

# Minutes

## Planning Committee

10.00am, Wednesday 29 September 2021

### Present

Councillors Gardiner (Convener), Child (Vice-Convener), Booth, Cameron, Gordon, Mitchell, Mowat, Osler, Rose, Staniforth and Young (substituting for Councillor Dixon).

### 1. Minutes

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#### Decision

To approve the minutes of the Planning Committee of 11 August 2021 as a correct record, subject to the Green Group amendments for Items 3 and 5 being detailed in the minutes.

### 2. City Plan 2030 – Approval of Proposed Plan for Statutory Representation Period

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#### (a) Deputations – West Lothian Council Labour Group

Committee considered a deputation from Councillor Lawrence Fitzpatrick of the West Lothian Council Labour Group. The deputation made the following points:

- Edinburgh Council were to be commended for their intention to build on Brownfield sites over the next decade and to protect cherished greenbelt land, particularly Calderwood, which was near the Jupiter Artland Sculpture Park.
- Calderwood was an area cherished by West Lothian residents for its outstanding beautiful countryside and woodland, and a wide variety of wildlife and birds.

#### (b) Deputation - Moredun Maisonettes and Multis Residents Association

Committee considered a deputation by Robyn Kane from the Moredun Maisonettes and Multis Residents Association. The deputation made the following points:

- The residents had spent a lot of time, especially during the Covid-19 lockdown, using the Moredunvale green space.
- Unfortunately the Moredunvale green space was still included in the current City plan for future development. This was despite the fact that the Association was currently in talks with the City of Edinburgh Council about how the green space could be improved.
- The proposal was to use half of the greenfield site for housing

development. If this were to go ahead, people's gardens, and a playpark for children would be removed.

- The Moredunvale greenspace was well loved and well looked after by residents and was a vital asset to the community. To take it away would be detrimental to the community and to local schools, doctor and dental practices and local businesses.
- Moredun had the third highest rates of poverty and the buildings there were required to be brought up to standard. Moredun residents felt like they had been forgotten by the Council and asked that their homes and their relationship with the Council was repaired.

**(c) Deputation – East Calder and District Community Council**

Committee considered a deputation by Chris Davidson from East Calder and District Community Council. The deputation made the following points:

- The deputation advised that they were delighted that the proposals in the City Plan report were for the development of Brownfield sites within Edinburgh and the exclusion of the greenfield sites around the city, in particular the Calderwood proposal.
- Concerns were raised by the deputation on all the proposed developments on the A71 and periphery of Edinburgh to the west, and around the West Lothian boundaries. The local infrastructure was struggling to cope with the current approved developments.
- Although the active travel proposals were admirable they would be impossible to achieve on the A71 due to the current road network.
- The SESplan of 2013 recognised the abandonment of the dual carriageway in 1996 to replace the existing A71. As this work was never completed, all development along the A71 must be rejected.
- The impact of the pandemic in terms of commuter traffic and people working from home was yet to be known.

**(d) Written Deputation – Gilmerton and Inch Community Council**

The following points were made in the written deputation from Gilmerton and Inch Community Council:

- As a Community Council we had already received several comments regarding the above draft plan. Most of these related to the large swathes of land within our Community Council area that had already been zoned for development within the previous LDP2 and the local residents feared that this was about to be repeated in City Plan 2030.
- Many in our community had noticed that the green area around the Moredun Multi Storey flats appeared to still be in the draft and as there was a consultation with residents and ongoing discussions with a steering group set up to look at the regeneration of this green space, no-one can understand how this was still there. Funding to redevelop this green space was already in place. Gilmerton & Inch Community Council would like this area to be removed from the draft plan.

- The lack of infrastructure to service the already approved large areas of new housing within our community council area, along with the plots included in this draft plan caused concern. We had a lack of basic facilities such as medical facilities, dentists and had been subjected to the removal of several key bus stops. In the last LDP2 we were promised that several key junctions would be fitted with the Mova traffic system and to our knowledge this had not happened.
- We have to mention that was very hard to read this large document on line and as such we were fearful of missing something vital that perhaps we should be commenting on here. It was hoped that printed versions would be available prior to the six week consultation taking place.
- We look forward to working with the Council and achieving a mutually agreeable plan for our area.

