

Planning Committee

10.00 am Thursday 14 May 2015

Present

Councillors Perry (Convener), Dixon (Vice-Convener), Bagshaw, Blacklock, Brock, Cairns, Child, Dixon, Heslop, Howat, McVey, Milligan, Mowat, Robson, Rose, and Ross.

Also Present

Councillors Austin-Hart, Paterson, Walker, and Work (Item 1).

1. Order of Business

Due to the significance of the Local Development Plan, the Convener, seconded by Councillor Dixon, proposed suspension of Standing Order 30.1, in order to hear local members' views on the proposals.

Decision

To unanimously resolve that Standing Order 30.1 be suspended for the duration of the meeting in order that local members may be heard.

2. Local Development Plan: Submission to Examination – Ward Members and Deputations

a) Local Ward Members

The following ward councillors were heard:-

1) Almond Ward – Councillors Paterson and Work

Councillor Paterson was heard on her concerns that the plan had not undergone significant revision since Committee had considered it in 2014. At that time, she stated that concerns on infrastructure and loss of green space in her ward had not been satisfactorily addressed. She highlighted the level of concern in her ward and requested a moratorium on the Scotstoun element of the Plan.

Councillor Work advised that he agreed with the statement made by Councillor Paterson and indicated he remained concerned about infrastructure pressures and expressed a preference for the use of brownfield over greenfield sites for housing.

2) Liberton/Gilmerton Ward – Councillor Austin Hart

Councillor Austin Hart raised various issues with the LDP, including concerns that GP services in her area were already over-subscribed, and that no monies had yet been identified to meet the need for additional school capacity. She indicated that housing development applications which had already received approval, and yet were not included in the Plan, and their inclusion could alter the number of homes required to be built in the east of the city

3) Portobello/Craigmillar Ward – Councillor Walker

Councillor Walker expressed concern about transport links for the new housing developments planned for his ward, stressing the landlocked nature of the land identified would require high expenditure to implement new routes. He also felt that existing infrastructure would not cope with the increased housing density, and that the historic character of Craigmillar and the surrounding area would be damaged.

(b) Deputations

(i) Cramond and Barnton Community Council

The Clerk advised that Cramond and Barnton Community Council had withdrawn their request for a deputation.

(ii) Cammo Residents Association

Committee agreed to hear a deputation from Sally Chalmers on behalf of Cammo Residents Association.

The deputation made the following points:-

- Whilst there was an obvious need for additional housing in Edinburgh, the Cammo site was not appropriate because of educational and infrastructure pressures.
- The area already suffered severe traffic congestion at peak times of the day, which the higher housing density outlined in the Plan would inevitably exacerbate. More traffic would also lead to higher levels of pollution.
- Schools in the area were already at capacity.
- The views of local people did not seem to have been taken into account during the consultation, and other brownfield sites around the city which seemed to present more obvious options for development had been overlooked.

(iii) Moredun 4 Multis Residents Association

The Committee agreed to hear a deputation from Neil Hansen on behalf of Moredun 4 Multis Residents Association.

The deputation made the following points:-

- The housing planned for the area would wipe out the only significant green space in area, a great loss to the community in general, and particularly the children who play there.
- Existing issues of noise and other anti-social behavior could be worsened by increased development.
- Parking was already difficult in Moredun. Hospital staff used the area for parking and this would be exacerbated when the new Sick Kids opened.
- Dentists and G.Ps in the area were already over-subscribed.
- There had been a 20-fold increase in the level of objection from the area since LDP Phase 1.

(iv) Friends of Granton Castle Walled Garden

The Committee agreed to hear a deputation from Kirsty Sutherland, Linda Garcia and David Leslie representing the Friends of Granton Castle Walled Garden.

The deputation made the following points:-

- Since their last deputation, Historic Scotland had decided to upgrade the listed status of the garden.
- Given the site's historical horticultural significance, it should not be considered suitable for development and the Committee was asked to amend the text of the Plan to clarify that the garden should be a protected open space.

(v) Craigmillar First

The Committee agreed to hear a deputation from Paul Nolan from Craigmillar First, on behalf of his organisation, Craigmillar Labour and Niddrie Independent Parent Support.

The deputation made the following points:-

- The area had already lost 8 parks and green spaces, totaling approximately 11 hectares.
- More consideration should be given to protecting the historic environment.
- Traffic was already heavy in Newcraighall, and the proposals would worsen the situation, as well as having a detrimental impact on the character of the village.
- Going forward with the Plan in its current form would erode the remaining green belt between Edinburgh and East Lothian.
- The use of brownfield sites should be more rigorously explored.

(vi) Brunstane Residents Group

The Committee agreed to hear a deputation from Martin Kelly from Brunstane Residents Group, on behalf of his organisation, Joppa Residents Association, and Newcraighall Heritage and Community Association.

The deputation made the following points:-

- The feedback received by the deputation from local residents was that the Plan was very unpopular. He indicated to the high level of objections and an almost 1000-strong petition which had been submitted by the community.
- He echoed Councillor Walker's concerns about the financial implications of ensuring adequate infrastructure and transport links for the new developments.
- In the opinion of the deputation, the local plan would be inconsistent with the SESPlan, which identified Brunstane Farm as Greenbelt. The Edinburgh Greenbelt Study had concluded in 2008 that the Farm provided setting for New Hailes and played a key role in separating Edinburgh and Musselburgh and consequently offered no scope for landscape development.
- He underlined the role of SESPlan in allowing developments involving multiple local authorities to be decided collectively, and expressed the view that the Plan should not be approved by City of Edinburgh Council unilaterally.
- The deputation expressed the view that, as Brunstane Farm was owned by EDI Ltd, which was in turn owned by CEC, it seemed that there was a conflict of interest for those members who sat on EDI's Board.
- Reiterated his view that adoption of the Plan as it stood would be unlawful, and indicated his group's readiness to seek recourse at the Court of Session should it be approved.

(vii) Granton Improvement Society

The Committee agreed to hear a deputation from Willie Black and Ross McEwan on behalf of Granton Improvement Society.

The deputation made the following points:-

- Promised improvements to the area had never been delivered.
- Granton was in need of a point of destination for visitors. At present there was nothing to draw people in who did not live in the area.
- Community Empowerment Bill might offer an opportunity for local people to help identify what was really required in Granton.
- If the walled garden and adjacent land could be bought by the local people through a Community Trust, great benefits could be reaped. Jobs and training opportunities could be generated which would create a means of regeneration for Granton and the surrounding locality.
- The Plan seemed to include an over-provision of luxury housing which would do nothing to help the area renew.

- The deputation asked that the 'minded to grant' status for the walled garden site be revoked and the community be given a chance to do something for themselves.

The meeting webcast can be viewed via the following link:-

http://www.edinburgh.public-i.tv/core/portal/webcast_interactive/148973

Decision

- 1) To note the comments of ward members.
- 2) To note that the deputation request by Cramond and Barnton Community Council had been withdrawn.
- 3) To thank the deputations for their presentation and invite them to remain for consideration of the report by the Acting Director of Services for Communities.

(References – emails from Cramond and Barnton Community Council, Cammo Residents Association, Moredun 4 Multis Residents Association, submitted.)

3. Local Development Plan: Submission to Examination – Report by the Acting Director of Services for Communities

Committee considered a report which sought approval to submit the Second Proposed Plan to Scottish Ministers for examination, including a Summary of Unresolved Issues and the Council's consideration of representations made to the Plan in 2014.

One of the last stages in the preparation of the Council's first Local Development Plan, it was scheduled to be adopted in 2016 and would replace two local plans. It would be used to determine all planning applications.

Motion

1. Committee notes that there is an urgent need to progress the LDP towards adoption to provide an up-to-date plan and housing land supply, and that this is the overriding reason for now moving the plan to the examination stage.
2. Committee notes that the outcomes of the examination are largely binding on the Council and so the examination will determine the content of the adopted LDP.
3. Committee further notes that the examination stage provides an opportunity to change the LDP. On that basis, the Committee agrees the recommendations at paragraph 1.1 of the report by the Acting Director of Services for Communities, but also agrees that there are a number of proposals within the LDP where changes could be made as a result of representations made to the Second Proposed Plan, and that the Committee sets out clearly, where such changes should be considered by the reporter during examination. Accordingly, the following updates should be incorporated into the Council's responses in Appendix 1:

a. In Issue [14], state that the Council sees merit in the representation promoting the land within the West Edinburgh Strategic Development Area known as [East of Millburn Tower] as a housing allocation, and note that it has a potential capacity of [1,320] units.

b. In Issue [12 and 13], state that the Council sees merit in the representations objecting to housing Proposals [HSG 31 Curriemuirend,

c. In Issue (10 and 14) state that the Council sees merit in the representations seeking a reduction in Proposal HSG 29 and notes that the Reporter's decision in relation to Edmonstone will add another 368 houses to the housing supply total which is not included in the Council's windfall assumptions. This additional supply could be used to reduce the housing total for Brunstane HSG 29 by the same amount.

d. Subject to point 4 below, in Issues [7, 10 and 11] state that the Council sees merit in the representations seeking a reduction in the capacities of housing Proposals [HSG 19 Maybury, HSG 32 Builyeon Road, and HSG 33 South Scotstoun]. Note that these currently have a total capacity of [3130] units and that a proportionate reduction in their housing capacity resulting in fewer units could be accounted for by the remaining capacity provided by the allocation of [East of Millburn Tower].

4. Committee instructs the Acting Director of Services for Communities that if the current appeal for a planning application on the site HSG 20 Cammo is determined before the submission of Appendix 1 to LDP examination, the Council's responses should be updated as follows:

a. If the Cammo appeal is allowed and planning permission granted, to note this in Issue 7. Should this scenario arise, then the Council should direct the Reporter to the representations raised in relation to HSG 19 Maybury and state that they are of particular merit.

b. If the Cammo appeal is dismissed and permission refused, to note this in Issue 7. State that the Council sees some merit in these representations which object to HSG 20 Cammo, and that the reduction in numbers could be accounted for by the remaining capacity provided by the allocation of [East of Millburn Tower]. Note that the removal of the sites identified in 3(b) above could also be accommodated within this capacity; but that there would thus be reduced scope to accommodate a reduction in the sites as described in 3(d) above. Should this scenario arise, then the Council should direct the Reporter to the representations raised in relation to HSG 32 Builyeon Road, and HSG 33 South Scotstoun, and state that they are of particular merit.

- Moved by Councillor Perry, seconded by Councillor Dixon.

Amendment 1

Committee:-

1. Recognises the expectation set out in PAN 6/2013 that once the plan has been published the authority should progress to examination as soon as possible but

considers that the Council does not have a plan that reflects the settled will of either the Council or the people of Edinburgh;

2. Notes the City has agreed a vision for the future of the City which accommodates growth along clearly defined public transport corridors thus allowing the City to grow; to share the wealth and the benefits of the City with those who have grown up in the City and wish to set up their own households and with people who wish move into the City to take advantage of all it has to offer.
3. Considers that due to the requirement to allocate additional housing as a result of the Scottish Government's rejection of the first proposed Strategic Development Plan the proposed plan does not clearly articulate this vision. The revised SESPlan requires the allocation of such significant additional housing that in order to protect Edinburgh's green spaces and to allow development in a sustainable manner a modified plan should be developed.
4. Recognises that there are significant concerns about transport, school and health infrastructure which are currently at capacity and that additional housing of such scale will cause additional congestion and pressure on existing services which will render this housing unattractive for new residents and reduce amenity for current residents.
5. There are concerns that making such significant allocations will mean greenbelt land will be designated for housing before available brownfield land has been fully built out and given the lower costs of development on greenfield and greenbelt land this will lead to housing being built in these areas before the brownfield land is developed because there are no means available to the Council to prevent this happening.
6. The Plan should make clear the type of development that will be possible in Edinburgh to maximise land usage and release the minimum necessary greenfield land. The Plan should guide developers as to what type of development is acceptable. The City should be confident in its heritage and seek to reinterpret traditional and local forms such as colonies and tenements as an Edinburgh vernacular for the 21st century. It should be noted that requiring higher densities will allow less land in total to be required and that development returns per hectare should be higher.
7. Committee believes that the approach outlined in the Local Development Plan 2nd version is flawed and does not propose a plan that will "make Edinburgh the very best it can be".

