


Business Bulletin

Planning Committee

10.00am, Wednesday, 13 September 2023

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 Tim Jones Councillor Martha Mattos Coelho Councillor Amy McNeese-Mechan Councillor Joanna Mowat Councillor Hal Osler Councillor Alex Staniforth</p>	<p>Taylor Ward Committee Services</p> <p>David Givan Chief Planning Officer and Head of Building Standards david.givan@edinburgh.gov.uk</p>

Response to Motion by Councillor McKenzie – Review Rights of Appeal in Planning

The motion agreed at [Council on 4 May 2023](#) requested that the Council Leader meet with the Minister for Local Government Empowerment and Planning. At this meeting, the motion stipulated that the Council Leader ask for a response to the complaint on the lack of community appeal rights in planning for members of the public in Scotland and for a commitment to reviewing rights of appeal.

At their meeting on 11 May 2023, the Council Leader discussed a number of issues with the Minister relating to Local Government, including both review rights of appeal in planning and the Visitor Levy (Scotland) Bill. The meeting was followed up with a letter requesting a formal response to the points raised by Council.

The Minister has since confirmed the following in writing:

- Amendments which proposed third party rights of appeal were considered and rejected by the Scottish Parliament during its consideration of the Planning (Scotland) Bill 2019 now represented by the Planning (Scotland) Act 2019.

The Scottish Government has no plans to undertake a review of rights of appeal at the current time in line with the recent Council request.

Contact: [David Givan](#), Chief Planning Officer and Head of Building Standards

Planning Performance

Planning performance Statistics for Q1 2023/24 and the part of Q2 up to 28 August are contained in Appendix 1.

Contact: [David Givan](#), Chief Planning Officer and Head of Building Standards

Planning Appeals

Appendix 2 contains a summary of planning appeals for the year 2022/23.

Contact: [Jay Skinner](#), Senior Planning Officer

Building Standards

Building Standards continues to achieve high performance figures against national targets. Quarterly meetings and on-going discussions with colleagues in the Local Authority Building Standards Scotland (LABSS) South-East Scotland Consortium allow the Council to measure performance

Contact: [Colin Wishart](#), Building Standards Operations Manager

against neighbouring authorities and identify how to improve consistency in application of the building regulations and associated legislation.

Working with CGI, officers have been involved in the development and testing of the upgraded Uniform and Idox software systems to allow migration to the cloud. The work brought its challenges, but the section will benefit from this project when it is fully completed.

The majority of officers have attended climate change training. This has helped to recognise the importance of their role in addressing the climate emergency issues.

The percentage of first reports issued within target timescales is high at 94%. Similarly, the number of warrants granted within the target timescale of 10 working days is high also at 93%.

	2022/23				2023/24
	Q1	Q2	Q3	Q4	Q1
Number of first reports	1,295	1,005	1,192	1,180	1,001
% issued within 20 day target	90%	91%	91%	95%	94%
Number of warrants granted	1,374	1,144	1,248	1,168	1,085
% issued within 10 day target	91%	92%	90%	92%	93%

Seafield Update

The community consultation for Stage 1 of the Seafield masterplan about Seafield as it is now, and how positive change could be managed and implemented in the future to best contribute to a network of local coastal communities has now been completed. The consultation received 430 responses.

Seafield was recognised as a place that people seek out for access to the beach, for active travel opportunities along the Promenade and as a quieter/ wilder alternative to Portobello for walking.

The majority of people prioritised affordability for housing development at Seafield and a desire to see a mix of housing types. Suggested improvements to the area included more green space, facilities that allow people to actively use the water and spend time at Seafield, better active travel connections, better public transport connections and a range of uses and facilities that can support the people who may live here in the future and attract people who choose to visit.

Contact: [Iain McFarlane](#), City Plan Programme Director

A full report on the Stage 1 Consultation can be viewed [here](#).

Stage 2 and 3 consultation

The Stage 2 Consultation is scheduled to take place in October 2023, while the Stage 3 Consultation is scheduled to take place in December 2023. Information on future consultation events will be published in due course.

Conservation and Adaptation Update

Work has progressed on ‘Conservation and Adaptation’ following the motion agreed by the Planning Committee on 2 November 2022. The motion sought to gather the views of the city’s residents on what the additional challenges are for residents who live in listed buildings and/or conservation areas to adapt their homes in response to climate change and the cost-of-living crises.

An online public consultation ran between March and June and received approximately 470 responses. The responses have been analysed and a report produced. This has informed the short-term working group which met in August and September. The group includes Councillors, planning officers, relevant bodies with an interest in the historic environment, energy saving / fuel poverty and residents.

The group considered the consultation feedback, challenges and possible solutions, including the potential impact, if change is required, on the cultural heritage value of the city’s listed buildings and conservation areas. It is intended that the analysis of the consultation responses and the discussions of the short-term working group including conclusions and next steps, will be reported to the next Planning Committee.

Response to Scottish Government Consultation on Permitted Development Rights

A response was given to the Scottish Government’s “Phase 3” consultation on changes to permitted development rights. The focus is on potential changes in relation to renewables and windows. Increased permitted development is proposed for conservation areas. The response noted that the planning service recognises the importance that domestic renewables can play in addressing climate change, however noted that the proposals for increased permitted

Contact: [Daniel Lodge](#), Planning Officer

Contact: [Daniel Lodge](#), Planning Officer

development rights may harm conservation areas if implemented.

The response also explained that retaining the requirement for applications for planning permission allows impacts to be carefully considered on a case-by-case basis and that the current controls also allow the Council to mitigate the possible visual impact of proposals. It further noted that 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.

Recognising that there are financial impacts, the response suggested that so that those in conservation areas are not unduly financially impacted, there may be a case for a further reduction of application fees. This would be for developments in conservation areas which, if in other areas, would be permitted development.

In relation to windows, the response noted that 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 response is contained in Appendix 3.

Response to Scottish Government Consultation on Local Living and 20 Minute neighbourhood draft guidance

A response has been submitted to the Scottish Government’s consultation on draft guidance in support of NPF4 Policy 15. The proposed guidance was generally welcomed as useful, though some points require greater clarity. These include being clearer about who the guidance is aimed at, better defining urban and rural scenarios and how these would be assessed, and issues of funding where there is a need to retrofit existing areas. The full response is contained in Appendix 4.

Scottish Government Consultation on Mandatory Planning Training for Elected Members

The Scottish Government is currently consulting on mandatory training for elected members. Mandatory training is a new requirement arising from section 45 of the Planning (Scotland) Act 2019. The Chief Planning Officer will draft a

Contact: [Iain McFarlane](#), City Plan Programme Director

Contact: [David Givan](#), Chief Planning Officer and Head of Building Standards

consultation response for review by Planning Committee Members ahead of submission in October.

Short-Term Let Planning Guidance Judicial Review

A petition has been submitted to the Court of Session for a Judicial Review of the Council's Guidance for Businesses regarding short-term lets and its approach to deciding whether a change of use is deemed to be a material change of use. This guidance was approved at Planning Committee on 19 April 2023. It is intended that the Council will defend its position at a substantive hearing in Court on 8 November 2023.

Contact: [David Givan](#), Chief Planning Officer and Head of Building Standards

Energy Efficiency in Homes – Introduction of Long-term Domestic Standards – Motion by Councillor Dalgleish

On 22 June 2023, the Council [approved](#) an adjusted motion by Councillor Dalgleish on the above.

The Council agreed that the Council Leader should write to relevant Ministers to request a meeting to discuss the challenges in residential properties. The discussion should include, but not be limited to:

- Properties within conservation areas and those where listed buildings faced with looking to adapt or alter homes to achieve an Energy Performance Certificate (EPC) rating of at least equivalent to EPC C;
- Request further clarification on whether the adaptations required in the context of being technically feasible, legally feasible and cost-effective apply as exemptions to the regulations;
- Anticipated financial support mechanisms available to support building owners and specifically how these would support the principles of a just transition and ensure that those on the lowest incomes were given the most support and support for those in listed buildings and conservation areas; and
- Operation of the exemptions register.

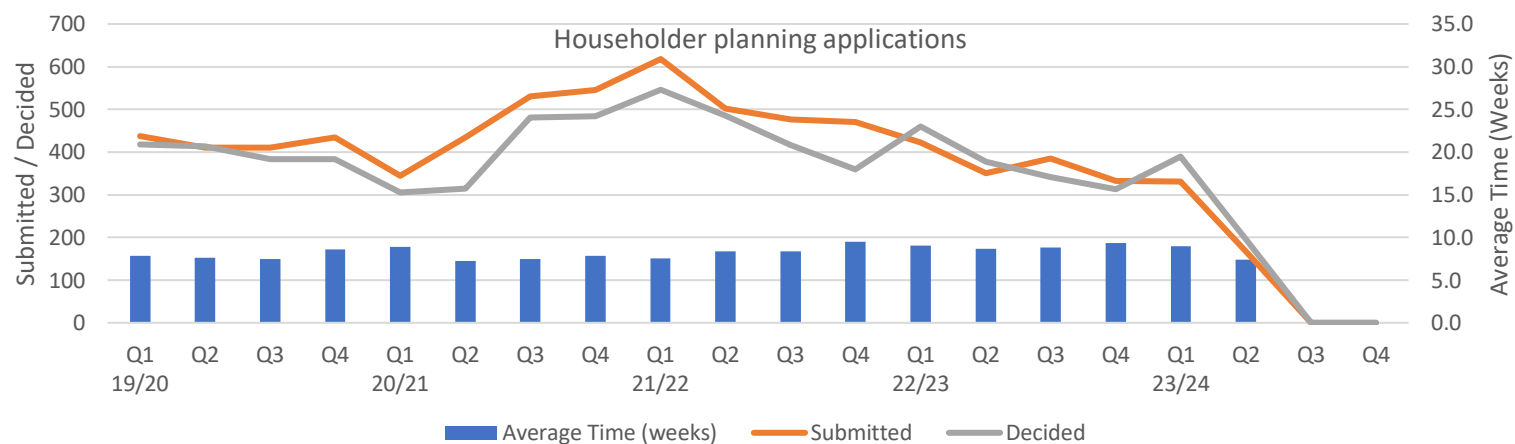
A request for a meeting was sent to Patrick Harvie, Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights on 16 August 2023. Following the meeting, an update on the discussion will be provided to Committee.

