

## Development Management Sub-Committee of the Planning Committee

10.00 am, Wednesday 12 January 2022

### Present:

Councillors Gardiner (Convener), Burgess (substituting for Booth), Child (Vice-Convener) (items 4.1-4.6, 5.1, 5.2 and 7.2), Cameron, Dixon (item 4.5), Gordon, Mitchell (4.1-4.4,4.6, 5.1, 5.2, 6.1, 6.2, 6.3 and 7.2), Mowat, Osler (4.1-4.4,4.6, 5.1, 5.2, 6.1, 6.2, 6.3 and 7.2), Rose and Staniforth.

### 1. General Applications and Miscellaneous Business

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

The Sub-Committee agreed that Item 4.5 - Silverlea Old Peoples Home, 14 Muirhouse Parkway, Edinburgh – application no 21/05056/FUL - be taken as the first presentation item, after consideration of the hearing.

The Sub-Committee agreed to withdraw Item 7.1 from the agenda at the request of the Chief Planning Officer.

#### Requests for a Presentation:

Councillor Neil Ross requested a presentation in respect of item 4.3 - 265 Morningside Road, Edinburgh – application no 21/03622/FUL.

Councillor Staniforth requested a presentation in respect of item 4.5 - Silverlea Old Peoples Home, 14 Muirhouse Parkway, Edinburgh – application no 21/05056/FUL and item 4.6 – 1 Waterfront Avenue, Edinburgh (at land 199 metres southeast of) – application no 21/04049/FUL.

#### Declaration of Interest

Councillor Child (Non-financial) - Items 6.1, 6.2 and 6.3, as she had previously expressed a view on the proposals and would be addressing the Sub-Committee as local ward member.

#### Decision

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

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

## 2. 14 Bath Street, Edinburgh

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The Development Management Sub-Committee on 8 December 2021 determined to continue consideration of this application to the Development Management Sub-Committee of 12 January 2022, due to members of the applicant agent's team not being able to present to the Sub-Committee because of illness.

The Chief Planning Officer had identified an application for planning permission and listed building consent to be dealt with by means of a hearing. The application for planning permission was for the demolition of auditorium and retention and partial restoration of principal external elements of the Art Deco facade, erection of 21 residential flats with associated car parking and landscaping at 14 Bath Street, Edinburgh - application no. 20/05800/FUL. There was also an application for listed building consent for the demolition of auditorium and retention and partial restoration of principal external elements of the Art Deco facade, erection of 20 residential flats with associated car parking and landscaping at 14 Bath Street, Edinburgh - application no. 20/05799/LBC.

### **(a) Report by the Chief Planning Officer**

The proposal was for the substantial demolition of the listed building and redevelopment to form a residential building. Demolition would remove the entire rear auditorium. The principle elevation to Bath Street, including the continuous west and east wings would be retained and partly restored, with the addition of some new architectural detailing. The redevelopment would create a new rear form, which would combine with the retained frontage section to create a residential development to include 20 flats. A new lift enclosure would be formed on the principle front elevation.

The proposed accommodation would include three one-bedroom flats, 14 two-bedroom flats and three three-bedroom flats. The three flats at ground floor level would be accessed via individual main doors. Nine of the flats on floors one to five would have private outdoor terraces or balconies.

To the rear of retained principle elevation, the auditorium would be replaced by a six-storey building. This would occupy a smaller footprint than the existing building and would have a cubist architectural style. The building form would step up, meaning that the fifth floor was located to the rear of the building. The fourth storey would also be set back from the form of the original building frontage in part, with private terraces provided overlooking Bath Street.

Six garages would be provided adjoining the rear of the building, adjacent to the proposed parking area.

The outer skin of rendered wooden boards that were added to the front elevation of the building would be removed. This would be replaced with a stable insulated metal cladding system, which would be smooth rendered in an ivory colour to match the existing finish. The frontage would be largely restored to its original profile, with the reinstatement of lost glazed features and the central art-deco style feature pinnacle, which was previously removed.

