

Notice of meeting and agenda

Planning Committee

2.00 pm Wednesday, 8th June, 2022

Dean of Guild Court Room - City Chambers

This is a public meeting and members of the public are welcome to attend or watch the webcast live on the Council's website.

The law allows the Council to consider some issues in private. Any items under "Private Business" will not be published, although the decisions will be recorded in the minute.

Contacts

Email: martin.scott@edinburgh.gov.uk

1. Order of Business

- 1.1 Including any notices of motion and any other items of business submitted as urgent for consideration at the meeting.

2. Declaration of interests

- 2.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

3. Deputations

- 3.1 If any

4. Minutes

- 4.1 Planning Committee of 23 February 2022 - submitted for approval as a correct record 5 - 12

5. Business Bulletin

- 5.1 Planning Committee Business Bulletin 13 - 18

6. Development Plan

- 6.1 None.

7. Planning Policy

- 7.1 None.

8. Planning Process

8.1 None.

9. Planning Performance

9.1 None.

10. Conservation

10.1 Proposed Extension to Leith Conservation Area – Report by the Chief Planning Officer 19 - 26

11. Motions

11.1 None.

Nick Smith

Service Director, Legal and Assurance

Committee Members

Councillor James Dalgleish (Convener), Councillor Alan Beal, Councillor Chas Booth, Councillor Neil Gardiner, Councillor Euan Hyslop, Councillor Tim Jones, Councillor David Key, Councillor Joanna Mowat, Councillor Hal Osler, Councillor Kayleigh O'Neill

Information about the Planning Committee

The Planning Committee consists of 11 Councillors and is appointed by the City of Edinburgh Council. This meeting of the Planning Committee is being held in the Dean of Guild Court Room in the City Chambers on the High Street in Edinburgh and remotely by Microsoft Teams

Further information

If you have any questions about the agenda or meeting arrangements, please contact Martin Scott, Committee Services, City of Edinburgh Council, Business Centre 2.1,

Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel , email martin.scott@edinburgh.gov.uk.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to the Council's online [Committee Library](#).

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Minutes

Planning Committee

2.00pm, Wednesday 23 February 2022

Present

Councillors Gardiner (Convener), Child (Vice-Convener), Booth, Cameron (from item 6), Dixon, McVey (substituting for Councillor Gordon), Mitchell, Mowat, Osler, Rose and Staniforth.

1. Minutes

Decision

To approve the minutes of the Planning Committee of 1 December 2021 as a correct record.

2. Business Bulletin

The Committee's business bulletin for 23 February 2022 was presented.

Decision

To note the Business Bulletin.

(Reference – Business Bulletin 23 February 2022, submitted.)

3. Scottish Government Draft National Planning Framework 4 – City of Edinburgh Response

Approval was sought for a supportive response to the Scottish Government's draft National Planning Framework 4 as an appropriate development strategy and national policy document, subject to the considerations and proposed amendments set out in Appendix 1 of the report.

Decision

To agree the proposed response to the draft National Planning Framework 4 as set out in Appendix 1 of the report and that it would be submitted to the Scottish Government by 31 March 2022.

(References – Planning Committee, 19 May 2021 (item 5); report by the Executive Director of Place, submitted)

4. Scottish Government Local Development Planning Regulations and Guidance consultation

Approval was sought for a response to the Scottish Government's consultation on Local Development Planning Regulations and Guidance as set out in Appendix 1 of the report.

Decision

To agree the proposed response to the consultation on Local Development Planning Regulations and Guidance as set out in Appendix 1 of the report and that it would be submitted to the Scottish Government by 31 March 2022.

(Reference - report by the Executive Director of Place, submitted)

5. Scottish Government Open Space Strategies and Play Sufficiency Regulations consultation – City of Edinburgh Response

The Scottish Government had published draft regulations setting out requirements on what information must be contained Open Space Strategies (OSSs) and Play Sufficiency Assessments (PSAs), the timescales for producing these and what steps Council's must undertake in preparing them. Committee considered a report that out the key parts of the draft regulations, the implications for the Council and the recommended response to the Scottish Government consultation.

Decision

To agree the response to the Scottish Government's consultation on its draft regulations on Open Space Strategies and Play Sufficiency Assessments as set out in Appendix 1 of the report.

