

Notice of meeting and agenda

Planning Committee

10.00 am, Thursday, 17 August 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 30 March 2017 – (circulated - submitted for approval as a correct record)

5. Planning Policy

- 5.1 Strategic Development Plan 2 and SESplan Operating Budget 2017-18 – report by the Executive Director of Place (circulated)
- 5.2 Scottish Government Review of the Planning System – update and position statement – report by the Executive Director of Place (circulated)

6. Planning Process

- 6.1 Edinburgh Planning Guidance: Review of Guidance for Householders – report by the Executive Director of Place (circulated)
- 6.2 Planning Committee Training and Awareness Raising Programme – report by the Executive Director of Place (circulated)

7. Planning Performance

- 7.1 Planning and Building Standards Customer Engagement Strategy and Building Standards Improvement Plan – report by the Executive Director of Place (circulated)

8. Conservation

- 8.1 Finalised New Town Conservation Area Character Appraisal – report by the Executive Director of Place (circulated)

9. Motions

- 9.1 None

Laurence Rockey

Head of Strategy and Insight

Committee Members

Councillors Ritchie (Convener), Booth, Ian Campbell, Child, Dixon, Graczyk, Griffiths, Mitchell, Mowat, Osler and Staniforth.

Information about the Planning Committee

The Planning Committee consists of 11 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 Carol Richardson, Committee Services, City of Edinburgh Council, Waverley Court, Business Centre 2.1, 4 East Market Street Edinburgh EH8 8BG, Tel 0131 529 426, e-mail stephen.broughton@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, 30 March 2017

Present

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

1. Minutes

Decision

To approve the minute of the Planning Committee of 2 March 2017 as a correct record.

2. Business Bulletin

The Planning Business Bulletin of 30 March 2017 was presented.

Decision

To note the Business Bulletin.

3. Old and New Town World Heritage Site Draft Management Plan 2017-2022

It was reported that the UNESCO Convention on World Heritage required 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 had been reviewed.

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

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

Decision

- 1) To approve the draft Old and New Towns of Edinburgh World Heritage Site Management Plan 2017- 2022 for consultation.

- 2) To thank the officers for their work.

(References – Planning Committee 25 February 2016 (item 6); report by the by the Executive Director of Place, submitted.)

4. Supplementary Guidance: Developer Contributions and Infrastructure Delivery - Finalised

Approval was sought of the finalised Supplementary Guidance (SG) on Developer Contributions and Infrastructure Delivery. The SG had 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 could be formally adopted as part of the development plan, supplementing the LDP.

Decision

- 1) To approve Appendix 1 of the report by the Exrcutive Director of Place as the finalised Supplementary Guidance on Developer Contributions and Infrastructure Delivery.
- 2) To note that it would be adopted as part of the statutory development plan.
- 3) To authorise the Executive Director of Place to make minor editorial changes to the report.

(References – Planning Committee 8 December 2016 (item 5); report by the by the Executive Director of Place; submitted.)

5. Flood Impact of New Developments – Certification Process

Approval was sought to permanently implement a certification procedure in the assessment of the flooding impact of new development during the planning application process..

Decision

To approve 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.

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

6. Scottish Government Review of Planning – Response to Places, People and Planning Consultation Paper

Approval was sought for a formal response to the Scottish Government consultation paper – Places, People and Planning.

Decision

To agree to Appendix 1 of the report by the Director of Place as the Council's written response to the Scottish Government consultation on the future of the Scottish Planning system.

(References – Planning Committee 11 August 2016 (item 4); report by the by the Executive Director of Place; submitted.)

7. Airspace Change Programme: Consultation of Flight Paths

Approval was sought for a formal response to Edinburgh airport operator's second consultation on planned changes to the Edinburgh's airspace flight paths.

The airport operator was 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 identified 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.

Decision

- 1) To approve Appendix 2 of the report by the Director of Place as its response to the second consultation on the Airspace Change Programme.
- 2) To refer the report to the Transport and Environment Committee for information.
- 3) To note that the Council had no powers to directly control aircraft noise. The airport operator was responsible for preparing noise maps and submitting them to Scottish Ministers. However, only the Secretary of State under the Civil Aviation Act could impose direct restrictions on noise

(References – Planning Committee, 2 March 2017 (item 13); report by the by the Executive Director of Place; submitted.)

Planning Committee

10.00am, Thursday, 17 August 2017

Strategic Development Plan 2 and SESplan Operating Budget 2017/18

Item number	5.1
Report number	
Executive/routine	Executive
Wards	All

Executive Summary

The purpose of this report is to provide an update on the current status of Strategic Development Plan 2 (SDP2) which has been submitted to Scottish Ministers for examination.

The 2017/18 operating costs of SESPlan, the body responsible for preparing the SDP, have been approved by the SESplan Joint Committee and this report seeks ratification of the decision. The operating costs of £299,000 will be met by equal contributions from member authorities totalling £264,000 and the shortfall made up from SESplan reserves.

Links

[Coalition Pledges](#)
[Council Priorities](#)
[Single Outcome Agreement](#)

Strategic Development Plan 2 and SESplan Operating Budget 2017/18

1. Recommendations

- 1.1 It is recommended that the Committee:
 - 1.1.1 notes that SESplan's Proposed Strategic Development Plan 2 has been submitted without modifications to Scottish Ministers for examination;
 - 1.1.2 notes the submission by SESplan Joint Committee to the call for evidence on the National Transport Strategy Review;
 - 1.1.3 ratifies the decision of the SESplan Joint Committee to approve the SESplan Operating Budget 2017/18 (Appendix 1); and
 - 1.1.4 to note the action by the Executive Director of Place in consultation with the Convenor of the Planning Committee in accordance with paragraph 4.1 of the Committee Terms of Reference and Delegated Functions to authorise payment of £44,000 as the Council's contribution for the financial year 2017-18
 - 1.1.5 to refer the report the Housing and Economy Committee for information.

2. Background

- 2.1 SESplan is the Strategic Development Planning Authority for South East Scotland. It is a partnership of six member authorities including Edinburgh, East Lothian, Midlothian, Fife, Scottish Borders and West Lothian, working together on strategic development planning matters.
- 2.2 SESplan has a core team of staff, assisted by member authority staff, and operates through a Joint Committee made up of two members from each member council. SESplan is resourced from equal financial contributions by the six member authorities.
- 2.3 SESplan's key role is to prepare and maintain an up to date Strategic Development Plan (SDP) for the South East Scotland area. The purpose of the SDP is to set out a vision for the long term development of the city region and deal with cross boundary issues such as housing and transport. The first SDP was approved by Scottish Ministers on 27 June 2013. There is a requirement to review the SDP within four years of its approval.

- 2.4 An annual operating budget is prepared by SESplan. The SESplan Joint Committee approved the SESplan Operating Budget 2017/18 on 13 March 2017. SESplan financial rules require that this decision is ratified by member authorities.

3. Main report

Proposed SDP2 Submission for Examination

- 3.1 SESplan's Proposed Strategic Development Plan 2 (SDP2) was published for consultation in October 2016. Representations received were considered by SESplan Joint Committee in March 2017. A decision on submission of SDP2 was continued to allow time to consider the implications of conclusions of a Cross Boundary Study (CBS), which due to slippage, was subsequently received in April 2017. The CBS considers how growth such as new housing and employment as set out in the current SDP will impact on transport movements which cross local authority boundaries within the region. The receipt of the final CBS allowed for further understanding and confirmed that the additional transport impacts as a result of the Proposed SDP2 are minimal at the regional scale.
- 3.2 Overall no representations were received which would require a change to SDP2's strategy or themes. As no changes are proposed SESplan Joint Committee is authorised, under delegated authority, to proceed with submission of the Proposed SDP2 to Scottish Ministers without the need for ratification by member authorities. The submission of the Proposed SDP2 to Scottish Ministers for examination without modifications was approved by SESplan Joint Committee on 26 June 2017. The examination will consider outstanding issues raised through representations and is expected to begin in August 2017. The anticipated date for SDP2 approval is Spring 2018.

Strategic Transport Infrastructure

- 3.3 The SESplan area as evidenced in the CBS currently experiences significant rail and road transport pressures, particularly on approaches to and from Edinburgh. SESplan will prepare a Cross Boundary Transport Contributions Framework to help fund some of the transport improvements needed to deliver the vision of the Proposed SDP2. The framework will be limited to seeking contributions from developments which could be considered to result in increased cross boundary trips and which do not already have planning permission. This means that the proportion of transport measures which could be funded through the framework is relatively small and it would not be able to solve all of the transport problems identified in the CBS.
- 3.4 The SESplan Joint Committee agreed on the 26 June 2017 to prepare a response to the current call for evidence on the National Transport Strategy Review. This decision reflected the relevance of future investment in and planning of national transport infrastructure particularly within the SESplan area. It also reflects the desire of the SESplan Joint Committee to work with Scottish Government in

improving the growth prospects for the City region by enhancing accessibility and choice.

Operating Budget

- 3.5 The SESplan Operating Budget 2017/18 sets out total expenditure of just over £299,000. Fixed costs total approximately £195,000. The greatest spend is staffing for which a budget of £160,000 has been identified. There are a number of other fixed costs, the largest of which are rent, IT and travel.
- 3.6 Variable costs are related to the development plan cycle. The [SESplan Development Plan Scheme](#) sets out the timeline for reviewing the SDP. The SESplan Joint Committee agreed to submit SDP2 for examination at the end of June 2017.
- 3.7 The main workstreams over the next year will be the preparation of the submission package for the Examination, the Examination itself, which may involve hearings and requests for further information and preparation of supplementary guidance as required by the Proposed Plan. SESplan will also prepare a project plan for evidence gathering and will continue to progress corporate workstreams including audit, finance, risk management and performance.
- 3.8 Most of the £105,000 variable costs are attributable to consultancy fees. This consists of an allowance of £30,000 for the Examination and £60,000 to inform Supplementary Guidance on Developer Contributions which is a requirement of the Proposed Plan. The full budget is set out at Appendix 1 to this report.
- 3.9 Each member authority is liable for one sixth of the annual Operating Budget. Using the reserves built up in 2016/17, the SESplan Joint Committee agreed that the contributions per member authority for 2017/18 be set at £44,000. This is below that of the 2016/17 contribution of £46,550.
- 3.10 SESplan Financial Rules state that member authority contributions are to be in place by the end of April each year.
- 3.11 The Council's approved budget for 2017/18 makes provision for the contribution to SESplan and the payment has already been made to Fife Council, the authority responsible for administering the SESplan budget.

4. Measures of success

- 4.1 Sufficient funding in place to progress the SDP in accordance with the Development Plan Scheme.

5. Financial impact

- 5.1 The Council is required to make a contribution of £44,000 towards the SESplan operating costs – this is a reduction of £2,550 against the 2016/17 payment. The

sum is contained within the approved Planning Service revenue budget for 2017/18. Payment has been made to Fife Council, the authority responsible for administering SESplan's budget.

6. Risk, policy, compliance and governance impact

- 6.1 There are risks to the development plan process if sufficient funding is not available to progress the SDP at a rate which provides up to date strategic planning policy context for the timeous progression of the Local Development Plan. 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. The identified operating budget should ensure timeous progress of the SDP.

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.

9. Consultation and engagement

- 9.1 No consultation has been undertaken in relation to the preparation of this report. The SDP has been subject to statutory consultation.

10. Background reading/external references

- 10.1 [SESplan Development Plan Scheme 9](#)
- 10.2 [Report to SESplan Joint Committee 26 June 2017-Item 7 – Strategic Development Plan 2 Submission](#)

Paul Lawrence

Executive Director of Place

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11. Links

Coalition Pledges

Council Priorities

**Single Outcome
Agreement**

Appendices

Appendix 1 - Report to SESPlan Joint Committee 13 March
2017- Item 9 Finance

ITEM 9 – FINANCE

Report by: Alice Miles, Acting SDP Manager

Purpose

This Report presents an update on the SESplan Operating Budget for 2016 / 2017 and 2017 / 2018 following the discussions at the SESplan Joint Committee on the 24 November 2016.

Recommendations

It is recommended that the SESplan Joint Committee:

1. Note the updated forecast expenditure against the approved Operating Budget for 2016 / 2017 set out within Appendix B to this Report;
2. Approve the updated Operating Budget for 2017 / 2018 set out within Appendix B to this Report;
3. Note that member contributions for financial year 2017 / 2018 have been reduced and are set at £44,000 (excluding VAT) per authority (as set out within Appendix B to this Report), payable to Fife Council by the 30 April 2017;
4. Note that member authorities are required to ratify the decisions above and to make their required contributions subsequently; and
5. Note that an Operating Budget for 2018 / 2019 will be brought to the November 2017 meeting of the SESplan Joint Committee.

1. Background

- 1.1 The SESplan Financial Rules set out that Operating Budgets for the next financial year should be proposed by the SDP Manager, approved by the SESplan Joint Committee and that decision ratified by the member authorities by the end of December. In compliance with these rules, the SESplan Joint Committee at its meeting on the 24 November considered:

- Expenditure against the approved Operating Budget for 2016 / 2017 up to October 2016;
- Total forecast expenditure against the approved Operating Budget for 2016 / 2017; and
- Operating Budget for 2017 / 2018 and indicative Operating Budgets for 2018 / 2019 and 2019 / 2020.

1.2 The SESplan Joint Committee agreed to approve the Operating Budget for 2017 / 2018 in principle and that a review of SESplan expenditure and future budgets would be brought to the next meeting in March 2017.

2. SESplan Operating Budget 2016 / 2017

2.1 The SESplan Joint Committee considered the latest position on the Operating Budget for the financial year 2016 / 2017 as at October 2016 (see Appendix A). The latest position as at February 2017 is included as Appendix B.

2.2 The largest spend by SESplan is on staffing. As set out in Appendices A and B, the total forecast for staffing at October 2016 was estimated at just over £197,000. The position as at February 2017 is just under £205,000. The increase in staffing over the period October 2016 – March 2017 is related to the publication of the Proposed Plan and preparation for Submission. Tasks have included running events through the period for representations, logging all representations received by email and letters, summarising all 802 representations, preparing the summary of unresolved issues within 25 Schedule 4s and preparing for Joint Committee. From publication of the Proposed Plan in October 2016 to reporting the SESplan responses to the representations received in the Schedule 4 format to the SESplan Joint Committee will have taken 19 weeks. Across the member and other strategic authorities, this process has taken on average 41 weeks.

2.3 The approved Operating Budget 2016 / 2017 includes a total staffing budget of just over £227,000. Therefore whilst the updated position shows an overspend in staffing on the estimates reported to Joint Committee in November, overall when the latest February 2017 position is compared with the approved Operating Budget for 2016 / 2017 there is a saving in staffing of just under £23,000.

- 2.4 The Operating Budget for 2016 / 2017 also includes other fixed costs relating to accommodation, audit fees (professional fees), IT software and hardware, training and travel. The forecast considered by Committee in November 2016 was a spend in these areas of just under £33,000 (see Appendix A). The updated forecast at February 2017 (See Appendix B for more detail) is a spend in these areas of just over £32,000.
- 2.5 Overall at November 2016, it was estimated that there would be a saving across all fixed costs of around £34,200. The final position at February 2017 is that there will be an underspend of around £27,600. This is some £6,600 below the position reported to the Joint Committee, however the final underspend still represents a 10% saving on the fixed costs in the approved Operating Budget for 2016 / 2017.
- 2.6 The approved 2016 / 2017 Operating Budget also includes an allowance of £22,000 for variable costs. The largest spend in 2016 / 2017 was related to the Transport Appraisal of SDP2. This was estimated at £16,000 with final costs around £13,000, an underspend of just over £3,000. This spend was partially spent in financial year 2015 / 2016, with the balance of around £8,900 paid from financial year 2016 / 2017. There has been an overspend in printing / photocopying of the Proposed Plan. The approved Operating Budget did not include costs for sending hard copies of the Proposed Plan to each of the 257 community councils within the SESplan area. This additional printing therefore incurred additional costs. Overall, the position reported to Committee in November was an overspend in variable costs of £5,500. The updated position at February 2017 now shows an underspend in variable costs against the approved Operating Budget of around £1,800.
- 2.7 Across the entire Operating Budget for 2016 / 2017, the updated position as at February 2017 is not markedly different from that reported to Joint Committee in November 2016. The updated position at February 2017 is that there will be an overall underspend on the approved SESplan Operating Budget 2016 / 2017 of around £29,400. This represents a 10% saving.

3. SESplan Operating Budget 2017 / 2018

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- 3.1 Table 1 below provides an outline summary of the Work Programme for financial year 2017 / 2018.

Table 1 – Core Team Summary Work Programme 2017 / 2018

Task	Period	Weeks
<p>Submission of SDP2</p> <ul style="list-style-type: none"> - Final format all Schedule 4s as per DPEA requirements - For all Schedule 4s (in hard copy and electronic format) - Prepare Contents Page, Source relevant extract of Representee and Authority Supporting Documents and highlight relevant text and Compile relevant Representations any supporting information. - Compile Core Documents - Set up Contacts List - Draft Advert for Notification of Submission - Draft Letter requesting Examination - Mail out to all Representees advising of Submission 	<p>13 Mar – 2 Jun 2017</p>	<p>12 Weeks</p>
<p>Examination of SDP2</p> <ul style="list-style-type: none"> - Assessment of Compliance with Report of Conformity - Examination formally commences - Examination / Period for Further Information Requests - Hearing - Target Date for Report of Examination - Ministers consider Examination Report and Approve, Modify or Reject the Plan - Edit and publish final SDP2, Prepare Post Adoption SEA Statement for submission to SEA Gateway and Habitats Regulation Appraisal for submission to SNH and Publish Action Programme 	<p>2 Jun – 14 Jul 2017 14 Jul 2017 Jul 2017 – Mar 2018 Dec 2018 Mar 2018 Mar – May 2018 May – Aug 2018</p>	<p>6 Weeks 33 Weeks 4 Weeks 8 Weeks 12 Weeks</p>
<p>Supplementary Guidance</p> <ul style="list-style-type: none"> - Cross Boundary Developer Contributions Framework - Cross Boundary Green Network Priority Areas <ul style="list-style-type: none"> > South East > Edinburgh and West - Heat (TBC through SDP2 Examination) - Minerals (TBC through SDP2 Examination) - Wind (TBC through SDP2 Examination) 	<p>Preparation of Draft x 3 (x 6) Joint Committee Approval – Mar 2018 Consultation Apr – May 2018 Joint Committee Approval of Modified Guidance (if Required) – Sept 2018 Submit to Scottish Government – Dec 2018</p>	<p>24 Weeks 6 Weeks</p>

Task	Period	Weeks
Evidence Gathering <ul style="list-style-type: none"> - Monitoring Statement - Housing Need and Demand Assessment - Identifying Housing Supply Targets - Spatial Strategy Assessment 	Project Plan – Jan 2018	
Other Workstreams <ul style="list-style-type: none"> - Development Plan Scheme 10 - Finance (Unaudited and Audited Accounts, Monitoring Reports, Annual Audit, Operating Budget 2018 / 2019) - Annual Report / Planning Performance Framework - Risk Management - Joint Committee Work Plan - Annual Housing Land Update 	Feb – Mar 2018 Jun, Sep and Nov 2017, Mar 2018 Jul 2017 Nov 2017 Nov 2017 Nov 2017	8 Weeks 4 Weeks 4 Weeks 4 Weeks 4 Weeks

- 3.2 Over the first two months of the 2017 / 2018 financial year, the Core Team will be focussed on preparing the Submission package for Examination. On the basis of the TAYplan and CLYDEplan Examinations it is anticipated that Further Information Requests will begin to be received around mid-October 2017, with a Hearing in mid-December. The Report of the Examination is anticipated to be received around the beginning of March 2018, with approval of SDP2 in May 2018.
- 3.3 The Proposed Plan states that Supplementary Guidance will be required to be prepared on Cross Boundary Developer Contributions Framework and Green Network Priority Areas for Key Areas of Change South East and Edinburgh and West. The response on the Proposed Plan from Scottish Government advised that further work is required on heat, wind and minerals and that this work should also take the form of Supplementary Guidance. SESplan disagrees that further Supplementary Guidance is required in these areas; however the requirement to prepare this additional guidance is dependent on the outcome of the Examination. The Reporter may be so minded to require Supplementary Guidance is prepared. Any Supplementary Guidance will be required to be approved within one year of Plan approval i.e. no later than May 2019.
- 3.4 The staffing assumptions reported to Joint Committee in November 2016 remain the same; however it is anticipated that savings will be made in staffing over the 2017 / 2018 financial year (the Planner post for example will be vacant from April 2017). These savings will be fed into the SESplan reserves where it is anticipated that significant savings both in the Operating Budget and member contributions will be made in financial year 2018 / 2019 (see Section 4 below).
- 3.5 For other fixed costs within 2017 / 2018, costs remain largely the same (assumed at £32,500 in November 2016, updated to £33,300 in February 2017). The training budget has been reduced in line with spend in previous years and the IT software and maintenance costs have been slightly increased to more accurately reflect the spend required. The largest spend on IT is for Objective and the online SESplan Consultation Portal at £11,000. A £1,000 saving has been negotiated with Objective for the next financial year. Costs for accommodation in West Lothian Civic Centre remain the same.

- 3.6 The variable costs within the Operating Budget are slightly reduced from the position in October 2016. Printing / photocopying costs have been reduced from £4,000 to £1,000 reflecting that SDP2 will be approved within financial year 2018 / 2019 and will therefore not require to be printed in this financial year. All other costs remain the same, with a £90,000 allowance for consultancy fees. This includes £30,000 for the Examination into SDP2. Costs for the Examination are estimated and are subject to change dependant on the length and complexity of the Examination. It is prudent to allow a contingency within the variable costs should the costs increase.
- 3.7 The remaining variable budget of £60,000 is for background appraisal to inform the Supplementary Guidance on Developer Contributions. Again exact costs for this work cannot be identified at present as the background appraisal will build on the Cross Boundary Study currently being undertaken by Transport Scotland. The scope of the appraisal will identify which transport interventions we may wish to fund through developer contributions and the subsequent geographies as to where those developer contributions will be sought from. The scope of the appraisal will be confirmed once the Study is published and will also review resources available in-house ensuring minimal spend on consultancy fees where possible.
- 3.8 As detailed in Appendix A, the Budget for 2017 / 2018 approved in principle in November set out total expenditure of just under £302,000. This was to be met by contributions of £46,550 from each member authority. The updated position at February 2017 is total expenditure of just over £299,000, a saving of around £2,500. Using the reserves built up in 2016 / 2017 and on the assumption that significant savings will be made within the 2018 / 2019 Operating Budget and member contributions, it is proposed that the contributions per member authority for 2017 / 2018 are reduced to £44,000, a saving of £2,550 per member authority.

4. SESplan Operating Budget 2018 / 2019 Onwards

- 4.1 Into 2018 / 2019 and following the conclusion of the Examination in early 2018, with approval of SDP2 in May 2018, SESplan will statutorily be required to finalise SDP2 for printing and publication and commence work on the post adoption SEA statement, Habitats Regulation Appraisal and Action Programme. SESplan will also be required to continue progress on corporate workstreams including audit, finance, risk management and performance.

- 4.2 Ordinarily, a timeline for the next SDP, SDP3 would now be identified as the programme for SDP2 comes to an end. However the consultation on the future of the Scottish planning system ([Places, People and Planning](#)) was published in January 2017. This sets out that strategic development plans should be removed from the system so that strategic planners can support more proactive regional partnership working. The remit and role of the proposed Regional Working Partnerships has not yet been identified.
- 4.3 The work of SESplan in 2018 / 2019 other than the statutory requirements referred to above is therefore unknown. On that basis indicative Operating Budgets for 2018 / 2019 and 2019 / 2020 are not shown in Appendix B. Operating Budgets in these years will be required to be reviewed against the outcome of the ongoing planning review in terms of transitional arrangements, with new finance arrangements agreed as part of the establishment of any Regional Working Partnership. This will continue to be reviewed as the Planning Bill is published and further details are known.
- 4.4 Nevertheless as set out in paragraph 3.4 above it is anticipated that savings will be made in the 2017 / 2018 financial year. These savings will be fed into the SESplan reserves where it is anticipated that significant savings both in the Operating Budget and member contributions will be made in financial year 2018 / 2019.

5. Next Steps

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- 5.1 It is requested that member authorities ensure that contributions will be in place by the start of the next financial year and note that an Operating Budget for 2018 / 2019 will be brought to the November 2017 meeting of the Joint Committee.