Additional glazing would be added to the front elevation, some in a style to match the reinstated glazing on the central pinnacle, and some in an alternative style. The glazing

pattern on the fourth floor's front elevation would be distinct from the rest of the frontage, comprising floor to ceiling glazing. Further architectural detailing would be added at the fifth-floor level in the form of blue ceramic wall tiles on a rainscreen cladding system.

A glazed lift enclosure would be added to the front elevation. This would be finished with a dark grey powder coated aluminium double-glazed window system with a fenestration pattern in the style of the original illuminated advertising tower that previously formed part of the buildings principle elevation but had since been removed.

A glazed period style fan canopy would be added to the front elevation to replace the current utilitarian canopy, which was a later addition to the original building. Art deco style porches would also be added to the main door apartments on the front elevation.

Windows and doors would be double glazed and have a dark grey powdered aluminium finish. Rainwater goods would be coloured dark grey. Balconies and terraces would have frameless clear glass finish with bronze handrails.

A lift would be included within the building to provide access to all floors and a level entrance for disabled access would be provided on the south gable elevation.

Open space was provided around the front and side elevations of the building. No details of the proposed landscaping strategy had been provided.

Vehicular access into the site would be taken via an improved access point on Mentone Avenue. This would require the removal of one tree.

Land to the rear of the building was identified for car parking. 21 car parking spaces were provided within the design. This included six parking spaces in garages. No dedicated cycle parking had been provided within the scheme.

A bin store area was provided to the front of the building, on the corner of Bath Street and Mentone Avenue.

The entrance steps to the main lobby of the building on Bath Street would be retained and a new boundary wall would be provided around the perimeter of the site.

The following documents had been provided in support of the application:

- Applicant's statement;
- Scheme design details;
- Design and Access Statement;
- Report of Findings of Intrusive Structural Investigations (16 December 2020) (it was noted that the author's signature endorsing this report was subsequently removed at their request);
- Structural Condition Report (29 March 2021);
- Peer Review Report of Remedial Proposals (13 May 2021).

The presentation can be viewed in full via the link below

[Development Management Sub-Committee -Wednesday 12 January 2022 at 10.00 am - City of Edinburgh Council Webcasts \(public-i.tv\)](#)

**(b) Portobello Community Council:**

Lee Kindness addressed the Development Management Sub-Committee on behalf of Portobello Community Council.

Lee Kindness advised that the Portobello Community Council had undertaken a consultation on this, and had received a number of responses, with 85% of those objecting to the proposals. The existing building was held in high regard and was highly valued. Many of the people responding to the proposals wanted it to continue the building in public use. There were various concerns, which included scale, massing and overshadowing. The listed building status should not be set aside, this application had failed to demonstrate the case for demolition and would be detrimental to the local character and amenity of the area. Local opinion would be totally against the proposals.

The presentation can be viewed in full via the link below:

[Development Management Sub-Committee – Wednesday 12 January 2022 at 10.00 am - City of Edinburgh Council Webcasts \(public-i.tv\)](#)

**(c) Portobello Amenity Society**

Stephen Hawkins addressed the Development Management Sub-Committee on behalf of Portobello Amenity Society.

Stephen Hawkins indicated that the following comments represented the main views of the society. This represented overdevelopment of the site and the building of the block would put extra strain on Bath Street, which was already used as a rat run by motorists. There would be excessive parking, as although 21 parking spaces were shown on the plans, many of the residents would have more than one car, and this would add to existing parking difficulties. All traffic had to leave Mentone Avenue, which would cause difficulties and would be detrimental to the amenity of Mentone Avenue. There would be overshadowing and a loss of privacy. There were other viable uses for this listed building, which should be retained as a cinema or a similar use. The report exaggerated the hazard of asbestos. The structural report did not show that the existing building could not be retained. This area has seen a massive amount of house building recently, which did not include the consented units on the green belt at Brusnstone. Portobello community would do its duty to meet the housing shortage, but this argument that 20 extra units in this part of the city, could not be sustained. There was chronic shortage of affordable rented properties which this proposal did not meet. The population of the area would grow, which put more emphasis on keeping the listed building. There were other issues such as the siting of bins store and the lack of access for wheelchair users. There was an overriding principle for refusing the application. This building was capable of fulfilling its original or similar function and contributing to the social wellbeing of Portobello.