(Reference - report by the Executive Director of Place, submitted)

6. Short-term Let Area of Control Designation

Section 17 of the Planning (Scotland) Act 2019 introduced powers for local authorities to designate Short-term Let Control Areas.

Committee considered a report that set out responses to the consultation on a proposal to designate the entire Council area as a Short-term Let Area of Control. The area of control was a statutory designation the effect of which would require planning permission for the change of use of dwellings to short-term letting where the property was not a principal home.

Motion

- 1) To note that the Council has now concluded the statutory consultation on the designation of a Short-term Let control area.
- 2) To note the level of response to, and the key findings of, the consultation as summarised in the report and set out in Appendix 1 of the report.
- 3) To acknowledge that analysis and consideration of feedback from consultation had informed a review of the proposed designation.
- 4) To approve the proposal to designate the entire Council area as a Short-term Let Control area.
- 5) To agree to submit the proposal to Scottish Ministers for approval.

- 6) To confirm that should Scottish Ministers approval be given, the designation would be publicised and would take effect 28 days from the date of publication of the notice.

- moved by Councillor Gardiner, seconded by Councillor Child

Amendment

- 1) To note that the Council had now concluded the statutory consultation on the designation of a Short-term Let control area.
- 2) To note the level of response to, and the key findings of, the consultation as summarised in the report and set out in Appendix 1 of the report.
- 3) To acknowledge that analysis and consideration of feedback from consultation had informed a review of the proposed designation.
- 4) To approve the proposal to designate the entire Council area as a Short-term Let Control area.
- 5) To agree to submit the proposal to Scottish Ministers for approval.
- 6) To confirm that should Scottish Ministers approval be given, the designation would be publicised and would take effect 28 days from the date of publication of the notice.
- 7) To report to Committee any progress with the determination of matters by Scottish Ministers via the Business Bulletin (even if this was to report that there had been no decision) and in the meantime the Chief Planning Officer worked with the Convener, Vice Convener and Planning Spokespeople of each group to consider a communications plan to be implemented if permission for the Short-term Let Area of Control Designation was granted.

- Moved by Councillor Mowat, seconded by Councillor Rose

In accordance with Standing Order 22(12), the amendment was accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor Gardiner:

- 1) To note that the Council has now concluded the statutory consultation on the designation of a Short-term Let control area.
- 2) To note the level of response to, and the key findings of, the consultation as summarised in the report and set out in Appendix 1 of the report.
- 3) To acknowledge that analysis and consideration of feedback from consultation has informed a review of the proposed designation.
- 4) To approve the proposal to designate the entire Council area as a Short-term Let Control area.
- 5) To agree to submit the proposal to Scottish Ministers for approval.

- 6) To confirm that should Scottish Ministers approval be given, the designation would be publicised and would take effect 28 days from the date of publication of the notice.
- 7) To report to Committee any progress with the determination of matters by Scottish Ministers via the Business Bulletin (even if this was to report that there had been no decision) and in the meantime the Chief Planning Officer works with the Convener, Vice Convener and Planning Spokespeople of each group to consider a communications plan to be implemented if permission for the Short-term Let Area of Control Designation was granted.

(References – Planning Committee, 2 September 2020 (item 3); report by the Executive Director of Place, submitted)

7. Annual Review of Guidance

Committee considered a report that advised of changes to planning guidance in 2021 and sought approval for the programme in the coming year.

Decision

- 1) To note the progress in consolidating and updating guidance for users of the planning service (Appendix 1 of the report).
- 2) To approve the programme for work in 2022 as set out in Section 4 of the report.

(Reference - report by the Executive Director of Place, submitted)

8. Edinburgh Urban Design Panel - Annual Review

Details were provided of the findings from the annual review of the Edinburgh Urban Design Panel's work. A series of recommendations and actions were proposed for approval.

Decision

- 1) To note the findings of the Edinburgh Urban Design Panel's annual review.
- 2) To record Committee's appreciation of the voluntary contributions made by the Panel members to the design review process particularly in the context of the COVID-19 pandemic.
- 3) To agree the revised Remit, Function, Roles and Procedures of the Panel as set out in Appendix 3 of the report.
- 4) To agree that it was relayed to the Urban Design Panel that issues of inclusivity and to women's safety was embedded in the work of the panel.
- 5) To agree that an update to the Urban Design Panel's remit and membership would be brought forward to Planning Committee.

