

## Development Management Sub-Committee of the Planning Committee

10.00am Wednesday 14 May 2014

### Present:

Councillors Perry (Convener), Howat (Vice-Convener), Bagshaw, Blacklock, Brock, Dixon, Heslop, McVey, Milligan, Mowat, Robson, Rose and Ross.

### 1. Hearing Requests from Ward Councillors

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The Sub-Committee considered a request from Councillor Booth to hold a hearing session to consider agenda item 8.2 - 7 East Restalrig Terrace, Edinburgh, EH6 8ED for the proposed Change of use from a dwelling house to a house in multiple occupation, for the reason that there is the overprovision of HMOs in the area.

#### Decision

To decline the request for a hearing by Councillor Booth

### 2. General Applications and Miscellaneous Business

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The Sub-Committee considered the reports on planning applications and pre-applications as listed in Sections 4, 7, 8 and 9 of the agenda for the meeting.

The Acting Head of Planning and Building Standards gave presentations on agenda item 4.6 (At Site Former 159, Fountainbridge) as requested by Councillor Howat.

#### Declaration of Interests

Councillor Ross declared a non-financial interest in items 7.2 as a Director of EDI, and left the room and took no part in the consideration of this item.

#### Decision

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

(Reference – reports by the Acting Head of Planning and Building Standards, submitted.)

#### Declarations of Interest

Councillor Ross declared a non-financial interest in agenda item 7.2 as a Director of EDI left the room and took no part in consideration of that item

### 3. At Site of Former 159 Fountainbridge, Edinburgh

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The Acting Head of Planning and Building Standards reported on an application for planning permission to change the use of vacant land to create temporary car park , including cycle parking and electric car charging points at the site of former 159 Fountainbridge, Edinburgh (Application no. 13/05303/FUL)

The Acting Head of Planning and Building Standards gave details of the proposal and the planning considerations involved, and recommended that permission be refused.

#### **Motion**

To refuse planning permission for the reasons detailed in the report by the Acting Head of Planning and Building Standards.

- moved by Councillor Perry, seconded by Councillor Howat.

#### **Amendment**

1. To indicate that the Sub -Committee was minded to grant planning permission for a one year period.
2. The Acting Head of Planning and Building Standards to report back on detailed conditions.

- moved by Councillor Rose, seconded by Councillor Heslop.

#### **Voting**

For the motion - 10 votes

For the amendment - 3 votes

#### **Decision**

To refuse planning permission for the reasons detailed in the report by the Acting Head of Planning and Building Standards.

(References – report by the Acting Head of Planning and Building Standards, submitted.)

### 4. 235 Corstorphine Road, Edinburgh, Edinburgh

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The Sub-Committee had previously continued consideration of an application for a proposed residential development comprising of the conversion of the existing building to create 9 apartments, and the development of 21 residential apartments, car parking landscaping and ancillary works at 235 Corstorphine Road, Edinburgh for a site visit. (Application no. 13/02510/FUL).

The Acting Head of Planning and Building Standards gave details of the proposal and the planning considerations involved, and recommended that planning permission be granted.

## **Motion**

To grant planning permission subject to conditions, reasons, informatives and a legal agreement as detailed in the report by the Acting Head of Planning and Building Standards.

- moved by Councillor Perry, seconded by Councillor Howat.

## **Amendment**

1. To indicate that the Sub -Committee was minded to refuse planning permission on the grounds that the proposal would be;
  - (i) detrimental to amenity as it would exacerbate existing air quality issues in the area
  - (ii) detrimental to the setting of the existing listed building
  - (iii) the reasons given for the removal of the existing mature trees had not been substantiated
2. The Acting Head of Planning and Building Standards to report back on detailed reasons.

- moved by Councillor Bagshaw, seconded by Councillor Ross.

## **Voting**

For the motion - 10 votes

For the amendment - 3 votes

## **Decision**

To grant planning permission subject to conditions, reasons and informatives as detailed in the report by the Acting Head of Planning and Building Standards.

(References – Development management Sub-Committee 9 April 2014 (item1); report by the Acting Head of Planning and Building Standards, submitted.)

## **5. 7 East Restalrig Terrace, Edinburgh**

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The Sub-Committee had previously continued consideration of an application for the proposed change of use from a dwelling house to a house in multiple occupation at 7 East Restalrig Terrace, Edinburgh for a site visit and further information. (Application no 14/00114/FUL).

The Acting Head of Planning and Building Standards gave details of the proposal and the planning considerations involved, and recommended that planning permission be granted.

## **Motion**

To grant planning permission as detailed in the report by the Acting Head of Planning and Building Standards

- moved by Councillor Perry, seconded by Councillor Howat.

