

Planning Committee

2.00pm, Wednesday, 3 February 2021

Planning Improvement Plan – Interim Refresh

Executive/routine	
Wards	All
Council Commitments	1,4,10-15,18,28

1. Recommendations

- 1.1 It is recommended that Committee:
- 1.1.1 approves the appended service Improvement Plan as a refresh of the Improvement Plan originally approved in December 2018 (Appendix 1);
 - 1.1.2 approves the appended sample template for application reports to the Development Management Sub-Committee (Appendix 2), subject to any necessary amendments necessary for technical reasons;
 - 1.1.3 notes the appended update on progress in implementing the recommendations of an internal audit on developer contributions (Appendix 3); and
 - 1.1.4 notes the Scottish Government's feedback on the service's performance in 2019/20 (Appendix 4).

Paul Lawrence

Executive Director of Place

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Planning Improvement Plan – Interim Refresh

2. Executive Summary

- 2.1 The purpose of this report is to seek the Committee's approval of changes to the Planning Improvement Plan (PIP) 2018/21 to reflect progress and other changes since it was first prepared. The Committee's approval is also sought for a new template for application reports to the Development Management Sub-Committee.
- 2.2 This report also provides an update on progress made in implementing the recommendations of an internal audit on developer contributions, and feedback from the Scottish Government on the service's Planning Performance Framework for 2019/20.

3. Background

- 3.1 The PIP 2018/21 was first approved by Planning Committee in [December 2018](#). Its sets out a series of key actions in relation to Leadership and Management, Customer, Continuous Improvement and Performance.
- 3.2 Regular updates on progress have been provided:
 - In progress reports as listed in section 8 below; and
 - In Business Bulletins updating on quarterly decision making time performance, also listed in section 8 below.

4. Main report

- 4.1 The original PIP (December 2018) consists of four sections:
 - 4.1.1 Introduction;
 - 4.1.2 Strategy including a vision, the wider strategic context, and objectives grouped by theme and timescale within the three-year period of the Improvement Plan;
 - 4.1.3 Improvement approach; and
 - 4.1.4 Measures of success.

- 4.2 Significant progress has been made in a number of ways in the first two years of the Improvement Plan's period. The wider context has also changed and will continue to do so through 2021 and beyond.
- 4.3 It is therefore appropriate to carry out an interim review of the Improvement Plan, and refresh is where appropriate.
- 4.4 Progress since December 2018 has been reported regularly to the Committee. Major achievements in the last two years are set out in part 3 of Appendix 1.
- 4.5 Some of that progress complete or underway by March 2020, when the Covid-19 pandemic forced the service to rapidly relocate its operations to a working-from-home basis. However, some of the progress was made during the 2020 Covid-19 period, and in many cases was accelerated by the pace of change required in this time.
- 4.6 That pace of change is a key driver for the Council's [Adaptation and Renewal Programme](#) reported to the Policy and Sustainability Committee in May 2020. Other parts of the wider context which have changed since the PIP was originally prepared include:
 - 4.6.1 The Council's budget challenge;
 - 4.6.2 The preparation of City Plan 2030 and the City Mobility Plan;
 - 4.6.3 The Legal Review of planning processes, reported to Planning Committee in September 2020;
 - 4.6.4 The Planning (Scotland) Act 2019 and its secondary legislation;
 - 4.6.5 Work on the emerging National Planning Framework 4 and associated policy and advice; and
 - 4.6.6 The national [digital strategy for planning](#), published by the Scottish Government in December 2020
- 4.7 The original PIP's period was to run from the end of 2018 to the end of 2021. In light of the progress made to date and changes in wider context, it is appropriate to carry out an interim refresh of the Improvement Plan. This is intended to cover the remainder of 2021 and potentially early 2022, ahead of further review.
- 4.8 The updated PIP is attached as Appendix 1 for approval.
- 4.9 Additional or substantially sections are identified in **bold**. Major changes include
 - 4.9.1 Addition of the above strategic context drivers to the strategy section;
 - 4.9.2 Consolidation of the Performance and Continuous Improvement themes into one, to reflect practice in the improvement programme. The Customer theme has been expanded to explicitly include other stakeholders, which include community groups; and
 - 4.9.3 Other updates to improvement objectives and actions to reflect progress and learning since 2018 and address outstanding areas identified in the Scottish Government's feedback on 2019/20 .

- 4.10 One of the key strands of improvement has been the 'Delivering Excellence' lean reviews of processes. These have identified a number of ways in which processes can be simplified and streamlined. This has resulted in a new report template for delegated cases, in use since autumn 2020. A new template for reports to the Development Management Sub-Committee has been developed on a similar basis. A sample is attached as Appendix 2 for the Committee's approval for use, subject to any amendments which may be needed to address technical factors arising. These may be due to the ICT system used, findings from early use of the new template, or service adaptations.
- 4.11 Appendix 3 sets out progress against the actions recommended in an internal audit relating to developer contributions. These recommendations were set out in a report referred from the Governance, Risk and Best Value Committee to Planning Committee in [May 2019](#). Updates were provided in January and September 2020. Work on these has been impacted by the Covid-19 period, and audit deadlines were extended by four months accordingly. It has still been possible to progress all actions, as summarised in Appendix 3.
- 4.12 Appendix 4 sets out the Scottish Government's feedback on the Council's [Planning Performance Framework](#) for 2019/20, received in December 2020. The Scottish Ministers provide feedback to local authorities after a period of analysis to identify national trends. This feedback uses a red, amber, green scoring system against 15 indicators.
- 4.13 In summary, the feedback shows:
- 4.13.1 Nine indicators retaining green status;
 - 4.13.2 Some positive changes, with two red indicators improved to amber, but two indicators remaining at amber;
 - 4.13.3 Improvements across all three sub-indicators for application decision-making times for major, local and householder applications. All three were better than the Council's figures for the previous year but are still slower than the national average;
 - 4.13.4 Associated improvements in times for legal agreements, but these are still slower than the national average;
 - 4.13.5 Lack of progress in resolving stalled sites and legacy cases, which remain red;
 - 4.13.6 Lack of progress in demonstrating improvements in relation to continuous improvement and developer contributions; and
 - 4.13.7 A new red indicator for the timescales for replacement of the local development plan.
- 4.14 The next stage in the replacement local development plan project, City Plan 2030, is due to be reported to Committee later in February 2020.
- 4.15 The other red and amber indicators will be addressed by the appended refreshed Improvement Plan, which also includes measures intended to maintain green

scores in indicators. The Scottish Government's feedback also points to opportunities for clearer communication of the service's actions in the Planning Performance Framework.

