

## Planning Committee

**2.00pm, Wednesday 30 May 2018**

Dean of Guild Court Room, City Chambers, High Street, Edinburgh

## Planning Committee

Convener:	Members:	Contacts:
<p>Councillor Neil Gardiner</p> 	<p>Councillor Chas Booth Councillor Denis Dixon Councillor George Gordon Councillor Ashley Graczyk Councillor Joan Griffiths Councillor Max Mitchell Councillor Joanna Mowat Councillor Hal Osler Councillor Alex Staniforth</p>	<p>Stephen Broughton Committee Services 0131 529 4261 <a href="mailto:stephen.broughton@edinburgh.gov.uk">stephen.broughton@edinburgh.gov.uk</a></p> <p>David Leslie Chief Planning Officer 0131 529 3948 <a href="mailto:david.leslie@edinburgh.gov.uk">david.leslie@edinburgh.gov.uk</a></p>
<p>Vice- Convener Councillor Maureen Child</p> 		

### Scottish Public Services Ombudsman (SPSO)

Following a complaint regarding a development at Canonmills Bridge, the SPSO upheld three of the four complaints made against the Council as planning authority. The complaints were as follows:

- The council unreasonably failed to consider their waterside development policy when processing the planning application (UPHELD)
- The council unreasonably failed to consult SEPA on the planning application (UPHELD)
- Communication with the applicant was unreasonable (UPHELD)
- The council unreasonably accepted that works for the application were initiated on time (NOT UPHELD)

This case raises a number of issues:

- Relevant policies should be explicitly referred to in reports of handling. Whilst the report to Committee confirmed the proposals complied with the Development Plan, the relevant waterside policy was not referred to. Whilst this may not have been a key issue in this case, it was a matter that required consideration.
- Where there is ambiguity over whether to consult with external bodies, it is wise to err on the side of caution. In either event, this should be made clear in the report of handling. In this case, the Council's flood protection team were consulted so flooding issues were addressed.
- It is recognised that keeping on top of communications in complex cases can be time consuming. However, a considered early response may forestall further communications. In this case, the responses were quite technical and led to more questions, further delay and ultimately a formal complaint.

The SPSO has recommended that this information should be shared with all relevant Council staff.

## Housing Land Audit and Delivery Programme

Planning Committee discussed the findings of the annual audit at its meeting in October 2017 and referred it to Housing and Economy Committee to consider actions to help accelerate housing delivery. A report on this issue was discussed at Housing and Economy Committee's meeting on [22 March 2018](#). This includes a detailed analysis of sites in the audit which have constraints and means of accelerating delivery. Committee concluded that a more interventionist approach may be required for the Council to work with others to find ways of unlocking development. Progress on such actions will be included in the annual report of audit findings to Planning Committee at its meeting in October 2018.