(Reference – report by the Executive Director of Place, submitted.)

9. Non-Statutory Guideline on Developer Contributions and Infrastructure Delivery – approval for preparation and consultation of draft guideline

A new guideline was being prepared to address the need for guidance on how to interpret and implement Edinburgh Local Development Plan (LDP) policy Del 1: Developer Contributions and Infrastructure Delivery.

Committee were asked to agree that this was prepared, consulted on and reported back for final approval as set out in paragraphs 4.5 to 4.9 of the report.

Decision

To agree that new non-statutory guideline on developer contributions and infrastructure delivery be prepared, consulted on and reported for final approval as set out in paragraphs 4.5 to 4.9 of the report.

(References – Planning Committee, 1 December 2021 (item 3); report by the Executive Director of Place, submitted)

10. Scoping report considering opportunities to review current planning policies and guidance to assist in meeting the climate change emergency and net-zero carbon targets

In response to a motion by Councillor Rose, the Committee had agreed a scoping report be brought to February 2022 Planning Committee examining built environment and building fabric related issues to identify whether changes in the current policies and guidance was appropriate in order to address the climate change emergency and zero carbon commitment.

Details were provided on the work undertaken to date by the Planning Service around sustainability and climate change, and explored future opportunities to review, amend and add to planning policies and guidance to work towards the City of Edinburgh Council's aspiration of being net-zero carbon by 2030.

Decision

- 1) To note the contents of the report.
- 2) To agree that the report discharged the remit set by Planning Committee on 11 August 2021.
- 3) To agree that when guidance was revised consideration would be given to cycle parking, front garden parking and uPVC and secondary glazing.
- 4) To agree that consideration would be given in the Householder Guidance to the mitigation householders could use against flooding particularly around Conservation Areas and Listed Buildings.
- 5) To agree that clarification would be provided to the Planning Committee via a briefing note on the position from the Scottish government concerning

permitted development and creation of parking in front gardens.

(References – Planning Committee, 11 August 2021 (item 8); report by the Executive Director of Place, submitted.)

11. Funding Third Sector Delivery Partners: Edinburgh World Heritage and Edinburgh and Lothians Greenspace Trust

Agreement was sought to enter into a three-year service level agreement (SLA) with Edinburgh World Heritage (EWH) and Edinburgh and Lothians Greenspace Trust (ELGT) for the period 2022 to 2025. Approval was also sought for funding for financial year 2022/23. Details were provided of the activities proposed to be delivered under these SLAs for 2022/23.

Decision

- 1) To agree to enter into service level agreement (SLA) for the period 2022 – 2025 with Edinburgh World Heritage (EWH) and the Edinburgh and Lothians Greenspace Trust (ELGT).
- 2) To approve the sums of £46,000 for Edinburgh World Heritage and £25,833 for Edinburgh and Lothians Greenspace Trust for financial year 2022/23.

(Reference – report by the Executive Director of Place, submitted)

Declarations of Interest

Councillors Gardiner and Child declared non-financial interests in the above item as Council appointed Directors of the Edinburgh World Heritage Trust.

12. Proposed Approach to Planning Enforcement for Temporary Structures for Hospitality

In light of recent coronavirus restrictions on businesses and the Scottish Government's Chief Planner's letter advocating a continued relaxation of planning control, it was recommended Committee approved a relaxed approach to planning control for temporary seating structures associated with existing hospitality businesses in order to facilitate additional space for social distancing. It was intended that the approach would remain in place until 7 October 2022.

Motion

- 1) To approve a relaxed approach to planning control for temporary seating structures associated with existing hospitality businesses in order to facilitate additional space for physical distancing.
- 2) To agree that the topic of how temporary structures could be regulated would be the theme of a future Planning workshop.

