

Edinburgh Tram System

Approvals and Consents Management Plan

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EXECUTIVE SUMMARY

This document is Version 7 of the Approvals and Consents Management Plan (ACMP) for the Edinburgh Tram Project. It has been prepared at the conclusion of the preliminary design process.

The success of System Design Services is ultimately dependant on achieving the necessary approvals and consents. To assist this, the Approvals and Consents Management Plan (ACMP) provides an overarching strategic document that defines all approvals and consents. It performs the basis for tracking these approvals and consents from design development and pre-application discussions to the conclusion of the approvals and consents process. The ACMP is concise and informative with a short introductory section, a series of detailed tables and a separate Approvals Tracker which is continually updated.

The ACMP is an evolving document and revisions will be issued on a periodic basis through preliminary and detailed design. It will be influenced by ongoing discussions to define procedures and outputs: in SDS; with tie as client and; with City of Edinburgh Council and other key stakeholders.

The Environmental Management Plan, Traffic Management Plan and Stakeholder Management Plan should be read in conjunction with the ACMP. It will also form the basis for implementing decisions reached through the Interdisciplinary Design Check process and reflecting guidance from the Tram Design Working Group.

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1 INTRODUCTION

1.1 Background and Purpose

- 1.1.1** System Design Services (SDS) is responsible for delivering all approvals and consents required by the Edinburgh Tram Project. This includes those required under Parliamentary undertakings and third party agreements on behalf of **tie**, either directly or through the appropriate authority.
- 1.1.2** Many, but not all, consents will be required from the Planning Authority of City of Edinburgh Council (CEC). The Planning Authority will expect high quality urban design in the city, particularly in the World Heritage Site, Conservation Areas and development areas. An emphasis on a holistic approach to design that ensures the tram fits the context of the city will also be sought by CEC. The Tram Design Manual sets out these aspirations, context, requirements and mechanisms for achieving quality design for Tram.
- 1.1.3** The Tram Design Working Group, set up as a pre-application forum for planning submissions as required by the Parliamentary process in order to mitigate the objection by Historic Scotland, plays a key role in ensuring that the Council, Historic Scotland and Edinburgh World Heritage Trust have the opportunity to participate in the delivery of a tram system which is integrated with the public realm and reflects the identity of Edinburgh. In moving to Detailed Design, following approval of the Preliminary Design by the Design Approvals Panel on behalf of the Promoter, the importance of high quality planning and urban design to CEC has been elevated through a process of Charettes.
- 1.1.4** The success of System Design Services is ultimately dependant on achieving the necessary approvals and consents. To assist this, the Approvals and Consents Management Plan (ACMP) has been prepared. This provides an overarching strategic document that defines all approvals and consents. It performs the basis for tracking these approvals and consents from design development and pre-application discussions to the conclusion of the approvals and consents process. It guides tram designers and statutory authorities as to what features of design require approval and how these will be achieved in cooperation with CEC.
- 1.1.5** The ACMP is concise and informative with a short introductory section, a series of detailed tables and an Approvals Tracker which is continually updated. It will be an evolving document, updated as necessary through the life of the project. It is also closely related with other Edinburgh Tram Project Management Plans and documents that need consents and approval:
- Environmental Management Plan;
 - Landscape & Habitat Management Plan and;
 - Traffic Management Plan and;
 - Stakeholder Management Plan.
- 1.1.6** For preliminary design, this has been undertaken through the Interdisciplinary Design Process and through weekly meetings with Section Design Managers (SDMs) responsible for individual sections of design. It has also been informed by monthly meetings with CEC's Head of Planning and his staff. During the course of detailed design, the Approvals and Consents Team will broker approvals through the process with individual SDMs.
- 1.1.7** The approvals and consents required for Detailed Design are to be included in the Approvals Tracker. This will be dependant on the programme for detailed design agreed with **tie** and CEC and will effectively determine the quantum and batching of Prior Approval applications.

2 APPROVALS AND CONSENTS STRATEGY

2.1 Objectives

2.1.1 The objectives of the Approvals and Consents Management Plan are to:

- define the range of approvals and consents required, and the appropriate authorities for submission;
- identify other relevant requirements generated through Parliamentary commitments and third party agreements;
- reflect the liaison arrangements between the tram designers and appropriate authorities and stakeholders, to ensure the evolving design will meet approval and consent requirements;
- explain how any additional consent requirements that emerge as the design evolves will be identified;
- set out the arrangements for agreeing with the appropriate authorities how and when the necessary applications will be submitted and what information needs to be lodged with those applications and;
- identify arrangements for resolving potential conflicts between the requirements of the consenting authorities and tram design requirements.

2.2 Strategy

- 2.2.1** SDS will make submissions on behalf of **tie** (after these have been considered at Tram Design Working Group when appropriate and approved and cleared for release). The ACMP provides the detail for making submissions, while the Approvals Tracker enables submissions to be planned in accordance with the programme.
- 2.2.2** Close liaison has been established with the City of Edinburgh Council Planning and Roads Authorities, reflecting the fact that the bulk of the approvals and consents will be for Prior Approval or related to traffic orders (TROs/TTROs). The aim of this liaison has been to agree how and when applications are submitted, and what information needs to be lodged with them.
- 2.2.3** The Tram Design Manual and the Tram (Line One) and (Line Two) Acts are central to the development of the ACMP and in defining the range of approvals and consents required. Also relevant are CEC guidance such as Edinburgh Standards for Streets and Conservation Area Character Appraisals.
- 2.2.4** A series of Urban Design Briefs have been prepared by SDS in order to capture the requirements of the Tram Design Manual and the Environmental Statement in a location-specific context. These fulfilled the role of Townscape Assessments. The Urban Design Briefs are used to inform the tram system designers of location-specific design requirements.
- 2.2.5** SDS attends the Tram Design Working Group to present draft designs for discussion and to answer questions related to design. The Tram Design Working Group is the consultative forum for pre-application discussions with stakeholders.

- 2.2.6** In parallel with this are the CEC Design Approval Panel, which assesses Preliminary Design using a red, amber and green scoring system, and Design Charettes, which have led to Change Orders from tie to redesign most of Section 1.
- 2.2.7** SDS has also established a series of working groups (with membership drawn from SDS, tie and support contractors and City of Edinburgh Council Planning and Transport Departments) with regard to traffic management. The ACMP outlines the process for obtaining temporary and permanent traffic regulation orders, but these orders will be the output of a Traffic Management Plan based upon the programme for roads design, the preparation of temporary traffic regulation orders and the preparation of permanent traffic regulation orders.
- 2.2.8** SDS designers have established close liaison with HMRI and with Network Rail and will work closely with these bodies in achieving the necessary consents. Links will be established with authorities including Scottish Natural Heritage (SNH), the Scottish Environmental Protection Agency (SEPA), Scottish Water, and others as appropriate. Historic Scotland work with the Planning Authority, SDS and other stakeholders through the auspices of the Tram Design Working Group.
- 2.2.9** SDS have prepared an Environmental Management Plan which covers specialist ecological consents, such as SSSI notifications and protected species licenses. These consents will be obtained through the Environmental Management Plan. City of Edinburgh Council Planning Authority will approve the Landscape and Habitat Management Plan, a requirement of the Parliamentary process. The Approvals and Consent Management Plan will deal with other non-specialist environmental consents.
- 2.2.10** The Stakeholder Management Plan sets out the approach for engaging with a wide range of stakeholders along and around the tram network. The Stakeholder Manager has also prepared a Consultation List and Task Leaders, who will be responsible for engaging with stakeholders. The Approvals Manager is one of these Leaders and will be consulting with statutory and non-statutory stakeholders in advance of the formal prior approval submissions.
- 2.2.11** Non-planning disputes will be resolved through the process devised by City of Edinburgh Council. This is summarised below for easy reference, although reference should be made to the detail of the appropriate City of Edinburgh Council protocol.
- Identification of the disagreement between the parties.
 - Reference is made to appropriate protocol.
 - Signatories to the protocol meet to discuss the issues taking into account the principles enshrined in the protocol.
 - A meeting arranged between the City of Edinburgh Council departmental head and the Project Director for Trams.
 - The issue is discussed at the following Tram Project Board
 - A mediator/arbiter from the respective professional body is appointed with the outcome of this process binding.
- 2.2.12** In the event of a planning-related application being rejected, SDS can appeal to Scottish Ministers within 6 months of the decision being made by the Planning Authority. If a planning decision has not been made within 2 months and a request to extend the period has not been made, an appeal can also be made. Enquiries in the first instance should be made to the Scottish Executive Inquiry Reporters' Unit.

