


Business Bulletin

Planning Committee

2.00pm, Wednesday, 31 August 2022

Planning Committee

Convener:	Members:	Contacts:
<p>Councillor James Dalgleish</p> 	<p>Councillor Alan Beal Councillor Chas Booth Councillor Lezley Marion Cameron Councillor Neil Gardiner Councillor Euan Hyslop Councillor Tim Jones Councillor Amy McNeese-Mechan Councillor Joanna Mowat Councillor Kayleigh O'Neill Councillor Hal Osler</p>	<p>Martin Scott Committee Services martin.scott@edinburgh.gov.uk</p> <p>David Givan Chief Planning Officer and Head of Building Standards david.givan@edinburgh.gov.uk</p>

Housing Need and Demand Assessment 3

The [third Housing Need and Demand Assessment \(HNDA\)](#) for Edinburgh and South East Scotland City Region was given “robust and credible” status by Scottish Government in July 2022.

An HNDA estimates the future number of additional homes required to meet existing and future housing need and demand in a housing market area.

Scottish Government legislation requires local authorities to develop an HNDA every five years, providing an evidence base to inform both housing policy and land use planning. HNDAs are designed to give a broad estimate of what future housing need might be, rather than being precision estimates.

The six local authority City Region partners came together to produce Housing Need and Demand Assessment 3 (HNDA3) covering the City of Edinburgh, East Lothian, Fife (West and Central), Midlothian, Scottish Borders and West Lothian. The HNDA Tool, developed by the Scottish Government, aims to reduce the cost and complexity of the process and to bring sources of national data together to support consistency in how HNDAs are developed across Scotland.

The HNDA tool produces a range of scenarios based on assumptions about affordability, income growth and distribution, house prices and rents:

- Scenario 1: HNDA Tool Default
- Scenario 2 HNDA Tool Default plus LA Existing Need
- Scenario 3: Strong Growth
- Scenario 4: Steady Growth
- Scenario 5: Slow Growth
- Scenario 6: Stalled Growth

The HNDA3 covers the period 2021 to 2040. The results show need for between 78,000 to 105,000 homes across South East Scotland. The City of Edinburgh has a need for between 36,000 to 52,000 homes and it is estimated that between 24,000 to 35,000 of those homes should be affordable housing.

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Scottish Planning Policy (SPP) requires development plans to set out housing supply targets (HST) for each housing market area based upon the evidence from the HNDA. While it is expected that there is a clear alignment between the HNDA and the HST the two are not the same and are, therefore, not required to match. The HST takes into account wider economic, social and environmental factors and issues of capacity, resource and deliverability. Consideration of these factors can result in an HST figure which is lower or higher than the housing estimate in the HNDA. It should be noted that the Housing Supply Targets in the proposed City Plan 2030 are based upon the previous HNDA, carried out in 2015.

Response to Scottish Government's consultation on changes to Permitted Development Rights

Over summer 2022, the Scottish Government consulted on changes to permitted development rights in relation to:

- Electric vehicle (EV) charging infrastructure;
- Changes of use in town centres and other locations; and
- Port development.

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. The consultation proposed to extend permitted development for EV charging, town centres and ports. The Chief Planning Officer responded to the consultation and this is contained in Appendix 1. Key issue points of the response were as follows:

EV charging

If there is an extension of permitted development rights in relation to EV charging in streets, particularly in sensitive areas such as conservation areas, where this is not under planning control, there could be adverse impacts.

Town centres

In relation to the town centre proposals, controlling what happens through planning applications is better than extending permitted development rights. The use of guidance has been successful in recent years in Edinburgh in this regard.

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The proposal to introduce permitted development rights for movable furniture for food and drink premises is not supported given the Council's experience during from the covid pandemic.

The proposition that residential development in centres should be plan led rather than consented through permitted development rights is supported.

Ports

In relation to ports, a degree of caution on the proposal which is to bring the Port Development rights into line with those for ports in England is expressed, particularly since the Port of Leith is in proximity to homes.

Building Standards Time Performance Information

The Building Standards service continues to develop to meet service demands.

As restrictions have been lifted, there has been increase in on-site visits, and this is complemented by the use of remote video inspections that were developed during the pandemic. These will continue where appropriate, in conjunction with the Scottish Government's Digital Transformation project to improve customer service.

The national shortage of qualified building standards surveyors remains a challenge. Against this backdrop, the service recently recruited three modern apprentices into its surveying team. These new staff will be developed over the coming months.

The service is still the busiest building standards service in Scotland (by numbers of applications and income).

As indicated in the table below, while the % of first reports delivered within target has dropped slightly during Q1, this was during a period where a very high numbers of warrants were granted. In relation to performance, the service continues to keep the overall times to grant a building warrant at an average of 76 days.

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	2021/22	2022/23			
	Q4	Q1	Q2	Q3	Q4
Number of first reports	1,022	1,295			
% issued within 20 day target	94%	90%			
Number of warrants granted	1,076	1,374			
% issued within 10 day target	95%	91%			

Planning Time Performance Information

Appendix 2 sets out planning time performance for Q1 2022/23 for the Planning service.

The service continues to receive high numbers of applications, particularly in relation to non-householder local applications. Against this backdrop, there have been improvements in average timescales for decision making in householder, non-householder local applications and advertisements. The slight increase in average timescales for listed building consent applications is being monitored closely.

In relation to applications for tree works, there is an improvement to timescales for works to trees that have tree preservation orders. There is a spike in the graph for timescales for tree works for trees that are in conservation areas. However, this is as a result of tackling legacy cases, with the majority of this type of application which have recently been submitted, being decided on average within 2.3 weeks.

