Planning Committee

2.00pm, Wednesday, 15 November 2023

Conservation and Adaptation

Executive/routine	**Executive**
Wards	**All**

1. Recommendations

1.1 It is recommended that Planning Committee:

1.1.1 Note the content of this report; and

1.1.2 Agree that this report discharges the remit set by Planning Committee on 2 November 2022

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THE CITY OF EDINBURGH COUNCIL

Report

Conservation and Adaptation

2. Executive Summary

2.1 This report responds to the Motion and Amendment approved by Planning Committee on 2 November 2022 acknowledging the challenges for residents who live in listed buildings and/or conservation areas to adapt their homes in response to climate change and the cost-of-living crises. This report identifies and analyses the challenges drawn from the response to a city-wide consultation undertaken and discusses what can be done to address them, including the cost to the city's built heritage of any change required.

3. Background

3.1 The Motion and Amendment approved by Planning Committee on 2 November 2022 requested that an online consultation be undertaken to seek views on the challenges for residents, who live in listed buildings and/or conservation areas, to adapt their homes in response to climate change and the cost-of-living crises. The analysis of the consultation responses were to be used to inform a short-life working group.

3.2 The requirement to share the knowledge generated through the consultation and the input provided through the various interest groups represented on the short-life working group was emphasised by the Motion and Amendments, by setting four key questions for the short-life working group to consider:

3.2.1 What the challenges are for residents to adapt their homes in response to the climate and cost of living crises;

3.2.2 What can (presently) be done to alleviate these challenges;

3.2.3 What needs to change to address these challenges; and

3.2.4 What is the cost to our built heritage of any changes.

3.3 It was requested that a report covering the examination of the analysis drawn from consultation and discussions of the short-life working group is presented to the Committee within four cycles.

4. Main report

4.1 This report covers the analysis of the consultation responses and the discussions of the short-life working group, established to consider what can be done in the short and longer term to address the challenges identified and what the cost to the city's built heritage would be of any changes required.

Analysis of the response to the Conservation and Adaptation Consultation

4.2 The Conservation and Adaptation Consultation ran on the Council's Consultation Hub for a period of 10 weeks between March and June 2023. A total of 434 properties and 431 respondents were represented in the response received.

4.3 The response to the consultation identified a range of views relating to the questions on values, challenges, processes, and guidance. A summary of the analysis of the responses is attached at Appendix 1 and full detailed analysis, undertaken by the University of Edinburgh (UoE), is attached at Appendix 3.

4.4 The key findings found that, overwhelmingly, 88% of respondents view climate change as 'an urgent and immediate problem' with 64% considering the preservation of architectural character and historical interest to be 'very or extremely important'. However, this is lower than the percentages of respondents who considered 'achieving energy efficiency' (85%), 'fabric adaptation' (75%) and 'making sustainable choices' (80%) to be 'very or extremely important'.

4.5 Financial cost was seen as the most significant challenge, selected by 70% of the respondents; followed by the process of applying for permissions (55%); impact on the special architectural character (49%); availability of tradespeople (35%); and seeking agreement from neighbours (32%).

4.6 Feedback received in respect to the planning process found that 28% of respondents have applied for some form of consent over the last year. Respondents left comments relating to the difficulties and duration of the application process and expressed a desire for consistency, better communication and assistance from the Council.

4.7 In relation to the Council's planning guidance, the majority of respondents agreed that guidance was clear and easy to understand. However, there were comments relating to the Council's perceived prioritisation of 'appearance' over the 'climate emergency' and 'cost of living' crises in assessing applications with suggestions that the guidance should be relaxed or the requirement for formal permission removed under certain circumstances to address this.

Conservation and Adaptation Short-Life Working Group

4.8 The membership of the short-life working group consisted of planning officers, elected members, community councils, resident associations and relevant bodies with an interest in the historic environment, energy saving and fuel poverty. The report produced by UoE was used to inform the two meetings of the working group held in August and September 2023.

