

Minutes

Planning Committee

2.00pm, Wednesday 2 December 2020

Present

Councillors Gardiner (Convener), Child (Vice-Convener), Booth, Mary Campbell, Gordon, Griffiths, Mitchell, Mowat, Munn, Osler and Rose.

1. Minutes

Decision

To approve the minutes of the Planning Committee of 14 October 2020 as a correct record.

2. Business Bulletin

The Committees Business Bulletin for 2 December 2020 was presented.

Decision

- 1) To note the business bulletin.
- 2) To agree that consideration would be given by the Convener and Vice-Convener of the Planning Committee to consulting with group leaders to receive comments on items of business where it was not possible to bring them before the Committee for consideration.
- 3) To note that Committee agreed in 2014 that monitoring of applications and enforcement of bike sheds should continue and that a further report had been requested to come back to Committee in October 2016.
- 4) To agree that officers would confirm whether monitoring and analysis had taken place since 2014 of applications and enforcement of bike sheds or similar structures in gardens.
- 5) To agree that officers would explore ways to raise the understanding of the limited powers the Planning Authority had regarding permitted developments of digital telecommunications infrastructure.

(Reference – Business Bulletin, submitted.)

3. Motion by Councillor Booth - Extending permitted development rights for sheds

The following motion by Councillor Booth was submitted in terms of Standing Order 17:

“Committee:

- 1) Notes the critical importance of convenient, secure cycle storage in allowing people to travel by bike; notes the Edinburgh Design Guidance which states "High Quality cycle parking, including secure storage, is essential in making cycling as attractive as possible." (p.55); notes the Edinburgh-based research which found that "bike storage problems for flat/tenement dwellers are a significant deterrent to city centre bike use." (Encouraging bike use in residential neighbourhoods, Dr Tim Ryley, 2008)
- 2) Notes Scottish Government design guidance that "[Cycle] parking facilities should be located as close as possible to the entrance of the establishment they are intended to serve." (Cycling by Design, 2020, p.110) and that "there should be a climate of encouraging existing developments to retro-fit or extend cycle parking." (Cycling by Design, 2020, p.109);
- 3) Notes previous decisions of this committee on 16 May and 3 October 2013, on "Cycle Storage in Gardens" to approve a Planning Committee - 2 December 2020 Page 4 of 7 factsheet on the topic, the text agreed with Spokes, the Lothian Cycle Campaign and referenced in the Guidance for Householders; notes that the factsheet, approved by this committee, states that "Much of the difficulty for householders in Scotland who need garden bike storage could be removed if the Scottish Government changed the rules for permitted development, so as to allow front garden sheds/containers which meet certain criteria, such as those in section 4 of this factsheet." (p.4)
- 4) Notes the council's commitment to become a net zero-carbon city by 2030; notes that transport accounts for 37% of carbon emissions, and is the largest source sector and that emissions from the transport sector are increasing; notes the draft City Mobility Plan includes the aim that Edinburgh will see "mass commuting by bike" by 2030;
- 5) Notes the Scottish Government's recent consultation on reviewing and extending permitted development rights ran from 1 October to 12 November 2020 and included a section on active travel, and notes the council's response which is included in the papers for this meeting; notes that this response has not been considered by this committee before today; notes that the Scottish Government has indicated that the council cannot resubmit a revised response, but may submit supplementary information;
- 6) Notes the council response to the previous Scottish Government consultation on reviewing & extending permitted development rights in Scotland, which ran from November 2019 to January 2020, that "City of Edinburgh Council would

like [...] active travel to be given a higher priority to enable the City to deliver its transformative vision for the City as efficiently as possible.";

- 7) Notes the report to this committee on 2 October 2014 which was unanimously agreed, which included analysis of all 18 sheds in Shandon Colony front gardens, and which concluded that "the Planning Committee - 2 December 2020 Page 5 of 7 area is characterised, to an extent, by sheds in gardens and although planning permission would have been required, the sheds and other structures were not detrimental to the amenity of [the] area. It was resolved that it was not expedient for the Council, as local planning authority, to use its discretionary powers to enforce the removal of the structures or the submission of a retrospective application to regularise the structures." (para 3.6)
- 8) Recognises that the planning authority cannot control what is stored in sheds, but nonetheless considers that sheds which are of a suitable size to be bike sheds have not proved to be detrimental to the amenity of residential neighbourhoods, including in conservation areas;
- 9) Therefore agrees to submit the view that the Committee supports extending permitted development rights for sheds in front gardens, including within conservation areas, within the size parameters set out in the factsheet agreed with Spokes and previously approved by this committee in 2013; also to support PD rights for sheds in private garden areas of flats, and communal rear garden areas of flats, with dimensions as proposed in the most recent Scottish Government consultation;
- 10) Further agrees that the Convener will write to the Scottish Government without delay, enclosing a copy of this motion as approved by committee as a supplementary response to their recent consultation, and offering to work constructively with the Scottish Government on implementation should they decide to proceed with granting Permitted Development rights to modestly sized sheds suitable for bike storage, as proposed in their recent consultation."

Motion

To approve the motion by the Councillor Booth.