Report Contact

Alice Miles, Acting SDP Manager

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Appendices

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- A Updated Operating Budget 2016 / 2017 and Operating Budget 2017 / 2018
- B Operating Budget 2016 / 2017 and Operating Budget 2017 / 2018 Updated at February 2017

Appendix A

**Operating Budget 2016 / 2017 and Operating Budget 2017 / 2018 Approved in
Principle at 24 November SESplan Joint Committee**

Appendix A - SESplan Operating Budget 2016 / 2017 and Three Year Operating Budget to 2019 / 2020

DESCRIPTION	16/17 Budget	Actual spend Sept- 16	16/17 Forecast	16/17 Variance	17/18 Budget	18/19 Budget	19/20 Budget
SINGLE STATUS BASIC PAY incl Agency	227,199	96,591	197,294	-29,905	160,931	163,969	190,186
TRAINING COSTS	1,000	520	1,000	0	2,000	2,000	2,000
RENTS PAYABLE, incl service charges	9,613	7,376	7,376	-2,237	7,487	7,599	7,713
TRAVEL EXPENSES	5,100	1,611	4,200	-900	4,200	4,200	4,200
IT HARDWARE	0	0	500	500	0	0	0
IT SOFTWARE	16,000	7,200	13,500	-2,500	13,703	13,909	14,118
IT MAINTENANCE	0	684	684	684	0	0	0
MOBILE LINE RENTAL	524	55	200	-324	203	206	209
PROFESSIONAL FEES	3,400	0	3,400	0	3,400	3,400	3,400
EVENT COSTS	0	411	411	411			
MISCELLANEOUS EXPENSES	1,500	0	1,500	0	1,500	1,500	1,500
Fixed	264,336	114,448	230,065	-34,271	193,424	196,783	223,326
Technical Support							
PRINTING/PHOTOCOPYING COSTS	2,500	135	4,000	1,500	4,000	4,000	4,000
CROSS BOUNDARY TRANSPORT PROJECT	16,000	8,434	16,500	500	60,000	0	0
EXAMINATION					30,000	0	0
TECHNICAL SUPPORT					0	20,000	30,000
POSTAGES/FRANKING	500	0	500	0	500	500	500
ADVERTISING/MARKETING	1,000		4,000	3,000	4,000	4,000	4,000
OTHER SERVICES (Contingency 10%)	2,000		2,500	500	9,850	2,850	3,850
Variable	22,000	8,569	27,500	5,500	108,350	31,350	42,350
Expenditure	286,336	123,017	257,565	-28,771	301,774	228,133	265,676
INCOME-OTHER LOC AUTH(VAT)	-279,300	-279,300	-279,300	0	-279,300	-279,300	-279,300
SALES-PLANNING	-250	0	0	250	0	0	0
INCOME-INTEREST ON REV BALANCE	-1,000	0	-500	500	-500	-500	-500
Income	-280,550	-279,300	-279,800	750	-279,800	-279,800	-279,800
Net	5,786	-156,283	-22,235	-28,021	21,974	-51,667	-14,124
(TAKE FROM)/ADD TO RESERVES	-5,786		22,235	28,021	-21,974	51,667	14,124
NET TOTAL	0		0	0	0	0	0
Usable reserve balance	-36,889		-64,910	-28,021	-42,936	-94,603	-108,727
Usable reserve balance at 1/4/16	-42,675						
Usable reserve as % of expenditure			-25.2%		-14.2%	-41.5%	-40.9%

SUBJ	DESCRIPTION	16/17 Budget	16/17 Forecast	16/17 Variance	17/18 Budget
610201	SINGLE STATUS BASIC PAY incl Agency	227,199	204,519	-22,680	160,931
614405	TRAINING COSTS	1,000	1,000	0	1,000
620305	RENTS PAYABLE, incl service charges	9,613	7,376	-2,237	7,487
630401	TRAVEL EXPENSES	5,100	4,200	-900	4,200
640805	IT HARDWARE	0	0	0	0
640810	IT SOFTWARE	16,000	11,000	-5,000	12,800
640815	IT MAINTENANCE	0	2,807	2,807	2,755
640830	MOBILE LINE RENTAL	524	100	-424	102
640701	PROFESSIONAL FEES	3,400	3,400	0	3,400
	EVENT COSTS	0	900	900	
641505	MISCELLANEOUS EXPENSES	1,500	1,500	0	1,500
	Fixed	264,336	236,802	-27,534	194,175
	Technical Support				
640605	PRINTING/PHOTOCOPYING COSTS	2,500	5,500	3,000	1,000
640702	CONSULTANT FEES	16,000	8,434	-7,566	90,000
640845	POSTAGES/FRANKING	500	500	0	500
641030	ADVERTISING/MARKETING	1,000	1,716	716	4,000
640707	OTHER SERVICES (Contingency 10%)	2,000	3,500	1,500	9,550
	Variable	22,000	19,650	-2,350	105,050
	Expenditure	286,336	256,452	-29,884	299,225
502001	INCOME-OTHER LOC AUTH(VAT)	-279,300	-279,300	0	-264,000
506001	SALES-PLANNING	-250	0	250	0
504002	INCOME-INTEREST ON REV BALANCE	-1,000	-200	800	-200
	Income	-280,550	-279,500	1,050	-264,200
	Net	5,786	-23,048	-28,834	35,025
90939	(TAKE FROM)/ADD TO RESERVES	-5,786	23,048	28,834	-35,025
	NET TOTAL	0	0	0	0
	Usable reserve balance	-36,889	-65,723	-28,834	-30,698
	Usable reserve balance at 1/4/16	-42,675			
	Usable reserve as % of expenditure		-25.6%		-10.3%

From 2016/17 Sesplan could maintain a target of having at least one month's operating costs in reserves

Planning Committee

10.00am, Thursday, 17 August 2017

Scottish Government Review of Planning – update and position statement

Item number	5.2
Report number	
Executive/routine	Routine
Wards	All

Executive Summary

The 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 with the Council response agreed by the Planning Committee on [30 March](#). This report provides an update on progress and a summary of the Scottish Government's position statement on the review.

Links

[Coalition Pledges](#)
[Council Priorities](#)
[Single Outcome Agreement](#)

Scottish Government Review of Planning – update and position statement

1. Recommendations

- 1.1 It is recommended that the Committee:
 - 1.1.1 Notes the progress to date and the summary of the position statement on the Scottish Government review of the Planning system.

2. Background

- 2.1 In 2015, an independent panel was appointed by Scottish Ministers to review the Scottish planning system. The panel's subsequent report, "Empowering Planning to Deliver Great Places" set out a number of high level recommendations.
- 2.2 The Council submitted written evidence on the review based on issues of importance to Edinburgh such as development planning, housing delivery, infrastructure, community engagement and resources.
- 2.3 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.
- 2.4 The Scottish Government published the 'Places, People and Planning' consultation paper on 10 January 2017 with consultation open until 4 April 2017. The Planning Committee agreed the Council response on 30 March 2017 which was submitted to the Scottish Government. The response agreed by the Planning Committee is laid out in Appendix 1.

3. Main report

The future of the Scottish planning system – progress and position statement

- 3.1 Since the end of the consultation on [Places, People and Planning](#), the Scottish Government have been analysing responses, undertaking independent research and continuing dialogue with groups such as Heads of Planning Scotland.

- 3.2 The Scottish Government published a position statement on 29 June which addresses each of the 20 proposals for change as set out in the Places, People and Planning document.
- 3.3 The statement includes a summary of consultation responses and describes the key changes that Scottish Ministers are considering taking forward through the forthcoming Planning Bill, secondary legislation under existing powers, and other non-statutory means.
- 3.4 Proposals will continue to be developed in the coming months with the Government committed to bringing forward a Planning Bill early in this Parliamentary session. The final content of the legislation is yet to be decided.
- 3.5 In summary, the Position Statement notes the following under each proposal:

Aligning community planning and spatial planning.

- 3.5.1 The Government proposes that a statutory link between development planning and community planning be set out in the Planning Bill and believe this could be supported by local authority Chief Executives ‘signing off’ local development plans.

Regional partnership working.

- 3.5.2 The Government expect to remove the requirement for strategic development plans and replace them with flexible, clearly defined duties and powers.
- 3.5.3 This will be based on working together to address nationally and regionally significant spatial planning, joint evidence gathering and a duty to contribute to the National Planning Framework.

Improving national spatial planning and policy.

- 3.5.4 An enhanced National Planning Framework (NPF) and Scottish Planning Policy (SPP) is supported, although due to the timing of the Planning Bill, a fuller programme will be issued for the next NPF.

Stronger local development plans.

- 3.5.5 Extending the plan period of local development plans to 10 years remains an aspiration, as is replacing main issues reports with a draft plan and removing supplementary guidance. Further clarity is expected on this in due course.
- 3.5.6 The Government supports the use of ‘early gatechecks’ for local development plans which will result in more straightforward examinations.

Making plans that deliver.

- 3.5.7 This proposal suggests measures to ensure allocated land can deliver development. Measures to strengthen delivery programmes are expected to feature in the Planning Bill and secondary legislation.
- 3.5.8 Proposals for adjusting pre-application consultation requirements will be brought forward which will be proportionate to allocated sites.

Giving people an opportunity to plan their own place.

3.5.9 The Government remains committed to 'local place plans' and that they are used to promote appropriate development rather than preventing it. They expect this to feature in the Planning Bill and are looking at how best to deliver this process.

Getting more people involved in planning.

3.5.10 The intention is to bring forward changes to existing requirements for engagement to ensure that young people and children get involved in planning with a shift away from consultation to more meaningful community empowerment.

Improving public trust.

3.5.11 The Government expect to progress changes to pre-application consultation for major and national developments; such as a requirement to provide feedback to communities following engagement. Development plan schemes could be used to get stronger and more locally tailored approaches to engagement.

3.5.12 They also suggest the removal of the opportunity for applicants to submit a revised or repeat application at no cost if an application is refused, withdrawn or if an appeal is dismissed, and measures to strengthen enforcement.

Keeping decisions local – rights of appeal.

3.5.13 Appeals for minor developments such as advertisement consents could be handled differently. A review of the effectiveness of local review bodies and the scope for mandatory training is also potentially supported.

3.5.14 The Government view on equal or third party right of appeal remains unchanged and they reiterate the message that stronger early engagement will be more constructive in the planning process.

Being clear about how much housing land is required.

3.5.15 The Government expect this to be addressed as a priority in policy and guidance, rather than through structural change to the system. This could be through the enhanced role of the NPF and SPP working with housing professionals, planning authorities and developers to identify a solution for how much land is required for housing.

Closing the gap between planning consent and delivery of homes.

3.5.16 The viability of sites and development delivery of sites will be subject to further guidance with changes to Compulsory Purchase Orders, Compulsory Sale Orders and a development land tax being explored separately and not taken forward as part of the Planning Bill.

Releasing more ‘development ready’ land for housing.

3.5.17 The greater use of a ‘zoned approach’ to deliver housing is supported and it is expected that proposals will be brought forward for legislative change to refresh and rebrand Simplified Planning Zones. This will address issues raised about environmental assessment, design quality and community engagement.

Embedding an infrastructure first approach.

3.5.18 The Scottish Futures Trust have been asked to work with the Government to take forward significant stalled sites in combination with the brokerage role of the Chief Planner. Options are being considered for a national delivery group to support the co-ordination of development and infrastructure and could consider any potential changes to duties and powers for inclusion in the Planning Bill.

Creating a fairer and more transparent approach to funding infrastructure.

3.5.19 The option for an infrastructure charge or levy will be considered further before coming to a view on what level of detail can or should be in the Planning Bill.

Innovative infrastructure planning.

3.5.20 A number of other planning priorities in Places, People and Planning included education, transport, green infrastructure, energy and digital infrastructure. This work is being progressed across Scottish Government policy areas.

Developing skills to deliver outcomes.

3.5.21 The Government intend to continue working the Royal Town Planning Institute, Heads of Planning Scotland, COSLA and the Improvement Service on skills development and to explore shared services. This could include expertise in specialisms such as archaeology or environmental assessment.

Investing in a better service.

3.5.22 Responses to the consultation showed agreement that planning is under-resourced with support for any increased income being ring-fenced. The maximum planning fee has already been increased and it is expected that the Planning Bill will include additional powers to allow discretionary charging.

A new approach to improving performance.

3.5.23 The position statement notes that the proposed changes to fees will not reduce Ministers’ focus on a high performing system and work will continue to pursue improved performance.

Making better use of resources: efficient decision making.

3.5.24 Heads of Planning Scotland have progressed work on broadening the scope for permitted development and the Government are minded to take forward improvements to development management procedures, and give further consideration to consultation responses to inform their approach.

Innovation, designing for the future and the digital transformation of the planning service.

3.5.25 A Digital Task Force will be established to lead and shape broad and transformational aspirations, as well as inform more specific ideas and innovation in this key area.

- 3.6 Consultation on the position statement ended on 11 August 2017. The Government noted that views already expressed in relation to the Places, People and Planning consultation do not need to be restated as these will continue to be considered. As the Position Statement introduced no new issues, no response has been made by officers.
- 3.7 The Government acknowledge that the legislative change will take some time to take effect and that there needs to be early actions to support inclusive growth.
- 3.8 As many of the proposals continue to be developed, the Council will continue to work with the Scottish Government to inform these and respond to the forthcoming Planning Bill.

4. Measures of success

- 4.1 The position statement emphasises the core purpose of planning, with the quality of the places where we live and work supporting health and wellbeing, helping to overcome inequality, create jobs and stimulating investment whilst minimising and adapting to the long term impacts of climate change.

5. Financial impact

- 5.1 There are no direct financial impacts as a result of this report. However, the expectation is that the forthcoming Planning Bill will include scope for discretionary charging and extending the range of services for which fees can be charged.

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 are responsible for assessing the impacts on equalities and rights and will submit a Child Rights and Wellbeing Impact Assessment and the Equality Impact Assessment to the Scottish Parliament alongside the Planning Bill. The proposed changes continue to provide the potential to introduce a number of positive impacts including increased and enhanced participation and engagement.

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 Scottish Government's position statement on 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 Scottish Government's position statement on 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 has been underway since the review commenced in 2015 with a number of events, surveys and engagement exercises held by the Scottish Government and professional bodies.
- 9.2 This Council has also undertaken engagement on the review with events held with other Council services, young people and the Edinburgh Civic Forum.

10. Background reading/external references

- 10.1 [Scottish Government, Places, people and planning - Position Statement](#) – 29 June 2017
- 10.2 Planning Committee, 30 March 2017, [Scottish Government Review of Planning – response to the Places, People and Planning consultation paper](#)

- 10.3 [Scottish Government, Places, people and planning – a consultation on the future of the Scottish planning system](#), January 2017
- 10.4 Planning Committee, 11 August 2016, [Review of the Scottish Planning System – progress report and next steps](#)
- 10.5 [Scottish Government, Review of the Scottish Planning System](#)
- 10.6 [Empowering planning to deliver great places - an independent review of the Scottish planning system](#) (31 May 2016)
- 10.7 [Review of Planning – Scottish Government Response](#) (11 July 2016)
- 10.8 Planning Committee, 3 December 2015, [Scottish Government - Review of the planning system](#)

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11. Links

Coalition Pledges

Council Priorities

Single Outcome Agreement

Appendices

1 - The City of Edinburgh Council response to Places, People and Planning: a consultation on the future of the Scottish planning system

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

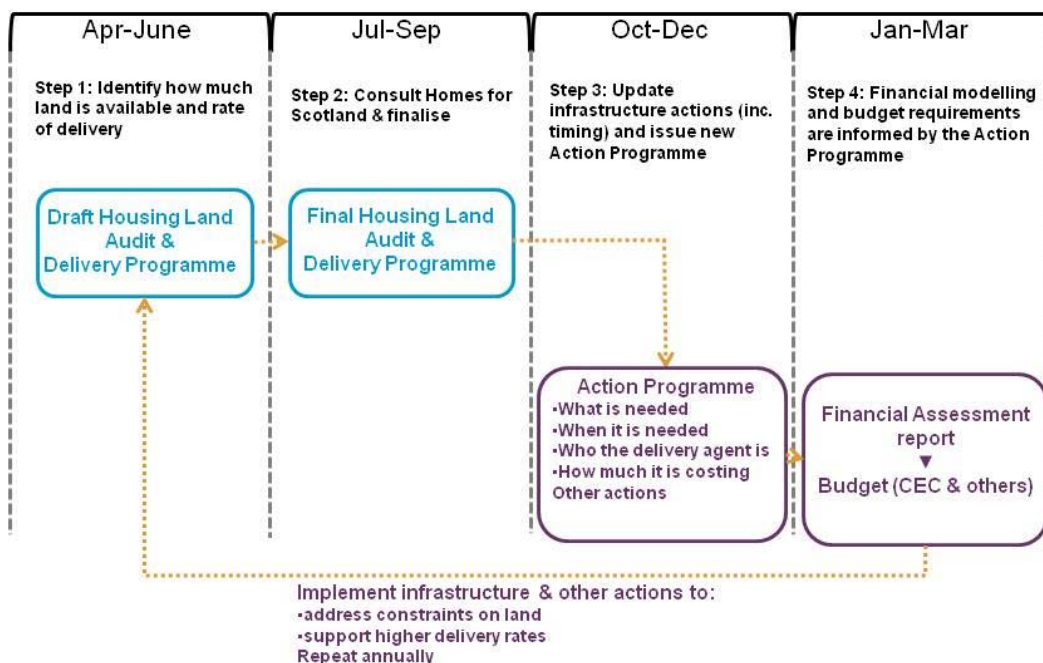
The Council would like to see the proposal for deemed Planning Permission in Principle (PPiP) for sites allocated in the local development plan explored in much greater detail. This could be resource intensive and require master planning, environmental impact assessment and identification of infrastructure 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.

Planning Committee

10.00am, Thursday, 17 August 2017

Edinburgh Planning Guidance: Review of Guidance for Householders

Item number	6.1
Report number	
Executive/routine	Executive
Wards	All

Executive Summary

The Council's non-statutory Guidance for Householders interprets Policy Des12 of the Edinburgh Local Development Plan and gives detailed advice on when proposals to alter or extend buildings are likely to be acceptable.

The guidance was originally approved in 2012 and is reviewed regularly to ensure it is up-to-date and reflects the Council's objectives and practice. This report advises the Planning Committee of proposed changes to the guidance following analysis of decision making and a period of consultation. A draft version of the guidance was available on the City of Edinburgh Council Consultation Hub from 10 April to 2 June 2017.

Links

Coalition Pledges

Council Priorities

Single Outcome Agreement [SO1](#)

Edinburgh Planning Guidance: Review of Guidance for Householders

1. Recommendations

- 1.1 It is recommended that the Committee notes the findings of the consultation on the draft Guidance for Householders and approves the finalised guidance.

2. Background

- 2.1 The Council publishes non-statutory guidance to help its customers interpret the statutory development plan. Policy Des12 of the Edinburgh Local Development Plan (LDP) sets out criteria for alterations and extensions to existing buildings, including houses and flats.
- 2.2 The guidance continues to be kept under review to ensure that it is up-to-date and reflects the Council's objectives and practice. An indication of whether the policy is working in practice includes Local Review Body (LRB) decision-making. If the LRB is overturning a significant number of officer refusals of planning permission, the guidance merits a review to ensure it is fit for purpose.
- 2.3 Current non-statutory guidance dates from February 2016 and can be viewed [online](#).

3. Main report

Drivers for Change

- 3.1 The main factors which have indicated a need to consider changes to the guidance are as follows:
- Adoption of the LDP;
 - Outcomes from the Edinburgh LRB decision-making; and
 - Officer feedback on what works in practice and where further clarification is needed.

The Local Development Plan

- 3.2 The LDP was adopted in November 2016 and will now be the basis for decision making on planning applications alongside the non-statutory guidance. Previously this decision making was based on the adopted Edinburgh City Local Plan and Rural West Edinburgh Local Plan.

Policy Des12 of the LDP on Alterations and Extensions is the basis for decision-making on householder applications. The wording of the policy aligns with the previous local plans.

Local Review Body Decision Making

- 3.3 Analysis of LRB decision making has been undertaken to identify trends in delegated decisions being overturned. The outcomes of the analysis have identified a number of common types of householder development that are regularly granted, overturning the officer's refusal of the application. To improve consistency, content has been reviewed and clarified in some areas.
- 3.4 Table 1 details LRB decision making on householder planning applications from 2015/16 – 2016/17. The average rate of upholding the officer's original decision is just below 50% and indicates a divergence between the views of officers and members on policy compliance. This compares with around 65% of appeals which go to the Planning and Environmental Appeals Division of the Scottish Government resulting in consent being granted. However, decisions can be finely balanced especially on smaller householder development so the figures need to be interpreted with care.

Table 1 Local Review Body Decision Making – householder development April 2015- March 2017

		No. Of Reviews	Upheld (refused)	Not Upheld (granted)	Mixed (part granted/refused)	Original decision upheld (%)
2015/16	1 st Quarter	10	5	4	1	50
	2 nd Quarter	7	4	3	0	57
	3 rd Quarter	4	1	3	0	25
	4 th Quarter	8	7	0	1	88
2016/17	1 st Quarter	12	8	3	1	66.6
	2 nd Quarter	16	3	12	1	18.7
	3 rd Quarter	10	5	5	0	50
	4 th Quarter	14	7	6	1	50
Total		81	40	36	5	49.4

- 3.5 Appendix 1 details the types of householder development where the decision of the planning officer was not upheld and planning permission was granted. The data shows that most cases where the decision was not upheld relate to dormers and roofs, side extensions and access and parking.
- 3.6 Appendix 2 shows pictures of some examples of developments that have progressed as a result of decisions not being upheld by the LRB. Since LRBs began in 2009, 110 householder applications have been granted out of 263 cases. The examples illustrate that, done to a high standard, alterations and extensions can fit in to the surrounding area but much depends on the homogeneous character of these areas and whether it is appropriate to preserve uniformity in design especially when seen from the street.

Officer Feedback

- 3.7 The Council's planning teams have made various recommendations to improve the guidance based on their practice of using the document. The main areas of change suggested by officers include:
- Highlight that past extensions do not set a precedent;
 - Clarify daylight/sunlight calculations;
 - Move permitted development rights to front of document;
 - Rename 'front extensions and building lines' as 'principal elevations and building lines';
 - Additional guidance on bungalow extensions;
 - Additional guidance on roof terraces;
 - Update parking guidance; and
 - Additional guidance on glazing proportions.

Consultation Summary

- 3.8 Pre-draft engagement and consultation work was undertaken with colleagues within the planning teams in March/April 2017, including discussion at an internal Policy Working Group.
- 3.9 A formal public consultation period allowed service users an opportunity to suggest improvements to the guidance. This lasted for eight weeks from 10 April – 2 June 2017, including:
- Publication on the Council's Consultation Hub;
 - Promoted on social media and blog; and
 - Email to stakeholders.

- 3.10 14 responses were received in the consultation period. A summary of responses is provided in Appendix 3. Responses were received from householders, architects, community councils and planners.

Proposed Changes

- 3.11 Following the period of consultation, the guidance has been updated and is shown in appendix 4. The following changes are proposed for approval by Committee (together with some other minor amendments):

- Addition of a glossary of terms;
- Updating policy and references to the adopted Local Development Plan;
- Updated sections related to permitted development rights;
- Additional guidance on bungalow extensions;
- Clarification of when adequate daylight will be maintained;
- Additional guidance on roof terraces and overlooking;
- Additional text on dormer glazing proportions;
- Updated parking examples;
- Re-ordering document to make it more logical; and
- Renaming 'front extensions and building lines' 'principal elevations and building lines'.

Conclusions

- 3.12 Whilst a number of householder applications have been granted on review, the analysis above shows that these are often borderline cases where the planning judgement is simply different between members and officers on the assessment of potential harm to the character of an area or the building. As such, no fundamental changes are being made to the guidance for householders but it has been improved to provide clarity on a number of issues which previously caused some misunderstanding.

4. Measures of success

- 4.1 Planning guidance is easier to understand for applicants and other stakeholders.
- 4.2 Planning guidance is up-to-date and relevant, and ensures that a high quality of development is delivered through the planning application 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 This report does not raise any concern in relation to risk, policy, compliance and governance.

7. Equalities impact

- 7.1 The impacts of this report in relation to the Public Sector Equalities Duty and the 10 key areas of rights have been considered. The report has no significant direct impact on the Council's three equalities duties.

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. Relevant Council sustainable development policies have been taken into account. This Guidance for Householders will have no adverse impacts on carbon emissions, the city's resilience to climate change impacts, achieving a sustainable Edinburgh in respect of social justice, economic wellbeing or good environmental stewardship.

9. Consultation and engagement

- 9.1 A draft update of the Guidance for Householders was available on the City of Edinburgh Council consultation hub for eight weeks from 10 April – 02 June 2017. Responses to the consultation have been taken into account when finalising the document for Committee approval. These are summarised in Appendix 3.