The presentation can be viewed in full via the link below:

[Development Management Sub-Committee – Wednesday 12 January 2022 at 10.00 am - City of Edinburgh Council Webcasts \(public-i.tv\)](#)

**(d) Friends of the George**

Michael Davidson addressed the Development Management Sub-Committee on behalf of the Friends of the George.

Michael Davidson thought that the building could be repaired and it was viable. Although key parts of the building had to be repaired, these were routine and this did not undermine their determination that this building had a future. They wanted to take ownership of the building and restore it. There was significant support from the community and they thought that this should be kept as a community cinema and cultural venue for community entertainment. Their vision was supported by a range of professionals and local elected members, and it could also deliver educational courses. The film culture gave their proposal strength, there would be range of users, the focus on film was advantageous and the 1930s décor provided a great backdrop. It was essential to support local independent cinemas and reference was made to other local independent cinemas, nationwide. The development should enhance cultural heritage and nurture community resilience and the George could embody this. The George should be repaired and the Friends of the George could take over this. He argued that it required more than houses to foster community spirit.

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**(e) Councillor Child – Ward Councillor**

Councillor indicated that she was enthusiastic about retaining this building and the reasons given. The community wanted to retain the building, it was of historical significance and there was potential for community use. She had been amazed with the energy from the community in Portobello community when this sort of situation had arisen as had occurred on previous occasions. They wanted to take on the George as a project and run with it. She had sympathy for the applicant, they wanted to take on a potential planning risk which had unknown implications. There was a lack of permission to demolish and rebuild the building. The crumbling façade was not the whole story, the building was a great architectural gem, such as the Whitehouse in Craigmillar. In concert with the other facilities, the rising population, and the involvement of the community, there could have great facility here. It was not a good idea to demolish this building.

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**(f) Councillor Kate Campbell – Ward Councillor**

Councillor Campbell indicated that four years ago, the elected members considered this. The application for demolition was recommended by officers, however, the Sub-Committee did not then approve the demolition, which was the right decision. She was glad that the officers recommended that this was not demolished. It was an iconic building, the Friends of the George had been working hard to make the viable alternative a reality and this was supported by the community and a host of credible organisations. The potential for this building was amazing, this was one of last super cinemas in

Edinburgh and it was one of finest examples of architectural work and had an amazing auditorium. Referring to Environmental Scotland Guidance on listed buildings, the HES test had not been met. The building was not incapable of repair. There were some questions that had to be answered. There was a report from December 2021 that had no author and should not be considered. The second report contradicted the first report and the third report was based on the two reports. It should then be asked why this application was even before the Sub-Committee. To conclude, there was support from the community and from reputable organisations to retain the building and the HES requirement had not been met. To demolish a listed building, there had to be certainty that a case had been made, which it had been not. She hoped that the Sub-Committee would agree with the officer's recommendations and did not allow this iconic building and the auditorium to be demolished.

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**(g) Applicant and Applicant's Agent**

George Gilbert (Agent/Consultant Architect to Gilbert Architects), Robert Storey (Structural Design) and Professor Roger Willey (Asbestos Management) were heard in support of the application.

George Gilbert indicated that it was imperative when debating the merits of this complicated planning and listed building consent application that they dealt with absolute fact and not academic assumptions enhanced by emotive presentations. It was a regrettable fact, that most of the interior of this building was lost now as they debated its future. It was his proposal to the Sub-Committee that they should firmly focus on the extent to which the physical legacy of this fine old building might be successfully integrated into the local conservation area townscape to the benefit of the community at large.