Contact: [Alan Irvine](#), Senior Executive Officer

Appendix 1 - Planning Time Performance Quarterly Bulletin - Q2 2023/2024

Note: Figures for Q2 2023/24 are up to 28 August 2023 Only

Householder																				
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
	19/20				20/21				21/22				22/23				23/24			
Average Time (weeks)	7.8	7.6	7.5	8.6	8.9	7.3	7.5	7.9	7.6	8.4	8.4	9.5	9.1	8.7	8.8	9.4	9.0	7.4		
Submitted	438	411	410	435	345	435	530	546	618	502	476	470	423	351	385	332	331	168	0	0
Decided	418	413	384	383	305	314	481	484	546	485	417	360	460	378	341	313	389	196	0	0
12 Month Totals:	Sub: 1694 Dec: 1598				Sub: 1856 Dec: 1584				Sub: 2066 Dec: 1808				Sub: 1491 Dec: 1492				Sub: 499 Dec: 585			
Decided over 2 months (no agreements / extensions)	76	41	26	43	133	51	70	74	78	126	111	155	203	116	108	130	110	45	0	0
Appeals against non determination									0	0	0	0	0	1	2	0	0	1	0	0

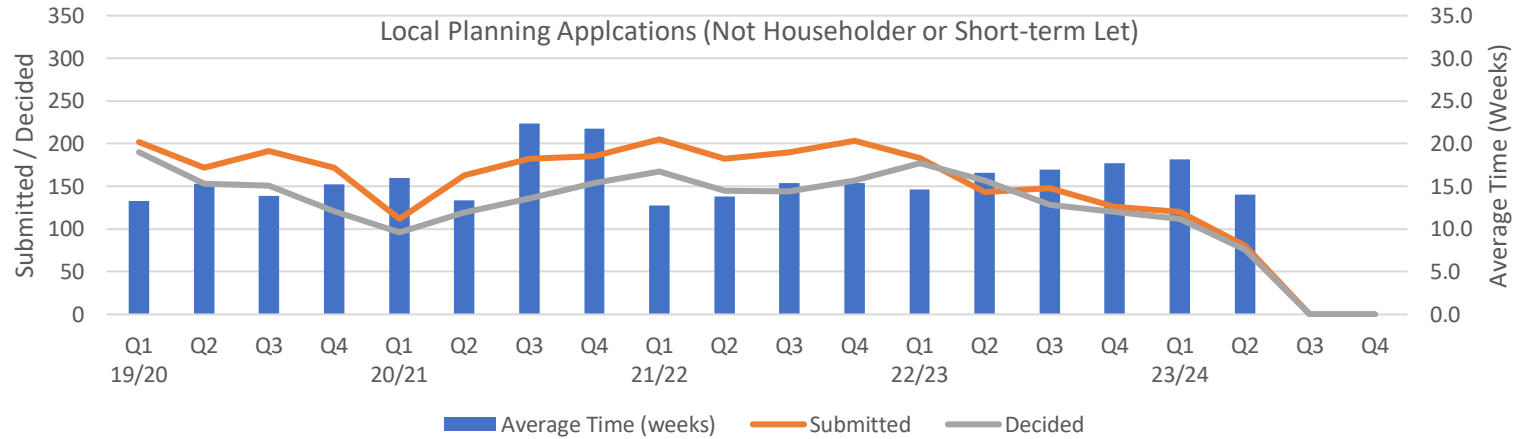


Commentary:

Average timescales for processing householder has improved for Q1 at 9 weeks and so far for Q2 at 7.4 weeks.

Note: Figures for Q2 2023/24 are up to 28 August 2023 Only

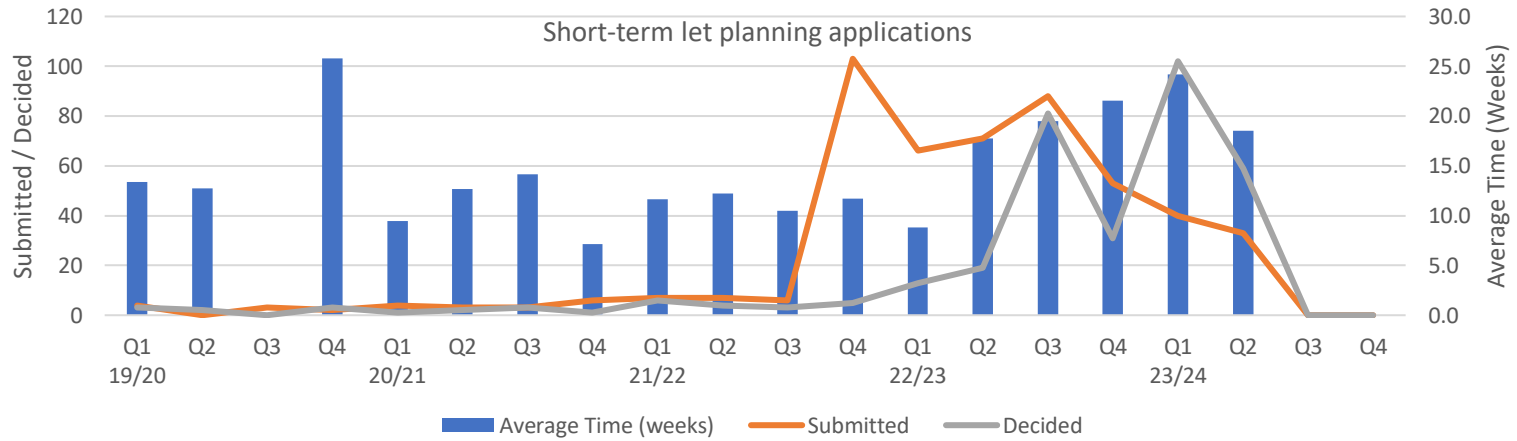
Local (Not Householder or Short-term Let)																				
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
	19/20				20/21				21/22				22/23				23/24			
Average Time (weeks)	13.3	15.3	13.9	15.2	16.0	13.3	22.4	21.8	12.8	13.8	15.4	15.4	14.7	16.6	17.0	17.7	18.1	14.0		
Submitted	202	172	191	172	112	163	182	185	205	182	190	203	183	143	148	126	120	80	0	0
Decided	190	153	151	121	96	119	136	154	167	145	144	157	177	157	128	120	112	76	0	0
12 Month Totals:	Sub: 737 Dec: 615				Sub: 642 Dec: 505				Sub: 780 Dec: 613				Sub: 600 Dec: 582				Sub: 200 Dec: 188			
Decided over 2 months (no agreements / extensions)	85	63	48	58	59	52	66	64	71	73	90	103	116	107	74	86	87	47	0	0
Appears against non determination									0	0	0	0	3	0	0	0	3	4	0	0



While there was an increase in average timescales to determine Local applications (not including those that are householder or short term lets) in Q1, indications for Q2 are positive with the average timescale so far being 14 weeks.