## **Amendment**

1. To indicate the Sub-Committee's intention to refuse planning permission as the development would be contrary to Policy Hou 8 as it would be detrimental to the residential amenity of neighbouring residents.
2. The Acting Head of Planning and Building Standards to report back on detailed reasons.

- moved by Councillor McVey, seconded by Councillor Robson.

## **Voting**

For the motion - 6 votes

For the amendment - 7 votes

## **Decision**

1. To indicate the Sub-Committee's intention to refuse planning permission for as the development would be contrary to Policy Hou 8 as it would be detrimental to the residential amenity of neighbouring residents.
2. The Acting Head of Planning and Building Standards to report back on detailed reasons.

(References – Development management Sub-Committee 9 April 2014 (item2); report by the Acting Head of Planning and Building Standards, submitted.)

## **6. 1 - 3 Rutland Street, Edinburgh.**

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The Acting Head of Planning and Building Standards reported on applications for advertisement and listed building consent to retain a semi permanent piece of art (sculpture) at 1 – 3 Rutland Street, Edinburgh (Application nos. 14/00484/ADV and 14/00485/LBC)

The Acting Head of Planning and Building Standards gave details of the proposal and the planning considerations involved, and recommended that permission be refused and enforcement action be taken.

## **Motion**

To refuse advertisement and listed building consent, and authorise enforcement action for the reasons detailed in the report by the Acting Head of Planning and Building Standards.

- moved by Councillor Perry, seconded by Councillor Howat.

## **Amendment**

1. To indicate that the Sub -Committee was minded to grant advertisement and listed building consent
2. The Acting Head of Planning and Building Standards to report back on detailed conditions.

- moved by Councillor Milligan, seconded by Councillor Heslop.

## **Voting**

For the motion - 8 votes

For the amendment - 5 votes

## **Decision**

To refuse advertisement and listed building consent, and authorise enforcement action for the reasons detailed in the report by the Acting Head of Planning and Building Standards.

(References – report by the Acting Head of Planning and Building Standards, submitted.)

## APPENDIX

### Applications

Agenda Item No/ Address	Details of Proposal/Reference No	Decision  (This may not be the final minute wording)
<p>Note: Detailed conditions/reasons for the following decisions are contained in the statutory planning register</p>		
<p><b>Item 4.1 - 29</b> Beaverbank Place, Edinburgh, EH7 4ET</p>	<p>Demolition of all buildings on site and erection of 41 flats, formation of new vehicle and pedestrian access and car parking, provision of associated open space, landscaping and pedestrian link to Broughton Road Park – application no. 13/03575/FUL</p>	<p>To <b>GRANT</b> planning permission subject to conditions, reasons, informatives and a legal agreement as detailed in the report by the Acting Head of Planning and Building Standards.</p>
<p><b>Item 4.2 - 9.13</b> Brandfield Street, Edinburgh, EH3 8BN</p>	<p>Alleged unauthorised change of use from residential to short term leisure accommodation - Enforcement Report – report no. 13/00267/ECO</p>	<p><b>NO FURTHER ACTION TO BE TAKEN.</b></p>
<p><b>Item 4.3 -</b> Kirkliston Primary School, 15 Carmel Road, Kirkliston</p>	<p>Alter and extend existing primary school and associated external works. – application no. 13/04757/FUL</p>	<p>To <b>GRANT</b> planning permission subject to conditions, reasons and informatives as detailed in the report by the Acting Head of Planning and Building Standards.</p>

Agenda Item No/ Address	Details of Proposal/Reference No	Decision  (This may not be the final minute wording)
<b>Item 4.4</b> - At Site Former 159, Fountainbridge, Edinburgh	Change of use of vacant land to create temporary car park, including cycle parking and electric car charging points. – application no. 13/05303/FUL	To <b>REFUSE</b> planning permission as detailed in the report by the Acting Head of Planning and Building Standard and authorise.  (On a division)
<b>Item 4.5</b> - 9 - 10 Merchiston Mews, Edinburgh, EH10 4PE	Change of use from office to residential flat with associated external alterations to form windows and access within existing openings. – application no. 14/00142/FUL	To <b>GRANT</b> planning permission subject to informatives as detailed in the report by the Acting Head of Planning and Building Standards.
<b>Item 4.6</b> - 3F3 8 Montpelier, Edinburgh, EH10 4NA	Proposed attic conversion with velux conservation area windows to side (south-west) elevation – application no. 14/00116/FUL	To <b>GRANT</b> planning permission subject to informatives as detailed in the report by the Acting Head of Planning and Building Standards.
<b>Item 4.7</b> - 114A Salamander Street, Edinburgh	Application for the display of two internally illuminated advertisements on supporting plinths - previous application reference nos. 08/00406/ADV and 13/03945/ADV – application no. 14/01144/ADV	To <b>GRANT</b> advertisement consent subject to conditions, reason and informatives as detailed in the report by the Acting Head of Planning and Building Standards.

