

5 August 2017

Response from Spokes to the consultation¹ entitled...

People, Places and Planning – Position Statement, June 2017

This consultation requests comments further to those already made in response to the January 2017 Planning Law consultation, *People Places and Planning*².

Spokes did respond to that consultation. Our response is here³. However our response does not appear to be on your webpage of published responses, although permission to publish was given – instead there appears to be blank placeholder with the Spokes name.

In any case, we are now responding to the 'Position Statement' consultation to expand on our comments on Permitted Development Rights (PDR) (at the top of page 7 of our above response). We refer to section 19 of the Position Statement, which covers PDR. We are strongly of the view that PDR should be extended to containers and sheds in front gardens and which meet specified criteria (to be decided).

We are particularly concerned to comment further on this in view of the recent HOPS (Heads of Planning Scotland) document⁴ on extension of PDR. That document (section 9, page 28) refers to “a leaflet” published by Spokes on this subject. In fact the 'leaflet' was a paper drawn up by Spokes in discussion with City of Edinburgh Planning. It then went to the Council Planning Committee⁵ where it was deemed “appropriate” and the Committee decided it should be referenced in their online Guidance to Householders⁶ – which it now is (page 12 of the Guidance).

This is an indication of the seriousness of the problem, particularly the distress and bemusement (see example personal quotes here⁷) which we have seen in a good number of cases, by householders wishing only to undertake their daily travel by bike, and to enable their children to do the same – wishes which are wholeheartedly supported and encouraged by other sections of Councils and by the Scottish Government.

We find it astonishing that the micro-issues of neighbours and amenity (which would anyway be largely avoided by defining specified criteria for permitted containers) are allowed to over-ride the macro-issues and indeed public crises of wider environmental amenity - public health, climate and toxic emissions, traffic noise and congestion.

Interestingly, in general terms the HOPS paper (Recommendation 31) supports “policy aspirations such as low carbon living.” But when it comes to a concrete example, such as the one we raise, the view is different.

1 <https://consult.scotland.gov.uk/planning-architecture/places-people-and-planning-position-statement/>

2 <https://consult.scotland.gov.uk/planning-architecture/a-consultation-on-the-future-of-planning/>

3 <http://www.spokes.org.uk/wp-content/uploads/2015/04/1703-Scot-Gov-Planning-PH-FINAL-Spokes-response.pdf>

4 <https://beta.gov.scot/publications/planning-review-extension-permitted-development-rights-report/Planning%20Review%20Extension%20of%20permitted%20development%20rights.pdf?inline=true>

5 <http://www.spokes.org.uk/2013/10/spokes-gardens-bike-storage-factsheet-now-in-use/>

6 http://www.edinburgh.gov.uk/download/downloads/id/704/guidance_for_householders

7 <http://www.spokes.org.uk/2012/09/bike-shed-bans/>

We note that the dimensional criteria which we suggest in section 4 of our above Edinburgh Council-approved document for PDR for containers/ sheds in front gardens are way way smaller than the current dimensional criteria for sheds in back gardens (listed in the HOPS document, section 9) and were arrived at in discussions between ourselves and Edinburgh Planning Department very much with amenity considerations in mind.

Apart from the personal distress caused by the present rules, it seems so unreasonable that householders wishing to install even a small container to securely store their bike(s), when they often have no access to a back or side garden, have to pay a planning application fee of over £200 – often more than the cost of the container – merely to discover whether or not permission will be granted.

Finally, one of the aims of the Planning Review is to reduce unnecessary bureaucracy and time-wasting. The present rules are a prime example of this. *Every case* in which we have been involved where the container or shed meets the criteria in our above document has been determined in favour of the applicant – but the process has often entailed inordinate amounts of officer time, involvement of councillors, appeals and in some cases government reporters - not to mention the time of the householders and those who have supported them, including ourselves and many neighbours who kindly submitted letters to the council supporting their neighbour.

In conclusion, we urge the Scottish Government to make this small change to PDR, thus contributing to public health and emissions goals, reducing the burden on local authorities and Scottish Government reporters, and avoiding a great deal of distress, frustration and avoidable cost for householders.

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