3 APPROVALS AND CONSENTS PROVISIONS

3.1 Introduction

3.1.1 Section 3 describes the design activities and the range of consents required. It also provides more detail on Consent Description, Timescale, Authority, Packaging and Deliverables, Approval and Protocol. Specific details regarding these items will be reliant on the programme for detailed design.

3.1.2 This section should be used with the Approvals Tracker, detailed in Section 4. The first iteration of the tracker will be based on the Interdisciplinary Design Checks (IDC) submitted for preliminary design, and populated by the Approvals and Consents Team. Section Design Managers and Design Team Leaders will be required to confirm the accuracy of the content with regard to design features prior to its use as a collaborative tool with **tie** and CEC.

3.2 Design Activities

3.2.1 Table 1 below lists the principal design activities associated with the Preliminary Design and Detailed Design phases.

Table 1

Activity	Preliminary Design	Detailed Design
Alignment and Trackwork	<ul style="list-style-type: none"> Review and confirm track horizontal alignment Review and confirm track type Locate all tram stops 	<ul style="list-style-type: none"> Develop track vertical alignment Design/redesign drainage Develop track construction details Apply/develop street construction details
Tram Stops	<ul style="list-style-type: none"> Platform layout, equipment layout and patron access for all stops Develop typical tram stop signage & lighting Identify special design features 	<ul style="list-style-type: none"> Develop details, including platform pavement, shelters and signage Develop details of any special design features
Traffic Engineering	<ul style="list-style-type: none"> Develop traffic lanes & junction layout Develop traffic demand model 	<ul style="list-style-type: none"> Develop details of traffic & tram signage Develop details of markings & signage
Transit Systems	<ul style="list-style-type: none"> Review & confirm traction power substation locations Develop substation enclosure preliminary design Develop Overhead Line Equipment layout Configure communications system including CCTV Configure fare collection system 	<ul style="list-style-type: none"> Develop substation enclosure details Develop Overhead Line Equipment support details
Trams & Depots	<ul style="list-style-type: none"> Prepare tram technical specification for tender process Prepare depot layout & functional specification 	<ul style="list-style-type: none"> Appoint tram manufacturer Develop depot details for construction

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3.3 Scope of Approvals and Consents Required

3.3.1 Table 2 lists the consents required, likely extent, authority for each and an indication of the timescale. Paragraphs 3.4 onwards provide further detail of the consents required by specific discipline area in a series of tables. Some consents are included for information only with no further information and these are annotated as such.

Table 2

CONSENT	LIKELY EXTENT OF REQUIREMENT	AUTHORITY	TIMESCALE
Rail	HMRI and Network Rail Consents	HMRI Network Rail	Iterative process through preliminary and detailed design stages
Aviation	Aviation and BAA Approvals	Planning Authority BAA	Iterative process through preliminary and detailed design stages
Planning	Prior Approvals for buildings and OLE fixings Listed Building Consent for OLE fixings Advertising Consent. Full Planning Permission will be required for works not scheduled in the Bills. Conservation Area Consents - not required Scheduled Monument Consent (Victoria Bridge)	Planning Authority Scottish Ministers & Historic Scotland	8 weeks minimum Plus 8 weeks – application can be dealt with through delegated powers or by Planning Committee Plus Further time required if called in by Scottish Executive.
Traffic	Traffic Regulation Orders Temporary Traffic Regulation Orders	Roads Authority	Minimum of 12 months 8 weeks
	Road Construction Consent	Roads Authority	28 days
Environment	Water and Waste Water Connection Controlled Activities Regulations Compliance Controlled Activities Regulations Approval Controlled Activities Regulations License	Scottish Water SEPA SEPA SEPA	28 Days Not applicable
	SPA Notifications/Consents (information only) Protected species notifications/consents (information only)	SNH/Scottish Executive	Not Applicable
	Landscape and Habitat Management Plan	Planning Authority	Prior Approval of this is required in accordance with Acts of Parliament.
Structures and Construction	Building Warrant for Depots	Building Standards	2 weeks minimum
	Technical Approval	CEC Building Standards, Roads, Bridges	8 weeks
	Works to safeguard buildings (information only)	Owner/occupier	14 days notice
Radio	Business Radio License	OFCOM	None Given
Agreements and Undertakings	Third Party Agreements entered into will require to be met and the preliminary design phase will need to ensure these are fulfilled. (information only)	Agreement between tie and party	Details passed to designers as tracked through the programme
	Parliamentary Undertakings will require to be met and the preliminary design phase will need to ensure these are fulfilled. (information only)	Parliament	Details passed to designers as tracked through the programme

3.4 Rail Approvals and Consents

3.4.1 Network Rail.

Table 3

Consent Description	Activities which “interface with the network” require liaison with the Outside Party Engineer. The Tram falls into such a category. In addition to this, Acceptance of Product and Plant may be required for operation of the Tram on Network Rail land or structures.
Consent Timescale	This is an ongoing process through Tram design and construction.
Authority	Network Rail
Packaging and Deliverables	To be determined by Design Team Leader.
Approval	Acceptance of Product and Plan; completion of Form A and Form B.
Protocol	The promoter tie is liaising directly with Network Rail with regard to Interface with the Network and Acceptance of Product and Plant, and also with the associated legal, property and financial issues.

3.4.2 Her Majesty's Rail Inspectorate (HMRI).

Table 4

Consent Description	HMRI Approval
Consent Timescale	An iterative process running throughout the duration of the Tram project
Authority	Her Majesty's Railway Inspectorate
Packaging and Deliverables	<ul style="list-style-type: none"> • See Railway Safety Principles and Guidance Parts 1 and 2 • Familiarisation visits to the proposed routes and the works in progress; <p>General descriptions of the design proposals for both technical systems and application design to sections of route;</p> <p>The addressing of particular issues with the Inspectorate, where confidence is required that a particular design approach is likely to prove satisfactory.</p>
Approval	<p>Issue of a Certificate of Compliance at the end of the Detailed Proposal stage</p> <p>Further site visits and investigations will be carried out after the completion of design. Agreements will be granted prior to the energisation of overhead sections of the line, before the first trial run of the tram, and prior to the commencement of driver training.</p>
Protocol	<ul style="list-style-type: none"> • Basic Proposal Stage: Project scheme and associated details. • Concept Stage: Project/Scheme Overview, General Description of Systems, Potential Issues, Operating Parameters, Items not Covered by the Project/Scheme. • Detailed Proposal Stage: Design Scope, Operational Limitations, Novel and Complex Equipment, Human Factors Studies, Interfaces, System Interfaces, Stakeholder Interfaces, Key Project Milestones & Commissioning Dates, Maintainability Hazards, Mitigation, Certificate of Compliance. • Specific Evidence for Tramways and Light Rapid Transit Systems.

3.5 Aviation Approvals and Consents

3.5.1 Public Safety Zone/Safeguarding of Aerodromes

Table 5

Consent Description	Public Safety Zones are established at the ends of runways based on risk analysis and delineated by contours of risk. There is a presumption against development within certain contours of risk. Safeguarding of Aerodromes CAP 738 provides guidance to approving authorities with regards to consultation required with airport operators for planning approvals and considers roads and railways of 4.8m and 5.4m width respectively to be mobile obstructions requiring consultation. Birdstrike, lighting, carnage and electromagnetic interference issues may also require consultation.
Consent Timescale	Part of Prior Approval/Planning Permission consultation.
Authority	CEC Planning Authority
Packaging and Deliverables	Refer to Prior Approval/Planning Permission. The Public Safety Zone is only applicable for the runway 06/24 (running on a 60 to 240 degree axis) and the Tram route does not encroach upon this.
Approval	Prior Approval/Planning Permission
Protocol	Applications for Prior Approval/Planning Permission will need to make reference to Civil Aviation Authority publication CAP 738.

3.5.2 BAA Consent

Consent Description	There will be various conditions that require fulfilment by British Airport Authorities (BAA) for development within the vicinity of the airport.
Consent Timescale	Not Stated
Authority	BAA
Packaging and Deliverables	Not Stated.
Approval	BAA consent to Tram development within the vicinity of the Airport.
Protocol	The promoter tie are liaising directly with BAA with regard to conditions that need to be met, and also with the associated legal, property and financial issues.

3.6 Planning Approvals and Consents

3.6.1 The bulk of planning consents are expected to be applications for Prior Approval. The Tram (Line One) and (Line Two) Acts, as private bills, are covered by the provisions of the General Permitted Development Procedure (Scotland) 1992 (Section 11, Class 29) which limits the scope for refusing an application for prior approval of permitted development arising from a private bill. There are two conditions for refusal:

- *in any case (other than the provision of works carried out to a dam) the development ought to be and could reasonably be carried out elsewhere on the land designated specifically in the said Act or order; or*
- *the design or external appearance of any building, bridge, aqueduct, pier or dam would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.*

3.6.2 Development arising from works not scheduled in the Acts, or falling outwith the Limits of Deviation, are likely to require full planning permission.

