

Minutes

Development Management Sub-Committee of the Planning Committee

10.00am, Wednesday 6 December 2023

Present:

Councillors Osler (Convener), Beal (item 5.1 only), Bennett (substituting for Councillor Beal) (items 4.1- 4.7, 6.1-6.5 and 7.1), Booth, Cameron (items 4.1, 4.2, 4.4, 4.6 and 6.1-6.5), Cowdy (substituting for Councillor Mowat) (items 4.1-4.7, 6.1- 6.5 and 7.1), Dalgleish (items 4.1-4.6, 5.1, 6.1-6.5 and 7.1), Gardiner (items 4.1-4.4 and 4.6, 5.1, 6.1-6.5 and 7.1), Graham (substituting for Councillor Cameron) (items 4.3, 4.5 and 4.7, 5.1 and 7.1), Jones, Mattos-Coelho (items 4.1-4.3, 4.4, 4.6, 5.1, 6.1-6.5 and 7.1), McNeese-Mechan (items 4.1,4.2, 4.4, 4.6 and 6.1-6.5) and Mumford (substituting for Councillor Staniforth).

1. Minutes

Decision

To approve the minute of the Development Management Sub-Committee of 8 November 2023 as a correct record.

2. General Applications and Miscellaneous Business

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

Requests for a Presentation:

Councillor Booth requested a presentation on Item 4.3 – 7 Meadowbank (Site 30 Metres Southwest of), Edinburgh – application no. 23/01153/FUL.

Councillor Booth requested a presentation on Item 4.5 – 42 Saughtonhall Avenue (Land 14 Metres Northeast of), Edinburgh – application no. 22/06009/FUL.

Councillor Booth requested a presentation on Item 4.7 – 12 West Savile Road, Edinburgh – application no. 23/03388/FUL.

Request for a hearing:

Ward Councillor Pogson requested a hearing on Item 4.7 – 12 West Savile Road, Edinburgh – application no. 23/03388/FUL.

Decision

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

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

3. 72-74 Eyre Place, Edinburgh

The Chief Planning Officer had identified two applications to be dealt with by means of a hearing: 1) Erect 7x townhouses with associated amenity space, access, cycle parking, car parking and landscaping at 72 - 74 Eyre Place, Edinburgh - application no. 23/04046/FUL; 2) Erection of student accommodation with associated amenity space, access, cycle parking, disabled car parking and landscaping at 72 - 74 Eyre Place, Edinburgh - application no. 23/04048/FUL.

Appeals against non-determination of a previous planning application for residential development on this site were dismissed by a reporter on 14 June 2023 (PPA-230- 2409). The Reporter concluded that although the principle of residential development on the site was acceptable, the application was refused.

Similarly, an appeal against non-determination of a previous planning application for student housing on this site was dismissed by a Reporter on 14 June 2023 (PPA-230-2408). The Reporter concluded that although the principle of student accommodation on the site was acceptable, the application was refused.

(a) (i) Report by the Chief Planning Officer - application no. 23/04046/FUL

The application proposed the erection of seven residential dwellings. These would be a single terrace of three storey, four bedroom townhouses. Six car parking spaces would be included to the rear of the houses, each with EV charging capabilities.

The design of the houses would feature a flat roof with blue/green capabilities, and solar photovoltaic panels. Proposed materials included a predominantly brick finish with feature areas of aluminium cladding to ground and first floor, with aluminium standing seam finish to the second floor which would have a recessed dormer appearance.

A new two metre wide publicly accessible footpath was to be formed in front of the townhouses and would extend the full length of the eastern side of Eyre Place lane.

Supporting Information

- Design & Access Statement ('D&AS')
- Heritage Statement
- Archaeological Desk Based Assessment
- S1 Sustainability Form
- Air Quality Impact Assessment
- Noise Impact Assessment
- Bat Roost Potential Survey
- Surface Water Management Plan (inc. Flood Risk Assessment)
- Transport Statement

- Phase 1 Site Investigation

(ii) Report by Chief Planning Officer - application no. 23/04048/FUL

The application proposed the erection of a purpose built student accommodation (PBSA) block. A total of 139 studio units were proposed.