**(e) Report by the Executive Director of Place**

Approval was sought for the Proposed Plan and its supporting documents as set out in the appendices to the report. Approval of the Proposed Plan was required so that the Local Development Plan (LDP) process could move to its next stage, that statutory period of representation, before it could be submitted to Scottish Ministers for Examination.

**Motion**

- 1) To approve the Proposed Plan, as set out in Appendix 1 to the report, for its statutory period of representation.
- 2) To approve the technical and other supporting information which was statutorily required to be considered alongside the Proposed Plan (Appendices 2-13 of the report).
- 3) To agree the Proposed Plan be published (subject to any minor typographical editorial changes) for its period of public representation (6 weeks).
- 4) To approve the Development Plan Scheme and Programme of Engagement (Appendix 9 of the report).
  - Moved by Councillor Gardiner, seconded by Councillor Child

**Amendment 1**

Amendment to Local Plan: 2030

To note the work and time that had gone into preparing the Proposed Plan and the significant change in strategy that was signalled by the Proposed Plan and the following concerns about the proposals:

- 1) To note that the lengthy introduction and strategy sections go further in their aims than the supporting policies and Committee to consider that this would lead to difficulties in interpreting the Plan over the period of its 10-year life resulting in increased legal challenge and costs to the Local Authority.
- 2) To note that as detailed in the Proposed Plan and supporting documents there was no extant approved Housing Supply Target, that one would be

determined in the Draft National Planning Framework which was to be published shortly, and considered that the more prudent course of action would be to reserve publication of the documents until these figures were available so that there was reasonable certainty that Proposed Plan was aligned with NPF 4.

- 3) To note that Committee found insufficient evidence to demonstrate the plan was deliverable and this had been a key concern throughout the composition of plans in this Council; to note that City Plan 2030 relied heavily upon City Centre Transformation and the City Mobility Plan but did not demonstrate how these highly aspirational and costly plans would be delivered, calling into question the deliverability of City Plan 2030 itself.
- 4) To note the concern that the proposals displaced economic activity on sites earmarked for housing development and that there was not sufficient evidence to demonstrate that the redevelopment would provide adequate land for re-provision and expansion of economic activity close to where people lived.
- 5) To note that Committee explicitly rejected a plan that proposed the use of Compulsory Purchase Orders to deliver its strategy because of the unknown liabilities surrounding these and because use of CPO could only be justified in very specific cases with an overwhelming public interest and did not consider that the Plan met this test given the uncertainty and length of time that following this policy would take over other alternatives which had not been presented for consideration.
- 6) To note that Committee were concerned that the provision of housing was one of the key needs facing the city and rather than delivering an increase in housing of all tenures City Plan would artificially inflate future house prices by suppressing deliverability because of the lengthy processes that would be involved, the large infrastructure demands in a challenging economic climate and that the inherent uncertainties as detailed in the Plan meant this plan was not the most effective way to meet that need.

Committee considered that the Proposed Plan was a high-risk option for the City because of the uncertainty over NPF 4, the likelihood of the proposed strategy constraining the housing market which would reduce supply and increase costs and therefore considered that:

- 1) There should be a robust redrafting of the Plan to ensure that there was strategic and policy alignment with the Plan,
- 2) The Committee should have a workshop to appraise them of the costs, risks and sites which may be subject to CPO to inform them of whether they wished to pursue the inclusion of this policy.
- 3) To look at the provision of land for economic activity and industry to ensure that sufficient land was provided for these sites.
  - Moved by Councillor Mowat, seconded by Councillor Rose

## **Amendment 2**

- 1) To approve the Proposed Plan, as set out in Appendix 1 to the report, for its Planning Committee – 29 September 2021

- statutory period of representation, subject to the removal of Place Policy 35, Moredunvale Road from the Proposed Plan.
- 2) To approve the technical and other supporting information which was statutorily required to be considered alongside the Proposed Plan (Appendices 2-13 of the report).
  - 3) To agree the Proposed Plan be published (subject to any minor typographical editorial changes) for its period of public representation (6 weeks).
  - 4) To approve the Development Plan Scheme and Programme of Engagement (Appendix 9 of the report).
  - 5) To thank council officers and others who had contributed an enormous amount of work to the proposed City Plan; to welcome the clearly stated intention that this was a plan to contribute to addressing climate change and to ending poverty by 2030, and further welcomed that it **did not seek to allocate any new greenfield sites** for development.
  - 6) To note the proposed plan envisaged development over the next 10 years; considered that if this was the case, there was a potential risk the City Plan may become out of date; in particular to note that the scale of change required to respond to the climate emergency was likely to need bolder action on decarbonisation than was set out in this plan; to note that the Scottish Government transitional arrangements for the Planning (Scotland) Act 2019 included measures to ensure that plans did not become out of date, and to agree that the report to committee following the period of representation would set out further information and options to **ensure an up-to-date and climate-ready plan**.
  - 7) To note the **City Plan 2030 and City Mobility Plan** were initially developed in tandem but that the timetable for the City Plan had slipped due to various factors outwith the council's control; to agree there was value in maintaining synergy between the two plans, and to ask officers to ensure this was the case as the City Plan goes through future stages.
  - 8) To welcome many elements within the plan to encourage more sustainable travel; to nonetheless believe that **expansion of Edinburgh Airport was incompatible with the city's and Scotland's climate change objectives**; to note that safeguarding of land for a second runway was required by NPF3, and to further note that, should the forthcoming NPF4 not contain reference to expansion of Edinburgh airport, any reference to expansion would also be removed from City Plan.
  - 9) To welcomes the intention to enhance the city's **green blue network and active travel network**, but nonetheless believed the proposals set out in the plan and the proposals map were insufficient to provide the dense network of active travel infrastructure and blue green corridors which the ecological and climate emergency demanded; to note that further workstreams were being taken forward by other parts of the council to expand these; and to agree to incorporate this wider work into the City Plan at a future date, should there be competent planning grounds to do so.
  - 10) To agree that choice of language in drafting of policies was important in

sending a clear message to developers about the importance the council attached to specific policies, and in particular to what extent flexibility in applying a particular policy would be considered; to therefore agree to undertake a review of the consistency of language used throughout the document, to run in parallel with the period of representation, and with the aim of **strengthening those policies which helped to target the climate and ecological emergency and contributed to ending poverty** by 2030.

- 11) To welcome the policy of large purpose-built student accommodation sites requiring 50% housing being enshrined in the City Plan and that student accommodation would be expected to provide amenity equal to ordinary residential housing; to note that since the previous Development Plan was passed there had been a proliferation of applications to build student accommodation across the city and that the Choices document sought to address the amount and type of student housing coming forward; to further note that the Choices document suggested requiring student accommodation be built for, and managed by, one of Edinburgh's universities or colleges; and therefore to agree to include in the Proposed City Plan that **student accommodation should be built for, and managed by, one of Edinburgh's universities or colleges** and that the design guidance would explain how developers could demonstrate sufficient need for such accommodation both for the university or college in question and for the area where the accommodation was proposed.
- 12) To welcome the increase in the proportion of **affordable housing** delivered by eligible sites from 25% to 35% in the proposed plan; to note the decision of this committee on 19 May 2021 to receive an assessment of homes delivered under this policy in the last three years, and to agree to consider whether the definition and tenures covered by our affordable housing policy may need to be reviewed once that assessment had been received.
- 13) To welcome proposed policy Inf 7 on **Private Car Parking** as an important step towards encouraging more sustainable travel, but considered the area within which private car parking (other than accessible spaces) would not be permitted should extend beyond the proposed LEZ boundary to include all areas of the city which were considered to have good public transport accessibility; to agree the extent of this area should be set out in guidance, and to ask officers to make this change to the Proposed Plan prior to publication for the period of determination.
  - Moved by Councillor Booth, seconded by Councillor Staniforth

## Voting

For the Motion	- 6
For the Amendment 1	- 3
For Amendment 2	- 2

(For the Motion – Councillors Cameron, Child, Gardiner, Gordon, Osler and Young.

For Amendment 1 – Councillors Mitchell, Mowat and Rose.

For Amendment 2 – Councillors Booth and Staniforth).

**Decision**

To approve the Motion by Councillor Gardiner.

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

**Declaration of Interest**

Councillor Mitchell declared a financial, non-significant interest in the above item as a relative of a landowner of one of the sites that potentially would be allocated as housing.