

Minutes

Development Management Sub-Committee of the Planning Committee

10.00 am, Wednesday 6 November 2019

Present:

Councillors Gardiner (Convener), Child (Vice-Convener), Mary Campbell, Booth, Gordon, Griffiths, McLellan (substituting for Councillor Mowat), Mitchell, Munn, Osler and Rose

1. Minutes

To approve the minute of the Development Management Sub-Committee of 23 October 2019 as a correct record.

2. General Applications and Miscellaneous Business

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

Requests for Presentations

The Chief Planning Officer gave a presentation on agenda Item 4.1 – Main Terminal, 1 Edinburgh Airport, Jubilee Road – Requested by Councillor Gardiner.

The Chief Planning Officer gave a presentation on agenda item 4.2 – 6 Baberton Loan, Juniper Green, Edinburgh – Requested by Councillor Rose.

The Chief Planning Officer gave a presentation on agenda item 4.3 – 199 Fountainbridge, Edinburgh (At Site 60 Metres South of) – Requested by Councillor Child.

Decision

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

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

3. 1 and 4 Gilmerton Station Road, Edinburgh

At the Development Management Sub-Committee of 25 September 2019, Committee agreed to determine the application for planning permission at 1 and 4 Gilmerton Station Road, Edinburgh, by means of a hearing. Details were provided of proposals for planning permission in principle for a mixed-use development comprising - Class 1 retail, class 2 professional services, class 3 (inc Sui Generis) Food and Drink, class 4 to 6 Business/ Industrial, class 7 Hotel, class 11 Assembly and Leisure, Access, Car Parking, Servicing, Bridge, Demolition and Associated Works – application no 19/02122/PPP.

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

(a) Report by the Chief Planning Officer

The application was previously before Committee on 25 September 2019 and was continued for a site visit and a hearing, which took place on 7 October 2019.

The proposal was for a Mixed Use Development comprising - Class 1 retail, class 2 professional services, class 3 (inc Sui Generis) Food and Drink, class 4 to 6 Business/Industrial, class 7 Hotel, class 11 Assembly and Leisure, Access, Car Parking, Servicing, Bridge, Demolition and Associated Works.

The development site, covering an area of 5.08 hectares, lay to the south east of Edinburgh and was currently occupied by industrial and agricultural uses. The site was bound by Gilmerton Road (A772) to the north and Gilmerton Station Road to the west. Beyond Gilmerton Road was agricultural land that was designated as green belt in the Local Development Plan (LDP). To the south were existing industrial uses and to the east was open countryside in agricultural use which also formed part of the green belt. The site was intersected by a former railway line that had recently been laid out as a cycle path linking Lasswade and Shawfair. The site was designated as urban area in the LDP. The site was identified in the Gilmerton and South East Site Brief as a long term redevelopment opportunity that could provide additional housing in the longer term.

A reminder of the key considerations was provided.

The Chief Planning Officer indicated that proposal was contrary to Local Development Plan policy Ret 6 (Out-of-Centre Development) as there was not considered a quantitative or qualitative retail deficiency within the local area. In addition, the proposal would have a significant impact on existing centres as it would divert retail trade from existing retailers in sequentially preferable locations that were supported in national and local policy.

The sequential test had not been applied to the leisure element of the proposal, as required by policy Ret 8 and it had not been possible to conclude that there were no other suitable locations for this part of the proposal, therefore the proposal was contrary to this policy. The development failed to complement the neighbouring planned expansion of the city and would not form a positive edge to this part of the city.

The proposal failed to draw upon positive characteristics of the surrounding area and did not contribute towards a sense of place contrary to Des 1 (Design Quality and Context). The proposal was an inward focused retail park that did not adequately integrate with the predominantly residential areas to the north, contrary to policy Des 4 (Development Design - Impact on Setting).

After providing details of the proposals and the planning considerations involved, the Chief Planning Officer recommended that the application be refused.

The presentation can be viewed via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/452274

(b) Kenneth Baird and Lesley Gibson-Eaglesham, Gilmerton and the Inch Community Council

Kenneth Baird indicated that the proposals were welcomed by the local community as they would provide much needed facilities in the area and increase the prospects for long term employment. The proposals for a new medical was felt to be of critical importance as the population in the area increased and they also welcomed the proposal to upgrade the 29 bus terminal.

The community council were unanimously in favour of the proposals and of the 122 public comments provided to the Council, all were in favour of the development.

Lesley Gibson-Eaglesham urged the Committee to grant the application for the proposed development.

The presentation can be viewed via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/452274

(c) William Marr, Resident

Mr Marr addressed the Sub-Committee in support to the proposed development.

He indicated that the infrastructure of the area had not kept pace with housing developments in recent years, with the local school now operating from temporary classrooms, doctors and dentists lists being full, increased congestion and utilities stretched to the point of power cuts due to main cable explosions. The mains water supply had been replaced for the third time last year and more upgrades would be required as houses continued to be built in the area.