5. Next Steps

- 5.1 Work will continue to implement actions in the updated improvement plan. Priority will continue to be given to actions which sustain improvements in decision making timescales and to actions which establish a cycle of monitoring and improving the quality of outcomes on the ground.
- 5.2 Lessons learned from pilot and trial working practices will be used to inform further actions and build the service's capacity to change and respond to future challenges as they arise. This experience and monitoring will be used to keep the Improvement Plan under review and inform future updates of it.

6. Financial impact

- 6.1 The costs associated with implementing the proposed improvements in the updated PIP will be met from the Planning and Building Standards Service budget.

7. Stakeholder/Community Impact

- 7.1 The improvement work to date has included actions informed by Customer Forum sessions held in June 2018 and September 2019.
- 7.2 A further Customer Forum event was due to have been held in summer 2020, but this was not possible due to Covid-19 restrictions. The refreshed Improvement Plan includes a customer and stakeholder engagement programme involving several virtual sessions of the Customer Forum.
- 7.3 The refreshed Improvement Plan also includes a project to develop the service's approach to equalities monitoring of planning applications.

8. Background reading/external references

- 8.1 Report to Planning Committee, 2 September 2020, [Legal Review of Council Planning Processes](#);
- 8.2 Report to Policy and Sustainability Committee, 28 May 2020, [Adaptation and Renewal Programme](#);
- 8.3 Report to Planning Committee, 15 May 2019, [Internal Audit – Developer Contributions – referral from the Governance, Risk and Best Value Committee](#); and
- 8.4 Report to Planning Committee, 12 December 2018, [Planning and Building Standards Improvement Plans](#).

- 8.5 Previous updates have been provided as follows:
- 8.5.1 [February 2019](#) - report on the Scottish Government's feedback on the Council's Planning Performance Framework 2017/18;
 - 8.5.2 [May 2019](#) - report summarising implementation of actions over the first six months of the Improvement Plan;
 - 8.5.3 [August 2019](#) – Business Bulletin providing time performance monitoring figures for Quarter 1 of 2019/20. The Council's Planning Performance Framework, which is submitted annually to Scottish Government, was also reported for information;
 - 8.5.4 [January 2020](#) – report updating on progress in implementing the improvement plan, with time performance figures for Quarter 2 and an update on progress addressing the recommendations of an internal audit on developer contributions;
 - 8.5.5 [February 2020](#) -report with a Business Bulletin item providing time performance figures for Quarter 3 and the Scottish Government's feedback on the Council's Planning Performance Framework for 2018/19;
 - 8.5.6 [September 2020](#) – report providing an update on progress in implementing the improvement plan, with time performance figures for Quarter 4 of 2019/20 and an update on progress addressing the recommendations of an internal audit on developer contributions;
 - 8.5.7 [October 2020](#) - Business Bulletin providing time performance monitoring figures for Quarter 1 of 2010/21, using new, nationally-aligned indicators; and
 - 8.5.8 [December 2020](#) - Business Bulletin providing time performance monitoring figures for Quarter 2 of 2010/21,

9. Appendices

- 9.1 Appendix 1 - Planning Improvement Plan 2018/21 - Interim Refresh, February 2021
- 9.2 Appendix 2 – Report template for planning applications reported to the Development Management Sub-Committee (To follow).
- 9.3 Appendix 3 – Update on Recommendations from Internal Audit on Developer Contributions – February 2021 (To follow).
- 9.4 Appendix 4 – Scottish Government feedback on the Council's [Planning Performance Framework](#) for 2019/20

Appendix 1 - Planning Improvement Plan 2018 - 2021 Interim Refresh

Refreshed text shown in underline

Contents

1. Introduction
2. Strategy for Improvement
3. Improvement Approach
4. Measures of Success

1. Introduction

Vision

To be a great organisation to work for and with because we are making a better Edinburgh and providing excellent service.

This Planning Improvement Plan sets out how we will achieve our vision for the service over the three years from end of 2018 to the start of 2022. It was refreshed at the start of 2021.

It builds on previous improvement plans and the current Building Standards Improvement Plan and is set within the context of wider Council objectives and priorities. In preparing the Improvement Plan, consideration has been given to the needs and views of customers of the Planning Service, Members of the Planning Committee and employees.

City Growth

Edinburgh is a city of growth, both economically and demographically. Meeting the demand for new homes, commercial floorspace and infrastructure creates a busy and complex workload for the planning service. In addressing the challenges of growth, we also continue to value and protect the key heritage assets of the city and listen to the views of people who live, work and socialise in the city.

Measuring our Performance

There are a number of ways that we can measure how well we are performing as a Planning Authority. These include how quickly we determine applications, the quality of development on the ground, how well we are meeting our customers' expectations and whether our staff feel valued and supported.

We are not currently performing as well as we want to and the purpose of this Improvement Plan is to highlight our commitment to improve our Planning Service. In taking a more strategic approach over a three year time period, we recognise that quick fixes are not the answer to the challenges we face.

This refreshed Improvement Plan reflects progress made since December 2018, when the original Plan was approved. It also reflects the changes in context since then, as summarised in the following section.

2 Strategy for Improvement

Vision

To be a great organisation to work for and with because we are making a better Edinburgh and providing excellent service.

Our strategy for improvement is based on four themes

- leadership and management
- customers and stakeholders
- performance and continuous improvement



We aim to enhance our performance in relation to both quality and timescale, improve our relationship with customers and ensure that employees are fully engaged and motivated in driving forward the changes needed.

This section sets out our objectives for year three within the context of the Council business plan and commitments, as well as what we did in years one and two. A rolling programme of more detailed actions is used to deliver the Improvement Plan.

The Council Business Plan

The Council's Business Plan 2017/22 sets out that it is committed to improving our services and our amenities in ways that meet the needs of our citizens and communities. This improvement plan has been designed to be aligned to the aims, outcomes and commitments of the Council's Business Plan.