Note: Figures for Q2 2023/24 are up to 28 August 2023 Only

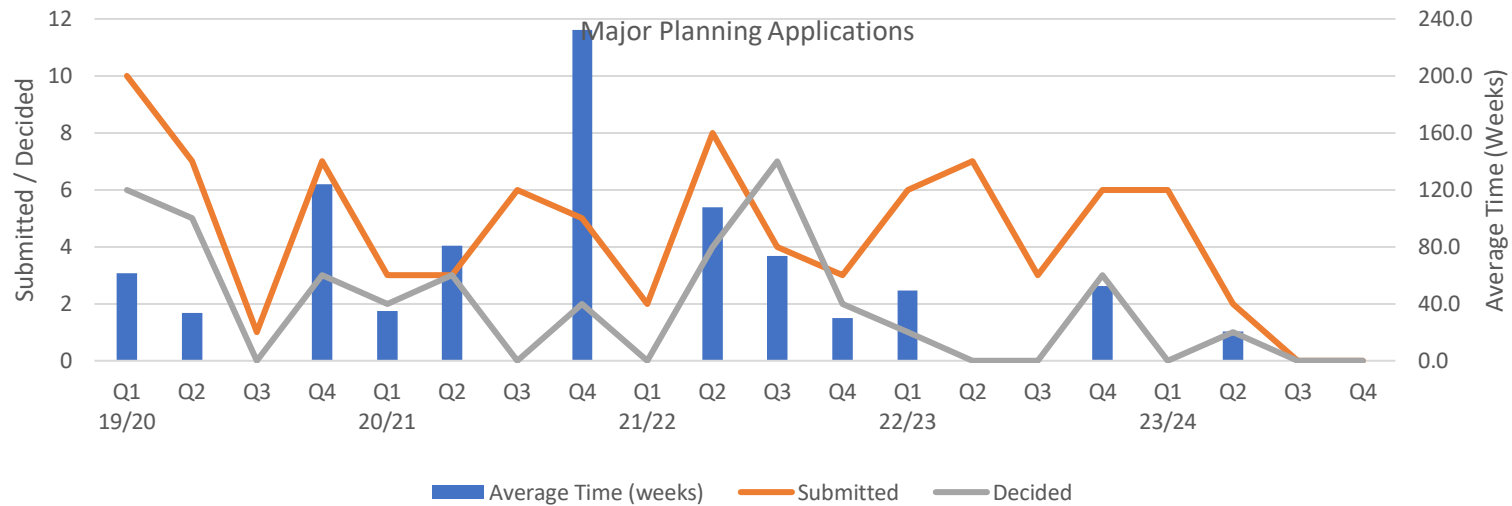
Short-term Let																				
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
	19/20				20/21				21/22				22/23				23/24			
Average Time (weeks)	13.4	12.7		25.8	9.4	12.6	14.1	7.1	11.7	12.3	10.5	11.7	8.8	17.8	19.5	21.5	24.2	18.5		
Submitted	4	0	3	2	4	3	3	6	7	7	6	103	66	71	88	53	40	33	0	0
Decided	3	2	0	3	1	2	3	1	6	4	3	5	13	19	81	31	102	59	0	0
12 Month Totals:	Sub: 9 Dec: 8				Sub: 16 Dec: 7				Sub: 123 Dec: 18				Sub: 278 Dec: 144				Sub: 73 Dec: 161			
Decided over 2 months (no agreements / extensions)	1	1	0	3	1	2	2	0	5	4	3	3	2	19	76	30	101	44	0	0
Appeals against non determination																				



Short-term let application are taking longer than other local applications to determine at present given the complexity of some of the aspects of the applications. However, for Q2 so far, the average timescales are improved (at 18.5 weeks) in comparison with the previous 3 quarters.

Note: Figures for Q2 2023/24 are up to 28 August 2023 Only

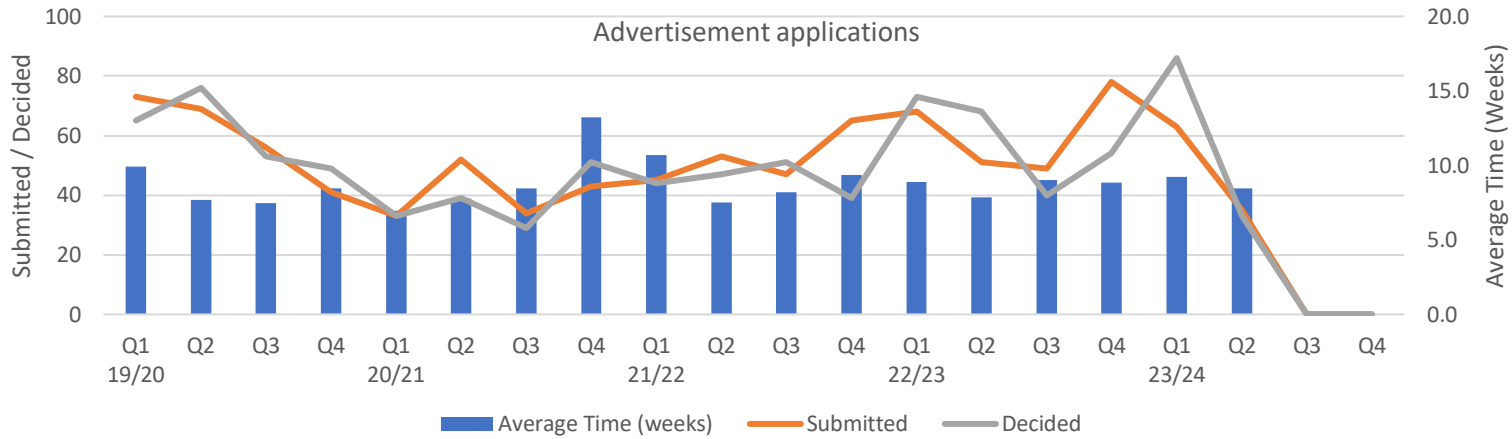
Major																				
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
	19/20				20/21				21/22				22/23				23/24			
Average Time (weeks)	61.5	33.4		124.0	35.1	81.0		232.5		107.9	73.8	30.1	49.1			52.5			20.6	
Submitted	10	7	1	7	3	3	6	5	2	8	4	3	6	7	3	6	6	2	0	0
Decided	6	5	0	3	2	3	0	2	0	4	7	2	1	0	0	3	0	1	0	0
12 Month Totals:									Sub: 17 Dec: 13				Sub: 22 Dec: 4				Sub: 8 Dec: 1			
Decided over 2 months (no agreements / extensions)	6	3	0	3	2	3	0	2	0	4	6	2	1	0	0	3	0	1	0	0
Appears against non determination										0	0	1	0	1	0	1	0	1	0	1



There were no major applications determined during Q1. The major application that was determined in Q2 thusfar was determined in 20.6 weeks. This is better than previous average timescales.

Note: Figures for Q2 2023/24 are up to 28 August 2023 Only

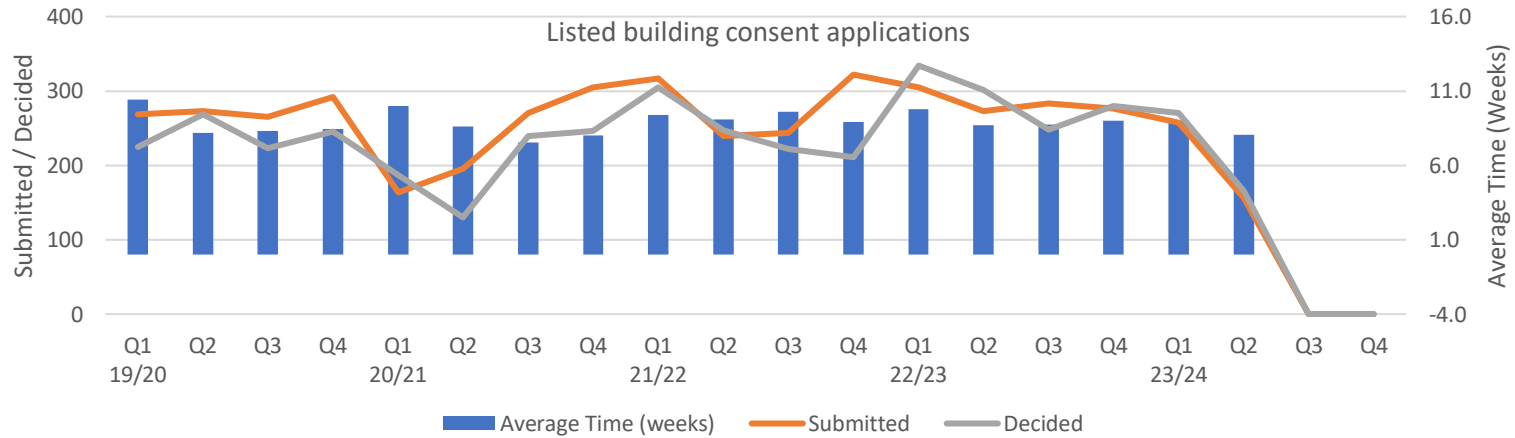
Advertisements																				
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
	19/20				20/21				21/22				22/23				23/24			
Average Time (weeks)	9.9	7.7	7.5	8.5	6.9	7.8	8.5	13.2	10.7	7.5	8.2	9.4	8.9	7.8	9.0	8.8	9.2	8.5		
Submitted	73	69	56	41	33	52	34	43	45	53	47	65	68	51	49	78	63	35	0	0
Decided	65	76	53	49	33	39	29	51	44	47	51	39	73	68	40	54	86	33	0	0
12 Month Totals:	Sub: 239 Dec: 243				Sub: 162 Dec: 152				Sub: 210 Dec: 181				Sub: 246 Dec: 235				Sub: 98 Dec: 119			
Decided over 2 months (no agreements / extensions)	17	15	7	7	4	8	4	22	14	13	12	19	21	16	10	17	43	12	0	0



Average timecales for determining adevertisement applications is relatively stable at 9.2 weeks for Q1 and 8.5 so far for Q2.

