

Planning Committee

2.00pm, Wednesday, 30 November 2022

City Plan 2030 – Approval of Schedule 4 documents and Proposed Plan for Examination

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1. Recommendations

- 1.1 It is recommended that Committee:
 - 1.1.1 Approves the Schedule 4 summaries and responses to Representations made (Appendix 1), to be submitted with the Proposed Plan (Appendix 2) and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997;
 - 1.1.2 Delegate authority to officers to make final design, layout and minor typographical changes;
 - 1.1.3 Delegate authority to officers to provide further information for the Examination as part of the Council's case; and
 - 1.1.4 Note the Report of Conformity with the Participation Statement as a statutory document to be submitted for examination alongside the Proposed Plan and package of Schedule 4s.

Paul Lawrence

Executive Director of Place

Contact: Iain McFarlane, Programme Director City Plan

E-mail: iain.mcfarlane@edinburgh.gov.uk | Tel: 0131 529 2419



Report

City Plan 2030 – Approval of Schedule 4 documents and Proposed Plan for Examination

2. Executive Summary

- 2.1 The purpose of this report is to seek Committee approval of the Schedule 4 documents summarising the Representations, their proposed modifications to the Plan and the Council's responses to these, in respect of the Proposed Plan as approved at Planning Committee on [29 September 2021](#). Approval is required so that the Proposed Local Development Plan (LDP) (City Plan 2030) can be submitted to Scottish Ministers for Examination.

3. Background

- 3.1 Local authorities have to prepare LDPs for their areas and keep them up to date.
- 3.2 The City of Edinburgh Council adopted its first LDP in November 2016. City Plan 2030 will replace it.
- 3.3 The LDP needs to meet a number of statutory requirements, including:
- A statutory consultation stage before a Proposed Plan is published;
 - A statutory Period of Representation after publication;
 - Be submitted to the Scottish Ministers for Examination in which all unresolved Representations from people who have proposed modifications to the plan are considered; and
 - Be examined by a Reporter(s) appointed by Ministers. The Reporter(s) will consider the Plan and Representations and make recommendations on those unresolved Representations in their Report of Examination.
- 3.4 There are several other projects and strategies being progressed or implemented in conjunction with City Plan 2030. Part of the process was to ensure that these projects informed City Plan and they in turn responded to it.

4. Main report

- 4.1 The Main Issues Report (Choices for City Plan 2030) for the statutory consultation stage, was approved by Planning Committee in [January 2020](#).

- 4.2 The Proposed Plan was approved on 29 September 2021 to be published for its statutory Period of Representation, as the settled view of the Council of what the adopted plan should contain.
- 4.3 Plan preparation, including the supporting documentation, gave due consideration to the [consultation responses](#) on the Main Issues Report (Choices) and technical work carried out.
- 4.4 The Proposed Plan (Appendix 2) and its Proposals Map sets out the recommended strategy, sites, proposals and policies for development over the next 10 years. The principles of the strategy expect development to make the most efficient use of previously developed land and other sites previously allocated, of existing and new infrastructure, of sustainable transport modes and to provide a range of uses to support 20-minute neighbourhoods. It does not propose to allocate new greenfield sites for housing.
- 4.5 The strategy and policies support the strong direction of policy required by the Climate Change Act, the National Transport Strategy, Strategic Transport Projects Review (STPR2), Housing to 2040 and the emerging draft National Planning Framework 4.
- 4.6 It is recommended that no significant modifications be made to the strategy, sites, policies or allocations of the Proposed Plan, as approved for the Period of Representation as the settled view of the Council. Unresolved Representations will therefore be considered by the Reporter through the Examination.
- 4.7 The unresolved Representations are set out in a form known as a 'Schedule 4'. The Schedule 4 format is a requirement of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 for presenting a summary of unresolved issues for the Examination.
- 4.8 The Schedule 4 documents (Appendix 1) are the Council's response to Representation and statement of case for the Examination of the Proposed Plan. They contain:
- The summary of Representations;
 - The modifications to the Plan proposed in each Representation; and
 - The Council's response to the Representations and proposed modifications, including whether any change is to be made to the Plan.
- 4.9 As part of the Examination, the Reporter(s) will add their conclusions and recommendations to inform the Report of Examination.
- 4.10 The Schedule 4s are set out to cover issues raised, in an order related to the structure of the Plan.
- 4.11 The Report of Conformity with the Participation Statement (Appendix 3) is a statutory document which the Reporter will consider in the first part of the Examination. It sets out how the engagement programme of the Participation Statement was met. The Statement also notes to the Reporter that other issues raised on consultation matters, technically not Representations to the Plan itself, are

