

This document is the formal response to the City of Edinburgh Council's consultation on [Planning Guidance of August / September 2012](#) by Spokes, the Lothian Cycle Campaign.

We are grateful for the opportunity to comment on the three guidance documents: *Guidance for Households*; *Listed Buildings and Conservation Areas*; and *Guidance for Businesses*. Our interest in commenting is focussed on enabling private citizens and businesses to provide secure cycle storage facilities outside of their homes or offices.

The lack of secure storage facilities is a significant barrier to increased cycling for city travel. Unfortunately in many cases provision of secure storage is made difficult, or costly, or even impossible, by the planning system, as we have discovered in communications from affected members or the general public.

A shed of some type is what people want in most cases and therefore our submission is concerned primarily with ensuring that the guidance directs householders and businesses to ways in which they can erect bicycle sheds without coming into conflict with the planning system and makes clear the criteria that are used to determine whether planning approval will be granted or not for such structures.

Council policy conflict between transport and planning

The full City Council has unanimously approved the *Active Travel Action Plan*, which is therefore now official policy. This includes hugely ambitious targets to increase cycle use, with separate target figures for commuting (affecting adults of working age and businesses) and for all-purpose trips (affecting people of all ages). Additionally, the Council has signed up to the even more ambitious Charter of Brussels target that 15% of all trips should be by bike in 2020. Current cycling modal share in Edinburgh is approximately 7% for commuter trips [Scottish Household Survey] and 2%-3% for all trips [verbal estimate by a transport officer].

These council transport policies are to some extent in conflict with policies relating to planning. Bicycle sheds being refused permission, or ordered to be removed, taking account only of planning policy and not of transport policy. Government inspectors have been invited to judge cases on the basis solely of planning policy, not taking proper account of relevant council transport policies.

Clearly a council needs to recognise when policies conflict, and find a resolution which takes account of both. This means discussion between transport and planning at a high level, not a decision taken solely within planning.

What is clear is that the Council has little hope of meeting its hugely ambitious 2020 cycling targets unless all relevant parts of the council work together to fulfil those policies and achieve those targets. Spokes alone has been contacted about 6 separate cases of families in difficulties over bike storage sheds so far this year. In most cases no other realistic storage option is available, and multiple members of the household are affected. If we know of 6 cases, there will be many we don't know of, and there will be others who have been deterred from using bicycles knowing the difficulties they would have obtaining safe storage. We also know of one case affecting a business bicycle shed.

In addition to the council's own cycle-use targets, the Scottish Government has a national target of 10% of all trips being made by bike by 2020. This should be taken account of alongside government planning guidance when considering cycle parking structures.

Other reasons why Council Planning Guidance needs to address cycle storage

A number of studies¹ have shown that the lack of availability of secure home bike storage is a considerable deterrent to increased cycle use.

We are aware that Council-provided communal onstreet bike storage solutions are being trialled and we hope these are successful. However, even assuming the success of these pilots, given issues of funding, identifying locations, and obtaining planning agreement, it is unlikely that they will provide a solution for many potential cyclists in the immediate future.

We find it ironic that extreme concern is taken over the appearance and exact location of small and silent wooden sheds, often hidden behind hedges when cars of all shapes, colours and materials, in ever-changing configurations (and emitting noise at all times of day and night) are permitted to sit outside the very same gardens with no regulation at all of appearance.

Suggested Improvements to the Guidance

For all the above reasons it is vital to minimise and where possible remove barriers to the public and businesses making provision for secure bicycle storage.

However, from our reading of the three guidance documents they offer very limited help for citizens to understand how to work with the planning system to create secure bike storage at their homes or businesses.

¹ For example, Riley T, Encouraging Bicycle Use in Residential Neighbourhoods – Insights From Edinburgh, 2008, available at www.spokes.org.uk/wordpress/documents/technical-and-research/local-transport-research/

In Appendix 1 to this document we have extracted all the references in the guidance documents that seem relevant to cycle parking. The appendix also attempts to identify similar references from the Scottish Government's Guidance on Householder Permitted Development, which the council guidance refers to. The references suggest that for –

- ³⁵₁₇ houses outside conservation areas, shed like structures can be erected in back gardens without the need for planning permission, providing certain stipulations are met. In front gardens a planning application would be needed;
- ³⁵₁₇ houses in conservation areas, shed like structures to the rear and not exceeding 4 square metres of floor area may not require a planning application (checking with the Council would be an advisable step). An application would be required for a proposed front garden shed; and
- ³⁵₁₇ flats, planning permission will always be required for any proposal to erect a shed in grounds to the back or front of the property.

We recommend...

