

CITY OF EDINBURGH COUNCIL / EDINBURGH CHAMBER OF  
COMMERCE  
DEVELOPERS' GROUP

## EDINBURGH PLANNING CONCORDAT

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Photo by Jason Baxter

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THE CITY OF EDINBURGH COUNCIL

Edinburgh  
CHAMBER OF COMMERCE  
*Inspiring Connections*

## The Edinburgh Planning Concordat

Planning has a key role in delivering sustainable economic growth for Scotland and its communities. It is in the national interest for the Planning system to work efficiently. The modernisation of Scotland's planning system has called for all stakeholders within the system to consider how they could change the ways they relate to each other, their expectations and the ways they communicate their issues and concerns.

A more inclusive planning system requires greater transparency and fairness to deliver genuine community benefits.

The development industry (meaning all kinds of land and property businesses) and the City of Edinburgh Council recognises various positive changes to their own processes and behaviours which are required if we are to achieve this.

There are three key areas for joint action in relation to these principles for working more closely together.

### Resources



The City of Edinburgh Council will recognise the importance of providing early advice and guidance on appropriate forms of development and of assessing major development proposals to programmes mutually agreed with the applicant.

The development industry will keep stakeholders in the planning process informed about changing market conditions and factors influencing the implementation of planning policies.

### Skills



The City of Edinburgh Council will recognise that Planning requires co-ordination across many different services within the local authority and that those involved in the planning process require a range of technical and generic skills, as well as an understanding of development economics.

The development industry will ensure that technical supporting information is produced to meet specifications provided at pre-application stages by the planning authority and consultees.

### Process



The City of Edinburgh Council will ensure that applicants for major development proposals have a full understanding of the planning process involved, the key points of contact and the decision-making timescales.

The development industry will explain objectives and provide details of proposals early in the process to enable key stakeholders to understand the proposals and assist in the preparation of final plans.

# ANNEX - AGREED STEP BY STEP PROCESS AND RESPONSIBILITIES

## PRE APPLICATION

Developers will:	The Planning Authority will:
<p><b>Development Plan:</b></p> <ul style="list-style-type: none"> <li>Engage in emerging development plans and supplementary guidance</li> <li>Prepare masterplans if required for major development sites</li> </ul> <p><b>Planning Application / Development Management:</b></p> <ul style="list-style-type: none"> <li>Arrange and attend a "First Signals" inception meeting.</li> <li>Present first options and outline information to enable scope of proposals to be understood.</li> <li>Supply project information and agree to a Processing Agreement (a simple work-plan / timescale format).</li> <li>Appoint a lead application manager in house or through adviser, to handle all discussions in first contact and inform the authority of any delegations / changes in personnel.</li> <li>Assist in identifying key statutory and other relevant agencies required and assist in setting up meetings with the relevant project team members</li> <li>Consult with selected local interest groups in accordance with the Edinburgh Concordat on community engagement (LINK TO GUIDANCE)</li> <li>When requested, arrange for suitable presenters to attend the Edinburgh Urban Design Panel meeting and to prepare presentation materials (LINK TO GUIDANCE)</li> <li>When requested, prepare information to assist the preparation of a Pre-application report for the Development Management Subcommittee and arrange for project team attendance at the meeting as observers. (LINK TO GUIDANCE)</li> <li>Conform with the Proposal of Application Notice process and pre-consultations as agreed in the Processing Agreement</li> <li>Conform with all essential scoping exercises for EIA and other supporting statements.</li> <li>In Permission in Principle cases, make clear the detailed matters included and detailed matters reserved.</li> </ul>	<p><b>Development Plan:</b></p> <ul style="list-style-type: none"> <li>Highlight development site opportunities and engage in early dialogue with land owners and developers on development plans and supplementary guidance.</li> <li>Identify where masterplans would be required for major development sites.</li> </ul> <p><b>Planning Application / Development Management:</b></p> <ul style="list-style-type: none"> <li>Proportionate response in terms of meeting attendance based on the nature of the proposals.</li> <li>Lead officers to be available and briefed to guide expectations and scope key issues.</li> <li>Draft a Processing Agreement using standard template (LINK TO GUIDANCE).</li> <li>Appoint a lead case officer to coordinate consultees and maintain regular dialogue on progress and team issues.</li> <li>Convene early meetings with key agencies / consultees to scope information requirements</li> <li>Provide guidance on pre-application consultation (LINK TO GUIDANCE)</li> <li>Identify whether the proposals would benefit from a design review by the Edinburgh urban design Panel and advise the applicant at least three weeks before the relevant panel meeting</li> <li>Identify whether the proposals require to be presented to the Development Management Subcommittee in a Pre-application report to allow members to participate in scoping the draft determining issues.</li> <li>Lead case officer and community engagement technician will assist coordination</li> <li>Lead case officer will monitor responses on EIA screening and scoping in accordance with processing agreement.</li> <li>Lead case officer will coordinate information requests from consultees</li> </ul>