4.9 The two meetings of the working group produced much discussion incorporating many interrelated issues. Appendix 2 provides a more detailed account of the discussions and membership. The key areas of the discussion comprised:

Repair, Maintenance and Adaption

4.10 Poorly maintained buildings can result in higher fuel bills which in turn increases the building's carbon footprint. By ensuring a property performs as it was designed to will improve energy efficiency. Maintenance and repair are the first steps in increasing resilience, but climate change presents new challenges and buildings now need to be adapted if they are to cope with the projected changes and meet the national and local carbon reduction commitments.

Embodied carbon and operation carbon emissions

4.11 Understanding the difference between embodied and operational carbon when considering the credentials of different intervention types to improve the energy efficiency warrants careful consideration. Historic Environment Scotland (HES) has been examining the embodied and operational carbon of various representative building types and the impact of different types of works to improve energy efficiency including case studies. The results of the research will enable informed comparisons between interventions that retain and upgrade existing fabric and interventions that introduce new fabric in terms of the overall carbon cost.

Energy Performance Certificates (EPC)

4.12 The Scottish Government's reform of EPC including new metrics in measuring performance will feed into its Heat in Buildings Strategy that will set regulatory targets based on EPC rating. Whilst the Reduced Data Standard Assessment Tool (RDSAP) to measure performance will be updated to take into consideration longstanding issues in connection with traditional buildings and EPC, the Scottish Government has not confirmed what technical exemptions or spending threshold there will be. Ultimately, it is unclear what targets traditional buildings are being asked to aim for.

Permitted Development Rights

4.13 The Scottish Government is conducting a substantial review of permitted development rights and could include renewable energy equipment and replacement windows to unlisted buildings within designated conservation areas. The Council responded to the consultation and will review its position when the legislation comes into force.

Statutory tests under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 – Listed Building Consent

4.14 Unlike the Planning Application statutory tests, when assessing applications for listed building consent (LBC) under section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (LBCA Act), there is no reference to

material considerations or the development plan. Section 14(2) of the LBCA Act states:

(2) In considering whether to grant listed building consent for any works, the planning authority or the Secretary of State, as the case may be, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

4.15 This limits the scope of the assessment for applications for LBC to focus the consideration on the '*the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses*'. The assessment of LBC applications without reference to material considerations or the development plan removes the strong focus of climate change and sustainability supported by the policies of the Councils adopted and proposed local development plans and National Planning Framework 4. The statutory tests under the LBCA Act places a statutory duty on the Council to determine applications for LBC within the existing legislative framework, leaving it open to challenge within the courts if this duty is not fulfilled.

Statutory tests under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 – Planning Permission

4.16 For a planning application where the property is a listed building or located in a conservation area, in addition to the usual statutory tests of the Town and Country Planning (Scotland) Act 1997 (TCP Act), it must first be assessed against sections 59 and 64 of the LBCA Act. This includes cases where proposed works materially impact the character of the exterior of a building and require planning permission. In terms of the LBCA Act, if the proposed works are found to harm the listed building or its setting or conflict with the objective of preserving or enhancing the character or appearance of the conservation area then there is strong negative presumption against the grant of planning permission. This strong negative presumption can only be overcome if there are considered to be significant public interest advantages of the development which can only be delivered at the scheme's proposed location that are sufficient outweigh it. Crucially compliance with development plan policies cannot override the strong negative presumption arrived at through consideration of development proposals against Sections 59(1) and 64(1) of the LBCA Act. Consideration of development plan policies is only relevant for the separate assessment of the application against the legal tests contained in the TCP Act.

Availability, accessibility and clarity of information and guidance

4.17 The availability and accessibility of existing information and guidance including case studies and how effectively these are communicated and made available for use by members of public is considered crucial. There is a specific role for the Council in collaboration with its partners to consider how this can be achieved.

4.18 Reviewing the Council's planning guidance to cover a wider range of building and intervention types would provide greater clarity on the options available for homeowners. Crucially, there is a role for it to provide a more decisive and instructive steer than exists in the externally produced guidance and advice. Increased clarity on the range of options available and the likelihood of receiving permission would help determine the types of interventions that would be considered acceptable and provide greater incentives for homeowners to undertake retrofitting.

