

# Minutes

## Planning Committee

2.00 pm, Wednesday 31 August 2022

### Present

Councillors Dalgleish (Convener), Beal, Booth, Cameron, Gardiner, Hyslop, Jones, McNeese-Mechan, Mowat, O'Neill and Osler.

### 1. Minutes

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#### Decision

To approve the minute of the Planning Committee of 8 June 2022 as a correct record.

### 2. Business Bulletin

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The Planning Committee Business Bulletin for 31 August 2022 was submitted.

#### Decision

- 1) To note the Business Bulletin.
- 2) To note that the Chief Planning Officer would consider how the email newsletter issued to customers about Building Standards could be used as a tool to communicate what was being done around on-site visits. The Chief Planning Officer would also review the information on the website to assess whether further information could be added to make it clearer when inspections should take place and what the expectations were.
- 3) To note the Chief Planning Officer would advise Members by email when a response was received back from the Scottish Government with regard to the Scottish Government's consultation on changes to Permitted Development Rights.

(Reference – Business Bulletin 31 August 2022, submitted.)

### 3. City Plan 2030 – Development Plan Scheme

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Approval was sought for a new Development Plan Scheme (DPS). 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 scheme was reported and published in September 2021. The DPS set out the work carried out so far for the main stages in the project to prepare a replacement LDP, entitled City Plan 2030, and set out a revised timetable for submission for Examination and for adoption.

#### Motion

- 1) To approve the new Development Plan Scheme (Appendix 1 of the report) for publication.
- 2) To further call for an update from Officers by 30 September on progress to completion of the City Plan 2030, with a view to bringing the following to the Planning Committee on 30th November 2022, namely: a finalised Proposed City Plan 2030 Submission, with consideration of the representations made, to be submitted to Scottish Ministers for Examination.

- moved by Councillor Dalglish, seconded by Councillor Cameron.

### **Amendment**

- 1) To note the report.
- 2) To request that the Development Plan Scheme contained in the report is amended so that a special Planning Committee in October 2022 considers any proposed updates to City Plan 2030, following detailed consideration of responses received during the City Plan 2030 Period of Representation, in order for City Plan 2030 to be submitted for Examination.

- moved by Councillor Gardiner, seconded by Councillor Hyslop

### **Voting**

The voting was as follows:

For the Motion	-	6 votes
For the Amendment	-	5 votes

(For the Motion: Councillors Beal, Cameron, Dalglish, Jones, Mowat and Osler.

For the Amendment: Councillors Booth, Gardiner, Hyslop, McNeese-Mechan and O'Neill.)

### **Decision**

To approve the motion by Councillor Dalglish.

(References – Housing and Economy Committee, 7 June 2018 (item 9); report by the Executive Director of Place, submitted.)

## **4. Affordable Housing Policy - Tenures Update**

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An assessment of the impact of affordable tenures including Low Cost Home Ownership (LCHO) and Below Market Rent (MMR and IR) delivered through the Affordable Housing Policy was provided.

### **Motion**

- 1) To note the affordability of Mid Market Rent (MMR) and Intermediate Rent (IR) homes as set out at 4.10 and 4.11 of the report, and that the Golden Share (GS) tenure continued to assist households with average or below average household income to purchase homes.
- 2) To note that the affordability of GS homes would continue to be monitored as house price increases are outpacing increases in household income.

- 3) To agree the content of the report discharges the motion approved at Planning Committee on 1 December 2021 to report back in Summer 2022 with an assessment of the impact of Low Cost Home Ownership (LCHO) and Below Market Rent (MMR and IR).
- 4) To agree that an Affordable Housing Policy Update would be provided to Planning Committee in Spring 2023.
- 5) To refer the report to Housing, Homelessness and Fair Work Committee for information.

- moved by Councillor Dalglish, seconded by Councillor Cameron.

