

Planning Committee

2.00pm, Wednesday 15 November 2023

Present

Councillors Dalgleish (Convener), Beal, Booth, Cameron, Hyslop (substituting for Councillor Gardiner), Jones, Key (substituting for Councillor McNeese-Mechan), Mattos-Coelho, Mowat, Osler and Staniforth.

1. Deputation

(a) Marchmont and Sciennes Community Council

(In relation to Item x – Conservation and Adaption)

Douglas Rogers from the Marchmont and Sciennes Community Council addressed the Committee on behalf of community councils and residents' associations in the Edinburgh area. Mr Rogers aims over the last year had been to engage with others in the local community to reduce our energy usage which was a complex task, and he was working actively to inform householders about insulation. He mentioned that there was a shortage of information available to households, and limitations preventing them from insulating their homes. He explained that double glazing was not a solution and advised other solutions would need to be implemented to mitigate risks. He proposed to create an information booklet which would be distributed to local communities that included information and support such as accessing grants, loans, independent advisors and council support.

2. Minutes

Decision

To approve the minute of the Planning Committee of 13 September 2023 as a correct record.

3. Rolling Actions Log

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

Decision

- 1) To agree to close the following actions:

- **Action 1** – Affordable Housing Policy Update 2023
 - **Action 3(1)** – Business Bulletin – Planning Performance
 - **Action 6** – Short-term Lets Licensing Scheme – Update
 - **Action 7(2)** – Addressing the Nature Emergency through Planning
- 2) To request that reports which had been agreed to be expanded on by Committee were included in future Rolling Action Logs.
 - 3) To otherwise note the remaining actions.
- (Reference – Rolling Actions Log 13 September 2023, submitted.)

4. Work Programme

The Planning Committee Work Programme was presented.

Decision

To note the work programme.

(Reference – Work Programme, 15 November 2023, submitted.)

5. Business Bulletin

The Planning Committee Business Bulletin was submitted.

Decision

- 1) To note the Business Bulletin.
- 2) To request the number of decisions made in regards to Appeals considered by Committee was clarified for the next Planning Committee meeting.

(Reference – Business Bulletin 15 November 2023, submitted.)

6. Affordable Housing Commuted Sums

An update was provided to Committee on the number of onsite affordable housing using commuted sums, and explanations were given on specific situations when a commuted sum may be acceptable in lieu of onsite affordable housing.

Motion

- 1) To agree to discharge the motion approved by Planning Committee on 14 June 2023 to report back in two cycles on the use of commuted sums to deliver affordable homes.
- 2) To note that onsite affordable housing was required for applications of 20 homes or more and officers continued to advise on measures that would help to enable onsite affordable housing.
- 3) To note that 451 social rented homes were completed in 2022/23. However, the combination of low rents, limited grant funding and limited private borrowing for social rent meant that in some higher cost developments, social rented homes may not be practical.

- moved by Councillor Dalglish, seconded by Councillor Cameron

Amendment

- 1) To note that onsite affordable housing was required for applications of 20 homes or more and officers continued to advise on measures that would help to enable onsite affordable housing.
- 2) To note that 451 social rented homes were completed in 2022/23. However, the combination of low rents, limited grant funding and limited private borrowing for social rent meant that in some higher cost developments, social rented homes would not always be practical.
- 3) To note the Council's recent declaration of a housing emergency; notes that the main barrier to the delivery of more social rented homes was insufficient grant funding from the Scottish Government and notes that the council leader was writing to Scottish Ministers to highlight this and press for increased funding.
- 4) To note the decision of Committee on 14 June 2023 that reports presented to Committee as part of the preparation of guidance once City Plan 2030 had been approved should include consideration of focussing affordable housing policy on tenures which best delivered affordable rented accommodation and agreed to add this action to the Committee's rolling actions log.
- 5) To agree, as part of the next report on the Affordable Housing Policy Update due in Autumn 2024 that options will be presented to maximise the effective use of commuted sums, including, but not limited to, exploring the potential to use some of the commuted sums fund to bring existing empty affordable homes back into use,
- 6) To agree, as part of the next report on the Affordable Housing Policy Update due in Autumn 2024, that options would be presented to maximise the effective use of commuted sums, including, but not limited to, exploring the potential to use some of the commuted sums fund to bring existing empty affordable homes back into use.
- 7) To refer this report to Housing, Homelessness and Fair Work Committee for Information.
- 8) To agree to discharge the motion approved by Planning Committee on 14 June 2023.

- moved by Councillor Booth, seconded by Staniforth

In accordance with Standing Order 22(13), the amendment was adjusted and accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor Dalglish:

- 1) To note that onsite affordable housing was required for applications of 20 homes or more and officers continued to advise on measures that would help to enable onsite affordable housing.
- 2) To note that 451 social rented homes were completed in 2022/23. However, the combination of low rents, limited grant funding and limited private borrowing for social rent does mean that in some higher cost developments, social rented homes would not always be practical.
- 3) To note the Council's recent declaration of a housing emergency; notes that the main barrier to the delivery of more social rented homes was insufficient grant funding from the Scottish Government and notes that the council leader was writing to Scottish Ministers to highlight this and press for increased funding.
- 4) To note the decision of Committee on 14 June 2023 that reports presented to Committee as part of the preparation of guidance once City Plan 2030 had been approved should include consideration of focussing affordable housing policy on tenures which best delivered affordable rented accommodation and agreed to add this action to the Committee's rolling actions log.
- 5) To agree, as part of the next report on the Affordable Housing Policy Update due in Autumn 2024 that options will be presented to maximise the effective use of commuted sums, including, but not limited to, exploring the potential to use some of the commuted sums fund to bring existing empty affordable homes back into use,
- 6) To agree, as part of the next report on the Affordable Housing Policy Update due in Autumn 2024, that options would be presented to maximise the effective use of commuted sums, including, but not limited to, exploring the potential to use some of the commuted sums fund to bring existing empty affordable homes back into use.
- 7) To refer this report to Housing, Homelessness and Fair Work Committee for Information.
- 8) To agree to discharge the motion approved by Planning Committee on 14 June 2023.
- 9) To ask Officers to check how many Affordable Housing Commuted sums received and used had come from the immediate ward.
- 10) To include the length of time, barriers faced and other ways of delivering Affordable Housing in the next report to Planning Committee.