10. Background reading/external references

- 10.1 Annual review of the guidance, report to Planning Committee
10.2 www.edinburgh.gov.uk/planningguidelines
10.3 www.edinburgh.gov.uk/localdevelopmentplan

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11. Links

Coalition Pledges

Council Priorities

**Single Outcome
Agreement**

Appendices

Appendix 1: Local Review Body Decision Making

Appendix 2: Examples of Decisions Not Upheld

Appendix 3: Summary of Consultation Hub Responses

Appendix 4: Guidance for Householders

Appendix 1: Local Review Body Decision Making – householder development

	Fitting it on the site								Design matters								
	Front extensions and building lines	Side extensions	Rear extensions, conservatories	Daylight and sunlight	Privacy and outlook	Side windows, decking and	Gardens and trees	Garages and outbuildings	Roofs and dormers	Materials	Doors and windows	Boundary walls	Access and parking	Sustainability	Secured by design	Considerations checklist	Porches
Decision not upheld (2016/17)		6	4					1	7		2		5				1
Decision not upheld (2015/16)		2	2				1	1	1				1	1			

Appendix 2: Examples of Decisions Not Upheld



Side extensions - 94 Gilmerton Dykes Drive

This side extension example was recommended for refusal by the planner for the following reasons:

- The proposed extension is forward of the building line. The Guidance states that when openness of corner plots contributes to the character of an area their openness will be protected by resisting any intrusion into the corner ground.
- The extension is flush with the existing house. The guidance states that any side extensions should be set behind the front building line of the existing dwelling to give a clear definition between new design and the existing building.

Roof and Dormer Alterations - 58 Mountcastle Drive South

This dormer and roof alterations were recommended for refusal by the planner for the following reasons:

- The proposal is not of a scale or design which is appropriate to the scale and character of the original dwellinghouse and surrounding area.





Front Extension - 37 Craigleith Road

This principal elevation extension was recommended for refusal by the planner for the following reasons:

- The proposal does not reflect the building style of the original property and will be a dominant addition that imbalances the pair of properties.
- The Guidance advises that extensions forward of principal elevations will generally not be allowed unless they fit in with the character of the street.

Roof and Dormer Alterations - 83 Coillesdene Avenue

This dormer and roof alterations were recommended for refusal by the planner for the following reasons:

- The style and positioning of the dormer will dominate the roof plane and visually imbalance the property. The positioning and design does not relate well to the existing property creating an ungainly roof line of varying dormer styles.



Roof and Dormer Alterations - 28 Southfield Loan

This dormer and roof alterations were recommended for refusal by the planner for the following reasons:

- The roof alteration alters the character and appearance of the original dwelling and area. The new mansard roof style appears heavy and incongruous on the bungalow.
- The alteration of roof above the bay window causes it to appear as an extension.
- The mansard roof does not reflect the original qualities of a bungalow.



Roof and Dormer Alterations - 89 Greenbank Crescent

This dormer and roof alterations were recommended for refusal by the planner for the following reasons:

- The roof alteration results in an overly dominant appearance that is out of character and form with the building, area and street scene.



Side Extension - 2 Saughtonhall Terrace

This side extension example was recommended for refusal by the planner for the following reasons:

- The extension fails to integrate with the existing building and disrupts uniformity. The addition fails to compliment the original architectural character. The Guidance for Householders states that the character of the original villa should not be adversely changed. The design approach including form, scale, style and proportions should relate to the original building and be subservient to it.



Appendix 3: Summary of Consultation Hub Responses

Consultee	Comment	Action
Q5: In step 1 of Guidance for Householders, 'Planning Your Extension' do you have any views on the changes we have made or how this section could be improved?		
Planner	Clarify self-contained extensions text and add diagram.	Self contained extensions text removed.
Householder	Say why fitting slimline double glazing required planning permission.	No action.
Architect	Add information on building standards regulations.	Other consents section includes links
Architect	Extract definitions throughout document into definitions section.	Glossary added.
Architect	Add definition of original house footprint.	Link to permitted development rights included in document
Architect	Ensure description of Permitted Development Rights consistent.	Rephrased in sections.
Architect	Re-order Permitted Development Rights description.	No action.
Architect	Include 'roof lights' in list of improvements or alterations that are not extensions.	Roof lights added to description.
Architect	Add a topic on Certificates of Lawfulness	Subheading added to description of Certificates of lawfulness.
Householder	Improved clarity.	Document has been amended to improve clarity
6. In step 2 of Guidance for Householders, 'Fitting it on the site' do you have any views on the changes we have made or how this section could be improved?		
Planner	Bungalow extensions difficult to defend due to precedent.	No action.
Planner	Conservatories on principal elevations may be acceptable in some cases.	No action as this would apply in very few cases

Planner	Need to clarify daylight testing assessment.	Highlight that proposal must fail both to fail.
Planner	Distance needs to be set for outlook.	No action as each case will be dealt with on its merits
Planner	In side windows guidance remove reference to 'barriers not exceeding normal height of a fence or wall'	No action.
Planner	Add additional text on roof terraces under design mattes section.	No action.
Householder	Add reference to Spokes Factsheet on Cycle Storage in Gardens.	Fact sheet added back in.
Community Group	Add text re spokes factsheet.	Text added.
Householder	An improvement particularly in relation to roof terraces.	No action.
Architect	Guidance on bungalow extensions too restrictive. Proposals should be acceptable if in accordance with Edinburgh Design Guidance.	Text added that proposals may be acceptable when of high quality/innovative design.
7. In step 3 of Guidance for Household, 'Design matters' do you have any views on the changes we have made or how this section could be improved?		
Planner	Remove reference to 'designed open gardens' if this is Permitted Development.	Additional text added to clarify this would only apply in conservation areas planned as open gardens.
Planner	Remove "if it is impossible to get an exact match for the existing material" new extensions should be set back.	Text removed as new extensions should be set back.
Planner	Add text to dormers section regarding glazing proportions.	Additional text added.
Planner	Clarify secured by design section is not a planning consideration.	No action.
Architect	Guidance should focus less on existing house and more about how proposal fits into the character of the area.	Text reworded to emphasise neighbourhood character of the area is crucial.

Architect	Reference to materials should not be restrictive to matching existing materials.	No action.
Architect	Link page 17 to previous section of document with more detail.	Reference to earlier page added.
Householder	Add parking information for cycle storage.	Link to Spokes factsheet added.
Householder	Amend car parking text to be firmer.	No action.
8. In step 4 of Guidance for Householders, 'Submitting your application' do you have any views on the changes we have made or how this section could be improved?		
Architect	Move information on submitting an application out of the Guidance.	No action.
Householder	Provide information on fees.	No action.
Architect	Request information on elevation levels are added to drawings.	Added to validation information.
Householder	Update description of 21 day period for representation.	No action as this does not affect the submission of the application
9. Do you have any other comments or suggestions on how to improve the Guidance for Householders?		
Planner	Check spelling errors.	Spell check completed.
Householder	The improvements have made the Guidance clearer.	No action.
Architect	The Guidance should detail all Permitted Development Rights	No action. This is not possible in this document
Architect	Each application should be considered on its own merits and acceptable in planning terms rather than in relation to the existing house.	No action.
Architect	Applicants should submit sketch proposals to planners when they are unsure for their opinion.	Text added regarding when pre-application advice is available.

A large, multi-story stone house with a modern glass extension on the ground floor. The house is illuminated from within, showing a warm interior with a chandelier and a dining table. The glass extension is a large, dark-framed structure that allows a clear view into the living and dining areas. The stone facade is dark and textured, and the windows are white-framed. The overall scene is set at dusk or night, with some foliage in the foreground.

Guidance for Householders

August 2017

Guidance for Householders



Misc: Student Housing, Radio Telecommunications, Open Space Strategy etc.

This document and other non-statutory guidance can be viewed at: www.edinburgh.gov.uk/planningguidelines

Introduction

This document sets out guidance for people considering altering or extending their house. It does not cover new houses even if built in the gardens of existing properties – these should meet the requirements set out in [Edinburgh Design Guidance](#).

All house extensions and alterations – including dormers, conservatories, decking, energy devices and replacement doors and windows - should be well designed and of high quality. In particular, they must meet three key requirements. They should

- complement the existing house, leaving it as the dominant element;
- maintain the quality and character of the surrounding area; and
- respect the amenity of adjacent neighbours.

The appointment of an architect is strongly encouraged in all cases.

This document follows the step-by-step sequence from your initial ideas through to obtaining consent:

Work out your space requirements



Check if you need planning permission



Fit the extension onto the site



Test its effect on the amenity of neighbours and the area



Design the detail



Submit your planning application

Cover image courtesy of Roxburgh McEwan Architects. © Elizabeth Roxburgh

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Policy Context

This document gives guidance on the following policy in the Edinburgh Local Development Plan(LDP):

Policy Des 12

Alterations and Extensions

Planning permission will be granted for alterations and extensions to existing buildings which:

- in their design and form, choice of materials and positioning are compatible with the character of the existing building;
- will not result in an unreasonable loss of privacy or natural light to neighbouring properties;
- will not be detrimental to neighbourhood amenity and character.

Alterations and extensions to existing buildings generally raise similar design issues to those of new development. Every change to a building, a street or a space has the potential to enrich or, if poorly designed, impoverish a part of the public realm. The impact of a proposal on the appearance and character of the existing building and street scene generally must be satisfactory and there should be no unreasonable loss of amenity and privacy for immediate neighbours.

Particular attention will be paid to ensuring that such works to listed buildings and non-listed buildings in conservation areas do not damage their special character. Policies Env 4 and Env 6 of the LDP will apply in these cases.

Step 1: Do I need planning permission

Whose responsibility?

It is the householder's responsibility to make sure that all alterations and extensions they make have the necessary consents. Remember, planning permission is only one consent and you may also need a building warrant or a permit to lower your kerb. If not, you could be asked to alter or even demolish new work and put back the original.

It is also your responsibility to make sure you have evidence that the works are Permitted Development and did not need planning permission if this applies.

The Scottish Government circular [Guidance on Householder Permitted Development](#) rights sets out what is included, with examples.

If you want to be sure whether or not works are permitted, you can apply for a [Certificate of Lawfulness](#) at www.eplanning.scot both for proposed works or those already carried out. This certificate is particularly useful if you are selling your house or to avoid legal disputes. Details are given on [page 23](#).

Good enough in the past?

Extensions or alterations in the surrounding area that were granted permission in the past and which do not comply with these guidelines will NOT be taken as setting any form of precedent, and should not be used as examples to follow.

Do I need Permission?

Not all extensions or alterations require planning permission. Many small alterations and extensions can be carried out without the need for planning permission – this is known as Permitted Development (PD) and some alterations may not even be 'development' at all.

However, there are some limitations, particularly for:

Flats (*see definition on page 8*)

Houses in Conservation Areas

Listed Buildings

There are restricted permitted development rights for flats, houses in a conservation area or to a listed building, which are identified in the following pages.

Planning permission will always be required for extensions, dormers and conservatories to flatted properties and to any house in a conservation area.

New dormers on principal frontages always require planning permission, as do balconies and roof terraces.

Listed building consent is always required for an extension, dormers, rooflights or conservatory to a listed building. An application for planning permission may also be needed.

Even if planning permission is not required, other consents such as a building warrant may still be necessary.

The main provisions of the Permitted Development rights are set out on the following pages. However, this is just a summary and, particularly if you are considering unusual proposals or have an awkward site, you should check the Scottish Government Circular.

Permitted Development: the main exemptions

If your proposals exceed the constraints set out here, they may still be acceptable if they accord with Council policies and do not adversely affect amenity, but they will require permission.

Enlargement is any development that increases the internal volume of the original house. It includes a canopy or roof, with or without walls, which is attached to the house, but does not include a balcony. Therefore, a car port is an enlargement but a balcony is not.

Houses

A house can be a detached, a bungalow, semi-detached, or terraced dwelling sitting on its own ground. However, if there is any other occupant or use above or below, it is a flat – see definition on page 8. Flats do not have as wide a range of permitted development as houses. These guidelines apply to houses only, see the separate section on flats on page 7.

Single storey extensions

A single storey extension in the rear garden is permitted development if the height of the eaves is not more than 3 metres and the overall height is not more than 4 metres above the existing ground level measured at lowest part of the adjacent ground surface.

If any part of the extension is within a metre of a boundary, and extends back from the original rear wall of the house more than 3 metres for a terraced house, or 4 metres in other cases, planning permission is needed.

The area covered by any existing and proposed extension cannot be greater than the area of the original house footprint or 50% of the area of the rear “curtilage” (ie the part of the garden behind the front elevation of the original house).

Extensions of more than one storey

Typically, these are either 1½ storey (ie single storey with converted roof space) or 2 storey extensions.

The extension must be at least 10 metres from any boundary to be permitted development. The majority of extensions will not be able to meet this criterion, therefore an application for planning permission would be required.

Porches

Porches are permitted development on any external door of the house providing they are not higher than 3 metres, and the overall footprint of the porch is not more than 3 square metres.

The minimum distance between the porch and any boundary with a road must be more than 2 metres.

Enlargements of the roof

Permitted development rights allow the enlargement of a house by an addition or alteration to its roof, e.g. by a dormer, subject to certain rules.

However, dormers are not permitted development on the principal elevation (usually the front), or on a side elevation if it fronts a road. In addition, permitted development might only apply when:

- the distance from the face of the dormer to the boundary is at least 10 metres;

- the height of the dormer is not higher than the existing house;
- the dormer, or dormers, covers less than half the roof, measured at eaves level; and
- the distance between the dormer and the edges of the roof (including any common boundary with another attached property) is at least 0.3 metres.

Access ramps

Small ramps to any external door are permitted development so long as the ramp is not higher than 0.4 metres or longer than 5 metres; the overall length of the ramp and landings cannot be more than 9 metres; and the combined height of the ramp and any handrail cannot exceed 1.5 metres.

Improvements or alterations that are not enlargements

These include: replacement windows and doors, rooflights, satellite dishes, cladding, painting and new flues; and photo-voltaic or solar thermal equipment, etc.

This class is best visualised as a 1 metre “bubble” surrounding the walls and roof of the house. A householder can add a wide range of different types of development within this “bubble” without having to apply for planning permission.

Balconies, roof terraces or raised platforms are specifically excluded from this class, and require planning permission.

Remember, permitted development rights on this page do not apply if your house is a listed building or in a conservation area.

Microgeneration equipment

Permitted development rights for wind turbines and air, ground and water source heat pumps as well as flues for biomass heating and combined heat and power systems are covered in other classes of permitted development.

Ancillary buildings such as sheds, garages, sun-houses, and greenhouses

Permitted development rights allow buildings “incidental to the enjoyment of the dwelling house” within the rear garden. The height of the eaves (gutter) of any building, including sheds and greenhouses, cannot be higher than 3 metres and no part of the building can be higher than 4 metres for permitted development rights to apply.

Any part of the building within a metre of a boundary cannot be higher than 2.5 metres, to be permitted development.

The total area covered by proposed and existing development must be less than half the relevant curtilage. If not, planning permission is required.

In conservation areas or for a listed building, the footprint of the ancillary building cannot exceed 4 square metres, without permission.

Other building, engineering, installation or other operations

Typical development permitted by this class within the rear curtilage of a house would be free standing solar panels, flag poles, swimming pools and oil tanks.

The resulting height cannot be more than 3 metres, and the total area covered by proposed and existing

development must be less than half the curtilage for permitted development rights to apply.

Hard surfaces

A new or replacement hard surface located between the house and a road must either be porous; or rain water run-off must be dealt within the curtilage of the house, e.g. with a soakaway to be permitted development.

Decking

The floor level of the deck or other raised platform must not exceed 0.5 metres, and the combined height of the deck and any balustrade or screen attached to it must not exceed 2.5 metres to be permitted development.

In conservation areas or the curtilage of a listed building its maximum size is 4 square metres to be permitted development.

Gates, fences, walls or other means of enclosure

The overall height must not be more 2 metres; but if it fronts a road or is in front of the principal or side elevation nearest a road, it cannot exceed 1 metre, otherwise planning permission is required.

Flats

See the definition of a flat on [page 8](#).

Improvements or alterations that are not enlargements, such as replacement windows and doors, photovoltaic or solar panels, flues or satellite dishes, may be allowed under Permitted Development rights.

The exemption is best visualised as a 1 metre “bubble” surrounding the flat. A wide range of different types of development is permitted within this “bubble” without having to apply for planning permission providing that:

- the development does not enlarge the flat;
- the development does not project more than 1 metre from the walls or roof of the flat;
- the development is not a balcony, roof terrace or raised platform or a wind turbine.

Installing a flue forming part of biomass heating system, a flue forming part of combined heat and power system, an air source heat pump or CCTV is not permitted by this class because it is subject to restrictions identified in by other classes of permitted development.

Other classes relevant to flats include:-

- construction of gate, fences, walls and other means of enclosure;
- Closed Circuit Television Cameras (CCTV).

Further information

This is just a brief summary of the more common aspects of Householder [Permitted Development Rights](#).

There are no permitted development rights if the flat is in a conservation area or if it is a listed building.

House or Flat?

It seems obvious, but ... A flat is not only an apartment in a traditional tenement or modern block. The official definition is a “separate and self contained set of premises whether or not on the same floor and forming part of a building from some other part of which it is divided horizontally”.

So, whatever the estate agents say, “four-in-a-blocks” or “maisonettes” are also flats, not houses. So are some studios and mews. The distinction is important in deciding whether planning permission is required for extensions or alterations.

Flatted properties in any part of the city have limited rights to carry out alterations.

Changes of Use

This guidance sets out the physical considerations in planning your domestic extension. However, if the alterations are to allow you to operate a business from your home, then you should consult the Council’s [Guidance for Businesses](#) to see if planning permission is required for the use.

If you intend to rent out your property, you will require to [register as a Landlord](#) with the Council.

Consulting neighbours

When a formal planning application is made, neighbours will be notified by the Council. It is usually a good idea to tell them what you are thinking of before you start, so that notification doesn’t come as a surprise – especially if you might need to negotiate access with them. You may also need your neighbours permission if your extension will adjoin their property.

The Planning Authority is obliged to consider comments and objections received from neighbours.

If, once you have permission, you need to get onto their land to build your extension, then planning permission does not grant any automatic rights – you will still need to agree terms with them.

Listed buildings

If you live in a property which is listed as being of special architectural or historical interest, then you may also require Listed Building Consent as well as planning permission. Consult the separate guidance on [Listed Buildings and Conservation Areas](#).

Listed Building or Conservation Area?

To check if your house is in a conservation area or is a listed building, use the Council’s Interactive map at

<http://www.edinburgh.gov.uk/conservation>

Other Consents

Other consents may be required before you start work. These can include:

Listed Building Consent if the property is listed as being of special architectural or historical interest – see the separate [Listed Building and Conservation Area Guidance](#) for more details.

Conservation Area Consent if you are demolishing an unlisted building in a conservation area – see [Listed Building and Conservation Area Guidance](#) for more details

Planning restrictions may have been imposed when the original consent was granted, e.g. prohibiting certain kinds of work or removing permitted development rights – check the conditions on any previous consents, including those for the original estate layout if it is relatively new. There may also be restrictions in your title deeds

Converted, new or altered buildings may require a **Building Warrant**. There is more Building Standards information at www.edinburgh.gov.uk/buildingwarrants. For detailed information please go to the [Scottish Government website](#).

A Road Permit will be required if forming a new access or driveway. Contact the Area Roads Manager in your [Locality Team](#) for more information

If there are any **trees** on the site or within 12 metres of the boundary, they should be identified in the application. Please check the [Edinburgh Design Guidance](#) for more advice. Trees with a Tree Preservation Order or in a conservation area are also protected by law, making it a criminal offence to lop, top, cut down, uproot, wilfully damage or destroy a tree unless carried out with the consent of the Council.

Some species of animals and plants are protected by law. Certain activities, such as killing, injuring or taking the species or disturbing it in its place of shelter, are unlawful as is damaging or disrupting its breeding site or resting place, even if the species is not there at the time. If the presence of a European Protected Species (such as a bat, otter or great crested newt) is suspected, a survey of the site must be undertaken. If it is identified that an activity is going to be carried out that would affect protected species, a licence may be required. More information on European Protected Species, survey work and relevant licenses is available on the [Scottish Natural Heritage website](#).

In relation to bats further guidance on when a survey may be required, can be found on page 9 of the [Bat Conservation Trust Guidelines](#)

Other factors such as old mine workings (particularly in the south-eastern suburbs), restrictions where water or gas mains have wayleaves across the site; or water/drainage consents from [SEPA](#).

If you intend to rent your property you will require to [register as a Landlord](#) with the Council. Depending on numbers, you may also require an [HMO \(Houses in Multiple Occupancy\) licence](#).

Although not a planning issue, there may be **legal restrictions** on development in your title deeds - for example feu superiors' consent may be required or you may require the consent of other joint owners – and legal advice may be required.

Certificate of Lawfulness

If you think that your proposals do not need consent, or if you are not sure that previously undertaken work has proper consent, you can apply online at www.eplanning.scot online for a [Certificate of Lawfulness](#) to confirm the position in writing.

Step 2: Fitting it on to the site

Before getting down to the detailed design, it is important to check whether your site is big enough to take the scale of extension you want to achieve.

Working out a plan

When you work up your proposals, always bear in mind the impact they might have.

What effect will the extension have on your existing house? Is it in harmony in scale and appearance? Do the doors and windows match the existing ones? If it is an attic extension, does the roof still come over as the main element rather than a dormer with a small amount of roof left around it? Is the new roof pitch the same as the existing? Are matching materials used throughout? How is the junction between old and new being handled?

What is the impact on the street and the character of the surrounding area? Is the appearance changed? Does the extended house still fit in, or will it stand out obtrusively?

What is the impact on neighbours? Will the extension still preserve their light, or will it overpower their garden and cut out their sunlight? Is the elevation they will see well designed? Will the new extension protect their privacy and avoid introducing new overlooking from windows, balconies or terracing?

All these things will be important to your neighbours, who have the right to make their views known to the

planning authority (see panel right). The Council will consider their comments when reaching a decision.

Note that there is no automatic right to extend and, if your site is too small or your proposal doesn't meet policy requirements, it may not be possible to grant permission.

Gardens

There should be enough private garden space left after extensions - normally at least 30 sq.metres, depending on the spatial pattern of neighbourhood to avoid over-development.

If the plot is small, with minimal or shared garden space, there may not be sufficient room for your extension.

The general density and scale resulting must also be in keeping with the overall spatial pattern of the area. Where there is a traditional development pattern in the area, such as villas with single storey outbuildings, this may determine the form and size of any addition.

The position and design of an extension should not prejudice the ability of neighbours to add similar or equivalent extensions.

Extension to Villas

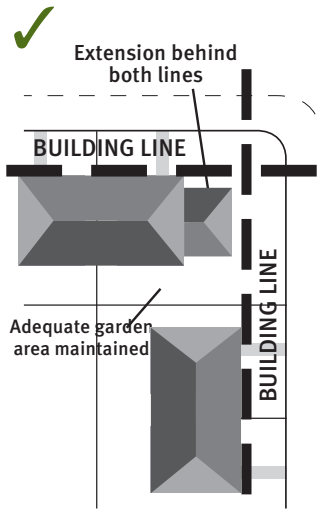
In terms of the guidance, a 'villa' is a traditional large

detached or semi-detached house built before 1914. Normally stone built, they are mainly in conservation areas or on some arterial routes. A bungalow is not a villa.

Special guidelines apply to extensions and alterations to villas:

- The character of the original villa should not be adversely changed as a result of the extension
- When complete, the whole building, including the original villa and the extension should still be in character with the scale and spacing of the surrounding properties and rhythm of the street
- The design approach – including form, scale, style, proportions including windows, storey heights and materials – should relate to the original building and be subservient to it
- Total site coverage of the new and existing building should not exceed 1.5 times the original villa, subject to:
- Maximum site coverage of all buildings, garages, parking and access driveways should not exceed 40% of the site area, and
- Distances from the main facades to the boundaries being at least 12.5m
- If the villa is listed, if there are protected trees or if it is in a corner site, you should seek pre-application advice.

Principal elevations and building lines



What is a building line?

It is the line formed by the frontages of the buildings along a street. Sometimes it is defined in the title deeds. Generally developments other than porches etc are not acceptable in front of the building line as they disrupt the character and appearance of the street.

Extensions that project beyond the principal elevation line are not generally allowed unless this fits in with the local character of the street.

Corner plots can present a particular problem where the majority of the house's garden space is in front of the building lines.

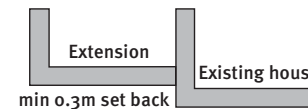
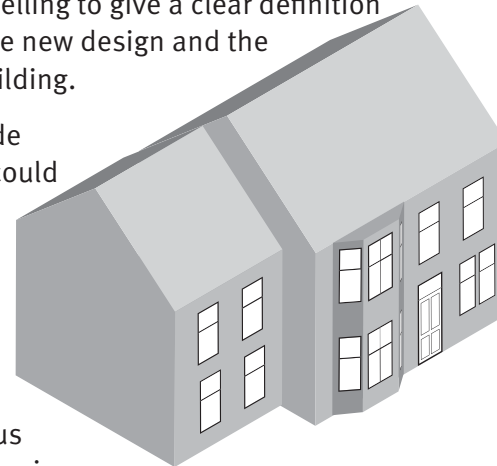
Where they contribute to the character of the area, their openness will be protected by resisting any significant intrusion into the corner ground.

