

Minutes

Planning Committee

2.00pm, Wednesday 13 September 2023

Present

Councillors Dalgleish (Convener), Beal, Booth, Gardiner, Graham (substituting for Councillor Cameron Items 1.1-8.1), Mattos-Coelho, Jones, McNeese-Mechan, Mowat, Staniforth, Osler and Walker (substituting for Councillor Cameron, Items 8.2 – 11.1).

1. Minutes

Decision

To approve the minute of the Planning Committee of 14 June 2023 as a correct record.

2. Rolling Actions Log

The Planning Committee Rolling Actions Log for 13 September 2023 was presented.

Decision

- 1) To agree to close the following action:
 - **Action 3 –** Economic Impact of Residential and Short-Term Let Properties in Edinburgh
- 2) To otherwise note the remaining actions.

(Reference – Rolling Actions Log 13 September 2023, submitted.)

3. Business Bulletin

The Planning Committee Business Bulletin for 13 September 2023 was submitted.

Decision

- 1) **Planning Performance**
 - 1.1) To circulate the number of remaining legacy tree work cases to members.
 - 1.2) To circulate number of non-householder applications that had been withdrawn to members.
- 2) To circulate minutes of the Student Housing Workshop to members.
- 3) To note that planning leads were to be invited to future consultation meetings, and workshops would be scheduled out with Committee meetings.
- 4) To otherwise note the updates in the Business Bulletin.

(Reference – Business Bulletin 13 September 2023, submitted.)

4. Development Plan Scheme September 2023

An update as provided on the progress of the Examination of the City Plan to date and set out the next steps, and expectations were set out in the new Development Planning legislation and guidance to have a 'new style' Local Development Plan in place within five years of the new Development Planning Regulations.

Decision

- 1) To approve the new Development Plan Scheme for publication at Appendix 1 of the report by the Executive Director of Place.
- 2) To approve the commencement of the City Plan 2040 process under the new Development Planning legislation and guidance, to enable Officers to engage with and seek the views of the public on the content of the Participation Statement and have regard to them.
- 3) To approve the draft Participation Statement for that engagement at Appendix 1 part 2 of the report.
- 4) To agree that there would be a formal call for Local Place Plans.

(Reference - report by the Executive Director of Place, submitted.)

5. Planning Controls over Construction

A response was provided to a request from the Council on 22 June 2023 in respect of control and amendments to permissions which would reduce the impact of construction works on nearby residents.

Motion

- 1) To note that planning controls over construction were limited but the Council did exercise some control to ensure adverse impacts of construction were mitigated in relation to noise and on the road network.
 - 2) To note the information provided with planning decision notices was reviewed to better signpost developers to expectations around good working practices in relation to neighbours.
- moved by Councillor Dalgleish, seconded by Councillor Walker

Amendment 1

- 1) To note that planning controls over construction were limited but the Council did exercise some control to ensure adverse impacts of construction were mitigated in relation to noise and on the road network.
- 2) To note the information provided with planning decision notices was reviewed to better signpost developers to expectations around good working practices in relation to neighbours.
- 3) To agree that in addition to 5.1 of the report by the Executive Director of Place that Officers would explore the possibility of improving the information held on

the Council website so that residents could better understand what controls the Council did have and who to contact if they had concerns.

- moved by Councillor Osler, seconded by Beal

Amendment 2

- 1) To note that planning controls over construction were limited but the Council did exercise some control to ensure adverse impacts of construction were mitigated in relation to noise and on the road network.
- 2) To note the information provided with planning decision notices was reviewed to better signpost developers to expectations around good working practices in relation to neighbours.
- 3) To agree to establish a short life working group, consisting of representatives from communities affected by construction, representatives of developers and/or the construction industry, one representative per party group and the mover of the original motion, and relevant council officers, to consider options to encourage more responsible construction, and to report back to committee within three cycles.

- moved by Councillor Booth, seconded by Councillor Staniforth

In accordance with Standing Order 22(12), Amendment 1 and Amendment 2 were accepted as addenda to the motion by Councillor Dalgleish.

At this point in the meeting, the following Amendment 3 was proposed:

Amendment 3

To approve Amendment 1 as originally submitted by Councillor Osler.

- moved by Councillor Mowat, seconded by Councillor Jones

Voting

For the motion (as adjusted) - 9

For amendment 3 - 2

(For the motion – Councillors Beal, Booth, Dalgleish, Gardiner, Mattos-Coelho, McNeese-Mechan, Osler, Staniforth and Walker.

For the amendment – Councillors Jones and Mowat.

