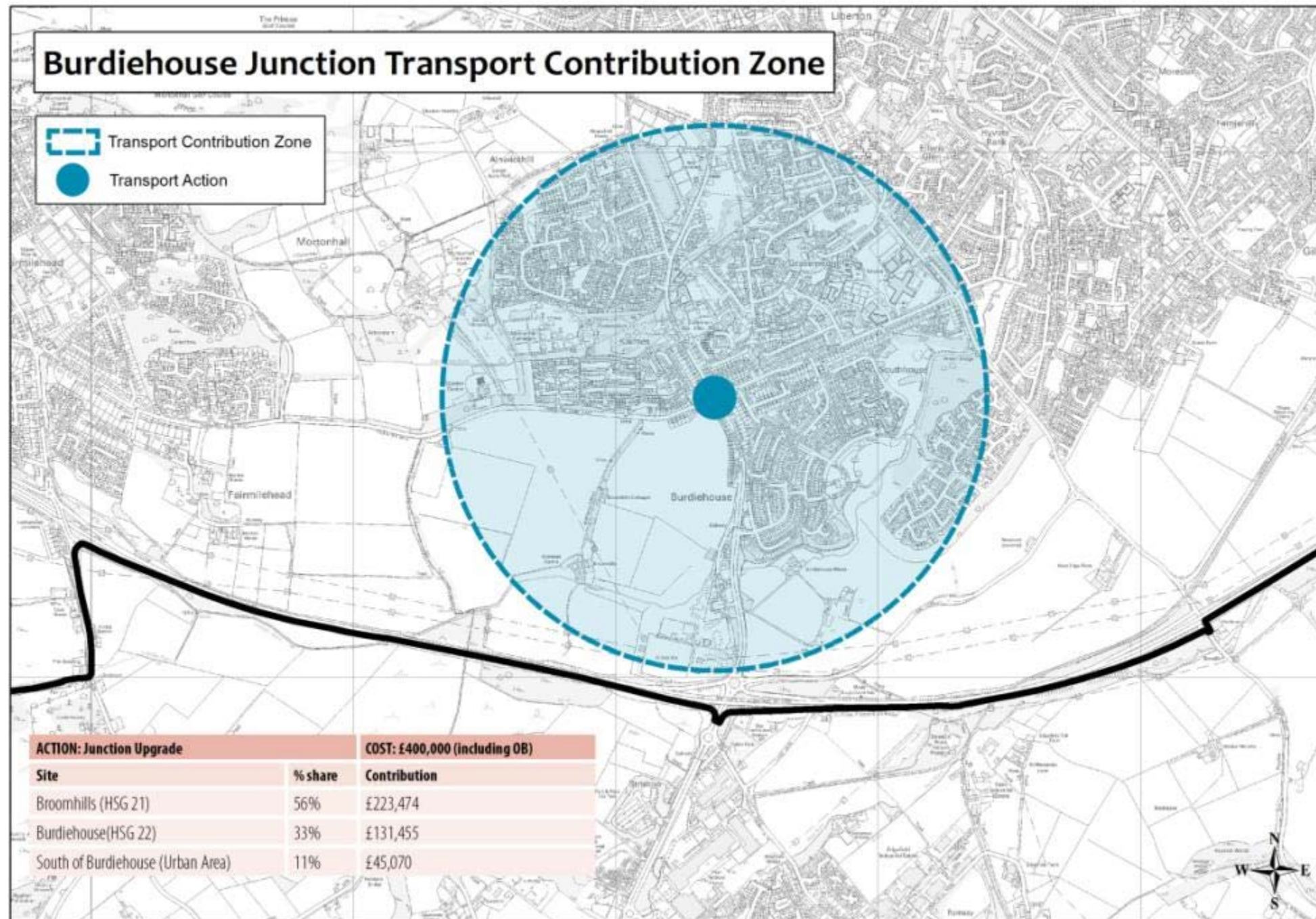
scale factors	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Zone 1 (up to 250m)	17-45	46-91	92-137	138-183	184-230	231-274	275-322	323-368	369-414	415-461	462-507	508-553	554-599	600-645	646+
Zone 2 (up to 500m)	12-33	34-68	69-102	103-137	138-172	173-206	207-231	232-276	277-310	311-345	346-380	381-414	415-449	450-484	485+
Zone 3 (up to 750m)	7-22	23-34	35-68	69-91	92-114	115-137	138-160	161-183	184-206	207-230	231-253	254-276	277-299	300-322	323+

*Zones refer to those on appendix 1 plan

Notes

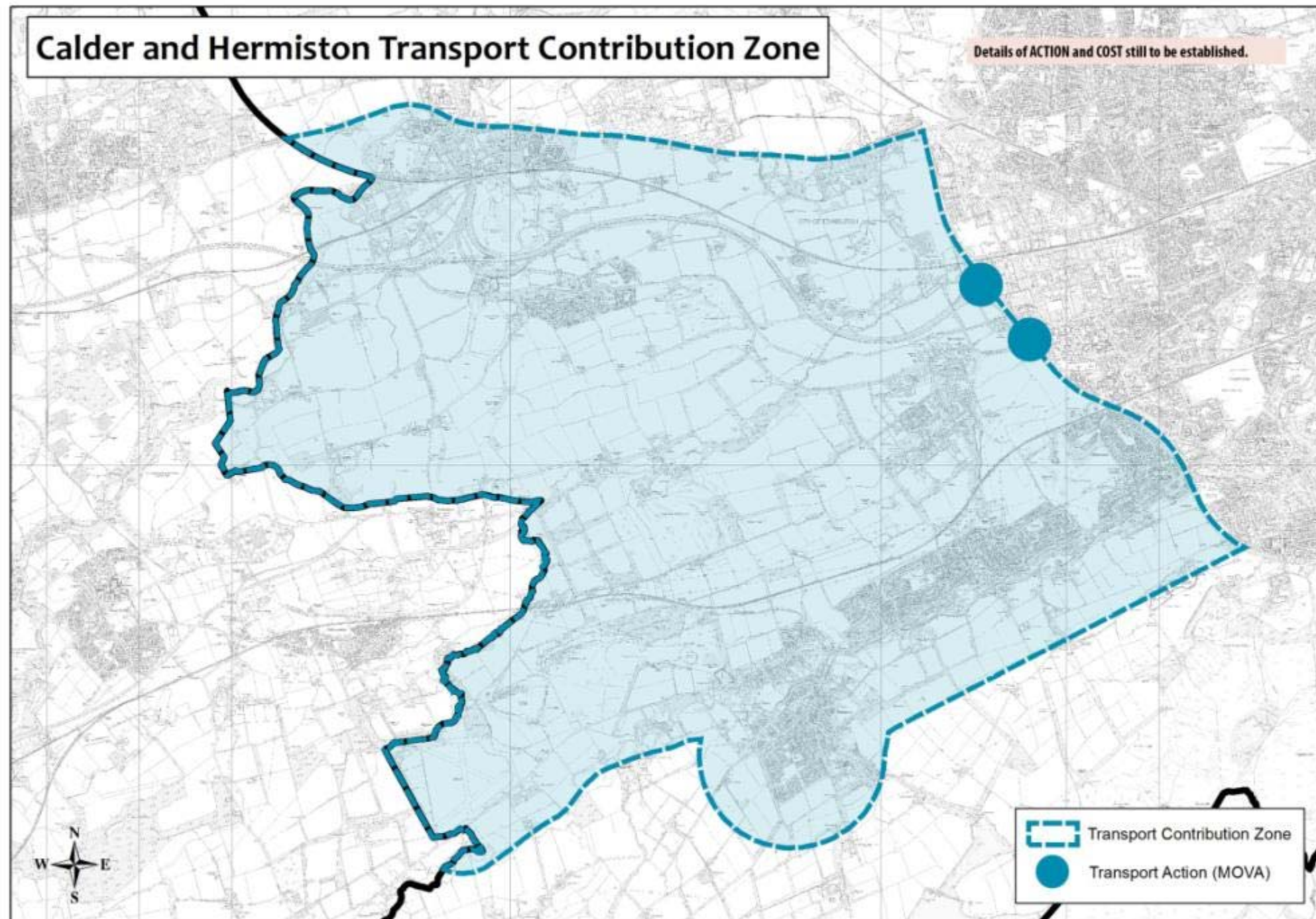
The amount of contribution attributable to any development will depend on the exact size of the development (sqm/number of units, etc). This table provides the range of financial contribution in each scale factor, which relates to the range of development sizes in each scale factor shown in the map in Annex 1. This table is provided to assist in calculating the level of contribution that will be sought. The exact amount will be confirmed during the planning application process.

Developer Contributions and Infrastructure Delivery

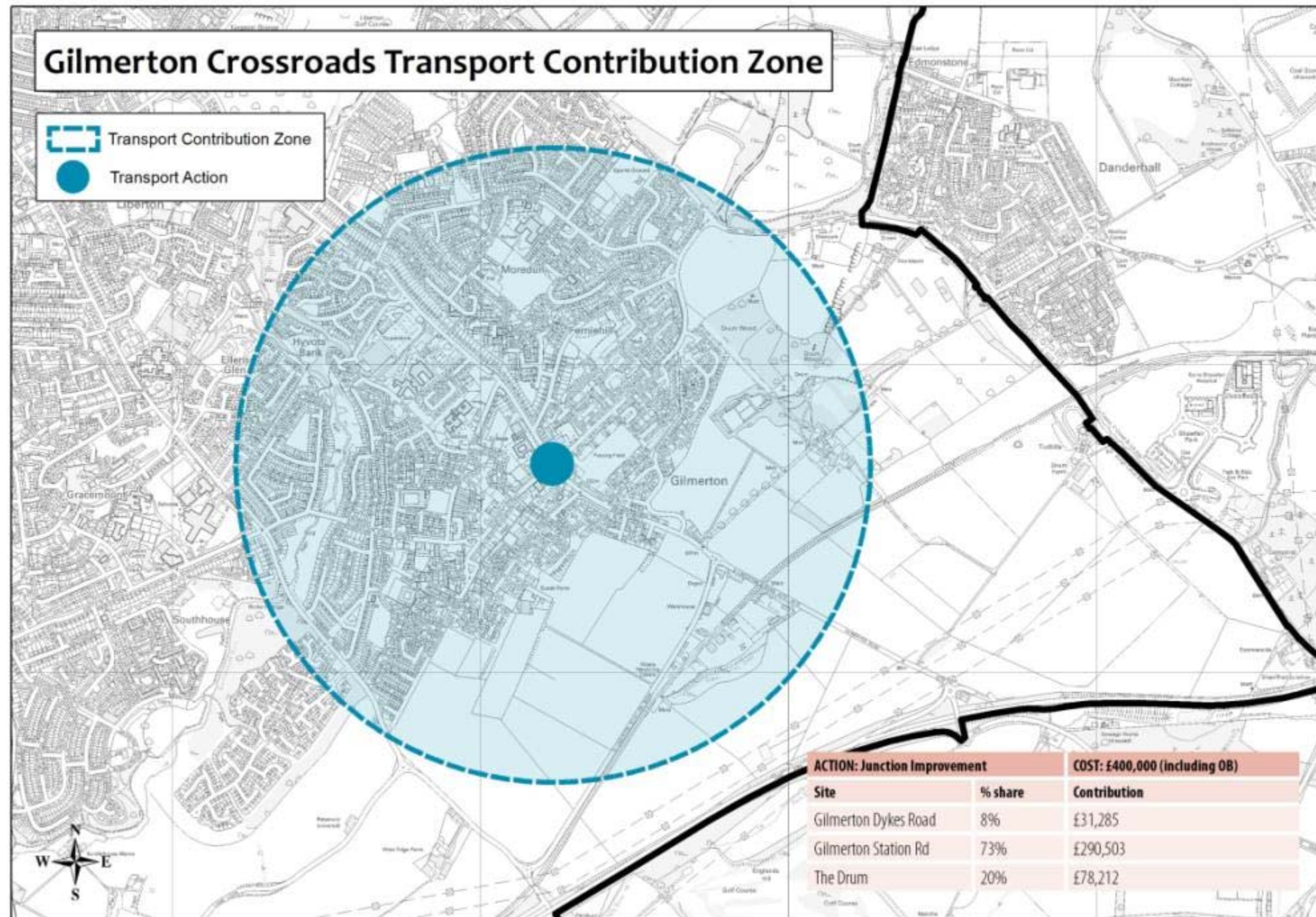


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Developer Contributions and Infrastructure Delivery

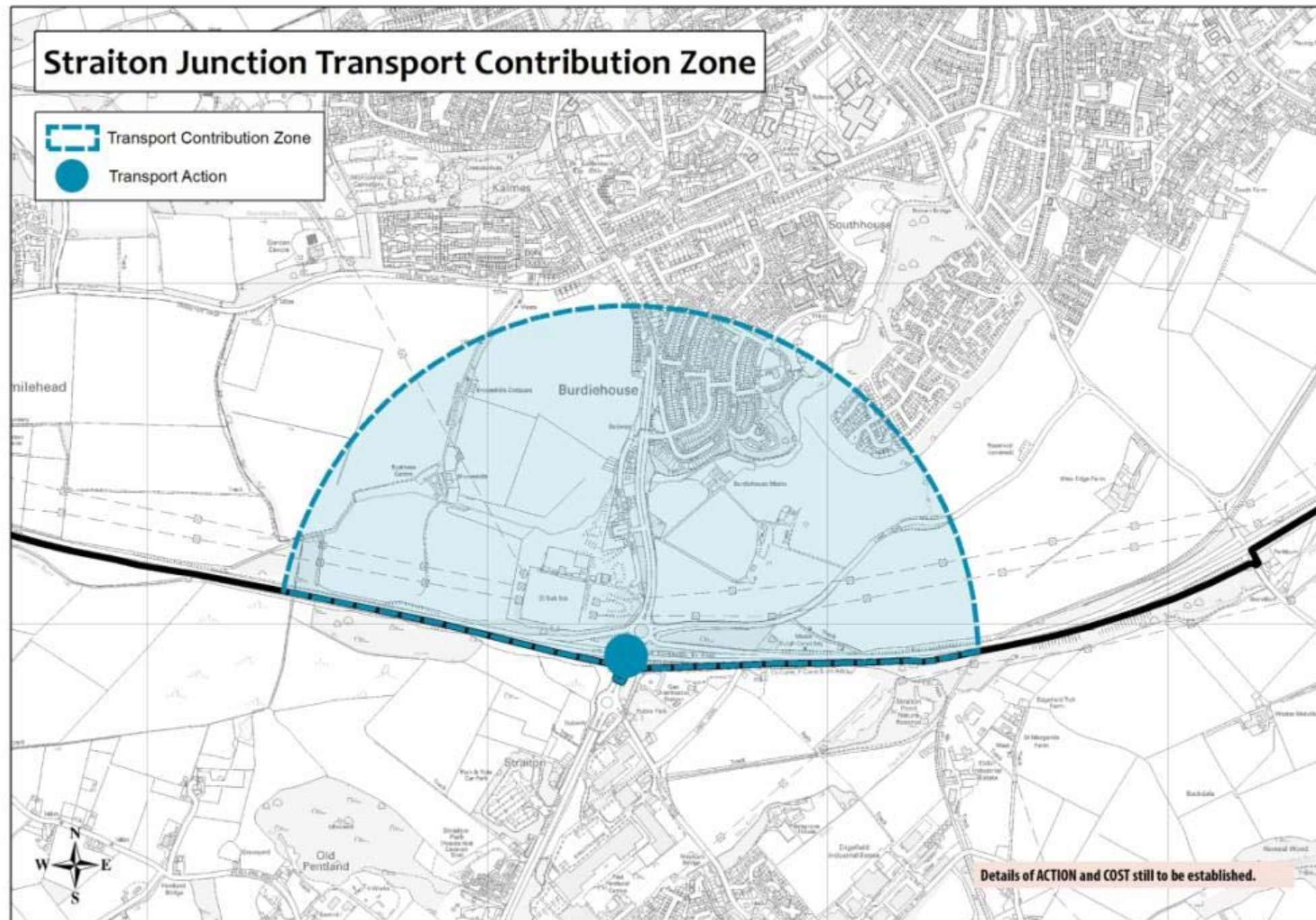


Developer Contributions and Infrastructure Delivery



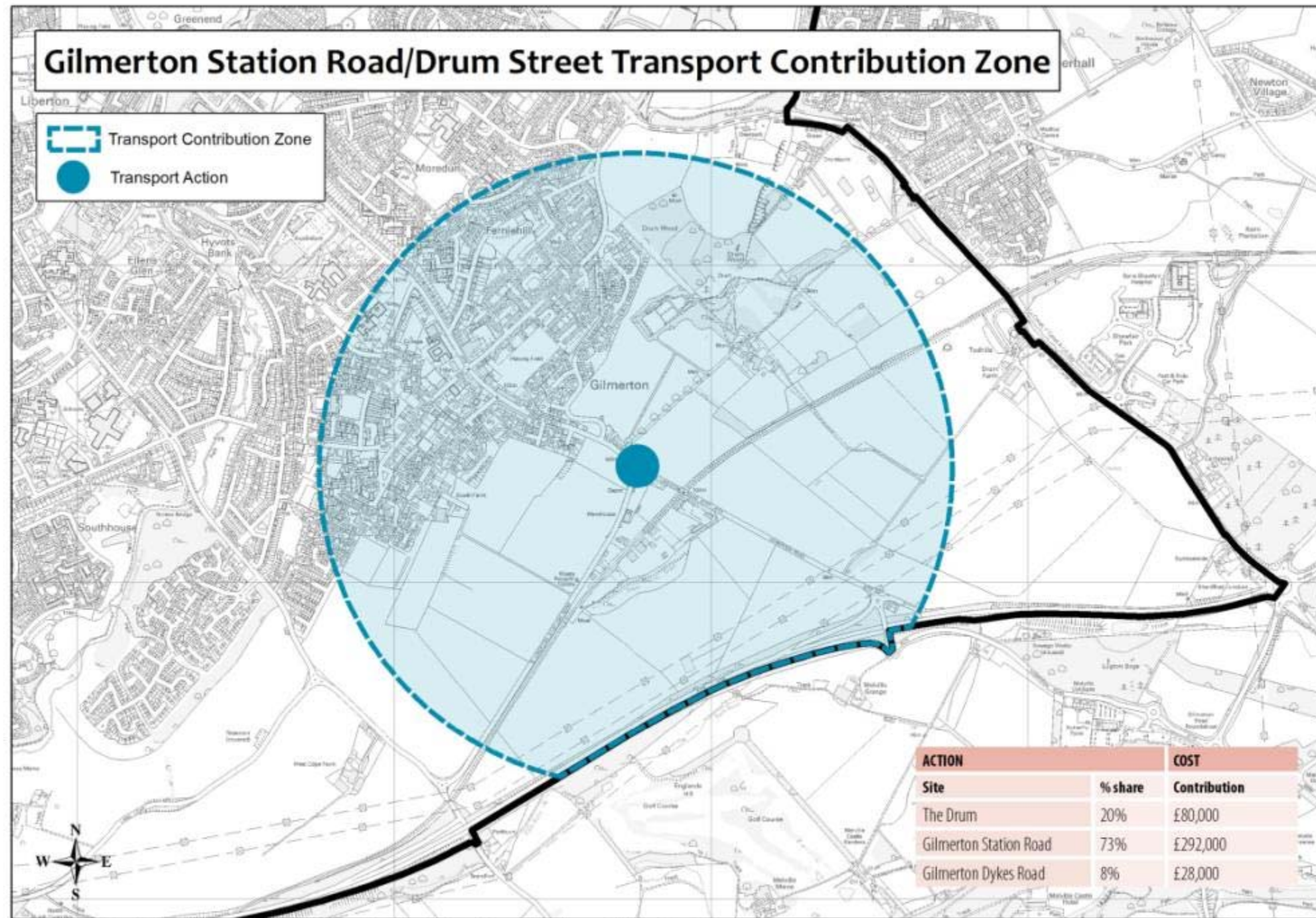
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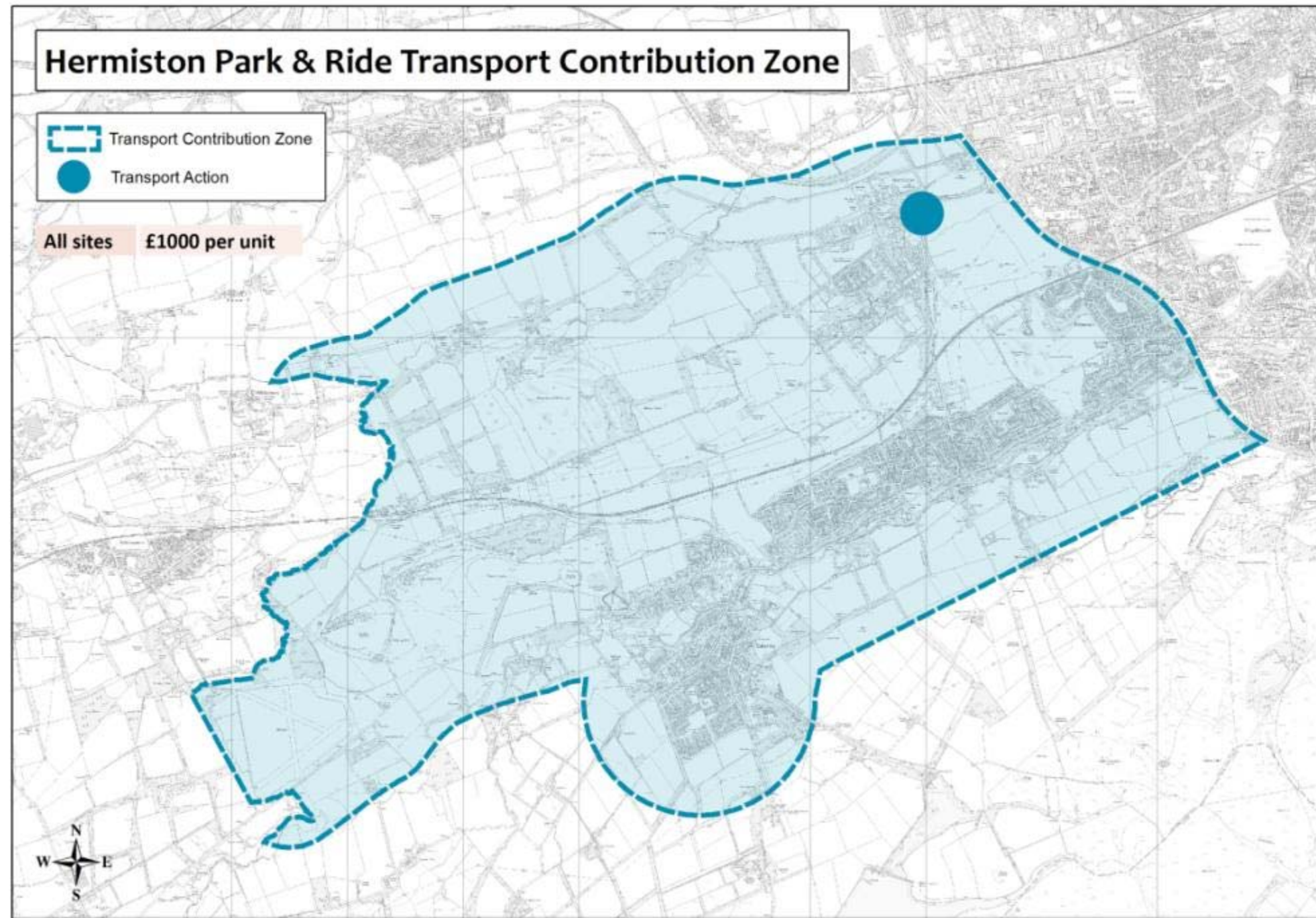
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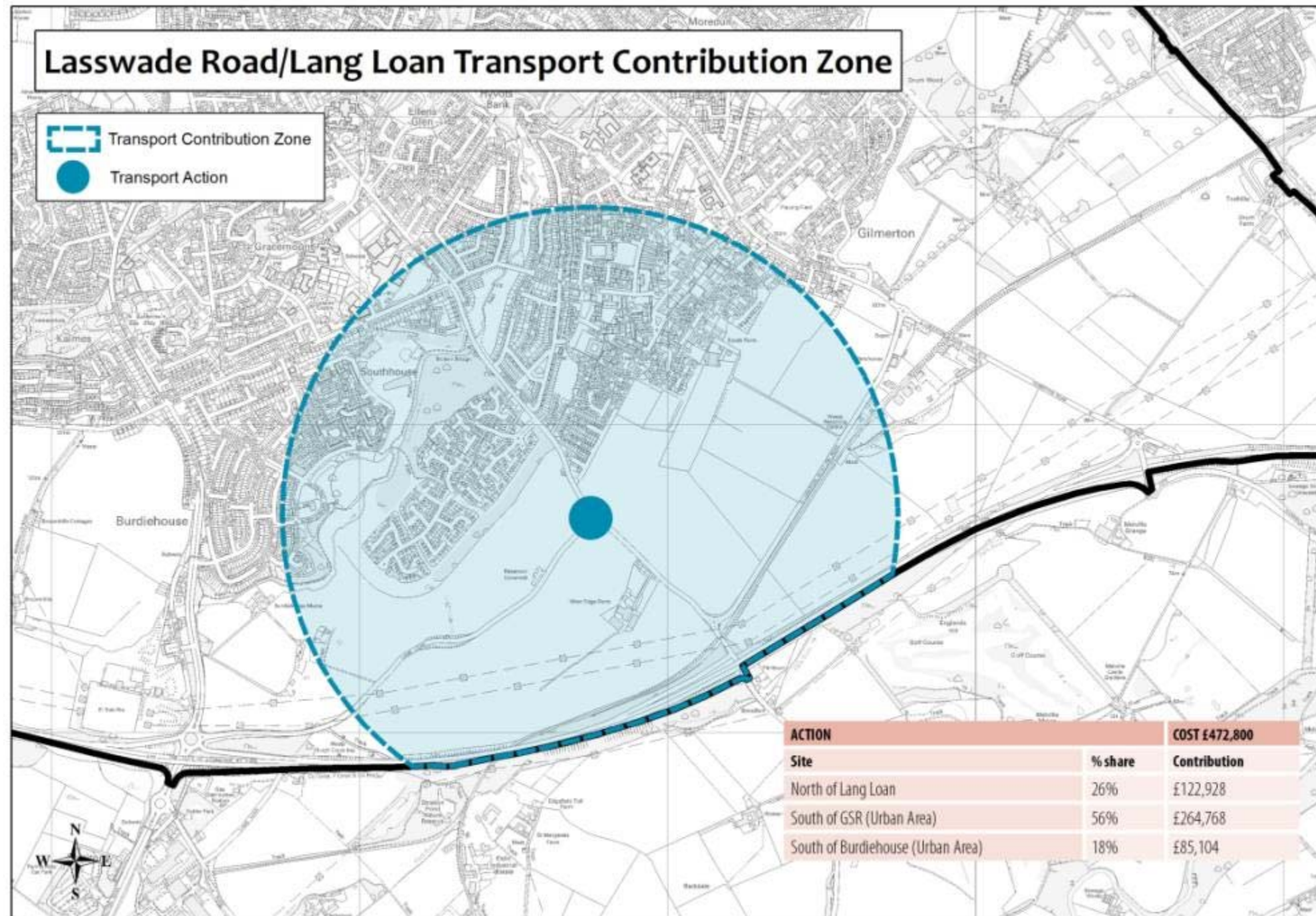


Developer Contributions and Infrastructure Delivery



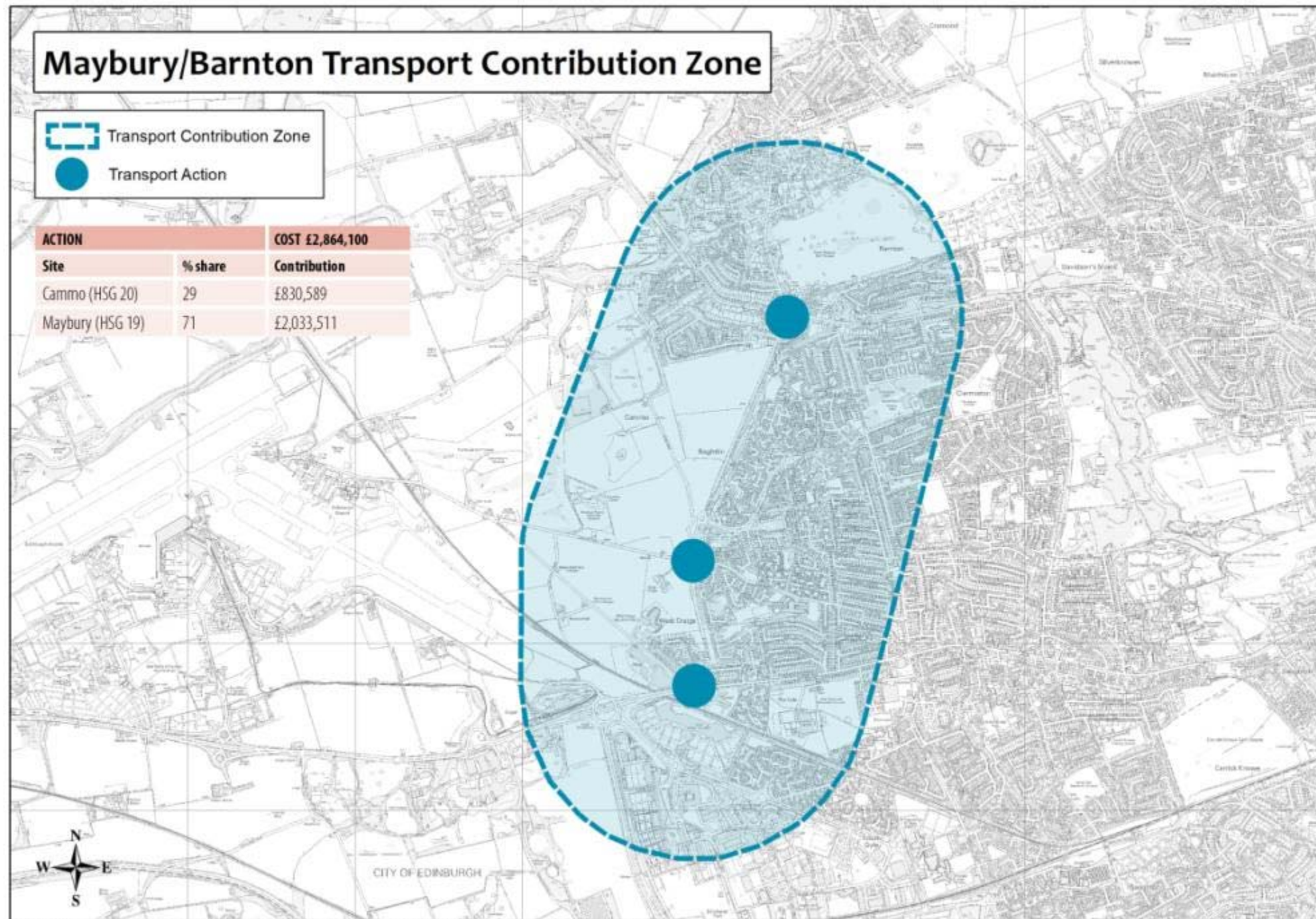
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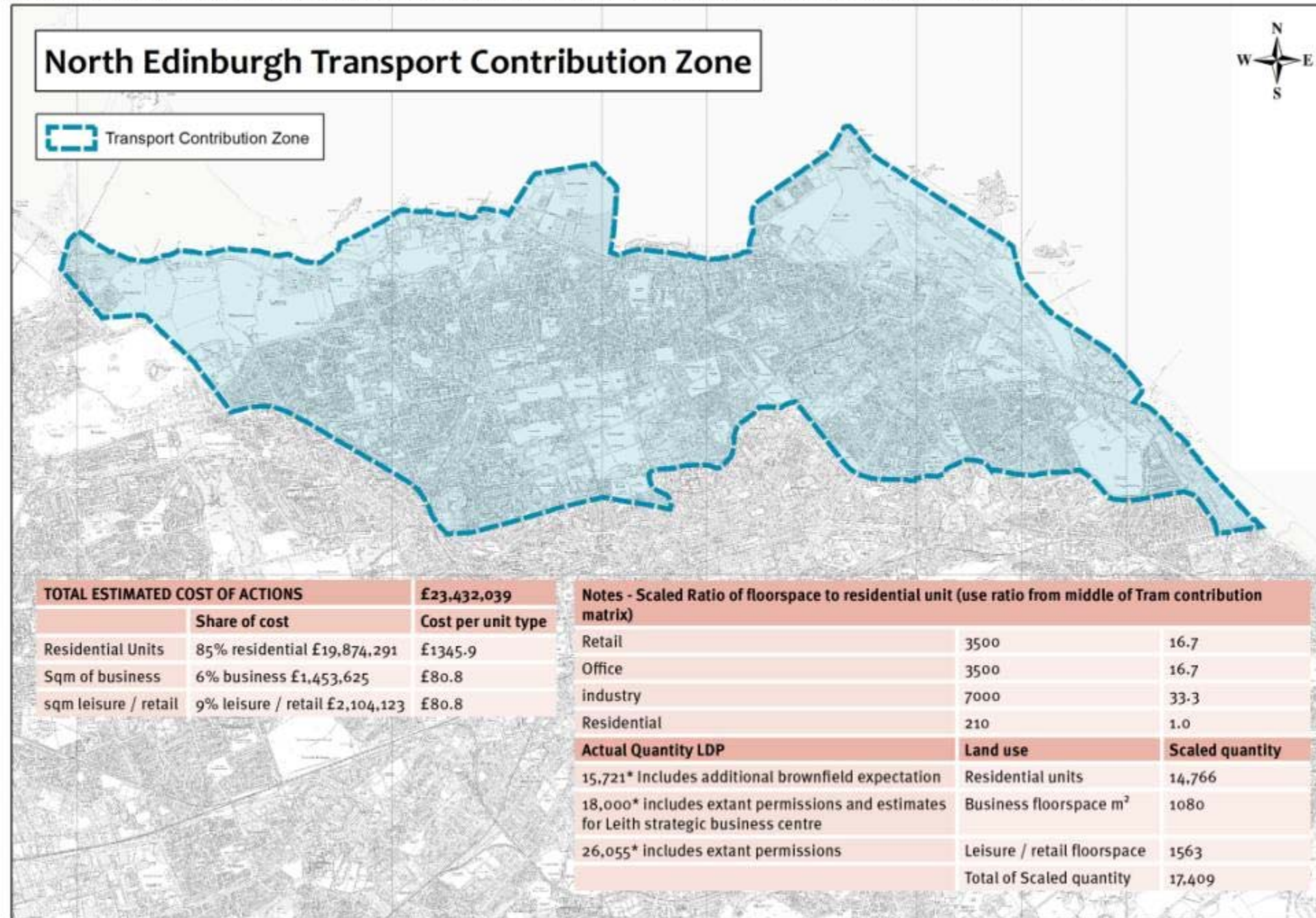
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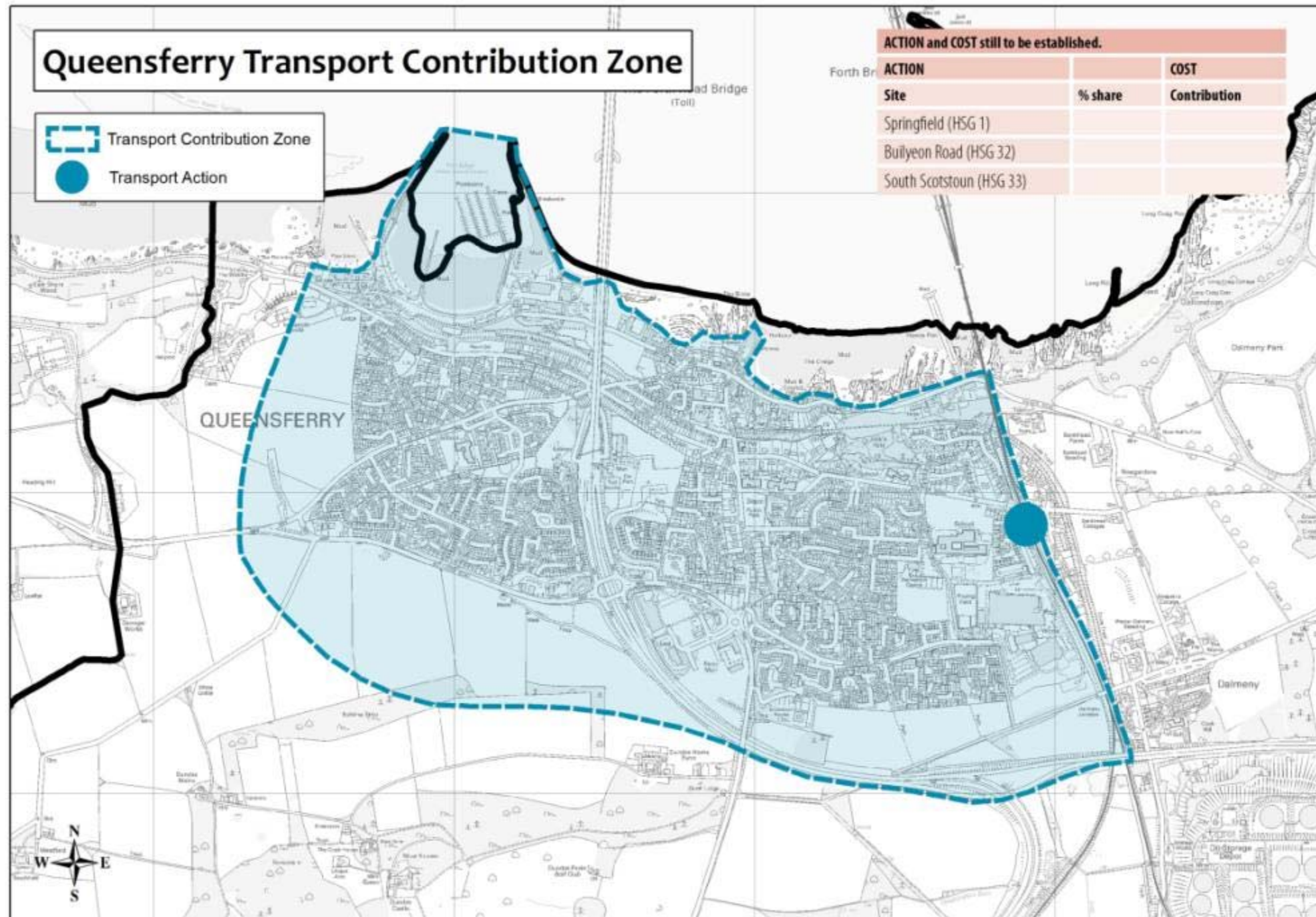
Developer Contributions and Infrastructure Delivery

Transport actions are currently being costed. The most recent update to costs was in Q3 2016 (October 2016). Indexation will be applied from the point that an action was costed, as set out in the Action Programme.