Modest porches may be acceptable where they do not detract from the design of the original building or the character of the street.

Side extensions

In achieving an extension that will fit in with the original building and respect its neighbours, the extension should be set behind the front line of the existing dwelling to give a clear definition between the new design and the existing building.

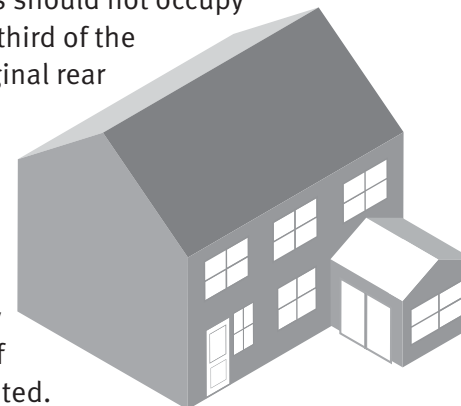
Where a side extension could visually connect separate houses so that they appear like a continuous terrace, planning permission will only be permitted if that is characteristic of the area.



Rear extensions

Rear extensions should not occupy more than one third of the applicant's original rear garden area.

For flats, including 4 in a block and maisonettes, the opportunity for extending, if any, will be limited.



Bungalow extensions

Bungalow extensions should be designed in a way that retains the character of the original property and is subservient in appearance.

Extensions must not imbalance the principal elevation of the property.

Rear extensions to bungalows should be in keeping with the existing property roof design and its ridge line should be below the ridge of the existing property. The hipped roof character of the host building should be respected. Gable end extensions will generally not be allowed unless this fits in with the character of the area, and is of a high quality innovative design.

Conservatories

Consent will not normally be granted for a conservatory on a principal, or other conspicuous, elevation. Exceptions may be justified for appropriately designed conservatories where this is part of the traditional character of the area.

In general, only ground floor conservatories will be permitted, except where underbuilding is required to achieve an appropriate height. Original abutting walls should be kept and form part of the structure. Where dwarf walls are proposed, they should be constructed with the same materials and finish as the house.

Proposals for a new conservatory on a listed building should ensure that the original stonework inside a conservatory remains unpainted and that the colour of the conservatory respects the character of the area.

Daylight and sunlight

Daylight and sunlight are important to health and well being. Lack of daylight contributes to depression (SAD), and sunlight helps synthesise Vitamin D which is important for bone health.

Adequate daylight can also reduce the energy requirements of development through lessening the need for electric lighting.

All extensions and alterations will be required to ensure adequate daylighting, privacy and sunlight both for themselves and to their neighbours.

Calculating daylight and sunlight is complex, but there are some simple “rules of thumb” which can be used to check whether a proposed development is likely to conform. These are set out here.

All new development should ensure that:

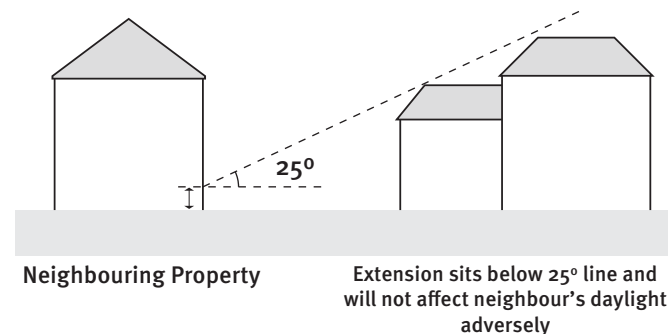
- the amenity of neighbouring development will not be adversely affected by impact on privacy, daylight, sunlight or immediate outlook from main (i.e. front and rear) windows; and,
- occupiers will have adequate daylight, sunlight, privacy and immediate outlook

If the proposal does not meet these criteria, and there are good townscape reasons for looking at other solutions (for instance, the character of an historic area), then more detailed calculations will be required. Guidance can be found in the [Building Research Establishment](#) guide Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice.

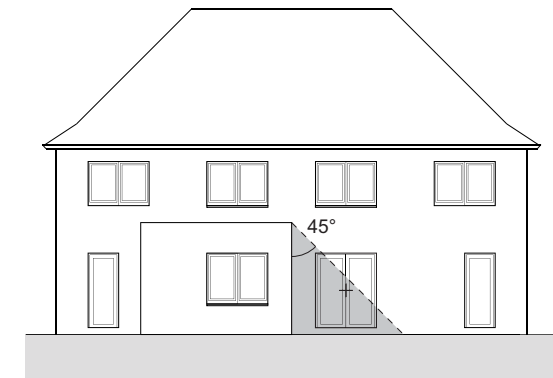
Daylight to existing buildings

Reasonable levels of daylight to existing buildings will be maintained where the measure of daylight falling on the wall (the Vertical Sky Component - VSC), does not fall below 27%. This standard can be achieved where new development is kept below a 25° line from the mid point of an existing window.

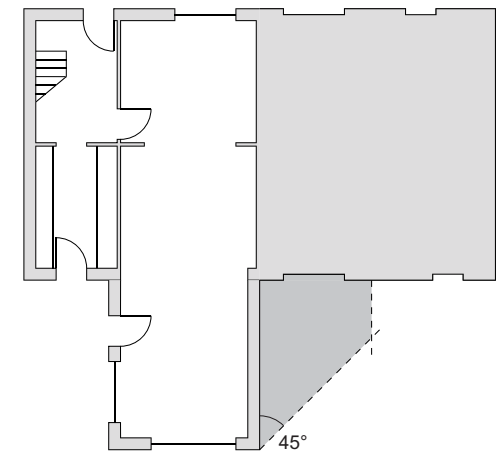
Daylighting to side or gable windows is not protected (see Side Windows, page 14)



For rear extensions on terraced or semi-detached houses, adequate daylight will be maintained to the neighbouring property if 45 degree lines drawn from the plan or section of the new extension do not enclose the centre of the neighbour's window.



Not acceptable because the centre of the window is within the 45° lines



Sunlight to existing development

How the affected area of a garden is used and its overall size, will be taken into account when determining whether any loss of sunlight from a new extension or outbuilding is acceptable.

Generally, half the area of garden space should be capable of receiving potential sunlight during the spring equinox for more than 3 hours.

The sunlight of spaces between gables will not be protected unless the affected space is of particular amenity value in comparison with the remainder of the garden. Such a space might be a patio which was designed as an integral part of the plan-form of the original house.

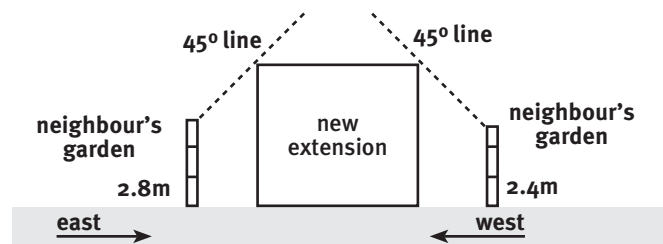
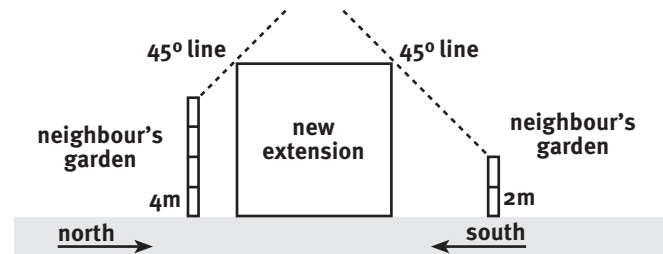
There are various methods of calculating sunlight, but a simple check is to use the 45 degree method.

Where development is located to the south or south west of a garden, if it rises above a 45° line to the horizontal which is set 2m from the ground level, the sunlight to the garden may be adversely affected.

Where development is located in other orientations in relation to a neighbouring garden, the 45° line should be set at a distance from the ground level as follows:

N 4m	NE 3.5m
E 2.8m	SE 2.3m
S 2m	SW 2m
W 2.4m	NW 3.3m

In more complex cases, or where the development fails this test, other methods may be required – for instance, a measurable hour by hour sun path analysis showing how sunlight moves through the affected space for both before and after situations.



Protecting sunlight to neighbour's property

Privacy and outlook

People value privacy within their homes but they also value outlook - the ability to look outside, whether to gardens, streets or beyond. To achieve both, windows either have to be spaced sufficiently far apart so that it is difficult to see into a neighbouring property or windows have to be angled away from one another.

18m is the minimum recommended distance between windows, usually equally spread so that each property's windows are 9 metres from the common boundary.

A frequent objection to a development is loss of a particular view from the neighbour's house. Though private views will not be protected, immediate outlook of the foreground of what can be seen from within a building may be. This means that new development that blocks out the immediate outlook of a dwelling must be avoided.

Side Windows

Windows will only be protected for privacy and light if they themselves accord with policies in terms of distance to the boundary. Windows on side walls or gables - as often found on bungalows, for instance - will not normally be protected as they are not set back sufficiently from the boundary to be "good neighbours" themselves, taking only their fair share of light.

Ground floor windows can sometimes be closer than 9 metres to a boundary if they can be screened in some way, e.g. by a fence or hedge.

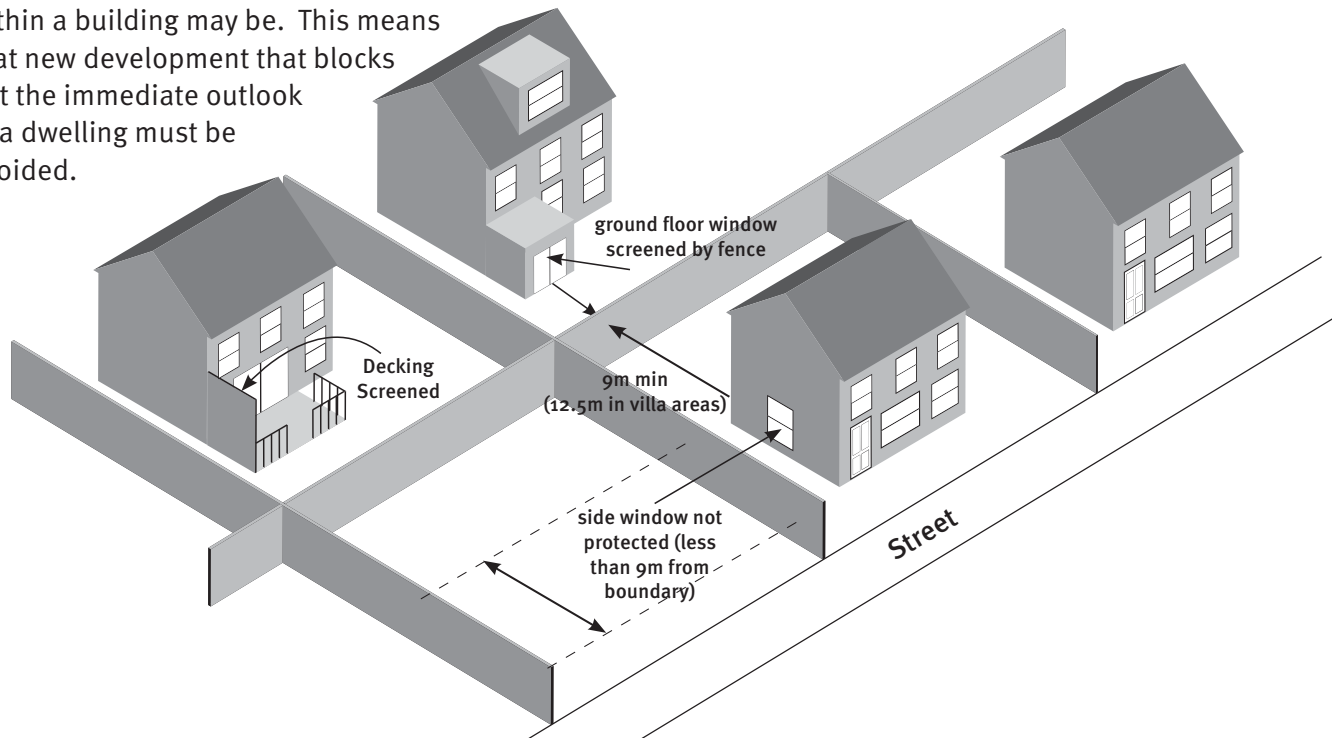
Decking, Roof Terraces and Balconies

Balconies, roof terraces and decking which are close to boundaries and overlook neighbouring properties can be a major source of noise and privacy intrusion.

Generally, decking should be at, or close to, ground level (taking account of any level changes in the garden ground), of simple design (including barriers and steps), and should not detract from the appearance of the house.

Opportunities for decking may be limited on listed buildings, as it is rarely part of the original character.

Permission for roof terraces and balconies will not be granted where there is significant overlooking into neighbouring property due to positioning and height or if the terracing results in loss of privacy to neighbouring properties.



Trees

The retention of trees and landscape can soften the impact of a new building and help it to blend in. Mature landscape should therefore be retained where possible.

If a tree would overhang the proposed development or is closer to it than a distance equal to half the tree height, it must be shown on the application plans.

The tree species and the position of the trunk and extent of branch spread must be accurately indicated. The case officer will then assess if more detailed information, such as a tree survey of the site, is required.

Garages and outbuildings

Buildings within the residential curtilage – such as garages, sheds or greenhouses – should be subordinate in scale and floor area to the main house. In many cases, they will be “permitted development”.

Proposals will be assessed for their impact on the amenity of the area and on neighbouring property (eg loss of daylight) in the same way as extensions. Some points to note when planning your development:

- the use must be ancillary to the “enjoyment of the dwelling house”; for instance, gardening, maintenance or hobbies, and not for a commercial business (see our Guidance for Businesses for advice in these cases);
- in flatted properties, the way that the garden ground is allocated and the position of

neighbouring windows may restrain the size or position of any outbuildings;

- buildings in front gardens will not usually be acceptable, because of the damaging impact on the appearance and amenity of the street and the surrounding area;
- there may be additional considerations for listed buildings and conservation areas.

Sheds for cycle storage are subject to the same principles as sheds for any other purpose. The Council has worked with Spokes to produce guidance on the storage of bikes for tenement and flat dwellers, and in gardens.

Links:

[Guidance for Businesses](#)

[Listed Buildings and Conservation Areas Guidance](#)

[Spokes factsheet \(Cycle storage for tenements and flats\)](#)

[Spokes factsheet \(Cycle storage in gardens\)](#)

Step 3: Design Matters

Extensions and alterations should be architecturally compatible in design, scale and materials with the original house and its surrounding area. This does not preclude high quality innovative modern designs.

Extensions should not overwhelm or dominate the original form or appearance of the house, or detract from the character of the area.

A well-designed and attractive extension will enhance the appearance – and value – of your property and of the neighbourhood.



Extension subservient to original home in scale and size and compatible with original house in materials and form

Materials

The materials used to construct a building are one of the most important elements in helping a new extension to sit harmoniously with the original building. Material characteristic of the neighbourhood and of Edinburgh can provide a sense of quality and identity. Cheap or inappropriate materials can detract from the neighbourhood and the value of the house.

The materials to be used on an extension should normally match exactly those of the existing building. Where the existing building is constructed of stone, natural stone of the same type and colour should be used for the extension.

The use of traditional materials but in a modern design can be an effective way of respecting the character the building or area whilst still encouraging new architectural ideas.

Alternatively, a new extension may be designed to contrast with the existing building using a modern design and materials. In this instance the materials should be of the highest quality and relate well to the existing building.

It is better to set the extension slightly back so that there is a visible break between the old and new.

The use of sustainable long-lasting materials, locally sourced wherever possible, and with the potential for later recycling will be encouraged.

The use of materials that are reclaimed or recycled will be encouraged.

UPVC is not a traditional or sustainable material, and its use will not normally be acceptable in listed buildings and conservation areas.

Roof Design

In general the pitch and form of an extension roof should match that of the existing roof.

Flat roofs may be appropriate on modest, single storey extensions where not visible in public views. Side extension roofs should normally be pitched to match the house.

Otherwise flat and mansard roofs on extensions will not normally be allowed unless these are complementary to the existing roof, or in the case of flat roofs they are part of a high quality, contemporary design.

New eaves heights should either match or be lower than existing eaves, to avoid extensions being greater in storey height than the original building.

Development above the existing roof ridge will not be permitted.

Chimneys form an important feature of many roofs, often marking the subdivision of terraces or adding height to bungalows. Even if disused, they should normally be retained. New false ones can act as ventilation flues from kitchens or bathrooms.

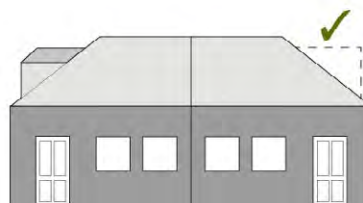
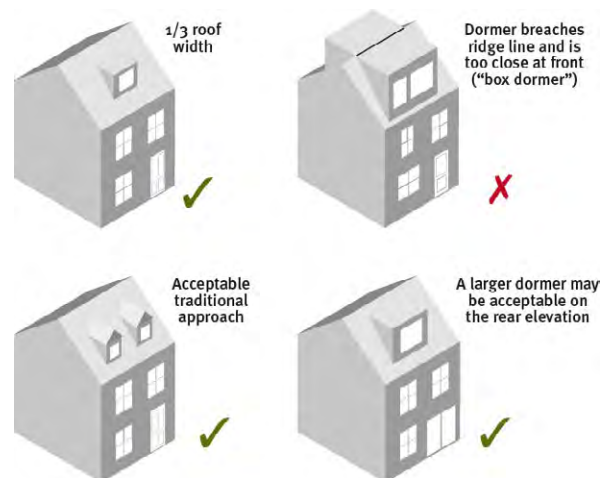
Dormers

Dormers on principal elevations, and all dormers in conservation areas or on a listed building, will require planning permission.

Dormers in conservation areas will be acceptable when they are compatible with the building and the character of the surrounding area. All glazing proportions should match the main house or flat.

Dormers on a listed building will also require listed building consent. New dormers on a listed building are not normally acceptable on front roof pitches. New dormers on rear roof pitches of listed buildings may be acceptable where compatible with the character of the listed building. Where acceptable on listed buildings, dormers should be of a historic design.

On unlisted houses that are not in conservation areas, rear and side dormers may be “permitted development”. Guidance on Householder Permitted Development Rights can be found in the [Scottish Government Guidance \(Circular 1/2012\)](#).



All proposals should comply with both general and specific guidance as set out below.

General Guidance

The relationship between a dormer and its surroundings is particularly important. Dormers should be of such a size that they do not dominate the form of the roof. Dormers should not come to the edges of the roof. There should be visible expanses of roof on all 4 sides. Where possible, the dormer should align with existing fenestration on the building’s elevation.

Specific Guidance

On principal elevations a single dormer should be no greater in width than one third of the average roof width. If there are two or more dormers, their combined width should be less than 50% of the average width of the single roof plane on which they are located.

On rear elevations which are not publicly visible or not readily visible from public viewpoints a larger dormer may be acceptable where this fits in with the character of the building and surrounding area.

Dormers on side elevations will be considered acceptable where it can be demonstrated that the proposal fits in well with the character of the surrounding area.

All dormers should comply with the ‘Privacy and Outlook’ requirements as set out on page 14.

Doors and windows

Doors and windows should be sensitively replaced, in keeping with the character of the original building, the quality of its design and in an environmental sustainable way. The character of the area should be protected and enhanced.

Replacement windows, and new windows on an extension, should be of the same size and style as the existing ones, keeping the same proportions.

Repairs to match the original do not require planning permission or listed building consent. However, where a building is listed, consent may be required for:

- Double glazing;
- Secondary glazing;
- The removal or replacement of windows and doors;
- Alterations to windows such as the changes to astragals, and alterations to doors.

Window and door alterations to listed buildings may require planning permission as well as listed building consent, if they are considered to be ‘development’, eg if the new window or door is materially different and changes the character of the building. Please refer to our Guidance for Conservation Areas and Listed Buildings.

Window replacement on unlisted buildings in conservation areas may also require planning permission, as may alterations such as converting a window to doors.

Door alterations to unlisted buildings in conservation

areas may require planning permission.

Permission will not be required in the following cases:

- The replacement of doors and windows on a like-for-like basis.
- In properties which are not in a conservation area.

If you want formal confirmation that your replacement doors and windows are lawful, you can apply for a *Certificate of Lawfulness* at www.eplanning.scot

Boundary walls

Walls and fences to the street frontage should harmonise with street and the house. They should not be so high as to be intimidating or reduce security overlooking from the houses.

Front walls and fences should not be more than 1 metre in height unless there is a prevailing size already established in the neighbourhood. They will not be acceptable in estates designed as open-plan front gardens, if this forms part of the character of a conservation area.

Access and parking

Forming an access for a parking space or garage will require planning permission where it is taken from a classified road or trunk road. In all cases, a road permit will be required for works required to drop a kerb.

In flats within conservation areas and within the curtilage of a listed building, permission is also required to form a hard surface - a driveway or a parking space. For other properties, see the section on forming a hard-paved area in Permitted Development Rights.

Demolition or alteration of walls will need consent in conservation areas or for listed buildings. A building warrant is also needed where the hard paved area is more than 200 square metres.

Parking in front gardens will not normally be allowed

- within traditional tenements;
- in conservation areas or listed buildings, where loss of original walls or railings and the creation of a hard surface would have an adverse effect on the character and setting of the area, or a listed building and its special architectural or historic interest;
- where the parking space would be formed in front of the windows of a habitable room owned by a different occupier.

For road safety reasons, an access must not be formed

- within 15 metres of a junction;
- where visibility would be obstructed; and
- where it would interfere with pedestrian crossings, bus stops, street lighting or existing street furniture.

Only one access will be permitted per property.

A parking space will normally be allowed if the front garden is at least 6 metres deep, with a maximum area of 21 square metres or 25% of the front garden, whichever is the greater. The design should be such as to prevent additional parking on the remainder of the garden area, eg by using kerbs, planting boxes or changes of level. The access should not be wider than 3 metres.

Materials must be of high quality and appropriate for the house and the area. The paving must be porous or combined with a soakaway within the site; the first 2 metres from the road should be paved to avoid loose chippings spilling out. Gates should be of appropriate design and open inwards, to avoid obstructing the pavement.

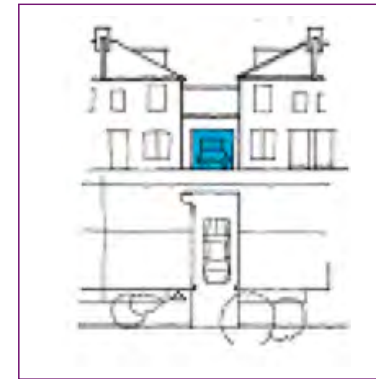
Garages or car-ports must have at least a 6 metre driveway in front to allow vehicles to draw in completely off-street.

Where the provision of parking was part of the original grant of consent, the number of parking spaces should be maintained. Loss of a parking space (eg by the conversion of a garage) may, in a controlled parking area, affect the householder's right to obtain a parking permit.

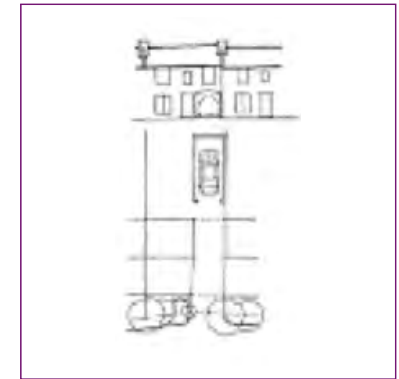
Parking solutions for bicycles are set out on page 15.

Smaller scale on-plot car parking options for residential developments:

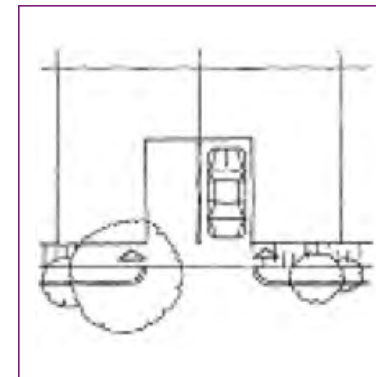
Source: [Space to Park website](#)



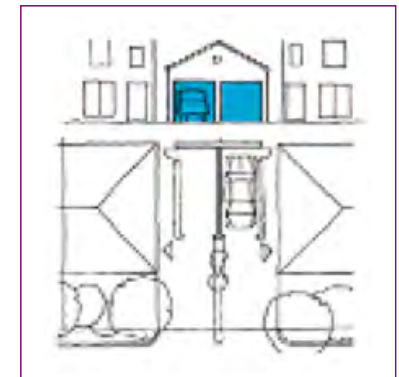
Attached Garage:



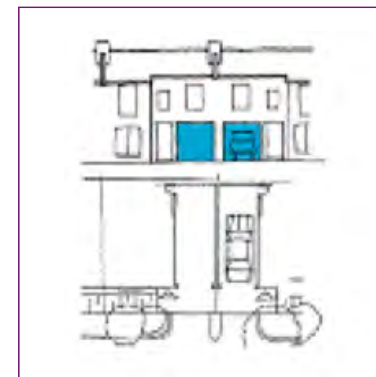
Cut out or drive through:



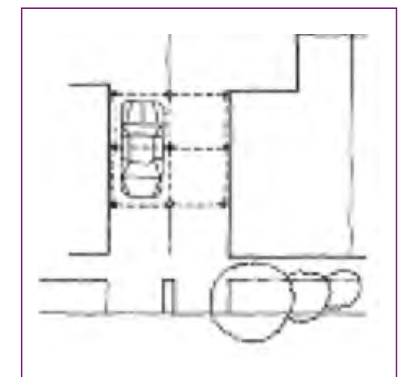
Hardstanding:



Detached Garage:



Integral Garage:



Car Port:

Sustainability

The Council encourages energy conservation, including microgeneration where appropriate. However, some devices are not always suitable on older listed properties or in conservation areas.