- moved by Councillor Gardiner, seconded by Councillor Child

Amendment

- 1) To approve a relaxed approach to planning control for temporary seating structures associated with existing hospitality businesses.
- 2) To ask officers to work with Transport officers to identify any structures which were creating unresolvable obstacles and leading to unsafe driver behaviour and should any such structures be identified take appropriate action under S59 and / or Planning to enforce the removal of the structures.
- 3) To agree that the topic of how temporary structures could be regulated would be the theme of a future Planning workshop.
 - Moved by Councillor Mowat, seconded by Councillor Rose

In accordance with Standing Order 22(12), the amendment was adjusted and accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor Gardiner:

- 1) To approve a relaxed approach to planning control for temporary seating structures associated with existing hospitality businesses.
- 2) To ask officers to work with Transport officers to identify any structures which were creating unresolvable obstacles and leading to unsafe driver behaviour and should any such structures be identified take appropriate action under S59 and / or Planning to enforce the removal of the structures.
- 3) To agree that the topic of how temporary structures could be regulated would be the theme of a future Planning workshop.

(References – Planning Committee, 19 May 2021 (item 9); report by the Executive Director of Place, submitted)

13. Merchiston and Greenhill Conservation Area Character Appraisal Review

On 22 August 2018, the Planning Committee approved an updated programme of review of the existing conservation area character appraisals. A revised Merchiston and Greenhill Conservation Area Character Appraisal was presented. The revised appraisal had been the subject of consultation.

Decision

To approve the revised Merchiston and Greenhill Conservation Area Character Appraisal.

(References – Planning Committee, 22 August 2018 (item 12); report by the Executive Director of Place, submitted)

14. Proposed extension to the Leith Conservation Area

On 14 May 2015, the Planning Committee approved the revised Leith Conservation
Planning Committee – 23 February 2022

Area Character Appraisal. A proposed boundary extension to the Leith Conservation Area was presented.

Decision

To approve the boundary extension to the Leith Conservation Area and the updating of the current Leith Conservation Area Character Appraisal to reflect the boundary extension.

(References – Planning Committee, 22 August 2018 (item 12); report by the Executive Director of Place, submitted)

Business Bulletin

Planning Committee

2.00pm, Wednesday, 8 June 2022

Planning Committee

Convener:	Members:	Contacts:
<p>Councillor James Dalgleish</p> 	<p>Councillor Alan Beal Councillor Chas Booth Councillor Neil Gardiner Councillor Euan Hyslop Councillor Tim Jones Councillor David Key Councillor Joanna Mowat Councillor Kayleigh O'Neill Councillor Hal Osler</p>	<p>Martin Scott Committee Services martin.scott@edinburgh.gov.uk</p> <p>David Givan Chief Planning Officer david.givan@edinburgh.gov.uk</p>

Recent News

Planning Time Performance Information – Quarter 4 and Interim 2021/22

Time performance statistics for Quarter 4 (Q4) and 2021/22 (interim) are provided in Appendix 1.

The indicators and method are the same as previously reported in Business Bulletins and they include explanatory notes.

Background

Contact:

Ben Wilson
Team Manager
ben.wilson@edinburgh.gov.uk

They show an increase in average decision times in Q4 for local development planning applications and householder developments.

In total 1,013 applications were submitted in Q4 - an increase on the previous quarter (950). The total determined was 807, fewer than in Q3 (870).

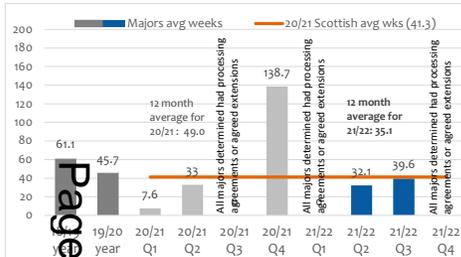
Annual averages have been estimated for 2021/22 – these are interim figures ahead of Scottish Government confirmation. The appendix shows that:

- Average times for major developments have improved, due in part to previous clearance of legacy cases.
- Average times for local developments were slower than 2020/21, but faster than in previous years.
- Average times for householder developments were slower than 2020/21 and the previous year, but faster than some recent years.

As reported in previous Bulletins the slower average local and householder times is due to the impact of high case volumes and Covid-related impacts on staff in the latter part of the year.