Conclusions

4.19 It is recognised that there are opportunities to alleviate the challenges identified for residents who live in listed buildings and/or conservation areas to adapt their homes in response to climate change. However, the potential cost to the city's built heritage of the change required is, at present, difficult to fully appreciate. The outcomes of the national legislative reviews will influence how far the city's historic buildings need be adapted to meet targets including how changes for some buildings are regulated. Nevertheless, the requirement to provide clear up to date planning guidance and advice on the range of options available to assist the public to refurbish and improve the efficiency of the city's historic buildings and to reduce carbon emissions is clearly acknowledged.

4.20 Whilst the Council establishes policy and guidance, the biggest impact will come from those who own, or have an interest in, the built environment implementing policies and best practice.

5. Next Steps

5.1 In partnership with HES, Edinburgh World Heritage and the UoE, officers will consider how to effectively communicate the breadth of externally produced technically specific information and guidance currently available to members of the public.

5.2 Alongside the current review of the Edinburgh Design Guidance and the proposed review of the Guidance for Householders, a review of the Council's Guidance for Listed Buildings and Conservation Areas is proposed which would include a specific focus on works to address the agendas of climate change and net zero carbon.

5.3 In collaboration with the UoE, establish the number of individual properties in the city that are designated as listed buildings and/or within a conservation area to appreciate the scale of the change required.

6. Financial impact

6.1 There are no financial impacts arising from this report.

7. Equality and Poverty Impact

7.1 There are no impacts on equality, human rights or socio-economic disadvantage arising from this report.

8. Climate and Nature Emergency Implications

Environmental Impacts

8.1 This report contributes to addressing the Climate Emergency declared by the Council in 2019 and helping to meet the Council's target of net zero emissions by 2030 by undertaking consultation on and developing guidance to alleviate the challenges people face to making their homes more energy efficient. It aligns with the Council's forthcoming draft Climate Ready Edinburgh Plan by directly addressing some of the actions relating to reducing the vulnerability of our built environment to extreme weather events and reducing energy demand for heating in buildings.

9. Risk, policy, compliance, governance and community impact

9.1 The responses to city-wide public consultation undertaken informed the discussions of a short-life working group that included, as part of its membership, a number of community councils and residents associations. The engagement of communities directly informed the content and outcomes discussed in this report.

9.2 The content and proposed guidance review outlined in this report contributes towards work to meet the Council's priority of delivering a net zero city by 2030.

9.3 Stakeholders and the community have a significant role to play in implementing and delivering the Council's policy and guidance.

9.4 The Council's planning policy and guidance helps to create sustainable development and adaption to climate change. Consultation will be undertaken on any substantive reviews of guidance.

10. Background reading/external references

10.1 City of Edinburgh Council Response to Scottish Government on Phase 3 Permitted Development Rights Review

11. Appendices

11.1 Appendix 1 - Report: Analysis of the response to the Conservation and Adaptation Consultation

11.2 Appendix 2 - Report: Analysis of the discussion of short-life working group

11.3 Appendix 3 - Conservation and Adaptation: Analysis of the City of Edinburgh Council Public Consultation – Report Prepared for Short-Life Working Group (University of Edinburgh).

APPENDIX 1

Report: analysis of the response to the Conservation and Adaptation Consultation

1. Analysis of the response to the consultation

1.1 Responses to survey questions were analysed quantitatively (multiple-choice responses) or qualitatively (free-text responses). The report by the University of Edinburgh on 'Conservation and Adaptation – Analysis of Responses to the City of Edinburgh Council Public Consultation' contained at Appendix 3 provides full details.

1.2 Findings show that 'cold/draughts' are the most common issue, followed by 'roof repairs'. While 'condensation' is the third most common in flatted properties, for detached/terraced housing it is 'stonework/masonry'. Notably, a significantly higher proportion of flatted properties experienced issues from 'condensation' and 'failed gutters and downpipes'.

1.3 With respect to types of work undertaken or considered, 'window improvement' and 'alternative heating source' are highest (54% and 61% respectively), where respondents wish to carry out work but face barriers. However, 'window improvement' and 'more efficient heating system' show the highest proportion of properties where works are complete or in progress. It should be noted that not all work types included in the survey are relevant to all property types.