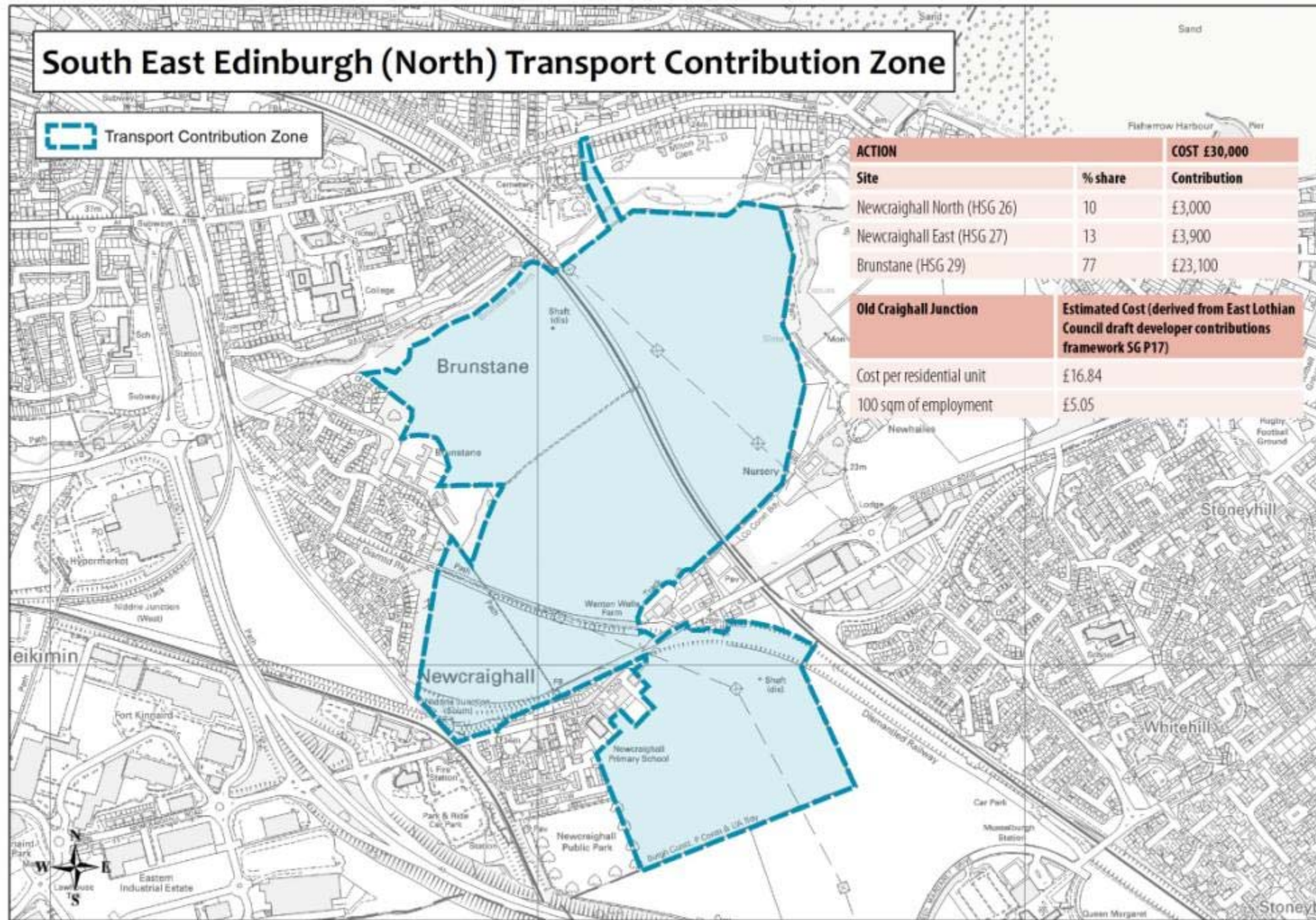
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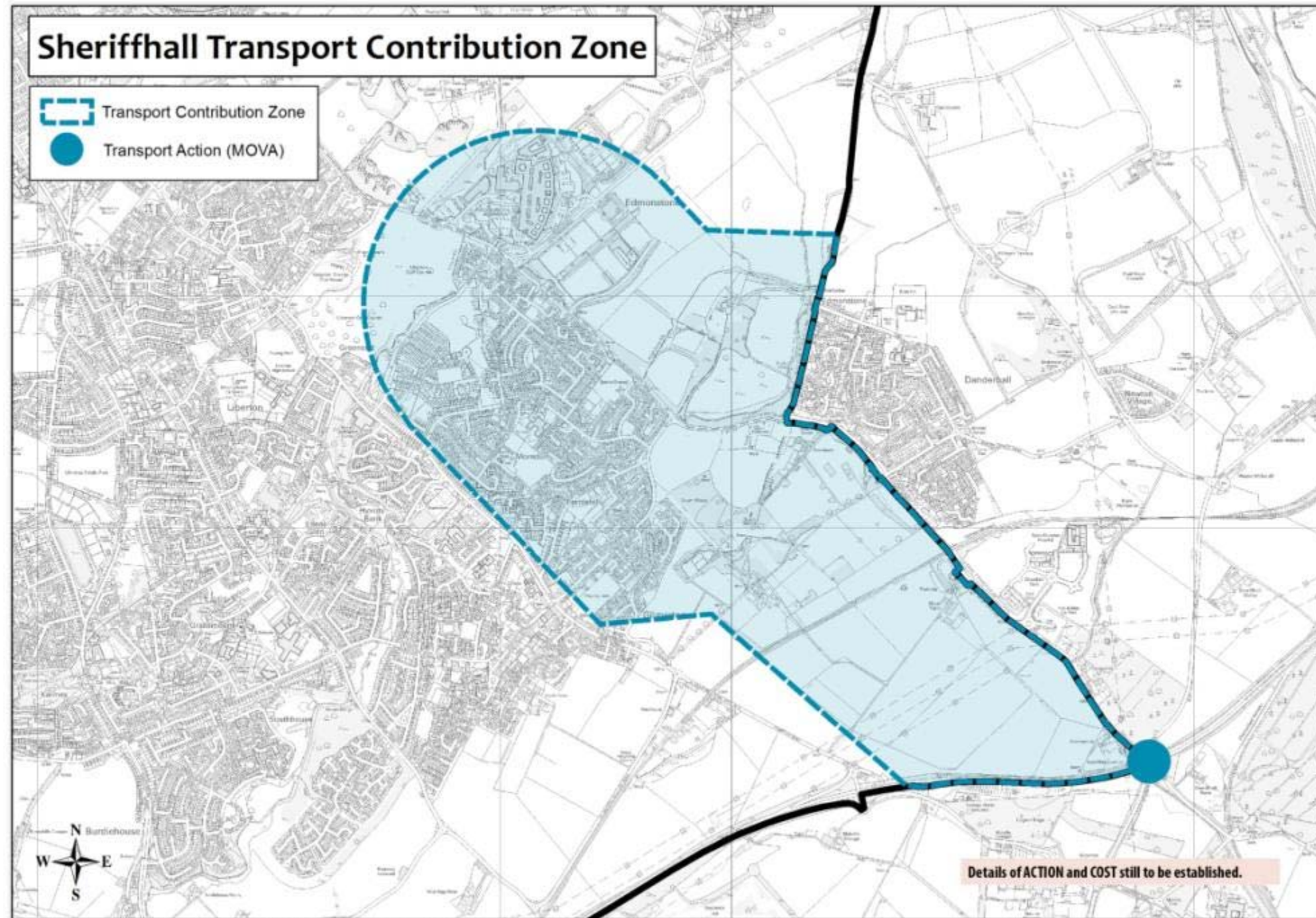


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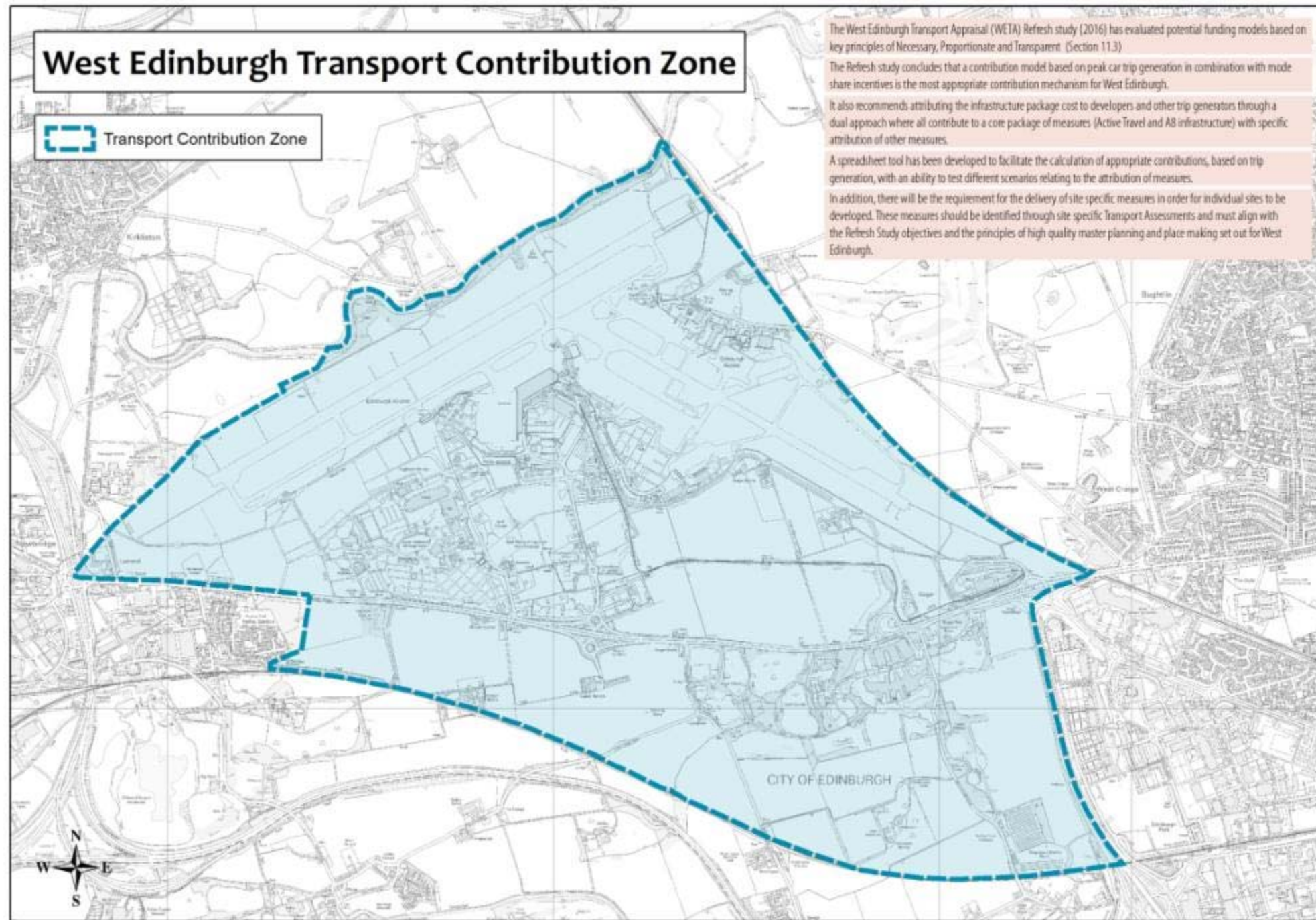


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WEST EDINBURGH TRANSPORT ACTIONS		COST
CYCLE	A8 North side missing link	£773,900
	Improvements to Gravel path (old railway line) from A8/M9 interchange north to Kirkliston	£457,300
	Cycle Connection from A8 along Eastfield Road into Airport Option A	£693,300
	Improved access between Ratho Station and A8 along station road	£659,800
	Improved Station Road/A8 bridge access for cyclists.	£634,800
PUBLIC TRANSPORT	Broxburn to Newbridge Roundabout	£2,249,800
	Station Road to Newbridge Interchange	£1,602,300
	A8 eastbound bus lane from Dumbbells to Maybury Junction	£3,697,400
	Bus Lane Under Gogar Roundabout	£92,300
	Improved bus priority linking SW Edinburgh with Gyle/IBG/Airport (inc ped/cycle facilities where appropriate)	£3,225,750
	Upgraded Bus interchange facility at Ingliston P+R	£4,320,000
	Kilpunt Park and Ride	£792,000
	New Tram Stop	£1,440,000
ROAD	Link Road Part 1 Dual Carriageway	£9,073,400
	Link Road Part 2 Single Carriageway	£4,052,000
	Segregated Link Road cycle route	£1,605,600
	Development Link Road main street carriageway	£8,114,300
	Dumbbells to IBG - Phase 1	£2,596,100
	IBG new access into Airport to include priority bus - Phase 2	£1,645,900
	Dumbbells Roundabout improvement	£1,732,400
	Dumbbells westbound offslip signals	£1,245,900
	MOVA improvements at Newbridge/Dumbbells Gogar/Maybury	£2,174,400
	Newbridge additional lane from M9 onto A8	£837,100
	A) A8 Gogar Roundabout – 4 Lane Northern Circulatory Improvements	£2,446,800
	B) Gogar to Maybury additional eastbound traffic lane	£30,000,000
Sum (Development Contribution)		£86,162,550

HEALTHCARE

Developer Contribution Rates

Scheme type	Cost range £m	Average cost per scheme £m	Additional population per scheme	Cost per dwelling (average household size 2.10***)	Per Student bedspace equivalent cost
Small scheme	£0.01m - £0.1m	£0.025	500	£105	£17
Intermediate	£0.1m - £0.5m	£0.25m	2000	£262.50	£42
Refurbishment/redesign entire practice premises*	----- £0.5-2m x 20%	(£1.5m) ----- £0.3m	(10,000 – total) ----- 2000 – extra 20%	(£315) ----- £315	(£50) ----- £50
New build **	Highly variable costs and premises solutions	£4m	8000	£1050	£170

Key:

* - Using the example of an existing practice building with 8000 patients being refurbished to allow an increase to 10,000 then only 20% of total cost should come from developer contributions

** - New build costs attributable to additional population from development only i.e. replacement of existing capacity would not be expected through developer contributions

*** - Based on 2015 Household estimates (NRS)

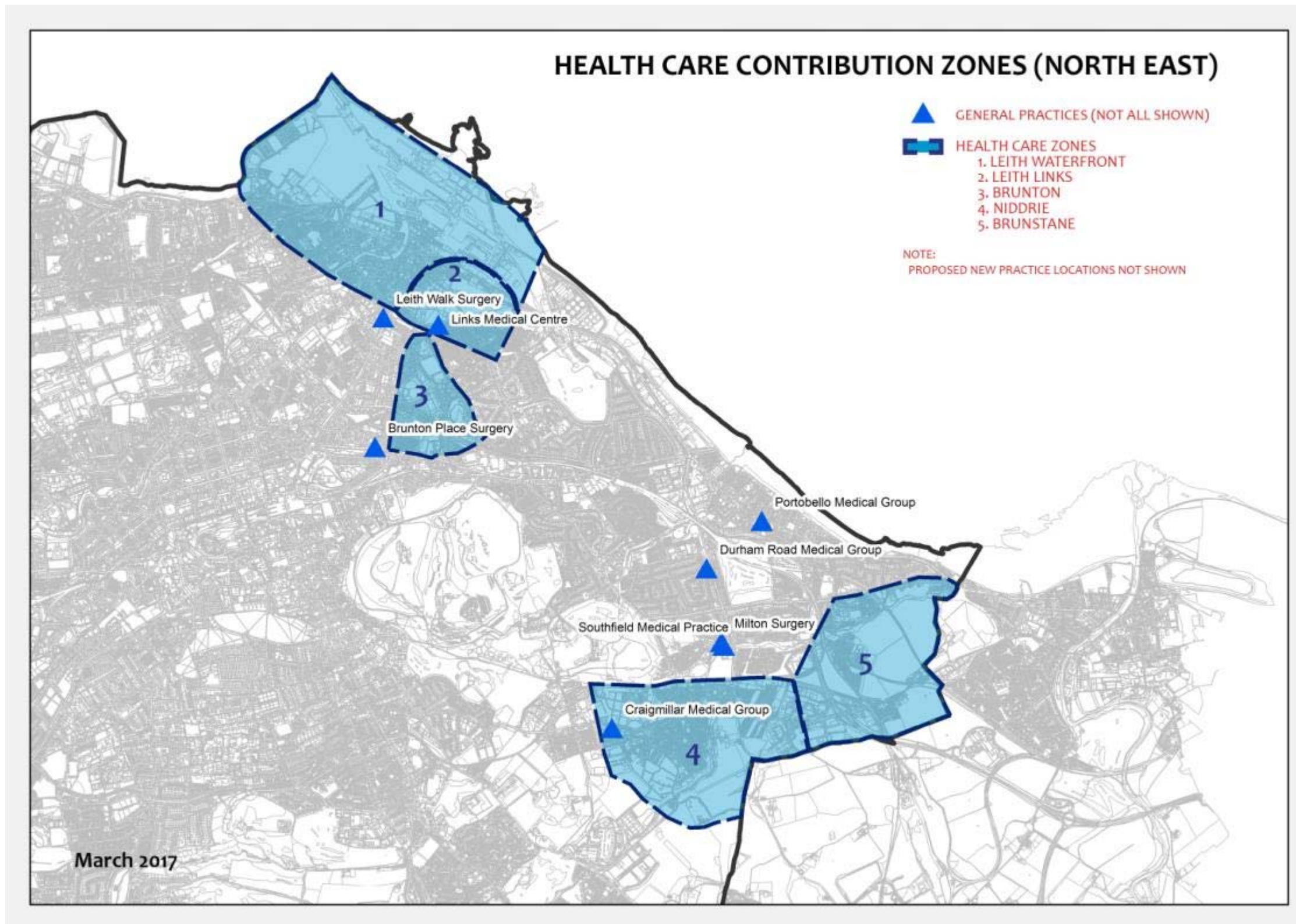
To ensure that the cost of delivering new healthcare infrastructure is shared proportionally and fairly between developments, healthcare developer contribution zones have been identified. These zones have been identified taking into account the following factors;

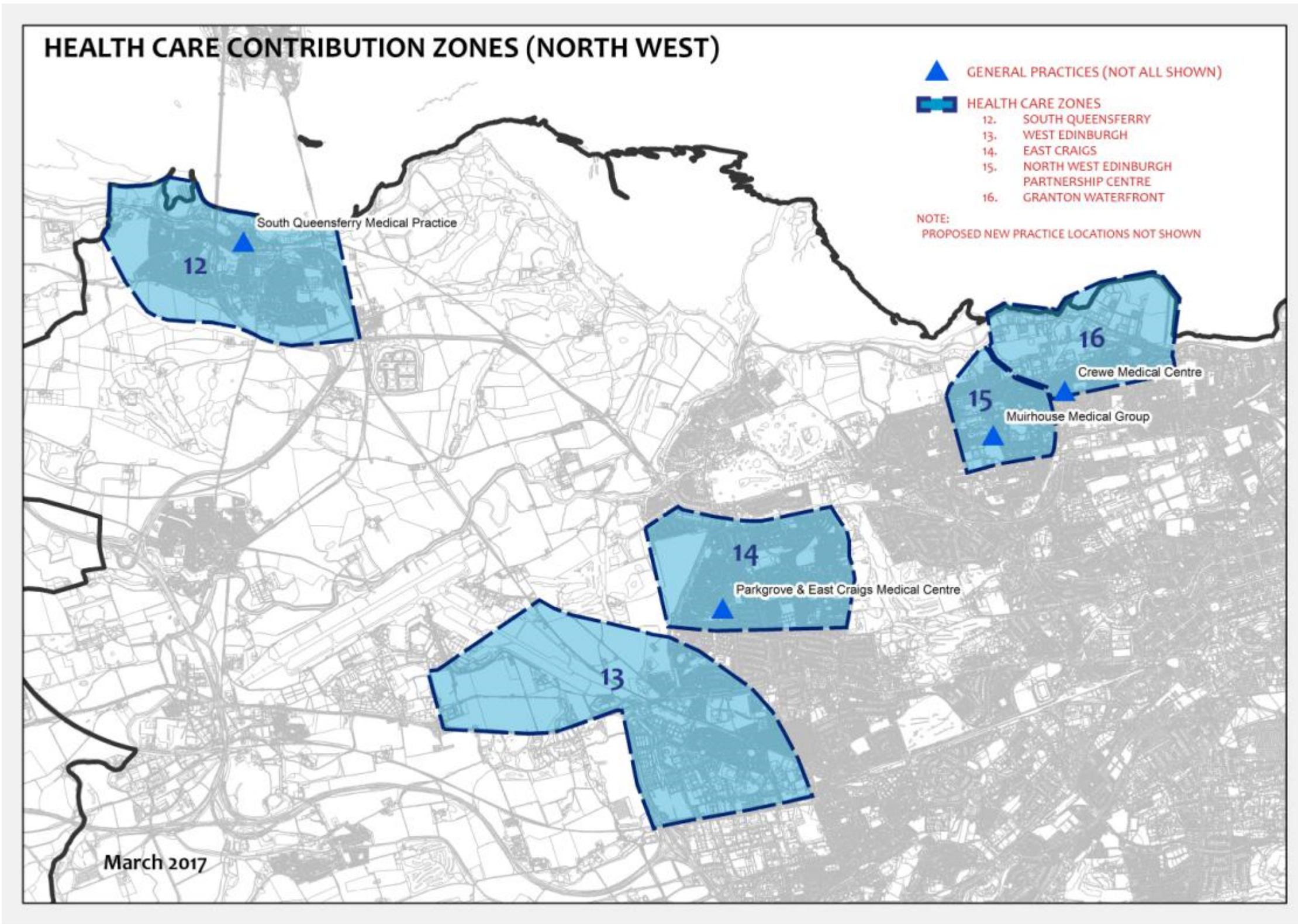
- Healthcare practices with capacity constraints
- Development proposals within the catchments of affected practices
- Distribution of practice’s registered patients

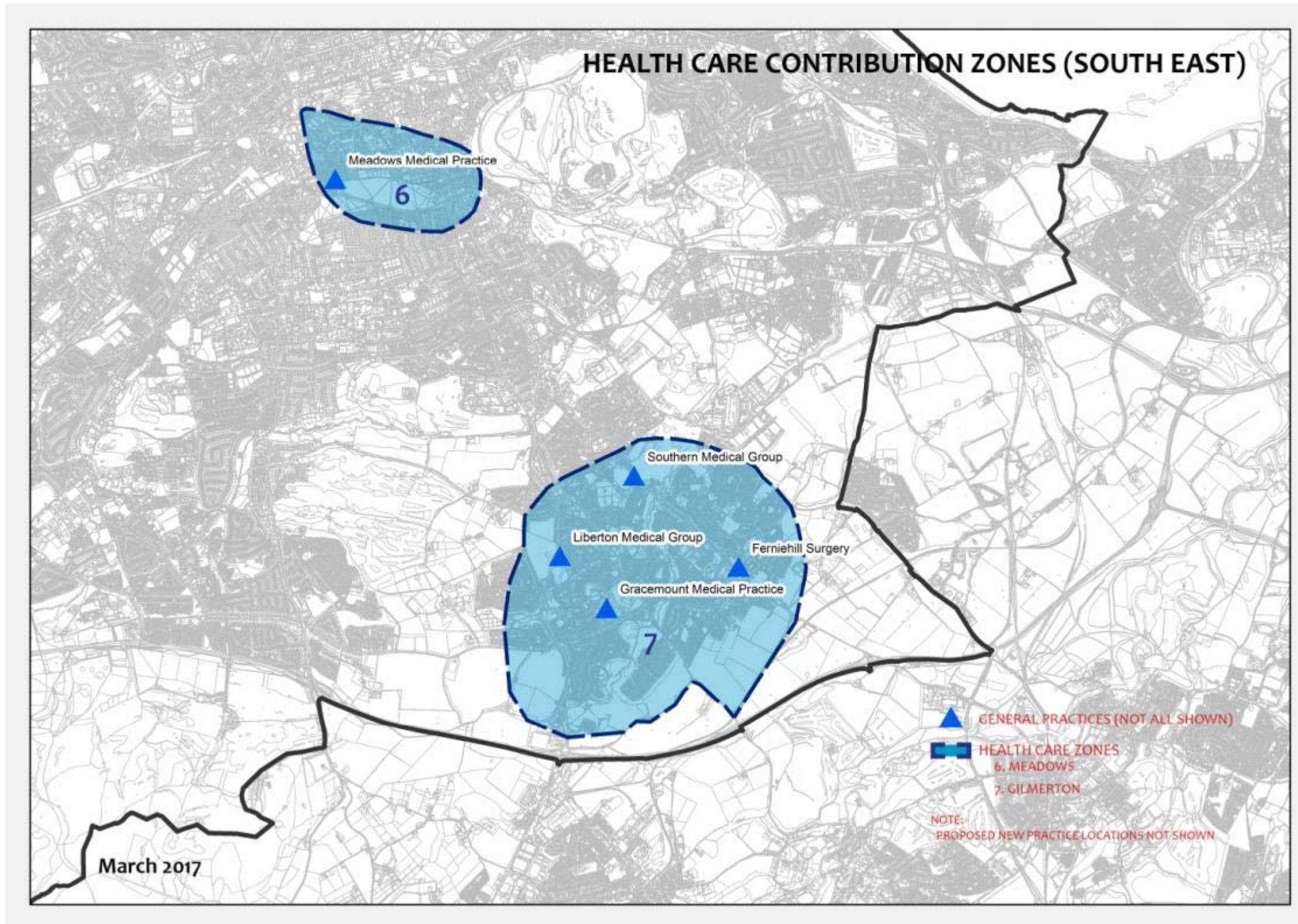
ACTION	REQUIREMENT / DETAILS	TIMESCALE	ESTIMATED COST	FUNDING	STATUS
New medical practices					
Granton Waterfront	New Practice to mitigate impact of new residential development in Granton Waterfront. Co-located with new waterfront primary school.	2021 -26	£5M	H&SC Partnership / Developer	Exploring Options
Leith Waterfront	New Practice to mitigate impact of new residential development in Leith Waterfront. Co-located with new Leith primary school.	2016 - 26	£7.5m	H&SC Partnership / Developer	Exploring Options
West Edinburgh	New Practice to mitigate impact of new residential development in West Edinburgh (Maybury, South Gyle, Edinburgh Park, IBG) Co-located with new Maybury Primary School	2018 -24	£6M	H&SC Partnership / Developer	Exploring Options
Gilmerton	New Practice to mitigate impact of new residential development in South East Edinburgh (HSG 21-40). Location to be confirmed.	2016 – 2022	£5/9m	H&SC Partnership / Developer	Exploring Options
Brunstane	New Practice to mitigate impact of new residential development in Brunstane. Location to be confirmed.	TBC	TBC (£5m est)	H&SC Partnership / Developer	Exploring Options
NWEPC	New Practice to mitigate impact of development at Pennywell, Muirhouse, City Park, Telford Nth + Granton waterfront (early)	2015-2021	Sunk Cost	NHSL	Underway

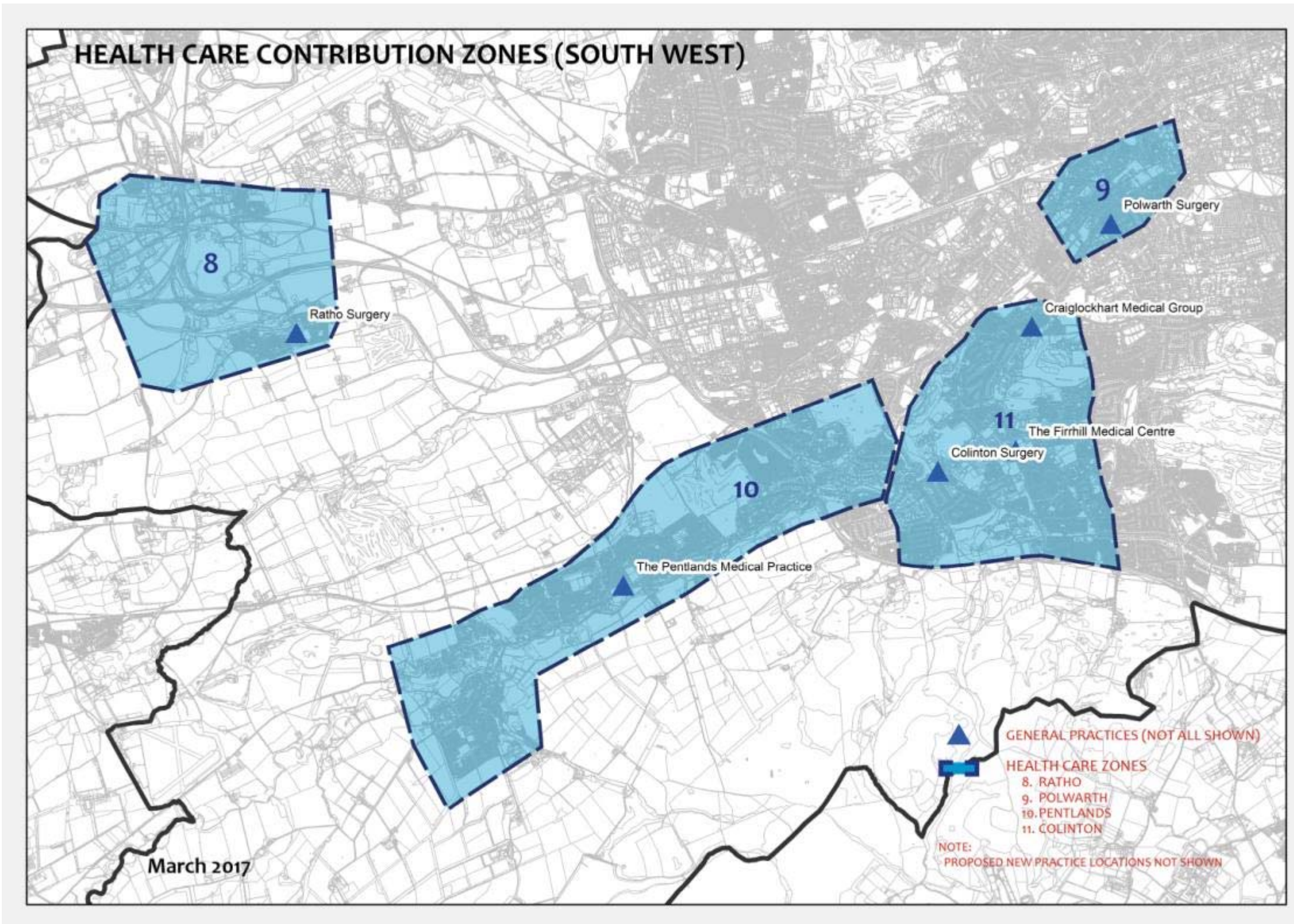
Expansions					
Parkgrove	Expansion to medical practice to mitigate impact of HSG 20 Cammo.	2018 - 24	£0.1m	H&SC Partnership / Developer	Exploring Options
Pentlands	Expansion to medical practice to mitigate impact of development in South West Edinburgh	2014 - 24	£0.5m	H&SC Partnership / Developer	Exploring Options
Ratho	Re- provision to medical practice to mitigate impact of development in Ratho	2014 -24	£2m Sunk Cost	H&SC Partnership / Developer	Underway
Niddrie	Expansion to medical practice to mitigate the impact of new residential development in Craigmillar.	2014 -24	£5M	H&SC Partnership / Developer	Exploring Options
Leith Links	Re-provision of medical services to mitigate impact of HSG 12 Lochend Butterfly	TBC	£3.5 (£70,000 - 20% for LDP/HLA sites)	H&SC Partnership / Developer	Exploring Options
Polwarth	Expansion to medical practice to mitigate impact of CC3 Fountainbridge	TBC	TBC	H&SC Partnership / Developer	Exploring Options
Meadows	Expansion to medical practice to mitigate impact of CC3 Quartermile	Up to 2021	£3m (£30000 - 10% for LDP/HLA sites)	H&SC Partnership / Developer	Exploring Options
Brunton	Re-provision of medical services to mitigate impact of Meadowbank	2018-2026	£5m (£1,000,000 - 20% for LDP/HLA sites)	H&SC Partnership / Developer	Exploring Options

Allermuir	Expansion to medical practice to mitigate Craighouse.	2014 -24	£7m (Sunk Cost)	NHSL Bundle	Underway
South Queensferry	Expansion to medical practice to mitigate impact of development in Queensferry	2014 - 24	£0.3m (Sunk Cost)	H&SC Partnership	Underway









Appendix 2 - Changes to Supplementary Guidance on Developer Contributions and Infrastructure Delivery

SECTION

1. Introduction

- No change

2. Delivering the Edinburgh Local Development Plan

- Text now reads: The Action Programme is a statutory document, which is **adopted by Planning Authorities and submitted to Scottish Ministers on at least a two yearly basis.**
- **Table 1 amended** to prioritise walking and cycling before public transport and then cars.

2a. Education Infrastructure

Clauses A – G have been re-organised and re-numbered to accommodate proposed changes

- Education Clause Dii) (now Clause C) now reads: If the education infrastructure actions identified in the current Action Programme are not sufficient to accommodate an increase in the cumulative number of new pupils expected in that area as a result of the development (**for example greenfield/greenbelt sites being considered under LDP Policy Hou 1, part 2**) the Council will consider if it is appropriate to revise the action(s) and associated Contribution Zones. ~~A contribution towards delivering the revised set of actions will then be required from the development, based on a new 'per house' and 'per flat' rate. The established 'per house' and 'per flat' contribution rates will be applied if they are sufficient to cover the cost of the notional new set of actions. If the established contribution rates will not cover the cost of the revised set of actions, the proposed development will be required to make a contribution that is sufficient to cover the revised set of actions, in order that the infrastructure requirements can be delivered. In some circumstances it may be appropriate to establish a new Contribution Zone or Sub-Area with its own contribution requirements, for example if a development comes forward that would require a new school to be added to the Action Programme. This will ensure that sites not allocated within the LDP do not contribute proportionally less to the delivery of new education infrastructure than housing sites allocated in the LDP.~~
- Education Clause C (now Clause E) now reads - Development should only progress where it is demonstrated that required education infrastructure can be delivered, and at the appropriate time. The Council will assess whether new development will impact on the education actions set out in the Action Programme, and the current education delivery programme, as set in Appendix 1. **Third party delays in infrastructure delivery will not normally be allowed to prevent the granting of planning permission or the undertaking of development.**

Delivery of Education Infrastructure

- New section under Delivery of Education Infrastructure:
 - **If the number of additional classrooms that are delivered is no more than what is necessary to accommodate the number of pupils expected to be cumulatively generated from development sites, developer contributions from the relevant part of the**

Contribution Zone will be expected to cover the full cost of delivering the new infrastructure.

- The Council may identify a need to provide education infrastructure over and above what is required to accommodate the number of pupils expected to be cumulatively generated from development sites. This will be set out in the Action Programme, and the Council's appropriate share of the infrastructure identified. The Council will not seek developer contributions to deliver its share of this infrastructure; instead the Council will seek an alternative funding mechanism.

2b. Transport Infrastructure

- Clause B iv) insert -Cross boundary impacts, taking account of relevant developments in surrounding authorities. (except those for housing development in the Green Belt).
- Existing contribution zones updated as appropriate to reflect draft report of the Cross Boundary Transport Appraisal.
- Hermiston and Calder junction MOVA actions added as recommended in draft report of the Cross Boundary Transport Appraisal.
- Text added under the 'Delivery of Transport Infrastructure' heading on page 8, 'The Council will transfer any monies collected towards actions on the trunk road network to Transport Scotland once the relevant project is confirmed.'

2c. Greenspace

- Arrangements for ongoing maintenance of open space clarified.

2d. Public Realm

No change

2e. Primary healthcare

- Last paragraph amended to read: "LDP Policy Hou 10 sets out that planning permission for housing development will only be granted where there are associated proposals to provide any necessary health and other community facilities relative to the impact and scale of development proposed. *Contribution zones and a formula for calculating developer contributions are set out in Annex 4.*"
- Annex 4 Healthcare Actions has maps of the Healthcare Contribution Zones and Costs Table.

3. Viability and Funding Mechanisms

No change

4. Legal Agreements and use of monies

- **Paragraph 4 amended-** Where a development site includes the land safeguarded for a new school, the site will be secured as part of a legal agreement. ~~The cost of land, and servicing and remediation, as set out in the Action Programme will be credited (contribution in kind) against the site's share of the contribution zone cost once the Council has confirmed that the new school will be delivered. In these circumstances, all contributions from other development sites which were attributable to land costs will be used towards delivering the required new infrastructure.~~ **The value of the land, as well as the cost of servicing and remediating the site (if**

appropriate), will be credited against that site's overall contribution requirement once the Council has confirmed that the new school will be delivered. It is likely that this will be following a statutory consultation process to establish the school location and catchment boundaries. All contributions from other development sites which are attributable to the cost of securing land for a new school will then be used towards the general cost of delivering the new education infrastructure that is required within the relevant Zone.

- Paragraph 5 amended: Whilst contributions may be required towards the delivery of a number of actions within a Zone, the Council may apportion money received from a particular development site to the delivery of infrastructure actions that have been prioritised in order to support early phases of development. Remaining or future monies received will then be used for the delivery of other actions set out within the Action Programme.
- Paragraph 6 – amended any monies collected towards actions on the trunk road network to Transport Scotland once the relevant project is confirmed.
- Indexing and repayment –text added - If the actual costs of delivering the new infrastructure are lower, S75 legal agreements can make provision for the repayment of unused contributions. In addition, applicants have the opportunity to ask the Council to consider modifying existing S75s to reflect contribution rates that have been updated to take account of up-to-date costs.

5. Audit and Review

No change

Annex 1 Education Infrastructure

Education Infrastructure – Costings

- ~~text removed and amended text added to indexing and repayment section~~ - The capital and land costs in the Statutory Guidance for school projects are currently estimates based on established rates for extensions and new builds. As each specific project is taken forward through the design and delivery phases and transfer of land it is recognised that the actual costs of each project could vary from the estimates currently provided. ~~Where actual costs are available section 75 agreements will be based on these actual costs. Where section 75 agreements are concluded based on estimated costs the necessary clauses to allow payback to developers if appropriate will be included within the agreements.~~
- Add text In areas where new primary school infrastructure will be required but the estimated housing output has not justified including an action in the Action Programme, the required primary school contribution has been determined by sharing the cost of providing one additional classroom across an assumed housing output of 100 units (80 houses and 20 flats).
- Add Table of land costs

Annex 2 Transport Infrastructure

- Update each CZ to include further detail of actions (once Action Programme updated to include this information)
- Mapped zones for Straiton, Gilmerton and Sherrifhall junctions updated.

Annex 3 Greenspace Infrastructure Actions

- No change

Annex 4 Healthcare Actions

- Contribution zones for healthcare infrastructure and a formula for calculating developer contributions added to Annex 4 of the finalised SG.
- Text added to the Annex: To ensure that the cost of delivering new healthcare infrastructure is shared proportionally and fairly between developments, healthcare developer contribution zones have been identified. These zones have been identified taking into account the following factors; Healthcare practices with capacity constraints; Development proposals within the catchments of affected practices; Distribution of practice's registered patients.

Report of Consultation and Council Response to Objections Received

The Council has prepared draft Supplementary Guidance (SG) on Developer Contributions and Infrastructure provision. The SG sets out the Council's approach to infrastructure provision and improvements associated with development. The SG aims to ensure that developers make a fair and realistic contribution to the delivery of necessary infrastructure provision and improvements associated with development. The Council consulted on the draft SG between 12 December 2016 and 3 February 2017. Consultees were asked the following questions:

1. Do you have any comments on the Council's approach to infrastructure provision and improvements associated with development?
2. Do you have any comments on how infrastructure has been assessed?
3. Do you have any comments on requirements for development and the transport, education, public realm and green space cumulative contribution zones?
4. Do you have any comments on the arrangements for Section 75 legal agreements?
5. Do you have any comments on how the Council will deliver the required infrastructure?
6. Do you have any comments on the council's approach, should the required contributions raise demonstrable commercial viability constraints?