There continues to be high numbers of enforcement enquiries being received. The service has closed 175 cases within the last quarter and has issued 24 enforcement notices which is, in comparison with previous quarters, a high number.

In relation to the statistics set out in Appendix 2, this new format for reporting is being automated to save time in preparing this information for the bulletin. It is intended to further refine this for future committees.

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APPENDIX 1

Submitted to Review of permitted development rights - phase 2 consultation
Submitted on 2022-08-03 14:23:12

Introduction

Questions 1-2: Wall Mounted EV Chargers

Q1 Do you agree with the removal of restrictions on Class 9E PDR, for wall-mounted EV charging outlets, in the specified areas currently listed in Class 9E(3)?

No

Please explain your answer:

The City of Edinburgh Council (CEC) have some concerns about the expansion of rights under class 9E into the private realm in sensitive areas. Edinburgh encompasses 50 conservation areas which cover a significant area of the city. Whilst we do not oppose the installation of off-street charging infrastructure in such areas, the current controls allow the planning authority to make a detailed assessment of the potential impact of such development and assess whether the wider planning merits of such development is ultimately acceptable on balance.

The current controls also allow us to mitigate the possible visual impact of such developments, such as by requiring a certain colour scheme is used or materials utilised. The requirement for planning permission in restricted areas also affords interested parties such as members of the public and elected members the opportunity to provide their own input into the planning process.

We appreciate and understand the desire of many homeowners to install the necessary infrastructure to transition to electric vehicles. However, we have some concerns that if the current restrictions are removed, there may be an incremental erosion in the character and appearance of sensitive areas within the city as a result.

In addition, the removal of such rights may also lead to a loss of revenue for the Council from a reduction in application fees. Householders can apply for a certificate of lawfulness for written confirmation that a proposed development is permitted development but there is a reduced fee for such applications, and no statutory requirement for an application to be made. The potential loss of fee income may negatively impact on the ability of the planning authority to fulfil its statutory functions.

CEC believes that it would be preferable to maintain the current control for the reasons stated above.

Q2 Should the conditions regarding nameplates be withdrawn from Class 9E on wall-mounted EV charging outlets?

No

Please explain your answer:

No. See answer to Q1

Questions 3-10: EV Charging Upstands

Q3 Do you agree with the removal of current restrictions on Class 9F PDR for EV charging upstands in the specified areas currently listed in Class 9F(3)?

No

Please explain your answer:

See answer to Q1

Q4 Should the conditions regarding nameplates be withdrawn from Class 9F on EV charging upstands?

No

Please explain your answer:

See answer to Q1

Q5 Do you agree with the proposed increase in height allowable for EV charging upstands under Class 9F PDR from 1.6 metres to 2.5 metres in all off-street parking locations, except within the curtilage of a dwelling?

No

Please explain your answer:

The proposed increase in height has the potential to make such features much more prominent in the streetscape. Even if the limit of 1.6 metres in height is maintained for dwellings. Without the safeguard of such development not being permitted within sensitive areas, there is the potential for a significant erosion of the character of such areas.

Q6 Do you agree with the proposal to introduce PDR for solar canopies and related battery storage and equipment housing for EV charging upstands in off-street parking areas?

No

Please explain your answer:

Even though it is noted that there would still be control in place for sensitive areas, four-metre-high canopies and two cabinets each measuring 27 square metres could still form substantial developments with the potential to significantly impact on a streetscape or the character of an area, particularly as in many cases they may need to be in car parks forward of the principal elevation of buildings. CEC believes that it would be preferable for such development to be managed through the plan led system.

Q7 Do you agree with the proposal to introduce PDR for equipment housing for EV charging upstands in off-street areas where solar canopies are not provided?

No

Please explain your answer:

see answer to Q6

Q8 Do you agree with the list of areas within which new PDR for such solar canopies and related battery storage and equipment housing should not apply?

Yes

Please explain your answer:

If such rights are to be introduced, CEC would support an approach where they do not apply in sensitive areas, including the curtilage of dwellinghouses.

Q9 Do you agree with the suggested height limit of 4 metres on PDR for solar canopies for EV charging upstands in off-street parking areas?

Yes

Please explain your answer:

If such rights are to be introduced, then the proposed height limit should be set at 4 metres in order to try and mitigate any amenity impacts.

Q10 Do you agree with the proposal that any new PDR for solar canopies, battery storage and equipment housing for EV charging upstands in off-street parking areas should not apply within 5 metres of a road and 10 metres of the curtilage of a dwelling?

Yes

Please explain your answer:

If such rights are introduced then the proposed minimum distances should be included in order to avoid any amenity/daylight/overshadowing issues for residential properties, or road safety issues for road users/pedestrians.

Questions 11-16: On-street/Kerbside Charging

Q11 Would it be helpful to amend Class 30 PDR for local authorities to make clear they apply to EV charging points and any associated infrastructure?

Yes

Please explain your answer:

CEC has no objection to such a change. However, we would highlight that at present our Roads Authority do not adopt EV charging points once they are installed. We could not therefore comment as to whether we would widely make use of such an expanded class at the current time.

Q12 Do local authority PDR need to be amended to take account of emerging models for financing, delivering and operating EV charging infrastructure, and the changing nature of private sector involvement?

No

Please explain your answer:

If such rights are to be introduced, it is not clear how financing models would be incorporated effectively into PDR rights. CEC would caution that including financing models within PRD should be analysed very carefully before proceeding.