Note: Figures for Q2 2023/24 are up to 28 August 2023 Only

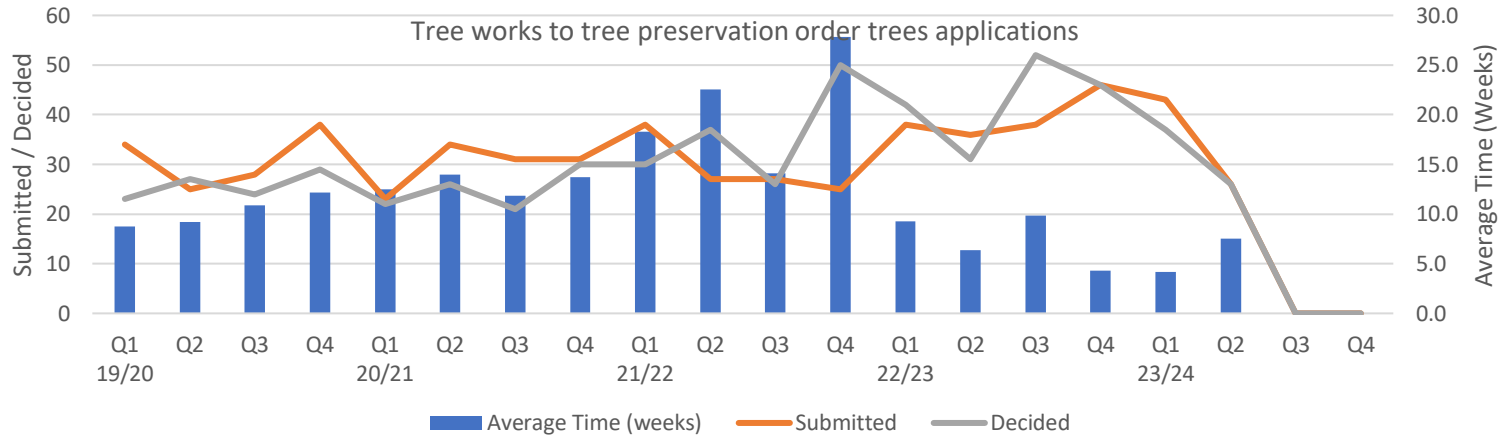
Listed Building Consents																				
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
	19/20				20/21				21/22				22/23				23/24			
Average Time (weeks)	10.4	8.2	8.3	8.4	10.0	8.6	7.5	8.0	9.4	9.1	9.6	8.9	9.8	8.7	8.7	9.0	9.0	8.0		
Submitted	269	273	265	292	164	195	270	305	317	239	244	322	305	273	283	276	257	156	0	0
Decided	225	269	223	245	187	130	239	246	305	247	222	211	334	301	248	280	270	165	0	0
12 Month Totals:	Sub: 1099 Dec: 962				Sub: 934 Dec: 802				Sub: 1122 Dec: 985				Sub: 1137 Dec: 1163				Sub: 413 Dec: 435			
Decided over 2 months (no agreements / extensions)	68	60	35	48	92	39	53	62	77	86	65	63	132	84	73	98	108	46	0	0
Appears against non determination									1	0	0	0	3	0	0	0	0	1	2	3



Average timecales for determining listed building consent applications was stable for Q1 at 9 weeks. So far for Q2, the average timescale has improved to 8 weeks.

Note: Figures for Q2 2023/24 are up to 28 August 2023 Only

Tree works to Tree Preservation Order Tree																				
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
	19/20				20/21				21/22				22/23				23/24			
Average Time (weeks)	8.7	9.2	10.9	12.2	12.5	14.0	11.9	13.7	18.3	22.5	14.1	27.8	9.2	6.4	9.8	4.3	4.2	7.5		
Submitted	34	25	28	38	23	34	31	31	38	27	27	25	38	36	38	46	43	26	0	0
Decided	23	27	24	29	22	26	21	30	30	37	26	50	42	31	52	46	37	26	0	0
12 Month Totals:	Sub: 125 Dec: 103				Sub: 119 Dec: 99				Sub: 117 Dec: 143				Sub: 158 Dec: 171				Sub: 69 Dec: 63			

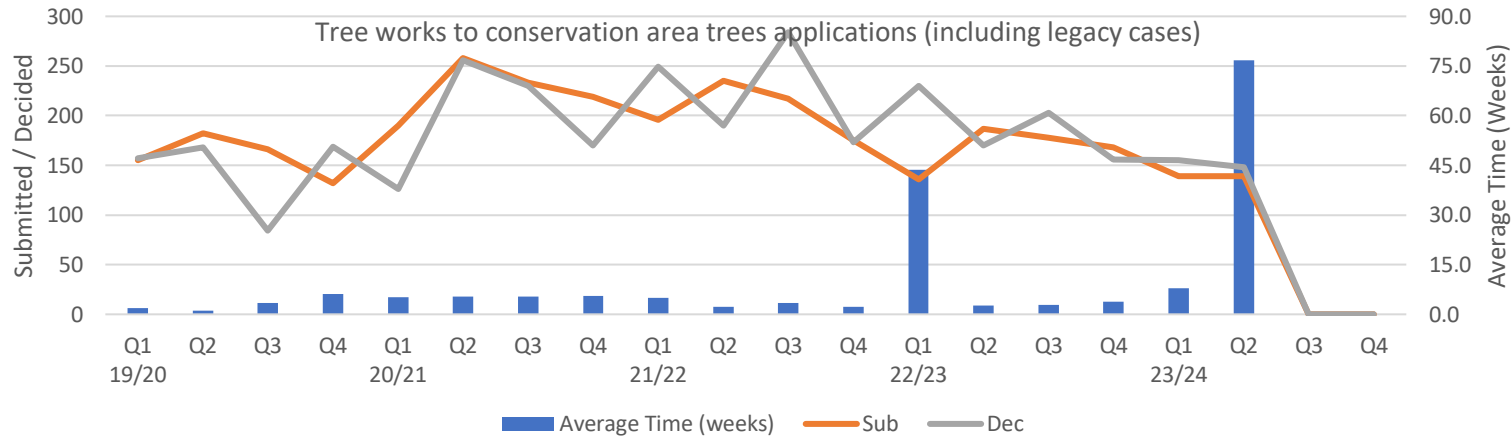


Commentary:

The average time taken to determine applications for trees which are subject of a tree preservation order was 4.2 week for Q1 although has increase for Q2 so far to 7.5 weeks.

Note: Figures for Q2 2023/24 are up to 28 August 2023 Only

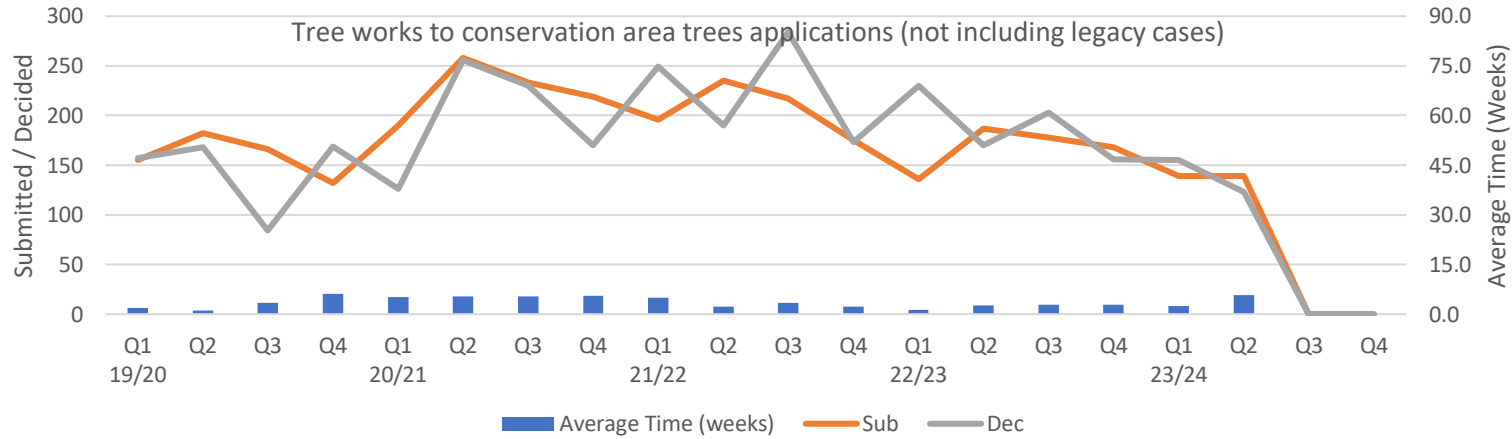
Tree works to Conservation Area Tree																					
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	
	19/20				20/21				21/22				22/23				23/24				
Average Time (weeks)	1.9	1.2	3.5	6.2	5.2	5.4	5.3	5.5	4.9	2.4	3.4	2.3	43.7	2.7	2.9	3.8	7.8	76.7			
Sub	155	182	166	132	190	258	233	219	196	235	217	175	136	187	178	168	139	139	0	0	
Dec	157	168	84	169	126	256	230	170	249	190	284	173	230	170	203	156	155	148	0	0	
12 Month Totals:	Sub: 635 Dec: 578				Sub: 900 Dec: 782				Sub: 823 Dec: 896				Sub: 669 Dec: 759				Sub: 278 Dec: 303				



Average timescale so for tree works applications for those trees that are in a conservation area increased significantly this quarter due to legacy cases being cleared from the computer system. The table below shows the average timescales once legacy cases are omitted from the count.

Note: Figures for Q2 2023/24 are up to 28 August 2023 Only

Tree works to Conservation Area Tree					Legacy cases omitted															
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
	19/20				20/21				21/22				22/23				23/24			
Average Time (weeks)	1.9	1.2	3.5	6.2	5.2	5.4	5.3	5.5	4.9	2.4	3.4	2.3	1.4	2.7	2.9	2.8	2.4	5.8		
Sub	155	182	166	132	190	258	233	219	196	235	217	175	136	187	178	168	139	139	0	0
Dec	157	168	84	169	126	256	230	170	249	190	284	173	230	170	203	156	155	123	0	0
12 Month Totals:	Sub: 635 Dec: 578				Sub: 900 Dec: 782				Sub: 823 Dec: 896				Sub: 669 Dec: 759				Sub: 278 Dec: 278			



Average timescale so for tree works applications for those trees that are in a conservation area increased to 5.8 weeks once legacy cases were removed from the count.