However, the re-use and adaptation of old buildings, which have long paid back their carbon footprint, is in itself sustainable.

Adaptable buildings, which allow for change or rearrangement in the future, are also sustainable, as they have a longer lifespan than those designed so tightly that they cannot be altered to meet future needs.

Other ways to make your extension more sustainable are to use environmentally-friendly and re-cycled materials.

Extensions must comply with Building Standards, which place a strong emphasis on energy-conservation measures such as insulation and appropriate materials. This passive energy approach is often more cost and energy-efficient than renewable technology.

Solar Panels

The provision of solar panels can contribute to sustainability. However, on listed buildings and/or within conservation areas, solar panels will not normally be permitted on any conspicuous elevations.

In other cases, where solar panels would be visible from public streets and areas, they should be designed and laid out as part of an overall architectural treatment.

Wood-burning stoves

Wood burning stoves and biomass boilers are similar appliances, both burn organic materials to create space heating. In addition, larger biomass central heating systems are available which can also heat water. The main difference between the two appliance types is that wood burning stoves burn wood, or wood pellets; and biomass stoves burn a variety of energy crops, including wood.

Provided that the wood burning stove or biomass boiler is located inside the dwelling house, the stoves themselves do not require planning permission. However, permission may be required for the flue and any storage facility required for the fuel. Where the building is listed, listed building consent may also be required if the storage is attached to the listed building. A building warrant will be required to cover installation, the flue and fuel storage.

This advice covers domestic stoves and boilers up to 45kW (heat) output. The Council's Environmental Health team can advise on acceptable types of stoves to achieve the required air quality standards.

Other services on buildings

Some new buildings, whether extensions or new-build houses or flats, spoil their exterior finishes with construction joints, outlets for flues and fans, weep holes, grilles, etc that were not taken into account at the time of design. These should be considered and planned in to minimise their impact.

Satellite Dish Aerials

Where they fall within planning control, e.g. in conservation areas and on listed buildings, dishes will not normally be acceptable on the front or street elevation of any building.

However, they may be acceptable in the following situations:

- on the ground to the rear of the building;
- on a modern extension to the rear of the building providing that no part of the dish is higher than the main building;
- in the internal valley of roof provided that no part of the dish projects above the ridge; or
- behind a parapet provided that no part of the dish projects above it.

Secured by design

The design and layout of your extension should not affect the security of your home or those of your neighbours. Blank walls, hidden corners and secluded passageways provide cover for intruders to work at gaining access.

Many break-ins take place at the rear of the house, taking advantage of the privacy of the rear garden. Ways of making your property more secure include:

- Making access to the rear difficult, using alarms and sensors;
- ensuring flat roofs do not provide access to upper windows;

- deterrent prickly planting under windows; and
- strong locks and fastenings.

You can get advice from the Architectural Liaison Officer at your local police station. It is much easier and cheaper to build in security features while you are constructing your extension, than trying to add them afterwards.

Considerations Checklist

Please consider which of the following permissions you will need, this might include:

- Planning Permission
- Listed Building Consent
- Conservation Area Consent
- Building Warrant
- Road Permit
- Licensing (landlord/HMO etc.)
- Legal rights to build

(see page 9 for details of these and other consents)

Step 4: Submitting your Application

Making an application where permission is required

How to apply for planning permission

Pre-application advice

Advice is generally only given on larger, more complex, unusual or contentious cases. We do not usually give pre-application advice on householder development.

Apply online

Applications can be submitted online at www.eplanning.scot

Once registered you can log in and begin making your application. A guide to submitting an application online is available to help you go through the process.

Apply by post

If you prefer paper forms then these can be downloaded from www.eplanning.scot

Data protection

When you submit a planning application, the information will appear on the Planning Register and will also be published on our weekly list of planning applications. This is all done in accordance with data protection law.

Preparing and Submitting your Planning Application

Paper Forms

Two sets of the planning application form are required. The same number of land ownership certificates must also be submitted. Guidance on their completion is provided with the forms.

The Council will notify all those with an interest in neighbouring land within 20 metres of the application site that you have submitted a valid planning application. They have 21 days from the date of the Council's notice to make formal representations. Note that anyone can send in comments, not just the notified neighbours.

Application Fee

Fees can be calculated at www.eplanning.scot. Cheques should be made payable to the City of Edinburgh Council, but online or phone payments are available.

Requirement for Plans and Drawings

All applications should be accompanied by a location plan, to scale and showing the application site in red and any other land owned by the applicant in blue. Almost all will also require a site plan.

You can view our [validation of applications guide](#) online.

Other plans and drawings will depend on the scale, nature and location of the proposal. For minor householder applications, such as a garden fence or a satellite dish, brochure details may be acceptable, but their precise location should be shown on a scaled drawing.

All new work should be coloured and the plans should be annotated dimensions and the proposed materials, and details such as the design and location of bin stores and recycling facilities.

For listed building consent, where new openings/changes are proposed, details of internal elevations and sections are required. With larger applications, a photographic survey will need to be submitted.

The minimum detailed information on the plans must be as follows:

Location plan

This must identify the land to which the proposal relates and its situation in relation to the locality - in particular in relation to neighbouring land (land within 20 metres of the boundary of the land to be developed) for notification. Location plans should be a scale of at least 1:2500 and should indicate a north point.

Site Plan

This should be of a scale of at least 1:500 and should show:

- a. the direction of North;
- b. any access arrangements, landscaping, car parking and open areas around buildings;
- c. the proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions including those to the boundaries;
- d. where possible, all the buildings, roads and footpaths on land adjoining the site including access arrangements;
- e. the extent and type of any hard surfacing;
- f. boundary treatment including walls or fencing where this is proposed.

Site Surveys

Including existing site levels, will be required for all new build proposals.

Existing and proposed elevations

(at a scale of 1:50 or 1:100) which should:

- a. show the proposed works in relation to what is already there;
- b. show all sides of the proposal;
- c. indicate, where possible, the proposed building materials and the style, materials and finish of windows and doors;
- d. include blank elevations (if only to show that this

is in fact the case);

- e. where a proposed elevation adjoins another building or is in close proximity or is part of a larger building (eg flats), the drawings should clearly show the relationship between the buildings, and detail the positions of the openings on each property.

Existing and proposed floor plans

(at a scale of 1:50 or 1:100) which should:

- a. explain the proposal in detail;
- b. show where existing buildings or walls are to be demolished;
- c. show details of the existing building(s) as well as those for the proposed development;
- d. show new buildings in context with adjacent buildings (including property numbers where applicable);
- e. show existing and proposed levels.

Existing and proposed site sections and finished floor and site levels

(at a scale of 1:50 or 1:100) which should:

- a. show a cross section(s) through the proposed building(s);
- b. where a proposal involves a change in ground levels, show both existing and finished levels to include details of foundations and eaves and how encroachment onto adjoining land is to be avoided;
- c. include full information to demonstrate how proposed buildings relate to existing site levels and

neighbouring development;

- d. show existing site levels and finished floor levels (with levels related to a fixed datum point off site), and also show the proposals in relation to adjoining buildings (unless, in the case of development of an existing house, the levels are evident from floor plans and elevations).

Roof plans

(at a scale of 1:50 or 1:100) to show the shape of the roof and specifying details such as the roofing material, vents and their grilles /outlets.

I don't need permission but ...

I want to be sure that I have correctly interpreted the permitted development rules, or that alterations carried out in the past are legitimate?

To cover these situations, you can apply for a *Certificate of Lawfulness* at www.eplanning.scot

Apply on line

Applications for Certificates of Lawfulness can be made online at www.eplanning.scot

A certificate has legal status, giving certainty to prospective buyers, and immunity from future enforcement action.

Certificates of Lawfulness are particularly useful when selling properties in the housing market, where the buyer may want proof that the works are lawful and planning permission was not required.

The onus is on you to provide supporting information as to why you think that the works are lawful under

the Planning acts. When a certificate is being sought for building works - e.g. an extension to a house - drawings will be required to ascertain that the proposal is actually permitted development.

Guidance is available on the Council's web-site.

It may become apparent during the processing of the application for the certificate of lawfulness that this is not the case and planning permission will be required. In these cases, the certificate will be refused. You have a right of appeal against this decision.

Glossary

Amenity - the pleasantness or attractiveness of a place.

Balustrade - a railing supported by balusters, especially one forming an ornamental parapet to a balcony, bridge, or terrace.

Buildings Lines - a limit beyond which a house must not extend into a street.

Conservation Areas - areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

Curtilage - an area of land attached to a house and forming one enclosure with it.

Dormer Windows - a window that projects vertically from a sloping roof.

Elevation - drawings to show what the building will look like from each side.

Gable End - the triangular upper part of a wall at the end of a ridged roof.

Green Belt - an area of open land around a city, on which building is restricted.

Permitted Development - certain types of work without needing to apply for planning permission.

Public Realm - belongs to everyone. It comprises the streets, squares, parks, green spaces and other outdoor places.

Planning Permission – a formal request to a local authority for permission to build something new or to add something to an existing building.

Listed Buildings - Listed buildings are buildings of special architectural or historic interest which are protected under legislation.

Local Development Plan - A Local Development Plan (LDP) sets out policies and proposals to guide development.



HAPPY TO TRANSLATE

আনন্দের সঙ্গে অনুবাদ করব ترجمہ کے لئے حاضر

بسعدينا توفير الترجمة MOŻEMY PRZETŁUMACZYĆ 很樂意翻譯

You can get this document on tape, in Braille, large print and various computer formats if you ask us. Please contact ITS on 0131 242 8181 and quote reference number 12-0931. ITS can also give information on community language translations.

Planning Committee

10.00am, Thursday, 17 August 2017

Planning Committee Training and Awareness Raising Programme

Item number	6.2
Report number	
Executive/routine	Executive
Wards	All

Executive Summary

The purpose of this report is to propose a training and awareness programme for the Planning Committee and its subcommittees, to build on the recent induction training workshops.

This programme is an important part of supporting Committee members in their promotion of key economic development, social and environmental objectives set by the Council and how they relate to the Development Plan and the Council's planning decisions.

Links

[Coalition Pledges](#)
[Council Priorities](#)
[Single Outcome Agreement](#)

Planning Committee Training and Awareness Raising Programme

1. Recommendations

- 1.1 It is recommended that the Committee agrees the priorities for training and awareness raising over the next 12 months and the indicative programme of workshops.

2. Background

- 2.1 A member training and awareness raising programme has been in place for the Planning Committee over the last three administrative terms of the Council. Previous members of Planning Committee have confirmed that such a programme provides a helpful way to build awareness and understanding of planning issues for Edinburgh and the wider city region. Similarly the programme has facilitated improved awareness and mutual understanding with partner organisations and key stakeholders, including government agencies, local partners and the development sector.
- 2.2 The programme is designed around practice and subjects recommended by the Scottish Government and the Improvement Service to assist members of a planning committee when they make planning decisions on a range of significant and sometimes contentious issues. This may be major applications or complex policy decisions which require finely balanced judgements.
- 2.3 Over the last five years, a range of topics have been covered which supported the key policy programme of that committee and assisted in the decision-making around current types of development.
- 2.4 Additionally the last committee continued the practice of holding an annual Planning Committee Tour, to give members an opportunity to get an 'on the ground' understanding of key planning issues. The tour visited key developments which had been completed and allowed a reflection on planning objectives in discussion with developers, community representatives and members of the Edinburgh Urban Design Panel.

3. Main report

- 3.1 Members of Planning Committee undertook induction training at the end of May 2017 as part of the overall Council programme. It provided the basic training required before an elected member can take part in planning decisions.
- 3.2 The proposed specialist workshop and awareness raising programme builds on that induction training and covers the period from August 2017 to June 2018. The programme will be based around two hour workshops and five dates have been added to the Council diary for Mondays as follows:
- 7 August 2017 (completed)
 - 2 October 2017
 - 4 December 2017
 - 26 February 2018
 - 14 May 2018 (full day tour included)
- 3.3 The format of workshops will be interactive sessions with lead speakers introducing subjects and allowing time for discussion. Representatives from partner organisations and the development sector will be invited to contribute to the sessions. Although subjects are allocated to dates (paragraph 3.5) the programme may need to be flexible so that priority issues can be addressed when appropriate.
- 3.4 As part of the ongoing Review of the Planning System, the Scottish Government is considering how best to deliver training for elected members who serve on planning committees. This may include mandatory training. In the interim, the Minister for Local Government and Housing wrote to planning authorities in June 2017 offering financial assistance in the form of grants to assist with the delivery of training. An application for grant assistance has been approved to assist with delivery of training in three subject areas of development economics, community empowerment and placemaking as part of the following programme. Subject to the completion of a grant agreement, the resource will be used to support the engagement of specialist trainers / speakers at the workshops through the Improvement Service which has a role in coordinating such workshops to share experience across planning authorities.
- 3.5 Proposed programme for 2017-18
- 3.5.1 Leadership themes:
- 7 August: Improving the quality of design and the aims of the Edinburgh Design Guidance
 - 4 December: Development economics, how projects are financed and factors that can hinder development
 - 26 February: Community engagement and synergies between land use and community planning

3.5.2 Partnership themes:

2 October: Developing the city – estate management strategies of major landholders such as the universities, NHS, and major infrastructure operators.

3.5.3 Practice themes:

14 May: place making and masterplanning in practice – learning from completed developments. This will be a full day workshop involving a tour of various sites.

- 3.6 The new committee structure agreed by Council on 22 June 2017 includes strategic development issues within the remit of the Housing and Economy Committee. This includes the statutory development plan (strategic development plan, local development plan and statutory supplementary guidance). Accordingly, the Planning Committee Training and Awareness Raising Programme may be of assistance also to members of that committee. There is capacity to invite members of other committees to attend such workshops.

4. Measures of success

- 4.1 Committee members feel confident and informed to make decisions relating to planning policy and development proposals.

5. Financial impact

- 5.1 There are no new financial implications arising from the recommendations of this report. Provision for elected member training is contained in the service revenue budget.
- 5.2 An application for grant assistance of up to £1,500 to support the programme was made in response to the invitation to planning authorities from the Minister for Local Government and Housing. Confirmation has been received that grant assistance will be available and an agreement is being prepared by Scottish Government.

6. Risk, policy, compliance and governance impact

- 6.1 There are no perceived risks associated with this report.

7. Equalities impact

- 7.1 There are positive impacts on equalities as the up-skilling of Planning Committee members can help to promote understanding which can foster good relations and lead to good placemaking thereby reducing issues of poverty and health inequality.

7.2 There are no negative impacts as a result of this report.

8. Sustainability impact

8.1 The proposals in this report will help achieve a sustainable Edinburgh because it will highlight the importance of creating good places and a greater understanding of the planning system can have a positive impact on achieving sustainable, economic development.

9. Consultation and engagement

9.1 Member feedback during the induction training held on 30 and 31 May 2017 has been used to inform this training programme.

10. Background reading/external references

None

Paul Lawrence

Executive Director of Place

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E-mail: david.leslie@edinburgh.gov.uk | Tel: 0131 529 3948

11. Links

Coalition Pledges

Council Priorities

Single Outcome Agreement

Appendices none

Planning Committee

10.00am, Thursday, 17 August 2017

Planning and Building Standards Customer Engagement Strategy and Building Standards Improvement Plan

Item number	7.1
Report number	
Executive/routine	Routine
Wards	All

Executive Summary

The purpose of this report is to inform the Committee about progress in the implementation of the Planning and Building Standards Customer Engagement Strategy and the Building Standards Improvement Plan on performance.

The Planning and Building Standards Customer Engagement Strategy aims to implement the Council's Channel Shift policy, encouraging customers to self-serve online. It is recognised that this culture change can be difficult to implement and a 'one size fits all' does not always work. This report looks at progress so far and the potential for better customer engagement.

Following an inspection in February 2017, the Building Standards Division of the Scottish Government identified a number of recommended actions to bring the level of service in Edinburgh up to the standards expected for a verifier under the Buildings (Scotland) Act 2003. This report informs the Committee of the Improvement Plan being implemented to address the recommendations.

Links

Coalition Pledges

Council Priorities

Single Outcome Agreement [SO1](#)

Planning and Building Standards Customer Engagement Strategy and Building Standards Improvement Plan

Recommendations

- 1.1 It is recommended that the Committee:
 - 1.1.1 Notes progress with the Customer Engagement Strategy and other actions to improve customer engagement; and
 - 1.1.2 Notes the outcomes from the Scottish Government's Building Standards Division inspection report and the proposed Improvement Plan to address the recommended actions from this.

Background

- 2.1 The Planning Committee approved the Planning and Building Standards Customer Engagement Strategy and Service Charter on [3 December 2015](#). The strategy and charter reflect the objectives of the Council's transformational change programme and channel shift agenda. These aim to support customers in the use of online services, and to refocus staff time on assisting with more complex applications and other statutory processes.
- 2.2 Changes to the service were introduced from December 2015 onwards. Since then changes were made to a number of customer-contact areas such as the planning and building standards helpdesk and online information. An update report to the Planning Committee on [8 December 2016](#) detailed these changes and a further report with a timetable for improvements was agreed on [2 March 2017](#).
- 2.3 The report in December 2016 acknowledged that behavioural change on the part of the customer is difficult to embed and that progress has been slow in moving them to online services. A number of planned improvements were seen as key to helping the customer to self serve including more accessible information and improved phone systems.
- 2.4 At the same time that the whole service was looking at engaging with customers, the Building Standards part of the service was undergoing a period of scrutiny due to the delay in granting building warrants. This under performance had arisen due to a number of factors, the main one being that as we slowly came out of recession and building warrant numbers increased, staff resources were not at the same level as pre-recession in 2008.

- 2.5 Building standards verifiers are appointed by Scottish Ministers in accordance with The Building (Scotland) Act 2003. Their role is to undertake independent checks to establish compliance with the building regulations. This principally involves assessing and approving building warrant applications, undertaking checks and inspections when building work is carried out, and accepting completion certificates (CC) once work has been satisfactorily completed. All 32 Scottish local authorities have been appointed as verifiers, each covering their own geographical area.
- 2.6 Due to concerns about performance in Edinburgh, the Scottish Government inspected the operation of the service against the Operating Framework for Building Standards Verifiers. The report of that visit was received on 7 April 2017 and made a number of recommendations.

Main report

Customer Engagement Strategy

- 3.1 The Planning and Building Standards Customer Engagement Strategy sets out how, as a service, we will communicate and consult with the wide range of customers who access our services. The strategy sets out when we will give pre-application advice; how we will communicate in terms of face to face contact, telephone enquiries, email correspondence and social media; and how we will encourage our customers to self-serve online to find information in line with the Council's Channel Shift policy.
- 3.2 The implementation of the strategy has been ongoing since December 2015 but most of it has been work done within the service such as web page improvements and help desk changes. Further assistance is required from the Council's ICT provider to progress implementation of Knowledge Base, an online self-service question bank, and online forms.
- 3.3 The strategy is aimed at focusing staff resources on key planning and building standards activities such as dealing with applications and plan and project preparation. Whilst general enquiries are dealt with by the Customer Contact Centre, case officers remain the point of contact for applications and pre-application advice is still available for more complex and contentious proposals. A full pre-application service is provided for all major applications.
- 3.4 Further key changes and events have recently informed the future direction of the strategy. These are as follows:
- Moving general enquiries calls to the Council's Customer Contact Centre;
 - Customer Forum; and
 - Improved web pages.

Customer Contact Centre

- 3.5 In April 2017, calls to the Planning general enquiry line moved to the Council's Customer Contact Centre (CCC) and this was followed in May 2017 by calls to the Building Standards line. Customer Service advisers in the CCC have been specifically trained to deal with calls on a range of topics relating to the service and to encourage the customer to go online to find the information.
- 3.6 If the customer wants to speak to a planner or surveyor, they can request a call back. However, to date, there has been little requirement for this service as the customer services adviser is usually able to assist the customer or direct them where to find the information. Although it is early days, there are some signs in terms of webpage views that there has been a slight increase in views for both the Planning and Building Standards pre-application advice pages. The table below indicates the number of views for the most popular web pages.

Month July 2016 to June 2017	General Planning and Building Standards Information	Apply for Planning Permission	Planning pre- application advice	Planning Guidelines	Building Warrants incl. Plan Store	Building warrants pre- application advice (New page)
July	6684	1162	410	1159	4807	0
August	14693	1249	433	1315	5957	0
September	8922	1265	451	1216	5236	0
October	7905	1190	406	1157	4681	116
November	7853	1215	401	1287	4655	770
December	5762	917	331	761	3366	531
January	7791	1190	421	888	4638	765
February	7648	1160	487	919	4392	677
March	8358	1340	491	1039	4952	771
April	6872	998	408	841	4109	720
May	16959	1485	562	1008	5645	913
June	7425	1074	469	871	4185	831
Total	107374	14298	5289	12510	56900	6094

- 3.7 In terms of the number of calls to the Planning and Building Standards Service, the table below sets out call volumes between July 2016 and June 2017:

Jul	Aug.	Sep.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun	Total
4189	4550	4790	3598	3400	2500	2618	3062	3690	3059	3703	3437	42596

- 3.8 The table shows that the number of calls has reduced from summer 2016 but is still at a very high level for a small service area. These figures illustrate the challenge that faces the service in meeting customer demand. In terms of the types of calls, there is a difference between Planning and Building Standards. The planning calls are generally from individuals seeking general advice on permissions needed whilst the Building Standards calls are generally requesting updates on building warrant applications. The service has implemented training and changes to help ensure customers are better kept up-to-date. This will improve customer relations and reduce complaints.
- 3.9 The Customer Engagement Strategy focuses on 'Channel Shift' and helping the customer move onto self-serving online but such behavioural change is slow and officers are still being contacted even where information is fully available online. By working with customers and improving communication channels, it is expected that over time this may change. It should be noted that full assistance will always be given to those without access to the internet or those who have a requirement for special help such as people with disabilities.
- 3.10 The move to the CCC has freed up support staff time to allow more efficient processing of applications and it also means that the customer always gets an answer when they do phone – previously this was not always the case. More work will be done with the advisers to improve the level of service although currently this is of a very high standard.

Customer Forum

- 3.11 On 20 June 2017, a customer forum was held which brought together agents, community councillors, statutory consultees, planners and surveyors to discuss what improvements could be made to the services provided by Planning and Building Standards. It was attended by almost 60 customer representatives. The feedback has been very positive. Customers genuinely appreciated the opportunity to have an open discussion about what they would like from our services.
- 3.12 A number of themes have emerged from the forum:
- Communication - The need to be better at responding to emails and phone calls promptly, better ways of updating applicants on application progress, improved working with community councils, better information from the CCC;
 - Customer - More consistent approach required, better help and guidance on community engagement, help desk improvements;

- Resources - Use discretionary charging for some services, increase use of self certification, more staff to handle workload, staff training, improve staff morale, faster enforcement, better guidance;
- Technology - Better updates on application progress, show representations on portal; and
- Processes - Improve timescales, review reports and conditions with applicant, code of practice for staff, align development consents, better consistency, better joined up working.

3.13 An action plan is being formulated to take the realistic suggestions forward but the following 'quick wins' are proposed:

- Changes to the acknowledgement system for building warrants so that the customer has the name of the surveyor dealing with their case from the early in the process. This happens for planning applications but it is not until the agent gets a 'first report' telling them whether their building warrant meets the building regulations that they get details of the surveyor dealing with the case;
- Preparation of 'how to videos' to show the customer how they can do various activities online such as searching for guidance or checking whether they need planning permission and how to comment on planning applications;
- Increased use of support staff to assist team managers with technical tasks within the team and so free up time for better customer engagement;
- Additional training for staff whose customer care skills are below the required Council standard;
- Better use of help desk planners and surveyors to respond quicker to general enquiries; and
- A review of communication channels including out-of-office messages and auto-responses to help manage customer expectations about how quickly the service is able to respond. For most customers who contact us, the 10-working day standard Council response time is longer than they would expect and phonecalls following emails is frequently the norm. This puts added pressure on the service.