The proposals would include communal internal amenity space for future occupiers of the development. This included spaces on the ground, first, second and fourth floor with a combined area of 226 square metres with uses such as social lounges, gym, and games rooms.

The new building would be five storeys in height at its frontage with Eyre Place, and this steps down to three storeys along the return when travelling along Eyre Place Lane. The middle part of the building would include a saw-tooth roof which would include solar panels on the south facing elements with other elements featuring a flat roof. Roof terraces would provide additional amenity space for occupiers with an area of 171 sqm. A smaller scale element of the building was proposed on its eastern side which was three storeys with a flat blue/green roof. At ground floor level, this part of the building was separated by a pend from the main block and contained ancillary uses such as plant rooms and bin stores.

Proposed materials included a predominantly sandstone finish to the front elevation facing Eyre Place. As the building stepped along Eyre Place Lane and to the side and rear elevations, the proposed block would have a brick finish with areas of gold effect cladding. To the top floor of the block grey standing seam cladding was proposed.

One off street car parking space was proposed which would be restricted for use by blue badge holders. Cycle parking provision would be at a rate of 100% with 139 spaces proposed within an internal, secured access, store in line with the Edinburgh Street Design Guidance. The bike store had allowed for varied types of bike racks to accommodate a range of bikes and locking systems and would comprise of:

- 64 two tier racks (46%);
- 47 vertical racks (34%);
- 28 non standard bike racks (20%) comprising 12 standard Sheffield stands, 8 wide Sheffield stands and 8 bike lockers.

In addition, two areas with a total of 5 Sheffield stands would provide informal and visitor parking for 10 bikes andweare located adjacent to the pend and main entrance.

Supporting Information

- Design and Access Statement;
- Planning Statement;
- Flood Risk Assessment and Surface Water Management Plan (SWMP);
- Ground Investigation Report;
- Archaeology Report;
- Heritage Statement;

- Air Quality Impact Assessment
- Noise Impact Assessment;
- Daylighting Study;
- Transport Statement;
- Sustainability Statement;
- Bat Roost Survey.

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

[Development Management Sub-Committee - Wednesday 6 December 2023, 10:00am - City of Edinburgh Council Webcasts \(public-i.tv\)](#)

(b) Newtown and Broughton Community Council

Richard Price addressed the Development Management Sub-Committee on behalf of Newtown and Broughton Community Council. Mr Price indicated that the Community Council had been involved from the start for the pre application consultation for this brownfield site. They objected to the original proposed which was also refused by Scottish reporter, following appeal for non-determination.

The was very similar application, it ignored concerns of objectors and the Reporter, and there was a lack of interaction with the local community. Development of this site was needed but it should be the correct proposal. The PBSA Block had been reduced in height, but this created a large footprint. The figures provided did not comply with guidance, the reduction in the height of the block was insufficient and the sense of place had been further diminished. Student housing was acceptable in principle. However, regarding form height, massing, respect for local context, impact on residential amenity, the proposals were not acceptable. There had been about 450 objections and the location of the development in this residential neighbourhood was driven by financial profit rather than the benefits of this location. There were issues regarding the impact on residential amenity, outdoor spaces, access to daylight, loss of privacy and the concerns of residents. Therefore, the Sub-Committee should refuse both applications.

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

[Development Management Sub-Committee - Wednesday 6 December 2023, 10:00am - City of Edinburgh Council Webcasts \(public-i.tv\)](#)

(c) Eyre Place Lane Owners Association

Scott Baxter addressed the Development Management Sub-Committee on behalf of Eyre Place Land Owners Association. Mr Baxter stated that that the Association was not against the development or the provision of student housing. However, this site was not appropriate for student flats, but should be more sustainable and used for residential homes.