1.4 Responses highlighted a number of barriers to undertaking work to improve energy efficiency or mitigate flood risk. Financial cost was the greatest barrier (selected by 70% of respondents); followed by the process of applying for permissions (55%); impact of the special architectural character (49%); availability of tradespeople (35%); and seeking agreement from neighbours (32%). It should be noted that many of these barriers also contribute to overall financial cost.

1.5 The response to the free-text entry question on barriers received comments from over 70% of respondents. They noted that upfront costs, maintenance and application costs all contributed to the overall financial burden and made reference to the requirement for sympathetic materials, in particular the requirement for timber sash and case windows as opposed to uPVC framed windows. As a consequence, many respondents found designation as a listed building or location within a conservation area, and by extension the Council, as a barrier itself. Other notable barriers included a lack of skilled and trustworthy tradespeople, as well as centralised, clear and neutral advice on selecting and proceeding with the most appropriate and cost-effective works.

Respondents also referred to the current limitations of financial support as a further barrier to undertaking work.

1.6 Within the survey questions on the Council's planning guidance on 'Listed Buildings and Conservation Areas', the majority agreed that the guidelines were clear and easy to understand. However, free-text responses suggest a more nuanced view, including a desire for greater clarity where technical jargon is used. Crucially, respondents overwhelmingly believe a balance can be reached between adapting to climate change and protecting the city's built heritage assets, but only if guidance is relaxed or the need for formal permission is removed under certain circumstances. Comments were also made on the Council's prioritisation of 'appearance' over the climate emergency and cost of living crises when assessing applications. Further comments reflected a desire for a long-term decarbonisation plan as well as specific community-wide approaches to adaptation. This suggests further support for a more nuanced approach within planning guidance.

1.7 Feedback received in response to the survey questions on the 'planning application process' found that 28% of respondents have applied for consent over the last year, with only a small proportion reporting a positive experience. More respondents left comments relating to the difficulties and duration of the application process and expressed a desire for better communication and assistance from the Council. Furthermore, whilst respondents appreciated that there is no such thing as precedent in planning, many comments reflected a desire for consistency, as numerous (apparent) violations that have not been subject to planning enforcement action were noted.

1.8 Analysis of responses relating to climate change, adaptation, comfort and architectural conservation found that 88% of respondents view climate change as 'an urgent and immediate problem'. In respect to architectural conservation, 64% considered that preservation of architectural character and historical interest was 'very or extremely important'. This is lower that the percentages who considered 'achieving energy efficiency' (85%), 'fabric adaptation' (75%) and 'making sustainable choices' (80%) to be 'very or extremely important'.

APPENDIX 2

Report: analysis of the discussion of short-life working group

1. Introduction

Short-life working group membership

1.1 Alongside Councillors from each of the political groups represented on the Council's Planning Committee and a variety of officers representing Planning, Building Standards, Climate Change, Flood Prevention, Shared Repairs and Sustainable Construction Delivery from the Council, the membership of the short-life working group consisted of representatives from a variety of different bodies from the public and third sectors. These included, The Scottish Government, The University of Edinburgh, Historic Environment Scotland, Edinburgh World Heritage, The Cockburn Association, The Architectural Heritage Society of Scotland, Changeworks and Home Energy Scotland. Communities within Edinburgh were represented on the short-life working group by Community Council representatives from Marchmont & Meadows, Stockbridge & Inverleith, New Town/Broughton, Old Town, West End, Queensferry & District, Trinity, Tollcross, Southside, Portobello and Leith with resident association representatives for the Stockbridge Colonies and Regent, Royal, Carlton Terraces and Mews.

1.2 The first meeting of the working group was held in person on 15 August in the Council's Business Centre at the City Chambers with 54 participants. The meeting was structured around three presentations and breakout group discussions addressing the four key questions set by the Motion and Amendments. The presentations covered 'climate vulnerability and risk for Edinburgh's built heritage assets'; 'planning legislation, guidance, and current approaches'; and the analysis drawn from the response to the Conservation and Adaptation consultation.