3.14 In the longer term, more work is needed on a number issues including better use of technology to keep the customer informed, greater consistency of decision-making and improved community engagement

Webpage Improvements

3.15 Work has been ongoing to improve webpage content but this has to be done in accordance with Council web standards. A series of [quick guides](#) is now available on the planning pages and these are aimed at those customers who just want to know if they need consent for very straightforward works. Guides are available on windows, driveways, change of use, adverts and sheds.

Building Standards Improvement Plan

- 3.16 The building warrant process is made up of three main stages:
- Granting the building warrant - this involves checking the drawings submitted to verify they comply with the building regulations, issuing a 'first report' with any requested changes, awaiting the revised plans, checking them and issuing the warrant;
 - Reasonable Inquiry – this involves carrying out site inspections and other checks to reasonably inquire that the work has been carried out in accordance with the warrant drawings. The number of inspections will depend on the scale of the development but ultimately it is up to the applicant to ensure compliance; and
 - Completion – this involves a final inspection and the acceptance of a completion certificate that has been submitted to the Council.
- 3.17 There are various performance targets at these stages of the process and statistics are provided to the Scottish Government on a quarterly basis. It was on the basis of the poor performance identified in these statistics that the Minister of Local Government and Housing wrote to the Chief Executive in December 2016 regarding concerns about the performance of the building standards service in Edinburgh.
- 3.18 Verifiers are expected to operate under the Building Standards Verification Performance Framework which covers three perspectives – Professional Expertise and Technical Processes, Quality Customer Experience and Operational and Financial Efficiency. There are three cross cutting themes of Public Interest, Continuous Improvement and Partnership Working. The framework is supported by a range of key performance outcomes (KPOs).
- 3.19 The 'Operating Framework for Building Standards Verifiers' (OF) came into force on 1 April 2017 and it was against this document that the building standards service in Edinburgh was inspected. The documented operating processes of each verifier must address the following key functions:
- Integrity and Operational Resilience;
 - Administration of Building Warrant Applications and Completion Certificate Submissions; and
 - Maintain records to facilitate effective Business Operation and periodic audit by the Scottish Government.
- 3.20 The inspection report acknowledged that a corporate freeze on staff recruitment coincided with an increase in the number of building warrant (BW) applications following the economic downturn. This had a serious impact on building standards delivery. Other factors include the introduction of eBuilding Standards (eBS) and investment in associated IT hardware and software which has impacted on service delivery. As a result, not only was performance poor but customer satisfaction was

below the national average and record keeping and procedural guidance was not of the required standards.

3.21 Appendix 1 details the recommended actions of the Building Standards Division of the Scottish Government. In response, an Improvement Plan is being implemented. This contains the following key improvements:

- **Recruitment** - Seven new surveying staff are now in post and further recruitment is underway to fill a further four posts. The possibility of technical posts and more support staff is also being investigated.
- **Customer** - The Customer Forum was used as a vehicle to meet customers and hear their views on how the service could be improved. As detailed above, some of these actions are now being taken forward. In addition, a customer survey was issued in July 2017 to get detailed feedback on the Building Standards service and Customer Contact sessions have been held with all surveyors to discuss good customer care and the importance of engaging with customers. It is intended to implement further initiatives such as post decision feedback surveys and smaller customer forums;
- **Processes** - The service is working with the Council’s Strategy and Insight team to improve the building warrant processes to make them more effective. This will be challenging as this is a statutory process and set procedures have to be followed but areas for improvement will be identified as part of this process. Work has already been done on a new methodology for submitting building warrants to ensure greater consistency and surveyors have been working with the Edinburgh Chartered Architects Network to train agents in this way of working.
- **Performance** - In addition to recruitment, building warrant applications have also been processed by two other verifying authorities in Scotland – Aberdeen City and Argyll and Bute Councils. This mutual agreement has assisted with Edinburgh’s workload whilst allowing those authorities to retain staff. Overtime has also been used to clear backlogs. As a result performance in issuing ‘first reports’ on warrant applications has already improved as shown in the table below. Performance in the first quarter of 2017/18 was the highest of the last five quarters though still short of the national target of 95%.

2016/17				2017/18
Q1	Q2	Q3	Q4	Q1
55.9%	35.5%	14.3%	43.02%	67.4%

3.22 Work is still needed on overall timescales to grant warrants but as this period also includes the time it takes applicants to return revised plans, this can be subject to fluctuation. With the improvements to 'first reports' timescales, it is expected that there will be a reduction in phone calls from agents seeking updates on warrants and this will also help performance to improve.

Conclusion

3.23 The Planning and Building Standards Service has faced a number of challenges over the past two years in terms of meeting customer expectations. As a frontline service which relies on officer expertise, the efficient working of the service depends on having a balance between sufficient staff resource, high functioning working practices and managing customer expectation whilst still improving performance. The Customer Engagement Strategy and the Building Standards Improvement Plan are designed to get this balance right but will take time to deliver.

Measures of success

4.1 Our customers understand the Planning and Building Standards Customer Engagement Strategy and Building Standards Improvement Plan and work with the service to deliver the actions and improve the service.

Financial impact

5.1 The additional recruitment of Building Standards surveyors will have a financial impact. However, this can be accommodated due to a recent fee increase.

Risk, policy, compliance and governance impact

6.1 There are no perceived risks associated with this report. The report has no impact on any policies of the Council.

Equalities impact

- 7.1 The Equalities and Rights Impact Assessment indicates the following:
- The proposals will enhance participation, influence and voice as they promote better online services available to all whilst still allowing scope for direct contact where still required;
 - There are no infringements of Rights under these proposals;
 - There are no identified positive or negative impacts on the duty to eliminate unlawful discrimination, harassment or victimisation;
 - The proposals promote the duty to advance equality of opportunity as they promote better and more accessible information systems which would benefit all whilst still ensuring any groups who need bespoke advice still have access to this service;
 - The proposal to ask customers to self serve online may affect some groups such as those with disabilities and those of a different race. However, the

strategy states that a direct service will still be provided for those who need it; and

- The proposals promote the duty to foster good relations as they make clear the service standards that can be expected and so promote understanding.

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:

- The proposals in this report will have no impact on carbon emissions because the report deals with customer engagement and service improvements;
- The proposals in this report will have no effect on the city's resilience to climate change impacts because the report deals with customer engagement and service improvements;
- The proposals in this report will help achieve a sustainable Edinburgh because they promote they promote equality of opportunity by making services more easy to understand and accessible;
- The proposals in this report will help achieve a sustainable Edinburgh because they will assist the economic well being of the City by concentrating our resources where they will facilitate development.

Consultation and engagement

9.1 A Customer Forum was held on 20 June 2017 to get feedback on the service. In addition, various training events have been held with agents on the new methodology for submitting building warrants and a customer survey on the Building Standards process was issued in July 2017.

Background reading/external references

- 10.1 Planning and Building Standards Customer Engagement Strategy and Service Charter
http://www.edinburgh.gov.uk/download/meetings/id/49102/item_71_planning_and_building_standards_customer_engagement_strategy_and_service_charter
- 10.2 Planning and Building Standards Customer Engagement Strategy – progress report and next steps, report to Planning Committee 8 December 2016
http://www.edinburgh.gov.uk/download/meetings/id/52715/item_81_-_planning_and_building_standards_customer_engagement_strategy_%E2%80%93_progress_report_and_next_steps
- 10.3 Planning and Building Standards Customer Engagement Strategy – time table for improvements

[http://www.edinburgh.gov.uk/download/meetings/id/53373/item_71 -
_planning_and_building_standards_customer_engagement_strategy_%E2%80%93
_timetable_for_improvements](http://www.edinburgh.gov.uk/download/meetings/id/53373/item_71_-_planning_and_building_standards_customer_engagement_strategy_%E2%80%93_timetable_for_improvements)

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Links

Coalition Pledges

Council Priorities

Single Outcome Agreement

SO1 Edinburgh's economy delivers increased investment, jobs and opportunities for all

Appendices

Appendix 1 – Building Standards Division Recommended actions

4 Recommended actions

Grading	Observation	Risk	Recommendation	Response
1 FUNDAMENTAL	No documented quality assurance process for BW, CC and CCNP.	No assurance on the BW, CC or CCNP process to evidence that required standards are being met.	Review and implement processes to meet future OF requirement.	
2 FUNDAMENTAL	No documented process in place to meet legislative requirement for deemed decisions.	Contravention of legislation, Building (Scotland) Act 2003. Failure to adhere to legislative requirements renders warrants invalid.	Review and implement processes to meet legislative requirements.	
3 FUNDAMENTAL	Issue of first reports not meeting 20 day target.	KPO 3 requirement not being achieved. Meeting KPO targets, is a requirement of the verifier appointment.	Review and implement processes to meet legislative requirements.	
4 SIGNIFICANT	Lack of customer engagement to monitor service delivery.	Customer expectations are not met and risk of reputational damage.	Implement proposed action set out within draft Service Improvement Action Plan. Prioritisation of application types to be considered.	
5 IMPROVEMENT	Quarterly submission of CIP not being delivered timeously.	Performance Framework requirements are not being met.	Submission of required data in line with KPO 9.	
6 IMPROVEMENT	Information published on the website, is out of date.. Customer charter noted as a specific example.	Published guidance does not reflect current legislation requirements or PFO requirements.	Review published data for currency, accessibility and accuracy. Version control for all documents should be in place.	

Planning Committee

10.00am, Thursday, 17 August 2017

Finalised New Town Conservation Area Character Appraisal

Item number	8.1
Report number	
Executive/routine	Executive
Wards	City Centre

Executive Summary

On [8 December 2016](#), Planning Committee approved a consultative draft revised New Town Conservation Character Appraisal. It is part of a programme of work including the review of the Old and New Towns of Edinburgh World Heritage Site Management Plan.

Consultation has taken place and the finalised document is now presented for approval. The finalised version has been informed by the views of local people and groups, following a programme of consultation, engagement and promotion via a range of media.

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Finalised New Town Conservation Area Character Appraisal

1. Recommendations

- 1.1 It is recommended that the Committee approves the appended finalised version of the New Town Conservation Area Character Appraisal.

2. Background

- 2.1 Conservation area character appraisals are intended to help manage change. They provide an agreed basis of understanding of what makes an area special. This understanding informs and provides the context in which decisions can be made on proposals which may affect the character of a conservation area.
- 2.2 The character appraisals for the Old Town and New Town Conservation Areas have been reviewed as part of the programme for reviewing the Old and New Towns of Edinburgh World Heritage Site Management Plan. The final version of the Old Town Conservation Area Character Appraisal was approved by Planning Committee on [2 March 2017](#).
- 2.3 On 8 December 2016, Planning Committee approved a draft revised New Town Conservation Area Character Appraisal for consultation.

3. Main report

- 3.1 Following approval of the consultative draft New Town Conservation Area Character Appraisal, an online questionnaire was set up to capture views on the draft document and to encourage comments about how well it defines and reflects the special characteristics of the Conservation Area. City wide and local amenity associations were also contacted for their views on the draft document.
- 3.2 The consultation generated 22 responses. The majority of respondents (95%) considered that the appraisal reflected the character of the Conservation Area either very well or fairly well and 91% considered that the appraisal appropriately described the different elements of the New Town's special character.
- 3.3 The following were the main issues raised from the consultation:
 - 3.3.1 The appraisal should include maps, illustrations and a contents page. These will all be included in the final document;

- 3.3.2 Comments about street cleaning and traffic congestion. These are not matters for the appraisal;
 - 3.3.3 Suggestions regarding detailed controls over building design, signage, external decoration, dormer window details. Advice on these detailed issues is included in the Council's non-statutory planning guidance;
 - 3.3.4 The need to retain setts should be stressed. This is already included in the appraisal;
 - 3.3.5 The contribution of private gardens to the character of the conservation area should be noted. The text has been amended; and
 - 3.3.6 Clarify the relationship of buildings on Calton Hill in terms of the character of this part of the Conservation Area. The text has been amended.
- 3.4 The text for the proposed final version of the appraisal is attached at Appendix 1. Changes to the text from the draft to final versions are highlighted. Following Committee's approval, the document will be published with illustrative material on the Council's web site.

4. Measures of success

- 4.1 Publication of the finalised appraisal document.
- 4.2 Better informed design and decision making, helping to protect the special character of the area.

5. Financial impact

- 5.1 There are no immediate financial implications for the Council arising from this report.
- 5.2 The new document format is intended to be viewed mainly online, and can be printed by users from home. The Council will not stock a traditional, printed version. However, individual copies could be photocopied on request for customers with difficulties accessing the web version. Demand for this service is expected to be low and the minimal additional costs could be absorbed in existing budgets.

6. Risk, policy, compliance and governance impact

- 6.1 There are no significant risks associated with approval of the document as recommended. Completion of the review of the appraisal ensures the Council's compliance with its statutory duty to review its conservation areas, as established in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The report also relates to Policy Env 6 of the Local Development Plan -Development within Conservation Areas.

6.2 The appraisal supports the current draft revision of the Old and New Towns of Edinburgh World Heritage Site Management Plan.

7. Equalities impact

- 7.1 The aim of conservation area status is to enhance the quality of the area. This has the potential to improve quality of life and supports sustainable communities.
- 7.2 No infringements of rights have been identified. No negative impacts on equality have been identified.

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:
- The proposals in this report will reduce carbon emissions by encouraging the conservation of resources and energy embodied in existing buildings, rather than demolition and reconstruction, major generators of carbon emissions;
 - The need to build resilience to climate change impacts is not relevant to the proposals in this report because conservation of the built environment is not considered to be significantly affected, positively or negatively, in this regard; and
 - The proposals in this report will help achieve a sustainable Edinburgh because the conservation and management of the historic environment contributes directly to sustainability in a number of ways. These include the energy and material invested in a building, the scope for adaptation and reuse, and the unique quality of historic environments which provide a sense of identity and continuity.

9. Consultation and engagement

- 9.1 The draft appraisal was published on the Council web site and promoted on the internet, social media and at local community events.
- 9.2 An online questionnaire was set up to capture residents' views on the draft appraisal and to encourage comments about how well it refines, defines and reflects the special characteristics of the Conservation Area.

10. Background reading/external references

- 10.1 Report to Planning Committee of [3 October 2013](#): Review of Conservation Area Character Appraisals.
- 10.2 Report to Planning Committee on [8 December 2016](#): Draft New Town Character Appraisal.

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11. Links

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Appendices

1 Finalised New Town Conservation Area Character Appraisal.

Appendix 1

NEW TOWN DRAFT CONSERVATION AREA CHARACTER APPRAISAL

LOCATION AND BOUNDARIES

The Conservation Area forms the northern section of the city centre of Edinburgh and its inner suburbs. It is 322ha (825 acres) in area, and approximately 3.7 kilometre (3 miles) wide west to east and 2 kilometres (1.25miles) north to south.

DATES OF DESIGNATION/AMENDMENTS

The Conservation Area was originally designated in October 1977. An amendment in March 1980 transferred Waverley Station to the Old Town Conservation Area. A further amendment was made in 1995 to include Atholl Crescent and Rutland Square, which were previously included in the West End Conservation Area.

WORLD HERITAGE STATUS

All but the northern fringe of the Conservation Area is included in the Old and New Towns of Edinburgh World Heritage Site, which was inscribed on UNESCO's World Heritage Site list in 1995. This was in recognition of the outstanding architectural, historical and cultural importance of the Old and New Towns.

In terms of UNESCO's criteria, the conservation and protection of the World Heritage Site are paramount issues. The conservation of the World Heritage Site is defined as those steps necessary for its protection, conservation and restoration as well as its controlled development and harmonious adaptation to contemporary life. Inscription commits all those involved with the development and management of the Site to ensure measures are taken to protect and enhance the area for future generations. Since 2014, Historic Environment Scotland has a statutory duty to consider the Outstanding Universal Value of the Site when assessing the impact of development proposals.

Edinburgh World Heritage was established in 1999 by a merger of the Old Town Renewal Trust and the New Town Conservation Committee. The World Heritage Site is managed, protected and promoted through a partnership comprising Edinburgh World Heritage, Historic Environment Scotland and the City of Edinburgh Council. This Character Appraisal should be read in conjunction with the Management Plan for the World Heritage Site.

STATEMENT OF SIGNIFICANCE

The New Town, constructed between 1767 and 1890 on the glacial plain to the north of the Old Town, contains an outstanding 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. It covers a very large area, is consistent to an unrivalled degree, survives virtually intact and constitutes the most extensive surviving example of neo-classical town planning in the world.

The Conservation Area ranks as one of the most important in the United Kingdom, in terms of both its architectural, urban planning and historic interest. Its significance is reflected in the extensive number of Statutory Listed Buildings, the number of tourists that visit the area, and its international recognition as part of the UNESCO designated Old and New Towns of Edinburgh World Heritage Site.

PURPOSE OF CHARACTER APPRAISALS

Conservation area character appraisals are intended to help manage change. They provide an agreed basis of understanding of what makes an area special. This understanding informs and provides the context in which decisions can be made on proposals which may affect that character. An enhanced level of understanding, combined with appropriate management tools, ensures that change and development sustains and respects the qualities and special characteristics of the area.

Planning Advice Note PAN 71: Conservation Area Management specifies that:

‘When effectively managed, conservation areas can anchor thriving communities, sustain cultural heritage, generate wealth and prosperity and add to quality of life. To realise this potential many of them need to continue to adapt and develop in response to the modern-day needs and aspirations of living and working communities. This means accommodating physical, social and economic change for the better.

Physical change in conservation areas does not necessarily need to replicate its surroundings. The challenge is to ensure that all new development respects, enhances and has a positive impact on the area. Physical and land use change in conservation areas should always be founded on a detailed understanding of the historic and urban design context.’

HOW TO USE THIS DOCUMENT

The analysis of New Town’s character and appearance focuses on the features which make the area special and distinctive. This is divided into two sections:

- Structure, which describes and draws conclusions regarding the overall organisation and macro-scale features of the area; and
- Key Elements, which examines the smaller-scale features and details which fit within the structure.

This document is not intended to give prescriptive instructions on what designs or styles will be acceptable in the area. Instead, it can be used to ensure that the design of an alteration or addition is based on an informed interpretation of context. This context should be considered in conjunction with the relevant Local Development Plan policies and planning guidance. The management section outlines the policy and legislation relevant to decision-making in the area.

HISTORICAL ORIGINS AND DEVELOPMENT

During the 1600s and early 1700s, the population of Edinburgh grew considerably within the old walls of the city, producing conditions of severe overcrowding. The late seventeenth century and early eighteenth century were difficult periods for Scotland. The country's economy was relatively small, its range of exports limited, and the country was in a weak political position in relation to the great powers of Europe, including neighbouring England, and their overseas empires. Famine and depopulation in the 1690s, the Union of Parliament in 1707, severe financial losses following the failure of the Darien Colony in Panama, and instability resulting from the Jacobite rebellions of 1715 and 1745 (in which Edinburgh was taken by the Jacobites) were significant impediments to development. It was not until the more settled political and economic climate of the 1750s that the city could contemplate an ambitious potential expansion.

Before the building of the First New Town, the land to the north was characterised by open ground with a few scattered villages such as Broughton, Stockbridge, Canonmills, Dean, Picardy and Calton. All these villages were difficult to access from the Old Town which was severely constrained by its topography – with expansion to the north impeded by the Nor' Loch.

The gradual growth of economic prosperity by the mid-eighteenth century was accompanied, after 1745, by political stability. In the 1750s, Edinburgh was, therefore, ripe for expansion. Its more prosperous citizens wanted better housing than was available in the cramped and dark closes of the Old Town. The building of Argyll Square, Adam Square, Brown Square and George Square to the south met some of this demand on a relatively small scale.

In 1751, a pamphlet was published entitled 'Proposals for carrying on certain public works in the city of Edinburgh'. This document, strongly supported by the Lord Provost, George Drummond, proposed a New Town connected to the Old Town by a bridge.

The draining of the Nor' Loch began in 1759, and the Council also took steps to purchase sections of land immediately across the valley to enable development.

The First New Town

In March 1766, the Council announced a competition to produce an overall plan for the new development. The objectives were to create an elite residential suburb, based

on 'order and regularity' with 'streets of a proper breadth'. The winning entry was that prepared by the 23 year old James Craig.

The final version of the plan was approved by the Town Council in July 1767 - 2017 is the 250th anniversary of the approval of the plan. It is a strikingly simple, self-contained grid, with a broad main street along the top of the ridge connected to two squares. Parallel to this street are two more streets, looking north and south out over the Forth and over the Nor' Loch valley. Three equally spaced cross-streets bisect the grid. Along the long axis of each block is a smaller road, with mews lanes opening off it on each side.

The approved plan incorporated a layout of generous proportions and spaciousness. The central street is 100ft wide; the outer streets and cross streets 80ft wide; and the mews 30ft wide. The spatial layout incorporates a lateral social segregation, reflecting the hierarchy of eighteenth century society in which each class was given its due place. At the top of the hierarchy is the central, widest street (George Street) and the two grand squares. These formed the most prestigious addresses and would host the grandest individual town houses for the aristocracy and gentry. Next came the two outer streets and the cross streets. The subsidiary streets were intended to house shopkeepers and tradesmen, and the mews lanes the stables and outbuildings serviced the rear of the grand houses. In practice, the open views from the one-sided flanking streets meant that Queen Street attracted the most affluent residents.

This hierarchy provided a striking contrast to the relative social equality of the Old Town, where all classes were piled on top of one-another, occupying different levels of the same tenement. In creating the plan, Craig and the Town Council were 'importing to Scotland, for the first time, the built class distinctions of the new North Britain (Charles McKean, James Craig and Edinburgh's New Town).

The original feuing plan of the New Town shows the blocks broken up into regular plots, with gardens behind the houses and access from the mews lanes. However, development on the ground varied significantly from this plan.

Construction began around 1770 with buildings at the east end of Queen Street and Thistle Street, and the northern and eastern sides of St Andrew Square. By early in the 1780s, construction was underway in the eastern extremes of George Street, Princes Street and Rose Street, from where it spread gradually towards the west end.

All development was subject to conditions imposed by the feu superiors, in this case the Council. Control over the appearance of the buildings was initially very relaxed - the only condition imposed was that Craig's plan should be followed, with continuous terraces set back from the pavement by a basement area. Despite the regular plots shown on the feuing plan, feus were sold in a variety of sizes, and built both as town houses and tenement blocks of different sizes and designs, and the development was soon criticised for its irregularity which conflicted with the order required by contemporary taste.

Following concerns about the disparate overall appearance of the initial buildings, the conditions of sale of the land became increasingly prescriptive, and the Town Council passed a series of Acts in the 1780s to control issues such as building height and

dormers. In 1781, the Council stipulated that every house on a main street was to be of three storeys with a sunken basement and not more than 14.4m (48') high from the basement area to the top of the wall. In 1791, the Council commissioned Robert Adam to complete detailed plans and elevations for Charlotte Square to act as a detailed design guide. This resulted in the first New Town development to use a coherent palace block design to articulate an architectural unity across a number of individual properties, all controlled by Adam's feuing plan.

As the success of the First New Town became clear, adjacent land owners began to consider similar ventures. This resulted in a series of developments spreading north, west and east of the First New Town which today form the New Town Conservation Area.

Post -War Planning

The highly regarded town planner, Sir Patrick Abercrombie, produced detailed reports with proposals for the redevelopment of a number of British cities including Edinburgh, following the urban destruction and dramatic changes brought about by the Second World War. In 1949, Abercrombie presented his Civic Survey and Plan to Edinburgh Corporation. The plan recommended major changes to the city centre, including the remodelling of Princes Street in its entirety to regain the unity, which had been lost. These radical proposals were adopted by the Princes Street Panel in the 1950s, which devised a standard section for Princes Street. This segregated pedestrians from vehicular traffic, with a walkway at first floor level. Buildings using this approach are still evident. The demolition of St James Square and the insertion of a new road network through the Central Area were also recommended.

By the late 1960s, concerns about threats to the Georgian New Town were widespread. These focused on the condition of the buildings and the loss of clarity and coherence of the Georgian ensemble. Confronted with these multiple threats, the various authorities and interests organized a conference on the conservation of Georgian Edinburgh in 1970. The conference confirmed the international importance of the New Town and resulted in the establishment of the Edinburgh New Town Conservation Committee (ENTCC) in 1972. The ENTCC provided a single focus within one agency for all activities related to the study, condition, conservation, and development of the New Town.

From this point, a much greater emphasis was placed on conservation rather than redevelopment. Traffic proposals for the city centre proposed by Buchanan in the mid 1970s, which were a progression of Abercrombie's proposals were abandoned. However, this did not prevent the demolition of Picardy Place and St James Square - the former for road proposals and the latter for the St James Centre.

The New Town was designated as a conservation area in 1977. The inscription of the Old and New Towns of Edinburgh on UNESCO's list of World Heritage Sites in 1995 provided additional recognition of the city's unique heritage.

In 1996, the consultants EDAW were commissioned to produce 'A Strategy for the First New Town', considering, amongst other things, this issue of perceived conflict between the desire to maintain commercial vitality and the need to protect the historic

and architectural character of the area. The recommendations of the EDAW Study were adopted by the Planning Committee in November 1997.