There were the following concerns. These included the reduction of the area of road width and lane width, which would cause problems with access to the Yard Playground

and raise safety issues. The landscaping proposals seemed to disguise a bad design. The larger footprint for student housing meant a reduction in the number of townhouses and now encroached on Eyre Place Lane. The proposal did not comply with student guidance on the provision of housing or with statutory requirements. Splitting the site into 2 sections was an attempt by the developer to avoid the provision of adequate housing. The proposed design did not enhance Eyre Place or Eyre Place Lane as it was monolithic and insensitive to the overall character of the area. Additionally, the current proposal had less amenity space than rejected Dunedin Street development.

In summary they asked that both applications for student accommodation and townhouses be refused for the following reasons. Firstly, the proposal included landscaping that would jeopardise the safety of the Lane residents and visitors to the Yard Playground. Secondly, the town houses had been removed because of the footprint of the student block that had been increased, which had created imbalance in the character and sense of place along the Lane. Thirdly, the developer had not fulfilled their obligation to provide family homes on the site as required by statutory guidance documents. Fourthly, the student blocks, the height, scale and massing failed to enhance any sense of place or character. Fifthly, the student block had a lack of appropriate internal and external amenity space, and the lack of diverse living units was worse than the standard provision in the Dunedin Street Development, recently rejected. Finally, this was a very unpopular proposal with over 450 objections and was not wanted in the Canonmills Area.

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

[Development Management Sub-Committee - Wednesday 6 December 2023, 10:00am - City of Edinburgh Council Webcasts \(public-i.tv\)](#)

(d) Rodney Street Residents Association

Chris and Hannah Edwards addressed the Development Management Sub-Committee on behalf of Rodney Street Residents Association.

Mr Edwards indicated that there had been a large number of objections. There were three material considerations, which were impact on daylight and sunlight, privacy and noise. The size and characteristics were not suitable for this area, little has changed from the previous design and there had been only a small reduction in the number of units.

Ms Edwards indicated that daylight was fundamental to people's wellbeing, however, the current proposals would cause a loss of daylight. In the previous application, the data showed that many dwellings were overshadowed by the proposed block. The daylight study for the current application showed the same problem. There were concerns about the accuracy of the numbers given for the number of townhouses and the information in the site model in the daylight study which showed half the new design and half the old one. The smaller footprint in the new townhouse design, conveniently created a larger gap to re-run the daylight calculations. Permission should not be granted with so many doubts and consequences for those living nearby.

Mr Edwards indicated that regarding sunlight, the revised proposal would introduce tall

buildings with inappropriate massing and scale. The report justified the huge loss of sunlight on the grounds that the area did not have much originally, but this was not the case. The sunlight they currently received was important. The area could be filled with townhouses and there was no requirement to build a large block. Finally, in terms of privacy and noise, this was a relatively quiet area and people valued their residential amenity and the use of the shared garden. The proposed roof terrace social space was new to this area. Many similar applications for roof terraces had been rejected by the Council and this ruling should be applied in this case. Noise at higher levels travelled to a greater extent and there were a large number of dwellings in close proximity to the proposed roof terraces. Locals were not reassured by the assertion that noise levels would be managed. With many student units packed into a small site, the design for social space was not a good idea.

Ms Edwards stated that in conclusion, the Reporter rejected the previous application as the proposal would have a dominating presence on the lane, there had been minimal changes to the original design and this was still the case. Elements of the new design were still excessively tall and they would have a detrimental effect on residential amenity. In terms of daylight, sunlight, privacy and noise, the site should be developed, but sympathetically. This design did not comply with this.

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

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(e) Ward Councillors Bandel, Mitchell and Nicolson

Council Bandel addressed the Sub-Committee, indicating that she was content when the original application had been rejected by the Reporter, some changes had been made, but it was still disappointing.

There had been 450 objections and the proposal meant there would be a lack of residential housing and would be unsuitable for students. The City needed more affordable residential accommodation. Student housing guidance stated there should be provision of about 50% residential housing. This proposal failed to meet this. Student guidance was not statutory, but in the context of a rampant housing crisis, this should be considered. The proposal would have a detrimental impact on the community and also failed to create a good place for students. There would be a risk of isolation and the new application would provide less space for communal living. There would be a reduction of amenity space and the quality of the space would be lower. This development was contrary to LDP Policy Des 5 and NPF4 Policy 14. The proportion of studio rooms, meant there was no possibility of changing the accommodation to residential use in future. The proposals were contrary to NPF4 16c (g) and LDP Policy Hou 8. She supported the development of purpose-built student accommodation, but only if it was in a suitable location. Although connected to the City Centre, generally, campuses were not located in the City Centre. The application did not comply with LDP Policy Hou 8 and NPF4 Policy 15. The aim for 20-minute neighbourhoods should be considered. There were no safe routes for cycling to centres of education, as they were mostly hilly or on busy streets. These would not be a realistic option for most students.