Agenda Item No/ Address	Details of Proposal/Reference No	Decision  (This may not be the final minute wording)
<b>Item 4.8</b> - 10 - 12 West Tollcross, Edinburgh, EH3 9QN	Application for the modification or discharge of planning obligations. – application no. 13/02923/OBL	To <b>APPROVE</b> the application subject to the informative as detailed in the report by the Acting Head of Planning and Building Standards.
<b>Item 7.1</b> - Baird Road, Ratho	Report on forthcoming application by Lafarge Tarmac Trading Limited for development of a Greenfield site for housing – reference no 14/00885/PAN	1) To note the key issues at this stage.  2) Further information on health provision capacity
<b>Item 7.2</b> - Fountainbridge South	Report on forthcoming application by EDI for planning permission in principle for a mixed use development – reference no 14/00309/PAN	1) To note the key issues at this stage.  2) Further information on:  (i) The density of housing for the site  (ii) Sustainability measures  (iii) Permeability between the canal and the road  (iv) A live frontage on the canal  (v) Public realm   Declaration of Interest  Councillor Ross as a Director of EDI left the room and took no part in consideration of that item



Agenda Item No/ Address	Details of Proposal/Reference No	Decision  (This may not be the final minute wording)
<b>Item 8.1</b> - 235 Corstorphine Road, Edinburgh, EH12 7AR	Proposed residential development comprising of conversion of existing building to create 9 apartments, and development of 21 residential apartments, car parking landscaping and ancillary works – application no. 13/02510/FUL	To <b>GRANT</b> planning permission subject to conditions, reasons, informatives and a legal agreement as detailed in the report by the Acting Head of Planning and Building Standards.  (On a division)
<b>Item 8.2</b> - 7 East Restalrig Terrace, Edinburgh, EH6 8ED	Proposed Change of use from a dwelling house to a house in multiple occupation – application no. 14/00144/FUL	<ol style="list-style-type: none"> <li>1. To decline the request for a hearing by Councillor Booth</li> <li>2. To indicate the Sub- Committee's intention to refuse planning permission for as the development would be contrary to Policy Hou 8 as it would be detrimental to the residential amenity of neighbouring residents.</li> <li>3. The Acting Head of Planning and Building Standards to report further on the reasons for refusal.</li> </ol> (On a division)
<b>Item 9.1(a)</b> - 1 - 3 Rutland Street, Edinburgh, EH1 2AN	The proposal is for a semi permanent piece of art (sculpture) – application no. 14/00484/ADV	To <b>REFUSE</b> planning permission as detailed in the report by the Acting Head of Planning and Building Standard and authorise <b>ENFORCEMENT ACTION.</b>  (On a division)

Agenda Item No/ Address	Details of Proposal/Reference No	Decision  (This may not be the final minute wording)
<p><b>Item 9.1(b)</b> - 1 - 3 Rutland Street, Edinburgh, EH1 2AN</p>	<p>The proposal is to retain a semi permanent piece of art (sculpture) – application no. 14/00485/LBC</p>	<p>To <b>REFUSE</b> listed building consent as detailed in the report by the Acting Head of Planning and Building Standard and authorise <b>ENFORCEMENT ACTION.</b>  (On a division)</p>

# Minutes

## Development Management Sub-Committee of the Planning Committee

10.00am Wednesday 28 May 2014

### Present:

Councillors Perry (Convener), Howat (Vice-Convener), Bagshaw, Blacklock, Brock, Child, Dixon, Heslop, McVey, Milligan, Mowat, Robson and Rose.

### 1. General Applications and Miscellaneous Business

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The Sub-Committee considered the reports on planning applications and pre-applications as listed in Sections 4, 5 and 9 of the agenda for the meeting.

The Acting Head of Planning and Building Standards gave presentations on agenda item 4.6 (8 Raeburn Mews, Edinburgh), as requested by Councillor Bagshaw and Mowat and agenda item 4.7 (Land 96 Metres East Of 20 South Gyle Wynd, Edinburgh) as requested by Councillor Ross.

A request to consider agenda item 4.7 Land 96 Metres East Of 20 South Gyle Wynd, Edinburgh), by holding a hearing session had been received from Councillor Keil.

### Decision

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

(Reference – reports by the Acting Head of Planning and Building Standards, submitted.)