1.3 The second meeting was held virtually via Microsoft Teams on 1 September and was attended by a similar mix of representatives with 31 participants. The meeting was informed by a brief presentation providing a recap of the discussions held during the first meeting and a detailed presentation from Historic Environment Scotland's (HES) Technical Research Team covering the overarching principles of altering and adapting traditional buildings; available and forthcoming guidance from HES; principles and priorities for improvement; other work streams aligned with energy retrofit; and some thoughts on the evolving nature of energy retrofit.

2. Responses to Key Questions

2.1 Q1: Challenges for residents to adapt their homes in response to the climate and cost of living crises

Quality and accessibility of information and guidance

2.1.1 The availability and accessibility of information and guidance was identified as an area warranting attention and potential collaboration. The amount of advice and guidance covering energy retrofit currently available makes it particularly overwhelming and difficult for members of the public to distinguish what advice and guidance is appropriate given the many inaccuracies and contradictions identified. Property Home Reports and metrics used under the current Energy Performance Certificates (EPC's) for example, are particularly unhelpful given that, they can inform the basis of interventions considered by new homeowners. While the revised methodology for measuring performance sitting under SG's reform of Energy Performance Certificates (EPCs) would address this to a degree, it is clear that much attention should be given to positively promoting the retrofit journey to owners of traditional buildings with clear signposting of information and guidance.

Embodied carbon and operation carbon emissions

2.1.2 Understanding the difference between embodied and operational carbon when considering the credentials of different intervention types to improve the energy efficiency requires careful consideration. It was noted that HES has been examining the embodied and operational carbon of various archetypal building types and the impact of different types of works to improve energy efficiency including case studies, but the results are not yet published. It was however noted that embodied and operational carbon saving cannot be easily compared for traditional buildings as they can for more modern buildings given the metrics used in the current EPC. Crucially, it was noted that, while a conservation-based retrofit score highly in terms of embodied carbon, it is very challenging to significantly reduce operational carbon emissions given the design and the fabric used to ventilate and allow traditional buildings to breathe.

Ventilation

2.1.3 The importance of ventilation in our homes to our health given the experiences provided by the COVID pandemic warrants careful consideration by society in terms of whether we want a highly energy efficient buildings and a healthy population. To achieve both, it's not one single metric of factor relating to incredibly high air tightness and very high insulation value. Historically, the importance of ventilation was very well understood for a lot of reasons some of which, were medical and that, tenements in particular, are

well equipped with passive ventilation strategies to ensure respectable air quality. Mechanical ventilation strategies will help attain the modern energy ratings that modern software systems and energy assessment protocols provide but, cautiousness was expressed as to whether this is the right approach for our traditional building stock particularly within a domestic setting.

Low carbon heating solutions

2.1.4 Whilst there is agreement on the accuracy and scope of work, including case studies previously undertaken in relation to determining possible solutions for traditional buildings, questions on implementation of low carbon heating systems were noted. Edinburgh World Heritage are currently considering further case studies on the implementation of low carbon heating systems in traditional buildings and the results will assist in informing future guidance.

Tackling impacts as opposed to causes

2.1.5 The workshops and accompanying report produced by the HES, EWH and the Council on the application of the 'Climate Vulnerability Index' (CVI) on the Old and New Towns of Edinburgh World Heritage Site (ONTEWHS) found that the biggest drivers of climate change are cloud burst management, flooding and wind speed. A concern that stakeholders are paying disproportionate attention to adaptations to windows while data collected through the CVI on the ONTEWHS suggests that the priority should lie elsewhere such as considering the effectiveness of rainwater goods. Furthermore, in relation to flooding and instances within the city where flood doors have been installed, it is suggested that addressing the causes within the wider environment is more appropriate, such as the area-based climate mitigation solutions considered as part of the Council's work on Edinburgh's Green Blue Network.

What are the targets for traditional buildings?

2.1.6 In addressing net zero targets and rolling out the changes required at scale, it is critical that the targets are clearly understood. Although it is understood that the SG will base targets on EPCs, they have not confirmed what technical exemptions or spending threshold there will be. Further lack of clarity relates to the differences between net zero carbon emissions, EPC ratings, carbon reduction and embodied carbon. Ultimately, it is unclear what targets traditional buildings are being asked to aim for.

