

# Planning Committee

2.00pm, Wednesday, 14 March 2018

## Annual Review of Guidance

Item number	6.2
Report number	
Executive/routine	
Wards	
Council Commitments	<u>C10 – C15</u>

### Executive Summary

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This report advises the Planning Committee of changes to planning guidance in 2017 and those intended for the coming year. It also seeks approval of minor updates to certain guidelines.

## Annual Review of Guidance

### 1. Recommendations

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- 1.1 It is recommended that the Committee:
  - 1.1 notes progress in consolidating and updating guidance for users of the planning service (appendix 1);
  - 1.2 approves the attached minor updates to certain guidelines (appendix 2);
  - 1.3 agrees the programme for work in 2018 as set out in Section 3 of this report; and
  - 1.4 agrees to accept the new streamlined process for the preparation and review of non-statutory guidance, which was trialled during 2017 (appendix 3).

### 2. Background

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- 2.1 The Council issues non-statutory guidance to help its customers interpret the statutory development plan.
- 2.2 Over the last seven years, this guidance has been consolidated from around 50 separate documents to five main guidelines, focused on the main customer groups, plus a small number of specialist topic guidelines.
- 2.3 The suite of guidance continues to be kept under review to ensure that it is up-to-date and reflects the Council's objectives and practice.
- 2.4 Current non-statutory guidance can be viewed online at [www.edinburgh.gov.uk/planningguidelines](http://www.edinburgh.gov.uk/planningguidelines) . Statutory supplementary guidance can be viewed at [www.edinburgh.gov.uk/supplementaryguidance](http://www.edinburgh.gov.uk/supplementaryguidance) .

### 3. Main report

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#### Drivers for Change

- 3.1 The main factors which can indicate a need to consider changes to guidance are as follows:
  - 3.1.1 Changes in national or development plan policy and guidance (including Scottish Planning Policy, other national documents, the Strategic Development Plan, the Local Development Plan (LDP));

- 3.1.2 Change in the city (including economic, social, environmental and physical changes) or changes in corporate or community planning policy);
  - 3.1.3 Findings from monitoring the use of existing guidance and policy, including appeal decisions;
  - 3.1.4 The opportunities presented by the transformation of the Council; and
  - 3.1.5 The service's Customer Engagement Strategy and Service Charter.
- 3.2 Appendix 1 shows the current status of the Development Plan and non-statutory guidance. It also sets out scheduled reviews and updates which are to be undertaken during 2018.

#### **Summary of Progress on Changes to Guidance since February 2017**

- 3.3 Changes to guidance carried out since last year's report are as follows:
- 3.3.1 Approval of updates to the Guidance for Householders and the Guidance on Development in the Countryside and Green Belt;
  - 3.3.2 Approval of updates to the Edinburgh Design Guidance which includes new Parking Standards and the approved Street Design Guidance;
  - 3.3.3 Adoption of the town centre supplementary guidance documents; City Centre Retail Core, Tollcross, Corstorphine, Gorgie/Dalry, Leith, Bruntsfield/Morningside, Portobello, Stockbridge and Nicolson Street/Clerk Street;
  - 3.3.4 Supplementary Guidance on Affordable Housing finalised; and
  - 3.3.5 Draft Supplementary Guidance on Developer Contributions and Infrastructure Delivery approved.

#### **Summary of Proposed Minor Updates to Guidance for Approval**

- 3.4 Regular monitoring of the use of guidance has indicated the need for several relatively minor updates to three of the most commonly used guidelines:
- 3.4.1 Guidance for Businesses – including updates regarding fascia signage and lighting on listed buildings;
  - 3.4.2 Guidance for Householders – including further information on the use of conservation-style rooflights; and
  - 3.4.3 Listed Buildings and Conservation Areas – including updates regarding the removal of existing walls and partitions and the creation of new door openings.
- 3.5 Further details on these updates are set out in appendix 2 for the Committee's approval.
- 3.6 All of the above updates are considered sufficiently minor to not require consultation.

## Summary of Programme for 2018

- 3.7 The following guidelines are proposed for preparation, review or updating in 2018:
- 3.7.1 Advertisements, Sponsorship and City Dressing – review and update to respond to changes in advertising, including emergence of digital advertisements;
  - 3.7.2 Art in Public Places – progress the review and update to reflect ongoing queries and proposals for plaques and statues;
  - 3.7.3 City Centre Retail Core Supplementary Guidance – review and update to reflect and support the function, vitality and viability of the city centre retail core in parallel with the Central Edinburgh Transformation project;
  - 3.7.4 Developer Contributions and Infrastructure Delivery Supplementary Guidance – consultation on the draft is underway and adoption is expected later in 2018;
  - 3.7.5 Edinburgh BioQuarter and South East Wedge Parkland Finalised Supplementary Guidance – to be updated to reflect changes in the adopted LDP; and
  - 3.7.6 Heat Mapping and Networks Supplementary Guidance – create new guidance to reflect requirement in adopted LDP for guidance on heat mapping and district heating opportunities. This is covered by a separate report on the agenda of this meeting.