41 responses were received to the consultation from the Scottish Government, Key Agencies and infrastructure providers, Community Councils, members of the public, land owners and developers. Responses were received from the following consultees:

Axcel Hospitality (Edinburgh) Limited	Royal Highland & Agricultural Society of Scotland
Barratt David Wilson Homes	RSPB Scotland
Builyeon Farms LLP	Scottish Government
CALA Homes (East)	Scottish Natural Heritage
Clarendon Planning & Development Ltd	Scottish Property Federation
Cockburn Association	SEPA
Cramond & Barnton Community Council	South East Edinburgh Development Company Ltd
Edinburgh Chamber of Commerce	Spindlehawk Ltd
Forth Ports Ltd	Sport Scotland
FSH Airport Services	Stewart Milne Homes
Hallam Land Management Ltd	Taylor Wimpey
Historic Environment Scotland	The Dalrymple Trust
Homes for Scotland	The EDI Group Ltd
IBG Stakeholders	The Trustees of The Foxhall Trust
Leith Central Community Council	Tollcross Community Council
Lord Dalmeny	Wallace Land Investments
Murray Estates	West Craigs Ltd
Network Rail	R Allen
New Ingliston Ltd	Sarah (No surname given)
NHS Lothian	Iain McKinnon
Ocean Terminal	

This report provides the Council's response to the objections received. A summary of the objections to the guidance is provided in Appendix 4. A list of the proposed changes is provided in Appendix 2.

Objections received to Consultation Questions and Council Response

Question 1 - Do you have any comments on the Council's approach to infrastructure provision and improvements associated with development?

General Developer Contributions Approach

With regards to the general approach to developer contributions, responses were received on the following topics:

- The approach set out with the SG does not comply with Scottish Government Circular 3/2012: Planning Obligations and Good Neighbour Agreements. The SG should include a statement of conformity with Circular 3/2012.
- Planning obligations should not be used to resolve existing deficiencies in infrastructure and that required infrastructure should relate in scale and kind to the proposed development.
- The Contribution Zone approach does not directly links to the impacts of developments, or to the scale and kind of contributions sought.
- Contribution zones should be established in supplementary guidance rather than the action programme which is subject to annual review and which would not achieve the required degree of clarity or certainty.
- Community organisations and members of the public have raised concerns that the current approach is on a piecemeal basis.

In response, the Council's approach implements the principles of the Circular in a way which allows consideration of more than one development, or cumulative impact. This allows for good overall infrastructure planning. the Council's cumulative assessment approach is supported by Scottish Planning Policy, Circular 3/2012 Planning Obligations and the approved Strategic Development Plan.

The finalised guidance and supporting assessments set out how the evidence base is established, actions are identified and how costs are to be shared proportionately in terms of scale and kind, meeting the tests of the Circular. It is unnecessary to repeat national advice at local level. Contribution Zones are set by the SG, not within the Action Programme. No change is proposed to the finalised SG in this regard.

However, Section 2 of the SG has been updated to reflect that Action Programmes are not approved by Scottish Ministers but adopted by planning authorities.

Use of draft SG for determining planning applications

Responses have stated that the implementation of the draft Supplementary Guidance is contrary to legal precedent regarding policy formulation and consultation requirements. Responses have requested that the Council 'dis-apply' the use of the draft SG. Responses have requested that in the interim period, the need for developer contributions must be considered by on a case by case basis, without regard to the contribution zones and tariffs set out in the draft SG.

The Council has adopted the LDP and Action programme as its plan-led response to housing development pressures facing the city. The SG has been prepared to support the revised policy context for funding infrastructure provision set out in the Local Development Plan (Policy Del 1). A number of applications for major housing development are currently being progressed by developers and landowners by the Council. It is therefore appropriate for the Council to provide

detailed guidance on how the new policy context will be applied to those applications in time for them to be determined by the Development Management Sub-Committee. The draft SG is a material consideration until it becomes part of the development plan. No change is proposed to the finalised SG.

Matters to be dealt with in Supplementary Guidance

The Scottish Government and other consultees have objected to the SG on the basis that supplementary guidance may only deal with the provision of further information or detail in respect of the policies or proposals set out in an LDP, and then only provided that those are matters which are expressly identified.

The objection relates to the LDP Action Programme including an action for a new secondary school in west Edinburgh, for which the SG sets out the required contributions. Consultees' to the consultation state that the new high school is not supported by the LDP and cannot therefore be included in Supplementary Guidance. Consultees assert that as the new high school was not included in the LDP it has not been subject to due statutory process and subject to SEA requirements.

In response, the LDP states clearly that contributions may be sought towards increases to 'school capacity, including new schools' (LDP Para 141 and Appendix C). Appendix C of the plan does not list the school capacity actions, nor could it as to do so would require a level of detailed infrastructure planning which is inappropriate for a LDP which covers a 10 year period. Para 143 states that further detail of anticipated requirements will be set out in Supplementary Guidance. Part 2 of Policy Del 1 itself states that the Guidance will cover 'a) the required infrastructure in relation to specific sites and/or areas'.

Accordingly, the matters expressly identified in the LDP itself cover school capacity, including new schools, but do not prescribe or limit what those school capacity or new school actions should be. Instead, they clearly set that as a matter for the Guidance itself to set. The LDP does not include any provisions which 'do not support' a new secondary school in West Edinburgh. The Supplementary Guidance has gone through a Strategic Environmental Assessment screening process which concluded that such an assessment is not required. No change is proposed to the finalised SG.

Housing Land

Consultees have requested that Council's assessments which support the SG should recognise the full extent of the new infrastructure that will be required in relation to a 'Shortfall in the Housing Land Supply amounting to some 7,000 new homes'. Consultees are concerned that the Council will feel obliged to reject Green Belt development proposals on the basis that there is no infrastructure programmed to accommodate them or that their development would undermine infrastructure provision made for allocated sites.

In response, the figure of 7,000 referenced by Consultees was the shortfall in delivery in the period 2009-2019. It arose because delivery rates on the established land supply were too low in the early part of that period. The land capacity, and associated infrastructure requirements, have already

been identified. The Action Programme (December 2016) includes infrastructure actions identified to support the housing sites identified in the adopted LDP; sites otherwise identified in the established housing land supply; and, for education infrastructure, other land within the Urban Area with potential capacity for housing development.

This capacity of housing is more than sufficient than required (as evidenced in the 2016 HLADP), accordingly, there is not a need for the Council to identify further infrastructure actions to support further, Green Belt, housing sites. No change is proposed to the SG in this regard.

However, the SG has been updated to clarify how developer contributions will be determined for sites that will increase the estimated housing output in an area.

Change

Education Clause Di) If the education infrastructure actions identified in the current Action Programme are not sufficient to accommodate an increase in the cumulative number of new pupils expected in that area as a result of the development (for example greenfield/greenbelt sites being considered under LDP Policy Hou 1, part 2) the Council will consider if it is appropriate to revise the action(s) and associated Contribution Zones.

The established 'per house' and 'per flat' contribution rates will be applied if they are sufficient to cover the cost of the notional new set of actions. If the established contribution rates will not cover the cost of the revised set of actions, the proposed development will be required to make a contribution that is sufficient to cover the revised set of actions, in order that the infrastructure requirements can be delivered. In some circumstances it may be appropriate to establish a new Contribution Zone or Sub-Area with its own contribution requirements, for example if a development comes forward that would require a new school to be added to the Action Programme. This will ensure that sites not allocated within the LDP do not contribute proportionally less to the delivery of new education infrastructure than housing sites allocated in the LDP.

Exemptions to policy

A number of exemptions were put forward by consultees. In summary these were:

- Deliver of development on land owned by Network Rail
- Private rented sector or 'build-to-rent' projects

In planning terms, development on land owned by Network Rail and the private rented sector will have an impact on services and infrastructure and therefore is not exempt for contributions. The private rent sector is a form of residential development with occupants who may have impacts on infrastructure. No change is proposed to the finalised SG.

Reform of the Planning System

Consultees have identified that the reform of the planning system in Scotland is underway and has an emphasis on development delivery and 'growth'. With this in mind, the SG should be drafted in this spirit. In addition, consultees have raised the question of prematurity in relation to the current Scottish Government consultation on the future of the Scottish Planning System.

The SG and the LDP it relates to have a particular emphasis on supporting fast delivery of growth by actively planning necessary infrastructure enhancements. The use of the Action Programme as a vehicle for coordinating infrastructure investment to support timely delivery of development is an example of this. The national planning review will be ongoing for several years until legislative change is enacted. In contrast, the SG must be progressed in a shorter timescale. No change is proposed to the finalised SG.

Table 1 – Financial and Other Contributions

Scottish Natural Heritage have asked that Table 1 should prioritise walking and cycling before public transport and then cars to reflect paragraph 273 of Scottish Planning Policy (SPP), information based on the transport hierarchy.

In response this has been noted and Table 1 has been updated to reflect this change.
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Question 2 - Do you have any comments on how infrastructure has been assessed?

Education: Infrastructure Assessment

With regards to the Education Appraisal, consultees have requested an explanation as to how the assumptions in the Education Appraisal were reached. Responses were received on the following topics:

- Consultees have generally objected on the basis that residential development should only be required to contribute towards the cost of education infrastructure where it has been confirmed that there is insufficient capacity available in a primary school within the catchment of that development,
- Consultees have requested that the Council clarify the number of pupils in all of the eight new schools and the proposed school extensions which will be from the allocated sites in the LDP and those pupils from existing homes,
- A number of consultees appended an alternative approach to assessing education infrastructure requirements prepared by a planning consultant.

In response, the Education Appraisal and SG explain the Council's methodology for determining developer contributions for new education infrastructure. The Education Appraisal has been informed by up-to-date school roll projections.

The methodology for determining the school roll projections is set out in the report entitled 'Developing a Vision for the Schools and Lifelong Learning Estate' December 2016.

The Education Appraisal is based on the cumulative impact of new housing development within different parts of the city. As outlined above, cumulative assessment is supported by Scottish Planning Policy, Circular 3/2012 Planning Obligations and the adopted Strategic Development Plan.

The suggestion that a 'first come first served' basis should be used is not accepted. This does not follow the cumulative approach to mitigating the impact of new development. School roll projections are the basis for determining if there is capacity within a school to accommodate the cumulative number of additional pupils from new development, not the current school roll. No change is proposed to the finalised SG.

Cumulative Assessment Areas have been identified which are based on the catchment area of one or more secondary schools. Where areas of new housing development will have an impact on more than one catchment area, larger Assessment Areas are established. In some parts of the city, Assessment Area sub-areas that are based on primary school catchment areas have also been identified.

Where projections indicate that there will be insufficient capacity to accommodate the number of pupils expected to be generated by new development in an Assessment Area, education infrastructure actions have been identified.

It is acknowledged that some accommodation pressures that are identified by projections may be attributable to rising rolls from existing housing. Therefore, in order that development is not required to contribute to the provision of additional capacity that is over and above what is required to mitigate the cumulative impact of new development, the education infrastructure actions reflect the number of additional pupils expected to be cumulatively generated from new development only. There is a separate process for providing additional infrastructure to deal with rising school rolls from existing housing.

Where additional capacity is identified as being required, and this may not be achieved through reconfiguration of existing accommodation, extending existing schools is considered in the first instance. However, given the scale and location of proposed housing developments, in some areas the only realistic option is the provision of a new school.

The establishment of any proposed new school (both the intended site and catchment area), would be subject to a statutory consultation at an appropriate time and could only be implemented following that process, if approved by the Council.

The roll of a new school will not be known until it is operational. However, it is normal practice to include a school roll estimate in a statutory consultation paper proposing a new catchment area.

In some circumstances catchment reviews may help to alleviate school accommodation pressures (for example, the Education Appraisal suggests that the housing site at Curriemuirend could move to the Clovenstone Primary School catchment area), however it could not be known if a potential catchment change could be implemented until it was approved by the Council following a statutory consultation. No change is proposed to the finalised SG.

Consultees have stated that if existing pupils are to attend new schools as a result of catchment reviews, then the Council must accept some responsibility for its share of the costs.

The catchment area of a new school identified within the Action Programme will not necessarily cover all new housing sites expected to contribute to the cost of its delivery and it may take in areas of existing housing. One reason is that including existing housing areas will free up space within existing primary schools so that they can accommodate pupils from new development not within the catchment area of the new school, but it could also be to reflect community boundaries or to ensure that a school is accessible to its catchment population. No change is proposed to the finalised SG.

However, the SG has been updated to add the following principles under Delivery of Education Infrastructure:

Change

If the number of additional classrooms that are delivered is no more than what is necessary to accommodate the number of pupils expected to be cumulatively generated from development sites (as set out in the Action Programme), developer contributions from the relevant part of the Contribution Zone will be expected to cover the full cost of delivering the new infrastructure.

The Council may identify a need to provide education infrastructure over and above what is required to accommodate the number of pupils expected to be cumulatively generated from development sites. This will be set out in the Action Programme, and the Council's appropriate share of the infrastructure identified. The Council will not seek developer contributions to deliver its share of this infrastructure; instead the Council will seek an alternative funding mechanisms.

As an example:

The Action Programme identifies a need for a new 14 class primary school and a new 7 class primary school within the Liberton Gracemount Cumulative Assessment Area to ensure that there is sufficient school capacity in the area to accommodate the additional number of pupils expected to be generated by new development.

A statutory consultation has been undertaken proposing delivery of the 14 class primary school at the 'Broomhills' housing site. The proposed catchment area includes some areas of existing housing.

By including areas of existing housing, capacity at existing primary schools will be made available so that new pupils from development sites not within the new school's catchment can be accommodated.

For example, capacity at Gracemount Primary School will be made available so that new pupils from the Ellen's Glen Road housing site can be accommodated without having to provide more classrooms.

It is therefore appropriate for developments, such as at Ellen's Glen Road, to contribute to the cost of the 14 class primary school as it will mitigate its impact on education infrastructure.

If the proposed catchment area meant that a 16 class school would have to be delivered – this would be included in an updated Action Programme. The Council would be expected to seek an alternative funding mechanism to cover the additional cost of providing the two extra classrooms if these would not be attributable to the number of new pupils expected to be generated in the area by new development.

Consultees have also requested an explanation as to what provision has been made for windfall, specifically, what assumptions are taken from:

- the last Housing Land Audit and which HLA was used,
- any permissions issued since, and,
- any live applications.

Consultees have asserted that the scale of new housing development in the adopted LDP which is taken into account in the SG is nearly 6,200 homes, asserting that it is highly unlikely that all of the 4,700 homes from the windfall requirement set out in the LDP have been factored into the education infrastructure requirements and included in the 2016 School Projections.

Consultees also requested an explanation as to how the Council's Housing Land Study (June 2014) has been used as an evidence base. Consultees have also asserted that the SG does not make

reference to the mechanism which would apply to obtaining financial contributions from homes on windfall sites.

In response, it should be noted that the LDP makes... an assumption about how many units will be completed on 'windfall' sites ((4,656 between 2015 and 2026). This assumption was based on both an extrapolation of past trends and an estimate of potential capacity in the Urban Area made in the Housing Land Study (June 2014). The latter was used to inform the 'Urban Area – assumed capacity' figures in the Education Appraisal, together with consideration of the 2016 HLADP to avoid double counting. Accordingly, the total potential housing capacity appraised in the Education Appraisal amounted to over 29,000 units.

Sites not in the 2016 HLADP which subsequently get planning permissions will be dealt with in the 2017 HLADP, which in turn will inform the nature, scale and timing of actions in the next edition of the Action Programme (due December 2017).

Proposals for sites outwith the Urban Area are therefore not planned for in the current Action Programme. Provision for consideration of the education infrastructure impact of such sites is made in parts D to F in the education section of the Supplementary Guidance. No change is proposed to the finalised SG.

Pupil generation rates

Consultees' have request that further detail is provided on the Council's pupil generation rates and are concerned that they may be projecting too high a number of pupils from new housing.

In response, Table 1 of the Education Appraisal outlines that pupil generation rates 'reflect the different impact of houses and flats and are based on the average number of primary and secondary pupils generated from a mix of housing developments across the Council area completed or part completed over the last ten years. The pupil generation rate for denominational schools is based on the proportion of pupils in the Council area attending denominational schools in 2012/13'. The housing sites used to determine the pupil generation rates can be provided on request.

To generate the number of pupils, the midpoint of the unit number capacity range for new housing sites within the LDP are used, as well as the housing capacity assumptions used in the Housing Land Audit. In some cases, information from detailed planning applications has also been used. Future updates to the Education Appraisal will reflect updates to the Housing Land Audit and further detailed planning permissions. No change is proposed to the finalised SG.

Consultees have also queried the methodology adopted in the SG which applies pupil generation rates to the number of new houses based on the mix of flats and houses within each development. Consultees have highlighted that if this assumption proves to be incorrect when the house builders confirm their preferred housing mix to meet market demand then the proposed educational requirements will differ.

To generate the number of pupils, the midpoint of the unit number capacity range for new housing sites within the LDP are used, as well as the housing capacity assumptions used in the Housing Land Audit. In some cases, information from detailed planning applications has also been used. Future updates to the Education Appraisal will reflect updates to the Housing Land Audit and further detailed planning permissions. No change is proposed to the finalised SG.

Use of school extensions only

Consultees have objected to the SG not including 'Option 2' (school extensions only) from the 2014 Education Appraisal and instead in Liberton / Gracemount Contribution Zone requiring the provision of two entirely new non-denominational primary schools.

In response, the updated Education Appraisal (December 2016) includes new housing sites within the adopted LDP **and the potential capacity from other sites within the urban area**, as set out above. The 2014 Appraisal was based on the impact of fewer new homes. Due to the increased number of pupils expected to be generated in the area, only expanding primary schools in the area is no longer an option. No change is proposed to the finalised SG.

Cost per Secondary School Pupil

Consultees have objected to the guidance in that it seeks to apply a cost per Secondary School pupil generated regardless of whether there is an identified need.

In response, the Education Appraisal has been informed by the latest primary and secondary school roll projections (published December 2016). Contributions are required towards additional secondary school capacity only in areas where there is an identified need for additional secondary school capacity. No change is proposed to the finalised SG.

Q3 – Do you have any comments on the education, transport, green space, and healthcare requirements and contribution zones?

Education

Application of policy to 1 bed flats

Responses have outlined concerns that the draft guidance does not appear to make it clear that the contributions will not be applied to studio or one bedroom properties.

Clause D iv) in the education section makes provision for developments which do not generate additional school pupils. In practice, the Council will take into account the presence of studios and 1 bed flats in the unit mix of a detailed proposal. However, since unit mix is subject to a number of different considerations and can change for any given site, it is not appropriate to go into such detail in the development plan. No change is proposed to the finalised SG.

Developer Contributions for Education Infrastructure – clauses A-G

Responses have been received in respect of the Education Contribution clauses set out on pages 4-5 of the SG as follows:

Responses have objected to **Clause C** at it would suggest that third party delay could be a factor in the determination and issue of planning permissions. This is unacceptable and must be clarified. It is suggested that an additional sentence is inserted at the end of the Clause stating “However, third party delays in infrastructure delivery must not be allowed to unnecessarily prevent the issue of planning permissions or undertaking of development”

In response, the Council aims to ensure that the aim of timely provision of infrastructure relative to development will not give rise to use of suspensive conditions unnecessarily. As part of this approach, the Council is taking on some of the responsibility and risk for infrastructure delivery itself. The current wording accurately describes the key principle. The proposed additional wording is not in alignment with this approach.

However, it is noted that Clause C could be phrased more positively and the SG has been updated to include the following statement ‘Third party delays in infrastructure delivery will not normally be allowed to prevent the granting of planning permission or the undertaking of development.’

Responses have objected to **Clause E** as it is considered inflexible and highlight that there is a ‘brownfield first’ priority imperative clearly articulated in national planning policy. Responses have suggested that Clause E be amended to read either:

- Development is likely to give rise to an impact which cannot be appropriately mitigated in line with the Council's cumulative approach “*or any reasonable alternative approach*”, it should be noted that planning permission will be refused.
- *Where a development proposal is likely to give rise to an impact, including cumulative impacts, on education infrastructure which cannot be appropriately mitigated, planning permission may be refused.*

In response, Clause E of the SG states that where development is likely to give rise to an impact which cannot be appropriately mitigated in line with the Council's cumulative approach, it should be noted that planning permission will be refused. This reflects Policy Del 1, Part 2 of the LDP in that development should only progress where sufficient infrastructure is already available, or where it can be demonstrated that it can be delivered at the appropriate time.

In this regard, it is considered that revised text submitted by consultees weakens policy Del 1 and the cumulative assessment approach set out in the SG.

However it is recognised that further detail should be provided on how impact can be 'appropriately mitigated'. Additional education infrastructure which will mitigate the impact of pupils coming from new housing development should:

- Be efficient in terms of class organisation, management and operation;
- Deliver a good learning environment with appropriate supporting facilities (gym, dining hall, outdoor space, general purpose space);
- Be adaptable to ensure that the school can respond to future changes in its catchment population;
- Be accessible and well located to serve the catchment population.

Where additional capacity is identified as being required, and this cannot not be achieved through reconfiguration of existing accommodation, extending existing schools is considered in the first instance. However, given the scale and location of proposed housing developments, in some areas the only realistic option is the provision of a new school.

The location of the school buildings, existing pupil flows, obvious geographical boundaries, public transport links and distances to and from a school are all factors taken into account when establishing new catchment boundaries. However, the principal driver is to ensure that the catchment populations for each of the schools affected are appropriate to their proposed capacity.

With regards to the delivery of 'brownfield land', the capacity of land within the urban area, on which the principle of development is supported by the plan, has already been assessed and actions to mitigate the impact identified in the Action Programme.

Responses have requested clarification in regards to **Clause F** that, for the purposes of education, where there is capacity in existing schools to accommodate children arising from new development then that would be taken up first on a first come, first served basis. Responses have stated that only the balance of the new development would be required to contribute to new infrastructure. It is suggested that the following sentence be added at the end of the Clause "Where there is capacity in existing schools to accommodate early phases of development then this must be taken up with the balance of development contributing to new infrastructure in line with Circular 3-2012."

In response, the suggestion that a 'first come first served' basis should be used is not accepted. This does not follow the cumulative approach to mitigating the impact of new development. School roll projections are the basis for determining if there is capacity within a school to accommodate the cumulative number of additional pupils from new development, not the current school roll. No change is proposed to the finalised SG.

Capital school build costs

Responses have objected to the costs set out in the guidance for single class extensions to new primary schools. In this regard Consultees have requested clarification on the following:

- A single classroom extension at Gilmerton Primary has a floor area of 62-64sqm. this classroom then equates to a cost of £5,645 per square metre. This is excessive when compared to the cost of £2,171 for a 2 class extension.
- If a single classroom floor area is on average 62-64 square metres, then two classrooms will be an average of 124 square metres. However the guidance allows for 213 square metres for a 2 class extension. We therefore request evidence on this from the Council.

In response, it is highlighted that the two square metre costs set out in the comment above are not directly comparable. The square metre cost for a two class extension does not account for abnormal costs, FF&E, fees and contingency.

The estimated total costs for 2, 3 and 4 class extensions are based on the actual historic costs of delivering extensions of these sizes - an average of the actual costs of the various projects of these sizes which were completed in August 2015 has been used. Abnormal costs cover site specific anomalies such as, for example, the necessity for utility and/or drainage diversions or the use of an unusual foundation solution. FF&E represents the cost of the loose furniture, fittings and equipment which is necessary for a classroom including chairs, tables, storage and smart boards and is included at an assumed cost of £10,000 per class room. Internal fees represents the costs of project managing the delivery of the project which is undertaken by a different service area within the Council who charge for that service to be delivered, the assumed rate being 1.25% of the capital cost.

The provision of multiple extra classrooms may bring additional requirements for toilets, circulation and other ancillary space which will result in a larger overall floor area than would be required if only classroom space was provided.

The estimated cost for a single class extension remains very difficult to estimate as, unlike 2, 3 and 4 class extensions, we have no actual historic comparator projects on which to make an assessment. Were we to consider this at any school it would require a one-off bespoke solution and would be entirely dependent on the configuration of the existing building and services. The sum of £350,000 as at Q1 2015 including inflation to that point is very much an estimate but, whilst these costs are not shown separately for this option, it is intended that the £350,000 will also include provision for any abnormal costs, FF&E and internal fees. No change is proposed to the finalised SG.

Responses have also objected to the costs set out in the guidance for extensions to secondary schools. In this regard Consultees have requested clarification on the following:

- The SFT cost metric sets indicative costs for secondary schools at £28,000 per pupil (including allowances for abnormal, servicing and off site infrastructure), based on HubCo North Territory reporting. The Scottish Government awards funding at £25,893 per pupil (at 2 Q2 2015 prices) for new secondary school build projects.

- We expect secondary school extensions to offer cost savings – for example the typical cost for a new primary school per square metre is £2,759 and for an extension the typical figure is £2,118 metres squared.
- The draft guidance sets the indicative cost per square metre for a secondary school extension at £2,986 per square metre, however the cost within the draft guidance for a new secondary school is lower than that of an extension, at £2,301 square metres. There is no explanation given in the draft guidance as to the inconsistent cost projections for new schools and extensions for primary and secondary schools.

In response, the Education Appraisal (December 2016) states that ‘the capital cost of providing a new secondary school is based upon the cost metric applied by Scottish Futures Trust for new secondary schools of £2,301 per square metre based on Q1 2015 prices. Using this cost metric (while applying a 7.5% contingency) the cost for a 600 capacity school is estimated to be £19.294 million.

There is no current reference cost data available on the basis of which it would be possible to estimate the cost of delivering a significant extension to a secondary school. Large scale secondary school extensions will carry significant additional costs in terms of circulation space and providing extra communal support space. The estimated costs of extending secondary schools are based on an assumed requirement of 10 square metres of floor space per pupil at a cost of £3,210 per square metre (at Q1 2015 prices, excluding future inflation). At the appropriate time it will be necessary to undertake a feasibility study regarding the most appropriate way to deliver any additional capacity required in the secondary sector in each area.

The £3,210 per square metre figure is based on a cost plan for a 1,160m² extension to Liberton High School which estimated a cost of £2,986 per square metre (at Q1 2015) with 7.5% added for contingency. It should be noted that it can be proportionally more cost effective to comprehensively design and deliver a new secondary school rather than be constrained by an existing building, layout and space organisation. No change is proposed to the finalised SG.

Responses have also requested that the same approach and level of scrutiny should be applicable to the costs of development arising from the contributions that are being sought and paid, particularly given the concerns raised about the level of contributions set out in the Guidance and their relationship with costs from other published sources.

In this regard, the SG has been updated to clarify that ‘the capital costs in the Statutory Guidance for school projects are currently estimates based on established rates for extensions and new builds. As each specific project is taken forward through the design and delivery phases and transfer of land it is recognised that the actual costs of each project could vary from the estimates currently provided. If the actual costs of delivering the new infrastructure are lower, S75 legal agreements can make provision for the repayment of unused contributions. In addition, applicants have the opportunity to ask the Council to consider modifying existing S75s to reflect contribution rates that have been updated to take account of up-to-date costs.

Contingency

Consultees have queried the inclusion of 7.5% contingency.

In response, this provision enables the Council to manage the risk of the developer contributions received not meeting construction costs due to inflation uplift. No change is proposed to the finalised SG.

Land Value

With regards to land value, the consultees have queried the use of generic assumption for land costs and servicing remediation requirements. In response, the Guidance has now been updated with costs for the school sites provided by the District Valuer.

Site specific - International Business Gateway

The Scottish Government, have objected to the SG in regards to the housing units attributed to the International Business Gateway, in that the figures are not supported by the recently adopted LDP.

In response, the December 2016 Education Appraisal was derived from the working figure of 2,000 homes, In response, the December 2016 Education Appraisal was derived from the working figure of 2,000 homes, but omitted 800 flats on the basis that a high proportion are not anticipated to generate additional pupils as they would be one bedroom or studios (connected to business development and the airport) and so made an assumption of 1,200 units, of which 400 might be houses.

The IBG masterplan is still emerging, and yet to be determined by CEC or, potentially, called-in by Scottish Ministers. There is therefore uncertainty as to how much housing will be built there. That uncertainty will continue even as the early phases of such a large development get underway.

In the context of such uncertainty, it would be prudent to avoid under-planning the education infrastructure elements of the overall West Edinburgh development corridor. Accordingly, it is appropriate to retain identification of a new secondary school in this area until such time as the need for it can be confidently ruled out. To assume the opposite, then later belatedly identify the requirement for such a school would be inefficient, and fails to recognise the importance of infrastructure planning to placemaking. No change is proposed to the finalised SG.

Site specific - 'Unallocated greenbelt release sites'

A respondent has objected to the inclusion of 'unallocated greenbelt release sites' within the latest LDP Education and Transport Appraisals (November/December 2016). The respondent states that these sites, "East of Burdiehouse" and "South of Burdiehouse" are by definition not housing allocations and therefore should not be considered when assessing cumulative impacts from housing sites identified within the LDP and should be removed.

In response, the infrastructure appraisals carried out to inform the Action Programme have sought to make use of the best available information as to the potential housing capacity supported by the LDP within the Urban Area. This made use of the potential sites identified in the 2014 Housing Land

Study, and also the areas of land released from the Green Belt and brought into the Urban Area by the post-examination modifications recommended by the LDP reporter.

The sites referred to as ‘East of Lasswade Road’ and ‘East of Burdiehouse’ are supported by the LDP within the urban area as defined on its Proposals Map. LDP Policy Hou 1 supports housing on suitable sites in the urban area, provided proposals are compatible with other policies in the plan where housing development would be supported in principle. Since they have potential for housing development and associated cumulative impact, it represents good infrastructure planning to include them in the scope of the appraisals. No change is proposed to the finalised SG.

Transport

Transport Contribution Zones

Consultees have recommended that justification be provided for each transport infrastructure contribution zone and details of proposed infrastructure upgrades should be inserted within the finalised Supplementary Guidance.

In response, the SG has been updated to include further detail on each of the transport contribution zones.

Transport Scotland have objected to the SG as the Action Programme is not up to date [in respect of the Cross Boundary Transport Appraisal] yet links with and comprises an important element of the Supplementary Guidance.

In response, the SG has been updated having regard to a draft of the Cross Boundary Transport Appraisal (March 2017). Existing contribution zones have been updated as appropriate, and a new one added for the Hermiston and Calder junction MOVA actions recommended in the draft study report. The LDP Action Programme is formally updated on an annual cycle. The next edition will include any updates arising from the final study report as appropriate.

Transport Scotland have objected to the SG as the trunk road network ‘Transport Contribution Zones’ do not appear to follow any specific land use or development boundaries including those already in the development management system.

In response, the identified zones have a simple 1 km radius and were provided in the draft Guidance as placeholders. However, the SG has been updated to remove the mapped zone for Gilmerton A720 junction, as the draft Cross Boundary Transport Appraisal report does not identify any requirement for an action there.

Cross Boundary Transport Actions

Transport Scotland have objected to the SG in regards to the trunk road junctions ‘actions’ set out in the SG, these include:

Gilmerton and Straiton Junctions have not been specifically identified in the cross boundary appraisal study as requiring upgrading. Consequently, Transport Scotland have requested further

information from the Council on the potential cumulative impact from developments on these junctions and what mitigation is proposed. If, as a result of work already done or further study it is identified that Gilmerton and Straiton do not require to be improved as a result of development impacts, then it is recommended to remove these junctions from the Supplementary Guidance.

These junctions were identified in the draft SG because the LDP as adopted makes specific reference to them on page 65. These additions were post-examination recommendations made by the reporter in response to Scottish Government representations. As specific provisions of the LDP, they need to be included in the Action Programme.

The description of the action at Straiton has been updated to refer to local approach road widening as recommended in the draft study report. Reference to Gilmerton A720 junction has been removed (see above)

Old Craighall is not included within the SG document and It is recommended that further information pertaining to Old Craighall is included, specifically referring to the way in which contributions will be gathered and managed taking cognisance of the contributions collected from East Lothian Council, Transport Scotland and the City of Edinburgh Council.

In response, this comment is noted, however, Old Craighall is included as an Action on Page 3 of the Action Programme and on P38 of the SG. The costings in the SG are derived from those in East Lothian Council's LDP documents. As such, they have been retained in the absence of costings for the action as identified in the draft Cross Boundary Transport Study report.

Sheriffhall, Straiton and Gilmerton on the A720, where Transport Scotland will keep the Council updated on progress.

In response, this is noted and will potentially inform future updates to the LDP Action Programme.

Other transport contributions

Transport Scotland has objected to the approach set out in Clause B (page 8) in that is contrary to the position promoted by Transport Scotland in relation to CEC identifying impacts on infrastructure in surrounding authority areas as a result of developments in the CEC area.

In response, the current wording is consistent with that in the LDP, and does not suggest that impacts on infrastructure in surrounding authorities as a result of development in CEC's area should not be assessed. No change is proposed to the finalised SG.

Consultees have responded that the 6 criteria which a Transport Assessment (TA) will require to take account of are onerous.

Consultees have responded that, whilst cumulative assessments to take account of committed development is generally considered to be standard practice, Item (iii) valid applications, and (iv) Proposal of Application Notices is a concern. For example, the validity of an application does not offer any certainty of permission being granted. Similarly, the submission of a Proposal of Application Notice does not in all cases lead to the submission of an application for planning

permission / planning permission in principle. Allocations may never be progressed. In all situations, circumstances such as the parameters of proposed development could change; it is only the ability to implement permission when there is a need to take account of the cumulative effect.

In response, these comments are noted. However, it is not accepted in the case of proposals which accord with the LDP. The definition of ‘cumulative impact’ in SPP includes development in valid applications which have not been determined. Given the scope for valid PANs to become such applications, it is reasonable to include them within scope. Doing so ensures that cumulative impacts are assessed – a particular concern identified in the LDP as adopted. However, the SG has been updated to include the following text after Clause B iv. (except those for housing development in the Green Belt).

Tram Contributions

Consultees have highlighted that the proximity of the tram route and associated infrastructure should be a key consideration in supporting ambitious sustainable mode share targets in new development. For example, the presence of a tram stop directly adjacent to a site means the Council should be accepting low(er) impact on the road network and in turn the developer should pay a lower share of road contributions as a result.

In response, junction improvements are important for supporting public transport accessibility and active travel connectivity as well as mitigating increases in private motorised vehicular traffic. Such sustainable modes will also be used by some occupants of development adjacent to tram stops, and so it is reasonable that such developments contribute to non-tram actions. No change is proposed to the finalised SG.

Consultees have objected to the principle of using tram contributions to payback the loan used to construct the tramline.

In response, as highlighted in the guidance, in relation to the completed Phase 1A of the project, the Council has constructed the tram line and its associated public realm. As part of the funding strategy money has been borrowed against future contributions from developers. Given the amount of public money that has been spent and the fact that many developers have already contributed towards the project this approach is an appropriate mechanism for ‘front funding’ essential infrastructure. No change is proposed to the finalised SG.

Site specific transport requirements

The landowner for HSG 19 Maybury has raised the contribution towards a railway bridge and extensive footpath and underpass works linking HSG 19 to The Gyle, via the now completed Edinburgh Gateway.

In response, this figure identified within WETA and the Action Programme includes: access infrastructure to/ from both sides of bridge, associated costs with permissions/ restrictions when working over a live railway line and 44% Optimism Bias. It assumes formation of paths to extend from those provided as part of the Edinburgh Gateway station project. It is highlighted that the HSG

19 proposal would not have been released from the Edinburgh Green Belt and allocated for development if the bridge action were not identified. It therefore must meet the cost of delivering it. No change is proposed to the finalised SG.

Cramond and Barnton Community Council are concerned that specific infrastructure requirements required to service the Maybury and Cammo Developments (HSG19 & 20) are not included within the tables (e.g. introduction of traffic controls at Cammo Gardens to enable access/egress to 400+ households at Cammo and Strathalmond onto Maybury Road which will have increased traffic loads)

In response, these road junction actions are site specific to Maybury and Cammo (HSG 19 & 20) and are requirements to be delivered as part of the planning permission for the development site. No change is proposed to the finalised SG.

The landowner has sought clarity on two actions “Dalmeny to Echline, Queensferry (HSG32 and HSG33)” with a cost of £1.2m and a 450m extension of NCN1 “in to the Agilent Site” (at a cost of £110,250).

In response, these actions relate to the greenspace requirements in the development principles for the two sites HSG 32 and HSG 33 and requires coordination between the two sites to ensure what is delivered is a continuous corridor and landscape buffer/green belt boundary with a cycle/pathway joining the two sites. A bridge over the two A90 is required to link the pathway / make the corridor continuous and this is a separate transport action. No change is proposed to the finalised SG.

Healthcare

Consultees have objected to the principle of contributions towards community facilities including healthcare practises.

In response, Policy Hou 10 of the LDP states that “planning permission for housing development will only be granted where there are associated proposals to provide any necessary health and other community facilities relative to the impact and scale of development proposed. NHS Lothian, in partnership with the Council has appraised the cumulative impact of new the new housing development on healthcare infrastructure, and actions to mitigate this impact are set out in the Action Programme.

The SG has been updated to include contribution zones for healthcare infrastructure.

P.11 Change final paragraph to the following:

“LDP Policy Hou 10 sets out that planning permission for housing development will only be granted where there are associated proposals to provide any necessary health and other community facilities relative to the impact and scale of development proposed. Contribution zones and a formula for calculating developer contributions are set out in Annex 4.”

It is proposed to add the Contribution Zones and a formula for calculating developer contributions to Annex 4 of the finalised SG. It is also proposed to add the following text to the Annex:

To ensure that the cost of delivering new healthcare infrastructure is shared proportionally and fairly between developments, healthcare developer contribution zones have been identified. These zones have been identified taking into account the following factors;

- Healthcare practices with capacity constraints
- Development proposals within the catchments of affected practices
- Distribution of practice’s registered patients

Consultees have requested evidence to justify the requirement for new or extended medical practices. As an outline guide, each 1,000 patients require approximately 90sqm of space so a practice of 5,000 will have an associated build at a cost of circa £2m and associated revenue costs.” This is significantly less than the projected costs set out in the Draft SG.

The information referred to in NHSL Strategic Plan is based on analysis of information from the preceding period (so likely to be 2012/3) and is difficult to use as a direct comparison to future requirements. The Council has been advised that NHS Lothian follow SFT guidance from 2013, which has metrics about the space required per GP but there is no specific up to date guidance on costs which will vary depending on the actual development and method of delivery.

In addition, as the list size reaches a certain number there is a wider impact on associated community services and size cannot be wholly attributable simply to numbers of GPs. Each practice will have attached staff – e.g. District nurses, community midwives – but at a certain size there may also be other services such as podiatry or physiotherapy, and the additional staffing numbers then has an implication on the office accommodation requirements so it is not quite as straightforward as simply doubling numbers. Each development will be different and strategically we would endeavour not to provide a small practice in isolation. No change is proposed to the finalised SG.

Green Infrastructure and Open Space

RSPB Scotland have responded to the consultation with regards to the impact of developer contributions on biodiversity, that such expenditure should ensure that biodiversity and wildlife are delivered in addition to the recreational and other related needs of the local communities. RSPB requests that a proportion of funds should be awarded to appropriate community groups, such as “Friends of...” to help support biodiversity. RSPB Scotland specifically refers to tern rafts in the Firth of Forth.

In response, Local Development Plan policies Des 3 and Env 10 to Env 16 ensure development proposals protect and where possible enhance Edinburgh’s Natural Heritage.