Legislative framework: what requires consent?

2.1.7 From a legislative perspective it was noted that there are works that are not considered as 'development' and thus, not requiring of planning permission. There are also works that would generate negligible impacts on the special interests of listed buildings when listed building consent would not be required. This undoubtedly has a strong bearing on the Council's influence in

managing change for particular intervention types where no formal consent is required. Furthermore, there currently exists Permitted Development Rights (PDR) for particular interventions to unlisted buildings located within conservation areas. Crucially though, the current SG review on PDRs, proposing extended PDRs within conservation areas, would significantly extend the scope of interventions achievable for unlisted buildings within conservation areas without the requirement of planning permission. The Council and stakeholders will need to review their position on receipt of the legislation adopted by the SG.

2.1.8 Notwithstanding these regulatory considerations, there is a role for the Council and organisations with a stake in the historic environment to assist and guide the public through the retrofit journey. Whether this concerns providing guidance on the particular building types and their appropriate maintenance, through to guidance on more substantial interventions to improve efficiency, a clear and accessible route map including options would help members of the public engage with the retrofit journey more actively.

Statutory tests under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 – Listed Building Consent

2.1.9 Unlike the Planning Application statutory tests, when assessing applications for listed building consent (LBC) under section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (LBCA Act), there is no reference to material considerations or the development plan. Section 14(2) of the LBCA Act states:

> *(2) In considering whether to grant listed building consent for any works, the planning authority or the Secretary of State, as the case may be, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

2.1.10 This limits the scope of the assessment for applications for LBC to focus the consideration on the '*the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses*'. The assessment of LBC applications without reference to material considerations or the development plan removes the strong focus of climate change and sustainability supported by the policies of the Councils adopted and proposed local development plans and National Planning Framework 4. The statutory tests under the LBCA Act places a statutory duty on the Council to determine applications for LBC within the existing legislative framework, leaving it open to challenge within the courts if this duty is not fulfilled.

Statutory tests under the Planning (Listed Buildings and Conservation Areas (Scotland) Act 1997 – Planning Permission

2.1.11 For a planning application where the property is a listed building or located in a conservation area, in addition to the usual statutory tests of the Town and Country Planning (Scotland) Act 1997 (TCP Act), it must first be assessed against sections 59 and 64 of the LBCA Act. This includes cases where proposed works materially impact the character of the exterior of a building and require planning permission. In terms of the LBCA Act, if the proposed works are found to harm the listed building or its setting or conflict with the objective of preserving or enhancing the character or appearance of the conservation area then there is strong negative presumption against the grant of planning permission. This strong negative presumption can only be overcome if there are considered to be significant public interest advantages of the development which can only be delivered at the scheme's proposed location that are sufficient outweigh it. Crucially compliance with development plan policies cannot override the strong negative presumption arrived at through consideration of development proposals against Sections 59(1) and 64(1) of the LBCA Act. Consideration of development plan policies is only relevant for the separate assessment of the application against the legal tests contained in the TCP Act.

2.2 **Q2 + Q3: How the identified challenges / barriers might be addressed at present and in longer term**

Reviews of national legislation

2.2.1 The on-going reviews of legislation at a national level by the Scottish Government (SG) carries particular implications for the scale of the challenge for traditional buildings in addressing the climate emergency and the targets for net zero carbon emissions. The SG reform of Energy Performance Certificates (EPCs) including the research on new metrics in measuring performance feeds into the SG Heat in Buildings Strategy that will set regulatory targets. For traditional buildings, these targets are at present, still unknown. It therefore, remains unclear what the targets might be for buildings designated as listed or located within conservation areas. SG propose to introduce the reformed EPC shortly after amended Energy Performance of Buildings Regulations are introduced in Winter 2023/24, ahead of proposed Heat in Buildings regulations being introduced in 2025.

2.2.3 The Reduced Data Standard Assessment Tool (RDSAP) is the methodology that sits under Energy Performance Certificates (EPC's) and is being updated to take into consideration the longstanding issues in connection with solid masonry walls common to traditional buildings and EPC's. It should however be noted that EPC's were never designed as a tool for testing compliance, rather as a methodology to compare one building with another. Nevertheless, the new RDSP 10 which comes into force next year will be an improvement allowing the more accurate assessment of traditional buildings. Guidance on

RDSAP 10 and EPC's will be provided by HES once it comes into force in 2024.

