

Notice of meeting and agenda

Planning Local Review Body (Panel 2)

10.00 am Wednesday, 22nd February, 2023

Hybrid Meeting - Dean of Guild Court Room / Microsoft Teams

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

Contacts

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1. Appointment of Convener

- 1.1 The Local Review Body is invited to appoint a Convener from its membership.

2. Order of Business

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

3. Declaration of Interests

- 3.1 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.

4. Minutes

- 4.1 Minute of the Local Review Body (Panel 2) – 18 January 2023 – submitted for approval as a correct record 15 - 32

5. Local Review Body - Procedure

- 5.1 Note of the outline procedure for consideration of all Requests for Review 33 - 36

6. Requests for Review

- 6.1** 1 Commercial Street, Edinburgh - New decking area for external tables and chairs including steel cladding, portable oak barrel planters with toughened glass sound diffusers, 2 parasols with 4m cover and brass lighting - application no. 22/02836/FUL. 37 - 52

(a) Notice of Review and Supporting Documents

(b) Letters of Representation

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and a site inspection.

- 6.2** 1 Commercial Street, Edinburgh - New decking area for external tables and chairs including steel cladding, portable oak barrel planters with toughened glass sound diffusers, 2 parasols with 4m cover and brass lighting - application no. 22/02836/FUL. (Part 1) 53 - 62

(a) Notice of Review and Supporting Documents

(b) Letters of Representation

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and a site inspection.

- 6.3** 1 Commercial Street, Edinburgh - New decking area for external tables and chairs including steel cladding, portable oak barrel planters with toughened glass sound diffusers, 2 parasols with 4m cover and brass lighting - application no. 22/02836/FUL. (Part 2) 63 - 64

(a) Notice of Review and Supporting Documents

(b) Letters of Representation

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and a site inspection.

- 6.4** 1 Commercial Street, Edinburgh - New decking area for external tables and chairs including steel cladding, portable oak barrel planters with toughened glass sound diffusers, 2 parasols with 4m cover and brass lighting - application no. 22/02836/FUL. (Part 3) 65 - 66

(a) Notice of Review and Supporting Documents

(b) Letters of Representation

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and a site inspection.

- 6.5** 1 Commercial Street, Edinburgh - New decking area for external tables and chairs including steel cladding, portable oak barrel planters with toughened glass sound diffusers, 2 parasols with 4m cover and brass lighting - application no. 22/02836/FUL. (Part 4) 67 - 152

(a) Notice of Review and Supporting Documents

(b) Letters of Representation

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and a site inspection.

- 6.6** 1 Commercial Street, Edinburgh - New decking area for external tables and chairs including steel cladding, portable oak barrel planters with toughened glass sound diffusers, 2 parasols with 4m cover and brass lighting - application no. 22/02836/FUL. (Part 5) 153 - 170

(a) Notice of Review and Supporting Documents

(b) Letters of Representation

(c) Further Reps

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and a site inspection.

- 6.7** 8 (Flat 2) Dorset Place, Edinburgh - Permission for change of use to enable property to be offered as a short term let - application no. 22/02965/FUL. 171 - 186

(a) Notice of Review and Supporting Documents

(b) Letters of Representation

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents only.

- 6.8** 61 (3F1) Falcon Avenue, Edinburgh - Roof extension - application no. 22/04429/FUL. 187 - 248

(a) Notice of Review and Supporting Documents

(b) Letters of Representation

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and a site inspection.

6.9 61 (3F1) Falcon Avenue, Edinburgh - Roof extension - application no. 22/04429/FUL. (Part 1) 249 - 292

(a) Notice of Review and Supporting Documents

(b) Letters of Representation

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and a site inspection.

6.10 61 (3F1) Falcon Avenue, Edinburgh - Roof extension - application no. 22/04429/FUL. (Part 2) 293 - 314

(a) Notice of Review and Supporting Documents

(b) Letters of Representation

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and a site inspection.

6.11 61 (3F1) Falcon Avenue, Edinburgh - Roof extension - application no. 22/04429/FUL. (Part 3) 315 - 322

(a) Notice of Review and Supporting Documents

(b) Letters of Representation

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and a site inspection.

6.12 61 (3F1) Falcon Avenue, Edinburgh - Roof extension - application no. 22/04429/FUL. (Part 4) 323 - 366

(a) Notice of Review and Supporting Documents

(b) Letters of Representation

(c) Further Representations

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and a site inspection.

6.13 1B (Flat 11) Grassmarket, Edinburgh - Change of use from residential to short-term let (in retrospect) - application no. 22/04143/FUL. 367 - 392

(a) Notice of Review and Supporting Documents

(b) Letters of Representation

Note: The applicant has requested that the review proceed on the

basis of an assessment of the review documents and a site inspection.

- 6.14** 45 - 47 Shandwick Place, Edinburgh - Change of use from Class 1 to Class 3 with ancillary hot food take away and installation of rear mounted kitchen extract flue - application no. 22/02672/FUL. 393 - 452

(a) Notice of Review and Supporting Documents

(b) Letters of Representation

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents only.

- 6.15** 5 West Tollcross, Edinburgh - Mixed used development with ground floor restaurant (Class 3) and take-away (Sui Generis) and 3x apartments on upper floors - application no. 22/01705/FUL. 453 - 510

(a) Notice of Review and Supporting Documents

(b) Letters of Representation

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and a site inspection.

- 6.16** 221 Webster's Land, Edinburgh - Change of use from residential to short-term let - application no. 22/04558/FUL. 511 - 544

(a) Decision Notice and Report of Handling

(b) Notice of Review and Supporting Documents

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents only.