3.6.3 Further planning consents beyond Prior Approval will be required. Types of Planning applications required are detailed below in Table 6. This has been reproduced from the Tram Design Manual. ► Paper from CEC May 2006 ◀

Table 6

Proposal (A-Z)	Type of Planning Application Required
Access Roads	Prior Approval.
Advertisements on Tram Stops or other Buildings/structures.	Express Consent to Display an Advertisement required for commercial advertising. Directional signs and information notices enjoy "deemed consent" and so do not require express consent.
Advertisements on Trams (inside and out)	No Consent Required.
Bridges (Erection of new bridges and extensions to existing)	Prior Approval.
Buildings (Erection of new building or extensions to existing)	Prior Approval.
CCTV within Limits of Deviation	May require Prior Approval (any building or pole on which they are fixed may require prior approval). Listed Building Consent where attached to Listed Building specified in Schedule 10.
CCTV outwith Limits of Deviation	None usually, but consent needed in Conservation Areas and consent also needed if preconditions contained in General Permitted Development Order are not met. Listed Building Consent likely to be needed to attach CCTV cameras to listed buildings.
Construction compounds within Limits of Deviation or adjacent to Limits of Deviation land	None.
Demolition of buildings/ structures within a Conservation Area	Conservation Area Consent (unless only partial demolition, or the building or structure is very small - 115 cu m or under - or was not in a conservation Area at the time the Bill was introduced to Parliament).
Fences (means of enclosure only - see below for "sound barriers")	None within Limits of Deviation. Outwith Limits of Deviation - consent required only in the conservation areas unless over 1 m high (and other General Permitted Development Order preconditions).
Footbridges	Prior Approval.

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Embankments	Prior Approval.
Landscaping - Hard & Soft	None. However, link with Environmental Statements and the Landscape Habitat Management Plan for Roseburn Corridor.
Lighting	May require Prior Approval if attached to a building or placed on a pole. May also require Listed Building Consent if thus affixed. See "Street Lighting".
Listed Building alterations (for tram related works)	Prior Approval. Listed Building Consent where attached to Listed Building specified in Schedule 10.
Overhead Line Equipment Poles	Prior Approval.
Fixings to Listed Buildings	Prior Approval. Listed Building Consent where attached to Listed Building specified in Schedule 10.
Overhead line fixings to non-listed buildings	Prior Approval.
Park & Ride Site at Ingliston	None (except for any formation or alteration of a means of access to a road used by vehicular traffic and any buildings/shelters).
Park & Ride Sites - Others	Full Planning Permission.
Retaining walls	Prior Approval (unless retaining wall is considered to be solely a means of enclosure).
Scheduled Ancient Monument	Scheduled Monument Consent required for almost any type of work to Victoria Swing Bridge (including temporary storage on the surface of the Scheduled Ancient Monument). Application must be made direct to the Scottish Ministers. Dealt with by Historic Scotland (who has indicated that a form of in principle Scheduled Monument Consent could be given).
Signs	Traffic and other functional signs generally enjoy "Deemed Consent" providing any illumination is for purposes of warning.
Signalling	May require Prior Approval if attached to a building or placed on a pole Listed Building Consent would also be needed if attached to Listed Building specified in Schedule 10.
Sound Barriers	Prior Approval. Sound barriers by definition are not considered a means of enclosure. Hence they fall within the definition of "building" in the 1997 Act and require prior approval.
Street lighting	None usually (permitted development by a local authority) but may need consent in Conservation Area with Article 4 Direction in force. Prior approval will be required if fitted to a wall or pole (see "lighting").
Substations	Prior Approval - within definition of "building".
Trackside Equipment Cabinets	None. Plant and equipment is exempt from the definition of "building" in General Permitted Development Order.
Trams	None.
Tram tracks & associated surfacing within existing roads	None.
Tram stops & associated equipment	Prior Approval for those parts defined as a building (eg Shelter). While not all parts of the tram stop require prior approval, it is tie's intention to lodge applications for tram stops as a whole so that those parts which need approval can be judged in context.
Trees - removal of, or works to	None.
Vehicle access to road used by vehicular traffic (formation of or alteration to)	Prior Approval.
Viaducts (Erection of new one or alteration to existing one)	Prior Approval.
Walls (means of enclosure only – see above for "sound barriers" and "retaining walls")	None within Limits of Deviation. Outwith Limits of Deviation consent required only in the conservation areas or if more than 1 m high.

3.6.4 The Prior Approval process for tram submissions was approved as an addition to CEC's Scheme of Delegated powers on 18 May 2006 by its Planning Committee. The approved committee report also set out procedures affecting elected members and operational procedures in the Planning Authority. The report was approved by full Council committee in June 2006

3.6.5 CEC has also prepared two guidance notes for SDS on prior approval. The first sets out a template for submitting prior approvals (Appendix C) and a sample committee report (Appendix D)

3.6.6 Full Planning Permission.

Table 7

Consent Description	Full planning permission for development not scheduled in the Tram (Line One) and Tram (Line Two) Acts.
Consent Timescale	Initial period of 14-21 days for neighbours objection period followed by 8 weeks minimum for consideration of the application and the possibility of a hearing in the event of the application being called in by the Scottish Executive or in the event of an appeal against refusal.
Authority	City of Edinburgh Council City Development Department - Planning Authority
Packaging and Deliverables	<p>For all applications 4 copies of the location/site plan must be provided. They should be Ordnance Survey based scale 1:1250 and include a NORTH point. The land to which the application relates must be outlined in RED with any other adjoining land owned outlined in BLUE. The plan must indicate which neighbouring properties have been notified.</p> <p>Full planning and reserved matters application require 4 sets of block plans and detailed building/construction drawings drawn accurately, preferably to the scale of 1:50 or 1:100, and including a NORTH point, two of which should be coloured.</p> <p>All plans should accurately reflect on site conditions. For all new build development a plan and cross sections detailing existing and proposed site levels, reflecting the relationship between the development and neighbouring properties, must be provided.</p> <p>Additional contextual information may also be required for larger developments,</p>
Approval	Approval, Approval with Conditions or Refusal.
Protocol	<ul style="list-style-type: none"> • Completion of an application for full planning permission is required. • Neighbour notification certificates, and land ownership certificates must be included with the application. Neighbours must be notified using the form provided with the application form at the same time. If the application is termed as a bad neighbour development, the application will require to be advertised and an additional cost will be incurred. A full list of bad neighbour developments can be found in the guidance notes. • Once the City Development Department receives the application, it will be checked to ensure that the forms and certificates have been completed correctly, that there are the correct number of plans, and the correct fee has been paid. If for some reason, the application is not complete, it cannot be processed. If the application is complete, an acknowledgement letter will be sent with a reference number which should be quoted in all future correspondence with Planning. • In the first 14 days after the receipt of the planning application, neighbours of the site have a statutory right to examine and comment on the plans. Additional periods may apply e.g. when an application is advertised. For many applications this is a 21 day period

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	<p>from the date of the advertisement. Any material objections made within the statutory periods must be taken into account by Planning when making a recommendation to the Planning Committee.</p> <ul style="list-style-type: none">• For certain types of application, consultations are carried out with other Council Departments and external bodies. e.g. Environmental Services, and Social Work.• For most applications, a decision is made within two months. If more time is required, the City of Edinburgh Council may request to formally extend that period.
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3.6.7 Prior Approval for Buildings. The definition of “buildings” under the Tram (Line One) and (Line Two) Acts includes associated equipment such as poles and substations. There is a ten year time limit on any development arising from the Bills. The exception is subsequent works for the purpose of alteration, maintenance or repair.