2.2.4 The SG is also conducting a substantial review of the permitted development rights (PDR). Permitted development is those forms of development which are granted planning permission through national legislation, meaning they can be carried out without an application for planning permission being submitted to the Council. Of particular relevance, the review proposes PDR for renewable energy equipment (solar panels and air and ground source heat pumps) and replacement windows within designated conservation areas. Over the summer 2023, the Council responded to the SG consultation on the PDR review. A Paper qualifying the final position of the SG is expected in early spring 2024 before coming into force on 31 March 2024 (estimated). The Council will review its position on receipt of the final legislation adopted by the SG.

The planning process

2.2.5 The planning process is perceived as overly complex and a considerable barrier to submitting applications by members of the public. The ability of the Council to address this and make it simpler and more user-friendly - offering more direct and specific service to the public was noted. Suggestions of how to address this considered collective action and whole house approaches to understanding how a range of traditional building types were designed to perform and the interventions that could be applied to them to improve their efficiency. In doing so, proposed schemes for particular building and intervention types with application templates produced to help inform and assist the public were cited as, particularly beneficial to navigating the planning process for members of the public. Other suggestions related to ability to submit had copy applications and the Planning and Building Standards to work more collaboratively with both their Help Desk's providing a walk-in service to members of the public.

Collaboration and engagement

2.2.6 Discussion on collaboration and engagement amongst residents and the Council further developed the discussion around tailored interventions to particular building types. Collaboration between multiple owners in sourcing communal solutions to address climate impacts with engagement from the Council to help find appropriate and effective mechanisms to address efficiency whilst protecting the special characteristics of the heritage assets could also help share the burden and reduce costs. Localised place plans could help bring more precise, personal, and accurate information to communities and function as an appropriate vehicle for assisting with its delivery.

Planning guidance

2.2.7 Aligned with the feedback received through the consultation, issues were raised with the vocabulary and some of the terms used within the existing Council guidance for 'Listed Buildings and Conservation Areas' regarding its

possible misinterpretation and clarity for members of the public. Views were also expressed on the content that would help provide greater clarity such as including definitions of the essential characteristics of listed buildings and conservation areas within contextual sections, before defining principles and reasoned justification for protection and intervention.

2.2.8 It is acknowledged that, with the amount of advice and guidance concerning energy retrofit and green heating sources current available, it was hard for members of the public to distinguish which advice and guidance was appropriate. While the guidance produced by recognised heritage bodies such as Historic Environment Scotland and Edinburgh World Heritage were regarded as factually accurate and identified as particularly useful, the requirement for more detailed Council produced guidance providing a more decisive and instructive steer to help determine what would be acceptable or not for homeowners was deemed necessary.

2.2.9 Detailed guidance for particular building and intervention types would help consider both the number of new interventions currently being formally applied for and the impact of them on the range of historic building types within the city was noted as particularly meaningful given the lack of breadth in coverage contained within the Council's existing planning guidance. The rapid rate of change required within the context of the climate emergency and the technological advances in products in response to this, further amplifies the requirement for revised / new guidance to consider. Detailed consideration of these new interventions both, in terms of their effectiveness including their potential to generate unintended detrimental impacts and their impact on the range of different characteristics exhibited by the city's build heritage assets was raised as fundamental to any revision to the planning guidance.

2.2.10 Within the context of indicative solutions for different building types, the University of Edinburgh are currently progressing a project with SG funding and have recently run a workshop analysing the different building typologies and the ways in which the wealth of information, guidance and case studies available on them can be gathered together and condensed to provide a clear resource for homeowners. The project is being developed in an archetypal approach considering the different typologies of buildings via a decision tree / flow chart to allow homeowners to identify their particular property type and the types of interventions and solutions that would be effective and appropriate for it.

