

## Morningside Community Council - Planning Report – May 2023

**Old Morningside Post Office** – The developer is still looking at the viability of a bar/restaurant requiring a ground floor presence plus one or two further storeys above. The hotel option is only understood to be viable if it is four storeys in total. The developer appreciates that a four-storey structure is opposed by Community Council members and all our Councillors.

We must appreciate that the city council has approved a four-storey building for this site and this makes it difficult for the Community Council to oppose any similar scale of building with any hope of success. However, if the developer is willing to restrict the height of an alternative building on the site, then the Community Council might hopefully feel able to support the proposal. We await further details with interest.

### Local Living and 20 Minute Neighbourhood: draft planning guidance

As if responding to Morningside Community Council's recent discussions, Scottish Government has published [Guidance](#) to assist and support local authorities, communities, and others with an interest in local living and 20 minute neighbourhoods. It provides further detail to support the [National Planning Framework \(NPF4\)](#) policy framework on Local Living and 20 minute neighbourhoods.

The Government claims that "local living and 20-minute neighbourhoods can help to deliver the healthy, sustainable and resilient places required to support a good quality of life and balance our environmental impact".

The guidance sets out the benefits and context for local living and 20-minute neighbourhoods, what local living looks like and the key considerations, and the ways in which to support it. It aims to encourage, promote, and facilitate the application of the Place Principle and create connected and compact neighbourhoods which prioritise liveability, and environmental, social, and economic sustainability.

This 78-page(!) consultation paper invites views on the effectiveness of the guidance to support effective and efficient implementation. This includes the 9-page "Respondent Information Form" in which personal responses can be made. Completion of this Form needs to be online. Access the consultation using this link:

<https://consult.gov.scot/planning-architecture/draft-local-living-and-20-minute-neighbourhoods>

The closing date for responses is 20<sup>th</sup> July 2023.

### Equal Rights of Appeal

Last week Edinburgh City Council voted unanimously in favour of community rights of appeal, also known as Equal Rights of Appeal! Here is a quote from the successful motion to the Council complaining about the lack of community rights:

..... the complaint centres around the fact that members of the public in Scotland, who are not applicants for planning permission, and who seek to challenge a planning decision, do not have the same statutory appeal rights as applicants; that applicants for planning permission in Scotland enjoy statutory appeal rights which enable them to have the full merits of planning decisions reviewed at no or low financial cost, and that the only legal recourse for members of the public is statutory review or judicial review in the Court of Session.

The upshot of the motion is that the Council Leader will raise the issue with the new Planning Minister, Joe Fitzpatrick. This is timely, as he has to respond to Planning Democracy's group complaint to the Aarhus Commission Complaints Committee by July 21<sup>st</sup>. They are requesting he commits to a review of appeal rights.

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