Q13 Should PDR for EV charging infrastructure in roads apply to parties other than local authorities?

No

Please explain your answer:

CEC has significant concerns over the potential expansion of PDR for on street charging infrastructure in the public realm to third parties. CEC believes that the wider issue of both off-street and on-street charging is a complex matter with a wide body of both local and national considerations. While in general we would caution against an expansion in PDR for such development, our position takes account of several important factors which are detailed as follows.

CEC is currently in the process of developing a proactive and coordinated city wide approach to EV charging and modal shift towards public transport and active travel through our City Mobility Plan (CMP). CMP seeks to proactively ensure that the location of EV chargers is both accessible through its coordinated on-street charger roll out programme (particularly focussed on tenemental areas with limited opportunity for installing individual charging points in driveways etc), and a hub-based approach where EV charging can be co-located with other facilities, such as within mobility hubs and park & ride sites, to ensure coordinated city-wide provision especially in high demand areas. Ultimately the location of charging points is and needs to continue to be carefully planned to encourage public transport and active travel choice through a carefully planned and strategic programme.

In addition, CEC has over 50 conservation areas within our local authority area, in addition to two World Heritage Sites. We have concerns that the removing the controls currently in place for on-street charging infrastructure will lead to an erosion in the unique character of many of our conservation areas, without providing the planning authority to make a balanced assessment as to whether the installation of such infrastructure is justified in planning terms or apply any remedial controls (such as requiring the infrastructure to be a certain colour or material). Members of the public and concerned parties would also lose their opportunity to actively contribute and make their views known on such developments.

There is also a potential issue with regards to the impact on public realm areas and accessibility. The cumulative impact of multiple on street charging points and infrastructure may result in a reduction in the amount of available public realm space in certain areas. An unchecked reduction in the width of pavements could create problems for individuals relying on wheelchairs, mobility vehicles or pushing buggies and prams.

CEC notes the Scottish Governments (SG) suggestion that such expanded PDR rights can still be removed in conservation areas using article 4 directions. However, each of our conservation areas would require a separate individual article 4 direction to be implemented. Undertaking and implementing such directions involves the use of considerable staff time and resources, which has the potential to place a burden upon existing staffing resources and divert such resources away from other matters.

Q14 If so, would such PDR for other parties need to be linked to some arrangement with local authorities or other form of authorisation?

Yes

Please explain your answer:

If such rights are to be introduced, there would be a need to ensure that the final authorisation of the planning authority is ascertained before any works progress. However, this raises problems. Our experience of prior approval in relation to telecommunications applications under class 67 of the GPDO has been that it creates a high degree of confusion amongst members of the public, particularly as it involves neighbour notification.

Q15 What conditions and limitations would need to be placed on any additional PDR for EV charging infrastructure in roads?

Please explain your answer:

If such rights are to be introduced, they should not apply in sensitive areas.

Q16 In relation to extending PDR for EV charging infrastructure in roads, what issues need to be considered regarding existing PDR, and rights to access the roads network, for infrastructure which are available to other sectors, such as electricity undertakers?

Please explain your answer:

If such rights are to be introduced, they should include a requirement for the organisation responsible for installation to consult directly with the relevant statutory undertakers such as Scottish power, Scottish Gas and BT before undertaking the installation to ensure that existing infrastructure will not be affected.

Questions 17-18: Existing Petrol Stations

Q17 Do you agree in principle with having PDR for changing existing petrol/diesel stations to EV charging only?

Yes

Please explain your answer:

Yes. It is unlikely that such changes in the use of petrol stations would significantly affect their existing appearance to any notable degree.

Q18 If so, what, if any, further specification of the conditions and limitations identified, or additional ones, would be required for such?

Please explain your answer:

We would highlight possible issues with regards to solar glare impacting on flight paths and aviation safety in the event such EV charging stations incorporate solar panels. Edinburgh Airport have previously raised some issues with solar panel glare affecting their flightpaths. The SG should consider a requirement for anyone seeking to undertake such development within the vicinity of an aerodrome to notify the Civil Aviation Authority before proceeding.

Questions 19-22: Use Classes Order

Q19 Do you consider that a merged use class bringing together several existing classes would help to support the regeneration, resilience and recovery of Scotland's centres?

No

Please explain your answer:

CEC recognises the significant importance of supporting the long-term sustainable regeneration and recovery of commercial centres. However, we believe that there are more effective ways of ensuring the continued adaptation and development of commercial centres through the plan led system, without significantly amending the GPDO.

CEC has had success in proactively managing and adapting a fast-changing commercial climate through our approach of producing supporting guidance for specific designated town centres throughout the city, and the city centre retail core. Producing detailed supplementary guidance which is tailored to the specific characteristics of each commercial area has allowed us to balance the need to encourage the re-use of long-term redundant retail units while also ensuring that, where possible, enough of such units remain in retail use to maintain the retail-based character of such areas. Our preference would be that the regeneration and recovery of commercial centres is managed and encouraged through supplementary guidance and the local plan process, rather than an amendment to the GPDO to create a new class.

Q20 What do you consider to be the key risks associated with such a merged use class, and do you think that non-planning controls are sufficient to address them?

Please explain your answer.:

A merged class carries significant risks. Principle amongst these is the potential for relatively low scale commercial uses such as retail to change to more intensive uses such as cafes/takeaways/crèches; all of which may have a much more significant impact on the amenity of nearby residents. CEC has a large city centre residential population who live near commercial centres. At present, where changes of use are proposed which may significantly impact on the amenity of residents, the impact of these changes can be suitably assessed and, if possible, adequately mitigated by conditions or design improvements through the planning process.