2.2.11 To help assist the production of revised / new guidance, the use case studies within guidance were cited as a particularly effective tool in expressing the effectiveness and appropriateness of particular intervention types on a range of different building types. Case studies would help promote good practice and discourage bad practice to reassure and guide applicants in undertaking effective interventions that are appropriate for their particular building type. This could potentially, provide a greater incentive for members of the public to engage with the planning process given the likelihood of receiving permission.

2.2.12 Conservation Area Character Appraisals (CACA's) were also cited as possible vehicles in assisting with the delivery of more bespoke guidance for interventions to unlisted buildings such as tenements where circumstances and character can vary greatly within the city. For example, window surveys could help understand and more accurately define the contribution of windows to the essential characteristics of particular conservation areas with bespoke guidance tailored accordingly.

2.3 Q4: what are the costs to the cultural heritage of our built heritage assets if change is required?

2.3.1 Reflecting on the fourth question concerning the potential cost to our built heritage of any change, a more accurate understanding of the scale of the task in both quantitative and qualitative terms was considered necessary to fully evaluate the potential costs both in financial terms and in the manner change may impact the characteristics of the city's built heritage assets. In order to unpack this consideration, the Council in collaboration with the University of Edinburgh are in the process of calculating the figures for the number of individual properties designated as listed buildings and/or within a conservation area within the city. Notwithstanding the results generated through this exercise, under the current EPC, that more than half of Edinburgh wouldn't meet the standards and that financial cost to homeowners in upgrading their properties would be the most significant burden.

2.3.2 There was, however, a general appreciation that, adaptations to address climate change will generate some loss of character to an extent for listed buildings and conservation areas to prevent further environmental damage. However, such a loss could be explained as a way to help preserve the use of our historic buildings and thus, characteristics of the city's built heritage and places. Nevertheless, it is clear that a cautious approach is required. Understanding historic buildings from both conservation and energy perspectives is considered fundamental before embarking on an adaptation scheme. The worry is that adaptations to improve energy performance could give rise to unintended consequences of a negative nature and that, it is necessary that change is managed in an informed and balanced manner.

3. Conclusions drawn from the discussions considering the key questions

3.1 Pulling together the various strands of the discussion in relation to the focussed questions set out as part of the Motion and Amendments agreed by Committee, it is clear that, the availability, accessibility and breadth of technically specific information and guidance currently available requires consideration in terms of how it is linked together, further developed, consolidated and supplemented with case studies. Crucially though, how it is effectively communicated to members of the public is considered essential.

3.2 From a Council perspective, consideration of reviewing the existing guidance on Listed Buildings and Conservation Areas or the production of standalone guidance for climate adaptations to historic buildings would assist in pulling together and consolidating the key messages and the technical possibilities expressed in wealth of guidance currently available. Providing a more decisive steer to help determine whether and under what circumstances interventions would or wouldn't be acceptable would provide greater clarity for homeowners. Including new intervention types and emerging technological advances in particular products that currently, there exists no Council guidance for, would provide further options and clarity on their acceptability within the context of formal applications.

3.3 In considering and producing revised or new guidance, the Council will need to actively engage with organisations with a stake in the historic environment in order for the guidance to be effective. Collaboration will assist in capturing the full range of historic building and intervention types and help address what is technically possible, what isn't, and where the balance should be struck between allowing interventions to improve efficiency and preserving the essential characteristics of the city's listed buildings and conservation areas. The guidance should also help members of the public navigate the range of different intervention types available by providing information on their effectiveness and appropriateness for particular building types in relation to their potential impact on operational carbon, embodied carbon, EPC's, financial costs and the special interests of different types of historic buildings and places.

3.4 While the need to refurbish and improve the efficiency of the city's historic buildings and reduce carbon emissions to meet national and local targets is clearly acknowledged, understanding if and what exemptions will exist and resolving the conflict between embodied and operational carbon and how that will be reflected in the technical targets set for historic buildings requires resolution from the SG. The potential change in regulation with regard to the proposed extension of PDR for unlisted buildings in conservation areas, may require the Council to review its position when the legislation comes into force. Depending on the outcomes, it may be considered appropriate for any guidance review to separate out the planning guidance for Listed Buildings and Conservation Areas to provide tailored guidance for listed building and conservation areas separately.