

Development Management Sub-Committee of the Planning Committee

10.00 am, Wednesday 29 August 2018

Present:

Councillors Gardiner (Convener), Child (Vice-Convener), Councillor Booth, Dixon, Gordon, Griffiths, McLellan, Mitchell, Mowat, Osler and Staniforth.

1. General Applications and Miscellaneous Business

The Sub-Committee considered reports on planning applications listed in Section 4, 5, 6 and 7 of the agenda for the meeting.

Requests for Presentations

The Chief Planning Officer gave a presentation on agenda item 4.4 – Belford Mews, Edinburgh as requested by Councillor Osler.

The Chief Planning Officer gave a presentation on agenda item 4.7 – 228 Willowbrae Road, Edinburgh, as requested by Councillor McLellan and Councillor Staniforth.

Decision

To determine the applications as detailed in the Appendix to this minute.

(Reference – reports by the Chief Planning Officer, submitted.)

2. 7-8 Baxter's Place, Edinburgh

The Sub-Committee, on 6 June 2018, had agreed that an application for planning permission for the change of use from residential (class 9) to short stay serviced apartments (class 7) (in retrospect) (amended) at 7-8 Baxter's Place, Edinburgh be continued for consideration for a site visit and to be dealt with by means of a hearing (application no 17/05645/FUL).

(a) Presentation by the Chief Planning Officer

The Chief Planning Officer highlighted that the property comprised two Georgian townhouses at 7 and 8 Baxter's Place. The surrounding area was mixed used and residential below and adjacent to the property and located within the World Heritage site and New Town Conservation area. The proposal related to the creation of 6 self-contained units. The area surrounding this property was characterised by a mix of uses and was not a predominately residential area. It was a self-contained block with its own entrance, with no other private residences accessed from the communal stair.

A number of non-material matters had been raised by objectors in relation to drainage, quality of construction and anti-social behaviour. The use was not considered to have an adverse impact on amenity and the proposal complied with the adopted Edinburgh Local Development Plan.

The presentation can be viewed via the link below:

https://edinburgh.publici.tv/core/portal/webcast_interactive/369339/start_time/828000

(b) Objectors - Annick Galliard, Marcello Mega and Catherine Simpson

Annick Galliard, Marcello Mega and Catherine Simpson gave a presentation as objectors to the proposals and as residents of adjacent and neighbouring properties to 7-8 Baxter's Place. They highlighted the following concerns

- Antisocial behaviour and noise disturbance
- Fire risk
- Impact on neighbourhood amenity and detrimental impact on residents
- Intensification of non-residential uses in residential areas
- Danger posed to individuals from falling items from applicant's building
- Sewerage problems associated with intensification of use
- Non-existence of reception area as presented in the application
- Doors banging at antisocial hours

They asked the Sub-Committee to refuse the application.

The full presentation can be viewed via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/369339/start_time/1739000

(c) Applicant's Agent: MH Planning Associates

Michael Hyde, MH Planning Associates gave a presentation on behalf of the applicant and outlined the Local Development Plan policies and highlighted the following additional factors which he asked the Sub-Committee to take into consideration:

- Policy EMP10: principle of change of use was supported.
- The surrounding areas, Marriott hotel, planet bar, former bank building were not predominately residential in use for Policy Hou 7 to apply whereby the impact on amenity would be so significant to have a material impact on the standard of living.
- Concerns raised by the objectors were non-material planning matters
- Former use of building as Social Club needed to be given consideration

The following measures were proposed which would address some of the main concerns raised by the objectors:

- Contactable member of staff to ensure that use of the building stayed within the use class 7 rather than use class 6 (sui generis).
- Dedicated reception area to manage guests.

The agent asked the Sub-committee to grant the application.

The full presentation can be viewed via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/369339/start_time/3823000

Decision

- 1) To refuse planning permission (in retrospect) for the reasons that the proposed change of use was contrary to Local Development Plan Policy Des 5(a) (adverse effect on the amenity of neighbouring properties in terms of noise and disturbance) and Policy Hou 7 (inappropriate use in a residential area).
- 2) To request the Chief Planning Officer to recommence enforcement action in relation to the existing unauthorised use.

(References – Development Management Sub-Committee 6 June 2018 (item 1); report by the Chief Planning Officer, submitted)

4. 8 Morningside Road, Edinburgh

Details were provided of proposals for the change of use from commercial (former bank) into a restaurant/bar with outside seating space to the front and erect two storey rear extension (as amended) at 8 Morningside Road, Edinburgh – application numbers 18/02343/FUL and 18/02342/LBC.