- ³⁵₁₇ If our above understanding is correct in identifying when planning permission is or is not required for erecting a shed to store bikes, this should be made clear in simple language. It is vital that the guidance also makes clear what factors will contribute to making a successful planning application. These factors must be carefully thought out, in conjunction with transport colleagues, taking a positive and pro-active attitude to enabling families to have easy access to bicycles for their everyday trips, in line with the council's cycling targets and policies. For example, in front gardens, screening from the public realm by walls, fences, hedging or other planting, should be acceptable – particularly in locations where it is considered visually acceptable to park vehicles immediately outside the property.
- ³⁵₁₇ If something is completely ruled out, this should be made clear, to avoid abortive waste of time and money by families who want to do their best to be environmentally responsible by using a bike rather than driving.
- ³⁵₁₇ Overall, the guidance needs to be geared to encouraging cycle use. Without this the consequence is that people are effectively encouraged to use cars, thus causing much greater damage to visual, aural and public health environments than would be caused by a small and silent wooden shed.
- ³⁵₁₇ Similar considerations should be included in the guidance for businesses.

Yours Sincerely

Sandy Scotland
Spokes Planning Group Co-ordinator

References from Consultation Document relevant to secure cycle storage	
Householder Guidance, P8	<p>Buildings within the residential curtilage – e.g. garages, sheds, greenhouses – should be subordinate in scale and floor area to the main house. Such buildings in front gardens will not usually be acceptable.</p> <p>Their use must be ancillary to the “enjoyment of the dwelling house”; e.g. for gardening, maintenance, hobbies etc and not for a commercial business. Proposals will be assessed for their impact on neighbouring property (eg loss of daylight) in the same way as extensions.</p> <p>In flatted properties, the way that the garden ground is allocated and the position of neighbouring windows may restrain the size or position of any such buildings.</p>
Householder Guidance, p15	<p>Permitted Development Ancillary buildings such as sheds, garages, sun-houses, and greenhouses</p> <p>PD rights allow buildings “incidental to the enjoyment of the dwellinghouse” within its the rear garden. The height of the eaves (gutter) of any building, including sheds and greenhouses, can not be higher than 3 metres and no part of the building can be higher than 4 metres.</p> <p>Any part of the building within a metre of a boundary cannot be higher than 2.5 metres.</p> <p>The total area covered by proposed and existing development must be less than half the relevant curtilage.</p> <p>In conservation areas or for a listed building, the footprint of the ancillary building cannot exceed 4 square metres.</p>
Listed Buildings and Conservation Areas advice	<p>Permitted Development in Conservation Areas - To determine whether planning permission is required, the <i>Town and Country Planning (General Permitted Development) (Scotland) Order 1992</i> should be considered or the Planning Helpdesk can be contacted on 0131 529 3571.</p>
Business Guidance	No relevant material identified
Guidance on Householder Permitted Development Rights (http://www.scotland.gov.uk/Publications/2012/02/9140/downloads)	
Page 41	<p>Ancillary buildings including sheds, garages, sun-houses, greenhouses etc.</p> <p>Class 3A – The provision within the curtilage of a dwellinghouse of any building required for a purpose incidental to the enjoyment of a dwellinghouse or the maintenance or improvement of such a building.</p> <p>This class generally allows the provision of any building incidental to the enjoyment of the dwellinghouse if it is in the rear curtilage. In the main this covers sheds, garages, greenhouses etc.</p> <p>In the case of dwellinghouses in a conservation area or within the curtilage of a</p>

	<p>listed building, the floor area of the ancillary building can not exceed 4 square metres.</p>
<p>Page 45</p>	<p>Class 3A.—</p> <p>(1) The provision within the curtilage of a dwellinghouse of a building for any purpose incidental to the enjoyment of that dwellinghouse or the alteration, maintenance or improvement of such a building.</p> <p>(2) Development is not permitted by this class if—</p> <p>(a) it consists of a dwelling;</p> <p>(b) any part of the development would be forward of a wall forming part of the principal elevation or side elevation where that elevation fronts a road;</p> <p>(c) the height of the eaves would exceed 3 metres;</p> <p>(d) any part of the development would exceed 4 metres in height;</p> <p>(e) any part of the development within 1 metre of the boundary of the curtilage of the dwellinghouse would exceed 2.5 metres in height;</p> <p>(f) as a result of the development the area of ground covered by development within the front or rear curtilage of the dwellinghouse (excluding the original dwellinghouse and any hard surface or deck) would exceed 50% of the area of the front or rear curtilage respectively (excluding the ground area of the original dwellinghouse and any hard surface or deck); or</p> <p>(g) in the case of land in a conservation area or within the curtilage of a listed building, the resulting building would have a footprint exceeding 4 square metres.</p>