Note: Figures for Q2 2023/24 are up to 28 August 2023 Only

Enforcement Overall																				
	Q1 19/20	Q2	Q3	Q4	Q1 20/21	Q2	Q3	Q4	Q1 21/22	Q2	Q3	Q4	Q1 22/23	Q2	Q3	Q4	Q1 23/24	Q2	Q3	Q4
Received	258	286	195	195	116	267	188	160	259	225	169	156	198	235	202	185	272	173	0	0
Closed	62	116	86	88	39	69	93	57	136	107	198	175	174	191	221	192	194	89	0	0
Notices served	13	17	31	23	0	0	3	0	14	10	14	27	24	20	30	23	31	12	0	0
Served within target time	8	11	13	15	0	0	3	0	10	7	1	10	19	6	19	18	16	11	0	0
% in target time	62%	65%	42%	65%			100%		71%	70%	7%	37%	79%	30%	63%	78%	52%	92%		

Enforcement Short-term Lets																				
	Q1 19/20	Q2	Q3	Q4	Q1 20/21	Q2	Q3	Q4	Q1 21/22	Q2	Q3	Q4	Q1 22/23	Q2	Q3	Q4	Q1 23/24	Q2	Q3	Q4
Received	68	67	52	44	6	64	19	6	26	52	19	13	31	66	52	40	74	51	0	0
Closed	6	20	29	17	16	5	19	6	5	12	26	37	12	25	52	51	36	24	0	0
Notces served	5	9	12	15	0	0	3	0	11	10	0	18	13	4	17	18	24	12	0	0
Served in 6 month target	3	9	6	13	0	0	3	0	9	7	0	9	13	3	16	17	16	11	0	0
% in target time	60%	100%	50%	87%			100%		82%	70%		50%	100%	75%	94%	94%	67%	92%		

Enforcement Other cases - not short-term lets																				
	Q1 19/20	Q2	Q3	Q4	Q1 20/21	Q2	Q3	Q4	Q1 21/22	Q2	Q3	Q4	Q1 22/23	Q2	Q3	Q4	Q1 23/24	Q2	Q3	Q4
Received	190	219	143	151	110	203	169	154	233	173	150	143	167	169	150	145	198	122	0	0
Closed	56	96	57	71	23	64	74	51	131	95	172	138	162	166	169	141	158	65	0	0
Notices served	8	8	19	8	0	0	0	0	3	0	14	9	11	16	13	5	7	0	0	0
Served in 3 month target	5	2	7	2	0	0	0	0	1	0	1	1	6	3	3	1	0	0	0	0
% in target time	63%	25%	37%	25%					33%		7%	11%	55%	19%	23%	20%	0%			

In Q1 there was a very large number of enforcement cases received. This trend is continuing into Q2 so far. There were more notices served for Q1 23/24 than for any of the previous quarters back to 2019/20.

Appendix 2 - Planning Appeals Summary – April 2022 to March 2023

April 2022 to March 2023						
Total No. of CEC Appeals	Appeals Dismissed (Refused)	Appeals Upheld (Approved)		Development Management Sub-Committee Decisions against officer recommendation leading to Appeal	Appeals Dismissed (Refused)	Appeals Upheld (Approved)
98	54	44		10	2	8
				Development Management Sub-Committee Decisions in line with officer recommendation leading to Appeal	Appeals Dismissed (Refused)	Appeals Upheld (Approved)
				6	5	1

*Note figures reflect decision date on Appeal Decision Notice per April 2022 to March 2023 period

Appendix 3 - Response ID ANON-1FA5-8JZ5-X

Submitted to Scottish Government Review of Permitted Development Rights - Phase 3
Submitted on 2023-08-23 12:07:11

2.1 Domestic Renewables: Solar energy equipment

1 Do you agree with the proposed permitted development rights for solar panels attached to domestic properties in conservation areas?

No

Please comment in support of your answer:

The City of Edinburgh Council's planning service (the Council) recognises the importance that domestic renewables and solar panels can play in addressing climate change. While there is a role for increased permitted development rights, the particular proposals may harm conservation areas if implemented. Retaining the requirement for applications for planning permission allows impacts to be carefully considered on a case-by-case basis.

So that those in conservation areas are not unduly financially impacted, there may be a case for a further reduction of application fees for developments in conservation areas that if in other areas would otherwise be permitted development.

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 the Council to mitigate the possible visual impact of such developments, such as by requiring adjustments to their coverage, position, or design. 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.

The Council urges caution and thinks there needs to be consideration of both the character and appearance of individual buildings and settings of historic complexes beyond their curtilages together with appropriate consideration for the broader urban townscape setting or landscape context of conservation areas which need to be taken into account.

Conservation areas are places of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance. The character of an area is the combination of features and qualities which contribute to the intrinsic worth of an area and make it distinctive. Conservation area designation is the means of recognising the importance of all these factors and of ensuring that interventions address these qualities. Appearance is more limited and relates to the way individual features within the Conservation Area look. Care and attention should be paid in distinguishing between the impact on both the character and appearance of the conservation area.

Limiting the PDR for solar panels to less conspicuous positions upon buildings (from streets) wouldn't necessarily remove their visual impact on the appearance of a conservation area. This is especially important when considering the view of the building and wider conservation area from neighbouring properties or communal areas such as rear gardens and green public spaces. Furthermore, as stated above, character isn't simply defined as what can be seen. The roofscape of Edinburgh's conservation areas is also, widely regarded as comprising a constituent part of their essential character of which it is desirable to preserve or enhance.

The topography of Edinburgh has shaped the way the city has evolved. The city is often described as a 'city of seven hills' with its spatial, townscape and architectural character also defined by the manner in which it responds to its varied topography in framing and defining views, vistas and settings to natural landscape features, townscape and individual buildings and defines what is special about Edinburgh. In order to protect these aspects of Edinburgh's character, the city's most striking visual features and views to them from a number of public vantage points have been identified as key views and a policy and guidance framework has been developed to protect them. With such topographical variation in the city makes viewing significant parts that are otherwise more obscured at street level possible from varying elevated positions.

In addition to this, the distinctive and contrasting spatial, townscape and architectural character of the Old and New Towns of Edinburgh is recognised through its World Heritage Site status where the three-dimensional view or 'fifth elevation' of buildings and the wider townscape is material to the consideration of the impact of the development proposals in terms of the assessing proposals against the Sites 'Outstanding Universal Value'. Furthermore, a 2015 'Direction' from the Chief Planner supported by Historic Environment Scotland letter state that, householder applications will not be considered to impact on OUV. However this Direction was made on the basis of a strong and robust policy and guidance framework used to assess planning applications. This would no longer be the case with the proposed PDR and OUV could therefore be negatively impacted by this change.

With no limit defined for their coverage on an elevation or roof, it would be possible to completely cover the rear and side roof pitches or elevations with what would look like a new roof or newly clad elevation of a different colour and texture. This could substantially alter the character of the whole building and the integrity of the design, to adversely impact on special character and appearance of the conservation area. The proposals do not differentiate the considerations that would apply on flat roofs with no condition relating to them being at least 1 metre from the edge of the roof. The new PDR proposals will allow solar panels to be angled to the sun provided they do not exceed one metre in height, but, with no coverage limits, would allow them to cover the entirety of the flat roof to each of the roof's edges. This would carry implications for the interpretation of each elevation of the property including the principal front elevation.

Furthermore, there is no distinction between flatted and non-flatted properties. The installation of solar panels on the walls of tenements and other buildings containing flats raises additional issues compared to installations on houses. A multitude of different installations on the same facade would be likely to affect the amenity of other residents and further negatively implicate the unity of the design.

The proposed new PDR could potentially lead to an adverse impact on such and could potentially harm the character and appearance of conservation

areas and the Outstanding Universal Value of the World Heritage Site, as well as on other designated heritage assets and their settings.

2 Do you agree with the proposed permitted development rights for the installation of solar panels on outbuildings ancillary to, and within the curtilage of, a dwellinghouse?

No

Please comment in support of your answer:

While the limitations specified, to only include 'dwelling houses' and not 'buildings containing flats' with positional criteria specifying the use of outbuildings within the rear curtilage of a dwelling house within a conservation area only, would help minimise the impact on the special character and appearance of conservation areas, the City of Edinburgh Council's planning service (the Council) would urge some measure of caution. As discussed in response to question 1, with 50 conservation areas and two UNESCO World Heritage Sites designated, much of the city is recognised for its outstanding built and natural heritage.

As such, the character of a conservation area is defined by the complex inter-relationship between buildings, open space, trees, and wider curtilage features, which all combine to create a sense of place. However, the features that contribute to the character of conservation areas are extremely fragile and even minor change can have a significant effect on the overall character and appearance of the area. Loss of character can happen incrementally unless there are effective controls. The proposed PDR wouldn't provide sufficient protection to maintain or enhance the essential character of conservation areas, and retaining the requirement for planning permission within conservation areas is considered an appropriate mechanism for the effective management of development.

Edinburgh city centre is also internationally recognised in terms of its UNESCO World Heritage status. While the Site comprises the Old Town Conservation Area, the New Town Conservation Area and includes parts of five others, without acknowledgement / removal of world heritage sites, the proposed PDR for conservation areas could result in insensitive development. As discussed in response to question 1, this could individually or cumulatively have a significant negative impact on the 'Outstanding Universal Value' of the Old and New Towns of Edinburgh World Heritage Site.

Any proposed installation of microgeneration equipment on a listed building would require an application for listed building consent under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. However, while the proposed new PDR relating to solar panels on dwelling houses and flats make reference to the requirement for planning permission when located within the curtilage of a listed building, the additional PDR proposed for outbuildings make no reference to listed buildings. Situations may, therefore, arise for detached curtilage building constructed after July 1948 that are not (unless specified otherwise) considered as part of the listed building. The installation of solar panels could therefore be carried out under the proposed PDR. This would have the potential to adversely affect the setting of a listed building.

2.2 Domestic Renewables: Air source heat pumps

3 Do you agree with the proposed amendments to permitted development rights for air source heat pumps?

No

Please comment in support of your answer:

The City of Edinburgh Council's planning service (the Council) recognises the importance that domestic renewables and Air Source Heat Pumps can play in addressing climate change. While there is a role for increased PDR, these particular proposals may harm conservation areas if implemented. Retaining the requirement for applications for planning permission allows impacts to be carefully considered on a case-by-case basis.

As noted above, so that those in conservation areas are not unduly financially impacted, there may be a case for a further reduction of application fees.

The Council acknowledges that there is difficulty in finding the right balance between simplifying the consenting regime to support delivery of micro renewable technology to meet net-zero targets ensuring conservation areas retain their high qualities. However, the proposed removal of restrictions and conditions relating to the number of ASHP's per building and the level at which they are attached has potential to generate significant impacts on individual buildings and surrounding areas. With 50 designated conservation areas and two UNESCO world heritage sites, the proposals could potentially, generate adverse impacts for the City of Edinburgh.

As noted above, if the need for planning permission is retained, consideration could be given to reduced fees for installations that would otherwise be permitted development if they were not in a conservation area.

The removal of the one ASHP per building restriction is further supplemented by removal of the ground floor level installation requirement within conservation areas. The removal of these requirements / conditions could lead to the installation of multiple AHSP's on the walls of tenements and other buildings containing flats and raises additional issues compared to installations on houses. A multitude of different installations on the same facade could negatively implicate the unity of the building's design, its surrounding context within conservation areas, and generate the potential to adversely affect the recognised special character and appearance of the City's designated Conservation Areas.

Furthermore, character is not solely defined as what can be viewed from the road. The City's varied topography and its built form, that has evolved to relate to it, makes its three-dimensional form viewable and therefore more vulnerable, as it can be appreciated from a number of different vantage points.

2.3 Domestic Renewables: Ground and water source heat pumps

4 Do you agree that classes 6D and 6E should be amended to include reference to the installation etc of pipework and associated connections required to operate a ground or water source heat pump?

Yes

Please comment in support of your answer:

Ground source heat pumps which need trenches or boreholes could potentially affect archaeological sites. For those which are Scheduled Ancient Monuments, the separate requirement to get Consent will remain. It is also the case that the size of garden required to dig a large trench within the curtilage of a dwelling house or flat will act as a constraint on the exercise of PDR. In view of these factors, it is not envisaged that PDR should be restricted for archaeological reasons.

2.4 Domestic Renewables: Free-standing wind turbines

5 Do you agree with the proposed amendments to permitted development rights for free-standing domestic wind turbines?

Yes

Please comment in support of your answer:

There are a number of issues relating to wind turbine developments that need to be considered including noise, vibration, potential interference with radar and aircraft communications, visual impact and effects on biodiversity. While the existing locational restrictions in terms of designated heritage, archaeological and scientific assets are retained within the proposals, the proposed amendments raise concerns primarily relating with the potential impact on the city's setting.

While the majority of the City of Edinburgh Council's local authority area is urban in its nature, and the restrictions relating to size of curtilage would effectively preclude wind turbines within the majority of urban sites, the local authority area has a designated green belt and countryside policy area protecting the green setting to the city. Within this setting there exists listed country houses often with designed landscapes designated. Often, these designated assets have been designed within spacious settings and orientated to relate and take in views to the wider context of the city; its features; and its focal points such as Edinburgh Castle, Calton Hill, Arthur's Seat as well as the Pentland Hills and the Firth of Forth.

However, within the City of Edinburgh's local authority boundary, there have been very little in the way of proposals for wind turbines either through prior notification or through formal application for planning permission. Furthermore, the retention of the requirement for prior notification and approval, ensures that the City of Edinburgh Council as the Planning Authority can exercise some degree of control where a particular proposed development could have potentially unacceptable impact on amenity.

6 Do you agree with the current list of designated areas where the permitted development rights do not apply, noting that the list does not currently include national parks or National Scenic Areas?

Yes

Please comment in support of your answer:

The City of Edinburgh Council's mostly agrees with the current list of designated areas where PDR do not apply. Furthermore, The Council's local authority area boundary does not contain any 'National Parks or 'National Scenic Areas' within it. It should be noted there may be circumstances that a domestic property sits within/adjacent to a 'historic garden or a designed landscape' and whilst the majority of these properties where this is the case are likely to designated listed buildings and therefore protected, inclusion of 'historic gardens and designed landscapes' is felt appropriate to protect them from potentially insensitive development when this is not the case.

2.5 Domestic Renewables: Wind turbines attached to a dwelling

7 Do you agree with the proposed new permitted development rights for wall or roof-mounted wind turbines attached to a dwellinghouse?

Yes

Please comment in support of your answer:

The Council deals with a negligible number of applications for wind turbines mounted on dwellings owing to the predominantly urban character of the area and the limited open countryside which would allow maximum efficiency. However, we generally support the expansion of PDR provided restrictions for sensitive areas are kept in place, as is proposed.

2.6 Domestic Renewables: Flues for certain heating systems

8 Do you have any comments on the potential removal of permitted development rights for flues for wood burning stoves (including wood burners and log burners), biomass boilers and biomass heating systems?

No

Please comment in support of your answer:

The Council as planning authority does not support introducing criteria into class 2B and 4A which explicitly links whether a flue is PDR to the type of heating system which exhausts into the flue. Edinburgh is a Clean Air City and matters relating to air quality are controlled under Environmental Protection legislation which is better suited to controlling such issues. We do not require applicants to specify the specific type of boiler on their drawings and doing so would create an unnecessary administrative burden, delay the processing of applications, and likely create unnecessary confusion amongst applicants and officers.

9 Noting that current permitted development rights (PDR) cover the installation, alteration or replacement of flues, should any removal of these PDR be limited to installation of new flues, or also prevent existing flues being altered or replaced under PDR?

Please comment:

Any curtailment of PDR should be limited to new flues. Attempting to prevent the replacement of existing flues through PDR on the grounds that they serve a particular type of boiler will create extensive confusion for applicants and officers and is highly likely to place an unnecessary administrative burden on planning authorities.

3.1 Non-Domestic Renewables: Solar panels

10 Do you agree with the proposed amendments to class 6j permitted development rights for solar panels attached to non-domestic buildings?

No

Please comment in support of your answer:

The City of Edinburgh contains a dense mix of domestic and non-domestic buildings within its historic centre and its surrounding suburbs of which, the vast majority sit within designated conservation areas. The Council's response discussed in the response to question 1 therefore applies in response to this question with regard to the amendments allowing PDR for solar panels in conservation areas for non-domestic properties.

Furthermore, the proposed removal of the restrictions in relation to wall mounted solar panels to enable them to be installed to the edge of a wall and effectively wrap around corners where the side elevation doesn't front a road could potentially, raise further implications for the special character and appearance of the city's conservation areas.

The proposals for non-domestic solar panel refer to their alignment with the proposals contained with section concerning domestic solar panels. However, this only relates to outbuildings of dwelling houses and not the roofs or elevations belonging to dwelling houses or flats. Whilst these restrictions would mitigate the impact somewhat, it is questioned why this hasn't been included as a restriction for the proposals set out for domestic properties within conservation areas as discussed in the response to question 1.

11 Do you have any comments on the potential to amend the current restrictions that apply to solar panels on non-domestic properties (class 6j) and solar canopies in parking areas (class 9M) within 3km of airports and technical sites associated with civilian and military air traffic services?

No

Please comment in support of your answer:

12 Do you agree with the proposed new permitted development rights for solar panels within the curtilage of non-domestic buildings?

No

Please comment in support of your answer:

The City of Edinburgh Council as Planning Authority refers to the content of the discussion contained within response to questions 1 and 2 are applicable to the response to this question.

3.2 Non-Domestic Renewables: Solar canopies in parking areas

13 Do you agree with the proposal to extend the Class 9M permitted development rights to allow these to apply to solar canopies generally, rather than only those for which the primary use is charging of electric vehicle?

No

Please comment in support of your answer:

The Council as Planning Authority has no objection to these proposed changes

14 Do you agree that any extension of Class 9M permitted development rights to be for the purposes of producing electric power generally, should not have a maximum power generation capacity?

No

Please comment in support of your answer:

The Council as Planning Authority has no objection to these proposed changes

3.3 Non-Domestic Renewables: Air source heat pumps

15 Do you agree with the proposed permitted development right for air source heat pumps on non-domestic buildings?

No

Please comment in support of your answer:

The City of Edinburgh Council as Planning Authority refers to the content of the discussion contained within response to question 3 that is applicable to the response to this question.

3.4 Non-Domestic Renewables: Ground source and water source heat pumps

16 Do you agree with our proposed amendments to class 6I permitted development rights for ground and water source heat pumps on non-domestic buildings?

Yes

Please comment in support of your answer:

The City of Edinburgh Council as Planning Authority refers to the content of the discussion contained within response to question 4 that is applicable to the response to this question.

4. Thermal Efficiency: Replacement windows

17 Do you agree with the proposed permitted development rights for replacement windows of domestic buildings located in conservation areas?

No

Please comment in support of your answer:

Windows make a substantial contribution to the character, authenticity and physical integrity of the City of Edinburgh's historic buildings and also, to the special character and appearance of its 50 conservation areas. In simple vernacular or plainer buildings common to many of the city's conservation areas, a considerable amount of the character and visual prominence of a building can derive from the windows. Their contribution to the essential characteristics and the uniformity exhibited in many of the city's conservation areas is very important.

The City of Edinburgh Council (Council) understands the motivation and policy driven importance behind the provision of PDR for improving the thermal efficiency of buildings within conservation areas. It is also acknowledged that, there is difficulty in finding the right balance between simplifying the consenting regime and ensuring that conservation areas retain their high qualities.

The Council's planning authority receives large numbers of applications for replacement windows in conservation areas. Applicants will often cite prohibitive costs of replacement timber windows and the need to improve energy efficiency as the reason for choosing uPVC. While there is generally a presumption against the use of uPVC units within conservation areas, the Council do not wholly oppose it. 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 requirement for planning permission in conservation 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.

While the carbon-saving credentials of new double-glazed windows against the carbon saved through retention (carbon cost of new fabric (including its lifespan) and the manufacturing, transportation and instalment processes), in meeting net-zero targets is appreciated (to a degree), further work to fully understand the longer-term carbon-saving credentials of each is required. The retention and adaptation of windows not only retains historically important fabric and character but is sustainable. Historic timber windows often used high-quality close-grained softwood, not easily available today, and with maintenance, have frequently lasted hundreds of years. Crucially though, existing timber windows can be retrofitted to accommodate double glazing to significantly improve their thermal efficiency. The Council does not deem such an intervention (including wholesale replacement with matching timber double glazed windows) as development and thus, does not require planning permission.

Research carried out by Heriot Watt University in 2013 looked at the life cycle assessment and whole life cost of a timber window in comparison to a uPVC window. The findings stated that there was inherently less embodied carbon contained within good timber sash and case windows due to their ability to be maintained and repaired, which gives them a long-life span of 60 plus years. The findings suggested that the installation of uPVC would deliver the opposite impact in terms of sustainability and the carbon used in the manufacturing process. Furthermore, uPVC windows are a whole unit and generally the component parts are not able to be replaced, resulting in the unit having a finite lifespan of approximately 20 years, before having to be replaced.

Furthermore, Historic Environment Scotland (HES) is presently undertaking a fresh research project to consider and make comparisons between the life cycle assessment and whole life cost of a traditional timber casement window and a modern replacement uPVC window. Dependant on the findings from this project, and in collaboration with HES, our current guidance on replacement windows will be reviewed.

The Council has a robust conservation planning policy framework through the local plan, non-statutory planning policy guidelines and dedicated Conservation Area Character Appraisals for each of its 50 conservation areas.

Between March and June this year, the Council undertook a city-wide public consultation for owners of listed building and/or conservation areas. The results of the consultation were then analysed by the University of Edinburgh and the findings presented in a report. The findings are now informing the work, of a short-term working group which has now been established, including a wide range of specialist organisations from the heritage, energy saving and fuel poverty sectors including local community representatives, to address the additional barriers homeowners face when trying to adapt their properties to address the impacts of the climate change and the cost-of-living crises.

These issues and the ongoing projects aimed at addressing them emphasise that interventions, even if they aim to support climate change, should be considerate and relevant to the context in which they are proposed. The proposed PDR would generate the potential to remove this contextual consideration and undermine the decades of careful conservation practice (and related successes) undertaken within the City of Edinburgh. The English Heritage report "Heritage at Risk: Conservation Areas" explains how "small changes to things like doors, windows, roofs and fences, which, unchecked, lead to slow but irreversible decline" in the qualities of a Conservation Area. Local authorities, in this interim period of change, have a key role to play in terms of leadership - setting the right precedents to avoid maladaptation and future damages to the historic environment. The proposed PDR for replacement windows is very likely to diminish this role and has the potential to lead to irreversible damage to the unique qualities of the city's numerous conservation areas.

18 Do you have any comments on the conditions that we propose the permitted development rights for replacement windows would be subject to?

No

Please comment in support of your answer:

The City of Edinburgh Council as the Planning Authority refers to the content of the discussion contained within response to questions 1, 3, and 18 that are applicable to the response to this question.

19 Do you agree with the proposal to align non-domestic buildings with domestic buildings, as regards permitted development rights for replacement windows? Are there any types of non-domestic building that should be excluded?

No

Please comment in support of your answer:

The City of Edinburgh Council as Planning Authority refers to the content of the discussion contained within response to questions 1, 3, and 18 that are applicable to the response to this question.

5.1 Electricity Undertakings: Overview

20 Do you agree that class 40 permitted development rights should be amended to clarify that they can be applied by statutory undertakers for the purposes of 'smart meter communications' and the 'distribution' and 'interconnection' of electricity as well as its 'generation', 'transmission' and 'supply'?

Yes

Please comment in support of your answer:

The City of Edinburgh Council as Planning Authority has no objection to the proposed changes.

5.2 Electricity Undertakings: Class 40

5.4 Electricity Undertakings: Substation infrastructure

21 Do you agree with the proposed amendments to the provisions of class 40 permitted development rights which relate to new or replacement substations?

Yes

Please comment in support of your answer:

The City of Edinburgh Council as Planning Authority has no objection to the proposed changes.

5.5 Electricity Undertakings: Communications Lines

22 Do you agree with the proposal to allow the replacement of communications lines in National Scenic Areas and Sites of Special Scientific Interest under class 40 permitted development rights provided that the design, height or position of the replacement line matches the original?

No

Please comment in support of your answer:

The City of Edinburgh Council as Planning Authority would not support changes to allow the replacement of communications lines in SSSI locations. While we have three SSSI's within our boundary, one of these is the Arthur's Seat Volcano which encompasses Arthur's Seat, Edinburgh Castle and Calton Hill. All these locations have significant biodiversity, historical, cultural and archaeological considerations which mean that even underground cabling raises implications which could warrant examination through the plan led system.

23 Do you have any thoughts on the potential to provide for the installation or replacement of communications lines of a greater length than 1,000m under class 40? If so, do you have a view on an appropriate alternative threshold?

No

Please comment in support of your answer:

No comment.

5.6 Electricity Undertakings: Site Investigation Works

24 Do you agree with the proposal to extend the range of site investigation works that can be carried out under class 40?

Yes

Please comment in support of your answer:

The City of Edinburgh Council as Planning Authority has no general objection to the expansion in rights for class 40 (3) (c).

25 Do you consider that there are any designated areas where permitted development rights for certain site investigation works should be restricted? Should there be any limitations on the scale of certain intrusive site investigation works permitted, for example, the size of trial pits?

No

Please comment:

Site investigations should not be permitted under PDR in SSSI or a site of archaeological interest.

5.7 Electricity Undertakings: Fences, gates, walls and other means of enclosures

26 Do you agree with the proposed introduction of specific permitted development rights enabling electricity undertakers to erect, construct, maintain or improve gates, fences, walls or other means of enclosure up to 3m in height?

Yes

Please comment in support of your answer:

The City of Edinburgh Council as Planning Authority has no general objection to these changes given the particular safety and security considerations which apply to sites related to electricity undertakers. However, we would strongly caution that such rights do not apply to sensitive areas including Conservation Areas and World Heritage Sites

5.8 Electricity Undertakings: Development of Operational Land

27 Do you agree with the proposed removal of prior approval requirements that apply to certain works under class 40 permitted development rights?

Yes

Please comment in support of your answer:

Prior approval relating to existing operational land does not improve planning outcomes and is an unnecessary administrative burden for authorities and applicants.

28 Please provide any further views you may have on the proposals in Chapter 5 on the permitted development rights associated with electricity undertakings.

Please comment:

n/a

6.1 Reverse vending machines

29 Do you agree with the proposed amendments to permitted development rights for reverse vending machines?

No

Please comment in support of your answer:

The City of Edinburgh Council as Planning Authority does not agree with the proposed changes. The requirement to ascertain approval under a separate legislative regime as part of being considered PDR is likely to lead to confusion for applicants and place an unnecessary administrative burden on the planning authority to cross check whether a section 59 consent is in place when processing CLUD applications

6.2 Temporary use of land: Shooting ranges

30 Do you have any comments on the potential exclusion of the use of land as a target shooting range from class 15 PDR (permitted development right)? If such a change were taken forward, do you have views on the potential justification for exempting the activities discussed in paragraphs 6.2.4 and 6.2.5?

No

Please comment:

n/a

7. Assessment of Impacts

31 What are your views on the findings of the Update to the 2019 Sustainability Appraisal Report at Annex A?

Please comment:

No comment.

32 Do you have any comments on the partial and draft impact assessments undertaken for Phase 3?

No

Please comment:

No comment.

33 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 comment:

No comment.

About you

What is your name?

Name:

Daniel Lodge

What is your email address?

Email:

daniel.lodge@edinburgh.gov.uk

Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:

City of Edinburgh Council (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 4

20 Minute Neighbourhood Guidance: Consultation Draft (CEC Response)

Question 1

How helpful is Part 1 of the guidance to further the understanding of local living and 20 minute neighbourhoods in a Scottish context?

Additional information for question 1:

Part 1 - Local living, the benefits of local living and 20 minute neighbourhoods.

Part 1 of the guidance explains that local living and 20 minute neighbourhoods in Scotland have the potential to contribute to global, national as well as local goals around climate action, decreased health inequalities, improved local economy and improved liveability/quality of life.

It explains how local living and 20 minute neighbourhoods can be a means of tackling the interrelated environmental, social and economic challenges we face in Scotland through the alignment with policy context, the place context and the rural and island contexts.

More information can be found in part 1 of the guidance document.

Very helpful

Somewhat helpful **X**

Not at all helpful

Please explain your response explaining what else could be helpful

The Council considers this section covers the main issues, setting out the global and national context of the 20 min neighbourhoods clearly. It highlights the importance in terms of climate change, health and wellbeing and economy which is in line with all work streams. However, the rural context section gives the impression that it was a late addition and therefore it would be helpful to see the rural and urban context integrated more within the text. It would also be helpful to strengthen and clarify references to density to support or enable such neighbourhoods.

The Council's main concern is with regard to the purpose of the guidance. The guidance should more clearly articulate who it is for and what it is aimed at achieving. In particular, is it to be used by developers or development management planning officers and if so, how should it be used? For example, is it expected that there will be an assessment against NPF4 Policy 15 and if that is the case what form would that take? Furthermore, at what scale would that requirement kick in? For a large master plan site or for a site of a particular scale without a place brief? In addition, should the Local Development Plan have different parameters i.e. link to qualitative and quantitative data sections.

Question 2

Please refer to the Local Living Framework Diagram on page 19 of the guidance. How helpful is the framework diagram in encouraging flexible, place-based approaches to support local living?

Part 2 of draft guidance - local living framework diagram

20 minute neighbourhoods are one method of achieving 'local Living' and the benefits that flow from it. The way in which 'local living' works will vary from place to place and should evolve, over time as a result of place-based activity with communities and across sectors. 72

The local living framework diagram was developed to support and encourage the type of flexible, place-based approach when considering the daily needs in a place that supports local living - whilst avoiding tick box approaches.

More information can be found in part 2 of the guidance document.

Very helpful

Somewhat helpful **X**

Not at all helpful

Please explain your response explaining what else could be helpful

The Council supports the definitions that have been included, as a minimum, however, it considers that Part 2 should more clearly articulate what a 20 minute neighbourhood means in the context of a compact and densely populated city such as Edinburgh, i.e. that a 20 minute round trip metric is what is envisaged. In a compact city, a 20 minute round trip metric is particularly appropriate given the existing level of provision and the density of population. Less tightly defined metrics would be more appropriate in rural areas and the text should highlight this contrast more clearly. For urban areas there is a need to emphasise that high density is critical to attracting and sustaining services and businesses. It would be helpful to have some reference to examples or research into the relationship of density with sustainable 20 minute neighbourhoods. This should be considered in all relevant parts of the document.

Question 3

Looking at part 2 of the draft guidance: how helpful are the 'categories' and 'key considerations for local living' that are captured within this part of the document?

Additional Information for question 3:

Part 2: Categories and key considerations

The 'categories' - Movement, Space, Resources, Civic, and Stewardship, and the related key considerations support the local living framework and are detailed in part 2 of the guidance. They provide detail on the important issues that should be considered and where appropriate, addressed for successful local living.

More information can be found in part 2 of the guidance document.

Very helpful **X**

Somewhat helpful

Not at all helpful

Please explain your response explaining what else could be helpful:

The Council is supportive of the approach set out in the guidance.

Question 4

How helpful is the proposed 'structured approach' for use?

Additional Information for question 4:

A structured approach to delivering local living.

Part 3 of the draft guidance offers a structured approach that can assist with delivering local living. Three 'key steps' are detailed that can be repeated for incremental change.

These are:

- 1. understand context - understanding the context of the place through the use of quantitative and qualitative information*
- 2. collaborate, plan, design- developing collaborative models of working to inform place-based planning and design processes*
- 3. implement and review - aligning investment, developing delivery capacity and supporting new ways of working*

More information can be found in part 3 of the guidance document.

Very helpful **X**

Somewhat helpful

Not at all helpful

Please explain your response explaining what else could be helpful:

The Council is supportive of the structured approach set out in the guidance. Previous comments on density in Q1 and Q2 apply.

Question 5

Does part 3 of the guidance clearly communicate the importance of both qualitative and quantitative data in establishing a baseline for a place?

Additional Information for question 5:

Part 3 - Ways to support local living and 20 minute neighbourhoods; key step 1 - understand the context

Part 3 of the draft guidance offers a structured approach to support local living. Three 'key steps' are detailed that can be repeated for incremental change.

Key step 1: Understand context - understanding the context of the place through the use of quantitative and qualitative information.

This step explains that gaining a full understanding of the context of a place, at the outset, is critical for forming a baseline and for understanding a place.

This part of the guidance aims to communicate and emphasise that while quantitative data is important in this regard, the gathering of qualitative information and the way in which this informs action is equally as critical.

More information can be found in part 3 of the guidance document.

Very useful

Somewhat useful **X**

Not at all useful

Please explain your response explaining what else could be useful:

The Council agrees that there is a need for a balance between qualitative and quantitative data gathering and that both are required when understanding a 'place' as well as designing or planning changes to a 'place'. However, the Council considers there are still some matters requiring further clarification, specifically how this information is gathered and the expectations in terms of where and how it is applied. For example, it would be useful if the guidance could set out a comparison between how the approach would apply to a master planned site versus the development of a Local Place Plan. Earlier comments on density in Q1 and Q2 responses clearly apply here.

Question 6

How helpful is the 'collaborate, plan, design' section of part 3 in supporting collaborative practices?

Additional Information for question 6:

Part 3 - Ways to support local living and 20 minute neighbourhoods - key step 2 - collaborate, plan, design

Key step 2: Collaborate, plan, design - developing collaborative models of working to inform place-based planning and design processes.

Land-use planning is a fundamental tool for embedding local living and 20 minute neighbourhood principles in our places. National Planning Framework 4 (NPF4) provides a new approach to planning by combining the long term spatial strategy with national planning policies to form part of the statutory development plan.

This section explains the context for the delivery of local living and 20 minute neighbourhoods beyond planning mechanisms.

Local living requires input from a broad range of stakeholders and a cross sector commitment to collaborative working, informing place based planning and design. It involves coordination across investment plans and opportunities and the bringing together of the knowledge and skills of different organisations and sectors.

More information can be found in part 3 of the guidance document.

Very helpful **X**

Somewhat helpful

Not at all helpful

Please explain your response explaining what else could be helpful:

The Council is supportive of the approach set out in the guidance.

Question 7

How helpful is the 'implement and review' section of part 3 in assisting the delivery of collaborative approaches to support local living?

Additional Information for question 7:

Part 3 - Ways to support local living and 20 minute neighbourhoods - key step 3 - implement and review

Key step 3: implement and review - aligning investment, developing delivery capacity and supporting new ways of working.

This is the stage at which the action identified in the previous steps could be taken forward or planned for. This section of the guidance explains that while a number of cross government policies, strategies and investments are aligned to support local living and 20 minute neighbourhoods, there needs to be a cross sectoral alignment of knowledge, skills and resources, local knowledge, insights and capacity to maximise the benefits of local living.

The 'trip chain' diagrams in this section demonstrate the issues that can arise for local services when decisions about key infrastructure are made and local living is not prioritised.

More information can be found in part 3 of the guidance document.

Very helpful **X**

Somewhat helpful

Not at all helpful

Please explain your response explaining what else could be helpful

The Council is supportive of the approach set out in the guidance.

Question 8

Looking at part 4 of the draft guidance: do the case studies provide a useful and appropriate range of examples of good practice?

Additional Information for question 8:

The case studies in part 4 of the document are included to demonstrate real place-based action being undertaken that helps support local living and 20 minute neighbourhood principles.

More information can be found in part 4 of the guidance document.

Very useful **X**

Somewhat useful

Not at all useful

Please explain your response explaining what else could be useful:

The Council considers there is a good range of studies identified and commends the Scottish Government for including two Edinburgh studies.

Question 9

Looking at the impact assessment update report: do you have any views about the initial conclusions of the impact assessment update report that accompany and inform this guidance?

Additional Information for question 9:

The impact assessment report update relates to the draft guidance on Local living and 20 Minute Neighbourhoods, produced to support the fourth National Planning Framework (NPF4). 77

The Council has no comments on the impact assessment update report.

Question 10

Please provide any further comments on the draft guidance document in the box below.

The success in delivering 20 minute neighbourhood is tied to the resources, including financial, required to provide the facilities needed to allow local living. Whilst delivering new 20 minute neighbourhoods in the context of new housing developments could be funded directly by developers it is less clear how they can be delivered in existing built up areas where public sector organisations are under significant financial constraints. A useful example of this is the provision of new GP practices in Edinburgh. Most of these

practices are now at maximum capacity, and require extending, or as is usually the case new practices to accommodate the expanding population. Due to lack of funding, new measures to address the expanding population are currently on hold. Without the necessary funding it will not be possible to deliver the facilities and services that are required to support the 20-minute neighbourhood concept.