The listing of the building was hugely important. However, reassessment by HES was now inevitable and they needed to focus attention on the conservation of this as much of the exterior of the front of the house as was practically possible to preserve the status of the building. It was a harsh fact, but there were very limited options available for the future preservation of this building. These were as follows. Firstly, the property simply could not be occupied for any public use unless the building fabric and structure was maintained or replaced. It was an indisputable fact that the auditorium asbestos roof required to be replaced and the auditorium structure required to be strengthened and/or replaced. Both operations could only be completed if the asbestos contaminated interior linings and ornamentation were removed under license. A building warrant was required for these operations as public safety criteria required to be confirmed to permit occupation of the building. Under these circumstances, it was anticipated that HES would wish to review the listed status of the building. Secondly, If the property was to be retained as an unoccupied 'monument', the building fabric must still be maintained. In the short term, the auditorium asbestos roof required to be replaced. This could only be achieved if the contaminated interior linings were



removed. A building warrant may not be needed for these operations. Under these circumstances, it was anticipated that HES may wish to review the listed status of the building. Thirdly, these limited options would apply equally to all parties associated with the ownership of the building. There were no parties with unique abilities that would salvage the original interior linings and ornamentation of the auditorium. This was now a physical and statutory impossibility.

Robert Storey gave some context to his involvement in the process. The previous planning application for this development was refused on appeal, mainly because of there was insufficient structural justification for demolishing the auditorium. As a result, a great deal of time had been spent by his client carrying out detailed surveys and forensically investigating the building, not only to determine its condition but also to determine the extent of structural work that would be necessary to bring the building back into use. This had involved appointing a firm of respected Chartered Structural Engineers (WRD), ones that were very familiar to EDC who then spent several months opening up parts of the building, carrying out detailed inspections, arranging sampling, and laboratory testing. An Accredited Conservation Engineer also examined this information and prepared a report from this perspective. His involvement came quite late in the process and he was asked to review all of this and give an independent opinion on what they had found.

He then gave details of the condition of the building. It seemed that there was very little that's been disputed about this. Both sides appeared to agree on the main defects, ie. that the main columns were corroded at their base, the roof covering was defective and that the concrete in the entrance areas was in poor condition with corroded reinforcement. He would agree with these assessments.

He then asked what were the main issues regarding the condition assessment. The Representors had suggested that the investigations had not gone far enough. On this issue he thought it was important to note that the defects contained in the WRD reports had not been extrapolated, ie. they had not assumed further defects beyond those which they observed. So, whilst he understood that further investigation would give more detailed information regarding the condition - it could only result in further remediation and more costs, so he did not think it would not serve any meaningful purpose. The Representors had also described the repairs as "Straight forward" and there was a suggestion that the engineers exaggerated the difficulty in this work. He tried to avoid using terms like this and he did not think they were particularly helpful, one persons "Straightforward" was another person's "complex." It also depended on what side of the fence one was on. In this case what he could say was that: -

- The engineers had a systematic approach to their appraisal.
- They took account of the laboratory testing that was carried out.
- They undertook an analytical assessment of the critical building elements Prepared detailed design sketches.
- Prepared method statements.

This was then costed by an independent surveyor. He had not seen an alternative Development Management Sub-Committee of the Planning Committee 12 January 2022

proposal from Representors with this level of detail. And so, whether the proposals could be described as straight forward or complex was irrelevant in his view, they were there to be seen and costed.