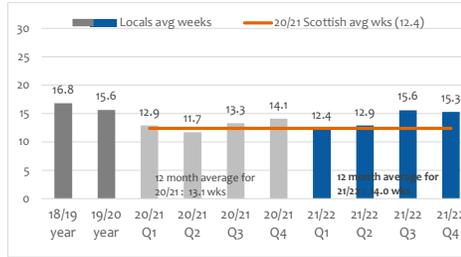
Major Developments

Average Decision Times (weeks) for applications without processing agreements or agreed extensions



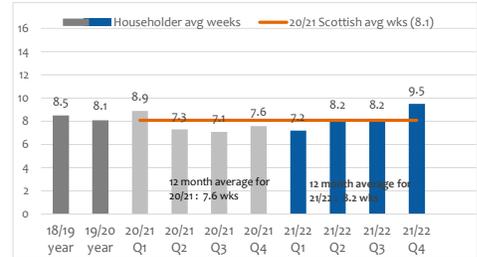
Local (Non-Householder)

Average Decision Times (weeks) for applications without processing agreements or agreed extensions



Householder

Average Decision Times (weeks)



Sub	32	27	3	5	7	8	2	8	5	4
Det	2	30	5	5	6	6	6	7	12	5
6 month totals:		Sub:8, Det:10			Sub:5, Det:12		Sub:10, Det:13		Sub:9, Det:17	
12 month totals:		Sub: 23, Det:22					Sub: 19, Det:30			
Decided over 16 wks no agreements/extensions										
		2	3	0	2	1	3	2	2	1
Appeals against non determination										
		0	0	0	1	0	1	0	1	0

Sub *	1061	1082	184	243	285	295	208	183	194	214
Det*	1082	1000	187	212	244	294	195	161	168	185
6 month totals:		Sub:427, Det:399			Sub: 580, Det: 538		Sub:391, Det:356		Sub:408, Det:353	
12 month totals:		Sub: 1907, Det: 937								
Decided over 8 wks no agreements/extensions										
		73	71	83	74	90	93	99	123	
Appeals against non determination										
		1	0	0	0	3	0	0	0	0

Sub	1464	1611	344	384	509	526	579	480	462	430
Det	1481	1543	362	317	472	499	548	486	444	373
6 month totals:		Sub:728, Det:679			Sub: 1035, Det: 971		Sub:1058, Det:1034		Sub:892, Det:817	
12 month totals:		Sub: 1763, Det: 1650								
Decided over 8 wks no agreements/extensions										
		181	93	132	172	172	210	167	200	
Appeals against non determination										
		0	0	0	0	0	1	2	0	0

Comments:

All Major applications determined had processing/extension agreements:

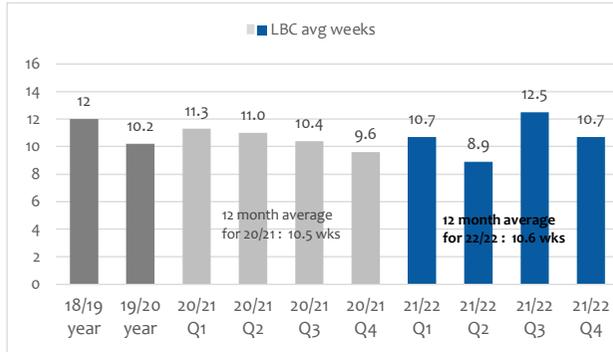
- Edinburgh Park mixed development
- Redevelop and change use at Princes St
- Student accommodation at Haymarket Yards
- Waterfront avenue - residential and commercial development
- New Currie High School

Notes:

- Decision times are from validation to issuing of permission, which includes time for legal agreements to be concluded.
 - [Scottish Government](#) headline indicators monitor average decision times for major, local and householder applications without processing agreements or agreed time extensions. The charts show these times for relevant applications
 - Quarterly figures for 20/21 and 21/22 Q1-2 are from Scottish Government's checked statistics, and factor in stop-the-clock periods.
 - Figures for Q3 & Q4 may not include all stop-the-clock periods.
 - Submitted & determined figures show all applications (i.e. with and without processing agreements / agreed extensions)
- * Pre-21/22 numbers for Local (Non-householder) cases also include some non-planning application cases. 21/22 figures exclude these to better reflect Scottish Government statistical method.