The strategic aims of the left hand column in the table below are accompanied by 20 outcomes in on the right hand columns. The Planning Service will:

- assist economic growth;
- support the housing programme;
- help ensure our built and natural environment is protected and enhanced;
- ensure value for money while meeting the needs of our citizens;
- and,
- deliver excellent customer service.

Vibrant City	Citizens lead healthy and active lives with improved wellbeing	Every citizen and community can participate in the cultural life of our city	Our places and localities make Edinburgh a great and unique place to visit and study	Our economy thrives with excellent and equal opportunities for business, employment and innovation
A City of Opportunity	Everyone, regardless of wealth and background can fulfil their potential and benefit from the city's success	All children and young people have the best start in life and are able to reach their full potential	Citizens are socially connected and able to participate and develop throughout their lifetime	Everyone has access to suitable housing, facilities and amenities
A Resilient City	Communities are safe, strong and able to cope with change	Our built and natural environment is protected and enhanced	Edinburgh is a low carbon, connected city with transport and infrastructure that is fit for the future	Edinburgh is clean, attractive and well looked after
A Forward Looking Council	We deliver value for money services through optimising our use of resources and building on the capabilities of our talented workforce	We provide are focused on prevention and early intervention	We plan our services to ensure we can continue to meet the needs of citizens and communities into the future	Our organisation is flexible and adaptable and embraces change
An Empowering Council	A leading Council in community engagement and empowerment, giving citizens confidence to make decisions and act on issues	We work with partners and communities to deliver services locally	We place our customers at the heart of what we do, we are responsive, accessible and fair for all	We are an open, honest, inclusive and transparent organisation

Council Commitments

The improvement plan will support the following [Council Commitments](#) :

- 1 Deliver a programme to build at least 10,000 social and affordable homes over the next 5 years, with a plan to build 20,000 by 2027.
- 4 Direct development to growth corridors as the best way to accommodate the extra housing needed for Edinburgh's growth and allowing the city to manage and protect green belt.
- 10 Prioritise the use of brownfield sites and work with public sector and private landowners to develop and for affordable housing.

- 11 Ensure that Council policies on planning, licensing and sale of Council land give substantial weight to the needs of residents while still encouraging business and tourism.
- 12 Review the Council's policy on promoting mixed communities. The review should be completed by summer of 2018 and should include homes of multiple occupancy, short term temporary lets and student housing.
- 13 Improve planning enforcement to ensure that all developers, large or small, conform to Edinburgh's policies and developer's commitments.
- 14 Work with the Scottish Government to review planning policy and overhaul the planning appeal system to make it shorter, more independent and give communities the right to appeal
- 15 Protect Edinburgh World Heritage Status and make sure developments maintain the vibrancy of our city in terms of placemaking, design and diversity of use
- 18 Improve Edinburgh's air quality and reduce carbon emissions. Explore the implementation of low emission zones
- 28 Create a first-class education estate – building two new secondary schools and 10 new primaries by 2021.

Other Context - 2021

Since this Improvement Plan was first prepared in 2018, the wider context has changed and now includes:

- The Council's Adaptation and Renewal Programme, May 2020.
- The emerging City Plan 2030 and the City Mobility Plan.
- The Legal Review of planning processes, reported to Planning Committee in September 2020.
- The Planning (Scotland) Act 2019 and its secondary legislation.
- The emerging National Planning Framework 4 and associated national documents.
- The national digital strategy for planning, published by the Scottish Government in December 2020.

One and Three Year Strategic Objectives

We have divided our objectives into one and three year periods as follows:

Improvement Themes	Delivered in Years 1 and 2	Planned in Year 3
<p>Leadership & Management</p>	<p>A successful planning service requires strong leadership and employees who are fully committed to working together to deliver improvements. Priority will be given to actions which promote a positive and inclusive culture: create an environment that encourages effective engagement, open communication, empowerment and high performance.</p> <p><u>In years 1 and 2, the following were delivered or substantially progressed:</u></p> <ul style="list-style-type: none"> • <u>Improvement team established</u> • <u>Investment in developing leadership and management</u> • <u>Recruitment progressed (pre-Covid-19)</u> • <u>Workforce profile prepared</u> • <u>Coordinated approach to performance management initiated</u> • <u>New approach to staff communications</u> • <u>New staff-led approach to wellbeing</u> 	<p>All staff have the potential to develop leadership qualities. We will continue to empower and invest in our employees to ensure they are fully engaged and take a proactive role in the continuous improvement of the planning Service.</p> <p><u>Priorities for the next year include:</u></p> <ul style="list-style-type: none"> • <u>Continue to develop leadership capacity at all levels</u> • <u>Develop workforce strategy to support delivery of new ways of working</u> • <u>Continue to develop coordinated performance management</u> • <u>Continue to develop staff communications</u> • <u>Refresh quality assurance processes</u>

Improvement Themes	Delivered in Years 1 and 2	Planned in Year 3
<p>Customers & Stakeholders</p>	<p>Feedback from customers indicates that we are not meeting their expectations in terms of how we communicate with them. We aim to bring forward improvements which enable us to communicate more effectively with customers but still allows us to meet timescale targets.</p> <p><u>In years 1 and 2, the following were delivered or substantially progressed:</u></p> <ul style="list-style-type: none"> • <u>Customer surveys and Customer Forum (2019 only)</u> • <u>Continued core customer service throughout 2020 with minimal disruption while adapting to Covid-19</u> • <u>Introduction of new pre-application service</u> • <u>A review of complaints procedures</u> • <u>Closer working internally and externally, including on major projects such as City Plan 2030 and the City Mobility Plan</u> 	<p>The Planning Service has a wide range of customers with sometimes competing needs. We will continue to work with customer groups to explore different options for how we can improve the level of service we provide.</p> <p><u>Priorities for the next year include:</u></p> <ul style="list-style-type: none"> • <u>Customer and stakeholder engagement programme, including Customer Forum virtual sessions</u> • <u>Further development of complaints procedure to monitor and inform improvements</u> • <u>Develop options for introducing equalities monitoring</u> • <u>Develop external communications to support improvements, including website review</u>