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

7. Planning Customer Service Charter and Planning Enforcement Charter

Committee were notified of changes made to the Planning Enforcement Charter, which was required to be updated every two years. The Charter was updated to enable the service to better respond to applications.

Decision

- 1) To approve the proposed updates to the Planning Customer Service Charter and Planning Enforcement Charter.
- 2) To remove the highlighted changes on both Charters before the document was published. 3) To engage with Officers to put the documents in a prominent location on the Council's website
- 4) To circulate the link to the Charters to all Elected Members.
- 5) To engage with colleagues in legal services about adding wording on the Council's online planning service page advising that offensive statements would be reported to the Police.

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

8. Training and Awareness Raising Programme

Committee were presented with proposed themes and dares for the training and awareness programme for Planning Committee members, and where relevant, members from other Council Committees for 2023/24.

Decision

- 1) To agree the themes for the training and awareness raising workshops for 2023/24.
- 2) To request training was included on the use of guidance and legislation.

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

9. Edinburgh as a Feminist City – Appointment of Working Group

A proposal to establish an Edinburgh as a Feminist City – Short Life Cross Party Working Group was presented to Committee to ensure Edinburgh delivered gender equality through its design and culture fostering the creation of safe and inclusive spaces for women and people of marginalised genders.

Decision

- 1) To appoint the membership of the Edinburgh as a Feminist City Short Life Cross Party Working Group as detailed in Appendix 2 of the report by the Executive Director of Place.

- 2) To approve the remit of the Working Group as detailed in Appendix 2 of the report.
- 3) To instruct the Working Group to prepare the workplan as referred to in the Edinburgh as a Feminist City Motion in Appendix 1 of the report.
- 3) To request that the Working Group updated Committee, in due course, on the outcome of this work.

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

10. Responsible Construction – Appointment of Working Group

Committee was presented with a proposal for a Responsible Construction – Short Life Working Group to be established to consider options to encourage more responsible construction via engagement with stakeholders which included elected members, officers, and representatives from Community Councils (via the Civic Forum) and members of the Development Forum.

Decision

- 1) To appoint the membership of the Responsible Construction Working Group as detailed in Appendix 2 of the report by the Executive Director of Place.
- 2) To approve the terms of reference of the Working Group as detailed in Appendix 2 of the report.
- 3) To instruct the Working Group to consider options to encourage more responsible construction as referred to in the Motion detailed in Appendix 1 of the report.
- 4) To request that a report on findings of the work was brought to Committee within two cycles.

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

11. Conservation and Adaptation

The report responded to the Motion and Amendment approved by Planning Committee on 2 November 2022 which acknowledged the challenges for residents who lived in listed buildings and/or conservation areas to adapt their homes in response to climate change and the cost-of-living crises. It also identified and analysed the challenges drawn from the response to a city-wide consultation undertaken and discussed what could be done to address them, including the cost to the city's built heritage of any change that was required.

Decision

- 1) To note the content of the report by the Executive Director of Place.
- 2) To acknowledge and thank officers, community groups and other stakeholders who had contributed to the consultation and workshops on the issue of conservation and adaptation so far.

- 3) To request that Planning Officers met with the lead from each political group on Planning Committee to discuss:
- A clear roadmap which stated where responsibility for the powers regarding the issues found in the report in terms of local and national government, and specifically what powers local government had to change policy. To ascertain a clear understanding of how council policy such as permitted development and design guidance fit into the overall issues of adaptation and what further work could be done to address policy change, including discussions with the relevant Scottish Government Ministers.
 - If a working group was needed as a means to fully explore the issues discussed in the report in depth and create issue focused work-streams as a result.
 - What potential there was to work with established stakeholders with best knowledge on conservation and adaption issues, as well as having a clear focus on engaging with uncontacted external organisations, which may be experiencing similar challenges to Edinburgh, to form best practices regarding building adaptation going forward.
- 4) To note that Planning Spokespeople would be notified and consulted before action is taken on 5.1 – 5.3 (Next Steps) section of the report.
- 5) To request that a report be brought back to Planning Committee in 3 cycles to agree upon the roadmap which had been discussed between Planning Officers and Elected Members.

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

12. Motion by Councillor Dalgleish - Information Update – Short Term Lets

The Convener ruled the following item of business, notice of which had been given at the start of the meeting, urgent to allow the Committee to give early consideration to the matter.

The following motion by Councillor Dalgleish was submitted in terms of Standing Order 17:

“To request a report within 2 cycles which provides an update on short term lets in relation to:

- Enforcement.
- The impact of appeal and local review outcomes on development decisions.
- The impact of development plan policies and guidance.
- The relationship between the licensing and planning regimes and practice.
- Whether updates to practice or training are recommended.”

Decision

To approve the motion by Councillor Dalgleish.