## Evaluation on Pilot Approach

- 3.8 During 2017 a new approach to streamlining the preparation and review of non-statutory guidance was trialled following approval by Planning Committee in [March 2017](#). Appendix 3 sets out the details of this new approach.
- 3.9 Since its implementation feedback has been positive, particularly in terms of resource efficiency. This new approach is therefore proposed to be formally agreed reviews.

## 4. Measures of success

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- 4.1 Planning guidance is easier to understand for applicants and other stakeholders.
- 4.2 Planning guidance is kept up-to-date and relevant, and ensures that a high quality of development is delivered through the planning application process.

## 5. Financial impact

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- 5.1 There are no direct financial impacts arising from this report.

## **6. Risk, policy, compliance and governance impact**

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- 6.1 This report does not raise any concern in relation to risk, policy, compliance and governance. Setting out progress made and work to be programmed is a positive step in relation to these considerations. Potential impacts are considered in relation to each individual guidance document in its development.

## **7. Equalities impact**

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- 7.1 The report has no significant impact on equalities, health, wellbeing, human rights, update on current and future guidance. The review/update and creation of individual guidelines could, in due course, however have an impact. Accordingly and where appropriate, each revision/update or new guidance created will be subject to an Integrated Impact Assessment when reported to Planning Committee. The minor updates proposed to existing guidance, as set out in Appendix 2 of this report, are not considered to be significant enough to require Integrated Impact

## **8. Sustainability impact**

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- 8.1 The proposals in this report will:
- 8.1.1 have no impact on the City's resilience to climate change and carbon emissions because its primary aim is to provide a status update on existing and future guidance. The proposed new supplementary guidance on Heat Mapping and Networks will set out an approach to identifying heat mapping and opportunities in line with the Local Development Plan and its impacts are assessed as part of the preparation of that guidance;
  - 8.1.2 help achieve a sustainable Edinburgh because the review of guidance will not directly promote social justice, but several of the guidelines covered do;
  - 8.1.3 help achieve a sustainable Edinburgh because the review of guidance will not directly promote a healthy and resilient economy, but several of the guidelines it covers do;
  - 8.1.4 have a positive impact on environmental stewardship because the updated guidance it covers will be published in electronic-only format, reducing use of paper; and
  - 8.1.5 the minor updates to guidance proposed in appendix 2 will contribute positively to sustainability including with regard to the protection the historic environment and residential amenity.

## 9. Consultation and engagement

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- 9.1 Consultation responses are taken into account when guidance is finalised. A summary of consultation responses is included when finalised guidance is reported allowing the Planning Committee to see how consultation views have influenced the guidance. There is no need for additional consultation in relation to this report, which is primarily for work scheduling purposes.

## 10. Background reading/external references

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Annual Review of Guidance, [report to Planning Committee](#) (Item 6.2), 2 March 2017.

[http://www.edinburgh.gov.uk/meetings/meeting/4136/planning\\_committee](http://www.edinburgh.gov.uk/meetings/meeting/4136/planning_committee)

[www.edinburgh.gov.uk/planningguidelines](http://www.edinburgh.gov.uk/planningguidelines)

[www.edinburgh.gov.uk/supplementaryguidance](http://www.edinburgh.gov.uk/supplementaryguidance)

[Edinburgh Local Development Plan November 2016](#)

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## 11. Appendices

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Appendix 1 - Status of Development Plan and Guidance

Appendix 2 - Minor updates to Non-Statutory Guidance

Appendix 3 - Comparison of process pre-2017 and new process trialled during 2017 for non-statutory guidance