Listed Building Consents

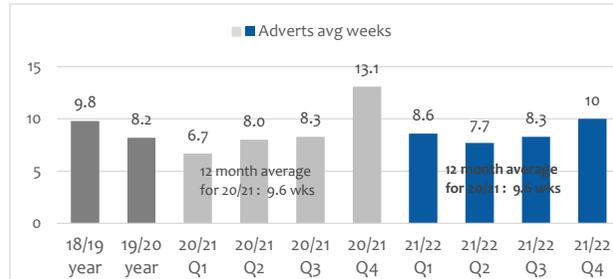
Average Decision Times (weeks)



Sub	1062	1073	169	184	260	295	301	230	243	308
Det	1082	846	198	121	183	194	285	272	196	202
6 month totals:	Sub:353, Det:319		Sub:555, Det:377		Sub:531, Det:557		Sub:551, Det:398			
12 month totals:	Sub: 908, Det: 696					Sub: 1082, Det: 955				
Decide over 8 wks no agr	115	50	98	67	100	122	97	100		
Appeals against non determination	1	0	0	0	3	0	0	0		

Advert consents

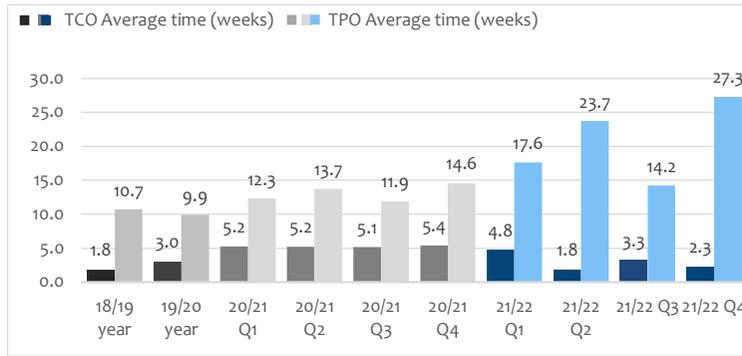
Average Decision Times (weeks)



Sub	212	229	33	50	30	37	39	49	46	57
Det	325	247	32	39	29	54	42	49	50	42
6 month totals:	Sub:83, Det:71		Sub:67, Det:83		Sub:88, Det:91		Sub:103, Det: 92			
12 month totals:	Sub: 150, Det: 154					Sub: 191, Det: 183				

Treework (TCO - Treework in Conservation Area / TPO - Tree Preservation Order)

Average Decision Times (weeks)



Sub	698	638	200	248	233	221	193	234	219	180
Det	675	559	115	247	220	161	236	179	284	173
6 month totals:	Sub:448, Det:362		Sub:454, Det:381		Sub:427, Det:415		Sub:399, Det:457			
12 month totals:	Sub: 902, Det:743					Sub: 826, Det:872				

TCO - notices of intent to carry out works to trees in a conservation area.

Sub	78	125	23	34	31	32	37	27	28	36
Det	82	95	19	24	19	24	24	34	26	51
6 month totals:	Sub:57, Det:43		Sub:63, Det:43		Sub:64, Det:58		Sub:64, Det:77			
12 month totals:	Sub: 120, Det:86					Sub: 128, Det:135				

TPO - applications for work to trees which are subject to a Tree Preservation Orders.

Legal agreements and Appeals

	At end Q1	At end Q2	At end Q3	At end Q4
Number of applications at legal agreement stage	36	27	22	23
Number of applications where more than 6 months since Minded to Grant decision	8	3	5	3
Comments: Actions to reduce time taken for legal agreements are having an effect.				

Enforcement - short term let cases

	21/22 Q1	21/22 Q2	21/22 Q3	21/22 Q4
Number submitted	23	52	19	13
Number closed	10	20	26	39
Number (and %) closed within 6 months (target 80%)	5 (50%)	20 (100%)	21(81%)	23(59%)
	6 month %: 83.3%		6 month %: 68%	
	12 month %: 21/22: 72.6% (20/21: 61.5%)			
Number of notices served	9	9	4	18
Number (and %) served within 6 months (target 80%)	8 (89.9%)	7 (77.7%)	4(100%)	10(56%)
	6 month: 83.3%		6 month: 63.6%	
	12 month:- 21/22 : 73% (20/21 : 100%)			