CEC's Environmental Protection department have raised concerns that the powers which they possess to mitigate against adverse impacts under their own legislative regime do not have the same strength as the powers conferred under the planning acts. If the ability to impose suitable conditions via the planning process is not in place, the potential exists for a reduction in standards of amenity. CEC would also raise questions about whether a reliance on the licensing regime to safeguard amenity is sufficient.

In addition to residential amenity, the creation of such a use class may lead to drastic change in the character of commercial centres without any substantive assessment of the wider impacts. Such a class may result in a complete erosion of retail provision within certain locations to the detriment of residents. We are currently in the process of developing our 20-minute neighbourhood strategy which seeks to try and ensure that all residents can access to necessary services within a 2-minute round trip on foot or by public transport. This strategy may be compromised by the introduction of the proposed PDR.

CEC would also highlight the potential conflict with wider government policy on ensuring the right to food for all citizens. Removal of local retail provision may make it more difficult to provide good food to those individuals with limited means of access to larger out of centre retail units, or those who lack proficiency to order their shopping online.

CEC would comment that if such a combined class is introduced, at a minimum it should be made clear that such PDR only relate to the use of the premises, and that other associated matters such as alterations to shop frontages and the installation of plant/ventilation machinery still require full planning permission. Where the installation of plant machinery is required as part of a change of use application, our current approach involves requesting details of the machinery as part of the application so that it can be assessed before any consent is granted.

Q21 Are there any other changes to the UCO which you think would help to support Scotland's centres?

No

Please explain your answer:

The UCO and GPDO already provide good flexibility for changing the use of a building. CEC does not believe that any further wide-ranging changes are required at the current time.

Q22 Do you agree that MCA could be a useful tool to provide more extensive planning freedoms and flexibilities in Scotland's centres?

Yes

Please explain your answer:

MCA's could be beneficial in providing freedoms to Scotland's centres. However, we would highlight our success in using the existing plan-led system to improve existing commercial centres.

Questions 23-26: Workspaces

Q23 Do you think that a PDR providing for a change of use to Class 4 (business) would help to support the regeneration, resilience and recovery of centres – as well as the establishment of 20-minute neighbourhoods?

Yes

Please explain your answer:

CEC recognises the important role which small scale offices will have in a future where flexible working becomes more established and there is less demand for permanent large scale office development as a result. Smaller scale offices closer to workers places of residence would also serve to encourage a move to sustainable travel modes such as walking and cycling, and such uses often do not raise the same kind of amenity or vehicle movement concerns as larger offices.

Q24 If a PDR of this nature were taken forward, what existing uses should it apply to?

Please explain your answer:

CEC believes that it would be legitimate for uses other than class 1 and class 5 to be included. In addition to our desire to manage loss of retail through the plan led system, sections of the city are covered in our current LDP with specific policies which seek to limit the loss of industrial floorspace (class 5), and many such uses are situated in out of centre locations which are not widely accessible by public transport. Our preference would be to maintain the change of use of class 5 premises through the plan led system.

Q25 Would 300 square metres be an appropriate maximum floorspace limit?

Yes

Please explain your answer:

While smaller scale offices would be appropriate, larger scale developments could result in disruption to the character of an area.

Q26 What (if any) additional conditions or limitations should such a PDR be subject to?

Please explain your answer:

We would agree with the SG assertion that changes of use from class 1 to class 4 should not be included as this would raise the potential for the creation of out-of-town offices in existing retail parks which do not all benefit from large scale public transport links. We would also exclude class 5 for the reasons stated above.

Questions 27-30: Moveable Outdoor Furniture

Q27 Do you agree with the proposed introduction of a PDR for moveable furniture placed on the road outside of (Class 3) food and drink premises?

No

Please explain your answer:

CEC would welcome clarification as to what the Scottish Government believes constitutes 'moveable furniture'. Tables and chairs do not constitute development under the 1997 act and so we do not control such features. The erection of moveable tables and chairs on adopted pavements is regulated separately through tables and chairs permits.

CEC has encountered a notable number of 'pop up' structures being erected on adopted roads and pavements next to class 3/takeaway/pub premises during the pandemic. Such structures predominantly take the form of decked platforms. In accordance with government guidance and recognising their commercial importance in such unique circumstances, we did not seek their removal while the pandemic was ongoing. However, we are now having to expend significant resources handling retrospective applications and pursuing formal enforcement action against operators who wish to keep these structures in place. We would not support any loosening which would allow such structures to be built under PD as opposed to going through the planning system

Q28 Are there any conditions or limitations that you think such a PDR should be subject to?

Yes

Please explain your answer:

If such a PDR is to be introduced, then it should not apply in sensitive areas.

Q29 Are there any uses other than (Class 3) food and drink premises which you consider such a PDR should apply to?

No

Please explain your answer:

Q30 Do you agree that important matters such as safety and inclusive access could continue be controlled through other regimes that would continue to apply?

Yes

Please explain your answer:

It may be possible to control issues such as pavement width and vehicle access through the Roads Authority and the granting of a road occupation permit. However, this would not involve an assessment of the wider impacts on amenity or character. We do not believe that relying on other regimes to control the development described above would be appropriate.

Questions 31-32: Residential Accommodation

Q31 Do you agree that new residential development in Scotland's centres should be plan-led rather than consented through new PDR?

