Local Government and Communities Committee

Planning (Scotland) Bill

Supplementary Written Submission from the City of Edinburgh Council

In response to the Committee’s request for further information on the position taken by The City of Edinburgh Council on limited equal rights of appeal, I can provide the following additional evidence:

The Committee sought information on

- the position agreed by Council

The commitment set out in the Council’s business plan is to “Work with the Scottish Government to review planning policy and overhaul the planning appeal system to make it shorter, more independent and give communities the right to appeal.”

The commitment is one of six which aim to deliver a planning system which works to protect and develop the city.

- how appeals might work (and in what circumstances)

The Council is still at an early stage of exploring options which could assist in improving public confidence in the planning process. The Council is particularly interested in areas where rights of appeal would be focussed on the process for major planning applications (as defined by the Hierarchy of Developments). An example could be where pre-application advice from the planning authority has not been followed or where comments from the community have not been addressed in the applicant’s submission. This would be a procedural challenge rather than a challenge to the principle of development where it accords with the development plan.

- who might appeal

A community right of appeal could be limited to the same defined groups who could prepare ‘local place plans’ i.e. a community controlled body or community council (Community Empowerment Act definition)

- the discussions held with the Scottish Government to date

The Minister for Local Government and Housing, accompanied by the Scottish Government’s Chief Planner, held a meeting in January 2018 with Cllr Neil
Gardiner, Planning Convener, and David Leslie, Chief Planning Officer, The City of Edinburgh Council

I trust that this is of assistance.

Regards

David R Leslie
Chief Planning Officer