Enforcement - all other cases

	21/22 Q1	21/22 Q2	21/22 Q3	21/22 Q4
Number submitted	225	174	147	133
Number closed	227	190	198	133
Number (and %) closed within 3 months (target 80%)	174 (76.6%)	154 (81%)	155(78%)	104(78%)
	6 month: 328 (78.7%)		6 month: 259(78.2%)	
	12 month: 21/22: 78.5% (20/21: 61.5%)			
Number of notices served	3	0	12	9
Number (and %) served within 3 months (target 80%)	1 (33.3%)	n/a	2(17%)	1(11%)
	6 month: 33%		6 month: 14%	
	12 month %:- 21/22 : 16.7% (20/21 : n/a%)			

There has been a continued increase in the number of short term let enforcement cases closed in the last quarter as older cases are resolved. Decision times for all enforcement cases have remained around target levels, with the exception of timing of non-short term let notices. This is due to the time taken to resolve older cases, particularly as the Scottish Government continues to advocate a relaxed approach to enforcement to support economic growth as we emerge from the pandemic.

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Planning Committee

2.00pm, Wednesday 8 June 2022

Proposed Extension to Leith Conservation Area

Executive/routine	Executive
Wards	12– Leith Walk
Council Commitments	<u>15</u>

1. Recommendations

- 1.1 It is recommended that Committee:
- 1.1.1 Notes that the proposed extension to the Leith Conservation Area boundary, as amended following public and stakeholder consultation to ensure alignment with the Leith Walk/Halmyre Street Place Brief and to reinforce its focus to preserve and enhance the area’s unique railway history, was approved on [23 February 2022](#);
 - 1.1.2 Acknowledges that concern has been raised by Leith Central Community Council, Leith Harbour and Newhaven Community Council, Leith Links Community Council and a local resident regarding the decision to amend the originally proposed boundary extension which was presented as part of the consultation;
 - 1.1.3 Accepts the further detailed justification provided in this report confirming the reasoning for the proposed amendment to the originally proposed Leith Conservation Area extended boundary extension; and
 - 1.1.4 Agrees to proceed with formal conservation area designation procedures and update the Leith Conservation Area Character Appraisal to reflect the boundary extension as approved on 23 February 2022.

Paul Lawrence

Executive Director of Place

Contact: Iain McFarlane, City Plan Programme Director

E-mail: iain.mcfarlane@edinburgh.gov.uk | Tel: 0131 529 2419

Proposed Extension to Leith Conservation Area

2. Executive Summary

- 2.1 This report provides further justification for the extension to the boundary of the Leith Conservation Area, which was approved by the Planning Committee, on 23 February 2022, following a period of public and stakeholder consultation last year. It enables Committee to make a decision on the proposed extension with the benefit of more complete information in relation the rear of the Bingo Hall on Manderston Street.
- 2.2 On conclusion of the consultation process, the proposed boundary extension was amended to respond to feedback confirming that it did not fully align with the approved Leith Walk/Halmyre Street Place Brief with respect to the rear of the Bingo Hall, and that the area should be removed from the extended boundary. The focus of the extended conservation area is to help to preserve and enhance the area's unique railway history, and the rear of the Bingo Hall has no immediate connection to that history. The rear of building would also not make a significant contribution to the character and appearance of the Conservation Area.
- 2.3 This report reiterates and provides further detail regarding the reasoning for the decision to remove the rear of the Bingo Hall, in response to the concern raised by Leith Central Community Council, Leith Harbour and Newhaven Community Council, Leith Links Community Council and a local resident.

3. Background

- 3.1 It is a statutory requirement, in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, for local authorities to periodically review conservation area boundaries and consider whether new conservation area designations are appropriate.
- 3.2 The Leith Conservation Area was reviewed in 2015. Since that time, there have been enquiries concerning the potential inclusion of the former railway arches on Manderston Street and Jane Street.

- 3.3 On 23 February 2022, Committee approved an extension to the Leith Conservation Area to include areas to the east and west of Leith Walk, on Manderston Street and Jane Street. The buildings involved comprise the railway arches associated with the former Leith Walk West Goods Yard and the abutment of the former railway bridge over Leith Walk. It was considered that this would assist in securing the long-term future of Stead's Place and protect the railway heritage of Leith.
- 3.4 The proposed boundary extension was the subject of consultation with the public and stakeholders in November and December 2021. The consultation was based on a boundary extension which included the rear section of the Bingo Hall on Manderston Street (Appendix 1). However, it was noted that the Leith Walk/Halmyre Street Place Brief, which was approved in September 2020, proposed two indicative layouts, one with and one without the redevelopment of the rear of the bingo hall. The layout showing the redevelopment of the rear of the bingo hall captures the aspiration to retain access to/from Thorntree Street, supporting greater permeability into and through the site (Appendix 2). It was, therefore, recommended that Committee approve a revised boundary (Appendix 3) which did not include the rear of the Bingo Hall so as not to potentially preclude the delivery of this important aspect.