Council Mitchell addressed the Sub-Committee, indicating that this application was not concerned with the student housing aspect or potential residential housing, it was the size and scale, of the proposals. Nothing much had changed since the previous application and from the decision by the Reporter. There had been over 450 objections, which was more than the previous application, with only 4 supporters from neighbouring residents. The rest of the supporters were from outwith the area and mostly outside the City. Policy was very clear on this, in terms of both statutory legislation and non-statutory guidance. This was a complex application in terms of the size of the site, how it was split and the composition of what proposed. In conclusion, the changes that were made were not meaningful, would be detrimental to the character of the area and were overbearing and dominant, in terms of massing and height. This would be detrimental to the amenity and character of the area and would be unsatisfactory for the occupiers of the student housing. The Reporter was clear in their decision with the design concerns and the impact on amenity. Nothing had changed from the previous proposal, so both applications should be refused.

Council Nicolson addressed the Sub-Committee, indicating that this application had been of great significance during her time as a Councillor. The pre application consultation took place when she was campaigning for election. The application for student housing had been submitted on the same site and by the same developer. The new application had a large number of student units, which was only slightly modified from the earlier application which was rejected by the Reporter. The current proposals should be refused on the grounds of design and amenity, sense of place, scale, dominance and insensitivity to the surroundings. It seemed that the developer had had no interest in proper community engagement. The new student accommodation had a larger footprint. The Yard provided services to children, some with complex needs, with special access requirements. This application should not undermine the work carried out by the Yard. There would be access and parking issues. There were local concerns about daylight, sunlight, privacy and noise. Regarding access, the proximity of the universities did not fit with 20-minute neighbourhood principles. Finally, there was a wonderful garden in Eyre Place, which was vital to the community, it had turned into a hub and had brought the community together.

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

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(f) Applicants and Applicant's Agent

Paul Scott from Scott Hobbs Planning and Paul Harkin from Fletcher Joseph Associates were heard in support of the application.

Mr Scott indicated that he was planning consultant for the applicant and welcomed the recommendation for approval of the planning applications for the second time and considered the Planning Officer's report to represent a thorough assessment and provided a robust support for the proposals.

It was unfortunate that some of the objectors accused planning officers of being

incapable of analysing detailed reports on daylighting and other aspects, whilst presenting new evidence to the contrary. It was also unreasonable to suggest that there was an inconsistency in the recommendation between this application and a recent Dunedin Street decision. Another development under Dunedin Street was approved for a studio-only student accommodation development in September of this year, with generous levels of amenity provision, and that was the case with this development.

He then outlined the following aspects of the application:

- This development had 40% of the site area, including amenity space, which was double Edinburgh Design Guidance requirements.
- The appeal decisions were supportive of the principle of purpose-built student accommodation and housing in this location, of the mix of accommodation, of the accessibility of the site to University and other education establishments, of the impact that the proposal would have on the concentration of students in this locality.
- The appeal decisions were also supportive of the overall design approach of the materials and for the most part the scale, massing and impact of the amenity on existing and future residents in the area.
- The appeals were rejected for modest infringements, in terms of scale along Eyre Place Lane and specific amenity issues.
- Paul Harkin would demonstrate how these issues had been addressed.