Improvement Themes	Delivered in Years 1 and 2	Planned in Year 3
<p>Performance & Continuous Improvement</p>	<p>Delivering the actions identified under the above themes will improve our performance. We will also review how we measure and monitor key indicators and agreed priorities to ensure we address all aspects of our performance. We want to improve the speed and efficiency of our service but also the quality of development resulting from our decisions.</p> <p><u>In years 1 and 2, the following were delivered or substantially progressed:</u></p> <ul style="list-style-type: none"> • <u>Realignment of teams to better fit operational needs</u> • <u>Flexible allocation of caseload</u> • <u>'Delivering Excellence' lean reviews of processes: intake to allocation; allocation to officer decision; technicians stage; and enforcement</u> • <u>Reporting cycle of new, nationally aligned time performance indicators</u> • <u>Model legal agreement and end-to-end s75 process</u> • <u>Quality of outcome evaluation tool pilot</u> • <u>Hardware refresh and digital support established</u> 	<p>We will continue to review how we measure and improve our performance within the context of wider Council objectives and changes to planning legislation and national policy.</p> <p>We will continue to improve our Service by introducing changes over time and revisiting and checking earlier changes. This will help increase efficiency in processes and improve the quality of outcomes.</p> <p><u>Priorities for the next year include:</u></p> <ul style="list-style-type: none"> • <u>Continue to develop responsive ways of working.</u> • <u>Delivering Excellence: continue to deliver actions from first Delivering Excellence process reviews; review Enforcement charter to deliver identified improvements; and apply similar approach to other operational areas.</u> • <u>Continue to improve processes and time performance for legal agreements.</u> • <u>Clear stalled sites / legacy cases</u> • <u>Establish quality of outcome monitoring cycle</u> • <u>Develop strategic approach to digital planning</u>

3 Improvement Approach

In order to improve our Service, we will continue to work collaboratively with other Council services and our customers. We will review and evaluate our business processes for efficiency, effectiveness and flexibility. But we may also ask others to make changes in the way they interact with us.

The approach is led by a small improvement team, seconded within the service and leading, coordinating and supporting the programme of change and improvement.

Individual change and improvement actions are led by staff and team managers, using a range of approaches fitted to the nature of the change.

The delivery of the Improvement Plan will generally be progressed using existing staff resources. This includes some additional posts which were created in 2018 as a result of an increase in Council budget provision and an increase in planning application fees.

4 Measures of Success

This sets out the key measures of success against which we will assess our performance in relation to this improvement plan.

Scottish Government Planning Performance Markers

The Scottish Government assesses the Council's annual Planning Performance Framework against a set of performance markers. Red, amber and green ratings are given based on the evidence provided within the Planning Performance Framework.

City of Edinburgh Council Performance Framework

Following the approval of the Council Business Plan 2017/22, a revised internal performance framework was developed to monitor delivery of the Business Plan's five Strategic Aims. This sits alongside, and in addition, to the monitoring of Commitments, which was reported to the City of Edinburgh Council on 28 June 2018. There are a number of indicators directly related to the work of the Planning Service.

Improved Customer Satisfaction

We will continue to engage with our customers and other stakeholders, including our annual Customer Forum and monitor complaints and compliments, as a measure of customer satisfaction. From 2021 this engagement will resume in virtual form using online sessions.

Improve Employee Satisfaction and Wellbeing

An employee satisfaction survey was carried out in 2019, and two wellbeing surveys were carried out in 2020. Further surveys will be carried out in 2021.

Appendix 2 - Development Management Sub Committee

Application for Planning Permission

Address - 23 - 24 Greenside Place, Edinburgh, EH1 3AA

Proposal: Change of use from offices to serviced apartments with associated upgrading and refurbishment works with replacement dormers and rooflights (as amended).

Item – 7.1

Application Number – 20/02211/FUL

Ward – B11 – City Centre

Recommendation

It is recommended that this application be **Granted** subject to the details below.

Summary

The proposal complies with the adopted Edinburgh Local Development Plan. The proposal is an appropriate use which is reflective of the commercial character of the surrounding area and which preserves both the character and appearance of the New Town Conservation Area and the Outstanding Universal Value of the Old and New Towns of the Edinburgh World Heritage Site. The proposal will not have an adverse impact on the unique architectural and historical character of the listed building and is an acceptable city centre development. It will not have a detrimental impact on the amenity of the surrounding area or raise any concerns in respect of road safety.

The development complies with the Planning (Listed Building and Conservation Areas) Scotland Act 1997.

There are no material planning considerations which outweigh this conclusion.

SECTION A – Application Background

Site Description

Originally built as a tenement block designed by John Baxter and constructed c. 1798, the application site has undergone significant internal renovation and now houses two pubs at ground floor, with open plan office space on the upper floors. The building was Category B Listed on 19 June 2001 (Reference number LB48035).

The Playhouse Theatre lies to the south and a hotel to the north on the other side of the lane. There are some flatted dwellings at the bottom of this lane to the east with Calton Hill beyond. A main arterial route (Leith Walk up to Leith Street) lies to the west of the site and the surrounding area is a mix of largely commercial uses with some flats above.

This application site is located within the New Town Conservation Area.

Description Of The Proposal

The proposal is for a change of use from the existing eight office units on the four upper floors of the building to 31 serviced apartment units. The proposal includes the complete reconfiguration of the internal space with new partitions to form the new apartment units. External changes include the removal of four non-original dormer windows located to the rear of the building. These will be replaced with two dormer windows of traditional design with timber framed sash and case windows and Scots slate to match existing. Existing non-original rooflights are to be replaced with conservation style rooflights.

Access would be from the front in Greenside Place where stairs and a lift will lead up to the upper floors. There is an area shown for an office and reception but no dining facilities apart from vending machines; however each unit will have its own kitchen. Given the level of management of the site, the use is more akin to hotel use than short stay lets.

Previous Scheme

The proposed lead clad dormer windows with aluminium framed, slim line double glazed windows and glass balustrades have been removed from the scheme. The two proposed dormer windows to the rear will be smaller, with timber framed sash and case windows and a slate roof.

Relevant Site History

No relevant site history.