The Chief Planning Officer gave details of the proposals and the planning considerations involved and recommended that the applications be granted.

Motion 1

To continue consideration of the matter for a site visit.

- moved by Councillor Booth, seconded By Councillor Osler

Amendment 1

To agree to determine the application at this meeting of the Sub-Committee

- moved by Councillor Gardiner, seconded by Councillor Child

Voting

For the motion - 3 votes

(Councillors Booth, Osler and Staniforth)

For the amendment - 8 votes

(Councillors Child, Dixon, Gardiner, Gordon, Griffiths, Mowat, McLellan and Mitchell)

Decision 1

To agree to consider the application at this meeting of the Sub-Committee.

Motion 2

To grant planning permission and listed building consent subject to the conditions, reasons and informatives detailed in section 3 of the report by the Chief Planning Officer.

- moved by Councillor Gardiner, seconded by Councillor Child

Amendment 2

To refuse planning permission for the reasons that the proposal was contrary to the Local Development Plan Policies ENV 3, ENV 4 and ENV 6.

- moved by Councillor Booth, seconded by Councillor Staniforth.

Voting

For the motion: - 8 votes

(Councillors Child, Dixon, Gardiner, Gordon, Griffiths, Mowat, McLellan and Mitchell)

For the amendment: - 3 votes

(Councillors Booth, Osler and Staniforth)

Decision 2

To grant planning permission and listed building consent subject to the conditions, reasons and informatives detailed in section 3 of the report by the Chief Planning Officer.

(Reference – reports (2) by the Chief Planning Officer, submitted)

Appendix

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>Note: Detailed conditions/reasons for the following decisions are contained in the statutory planning register.</p>		
<p><u>Item4.1 Alexander Crum Brown Road, Edinburgh</u></p>	<p>Forthcoming application by the University of Edinburgh for a proposed development of new School of Engineering module 1 engineering hub with associated ancillary works and landscaping. application no 18/02513/PAN</p>	<p>To note the key issues at this stage.</p>
<p><u>Item 4.2 KB Centre, Thomas Bayes Road, Edinburgh (At Land 41 Metres South Of)</u></p>	<p>Forthcoming Application by Edinburgh University for a proposed development to form a new Nucleus staff and student hub building including teaching, student services, commercial and food and drink provision with ancillary associated works and landscaping. application no 18/02597/PAN</p>	<p>To note the key issues at this stage.</p>
<p><u>Item 4.3 69-67 Marionville Road, Edinburgh EH7 6AQ</u></p>	<p>Forthcoming application by Dandara for Residential redevelopment of the site. application no 18/02669/PAN</p>	<ol style="list-style-type: none"> 1. To note the key issues at this stage. 2. To consider the following additional issues: <ul style="list-style-type: none"> • The railway adjacent to the site is protected and, any design proposals should take its protected status into account. • consideration should be given to enhanced connectivity between the site and the Meadowbank development site and consultation should be undertaken on such issues with the local community.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
Item 4.4 Belford Mews, Edinburgh (At Land Adjacent to)	Renewal of 14/02924/FUL. Erect dwelling house on three levels which includes the removal of a tree and mature planting. application no 18/00239/FUL	To GRANT planning permission subject to the conditions, reasons and informatives detailed in section 3 of the report by the Chief Planning Officer.
Item 4.5(a) 47A South Clerk Street Edinburgh EH8 9NZ	Relocation of an air conditioning unit on the rear wall (as amended). application no - 18/02098/FUL	To GRANT planning permission subject to the conditions, reasons and informatives detailed in section 3 of the report by the Chief Planning Officer.
Item 4.5(b) 47A South Clerk Street Edinburgh EH8 9NZ	Relocation of an air conditioning unit on the rear wall (as amended). application no 18/02098/LBC	To GRANT listed building consent subject to the conditions, reasons and informatives detailed in section 3 of the report by the Chief Planning Officer.
Item 4.6 58 South Clerk Street, Edinburgh EH8 9PS	Erection of two external ducts. application no 18/02643/FUL	To GRANT planning permission subject to the conditions, reasons and informatives detailed in section 3 of the report by the Chief Planning Officer.
Item 4.7 228 Willowbrae Road, Edinburgh EH8 7NG	Extension to the hotel to provide additional bedrooms and alterations to car parking in addition to elevational changes. application no 18/03302/FUL	To REFUSE planning permission for the following reasons: <ol style="list-style-type: none"> 1. that the proposals were contrary to Local Development Plan Policy DES12 resulting in an unreasonable loss of privacy; 2. the applicant had failed to make provision for adequate parking facilities for people with disabilities.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p><u>Item 5.1 - Bonnington Mains Quarry Cliftonhall Road Newbridge</u></p>	<p>Section 42 application for proposed variation to conditions 5, 8, 18, 22 + 23 of planning consent P/PPA/LA/643 (dated 4 September 1990) to amend noise and vibration limits, postpone submission of final restoration plan and clarify period for completion of all mineral operations to 31 December 2050.</p> <p>application no 17/05930/FUL-</p>	<ol style="list-style-type: none"> 1. To GRANT planning permission subject to the revised conditions schedule as set out in section 3 of the report by the Chief Planning Officer. 2. That the Chief Planning Officer enter into discussions with the applicant with a view to gaining an assurance that vehicles exiting the site do not turn into Ratho Village and an agreement that operations would cease after 5 years if an amicable agreement could not be reached with regard to payment of the remediation.
<p><u>Item 6.1(b) 7-8 Baxter's Place Edinburgh EH1 3AF</u></p>	<p>Change of use from residential (class 9) to short stay serviced apartments (class 7) (in retrospect) (amended).</p> <p>application no - 17/05645/FUL</p>	<ol style="list-style-type: none"> 1. To REFUSE planning permission (in retrospect) for the reasons that the proposed change of use was contrary to Local Development Plan Policy Des 5(a) (adverse effect on the amenity of neighbouring properties in terms of noise and disturbance) and Policy Hou 7 (inappropriate use in a residential area). 2. To request the Chief Planning Officer to recommence enforcement action in relation to the existing unauthorised use.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p><u>Item 7.1(a)</u> <u>8 Morningside Road</u> <u>Edinburgh EH10 4DD</u></p>	<p>Change of use from commercial (former bank) into a restaurant/bar with outside eating space to the front and erect two storey rear extension (as amended). application no - 18/02343/FUL</p>	<ol style="list-style-type: none"> 1. To agree to determine the application at this meeting of the Sub-Committee. (on a division) 2. To GRANT planning permission subject to the conditions, reasons and informatives detailed in section 3 of the report by the Chief Planning Officer. (on a division)
<p><u>Item 7.1(b)</u> <u>8 Morningside Road</u> <u>Edinburgh EH10 4DD</u></p>	<p>Change of use from commercial (former bank) into a restaurant/bar with outside eating space to the front and erect two storey rear extension (as amended). application no 18/02342/LBC</p>	<ol style="list-style-type: none"> 1. To agree to determine the application at this meeting of the Sub-Committee. (on a division) 2. To GRANT listed building consent subject to the conditions, reasons and informatives detailed in section 3 of the report by the Chief Planning Officer. (on a division)