Mr Harkin explained that before going through the specific changes, he felt the value in taking proposals back to first principles, to outline strategies which informed the original design concept and explain why they considered this still to be an appropriate solution for the site. This included the following aspects:

- The site presented a number of challenges which required to be addressed.
- This review prompted the decision to infill the gap along Eyre Place.
- The footprint presented represented a continuation of the tenement frontage and a direct reflection of the existing mews arrangement.
- The dual fronted nature of the BBAC building also created the opportunity to screen the existing gardens.
- The scale and massing of the context was reviewed and this directly informed the massing strategy of the proposals.
- The impact of this massing on existing properties then required to be reviewed.
- A number of sections were therefore taken through the site to assess this and in particular through the rear gardens of 76 to 78 Eyre Place.
- There was now a general compliance with the 45-degree rule or at least a comparable relationship with the existing boundary.
- While the 45-degree rule which assessed the impact on adjacent gardens, was shown to be observed, the digital sunlight analysis of the garden was carried out.
- The study confirmed that the existing garden failed to achieve two hours of daylight for 50% in the garden on 25th March.
- Equivalent levels of direct sunlight were generally achieved throughout the day until mid-afternoon, after which the direct sunlight was only gained in the existing condition via the gap between the tenements upon 64 and 76 Eyre Place.

- Whilst existing and proposed conditions failed to comply with the guidelines, compliance was generally achieved.
- A key relationship in the design was the junction of the tenemental scale to Eyre Place with a lower scale of Eyre Place, which was previously marked via a reduction of one storey in the previous application.
- This had now been reviewed and the latest proposals to align the higher element of the block with the rear of the existing tenements and reduced the height of the building.
- The distinction was further reinforced through the application of different materials for each element, as well as breaking the frontage of the block, which fronted the lane into smaller sections.
- The introduction of the curved corner detail was intended to make a subtle gesture to mark the junction and the continuation of frontage along the lane.

He therefore believed that the proposals offered a logical solution to the various challenges of the site and represented a sympathetic regeneration of this vacant industrial site. It respected and responded to the adjacent buildings and was built from a pallet of traditional, sympathetic and high-quality materials. It was hoped, therefore, that the members were inclined to follow the Planning Officer's recommendation and grant consent.

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

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72 - 74 Eyre Place, Edinburgh, EH3 5EL - application no. 23/04046/FUL

Decision 1

To **REFUSE** planning permission as the proposals were contrary to LDP Policies Des 2, Hou 3 and NPF4 Policy 14.

72 - 74 Eyre Place, Edinburgh - application no. 23/04048/FUL

Decision 2

To **REFUSE** planning permission as the proposals were contrary to LDP Policies Des 1, 4 and 5, NPF4 Policy 14 and Non-Statutory Student Guidance (part d).

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

4. Saltire Street (Land 80 Metres West and East of), Edinburgh

The Chief Planning Officer had identified an application to be dealt with by means of a hearing. The application was for planning permission for the proposed Phase 4 residential development at Waterfront Avenue with associated infrastructure and landscape (scheme 3) at Saltire Street (Land 80 Metres West and East of), Edinburgh - application no. 22/06290/FUL.

(a) Report by the Chief Planning Officer

The application was for 211 homes, including 53 affordable homes. The housing was arranged across seven blocks and comprises a mix of one, two and three bedroom homes with a mix of apartments and colonies. The ground levels within the site would be altered to accommodate the development as well as cap parts of the site.

25% of the residential units would be affordable. The accommodation comprised 4 x one bedrooomed units, 149 x two bedrooomed units and 58 three bedrooomed units.

Materials proposed to the housing were buff multi facing brick, grey multi facing brick feature panels, grey concrete roof tiles (to colonies), dark grey double glazed windows (material to be confirmed), dark grey common entrance door sets, and dark grey painted metalwork Juliet railings. PV panels were proposed to the front roof of block C.

Flats would have shared gardens with hedging used for boundary treatments. Private gardens were provided for 31 flats. Hedging would be used to define the boundaries of gardens to the rear of flats, some front gardens, and at the existing site entrance point on Waterfront Avenue. To the rear of private gardens and between each, 1.8m timber fencing would be used.

Vehicular access would be direct from the northern end of Saltire Street and Waterfront Avenue at the southwest corner of the site. The main access route from Waterfront Avenue would provide an adoptable turning-head to the north. Four hundred and ninety cycle spaces would be provided and 53 car parking spaces, 12 EV charging spaces and 6 disabled spaces.