- moved by Councillor Booth, seconded by Councillor Mary Campbell

Amendment

- 1) Notes the critical importance of convenient, secure cycle storage in allowing people to travel by bike; notes the Edinburgh Design Guidance which states "High Quality cycle parking, including secure storage, is essential in making cycling as attractive as possible." (p.55); notes the Edinburgh-based research which found that "bike storage problems for flat/tenement dwellers are a significant deterrent to city centre bike use." (Encouraging bike use in residential neighbourhoods, Dr Tim Ryley, 2008).
- 2) Notes Scottish Government design guidance that "[Cycle] parking facilities

should be located as close as possible to the entrance of the establishment they are intended to serve." (Cycling by Design, 2020, p.110) and that "there should be a climate of encouraging existing developments to retro-fit or extend cycle parking." (Cycling by Design, 2020, p.109);

- 3) Notes previous decisions of this committee on 16 May and 3 October 2013, on "Cycle Storage in Gardens" to approve a Planning Committee - 2 December 2020 Page 4 of 7 factsheet on the topic, the text agreed with Spokes, the Lothian Cycle Campaign and referenced in the Guidance for Householders; notes that the factsheet, approved by this committee, which supplements planning guidance but is neither planning policy nor guidance in itself, states that "Much of the difficulty for householders in Scotland who need garden bike storage could be removed if the Scottish Government changed the rules for permitted development, so as to allow front garden sheds/containers which meet certain criteria, such as those in section 4 of this factsheet." (p.4)
- 4) Notes the council's commitment to become a net zero-carbon city by 2030; notes that transport accounts for 37% of carbon emissions, and is the largest source sector and that emissions from the transport sector are increasing; notes the draft City Mobility Plan includes the aim that Edinburgh will see "mass commuting by bike" by 2030;
- 5) Notes the Scottish Government's recent consultation on reviewing and extending permitted development rights ran from 1 October to 12 November 2020 and included a section on active travel, and notes the council's response which is included in the papers for this meeting; notes that this response has not been considered by this committee before today; notes that the Scottish Government has indicated that the council cannot resubmit a revised response, but may submit supplementary information;
- 6) Notes the council response to the previous Scottish Government consultation on reviewing & extending permitted development rights in Scotland, which ran from November 2019 to January 2020, that "City of Edinburgh Council would like [...] active travel to be given a higher priority to enable the City to deliver its transformative vision for the City as efficiently as possible.";
- 7) Notes the report to this committee on 2 October 2014 which was unanimously agreed, which included analysis of all 18 sheds in Shandon Colony front gardens, and which concluded that "the Planning Committee - 2 December 2020 Page 5 of 7 area is characterised, to an extent, by sheds in gardens and although planning permission would have been required, the sheds and other structures were not detrimental to the amenity of [the] area. It was resolved that it was not expedient for the Council, as local planning authority, to use its discretionary powers to enforce the removal of the structures or the submission of a retrospective application to regularise the structures." (para 3.6)
- 8) Recognises that the planning authority cannot control what is stored in sheds, but nonetheless considers that sheds which are of a suitable size to be bike sheds have not proved to be detrimental to the amenity of residential

neighbourhoods, including in conservation areas;

- 9) The Council supports in principle, development which will encourage and facilitate active travel means. In this respect, the Council has submitted to the Scottish Government that should it decide to extend permitted development rights for structures for cycle storage, the Council is willing to work with their planners on good practice and design advice. Given the imminent publication of the draft Permitted Development Rights regulations, the Council will amend our planning guidance for householders to address how best to reconcile the issues of character and appearance of conservation areas, amenity of residential areas and the provision of cycle storage structures with a view to encouraging active travel.
- 10) Continues to agree to offer to work constructively with the Scottish Government on implementation should they decide to proceed with granting Permitted Development rights to modestly sized structures suitable for bike storage, as proposed in their recent consultation.”

- moved by Councillor Gardiner, seconded by Councillor Child

Voting

For the motion - 3 votes

For amendment - 8 votes

(For the motion: Councillors Booth, Mary Campbell and Osler.

For the amendment: Councillors Child, Gardiner, Gordon, Griffiths, Mitchell, Mowat, Munn and Rose.)

Decision

To approve the amendment by Councillor Gardiner.

Declaration of Interests

Councillors Booth and Osler declared a non-financial interest in the above item as members of Spokes.

4. City Plan 2030 - Progress to Proposed Plan Stage and Development Plan Scheme

a) Deputation - Inch Community Association

A written deputation was presented on behalf of Inch Community Association.

The deputation requested Committee take the following actions:

- 1) For the City of Edinburgh Council to immediately withdraw the current proposal to build housing in Inch Park from their City Plan 2030 vision document.

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2) That the Council committed itself to permanently protecting the essential character and integrity of Inch Park, as well as engaging closely with the local community about how best to use the Nursery site in the future, if it is no longer needed by the Council as a plant nursery.

b) Deputation - Gilmerton and Inch Community Council

A written deputation was presented on behalf of Gilmerton and Inch Community Council.

The deputation wished to support the local community's plans for the redevelopment of the area subsequently to be known as Inch House Gardens as described in the Inch Community Association paper "Inch House Gardens Vision".

c) Report by the Executive Director of Place

Planning authorities had to publish a scheme at least once a year, to set out their programme for preparing their Local Development Plan (LDP). The last update to the scheme was reported in August 2020. Approval was sought for a new Development Plan Scheme (DPS).

Decision

To approve the new Development Plan Scheme (DPS) for publication.

(References – Planning Committee, 12 August 2020 (item 2); report by the Executive Director of Place, submitted.)