**Status of Development Plan and Guidance**

Title	Status and Date	Comment
<b>Development Plan</b>		
Strategic Development Plan	Approved 2013	Supplementary Guidance (2014)
Edinburgh Local Development Plan	Adopted 2016	Superseded two local plans
<b>Supplementary Guidance (adopted)</b>		
City Centre Retail Core	Adopted 2017	Review of City Centre Retail Core Supplementary Guidance due to take place in 2018.
Tollcross Town Centre		
Corstorphine Town Centre		
Gorgie / Dalry Town Centre		
Leith / Leith Walk Town Centre		
Bruntsfield / Morningside Town Centre		
Nicolson St/Clerk St Town Centre		
Portobello Town Centre		
Stockbridge Town Centre		
<b>Emerging Development Plan</b>		
SDP 2 Proposed Plan	Draft approved 2016	In examination – expected to be approved by Scottish Ministers May 2018
<b>Supplementary Guidance (yet to be adopted)</b>		
Developer Contributions & Infrastructure Delivery	Consultation draft approved January 2018	Expected to be adopted in 2018
Edinburgh BioQuarter & South East Wedge Parkland	Finalised 2013	To be re-finalised in 2018 to reflect changes in adopted LDP
<i>Heat Mapping &amp; Networks</i>	<i>Draft to be considered 14 March 2018</i>	<i>Expected to be adopted in 2018</i>
<b>Non-statutory Guidance</b>		
<b>Consolidated Guidelines</b>		
Guidance for Householders	Approved August 2017	Minor updates reported to 8 March 2018 Committee for approval
Guidance for Businesses	Approved 2016	
Listed Buildings & Conservation Areas	Approved 2016	
Edinburgh Design Guidance	Approved October 2017	Guidance includes new Parking Standards and Street Design Guidance in a consolidated document
<b>Other non-statutory guidance (alphabetical order)</b>		
Advertisements, Sponsorship and City Dressing	Approved 2013	Review commenced, due to be progressed in 2018
Affordable Housing	Finalised October 2017	Review due to start in 2018
Art in Public Places	Approved 1998	Review commenced, due to be progressed in 2018
Communications Infrastructure	Approved 2013	
Development in the Countryside & Green Belt	Approved October 2017	
Open Space Strategy	Approved 2016	Action plans being progressed
Student Housing	Approved 2016	

*Italics* – due to be reported to same Committee meeting on 8 March 2018

Excludes non-statutory area guidance: development briefs, masterplans etc

## Minor Updates to Non-Statutory Guidance

Guidance	Reason for Update	Proposed Edits (new text in blue and bold)
Guidance for Businesses	<p>Guidance specifically mentions that for listed buildings and conservation areas 'signage should be timber, etched glass or stainless steel; synthetic materials are not appropriate'. Confusion is occurring where applicants are assuming that applied fascias will be acceptable. Applied fascias are not acceptable and lettering etc should be applied directly to the original (typically stone) fascia.</p>	<p><u>Page 20, 'Listed Buildings and Conservation Areas'</u>  Add new para. within 'Listed Buildings and Conservation Areas box' after 'Signage should harmonise with the colour of the shopfront', as follows:  Applied fascia boards/panels will not normally be acceptable. Lettering shall be applied directly onto the original fascia. If there is an existing applied fascia board/panel in place, this should a) be removed and the original fascia restored, or b) an appropriate new fascia applied but only where there is no original fascia.</p>
	<p>The use of discrete LED strip lighting is becoming a more common proposal instead of halo lighting and can be quite effective on historic buildings to minimise clutter if it is located behind existing architectural detailing. Update required to acknowledge this alternative option.</p>	<p><u>Page 21, 'Consider an appropriate method of illumination'</u>  After 3rd paragraph, insert:  LED strip lighting to illuminate signage may be acceptable where it can be positioned discreetly on the shop front.</p>
	<p>Reference to floorspace standards require to be updated to reflect those set out in the Edinburgh Design Guidance. This will ensure consistency across both guidance documents.</p>	<p><u>Page 11, 'Amenity'</u>  Dwelling sizes should meet the following minimum requirements and exceeding these standards is encouraged. Provision of cycle and waste storage is encouraged and may be required in some instances.</p>
	<p>Review and update images of shopfront design/signage and diagrams where required to further strengthen the clarity on the established principles for good/poor design.</p>	<p>As required.</p>

Guidance for Businesses	<p>Update the link under the 'Trees' section to reference chapter 3.5 in the Edinburgh Design Guidance, which contains updated guidance. Insert missing hyperlink at the end of para 2: <a href="http://www.edinburgh.gov.uk/privatetrees">www.edinburgh.gov.uk/privatetrees</a></p>	<p><u>Page 5, para. 1, 'Trees'</u> If there are any trees on the site or within 12 meters of the boundary, they should be identified in the application. Please refer to the Edinburgh Design Guidance (chapter 3.5) for advice.</p> <p><u>Page 5, para. 2, 'Trees'</u> To apply for works to trees, go to <a href="http://www.edinburgh.gov.uk/privatetrees">www.edinburgh.gov.uk/privatetrees</a>.</p>
	<p>Transfer the guidance on directional signage, flags and banners in relation to business premises from the existing guidance on Advertisements, Sponsorship and City Dressing following its review/update to the Guidance for Businesses. Include images to support the guidance where appropriate to provide further clarity on the established principles.</p>	<p>As stated.</p>