Notwithstanding the condition of the building he thought the main issue here was whether a meaningful repair could be carried out to bring the building back into use. An issue he wanted to get out the way first, was that one area of his report had been misinterpreted by HES on this matter and unfortunately repeated in the subsequent planning report to the Committee. This stated that his Peer Review considered that a Building Warrant was not required for the works to the fabric of the building. In fact, this has been taken out of context and he was actually making the opposite argument, and so just to provide clarification, it was his opinion that a Building Warrant would be required and he thought it was important to note that this was also the view of the Council's Engineering Department. He thought this was an important point to bring out because the Representors had made the argument that because the building had stood for 81 years, that it would continue to do so. He was very uncomfortable with that approach, the idea that the building could be opened up to potentially 1200 people, including young families, without proper engineering assessment, particularly because of what they knew about its condition, was not one he would advocate. Instead WRD had rightly, in his view, looked closely at the main elements of the building such as the roof structure, supporting columns, external walls and the concrete floors of the main escape routes and analysed these, using strength tests from the steel and concrete. This in his view was the correct approach to take before deciding if the building could be re-opened to the public.

Similarly, it has been suggested by the Representors that the building did not require to meet current Codes of Practice. He did not agree with this statement for the following reasons. The engineer's assessments had highlighted that:-

- The roof purlins failed to meet the current standards and so they had recommended replacement when the roof covering was replaced.
- The main columns, apart from being corroded, even in good condition would be at full capacity and so needed to be strengthened to support a new heavier roof covering and increased loading that would result from modern Hand V plant.
- The gable columns failed to meet current standards and would fail current criteria for wind loading when maximum wind loading was predicated to increase in the future.
- The walls were not physically tied to the external columns and so would fail current standards for avoiding progressive collapse in the case of accidental damage. Something that would not have been a design consideration at the time the cinema was built
- The strength of the concrete in the main escape areas was approximately 1/3 that which would be expected today.

It was clear, therefore, that a significant amount of new work would be necessary to bring the building back into use and so he agreed with the engineers that this



would need to be designed and checked to current standards. As stated earlier, the Council's engineering department agreed that a Building Warrant would be required and as such this work would have to comply to current standards. The idea that it could be said the building had stood for the last 80 years and so it could be reopened after it had undergone this amount of work without ensuring it met current standards, was in his view wishful thinking and not based on the reality of the situation.

He then indicated what he considered to be the main criticism of this proposal in terms of engineering. The main issue had come from HES. They had stated that the case for a meaningful repair had not been adequately justified he wondered why they had come to that conclusion. He thought that the misunderstanding regarding the building warrant that he mentioned above may have contributed to this. As he thought if HES realised that both himself and the Council's engineering department were in agreement on this point, then this clearly set a standard of compliance and was a good indicator on the extent of work that was necessary. It may be worth checking this with HES. However, more importantly, he also noticed that the HES report stated that asbestos had not been included in their assessment. The importance of this point could not be overstated in his view. Because in order to undertake the roof replacement and the strengthening works to the main columns and walls, the risks from asbestos should be addressed. This was a practical issue that he thought had not been fully understood by HES. It resulted in finishes within the building being unavoidably lost.

Professor Roger Willey stated that the County Cinema was opened at 14 Bath Street, Portobello, in March 1939. It was designed by the Architect T. Bowhill Gibson in the Art Deco Style. It operated as a cinema until its closure in 1974 but was soon re-opened as a Bingo Hall. It operated until 2016 but then closed down. The building had been unoccupied and disused since that time (currently a period of some five years). The building had been listed by Historic Environment Scotland (HES) and given a category C.

A planning application had been made to redevelop the building and its site. The documents associated with this and related items had been made available to him. These were listed below, together with a Report from Narro acting on behalf of the Representors.

1. Letter from Historic Environment Scotland, dated 02 March 2021;
2. Will Rudd Davidson Report prepared for Buckley Building UK, dated 29 March 2021;
3. The Narro Report for Friends of the George, dated 7 February 2021
4. The Peer Review prepared by G3 Consulting Engineers, dated 13 May 2021
5. Asbestos Evaluation Report prepared by Greenair Environmental, dated January 2020;

As part of the site investigation an Asbestos Survey of the building was carried out by Greenair Environmental Ltd. This indicated the presence of considerable quantities of asbestos containing materials (ACMs) throughout the building. The

current Report was commissioned to:

- Review the asbestos report;
- To inspect the building;
- Comment on the effect of the ACMs on any proposed remediation works and/or re-development work.

The current Report was based on information contained in the above documents, on statutory requirements and related publications as listed in the text, and on the site visit and physical inspection carried out by Professor Roger Willey.

He then gave details of the following:

- The Asbestos Report
- The Site Visit
- Comments on the Site Visit
- Proposed Refurbishment Work
- Asbestos Consequences
- Walls
- Main Structural Columns
- Opinion from HES

He strongly recommended that the site was closed and locked off. Only controlled entry should be allowed. Any persons entering the building must be supplied with appropriate p.p.e. and trained in its correct use before entry. The p.p.e. should be disposed of as hazardous waste on leaving the site.

For the reasons given, he would not advise removal of the asbestos cement roof from above.

He concluded by stating that the presence of asbestos was so high it would restrict entrance to the public and even researchers who wished access would not be able to enter unless they were fully protected and trained in the correct usage of PPE. This would off-limits to the general public who would not be able to access the art décor. If remedial work was undertaken, it would probably destroy some of the architectural work in the auditorium, but it would enable the restoration of the frontage. The (HES) report indicated that the primary interest of the listed buildings was the art decor frontage. At the moment, the auditorium was lost to the public and to remediate it would cost a considerable amount of money. It would be effectively lost if the Building was left in its current state and it would not last for any length of time. So, their proposal would be that even if the auditorium was knocked down, there was a commitment to retaining the frontage, improving it and even taking it back almost to its original state.

The presentation can be viewed in full via the link below:

[Development Management Sub-Committee – Wednesday 12 January 2022 at 10.00 am - City of Edinburgh Council Webcasts \(public-i.tv\)](#)

## Decision

- 1) To **REFUSE** planning permission for the reasons set out in section 3 of the report by the Development Management Sub-Committee of the Planning Committee 12 January 2022

Chief Planning Officer.

- 2) To **REFUSE** listed building consent for the reasons set out in section 3 of the report by the Chief Planning Officer.

(References – Development Management Sub-Committee 8 December 2021 (item 2); reports by the Chief Planning Officer, submitted.)

### **3. 14 Muirhouse Parkway (Silverlea Old Peoples Home), Edinburgh**

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Details were provided of proposals for an application for planning permission for proposed residential development comprising 142 flats including colonies with associated roads, parking and greenspace at 14 Muirhouse Parkway (Silverlea Old Peoples Home), Edinburgh - application no. 21/05056/FUL.

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

#### **Motion**

To continue consideration of the application for a site visit and hearing.

- moved by Councillor Dixon, seconded by Councillor Gordon.

#### **Amendment**

To continue consideration of the application for a site visit only.

- moved by Councillor Rose, seconded by Councillor Mowat.

#### **Voting**

For the motion: - 5 votes

For the amendment: - 4 votes

(For the motion: Councillors Child, Gardiner, Dixon, Gordon and Staniforth)

(For the amendment: Councillors Burgess, Cameron, Mowat and Rose)

#### **Decision**

To continue consideration of the application for a site visit and hearing.

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

### **4. 22 Haymarket Yards (At Land 175 Metres North Of), Edinburgh**

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At the meeting of the Development Management Sub-Committee of 8 December 2021, the Sub-Committee had previously withdrawn the application from the agenda at request of the Chief Planning Officer.

Details were provided of proposals for an application for planning permission for Student accommodation with associated ancillary development, landscaping and access at 22 Haymarket Yards (At Land 175 Metres North of), Edinburgh - application no. 21/04413/FUL.

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

### **Motion**

To **GRANT** planning permission subject to the conditions, reasons, informatives and legal agreement as set out in section 3 of the report by the Chief Planning Officer.

- moved by Councillor Gardiner, seconded by Councillor Child.

### **Amendment**

To **REFUSE** planning permission on the basis that the proposal was contrary to Edinburgh Local Development Plan Policy Des 5 (part 1) (Development Design - Amenity) and did not comply with Edinburgh Design Guidance.

- moved by Councillor Mowat, seconded by Councillor Staniforth.

### **Voting**

For the motion: - 5 votes

For the amendment: - 3 votes

(For the motion: Councillors Child, Gardiner, Cameron, Dixon and Rose)

(For the amendment: Councillors Burgess, Mowat and Staniforth)

### **Decision**

To **GRANT** planning permission subject to the conditions, reasons, informatives and legal agreement as set out in section 3 of the report by the Chief Planning Officer.

(References – Development Management Sub-Committee of 8 December 2021 (item 2), report by the Chief Planning Officer, submitted.)

## **5. 265 Morningside Road, Edinburgh**

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Details were provided of proposals for an application for planning permission to form ground floor retail unit and 11x flats in upper floors with associated cycle parking and infrastructure at 265 Morningside Road, Edinburgh - application no. 21/03622/FUL.

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

### **Motion**

To **GRANT** planning permission subject to:

- 1) The conditions, reasons and informatives as set out in section 3 of the report by the Chief Planning Officer.
  - 2) An additional informative that Tree Preservation Order could be served at a future date, if required.
- moved by Councillor Gardiner, seconded by Councillor Child

**Amendment**

To **REFUSE** planning permission on the basis that the proposal was contrary to Edinburgh Local Development Plan Policy Des 1 (Design Quality and Context), Des 4 (Design- impact on Setting) and Env 6 (Conservation Area- Development).

- moved by Councillor Dixon, seconded by Councillor Rose.

**Voting**

For the motion: - 7 votes

For the amendment: - 2 votes

(For the motion: Councillors Burgess, Child, Gardiner, Cameron, Gordon, Mowat and Staniforth)

(For the amendment: Councillors Dixon and Rose)

**Decision**

- 1) The conditions, reasons and informatives as set out in section 3 of the report by the Chief Planning Officer.
- 2) An additional informative that Tree Preservation Order could be served at a future date, if required.

(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><b>4.1 – <a href="#">Report for forthcoming application by City of Edinburgh Council Housing Services for Proposal of Application Notice at 7 Murrayburn Gate, Edinburgh</a></b></p>	<p>Proposed affordable housing development with associated infrastructure and landscape - application no. 21/06024/PAN</p>	<p>1) To note the key issues at this stage.</p> <p>2) To request that the applicant take into consideration:</p> <ul style="list-style-type: none"> <li>• The Masterplan for Wester Hailes</li> <li>• The potential for mixed use development</li> <li>• Connectivity and active travel</li> <li>• Good amenity space</li> <li>• The need for strong community consultation, including liaison with Juniper Green Community Council</li> </ul>
<p><b>4.2 – <a href="#">44 Arthur Street, Edinburgh</a></b></p>	<p>Conversion of existing garages and change of use of existing apartments to form three short stay lets - application no. 21/04620/FUL</p>	<p>To <b>GRANT</b> planning permission subject to the conditions, reasons and informatives as set out in section 3 of the report by the Chief Planning Officer.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p><b>4.3 – <a href="#">265 Morningside Road, Edinburgh</a></b></p>	<p>Form ground floor retail unit and 11x flats in upper floors with associated cycle parking and infrastructure - application no. 21/03622/FUL</p>	<p>To <b>GRANT</b> planning permission subject to:</p> <ol style="list-style-type: none"> <li>1) The conditions, reasons and informatives as set out in section 3 of the report by the Chief Planning Officer.</li> <li>2) An additional informative that Tree Preservation Order could be served at a future date, if required.</li> </ol> <p>(On a division.)</p>
<p><b>4.4 – <a href="#">358-364 Morningside Road, Edinburgh</a></b></p>	<p>Partial demolition of existing ground floor retail unit, alterations and extension to form replacement ground floor and basement retail unit (class 1) and erection of 10 flats in the upper floors, with associated cycle parking and infrastructure (as amended) - application no. 21/03620/FUL</p>	<p>To <b>GRANT</b> planning permission subject to the conditions, reasons and informatives as set out in section 3 of the report by the Chief Planning Officer.</p>
<p><b>4.5 – <a href="#">14 Muirhouse Parkway (Silverlea Old Peoples Home), Edinburgh</a></b></p>	<p>Proposed residential development comprising 142 flats including colonies with associated roads, parking and greenspace - application no. 21/05056/FUL</p>	<p>To continue consideration of the application for a site visit and hearing.</p> <p>(On a division.)</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p><b>4.6 – <a href="#">1 Waterfront Avenue (At land 199 Metres southeast of), Edinburgh</a></b></p>	<p>Mixed use development to include (approximately) 75 residential units and (approximately) 3 commercial units. The commercial units would be either class 1 (shop), class 2 (financial, professional and other services), class 3 (food and drink) or class 4 (business). The development would include limited parking spaces, access road and pavements, internal courtyard, an energy centre (including an air source heat pump station) and drainage infrastructure. (As Amended) - application no. 21/04049/FUL</p>	<p>To <b>GRANT</b> planning permission subject to the conditions, reasons, informatives and a suitable memorandum of understanding as set out in section 3 of the report by the Chief Planning Officer.</p> <p><b>Note:</b> Officer to determine which construction methods would be used, considering zero carbon requirements, and forward this information to elected members.</p>
<p><b>5.1 – <a href="#">50 Pilrig Street, Edinburgh</a></b></p>	<p>Demolition of house and redevelopment to form apartment building with associated garden ground and bin/cycle storage (as amended) - application no. 21/00246/FUL</p>	<p>To <b>GRANT</b> planning permission subject to:</p> <ol style="list-style-type: none"> <li>1) The conditions, reasons, informatives and legal agreement as set out in section 3 of the report by the Chief Planning Officer.</li> <li>2) An additional condition that that the reconfiguration of the apartments would make the proposals compliant with design guidance.</li> </ol>
<p><b>5.2 – <a href="#">50 Pilrig Street, Edinburgh</a></b></p>	<p>Complete demolition in a Conservation Area - demolition of house and redevelopment to form apartment building with associated garden ground and bin/cycle storage - application no. 21/00248/CON</p>	<p>To <b>GRANT</b> conservation area consent subject to the informatives as set out in section 3 of the report by the Chief Planning Officer.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<a href="#">6.1 - 14 Bath Street, Edinburgh</a>	Protocol Note by the Service Director, Legal and Assurance - application no. 20/05800/FUL and 20/05799/LBC	To note the protocol note.
<a href="#">6.2 – 14 Bath Street, Edinburgh</a>	Demolition of auditorium and retention and partial restoration of principal external elements of the Art Deco facade, erection of 21 residential flats with associated car parking and landscaping - application no. 20/05800/FUL	To <b>REFUSE</b> planning permission for the reasons set out in section 3 of the report by the Chief Planning Officer.
<a href="#">6.3 – 14 Bath Street, Edinburgh</a>	Demolition of auditorium and retention and partial restoration of principal external elements of the Art Deco facade, erection of 20 residential flats with associated car parking and landscaping - application no. 20/05799/LBC	To <b>REFUSE</b> listed building consent for the reasons set out in section 3 of the report by the Chief Planning Officer.
<a href="#">7.1 – 9 Haymarket Terrace, Edinburgh</a>	Demolition of existing and proposed new-build office development (class 4) with associated ancillary uses, public realm, landscaping and car parking - application no. 21/03756/FUL	Withdrawn at the request of the Chief Planning officer to allow for the submission of additional information from the applicant and to be considered at a later meeting of the Sub-Committee.
<a href="#">7.2 – 22 Haymarket Yards (At land 175 metres north of), Edinburgh</a>	Student accommodation with associated ancillary development, landscaping and access - application no. 21/04413/FUL	To <b>GRANT</b> planning permission subject to the conditions, reasons, informatives and legal agreement as set out in section 3 of the report by the Chief Planning Officer.  (On a division.)