considered in Schedule 4 Issue 39. On receipt of this, the Reporter will consider if the Council's activities were sufficient. If the Reporter does not consider this to be sufficient, they have the powers to recommend further activities to the Ministers.

5. Next Steps

- 5.1 Once approved to be submitted for Examination, the Schedule 4s and Plan documents will be compiled in the manner required by the Directorate for Planning and Environmental Appeals (DPEA) and submitted to Scottish Ministers
- 5.2 Scottish Ministers will appoint a Reporter(s) to examine the unresolved representations. Subsequent stages of the process will be dependent on the length of the Examination period. In the Scottish Government Circular 6/2013, the time taken for Examination is expected to be around six months, however, evidence from Examinations of plans suggested that it is more likely to be at least nine months and it is not uncommon to be longer before the outputs of the Examination report are known.
- 5.3 The Reporter's recommendations in the Report of Examination are 'largely binding' on the Council and the recommended modifications must be considered before resolving to adopt the Plan and submitting this to Scottish Ministers, as the Plan the Council wishes to adopt. If Ministers do not direct further change, then the Council would be able to adopt the Plan when this is confirmed.

6. Financial impact

- 6.1 This Proposed Plan and the recommendations of the report have financial impacts. One such impact is that the Council is required by statute to pay for the DPEA's work on the Examination. The cost will be dependent on the duration of the Examination and the number of Reporters working on it but could be in the region of £200,000.
- 6.2 The likely financial implications of the Proposed Plan were set out in summary with the Proposed Plan when considered by Planning Committee in September 2021 and its supporting reports:
 - 6.2.1 Education Appraisal;
 - 6.2.2 Transport Assessment; and
 - 6.2.3 Healthcare Appraisal.
- 6.3 The updated Education Appraisal sets out the likely impact on the Education Estate, though this will be further determined after informal and formal consultation with schools and their communities so as to ensure all options to manage the impacts of City Plan development are considered fully and properly in the context of existing requirements from rising school rolls and the 2016 LDP. Provision of community facilities will be part of the implementation of education provision by the Council.
- 6.4 The Education Appraisal sets out the impacts of the above on each school and the likely costs in each case. These will be reviewed following the consultation processes described above and annually through the City Plan Action Programme.

- 6.5 The overall costs are currently assessed as circa £307m and developer contributions will be sought for the actions needed to mitigate the impacts of City Plan developments. These will be reported through planning guidance and future iterations of the Action Programme.
- 6.6 The Transport Assessment sets out the mitigations required to deal with City Plan growth including high level costings. The preference is that works will be carried out by developers wherever possible, however, for larger projects the Council will need to coordinate developer contributions and implementation to ensure comprehensive solutions are provided. This will be done through planning guidance and future iterations of the Action Programme.
- 6.7 The transport mitigations and individual costings for the brownfield sites are set out in the Transport Assessment. These will be subject to developer provision for individual brownfield sites wherever appropriate, for cumulative provision for groups of sites and, in the case of Tram, for relevant sites. For West Edinburgh, updated versions of the cumulative contributions models for Tram and the West Edinburgh Transport Appraisal (WETA) and West Edinburgh Transport Improvement Programme (WETIP) will be used to assess and apportion costs and contributions. This will also be done through planning guidance and future iterations of the Action Programme.
- 6.8 The cumulative high-level figure of £91.9m for transport contributions for brownfield sites as set out in the Transport Assessment will be addressed by developer contribution assessments through planning guidance. For West Edinburgh, much of the infrastructure will be delivered as part of each development, the wider funding commitments of City Region Deal (£36m), and council projects for active travel and bus priority, with proportionate requirements for developer contributions to be detailed in planning guidance and updates of the Action Programme.
- 6.9 The updated Healthcare Appraisal defines option for mitigating physical capacity impacts on relevant GP surgeries, which are costed from a standard metric. Proportionate developer contributions will be required to fund capacity improvements as necessary. Further details will be set out in planning guidance and updates of the Action Programme.