Consultation Engagement

Transportation Planning
Archaeology
Environmental Protection

Publicity and Public Engagement

Date of Neighbour Notification: 04 June 2020

Date of Advertisement: 09 June 2020

Date of Site Notice: 12 June 2020

Number of Contributors: 6

Section B - Assessment

Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority 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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

Assessment

- a) the use is acceptable in principle;
- b) the proposal will preserve the character and setting of the listed building;
- c) the proposal will preserve the character and appearance of the New Town Conservation Area;
- d) the proposal will preserve the outstanding universal value of the Old and New Towns of the Edinburgh World Heritage Site;
- e) the proposal will have a detrimental impact on the amenity of neighbouring residents;
- f) the proposal raises any issues in respect of parking and road safety;
- g) any other planning issues have been addressed;
- h) any impacts on equalities or human rights are acceptable; and
- i) any issues raised by objectors have been addressed.

a) Principle

The application site is situated in the city centre area as defined in the adopted Edinburgh Local Development Plan (LDP).

LDP policy Emp 9 (Employment Sites and Premises) states that proposals to redevelop employment sites or premises in the urban area for uses other than business, industry or storage will be permitted provided:

(i) the introduction of non-employment uses will not prejudice or inhibit the activities of any nearby employment use;

(ii) the proposal will contribute to the comprehensive regeneration and improvement of the wider area.

LDP Policy Del 2 (City Centre) states that development which lies within the city centre will be permitted where it retains and enhances its character, attractiveness, vitality and accessibility and contributes to its role as a strategic business and regional shopping centre and Edinburgh's role as a capital city. It also states that the requirements in principle will be for a use or mix of uses appropriate to the location of the site, its accessibility characteristics and the character of the surrounding area.

The surrounding area is commercial in nature. The existing offices are located above two public houses. The Playhouse Theatre and the Omni Centre neighbour the application site to the south and the site is close to the ongoing St James' Centre redevelopment site. Elsewhere in the surrounding area, buildings are characterised by commercial uses at ground floor level with some residential on upper floors.

The proposal will not prejudice or inhibit the activities of any nearby employment use. As the application is for serviced accommodation, no amenity protection is provided for the temporary occupants of these properties. Any protection against disturbance from the surrounding commercial business such as the Playhouse will be the responsibility of the developer or operator of the proposed serviced apartments.

Whilst the proposal will not contribute to the regeneration of the area, the proposal will provide accommodation for tourists and individuals visiting the city, within an area which is continuing to develop as a cultural and leisure hub in the city centre. The use of the site for tourist accommodation is consistent with the area. The proposal will contribute to the vitality of the street. The site is highly accessible and will also not result in the loss of any residential properties within the city. There will be no direct interaction between users of the short stay units and long term residents of residential properties in the area.

This is a busy city centre location within walking distance of public transport, so the development should not diminish the quality of the residential environment in terms of noise generation, disturbance or parking demand.

Set within the context of the busy, commercial character of the surrounding area and the city centre location, the proposal complies with LDP policy Del 2 and Emp 9 and is

acceptable in principle subject to compliance with the other policies of the adopted LDP.

b) Character and Setting of Listed Building

Section 59 (1) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 states:

"In considering whether to grant planning permission for development which affects a listed building or its setting, a 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."

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) states that proposals to alter a listed building will be permitted where those alterations are justified; will not result in unnecessary damage to historic structures or result in a diminution of the buildings interest; and any additions would be in keeping with other parts of the building.

Historic Environment Scotland's (HES) Managing Change in the Historic Environment guidance note on the use and adaptability of listed buildings is applicable. It states that *for a building to remain in use over the long term, change will be necessary. This reflects changes over time in how we use our buildings and what we expect from them.....We need to make sure they have a long term future if we want to benefit from them in the long term.*

The application site was originally a tenement building, constructed in the late 18th century. It is one of the last remaining examples of the Georgian tenements which occupied the east side of Leith Walk. However, the building has undergone significant change. The ground floor is occupied by two public houses and the remaining upper floors underwent significant alteration in 2002 to accommodate open plan office spaces. Consequently, nothing of the original decorative scheme or plan form remain. The proposed internal alterations to form 31 apartment units will have no impact on anything of architectural or historic significance.

Externally, alterations are limited to the roof. The proposal includes the removal of four, small, non-original dormer windows to the rear which are to be replaced by two larger dormer windows. This element of the scheme has been amended. Originally the replacement dormer windows were larger and of a modern design. In the revised scheme, the replacement dormer windows will be smaller and of a traditional design, mirroring the existing dormers on the principal elevation and others in the surrounding area through the use of matching slate and timber framed sash and case window units. Non-original rooflights are to be removed and replaced with conservation rooflights which will be flush with the roof line. The applicant has not specified the material of the rooflights. A condition has been added to this consent requiring information about the specific rooflight units to be submitted to and approved in writing by the Planning Authority before work is commenced on site.

The proposal will preserve the character of the listed building.

c) Conservation Area

LDP Policy Env 6 permits development within a conservation area which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal.

The New Town Conservation Area Character Appraisal identifies the key characteristics of the First New Town as:

{i "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 with controlled vistas and planned views."}

The rear of the application site is visible from Calton Hill, a protected view. However, the traditional design of the new dormer windows is in keeping with the existing building and other dormer windows in the wider area. The external alterations proposed will not alter essential characteristics of the conservation area or interfere with important vistas and views.

The proposal will not have a detrimental impact on the New Town Conservation Area.

d) Impact on the World Heritage Site

The Outstanding Universal Value (OUV) of the Old and New Towns of Edinburgh World Heritage Site (EWHS) is defined as the remarkable juxtaposition of two clearly articulated urban planning phenomena: the contrast between the organic medieval Old Town and the planned Georgian New Town which provides a clarity of urban structure unrivalled in Europe.

The Statement of Outstanding Universal Value emphasises the importance of maintaining the authenticity of the Site which "{i continues to retain its historic role as the administrative and cultural capital of Scotland, while remaining a vibrant economic centre.}"

LDP Policy Env 1 (World Heritage Sites) states that development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh will not be permitted.

In terms of the use, the EWHS Management Plan encourages sustainable tourism and recognises that a balance is needed between resident and visitor needs. The re-use of this redundant building ensures the New Town Conservation Area is maintained as a thriving part of the city without harm to the OUV.

As discussed above, external alterations are limited to the roof. These alterations make use matching slate and traditional timber framed sash and case windows. The alterations are in keeping with the existing building and the wider area. The proposed

external alterations will have no detrimental impact on the character or appearance of the New Town, nor its relationship with the Medieval Old Town.

The proposal will have no adverse impact on the Outstanding Universal Value of the Edinburgh World Heritage Site and complies with LDP policy Env 1.

e) Neighbouring Amenity

Policy Hou 7 (Inappropriate Uses in Residential Areas) which states that developments, including changes of use which would have a materially detrimental impact on the living conditions of nearby residents, will not be permitted.

In this instance the application site is located in a busy part of the city centre which is characterised by a range of commercial uses including retail, bars, restaurants and wider entertainment uses. The serviced apartments will be accessed via a private entrance, meaning there will be no direct interaction between visitors and long-term residents and limited potential for the disturbance of such residents. Environmental Protection noted in their consultation response that no noise sensitive receptors are located nearby.

The proposal will not have a negative impact on neighbouring amenity.

f) Parking and Road Safety

LDP policy Tra 2 (Private Car Parking) states that planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in Council Guidance.

LDP policy Tra 3 (Private Cycle Parking) states that planning permission will be granted for development where proposed cycle parking and provision complies with standards set out in Council Guidance.

The Council's Edinburgh Design Guidance does not include any parking standards for either car parking or cycle parking for this sui generis use.

It is noted, however, that the applicant proposes no off-street parking provision for the site and whilst no cycle parking is proposed, the property is located within a city centre location with nearby access to public transport provision.

The proposal complies with LDP Policy Tra 2 and Tra 3.

g) Other Planning Matters

Archaeology

The application concerns a B-listed Georgian tenement constructed in 1798 by John Baxter at the top of Leith Walk as part of his wider development including Baxter's Place. This building is regarded as being of archaeological and historic significance and accordingly. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Although the building was converted into open plan offices around 2002, no archaeological work was undertaken to record the surviving historic fabric at the time. The current proposals will see the stripping out of the 2002 alterations including the suspended ceiling. Such works will accordingly provide an opportunity to not only record any surviving significant historic fabric (which inform us of the development history and changes of use) but also importantly allow for the preservation and conservation of any such fabric.

Therefore, it is necessary to undertake a programme of historic building recording during internal alterations and downtakings in order to record the buildings historic fabric and ensure appropriate measures are put in place to conserve any such fabric within the final development. This has been made a condition of the consent.

h) Equalities and Human Rights

This application was assessed in terms of equalities and human rights. No impact was identified.

i) Public Comments

Material Comments - Objections

- Commercial venues generate too much noise and would impact amenity of users of proposed apartments; this is addressed in section (a) of the assessment.
- Potential negative impact on commercial practices due to noise complaints; this is addressed in section (a) of the assessment.
- Negative impact on roofscape and a protected view; this is addressed in section (a) and (b) of the assessment.
- Negative impact on listed building; this is addressed in section (b) of the assessment
- Negative impact on the conservation area; this is addressed in section (c) of the assessment.
- Rooflights unacceptable; this is addressed in section (b) of the assessment.
- Historic tramway rosette at first floor level should be retained; external changes are limited to the roof as discussed in section (b) and (c) of the assessment.

Non-Material Comments

- The proposed studio flats do not meet minimum floorspace requirements; this is not a residential development. There are no minimum floorspace requirements for serviced apartments.
- Too many short-term lets in the city centre; this is a commercial consideration not covered in current planning policy.

Conclusion

The proposal complies with the adopted Edinburgh Local Development Plan. The proposal is an appropriate use which is reflective of the commercial nature of the surrounding area and which preserves both the character and appearance of the New Town Conservation Area and the Outstanding Universal Value of the Old and New Towns of the Edinburgh World Heritage Site. The proposal will not have an adverse impact on the unique architectural and historical character of the listed building and is an acceptable city centre development. It will not have a detrimental impact on the amenity of the surrounding area or raise any concerns in respect to road safety.

The development complies with the Planning (Listed Building and Conservation Areas) Scotland Act 1997.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Conditions

1. Details of proposed rooflights must be submitted to and approved in writing by the Planning Authority before work is commenced on site.
2. No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording, reporting and analysis) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

Reasons: -

1. In order to safeguard the character of the listed building and the conservation area.
2. In order to safeguard the interests of archaeological heritage.

Informatives

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - [Local Development Plan](#)

Date Registered: 02 June 2020

Drawing Numbers/Scheme

01-02, 03a 04a 05a 06a 07a

Scheme 2

David R. Leslie

Chief Planning Officer
PLACE
The City of Edinburgh Council

Appendix 1

Consultations

NAME: Transportation Planning

COMMENT: No objection to the application.

NAME: Archaeology

COMMENT: it is recommended that a programme of historic building recording is undertaken during internal alterations / down takings in order to record the buildings historic fabric and ensure appropriate measures are put in place to conserve any such fabric within the final development

It is recommended that that the following condition is attached to any granted permission to ensure that this programme of archaeological works is undertaken;

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording, reporting and analysis) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

NAME: Environmental Protection

COMMENT: As there are no current sensitive receptors in the vicinity of the application site, Environmental Protection has no objections to this application.

Appendix 3

Internal Audit on Developer Contributions May 2019 (PL1802)

Update on Recommended Actions

The internal audit report and full recommendations are available [here](#).

Recommendation	Status Update
1 Backlog of legacy developer contributions	
1.1 Recommendation – review of developer contributions held in the Finance database <ul style="list-style-type: none"> • Agreed management action - review of developer contributions held in the Finance database • Owner: Stephen Moir, Executive Director of Resources • Agreed Implementation Date: original 30 September 2020 – extended by four months to 31 January 2021 	Complete – pending confirmation by Legal and Risk service Recommendations implemented. Evidence collated for review and sign off by Legal and Risk service.
1.2 Recommendation – retrospective review of historic developer contribution legal agreements <ul style="list-style-type: none"> • Agreed Management Action – retrospective review of historic developer contribution legal agreements • Owner: Paul Lawrence, Executive Director of Place • Agreed Implementation Date: original 30 September 2020 – extended by four months to 31 January 2021 	Complete – pending confirmation by Legal and Risk service Recommendations implemented. Evidence collated for review and sign off by Legal and Risk service.
2 End-to-end developer contributions processes, procedures and training	
2.1 Recommendation – process documentation, guidance, and standardised documentation <ul style="list-style-type: none"> • Agreed Management Action – process documentation, guidance, and standardised documentation • Owner: Paul Lawrence, Executive Director of Place • Agreed Implementation Date: 31 March 2020 	Re-opened and completed – pending confirmation by Legal and Risk service Key elements of an end-to-end process had been introduced by Jan 2020. These had been integrated into a full end-to-end process had readied to put into practice from September 2020. Action was re-opened in October 2020 in order to provide further evidence of the operation of the process and of staff training. Training carried out December 2020.
2.2 Recommendation – quality assurance <ul style="list-style-type: none"> • Agreed Management Action – quality assurance • Owner: Paul Lawrence, Executive Director of Place • Senior Solicitor. Agreed Implementation Date: original 31 December 2020 - extended by four months to 30 April 2021 	In progress Quality assurance process was to have been included as part of wider ISO 9001 audit , however this has been rescheduled due to Covid-19. An alternative process using checks against

	procedure guidance, is being progressed..
<p>2.3 Recommendation – legal agreements and rates</p> <ul style="list-style-type: none"> • Agreed Management Action – legal agreements and rates • Owner: Stephen Moir, Executive Director of Resources • Agreed Implementation Date: 30 June 2019 for implementation of template application of revised hourly charge; and 30 June 2020 for completion of first annual review of hourly charges - extended by four months to 31 October 2020. 	<p>Complete – pending confirmation by Legal and Risk service</p> <p>Review of hourly charges updated in 2020 in connection with establishment of new legal framework with external firms.</p>
<p>2.4 Recommendation – Induction and refresher training</p> <ul style="list-style-type: none"> • Agreed Management Action – induction and refresher training • Owner: Paul Lawrence, Executive Director of Place • Agreed Implementation Date: 30 September 2019 	<p>Completed.</p> <p>Training was undertaken in September 2019. Additional training provided in 2020.</p>
3 Ongoing Management of Developer Contributions	
<p>3.1 Recommendation – identification and allocation of developer contributions</p> <ul style="list-style-type: none"> • Agreed Management Action – identification and allocation of developer contributions • Owner: Paul Lawrence, Executive Director of Place • Agreed Implementation Date: 31 March 2020 	<p>Completed.</p> <p>All invoices now issued through the Council's Finance system (PPSL).</p>
<p>3.2 Recommendation – ongoing maintenance of developer contributions</p> <ul style="list-style-type: none"> • Agreed Management Action – ongoing maintenance of developer contributions • Owner: Stephen Moir, Executive Director of Resources • Agreed Implementation Date: original 30 September 2020 – extended by four months to 31 January 2021 	<p>Complete – pending confirmation by Legal and Risk service</p> <p>Recommendations implemented. Evidence collated for review and sign off by Legal and Risk service.</p>

Appendix 4

Minister for Local Government and Housing
Kevin Stewart MSP



Scottish Government
Riaghaltas na h-Alba
gov.scot

T: 0300 244 4000
E: scottish.ministers@gov.scot

Andrew Kerr
Chief Executive
City of Edinburgh Council

17 December 2020

Dear Andrew,

PLANNING PERFORMANCE FRAMEWORK FEEDBACK 2019-20

I am pleased to enclose feedback on your authority's ninth Planning Performance Framework (PPF) Report, for the period April 2019 to March 2020.

Firstly, I would like to take this opportunity to thank you and your staff for enabling planning services to continue to operate during the Covid-19 pandemic. This has been a difficult year for so many, and our planning system has a vital role to play in Scotland's green recovery. The impact which the pandemic has had, has demonstrated how valuable planning is from ensuring that businesses can operate flexibly to the contribution that it can make to the Places that are so important for our communities in terms of having access to the services they need, to greenspace and other areas where families can walk, wheel and cycle safely.

Turning to the 2019-20 PPF reporting year, I believe that good progress continues to be made by Scotland's planning authorities. Overall, there has been an increase in the number of green ratings awarded this year, with a subsequent reduction in red ratings, however, there remains some variation across some authorities and markers. I have been particularly pleased to see improvements in the speed of determination of major planning applications in some authorities.

When I wrote about performance reporting last year, I indicated that a consultation on Planning Performance and Fees was underway, including preparations for the new performance arrangements being introduced through the Planning (Scotland) Act 2019; with our intention at that time being that the proposed changes would be implemented in Summer 2020. However, the Covid-19 pandemic has required a rethink about the timing and a wider reprioritisation of our work programme.

I would like to reassure you that, while we have paused the changes to the fees and performance legislation, I am committed to ensuring that planning authorities are properly resourced and that planning fee levels are proportionate. We will pick this up again when the timing is more appropriate.



Finally, although the Covid-19 pandemic will have impacted on the tail end of the 2019-20 reporting year, I appreciate the impacts on service delivery will show through more in the 2020-21 reporting year. The Planning statistics for the first 6 months of the reporting year are due to be published in January, which will provide the first indications of how the pandemic has affected the ability of authorities to determine applications. I would like to reassure you that I will consider, in liaison with the High Level Group on Planning Performance, how next year's reports will be assessed, so that authorities are not unfairly criticised due to circumstances outwith their control. It could also provide an opportunity to recognise the vital actions taken by planning authorities to maintain the planning system and its contribution to recovery.

If you would like to discuss any of the markings awarded below, please email chief.planner@gov.scot and a member of the team will be happy to discuss these with you.

Yours sincerely



KEVIN STEWART

CC: David Leslie & Ben Wilson

PERFORMANCE MARKERS REPORT 2019-20

Name of planning authority: **City of Edinburgh**

The High Level Group on Performance agreed a set of performance markers. We have assessed your report against those markers to give an indication of priority areas for improvement action. The high level group will monitor and evaluate how the key markers have been reported and the value which they have added.

The Red, Amber, Green ratings are based on the evidence provided within the PPF reports. Where no information or insufficient evidence has been provided, a 'red' marking has been allocated.