Edinburgh’s Open Space Strategy, [Open Space 2021](#), sets out standards for open space provision in new developments based upon quality, quantity and accessibility from homes. To meet the standards, greenspaces will be expected to meet the needs of users, support health and well-being and enhance the natural environment. The forthcoming update to the Edinburgh Design Guidance will set this out in further detail.

Comments on the quality of new open space forming part of a current planning application can be made through the Council’s Planning and Building Standards online Portal. Improvement works to existing greenspaces will be co-ordinated through the Council’s Parks, Greenspaces and Cemeteries service, involving relevant communities of interest, including Friends Groups.

Edinburgh Biodiversity Action Plan 2016-18 action B11 includes measures to replace or create tern rafts at Port Edgar or Granton to increase the number of breeding sites available to terns in the Firth of Forth. No change is proposed to the finalised SG.

SportScotland have responded to the consultation requesting clarification on whether contributions will be sought for sports facilities as the SG simply refers to open space and what Policy ENV19 - will mean for developments. SportScotland have also highlighted that it is important that development which can increase demand is delivered with an increase in supply of indoor and outdoor sporting facilities. These should be directed in line with the Open Space Strategy, the playing pitches strategy or facilities strategy as appropriate. If proposals are to be judged on case by case basis with regards to sporting provision within communities then this should be detailed within the guidance.

In response, LDP Policy Env 19 Protection of Outdoor Sports Facilities, refers to the Council’s Open Space Strategy and its aspiration to create a series of multi-pitch venues, identifying potential locations where investment should be concentrated. Future demand and capacity for sports facilities will be examined through the preparation of the Council’s new Physical Activity and Sport Strategy. No change is proposed to the finalised SG.

Scottish Natural Heritage have responded to the consultation requesting clarity on the point that infrastructure would be delivered when the delivery is attributable to a number of development sites. SNH also recognise the difficulties inherent in collecting contributions for public realm actions in the absence of a finalised Public Realm Strategy and that this should be finalised as soon as possible.

In response, the delivery programme for actions is set out in the Action Programme, and or other strategies such as the Open Space Strategy. Infrastructure will be delivered at a time that is appropriate and balanced with receipt of contributions / and or other funding being available. Comments on the Public Realm Strategy are noted. No change is proposed to the finalised SG.

Q4 – Do you have any comments on the arrangements for Section 75 legal agreements?

S75 Credit Process

Consultees have highlighted that the S75 ‘credit process’ should not necessarily be limited to “benefit in kind” given the costs associated with the delivery of new schools.

In response, where a development site includes land safeguarded for a new school, the Council will secure the site as part of a legal agreement attached to the planning permission.

However the SG has been updated to include the following text under Section 4. The value of the land, as well as the cost of servicing and remediating the site (if appropriate), will be credited against that site’s overall contribution requirement once the Council has confirmed that the new school will be delivered. It is likely that this will be following a statutory consultation process to establish the school location and catchment boundaries. All contributions from other development sites which are attributable to the cost of securing land for a new school will then be used towards the general cost of delivering the new education infrastructure that is required within the relevant Zone.

Use of contributions within Contribution Zones

Consultees have objected to the following “within Contribution Zones, any remaining contributions will be held and be put towards other actions within the contribution zone that the site lies within as and when required” in that it does not accord with the Circular 2/2012.

In response, the SG has been updated now amended to read: Whilst contributions may be required towards the delivery of a number of actions within a Zone, the Council may apportion money received from a particular development site to the delivery of infrastructure actions that have been prioritised in order to support early phases of development. Remaining or future monies received will then be used for the delivery of other actions set out within the Action Programme.

Responses have objected to contributions being held for 30 years (for education infrastructure) and for payments being used for unitary payments.

In response, the funding mechanism for some new build schools means that the construction costs are repaid over a period of up to 30 years. This means that the financial impact of a new development may be spread for over a 30 year period. In view of this, the Council may need to hold developer contributions for up to 30 years to meet these costs. No change is proposed to the finalised SG.

Consultees have requested clarification on the proposed mechanisms for refunding/reimbursement of excess contributions.

In response, the SG has been modified to include: If the established contribution rates change following a review of the Action Programme or Education Appraisal, the Council will consider applications to modify existing S75s accordingly. No change is proposed to the finalised SG.

The Council notes general support for the preparation of a Model Legal Agreement.

Q5 - Do you have any comments on how the Council will deliver the required infrastructure?

Minister for Local Government and Housing - letter 9 November 2016

Responses have highlighted that The Minister for Local Government and Housing stated in his letter of 9th November 2016 that he expects “the City of Edinburgh Council to make decisions at the earliest opportunity which provide for or contribute to the infrastructure requirements identified in [the Local Development Plan]”.

In response, these comments are noted. The Council’s response to the Ministerial Feedback was reported to Planning Committee on 8 December 2016. It included a commitment to produce the draft Supplementary Guidance within 10 working days of adopting the LDP. This the Council did. The Council also noted the LDP requirement to finalise the Guidance within 1 year of LDP adoption. The timeous reporting of finalised Supplementary Guidance allows that to happen, and it is hoped that the Scottish Ministers will allow the adoption of the Supplementary Guidance at the earliest opportunity. No change is proposed to the finalised SG.

Education – delivery of school infrastructure

Responses have highlighted that new schools or extensions must be built in advance of the pupils actually being generated from the occupation of new home. Responses have requested that provision should be set out within the Supplementary Guidance to demonstrate any interim measures the Council intends to adopt to accommodate pupils arising from the ongoing completion of homes.

In response, education infrastructure will be delivered at a time that is appropriate to ensure that new pupils can be accommodated within their catchment schools. Temporary solutions will be identified if necessary. No change is proposed to the finalised SG.

Responses have requested further clarity should be provided the Council’s proposed approach to deal with the situation that may occur where a site earmarked to deliver a new school stalls or does not progress as programmed.

This can updated Action Programme and Education Appraisal. No change is proposed to the finalised SG.

Responses have requested clarity on the Council’s approach if the statutory process does not support the proposed changes to education catchment areas then the Council will be unable to take forward its education proposals.

This can be addressed in an updated Action Programme and Education Appraisal. No change is proposed to the finalised SG.

Phasing

Consultees have responded stating that if the Council seeks to impose restrictions on commencement, such restrictions may have a significant impact on development viability.

As a planning authority, the Council uses suspensive conditions sparingly. The approach taken with the Action Programme and Supplementary Guidance has been designed to support growth. In particular, this approach seeks to avoid entire sites being required to deliver, for example, a school or a junction improvement upfront. Nevertheless, the Council reserves its right to manage the phasing of development relative to infrastructure delivery where necessary. No change is proposed to the finalised SG.

Q6 - Do you have any comments on the council's approach, should the required contributions raise demonstrable commercial viability constraints and/or where forward or gap funding may be required.

Funding of infrastructure

Responses have requested clarity and confirmation that the guidance expects that the Council will fund and deliver all of the education infrastructure requirements of new schools and extensions to schools; however it is not clear within the guidance how the Council will raise the capital funding for these works. Responses have also state that the Council has yet to assess the income it expects to receive from financial contributions; it therefore does not yet know how much it intends to borrow. This financial strategy by the Council is at best naïve but could be potentially damaging to the delivery of much needed housing. Responses have also highlighted that the Council will be required to front fund and deliver the education infrastructure to support the new development.

In response, it the purpose of the Supplementary Guidance to

- Set out the Council's approach to infrastructure provision and improvements associated with development;
- Set out how the required infrastructure has been assessed;
- address community concerns about the timeous delivery of the required infrastructure;
- Ensure that developers make a fair and realistic contribution to the delivery of necessary infrastructure provision and improvement associated with development;
- Provide details of cumulative contribution zones relative to specific transport, education, public realm and green space actions;
- Set out the arrangements for the efficient conclusion of Section 75 legal agreements; and
- Set out the council's approach should the required contributions raise demonstrable commercial viability constraints, and/or where forward or gap funding may be required.

It is not the purpose of the SG to provide fund the delivery of infrastructure associated with development or to provide a comprehensive report on the financial situations of all the capital projects it refers to. That is intended to be done in reports to the relevant committee of the Council. As stated in relevant reports on financial implications of the LDP and its Action Programme, the Council aims for full cost recovery from developments. The provision for viability tests to reduce such contributions ensures that this approach will not render any housing development unviable. Front funding and delivery of infrastructure will be carried out by the Council only if it is necessary and justified. No change is proposed to the finalised SG.

Funding of trunk road actions

Transport Scotland has objected to the SG in that it is inaccurate to state that funding will come from the cross boundary study.

This objection is noted and the SG has been updated to include the following text under the 'Delivery of Transport Infrastructure' heading on page 8, and under Section 4 on Repayment. On page 8, add in second para '... or pass monies to others, such as Transport Scotland, for delivery.' And in Section 4, after the reference to 10 years, include a statement that the Council will transfer any monies collected towards actions on the trunk road network to Transport Scotland once the relevant project is confirmed.

Alternative sources of funding

Consultees have highlighted that the Guidance does not refer to any alternative sources of funding i.e. City Deal. Reference in the Guidance should be made to alternative funding sources and set out the circumstances in which these can be utilised.

In response, it is the Council's opinion that the reference in section 3 is appropriate for Supplementary Guidance, as wider context of alternative funding sources is uncertain and subject to change. No change is proposed to the finalised SG.

Consultees have highlighted that certainty within the SG would be helpful to demonstrate that 'gap funding' and/or alternative funding mechanisms are available.

In response, it is the Council's opinion that such funding/mechanisms are actually necessary because of the uncertainty associated with developer contributions and planning decisions. No change is proposed to the finalised SG..

Community involvement in delivery of infrastructure and funding

Community representatives have requested that there is more transparency and consultation with communities.

In response, the Council is currently preparing local neighbourhood plans, through which planning will liaise on spatial matters, in order to better align the planning process with neighbourhoods. No change is proposed to the finalised SG.

Viability

Consultee have highlighted that there is an undue burden being placed upon housebuilders to provide increasing levels and types of contributions. At a time when delivery of homes is a national priority the development industry should be supported to do so.

This is noted. However, the transparent and predictable costs provided in the SG should allow house builders to factor these in when bidding for land. These costs are therefore a due burden on land values, and should not, in themselves, have any influence on delivery rates on land once it is acquired by house builders. No change is proposed to the finalised SG.

The SG should make further references to the circumstances where viability arises and the measures the Council will be prepared to waive to deliver a viable project. This could be facilitated by the developer providing a comprehensive viability assessment provided that could be independently reviewed by an appropriate company on behalf of the Council. One response has asked the words “,

wherever practical,” to be added to ‘there is an expectation that the applicant will enter into an open book exercise in order to prove viability concerns

The Council already operates an adequate process for assessing viability which is in line with the Royal Institution of Chartered Surveyors Guidance Note, Financial Viability in Planning (First Edition, 2012). Contributions cannot be reduced without an open book assessment. No change is proposed to the finalised SG.

Q1 - Do you have any comments on the Council's approach to infrastructure provision associated with development?

Name or Organisation	Council summary of answers to Q1
R Allen	<ul style="list-style-type: none"> Nowhere near enough Make a plan and stick to it not disregard when it suits a BIG developer.
Sarah (No surname given)	<ul style="list-style-type: none"> Not enough money towards building a bridge in Ratho to the climbing centre was collected. Also other commitments such as building bus stops haven't materialised.
Iain McKinnon-Waddell	<ul style="list-style-type: none"> Should concentrate on adequately maintain current stock to good standard before new provision
Cramond and Barnton Community Council	<ul style="list-style-type: none"> Cramond & Barnton Community Council supports the key principles underpinning this approach. There is a desperate need to have a structured and layered approach to planning incorporating infrastructure (in the broadest sense) starting with the strategic which may embrace a number of developments (as at LDP stage) and descending to the tactical at individual development level. The main thrust of the Planning process seems to be to approve house building without consideration of the infrastructure issues. Each application is considered in isolation and approved without consideration of the cumulative effect. The Community Council impacted by the development should have an input as to how the money is spent.
Leith Central Community Council	<ul style="list-style-type: none"> More care needs to be taken with such matters as pedestrians on pavements (around the entrance to new builds), shoddy barriers and uneven pavements. Increase in traffic needs to be considered when new developments are in development. Is there an overall plan of development and infrastructure in Edinburgh? There is an increase in population and especially in Leith area. Parking issues/ Pedestrians/ Cyclists all need to be looked after. More transparency and consultation with communities would be a good thing to prevent resentments building up. We should be saying to new developers that they are welcome to build if they want to make Edinburgh an exciting and vibrant place. What can these developers add to the area in terms of making it a better place rather than using cheap materials and trying to get out of payments? A better ethical relationship needs to be embedded in the culture of the council with future developer.
Tollcross Community Council	<ul style="list-style-type: none"> Overall the approach is sensible but there is an over emphasis on the tram versus other infrastructure. The 'get out' clause on page 12 will lead to developers making great efforts to thwart the provision.
Cockburn Association	<ul style="list-style-type: none"> The approach seems reasonable. We support the comprehensive approach to cover all issues likely to be affected by development.
Homes for Scotland	<ul style="list-style-type: none"> We suggest that a statement of conformity with Circular 3/2012 should be provided by the Council to clearly set out the evidence base for the contributions sought, and their compliance with the tests within the Circular. Do not consider that the Contribution Zone approach directly links to the impacts of developments, or to the scale and kind of contributions sought. We consider that contribution zones for school extensions should follow the relevant primary school catchment areas, and not be set wider than these.
Network Rail	<ul style="list-style-type: none"> As Network Rail is a public funded organisation with a regulated remit it would not be reasonable to require Network Rail to fund rail improvements necessitated by new development.
RSPB Scotland	<ul style="list-style-type: none"> Developer contributions should not, be at the expense of biodiversity.
Scottish Government	<ul style="list-style-type: none"> Contribution zones should be established in supplementary guidance rather than the action programme which is subject to annual review and which would not achieve the required degree of clarity or certainty. Correct Section 2 to reflect that Action Programmes are not approved by Scottish Ministers but adopted by planning authorities. It is unclear that the document meets the statutory requirements of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008, section 27 (2) - that supplementary guidance ... may only deal with the provision of further information or detail in respect of the policies or proposals set out in that plan, and then only provided that those are matters which are expressly identified in a statement in the plan as matters which are to be dealt with in supplementary guidance. This is on the basis that the supplementary guidance proposes a new secondary school in west Edinburgh, which is not supported by the LDP.
Scottish Natural Heritage	<ul style="list-style-type: none"> The approach set out here and in other plans and strategies sets a scale and ambition for greenspace and green infrastructure that is necessary to support city growth in the long-term. Note that Table 1 is described as having been revised to reflect the hierarchy of transport modes. As set out in paragraph 273 of Scottish Planning Policy (SPP), information based on the transport hierarchy should prioritise walking and cycling before public transport and then cars. We recommend that Table 1 is updated to more clearly relate to this hierarchy.
Scottish Property Federation	<ul style="list-style-type: none"> Developer contributions are required conform with the tests set out in Circular 3/2012. Planning obligations should not be used to resolve existing deficiencies in infrastructure and developers should not be required to provide such facilities or contribute to the cost of facilities where the responsibility for their provision lies within the health authority and central government.
The Dalrymple Trust Builyeon Farms LLP	<ul style="list-style-type: none"> Include the wording of Policy Del 1 in full to provide an appropriate context for it. Clarification is sought that best use is made of existing infrastructure before the need for new infrastructure is required. It is inappropriate to assume that all new development will automatically contribute to new infrastructure. Supports the application of the developer contributions mechanism to all housing types and tenures as all housing types and tenures impact upon infrastructure provision.
Wallace Land Investments, Murray Estates, Taylor Wimpey	<ul style="list-style-type: none"> The SG should fully explain what the Council wants in terms of financial payment and sets out an audit trail justifying how each allocated site in the LDP impacts on the available education infrastructure and justifies the financial contribution sought. The Council is required to demonstrate that the financial proposals in the SG comply with the five tests in Circular 3/2012.
Hallam Land Management Ltd	<ul style="list-style-type: none"> The 'Introduction' section should be modified to include a single subsection identifying the key principles which any developer contributions sought must satisfy. Hallam suggests that, as a minimum, the following should be identified as key principles: <ul style="list-style-type: none"> Principle 1: Accordance with the Statutory Development Plan Principle 3: Alignment with the Adopted City of Edinburgh LDP Action Programme (December 2016) Principle 4: Conformity with Relevant Case Law Principle 5: Consistency with National Planning Policy and Relevant Appeal Decisions The implementation of the Consultation Draft Supplementary Guidance is contrary to legal precedent regarding policy formulation and consultation requirements. The City of Edinburgh Council is requested to immediately 'dis-apply' the use of the draft SG. In the interim period, the need for developer contributions must be considered by assessing the predicted individual and/or cumulative impacts of the development proposal on a case by case basis, without regard to the contribution zones and tariffs set out in the draft SG.
CALA Homes (East)	<ul style="list-style-type: none"> Agrees with the principle that the impacts of new development should be mitigated through conditions or planning obligations to secure financial or in-kind contributions. Notes that planning obligations cannot be used to resolve existing infrastructure deficiencies. The Draft SG should be updated to set out a matrix or other method of demonstrating compliance with each of the five tests set out in Circular 3/2012.

	<ul style="list-style-type: none"> The Draft SG should be updated to state that “Where it has been confirmed that there is insufficient capacity available to accommodate pupils generated, residential development is required to contribute towards the cost of education infrastructure to ensure that the impact of development can be mitigated”.
Taylor Wimpey UK Lord Dalmeny	<ul style="list-style-type: none"> The SG (at Table 1) sets out the types of development form which contributions will be sought, and states that (in most cases) this will be “Local, national & major development” which would appear to include all use classes including business, industrial and commercial uses. However, it is not clear in some cases, whether there has been any commercial development taken in to account in arriving at the shares shown.
Lord Dalmeny	<ul style="list-style-type: none"> We do not believe that the Council has adequately demonstrated compliance with the requirements of Circular 3/2012 in respect of their approach to infrastructure provision, in particular; <ul style="list-style-type: none"> Compliance with the 5 criteria set out in the Circular; The absence of a baseline assessment of the current situation and what would be required if no development happened; “full cost” recovery of infrastructure from development; The absence of a clear approach to/mechanism for securing contributions from windfall housing sites coming forward during the Plan period; There are additional interventions identified in the SG (such as a new Secondary School in West Edinburgh) that were not identified in the LDP and should not be covered in the SG; In addition to the above, the Council appear to have introduced their own Policy Tests which do not comply with the Circular and should be removed as they are unnecessary and unhelpful.
New Ingliston Ltd The Trustees of The Foxhall Trust The EDI Group Ltd IBG Stakeholders	<ul style="list-style-type: none"> It is important that existing deficiencies are not sought to be resolved via developer contributions. We therefore welcome the approach at section 2 insofar as it relates to ‘infrastructure requirements associated with new development’ (GVA emphasis).
West Craigs	<ul style="list-style-type: none"> The draft SG applies its own, alternative tests. The draft Guidance requires to be amended to include express reference to the five tests all planning obligations must meet to be valid. References to alternative approaches should be deleted to avoid confusion and the risk of legal invalidity. The Guidance should include a statement confirming that planning obligations will only be required where it can be shown the five tests in the Circular have been met.
Barratt David Wilson Homes	<ul style="list-style-type: none"> It is unclear how some of the conditions of the circular 3/2012 are met within the proposed guidance.
Royal Highland & Agricultural Society of Scotland	<ul style="list-style-type: none"> Requirements to contribute to infrastructure must specifically relate to the impact of development being proposed. It is therefore critical that all contributions are consistent with the final paragraph of Page 2 of CEC’s Policy where it states under General Developer Contributions Approach - “Proposals will be required to contribute to the following infrastructure provision, as set out in Table 1, where relevant and necessary to mitigate* any negative additional impact (either on an individual or cumulative basis) and where commensurate to the scale of the proposed development.”
Clarendon Planning & Development Ltd	<ul style="list-style-type: none"> Planning obligations should accord with the 5 policy test provided in Circular 3/2012. Specifically, required infrastructure should relate in scale and kind to the proposed development.
NHS (as landowner)	<ul style="list-style-type: none"> It will be necessary to consider application proposals on their merits in the particular circumstances at the time of their determination.
Stewart Milne Homes	<ul style="list-style-type: none"> We suggest that a statement of conformity with Circular 3/2012 should be provided by the Council to clearly set out the evidence base for the contributions sought, and their compliance with the tests within the Circular.

Q2 - Do you have any comments on how infrastructure has been assessed?

Name or Organisation	Council summary of answers to Q2
R Allen	<ul style="list-style-type: none"> Done piecemeal and often out of context
Iain McKinnon-Waddell	<ul style="list-style-type: none"> Poorly. Paving, cycle routes and roads alike very pot-holed and unsafe in places.
Cramond and Barnton Community Council	<ul style="list-style-type: none"> Currently it appears that infrastructure needs are evaluated on a piecemeal basis. concerned that specific infrastructure requirements required to service the Maybury and Cammo Developments (HSG19 & 20) are not included within the tables
Leith Central Community Council	<ul style="list-style-type: none"> How accurate these assessments are – e.g. in regards to traffic flow/ parking issues? Is there any consideration for a paid-parking underground car park somewhere in Leith? Just a thought.
Tollcross Community Council	<ul style="list-style-type: none"> This seems comprehensive.
Cockburn Association	<ul style="list-style-type: none"> The assessments seem logical. We agree if/when the contribution costs of cumulative impacts become excessive and cannot be mitigated; the planning consent should be refused e.g. Developer Contributions for Education Infrastructure
Homes for Scotland	<ul style="list-style-type: none"> Education Appraisal The Council's Housing Land Study (June 2014) is useful in analysing potential windfall development, but is not a reliable evidence base, particularly as many of the sites within the housing land study have permission for other uses. If requirements from windfall developments have been fully factored in, this is not clear and should be set out far more explicitly. The approach should be clear that residential development will only be required to contribute towards the cost of education infrastructure where it has been confirmed that there is insufficient capacity available in a school within the catchment of that development. If existing pupils are to attend new schools as a result of catchment reviews, then the Council must accept some responsibility for its share of the costs.
Scottish Government	<ul style="list-style-type: none"> For the IBG site, the figures are not supported by the recently adopted (24 November 2016) Local Development Plan (LDP) and have not yet been established via a masterplan or planning permission.
Scottish Property Federation / South East Edinburgh Development Company Ltd	<ul style="list-style-type: none"> There is a shortfall in the Housing Land Supply amounting to some 7,000 new homes. The Council's assessments may not recognise the full extent of the new infrastructure that will be required. Concerned that the Council will feel obliged to reject these proposals on the basis that there is no infrastructure programmed to accommodate them or that their development would undermine infrastructure provision made for allocated sites. Welcome the provision for the Supplementary Guidance to be reviewed and that the Action Plan will be reviewed on a yearly basis.
Murray Estates	
The Dalrymple Trust	<ul style="list-style-type: none"> Education Appraisal Representation is lodged to the use of assumptions on page 4 under education infrastructure to predict housing output in general. There is no clear explanation within the Draft Consultation Supplementary Guidance as to how the assumptions were reached. The Council could use the empirical information contained within current live planning applications and consents. Representation is further lodged to the generic housing / flatted development split assumption that is then applied on a wide geographical basis within cumulative impact zones.
Builyeon Farms LLP	
Wallace Land Investments	<ul style="list-style-type: none"> Education Appraisal In addition to comments summarised below, see summary and response to Education Assessment submitted by Geddes The report should be consolidated along with the latest school projections (2016). The individual school projections should be aggregated with each primary school aligned with its secondary school. This would allow trends in schools to be examined and implications for future capacity to be readily assessed. This will allow management solutions such as catchment area reviews to be identified more easily. These projections should then be aggregated into Education Contribution Zones. This would create data sets, assumptions and projections which can be used to derive solutions to education capacity and ultimately, lay the foundations for supplementary guidance for each Education Contribution Zone. The Council's pupil generation rates may be projecting too high a number of pupils from new housing. The Council has omitted to clarify the number of pupils in all of the eight new schools and the proposed school extensions which will be from the allocated sites in the LDP and those pupils from existing homes. Additional rep from Strutt & Parker We do not believe that the Council has adequately demonstrated compliance with the tests set out in Circular 3/2012 in respect of the approach set out in the SG to recover the full cost of all infrastructure in the Action Programme. We believe that there requires to be a baseline assessment of the current situation and what would be necessary to rectify existing deficiencies in the absence of any development happening (we do not believe this has happened). Following that assessment, a subsequent assessment of what additional infrastructure interventions are required as a result of development should be undertaken and it is this cost that would be recouped from developers in each area.
Taylor Wimpey	
Hallam Land Management Ltd	<ul style="list-style-type: none"> Objects to the inclusion of unallocated greenbelt release sites within the latest LDP Education and Transport Appraisals (November/December 2016). These sites are by definition not housing allocations and therefore should not be considered when assessing cumulative impacts from housing sites identified within the LDP. "East of Burdiehouse" and "South of Burdiehouse" should be removed. Any developer contributions payable from proposals to develop this site should be calculated on the basis of any predicted impacts, as until the principle of residential development is firmly established (i.e. after any planning permission is granted for residential development) the site should be considered as a windfall site. The latest LDP education or transport appraisals (November/December 2016) have not been subject to public consultation or external scrutiny. The draft SG should be modified to include a table / tables for each education and transport infrastructure contribution zone identifying: <ol style="list-style-type: none"> 1) The specific infrastructure which is predicted to be affected by individual and/or cumulative impacts; 2) The nature, timescales and identified sources of predicted impacts on this specific infrastructure; 3) The specific measure(s) identified to address predicted impacts and the rationale for deploying these; and, 4) An explanation of the need for each allocated housing site identified within the relevant contribution zone to make a proportionate contribution towards to delivery of each required measure(s). The finalised Supplementary Guidance should include direct website links to the Education and Transport Appraisals (November/December 2016).
CALA Homes (East)	<ul style="list-style-type: none"> Education Maximum use should be made of existing infrastructure capacity. Infrastructure capacity appraisals should be prepared at the very outset of the plan preparation process. This would enable the identification of locations where capacity exists and these locations could be identified for allocating land – for example making use of the available secondary school capacity in Currie and Balerno. The supporting Education Appraisal (December 2016) states of the assessment that "This takes account of new housing sites allocated in the LDP and other land within the urban area, including potential housing sites identified within the Council's Housing Land Study

	<p>(June 2014)". The Council's Housing Land Study is not a reliable evidence base to inform the education assessment – for example many of the sites within it have permission for other uses.</p> <ul style="list-style-type: none"> • Publish an Annex the assumed programme of house building based on the most recently agreed Housing Land Audit. • The Draft SG does not set out the Council's approach to windfall development. • The Draft SG confirms that the Council has not prepared any projections for secondary school infrastructure. It has assumed that any available capacity within secondary schools will soon be fully utilised because of assumptions about future population growth and increased primary school rolls. The Draft SG seeks to apply a cost per pupil generated regardless of whether there is an identified need. CALA is concerned that this approach is not in accord with Circular 3/2012.
Taylor Wimpey Additional rep from Strutt & Parker	<ul style="list-style-type: none"> • There is a lack of clarity in the SG in respect of what is being delivered in some cases in respect of the HSG33 and we have set out below the areas where we would seek clarification and confirmation of what is expected and reserve our ability to provide a supplementary response when this information/clarification is received.
New Ingliston Ltd	<ul style="list-style-type: none"> • It is important that existing deficiencies are not sought to be resolved via developer contributions. We therefore welcome the approach at section 2 insofar as it relates to 'infrastructure requirements associated with new development' (GVA emphasis). • Transport • We do however have some concern in relation to the assessment of roads infrastructure in the context of the cross boundary transport impacts study which does not yet appear to have been completed. In the absence of this, it would be helpful for some clarity within the SG in respect of how this will be taken into consideration and that the grant of planning permission will not be frustrated by the fact that this study has not been completed.
West Craigs	<ul style="list-style-type: none"> • Our clients recognise that the contribution zone approach may be capable of being used to address cumulative infrastructure requirements. However, this approach must accord with the Circular. • Education • In addition to comments summarised below, see summary and response to Education Assessment submitted by Geddes • There is no evidence that the Council has considered the extent to which education infrastructure could be delivered through other mechanisms than the provision of new schools, for example, catchment reviews of existing schools. • The draft Guidance should not require developers to make contributions to achieve the Council's wider strategic objectives, e.g. the delivery of new schools where these might not be necessary for the particular development in question. • There has been no independent third party examination of the Council's Education Appraisal or any analysis of the assumptions which underlie the Appraisal. It cannot be relied on as the basis for calculating education contributions. • Representation refers to two appeal decisions for sites in the Liberton/Gracemount Education Contribution Zone. • Transport • HSG 19 in the LDP it is set to contribute towards £4,320,000 towards a railway bridge and extensive footpath and underpass works linking HSG 19 to The Gyle, via the now completed Edinburgh Gateway. There are a number of issues with this, namely: <ul style="list-style-type: none"> • Only the cost of the bridge and footpath linkage with the existing Tram Depot road and Edinburgh Gateway can reasonably be linked to LDP allocations, including HSG 19. • The IBG development and HSG 20 development requires this bridge link to support the overall educational needs within these allocations in regard to the location and accessibility of a new primary and a new secondary school. • In addition, HSG 19 is identified as paying £87,200 for the design fee towards the Maybury Junctions redesign for cycling and walking. This is not justified on two grounds. Firstly, changes at Maybury Junction are identified as Action T17 within the Maybury/Barnton Contribution Zone and as such should also be attributed to allocation HSG 20. Secondly, the T17 works include design, which must reasonably include any cycle/pedestrian facilities and operation.
Barratt David Wilson Homes	<ul style="list-style-type: none"> • It is unclear how the existing capacity within schools has been accounted for and therefore how many of these pupils can be accommodated within existing infrastructure.
IBG Stakeholders The Trustees of The Foxhall Trust	<ul style="list-style-type: none"> • It is necessary to keep technical infrastructure appraisals and assessments under review in order to ensure that infrastructure actions are based on accurate and up to date information, including costs. • Transport • In the absence of the cross boundary transport impacts study, it would be helpful for some clarity within the SG in respect of how this will be taken into consideration.
Lord Dalmeny	<ul style="list-style-type: none"> • There requires to be a baseline assessment of the current situation and what would be necessary to rectify existing deficiencies in the absence of any development happening (we do not believe this has happened). Following that assessment, a subsequent assessment of what additional infrastructure interventions are required as a result of development should be undertaken and it is this cost that would be recouped from developers in each area.
NHS as landowner	<ul style="list-style-type: none"> • It is important that existing deficiencies are not sought to be resolved via developer contributions. We therefore welcome the approach at section 2 insofar as it relates to 'infrastructure requirements associated with new development' (GVA emphasis). • Concerns that windfall opportunities – which often involve the use of brownfield land and contribute to wider sustainability and regeneration objectives – could be constrained by infrastructure where appraisals have not made clear assumptions for such development. <ul style="list-style-type: none"> Education • Costs can vary significantly where extensions are proposed to school buildings which are listed and more modern school buildings which are not listed and easier to extent / alter. It would be helpful to have clarity that costs and contributions have and/or will take this into consideration. • It does not therefore appear that there is any provision for 'windfall development'. In the context of our comments above, this could potentially impose significant constraint on the future of the NHS Lothian estate should sites become surplus to requirement and / or be subject to relocation to other premises. • Whilst the SG does note in the second paragraph that the education appraisal takes account of new housing sites allocated in the LDP and 'other land within the urban area' it is not clear what this other land is. Clarity in this regard would be helpful.

Stewart Milne Homes	<p>Education</p> <ul style="list-style-type: none"> • There is a shortfall in the Housing Land Supply amounting to some 7,000 new homes. The Council's assessments may not recognise the full extent of the new infrastructure that will be required. Concerned that the Council will feel obliged to reject these proposals on the basis that there is no infrastructure programmed to accommodate them or that their development would undermine infrastructure provision made for allocated sites. • We note that there is provision for the Supplementary Guidance to be reviewed and that the Action Plan will be reviewed on a yearly basis. It is essential that these documents are kept actively under review to ensure that the necessary infrastructure keeps pace with development. • It should be a priority for the Council to identify any existing spare capacity within its schools and to include the potential for school catchment reviews to best use the existing available capacity to accommodate pupils from new developments. Any catchment review should set out the redistribution of pupils from one catchment to another. • The draft guidance confirms that the Council has not prepared any projections for secondary school infrastructure. It has assumed that any available capacity within secondary schools will soon be fully utilised because of assumptions about future growth and increased primary school <p>Transport</p> <ul style="list-style-type: none"> • The transport contributions do not appear to be fully finalised, as they are pending the publication of Transport Scotland's cross boundary study. The associated costs and actions are therefore absent from this consultation. Arguably, therefore the consultation document is incomplete. • Cross boundary impacts, taking account of relevant developments in surrounding authorities. • In our view, it is only appropriate to include what is known as 'committed' development i.e. that which already has the support of the Council. Item (iii) and (iv) above should therefore be deleted.
Geddes assessment	<ul style="list-style-type: none"> • The Council has not assembled all necessary information in a comprehensive technical report. Data, assumptions and projections needs to be reported for each secondary school and its feeder primary schools and then assembled for each Education Contribution Zone. • The Council's pupil generation rates may be projecting too high a number of pupils from new housing and this needs to be investigated further by the Council. • The Council has omitted to clarify the number of pupils in all of the eight new schools and the proposed school extensions which will be from the allocated sites in the LDP and those pupils from existing homes. If existing pupils are to attend these new schools as a result of catchment reviews, then it is evident the sites in the Council's LDP development strategy are not directly responsible for all of the impacts arising on the existing school infrastructure. Any capacity provided in the SG's school infrastructure which is unrelated to pupils from sites in the LDP is the financial responsibility of the Council to provide on a proportionate basis. • The work which has been carried out to date should be consolidated into a separate report along with the latest school projections. The individual school projections should be aggregated with each primary school aligned with its secondary school. This would allow trends in schools to be examined and implications for future capacity to be readily assessed. This will allow management solutions such as catchment area reviews to be identified more easily. These projections should then be aggregated into Education Contribution Zones. This would create data sets, assumptions and projections which can be used to derive solutions to education capacity and ultimately, lay the foundations for supplementary guidance for each Education Contribution Zone.

Q3 - Do you have any comments on the requirements within the education, transport, public realm and green space contribution zones?

Name or Organisation	Q3 Summary
R Allen	<ul style="list-style-type: none"> Mostly done as add-ons and green space often ignored or dealt with by lip service only
Iain McKinnon-Waddell	<ul style="list-style-type: none"> Should shy away from destruction of green spaces or expanding city out to green belt whilst lots of derelict land and empty buildings within current urban areas.
Cramond and Barnton Community Council	<ul style="list-style-type: none"> It is pointless tinkering with the Barnton junction. The problem is traffic from Fife and major developments planned along the A 90 corridor. A fast ferry from Dalgety Bay to Ocean Terminal with trams to the city centre and a Bus lane all the way in from Cramond Brig to the West end is necessary but would be very unpopular and cause chaos for a month until Fife commuters gave up their cars in favour of public transport. Cramond and Barnton Community Council is concerned that specific infrastructure requirements required to service the Maybury and Cammo Developments (HSG19 & 20) are not included within the tables (e.g. introduction of traffic controls at Cammo Gardens to enable access/egress to 400+ households at Cammo and Strathalmond onto Maybury Road which will have increased traffic loads)
Leith Central Community Council	<ul style="list-style-type: none"> The council should collect a lot more money from the developers and enforce the things that are outlined in the planning stage. Remember to factor in an increase of costs if the development takes years to build! There is going to be an increase in needs for schools, more parks - or better equipment for the parks. Also the need for health care - access to doctors is a priority as many are left without a surgery place. These issues will only get worse if developers do not make contributions. Many new developments seem to be blocks of boring architecture that have little or no thought for the surrounding landscape or children's play areas. There needs to be a more holistic approach to buildings and contributions.
Cockburn Association	<ul style="list-style-type: none"> Education Infrastructure - The requirements appear sensible and balanced. Transport Infrastructure - The proposals appear comprehensive and proportionate. Greenspace - It is important that CEC Open Space policies are rigorously applied. We consider that offsite provision of open space should only be allowed in exceptional circumstances. We also consider if planning consent is given for developments on Green Belt land, the Open Space requirement and associated developer contributions should be increased significantly. Public Realm - No comment Primary healthcare - No comment
Homes for Scotland	<ul style="list-style-type: none"> Annex 1 omits of figures for a 1 class extension, and a 600 capacity secondary school. Suggest 7.5% contingency fund is removed as there is no evidence to support such a high contingency; Query the total of £350,000 for a single class extension. A single classroom extension at Gilmerton Primary has a floor area of 62-64sqm. this classroom then equates to a cost of £5,645 per square metre. This is excessive when compared to the cost of £2,171 for a 2 class extension. These figures should be further explained and evidence provided. If a single classroom floor area is on average 62-64 square metres, then two classrooms will be an average of 124 square metres. However the guidance allows for 213 square metres for a 2 class extension. We therefore request evidence on this from the Council. The SFT cost metric sets indicative costs for secondary schools at £28,000 per pupil (including allowances for abnormal, servicing and off site infrastructure), based on HubCo North Territory reporting. The Scottish Government awards funding at £25,893 per pupil (at 2 Q2 2015 prices) for new secondary school build projects. We expect secondary school extensions to offer cost savings – for example the typical cost for a new primary school per square metre is £2,759 and for an extension the typical figure is £2,118 metres squared. The draft guidance sets the indicative cost per square metre for a secondary school extension at £2,986 per square metre, however the cost within the draft guidance for a new secondary school is lower than that of an extension, at £2,301 square metres. There is no explanation given in the draft guidance as to the inconsistent cost projections for new schools and extensions for primary and secondary schools. We have sought costing details for comparison – in Perth the project costs for the new 1,100 capacity secondary school at Bertha Park is £22,993 million – of £20,902.73 per pupil. In Edinburgh, the Council's projected cost for a 600 capacity secondary school is £19,293,885, or £27,593,885 including land costs of £8,300,000. Therefore the cost per pupil of a 600 capacity secondary school in Edinburgh is £45,989.81 including land costs, or £32,156.47 without land costs. Clarification should be provided to explain why it is much more expensive to build a school in Edinburgh than Perth, even assuming there is no land cost. We suggest an Annex should be included to the guidance to provide evidence for costings, and fully costed examples for clarity. <p>Healthcare</p> <ul style="list-style-type: none"> Homes for Scotland disagrees with the principle of charging the homebuilding industry for the provision of healthcare facilities. The draft guidance does not provide evidence to justify the requirement for new or extended medical practices. We do not believe that these contributions conform to the tests set out within Circular 3/2012.
Network Rail	<ul style="list-style-type: none"> In relation to the Maybury housing site (HSG 19), the associated adopted Action Programme (December 2016) identifies the "Maybury Edinburgh Gateway Station pedestrian / cycle route including bridge over railway". Network Rail are in discussion with the developer in relation to this. Consideration should be given to including this as a 'Transport Action' within the Draft SPG. The Draft SPG identifies Dalmeny Station as a 'Transport Action' within the Queensferry Transportation Zone and related to the development of housing sites HSG 1, 32 and 33. The extent of this contribution is still to be determined. The associated adopted Action Programme identifies these improvements as car and cycle parking facilities at the station. The provision of additional housing in these locations is likely to lead to more demand for vehicular and cycle parking at the station. The expansion of station parking and cycle facilities promotes and encourages more journeys by public transport. The concurrent development of station facilities with new development therefore represents a sustainable and integrated approach to planning. Network Rail would welcome involvement in the consideration of these Actions.
Scottish Government	<p>Education</p> <ul style="list-style-type: none"> Concerned with the identification of a new secondary school shown in the West Education Contribution Zone. Its location is shown within National Development 10 of NPF3, Strategic Airport Enhancements and the IBG to be created adjacent to Edinburgh Airport. Locating a new secondary school in this position has the potential to compromise the site for its intended purpose by creating ambiguity around the business-led role of the IBG and thereby potentially diminishing the business opportunities available at this prime location. The recently adopted (24 November 2016) LDP does not identify a new secondary school at the IBG or in West Edinburgh but instead refers to extensions to existing named High Schools. A new secondary school at the IBG site has therefore not been subject to all of the necessary consultation or assessment requirements that are expected to be undertaken as part of the plan preparation process, for example strategic environmental assessment. The mapped reference pre-empts the outcome of an updated masterplan, as required by the LDP, and consideration of any planning application for the site. It should therefore be removed from the supplementary guidance and its inclusion be subject to any future review of the document. <p>Transport</p> <ul style="list-style-type: none"> Approach B is contrary to the position promoted by Transport Scotland in relation to CEC identifying impacts on infrastructure in surrounding authority areas as a result of developments in the CEC area. It is therefore, recommended this bullet point is amended accordingly.