4. Main report

- 4.1 Leith Central Community Council, Leith Harbour and Newhaven Community Council, Leith Links Community Council and a local resident consider that there is merit in including the rear of the Bingo Hall within the extended Leith Conservation Area so that it is afforded the same level of protection as the rest of the area.
- 4.2 The decision to remove the rear section of the Bingo Hall on Manderston Street from the proposed extension to the Leith Conservation Area was based on the need to align with and support the delivery of the approved Place Brief for Leith Walk/Halmyre Street. The removal of the rear of the Bingo Hall also reinforces the focus of the designation which is based on conserving and enhancing the area's unique railway history.
- 4.3 The Place Brief was approved in September 2020 and sets the framework for the future development of the area. The Place Brief was consulted upon within the local community before its approval.
- 4.4 Section 5.3 of the Place Brief demonstrates how a series of active travel routes can traverse the site on both a north/south and east/west axis. It also notes that the only vehicular access will be from Halmyre Street, with a potential connection to the rear of the Bingo Hall and onto Thorntree Street (Appendix 2). The benefit of having a singular vehicular access and one-way system is that it reduces conflict between vehicles and pedestrians/cyclists within the site. However, this vehicular access also must provide access for waste vehicles and other delivery/emergency vehicles, making the geometry within this constrained site challenging.
- 4.5 The decision to remove the rear of the Bingo Hall is also considered acceptable because the strong focus of the extended boundary is to help preserve and enhance the area's unique railway history. The rear section of the Bingo Hall has no immediate connection to that history. As noted in the Committee report presented

on 23 February 2022, the Bingo Hall was also submitted to Historic Environment Scotland for consideration for inclusion on the Statutory List, however it did not meet the criteria for listing. The rear section of the bingo hall is a plain brick structure with a small area of residual stone and, if included in the Conservation Area, it is unlikely that it would be concluded that its demolition would have an adverse impact on the character and appearance of the Conservation Area.

- 4.6 Any future planning applications for the area will be required to demonstrate compliance with the statutory policy framework, principally Edinburgh's Local Development Plan, along with the approved Place Brief and other relevant material considerations.

5. Next Steps

- 5.1 If Committee accepts the recommendations in this report the proposed extension to the Leith Conservation Area will be initiated through formal designation procedures and the current Character Appraisal will be updated.

6. Financial impact

- 6.1 There are no immediate financial implications for the Council arising from this report.

7. Stakeholder/Community Impact

- 7.1 The originally proposed extension to the Leith Conservation Area was the subject of an online consultation and 29 local owners were informed of the proposal by letter.

8. Background reading/external references

- 8.1 [Report to Planning Committee of 22 August 2018, Review of Conservation Area Character Appraisals.](#)
- 8.2 Report to Planning Committee of [23 February 2022](#), Proposed Extension to the Leith Conservation Area.
- 8.3 [Place Brief for Leith Wall/Halmyre Street.- September 2020](#)

9. Appendices

- 9.1 Appendix 1 - Plan of originally proposed extension to the Conservation Area.
- 9.2 Appendix 2 - Leith Walk/Halmyre Street Place Brief - Indicative Layouts.
- 9.3 Appendix 3 - Recommended revised boundary of the extended Conservation Area.

APPENDIX 1 - PLAN SHOWING ORIGINALLY PROPOSED EXTENSION TO LEITH CONSERVATION AREA



Existing Leith Conservation Area shown in blue.
Originally proposed extension outlined in yellow.

APPENDIX 2: LEITH WALK/HALMYRE STREET PLACE BRIEF - INDICATIVE LAYOUTS



APPENDIX 3 - RECOMMENDED REVISED BOUNDARY OF THE EXTENDED CONSERVATION AREA



Existing Leith Conservation Area shown in blue.

Proposed extension outlined in yellow.