Yes

Please explain your answer:

CEC strongly supports the continued use of a plan-led approach to residential development. There is clear evidence to show that the experience in England, where PD rights were loosened to allow commercial offices to change to residential under PD, has resulted in poor quality homes. CEC has worked constructively to develop floorspace, daylighting and amenity standards for new residential development in our Edinburgh Design Guidance which seek to ensure good quality residential homes are developed across the city.

Q32 Are there any other PDR changes which you think could support the regeneration, resilience and recovery of centres?

No

Please explain your answer:

Not at the current time.

Questions 33-36: Ports

Q33 Do you agree that, with respect to the PDR, there should be a level playing field between English and Scottish ports?

Yes

Please explain your answer:

The CEC area includes the Port of Leith which is managed by Forth Ports, and which is significant to the economy of the city and the country. The Port of Leith forms part of the combined Forth Green Freeport bid. CEC supports the need to ensure that there is a relative balance between freeports/green freeports across the United Kingdom to ensure that no specific region or constituent country is unnecessarily disadvantaged. However, any such expansion in PDR rights should be considered carefully before being implemented as widespread changes could have significant impacts.

CEC would wish to also draw attention to the fact that the Port of Leith exists near a large residential population. Wholesale expansion of PDR rights may result in an intensification in activity within the port which could have a significant impact on the amenity of neighbouring residents.

Q34 With respect to the amendments in England (see Box 5), what do you think the practical effect of making an equivalent change to Class 35 PDR would be – in terms of developments/activities that would be permitted which are not currently?

Please explain your answer:

The proposed expansion in PD rights to allow the same level of development under the GPDO as which exists in England would significantly enhance the existing PD rights which are in place for ports. However, the wording of the English order is unhelpfully ambiguous in places and should not be adopted ad verbatim. The use of the phrase 'consult with the planning authority' is particularly ambiguous as it does not give the planning authority any explicit rights to block development which is not acceptable, nor does it explain what form any such consultation should take.

The inclusion of development which includes 'the provision of services and facilities' within GPDO could be particularly significant. A wide variety of industrial operational buildings could be constructed under this definition. In addition, it is not clear what organisations would be classed as 'agents of development'.

Our existing port facilities in Leith have been redeveloped extensively since the 17th century. They include scheduled monuments and sites of archaeological significance. We would be concerned about the potential development of such sites without any need to undertake recording and, if

necessary, preservation of important archaeological remains.

Q35 Do you think there is potential to widen the scope of Class 35 PDR further?

No

Please explain your answer:

Class 35 already affords operators an extensive ability to undertake ports development under PDR.

Q36 Do you agree that MCA could be a useful tool to provide more extensive planning freedoms and flexibilities in Scotland's ports?

Yes

Please explain your answer:

Masterplan Consent Areas provide an extensive amount of freedom for the development of ports while also affording the opportunity for a co-operation and constructive working between various parties before being implemented. The use of MCA's rather than a wholesale expansion in PD rights would ultimately be preferable as it would allow a much greater degree of input from the planning authority while also providing the operator with the certainty of having a consent at the end of the process.

Q37-39: Assessments

Q37 What are your views on the findings of the Update to the 2019 Sustainability Appraisal Report at Annex A? (Respondents are asked to avoid restating their views on the November 2019 and Phase 1 consultations, as these views have already been taken into account)

Please explain your views:

/

Q38 Do you have any comments on the partial and draft impact assessments undertaken on these draft Phase 2 proposals?

No

Please explain your answer:

/

Q39 Do you have any suggestions for additional sources of information on the potential impacts of the proposals that could help inform our final assessments?

No

Please explain your answer:

/

About you

What is your name?

Name:

James Allanson

What is your email address?

Email:

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Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:

City of Edinburgh Council as Planning Authority

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response only (without name)

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

I confirm that I have read the privacy policy and consent to the data I provide being used as set out in the policy.

I consent

Evaluation

Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)

Matrix 1 - How satisfied were you with this consultation?:

Slightly satisfied

Please enter comments here.:

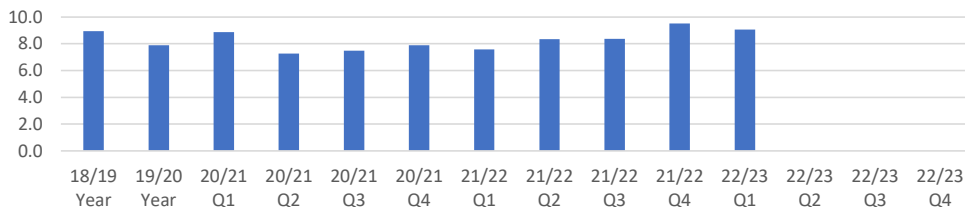
Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:

Slightly satisfied

Please enter comments here.:

Appendix 2 - Planning Time Performance Quarterly Bulletin - Q1 2022/23

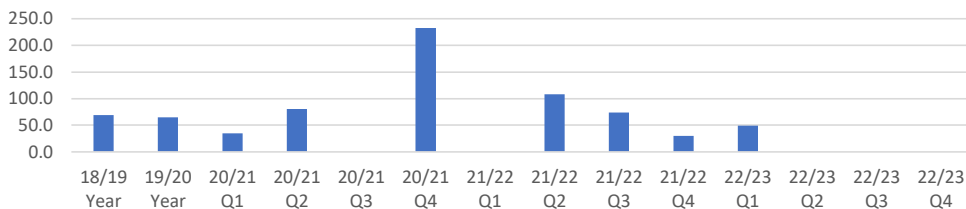
Householder														
	18/19 Year	19/20 Year	20/21 Q1	20/21 Q2	20/21 Q3	20/21 Q4	21/22 Q1	21/22 Q2	21/22 Q3	21/22 Q4	22/23 Q1	22/23 Q2	22/23 Q3	22/23 Q4
Average Time (weeks)	8.9	7.9	8.9	7.3	7.5	7.9	7.6	8.4	8.4	9.5	9.1			
Sub	1627	1695	345	435	530	546	618	502	476	470	423			
Dec	1490	1598	305	314	481	484	546	485	417	360	461			
6 Month Totals:	Sub: 780 Dec: 619		Sub: 1076 Dec: 965		Sub: 1120 Dec: 1031		Sub: 946 Dec: 777		Sub: 423 Dec: 461		Sub: 0 Dec: 0			
12 Month Totals:	Sub: 1856 Dec: 1584						Sub: 2066 Dec: 1808				Sub: 423 Dec: 461			
Decided over 2 months (no agreemets / extensions)			133	51	70	74	78	126	111	155	204			
Appeals against non determination			0	0	0	0	0	1	2	0	0			



Commentary:

There has been an improvement in Householder performance in the last quarter (Q1 22/23) with the number of applications being decided rising, while the average number of weeks for determination of those applications that do not have an agreed extension of time falling in comparison with Q4 21/22.

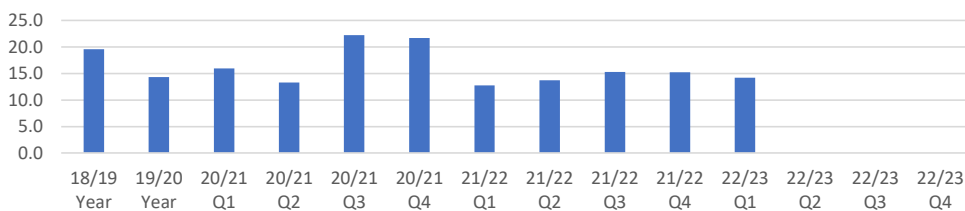
Major														
	18/19 Year	19/20 Year	20/21 Q1	20/21 Q2	20/21 Q3	20/21 Q4	21/22 Q1	21/22 Q2	21/22 Q3	21/22 Q4	22/23 Q1	22/23 Q2	22/23 Q3	22/23 Q4
Average Time (weeks)	68.9	64.8	35.1	81.0		232.5		107.9	73.8	30.1	49.1			
Sub	26	25	3	3	6	5	2	8	4	3	6			
Dec	11	14	2	3	0	2	0	4	7	2	1			
6 Month Totals:	Sub: 6 Dec: 5		Sub: 11 Dec: 2		Sub: 10 Dec: 4		Sub: 7 Dec: 9		Sub: 6 Dec: 1		Sub: 0 Dec: 0			
12 Month Totals:	Sub: 17 Dec: 7						Sub: 17 Dec: 13				Sub: 6 Dec: 1			
Decided over 2 months (no agreemets / extensions)			2	3	0	2	0	4	6	2	1			
Appeals against non determination			0	0	0	1	0	1	0	1	0			



Commentary:

The application that was determined in Q1, was decided by Committee within a 4 month period. The legal agreement was complex and as a result, took several months to resolve.

Local (Non-Householder)														
	18/19 Year	19/20 Year	20/21 Q1	20/21 Q2	20/21 Q3	20/21 Q4	21/22 Q1	21/22 Q2	21/22 Q3	21/22 Q4	22/23 Q1	22/23 Q2	22/23 Q3	22/23 Q4
Average Time (weeks)	19.6	14.4	15.9	13.3	22.2	21.7	12.7	13.8	15.3	15.2	14.2			
Sub	796	745	116	166	185	191	212	189	196	306	249			
Dec	732	623	98	121	139	155	173	149	147	162	189			
6 Month Totals:	Sub: 282 Dec: 219		Sub: 376 Dec: 294		Sub: 401 Dec: 322		Sub: 502 Dec: 309		Sub: 249 Dec: 189		Sub: 0 Dec: 0			
12 Month Totals:	Sub: 658 Dec: 513						Sub: 903 Dec: 631				Sub: 249 Dec: 189			
Decided over 2 months (no agreemets / extensions)			61	54	68	64	76	77	93	106	117			
Appeals against non determination			1	0	0	0	3	0	0	0	3			



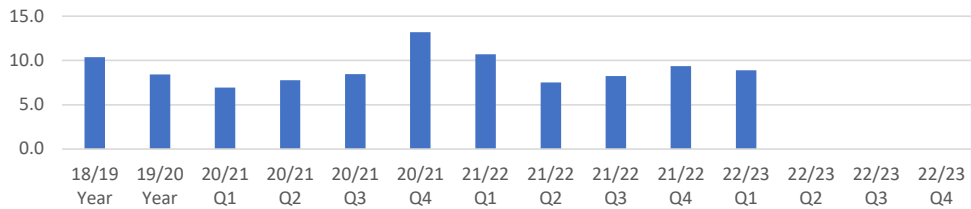
Commentary:

There has been an improvement in the average timescale for determining advertisement applications. With 73 determined, there has been the highest number determined for any of the previous 8 quarters.