The Edinburgh World Heritage Trust (EWH) was created in 1999 by the amalgamation of the Old Town Renewal Trust and the New Town Conservation Committee. The aim of EWH is to preserve or enhance the character or appearance of the site's special architectural or historic interest. EWH seeks to co-ordinate activities necessary for the protection of the heritage value of the site through its controlled development and its harmonious adaptation to contemporary life. The World Heritage Site Management Plan identifies what is significant about the World Heritage Site, recognises challenges and threats, and sets out policies to preserve and enhance the Site.

STRUCTURE

Topography

The formal designs of the New Town were laid out without substantially altering the existing landform and the topography, therefore, has a significant impact on the form of the Conservation Area. The majority of the area sits on a north facing slope. Calton Hill is the most prominent natural landmark within the area and forms a dramatic punctuation to the east. From George Street, the ground falls dramatically south down to Princes Street Gardens, overlooked by the Castle and the Old Town. Only the Western New Town is laid out on flat ground. Linked grid layouts make use of the topography to achieve a cohesive, uniform urban whole.

Development Pattern

The development of the New Town has resulted in a building stock of extraordinary quality which has proved to be both durable and capable of adaptation, both to the needs of changing residential standards and to different uses. Parts of the New Town can be characterised as restrained or even austere, relying on proportion, regularity and repetitive design for their architectural quality.

The Conservation Area is typified by formal plan layouts, spacious stone built terraces, broad streets and an overall classical elegance. The majority of buildings are of a standard type that expresses Georgian ideals of urban living. The standard building form is three main storeys over a sunken basement, normally three bays wide and three storeys high, including steps from street to basement and cellars under the pavement with a slate covered pitched roof. The width of the basement area was standardised at 2.4 m (8'0") in the First New Town, though it is sometimes wider in subsequent developments - for example, nearly 4.0m in Heriot Row. The street elevations of each property typically follow a standard form of evenly spaced vertically proportioned sash windows, with a door at street level. There is usually a high proportion of masonry to window opening on both the front and rear elevations. The facades reflect the internal planning of the buildings with larger balconies and lengthened windows to the drawing rooms at first floor level.

Apart from a very few of the very earliest properties, which are of rubblework stuccoed to represent ashlar, the street elevations of the majority of buildings were built of finely dressed squared ashlar of the durable local Craigleith sandstone. From the 1860s, builders took advantage of improved transport to import significant quantities of cheaper and softer stone from further afield. Rear elevations were usually constructed of rubblework masonry,

Driven by the grid plan of Craig's New Town as a precedent and the topographical characteristics of the area, each subsequent development adopted the basic principles of a grid layout. These grid layouts, defined by perimeter blocks, were designed with a concern both for buildings and the public realm and the relationship between built form, streets and open spaces. The layouts are framed by the use of perimeter blocks, which are rectangular in the earlier schemes, but become curved and rounded to meet the grid requirements of later schemes.

The First and Northern New Towns generally have the same hollow square perimeter block shape and size, while the later schemes have smaller hollow squares. The backlands to these hollow squares form large areas of open space within the Conservation Area and are significant features. The encroachment of commerce and retail in the New Town has resulted in the infill of the perimeter blocks; particularly along Princes Street, George Street and Shandwick Place.

The planned formal gardens throughout the Conservation Area introduce punctuation, emphasise views and provide amenity space within the discipline of the grid layouts.

From the 1840s onward, the local authority relaxed its restriction on the allowable heights of buildings, which quickly led to the construction of an additional floor on a large number of buildings.

The Victorians changed the nature of Princes Street and George Street with the introduction of commercial buildings. However, when developing residential areas in the New Town they invariably followed the grid plan precedent set by Craig.

In the post-war period there has been a significant amount of redevelopment within the area, particularly during the 1960s. Some of the buildings of this period tend to have ignored a number of the historic townscape rules in terms of proportion, scale, materials and form.

Setting and Edges

North Bridge and the Mound, original links between the Old and New Towns, provide principal routes to the south and the Borders. The access over North Bridge reveals the topography and character differences between the Old and New Towns. It also provides panoramic views to the east towards Arthur's Seat and the coast in the distance. The end of the bridge is terminated by Robert Adam's palace fronted Register House. The former GPO and Balmoral Hotel frame the bridge at Princes Street.

The Mound, a causeway built up of spoil from the construction of the New Town between 1780 and 1830, divides Princes Street gardens into two sections. Playfair's Galleries are classical temples against the backdrop of the Old Town ridge.

London Road, the principal route from the south reaches the Conservation Area through Playfair's Calton Scheme, giving an immediate introduction to the classical formality of the New Town.

The principal south western approach enters the New Town via Lothian Road with the Caledonian Hotel on the western junction with Princes Street. The Churches of St John and St Cuthbert terminate West Princes Street Gardens.

Leith Walk, connecting the City with its sea port, enters the Conservation Area at Haddington Place, which leads on to Playfair's Elm Row and Gayfield Square. London Road also provides a set piece entrance to the Conservation Area, linking through to Leith Walk.

The road to Glasgow skirts the Victorian development of the Western New Town before swinging north-east onto Haymarket Terrace and passing through the Georgian elegance of Coates and Atholl Crescents, to arrive via Shandwick Place at Princes Street. Queensferry Road, another western approach, takes advantage of Telford's high level bridge of 1830 to avoid the original route, which wound down a steep valley to cross the Water of Leith.

Vistas and Views

Views and vistas were an important element in eighteenth century design and town planning, and the area has a variety of notable views. The New Town exploits the topography and the value of views both within and out from it to maximum effect. The historic plan forms allied to the dramatic topography results in important terminated and long vistas and landmark features that respond to the changes in level. This is particularly true of southern views from the First New Town across Princes Street Gardens to the Old Town Ridge. Views from the northern slopes provide stepped panoramas towards and across the Firth of Forth.

In addition to these distant views Craig's plan deliberately promoted axial views along its main routes. Of particular note is the view south from George Street along Hanover Street towards the Royal Scottish Academy and Assembly Hall of the Church of Scotland. The views along George Street, east along Princes Street and out of practically all the cross streets are also outstanding.

To the west, the view of the spires of St Mary's cathedral is visible from many positions and is juxtaposed to the east with the prominence of Calton Hill. Playfair's scheme for Calton follows the contours of the hill and provides a terrace of exceptional length and great elegance that exploits spectacular views both to the north, south, and west along Princes Street.

Within the grid layouts, terminated vistas have been planned, using churches, monuments, buildings and civic statuary, resulting in an abundance of landmark buildings. The generally uniform heights of the New Town ensure that the skyline is distinct and punctuated only by church spires, steeples and monuments. The uniformity of building heights, allied to the wide use of formal gardens within the grid layouts, provides a background against which important features stand out and allows views across the city to be appreciated.

Townscape

The Conservation Area is characterised by Georgian and early Victorian rectilinear development of grand formal streets lined by fine terraced building expressing neo-classical order, regularity, symmetry, rigid geometry, and a hierarchical arrangement of buildings and spaces. They create a regular pattern of stately streets, squares and crescents, interspersed by formal gardens, and containing a series of major classical buildings by architects of the stature of Robert Adam.

While there are a considerable number of prominent buildings and focal points in the area, the sloping topography means that punctuation above the skyline is limited. The features that are prominent and can be seen from many parts of the area are the Old Town Ridge, Calton Hill with its monuments, and St Mary's Cathedral. Sitting alongside Calton Hill, the concrete development of the St James Centre forms an obtrusive element that can be seen from many points.

Princes Street gardens, with its Castle ridge backcloth, provides an open natural setting for a number of landmark buildings directly associated with Edinburgh. The magnificent Greek revival pavilion art galleries by Playfair at the foot of the Mound give credence to Edinburgh as the 'Athens of the North'. Further to the east is the Gothic steeple of the Scott Monument. The Balmoral Hotel (formerly the North British) completed in 1902 is a large quadrangular building, with a domed clock tower overlooking Waverley Station.

These features apart, the New Town is made up of a mix of town houses and tenement buildings, usually following a sloping topography, and adopting a generally uniform height with only church spires projecting above them. Within the grid layouts, there are individual set pieces and important buildings that do not disturb the skyline. The New Town can also be viewed from above at locations such as the Castle and Calton Hill, which makes the roofscape and skyline sensitive to any modern additions.

To understand the character of the Conservation Area, it is as appropriate to break it down into the smaller parts, which make up the whole. However, there is a strong sense of these parts 'fitting together' to form a unique and special place.

First New Town

The completed development of the First New Town was characterised by:

- A general consistency of overall building form, of three main storeys over a sunken basement with slate-clad pitched roofs, contributing to the appearance of a unified whole;

- An almost exclusive use of finely dressed squared ashlar of the durable local Craigleith sandstone (a pale, buff sandstone that weathers to a dark grey), creating a visual homogeneity;
- Visual homogeneity was also created by the use of a limited range of supporting materials: natural slate on roofs; cast and wrought iron for railings, balconies and street lamps; fine joinery and glazing at doors and windows; and stone for footpath paving, kerbs and roadway setts; and
- Richer, grander designs, such as Charlotte Square, were introduced as building work moved to the west and the development became economically secure.

The First New Town was planned to be essentially residential - a neighbourhood for elegant living. The majority of buildings were originally residential, non-residential buildings were confined to ancillary uses such as churches and the Assembly Rooms. Shops were planned in Rose Street, Hill Street and Thistle Street.

The new environment was ideal for the development of retail trade and over the years Princes Street has been extensively redeveloped as Edinburgh's prime shopping street. This has resulted in the majority of the buildings now being in retail use, though office, leisure and hotel uses are also present on upper floors.

Moving north from Princes Street retail use decreases. Rose Street and George Street have considerable shop frontages, particularly in their central and western ends but retail use has not achieved the saturation level of Princes Street. Further north, Thistle Street and Queen Street only house a very modest amount of retail use. The cross streets in the area also reflect these changes.

Throughout the area property has often been rebuilt or extended or converted for office or institutional use. Residential use only remains significant in the western and northern fringes of the First New Town.

The Northern New Town

In 1799, the Heriot Trust, which owned much of the land to the north of the First New Town, feued York Place, an extension eastwards of Queen Street. David Stewart, a former Provost, set the pattern for later large-scale development. Initially feuing some thirteen acres to the north of Queen Street from the Heriot Trust, he subsequently came to them with plans for a much larger development. His plans involved laying out a large square and circus linked by a grand central boulevard crossed by a continuation of Hanover Street running down the slope below Queen Street.

Stewart went bankrupt in 1800, but a variation of his plan by William Sibbald and Robert Reid, was finally adopted. Following the successful precedent of Charlotte Square, elevations for the façades were provided by Reid, with each of the blocks treated as a single composition.

Building started in 1803 but proceeded slowly until the end of the Napoleonic Wars in 1815, by which time only Heriot Row and part of Northumberland Street had been completed. Subsequently construction speeded up while the plan underwent further modification as building proceeded. The square was given a rounded end, to form

Drummond Place and in 1823 William Playfair redesigned the circus to incorporate a road up the slope from Stockbridge.

Great King Street, intended as the most prestigious, and, therefore, the most expensive, address was slow to feu, as Heriot Row, which faced the private gardens north of Queen Street, was the preferred location. These gardens, that became a feature of the later New Town developments, allowed occupiers exclusive access. Despite delays the development was essentially complete by 1823, although small sections of Fettes Row in the north-east, and of Bellevue Crescent in the north-west were not completed until much later.

The basic architectural form of the area continued the precedent of the First New Town, with fine quality ashlar residential blocks of three storeys over a sunken basement arranged in straight formal terraces.

The Moray Estate

By the early 1820s, the first New Town was virtually complete, and the Northern and Western New Towns and the Raeburn Estates were well under way. The estate of the Earl of Moray to the west of the Northern New Town remained open country. In 1822, with the demand for housing at its height, the Earl of Moray employed James Gillespie Graham to draw up a master plan. In order to ensure that the scheme was fully realised, the Earl imposed feuing conditions specifying the buildings that could be erected in great detail.

The estate, which occupied a relatively narrow strip of land sloping down to the Water of Leith was not the easiest on which to fit a classical layout. However, Gillespie Graham designed a self-contained enclave of exceptional quality which cleverly linked the First, Northern and Western New Towns. Development proceeded briskly, although the pace later slowed, with some houses not being built until 1855.

In response to the unusually shaped site and the rigid regularity of the earlier New Towns, the Moray Estate abandoned a rectilinear street layout in favour of a chain of three geometric shaped spaces linked by axial connecting streets. Each of the formal main spaces contains private gardens at their centres.

The first or most south-westerly of these spaces is Randolph Crescent, a semi-circular space with central gardens fronting Queensferry Street. Perpendicular to Queensferry Street, Great Stuart Street leads from Randolph Crescent to the elliptical Ainslie Place continuing on to the circular Moray Place.

The townscape of the Moray Estate is on a grand scale. This is expressed by the greater spaces between the blocks and the buildings, although they retain the three storey and basement form. The buildings around Moray Place itself are particularly impressive, taking the form of twelve Roman Doric palace fronted elevations, six of which have imposing columned centrepieces.

To the north, running down the slopes of the river gorge, is a mutual communal pleasure ground which was an important element of the scheme.

Western New Town

Early in the nineteenth century development began to the west of the First New Town. Shandwick Place, an extension to Princes Street westwards flanked by two wide crescents, was the first street to commence and was completed by 1825. This street has attracted considerable retail use leading to considerable redevelopment, although Atholl Crescent and Coates Crescent have remained much as they were built.

The area north of Shandwick Place and west of Queensferry Road belonged for the most part to Patrick Walker with the Trustees of Lord Alva owning a small section in the south-east corner. They jointly commissioned a plan from Robert Brown in 1813, based on the now well-established grid plan, but with only one, diagonally set square, Melville Crescent, in the centre.

Although development started briskly on Lord Alva's quarter and in the main east-west boulevard, Melville Street, it later slowed. The grander corner properties proved particularly hard to feu, perhaps because the more prosperous buyers preferred the greener outlooks available on the Moray Estate and Calton Hill. In 1855, the designs for some of these were simplified and scaled down, in order to complete the development.

Despite these setbacks, the Walkers made a substantial income and from 1873 Patrick Walker's three daughters funded the building of the three-spired St Mary's Episcopal Cathedral that provides a prominent terminus to the main axis of the development.

In 1830, John Learmonth feued a small area of land between Shandwick Place and Lothian Road. He used an adaptation of an 1817 plan by Thomas Elliot, drawn up for the previous owner, to form a short street and Rutland Square, a neat rectangle of porticoed houses.

The spread of the city westward prompted the Heriot's Trust, which owned the land still further west, to develop it from 1860. Recognising the desirability of a green outlook, the designs by John Lessels, Peddie and Kinnear, John Chesser and others included a good proportion of narrow ellipses and crescents. The style of architecture gradually changed from neo-classical to a rich Victorian Renaissance in the later developments. The most westerly developments Magdala Place and Douglas Crescent, have, uniquely in the area, mansard roofs.

Development also extended to the north of the Walker developments with the Drumsheugh area completed by 1890, though building slowed further to the west and Rothesay Terrace was only completed in the 1900s.

The Western New Town was planned around the grand central axis of Melville Street, with Shandwick Place and Chester Street/Drumsheugh Place as flanking streets. Melville Street is closed by St Mary's Cathedral at one end and the back of West Register House at the other and lined by grand buildings. The formality of the design is, however, compromised by the asymmetrical crossing of Queensferry Street. The formality of the plan was maintained in Shandwick Place, where the street is flanked by the crescents and gardens of Coates and Atholl Crescents.

The cross streets of Stafford Street, Manor Place and Walker Street continue the rectilinear street layout, which is completed by William Street with Alva Street to the south, and Chester Street, Drumsheugh Gardens and Rothesay Place to the north.

The extreme western part of the area stands beyond the north/south line of Palmerston Place. From the 1860s, this area was laid out around the saucer shaped gardens formed by Eglinton Crescent/Glencairn Crescent and Grosvenor Crescent/Landsdowne Crescent. It represents some of the latest development within the Conservation Area.

This area has been subject to increasing pressure from commercial uses. Shandwick Place has become a significant retail location with purpose built properties replacing the original Georgian houses. Less intensive retail use has also colonised Alva Street and William Street behind Shandwick Place, and the cross streets of Stafford Street and Queensferry Street. Adjacent to these retail areas, many of the original Georgian buildings are used for offices. In Rutland Square, Melville Street, Coates and Atholl Crescent the majority of buildings are now in office use. Office use remains a significant function throughout the area to the west of Palmerston Place, although the original residential use becomes more predominant further north and west.

Gayfield

The Gayfield Estate, owned by James Jolie, lay beyond the eastern boundary of the Northern New Town between East London Street and Leith Walk, the main thoroughfare to Leith. Jolie, a solicitor, began feuing part of the area in 1785. From around 1807, Hugh Cairncross, a former assistant of Robert Adam, designed a layout for the Gayfield Estate which was less formal than the earlier New Town developments. Gayfield Square, a large rectangle opening onto Leith Walk, contained tenement blocks, villas and a row of smaller houses. Broughton Place was lined with two-storey palace blocks similar to Heriot Row but on a smaller scale. Forth Street and Hart Street, by Robert Burn, on Heriot Trust land, are similar in scale.

The western section of Gayfield, between Union Street and Broughton Street, consists of roughly regular rectilinear streets fronted by late Georgian terraces of tenements. Towards the east, the formal grid of streets is based around the development of Gayfield Square which structures the area and is surrounded by a fringe of less regular development which contains significant pockets of piecemeal redevelopment.

Gayfield has a substantial residential population amongst other uses. This variety has been extended by redevelopment and by the conversion of residential property to office use. Shop units occupy the street level accommodation along Leith Walk and Broughton Street and occasional shop uses are present in Union Street and other locations.

Calton

The decision in 1814 to site a felons' prison next to the Bridewell prompted the Council to improve access to Calton Hill by building a bridge over the Calton Valley. Work

began in 1815 with Robert Stevenson appointed as engineer and Archibald Elliot as architect. A single developer built all the buildings along Waterloo Place, ensuring that Elliot's conception of a grand entrance to the city was consistently executed.

Improved access to the Calton Hill prompted the Town Council to conduct a competition for a design to develop the hill and its northern flank. Although the competition was inconclusive, the Council accepted the guiding advice of their architect William Stark for a picturesque improvement following a plan and report of 1819 produced by his pupil William Henry Playfair.

Playfair's plan retained the hilltop as public open space with development of the Hill limited to its mid-level, served by an extended Princes Street. A tree flanked, grand lower London Road was also proposed to link up with Leith Walk.

The sides of the Hill were to be planted informally with a canopy of deciduous woodland. The street layout was set to converge on the Hill to provide framed views of the woodland and hilltop skyline. Within this large composition Playfair created sweeping panoramas and important point vistas at differing heights up the hill.

The blocks to the immediate north, beyond London Road, were built to Playfair's design intermittently between 1820 and the 1880s. Feuing of the mid-level stances was not complete until the 1880s. The lower levels were never fully taken up and were given over to railway and other developments.

On the south side of the Hill, Thomas Hamilton, in 1825, designed a new building for the Royal High School in a pure Greek Revival style to mimic the Propylaea in [Athens](#), which serves as the entrance to the Acropolis. The summit of the Hill attracted a collection of monuments: to Nelson by Robert Burn (1807), Robert Burns by Hamilton (1830), Dugald Stewart by Playfair (1831), and most conspicuously, the National Monument, an incomplete replica of the Parthenon, erected in 1829 to a design by Cockerell and executed by Playfair, who had already topped the hill with his diminutive Greek observatory (1818). The relationship between the Royal High School (Propylaea) and the National Monument (Parthenon) creates part of the unique composition. The Calton skyline, embellished with this distinguished ensemble of monuments, enhanced Edinburgh's identity as the Athens of the North.

In 1936, the prisons on Regent Road were replaced by the monumental St Andrews House.

The hill is surrounded by a triangle of roads; Waterloo/Regent Road to the south, London Road/Royal Terrace to the north-east and Leith Street to the north-west. Waterloo Place forms an eastern extension of Princes Street, its entrance marked by the western elevation of the first buildings in the street - designed as a matching pair with their ionic pilastered porticos forming a gateway to Waterloo Place. The north and south elevations of the first part of the street are closely lined by late Georgian buildings built in the classical style. These are followed by Stevenson's Bridge over the Calton ravine, with the Old Calton burial ground and St Andrew's House to the south. Beyond St Andrew's House the road skirts the slopes of Calton Hill and opens up views across the eastern part of the Old Town to Salisbury Crags, with the Old Royal High School to the north.

Royal and Regent Terrace exploit the topography of the site and consist of two long outward facing terraces linked at an acute angle. Royal Terrace facing to the north, with views out to the Forth, is an imposing street, consisting of a 360 metre row of forty terraced houses with Corinthian and Ionic colonnades. These buildings are of a conception and scale unmatched anywhere else in Edinburgh. To the south, is the only slightly less grand 300 metre stretch of Regent Terrace, linked to Royal Terrace by Calton Terrace. It is built along a natural contour line, maximising long views and the picturesque qualities of the site. To the north of Royal Terrace are the rectilinear city blocks of Leopold Place, Hillside Crescent and Eglinton Crescent, radiating back from London Road.

Although retaining substantial residential use, this area has also attracted prestigious offices such as consulates, while a significant portion of Royal Terrace is in hotel use, often involving merging adjacent properties.

The Dean Estate

John Learmonth bought the Dean Estate in 1825, an area separated from the growing New Town by the Water of Leith in its steep sided valley. At the time Learmonth was Lord Provost and was promoting a bridge across the Water of Leith to improve communication between the city and the north, by avoiding the steep descent into Dean Village. He obtained the support of the Trustees of the Cramond Turnpike, owners of the road, by agreeing to appoint their preferred architect, the eminent civil engineer Thomas Telford, and the bridge was built in 1831, largely at Learmonth's expense.

An innovative and elegant design that has stood the test of time, Telford's Dean Bridge was an asset to the city, encouraging the siting of institutions such as the Dean Orphanage and Daniel Stewart's School beyond the river.

It was not until the 1850s that the Heriot Trust, which had bought the land, commissioned John Tait to lay out Oxford Terrace, Eton Terrace, Lennox Street and Clarendon Crescent north-east of Queensferry Road, taking advantage of the views afforded by the valley location. This was followed in 1860 by Belgrave Terrace by John Chesser, set back behind a garden along the other side of Queensferry Road which featured bay windows for the first time in the area. Belgrave Crescent, overlooking the valley, followed in 1874 and Belgrave Place in 1880. Mirroring Belgrave Terrace on the other side of the road, Learmonth's descendants began Learmonth Terrace to designs by Chesser in 1873.

The Dean Estate stands each side of the Queensferry Road beyond Telford's Dean Bridge. The earliest development is on the left beyond the old Holy Trinity Church, formed by two main streets, Buckingham Terrace and Belgrave Crescent, running roughly parallel to Queensferry Road. Each street is single sided looking out over public open space.

The Heriot Trust development immediately to the north of Dean Bridge, and on the right of Queensferry Road, is based on a polygon of roads all outward facing terraces except Lennox Street, the road farthest from Queensferry Road.

Stockbridge and the Raeburn Estate

At the turn of the eighteenth century Stockbridge was a successful milling community standing astride the Water of Leith by a new stone bridge, completed in the late 1700s, replacing the original ford across the river. In addition to the industrial buildings, the village had a community of workers' cottages and out of town villas of the more affluent.

From around 1813 the expansion of the New Town impacted on Stockbridge. The growing prosperity of the area and additional traffic along the toll road increased the demand for property, leading to the incremental replacement and development of Stockbridge's commercial centre. By the late 1800s, Stockbridge had been engulfed by Edinburgh's suburbs, becoming a neighbourhood centre that continues to support a thriving retail sector.

Stockbridge is an ancient rural and milling village situated by the Water of Leith and has less formal character than the New Town making it distinct from the rest of the Conservation Area. The area forms a neighbourhood shopping centre primarily based around small shop units in Raeburn Place.

Stockbridge was laid out around a single through route; now called Kerr Street to the south east of the Water of Leith and Deanhaugh Street, Raeburn Place, Comely Bank Road successively on the other bank. Dean Street and Leslie Place join Raeburn Place from the higher ground to the south-west. These streets are lined with Georgian and Victorian terraces of tenements or three storey houses. Beyond these streets are the older and grander terraces of the Raeburn Estate. The oldest of these, Ann Street, has some particularly fine buildings including palace fronted terraces with substantial individual front gardens. St Bernard's Crescent, two crescents facing each other to form a saucer shaped space, is also a superior example of late Georgian townscape.

The majority of property remains in residential use - in particular the Raeburn Estate has been subject to little redevelopment and remains an attractive and architecturally outstanding residential area.