	<ul style="list-style-type: none"> Comfortable that the assessment has been progressed to a sufficient level of detail to allow actual improvements and costs to be established. Sheriffhall, Straiton and Gilmerton on the A720 - Transport Scotland will keep the Council updated on progress, which can feed in to updates to the LDP Action Programme. In relation to Gilmerton and Straiton, these junctions have not been specifically identified in the cross boundary appraisal study as requiring upgrading. Consequently, we would request further information from the Council on the potential cumulative impact from developments on these junctions and what mitigation is proposed. If, as a result of work already done or further study it is identified that Gilmerton and Straiton do not require to be improved as a result of development impacts, then it is recommended to remove these junctions from the Supplementary Guidance. Old Craighall is not included within the SG document. It is recommended that further information pertaining to Old Craighall is included, specifically referring to the way in which contributions will be gathered and managed taking cognisance of the contributions collected from East Lothian Council, Transport Scotland and the City of Edinburgh Council. For all three junctions, the diagrams detailing the 'Transport Contribution Zone' do not appear to follow any specific land use or development boundaries including those already in the development management system. Request information on the evidence base underpinning the identification of the zones. Concern regarding the zones given the scale of the Sheriffhall zone and that it does not include the Bio Quarter development. We also highlight the inconsistency between the individual Contribution Zone diagrams and the overall 'Transport Infrastructure' diagram in Annex 2, page 32. The contribution zones should remain consistent throughout the Guidance for clarity. It may be worth including a separate diagram specifically for the zones in the south east of Edinburgh due to their close proximity. Sheriffhall, Gilmerton and Straiton Junction - it is inaccurate to state that funding will come from the cross boundary study. Concerned that the Action Programme is not up to date, yet links with and comprises an important element of the Supplementary Guidance.
RSPB Scotland	<ul style="list-style-type: none"> The opportunity should be taken to enhance biodiversity in areas of relatively low environmental value and to protect, enhance and integrate existing high value habits, should any exist in the development area. Where a net loss of biodiversity resulting from development is identified, then commensurate offsetting measures should be required. Annex 3. Greenspace Infrastructure Actions (p 51) High levels of funding are potentially being allocated to greenspace at a number of sites. It should be ensured that such expenditure delivers effectively for biodiversity and wildlife in addition to the recreational and other related needs of the local communities. Plans for greenspace development and enhancement should be available for assessment by interested parties to ensure that appropriate measures are applied for the maximum biodiversity benefit. At Leith Docks, the derelict jetty just east of 'Britannia' should be restored to provide secure nesting sites for terns. In general, greenspace should not be of the traditional manicured lawns and isolated trees, apart from where required for recreation and reasons of public safety. We welcome the recent adoption of more wildlife-friendly greenspaces in Edinburgh through the provision of wildflower meadows, native-tree planting etc. We would wish to see this included in every area where greenspace is provided by developers in mitigation for any type of development. The maintenance and management of such areas should be carried out such that biodiversity enhancement features are maintained in perpetuity.
Scottish Natural Heritage	<ul style="list-style-type: none"> it would be useful to clarify at what point infrastructure would be delivered when the delivery is attributable to a number of development sites. While similar situations are not explicitly set out in relation to greenspace, similar issues with connectivity and delay in delivering high-quality places could arise if an early, coordinated approach to delivery is not established. We recommend that this is clearly set out in the appropriate sections of the Supplementary Guidance. We welcome the requirements set out under 'Open Space – Ongoing Maintenance' on page 9. We recognise the difficulties inherent in collecting contributions for public realm actions in the absence of a finalised Public Realm Strategy, as set out on page 10. Given the importance of the public realm as place in its own right and as a network between destinations, the Strategy should be finalised as soon as possible to allow clear requirements for developer contributions to be established and these important and necessary contributions to be collected. Transport Contribution Zones 5 to 12, as shown on page 32 (Annex 2: Transport Infrastructure) are complex when viewed in overview. We have some concerns about what this may mean for the practicalities of delivering required infrastructure timeously within overlapping areas, particularly where 4 zones overlap as at 5, 6, 8 and 9.
The Dalrymple Trust Builyeon Farms LLP	<p>Education</p> <ul style="list-style-type: none"> Representation is lodged to a generic assumption for land costs and servicing remediation requirements, every site will be different. It may also be more efficient for developers and / or landowners to service and / or remediate any land ultimately required. Clause C would suggest that third party delay could be a factor in the determination and issue of planning permissions. This is unacceptable and must be clarified. It is suggested that an additional sentence is inserted at the end of the Clause stating "However, third party delays in infrastructure delivery must not be allowed to unnecessarily prevent the issue of planning permissions or undertaking of development" Clause E is considered inflexible and a reasonable alternative solution may be available at the time of consideration of a planning application for a site or group of sites. It is suggested that the phrase "or any reasonable alternative approach" after "cumulative approach" in that sentence. Clause F - clarify that, for the purposes of education, where there is capacity in existing schools to accommodate children arising from new development then that would be taken up first on a first come, first served basis. In this case, only the balance of the new development would be required to contribute to new infrastructure. It is suggested that the following sentence be added at the end of the Clause "Where there is capacity in existing schools to accommodate early phases of development then this must be taken up with the balance of development contributing to new infrastructure in line with Circular 3-2012." <p>Transport Infrastructure</p> <ul style="list-style-type: none"> There is no requirement Newcraighall East for that site to make contributions over and above those set out in the Local Development Plan and accompanying Action Programme. There is no action or cost associated with the Transport Action at Dalmeny Station in the draft document. Clarification and cost associated with this is required as soon as possible. <p>Annex 1 and 2</p> <ul style="list-style-type: none"> Further justification is required for each of the infrastructure items costings and timings set out in Annex 1 and 2. The ability to clarify final costings through the submission of planning applications should be made clear in this Annex. If the contribution rates and housing / flatted development split shown on the individual Contribution Zone Maps for Annex 1 – Education and Annex 2 – Transportation are to remain then these must be caveated as indicative only and to be clarified through planning applications. Further clarification is requested for the figures contained with the Table entitled "Land – Estimated School Site Remediation & Servicing Costs" for the cost indicated for South Queensferry and for the assumption of the £3m cost associated with the purchase of a two hectare primary school site. <p>Greenspace</p> <ul style="list-style-type: none"> Clarification is requested over the proposed £1.2m cost associated with green space provision associated with Dalmeny – Echline as part of this process. The current planning permission in principle applications for Builyeon Road, South Queensferry show structural landscaping within the site and it is assumed that this is part of the green space provision referred to. <p>Healthcare</p>

	<ul style="list-style-type: none"> It is noted that the expansion to the medical practice at South Queensferry is underway and that the Supplementary Guidance refers to this as necessary to mitigate the impact of development in Queensferry. Given that this is the case, clarification is sought from the Council that this is not a direct requirement of the new land allocations in South Queensferry contained in the adopted Local Development Plan.
South East Edinburgh Development Company Ltd Murray Estates	<p>Education</p> <ul style="list-style-type: none"> It is only reasonable to require contributions towards schools which are directly affected by a development. The sub-areas should be divided into individual primary school catchment areas. Site remediation and servicing costs are so excessively high that they act as an impediment to new residential development. The Council should consider, in discussion with developers and land owners, alternative locations for the proposed schools where remediation and servicing costs may be lower. In addition, it would be beneficial for the Council to provide greater clarity of what is included in the costs they have identified. We recommend that the wording in item E under the heading of ‘Developer Contributions for Education Infrastructure’ is amended. “Where a development proposal is likely to give rise to an impact, including cumulative impacts, on education infrastructure which cannot be appropriately mitigated, planning permission may be refused.” <p>Transport</p> <ul style="list-style-type: none"> It is only appropriate to include what is known as ‘committed’ development i.e. that which already has the support of the Council. Item (iii) and (iv) should therefore be deleted. <p>Health Care</p> <ul style="list-style-type: none"> Do not agree that it is appropriate for developer contributions to be sought where the responsibility for their provision and funding lies with the Health Authority and central Government. <p>Public Realm and Open Space</p> <ul style="list-style-type: none"> Contributions should be sought only where clearly required to enable development to be acceptable in planning terms and that they will be proportionate and relevant to the scale and nature of development proposed.
Wallace Land Investments Taylor Wimpey	<p>Education</p> <ul style="list-style-type: none"> The SG does not make reference to the mechanism which would apply to obtaining financial contributions from homes on windfall sites. It is unlikely that all of the 4,700 homes from windfall sites have been factored into the education infrastructure requirements and included in the 2016 School Projections. The Council has not highlighted any interim measures it intends to adopt to accommodate pupils arising from the ongoing completion of homes The Action Programme now includes a new secondary school for west Edinburgh. This proposal was not included in the LDP and therefore has not been subject to due statutory process. It has not been subject to SEA requirements including the consideration of alternative sites. For these reasons, this site should be removed from the Action Programme and therefore the SG. It is also apparent that as the Council does more detailed assessments for its education planning, different options emerge which impact on the solutions identified for the Action Programme. See additional summary of Education Assessment submitted by Geddes consulting under Q2.
Hallam Land Management Ltd	<p>Education</p> <ul style="list-style-type: none"> No clear justification of why the Liberton/Gracemount education infrastructure contribution zone has been amended to split the zone into two sub areas LG-1 and LG-2. “land east of Burdiehouse” and “land south of Burdiehouse” should be assessed as windfall sites and the procedure set out in Section E of the previous Supplementary Guidance (December 2015) This list of infrastructure requirements differs substantially from those identified within the previous guidance (December 2015) and the per unit tariffs have increased significantly. The reason for not including Option 2 from the 2014 Education Appraisal and instead requiring the provision of two entirely new non-denominational primary schools, is not clearly explained. The level of contribution required should be calculated taking account of actual impacts, namely assessing the number of pupils expected to be generated against the predicted shortfall in places at the current catchment area school, Gilmerton Primary School. This methodology is consistent with the approach taken at a PPA-230-2152 (Land 350 metres north-west of 328 Lasswade Road). Objects to the inclusion of New 7-class primary school at Gilmerton Station Road. The need for an additional new Primary School (beyond Broomhills Primary) has not been adequately identified and the timescales for delivery do not align with any development proposals. The ‘catch-all’ approach of the draft education contribution zones does not distinguish between predicted impacts from LDP housing allocations and other potential but uncertain impacts from the development of windfall (i.e. unallocated) sites. Does not object to the potential need to deliver four additional classrooms within Roman Catholic primary schools and for this to be funded by proportionate developer contributions. Hallam does object to the inclusion of unallocated and indeed undefined sites within education infrastructure contribution zones. <p>Transport</p> <ul style="list-style-type: none"> Considers that the reconfigured contribution zones fail to satisfy Circular 3/2012. as the mapping provided for each zone does not identify the need for specific infrastructure upgrades, the level, timing and source(s) of predicted transport impacts or the need for specific sites to contribute towards the identified infrastructure upgrades. Recommends that a justification for the delineation of each transport infrastructure contribution zone and details of proposed infrastructure upgrades should be inserted within the finalised Supplementary Guidance. All of the proposed transport interventions listed within the Site Summary Sheet – East of Burdiehouse of the latest LDP Transport Appraisal (November 2016) are considered to fail all of the policy tests for planning obligations detailed within Scottish Government Planning Circular 3/2012. Unallocated greenbelt release sites are not housing allocations and, these sites should therefore not have been considered when assessing cumulative impacts from the adopted LDP (2016). The principle of residential development remains to be established, meaning that there is no clear relationship between potential residential development of these sites and the adopted LDP. The planning purpose of seeking developer contributions as listed on the Site Summary Sheet – East of Burdiehouse within the latest LDP Transport Appraisal (November 2016) has therefore not been clearly established and the requirements of this policy test have not been met. the inclusion of the three unallocated greenbelt release sites within the Transport Appraisal is fundamentally flawed as it does not provide reliable evidence to identify predicted impacts (individual and/or cumulative) from the development of these sites. Greenspace Infrastructure Content with Section 2c and Annexe 3 of the Consultation Draft Supplementary Guidance and does not wish to provide further comments regarding these sections. Public Realm Infrastructure concerned that the proposal to introduce a new methodology for securing developer contributions for public realm improvements remains undefined and, according to the Consultation Draft Supplementary Guidance, may be implemented at an unspecified future date, without any commitment given to prior public consultation. If this methodology is approved by the City of Edinburgh Council without consultation, this would mean that the finalised Supplementary Guidance, which the Council intend to adopt on a statutory basis, would fail the public consultation test for statutory Supplementary Guidance specified in section 22 of the Planning etc. (Scotland) Act 2006.

	<ul style="list-style-type: none"> Healthcare Infrastructure Concerned that the reference to ongoing work to identify healthcare infrastructure contribution zones does not provide sufficient clarity regarding either the principles which will be used to define these zones or the process which will be used to implement them. Concerned that healthcare infrastructure contribution zones could suffer from similar deficiencies which may render such zones contrary to the policy tests detailed within Scottish Government Circular 3/2012.
Spindlehawk Ltd	<ul style="list-style-type: none"> The draft guidance does not appear to make it clear that the contributions will not be applied to studio or one bedroom properties.
CALA Homes (East)	<p>Education</p> <ul style="list-style-type: none"> Comments on the projected costs as per Homes for Scotland response. Adds Proposed modification: Update the Draft SG to 1) Provide further clarity on the floorspace requirements of new school extensions (ie if a single class is 62 square metres, why is 412 square metres (and not 248 square metres) necessary for a 4 class extension); 2) Provide a robust justification for the costs for secondary school extensions and new buildings in relation to SFT and Scottish Government figures, and recent examples elsewhere; and 3) Confirm that the costs for all new school buildings and extensions will be undertaken on an open book basis with mechanisms to be included to ensure that unspent contributions are returned to applicants. Health Care Facilities The delivery of such facilities is the responsibility of Central Government, not the house building sector. The legitimacy of seeking financial contributions for new primary health care services is questioned, despite the link to LDP Policy. concerned with the projected costs set out in Annex 4 of the Draft SG for Healthcare Actions and the lack of information to justify costs. the NHS Lothian Strategic Plan 2014 – 2024 Our Health, Our Care, Our Future (Developing Person-Centred Primary and Community Services – Annex 2) states (page 5): “The capital build costs involved in building new practice premises, or extending existing, vary considerably. As an outline guide, each 1,000 patients require approximately 90sqm of space so a practice of 5,000 will have an associated build at a cost of circa £2m and associated revenue costs.”. This is significantly less than the projected costs set out in the Draft SG.
Lord Dalmeny	<p>Education</p> <ul style="list-style-type: none"> A new Secondary School at West Edinburgh was not considered as part of the LDP preparation, SEA or Examination. It is unclear what this is based on, or why it is required, given that extensions of existing schools appear possible for the level of development allocated. This option does not appear to have been fully considered, nor the response adequately justified, and does not seem to be necessary as a result of development nor the best value option for the Council or developers. Transport The SG (at pg33) provides no detail as to the costs of the Queensferry Transport Contribution Zone. Seek clarity on “Dalmeny to Echline, Queensferry (HSG32 and HSG33)” with a cost of £1.2m. Seeks clarity on 450m extension of NCN1 “in to the Agilent Site” (at a cost of £110,250),
New Ingliston Ltd	<ul style="list-style-type: none"> We do not object to the contribution zones insofar as they have been established in the current draft SG. <p>Education</p> <ul style="list-style-type: none"> It is noted that a new Secondary School is to be provided in West Edinburgh. We do not feel that the detailed analysis of land value, servicing and remedial costs for schools sites should be published. There is no clear factual basis to these figures. In earlier guidance, a more global figure was used purely as a guide to understand potential build up and likely total costs for the provision of education infrastructure. The land cost should not attempt to be set in the guidance. A site that is allocated for a school is likely to be in a residential area. In deriving the value of the site, values for residential land in the vicinity that will benefit from the provision of the school, should be used to calculate compensation for the loss of the site for school use. Clearly the need for any servicing or remediation of the site can be taken into account in calculating the compensation payable. We do recognise that in the notes on page 17, actual costs could vary and we would welcome further discussions as matters progress. <p>Transport</p> <ul style="list-style-type: none"> Would welcome confirmation that the spreadsheet tool will be made available. Greenspace Welcome that the exact figure will depend on the specific nature of the greenspace in question although the three examples upon which cost calculations have been made may require further scrutiny before any commitments can be made. The cumulative costs of infrastructure provision on projects will need to be taken into account and full consideration given to this in the determination of planning applications and the timing and phasing of infrastructure delivery and associated contributions. Healthcare We would welcome clarity in respect of this e.g. location, the estimated cost and how this will be delivered and funded (including apportionment of costs to relevant landowners and developers etc).
Barratt David Wilson Homes	<ul style="list-style-type: none"> Healthcare is not the remit of the Council to provide, funding is provided nationally to the NHS to deliver healthcare provision and developers should not be expected to fund healthcare provision.
West Craigs	<ul style="list-style-type: none"> Simple assumptions have been made about land and site servicing costs which may prove to be far off the mark. Future updates to the costings in the SG will be required. As noted in the Liberton/Gracemount Education Contribution Zone, a potential saving of £15M may be possible in this Zone if the second primary school is no longer required at Gilmerton Station Road. It is evident from the ongoing work being undertaken by the Council to finalise solutions in each Education Contribution Zone that future costs are likely to be substantially different from those proposed in the SG. This will mean that legal agreements will need to be drafted to accommodate this flexibility. Ultimately, these obligations may be no more than an agreement to agree to an, as yet unknown, education solution with an unknown cost. It is considered that the budget costs in the SG have no more status than as a indicative financial framework. The lack of the necessary evidence base and scrutiny of these costs means it would not be appropriate to give them status within the development plan. Accordingly, it is recommended that the financial aspects of the Education Infrastructure section in the SG are deleted.
NHS (as land owner)	<ul style="list-style-type: none"> Do not object to the contribution zones insofar as they have been established in the current draft SG. <p>Education</p> <ul style="list-style-type: none"> Costs can vary significantly where extensions are proposed to school buildings which are listed and more modern school buildings which are not listed and easier to extent / alter. It would be helpful to have clarity that costs and contributions have and/or will take this into consideration. Concern about criterion ‘E’ (page 5) and highlight that there is a ‘brownfield first’ priority imperative clearly articulated in national planning policy. Phasing conditions are identified by the Council as a potential mechanism to reflect delivery programme of education infrastructure [criterion ‘F’]. In response, we would confirm that this may not always be a practical solution e.g. in large conversions of historic buildings which are required to be converted in ‘one go’. Transport Infrastructure

	<ul style="list-style-type: none"> the circumstances within which development proposals will be affected by criterion ‘B’, the requirements appear to be particularly onerous. This is likely to affect windfall / urban area sites not already appraised or assumed. The 6 criteria which a Transport Assessment (TA) will require to take account of is onerous. Whilst cumulative assessments to take account of committed development is generally considered to be standard practice, the requirement to take account of ‘proposals’ such as valid applications Proposal of Application Notices is a concern. For example, the validity of an application does not offer any certainty of permission being granted. Similarly, the submission of a Proposal of Application Notice does not in all cases lead to the submission of an application for planning permission / planning permission in principle. Allocations may never be progressed. In all situations, circumstances such as the parameters of proposed development could change; it is only the ability to implement permission when there is a need to take account of the cumulative effect. the proximity of the tram route and associated infrastructure should be a key consideration in supporting ambitious sustainable mode share targets in new development. For example, the presence of a tram stop directly adjacent to a site means the Council should be accepting low(er) impact on the road network and in turn the developer should pay a lower share of road contributions as a result. there may be circumstances where it is not possible for a developer to deliver the transport action required because of development. It would be helpful to caveat this requirement to enable the Council to deliver the action and recover contributions via legal agreements / conditions as appropriate. <p>Healthcare Actions</p> <ul style="list-style-type: none"> the basis upon which the estimated costs – where these have been set out – have been calculated is not clear. Nevertheless, our client does welcome that the provision of healthcare by development within the city is being provided for within the SG. <p>Greenspace</p> <ul style="list-style-type: none"> There appears to be a lack of detail to give certainty in respect of the costs. <p>Public Realm</p> <ul style="list-style-type: none"> We would welcome the opportunity to comment on this in due course. In all cases, the overall combined costs of infrastructure provision on projects will need to be taken into account and full consideration given to this in the determination of planning applications and the timing and phasing of infrastructure delivery and associated contributions.
<p>SportScotland</p>	<p>Greenspace</p> <ul style="list-style-type: none"> It is not clear if, when and where contributions will be sought for sports facilities as the SG simply refers to open space. It seems that these could come under Greenspace but it would be helpful if this could be clarified. Reference to policy ENV19 - there is no indication of what this will mean for developments. Clarity around this would be helpful within the SG. It is important that development which can increase demand is delivered with an increase in supply of indoor and outdoor sporting facilities. These should be directed in line with the Open Space Strategy, the playing pitches strategy or facilities strategy as appropriate. If proposals are to be judged on case by case basis with regards to sporting provision within communities then this should be detailed within the guidance.
<p>Stewart Milne</p>	<p>Healthcare Facilities</p> <ul style="list-style-type: none"> disagrees with the principle of charging the homebuilding industry for the provision of healthcare facilities. <p>Education</p> <ul style="list-style-type: none"> The draft guidance seeks to apply a cost per pupil generated regardless of whether there is an identified need. We are concerned that this approach is contrary to the “relationship” and “scale and kind” of Circular 3/2012. note that in a number of catchment areas the Education Contribution Zones identify the provision of multiple primary schools within individual sub-areas and identify developer contributions for these sub areas. In our view, this is also contrary to the Circular, as it is only reasonable to require contributions towards schools, which are directly affected by a development. The sub-areas should therefore be divided into individual primary school catchment areas. The costs attributed to the delivery of education infrastructure is excessive. Developers who contribute land for an infrastructure item (e.g. school) will be contributed in kind for further contributions. The price for land required for schools is set (£2 million for a 3ha site - Primary), but this does not have any recognition of the actual site value if delivered for some other use (e.g. housing). Site remediation and servicing costs are identified for a number of the proposed new schools. The costs are based on ‘high level’ assessment and are so excessively high that they act as an impediment to new residential development. It is appreciated that these costs may be initially set prior to any site investigations having taken place, however, they should be updated as soon as possible, as the allowance made would render a site non-viable from a residential development stance. These costs therefore need to be considered in greater detail or if shown to be correct, the Council should consider, in discussion with developers and land owners, alternative locations for the proposed schools where remediation and servicing costs may be lower. In addition, it would be beneficial for the Council to provide greater clarity of what is included in the costs they have identified. In addition to the comments submitted in response to question 1, we recommend that the wording in item E under the heading of ‘Developer Contributions for Education Infrastructure’ is amended. “Where a development proposal is likely to give rise to an impact, including cumulative impacts, on education infrastructure which cannot be appropriately mitigated, planning permission may be refused.” <p>Transport</p> <ul style="list-style-type: none"> with cross-boundary transport assessment works still on-going, transport costs remain incomplete. There is no evidence that these matters will be consulted upon and therefore the Supplementary Guidance is arguably incomplete and will not be subject to full consultation. <p>Public Realm</p> <ul style="list-style-type: none"> Public realm contributions will be required in future, but there is no completed strategy in place for this at present. SMH agree that contributions should not be sought at this time. <p>Public Health</p> <ul style="list-style-type: none"> it is not appropriate for developer contributions to be sought where the responsibility for their provision final costs have not been calculated and the contribution zones have not been finalised/established. There is no evidence that these matters will be consulted upon and therefore the Supplementary Guidance is arguably incomplete and will not be subject to full consultation.

Axcel Hospitality (Edinburgh) Limited	<ul style="list-style-type: none"> The requirement for developers to contribute towards the costs of the Council’s borrowing for the tram infrastructure system (Phase 1A) does not comply with Planning Circular 3/2012. The fact that public money has been spent on the tram infrastructure system (Phase 1A) and that others may have contributed is not a relevant consideration. The Council should not be entitled to in effect charge for its borrowing costs for that infrastructure system as that would amount to a retrospective charge for existing infrastructure that should be available to new development without the requirement to make developer contributions towards it. The draft Supplementary Guidance on “Developer Contribution & Infrastructure Delivery” is clearly outwith the scope of legitimate developer contributions and the requirement that developers should be required to contribute towards the tram infrastructure system (Phase 1A) should be deleted.
FSH (Airport Services) Ltd	<ul style="list-style-type: none"> The infrastructure associated with tram has been front funded by CEC and there is a clear onus on recouping that investment through developer contributions, which is understood and widely accepted. Notwithstanding, it should be noted that each application for planning permission should be judged on its planning merits and the presence or otherwise tram contribution zones should not have a bearing on the determination of applications or influence decisions on phasing.
Nathaniel Lichfield and Partners	<ul style="list-style-type: none"> Each application for planning permission should be judged on its planning merits and the presence or otherwise tram contribution zones should not have a bearing on the determination of applications or influence decisions on phasing.
Ocean terminal	<ul style="list-style-type: none"> Welcomes the extension of the tramline. However, the requirement for significant development contributions towards it could threaten the viability of a number of development proposals in Leith Would encourage the early consideration of other funding options for the delivery of the tram extension. Supporting development in the Leith Waterfront by extending the tram without imposing undeliverable developer contributions will encourage investment,
Taylor Wimpey (Strutt and Paret)	<ul style="list-style-type: none"> The SG (at pg33) provides no detail as to the costs of the Queensferry Transport Contribution Zone. This seems to arise from a lack of information in the now adopted Action Programme for these elements. This results in their being no information on the Contribution, or % Share, attributable to each site in the Zone. We need this information to be provided as we are in the process of bringing forward the HSG33 site and there is also an application on HSG32 currently under determination with the Council and we reserve our ability to comment on the detail provided. The SG (at Annex 3 (pg 38)) in respect of Greenspace Infrastructure Actions contains an entry for “Dalmeny to Echline, Queensferry (HSG32 and HSG33)” with a cost of £1.2m associated with it. We would firstly seek clarity as to what the £1.2m represents, and how this cost would be shared between the developments. A reasonably significant element of this is being delivered on site as part of the application for HSG33. We would also seek clarification on the delivery of this, particularly in respect of the “link over the A90” referred to in the Action Programme. We reserve our ability to comment on the detail provided. There is also reference in the Action Programme to a 450m extension of NCN1 “in to the Agilent Site” (at a cost of £110,250) and we would request clarity on what is expected here. We would reserve the right to be able to comment on that, when the detail is received.
Geddes Assessment	<p>West Edinburgh – Secondary School</p> <ul style="list-style-type: none"> The Action Programme now includes a new secondary school for west Edinburgh. This proposal was not included in the LDP and therefore has not been subject to due statutory process. It has not been subject to SEA requirements including the consideration of alternative sites. For these reasons, this site should be removed from the Action Programme and therefore the SG. The responsibility for delivery the LDP’s approved development strategy rests solely with the Council’s timely delivery of its education actions to meet the requirements of the private sector’s house building programme. Since the Council expects to fund and deliver all of these actions (extensions and new schools), it has not explained how it will raise the capital funding for these works. The new schools and any extensions require to be built in advance of the pupils expected and therefore the Council will need to forward fund the actions. The financial implications associated with this funding are not referred to in the SG nor is available capacity guaranteed by the Council. As the Council does more detailed assessments for its education planning, different options emerge which impact on the solutions identified for the Action Programme. The SG does not detail how any options associated with the costs of its actions have been derived and this makes it impossible to assess whether the costs of the planning obligations are reasonable.

Q4 - Do you have any comments on the arrangements for Section 75 legal agreements? - Comments

Name or Organisation	Q4 Summary
Cramond and Barnton Community Council	<ul style="list-style-type: none"> Do not fully understand them and would wish for more details. Would like relevant Community Councils to be actively involved in decisions on where spending goes.
The Dalrymple Trust	<ul style="list-style-type: none"> The delivery of any new school should be clarified by the Council as part of the Section 75 legal process. Any credit should be established at that time. That credit process should not necessarily be limited to “benefit in kind” given the costs associated with the delivery of new schools. That reference should be removed.
Builyeon Farms LLP	<ul style="list-style-type: none"> The credit process should not necessarily be limited to “benefit in kind” given the costs associated with the delivery of new schools. That reference should be removed. Land will not necessarily be transferred at costs imposed by the Council. It is proposed that this be done by, either, reduced education payments required by the school land provider or the site being purchased by the Council at equivalent residential value and charging such land value back to other consents that will benefit from it through the Section 75 legal agreement process.
R Allen	<ul style="list-style-type: none"> Why so secret?
Cramond and Barnton Community Council	<ul style="list-style-type: none"> Involve the impacted Community Council in deciding how the money is to be raised and spent. concerns as to the Council's ability/willingness to deliver such agreements due to inadequacies in recent agreements within our Community Council's area (e.g. provision of further traffic lane on Whitehouse Road access to Queensferry Road at Barnton Junction)
Leith Central Community Council	<ul style="list-style-type: none"> Communities need to be consulted more on these agreements - maybe through the community council for a start. Arrangements need to be enforced and developers held to account if payments are not made.
South East Edinburgh Development Company Ltd Murray Estates	<ul style="list-style-type: none"> “within Contribution Zones, any remaining contributions will be held and be put towards other actions within the contribution zone that the site lies within as and when required” does not accord with the Circular 2/2012. There should be no reason for other contributions to be held for over 10 years. With respect to Education, new homes are likely to generate school pupils, within 5 years of house completions. The impact will require to be addressed well before 30 years. A phased approach to payment of contributions would support development.
Cockburn Association	<ul style="list-style-type: none"> The current affordable housing requirement is 25%. It is important that the SDP/ELDP have the flexibility to vary the affordable housing requirement significantly above 25%, where there is a clear justification to meet local needs. We also recommend that the procedures for implementing the affordable housing requirement on development sites are tightened up to ensure that specified targets are met by developers e.g. we are concerned that section 75 agreements (including for student housing) are frequently set aside at a later date at the request of the developer. This practice should stop unless exceptional circumstances apply.
Wallace Land Investments Taylor Wimpey	<ul style="list-style-type: none"> It is not appropriate for the SG (as part of the development plan) to put in place a policy that would entitle the planning authority to hold on to funds for 10 or 30 year periods without any requirement to repay. Much more comprehensive guidance on the arrangements for legal agreements is required.
Hallam Land Management Ltd	<ul style="list-style-type: none"> Hallam is content with the proposed arrangements detailed within the Consultation Draft Supplementary Guidance for the use of Section 75 legal agreements to secure developer contributions where these are demonstrated to be necessary.
CALA Homes (East)	<ul style="list-style-type: none"> Welcome the principle of the use of a Model Legal Agreement. It would be beneficial if it was included within a further consultation prior to publication of the finalised guidance. Welcome the statement on Page 7 that the Council will take into account the implications of contribution payment timings on project cash flow. concerned that the Council will hold contributions towards education infrastructure for 30 years Clarification is sought “Within Contribution Zones, contributions will be held and be put towards actions set out within the Action Programme.” Contributions can only be used to resolve infrastructure capacity issues associated with the development, in accord with Circular 3/2012.
Taylor Wimpey (Strutt & Parker)	<ul style="list-style-type: none"> The payment of fees to the Council for processing S75 Legal Agreements is unlawful. The retention of monies for a 10 or 30 year period (depending on the purpose for which they were sought) is not acceptable. Where money is refunded, interest should be paid. The proposed mechanisms for refunding/reimbursement of excess contributions are unclear. “The Council may apportion monies received to deliver the infrastructure needed to support the first phases of development on the ground” requires clarification and justification. The use of a model S75 Agreement is useful; however, other Councils who have taken a similar approach have provided an opportunity for consultation on the form and content of the draft agreement.
Homes for Scotland	<ul style="list-style-type: none"> Does not object to the principle of the development and use of a Model Legal Agreement. it will be important for any model agreement to be drafted in collaboration with the development industry. The model agreement is a starting point for negotiations and each agreement will continue to be taken on an application by application basis. Concerned that the draft guidance sets out provision for the Council to hold education infrastructure contributions for 30 years. We consider that a period of 10 years, in line with other contributions, should be applied. Care must be taken if the Contribution Zone approach is to be adopted. Contest that “within Contribution Zones, contributions will be held and be put towards actions set out within the Action Programme” and suggest this is not compliant with Circular 3/2012.
New Ingliston Ltd	<ul style="list-style-type: none"> The phasing and timing of contribution payments is particularly important in respect of matters such as cash flow. Would welcome clarity that the apportionment of monies does not depart from the basis upon which monies were sought in the first place. We would welcome clarity in respect of any proposals to ‘hold contributions’ for 30 years. it is important that contributions are only required where identified actions – and timescales – have been set out. We would welcome the publication of a model legal agreement and would however suggest that some engagement and consultation on this would be helpful.
West Craigs	<ul style="list-style-type: none"> It is noted that the Council intends to hold financial contributions made for education infrastructure for 10 years or 30 years. The Council explains that the 30 year period is required to repay infrastructure projects which have been delivered through revenue based funding mechanisms. Once the Council has established the final costs of its school extensions or new schools, then as soon as the agreed payment is made over the timescale agreed, as set out in the legal agreement, financial contributions will cease. Planning obligations which schedule payments and overpay the cost of the infrastructure works will require to be repaid as soon as the final costs of the project are known.
NHS as landowner	<ul style="list-style-type: none"> the phasing and timing of contribution payments is particularly important in respect of matters such as cash flow. would welcome clarity that the apportionment of monies does not depart from the basis upon which monies were sought in the first place.