Table 8

Consent Description	Prior Approval for Development
Consent Timescale	Pre-statutory discussion of prior approval elements with Tram Design Working Group; on application there is a 21 day consideration period for Councillors and 8 weeks for determination.
Authority	City of Edinburgh Council City Development Department - Planning Authority
Packaging and Deliverables	<p>4 copies of the submission form with 4 copies of all necessary plans and drawings (2 of which must be coloured)</p> <p>Location/site plan. They should be Ordnance Survey based scale 1:1250 and include a NORTH point. The land to which the submission relates must be outlined in RED and should also identify Limits of Deviation. Block plans at Ordnance Survey based scale 1:500. Detailed building/construction drawings drawn accurately, preferably to the scale of 1:50 or 1:100, in plan form and showing elevations. All plans should accurately reflect on site conditions. For most sections of the route it is anticipated that cross sections detailing existing and proposed site levels, reflecting the relationship between the development and neighbouring properties, will be required.</p> <p>A plan/drawing showing traffic management solutions should be provided for information along with any submission.</p>
Approval	<p>Compliance with the Tram Design Manual will be a key consideration.</p> <p>Approval, Approval with Conditions or Refusal.</p>
Protocol	<p>Application will be considered under delegated powers unless:</p> <ul style="list-style-type: none"> • A decision would not be in accordance (except for a minor infringement) with statutory development plans and/or non-statutory Council adopted policy (particularly the Tram Design Manual); • A substantial number of third party material objections to a proposal to be approved or supporting a proposal to be rejected; • For a submission affecting a listed building, scheduled ancient monument, designated landscape or their setting, Historic Scotland have been consulted and have neither supported a proposal to be refused or objected to a proposal to be approved; • A Councillor has requested referral to Planning Committee; • The Head of Planning considers the submission should go to Planning Committee • See paragraph 3.6 for details of the grounds for refusal of for attachment of conditions in accordance with Section 11, Class 29 of the General Permitted Development (Scotland) Order 1992.

3.6.8 Prior Approval for Building Fixings. Building fixings are defined as “extensions to buildings” and require Prior Approval.

Table 9

Consent Description	Prior Approval application for building fixings for buildings (including listed buildings) not scheduled within Schedule 10 of the Tram Line (One) and Tram Line (Two) Acts.
Consent Timescale	Pre-statutory discussion of OLE design and building fixings with Tram Design Working Group; on application 8 weeks for decision to be reached plus possible 4-8 weeks if submitted to Planning Committee
Authority	City of Edinburgh Council City Development Planning Authority
Packaging and Deliverables	<p>4 copies of the submission form with 4 copies of all necessary plans and drawings (2 of which must be coloured)</p> <p>Location/site plan. They should be Ordnance Survey based scale 1:1250 and include a NORTH point. The land to which the submission relates must be outlined in RED and should also identify Limits of Deviation. Block plans at Ordnance Survey based scale 1:500. Detailed building/construction drawings drawn accurately, preferably to the scale of 1:50 or 1:100, in plan form and showing elevations. All plans should accurately reflect on site conditions. For most sections of the route it is anticipated that cross sections detailing existing and proposed site levels, reflecting the relationship between the development and neighbouring properties, will be required.</p> <p>A plan/drawing showing traffic management solutions should be provided for information along with any submission.</p>
Approval	<p>Compliance with the Tram Design Manual will be a key consideration.</p> <p>Approval, Approval with Conditions or Refusal.</p>
Protocol	<p>Application will be considered under delegated powers unless:</p> <ul style="list-style-type: none"> • A decision would not be in accordance (except for a minor infringement) with statutory development plans and/or non-statutory Council adopted policy (particularly the Tram Design Manual); • A substantial number of third party material objections to a proposal to be approved or supporting a proposal to be rejected; • For a submission affecting a listed building, scheduled ancient monument, designated landscape or their setting, Historic Scotland have been consulted and have neither supported a proposal to be refused or objected to a proposal to be approved; • A Councillor has requested referral to Planning Committee; • The Head of Planning considers the submission should go to Planning Committee • See paragraph 3.6 for details of the grounds for refusal of for attachment of conditions in accordance with Section 11, Class 29 of the General Permitted Development (Scotland) Order 1992.

3.6.9 Listed Building Consent for Building Fixings. This relates to building fixings attached to buildings that are listed under the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997.

Table 10

Consent Description	Listed Building Consent for fixings to buildings scheduled within Schedule 10 the Tram Line (One) and Tram Line (Two) Acts.
Consent Timescale	Pre-statutory discussion of OLE design and building fixings with Tram Design Working Group; on application 8 weeks for decision to be reached (including advertisement period of 21 days) plus possible 4-8 weeks if submitted to the Planning Committee. Scottish Executive must be informed once decision has been made and there is a further 28 days during which the Scottish Executive may call in the application.
Authority	City of Edinburgh Council City Development Planning Authority Scottish Executive
Packaging and Deliverables	<p>For all applications, 3 copies of a location/site plan must be provided. They should be Ordnance Survey based scale 1:1250 and include a NORTH point. The land to which the application relates must be outlined in RED and any other adjoining land owned by the applicant in BLUE. All documentation must be in metric measurements.</p> <p>3 sets of all detailed drawings are required, with 2 sets coloured, drawn to a scale of 1:50 50, with any drawings of specific details drawn to a scale of 1:20 20, for both the existing and proposed situation. The drawings illustrating the proposed alterations should be coloured to show clearly what is old work and what is new work. Existing architectural details should be clearly shown and marked 'no change'. The submission of photographs is encouraged.</p> <p>Applications for consent to demolish a listed building must be supported by evidence of the building's state of repair and evidence of marketing on the open market.</p> <p>A written justification for the works will be required within two weeks of validation, if considered necessary.</p>
Approval	Approval, Approval with Conditions or Refusal.
Protocol	<p>Submission of an application for listed building consent is required.</p> <p>Once the City Development Department receives the application, it will be checked to ensure that the forms and certificates have been completed correctly and that there are the correct number of plans. If, for some reason, the application is not complete, it cannot be processed. If the application is complete, an acknowledgement letter will be sent with a reference number which should be quoted in all future correspondence with Planning. It will also provide the name and contact telephone number of the case officer dealing with the application.</p> <p>The Planning Authority are required to advertise every application for listed building consent. This is done in the Edinburgh Evening News. The advert allows for the application to be inspected for a period of 21 days following the date of the advert. Any material objection made within the 21 day period must be taken into account by Planning when making a recommendation to the Planning Committee.</p> <p>The council aims to reach a decision within two months. If more time is required, a request may be made to formally extend that period. However listed building consent (on A or B listed buildings) cannot be granted without the approval of the First Minister. The Scottish Ministers have 28 days from the date of receipt to consider the Council's decision. The Scottish Ministers can choose to allow the Council's decision to stand, or choose to call in the application for his own decision.</p>

3.6.10 Advertisement Consent: This relates to advertisements as defined by the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as well as other planning guidance and policies.

Table 11

Consent Description	Advertisement Consent to display an advertisement within Town and Country Planning (General Permitted Development) (Scotland) Order 1992
Consent Timescale	8 weeks for decision to be reached (including advertisement period of 21 days) plus possible 4-8 weeks if submitted to the Planning Committee. Scottish Executive must be informed once decision has been made and there is a further 28 days during which the Scottish Executive may call in the application.
Authority	City of Edinburgh Council Development Planning Authority
Packaging and Deliverables	<p>Nature of Advertisement - Clearly state the nature of the advertisement being sought (i.e. Fascia sign, billboard, etc.).</p> <p>Position (if on building) - This should describe the proposed position for the advertisement, which will allow identification of the position on the building easily.</p> <p>Dimensions - Clearly state the height, width, depth of the proposed advertisement.</p> <p>Type and Colour of Illumination - Clearly state the type of illumination proposed for the advertisement, and the colour.</p> <p>Material and Colour of Structure - Clearly state the materials and colour of the structure on which the advertisement will be mounted.</p> <p>The full address of the application site should be clearly stated, including the postcode. If the site has no address, a written description should be given, which will allow people to identify the site easily.</p> <p>Land to which the application relates should be outlined in RED on a location plan (preferably Ordnance Survey based) and outline any adjoining land owned in BLUE.</p> <p>For all applications, 3 copies of a location/site plan must be submitted. They should be Ordnance Survey based scale 1:1250 and include a NORTH point.</p> <p>Consent is needed for the display of an advertisement which does not benefit from deemed consent. Directional signs and information notices enjoy deemed consent. 5 years is the maximum period of consent. When renewing, it is important to state the reference number and the date of the consent of the previous application. Building Warrants may be required for certain types of proposal.</p> <p>For Consent, and Renewal of Consent, applications, 3 sets of detailed drawings are required, drawn accurately, preferably to the scale of 1:50 or 1:100, two of which should be coloured, to illustrate what the advertisement would look like if constructed.</p> <p>All plans should accurately reflect on site conditions. Where the advertisement is not to be fixed to a building, a plan to a scale not less than 1:500 should show accurately the boundary of the site in which the applicant has an interest and the position of the sign relative to the adjoining buildings, walls, fences, roads or other features. Also necessary are accurate, detailed drawings of the proposed advertisement. Where advertisements are to be fixed on to a building, the elevation of the building incorporating the advertisement should be submitted. For projecting signs the width of footpath must be given.</p>
Approval	Approval, Approval with Conditions or Refusal.
Protocol	<p>Submission for an application for Advertising Consent is required.</p> <p>Once the City Development Department receives the application, it will be checked to ensure that the forms and certificates have been completed correctly and that there are the correct number of plans. If, for some reason, the application is not complete, it cannot be processed. If the application is complete, an acknowledgement letter will be sent with a reference number which should be quoted in all future correspondence with Planning. It will also provide the name and contact telephone number of the case officer dealing with the application.</p>

	<p>The council aims to reach a decision within two months. If more time is required, a request may be made to formally extend that period. The Scottish Ministers have 28 days from the date of receipt to consider the Council's decision. The Scottish Ministers can choose to allow the Council's decision to stand, or choose to call in the application for his own decision.</p>
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3.6.11 Conservation Area Consent

3.6.12 The requirement for Conservation Area Consent is removed by Section 68 of the Tram Line 1 and 2 Acts. It is applicable to works scheduled in the Acts.