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Advertisements																
	18/19 Year	19/20 Year	20/21 Q1	20/21 Q2	20/21 Q3	20/21 Q4	21/22 Q1	21/22 Q2	21/22 Q3	21/22 Q4	22/23 Q1	22/23 Q2	22/23 Q3	22/23 Q4		
Average Time (weeks)	10.4	8.4	6.9	7.8	8.5	13.2	10.7	7.5	8.2	9.4	8.9					
Sub	237	239	33	52	34	43	45	53	47	65	68					
Dec	235	243	33	39	29	51	44	47	51	39	73					
6 Month Totals:			Sub: 85 Dec: 72			Sub: 77 Dec: 80			Sub: 98 Dec: 91			Sub: 112 Dec: 90		Sub: 68 Dec: 73		Sub: 0 Dec: 0
12 Month Totals:			Sub: 162 Dec: 152						Sub: 210 Dec: 181				Sub: 68 Dec: 73			
Decided over 2 months (no agreements / extensions)			4	8	4	22	14	13	12	19	21					

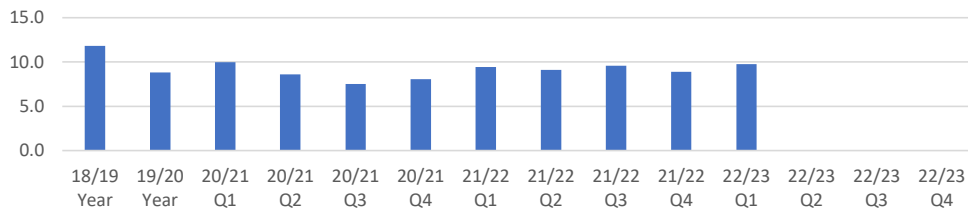
Total Time (excluding EOT / PPA) 2434 2039 229 303 245 674 470 352 419 365 648 298 0 0



Commentary:

There has been an improvement in the average timescale for determining local non-householder applications. This is against a backdrop of continued high numbers of these applications in Q4 21/22 and Q1 22/23. There has been an increase in the number of applications being determined this quarter with 189 determined against the 2 year average of 143.

Listed Building Consents																
	18/19 Year	19/20 Year	20/21 Q1	20/21 Q2	20/21 Q3	20/21 Q4	21/22 Q1	21/22 Q2	21/22 Q3	21/22 Q4	22/23 Q1	22/23 Q2	22/23 Q3	22/23 Q4		
Average Time (weeks)	11.8	8.8	10.0	8.6	7.5	8.0	9.4	9.1	9.6	8.9	9.8					
Sub	1078	1101	164	195	271	307	317	239	244	322	306					
Dec	1033	964	187	130	239	246	306	247	222	211	334					
6 Month Totals:			Sub: 359 Dec: 317			Sub: 578 Dec: 485			Sub: 556 Dec: 553			Sub: 566 Dec: 433		Sub: 306 Dec: 334		Sub: 0 Dec: 0
12 Month Totals:			Sub: 937 Dec: 802						Sub: 1122 Dec: 986				Sub: 306 Dec: 334			
Decided over 2 months (no agreements / extensions)			92	39	53	62	78	86	65	63	132					
Appeals against non determination			1	0	0	0	3	0	0	0	0					

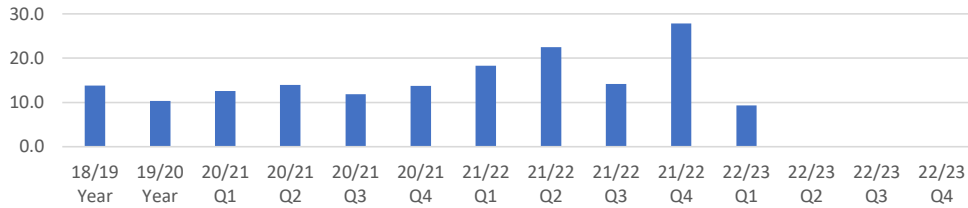


Commentary:

While there has been an increase in average timescales for determining listed building consent applications in quarter 1, this is against a backdrop of an increase in the number of listed building consents determined with 334 being the highest number determined for the last 8 quarters.

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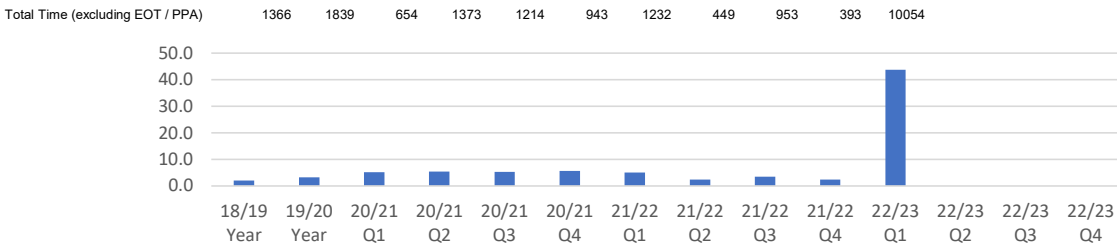
Tree works to Tree Preservation Order Tree														
	18/19 Year	19/20 Year	20/21 Q1	20/21 Q2	20/21 Q3	20/21 Q4	21/22 Q1	21/22 Q2	21/22 Q3	21/22 Q4	22/23 Q1	22/23 Q2	22/23 Q3	22/23 Q4
Average Time (weeks)	13.8	10.3	12.5	14.0	11.9	13.7	18.3	22.5	14.1	27.8	9.2			
Sub	78	125	23	34	31	31	38	27	27	25	38			
Dec	95	103	22	26	21	30	30	37	26	50	42			
6 Month Totals:	Sub: 57 Dec: 48		Sub: 62 Dec: 51		Sub: 65 Dec: 67		Sub: 52 Dec: 76		Sub: 38 Dec: 42		Sub: 0 Dec: 0			
12 Month Totals:	Sub: 119 Dec: 99						Sub: 117 Dec: 143				Sub: 38 Dec: 42			
extensions)			21	0	0	0	0	0	0	0	0			
Appeals against non determination														



Commentary:

There has been a significant improvement in the time taken to determine applications for tree works for those trees that have a tree preservation order this quarter, while the number of applications determined during the quarter remains above average.

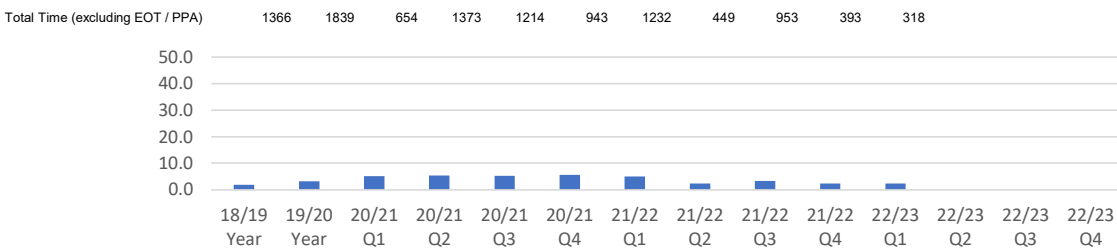
Tree works to Conservation Area Tree														
	18/19 Year	19/20 Year	20/21 Q1	20/21 Q2	20/21 Q3	20/21 Q4	21/22 Q1	21/22 Q2	21/22 Q3	21/22 Q4	22/23 Q1	22/23 Q2	22/23 Q3	22/23 Q4
Average Time (weeks)	2.0	3.2	5.2	5.4	5.3	5.5	4.9	2.4	3.4	2.3	43.7			
Sub	698	635	190	258	233	219	196	235	217	176	135			
Dec	694	578	126	256	230	170	249	190	284	173	230			
6 Month Totals:	Sub: 448 Dec: 382		Sub: 452 Dec: 400		Sub: 431 Dec: 439		Sub: 393 Dec: 457		Sub: 135 Dec: 230		Sub: 0 Dec: 0			
12 Month Totals:	Sub: 900 Dec: 782						Sub: 824 Dec: 896				Sub: 135 Dec: 230			



Commentary:

There is a spike in the overall average timescales for determining applications for tree works for trees that are protected by virtue of being in a conservation area. This is because legacy cases are being cleared. The table below shows the same info but with legacy cases removed.

Tree works to Conservation Area Tree														
	18/19 Year	19/20 Year	20/21 Q1	20/21 Q2	20/21 Q3	20/21 Q4	21/22 Q1	21/22 Q2	21/22 Q3	21/22 Q4	22/23 Q1	22/23 Q2	22/23 Q3	22/23 Q4
Average Time (weeks)	2.0	3.2	5.2	5.4	5.3	5.5	4.9	2.4	3.4	2.3	2.3			
Sub	697	606	181	252	198	212	195	235	217	176	135			
Dec	694	578	126	256	230	170	249	190	284	173	138			
6 Month Totals:	Sub: 433 Dec: 382		Sub: 410 Dec: 400		Sub: 430 Dec: 439		Sub: 393 Dec: 457		Sub: 135 Dec: 138		Sub: 0 Dec: 0			
12 Month Totals:	Sub: 843 Dec: 782						Sub: 823 Dec: 896				Sub: 135 Dec: 138			



Commentary:

Once the legacy cases are removed from the numbers, it can be seen that the average timescale for determining applications for tree works to trees within conservation areas is the same as the previous quarter (2.3).

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Enforcement	Overall													
	18/19 Year	19/20 Year	20/21 Q1	20/21 Q2	20/21 Q3	20/21 Q4	21/22 Q1	21/22 Q2	21/22 Q3	21/22 Q4	22/23 Q1	22/23 Q2	22/23 Q3	22/23 Q4
Received	745	934	116	267	188	160	260	225	169	156	198			
Closed	460	352	39	69	94	57	137	108	198	179	175			
Notices served	82	84	0	0	3	0	14	10	14	27	24			
Served within target time	27	47	0	0	3	0	10	7	1	10	19			
% in target time	33%	56%			100%		71%	70%	7%	37%	79%			

Enforcement	Short-term Lets													
	18/19 Year	19/20 Year	20/21 Q1	20/21 Q2	20/21 Q3	20/21 Q4	21/22 Q1	21/22 Q2	21/22 Q3	21/22 Q4	22/23 Q1	22/23 Q2	22/23 Q3	22/23 Q4
Received	134	231	6	64	19	6	26	52	19	13	31			
Closed	47	72	16	5	19	6	5	12	26	41	12			
Notices served	20	41	0	0	3	0	11	10	0	18	13			
Served in 6 month target	14	31	0	0	3	0	9	7	0	9	13			
% in target time	70%	76%			100%		82%	70%		50%	100%			

Enforcement	Other cases - not short-term lets													
	18/19 Year	19/20 Year	20/21 Q1	20/21 Q2	20/21 Q3	20/21 Q4	21/22 Q1	21/22 Q2	21/22 Q3	21/22 Q4	22/23 Q1	22/23 Q2	22/23 Q3	22/23 Q4
Received	611	703	110	203	169	154	234	173	150	143	167			
Closed	413	280	23	64	75	51	132	96	172	138	163			
Notices served	62	43	0	0	0	0	3	0	14	9	11			
Served in 3 month target	13	16	0	0	0	0	1	0	1	1	6			
% in target time	21%	37%					33%		7%	11%	55%			

Commentary:

There are high numbers of enforcement cases being closed this quarter with continued high numbers of notices served.