	<ul style="list-style-type: none"> • ‘within contribution zones, contributions will be held and be put towards actions set out within the action programme’. Again, it is important that monies are only sought where directly related to the proposed development and to offset any impacts of that development accordingly. • The release and payment of contributions can affect project implementation and delivery and it is important that contributions are only required where actions – and timescales – have been identified and/or set out. • concern about the intention to hold contributions towards education infrastructure for 30 years from the date of construction. It is noted that this is to enable payments to be used for unitary charges. We do not agree with this and consider it to be an unreasonable burden to impose on developers. • would welcome the publication of a model legal agreement and note that this will be published with the finalised guidance. We would however suggest that some engagement and consultation on this would be helpful and we would welcome the opportunity to be involved in this.
Stewart Milne	<ul style="list-style-type: none"> • If developer contributions have not been used for the purpose for which they have been provided, then it is incumbent upon the Council to return the contribution. • A phased approach to payment of contributions would support development. It would allow marginal development to commence without the burden or uncertainty of raising capital finance. • SMH strongly object to the provision to retain monies towards education infrastructure for 30 years. New homes are likely to generate school pupils within 5 years of house completions. There should be no reason for any developer contributions to be held for over 10 years.
Taylor Wimpey (Strutt and Pargett)	<ul style="list-style-type: none"> •

Q5 - Do you have any comments on how the Council will deliver the required infrastructure? - Comments

Name or Organisation	Q5 Summary
Cramond and Barnton Community Council	<ul style="list-style-type: none"> Have not thought about it but off the top of my head it seems that the council specifies and gets the developer to install elements requiring construction.
R Allen	<ul style="list-style-type: none"> more by luck than judgement
Iain McKinnon-Waddell	<ul style="list-style-type: none"> Better assessment, prioritisation and implementation
Cramond and Barnton Community Council	<ul style="list-style-type: none"> If we get the philosophy right then there is no reason why delivery should be a problem. However, I despair on the chances of a sound analysis of the needs being established in the first place.
Leith Central Community Council	<ul style="list-style-type: none"> I think the council need to have a city wide plan and then localized plans for the different wards which match up to the city plan. Working and consulting with the community councils to ensure that local people are kept informed and can add their voice to any changes to infrastructure.
South East Edinburgh Development Company Ltd Murray Estates	<ul style="list-style-type: none"> Where developers have made financial contributions, and require to repay capital funding, it is perfectly reasonable for them to expect the infrastructure for which they have paid to be delivered in a timeframe which will not delay development. The Guidance should say “The Council recognises that developers are required to make a substantial contribution towards the provision of infrastructure, and the Council will not unduly delay the provision of infrastructure necessary to enable development to take place.”
Wallace Land Investments Taylor Wimpey	<ul style="list-style-type: none"> The new schools and any extensions require to be built in advance. The Council has not explained how it will raise the capital funding for these works. The Council has yet to assess the income it expects to receive from financial contributions; it therefore does not yet know how much it intends to borrow. This financial strategy by the Council is at best naïve but could be potentially damaging to the delivery of much needed housing. The Planning Minister’s direction to the Council on future decision making applies to this SG. The Planning Minister noted ...“In part, I am reassured by the published statement that “At the hearing the Council explained it would carry the risk of the required infrastructure provision and this would not delay development” (Examination Report page 146 paragraph 96). I expect to see this assurance carried through to future decision making”.
CALA Homes (East)	<ul style="list-style-type: none"> The focus should now be placed firmly on delivering the Plan’s strategy and the reasonable infrastructure required to support it. The Draft SG should be updated to confirm that the Council will take the lead in delivering new education, and will secure the necessary forward funding to ensure that the necessary infrastructure is delivered at the right time. The Council has previously stated that it will forward fund investment in infrastructure projects to ensure their timeous delivery. The Minister was clear in his letter regarding adoption of the Plan that he expected to see the assurance given at the Examination “carried though to future decision making.” It is a significant concern in respect of the early delivery of infrastructure to support that Plan that the Council has no allowance for infrastructure expenditure The Action Programme should be based on a robust house building programming, taking account of the typical lead in times to deliver new education infrastructure in particular. Further clarity would also be welcomed on the Council’s proposed approach to deal with the situation that may occur where a site earmarked to deliver a new school stalls or does not progress as programmed.
Scottish Natural Heritage	<ul style="list-style-type: none"> The document proposes that the Council will deliver in some instances while in others, the applicant will deliver directly. It appears that where multiple sites and actions relate to infrastructure delivery, the Council will act as delivery agent once monies have been collected. We agree that this is an appropriate approach where strategic, cross-site or off-site infrastructure is required.
Taylor Wimpey (Strutt & Parker)	<ul style="list-style-type: none"> The assurances given by the Council to the Examination Reporters, and to the Ministers, that infrastructure delivery would not hold up development, do not appear to be realised in the delivery programme shown in the Action Programme. There are now live applications on both HSG33 and HSG32 which will require urgent attention if delivery is not to be held up.
Homes for Scotland	<ul style="list-style-type: none"> The Minister for Local Government and Housing stated in his letter of 9th November 2016 that he expects “the City of Edinburgh Council to make decisions at the earliest opportunity which provide for or contribute to the infrastructure requirements identified in [the Local Development Plan]”. Expect to see delivery of development supported by this Supplementary Guidance, and that there is no delay to approval of applications as suggested by Section 2a, C, page 4. The guidance expects that the Council will fund and deliver all of the education infrastructure requirements of new schools and extensions to schools; however it is not clear within the guidance how the Council will raise the capital funding for these works. In order to support and encourage the delivery of new homes, the new schools or extensions must be built in advance of the pupils actually being generated from the occupation of new homes, and therefore the Council will be required to front fund and deliver the education infrastructure to support the new development. We are concerned that there is no allowance for infrastructure expenditure, and therefore question how this infrastructure can be delivered at the right time by the Council if no funding mechanism is in place for its delivery. Provision should be set out within the Supplementary Guidance to demonstrate any interim measures the Council intends to adopt to accommodate pupils arising from the ongoing completion of homes.
West Craigs	<ul style="list-style-type: none"> If the public does not support the proposed changes to education catchment areas then the Council will be unable to take forward its education proposals. No consideration is given in the SG to what approach the Council would take in these circumstances. The SG is therefore wholly reliant on completion of a statutory process, the outcome of which cannot be confirmed at this stage.
CALA Homes (East)	<ul style="list-style-type: none"> Our key concern is with delivering the necessary infrastructure. As stated above, CALA is keen to support the Council in implementing the LDP strategy. We share the Minister’s expectation that the Council “would carry the risk of the required infrastructure provision and would not delay development”. This is imperative in order to ensure that the required infrastructure can be delivered as and when required. It is therefore disappointing that the policy set out in the Draft SG states that the Council may in certain cases, seek to secure financial contributions towards education infrastructure but at the same time impose restrictions on the commencement date and phasing of development. When housebuilders are bidding on new sites, the contracted land value will be determined taking account of a projected commencement date and projected monthly sales rate. If however, the Council seeks to impose restrictions on commencement and monthly sales this will only be determined during or at the point of determination by Committee. At this point, such restrictions may have a significant impact on development viability
Cramond & Barnton Community Council	<ul style="list-style-type: none"> Note that the timing of infrastructure provision within the Actions & Delivery Programme is out of synch with the timescales indicated by developers of the Maybury and Cammo developments and would like assurances that planning approvals will be conditioned by the completion of required infrastructure as outlined in the Supplementary Guidance.

the Dalrymple Trust Builyeon Farms LLP	<ul style="list-style-type: none"> The finalised version of the Supplementary Guidance must make it clear that the delivery of infrastructure by third parties must not unduly or unnecessarily hold up the delivery of development. It is suggested that an additional sentence is inserted after paragraph 2 of that Section stating “However, third party delays in infrastructure delivery must not be allowed to unnecessarily prevent the issue of planning permissions or undertaking of development”
Stewart Milne Homes	<ul style="list-style-type: none"> There is very little consideration in the Guidance given to infrastructure delivery. Where developers have made financial contributions, and require to repay capital funding, it is perfectly reasonable for them to expect the infrastructure for which they have paid to be delivered in a timeframe which will not delay development. The Guidance should acknowledge that Council’s obligations and state in both the Delivery of Education Infrastructure and Delivery of Transport Infrastructure sections that; “The Council recognises that developers are required to make a substantial contribution towards the provision of infrastructure, and the Council will not unduly delay the provision of infrastructure necessary to enable development to take place.”
HS (as landowner)	<ul style="list-style-type: none"> It is acknowledged that infrastructure provision associated with new development is often required, where reasonably and fairly related to the nature of development proposed. The policy objective of DEL1 is acknowledged. at the LDP Hearing it was explained by the Council that it would carry the risk of the required infrastructure provision and this would not delay development (Reporters Report, page 146, paragraph 96). This is relevant in the context of the statement made by CEC (SG, section 2) that ‘development should only progress subject to sufficient infrastructure already being available or where it is demonstrated that it can be delivered at the appropriate time’.
Clarendon Planning & Development Ltd	<ul style="list-style-type: none"> Clarity is required in relation to the ability of the Council to front-fund necessary key infrastructure to ensure delivery of the Local Development Plan strategy.
New Ingliston Ltd The Trustees of The Foxhall Trust The EDI Group Ltd IBG Stakeholders	<ul style="list-style-type: none"> In the context of the statement made by CEC in the SG (section 2) that ‘development should only progress subject to sufficient infrastructure already being available or where it is demonstrated that it can be delivered at the appropriate time. It will be necessary to consider application proposals on their merits in the particular circumstances at the time of their determination to establish the appropriate time for additional infrastructure improvement / delivery.
Geddes	<ul style="list-style-type: none"> The Council has yet to explain how the existing capacity in the education infrastructure will accommodate pupils until such time as the new schools or extensions are built. It is also known that the Council has still to assess and programme the projected income from the planning obligations set out in the SG. The Council is therefore not yet aware whether these obligations will meet the projected capital cost of over £220M for education over a period of eight years. The Council does not have the funding in place to deliver this programme of works. As the Council has yet to assess the income it expects to receive from financial contributions, it therefore does not yet know how much it intends to borrow. This financial strategy by the Council is at best naïve but could be potentially damaging to the delivery of much needed housing if there is no guarantee of capacity in the education infrastructure and consequently house building is delayed or stops. It is therefore recommended that all financial aspects of the Education Infrastructure section in the SG are deleted.

Q6 - Do you have any comments on the council's approach, should the required contributions raise demonstrable commercial viability constraints and/or where forward or gap funding may be required

What is your organisation? - Organisation	
Tollcross Community Council	<ul style="list-style-type: none"> It has already happened that profitable developers have put forward cases to avoid paying contributions. This will increase and the developer's accountants and lawyers will bamboozle the Council into waving the contributions. The premise of this arrangement is that the development must go forward whereas, that is not a given. Perhaps refusal is better and awaiting a development that makes a contribution.
Dalrymple Trust Builyeon Farms LLP	<ul style="list-style-type: none"> The Council should fund the first phase minimum of new infrastructure. The Council could then apply a justified and accurate roof tax approach to further developer contributions for the balance / future phases.
R Allen	<ul style="list-style-type: none"> These are cop out phrases and are used far too often
Iain McKinnon-Waddell	<ul style="list-style-type: none"> People should be put before businesses at all times.
Leith Central Community Council	<ul style="list-style-type: none"> the council should be a bit firmer with developers because at the end of the day it is our city and we want it to run as smoothly as possible.
South East Edinburgh Development Company Ltd	<ul style="list-style-type: none"> The Guidance does not refer to any alternative sources of funding i.e. City Deal. Reference in the Guidance should be made to alternative funding sources and set out the circumstances in which these can be utilised.
South East Edinburgh Development Company Ltd Murray Estates	<ul style="list-style-type: none"> Developer contributions are not the only source of funding for infrastructure. The Guidance requires to recognise that alternative sources of funding are available and identify where they can be utilised. Site remediation costs are based on 'high level' assessment and are so excessively high that they act as an impediment to new residential development. they should be updated as soon as possible, as the allowance made would render a site non-viable. The Council should provide greater clarity of what is included in the costs they have identified. Welcome a phased approach towards developer contributions.
Forth Ports Ltd	<ul style="list-style-type: none"> Forth Ports welcome the clear provision made in the SG for the consideration of viability (page 12). The SG appropriately identifies how viability should be demonstrated.
Cockburn Association	<ul style="list-style-type: none"> The checks and balances proposed in assessing the viability of development projects appear comprehensive and fair. However, there seems to be an inconsistency between '.....provisions of this guideline threatens the financial viability of developing the site, the requirement to make a contribution towards physical and social infrastructure may be varied or even waived' and our response to Q2 e.g. if excessive development costs (including developer contributions) cannot be mitigated, the planning consent should be rescinded.
Wallace Land Investments Taylor Wimpey	<ul style="list-style-type: none"> The SG should make further references to the circumstances where viability arises and the measures the Council will be prepared to waive to deliver a viable project. As well as modifications and reductions in the schedule of financial payments for education infrastructure, the Council may wish to consider whether the cost of other planning obligations can be amended, including transport infrastructure; green space; public realm; primary health care and affordable housing, in order to deliver a viable proposal.
Hallam Land Management Ltd	<ul style="list-style-type: none"> Hallam is generally content with the proposed approach to considering commercial viability However, the words " , wherever practical," should be inserted between the words "will" and "enter" in the fifth paragraph of Section 3 - Viability and Funding Mechanisms.
CALA Homes (East)	<ul style="list-style-type: none"> CALA welcomes the Council's acknowledgement that financial contributions can have a significant impact on development viability Land costs are a fundamental component of development costs and have to be included in any viability assessment. Abnormal costs and planning obligation costs are not the only costs related to a development site and cash flow. Groundworks and site servicing are significant upfront costs that must be absorbed by the house builder. Any uplift in land value is subject to taxation to the landowner. If the impact of financial contributions has too significant an effect on land values, the landowner will not be inclined to release their land. Therefore it is important that the overall package of financial contributions strikes the right balance. The Draft SG does not set out sufficient justification for these costs. It is expected that the Council adopts an open book exercise to the cost of delivering new infrastructure projects.
Taylor Wimpey and Lord Dalmeny	<ul style="list-style-type: none"> Clarification is required as to whether land value is, or is not, a consideration in this viability assessment.
Homes for Scotland	<ul style="list-style-type: none"> There will already be agreements in place between home builders and land owner. It is therefore important that land costs are included in any viability assessment. Consideration must be taken to the cumulative effect of the obligations to ensure that the financial contributions do not have too significant effect on land values.
The EDI Group Ltd New Ingliston Ltd IBG Stakeholders The Trustees of The Foxhall Trust	<ul style="list-style-type: none"> Certainty within the SG would be helpful to demonstrate that 'gap funding' and/or alternative funding mechanisms are available The cumulative effect of multiple contributions and the phasing of contributions / infrastructure delivery is important to the viability of development projects.
West Craigs	<ul style="list-style-type: none"> No clarity on how the Council will address the issue where forward or gap funding may be required. The draft Guidance should state that the Council will carry the risk of the required infrastructure provision and this would not delay development. The Report: Edinburgh Local Development Plan Programme – Financial Assessment concludes that the Council has not made any financial provision for the works identified in the Action programme. This is contrary to the evidence presented at the LDP Examination where re-assurances were given that the funding for the necessary infrastructure was available. The Council has yet to undertake the necessary work to clarify the potential income streams from developer contributions. This means that the Council does not yet understand the scale of forward funding it needs to make to deliver its education actions. Given a typical three year lead-in time for many of the programmed education works, it is likely that a funding and programming crisis for education will emerge as pupils from consented housing sites enter the existing school estate. The Council assumes that the full cost of the education infrastructure at £220M is solely due to the impact of new housing. This representation has sought to highlight that this is not necessarily the case. If the Council followed the methodology required to comply with the tests in Circular 3/2012, then the scale of investment it requires to make to address existing baseline capacity issues would be apparent.

Royal Highland & Agricultural Society of Scotland	<ul style="list-style-type: none"> • There is a danger that over-zealous requirements for developer contributions will lead to otherwise viable development being made unviable and that development opportunities will be constrained. The effect will be quite the opposite of the policy intention. • An approach that viability of development should be assessed on the basis of end value of a particular proposal based on reasonable assumptions of land value and abnormal infrastructure requirements a case by case basis would be appropriate. • The council's response that it "will not accept over-inflated land values as a reason for reducing contribution requirements" is over simplistic where land values are a direct result of market forces and external economic factors. Changing market conditions can affect value and viability and each case should be assessed on its merits.
Scottish Property Federation	<ul style="list-style-type: none"> • As stated earlier the SPF welcomes the provision in the guidance for the submission of evidence demonstrating that there would be viability issues if contributions were paid and that it may be possible to withdraw from paying contributions. • The overall package of contributions set out in the guidance is higher than in any other area of Scotland and does raise concerns overall, especially when the additional and generally upfront costs of development, such as groundworks and site servicing are factored in. Phasing will only assist if the overall requirement can be accommodated reasonable within the cash flow of a development. • In relation to major applications it has been suggested by some of our members that the process of determining suitable S.75 contributions could be facilitated by the developer providing a comprehensive viability assessment provided that could be independently reviewed by an appropriate company on behalf of the Council. This already happens very effectively and successfully in some local authorities south of the border and would enable the developer to present detailed figures within an agreed scope of works and parameters to ensure, as much as possible, that the project was reviewed objectively on a financial basis. This approach could cover housing, office or retail components to consider what the remaining parts of a project could realistically support, together with the phasing of payments. The approach would likely entail a considerable amount of work, but should ultimately provide a very useful tool for both developer and the Council. • The guidance should go a long way to provide more certainty about the likely level of developer contributions that need to be taken into account in considering the viability of future development projects in Edinburgh. Our members would particularly welcome the proposal to phase contributions to assist with the viability of development. Members have strong concerns at the level of education contributions for example South East 1 Zone which attracts £23.5k per unit. They are also concerned at the level of contributions required for transport particularly developments around the tram network which taken together are likely to make projects unviable. • The Council indicates in the guidance that it expect developers to use an open book approach when entering into viability assessments. The same approach and level of scrutiny should be applicable to the costs of development arising from the contributions that are being sought and paid, particularly given the concerns raised about the level of contributions set out in the Guidance and their relationship with costs from other published sources. • Scottish (and UK) property investors/developers can no longer rely on traditional lending sources to support their development proposals, or even their companies, without significant financial support from other sources, notably overseas capital. These sources of capital have significant choice in where they invest their equity and we should be mindful of this reality when establishing this guidance. • Developer contributions and the need to fund key infrastructure should not be considered without reference to city deal initiatives for the Edinburgh/South East Scotland regions. It is therefore the view of SPF members that the Council's consultation exercise is premature.
Clarendon Planning & Development Ltd	<ul style="list-style-type: none"> • The approach outlined is noted. This relates to Question 5 whereby front-funding of key infrastructure is required and any gap in addressing reimbursement via developer contributions would then be reported as outlined to assess any necessary refinancing.
Barratt David Wilson Homes	<ul style="list-style-type: none"> • There is an undue burden being placed upon housebuilders to provide increasing levels and types of contributions. At a time when delivery of homes is a national priority the development industry should be supported to do so. It does not seem clear why housebuilding is being targeted to bear the cost of certain infrastructure items over other types of development. Indeed Housebuilding provides more economic and social benefits that other uses such as business and industry once the combination of the construction process, the sites delivered and current contributions are considered.
Royal Highland & Agricultural Society of Scotland	<ul style="list-style-type: none"> • Central Government and local authorities need to accept responsibility for existing deficiencies in infrastructure and not unduly burden new development and investment consistent with current legislation and government advice. • Requirements to contribute to infrastructure must specifically relate to the impact of development being proposed. It is therefore critical that all contributions are consistent with the final paragraph of Page 2 of CEC's Policy where it states under General Developer Contributions Approach - "Proposals will be required to contribute to the following infrastructure provision, as set out in Table 1, where relevant and necessary to mitigate* any negative additional impact (either on an individual or cumulative basis) and where commensurate to the scale of the proposed development." • The general principle of a transport infrastructure fund is supported - but - contributions and risks need to be shared between the council and central government and across public and private sectors. Funding and delivery of key infrastructure should also take account of City Deal initiatives for the Edinburgh/South East Scotland region. The City Deal could potentially significantly reduce the burden on developers and landowners and could seek to address current deficiencies in infrastructure provision in key growth areas identified in the plan.
NHS as landowner	<ul style="list-style-type: none"> • Certainty within the SG would be helpful to demonstrate that 'gap funding' and/or alternative funding mechanisms are available – particularly in the early stages to enable projects to commence. As noted earlier, the combined effect of multiple contributions and the phasing of contributions / infrastructure delivery is important to the viability of development projects. • We would welcome recognition that mechanisms such as City Deal may provide helpful funding to assist the delivery of infrastructure.
Stewart Milne Homes	<ul style="list-style-type: none"> • Developer contributions are not the only source of funding for infrastructure. The Guidance requires to recognise that alternative sources of funding are available and identify where they can be utilised.
Ocean Terminal	<ul style="list-style-type: none"> • Edinburgh Council must ensure that an unfair burden is not placed on much needed development in Leith towards other transport improvements. As well as being located in Zone 1 of the Tram Contribution Zone, the land around Ocean Terminal is also identified as being within the North Edinburgh Transport Contribution Zone, where additional significant transport contributions are required. Again, this level of contribution is likely to be unviable for some sites in Leith and will threaten their development. • Developer contributions are not the only source of funding for infrastructure. The Guidance requires to recognise that alternative sources of funding are available and identify where they can be utilised.
New Ingliston Ltd	<ul style="list-style-type: none"> • Whilst the need for delivery of infrastructure is noted, where this presents an overall constraint to the ability for projects to even commence and/or imposes viability pressure, this must be recognised. We would welcome recognition that mechanisms such as City Deal may provide helpful funding to assist the delivery of infrastructure.
South East Edinburgh Development Company Ltd	<ul style="list-style-type: none"> • Concerned regarding the growing level of contributions which increasingly undermine the financial viability of development. • The Guidance does not refer to any alternative sources of funding i.e. City Deal. Reference in the Guidance should be made to alternative funding sources and set out the circumstances in which these can be utilised.
Taylor Wimpey (Strutt & Parker)	<ul style="list-style-type: none"> • The SG (at Section 3, para 2) states that the costs taken in to account in considering Viability, would include remediation of contamination or unusual infrastructure "but not normally the cost of land purchase", this then appears to be contradicted (at para 5) by the statement that the open book exercise should include "an assessment of land value". • Clarification is required as to whether land value is, or is not, a consideration in this viability assessment.

Q7 - Do you have any further comments you wish to make? - Comments

What is your organisation? - Organisation	
RSPB Scotland	<ul style="list-style-type: none"> • A proportion of funds allocated to biodiversity enhancement should be awarded to appropriate community groups, such as “Friends of...” to help support the biodiversity attributes of parks, open spaces, remaining natural corridors etc near to or potentially impacted by any development. • We would wish to see the natural environment and biodiversity included within “improvement”. A development that incorporates suitable measures and is sympathetic to biodiversity and “greening” will benefit not only wildlife but people living and working within a development, though increased quality of life. This can be achieved not just by sensitive planning and execution, but also by allocating developer contributions to measures that enhance development sites and their surrounding areas.
Network Rail	<ul style="list-style-type: none"> • Consideration should be given to exempting providers of infrastructure such as Network Rail from making developer contributions in the Draft SPG.
New Ingliston Ltd /The EDI Group Ltd / IBG Stakeholders / The Trustees of The Foxhall Trust	<ul style="list-style-type: none"> • The reform of the planning system in Scotland is underway and the emphasis on development delivery is apparent. Although the review of the planning system is not yet complete, it is evident that there is importance on ‘delivery’ and ‘growth’. With this in mind, the SG should be drafted in this spirit.
Scottish Property Federation	<ul style="list-style-type: none"> • Private rented sector build-to-rent projects should either be exempt from most developer contributions to support their viability or with certain conditions applied could count towards the 25% affordable housing allocation. • This supplementary guidance should encompass all guidance of developer contributions for the sake of clarity. For example it is necessary to look to separate guidance on affordable housing contributions that can be sizeable especially when added to the expectations of this guidance which includes primary healthcare. • The question of prematurity also arises in relation to the current Scottish Government consultation on the future of the Scottish Planning System.

Planning Committee

10.00am, Thursday, 30 March 2017

Flood Impact of New Developments - Certification Process

Item number	8.1
Report number	
Executive/routine	Executive
Wards	All

Executive Summary

The purpose of this report is to seek approval to permanently implement a certification procedure in the assessment of the flooding impact of new development during the planning application process. The Council has a duty under the Flood Risk Management (Scotland) Act 2009 to reduce overall flood risk. This can, in part, be achieved by ensuring that any new development is scrutinised to ensure that the adverse effects of flooding are considered at the initial stage of the planning process. A certification process has been piloted for 18 months which allows qualified professionals, on behalf of the applicant, to certify the flooding impacts of a new development prior to checking by the Council. This report details the outline principles of the procedure.

Links

Coalition Pledges	P8, P28
Council Priorities	CP4, CP5, CP7, CP8, CP10, CP12
Single Outcome Agreement	SO1

Flood Impact of New Developments - Certification Process

1. Recommendations

- 1.1 It is recommended that the Planning Committee approves, for development management purposes, the permanent implementation of a certification process in relation to the flooding impact of new development, supported by an external flooding consultant.

2. Background

- 2.1 The Council has a duty under the Flood Risk Management (Scotland) Act 2009 to reduce overall flood risk and have regard to the social, environmental and economic impact of this. The Council must promote sustainable flood risk management and act in a way best calculated to contribute to sustainable development. This can, in part, be achieved by ensuring that any new development is scrutinised to ensure that the adverse effects of flooding from all sources are considered at an early stage.
- 2.2 As part of organisational change, resources have been re-aligned within the Infrastructure - Flood Prevention team of Planning and Transport and new ways of working are being progressed. The certification procedure for flooding impacts of new development allows officers dealing with flood consultations to deal with other priority projects within the Infrastructure – Flood Prevention section whilst still liaising with planning officers on complex cases where there is potential for flooding impacts. Currently, due to resources, flooding consultations are largely outsourced to an external consultant.
- 2.3 As part of a review of how flooding consultations are carried out, a pilot scheme for the certification of flood impacts of new developments has been in operation since October 2015. The findings have been used to develop the final process.

3. Main report

Flooding Consultations on Planning Applications

- 3.1 To ensure that development does not result in increased flood risk for the site being developed, or elsewhere, it is necessary to take cognisance of flooding when

considering planning applications. Planning officers take advice from the Council's Infrastructure – Flood Prevention team on such matters. Scottish Planning Policy dictates that the planning system should promote a precautionary approach to flood risk, avoid flooding by safeguarding flood storage, reduce flooding where possible and avoid increased surface water flooding.

- 3.2 Flood Protection is considered in the Local Development Plan (LDP) and planning permission will not be granted for development that would:
 - 3.2.1 increase a flood risk or be at risk of flooding itself;
 - 3.2.2 impede the flow of flood water or deprive a river system of flood water storage within the areas shown on the Proposals Map as areas of importance for flood management; and
 - 3.2.3 be prejudicial to existing or planned flood defence systems.
- 3.3 To ensure that flood risk is appropriately considered, it is essential that Surface Water Management Plans (SWMPs) are prepared and Flood Risk Assessments (FRAs) are undertaken for areas known to be at risk of flooding.
- 3.4 SWMPs comprise calculations and plans from the developer to demonstrate that surface water is suitably contained, or managed, to prevent flooding to the property or neighbouring property. These are required for most developments with some exceptions (see sections 3.12 and 3.13).
- 3.5 In addition, full FRAs are required for developments which are in an area of identified flood risk. Areas of flood risk are identified on the SEPA flood maps, but may also include known areas of historical flooding, sites adjacent to watercourses or buried watercourses (culverts). A FRA comprises surveys and calculations to demonstrate that flood risk is properly identified and either contained or managed to prevent flooding to the proposed development or neighbouring property.

Scottish Environmental Protection Agency (SEPA)

- 3.6 SEPA is a key agency in the land use planning process in Scotland, providing environmental advice to local authorities, developers and the wider public. It is a statutory consultee where the development is likely to result in a material increase in the number of buildings at risk of being damaged by flooding. SEPA is consulted on all national and major developments and those that require Environmental Impact Assessment. In addition, there are several other types of development where statutory consultation is required e.g. cemeteries and waste management applications.
- 3.7 Where the planning authority considers there is flood risk in relation to other developments, SEPA can be consulted for advice. However, if the risk is low, standing advice is available. In addition, SEPA expects local authorities to manage the assessment of Sustainable Urban Drainage Systems (SUDS).

The Pilot Certification Scheme for Flood Impacts

- 3.8 A pilot scheme was introduced to help inform the development of the certification process. Prior to the introduction of the pilot scheme, planning officers consulted the Flood Prevention Team and delays were caused as the necessary information was often not in place to give a fully detailed response. This has improved since the certification process was introduced in October 2015. The lessons learned from the pilot have informed a simpler and more robust procedure. It should be noted that currently the pilot certification process is ongoing.
- 3.9 Under the pilot scheme, applicants are sent flood packages detailing what information is needed to progress the planning application. As part of this process, the planning officer has to assess whether the application site is a flood risk and identify the appropriate package using a flow chart. The onus is on the applicant, using qualified flooding consultants, to provide that information. For more major developments, the information has to be certified by another qualified flooding consultant. Applicants are advised whether they need SWMPs or FRAs or both.
- 3.10 A survey of flooding consultants and Council planning officers was carried out in September 2016 as part of the finalisation of the certification process. Responses were received from 16 consultants and the main issues raised were:
- The certification process should save time by ensuring that proposals either meet guidelines or where they do not meet guidelines, reasons can be clearly provided for Council review;
 - The certification process may remove a degree of control and co-ordination from the Council and lead to a less consistent approach;
 - Concerns that only chartered engineers can certify and that for some developments another chartered engineer has to double certify;
 - Flooding needs to be dealt with holistically, not on a site by site basis. Concern that it removes the onus from the Council to control flood prevention and more resource should be provided for flood risk officers;
 - Similar certification processes have been successful in other Council areas;
 - For complex sites, it is difficult to provide all the requested information;
 - Acceptance that flood information is needed before the application can be determined; and
 - Whilst the guidance was generally considered sufficient, there were some concerns about conflicting advice.
- 3.11 The survey of planning officers in the Council provided 17 responses. The main issues raised were;
- There were differing views on whether the flowcharts and guidance, on which flood package requests are determined, are easy to understand or not;
 - The computer systems do not allow planners to suitably identify the potential flood risk (this will be addressed in the next IT upgrade);

- Planning officers are getting drawn into discussions about flooding impacts but do not have the knowledge or expertise to respond to detailed technical questions. Some planners wanted to revert back to the previous consultation system;
- Applicants receive the flood package requests but often do not understand what is required of them;
- Disagreements with applicants/agents over whether the information is sufficient or not. This causes delays with the application;
- More training would be helpful to understand the requirements with a possible surgery service by Flood Prevention officers;
- Sustainable Urban Drainage Schemes need to be included in more detail;
- The potential risks of the certification process are serious and there are questions regarding liability; and
- A simpler, easier to understand system would be better.

3.12 Each of the issues raised by consultants and planners has been addressed by considering the details of a certification system. Overall, provided a robust system is put into place with the necessary safeguards and applying lessons learned from the pilot period, a permanent certification system is feasible. Other councils have implemented such certification schemes for flooding impacts and experiences will be shared as part of wider benchmarking exercises.

The Proposed Certification Process for Flood Impacts

3.13 The flooding impact of new development is not confined to major development. Smaller local developments can have a significant effect on the storage capacity of the functional floodplain or cause local flooding problems. The certification process needs to be proportionate but still meet the Council's flood risk responsibilities.

Householder Development

3.14 The certification scheme does not apply to householder development. The flooding impacts of these developments are deemed to be small and it would be disproportionate to request SWMPs/FRAs and consult the Flood Prevention Team on them.

Local Development (a)

3.15 Local developments which do not involve new buildings or structures, such as changes of use and shopfront alterations, also do not require SWMPs/FRAs and consultation with the Flood Prevention Team. The only exception is change of use from non-residential to uses that involve any form of sleeping accommodation such as residential institutions, houses, flats, student housing and hospitals. In these cases, the impacts may be severe if flooding occurs.

Local Development (b) and major development

3.16 In all other cases, a surface water management plan will be required. In addition, if the proposal is within 10m of a watercourse, including buried watercourses and/or within the pluvial, fluvial or coastal outline then a flood risk assessment is also

required. These require certification from a chartered engineer that they meet the standards set out in flooding guidance. For major developments, the information has to be additionally certified through an independent check by a suitably qualified professional from a separate organisation.

Advice for Applicants and Officers

- 3.17 Detailed guidance will be prepared for applicants and Council Officers to aid the efficient and consistent implementation of the certification scheme. In addition, the Flood Prevention Team will give flooding advice to applicants and planning officers as required.
- 3.18 When the information has not been submitted as part of the planning application, applicants will be directed to the Council website to find the guidance and forms. The planning application will not be progressed until the flooding information has been submitted. A checklist will be included with the forms and provided this has been completed, the information will be sent to the Flood Prevention Team for a review. If the information is complete (including an independent check if necessary), it will be signed off as being accepted by the Flood Prevention Team.

Legal Implications of the Certification Process

- 3.19 Legal advice has been received about the proposed certification process. Provided the Council does not ignore obvious deficiencies in flood risk assessments and takes sufficient steps to ensure the adequacy of information relating to the flood risk of any particular sites, the proposed procedure is not contrary to the Council's statutory duty.
- 3.20 Crucially the legal advice does not consider that the Council's liability will change as a result of the scheme although there is potentially more risk if incorrect flood risk assessments are approved without proper assessment. The developer or landowner is likely to be liable in the first instance although a claim may be made against the Council if the developer is no longer in existence. This is no different from the current situation.

Acceptance and Monitoring

- 3.21 The Flood Prevention Team will review submissions made to establish if the requirements of the certification scheme have been adhered to. It is proposed to sample check submitted flood information to ensure that the certification system is robust. This will involve checking the accuracy of information and calculations in SWMPs and FRAs. It will be necessary to engage a consultant to review the samples which have been the subject of certified flood information and to assist the Council on complex cases which cannot be dealt with by the Flood Prevention Team.
- 3.22 Currently anyone can submit a SWMP and FRA. The scheme requires certification by chartered engineers thus reducing the risk of sub-standard or inaccurate information.

- 3.23 This new way of working will streamline and improve the current flood assessment process in the Council. There are benefits for the planning application process in terms of efficiency and speed of decision-making whilst maintaining the provision of specialist information to support planning recommendations.

4. Measures of success

- 4.1 An efficient planning process where the flooding impacts of new development are fully taken into account as part of the Council's flood risk responsibilities and there are no adverse flooding impacts in relation to new development.

5. Financial impact

- 5.1 Planning application income is not structured in its current form to contribute to the financing of this type of supporting assessment for a development proposal. That cost is borne by the local authority as a whole. In a manner consistent with other supporting information, the proposed change of procedures means that the applicant will bear the cost of producing certified information.
- 5.2 At present approximately £50,000 per annum is used to engage a consultant to assist Council staff in reviewing 100% of planning applications. This cost will be reduced if, for example, only 5% of applications are sampled.
- 5.3 The cost of engaging a consultant to sample check flood information on planning applications is estimated at £2,500 per annum and can be met from the Flood Prevention Revenue Budget.
- 5.4 The cost of engaging a consultant to provide support in relation to more complex or major applications is dependent upon the applications received and is estimated to be £15,000 per annum. This can also be met from the Flood Prevention Revenue Budget.

6. Risk, policy, compliance and governance impact

- 6.1 There are potential risks to the Council if the certified flood risk assessment submitted by applicants turn out to be erroneous and there are unacceptable flood impacts from the new development. However, the risks are less than the current assessment system as chartered engineers will produce the information, the system will be streamlined, sample checks will be carried out and the application will not be progressed until all the information is received.
- 6.2 In addition, Flood Prevention Officers will be available for general advice to planning officers and consultancy support will be available for major and complex applications.

7. Equalities impact

- 7.1 An Equalities and Rights Impact Assessment has been carried out. The impacts are summarised below:
- 7.1.1 The efficient processing of planning applications and, in particular, ensuring the flood impacts of new development are mitigated can make a valuable contribution to managing the city's infrastructure and so improve standards of living and reduce issues of poverty and health inequality;
 - 7.1.2 The flood risk assessment process is part of the statutory planning process and has no positive or negative impacts on the duty to advance equality of opportunity as it applies equally to all parties; and
 - 7.1.3 The procedure for dealing with flood risk can foster good relations by promoting understanding of planning processes and the expected outcomes from them.

8. Sustainability impact

- 8.1 The impact of this report in relation to the three elements of the Climate Change (Scotland) Act 2009 Public Bodies Duties has been considered, and the outcome is summarised below:
- 8.1.1 The proposals in this report do not affect carbon emissions;
 - 8.1.2 The proposals in this report will increase the city's resilience to climate change impacts because it sets out a more efficient procedure for assessing the flood impacts of new developments by qualified chartered engineers as part of the planning process;
 - 8.1.3 The proposals in this report will help achieve a sustainable Edinburgh in terms of social justice because they involve the implementation of a planning process which is applicable equally to all cases;
 - 8.1.4 The proposals in this report will help achieve a sustainable Edinburgh in terms of economic well being because it encourages the efficient processing of planning applications which will have a positive impact on economic growth; and
 - 8.1.5 Environmental good stewardship is not considered to impact on the proposals in this report because there is no relevance to the use of natural resources.

9. Consultation and engagement

- 9.1 A consultation exercise was carried out in September 2016 to assess the outcomes of the pilot certification process. The survey was sent to planning consultants and engineering consultants who had submitted flood risk assessments as part of the

pilot scheme. In addition, all planning officers in Planning and Transport were surveyed about their experience of the certification process.

9.2 The results of the consultation are set out in sections 3.8 and 3.9 of the main report.

10. Background reading/external references

10.1 [Flood Risk Management \(Scotland\) Act 2009](#)

10.2 [Flood Risk Management Strategy](#)

10.3 [Local Flood Risk Management Plan](#)

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11. Links

Coalition Pledges	<p>P8 – Make sure the city’s people are well housed, including encouraging developers to build residential communities, starting with brown field sites.</p> <p>P28 – Further strengthen our links with the business community by developing and implementing strategies to promote and protect the economic well being of the city.</p>
Council Priorities	<p>CP4 – Safe and empowered communities.</p> <p>CP5 – Business growth and investment.</p> <p>CP7 – Access to work and learning.</p> <p>CP8 – A vibrant, sustainable local economy.</p> <p>CP10 – A range of quality housing options.</p> <p>CP12 – A built environment to match our ambition.</p>
Single Outcome Agreement	<p>SO1 Edinburgh’s economy delivers increased investment, jobs and opportunities for all.</p>
Appendices	<p>none</p>

Planning Committee

10.00am, Thursday, 30 March 2017

Scottish Government Review of Planning – response to the Places, People and Planning consultation paper

Item number	9.1
Report number	
Executive/routine	Routine
Wards	All

Executive Summary

A review of the Scottish Planning system has been underway since late 2015. The Scottish Government published a consultation paper – Places, People and Planning in January this year. This report provides the response on behalf of the Council.

Links

Coalition Pledges	P15, P28, P40
Council Priorities	CP5, CP7, CP8, CP9, CP12
Single Outcome Agreement	SO1

Scottish Government Review of Planning – response to the Place, people and planning consultation paper

1. Recommendations

- 1.1 It is recommended that the Committee:
 - 1.1.1 agrees to Appendix 1 as the Council’s written response to the Scottish Government consultation on the future of the Scottish Planning system.

2. Background

- 2.1 In September 2015, an independent panel was appointed by Scottish Ministers to review the Scottish planning system. The panel gathered evidence from a wide range of organisations and individuals to inform the review.
- 2.2 The panel’s report “Empowering Planning to Deliver Great Places” published in May 2016 contained 48 recommendations with six broad outcomes. These were based on strong and flexible development plans, the delivery of more high quality homes, an infrastructure first approach, efficient and transparent development management, stronger leadership, smarter resourcing and sharing of skills, and collaboration rather than conflict – inclusion and empowerment.
- 2.3 The Council as Planning Authority submitted written evidence on the review based on issues of importance to Edinburgh such as development planning, housing delivery, infrastructure, community engagement and resources.
- 2.4 The Scottish Ministers’ response to the panel report was published in July 2016. This set out their commitment to planning reform, immediate actions, and the scope of future reform and details of further consultation.
- 2.5 The Scottish Government consultation paper was published on 10 January 2017 with consultation open until 4 April 2017.

3. Main report

Places, People and Planning – consultation on the future of the Scottish planning system

- 3.1 The consultation paper contains 20 detailed proposals set within four key areas of change:
- 3.1.1 Making plans for the future;
 - 3.1.2 People make the system work;
 - 3.1.3 Building more homes and delivering infrastructure; and
 - 3.1.4 Stronger leadership and smarter resourcing.
- 3.2 The Council's response focuses on planning in the Edinburgh context, with the city at the heart of the regional economy, and its potential to benefit from inward investment and economic growth. The proposals within the review paper cut across a number of Council service areas and responsibilities. The proposals are also set within the context of changes at a national level with issues such as regional planning and infrastructure requiring new mechanisms for delivery. The following is a summary of the high level issues. Appendix 1 covers each proposal in greater detail.
- 3.3 Making Plans for the Future.
- The proposal to replacing strategic planning authorities with regional partnerships is supported in principle; however there is still a need for planning at a regional scale. This is of particular relevance to Edinburgh in the context of the emerging City Deal where regional planning and infrastructure are critical to the success and delivery of development at regional, city and local levels.
- 3.4 People Make the System Work.
- The proposal to involve more people in planning their areas is welcomed. However, the Council has concerns about the use of 'local place plans' and considers the use of locality improvement plans, which will contain a spatial planning element, to be a much better mechanism for engaging and delivering change at a local level.
- 3.5 Building More Homes and Delivering Infrastructure.
- The Council strongly supports the review of how infrastructure is funded and delivered. As one of the main barriers to the delivery of development, the aspiration for an 'infrastructure first' approach and alternative methods of infrastructure delivery are to be welcomed. Introducing new mechanisms to make development happen are also supported.
- 3.6 Stronger Leadership and Smarter Resourcing.
- The Council welcomes the review of how the planning process is resourced and accepts that an increase in fees should be linked to improved levels of service.
 - The review paper notes the role planning has in creating great places. There needs to be a continued emphasis on the contribution that other Council services, agencies, communities, developers and built environment professionals make in delivering these aspirations.

- 3.7 Many of the proposals contained in the review paper do not in themselves require legislative change to improve processes, deliver more homes or improve the quality of buildings and places. The regulatory aspect of planning is necessary as a means to manage processes and procedures. However, the planning system does not deliver in isolation, and has to work with others to facilitate change. There needs to be assurances from Government that there is support for this agenda and that the partnerships are robust and deliver change on the ground.
- 3.8 The Council acknowledges the work undertaken to date by the Scottish Government, its partners and organisations in the review process and we accept the invitation to work with them to explore how changes can work in practice.
- 3.9 PAS (Planning Aid Scotland) undertook workshops sessions with school children from Castleview Primary School and the Edinburgh Civic Forum. The output from the workshops are set out in Appendix 2. These will be submitted to the Scottish Government as part of the Council's response to the review paper.

4. Measures of success

- 4.1 The proposed reforms will impact on a number of areas of the planning system with the review focussing on the delivery of more homes, infrastructure and engaging more people in the planning process. The Planning Performance Framework will continue to provide an annual review of planning authorities with success measured through an improved planning process and the delivery of great places.

5. Financial impact

- 5.1 Although there are no direct financial impacts as a result of this report. However, the review of planning sets out a number of proposals to increase planning fees with the possibility of allowing planning authorities to apply discretionary charging, such as pre-application discussions. Further details are expected to come forward in the coming year.

6. Risk, policy, compliance and governance impact

- 6.1 The report represents a positive action being taken by the Council in relation to overall Council objectives in terms of securing better outcomes for Edinburgh.

7. Equalities impact

- 7.1 The Scottish Government will be responsible for assessing the impacts on equalities and rights as the proposed changes to the planning system are implemented. The proposed changes to the planning system have the potential to introduce a number of positive impacts with the paper setting out ways in which

participation could be increased by encouraging wider public engagement. The paper specifically sets out proposals to ensure young people are consulted on the development plan.