Committee therefore:

- a. Proposes the following modifications to allow for further consultation;
- b. Removal of HOU 6 (requirement for 25% affordable housing) on brownfield sites;
- c. Increase in density for housing sites currently under 50 houses per hectare to allow for removal of housing sites which are not in strategic development areas;

- d. Notes the infrastructure deficit that the current additional housing proposed will cause and asks officers to bring forward proposals as to how this can be mitigated.

- Moved by Councillor Mowat, seconded by Councillor Heslop.

Amendment 2

1. Recognises the established need for more affordable housing in the city;
2. Recognises the unrealistic nature of the identified housing requirement for 107,000 homes in the South East of Scotland which significantly exceeds all recent rates of construction;
3. Notes the need to bring back into use the up to 2,000 homes in Edinburgh which lie empty for more than 6 months, to re-examine housing densities, and to give priority to housing in existing urban areas in order to make full use of brownfield land;
4. Recognises that the changing demography of the city region and the way that it is reflected in household formation is unlikely to be best-fulfilled by building low density housing in suburban estates.
5. Recognises that, despite the formal consultation process, the citizens of Edinburgh have no real means of influencing the content of the proposed LDP;
6. Recognises that the impact of the LDP on transport, schools, the environment and air quality have not been adequately addressed;
7. Recognises therefore that the city's current housing requirements can be met by the use of brownfield land and that there is at present no need for the inclusion of any of the greenfield sites set out in the plan;
8. Concludes that the LDP fails to meet the requirements and obligations of the City of Edinburgh in terms of affordable housing, infrastructure provision, biodiversity, air quality, congestion and climate change, and therefore requires that all the proposals relating to greenfield sites be removed from the plan.

- Moved by Councillor Bagshaw, seconded by Councillor Howat.

Voting

For the motion	-	10 votes
For amendment 1	-	3 votes
For amendment 2	-	1 vote

Decision

- 1) Committee notes that there is an urgent need to progress the LDP towards adoption to provide an up-to-date plan and housing land supply, and that this is the overriding reason for now moving the plan to the examination stage.
- 2) Committee notes that the outcomes of the examination are largely binding on the Council and so the examination will determine the content of the adopted LDP.
- 3) Committee further notes that the examination stage provides an opportunity to change the LDP. On that basis, the Committee agrees the recommendations at paragraph 1.1 of the report by the Acting Director of Services for Communities, but also agrees that there are a number of proposals within the LDP where changes could be made as a result of representations made to the Second Proposed Plan, and that the Committee sets out clearly, where such changes should be considered by the reporter during examination. Accordingly, the following updates should be incorporated into the Council's responses in Appendix 1:
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 - d. Subject to point 4 below, in Issues [7, 10 and 11] state that the Council sees merit in the representations seeking a reduction in the capacities of housing Proposals [HSG 19 Maybury, HSG 32 Builyeon Road, and HSG 33 South Scotstoun]. Note that these currently have a total capacity of [3130] units and that a proportionate reduction in their housing capacity resulting in fewer units could be accounted for by the remaining capacity provided by the allocation of [East of Millburn Tower].
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(References – Planning Committee, 12 June 2014 (Item 1) and 19 June 2014 (Item 1); report by the Acting Director of Services for Communities, submitted.)

Declarations of Interests

Councillor Ross declared a non-financial interest in the above item as a director of the following:- EDI Ltd, PARC Craigmillar, CEC Holdings, and Waterfront Edinburgh Ltd.

Councillor Rose declared a non-financial interest in the item as a director of CEC Holdings.

4. Local Development Plan: Action Programme Update

Committee was asked to agree to an update to the Local Development Plan (LDP) Action Programme, a statutory requirement of the development plan process. It set out a list of actions, including infrastructure measures, needed to deliver the policies and proposals in the LDP. A corporate document, the Action Programme was intended to be used as a mechanism to coordinate development proposals with the infrastructure and services needed to support them and sought to align the delivery of the LDP with corporate and national investment in infrastructure.

An update on strengthened governance arrangements to deliver the Action Programme was also provided.

Decision

- 1) To approve the update to the second proposed Action Programme.
- 2) To note the new governance and reporting arrangements for delivering the Action Programme.
- 3) To agree the addition to the Action Programme of new transport actions.

(Reference – report by the Acting Director of Services for Communities, submitted.)

5. Minutes

Decision

To approve the minutes of the Planning Committee of 26 February 2015 as a correct record.