



Grange Association, Edinburgh

20 April 2018

Cllr Steve Burgess
The City of Edinburgh Council,
City Chambers,
High Street, Edinburgh, EH1 1YJ

Dear Cllr Burgess,

Scheme of Delegation – Changes approved by Planning Committee 14 March 2018

I am writing to ensure you are aware of the very significant changes that the Council's Planning Committee approved at its meeting on 14 March 2018. Following discussion by the Committee of the Grange Association, I am also requesting that you consider asking the meeting of the full Council in June to mitigate the negative effects of some of these changes. The changes were introduced with no consultation and no notification to any local amenity associations or Community Councils until the Committee had agreed the changes.

Changes to the Scheme of Delegation

The changes relate to the Scheme of Delegation, by which the Planning Committee delegates its power to grant or refuse planning permission and associated other permissions (e.g. listed building consent). These changes were presented to the Committee under 'Performance and Service Improvements' and we believe that the Councillors on the Committee were not fully informed about the effect that the changes they have now approved will have on residents and their representative organisations.

The most significant change is an increase, from seven to 21, in the minimum number of objections to household applications for planning and listed building consent which will trigger a referral to the Planning Committee.

Other changes include assigning potentially significant powers to statutory consultees, including Community Councils (CCs), which we would welcome, but we are very concerned that the wording and interpretation of the revised scheme will not in practice facilitate any meaningful input from the CCs. The revised Scheme includes: *"Where there are unresolved objections from statutory consultees (including Community Councils) and the application is recommended for approval, it must be decided by Committee"*. Our concern is that the test for whether an objection has been 'resolved' is not defined and remains open to broad interpretation by officers without reference to Councillors, leaving officers to dismiss objections on cursory inspection with little justification and then to record the objections as 'resolved'.

Difficulties created by the revisions

Councillors may be unaware of the effects that the changes approved by the Planning Committee will have on residents and their representative associations, including CCs.

The increase, to a minimum of 21 objections being required to cause an application to be considered by the Committee, will lead to unhelpful and non-productive bureaucracy and letter writing, in which Associations will canvas active members to submit broadly similar objections simply to achieve the necessary numbers. Councillors' e-mail boxes will be fuller with multiple contacts asking them to intervene.

The role of residents' associations and amenity groups will be diminished. The associations are treated as single objectors, with no more weight than a single resident. Until now, however, we have been able to marshal comments from residents and association members into coherent comments and objections which reflect the considered view of local people. Several of our members seek anonymity in objecting to proposals from their immediate neighbours; submitting objections through their residents' association maintains this anonymity. The residents' associations can also filter trivial or vexatious objections and maintain consistency in the principles underlying objections. We work closely with our CCs and we are keen to build good working relationships with the Council officers working on planning applications and encourage open discussion to resolve or clarify objections, or to identify compromises.

We would be reassured if we were persuaded that the intended role of CCs is truly to be enhanced and that all applications to which they have unresolved objections will be considered by the Committee and not delegated. We would wish to have the process, for a CC to agree that its objection has been resolved, to be defined and encapsulated in the revised Scheme. We have seen good examples where objections to applications have led to welcome revisions to proposals and where a CC would be happy to agree its objection is resolved. At present, there is no mechanism to withdraw an objection nor to record its satisfactory resolution.

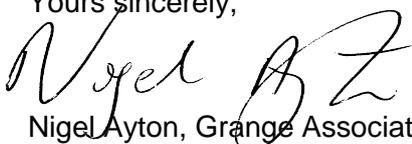
Actions requested

We request that you consider the following actions:

-) Consult your colleagues on the Planning Committee to check their understanding of the changes agreed by them on 14 March 2018, the reason for those changes and their expected effects;
-) Seek input from planning officers concerning the reasons for the changes sought on 14 March, including data to support the changes (e.g. proportion of household applications that currently receive more than six objections and hence cannot be delegated), i.e. what problem are they trying to solve?
-) Seek an amendment in Council in June to remove the increase, from six to twenty, in the maximum number of objections to an application that can be delegated;
-) Request the planning department to specify in writing its process for determining whether an objection from a statutory consultee is 'resolved', specifically requiring that the statutory consultee must record electronically or in writing its agreement that this is the case. Without such agreement, an application must not be delegated and we would ask that you ensure that any ratification by Council in June includes this clarity in its decision and that this is placed on the record;
-) Seek confirmation in Council in June that Ward Councillors will continue to be treated as statutory consultees for the purpose of the Scheme of Delegation and that an objection from a Ward Councillor must be resolved to the Councillor's satisfaction for the decision on an application to be delegated.

I would be very pleased to discuss our concerns directly with you. I am writing to each of the Councillors on the Southside / Newington and Morningside Wards in these terms.

Yours sincerely,



Nigel Ayton, Grange Association

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cc: Brian Gilmore, Chair, Marchmont Sciennes Community Council
Janet Sidaway, Chair, Grange Prestonfield Community Council
Sue Tritton, Chair, Grange Association