## APPENDIX

### Applications

Agenda Item No/ Address	Details of Proposal/Reference No	Decision  (This may not be the final minute wording)
<p>Note: Detailed conditions/reasons for the following decisions are contained in the statutory planning register</p>		
<p>Item 4.1 - 234 - 246 Easter Road, Edinburgh (B &amp; Q)</p>	<p>Amendment to condition iv. of planning permission 2897 ("D.C. ref") 293/75 A19 ("D.A. ref") which restricts the use of the building for the sale of non-food goods only to permit the retail of both convenience and comparison goods – application no. 14/00894/FUL</p>	<p>To <b>GRANT</b> the amendment to planning permission subject to the informatives as detailed in the report by the Acting Head of Planning and Building Standards.</p>
<p>Item 4.2 - 34 Hamilton Place, Edinburgh</p>	<p>Section 42 application to allow the use to operate only between the hours of 07:00 and 24:00hrs daily – application no.14/00600/FUL –</p>	<p>To <b>REFUSE</b> planning permission as detailed in the report by the Acting Head of Planning and Building Standard and authorise.</p>
<p>Item 4.3 - 44 Main Street, Edinburgh</p>	<p>Change use of existing premises from Class 1 (Home Video Rental) to Class 3 (Cafe/Bistro) – application no. 14/01199/FUL</p>	<p>To <b>GRANT</b> planning permission subject to conditions, reasons and informatives as detailed in the report by the Acting Head of Planning and Building Standards.</p>
<p>Item 4.4 - 86 Nicolson Street, Edinburgh</p>	<p>Change of use to form hot food takeaway – application no. 14/00330/FUL</p>	<p>To <b>GRANT</b> planning permission subject to conditions, reasons and informatives as detailed in the report by the Acting Head of Planning and Building Standards.</p>

Agenda Item No/ Address	Details of Proposal/Reference No	Decision  (This may not be the final minute wording)
Item 4.5 - 399 Old Dalkeith Road, Edinburgh (Land 267 Metres Northeast Of)	Section 42 application to vary conditions 1 and 3 attached to outline planning permission 02/04372/OUT (Centre for Bio-Medical Research including educational, health and support facilities). – application no. 13/05048/FUL	To <b>GRANT</b> planning permission subject to conditions, reasons, informatives and a legal agreement as detailed in the report by the Acting Head of Planning and Building Standards.  <b>Note:</b> Condition 15 deleted as it has been previously discharged.
Item 4.6 - 8 Raeburn Mews, Edinburgh	Form extension at first floor built over existing garage. – application no. 14/01320/FUL	<ol style="list-style-type: none"> <li>1. Continued for a site visit</li> <li>2. The Daylighting Policy to be circulated to members by the head of Planning and Building Standards in advance of the site visit.</li> </ol>
Item 4.7 - 20 South Gyle Wynd, Edinburgh (Land 96 Metres East Of)	Residential development including infrastructure and landscaping (as amended) – application no. 13/05183/FUL	<ol style="list-style-type: none"> <li>1. To decline the request for a hearing by Councillor Keil</li> <li>2. To <b>GRANT</b> planning permission subject to conditions, reasons, informatives and a legal Agreement as detailed in the report by the Acting Head of Planning and Building Standards.</li> </ol>

Agenda Item No/ Address	Details of Proposal/Reference No	Decision (This may not be the final minute wording)
Item 4.8 - Tower Street, Tower Place, Rennie's Isle And Ocean Drive, Edinburgh	A farmers and craft market spread round the specified area, using temporary structures (gazebos) which are erected and dismantled for each market – application no. 14/00623/FUL	<ol style="list-style-type: none"> <li>1. To <b>GRANT</b> the application subject to the informatives as detailed in the report by the Acting Head of Planning and Building Standards.</li> <li>2. An additional informative to be included: This permission relates to the farmers and craft market only and does not include the proposed berth for houseboats or the proposals for Rennies Isle as indicated on the proposed plans.</li> </ol>
Item 5.1 - 7 East Restalrig Terrace, Edinburgh, EH6 8ED	Proposed Change of use from a dwelling house to a house in multiple occupation – application no. 14/00144/FUL	To <b>REFUSE</b> planning permission as detailed in the report by the Acting Head of Planning and Building Standard and authorise.
Item 9.1 - 13 Craighall Gardens, Edinburgh	Attic conversion with rear dormer window and roof windows, and extension to rear ground - floor annex and timber decking (as amended) – application no. 14/00236/FUL	To <b>GRANT</b> the application subject to the informatives as detailed in the report by the Acting Head of Planning and Building Standards.
Item 9.2 - 5 Crichton's Close, Edinburgh	Proposed alterations and extension - extension to ground floor, formation of refuse store on south elevation, escape stair formed from mezzanine floor to ground floor on north elevation and alterations to facade on north, south and west elevations – application no. 13/05220/FUL	To <b>GRANT</b> planning permission subject to condition, reason and informatives as detailed in the report by the Acting Head of Planning and Building Standards.