8. Sustainability impact

- 8.1 The impact of this update report in relation to the three elements of the Climate Change (Scotland) Act 2009 Public Bodies Duties has been considered, and the outcome is summarised below:
- 8.1.1 The proposals in this report will have no impact on carbon emissions because the report sets out the Council's response to the review of the planning system;
 - 8.1.2 The proposals in this report will have no immediate effect on the city's resilience to climate change impacts because the report sets out the Council's response to the review of the planning system; and
 - 8.1.3 The proposals in this report will help achieve a sustainable Edinburgh because they promote meeting diverse needs of all people in existing and future communities, they promote equality of opportunity and will facilitate the delivery of sustainable economic growth.

9. Consultation and engagement

- 9.1 Public consultation on the review has been underway since 10 January 2017 and will close on 4 April 2017. The Scottish Government has undertaken wide-ranging consultation including a public drop-in event at the Gyle shopping centre on 2 March with events also held by the Royal Town Planning Institute.
- 9.2 The Council, assisted by Brodies LLP, undertook a series of workshops on the review with planning staff and representatives from other service areas, including housing, neighbourhood teams, archaeology, economic development, communities and families, and parks and greenspace. Feedback from the workshops and comments from other service areas are reflected in the Council's response in Appendix 1.
- 9.3 Working with PAS (Planning Aid Scotland), a workshop has been held with young people from Castleview Primary School about planning and the review. Feedback was presented to the Edinburgh Civic Forum at a further workshop where views were shared and discussed. The PAS reports are contained within Appendix 2.

10. Background reading/external references

- 10.1 [Scottish Government, Places, people and planning – a consultation on the future of the Scottish planning system](#), January 2017

- 10.2 Planning Committee, 11 August 2016, [Review of the Scottish Planning System – progress report and next steps](#)
- 10.3 [Scottish Government, Review of the Scottish Planning System](#)
- 10.4 [Empowering planning to deliver great places - an independent review of the Scottish planning system](#) (31 May 2016)
- 10.5 [Review of Planning – Scottish Government Response](#) (11 July 2016)
- 10.6 Planning Committee, 3 December 2015, [Scottish Government - Review of the planning system](#)

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11. Links

Coalition Pledges	<p>P15 - Work with public organisations, the private sector and social enterprise to promote Edinburgh to investors</p> <p>P28 - Further strengthen our links with the business community by developing and implementing strategies to promote and protect the economic wellbeing of the city</p> <p>P40 - Work with Edinburgh World Heritage Trust and other stakeholders to conserve the city’s built heritage</p>
Council Priorities	<p>CP5 - Business growth and investment</p> <p>CP7 – Access to work and learning</p> <p>CP8 – A vibrant, sustainable local economy</p> <p>CP9 – An attractive city</p> <p>CP12 – A built environment to match our ambition</p>
Single Outcome Agreement	<p>SO1 - Edinburgh’s economy delivers increased investment, jobs and opportunities for all</p>
Appendices	<p>Appendix 1 - Proposed response to the Scottish Government consultation paper</p> <p>Appendix 2 – PAS reports from the workshops with young people and the Edinburgh Civic Forum</p>

Appendix 1 - The City of Edinburgh Council response to Places, People and Planning: a consultation on the future of the Scottish planning system

The following is the response by the City of Edinburgh Council to the Scottish Government review of the planning system.

The response is structured around the four main themes within the review paper and sets out the Council's view on each area and proposal. As more detail on the proposals is brought forward, the Council expects further consultation and discussion on how best to deliver the necessary improvements and seeks to work with Scottish Government on the changes.

The Council recognise that the proposed changes are not necessarily based on legislative change and that delivery goes beyond the remit of the planning authority. Working with other services, partners and the community is key to delivering on the ground. The Council supports a renewed focus for the planning system where, working with others, there is greater opportunity to improve the process and the quality of the places where we live, work and visit.

The Council have engaged in the separate ongoing consultations on planning fees, and reinforce the message that the proper funding of the planning system is critical to further improve the delivery of the service.

Making plans for the future

Proposal 1: Aligning community planning and spatial planning

The Council supports the introduction of a statutory link between the development plan and community planning. Closer alignment between the plans will assist each in taking into account and assisting in the delivery of wider Council outcomes. The community plan can be used as a mechanism to deliver aspects of the local development plan. To achieve closer alignment it is important planning authorities are represented in community plan partnerships.

As a result of improved alignment between the development plan and community planning, the community plan could become a material consideration in the development management process alongside the local development plan. The local development plan would retain primacy in the planning decision-making process. The Council is developing this approach through the preparation of 'locality improvement plans' and evidence from this process will emerge later this year.

The barriers to achieving closer alignment between the development plan and community planning could include timescales of different plans and conflicting issues and priorities.

Proposal 2: Regional partnership working

The Council supports amendments to the current structure and changes to the spatial planning role from strategic development planning authorities to regional partnerships. However, the Council recognises the importance of city regional working and the need for a

robust city regional governance structure supported by legislation and leadership to coordinate and deliver regional priorities. The role, duties and powers of partnerships need to be defined alongside issues such as the coordination of funding for infrastructure projects. Consideration should be given to the point that the city region is founded on travel to work areas and the strategic relationship between transport and land use planning.

Regional partnerships should set targets (including housing), regional priorities and overall spatial strategy through the National Planning Framework (NPF) and coordinate the delivery of these targets amongst member authorities of the city region. The partnership must also play a key role in coordinating and assisting in the delivery of strategic infrastructure and City Deal programmes.

The Council welcomes the review of the National Transport Strategy and consideration of regional partnership working. The Council believes that regional transport partnerships should be repurposed and form part of new single, multi-purpose strategic regional partnerships. This would assist in the identification and delivery of regional infrastructure priorities.

Proposal 3: Improving national spatial planning and policy

The Council supports a stronger National Planning Framework (NPF) with a 10 year review cycle which details regional priorities that are shaped in collaboration with regional partnerships with shared ownership of actions. In the context of Edinburgh, as a growing city and a significant national economic driver, a much longer term planning view should be taken on how the city will change over the next 30-50 years. There should be clarity on where such a strategic plan will sit, exploring issues such as 'city growth corridors' and the how the Edinburgh – Glasgow metropolitan region will develop in the future.

In relation to an increasing role of Scottish Planning Policy (SPP) in local decision making, the transference of policy from the local to national levels could result in undemocratic centralisation and could lack transparency. While there could be some role for policies being applied Scotland wide it would be essential that there is scope:

- a) to allow planning authorities to set their own policies where they see fit, and
- b) Allow Scotland wide policy to be interpreted locally through a planning authority's guidance.

It is acknowledged that no value would be added in the local development plan repeating similar policies in SPP.

The role for Ministers is to be satisfied that the proposed local development plan conforms to the NPF and SPP, with the development plan forming the basis of decision making at a local level.

While NPF and SPP can set national and potentially regional policy and priorities, local plans need to interpret and apply these – to create place solutions. There will still be a need for local knowledge and interpretation – balancing often competing demands at a local level requires locally derived and applied policy which should not be set nationally.

Proposal 4: Stronger local development plans

The Council supports the removal of the main issues report from the plan preparation process. This stage can be confusing for communities, resource intensive, time consuming and could instead be replaced with meaningful early engagement linked with community planning. A clearer approach to engaging at the early stages of plan preparation should be encouraged.

The Council have some concerns about an early gatecheck in the plan preparation process. This is an additional step and could duplicate the work of the examination and lengthen the plan making process. Consideration could be given to the removing the examination process which significantly extends the preparation time and can add little to the process, with there being the possibility of redress to the courts.

Support is given to reviewing the local development plan every 10 years to give more certainty in the development plan. However, the Council are concerned a longer plan cycle could lead to plans becoming dated unless Supplementary Guidance is retained as part of the system. Supplementary Guidance is an effective tool to enable flexibility to adapt to local circumstances and to provide detail missing on local policy aspects, requiring regular review that cannot sensibly be set out in a local development plan lasting 5 or 10 years. The loss of Supplementary Guidance would remove flexibility to adapt policies to local circumstances and would result in lengthier local development plans that rapidly become dated.

Whilst a 10 year plan will help to increase certainty over this period, in the context of Edinburgh as a growing city, flexibility will be necessary to adapt to changing circumstances.

A strategic approach to land assembly and delivery is encouraged through the review. The focus in relation to housing should be a system which enables homes to be built quickly, to meet the needs of people on low to middle incomes.

Proposal 5: Making plans that deliver

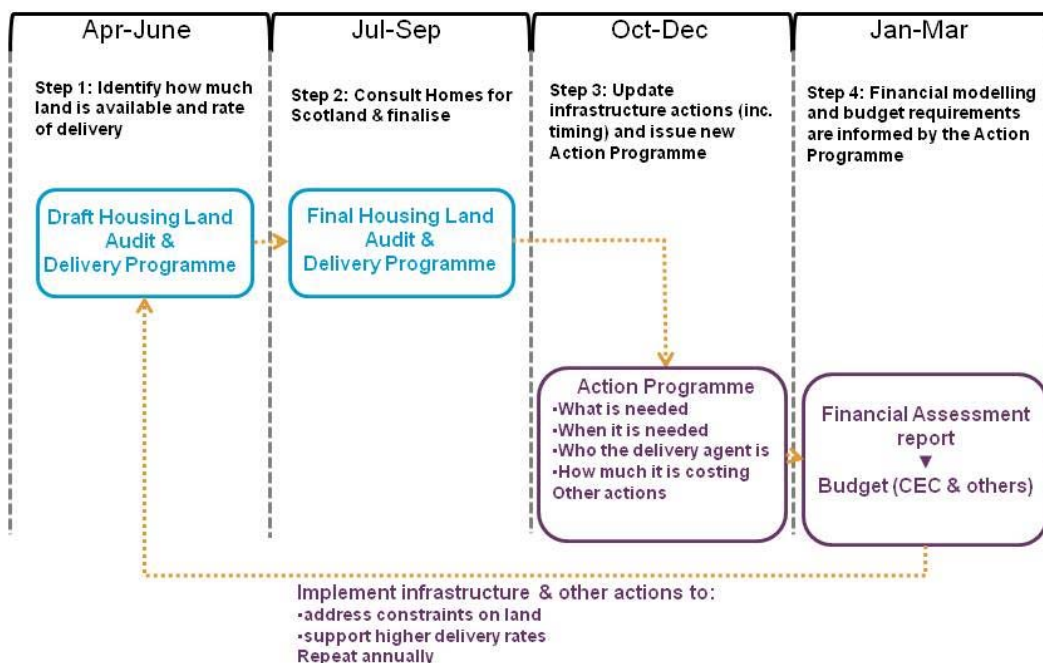
The Council would like to see the proposal for deemed Planning Permission in Principle (PPiP) for sites allocated in the local development plan explored in much greater detail. This could be resource intensive and require master planning, environmental impact assessment and identification of infrastructure requirements through the local development plan process. While there may be advantages to this approach in relation to providing greater certainty for developers and communities there are a number of concerns with this proposal. Deemed PPiP for sites allocated in the local development plan within the historic environment should not apply as it does not give enough detail.

Planning authorities have limited power in increasing the delivery of sites and determining which sites are developed. The delivery of sites is determined by developers with phased build outs, with the planning authority having little power over how much is developed and when. Planning authorities should seek to work with developers to increase delivery. Where developers are failing to deliver sites the planning authority require more power to take action to facilitate development. One tool which could assist is a streamlined process for Compulsory Purchase Orders, coupled with legislative and Government guidance supporting the acquisition by local authorities of sites that developers or landowners have failed to deliver within a local development plan period, to sell on to a willing developer. This would encourage developers or landowners to deliver on sites in the local development plan

period. One aspect to explore would be the use of CPO powers for sites allocated in the local development plan.

The Council recommends local development plan *action programmes* are used more effectively to bring corporate ownership to deliver actions of the Plan. The Council's action programme is updated annually and linked to the Council's housing land audit and delivery programme that is reported to the Council's Finance Committee. This gives corporate ownership of delivering the local development plan action programme through different corporate functions. This also takes account of priorities for infrastructure investment by being linked to the housing land audit and delivery programme. The following diagram shows how this currently works in Edinburgh.

Relationship of Housing Land Audit & Delivery Programme with Action Programme



Sites proposed for development that do not form part of the local development plan should be subject to robust consultation with communities. The planning authority should be a balanced voice between the community and developer and facilitate a collaborative approach to development. Pre-application consultation should be undertaken by a third party to avoid bias. The developer should then report back to the community to demonstrate how they have responded to feedback from communities.

The Council is of the view that simplified planning zones would not lead to a significant increase in the delivery of sites in Edinburgh. While this may be a useful tool in areas in need of regeneration, they are unlikely to be appropriate within this Council area.

People make the system work

Proposal 6: Giving people an opportunity to plan their own place

The proposals for '*Local place plans*' is promoted as an opportunity for local communities to plan their own area with these plans then forming part of the statutory local development plan. There are concerns that adding a further plan-making process could result in the duplication of plans, require additional resource and overcomplicate plan preparation. The ability to deliver change as set out in any local place plan would also be required as part of this process.

Without significant investment in developing community capacity and engagement, this could increase inequality with the most articulate and skilled (communities and individuals) setting agendas within a local planning context and other failing to do so. There is also a risk that localism could override spatial priorities. The Council and its partners is already preparing 'locality improvement plans' and there are opportunities for alignment of plans, joining up the delivery of services and enhancing placemaking at a local level.

The use of the Place Standard has been adopted by the Council's locality teams and has contributed to good and productive dialogue between communities and Council services. This process allows real involvement of communities in shaping their neighbourhoods. Planners can assume a greater facilitating role in bringing together communities, partners and stakeholders.

Giving community councils a stronger role in planning presupposes that there are community councils in place. Local place plans could increase inequalities with less affluent areas and those areas which do not currently have community councils being less likely to engage in this process. There is also a need to increase skills, knowledge and capacity within community councils if they are to step into this new role. The review is an opportunity for the Scottish Government to raise the profile of the equality duties within the planning system and deliver an open and inclusive process.

Proposal 7: Getting more people involved in planning

The review paper sets out proposals to involve a wider range of people in the planning process and in particular children and young people. This is a laudable goal and there are a number of benefits in doing so. The Council views the work on the use of the Place Standard as one means to readily engage a range of people but accepts that more could be done to involve young people in the decisions which will impact future generations. Working closer with schools in areas of change would be one way to improve this level of engagement.

The proposals have the potential to increase community involvement in planning but it will be important to be realistic about what issues communities can and cannot influence and progress. For example, one community may not want to see housing developed on a site which is suitable for, and would generally be allocated for, housing that is needed within the Council area.

Consultation with communities as part of this Council's house building and regeneration programmes show the value and importance of involving communities. Private developers may need support to develop networks and skills which will enable them to engage more effectively with communities.

Proposal 8: Improving public trust

The review paper notes the issues with pre-application consultation and the need to improve this aspect of the process. This proposal to improve this is supported and it is suggested that more could be done at an early stage to reflect the views of communities. In some instances it is accepted that pre-application consultation undertaken by developers can lead to confusion within the local community as to the status of the consultation and how this fits within the planning process.

With the aim of improving public trust in the planning system, the proposal is to discourage repeat applications through the removal of the 'free go' for applications which are refused, withdrawn or dismissed at appeal. This approach is supported and could help to reduce administrative procedures and double-handling with the fee paying for the application process.

An important aspect in improving public trust is the delivery of high quality buildings and places. The planning process should be seen as opportunity to improve the quality of life for existing and emerging communities. Achieving high standards of development would engender greater public confidence in the planning system with the benefits felt by people and the communities in the long term.

To further improve confidence in development management, there are proposals to increase fees for retrospective applications. This would also include making it easier for planning authorities to recover the costs of enforcement through charging orders and substantially increasing the financial penalties for breaches of planning control. The Council would suggest that these issues are explored in greater detail through the next consultation stage on planning fees.

Proposal 9: Keeping decisions local – rights of appeal

The paper proposes 'keeping decisions local' with more review decisions made locally. This would involve reviewing the hierarchy of development with a view to more applications being referred to the local review body. Much more detail is required on how this would work in practice. In the context of Edinburgh, which has a high number of listed building and sensitive development sites, any changes to the decisions making process would be measured against the quality of new development on the ground.

An increased role for local rights of appeal could increase burdens on elected members who already have a significant workload arising from planning application decision making and existing local review body cases. Care would need to be taken with the, type, size and complexity of applications which could be locally reviewed to ensure that the elected members time is used effectively on planning decision making.

There will be much greater emphasis on training for local councillors with the possibility of testing. The Council supports the role of training for elected members and already undertakes regular training and awareness raising sessions. The issue of training and subsequent testing is one which may have resource and management implications with further detail required on the type of cases which could be referred to the local review body.

The Council will be reviewing decision-making processes as part of the makeup of the new administration in May this year. The role of the new locality areas and subsequent Committee structures will form part of these discussions.

Predetermination Hearings

The Council is supportive of the use of hearings for major development proposals. However the requirement of Section 56(6A) of the Local Government (Scotland) Act 1973 that the final decision should be taken by the full Council introduces unnecessary risks into the process as well as being an additional administrative burden that can delay the granting of planning permissions.

Councillors who do not sit on the planning committee receive only minimal training in planning procedures and many have little planning experience. As a result, they feel uncomfortable with the full Council having to take on the quasi-judicial role of deciding major planning applications. In addition, while this has not been a problem in Edinburgh to date, there is an on-going risk that political groups will treat the planning decision in a similar way to other items on the agenda and whip their members to vote in a particular way. The current process is in danger of undermining the quasi-judicial process of determining planning applications and could encourage behaviour that is contrary to the Councillors' Code of Conduct.

The Council submits that such decisions should be taken in the normal way by whatever committee of the Council has delegated powers to discharge the planning function. This would ensure that robust decisions are taken by trained councillors following a quasi-judicial process in accordance with the Councillors' Code of Conduct.

Building more homes and delivering infrastructure

Proposal 10: Being clear about how much housing land is required

The Council welcomes the recognition that change is needed on this issue. However, the removal of a statutory development plan for the city regions will not alter the fact that housing market areas are bigger than the city authority areas where most growth, need and demand is focused.

The review stops short of stating that the National Planning Framework is going to set how much housing delivery output or housing land is required in each authority area. In the absence of a statutory document distributing growth across local authority boundaries, it may be hard to achieve an 'infrastructure-first' approach, or provide clarity and confidence.

Housing supply targets and housing land requirements should be set by regional partnerships and the Scottish Government through the National Planning Framework, taking account of infrastructure capacity matters. However, the areas of land to be included in the local development plan should then be determined by the planning authority. This will allow the local development plan to focus on placemaking and building communities rather than simply numbers.

Once housing supply targets and housing land requirements are set, the Council suggests amendments to how this is monitored in calculating an effective land supply. Housing land and housing delivery are different and need to be measured separately. The Council is currently advocating this change by amending the traditional housing land audit to become a housing land audit and delivery programme. The Council is working with Homes for

Scotland to develop a way of systematically analysing the factors which would increase build rates in the delivery programme.

Proposal 11: Closing the gap between planning consent and delivery of homes

To increase the delivery of planning consents into homes the planning authority requires powers to take action to encourage developers to implement their consents. The planning authority is not responsible for the delivery of homes and can only take steps to facilitate development. This could be an approach of planning authorities taking steps to encourage the timely implementation of sites but also having the powers (such as automatic CPO for allocated sites in the local development plan) to intervene where planning permission is not being implemented.

To encourage the implementation of planning consents the Councils suggests the threshold for development commencing should be substantially increased. Presently a commencement of development can be considered to have happened after very little development. This allows developers to make token moves in order to retain their consents without fully implementing their consents. The Council would suggest that there is further discussion and exploration of issues around a deadline for the completion of a site once works have commenced.

Delivery could also be improved through increasing the opportunities for small developers and through the creation of better vehicles to enable developers to contribute to infrastructure at a suitable level, while also funding infrastructure through other means.

Proposal 12: Releasing more 'development ready' land

The Council supports releasing more 'development ready' land for housing. However, the Council do not believe this is best achieved through the use of simplified planning zones and could mitigate against good design and placemaking. Instead the focus should be on ensuring that sites allocated through the local development plan are free of constraints and capable of being developed in the short term.

There are a range of reasons for delays in the development process, with the planning system being only one factor among many. The focus should be on ensuring that development on land identified for housing is being progressed with the planning application process having the means to bring forward development on the site and avoiding sites being transferable to subsequent owners.

Proposal 13: Embedding an infrastructure first approach

The Council supports embedding an infrastructure first approach to development. In order to facilitate development the local authority should be proactive in the delivery of infrastructure. This can be achieved through linking infrastructure investment and programming to housing land audits and delivery programmes. Infrastructure and services should be seen as what makes a place function and part of placemaking.

There are current barriers to delivering an infrastructure first approach such as land ownership and funding. Funding mechanisms are required to enable the local authority to deliver infrastructure first and make better use of compulsory purchase powers (CPO) to assimilate land for infrastructure. One option could be for a CPO powers to be reformed to

enable a CPO to effectively be in place at the end of consent period as part of a S75. This would deter developers from gaining planning permission to add value to sites and provide an opportunity for the public sector to intervene on stalling or landlocked sites.

Advocating an infrastructure first approach and developing innovative infrastructure solutions is welcome. In Edinburgh, a range of options for financing and delivering infrastructure linked to new tenures is currently being explored with Scottish Futures Trust, the Scottish Government and private sector partners. A one public sector approach which encourages long term planning and funding for infrastructure is required.

Green Infrastructure is well described in the review but should be given an equal status to the other forms of infrastructure. If delivering an infrastructure first approach with 'infrastructure providers' there is a risk that green infrastructure (which is delivered by a much wider range of players) may not form part of the process. A structure is required to bring green infrastructure into all of these discussions and planning processes.

Investors are beginning to recognise the need for adaptation but much of climate change action is still focused on carbon emissions. The shift to a 10-year plan cycle may make it more difficult to deliver green infrastructure other infrastructure priorities with developers.

There is a challenge in looking at infrastructure at a regional (or local) scale where landscape and political geographies do not match up. This may impact on the make-up of regional partnerships and wider partnership working.

Proposal 14: A more transparent approach to funding infrastructure

The Council supports the introduction of an infrastructure levy on development. However, the Council are wary of placing an unaffordable burden on developers. An infrastructure levy should replace a significant portion of S75 agreement funding. S75 should then only be used for infrastructure related directly to the development that cannot be funded through the infrastructure levy. The Council should be able to demonstrate to developers what the infrastructure levy will pay for. For issues such as green infrastructure which has an inherent cost for management and maintenance, consideration has to be given to who will fund this and how?

The Council propose alternative methods are also used to fund infrastructure delivery such as a tax on land with planning permission which is not implemented within a reasonable period. A tax on vacant and derelict land could also be used to fund infrastructure and encourage the redevelopment of this land.

Infrastructure requirements for sites should be clear upfront in the local development plan and linked with the action programme. The planning obligations circular should be updated to ensure this is appropriate for enabling the circular to be appropriate at the strategic level.

The Council currently has a mechanism in place to ensure S75 legal agreements are concluded after applications are minded to grant. However, at the moment there is no legal timescale set for when S75 agreements must be concluded. This process can be a lengthy and the Council would suggest that this issue is explored further to support the delivery of development on the ground.

Proposal 15: Innovative infrastructure planning

In order to deliver innovative infrastructure planning closer partnership is required between all infrastructure providers. Infrastructure providers should have a greater understanding of their role in placemaking. Local authorities should take the lead in working with infrastructure partners and assembling land to deliver infrastructure. Regional partnerships should take the lead in the coordination and delivery of regional strategic priorities.

This requires a corporate approach to planning and delivery of infrastructure in local authorities. This is linked to local development plan action programmes and how these relate to Council funding priorities. This Council is an example whereby various issues and disciplines have been brought under the directorate of PLACE, aligning services which make places function and removing professional silo working.

Flexible solutions are required to address infrastructure issues as they will vary across the country and within planning authority areas. It is encouraging that the proposals recognise the gap in anticipated developer contributions and infrastructure required to deliver developments and housing. In relation to the upfront payment of an infrastructure levy, it will need to be very clear what the levy will pay for, particularly if it does not replace the need for S75 contributions. The Council advocates the approach which includes options for infrastructure costs to be paid up-front to enable developments to commence, with the possibility of costs being recovered through the value generated as part of the development.

Stronger leadership and smarter resourcing

Proposal 16: Developing skills to deliver outcomes

Developing the skills of not only planning authority staff but all those involved in the planning system is to be supported. This includes communities, other Council services and other partner organisations. The Council and its partners have recognised the role of cross sector skill development in the Edinburgh Planning Concordat and would recommend this as a method of local leadership on this issue. The Edinburgh Planning service already provides a strong staff development programme, both internally arranged and through the Planning Skills programme of the Improvement Service. It holds RTPI Learning Partner accreditation to underline the leadership commitment to strengthening service improvement through skills development. . To expand this skills development programme to be a cross sector, multi-disciplinary approach, the Scottish Government could resource the coordination of this 'cultural change' programme across all stakeholders.

Proposal 17: Investing in a better service / Proposal 18: A new approach to improving performance

The proposal to reduce bureaucracy and improve resources is to be welcomed. The proposed increased in planning application fees and discretionary charges will support improvements in the delivery of the planning service and in some instances could help to fund the role of other related services that are fundamental to the delivery of permissions and developer-focused services such as the provision of pre-application advice. However the Council recognises that the significant under-recovery of costs incurred in this area due to the inadequacy of existing fees to meet current costs must be addressed alongside

service development opportunities. Without such additional resources from fee increases, it is likely that further reductions in service provision will be made in the short-term.

Reviewing how performance is monitored, improved and reported to stakeholders is accepted as part of the proposals for changes to resourcing. However, the Council has developed many networks of stakeholder engagement to emphasise that all stakeholders, not just the planning authority, have a role in delivering improved performance of the planning system in the city. The Edinburgh Planning Concordat is a key focus of clarifying responsibilities and this format could be used at national level to define roles and responsibilities. It is important that applicants/developers recognise that their role in promoting good performance of the planning system does not stop at the payment of planning application fees. It is imperative that measurements of performance go beyond the speed and timeliness of planning applications and that the quality of new buildings and spaces is part of this measure of success. The Council uses its annual Planning Performance Framework report promote the value of planning activities in the delivery of corporate objectives and raise awareness of planning and initiatives in placemaking.

Proposal 19: Making better use of resources – efficient decision making

Extending permitted development rights (PDR) is a suggested means to reduce the number of applications handled by planning authorities. In Edinburgh, much of the urban area is designated as conservation area which has meant a limited impact on reducing application numbers. Increasing PDR will require further consideration and how this can in the context of Edinburgh realistically reduce application volumes.

Proposal 20: Innovation, designing for the future and the digital transformation of the planning service.

The greater use of innovation and digital transformation of the planning service has been long supported and championed in Edinburgh. The Council was an early adopter of planning applications being publically available online, has embraced the use of social media to widen engagement, makes good use of GIS/online mapping, data sharing and has actively supported the use of online systems such as ePlanning and eDevelopment.

Linked to the above point about PDR, the Council would be support the development of more innovative ways for customers to find out if they require permission/s for a variety of minor works. The use of an interactive building would be one way to improve this aspect of the planning and building standards services and reduce the high volume of customer enquiries.

Next Steps

The Council acknowledges the work undertaken to date by the Scottish Government, its partners and organisations in the review process and accepts the invitation to work with them to explore how changes can work in practice.

PAS Partnership with The City of Edinburgh Council

Getting young people and Community Councils in Edinburgh involved in 'Places, people and planning' – a consultation on the future of the Scottish Planning System

March 2017

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Introduction and Findings Summary

Reports

1. Workshop with Children and Young People – Castleview Primary School (Primary 7 class)
2. Workshop with Edinburgh Civic Forum

Introduction

The Scottish Government is currently consulting on reforms to the Scottish planning system. The City of Edinburgh Council commissioned PAS – an independent educational charity that helps communities engage with the planning system - to organise and facilitate two workshops, one for young people and one for the wider civic community, exploring the proposed planning reforms.

PAS conducted a youth workshop with P7 pupils at Castleview Primary School, Craigmiller, Edinburgh, on Wednesday 1 March (See [Report 1](#)). After a brief introduction to the Scottish planning system the workshop allowed the pupils to explore: 1) what skills/attributes were needed for planning; 2) how best to involve young people in the planning system; and 3) what they think of Edinburgh as a 'place' – and how it can be made even better for them.

Findings from this youth workshop were presented at an Edinburgh Civic Forum event, Tuesday 7 March (See [Report 2](#)). Here Community Councils/Civic Groups explored: 1) the youth perspective; 2) their own perception of planning; and 3) the four planning reform proposals considered the most pertinent to Community Councils/Civic Groups (Proposals 4, 6, 7 & 8).

Outcomes from these workshops included: 1) the Community Councils/Civic Groups learnt about the youth perspective; 2) participants increased their understanding of the proposed reforms and were encouraged to participate further in the consultation process; 3) a better understanding of the views of young people and Community Councils /Civic Groups on the proposed reforms; which will 4) inform the Council's response to the consultation paper.

Findings Summary

The planning related words chosen by the pupils concentrated on skills associated with planning: 'teamwork'; 'participation'/'communication'; 'imagination'/'creativity'; 'kind'/'considerate'; 'organised'. The Community Councils/Civic Groups and pupils only chose one identical word: 'Leadership'. The Community Councils/Civic Groups' words tended to be more negative when they thought of the situation now: 'shambolic'; 'disaster'; 'time-consuming'; 'unfair'; 'chaos'; 'corruption'. However, when asked what planning should be about their answers were very positive: 'diplomatic', 'common sense', 'releasing enterprise in others', 'honesty', 'understanding', 'listening', 'consistent', 'democratic', 'visionary'.

The young people came up with a number of approaches for engaging them more in the planning system: social media platforms (though many in this age cohort – P7 – said their access to such sites was restricted); increased advertising; visualisation through board-and computer-games (PAS' use of Mine-craft sparked an interest in the pupils); and meetings/discussions in more youth-friendly venues or through school's pupil councils – where power-points/films could be shown and discussions recorded and posted back.

Lastly, in the Community Councils/Civic Groups' discussions on the reform proposals, recurring themes included: the resources and capacity available within Community Councils/Civic Groups to undertake many of these reforms; and issues of trust about consultation processes in general and about loopholes in planning processes that appear to favour developers, such as 'repeat applications'/'twin tracking'/'sequential build up in successive applications' and 'land-banking'.

Report 1

Primary School Workshop, Wednesday 1 March 2017, 9am-12.30pm Primary 7, Castleview Primary School, Craigmillar, Edinburgh

1.1 Introduction

As part of its response to the Scottish Government's Planning Consultation Paper, The City of Edinburgh Council sought to engage with school children. To take this forward, PAS was engaged to host a workshop session at a primary school, namely Castleview Primary in Craigmillar.

1.2 Format

Led by two PAS volunteers, the workshop started with a brief presentation on PAS and its work with young people. To introduce the idea town planning, the children were asked to call out what they thought of when they hear the word 'planning'. Their responses were not recorded for this as they required some prompting from the volunteers.

As a class, the pupils were then encouraged to **think about their place in the past and what it might look like in the future**. Next, to help the pupils to consider the different **characteristics of places**, they expressed their likes, dislikes and suggestions for improvements for some places in Edinburgh, nearby Craigmillar.

Specifically for the Planning Consultation Paper response, two specific activities were run to gather the children's views on two specific proposals. These were:

1. Proposal 16: Developing skills to deliver outcomes

This proposes that there should be greater skills development for planners, including leadership, working with communities and innovation.

To garner their views on this, the class were asked to 'Draw a Planner' and note down the range of skills and attributes which they feel that a planner needs to undertake their job well.

2. Proposal 7: Getting more people involved in planning

This proposes that planning authorities should be required to use consultation methods that are likely to involve children and young people in the process.

We introduced this proposal by explaining consultation as a process where planners need to gather the views of a community, whether on a new plan for their area or a proposed development. We then briefly highlighted the Planning Consultation Paper, with reference to the above proposal. In groups, the children then discussed a variety of creative ideas on techniques for planners to engage with young people and vice versa.

In addition, the pupils were asked to complete a young person's version of the Place Standard tool to understand the children's level of satisfaction with different aspects of where they live in Edinburgh. This tool was created by the Scottish Government, Architecture and Design Scotland and NHS Scotland.

On completing the above activities, the PAS volunteers thanked the children for taking part and for putting forward their ideas and opinions. The class were informed that their ideas would be submitted to the City of Edinburgh Council and heard at the wider Edinburgh Civic Forum community event the following week.

1.3 Outcomes of sessions

- How best to involve young people in the planning system
- What innovative techniques should planners use to involve young people (including the use of technology); and
- What they think of Edinburgh as a 'place' – and how we can make it even better for them.

1.4 Results

Changing environments: Past and Future

Changes in Craigmillar over the past 20 years

- New developments in Craigmillar: 'White House', library, supermarket, houses, schools (including Castleview).
- New developments in other places: Trams, wind farms, solar panels.
- Technology: Ipods, X-Box, smart boards in schools, hover boards.

Potential changes in Craigmillar over the next 20 years

- New developments in Craigmillar: Better McDonald's, more football pitches
- New developments in Edinburgh: New hotel at St James Centre, tram extension,
- Technology: Flying cars
- Environmental & social change: Climate change; political change

Arthur's Seat



- **Like:** Arthur's Seat is free, available for doing exercise and offers good views and wildlife. Nearby restaurants.
- **Dislike:** Lack of safety at top of Arthur's Seat.
- **Improvements:** Develop Arthur's Seat for weddings and funicular railway.

Craigmillar Castle



- **Like:** Historical tours and re-enactments hosted by local people. The pond, the big size of the castle and the views.
- **Dislike:** Young tour guides.
- **Improvements:** Bigger railings and better disabled access. Benches and tables as well as a café. Indoor heating and wifi.

Cameron Toll Shopping Centre



- **Like:** Lots of different shops including Game and Costa. Proximity to Craigmillar. Glass design of building.
- **Dislike:** Glass design as it can seem like greenhouse.
- **Improvements:** Change food outlets. Some would prefer the shops to be outside. Some would like more parking. Suggestion for safer access by bike.

Dynamic Earth



- **Like:** Lots of different features and rooms and eateries. Like building shape.
- **Dislike:** Expensive entry price. Some would prefer less information from tour guides.
- **Improvements:** Some would like to see better parking. Most would like better buses from Craigmillar and improved wheelchair access. Suggestion for more dinosaur exhibits.

Thinking place



Royal Infirmary

- **Like:** Importance of purpose to help people get better.
- **Dislike:** Very plain building design. Associated with mixed memories.
- **Improvements:** Free wifi. Improved patient security. Increase size of hospital.

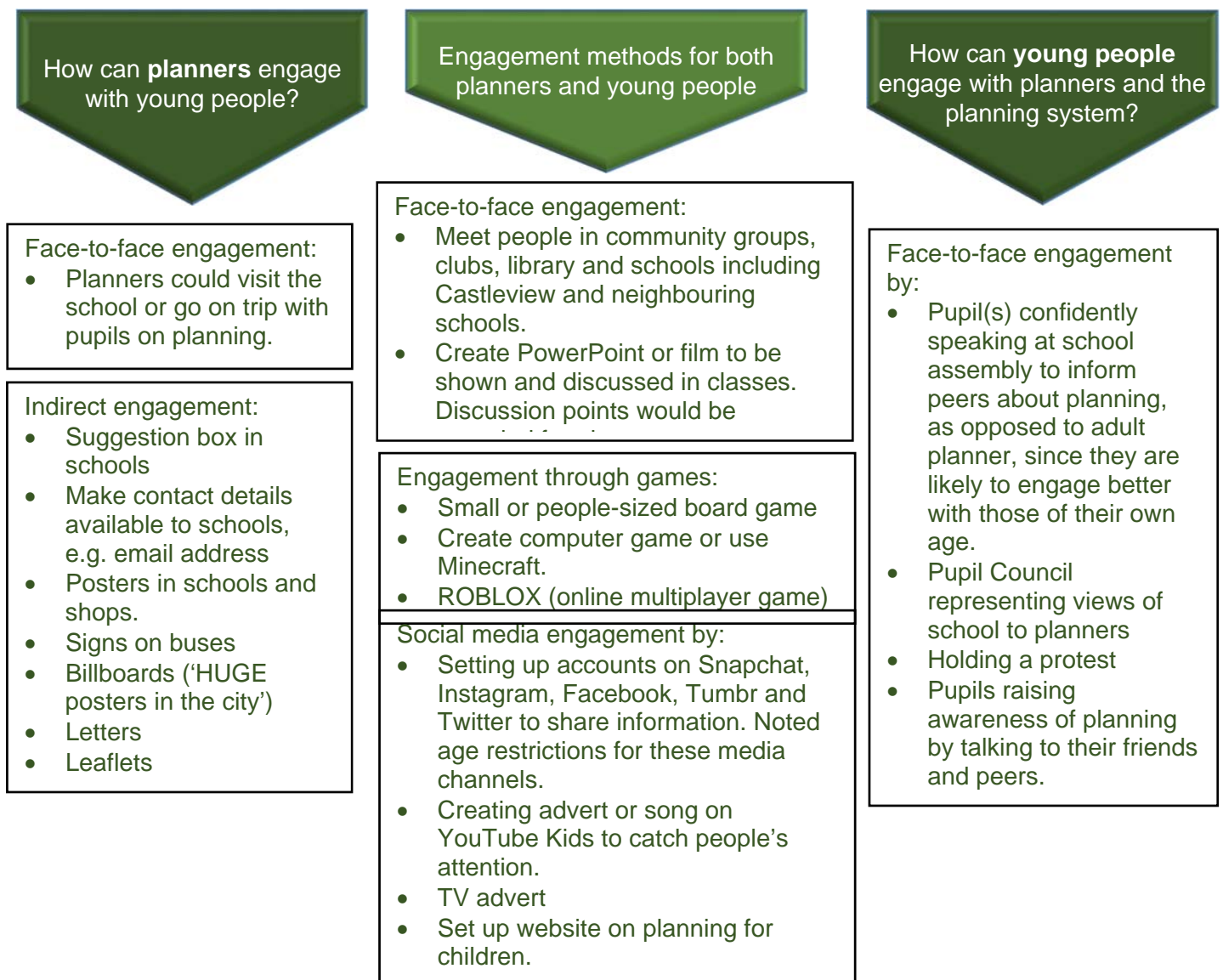
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Views on Proposal 16: Developing skills to deliver outcomes

Primarily, the pupils felt that **strong interpersonal skills** were important for planners, with several mentioning that they should be able to communicate and participate with others well. One group stated that a planner is ‘someone who has good charisma’ and another mentioned that they should be able to make eye contact. Indeed, some pupils mentioned that they believed **planners should be able to ‘sell’ their ideas to others**. Moreover, pupils also regarded **leadership** as a key quality for planners. Equally, **teamwork** was also raised as an important quality from one group, with another highlighting the value of taking ideas on from others and considering different options. Furthermore, the pupils also felt that planners should be able to balance different opinions within a community.

In addition, several groups believed that planners should have the capacity to be **creative, imaginative and aspirational** when making plans for the future. In balance, the pupils felt that planners should also be **smart**, with one group highlighting that **planners should have a degree**. In balance, another group drew a picture showing that planners should have ‘**a brain and a heart**’, perhaps indicating the balance between a planner being intelligent and understanding. This was also reiterated by other groups highlighting that planners should be **helpful, kind and considerate**. Finally, one group felt that planners should have **organisational skills**.