### **Amendment**

- 1) To note the contents report.
- 2) To note the affordability of Mid Market Rent (MMR) and Intermediate Rent (IR) homes as set out at 4.10 and 4.11 of this report, further notes the council's affordable housing guidance sets out the affordable housing tenures in priority order, with social rented housing as the highest priority need, further notes that MMR and IR are used to cross subsidise social rent, as set out in para 4.9 of the report; further notes that IR can sometimes be time-limited.
- 3) To note that the overwhelming need for affordable housing identified in both HoNDA2 and HoNDA3 is for affordable rented accommodation; notes the need for Low Cost Home Ownership (LCHO) is not addressed in HoNDA2; notes there are a number of other interventions, including the Scottish Government's Low-cost Initiative for First Time Buyers (LIFT) scheme, and the Access Ownership scheme by Horizon, to support LCHO.
- 4) To therefore agree to receive a further report within two cycles on whether it would be practicable to remove the time-limited aspect of Intermediate Rent.
- 5) To Further agrees that the Council's Affordable Housing Policy should focus on those tenures which contribute the most to meeting the housing demand of those on the lowest incomes; notes that PAN 2010 sets out the requirements on the council in amending its affordable housing policy, which must include a public consultation, and therefore agrees to receive a further report within 2 cycles setting out the terms of undertaking a public consultation on introducing a 2-year moratorium on the use of Golden Share to deliver a developer's obligation under the Affordable Housing Policy.
- 6) To agree the report discharges the motion approved by Planning Committee on 1 December 2021.
- 7) To agree that an Affordable Housing Policy Update would be provided to Planning Committee in Spring 2023.
- 8) To refer the report to Housing, Homelessness and Fair Work Committee for information.

- moved by Councillor Booth, seconded by Councillor O'Neill

## **Voting**

The voting was as follows:

For the Motion - 6 votes  
For the Amendment - 5 votes

(For the Motion: Councillors Beal, Cameron, Dalgleish, Jones, Mowat and Osler.

For the Amendment: Councillors Booth, Gardiner, Hyslop, McNeese-Mechan and O'Neill.)

## **Decision**

To approve the motion by Councillor Dalgleish.

(References – Planning Committee, 1 December 2021 (item 4); report by the Executive Director of Place, submitted.)

## **5. Proposed Compulsory Purchase Order - Meadowbank Housing Development Site**

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Approval was sought to use the Council's compulsory purchase powers to promote a Compulsory Purchase Order (CPO) for two small parcels of land extending to 750 sqm within the Meadowbank housing-led development site. The CPO would be progressed using the provisions of and the powers available to the Council under Section 189 of the Town and Country Planning (Scotland) Act 1997.

The purchase of the land was required for the development of the site surrounding the new Meadowbank Sports Centre in accordance with the consented masterplan and agreed delivery strategy.

## **Decision**

- 1) To agree to pursue a Compulsory Purchase Order (CPO) for two parcels of land within the Meadowbank housing-led development site and instructs the Council Solicitor to commence proceedings.
- 2) To note that it was intended to submit a draft CPO to the next available meeting of the City of Edinburgh Council for authority to exercise compulsory purchase powers.
- 3) To note that the Council would continue to seek a negotiated purchase of the land in parallel with the CPO process.

(References – Finance and Resources Committee, 3 March 2022 (item 17); report by the Executive Director of Place, submitted.)

## **6. Edinburgh Urban Design Panel - Annual Review - Update**

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Committee considered and approved the Edinburgh Urban Design Panel - Annual Review Report on 23 February 2022. In addition, Committee requested that it was relayed to the Panel that issues of inclusivity and women's safety were embedded in the work of the panel. Committee also agreed that an update on the Panel's remit and membership would be brought forward to the Committee.

An update to the Panel's remit to ensure that equality was clearly included as a factor which the Panel would consider when providing advice on new developments was recommended.

### **Motion**

- 1) To agree the revised Remit, Function, Roles and Procedures of the Panel as set out in Appendix 2 of the report.
- 2) To note the proposed operational improvements.
- 3) To note that consideration would be given to what further engagement there could be between Committee and the Panel, and that consideration would be given to having a workshop with the Edinburgh Urban Design Panel.
- 4) To note that if the Atkins report was available and it was possible to share with the Panel, then this would be looked at during the Panel's review of its own operations in December and that a report would come back to Committee with the results of this.