No.	Performance Marker	RAG rating	Comments
1	Decision-making: continuous reduction of average timescales for all development categories [Q1 - Q4]	Amber	<p>Major Applications Your timescales of 45.7 weeks are faster than the previous year but are slower than the Scottish average of 33.5 weeks. RAG = Amber</p> <p>Local (Non-Householder) Applications Your timescales of 15.6 weeks are faster than the previous year but are slower than the Scottish average of 10.9 weeks. RAG = Amber</p> <p>Householder Applications Your timescales of 8.1 weeks are faster than the previous year but are slower than the Scottish average of 7.3 weeks. RAG = Amber</p> <p>Overall RAG = Amber</p>
2	<p>Processing agreements:</p> <ul style="list-style-type: none"> offer to all prospective applicants for major development planning applications; and availability publicised on website 	Green	<p>You promote the use of processing agreements for major developments. However, it is noted that there has been a reduction in their use during the reporting period. RAG = Green</p> <p>The availability of advice and guidance in the use of processing agreements is advertised on your website. RAG = Green</p> <p>Overall RAG = Green</p>
3	<p>Early collaboration with applicants and consultees</p> <ul style="list-style-type: none"> availability and promotion of pre-application discussions for all prospective applications; and clear and proportionate requests for supporting information 	Green	<p>You have used 3 case studies to demonstrate your approach to providing pre-application advice. However, it is not clear what input was provided or how any requests for supporting information are clear or proportionate. RAG = Green</p> <p>Your case study on Pre-application Advice sets out your approach to your new paid for service and how different levels of service are provided which is dependent on the scale of development. For major developments this involves bringing together internal and external consultees to provide their input early in the process you feedback process has identified areas for improvement going forward. RAG = Green</p> <p>Overall RAG = Green</p>

4	Legal agreements: conclude (or reconsider) applications after resolving to grant permission reducing number of live applications more than 6 months after resolution to grant (from last reporting period)	Amber	Your average timescales for applications with legal agreements are faster than last year's figures but are slower than the Scottish average. You have created 2 templates to aid the completion of legal agreements. Initial indications are that this has led to a reduction in requests from solicitors for additional information and that agreements are being completed within the 6 month timescale.
5	Enforcement charter updated / re-published within last 2 years	Green	Your enforcement charter was 3 months old at the time of reporting.
6	Continuous improvement: <ul style="list-style-type: none"> • progress/improvement in relation to PPF National Headline Indicators; and • progress ambitious and relevant service improvement commitments identified through PPF report 	Amber	Your decision making timescales are faster than last year, including applications with legal agreements however they remain slower than the Scottish Average. Your enforcement charter and LDP are up to date, however it will be replaced within the required timescale. The number of legacy cases has also increased. RAG = Amber You have provided an update on actions undertaken on your 2018-2021 improvement Plan however it is not clear what the commitments were and whether these have been achieved. RAG = Amber Overall RAG = Amber
7	Local development plan less than 5 years since adoption	Green	Your LDP was 3 years and 4 months old at the end of the reporting period.
8	Development plan scheme – next LDP: <ul style="list-style-type: none"> • on course for adoption within 5 years of current plan(s) adoption; and • project planned and expected to be delivered to planned timescale 	Red	Your LDP is not on course to be replaced within the required 5 year timescale. There has been further delay noted due to the rejection of the Proposed SDP and the impact of Covid19. RAG = Red It is not clear from your report how you are project managing the replacement of your LDP to minimise any further delays. RAG = Red Overall RAG = Red
9	Elected members engaged early (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i>	Green	Case study 5 states that you have built on the engagement which was undertaken on your previous LDP to involve greater engagement with elected members and key stakeholders.
10	Cross sector stakeholders* engaged early (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i> <i>*including industry, agencies and Scottish Government</i>	Green	
11	Regular and proportionate policy advice produced on information required to support applications.	Green	You have updated your City Centre Retail Supplementary Guidance which was prepared with the input of relevant stakeholders and allows more flexibility in changes of use in the city centre.
12	Corporate working across services to improve outputs and services for customer benefit (for example: protocols; joined-up services; single contact	Green	Your case study on Pre-application Advice sets out your approach to your new paid for service and how different levels of service are provided which is dependent on the scale of development. For major developments this involves bringing together internal and external consultees to provide their input early in the process.

	arrangements; joint pre-application advice)		
13	Sharing good practice, skills and knowledge between authorities.	Green	You have provided examples of learning activities undertaken throughout the year including your case study on training provided to staff, elected members and community councils. Your case study on the Delivering Excellence programme is another good example of the steps you are taking to learn and improve the service provided to customers.
14	Stalled sites / legacy cases: conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old.	Red	You have cleared 36 cases during the reporting year, with 71 cases still awaiting conclusion. This is an increase in the number of legacy cases from the previous reporting period.
15	Developer contributions: clear and proportionate expectations <ul style="list-style-type: none"> • set out in development plan (and/or emerging plan); and • in pre-application discussions 	Amber	<p>It is noted that your legal agreement template sets out the expected contributions however it is not clear if there is policy or guidance established as part of your LDP. RAG = Amber</p> <p>Your reports sets out that your legal agreement template provides clear expectations of the contributions which developers are expected to make. RAG = Green</p> <p>Overall RAG = Amber</p>

CITY OF EDINBURGH COUNCIL
Performance against Key Markers

Marker		12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20
1	Decision making timescales								
2	Processing agreements								
3	Early collaboration								
4	Legal agreements								
5	Enforcement charter								
6	Continuous improvement								
7	Local development plan								
8	Development plan scheme								
9	Elected members engaged early (pre-MIR)	N/A	N/A	N/A	N/A	N/A			
10	Stakeholders engaged early (pre-MIR)	N/A	N/A	N/A	N/A	N/A			
11	Regular and proportionate advice to support applications								
12	Corporate working across services								
13	Sharing good practice, skills and knowledge								
14	Stalled sites/legacy cases								
15	Developer contributions								

Overall Markings (total numbers for red, amber and green)

	Red	Amber	Green
2012-13	2	4	7
2013-14	1	5	7
2014-15	2	4	7
2015-16	2	3	8
2016-17	1	3	9
2017-18	3	3	9
2018-19	3	3	9
2019-20	2	4	9

Decision Making Timescales (weeks)

	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	2019-20 Scottish Average
Major Development	81.6	27.9	26.5	33.6	43.0	56.3	61.1	45.7	33.5
Local (Non-Householder) Development	10.5	10.7	11.6	11.6	12.4	14.7	16.8	15.6	10.9
Householder Development	6.9	7.5	7.7	8.0	8.3	8.8	8.5	8.1	7.3