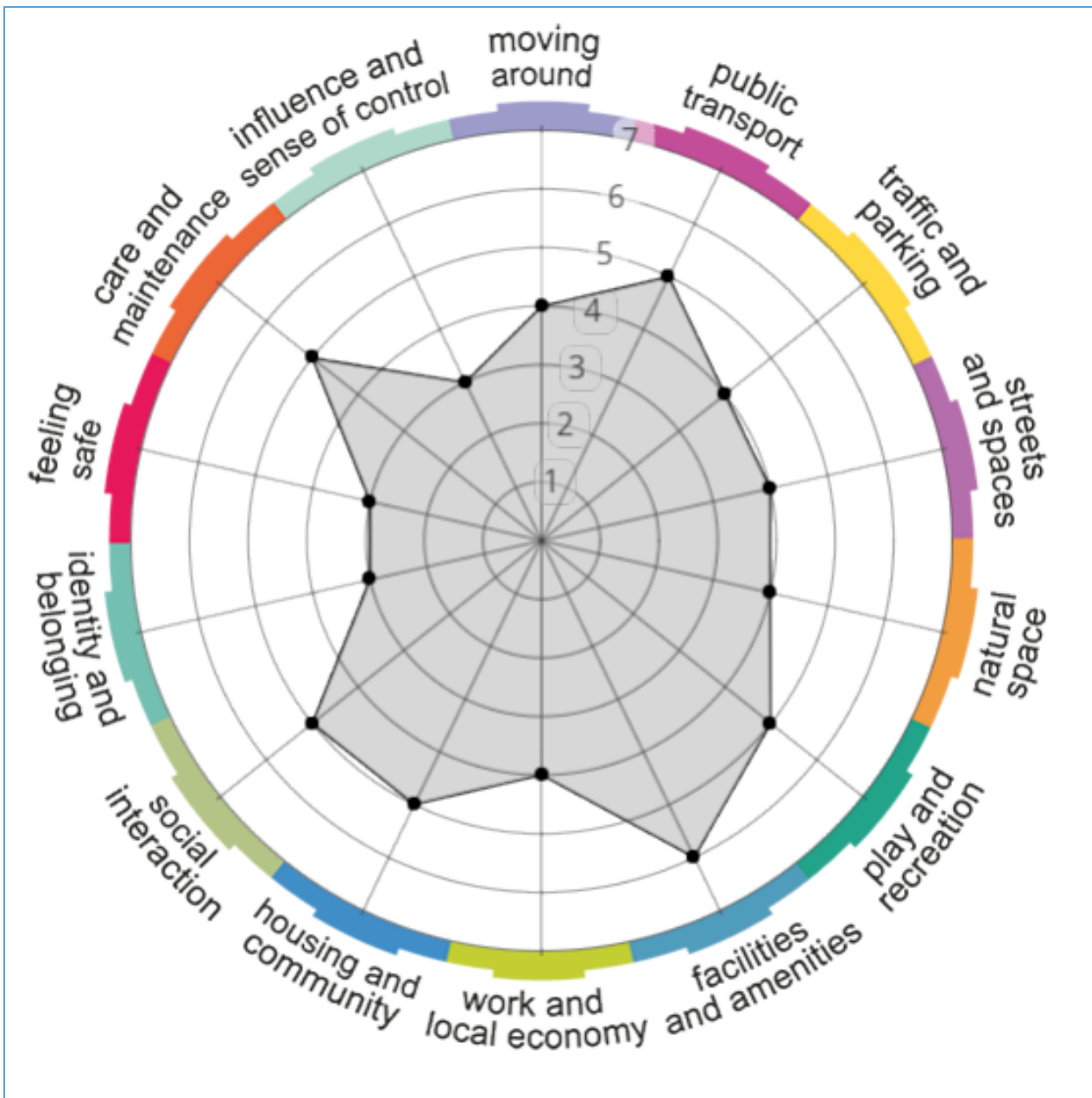
Views on Proposal 7: Engaging with children and young people



Place Standard Activity: How good is your Place?

For 14 different aspects of place included in the Place Standard, the children were asked to rate each of these on a scale of 1-7 based on their own perceptions of their place and record this on a compass diagram. They were also asked to note key reasons for their rating. This information will allow the City of Edinburgh Council to clearly identify priorities for change and improvement.

The compass diagram below shows the average rating for each area of the Place Standard, as scored by the Castleview students. The reasoning for each of these scores is detailed in the table overleaf.



Moving Around

'Can I easily walk and cycle around using good quality routes?'

- Average rating: 4
- Number of routes: Most pupils said that there are enough routes and it is easy to walk and cycle in their area. However, one group raised that some paths lead to dead ends.
- Care and maintenance: Highlighted poor maintenance of some paths and pavements including prevalence of litter, broken glass and dog excrement. Many paths are uneven.
- Safety: Some groups in the class indicated that they did not feel safe to use paths in some places, due to unsafe motorists and motorcyclists. Suggestion for 'softer' paths.

Public Transport

'How easy and fast is your local transport to use?'

- Average rating: 5
- Availability of public transport options: Some pupils felt that buses are not regular enough, too small and the journey time is too long. Additionally, they felt that there are enough trams and are not keen for them to be established in their area.
- Safety and ease of use: Pupils feel 'transport is really safe'. However, the latecoming and busyness of some buses was noted by one group.
- Affordability: Some pupils believed that the public transport should be cheaper.

Traffic & Parking

'How easy is parking and driving in your area? How safe do you feel near the roads?'

- Average rating: 4
- Traffic: Pupils believed that 'the traffic is very bad a lot of the time'. Another group felt that the roads are not wide enough or well-maintained and that some vehicles pass too quickly.
- Points to cross road safely: Pupils feel that the 'green man' does not appear long enough at pedestrian crossings for them to cross safely.
- Safe parking: Pupils noted that cars often park on pavement. Several groups mentioned that they feel there is a need for more parking spaces.

Streets & Spaces

'Does your local area look great and is it easy to get around?'

- Average rating: 4
- Buildings and places: One group said that where they live is beautiful; another stated that they found passing through their place as 'a happy experience'. However, the class generally noted that there is quite a lot of litter which is not picked up, the streets seem dirty and there are some abandoned places where people do not care. Pupils suggested that the area 'needs a makeover'.
- At night and in bad weather: One group highlighted that some places are unlit at night and so feel unsafe.

Natural Spaces

'How easy is it to get to your local nature and wildlife?'

- Average rating: 4
- Number of natural spaces: In general, in Edinburgh, pupils said that there are lots of green and natural places where everybody can do sport, 'relax and the animals are free to live in their natural place'. However, one group said that they are not often taken to these natural spaces. In Craigmillar, pupils said that there is not much wildlife, nature or woodland.
- Access between green spaces: 'Yes, it is easy to move between green spaces'

Play & Recreation

‘How great are the spaces to play and meet friends?’

- Average rating: 5
- Quality of places to play: In terms of maintenance, some pupils said the parks are well cared for; others highlighted that rubbish and empty bottles sometimes littered the parks. One group felt that the parks are 'tiny and they are not fun'.
- Number of recreation spaces for different age groups: For children, some pupils said that there are enough parks; others said that they could only recall one sports centre which they could visit (Jack Cane Sports Centre) and another group suggested that they would like to see more parks and skate parks. One group said that teenagers normally meet in the library and elderly people 'can go to the café'.

Facilities & Amenities

‘Are there places for you to do things? Are these public places easy to get to?’

- Average rating: 6
- Number of public places to learn, relax and meet others: Several groups said that there are many public places they can go 'to hang out' and one group stated that there are also a few clubs at the library.
- Accessibility of public places: Some pupils said they have to travel quite far to reach these public places.

Work & Local Economy

‘Are there plenty of shops in your local area? When you are older, do you want to live and work there?’

- Average rating: 4
- Variety of jobs: Some pupils felt there were enough types of jobs; other pupils felt that there are lots of 'shop jobs' which did not appeal to the children as future jobs for them.
- Skills training opportunities: One group cited one place for skills training within their area.
- Opportunities for local businesses to grow: One group felt that businesses do have a chance to succeed; another group believed that there is 'a half decent economy'.

Housing & Community

‘How friendly and neighbourly is your neighbourhood?’

- Average rating: 5
- Quality of houses and flats: Some groups highlighted that there are many old houses but fewer modern ones. One group felt that there are 'not very nice houses or flats nearby'. Additionally, pupils said that they generally did not have any friendly neighbours nearby, with one group mentioning that 'the neighbours are WAAAY too noisy'.
- Range of house types to meet need: Some pupils believed that both the old and new houses are too small and that 'there is not enough houses to fit people's needs'.

Social Interaction

‘Are there lots of places and chances to meet people?’

- Average rating: 5
- Places to meet: Some pupils felt that there are 'lots of chances meet people'. Other pupils believed that they need much more space and some highlighted that there is not many opportunities to meet for primary school children, part from the Tuesday Club at the Jack Kane Centre.
- Places to mix with others: One group said that 'everybody mixes well together nearby'.

Identity & Belonging

'How proud do you feel about your local area?
Does the area make you feel you belong?'

- Average rating: 3
- Pride in where you live: Most groups said emphatically that they were not proud of where they lived, through their ratings and comments. One group said that they wanted to move house and highlighted problems with anti-social behaviour such as graffiti. However, two groups were positive, with one group saying that 'it is a good area'.

Feeling Safe

'Do you feel safe around your local area? Is crime a problem?'

- Average rating: 3
- Sense of safety: Several groups highlighted that they did not feel safe in their area citing 'unsafe driving, motorbikes' and 'teenagers'. One group said 'Niddrie is a really dangerous place'. However, another group said that they feel the area is safe, including for walking at night, and that crime is not a problem.

Care & Maintenance

'Are buildings, parks and spaces well cared for?'

- Average rating: 5
- Maintenance of buildings and places: One group said that buildings are not taken care of, but another felt that 'everything is well cared for'.
- Problems with care and maintenance: Several groups felt that there is a lot of litter, with one group also highlighting issues with 'flytipping and graffiti'.
- Recycling: One group said that it's easy to recycle; another group stated 'a few people recycle'.

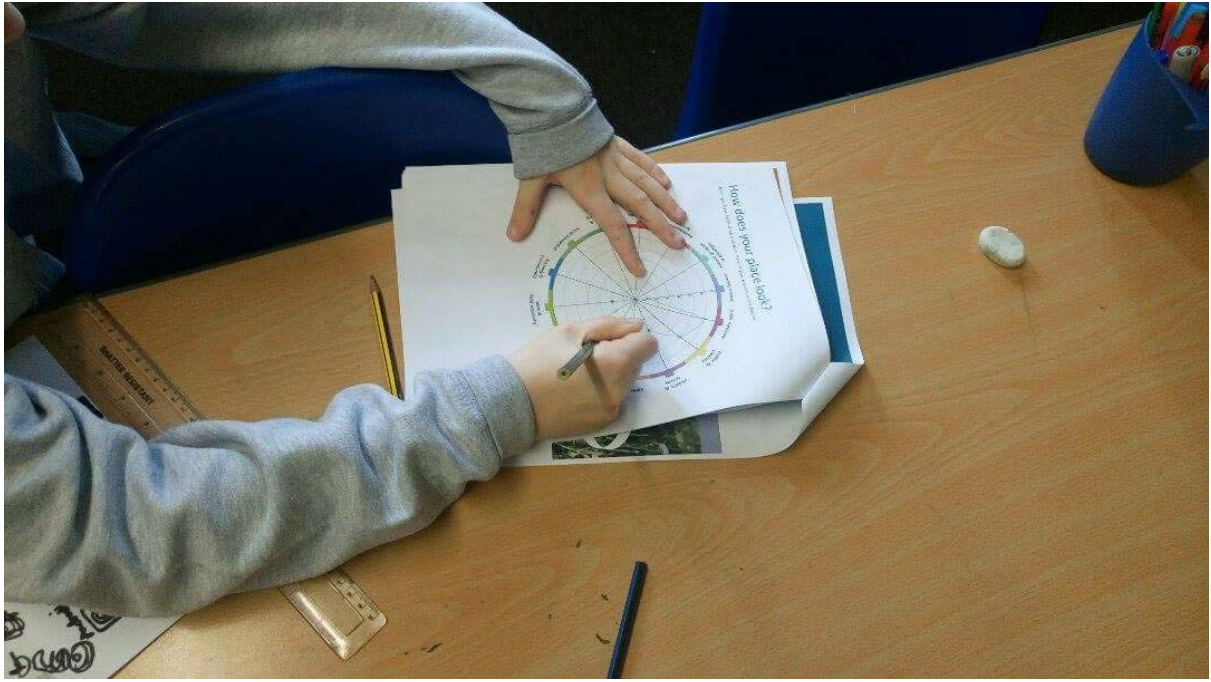
Influence & Sense of Control

'Do you know how to make your ideas about your places heard? How easy is it to change your local place?'

- Average rating: 3
- Ease of making your views heard: Several groups felt that it was difficult to make their views heard on their local area. One group stated that 'we have no control over what happens in our area' and another one said that 'everyone's views are barely heard, especially kids'.
- Places to make your views heard: One group stated that 'we don't know who to talk to', although another group noted that they could 'go to events about decisions...take surveys about it too'.







Report 2

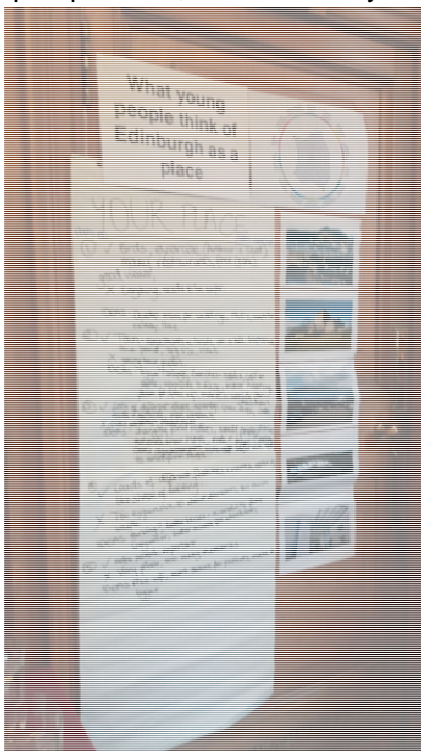
Edinburgh Civic Forum Event, Tuesday 7 March 2017, 4-6pm Edinburgh City Chambers

2.1 Introduction

On Tuesday 7 March, in the Edinburgh City Chambers, the Edinburgh Civic Forum held an event to encourage Edinburgh's Community Councils/Civic Groups to get involved in the consultation on the future of the Scottish planning system: **Places, people and planning**. The event



was hosted by The City of Edinburgh Council and delivered by PAS. It built on a previous PAS event conducted with P7 pupils at Castlevie Primary School, Craigmiller, Edinburgh, on Wednesday 1 March 2017 (See **Appendix 1** for details). At this event the young people's perspectives, as outlined by material from the school workshop, were displayed around the room for the Civic Forum members to see.



2.2 Format

The session began with a welcome and a short introduction to PAS. PAS' workshop with Castlevie Primary School was mentioned and participants could see the school workshop material pinned on the wall. There was then a short introductory talk about the planning review and participants were then asked to write one word they think of when they hear the word "planning".

The planning related words were compared to those that the school pupils had come up with in a similar exercise.

The main focus of the event was a facilitated workshop discussion led by PAS. Here the participants were divided into 4 groups and each group was asked to discuss and write down their opinions about 4 of the proposals outlined by the planning review consultation. The 4 proposals chosen were considered the most pertinent to Community Councils/Civic Groups and wider public involvement in the planning system. They were:

1. Proposal 4: Stronger Local Development Plans

This proposes community groups being involved at an earlier stage in the plan making process.

2. Proposal 6: Local Place Plans

This proposes giving communities the opportunity to plan their own place by producing Local Place Plans that could then form part of the Local Development Plan.

3. Proposal 7: Getting more People Involved in Planning

This proposes getting a broader cross-section of people involved in planning.

4. Proposal 8: Improving Public Trust

This proposes more pre-application consultation with community groups, strengthening community involvement when site applications are being considered for usage other than that specified in the Local Development Plan and enhanced enforcement.

The resultant opinions from these discussions were placed around the room and the participants were then asked to pick their three most effective ideas to better involve communities in the planning system.

The event closed with thanks given to all who had participated and an explanation that the material collected would be recorded and submitted as part of CEC's response to the planning review. But before the participants left they were asked to write down one word, or short sentence, which reflected their aspirations of what planning should be about.

2.3 Outcomes of sessions

- Community Councils/Civic Groups will learn about the youth perspective.
- Both young people and members of the Community Councils/Civic Groups will increase their understanding of the proposed reforms to the planning system and be encouraged to respond and participate further in the consultation process.
- There will be a better understanding (evidence) of the views of children and young people and Community Councils /Civic Groups on proposed reforms to the planning system.
- And, this material evidence, resulting from the workshop discussions on the planning review (and outlined in these **Appendices 1 & 2**), will then feed into the Council's response to the consultation paper.



2.4 Results

The words the participants associated with planning were:



This word cloud is representative only and neither colour nor size should be taken to mean any weighting or emphasis of the words is given; each word was written by one person and is equally valid.

Before the proposal discussions questions were raised about the consultation process in general. Some felt that the consultation process for the initial planning review report, **Empowering Planning to Deliver Great Places**, published in May 2016, was not reflected accurately in the final report. A number of the audience felt that issues/opinions raised in the consultation were not represented in the final report and that this meant that they did not have much faith or trust in the current consultation process. Having said this, all participated enthusiastically in the discussions, the results of which are tabulated below. The Suggestion/opinion/questions rated the highest in each section have been highlighted green.

Proposal 4: Stronger Local Development Plans

<i>Suggestion/opinion/questions</i>	<i>No. of top-3 stickers</i>
Give more publicity (to the process and importance)	0
Involve Universities in areas with high student populations	0
Diversify those attending Community Councils	0
How early is early (in terms of community participation)?	0
Incentives to attend/contribute	0
Need for more open, honest and effective process	1
Community consultation for any site rezoning	3
Prepare broad outline for community to comment on at local halls	0
Leadership from Planning Departments	0

Provide realistic approach to car traffic rather than fixation with walking and cycling	0
Good idea to be involved at early stage (e.g. charrettes) but each Community Council varies in terms of scale/skills/level of involvement/resources – may not work for all and may need professional assistance	5
Should be enforced more effectively	3
Identifying issues earlier	1
Difficulties in consultation process for Local Development Plans include the difficulty of relying on Community councils representing communities when there are so many different community groups and many developers having differing views	0

Proposal 6: Local Place Plans

<i>Suggestion/opinion/questions</i>	<i>No. of top-3 stickers</i>
How much engagement will a Planning Authority have to make with these?	0
Connections between a communities right to buy and Local Place Plans	1
Major challenge is a lack of resources in Community groups both in terms of funds and support/interest (reliant on external experts?)	4
Unless statutory requirement for Planning Authorities to reflect Local Place Plans no guarantee of action	0
How rigorously would the ideas expressed in Local Place Plans be tested? Some form of testing procedure including 2-stage competition, independent jury and committee /consultation of community suggested	2

Proposal 7: Getting more People Involved in Planning

<i>Suggestion/opinion/questions</i>	<i>No. of top-3 stickers</i>
Need to increase trust and understanding of system; raise public awareness; design and planning and civic awareness integrated into curriculum for excellence	2
Community Councils need to work closer with planners to be credible and listened to	2
Resourcing for local groups to get new members	3
Use of social media – to get younger people involved	1
Hard copy should be encouraged as people still prefer this option	0
Family involvement	0
Incentives – but lack of power	1
Abolish appeals	0
Need to see results/change to see participation	1
More varied meeting times (4pm tends to exclude non-retired) and more regular meetings	0
Engage with already established groups – e.g. Secondary schools, university departments, sport groups, Youngscot, etc.	1
Anti-jargon (never want to hear 'vision' again)	0

Proposal 8: Improving Public Trust

<i>Suggestion/opinion/questions</i>	<i>No. of top-3 stickers</i>
Scrap planning by appeal	0
Better training for decision makers to improve poor perception of Planning Authorities	1
Meaningful, early discussion with developers	0
Improve development monitoring/resourcing	1
Stop repeat applications/'twin tracking'/sequential build up in successive applications	4
Need to enforce/sign off pre-application consultation	1
No 'commercial confidentiality' in planning applications/consultations	2
More use of brownfield sites/redevelopment	1
More use of compulsory purchase	1
Proper pre-application consultation encouraged and a second public meeting	2
Objections should be answered	1
Better plans/sketches/models so people can see/imagine the real world scenario	3
More visionary	0
Facilities have to be provided	0
Stop land-banking and close all loopholes	2
No major applications sneaked in at quiet times, i.e. summer holidays and Christmas time	0
3 rd party right of appeal	0
Pay attention to large number of objections and/or communities united in opposition to developments	1
Improved neighbour notification	0

Finally the parting words from the participants on their aspirations for ideal planning included:

Releasing enterprise in others; a good mind (a mini-Patrick Geddes); a strong leader; re-invented; common-sense; community based; honesty; understanding; listening; democratic; consistent; even-handed; diplomatic; able to interpret a sense of balance between parties; good aesthetic judgement; qualified; structured, organised thinker with good 3d vision; independent; visionary; work for public good; impartial.

Planning Committee

10.00am, Thursday, 30 March 2017

Airspace Change Programme: Consultation on Flight Paths

Item number	9.2
Report number	
Executive/routine	Executive
Wards	All

Executive summary

The purpose of this report is to approve a formal response to Edinburgh airport operator's second consultation on planned changes to the Edinburgh's airspace flight paths.

The airport operator is planning to use more tightly define airspace flight paths by taking advantage of modern technology and to facilitate the expansion of the use of Edinburgh airport. The response identifies specific issues related to the proposed flight paths with regard to the noise impact on Edinburgh residents and the impacts on habitats and designated sites of international/national importance.

Links

Coalition pledges	P15 , P28
Council priorities	CP2 , CP8 , CP11
Single Outcome Agreement	SO1 , SO2

Airspace Change Programme: Consultation on Flight Paths

1. Recommendations

- 1.1 It is recommended that Committee:
 - 1.1.1 approves Appendix 2 as its response to the second consultation on the Airspace Change Programme; and
 - 1.1.2 refers this report to the Transport and Environment Committee for information.

2. Background

- 2.1 The Airspace Change Programme: departure and arrival procedures; is a consultation paper that sets out how the Edinburgh airport operator intends to expand airport passenger traffic flows; ensuring that it continues to support Scotland's aspirations for expansion of airport use in a safe and effective way. The key element of this proposal is the modernisation of the airport's existing airspace routes.
- 2.2 The existing routes used by aircraft (termed 'conventional' routes) rely on the 1950s technology of ground based radio beacons. A well established more modern and therefore accurate form of navigation is proposed, called 'area navigation' (RNAV). This uses a combination of satellite and ground-based navigation technology to permit aircraft to follow a more precisely defined path over the ground with far greater accuracy than is possible with conventional routes. This in turn enables pilots to fly pre-determined, predictable arrival and departure profiles.
- 2.3 Processes are under way at a European level which require modernisation of the route system for the UK and other European countries. If the UK is to keep pace with the changes in the surrounding countries, airspace routes need to be upgraded to RNAV standards.
- 2.4 As part of the process of modernising the airspace routes Edinburgh airport is required to carry out a two stage consultation process. An initial consultation was carried out last year seeking stakeholder views with regard to broad airspace envelopes (areas within which each flight path may be positioned). The Council submitted a response raising concerns with regard to the impact of noise on Edinburgh residents and the impacts on habitats and designated sites of international/national importance.

- 2.5 The airport operator has also recently consulted stakeholders on its revised airport Masterplan. This will replace its existing 2011 version and sets out a strategy for guiding the development of the airport from 2016 to 2040. A formal response was approved by the Planning Committee on [2 March 2017](#) which raises a number of environmental, transport and planning issues.

3. Main report

Proposed Airspace Changes

- 3.1 Following the initial consultation on broad airspace envelopes the airport operator has now prepared a series of detailed arrival and departure flight path options for aircraft below 7000ft for consultation.
- 3.2 What is clear from the second round of consultation material is that a significant proportion of the Edinburgh urban area is outwith all the proposed airspace flight paths. In effect aircraft circle around the urban area. This means that none of the Council's noise management areas or designated quiet areas are affected. In addition, where aircraft are at higher altitudes, 4000ft or more, the noise impact for residents is significantly diminished, to the level that would be expected about one metre from an average vacuum cleaner. Therefore, the key areas of concern are at the ends of the runway from approaching and departing aircraft.
- 3.3 It should be noted that the Council has no powers to directly control aircraft noise. The airport operator is responsible for preparing noise maps and submitting them to Scottish Ministers. However, only the Secretary of State under the Civil Aviation Act can impose direct restrictions on noise. With regard to the planning system the airport operator has various permitted development rights under class 44 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended. Where any development falls outwith the defined permitted development, the planning authority can attach conditions which are relevant to the development proposed. It is unlikely that these conditions could be linked to aircraft noise, other than in very specific circumstances, for example, in the context of a planning application for a second runway. However, in assessing an application consideration would have to be given to relevant material considerations, including the fact that the airport is a national development in NPF3.
- 3.4 In identifying flight path options the operator has sought to: minimise the number of people over flown (including known areas of new housing development), be as efficient as possible in terms of minimising CO2 emissions, meet regulatory requirements (including safety) and deliver operational requirements. Inevitably compromises have had to be made. In addition, a preferred option for each flight path is identified for each departure route.
- 3.5 It should be noted that the consultation does not set out any proposed changes to arrival routes. Although the operator is intending to publish a suggested flight

- path for each arrival route this will be indicative, as flexibility is required so that air traffic control can maintain a safe and orderly flow of arriving aircraft.
- 3.6 The operator did consider non-conventional final approaches such as steeper approaches and offset arrivals. However, research concluded that these approaches cannot be used by the majority of the airline and aircraft types using the airport, due to regulatory and weather related reasons. As a result, flights arriving from the east will continue to pass directly over Cramond, and flights arriving from the west will continue to pass directly over Newbridge, in alignment with the runway. However, it should be borne in mind that arriving aircraft make considerably less noise than departing aircraft.
 - 3.7 The preferred departure routes for aircraft exiting the main runway to the east keep flight paths to the west of Cramond, and prevent existing residents being overflown. This principle applies to all flights exiting to the east regardless of where their destination is. It is worth noting aircraft departures to the east make up just 21% of total departures, and are only necessary when the wind is coming from an easterly direction.
 - 3.8 The preferred departure routes to the west all pass directly over Newbridge and the former Continental Tyres site, before separating depending on the destination. Westerly departures make up 79% of all flights. Flights with a destination to the south (route A), or the west (route B), or the north (route C), only affect properties in West Lothian and as a result do not raise any new issues of concern to Edinburgh residents.
 - 3.9 The only flight path route that raises potential concerns is route D which is for flights with a destination to the east. The diagram in Appendix 1 shows the route options including the airport operator's preferred route. The key concern is the potential noise impact on the residents of South Queensferry. The Airport operator has sought to identify a route which avoids as much as possible the residents of Broxburn, Winchburgh and South Queensferry. The preferred route (D0) has a very tight radius, and the intention is that aircraft will pass just to the east of Winchburgh. However, in doing so, the route then passes very close to the western edge of South Queensferry, particularly once the new housing site to the west of Queensferry is taken into account. Once the route passes Queensferry it turns east and heads up the centre of the Firth of Forth.
 - 3.10 From the perspective of residents on the west side of Queensferry, option D1 looks preferable, however, as the route heads up the Forth it is in closer proximity to the northern edge of Queensferry than D0. Both route D0 and D1, would seem to have a similar impact on Winchburgh, albeit passing on different sides of the settlement. The solution to this could be a hybrid route as identified on Appendix 2, consisting of part of route D0 and part of D1 and it is recommended that the Council's response puts forward that suggestion for the airport Operator's consideration.

Proposed Response

3.11 With regard to departure routes the airport operator should be commended for identifying routes, which for the most part, minimise the impact on Edinburgh residents. The attached response (Appendix 2) sets out the issues which should be taken into account by the Airport Operator prior to submitting its Airspace Change Proposal to the Civil Aviation Authority (CAA). In particular, the key issues are:

- in identifying flight path D consideration should be given to a hybrid route as set out in the response in order to reduce the impact of aircraft noise on residents in South Queensferry; and
- the consultation document does not seem to have taken account of the impact of the proposed flight paths on international designated sites in the Firth of Forth nor has it acknowledged that there may be a requirement for a Habitat Regulations Appraisal (HRA) to be undertaken by the consenting authority.

Next Steps

3.5 Once the consultation period has ended a feedback report will be prepared by the airport operator and published on their website. This will include details of the main issues that have been raised by stakeholders during the consultation period. Once this consultation has ended Edinburgh Airport will submit an Airspace Change Proposal to the CAA in which it must demonstrate that the proposed design changes achieve the best balance possible.

3.6 It is a requirement of the airspace change process that the Edinburgh airport operator provides the CAA with full details of the consultation (including copies of responses and correspondence) together with all documentation necessary for the implementation of the proposed RNAV routes.

3.7 The CAA will then review the proposal (which can take up to 17 weeks) and reach a regulatory decision. If the proposal is approved, the implementation process could take a further twelve weeks. The target date for the RNAV routes to come into operation is summer 2018.

4. Measures of success

4.1 Success can be measured by the extent to which the airport operator has taken account of the Council's comments in its submission to the CAA.

4.2 Stakeholders are kept well informed of the results of the consultation process.

5. Financial impact

5.1 There are no direct financial impacts arising from this report.

6. Risk, policy, compliance and governance impact

- 6.1 Failure to submit a consultation response by the due date may result in the airport operator failing to take into account an important concern when preparing the draft flight path options.
- 6.2 The report does not raise any health and safety, governance, compliance or regulatory issues other than those set out above.

7. Equalities impact

- 7.1 There is no equalities impact arising as a result of this report's proposed response. The Airport operator is preparing an equalities impact assessment which will be submitted to the CAA alongside its flight path proposals.

8. Sustainability impact

- 8.1 The impacts of this report in relation to the three elements of the Climate Change (Scotland) Act 2009 Public Bodies Duties have been considered, and the outcomes are summarised below. Relevant Council sustainable development policies have been taken into account.
- The proposals in this report will reduce potential carbon emissions as the proposed flight paths have been selected to ensure they are as short and efficient as possible, and allow aircraft to achieve cruising altitude as quickly as possible;
 - The need to build resilience to climate change impacts is not relevant to the proposals in this report because it forms a response to a consultation on proposed airspace flight paths the key purpose of which is to allow more efficient use of airspace;
 - The proposals in this report will help achieve a sustainable Edinburgh because the Council's consultation response recommends that the habitats and international and national designations relating to the Forth Estuary are taken into account when identifying the airspace flight paths;
 - Social justice is not considered to impact on the proposals in this report because the report forms a response to a consultation on proposed airspace flight paths;
 - The proposals in this report will help achieve a sustainable Edinburgh because the proposed flight paths aim to make more efficient use of airspace in turn enabling the expansion of airport operations. The airport provides a strong contribution to the local economy and these proposals will help generate further support for local businesses.

9. Consultation and engagement

- 9.1 The airport operator published its consultation paper on 30 January for a 13 week consultation period. The deadline for comments is 30 April 2017.
- 9.2 The airport operator will consider comments received in the preparation of its submission to the CAA for approval. It will publish a Feedback report on its web site prior to its submission to the CAA.

10. Background reading/external references

- 10.1 [The Edinburgh Airspace Change Programme Consultation Document](#)

Paul Lawrence

Executive Director of Place

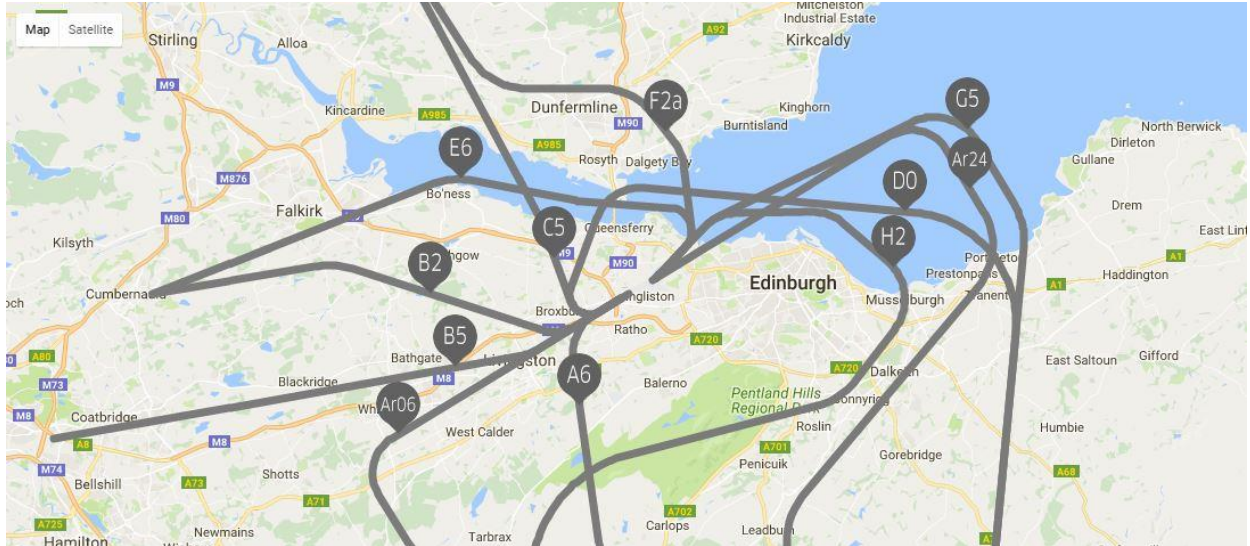
Contact: Keith Miller, Senior Planning Officer

E-mail: keith.miller@edinburgh.gov.uk Tel: 0131 469 3932

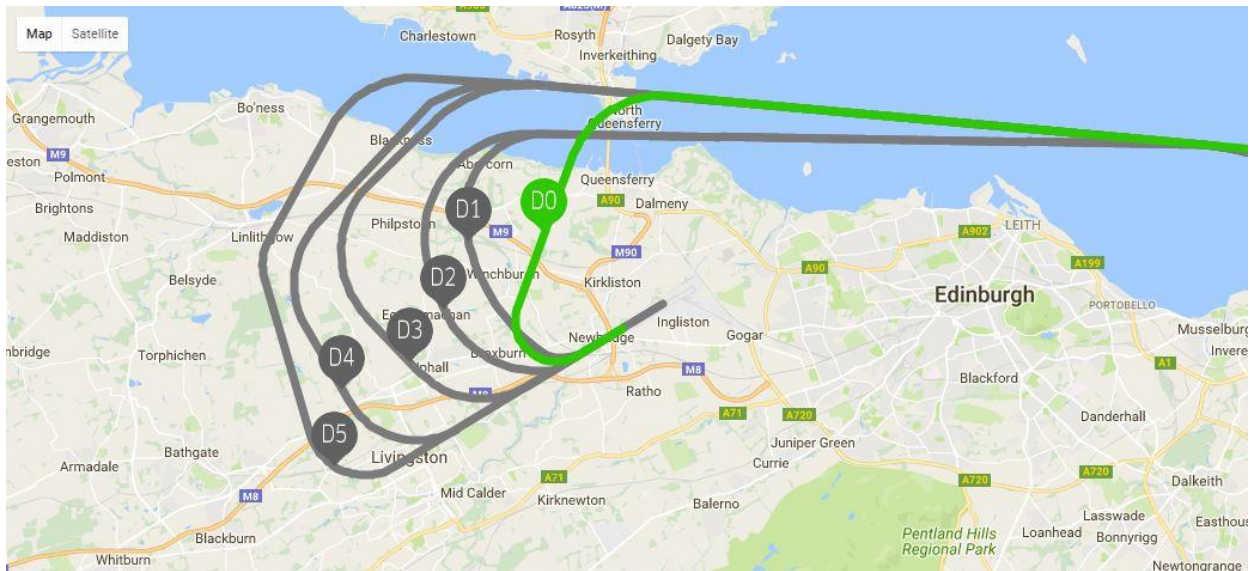
11. Links

Coalition pledges	P15 - Work with public organisations, the private sector and social enterprise to promote Edinburgh to investors P28 - Further strengthen our links with the business community by developing and implementing strategies to promote and protect the economic well being of the city.
Council Priorities	CP2 - Improved health and well being: reduced inequalities CP8 - A vibrant, sustainable local economy CP11 - An accessible connected city
Single Outcome Agreement	SO1 - Edinburgh's economy delivers increased investment, jobs and opportunities for all SO2 - Edinburgh's citizens experience improved health and wellbeing, with reduced inequalities in health
Appendices	Appendix 1- Preferred Airspace Flight Paths Appendix 2 - Response to Airspace Change Programme: Consultation on Flight Paths

Preferred Airspace Flight Paths



Route D Options



Response to Airspace Change Programme: Consultation on Flight Paths

The Council welcomes the opportunity to respond to a second consultation on proposed Edinburgh Airport airspace flight paths. The Council commends the Airport Operator for seeking to minimise the impact of noise on Edinburgh residents.

The Council considers that the proposed flight paths raise the following issues.

- The areas immediately to the east and west of the main runway where aircraft are at low altitude are the areas most affected by noise, particularly when aircraft are ascending. The Council supports the proposed departure routes to the east of the Airport which have been designed to minimise the noise effects on Crammond, which is predominantly a residential area, by keeping aircraft to the west of the area.
- To the west, departing aircraft pass over Newbridge. Although the majority of routes do not affect Edinburgh residents, the Council considers route D has a potential noise impact on the residents of South Queensferry. The Council notes that in identifying route options the Airport operator has sought to identify a route which avoids as much as possible the residents of Broxburn, Winchburgh and South Queensferry. The preferred route (D0) has a very tight radius, and the intention is that aircraft will pass just to the east of Winchburgh. However, in doing so, the route then passes very close to the western edge of South Queensferry, particularly once the new housing site to the west of South Queensferry is taken into account. Once the route passes South Queensferry it turns east and heads up the centre of the Firth of Forth. From the perspective of residents on the west side of Queensferry, option D1 looks more preferable, however, as the route heads up the Forth it is in closer proximity to the northern edge of Queensferry than D0. Both route D0 or D1, would seem to have a similar impact on Winchburgh, albeit passing on different sides of the settlement. The solution to this could be a hybrid route as identified below, consisting of part of route D0 and part of D1 and it is recommended that the airport Operator's considers this prior to making its submission to the CAA.
- The second consultation does highlight some sites which have planning consent for residential use in the Newbridge area. In order to fully assess the impacts on other potential development sites as identified in the Local Development Plan an updated overall noise contour map should be produced similar to the one on the Edinburgh Airport web [site](#). This will enable the Council to see the impacts the changes may have on the LDP sites more clearly.
- The Council supports the airport operator's commitment to undertake an equalities and rights assessment for submission to the CAA along with the proposed flight paths.
- The identification of new flight paths does not seem to take cognisance of, or consider the potential affect on, international designated sites including Natura sites, namely the Firth of Forth Special Protection Area and the Forth Islands Special Protection Area. Nor has it acknowledged that there may be a

requirement for a Habitat Regulations Appraisal (HRA) to be undertaken by the consenting authority. These are issues that the Council raised in its original submission.

Suggested Hybrid Route