There was overwhelming support by residents in Gilmerton for the development of the Gilmerton Gateway and for the Developers involved. It was felt that policies and procedures which worked for the city centre did not necessarily work for urban areas and that the Council planners' hands were tied in the prescribed route they had to follow.

Mr Marr concluded by thanking the members for taking the time to visit the site and urged them to listen to the people of Gilmerton as there had been no objections from them to the proposals.

(d) Liberton/Gilmerton Ward Councillors

Councillors Cameron, Howie and Macinnes addressed the Sub-Committee as Ward Councillors of the Liberton/Gilmerton Ward.

Councillor Macinnes re-iterated that there was a strong level of support from the local community and presented 705 postcards submitted in support of the proposals which she felt was a very clear indication of the feeling in the area for this development. There was a real fear about the risk of more housing being developed and while the Council recognised the need for more housing in the city there were deep concerns about any more pressure in the Gilmerton area. The proposal represented a difference that would provide a positive set of amenities for people in the local community, a difference in approach which was welcomed as this was community focussed particularly through the provision of sporting facilities. There had been no representations made by the environmental or transportation teams which was seen as a positive indication of support. Councillor Macinnes concluded by urging the Committee to rule in favour of the

proposals as the area was in great need of this type of investment which would be welcomed in the area.

Councillor Cameron endorsed all of the comments made by the Community Council representatives and local resident and indicated that although unable to attend today's meeting, Councillor Smith was also fully supportive of the proposals. Councillor Cameron stressed that this was a community focussed development with wide reaching and wholehearted support and should not be looked on as an out of town retail park. The proposals would allow for the creation of employment opportunities and the provision of amenity, health and community facilities. Lothian Buses had also expressed an interest in supporting the development of a transport hub as a welcoming space as part of the proposals. In terms of equality fairness and provision she welcomed this enhanced development

Councillor Howie supported the development and the presentations by the other ward Councillors. He welcomed the balance of the proposals in terms of housing and amenity and urged the Committee to bear in mind that the community wanted this facility. There had been a significant increase in the population in the area which needed the provision of appropriate local services and encouraged the Committee to take this into consideration.

The presentation can be viewed via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/452274

(e) Applicant and Applicant's Agent

Tim Ferguson (Ferguson Planning), Mark Rafferty (Bernard Hunter's Representative), Alex were heard in support of the application.

Tim Ferguson indicated that this was one of the largest single economic investments Gilmerton had ever seen which supported Edinburgh's economic strategy and complied with LDP policies EMP 9 and 10. He stated that the proposed development had a number of complementary uses on the southern side which included a new medical and health hub to address the significant local pressures on the NHS services, the possibility of a medium scale food store and a small number of units. Strong interest had been shown in the area for pharmacies, local vets, creche providers, coffee shop provision sitting next to the high-quality new bus terminus, which would replace the kerb environment which existed on the main approach into Gilmerton.

Tim Ferguson indicated that although car parking was below the level set in the Council's guidelines, the development proposed a bike and car charging hub, the first of its kind in the area, and the Council's Transport Team had no objection to the current proposals as in compliance for TRA 2 and 8.

There was public realm proposed landscaping and benching along the street frontage together with a pedestrian crossing proposed and the car parking did not face on to the main road as had been previously indicated.

Mark Rafferty indicated that his family had been based in Gilmerton for 47 years base and had seen a lot of change from being the redundant Gilmerton coal mine to the vibrant industrial hub serving Edinburgh and the central belt of Scotland. The company were committed to purchasing the most up-to-date and efficient equipment with modern

low emission engines therefore reducing their carbon footprint. Recycling was also an essential part of their business and the main reason for not wanting to leave Gilmerton and relocate.

Mark Rafferty stressed that it was their intention to enhance an area that was already zoned for development by creating a sustainable economic mixed use development which would offer complimentary services to the rapidly growing community. They were not intending to sell the site but to retain it in the family for future generations. He indicated that the application was not for a retail park and the figures showed that the retail element consisted of only 24% with 20 of this being one foodstore, 52% being business and hotel use, therefore it was more accurate to describe it as a business park. The retail aspect had been designed to service the new community in Gilmerton and south Edinburgh where according to the NHS there were 200 houses being built each year and the retail aspect was to make the business and community use commercially viable.

Mark Rafferty indicated that they would be delighted to work with the Council to ensure the highest level of design and build to make a development which the community and the city would be proud of. He felt that the development would enhance the area creating an attractive gateway for Gilmerton and Edinburgh. The proposed start-up business and industrial units were in high demand which would attract many new and growing businesses to Edinburgh

The development also had a direct link into the Sustrans cycle and footpath network and had a small pedestrian bridge linking the two developments together.