3.6.13 Scheduled Monument Consent

Table 12

Consent Description	Scheduled Monument Consent (for works affecting a monument under the Ancient Monuments and Archaeological Areas Act 1979)
Consent Timescale	Much depends on the complexity of the case and whether sufficient information has been provided. As a general guide, Historic Scotland aim to provide an applicant with a provisional decision within 6 weeks of receipt of an application - or of any further information that may be required to complete a submission. Issue of a final decision will depend on whether the provisional decision is acceptable to an applicant or whether a hearing is requested or an applicant wishes to make further written representations.
Authority	Historic Scotland & Scottish Ministers
Packaging and Deliverables	<p>An application should be made to Historic Scotland on behalf of the Scottish Ministers. All other parties with an interest in the monument under application will have to be notified. Failure to do so may result in a refusal to entertain the application.</p> <p>The Scheduled Monument Consent (1) Application Form sets out the basic information required to enable an application to be considered. Replies to Q4 and Q6 need to be particularly informative and detailed so that Historic Scotland can establish precisely and unambiguously how the monument will be affected by the proposed works.</p> <p>If full or detailed planning permission for the works has been obtained, you should enclose a copy with the SMC application (it will rarely be feasible to apply for SMC at outline planning approval stage because of the degree of detail needed to assess the likely archaeological disturbance).</p> <p>Where ground disturbance will occur for the laying of underground services and pipelines, for example, the application plan (ideally a 1/500 survey) should show the exact line, width and depth of any trenches. Similar information will be needed when excavation is to take place for foundations or stanchions. For works affecting upstanding masonry remains, it is recommended that the services of a registered architect and/or allied professional are secured. Ideally the applicant's architect's report should accompany the SMC application. A specification and working/elevation drawings to a scale of 1/50 (or 1/20 for specific details) should be provided wherever possible together with a 1/500 scale site plan. Up-to-date photographs of the areas of the monument for which repair or consolidation works are proposed are required if no elevation drawings are available. Generally only repairs using original and traditional materials are likely to receive SMC and remedial structural measures not damaging to the remaining fabric of the monument are preferred.</p> <p>The views of Historic Scotland's Area Inspector of Ancient Monuments and Architect (if necessary) will be obtained and following consideration of these views a provisional decision letter will be sent out.</p>
Approval	Grant Consent, Grant Consent with Conditions or Refuse.
Protocol	Application is made to Historic Scotland on behalf of the Scottish Ministers. Notification to all other parties with an interest must be given. The views of Historic Scotland's Area Inspector of Ancient Monuments and Architect (if necessary) will be obtained. Following consideration of these a provisional decision letter will be sent.

3.7 Transportation Approvals and Consents

3.7.1 Temporary Traffic Regulation Orders (TTROs)

Table 13

Consent Description	Temporary Traffic Regulation Orders for the utilities diversion phase and for tram construction where permanent Traffic Regulation Orders are not applicable
Consent Timescale	8 weeks plus 14 days for publicising the Order and posting Notices
Authority	City of Edinburgh Council Roads Authority and Lothian and Borders Police
Packaging and Deliverables	1 copy of outline Order showing: Location of closure; physical extent of closure; any suspensions required; reason for closure; details of applicant; first and last day of closure and maximum duration; alternative route for general vehicular traffic, buses and pedestrians; other comments including implications for emergency services; plan showing diversion routes; location of temporary signage including consideration of advance signing.
Approval	Signature of Network Manager Signature of Chief Constable
Protocol	<ul style="list-style-type: none"> • SDS and MUDFA contractor determine requirement for Orders • SDS arrange site meeting with relevant stakeholders • SDS/D&W prepare outline Orders for approval by City Network Services • SDS obtain signature of Chief Constable and pass outline Orders to City Network Services • City Network Services make the Order and pass the Order back to SDS • SDS issue Notice to Stakeholders 2 weeks prior to the commencement of works, and issue Public Notice • Contractor posts notices 4 days prior to the commencement of works

3.7.2 Permanent Traffic Regulation Orders (TROs)

Table 14

Consent Description	Traffic Regulation Orders
Consent Timescale	Up to 2 years
Authority	City of Edinburgh Council Roads Authority
Packaging and Deliverables	Draft Orders are to be presented to the Roads Authority for prohibitions and restrictions on stationary and moving traffic These draft Orders may be subject to a Hearing prior to being made.
Approval	Making of the Traffic Regulation Orders
Protocol	A detailed protocol is in preparation

3.7.3 Road Construction Consent

Table 15

Consent Description	<p>Road Construction Consent will be required for construction works not scheduled within the Acts and for those outwith the Limits of Deviation</p> <p>The Roads Scotland Act 1984 provides in Section 21 a regime which enables parties to apply to the Roads Authority for consent to construct a road</p> <p>It is a criminal offence for a party other than the Roads Authority to construct a new road without such a consent</p>
Consent Timescale	28 days
Authority	City of Edinburgh Council Roads Authority
Packaging and Deliverables	In such form as the Roads Authority requires – to be determined
Approval	Granting of Road Construction Consent
Protocol	<p>Application to the Roads Authority</p> <ul style="list-style-type: none"> • The Roads Authority is obliged to consider any written representation made to them within the 28 days by persons who have been duly notified • The Roads Authority is empowered to grant the consent either with or without conditions or to refuse it • Before granting a consent subject to a condition or refusing a consent, the Roads Authority is obliged to allow the person applying for the consent an opportunity to be heard.

3.8 Environmental Consents. Specialist ecological consents are being obtained through the auspices of the Environmental Management Plan, and the Landscape and Habitat Management Plan. The scope of consents arising from design within the Approvals and Consents Management Plan refer to drainage-related consents from SEPA and from Scottish Water.

3.8.1 Controlled Activities Regulations

Table 16

<p>Consent Description</p>	<p>The Controlled Activities Regulations (CAR) have three different levels of authorisation, detailed below. SEPA guidance should be referred to for definitive guidance.</p> <p>General Binding Rules:</p> <ul style="list-style-type: none"> • for discharges of surface water run-off, construction of minor bridges and culverts. <p>Registration:</p> <ul style="list-style-type: none"> • large-scale surface water drainage (major roads, >1000 car parking spaces); • sewage and organic effluents below 15 person equivalents; • inorganic and other trade effluents equal to or below 10 cubic metres per day/15 person equivalents; • combined sewer overflows; • cooling water with no chemical addition. • crossings with no structure in bed and less than 20m of bank length affected; • bridging culverts for single-track roads where channel is 2m wide or less. • green bank modifications less than 50m in length. <p>Licence (simple or complex):</p> <ul style="list-style-type: none"> • sewage and organic effluents greater than 10-100 cubic metres; • inorganic and other trade effluents greater than 10 cubic metres per day/15 person equivalents; • emergency overflows; • cooling water with chemical addition; • inorganic and other trade effluents; • boiler blow-down; • bridging culverts for single-track roads where channel is greater than 2m wide, and all other bridging culverts not covered by registration or general binding rules. • crossings with single or multiple in-channel supports, with more than 20m of bank length affected; • grey bank modifications, also green bank modifications in excess of 50m in length, also flood walls and embankments.
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Consent Timescale	30 days
Authority	SEPA
Packaging and Deliverables	Discharge Application Form Engineering Application Form
Approval	General Binding Rules – only compliance is required, no consent need be sought. Registration – consent required. License – consent required.
Protocol	Liaison with SEPA following preliminary design.

3.8.2 Water and Waste Water

Table 17

Consent Description	Construction of and/or Connection to Water and Waste Water Services
Consent Timescale	60 Days Feasibility Stage and 28 Days Application Stage
Authority	Scottish Water
Packaging and Deliverables	Completion of standard application form, with drawings and calculations. A Planning Authority reference number is requested. A Development Impact Assessment may be required. Where possible, sustainable urban drainage systems (SUDS) should be used to lessen the burden on the sewer network and to minimise the risk of consent being withheld.
Approval	Issue of "Approval in Principle to Connect". Issue of "Permit to Connect" for connection. Issue of "Approval Letter" for infrastructure.
Protocol	Feasibility discussions should be held with Scottish Water prior to application. Completion of standard application form. A Development Impact Assessment may be required. Design and Infrastructure Charges are applicable.

3.9 Structural Approvals and Consents

3.9.1 Building Warrants will be required for the tram depot and sub-stations.

Table 18

Consent Description	Building Warrant
Consent Timescale	2 weeks minimum
Authority	City of Edinburgh Council Building Control
Packaging and Deliverables	An application for Building Warrant will be submitted by the Project Officer or project architect. This involves preparation of fully detailed drawings including site/location plans, details of work to be carried out including plans, sections, elevations and construction details. A proportionate fee will be charged, depending on the size of the development.
Approval	Issue of Building Warrant and Certificate of Completion.
Protocol	Submission of application as detailed in packaging and deliverables. Completion certificate must be obtained following construction.

3.9.2 Technical Approval of Structure.

Table 19

Consent Description	Technical approval of structure
Consent Timescale	6 weeks
Authority	City of Edinburgh Council Bridges Department.
Packaging and Deliverables	Plans, drawings and supporting statement.
Approval	Approval in Principle
Protocol	SDS Structures to liaise directly with Bob McCafferty of City of Edinburgh Council Bridges. Liaison also required with HMRI (all structures) and Network Rail (when in proximity to railway land) and prior approvals will be required.

3.10 Radiofrequency Consents

Consent Description	Business Radio Licence
Consent Timescale	None Given; licenses require annual or 3-year renewal.
Authority	Office of Communications (OFCOM)
Packaging and Deliverables	Application forms for Business Radio License and for Base Station License.
Approval	Business Radio Licence
Protocol	This is a highly technical application and the radio system designer will liaise directly with OFCOM. Liaison with National Air Traffic Services and the Civil Aviation Agency may be required, or directed by OFCOM. Prior approval (or planning permission for outwith LoD) for the siting of base stations will be required.

3.11 Agreements and Undertakings

3.11.1 Agreements with third parties and undertakings arising from the Parliamentary process are recorded in a detailed database by **tie** (maintained by the SDS Stakeholder Manager) for reference to by Tram designers. These are also headlined in the Approvals Tracker.

3.11.2 The Approvals Tracker should be referred to in the first instance, and where detail is required, the Stakeholder Manager should be contacted.

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4 APPROVALS TRACKER

4.1 The Approvals Tracker is an Excel spreadsheet used to track the approvals and consents related to design features for each design sub-section. The first sheet, illustrated below at Figure 1, provides an indication whether consents are likely to be required on a subsectional basis.

Figure 4.1

Discipline	Consent	Authority	Timescale or Date	Features	Foot of Walk to Foot of Walk	McDonald Road to McDonald Road	Princes St W to Princes St W	Haymarket to Haymarket	Roseburn to Roseburn	Crews Toll to Crews Toll	Caroline Park to Caroline Park	Lower Granton Rd to Lower Granton Rd	Roseburn Rd to Newhaven	Carrick Knowe to Carrick Knowe	Gyle to Gogar	Gogar to Airport				
					Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Railways	HMRI	HMRI	n/a																	
	Network Rail	Network Rail	n/a																	
Aviation	CAA/NATS Approval	CAA/NATS	None Given	Depot and works on BAA land																
Planning	Listed Building Consent	Planning Authority	8 weeks	Building Fixings																
				Each tram stop																
				Bridges/Miaducts																
				Permanent fences, walls, barriers																
				Property boundary treatments																
				Building Fixings																
				Poles and brackets required for OLE																
				Lighting equipment																
				Any terracing, cutting, embankments or works																
	Materials for external surfacing																			
Any other ancillary buildings or structures																				
Planning Permission	Planning Authority	8 weeks	As above for works not scheduled in the Acts																	
Advertisement Consent	Planning Authority	14 days	Not applicable to tram and traffic signs etc.																	
Scheduled Monument Consent	Scottish Executive & Historic Scotland	3 months target	Victoria Bridge only																	
Traffic	TTROs for Utilities	Roads Authority	8 weeks	See Traffic Management Plan																
	TTROs for Construction	Roads Authority	8 weeks	See Traffic Management Plan																
	TROs without Hearing	Roads Authority	12 months minimum	See Traffic Management Plan																
	TROs with Hearing	Roads Authority	12 months minimum	See Traffic Management Plan																
	Road Construction Consent	Roads Authority	12 weeks	For works not in Schedules to Acts																
Approval of Structures	Roads Authority	None given	All major structures																	
Environment	Discharge to a Surface Water Sewer	SEPA	30 days																	
	Discharge to a Watercourse	SEPA	None Given																	
	Discharge of Trade Effluent	SEPA	30 Days																	
	Waste Management License	CEC	30 Days																	
Connection to a Sewer	Scottish Water	None Given																		
Construction	Building Warrant	Roads Authority	8 weeks																	
	Works to Safeguard Buildings	Roads Authority	14 days notice																	
Undertakings	Undertakings to Parliament	n/a	n/a																	
Agreements	Agreements with 3rd Parties	n/a	n/a																	

APPENDIX A - GLOSSARY

Acts: The Tram (Line One) and Tram (Line Two) Acts;

Approval: See **Consent**; also an approval of detail by a statutory authority where consent is deemed to be granted but with prior conditions.

CEC: City of Edinburgh Council;

Consent: A defined permission normally requiring formal application, subsequently granted or refused normally by a statutory authority, see **Approval**;

Conservation Area: An area of special architectural or historic interest with a character or appearance of which it is desirable to preserve or enhance, designated by the Planning Authority;

Delegated Powers: Decisions taken by council committee (ie planning) may be delegated to council officers;

Detailed Design: The second phase of tram design following preliminary design;

Design Briefs: The series of documents used for conveying public realm design issues (also referred to as Urban Design Briefs);

EIA: Environmental Impact Assessment;

EMP: Environmental Management Plan;

ES: Environmental Statement;

GPDO: Town and Country Planning (General Permitted Development) (Scotland) Order 1992;

Historic Scotland: "Historic Scotland safeguards the nation's historic environment and promotes its understanding and enjoyment on behalf of Scottish Ministers";

HMRI: Her Majesty's Railway Inspectorate;

Listed Building: A building offered statutory protection against unauthorised demolition, alteration or extension, administered by planning authorities with reference to Historic Scotland and classed "A", "B", or "C" depending upon significance;

Local Plan: Local authority planning document which contains local planning policies and their designated locations, sits under **Structure Plan**;

LOD: Limits of Deviation of the tram alignment/swept path as detailed in the Bills;

LHMP: Landscape and Habitat Management Plan, for the Roseburn corridor;

NPPG: National Planning Policy Guidance – see SPP;

OLE: Fixed overhead line equipment conveying electrical power to tram cars;

PAN: Planning Advice Note issued by the Scottish Executive;

Preliminary Design: The first phase of tram design;

Planning Authority: The role of a local authority (i.e. the City of Edinburgh Council) in determining applications for planning (and related) permissions required by law;

Prior Approval: Under planning legislation (GDPO) prior approval is required rather than a planning permission for development authorised by a Private Bill;

Protocol: In this context, an agreed specific set of procedures;

Roads Authority: The role of a local authority (i.e. the City of Edinburgh Council) in determining applications for roads and transport approvals and consents required by law;

Scheduled Ancient Monument: A monument provided with statutory protection by Scottish Ministers, administered by Historic Scotland;

SEPA: Scottish Environment Protection Agency;

SDS: System Design Services;

SNH: Scottish Natural Heritage: "Our task is to secure the conservation and enhancement of Scotland's unique and precious natural heritage - the wildlife, the habitats and the landscapes which have evolved in Scotland through the long partnership between people and nature";

SPA: Special Protection Areas are classified under the EC Directive on the Conservation of Wild Birds and are intended to safeguard the habitats of the species for which they are selected and to protect the birds from significant disturbance

SPP: Scottish Planning Policy - statements of Scottish Executive policy on nationally important land use and other planning matters;

STAG: Scottish Transport Appraisal Guidance, a document to aid planners and decision-makers in the development of transport policies, plans and programmes;

Structure Plan: Statutory planning document approved by the Scottish Executive with the purpose of guiding long-term future development and land use at a regional level, informing the policies of the shorter-term and more detailed **Local Plans**;

TDM: Tram Design Manual approved by CEC Planning Committee on 1/12/05;

TDWG: Tram Design Working Group;

tie: tie Limited, a private company wholly owned by the City of Edinburgh Council;

Tram (Line One) Bill: Private Bill of the Scottish Parliament promoted by the City of Edinburgh Council which will convey powers to construct and operate the loop section of the tram system;

Tram (Line Two) Bill: Private Bill of the Scottish Parliament promoted by the City of Edinburgh Council which will convey powers to construct and operate the western section of the tram system;

Tram System: The tram system of the Tram (Line One) and Tram (Line Two) Bills;

TRO: Traffic Regulation Order;

TTRO: Temporary Traffic Regulation Order.

APPENDIX B – REFERENCE DOCUMENTS

The following documents should be considered alongside this Management Plan:

- Tram (Line One) and Tram (Line Two) Acts;
- Scottish Transport Appraisal Guidance (STAG) appraisals have been carried out for each tramline separately;
- Tram Design Manual. This will form a key component of the approvals process, and has been adopted as supplementary guidance by City of Edinburgh. Therefore, planning officers will consider compliance with the design principles contained within the Tram Design Manual as part of the prior approval process;
- Environmental Statement and Environmental Management Plan. As part of the Parliamentary process, and as a statutory requirement, an Environmental Impact Assessment (EIA) was carried out prior to the introduction of the Bills. This gave rise to the Environmental Statement, and will in turn generate the Environmental Management Plan;
- Urban Design Briefs (prepared by SDS);
- Landscape and Habitat Management Plan for Roseburn Corridor;
- Building Fixings Paper for Tram (Line One) Bill;
- Noise and Vibration Policy;
- Stakeholder Management Plan (draft);
- Structures Due Diligence Report;
- Tram Design Working Group minutes and papers;
- Traffic Management Plan (prepared by SDS);
- **tie** Communications Plan (after April 2006).

Primary and Secondary Legislation

- Ancient Monuments and Archaeological Areas Act 1979;
- Building (Scotland) Act 1959;
- Local Authorities Traffic Order (Procedures) (Scotland) 1999;
- Local Authorities Traffic Orders (Procedure) (Scotland) Amendment Regulations 2005;
- Planning (Listed Buildings and Conservation Areas) Scotland Act 1997;
- New Roads and Streets Works Act 1999;
- Provision of Water and Waste Water services (Reasonable Cost) (Scotland) Regulations 2006
- Railways Act (2005);
- Road Traffic Regulation Act 1984;
- Roads (Scotland) Act 1984;
- Town and Country Planning (Scotland) Act 1997;

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- Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984;
- Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) (Scotland) Regulations 1987;
- Town and Country Planning (General Development Procedure) (Scotland) Order 1992;
- Town and Country Planning (General Permitted Development) (Scotland) Order 1992;
- Traffic Signs Regulations and General Directions 1994;
- Water Environment (Controlled Activities) (Scotland) Regulations 2005;
- Wireless Telegraphy Act 1998.

Policies/Guidelines/Reports – National/Regional/Local

- CAP 738 – Safeguarding of Aerodromes, Civil Aviation Authority(2003);
- Designing Places - A Policy Statement for Scotland, 2001;
- Edinburgh and the Lothians Structure Plan (2004-2015);
- Health and Safety Executive Guidance To the Approval of Railway Works, Plant and Equipment (February 2005);
- Historic Scotland Memorandum of Guidance on Listed Buildings and Conservation Areas (1998);
- NPPG 5: Archaeology and Planning (1998);
- NPPG 14: Natural Heritage (1999);
- PAN 75: Planning for Transport (2005);
- PAN 76: New Residential Streets (2005);
- PAN 68: Design Statements (2004);
- Railway Safety Principles and Guidance Parts 1 and 2 (2005);
- SPP 17 Planning for Transport (2005);
- NPPG 18: Planning and the Historic Environment;
- West Edinburgh Planning Framework (2003);
- Central Edinburgh Local Plan (1997);
- Edinburgh City Centre Action Plan (2005-2010);
- Edinburgh City Council Conservation Area Character Appraisals for Coltbridge and Wester Coates, Leith, Newhaven, New Town, West End, World Heritage Site);
- Edinburgh Community Plan (2005);
- Edinburgh City Local Plan (subject to inquiry, expected December 2006);
- Edinburgh Development Quality Handbook (2000);
- Edinburgh World Heritage Conservation Manifesto (1999);

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- Edinburgh World Heritage Trust Management Plan (1999);
- Edinburgh Streetscape Manual (consultative draft, December 2005);
- Granton Harbour Masterplan (2004);
- Granton Waterfront Central Development Area / North Shore Master Plan (consultative draft, 2004)
- Leith Docks Development Framework (2005);
- North East Edinburgh Local Plan (amended 2004);
- North West Edinburgh Local Plan (1992);
- Planning Committee Reports in Tram Project, (2003 – date);
- Ratho Newbridge Kirkliston Local Plan (1985);
- Rural West Edinburgh Local Plan (deposited 2003);
- Scottish Executive Circular 8/2002 – Control of Development in Airport Public Safety Zones (October 2002);
- Waterfront Granton Master Plan (2001);
- West Edinburgh Local Plan (draft 2001);
- City of Edinburgh Council – Prior Approval Procedure Note (2004);
- City of Edinburgh Council – Scheme of Delegated Powers in respect of the Edinburgh Tram Project (April 2006, pending approval).

APPENDIX C – CEC TEMPLATE FOR PRIOR APPROVAL SUBMISSIONS

The following template has been prepared by CEC Planning and Strategy. It sets out how the Planning Authority want the prior approvals to be formatted.

Submission requesting ‘Prior Approval’ of the City of Edinburgh Council (Edinburgh Tram Network)

I / WE APPLY TO THE COUNCIL FOR ‘PRIOR APPROVAL’

In respect of Class 29 in Part 11 of Schedule 1 to the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (S.I. 1992/223)

1. APPLICANT’S DETAILS

Name:

Address:

Postcode:

Contact Name:

Telephone:

Fax:

E-mail:

2. AGENT’S DETAILS

Name:

Address:

Postcode:

Telephone:

Contact Name:

Fax:

E-mail:

3. ADDRESS OR LOCATION OF PROPOSED DEVELOPMENT

Please provide relevant street names (where possible) including area postcode.

4. DESCRIPTION OF PROPOSED DEVELOPMENT

This should at the very least consist of a list of the elements requiring prior approval. Eg 10 OLE Poles, 1 Shelter, 1 Sub-station.

Details of materials, site area, floorspace, hours of operation etc, should also be provided where relevant.

5. REFERENCE TO PRE-SUBMISSION DISCUSSIONS (TDWG)

The date of the Tram Design Working Group meeting at which the proposal was discussed should be referenced. This may require reference to more than one meeting date.

Any subsequent changes to the design should also be highlighted here.

6. ANY OTHER PARTICULARS TO WHICH THE APPLICANT WISHES TO DRAW ATTENTION

It may be beneficial to the applicant to provide an explanation of the proposal presented for approval. This should identify the various factors that have informed the design including consideration other aspects of the project such as traffic management. This can be attached on a separate sheet but should be noted in this section.

A drawing showing traffic management solutions should be provided for information along with any submission.

7. OWNERSHIP

The land is within the ownership (or control) of the Council

The land is not within the ownership (or control) of the Council

If the land is not within the ownership (or control) of the Council please provide further details.

It may be appropriate to notify owners of submissions if it will affect their property. This may assist with compulsory purchase and/or permission to attach OLE equipment to buildings?

8. SUBMISSION CHECKLIST

For all submissions the following must be provided:-

4 copies of this submission form

4 copies of all necessary plans and drawings
(2 of which must be coloured)

Advice on Required Plans and Drawings

Location/site plan. They should be Ordnance Survey based scale 1:1250 and include a NORTH point. The land to which the submission relates must be outlined in RED and should also identify Limits of Deviation.

Block plans at Ordnance Survey based scale 1:500.

Detailed building/construction drawings drawn accurately, preferably to the scale of 1:50 or 1:100, in plan form and showing elevations.

All plans should accurately reflect on site conditions. For most sections of the route it is anticipated that cross sections detailing existing and proposed site levels, reflecting the relationship between the development and neighbouring properties, will be required.

A plan/drawing showing traffic management solutions should be provided for information along with any submission.

Additional contextual information and visualisations may also be required. Please check with the City Development Department if you are unsure what to submit with your application. Telephone 0131 ??? ????.