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p><u>Item 7.2</u> <u>70, 72 Newhaven Road, Edinburgh EH6 5QG</u></p>	<p>Demolition of existing commercial buildings and erection of 52 residential flats (as amended units reduced to 49 residential flats). application no 17/01183/FUL</p>	<ol style="list-style-type: none"> 1. To GRANT planning subject to the conditions, reasons, informatives and a suitable legal agreement in respect of an education contribution of £31,672 towards infrastructure (Quarter 4 2017 value to be indexed at the point of payment) and affordable housing (13 units) as detailed in section 3 of the report by the Chief Planning Officer and subject also to an additional informative requiring an improved cycle route through the development site and further improved connectivity with active travel routes in this area. 2. To refer the application to Scottish Ministers in terms of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009. <p>Cllr Booth requested that his dissent be recorded to this decision.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p><u>Item 7.3</u> <u>545 Old Dalkeith Road, Edinburgh (At Land 447 Metres Northeast Of)</u></p>	<p>Application for Approval of Matters specified in Conditions 1 and 6 of Planning Permission in Principle 14/01057/PPP (Appeal Reference PPA-230-2131) - residential development, ancillary uses and associated development. application no 18/00508/AMC</p>	<p>To GRANT approval of the matters specified in Conditions 1 and 6 subject to the conditions, reasons and informatives detailed in section 3 of the report by the Chief Planning Officer and subject also to a further condition requiring the applicant to provide a landscaping plan detailing the exact site locations and species of trees planned for the new tree planting proposals.</p>
<p><u>Item 7.4</u> <u>597 Queensferry Road, Edinburgh EH4 8EA</u></p>	<p>Demolition of existing house and garage and erection of six new terrace townhouses. Revised planning application following Planning Reference 18/01100/FUL refusal (28/05/18). application no 18/02696/FUL</p>	<p>To GRANT planning permission subject to the informatives and a legal agreement for a financial contribution to Children and Families to alleviate accommodation pressures in the local catchment area as detailed in section 3 of the report by the Chief Planning Officer.</p>