## AT SUBMISSION

Developers will:	The Planning Authority will:
<ul style="list-style-type: none"> <li>• Arrange a pre-submission “application package” meeting to agree the final package of documents, forms, fees, notifications and supporting drawings and documents to ensure validation.</li> <li>• Assist with the identification of neighbouring parties (if already gathered) and offer any informal assistance to the authority on its statutory neighbour notification process</li> <li>• Arrange for as much material as possible to be submitted electronically to enable speedy registration and publication on the Planning Portal</li> <li>• Set out first heads of terms for conditional matters to be agreed in the event of approval</li> </ul>	<ul style="list-style-type: none"> <li>• Lead case officer to coordinate a pre-submission “application package” meeting with project team to agree the final package of documents, forms, notifications and supporting drawings and documents to ensure validation.</li> <li>• On complex cases, seek assistance from the applicant on identification of parties for neighbour notification</li> <li>• Agree to provide a final response which verifies the package, within 4 working days.</li> <li>• Provide an initial response on heads of terms for conditional matters to be agreed in the event of approval</li> </ul>

## DURING DETERMINATION

Developers will:	The Planning Authority will:
<ul style="list-style-type: none"> <li>• Provide updates to the Case Officer as set out in the processing agreement on progress with consultations, feedback on the proposals and any requests for additional information/ changes</li> <li>• Monitor progress with consultee responses via the Planning Portal</li> <li>• Developer’s principal application manager/ agent to attend application progress meetings as set out in the processing agreement</li> <li>• Developer’s principal application manager/ agent to revisit the Processing Agreement at 21 days in, to refresh dates and tasks and agree amendments.</li> <li>• Agree reasonable final dates for consultee responses and correspond with the Case officer at the relevant agency if this deadline is over-run.</li> <li>• Revisit the heads of terms for conditional provisions and refresh terms / agree on appropriate device for agreement (conditions, S69 or S75 etc).</li> <li>• In major development cases where there are funding, viability and implementation challenges, submit an outline “development viability statement” which clarifies how the planning application process, planning contributions or other sources of support funding might assist implementation.</li> <li>• Arrange and attend a final progress meeting as set out in the processing agreement to ensure all relevant information has been submitted before the case is taken forward to Committee reporting.</li> </ul>	<ul style="list-style-type: none"> <li>• Provide updates to the agent as set out in the processing agreement on progress with consultations, feedback on the proposals and any requests for additional information / changes</li> <li>• Case officer to ensure consultation responses are viewable on the Planning Portal, as appropriate.</li> <li>• Case officer to attend application progress meetings as set out in the processing agreement</li> <li>• Case officer to revisit the Processing Agreement at 21 days in, to refresh dates and tasks and agree amendments.</li> <li>• Agree reasonable final dates for consultee responses and correspond with the lead official at the relevant agency if this deadline is over-run.</li> <li>• Revisit the heads of terms for conditional provisions and refresh terms / agree on appropriate device for agreement (conditions, S69 or S75 etc).</li> <li>• Consider the “development viability statement “ and fully consider reasonable requests for assistance on obligations, phasing, funding or cash flow support. Provide feedback on this before the Committee report is drafted.</li> <li>• Arrange and attend a final progress meeting as set out in the processing agreement to ensure all relevant information is available to allow the Committee report to be drafted and to advise of the committee date and presentation/hearing procedure.</li> </ul>

## AT DECISION

Developers will:	The Planning Authority will:
<ul style="list-style-type: none"> <li>• If a hearing is to take place, make a team available to attend hearing and present to committee members and prepare appropriate graphic, 3D etc material.</li> <li>• If the authority resolves to seek consideration of final amendments by conditional grant or by minded to / subject to, attend a meeting as soon as possible after the committee meeting with the Case officer and Group Leader who attended the committee meeting.</li> </ul>	<ul style="list-style-type: none"> <li>• If a hearing is to take place, make procedural and timetable information available through committee services (LINK TO GUIDANCE)</li> <li>• If the authority resolves to seek consideration of final amendments by conditional grant or by minded to / subject to, Case officer to arrange a meeting as soon as possible after the committee meeting with the developer's principal application manager/ agent and Group Leader who attended the committee meeting.</li> </ul>

## POST DECISION

Developers will:	The Planning Authority will:
<ul style="list-style-type: none"> <li>• If required, attend any final legal / planning meetings to clarify final wording of legal agreements and timetable for conclusion of the agreement as set out in the processing agreement</li> <li>• Post application – comply with conditions and legal agreement</li> </ul>	<ul style="list-style-type: none"> <li>• Arrange any final legal / planning meetings with the relevant parties to clarify final wording of legal agreements and timetable for conclusion of the agreement as set out in the processing agreement</li> <li>• Undertake conditions monitoring and review legal agreement as required.</li> </ul>