Address for Completed Submissions

You should send the completed submission to:

City Development Department
Planning
1 Cockburn Street
Edinburgh
EH1 1ZJ, PO Box 12473

The Process

If your application is complete, you will receive an acknowledgement letter. This will tell you a reference number which you should quote in all future correspondence with Planning.

In the first 21 days after the receipt of the planning application, members of the public will be allowed to examine and comment on your plans. Any material objections made within this period must be taken into account by Planning when considering a submission.

For certain submissions, consultations will be carried out with other Council Departments and external bodies. E.g. Environmental Services, Transport and Historic Scotland where submissions relate to Listed Buildings etc.

For most applications, a decision is made within two months. If more time is required, you may be requested to formally extend that period

The Decision

Once a decision has been reached by the Council, you shall be sent a DECISION NOTICE. This will inform you whether your submission has been:

- Granted
- Granted with Conditions ; or
- Refused

The reason(s) for the decision will also be given where your submission has been granted with conditions or refused.

Statutory Rights

If your application was refused or you feel any of the condition(s) imposed are unreasonable, you may appeal to the Scottish Ministers. The appeal must be made within 6 months of the date of the decision being issued.

You may also appeal if a decision has not been made within 2 months and you have not agreed to an extension of time.

In both cases, you should initially contact the Scottish Executive Inquiry Reporters Unit, 2 Greenside Lane, Edinburgh, EH1 3AG. They will provide you with the necessary forms.

If you feel that the Council has failed to follow the correct procedures and that you have therefore suffered an injustice, you may ask the Local Ombudsman to investigate the matter. You should contact the Commissioner for Local Administration, 23 Walker Street, Edinburgh, EH3 7HX.

Once the City Development Department receives your application, it will be checked to ensure that the forms and certificates have been completed correctly and that there is the correct number of plans. If for some reason, the application is not complete, it cannot be processed and we will write to tell you what you must do.

Data Protection Act 1998

The information on this form will be held in the Planning Register to which public access is required. The data may also be made available to members of the public via the Council Website (CAPINFO) and the Weekly List of planning applications and decisions. The information contained in the applications for planning permission and other applications under Planning and related legislation (including the name and address of the applicant) is held in the Planning Register. This is required to be available to the public under the Town and Planning (General Development Procedure) (Scotland) Order 1992 and the Town and Country Planning (Scotland) Act 1997. The Council also publishes a Weekly List of planning and other related applications and decisions, which contain details of the applicant. This information may be made available to the public in the Weekly List of planning applications and decisions available on the Council Website (CAPINFO).

New Presentation Technology for Planning Committees

New presentation technology has been installed in the City Chambers to improve the standard of application presentation at Council meetings. This includes a new sound system and plasma screens. Drawings for presentation are projected on the screens by a video camera. The maximum size of drawing that can be used for presentation purposes is A4 and it will therefore be necessary for appropriate drawings to be reduced to this size. If your application is identified for presentation before the Committee, we will request that you provide a set of appropriate reductions for presentation. The Case Officer will advise which drawings are required when the report is being prepared, but typically A4 Reductions will be required for: Layout, Block and Landscape plans; Elevations and key cross-sections; and Floor plans. Other material, such as photographs and 3-dimensional sketches, can also be submitted, if they help to inform and enhance the presentation. Prints should be A4 landscape format, flat and unfolded, on matt paper to minimise reflection. It may be preferable in some instances to break a drawing up into smaller A4 components (e.g. where several elevations are on one sheet), but in such cases please ensure that the material is still an exact copy of the proposal as finally submitted. It is acceptable that the fine detail, such as notes, may become illegible, but the Planning Officer will still have this information on the original full-size drawings. If you have any queries, contact the Case Officer specific to your application, or Stephen Hajducki, Group Leader, on 0131 529 3922.

The Scottish Public Services Ombudsman

From 23 October 2002, the Local Government Ombudsman was replaced by an Act of Parliament with the newly created Scottish Public Services Ombudsman. The Scottish Public Services Ombudsman covers Local Government, the Scottish Parliament, the Health Services and Housing Associations.

If you have a complaint about the Council and you have gone through the Council's complaints process, and are still not happy, you have the right to take your complaint to the Scottish Public

Edinburgh Tram System

Approvals and Consents Management Plan

Services Ombudsman, 4 Melville Street, Edinburgh, EH3 7NS. Phone 0870 011 5378 or Fax 0870 011 5379. Web: <http://www.scottishombudsman.org.uk>

Generally, if you want to do this, you must contact the Ombudsman within one year. If you have any questions, you can phone or e-mail: enquiries@scottishombudsman.org.uk

APPENDIX D: TEMPLATE FOR DELEGATED PRIOR APPROVAL REPORT

This has been prepared by CEC Planning and Strategy for committee reports on prior approvals. It demonstrate how the Planning Authority reports will be structured and the issues that will be addressed.



Application No
Application Type

06/01674/PA
Prior Approval Submission

Erect 30 poles required to carry overhead line equipment; 8 poles required to carry tram signalling equipment; and, 1 shelter and associated equipment required at tram stop at Princes Street Edinburgh EH2

Development Quality Sub-Committee Delegated Prior Approval Report

Purpose of report

- 1 *This is a delegated report, under the Planning Committee's Scheme of Delegation, considering the prior approval submission at*

Princes Street

Edinburgh

EH2

The description of the proposed development is 'Erect 30 poles required to carry overhead line equipment; 8 poles required to carry tram signalling equipment; and, 1 shelter and associated equipment required at tram stop'.

This section will be generated by a combination of the standard report text and the submission details added to Uniform by the Technicians.

Main report

2 SITE DESCRIPTION

This section will require input from the Case Officer although a series of site descriptions may be available from Conservation Area Character Appraisals or perhaps the Tram Urban Design Briefs.

3 PLANNING POLICY AND GUIDANCE

The following Policy and guidance are relevant to the determination of this submission:-

This section will be generated by Uniform once the Case Officer has selected the relevant policies. The Tram Design Manual will be added into Uniform. Consideration will have to be given to whether it is added as a single policy or whether the individual design principles within the Manual are individually added.

4 CONSULTATIONS

It is anticipated that only internal consultations will be required (apart from Historic Scotland when proposals affect listed buildings or their setting). Transport will need to be consulted on every submission and special arrangements will be put in place to ensure this is an efficient process. This section will be generated by Uniform although input will be required by Case Officers.

5 REPRESENTATIONS

This section will be generated by Uniform although input will be required by Case Officers.

6 OFFICER'S OBSERVATIONS

The determining issues are whether:

- (a) the development ought to be and reasonably could be carried out elsewhere on the land designated specifically within the Limits of Deviation; and/or*
- (b) the design or external appearance of the development would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury (Adapted from GPDO Class 29). (in relation to prior approval for works affecting a listed building, consideration of the phrase "injury to the amenity of the*

neighbourhood" shall be deemed to include the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. (Source, Section 70 Tram Bills Lines 1 and 2))

In order to assess the submission in relation to the above determining issues, the following specific considerations need to be taken into account;

- *Do the proposals comply with the Tram Design Manual and the development plan?*
- *If the proposals do comply with the Tram Design Manual and the development plan, are there any compelling reasons for not approving them?*
- *If the proposals do not comply with the Tram Design Manual and the development plan, are there any compelling reasons for approving them?*

Notwithstanding the above considerations, the proposal is effectively permitted development and the prior approval submission can only be refused (or granted subject to conditions) if it reasonable to locate the proposal elsewhere within the Limits of Deviation or the external appearance is reasonable capable of modification.

The above would be standard text in the Prior Approval Report.

The 30 poles required to carry overhead line equipment; 8 poles required to carry tram signalling equipment; and, 1 shelter and associated equipment required at the tram stop, are suitable in design and layout, and comply with the principles of the Tram Design Manual.

In consideration of the determining issues as set out in Class 29 of the GPDO as read in conjunction with section 70 of the Tram Bill (Lines 1 and 2) the proposal is acceptable.

This section would be generated by Uniform but would require input by the Case Officer in the appropriate field. It is hoped that this will be minimal although it will vary depending on the complexity of the proposal and interest taken in it.

7 RECOMMENDATION

To recommend that the Prior Approval submission be granted; refused; granted subject to the following conditions.

This section would be generated by Uniform and would only require the Case Officer to tick the appropriate field.

Edinburgh Tram System

Approvals and Consents Management Plan

Alan Henderson	
Head of Planning	
Contact/Tel	No Case Officer, Application Being Scanned on
Ward Affected	New Town
Local Plan	
File	
Date Registered	
Drawing Nos & Scheme	