In 1789, the painter Henry Raeburn, acquired the estate of Deanhaugh, through his marriage to Ann, the widow of James Leslie of Deanhaugh. The estate to the northwest of the New Town was still somewhat out of town and accessible only by the bridge at Stockbridge. Construction began in 1813 to the west of Stockbridge under the direction of the architect James Milne. The first street built, named Ann Street after Raeburn's wife, consisted of relatively modest three storey houses with extensive front gardens. Despite its location, the development was successful - later sections were more conventionally urban in style, as it was engulfed by the city. St Bernard's Crescent, a grand fully urban composition with giant Doric columns was completed in 1824.

Canonmills and Claremont

Canonmills was originally a milling community the property of the monks from Holyrood, hence its name. All of the schemes in this area which began in the 1820s were never completed and only fragments were produced. It was left to the Victorians to complete the development.

This area consists of a series of modest-sized Georgian developments, none of which were completed and which lack the formal layout of other parts of the New Town. The western section of the area is bisected and structured by the east-west route of Henderson Row.

Spaces

The Conservation Area contains a series of gardens, squares and walks which make an important contribution to the character of the area and contrast with the controlled architecture of the surrounding buildings. They also reflect the area's neo-classical town planning and picturesque tradition of landscape improvement. They were designed to take advantage of Edinburgh's topography and townscape. They range in size from West Princes Street Gardens (12.8ha) and Regent Gardens (4.8ha) to the smaller squares and strips of Rothesay Terrace (0.12ha) and Saxe-Coburg Place (0.24ha). The gardens are of international significance and are designated in the Inventory of Gardens and Designed Landscapes.

There are many private gardens within the New Town. They occupy about 13% of the New Town area and contribute value to the character of the conservation area far in excess of their area.

There are also important graveyards associated with St John's, St Cuthbert's and Calton.

St Andrew and Charlotte Square

St Andrew Square was laid out in 1770 and Charlotte Square was completed in 1808. They were laid out as formal geometric pleasure gardens providing a retreat for the surrounding owners.

Princes Street Gardens

Princes Street Gardens lie in the valley separating the Old and New Towns. Situated at a lower level than the surrounding streets there are good views into the gardens from Princes Street, the Mound, and the Castle; but views out from the gardens are limited, and are dominated principally by the Mound and views of the Old Town, which overlook the gardens to the south.

In 1776, the Town Council became responsible for the area of land that was to become East Princes Street Gardens. It was not until 1829 that permanent ground works were carried out and an ornamental terrace along the Princes Street side built. In 1844 the construction of Waverley Station and the railway cutting through the garden required

a redesign of the gardens to accommodate these changes, the gardens were officially reopened on 15 August 1851.

A memorable feature of the gardens is the floral clock which was installed in 1903 and was the first in Britain. Its popularity and success led to the widespread adoption of floral clocks as a prominent fashion in civic bedding displays during the early twentieth century

West Princes Street Gardens were formed at the insistence of residents of Princes Street who leased land that had been the Nor' Loch from the Council. Alternative plans for the design of the gardens were put forward, but it was not until 1820 that James Skene's plans were adopted and implemented by Alexander Henderson, whose firm, Eagle and Henderson, was involved with many of the New Town pleasure gardens. After many difficulties the gardens were opened in 1821 to those residents willing to pay the annual fee of four guineas.

Between 1845 and 1847, the Edinburgh-Glasgow Railway Company took its line through the bottom of the gardens which affected the layout. In 1862 the owners added the spectacular Ross Fountain by A Durenne of Paris.

By the 1870s, there were still about 400 private individuals who subscribed to use the garden although properties in Princes Street had become almost entirely commercial. This caused public pressure for the Council to adopt the gardens, which they did in 1876. The Council instigated several changes, such as the creation of the terrace just below Princes Street in 1879, with small paths running downhill from it and the erection of a bandstand in 1880 - the bandstand was superseded by the Ross Theatre in 1935.

Queen Street Gardens

Craig's plan for the First New Town included a wide band of formal parkland to the north of Queen Street, however, land acquisition problems delayed the construction of these works.

East Queen Street Gardens, which commenced in 1814, was the first of the three communal pleasure garden to be laid out along Queen Street. The original layout of paths radiating from the centre of the gardens was changed to the present arrangement between 1817 and 1840. In the early 1860s, the garden was opened-up to make vistas and space by thinning the trees around its periphery. In 1868, the existing terrace that extends along the Queen Street side of the garden was constructed, to give generous views down into the garden.

Central Queen Street Gardens were laid out in the mid-1820s on land formerly the steading of a Mr Wood whose farm pond was reformed with a small rocky island in the middle to make a central feature in the garden which was otherwise open. Unlike East and West Queen Street Gardens, Central Queen Street Gardens are very enclosed. There are no views into the garden due to a thick perimeter planting of deciduous trees and evergreens.

West Queen Street Gardens were originally a flat area with no natural features to incorporate into the design apart from some old trees. The design adopted, included

a mounded central area intersected with walks. As in East and Central Queen Street Gardens, a terrace was built on the Queen Street side to allow good views, especially down India Street. The garden is open to the surrounding streets, with simple perimeter planting.

Calton Hill

Calton Hill is visible from a wide range of locations. Its monuments give it emphasis and a characteristic form. Panoramic views are obtained from Calton Hill and Regent Gardens to the Scott Monument and over the city and the Firth of Forth. The Calton Hill Conservation Plan which was adopted by the Council in 2001 informs all decisions on the management and future of the public open space and monuments on the Hill.

Calton Hill is designated as a composite SSSI 'Site of Special Scientific Interest' which includes Arthur's Seat and the Castle Rock, notified for geological and biological interests.

Regent Gardens

Regent Gardens were formed between 1830 and 1832, under a feu charter of 1829. The gardens, the largest of the New Town gardens still in private ownership, are roughly triangular with the gardens of Regent Terrace and Royal Terrace backing on to the two long sides. The structure of the gardens remains very much as originally planned.

A central lawn on sloping ground is planted with mature parkland trees. A mixture of lime, beech, and sycamore shelters the surrounding walks. The various footpaths lead to a terrace planted with limes, set above a ha-ha at the top of the gardens, just inside the boundary wall with Calton Hill. The ha-ha is in two parts, connected by a rustic bridge below which is a walk lined on one side by a holly hedge and on the other by Irish yews.

Dean Gardens

In the 1860s, the area surrounding Dean Bridge was undergoing rapid development by Colonel Learmonth, son of Lord Provost Learmonth (who was instrumental in building the Dean Bridge). Local residents were anxious to protect open space and banded together to petition for the provision of a garden and to purchase the land.

The layout of the gardens consists of two terraces connected by paths and steps which allowed various picturesque views to St Bernard's Well a classical temple, designed by Alexander Nasmyth in 1789 and built on the site of a mineral spring.

Water of Leith

In addition to the formal gardens delineated by the various stages of development the Water of Leith Walkway runs through the Area. It is an important landscape feature and a key wildlife resource forming the principal wildlife corridor between the uplands of the Pentland Hills and lower Water of Leith Valley. It is designated as an Urban Wildlife Site.

The character of the river valley alters from a steep, wooded gorge in Dean Gardens to a flatter more urban river from Deanhaugh Street reflecting sharp changes in earlier sea levels. The Walkway along the Water of Leith is one of Edinburgh's major recreational resources and, as it passes through the enclosed, natural gorge, it provides a distinct feature area within the Conservation Area.

KEY ELEMENTS

Vistas and Views

Terminated vista within the grid layouts and the long distance views across and out of the Conservation Area are important features. The grid layout follows the topography throughout the area providing a formal hierarchy of streets with controlled vistas and planned views both inward and outward and particularly northwards over the estuary. The cohesive, historic skyline makes an important contribution to the Conservation Area and it is particularly crucial to control building heights, particularly along skyline ridges.

Building Forms

The overwhelming retention of buildings in their original design form, allied to the standard format of residential buildings, contributes significantly to the character of the area. The principal building form throughout the New Town is the hollow square, residential, tenement block consisting of a sunken basement area with three to four storeys above.

Streetscape

Streets and pavements are usually consistent in their width comprising a central parallel-sided carriageway defined by granite or whin drainage channels and stepped kerbs. Pavement and road widths are determined by the street hierarchy and have a consistent ratio based on where the street lies within the hierarchy. The relationship of stone buildings, pavements and setted streets provide a disciplined unity and cohesion.

Within the conservation area, the historic street pattern is largely intact. Initially pavements were flagged, probably with Hailes or Craigleith sandstone paving slabs, while carriageways were setted. Streets are bounded on either side by pavements running back in an unbroken surface from the kerb to the building line, or stone base of railings guarding an open basement area.

The extensive retention of original historic street surfaces, particularly roads surfaced in whin or granite setts and some high quality stone paving add an important texture to the character of the area. They should be rigorously protected and used as guiding references in new works. Many items of historic street furniture such as railing mounted lighting, police boxes, telephone boxes also remain.

Street Lighting

There has been street lighting in the area since 1785, when one hundred and sixteen lamps burning whale oil were installed. From the 1820s, gas lamps were installed. In 1955, the local authority began a ten-year programme to replace all surviving gas lighting with electric lights throughout the city. At this time the majority of the surviving gas standards were replaced with concrete or steel poles - some with 'Georgian-style' lanterns. Railing-mounted lamps were also installed or reinstalled in a few streets - the railing standards along the Mound and the south side of Princes Street are examples. These were copies of the privately erected wrought iron oil lamps in Charlotte Square that were erected in c. 1800. Many owners augmented the original street lighting by adding lamps to the front railings of properties.

The vast majority of lamp standards erected prior to the 1940s were cast iron. Contemporary with other cast iron elements, such as railings, these were often of considerable design merit. The retention of these items is important where they still exist.

Street Furniture

Edinburgh has a tradition of robust and well designed street furniture: for instance the cast iron police boxes and road lamps designed by the City Architect, E J MacRae, in the 1930s to complement Edinburgh's classical architecture. Where these items occur, they make an important contribution to the quality of the area. They can also provide a pattern for new furniture.

Statues and Monuments

The extensive collection of statues, monuments, historic graveyards and national memorials in the Conservation Area make a significant contribution to the historic and architectural character of the area. They also provide a focus and punctuation points for many views. St John's, St Cuthbert's and Calton graveyards contain important collections of funerary monuments.

Mews and Lanes

Craig's New Town contained lanes that were composed of artisans' dwellings, but as the expansions of the New Town took place, the original purpose of the lanes transferred to the provision of mews. These provided accommodation for stabling and coaches, usually associated with the town houses on the streets that they lay behind. They are usually one and a half stories high, with a carriage entrance and sometimes a hayloft, both on the lane side. They were usually built with a formal high quality design facing the house and an informal rubble elevation facing the lane of the mews.

Materials

There is a standard palette of traditional building materials including blonde sandstone, timber windows and pitched slated roofs.

Stonework

Apart from a few of the very earliest properties, which are of rubblework stuccoed to represent ashlar, the street elevations of all buildings were in finely dressed squared ashlar of the durable local Craigleith sandstone. By the 1860s, improved transport led to the import of significant quantities of cheaper and often softer stone.

There are a variety of masonry treatments on front and rear elevations, none of which were originally painted: polished ashlar (smooth); broached ashlar (horizontally tooled); droved ashlar (with fine banded tooling); stugged ashlar (lightly tooled with a masons' punch or point); channelled V-jointed ashlar; rock faced; vermiculated (as if eaten by worms); random rubble and squared rubble.

Roofs

Most roofs in the First New Town are steeply pitched, with a high central ridge. Roofs in later developments were more likely to have two parallel ridges making a double-pitched 'M' profile roof with a central leaded platform. A few roofs have an original mansard behind a balustrade, as seen at Henderson Row, Royal Terrace and Douglas Crescent - these were only popular towards the end of the nineteenth century. Chimneys and chimney pots occur on party and gable walls, and cupolas are virtually universal over internal stairs. Roofs are generally covered with graded slate with lead flashings to parapet or valley gutters. Rainwater goods are generally cast iron.

Windows

Timber sash windows are typical throughout the Conservation Area, usually consisting of a pair of glazed sashes often subdivided by astragals, that slide vertically in a case or frame with a pair of weights contained within the case balancing each sash.

In conjunction with internal timber shutters, sash and case windows are an efficient design well suited to combat Edinburgh's climate and the majority of windows have withstood the test of time remarkably well. Where there are no inherent defects in their traditional construction such windows should have no problems that regular maintenance cannot cure.

Most early windows were glazed with either Crown or cylinder glass rather than the more modern cast or sheet glass. The high surface gloss, slight imperfections and convex planes create interesting reflections and give depth to the façade. Where it exists original glass should, therefore, be retained wherever possible. Since Crown glass and cylinder glass could only be made in small sheets the size of the panes was strictly limited, so large windows demanded sub-division by rebated glazing bars, or astragals, to carry the smaller section of glass.

Most early astragals are extremely fine. After 1845 when the weight tax on glass was abolished, larger sheets of heavier drawn glass came into use and astragals became thicker to support the extra weight. Soon afterwards even larger sizes of panes became available and astragals were no longer required because a complete sash could be glazed without the need for sub-division. Many of the later New Town houses

had plate glass on the front elevation but retained the cheaper Crown or cylinder glass with astragals at the rear.

The size and number of panes and the arrangement of astragals vary widely depending on the date and position of the window, the relative importance of individual rooms, the improvements in glass manufacture and subsequent changes in fashion. For example, in the 1820s it became fashionable to have floor-to-ceiling windows in drawing rooms on the first floor and the cills were lowered accordingly, examples can be seen in Northumberland Street and Heriot Row.

There has been longstanding Council guidance which requires windows to be painted white to maintain the unity of architectural schemes.

Doors

Doors are a distinctive feature of the area. They are normally a simple four or six panel design constructed in Baltic pine and painted. The configuration of panels and mouldings varied considerably, displaying the full range of Georgian joinery skills.

Much of the excellent original ironmongery has survived on front doors within the area. Usually manufactured of brass with a relatively high zinc content. Typical items include door handles, letter plates, bell pulls, numerals and often a door knocker. Brass name plates with incised Roman characters filled with wax or paint are another common feature.

Fanlights

The term fanlight, derived from the semi-circular fan shape, tends to be applied to any glazed opening above a door, but it may be more precise to refer to the rectangular openings as 'overdoor lights'. In either case, they were generally placed above solid unglazed doors to admit light into hallways. A wide variety of patterns are found in the Conservation Area reflecting the tastes of the original builders or owners. Most were ornate - featuring curved, circular, rectangular or fan shaped geometric patterns of astragals.

Entrance Platts

Front doors are usually accessed from the street by one or more stone steps leading to a stone slab or platt bridging the open basement area. This arrangement also reinforces the importance of the entrance whilst bridging the difference in level between the street and the entrance. The drop from the pavement to the area and the edge of the entrance steps and platt are protected by cast iron railings, a feature which became increasingly ornate over time particularly on more prestigious buildings

Cast Iron work

Cast iron railings are an important and characteristic feature throughout the Conservation Area, serving as safety barriers around sunken basement areas. The abundance of cast iron work in Edinburgh was a result of the expansion of the city at a time when cast iron was relatively cheap. During the Second World War, when many

ornamental railings around communal gardens were removed for re-use for munitions, but never actually used for that purpose, the sunken basement still had to be protected, and consequently much of the original ironwork has survived. Cast iron balconies at first floor level are also found in many places, and add significant interest and rhythm to the facades.

In many streets, entrances were emphasised by the incorporation of lamps adjacent to the footpath and on either side of the entrance. These lamps, many of which survive, were mounted on wrought or cast iron standards integral to railings or stood separately on the stone plinth.

There is long standing Council guidance which requires the painting of all iron work in black to maintain architectural unity.

Shop Fronts

The form and appearance of shop fronts make an important contribution to the appearance and character of certain parts of the area.

Streets of shops were included from the beginning of the New Town. Many of these shops have survived on the fringes of the central area, such as Stockbridge and William Street. Within the central area, however, these early shop fronts have largely disappeared. Victorian and early twentieth century shop fronts incorporated fine and elaborate joinery, becoming more elegant and maximising display space. In the post-war period, the availability of a wide range of new materials and changing architectural philosophy resulted in a change in shop front design.

Boundary Treatments

Boundaries are important in maintaining the character and quality of the spaces in the New Town. They provide enclosure, define many pedestrian links and restrict views out of the spaces. Stone is the predominant material.

MANAGEMENT

Legislation, policies and guidance

Conservation Areas

The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that Conservation Areas are 'areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Local authorities have a statutory duty to identify and designate such areas.

Special attention must be paid to the character and appearance of the conservation area when planning controls are being exercised. Conservation area status brings a number of special controls:

- The demolition of unlisted buildings requires conservation Area consent;

- Some permitted development rights, which allow improvements or alterations to the external appearance of dwellinghouses and flatted dwellings, are removed; and
- Works to trees are controlled (see Trees for more detail).

The removal of buildings which make a positive contribution to an area is only permitted in exceptional circumstances, and where the proposals meet certain criteria relating to condition, conservation deficit, adequacy of efforts to retain the building and the relative public benefit of replacement proposals. Conservation area character appraisals are a material consideration when considering applications for development within conservation areas.

Alterations to windows are also controlled in conservation areas in terms of the Council's guidelines.

Listed buildings

A significant number of buildings within the New Town Conservation Area are listed for their special architectural or historic interest and are protected under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. Listed building consent is required for the demolition of a listed building, or its alteration or extension in any manner which would affect its special character.

World Heritage Site

Since 2014, Historic Environment Scotland has a statutory duty to consider the Outstanding Universal Value of the Site when assessing the impact of development proposals.

Planning guidance

More detailed, subject-specific guidance is set out in Planning Guidance documents. Those particularly relevant to the New Town Conservation Area are:

- *The World Heritage Site Management Plan*
- *Guidance for Householders*
- *Guidance for Businesses*
- *Listed Buildings and Conservation Areas*
- *Developer contributions and affordable housing*
- *Edinburgh Design guidance*
- *Communications Infrastructure*
- *Street Design Guidance*

In addition, a number of statutory tools are available to assist development management within the Conservation Area.

Article 4 Direction Orders

The Town and Country Planning (General Permitted Development) (Scotland) Order 1992, amended 2012, (abbreviated to GPDO), restricts the types of development which can be carried out in a Conservation Area without the need for planning permission. These include most alterations to the external appearance of dwellinghouses and flats. Development is not precluded, but such alterations will require planning permission and special attention will be paid to the potential effect of proposals.

Under Article 4 of the GPDO the planning authority can seek the approval of the Scottish Ministers for Directions that restrict development rights further. The Directions effectively control the proliferation of relatively minor developments in Conservation Areas which can cumulatively lead to the erosion of character and appearance. The New Town Conservation Area has Article 4 Directions covering the following classes of development:

Class 7 - the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.

Class 38 - water undertakings.

Class 39 - development by public gas supplier.

Class 40 - development by electricity statutory undertaker.

Class 41- development required for the purposes of the carrying on of any tramway or road transport undertaking.

Trees

Trees within Conservation Areas are covered by the Town and Country Planning (Scotland) Act 1997 as amended by the Planning (etc) Act 2006. This Act applies to the uprooting, felling or lopping of a tree having a diameter exceeding 75mm at a point 1.5m above ground level. The planning authority must be given six weeks' notice of the intention to uproot, fell or lop trees. Failure to give notice will render the person liable to the same penalties as for contravention of a Tree Preservation Order (TPO).

Tree Preservation Orders are made under planning legislation to protect individual and groups of trees considered important for amenity or because of their cultural or historic interest. When assessing amenity, the importance of trees as wildlife habitats will be taken into consideration. There is a strong presumption against any form of development or change of use of land which is likely to damage or prejudice the future long term existence of trees covered by a Tree Preservation Order. The removal of trees for arboricultural reasons will not imply that the space created by their removal can be used for development.

Trees in the City contains a set of policies with an action plan used to guide the management of the Council's trees and woodlands.

Assessing Development within the New Town Conservation Area

The richness of the New Town's built heritage is considerable. It is this complexity and diversity which make it attractive, yet make these qualities hard to define. It also has a fragility and human scale which often does not sit easily with the demands of present

day development requirements. These are qualities and conflicts that must be resolved if the character of the New Town is to be sensitively interpreted and enhanced.

General Criteria

General issues to be taken into account in assessing development proposals in the Conservation Area include the appropriateness of the overall massing of development, its scale (the expression of size indicated by the windows, doors, floor heights, and other identifiable units), its proportions and its relationship with its context i.e. whether it sits comfortably. Development should be in harmony with, or complimentary to, its neighbours having regard to the adjoining architectural styles. The use of materials generally matching those which are historically dominant in the area is important, as is the need for the development not to have a visually disruptive impact on the existing townscape. It should also, as far as possible, fit into the “grain” of the Conservation Area, for example, by respecting historic layout, street patterns or existing land form. It is also important where new uses are proposed that these respect the unique character and general ambience of the Conservation Area, for example certain developments may adversely affect the character of a Conservation Area through noise, nuisance and general disturbance. Proposals outside the boundaries of the Conservation Area should not erode the character and appearance of the New Town or intrude into views of the Castle.

New Buildings

New development should be of good contemporary design that is sympathetic to the spatial pattern, scale and massing, proportions, building line and design of traditional buildings in the area. Any development within or adjacent to the Conservation Area should restrict itself in scale and mass to the traditionally four/five storey form. New development should also reflect the proportion and scale of the traditional window pattern. The quality of alterations to shop fronts, extensions, dormers and other minor alterations should also be of an appropriately high standard.

The development of new buildings in the Conservation Area should be a stimulus to imaginative, high quality design, and seen as an opportunity to enhance the area. What is important is not that new buildings should directly imitate earlier styles, rather that they should be designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own. Therefore, while development of a gap site in a traditional terrace may require a very sensitive design approach to maintain the overall integrity of the area; in other cases modern designs sympathetic and complimentary to the existing character of the area may be acceptable.

Alterations and Extensions

Proposals for the alteration or extension of properties in the Conservation Area will normally be acceptable where they are sensitive to the existing building, in keeping with the character and appearance of the particular area and do not prejudice the amenities of adjacent properties. Extensions should be subservient to the building, of an appropriate scale, use appropriate materials and should normally be located on the rear elevations of a property. Very careful consideration will be required for alterations and

extensions affecting the roof of a property, as these may be particularly detrimental to the character and appearance of the Conservation Area.

Definition of 'Character' and 'Appearance'

Conservation areas are places of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance.

The character of an area is the combination of features and qualities which contribute to the intrinsic worth of an area and make it distinctive. Special character does not derive only from the quality of buildings. Elements such as the historic layout of roads, paths and boundaries, paving materials, urban grain and more intangible features, such as smells and noises which are unique to the area, may all contribute to the local scene. Conservation area designation is the means of recognising the importance of all these factors and of ensuring that planning decisions address these qualities.

Appearance is more limited and relates to the way individual features within the conservation area look.

Care and attention should be paid in distinguishing between the impact of proposed developments on both the character and appearance of the conservation area.

OPPORTUNITIES FOR DEVELOPMENT

Development opportunities for infill or replacement may arise within the area, and will be considered in terms of the relevant guidance. The Edinburgh Design Guidance, Guidance for Householders and Listed Buildings and Conservation Areas explain the Council's approach to design in historic contexts.

No sites within the Conservation Area are identified for significant housing or other development through local development plans.

OPPORTUNITIES FOR PLANNING ACTION

Conservation Area Boundaries

The boundaries of the Conservation Area have been examined through the appraisal process. No proposals for boundary changes are proposed.

OPPORTUNITIES FOR ENHANCEMENT

The character appraisal emphasises the more positive aspects of character in order that the future can build on what is best within the Conservation Area. The quality of urban and architectural design needs to be continuously improved if the character of the Conservation Area is to be enhanced. The retention of good quality buildings (as well as listed buildings) and the sensitive interpretation of traditional spaces in development are of particular importance.

Streetscape

Careful consideration needs to be given to floorscape which is an essential part of the overall appreciation of the New Town's rich townscape heritage. Repair and renewal work to street surfaces should be carefully detailed and carried out to the highest standards using quality natural materials.

Shop Fronts

Whilst there are many fine shop fronts in the Conservation Area, there are also a number which are unsatisfactory and ignore the architectural form of the buildings of which they form part. Encouragement should be given to improving the quality of the shop fronts in the area, particularly that minority of shop fronts which are particularly poorly or inappropriately designed or badly maintained.

Natural Heritage

Measures to further protect and enhance the river valley of the Water of Leith should be pursued, whilst complementing its designation as an Urban Wildlife Site in accordance with the Edinburgh Biodiversity Action Plan, NPPG 14 and its historic character.

Opportunities should also be taken to increase the biodiversity potential of appropriate open spaces through a variety of management practices. This may include the introduction of replacement native shrub planting and diversity of grass cutting regimes.

High Buildings

The New Town has very consistent heights and a cohesive skyline and is particularly susceptible to buildings that break the prevailing roof and eaves height and impinge on the many important views. It is also important to protect the character of the conservation area from the potentially damaging impact of high buildings outside the conservation area.

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