<p>Listed Buildings and Conservation Areas</p>	<p>Greater clarity and emphasis needs to be placed on the requirement to retain the original plan form and character of principal rooms particularly in relation to the removal of internal walls / adding new doors in walls dividing principle rooms and buffet recesses.</p>	<p><u>Page 19, 'Internal Walls and Partitions'</u>  Insert new para. after 2nd para.:  In general, consent will not be granted for the removal of original internal walls or partitions between front and rear principal rooms at ground and first floor level.</p> <p>Add 's' onto title 'Internal Doors'.</p> <p><u>Pages 19 and 20, 'Internal Door'</u>  Amend sentence order and edits as follows:  In general, consent will not be granted for new doors connecting front and rear principal rooms at ground and first floor level. Jib (secret) doors may only be allowed in certain cases.</p> <p>Where new door openings are considered acceptable, they should be correctly detailed with matching doors and architraves. They should not incorporate features such as glazed panels. Where doors are to be added, but are not in traditional positions it is often acceptable to design a jib door or modern opening, so as not to confuse the building's history.</p> <p>Buffet recesses are an important feature in the dining rooms of listed buildings, particularly in the New Town, and should be retained. New door openings will not be granted within a buffet recess.</p>
	<p>Requirement to strengthen guidance on rooflights in conservation areas particularly in terms of the requirement of 'conservation style' roof lights on properties of a traditional design.</p>	<p><u>Page 25, 'Windows and Doors'</u>  Replacement windows and doors on all elevations of unlisted properties of a traditional design within conservation areas must match the original proportions, appearance, materials, and opening method. Appropriate timber sealed unit double glazing will normally be considered acceptable. Rooflights on unlisted properties of a traditional design should be of a 'conservation style'. Alternative materials such as uPVC will not be acceptable.</p>

<p>Listed Buildings and Conservation Areas</p>	<p>Requirement to strengthen guidance on where access stairs may be acceptable.</p>	<p><u>Page 15, "Access Stairs"</u>  New external access stairs will require listed building consent and may also require planning permission.</p> <p>There is a general presumption against the introduction of external access stairs on any elevation. External access stairs may be acceptable in exceptional circumstances where there is a pattern of original access stairs established relevant to the elevation(s) in question and this can be fully supported by an historic building analysis.</p> <p>Where access stairs can be justified, they should be in-keeping with the character of the building. The design of the stair should either be based on an original design for the type of building or a lightweight modern addition with metal being the preferred material. New doors and stairs should be painted appropriate colours, usually black for metal work. They should not be enclosed structures.</p>
<p>Guidance for Householders</p>	<p>Add clarity on rooflights in new extensions with regard to privacy.</p>	<p><u>Page 14, 'Decking, Roof Terraces and Balconies'</u>  Amend title as follows: 'Decking, Roof Terraces, Balconies and Rooflights'</p> <p>Add new para. at end of section as follows:  Rooflights in new extensions that are within 9 metres of the boundary may be acceptable so long as they do not have an adverse impact on the existing privacy of neighbouring properties. Any adverse impacts on privacy may be mitigated if the rooflight(s) is set at a high level above floor level (usually above 1.8 metres).</p>

**Comparison of process pre-2017 and new process trialled  
during 2017 for non-statutory guidance**

Previous Process (pre March 2017)	New Process (post March 2017)
Guideline identified for review in Annual Review of Guidance report. <b>Committee</b> agrees programme	Guideline identified for review in Annual Review of Guidance report. <b>Committee</b> agrees programme
Review and preparation work is carried out, sometimes including informal consultation and engagement with relevant stakeholders. (1-3 months)	Review and preparation work is carried out to prepare material/questions suitable for formal consultation purposes. (2 months)
Draft guideline is reported in full to <b>Planning Committee</b> for approval for consultation purposes. (2 months lead-in times)	Formal consultation stage, with notification of community groups and other relevant groups and a defined period for written comments. Guidance preparation work in parallel. (1 ½ - 2 months)
Formal consultation stage, with notification of community groups and other relevant groups and a defined period for written comments. (1 ½ - 2 months)	Finalisation of guidance, taking account of consultation comments. (1 month)
Finalisation of guidance, taking account of consultation comments. (1 month)	Finalised guidance reported to <b>Planning Committee</b> for approval, including summary of consultation responses and the account taken of them. (2 months lead-in time)
Finalised guidance reported to <b>Planning Committee</b> for approval, including summary of consultation responses and the account taken of them. (2 months lead-in time)	Publication and notification of guidance as finalised. (½ month)
Publication and notification of guidance as finalised. (½ month)	
Total time: 8-13 months Total decisions by Committee: 3	Total time: 5-7 months Total decisions by Committee: 2