- moved by Councillor Dalgleish, seconded by Councillor Cameron.

### **Amendment**

- 1) To agree the revised Remit, Function, Roles and Procedures of the Panel as set out in Appendix 2 of the report.
- 2) To note the proposed operational improvements.
- 3) To note that consideration would be given to what further engagement there could be between Committee and the Panel, and that consideration would be given to having a workshop with the Edinburgh Urban Design Panel.
- 4) To note that if the Atkins report was available and it was possible to share with the Panel, then this would be looked at during the Panel's review of its own operations in December and that a report would come back to Committee with the results of this.
- 5) To request a further update in 3 cycles of the mainstreaming of equalities with particular attention to women's safety.

- moved by Councillor O'Neill, seconded by Councillor Booth

In accordance with Standing Order 22(12), the Amendment was accepted as addendum to the motion.

### **Decision**

To approve following adjusted motion by Councillor Dalgleish.

- 1) To agree the revised Remit, Function, Roles and Procedures of the Panel as set out in Appendix 2 of the report.
- 2) To note the proposed operational improvements.

- 3) To note that consideration would be given to what further engagement there could be between Committee and the Panel, and that consideration would be given to having a workshop with the Edinburgh Urban Design Panel.
- 4) To note that if the Atkins report was available and it was possible to share with the Panel, then this would be looked at during the Panel's review of its own operations in December and that a report would come back to Committee with the results of this.
- 5) To request a further update in 3 cycles of the mainstreaming of equalities with particular attention to women's safety.

(References – Planning Committee, 23 February 2022 (item 8); report by the Executive Director of Place, submitted.)

## **7. Proposed Changes to Short-Term Let Guidance**

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Approval was sought for changes to the existing Guidance for Business to augment and further clarify the guidance with respect to Short-Term Lets (STL) following approval of the Edinburgh Short-Term Let Control Area by Scottish Ministers recommended.

As part of these changes, guidance required to have regard to legislative changes brought about by the introduction of a city wide STL control area.

### **Decision**

- 1) To agree proposed changes to the non-statutory Guidance for Businesses set out in paragraph 4.3 of the report with respect to Short-Term Lets (STL) be consulted on for the minimum period recommended by the Consultation Advisory Panel and that following this a report would be brought to Committee setting the outcome of the consultation and any necessary changes arising as a result.
- 2) To agree that proposed changes to the Guidance for Businesses set out in paragraph 4.2 of the report are published on the Council's website while the consultation of recommendation 1.1.1 was being carried out and that these changes would be incorporated into the Guidance for Businesses following the Committee report on the outcome of that consultation.
- 3) To note the Edinburgh Short-Term Let Control Area designation had been approved by Scottish Ministers, a notice of the designation was published by the Council on 5 August 2022 and the Control Area would come into effect on 5 September 2022.
- 4) To agree to schedule an additional Planning Committee to consider the outcome of the consultation and any necessary changes arising as a result of the consultation.

(References – Planning Committee, 23 February 2022 (item 6); report by the Executive Director of Place, submitted.)

## 8. Changes to Planning Fees

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Details were provided of the discretionary fees introduced in the Town and Country Planning (Fees for Applications) (Scotland) Regulations 2022 (the Regulations), which came into force on 1 April 2022.

### Decision

- 1) To note the content of the report in respect of changes to fees set by Scottish Government.
- 2) To agree the proposed changes to the Council's discretionary charging regime. (References – Planning Committee, 3 February 2021 (item 6); report by the Executive Director of Place, submitted.)

## 9. Training and Awareness Raising Programme

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Details were provided of the proposed themes and dates for the training and awareness programme for Planning Committee members, and where relevant, members from other Council Committees.

### Decision

To agree the themes for the training and awareness raising workshops for 2022/2023. (Reference – report by the Executive Director of Place, submitted.)