7. Stakeholder/Community Impact

- 7.1 Early engagement has informed the process of arriving at the Proposed Plan stage of the LDP process.
- 7.2 The formal consultation stage is set out in statute and focuses on the main issues report (Choices for City Plan 2030). The Proposed Plan stage includes for a statutory period of representation. All unresolved representations are considered at Examination of the Proposed Plan.
- 7.3 City Plan 2030 has a key role in delivering Edinburgh's vision and aligns with the Edinburgh Economy Strategy which is tailored towards delivering good growth for everyone.

- 7.4 An Integrated Impact Assessment (IIA) is carried out as an integral part of the plan project. It is reviewed and updated through the process and available as a public document. The IIA identifies potential negative impacts on business and urban communities resulting from providing housing land in existing urban areas.
- 7.5 The IIA assessment concludes that overall the Proposed City Plan 2030 will support equality, health and well-being and human rights and have positive socio-economic impacts. There are no expected negative impacts. Update to the IIA will be carried out if the Proposed Plan is amended prior to adoption.
- 7.6 The risks associated with this area of work are significant in terms of finance, reputation, and performance in relation to the statutory duties of the Council as Planning Authority and in several of its other capacities.
- 7.7 Project governance arrangements include regular monitoring and management of identified risks.
- 7.8 Detailed project governance arrangements and controls have been informed by the findings of an internal audit. The recommendations of this audit were referenced in a report to the Governance, Risk and Best Value Committee on [16 January 2018](#).
- 7.9 The ability of the Council to successfully manage the impacts arising from the growth of the city through the proposed plan is critical to achieving sustainable development. The Proposed Plan has been formed in the context of existing and emerging national, regional and local strategies and policies as well as climate change and other legislation to support sustainable development alongside the Council's net-zero strategy.
- 7.10 A Strategic Environmental Assessment is carried out as an integral part of the plan project. Its findings are set out in an Environmental Report (Background reading 8.1) which remains a draft document until the plan is adopted in its final form. Updates to the Environmental Report will be carried out if the Proposed Plan is amended prior to adoption.

8. Background reading/external references

- 8.1 [City Plan 2030 with all supporting documents.](#)
- 8.2 [Choices for City Plan 2030 with consultation responses and all supporting documents.](#)
- 8.3 [Development Plan Scheme September 2022.](#)
- 8.4 [Scotland's Fourth National Planning Framework Position Statement November 2020.](#)
- 8.5 [Scotland 2045: Our Fourth National Planning Framework Draft November 2021.](#)
- 8.6 [National Transport Strategy 2 February 2020.](#)
- 8.7 [Strategic Transport Projects Review 2 consultation January 2022.](#)
- 8.8 [Housing to 2040 March 2021.](#)

9 Appendices

- 9.1 Appendix 1 – Schedule 4 documents.
- 9.2 Appendix 2 – Proposed Plan documents:
 - 2a – Proposed City Plan 2030 Written Statement;
 - 2b – Proposed City Plan 2030 Appendix D;
 - 2c – Proposed City Plan 2030 Proposals Map;
 - 2d – Table of Non-Notifiable Amendments; and
 - 2e – Action Programme.
- 9.3 Appendix 3 – Report of Conformity with Participation Statement.