There had been over 700 individual cards of support from local people and 122 supports on the Planning Portal with zero objections which he felt was remarkable and enforced to them that they were making the right decision embarking on this project. Mark Rafferty stressed that it was important to his family to continue to remain a big part of Gilmerton by supporting local youth and community clubs

In conclusion he indicated that the population of the area was rapidly expanding and needed the infrastructure to support existing as well as the new residents. The application would create jobs and help spread the benefits and pressures of tourism beyond the city centre which in turn would improve Gilmerton and makes it stronger. He felt that this was an opportunity to do something that was both popular and right, something that would create a lasting legacy to a wonderful local community.

Mark Rafferty urged the Committee to support the Gilmerton Gateway proposals.

The presentation can be viewed via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/452274

Motion

To refuse planning permission for the reasons set out in the report by the Chief Planning Officer.

- moved by Councillor Gardiner, seconded by Councillor Child.

Amendment

To grant Planning Permission in Principle on the grounds that that there was not a significant adverse impact on the viability of existing retail and that any impacts were outweighed by the benefits, and subject to:

- 1) the application being considered by the Committee to agree the reserved matters;
 - 2) the addition of an informative as follows:
“the applicant should work with officers with a view to reducing the car parking provision on the site”.
- moved by Councillor McLellan, seconded by Councillor Osler.

Voting

For the motion: - 3 votes
For the amendment - 8 votes

(For the motion: Councillors Mary Campbell, Child and Gardiner.

For the amendment: Councillors Gordon, Griffiths, McLellan, Mitchell, Munn, Osler, Rose and Staniforth.)

Decision

To grant Planning Permission in Principle for the reason that there was not a significant adverse impact on the viability of existing retail and that any impacts were outweighed by the benefits, and subject to:

- 1) the application being considered by the Committee to agree the reserved matters;
- 2) the addition of an informative as follows:
“the applicant should work with officers with a view to reducing the car parking provision on the site”.

(Reference – report 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>Item 4.1 - Main Terminal, 1 Edinburgh Airport, Jubilee Road</u></p>	<p>Formation of a new airport access road from the east of the terminal building at Edinburgh Airport to Gogar Roundabout - application no 19/04534/PAN</p>	<p>To note the key issues at this stage and the following other issues should be considered:</p> <ul style="list-style-type: none"> • that the Council-commissioned study of west Edinburgh would be taken into account • that the hierarchy of travel be taken into account, prioritising active travel. • that the strategic context be considered alongside the urban design <p>to ensure co-ordinated development including good connections to West Craigs and Gogar roundabout.”</p>
<p><u>Item 4.2 - 6 Baberton Loan, Juniper Green, Edinburgh</u></p>	<p>Electronically Controlled Timber Gates across Baberton Loan and at the entrance to the Water of Leith in the vicinity of No's 1-6 Baberton Loan, Juniper Green, Edinburgh. (in retrospect) - application no 18/05069/FUL</p>	<p>To CONTINUE consideration of the application to allow for a site visit to take place.</p>
<p><u>Item 4.3 - 199 Fountainbridge, Edinburgh (At Site 60 Metres South Of)</u></p>	<p>Proposed mixed use development comprising retail (Class 1), financial services (class 2), food and drink (class 3), office/light industrial (class 4), hotel (class 7), housing (class 9), community use (class 10), leisure (class 11), public house (non-classified use) and associated parking, open space, infrastructure and public realm works - application no 19/03097/PPP</p>	<p>To GRANT Planning Permission in Principle subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer, and an additional informative as follows:</p> <p>The application should take into consideration the proposal for a fountain at Fountainbridge.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<u>Item 4.4 - 539 Gorgie Road, Edinburgh, EH11 3AR</u>	Proposed change of use - proposed change of use from Class 10: non-residential institutions to Class 7: Hotels and Hostels - application no 19/02812/FUL	To GRANT Planning Permission subject to the informatives set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.5 - 4 Marchfield Grove, Edinburgh, EH4 5BN</u>	Demolish existing dilapidated garage, store and greenhouse and erect new games room and study - application no 19/04028/FUL	To GRANT Planning Permission subject to the informatives set out in section 3 of the report by the Chief Planning Officer.
<u>Item 4.6 - 36-38 Muirhouse Road</u>	Proposed Street Renaming and Renumbering of 36 and 38 Muirhouse Crescent – report by the Executive Director of Place	To agree to the street renaming and subsequent renumbering of 36 and 38 Muirhouse Crescent as described in the report.
<u>Item 7.1 - Deanbank, 35 & 35B Canaan Lane, Edinburgh</u>	Demolish the existing care home and erect a new primary school and nursery including refurbishment of Deanbank House and associated works - application no 19/00435/FUL	To GRANT Planning Permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
<u>Item 7.2 - Deanbank, 35 & 35B Canaan Lane, Edinburgh</u>	Demolish the existing Oaklands Care Home - application no 19/00437/CON	To GRANT Conservation Area Consent subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer