

# Minutes

## Development Management Sub-Committee of the Planning Committee

10.00 am, Wednesday 24 April 2019

### Present:

Councillors Gardiner (Convener), Child (Vice-Convener), Booth, Dixon, Gordon, McLellan, Mitchell, Mowat, Osler, Rose (substituting for Councillor McLellan on Items 6.1(b), 6.1(c) and 6.1(d) and Staniforth.

### 1. General Applications and Miscellaneous Business

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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 4.3(a) and 4.3 (b) 1 Bath Street – Requested by Councillors Booth and Osler.

The Chief Planning Officer gave a presentation on agenda Item 4.4 – 23 Corbiehill Road, Edinburgh, EH4 5EB – Requested by Ward Councillor Work.

The Chief Planning Officer gave a presentation on agenda Item 4.10 – 198 Great Junction Street, Edinburgh, EH6 5LW – Requested by Councillor Gardiner.

The Chief Planning Officer gave a presentation on agenda Item 4.11 – 4 Huly Hill Road, Newbridge, EH28 8PH – Requested by Councillor Osler and Ward Councillor Work.

The Chief Planning Officer gave a presentation on agenda Item 4.13 – 13 Lister Square, Edinburgh, EH3 9GL – Requested by Councillor Staniforth.

The Chief Planning Officer gave a presentation on agenda Item 4.15 – 144 Newhaven Road, Edinburgh, EH6 4PZ – Requested by Councillor Gordon and Ward Councillor Day.

#### Decision

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

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

### 2. 35-36 St Andrew Square, Edinburgh, EH2 2AD

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The Chief Planning Officer had identified an application for planning permission to be dealt with by means of a hearing. The application for planning permission proposed the erection of a music and performing arts venue with licensed café/restaurant and bar facilities, and related

arrangements for infrastructure, demolitions, and other works at 35 - 36 St Andrew Square Edinburgh EH2 2AD – application no 18/04657/FUL.

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

The proposal was for a new music and performing arts venue. The Chief Planning Officer highlighted an administrative error on section 3.2 of the planning application. The third determining issue should have stated Section 59 instead of Section 14.

The application lay within the city centre and covered an area of 0.77ha. The site was located to the east of St Andrews Square, south of Multrees Walk and west of the residential tenements at St James Square and the new Edinburgh St James development beyond. New Register House and General Register House were located to the south of the site. The site comprised of the of the Category A listed building Dundas House and its 1960s office extension and associated car park to the rear. The proposed site was located within the New Town Conservation Area, the New Town Gardens and Dean Historic Garden Designed Landscape Inventory Site and the Old and New Towns of Edinburgh World Heritage Site.

The application proposed the removal of the 1960s extension located at the rear of Dundas House. The retained structures would continue to operate as a bank and associated office. The application also proposed the removal of the sections of boundary wall to Elder Street and the shared boundary wall with 35 St Andrew Square. These new openings would enable pedestrian and vehicle access to the site for servicing purposes.

The proposed development would have 11,347sqm gross floor space with 5 storeys above ground. The site would contain a main concert hall and two orthogonal side volumes. The oval form of the main concert hall, with a curved form and domed roof sits on axis with George Street.

The applicant proposed to use concrete made from selected stone aggregates of varying scales exposed through a refined honing process. The proud surfaces would be a honed finish, whilst the recessed surfaces would be grit blasted. Large format glazing was proposed for the ground foyer and the domed roof was formed from a standing seam metal. Continuity was provided within the site through the creation of unified surface material of sandstone. A picked finish to the sandstone was proposed to the rear of number 35. This would subtly delineate the historic feu whilst also enabling a seamless surface for vehicle and pedestrian movement. Six new trees were proposed in combination with lines of mature beech hedging to form green edges to the new civic spaces.

Given the range of heritage issues there were 3 statutory provisions relevant to the decision making for the planning application. There would be negative impacts from the proposal and the use of the word 'special regard' under Section 59 of the Planning (Listed Buildings and Conservation Areas (Scotland) Act 1997 means that any negative impact on the listed building or its setting should be given a high weighting in terms of its overall decision making

The presentation can be viewed via the link below:

[https://edinburgh.public-i.tv/core/portal/webcast\\_interactive/372414](https://edinburgh.public-i.tv/core/portal/webcast_interactive/372414)

**(b) New Town and Broughton Community Council**

Richard Price spoke on behalf of New Town and Broughton Community Council.

Mr Price spoke of the continued support for the principle of development for a world class performance venue at this part of the city. It would compliment and be a welcome addition to the performance spaces across Edinburgh. Mr Price stated that the venue would add to the amenity offered in central Edinburgh. The proposed development would make a significant and positive contribution to the immediate area, enhancing activity permeability further revitalising the streets, lanes and businesses that surround it. However, Mr Price stated that the design brief resulted in a significant challenge to the facilities on this constrained site, requiring an innovative approach to be taken as well as some compromise to the wider setting including the proximity to the residential tenement to the east. Mr Price stressed the importance of giving due regard to the residents to the east at James Craig Walk.

The Community Council was usually a strong advocate of using sandstone for important developments in the new town, especially in proximity to listed to listed buildings. However, Mr Price said the Community Council were aware of the advantages of using reconstituted material and accepted that it could rest sympathetically with the main buildings that sit round the development site including the lime stone façade on the new Edinburgh St James development. The key however was the quality of the final finish and the attention to detail given to it.

In sum, there was support from New Town and Broughton Community Council in Edinburgh. Although the site was constrained, and the size and height of the proposal was challenging, there were significant benefits to the proposal and notwithstanding the caveats mentioned about the tenement block, the Community Council was broadly supportive of the proposal.

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**(c) Edinburgh World Heritage Trust**

Adam Wilkinson gave a presentation on behalf of Edinburgh World Heritage Trust.

A major part of the context of the proposals is the area formally occupied by the St James Centre. The St James Centre was not included in the original proposal for the World Heritage Site, but the boundaries were adjusted before inscription following discussions with UNESCO'S advisory body The International Council on Monuments and Sites to include the St James Centre within the World Heritage Site. The purpose of including St James Centre was not in recognition of any architectural or historic merit but instead it was to encourage the improvement of the area.

The proposals had to be judged against the backdrop formed by the St James Centre plans that were currently being built out, including the tall and wide hotel structure on the axis of George Street. The application for the Impact Centre, the documents showed a good understanding of the World Heritage Site and relevant aspects of Outstanding Universal Value, as well as the ambitions of the World Heritage Site management plan.

Outstanding Universal Value was broken down into attributes, then receptors. In a large living World Heritage Site with a long history these could be multi-layered and complex. Taking into account the World Heritage Site nomination document, the advisory body evaluation, the statement of Outstanding Universal Value brief synthesis, the Edinburgh World Heritage Trust identified 9 key attributes and 4 individual receptors could be affected by the proposals. These were:

- the planned alignments of key buildings in both the Old and New Towns
- the clarity of the urban structure
- the nature of the very fine public and commercial monuments in the city
- the classical set pieces
- the overall layout leading to distinctiveness of the nature of the urban fabric
- the cultural traditions of Scotland
- the evolution of Scottish society and settlements with Edinburgh being the built embodiment of these and Edinburgh being an associative cultural landscape within that
- philanthropy was also noted within the nomination document of being an important part of how the city came to be adorned with fine architecture
- and the fact that Edinburgh remained the administrative and cultural capital of Scotland

The individual receptors that contributed to Outstanding Universal Value nearby included Dundas House, 23-26 St James Square, Melville Monument and Register House.

The proposals were for a large building in a sensitive location and that sensitivity was largely limited to the view along George Street, the principal axis of the first New Town, and to St Andrews Square and then close up around Dundas House and the rear of the Registers complex and the remaining St James Square tenement.

Edinburgh World Heritage Trust judged there to be a negative impact on 1 attribute at 2 receptors in the form of classical set piece around Dundas House, Dundas House itself and 23-26 St James Square. Edinburgh World Heritage Trust judged there to be a neutral impact on 3 attributes and 2 receptors in the form of the planned alignments of key buildings, the city skyline, the Melville Monument and Register House. Edinburgh World Heritage Trust judged there to be a positive impact on 6 receptors, 4 of which were intangible. Those were the clarity of urban structure, public buildings, culture of the city, Edinburgh as the embodiment of the evolution of Scottish society and settlements, philanthropy and Edinburgh's historic role as administrative and cultural capital of Scotland. Having considered these impacts, the Edinburgh World Heritage Trust's view as that in terms of Outstanding Universal Value of the World Heritage Sites, the 3 harmful impacts identified were balanced out by the positive impacts to give as a minimum and neutral impact and if Committee gave greater weight to the cultural

benefits then the proposals may be viewed as beneficial to the Outstanding Universal Value of the World Heritage Site.

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**(d) Cockburn Association**

Terry Levinthal gave a presentation on behalf of the Cockburn Association. Overall, the Cockburn Association accepted that the site was constrained for such a civil building. However, the Association believed the regenerative impacts could create a new quarter in the city based upon a more public use of the Registers linking the New Town in to the new St James quarter.

In terms of the impact, the category A listed building, Dundas House, it was acceptable for the following reasons. The current building's history and its subsequent sequencing rear wood extensions, ending in a 1960s building which would be replaced, suggested that further adaptations were conceptually possible and acceptable.

With regard to the medium and long-distance views, the Cockburn Association accepted that the proposals were a sizeable and visible intervention in the view of the central axis of the New Town. However, the rational form and simple but elegant expression would assist in the view rather than hinder the legibility of Dundas House and provide a largely symmetrical screen against the Chambers masterpiece which would reduce the somewhat more chaotic skyline that was beginning to emerge. This would therefore allow the Chamber building to be read in a much more holistic fashion.

In terms of the impact of the New Town Conservation Area the Cockburn Association believed special regard had been given how this intervention was taking place. As such, the Cockburn Association felt the Impact Centre would do no harm to the New Town Conservation character and therefore passed the relevant test in statute policy and guidelines.

Against the support the Cockburn Association did have several caveats. The Cockburn Association did not believe that the floor scape of the exterior expression of the building was resolved. The Cockburn Associations view was the public realm surrounding the Impact Centre should be part of the Registers wider public realm. The public and active travel links to this site were excellent. However, it was highly likely that many of those attending evening concerts would attend by private transport. The residential New Town, at its closest, was only a 5-minute walk away from the development. It was important that any impact of concert goers going to the building is managed and considered so the Cockburn Association recommended a travel plan. There was a single mature beech tree in the north west corner of the site. The Cockburn Association's analysis from their landscape architects suggested this was remnant of the former garden landscape and it should be retained if possible.

Mr Levinthal concluded the Cockburn Association welcomed the proposals for a new civic building in Edinburgh and with some further work and refinement believed it would be a fine addition to the city's architecture and historic legacy.

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**(e) Nuveen Real Estates**

Mike Prentice gave a presentation objecting to the proposed development on behalf of Nuveen Real Estates. Mr Prentice was accompanied by Michael Nelson (Avison Young), Neil Heggie (Sweco) and Ken Williamson (Hurd Rolland).

Mr Prentice stated that Nuveen Real Estates supported the principle of a concert hall but the site selected could not properly or safely accommodate one. Nuveen Real Estates objection was threefold. The scale of the concert hall, the proposed materials and the traffic issues. Mr Prentice also stated he had concerns over the robustness of the cultural and economic benefits.

On size, the concert hall was too big for the site and in order to create the size it needed to be commercially successful, it breached a number of planning policies and guidance documents as well as those of HES. The concert hall would have an adverse impact on the grade A listed Dundas House. The development would be in close proximity to the grade A tenement building and will and would have an adverse effect of views from and on the central hotel.

With regard to materials, Mr Prentice noted the whole of the exterior of the building was to be built in concrete. This was contrary to the Council's policies and design guidance which required stone to be used. Every building in the vicinity was built in stone, even the building which was being taken down to put the Impact Building there.

When Nuveen Real Estate's development opened, they were anticipating 26 million visitors each year and a significantly vehicle free area had been created for them to enjoy. This included Elder Street and St James Square. All of Nuveen Real Estates' servicing took place underground to separate pedestrians and vehicles. Mr Prentice stated that Nuveen Real Estates had offered the developer the opportunity to service the concert hall from their basement, but the offer was rejected. Mr Prentice raised concerns about vans being used to service the concert hall.

Given the range of issues, Mr Prentice questioned why the concert hall was being proposed at this site. The proper basis for site selection was not adhered to. The Committee report referred to policies that were not being adhered to, but these were trumped by cultural benefits. These cultural benefits were not properly defined and were dependent on the business case, neither of which were thoroughly assessed. Those cultural benefits were not restricted to this site and could be available anywhere in the city. Mr Prentice suggested the concert hall should be located somewhere where its



regenerative effect would have greater benefit and would have a significant impact on such an internationally important building.

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**(f) Mr Antony Jack and Mr Andrew Jack**

Mr Antony Jack was a resident and co-owner of a property in the A listed tenement at 23-26 St James Square. Mr Antony Jack stated the Impact Centre was in the public interest, for the local area, for Edinburgh and for Scotland. Mr Antony Jack complimented Impact Scotland on their consultations and their proactive and helpful attitude to the residential neighbours. With the exception of some small points, Mr Antony Jack stated he was satisfied that the development team had tried as best they could to meet the needs of the neighbouring listed buildings. Mr Antony Jack hoped the construction management plan would be subject to close consultation with neighbours in terms of noise and vibration and movement monitoring at 23-26 St James Square and that a baseline was established well prior to the work starting, including a laser scan of the whole tenement. There was legitimate concern regarding privacy and sunlight to the tenement and its garden. Mr Antony Jack stated he was content to lose a little light in the public interest and the public should be pulling together to make the application work. Mr Antony Jack hoped Committee would approve the application with a condition regarding wind impact.

Mr Andrew Jack was also speaking on behalf of Christina Anderson who was unable to attend. Mr Andrew Jack was a resident and co-owner of a property in the A listed tenement at 23-26 St James Square. As immediate neighbours, Mr Andrew Jack stated he was concerned about the planned development and objected to it. The proposed size of the development was too large and tall as currently set out. The development would crowd Dundas House and overshadow the tenement and private garden at 23-26 St James Square. If the plans were approved, access to light would be reduced. Mr Andrew Jack also raised concerns regarding privacy to the homes and garden at 23-26 St James Square. The disruption caused during construction work was also a concern, especially noise. The City of Edinburgh Council's response to the Noise Impact Assessment stated that it would be unlikely there would be significant impact on the residential amenity in relation to noise. Mr Andrew Jack asked Committee to ensure that noise and vibrations were kept within statutory limits and that results from the monitoring would be shared with neighbours. The issue of ongoing noise was a concern, particularly as there would be many people leaving concerts late at night. A further concern was how the tenement would cope with further excavation just meters away from the western wall. The full impact of the St James Quarter Development was not yet known, but in Mr Andrew Jack's view, there was clear evidence that damage had occurred. Access to the tenement building during proposed construction was also a concern. There was limited information within the planning documents on how access to the tenement would be safely and openly maintained. Mr Andrew Jack urged Committee to ensure access details were fully fleshed out and agreed with residents before approving the proposed development. Mr Andrew Jack questioned how the hammerhead would be used after

any other proposed construction was completed. The area was earmarked to home waste collection bins. Mr Andrew Jack asked Committee to give residents some resolution and ensure these details were included in the proposed development before it was granted.

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

Sir Ewan Brown (Impact Scotland), Sir David Chipperfield (David Chipperfield Architects), Alasdair Graham (David Chipperfield Architects) and Brian Muir (Ryden Planning) were heard in support of the application.

Sir Ewan Brown stated the proposed development was the cultural flagship of the City Region deal and was supported by an incredible level of philanthropy. The developer's objective was to create a thriving public space where everyone felt welcome, which would be of long-lasting benefit to the city and a destination to be proud of. Sir Ewan Brown was encouraged from the support received from interest groups within the city and beyond.

Sir David Chipperfield gave a brief summary of the building. The approach to the development was based on a lengthy comprehensive analysis and understanding of the site, the importance of the site from a historical point of view and its relationship to the wider city and the setting of its immediate neighbourhood buildings. Sir Chipperfield stated the development of the design had been collaborative with a broad range of stakeholders, including the City of Edinburgh Council, Historic Environment Scotland, Edinburgh World Heritage, the New Town and Broughton Community Council, Cockburn Association and various neighbours around the site. Many meetings were held as well as two open public consultation events.

As a public building, the venue would be both a place of performance and a new focus of civic and social gathering for the city. The new venue would position a public building at the eastern end of the George Street axis. Due to its concealed location, the key aspect of the project had been to increase permeability through the site. This permeability would exploit excellent public transport links, create a series of entrances for the venue and open up the quarter to the surrounding area. This would link St Andrew's Square, Register Lanes and the new St James lanes to the other site for the first time. Details were provided of the two main performance bases, the series of public foyers, cafes and bars that would be housed within the new development. The 1000 seat timber aligned concert hall would sit within the buildings main oval drum. The smaller 200 seat rehearsal hall would be in the basement of the proposed development. The ground floor foyer would connect in to the rear of Dundas House to allow its entrance to be used on special occasions.



Brian Muir stated the applications needed to be considered in the round. Heritage and environmental impacts needed to be clearly assessed as well as the cultural and social benefits which would be delivered for the city. Officers and external consultees rigorously assessed the proposed development in relation to the current legal framework and policy. They properly considered all matters, in the proper sequence, and reached a measured and considered judgement in the round.

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## **Decision**

### **Motion**

To grant planning permission subject to the reasons, condition and informatives as detailed in Section 3 of the report and to expand informative 18 to include assessment of neighboring tenement property.

- moved by Councillor Gardiner, seconded by Councillor Child.

### **Amendment**

To refuse planning permission as it was contrary to policy Des 4, Des 5, Des 7, Env 1, Env 3 and Env 4(c).

- moved by Councillor Osler, seconded by Councillor Rose.

### **Voting**

For the motion: - 6 votes

(Councillors Booth, Child, Dixon, Gardiner, Gordon and Staniforth)

For the amendment: - 4 votes

(Councillors Mitchell, Mowat, Osler and Rose)

## **Decision**

To grant planning permission subject to the reasons, condition and informatives as detailed in Section 3 of the report and to expand informative 18 to include assessment of neighboring tenement property.

Councillor McLellan declared a non-financial interest in this item as he had previously expressed a view on this application and did not take part in the discussion and decision on this item (Councillor Rose substituted).

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

## **3. 35-36 St Andrew Square, Edinburgh, EH2 2AD**

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The Chief Planning Officer had identified an application for listed building consent for the proposed demolitions, alterations, remodelling and erection of an extension to the listed

building at 35-36 St Andrew Square, Edinburgh, EH2 2AD, to be dealt with by means of a hearing – application no 18/07730/LBC.

### **Decision**

To grant listed building consent subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.

Councillor McLellan declared a non-financial interest in this item as he had previously expressed a view on this application and did not take part in the discussion and decision on this item (Councillor Rose substituted).

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

## **4. 35-36 St Andrew Square, Edinburgh, EH2 2AD**

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The Chief Planning Officer had identified an application for listed building consent for the proposed demolition of the boundary wall, modern basement kitchen, rear extension, and outbuilding within the existing rear garden; regrading of land, erection of the new boundary features and public realm at 35-36 St Andrew Square, Edinburgh, EH2 2AD, to be dealt with by means of a hearing – application no 18/07127/LBC.

### **Decision**

To grant listed building consent subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.

Councillor McLellan declared a non-financial interest in this item as he had previously expressed a view on this application and did not take part in the discussion and decision on this item (Councillor Rose substituted).

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

## **5. 8 Bainfield Drive, Edinburgh (At Land 34 Metres South East of)**

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Details were provided of proposals for planning permission for the moorings of boat hotel accommodation (5 boats) at Union Canal, west of Viewforth Bridge.

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

### **Decision**

#### **Motion**

To agree to have a hearing for this application.

- moved by Councillor Staniforth, seconded by Councillor Gordon.

#### **Amendment**

To refuse the request for a hearing.

- moved by Councillor Osler, seconded by Councillor Child.

#### **Voting**

For the motion: - 3 votes

(Councillors Booth, Gordon and Staniforth)

For the amendment: - 7 votes

(Councillors Child, Dixon, Gardiner, McLellan, Mitchell, Mowat and Osler)

### **Decision**

1) To refuse the request for a hearing.

2) To continue consideration of the planning application for a site visit and additional information.

Councillor McLellan declared a non-financial interest in this item as a canal resident.

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

## **6. 1 Bath Street, Edinburgh**

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Details were provided of proposals for planning permission for the change of use from storage to a Class 2 office and to excavate the pavement to provide basement lightwell with balustrade and stair and listed building consent to excavate a pavement to provide basement lightwell with balustrade and stair and internal alterations at 1 Bath Street, Edinburgh – application nos 18/10118/FUL and 18/10119/LBC.

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

### **Decision**

#### **Motion**

To grant planning permission subject to the conditions, reasons and informatives 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 as it was contrary to policy Tra 9(c).

- moved by Councillor Osler, seconded by Councillor Booth.

### **Voting**

For the motion: - 7 votes

(Councillors Child, Dixon, Gardiner, Gordon, McLellan, Mitchell and Mowat)

For the amendment: - 3 votes

(Councillors Booth, Osler and Staniforth)

### **Decision**

To grant planning permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.

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

## **7. 198 Great Junction Street, Edinburgh, EH6 5LW**

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Details were provided of proposals for planning permission for 37 flatted units comprising of refurbishment of existing foyer building and new build extension - application no 18/09563/FUL.

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

### **Decision**

#### **Motion**

To continue the application for an open book discussion on affordable housing element of the application and to bring the application back to the Sub-Committee for determination.

- moved by Councillor Gardiner, seconded by Councillor Gordon.

#### **Amendment**

To grant planning permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.

- moved by Councillor Osler, seconded by Councillor Mitchell.

#### **Voting**

For the motion: - 6 votes

(Councillors Booth, Child, Dixon, Gardiner, Gordon and Staniforth)

For the amendment: - 3 votes

(Councillors McLellan, Mitchell and Osler)

### **Decision**

To continue the application for an open book discussion on affordable housing element of the application and to bring the application back to the Sub-Committee for determination.

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

## **8. 4 Huly Hill Road, Newbridge, EH28 8PH**

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Details were provided of proposals for planning permission for the change of use from industrial unit to leisure use at 4 Huly Hill Road, Newbridge, Edinburgh, EH28 8PF – application no 18/10539/FUL.

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

### **Decision**

#### **Motion**

To refuse planning permission for the reasons set out in section 3 of the report by the Chief Planning Officer.

- moved by Councillor Booth, seconded by Councillor Staniforth.

### **Amendment**

To grant planning permission.

- moved by Councillor Gardiner, seconded by Councillor Osler.

### **Voting**

For the motion: - 5 votes

(Councillors Booth, Child, Dixon, Gordon and Staniforth)

For the amendment: - 4 votes

(Councillors Gardiner, McLellan, Mitchell and Osler)

### **Decision**

To refuse planning permission for the reasons set out in section 3 of the report by the Chief Planning Officer.

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

## **9. 144 Newhaven Road, Edinburgh, EH6 4PZ**

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Details were provided of proposals for planning permission for the partial change of use of the property from residential to a private car sales business for up to 8 cars at 144 Newhaven Road, Edinburgh, EH6 4PZ – application no 19/00377/FUL

The Chief Planning Officer gave details of the proposals and recommended the application be refused.

### **Decision**

### **Motion**

The refuse planning permission for the reason set out in section 3 of the report by the Chief Planning Officer.

- moved by Councillor Booth, seconded by Councillor Osler.

### **Amendment**

To refuse the request for a site visit and to determine the application today.

- moved by Councillor Gordon, seconded by Councillor Child.

### **Voting**

For the motion: - 6 votes

(Councillors Booth, Dixon, McLellan, Mitchell, Staniforth, and Osler)

For the amendment: - 3 votes

(Councillors Child, Gardiner and Gordon)

### **Decision**

- 1) To refuse the request for a hearing and to determine the application today.
- 2) To refuse planning permission for the reason set out in section 3 of the report by the Chief Planning Officer.

(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><a href="#"><u>Item 4.1 - Former Lothianburn Golf Club, 106 Biggar Road, Edinburgh EH10 7DU</u></a></p>	<p>Former Lothianburn Golf Club, 106 Biggar Road, Edinburgh, EH10 7DU – Forthcoming application by Hillend Leisure Limited for Development for mountain bike trail centre, indoor and outdoor leisure, food and beverage, professional service suites, offices, retailing, short stay visitor accommodation and associated site access, parking, landscaping and other works – application no 19/00764/PAN</p>	<ol style="list-style-type: none"> <li>1) To note the key issues at this stage.</li> <li>2) To advise the developer of the potential impact of the development on the wider Pentland Hills Park, specifically that the land was owned by private farmers and was run on a voluntary basis, and excessive traffic through the surrounding land could be detrimental to it.</li> </ol>
<p><a href="#"><u>Item 4.2 - 94 Ocean Drive, Edinburgh (At Land 143 Metres Southeast Of)</u></a></p>	<p>94 Ocean Drive, Edinburgh (At Land 143 Metres Southeast Of) - Forthcoming application by S1 Developments Ltd for Residential use with amenity space along with the provision for ground floor commercial units – application no 19/00414/PAN</p>	<ol style="list-style-type: none"> <li>1) To note the key issues at this stage.</li> <li>2) To request that the applicant take into account the Council's policies on affordable housing and active street frontages and should seek to meet these.</li> </ol>
<p><a href="#"><u>Item 4.3(a) - 1 Bath Street, Edinburgh</u></a></p>	<p>1 Bath Street, Edinburgh - Change of use from storage to Class 2 office and excavate pavement to provide basement lightwell with balustrade and stair – application no 18/10118/FUL</p>	<ol style="list-style-type: none"> <li>1) To <b>REFUSE</b> the request for a hearing and to determine the application today.</li> <li>2) To <b>GRANT</b> planning permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer. (On a division)</li> </ol>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<a href="#"><u>Item 4.3(b) - 1 Bath Street, Edinburgh</u></a>	1 Bath Street, Edinburgh - Excavate pavement to provide basement lightwell with balustrade and stair and internal alterations – application no 18/10119/LBC	1) To <b>REFUSE</b> the request for a hearing and to determine the application today. 2) To <b>GRANT</b> listed building consent subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
<a href="#"><u>Item 4.4 - 23 Corbiehill Road Edinburgh, EH4 5EB</u></a>	23 Corbiehill Road Edinburgh, EH4 5EB - Erection of dwelling – application no 18/04346/FUL	To <b>GRANT</b> planning permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
<a href="#"><u>Item 4.5 - 9-11 Corstorphine Road, Edinburgh, EH12 6DB</u></a>	9-11 Corstorphine Road, Edinburgh, EH12 6DB - Redevelopment of existing houses at 9 and 11 to create 2 new semi-detached houses with accommodation on 3 floors – application no 18/00315/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="#"><u>Item 4.6 - 79A Dickson Street, Edinburgh, EH6 8QH</u></a>	79A Dickson Street, Edinburgh, EH6 8QH - Proposed five storey residential development comprising 7 flats (as amended) – application no 18/00009/FUL	To <b>GRANT</b> planning permission subject to the conditions, reasons and informatives and a legal agreement set out in section 3 of the report by the Chief Planning Officer.
<a href="#"><u>Item 4.7 - Flat 1, 1 High Waterfield Edinburgh</u></a>	Flat 1, 1 High Waterfield Edinburgh - New replacement patio doors within existing window openings – application no 19/00350/FUL	To <b>GRANT</b> planning permission subject to the informatives set out in section 3 of the report by the Chief Planning Officer.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<a href="#"><u>Item 4.8 - 199 Fountainbridge, Edinburgh (At Site 60 Metres South Of)</u></a>	199 Fountainbridge, Edinburgh (At Site 60 Metres South Of) - Approval of matters specified in conditions 1, 2 (a-m) and (i)-(v), 3, 17, 18, and 20 relating to Plot W3 including residential/commercial units; detail of height, massing, ground floor levels, design of external features and materials including public realm, pedestrian and cycle access arrangements, treatment to adopted roads or footways, servicing, parking, surface water and drainage, street lighting, waste management, hard and soft landscaping details, and active frontage – application no 18/09769/AMC	To <b>APPROVE</b> Matters Specified in Conditions subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
<a href="#"><u>Item 4.9 - Granton Harbour, West Harbour Road, Edinburgh</u></a>	Granton Harbour, West Harbour Road, Edinburgh - Granton Harbour plots 29 and 35: Housing, hotel and serviced flats development. Application for approval of matters conditioned regarding the erection of buildings containing residential flats, hotel and serviced apartments; formation of road access, parking, and open space (AS AMENDED) – application no 17/05306/AMC	<ol style="list-style-type: none"> <li>1) To <b>REFUSE</b> the request for a hearing and to determine the application today. (On a division)</li> <li>2) To <b>REFUSE</b> Matters Specified in Conditions for the reasons set out in section 3 of the report by the Chief Planning Officer.</li> </ol>
<a href="#"><u>Item 4.10 - 198 Great Junction Street, Edinburgh, EH6 5LW</u></a>	198 Great Junction Street, Edinburgh, EH6 5LW - Amendment to previously consented scheme 17/05415/FUL. Proposal for 37 flatted units comprising of refurbishment of existing foyer building and new build extension – application no 18/09563/FUL	To <b>CONTINUE</b> the application to allow for an open book discussion on the affordable housing element of the application and to bring the application back to the Sub-Committee for determination. (On a division)
<a href="#"><u>Item 4.11 - 4 Huly Hill Road, Newbridge, EH28 8PH</u></a>	4 Huly Hill Road, Newbridge, EH28 8PH - Change of use from industrial unit to leisure use at 4 Huly Hill Road Newbridge EH28 8PH – application no 18/10593/FUL	To <b>REFUSE</b> planning permission for the reasons set out in section 3 of the report by the Chief Planning Officer. (On a division)

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<a href="#"><u>Item 4.12 - 2 Joppa Road, Edinburgh, EH15 2EU</u></a>	2 Joppa Road, Edinburgh, EH15 2EU - Advertisement of the following types: Fascia sign, hoarding (in retrospect) – application no 19/00237/ADV	To <b>GRANT</b> advert consent subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
<a href="#"><u>Item 4.13 - 13 Lister Square, Edinburgh, EH3 9GL</u></a>	13 Lister Square, Edinburgh, EH3 9GL - Formation of hotel (Class 7) with minor external alterations, at ground floor level (Unit 4) – application no 18/02464/FUL	To <b>GRANT</b> planning permission subject to the informatives set out in section 3 of the report by the Chief Planning Officer.
<a href="#"><u>Item 4.14 - 5 Millar Place, Edinburgh, EH10 5HJ</u></a>	5 Millar Place, Edinburgh, EH10 5HJ - Demolition of existing office premises, and erection of new office with two flatted dwellings above – application no 19/00860/FUL	To <b>GRANT</b> planning permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
<a href="#"><u>Item 4.15 - 144 Newhaven Road, Edinburgh, EH6 4PZ</u></a>	144 Newhaven Road, Edinburgh, EH6 4PZ - Partial change of use of the property from residential to a private car sales business for up to 8 cars – application no 19/00377/FUL	<ol style="list-style-type: none"> <li>1) To <b>REFUSE</b> the request for a hearing and to determine the application today.</li> <li>2) To <b>REFUSE</b> planning permission for the reason set out in section 3 of the report by the Chief Planning Officer. (On a division)</li> </ol>
<a href="#"><u>Item 4.16 - 177 Portobello High Street, Edinburgh, EH15 1EU</u></a>	177 Portobello High Street, Edinburgh, EH15 1EU - Alterations in connection to facilitating a new class 3 use on the ground floor, including the installation of two ventilation pipes on the rear elevation and the installation of a suspended ceiling with associated acoustic measures (as amended) – application no 18/10256/LBC	To <b>GRANT</b> listed building consent subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<a href="#"><u>Item 4.17 - Stopping Up Order – Water of Leith Walkway, West Bowling Green Street, Edinburgh</u></a>	Water of Leith Walkway, West Bowling Green Street, Edinburgh - Stopping Up Order – application no PO/18/03	To <b>CONFIRM</b> as unopposed the City of Edinburgh Council (Millennium Water of Leith Walkway, West Bowling Green Street, Right of Way, Cycle Track and Core Path, Edinburgh) (Stopping Up) Order 2018 – PO/18/03
<a href="#"><u>Item 4.18 - 5 - 7 Thorntree Street, Edinburgh, EH6 8PY</u></a>	5 - 7 Thorntree Street, Edinburgh, EH6 8PY Erection of 3, two storey, flatroofed, two bedroom houses with associated parking, bike storage, refuse/recycling storage, amenity space and private gardens – application no 19/00799/FUL	To <b>GRANT</b> planning permission subject to the conditions and reasons set out in section 3 of the report by the Chief Planning Officer.
<a href="#"><u>Item 6.1(a) - 35 – 36 St Andrew Square, Edinburgh, EH2 2AD</u></a>	35 – 36 St Andrew Square, Edinburgh, EH2 2AD - Protocol Note by the Head of Strategy and Communications – application no 18/04657/FUL, 18/07730/LBC & 18/07127/LBC	Noted
<a href="#"><u>Item 6.1(b) - 35 - 36 St Andrew Square, Edinburgh, EH2 2AD</u></a>	35 – 36 St Andrew Square, Edinburgh, EH2 2AD - Erection of music and performing arts venue with licensed café/restaurant and bar facilities, and related arrangements for infrastructure, demolitions, and other works – application no 18/04657/FUL	To <b>GRANT</b> planning permission subject to the conditions, reasons, informatives and a legal agreement as set out in section 3 of the report by the Chief Planning Officer, and the expansion of Informative 18 to include a structural assessment of the neighbouring tenemental buildings.  (On a division)
<a href="#"><u>Item 6.1(c) - 35 - 36 St Andrew Square, Edinburgh, EH2 2AD</u></a>	35 – 36 St Andrew Square, Edinburgh, EH2 2AD - Proposed demolitions, alterations, remodelling and erection of extension to the listed building – application no 18/07730/LBC	To <b>GRANT</b> listed building consent subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<a href="#"><u>Item 6.1(d) - 35 St Andrew Square, Edinburgh, EH2 2AD</u></a>	35 – 36 St Andrew Square, Edinburgh, EH2 2AD - Demolition of boundary wall, modern basement kitchen, rear extension, and outbuilding within existing rear garden; regrading of land, erection of new boundary features and public realm – application no 18/07127/LBC	To <b>GRANT</b> listed building consent subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
<a href="#"><u>Item 7.1 - 8 Bainfield Drive, Edinburgh (At Land 34 Metres South East Of)</u></a>	8 Bainfield Drive, Edinburgh (At Land 34 Metres South East Of) - Moorings for boat hotel accommodation (5 boats) at Union Canal, west of Viewforth Bridge – application no 18/08091/FUL	<ol style="list-style-type: none"> <li>1) To <b>REFUSE</b> the request for a hearing. (On a division)</li> <li>2) To <b>CONTINUE</b> consideration of the planning application for a site visit and additional information.</li> </ol>