Decision

To approve the following adjusted motion by Councillor Dalgleish:

- 1) To note that planning controls over construction were limited but the Council did exercise some control to ensure adverse impacts of construction were mitigated in relation to noise and on the road network.
- 2) To note the information provided with planning decision notices was reviewed to better signpost developers to expectations around good working practices in relation to neighbours.

- 3) To agree that in addition to 5.1 of the report by the Executive Director of Place that Officers would explore the possibility of improving the information held on the Council website so that residents could better understand what controls the Council did have and who to contact if they had concerns.
- 4) To agree to establish a short-life working group, consisting of representatives from communities affected by construction, representatives of developers and/or the construction industry, one representative per party group and the mover of the original motion, and relevant council officers, to consider options to encourage more responsible construction, and to report back to committee within three cycles.
- 5) To engage with members on advice and expectations around construction that will be sent to developers.
- 6) To discuss with colleagues in environmental health restricting the hours of construction sites.
- 7) To liaise with members on constituent feedback regarding issues that surrounded construction sites.

(References - Report by the Executive Director of Place, submitted)

6. Response to Motion by Councillor O'Neill – Edinburgh's Monuments and Commemoration - referral from the Culture and Communities Committee

The Culture and Communities Committee referred a report to the Planning Committee for information on a report which has set out the current process for how new statues, monuments and commemorative structures were decided upon in the city.

Decision

To note the report by the Executive Director of Corporate Services.

(Reference – Culture and Communities Committee of 10 August 2023 (item 13); referral from the Culture and Communities Committee, submitted)

7. Short-term Lets Licensing Scheme – Update – referral from the Regulatory Committee

The Regulatory Committee referred a report to the Planning Committee which provided an update on the Short-Term Lets Licensing Scheme for noting.

Decision

- 1) To note the report by the Executive Director of Corporate Services.
- 2) To circulate figures on Change of Use applications and Certificate of Lawfulness applications to members.
- 3) To confirm whether applicants could apply for a Regulatory Site whilst a Certificate of lawfulness application was being processed.

- 4) To confirm whether licence holders would need to apply for a Certificate of Lawfulness when reverting from a Short-Term Lets licence to a residential property.

(Reference – Regulatory Committee of 7 August 2023 (item 6); referral from the Regulatory Committee, submitted)

8. Addressing the Nature Emergency through Planning

The context for the Planning response to the nature emergency was set out, along with emerging policies in the draft City Plan 2030, and information on additional guidance expected later in the year.

Motion

- 1) To note the information provided in the report by the Executive Director of Place, requested by Planning Committee on 24 March 2023 in response to the Annual Review of Guidance report.
- 2) To note the policy and guidance framework in Appendix 1 of the report, which set out how the Planning system and development proposals should respond to the nature emergency.

- moved by Councillor Dalglish, seconded by Councillor Graham

Amendment

- 1) To note the information provided in the report by the Executive Director of Place, requested by Planning Committee on 24 March 2023 in response to the Annual Review of Guidance report.
- 2) To note the policy and guidance framework in Appendix 1 of the report, which set out how the Planning system and development proposals should respond to the nature emergency and agreed that party groups and independent Councillors would be offered a briefing from Officers on this framework and how the nature emergency would be incorporated into relevant guidance; further agreed that, when relevant guidance returned to Committee for approval, that those reports would consider the use of metrics and detailed guidance / checklists on biodiversity for developers, residents and others.
- 3) To note that a report on 'Planning Training and Awareness Programme' was due to be presented to Committee in November 2023, and agreed that this report would also consider the potential for nature emergency and biodiversity training for relevant Officers and Committee Members.

- moved by Councillor Booth, seconded by Councillor Staniforth

In accordance with Standing Order 22(12), the amendment was accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor Dalglish:

- 1) To note the information provided in the report by the Executive Director of Place, requested by Planning Committee on 24 March 2023 in response to the Annual Review of Guidance report.
- 2) To note the policy and guidance framework in Appendix 1 of the report, which set out how the Planning system and development proposals should respond to the nature emergency and agreed that party groups and independent Councillors would be offered a briefing from Officers on this framework and how the nature emergency would be incorporated into relevant guidance; further agreed that, when relevant guidance returned to Committee for approval, that those reports would consider the use of metrics and detailed guidance / checklists on biodiversity for developers, residents and others.
- 3) To note that a report on 'Planning Training and Awareness Programme' was due to be presented to Committee in November 2023, and agreed that this report would also consider the potential for nature emergency and biodiversity training for relevant Officers and Committee Members.

(Reference – report by the Executive Director of Place, submitted)