6.17 7 (GF) Strathearn Place, Edinburgh – Removal of existing extension and internal alterations. Erection of a new extension and garden room to the rear of the property – application no. 22/03235/FUL 545 - 618

- (a) Decision Notice and Report of Handling
- (b) Notice of Review and Supporting Documents
- (c) Further representations
- (d) Appeal Decision Notice dated 14 February 2023

Notes:

- 1) The applicant has requested that the review proceed on the basis of an assessment of the review documents only.
- 2) The Local Review Body, on 18 January 2023, continued consideration of this case until the DPEA appeal decision on the listed building application had been determined.

7. Extracts of Relevant Policies from the Edinburgh Local Development Plan

7.1 Extracts of Relevant Policies from the Edinburgh Local Development Plan for the above review cases

[Local Development Plan Online](#)

Edinburgh Local Development Plan Policy Des 1 (Design Quality and Context)

Edinburgh Local Development Plan Policy Des 2 (Co-ordinated Development)

Edinburgh Local Development Plan Policy Des 4 (Development Design - Impact on Setting)

Edinburgh Local Development Plan Policy Des 5 (Development

Design - Amenity)

Edinburgh Local Development Plan Policy Des 6 (Sustainable Buildings)

Edinburgh Local Development Plan Policy Des 12 (Alterations and Extensions)

Edinburgh Local Development Plan Policy Del 2 (City Centre)

Edinburgh Local Development Plan Policy Env 1 (World Heritage Sites)

Edinburgh Local Development Plan Policy Env 3 (Listed Buildings - Setting)

Edinburgh Local Development Plan Policy Env 6 (Conservation Areas - Development)

Edinburgh Local Development Plan Policy Env 9 (Development of Sites of Archaeological Significance)

Edinburgh Local Development Plan Policy Env 21 (Flood Protection)

Edinburgh Local Development Plan Policy Hou 3 (Private Green Space in Housing Development)

Edinburgh Local Development Plan Policy Hou 4 (Housing Density)

Edinburgh Local Development Plan Policy Hou 7 (Inappropriate Uses in Residential Areas)

Edinburgh Local Development Plan Policy Ret 9 (Alternative Use of Shop Units - Primary Frontages in the City Centre in Town Centres)

Edinburgh Local Development Plan Policy Ret 11 (Alternative Use of Shop Units in Other Locations)

Edinburgh Local Development Plan Policy Tra 2 (Private Car Parking)

Edinburgh Local Development Plan Policy Tra 3 (Private Cycle Parking)

Edinburgh Local Development Plan Policy Tra 4 (Design of Off-Street Car and Cycle Parking)

8. Non-Statutory Guidance

8.1 [The Relevant Scottish Planning Policy – Sustainable Development Principles](#) 619 - 640

[Guidance for Businesses](#)

[Edinburgh Design Guidance](#)

[The New Town Conservation Area Character Appraisal](#)

- [The Old Town Conservation Area Character Appraisal](#)

[The Draft National Planning Framework 4](#)

- Managing Change in the Historic Environment – Setting

Managing Change in the Historic Environment - Guidance on the principles of listed buildings

Note: The above policy background papers are available to view on the Council's website www.edinburgh.gov.uk under Planning and Building Standards/local and strategic development plans/planning guidelines/conservation areas, or follow the links as above.

Nick Smith

Service Director, Legal and Assurance

Membership Panel

Councillors Beal, Booth, Hyslop, McNeese-Mechan and Mowat.

Information about the Planning Local Review Body (Panel 2)

The City of Edinburgh Planning Local Review Body (LRB) has been established by the Council in terms of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008. The LRB's remit is to determine any request for a review of a decision on a planning application submitted in terms of the Regulations.

The LRB comprises a panel of five Councillors drawn from the eleven members of the Planning Committee. The LRB usually meets every two weeks, with the members rotating in two panels of five Councillors.

This meeting of the LRB is being held on a hybrid basis in the Dean of Guild Court Room in City Chambers and by Microsoft Teams.

Further information

Members of the LRB may appoint a substitute from the pool of trained members of the Planning Committee. No other member of the Council may substitute for a substantive member. Members appointing a substitute are asked to notify Committee Services (as detailed below) as soon as possible.

If you have any questions about the agenda or meeting arrangements, please contact Blair Ritchie, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 529 4085, email blair.ritchie@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](#).

Live and archived webcasts for this meeting and all main Council committees can be viewed online by going to the Council's [Webcast Portal](#).

Unless otherwise indicated on the agenda, no elected members of the Council, applicant, agent or other member of the public may address the meeting.

Webcasting of Council Meetings

Please note this meeting may be filmed for live and subsequent broadcast via the Council's internet site – at the start of the meeting the Convener will confirm if all or part of the meeting is being filmed. The Council is a Data Controller under the General Data Protection Regulation and Data Protection Act 2018. We broadcast Council meetings to fulfil our public task obligation to enable members of the public to observe the democratic process. Data collected during this webcast will be retained in accordance

with the Council's published policy including, but not limited to, for the purpose of keeping historical records and making those records available via the Council's internet site.

Any information presented by individuals to the Council at a meeting, in addition to forming part of a webcast that will be held as a historical record, will also be held and used by the Council in connection with the relevant matter until that matter is decided or otherwise resolved (including any potential appeals and other connected processes).

Thereafter, that information will continue to be held as part of the historical record in accordance with the paragraphs above. If you have any queries regarding this, and, in particular, if you believe that use and/or storage of any particular information would cause, or be likely to cause, substantial damage or distress to any individual, please contact Committee Services (committee.services@edinburgh.gov.uk)