Scheme 1

The first scheme proposed 220 residential units of between three and six stories in height. Seventy two car parking spaces were proposed, including six disabled parking spaces and twelve with EV charging. A proposed cycle route along the western boundary of the site was included. Cycle storage was in external stores. Solar panels and gas boilers were proposed. Materials included metal cladding to the upper levels of the proposed flatted blocks.

Scheme 2

Revised drawings were submitted which comprised 220 units, including 44 affordable. Fifty car parking spaces were proposed including six disabled parking spaces and twelve with EV charging points. Block A was increased from 6 to 7 storeys in height, Block D / E was reduced from 6 to 4 storeys in height, Block G was increased from 6 to 7 storeys in height, Block E was reduced in length to the eastern boundary and Block F was reduced in length to the western boundary.

Supporting Information

The applicant had submitted the following supporting information in relation to the application. These could be viewed on the Planning and Building Standards online portal:

- Planning Statement;
- Design and Access Statement;
- Statement of Community Benefit;

- Daylighting report;
- Townscape assessment;
- Noise Impact Assessment;
- Site investigation report;
- Arboricultural assessment;
- Archaeological written scheme of investigation;
- Pre application consultation report;
- Air Quality report;
- Preliminary ecological assessment;
- Sustainability form and –
Transport assessment.

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

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(b) Jaime Alberdi

Jaime Alberdi addressed the Development Management Sub-Committee as a resident of the area. Mr Alberdi indicated that the proposals were incompatible with the Granton Waterfront Development Framework, there was no retail and no provision for shops and no character in the main elevation on the Waterfront Avenue. The location of key elevation in block F was just on one level. One of the elevations disappeared into the background and some of the plans appeared to be incorrect. One block looked into a neighbour and the design did not account for the existing spaces of houses. Considering one elevation, there appeared to be trees, however, this was not correct. According to legislation, lifts were not mandatory for certain blocks of flats. This was not satisfactory and the developers seemed to be trying to avoid the cost of installing lifts. However, for disabled people, many of the flats had no lifts and this created access issues. As some blocks of flats had lifts, while others did not, this might raise issues of discrimination.

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

[Development Management Sub-Committee - Wednesday 6 December 2023, 10:00am - City of Edinburgh Council Webcasts \(public-i.tv\)](#)

(c) Applicants and Applicant's Agent

Neil Ross and Colin Jack from Places for People and James Fraser from EMA Architects were heard in support of the application.

Mr Fraser explained that the current application was the final phase of development at Waterfront Avenue, which represented 20 years of investment by Placing for People

in the regeneration of Granton. To date, 265 new homes, including 67 affordable properties, had been constructed by Placing for People as part of phases 1, 2 and 3. This had helped to deliver a vibrant community to this part of the City. The current application sought approval for the final phase of the development and would provide 53 affordable and 150 private homes, helping further support the regeneration of the wider Granton Area.

The application had allocated a site for housing within the Local Development Plan as identified as brownfield land, suitable for housing within the Granton Waterfront Development Framework. He then outlined the following issues:

- The site which was an extract from the Development Framework, identified a site for housing with a suitable range of storey heights.
- The development blocks had been arranged to complete the urban block structure, creating positive relationships between the blocks and the new streetscapes and providing direct connections to the green spaces and wider active travel corridors.
- A new landscape edge was proposed along the western boundary, with buildings set back into the site to respect the setting of Carling Park House. A series of high-quality green spaces were proposed.
- A detailed townscape appraisal had been provided with the application, which had analysed the impact of the development on both Carling Park House and the listed Gas Works to the west and existing surrounding neighbourhoods.

To summarise, the application at Phase 4 would provide 211 sustainable new homes, including 53, affordable. It was a contemporary well-designed architecture with the use of high-quality materials. There would be a mix of one, two and three bed homes, including 27 3-bed family homes all designed to meet Edinburgh's engaged space standards.

A mix of typologies, including apartments and colonies were proposed with About 30% of the site being high quality green space and the landscape proposals listed the planting of 970 new trees with over 700 trees proposed within the Council owned woodland along the western boundary of the site. Cycle storage would be in line with the Council's factsheet for 490 spaces provided via 46% two-tier, 34% Sheffield and 20% non-standard. All cycle stores would be accessible for all residents and all residents would have access to all stores. Further details were provided of the proposals, which included the following:

- There would be reduced car parking in the site and city car club bays and electric charging bays were proposed and 25% parking was proposed on this site.
- They had integrated blue and green infrastructure, as proposed through a series of sustainable drainage features, including the squeals corridor and a landscaped SUDS basin.
- Biodiversity enhancements would be delivered through extensive landscape planting, shared green spaces and the inclusion of bat and swift boxes.
- All properties were designed on a fabric first approach, achieving highly insulated sustainable new homes.
- Design proposed for the site had been progressed in tandem with all relevant

technical reports such as daylight and sunlight, study, ecological assessment, flooding, noise, air quality and archaeology assessment.

- The development would further provide a range of community benefits.

To conclude, the application would deliver about 211 sustainable homes on a brownfield site identified for housing in the Council's Local Development Plan, adhered to design guidance on urban block structure and permeability within the Granton Waterfront Development Framework. The application achieved all relevant planning policies and Council design guidance and would further support the regeneration of a vibrant new community at Granton Waterfront.

Working in Granton for 20 years, and working in the City now for 50 years, Places for People had been providing all tenure homes as an approach. They were in this for the long term and were keen to get this project on site as quickly as possible.

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

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Decision

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

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

5. 181 St John's Road, Edinburgh

At its meeting of 4 October 2003, the Sub-Committee had previously agreed to continue consideration of the application for further scrutiny of consultation response on affordable housing and for an open book appraisal in relation to the Section 75 Agreement.

Details were provided of an application for the Modification of Planning Agreement (Section 75) associated with planning permission 18/02831/FUL. Remove clauses to provide on-site affordable housing and replace these with clauses seeking to make an off-site financial contribution as the construction costs of delivering the existing consent are non-viable for affordable housing developers at 181 St John's Road, Edinburgh - application no. 22/04607/OBL.

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

Motion

That this application be Accepted, and the Agreement be Modified.

- moved by Councillor Osler, seconded by Councillor Jones

Amendment

To **REFUSE** that the application for the modification of planning agreement (Section 75) be accepted and the agreement be modified as the proposals were contrary to LDP Policy Hou 6 and NPF4 Policy 16 (e).

The section 75 legal agreement as existing seeks the delivery of 25% affordable housing on site in accordance with Policy Hou6 and NPF 4 Policy 16 (e)with the Edinburgh Local Development Plan. The case for the modification to provide a commuted sum is supported by a Statement of Viability. The terms of this viability case are not accepted. There has been no substantive change in policy or other material considerations to change this position, therefore, the section 75 in its existing form is still considered to be necessary and should not be modified.

- moved by Councillor Mumford, seconded by Councillor Booth

Voting

For the motion: - 3 votes

For the amendment: - 6 votes

(For the motion: Councillors Dalgleish, Jones and Osler.

For the amendment: Councillors Beal, Booth, Gardiner, Graham, Mattos Coelho and Mumford.)

Decision

To **REFUSE** that the application for the modification of planning agreement (Section 75) be accepted and the agreement be modified as the proposals were contrary to LDP Policy Hou 6 and NPF4 Policy 16 (e).

The section 75 legal agreement as existing seeks the delivery of 25% affordable housing on site in accordance with Policy Hou6 and NPF 4 Policy 16 (e)with the Edinburgh Local Development Plan. The case for the modification to provide a commuted sum was supported by a Statement of Viability. The terms of this viability case were not accepted. There has been no substantive change in policy or other material considerations to change this position, therefore, the section 75 in its existing form was still considered to be necessary and should not be modified.

(References – the Development Management Sub-Committee of 4 October 2003 (item 5); report by the Chief Planning Officer, submitted.)

6. Western Harbour – Confirmation of Tree Preservation Order No. 206

Details were provided of an application for the confirmation of Tree Preservation Order No. 206 at Western Harbour.

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

Motion

To agree to the confirmation of Tree Preservation Order No. 206 at Western Harbour.

- moved by Councillor Osler, seconded by Councillor Booth

Amendment

To refuse to the confirmation of Tree Preservation Order No. 206 at Western Harbour.

- moved by Councillor Gardiner, seconded by Councillor Jones

Voting

For the motion: - 5 votes

For the amendment: - 4 votes

(For the motion: Councillors Bennett, Booth, Mattos Coelho, Mumford, and Osler.

For the amendment: Councillors Cowdy, Dalgleish, Gardiner and Jones.

Decision

To agree to the confirmation of Tree Preservation Order No. 206 at Western Harbour.

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

7. 12 West Saville Road, Edinburgh

Details were provided of an application for the change of use from Class 8 residential institution to Class 10 children's nursery (as amended) at 12 West Savile Road, Edinburgh - application no. 23/03388/FUL.

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

A vote was taken for or against on whether to continue the application for a hearing.

Voting

For continuation - 1 vote

Against continuation - 5 votes

(For continuation: Councilors Jones.

Against continuation: Councilors Bennett, Booth, Cowdy, Mumford and Osler.

Decision 1

To **REFUSE** the request for a hearing.

Decision 2

To **GRANT** planning permission subject to:

- (a) The conditions, reasons and informatives as set out in section C of the report by the Chief Planning Officer.
- (b) An amendment to condition 2 that hours of operation be restricted to 0800 hours until 1800 hours Monday to Friday.
- (c) An additional condition that prior to the use being taken up, details of the screen/ acoustic fence to be erected in the rear garden.
- (d) An additional informative that there should be compliance with NR25 for plant and machinery.

Decision

1) To **GRANT** planning permission subject to:

- (a) The conditions, reasons and informatives as set out in section C of the report by the Chief Planning Officer.

- (b) An amendment to condition 2 that hours of operation be restricted to 0800 hours until 1800 hours Monday to Friday.
- (c) An additional condition that prior to the use being taken up, details of the screen/ acoustic fence to be erected in the rear garden.
- (d) An additional informative that there should be compliance with NR25 for plant and machinery.

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

Appendix

Agenda Item No. /	Details of Proposal/Reference No	Decision
<p>Note: Detailed conditions/reasons for the following decisions are contained in the statutory planning register.</p>		
<p>4.1 – 4 East Norton Place, Edinburgh, EH7 5DR</p>	<p>Change of use from residential (Sui Generis) to short-term let (Sui Generis) for three months per annum (June-August) (in retrospect) - application no. 23/04428/FULSTL</p>	<p>This item had been WITHDRAWN from the agenda at the request of the Chief Planning Officer.</p>
<p>4.2 – Liberton Public Park, Liberton Gardens, Edinburgh</p>	<p>A new opening has been created in the existing boundary stone wall to the north of the site, to form the approved ramped active travel route into Liberton Park. A new opening has been created in the existing boundary stone wall to the west of the site, to form the approved emergency access route. The existing gated access to the west of the site has been removed and the opening in the boundary stone wall has been infilled with stone (in retrospect) (as amended) - application no. 23/02885/LBC</p>	<p>This item had been WITHDRAWN from the agenda at the request of the Chief Planning Officer.</p>
<p>4.3 – 7 Meadowbank (Site 30 Metres Southwest of), Edinburgh</p>	<p>Erection of 8x flats, an office unit, relocation of substation and associated landscaping - application no. 23/01153/FUL</p>	<p>To GRANT planning permission subject to the conditions, reasons and informatives as set out in section C of the report by the Chief Planning Officer.</p>
<p>4.4 – 29 Paisley Gardens, Edinburgh, EH8 7JN</p>	<p>Reform the existing roof to create more bedroom space. (AS AMENDED) - application no. 23/03834/FUL</p>	<p>To GRANT planning permission subject to the conditions, reasons and informatives as set out in section C of the report by the Chief Planning Officer.</p>

Agenda Item No. /	Details of Proposal/Reference No	Decision
4.5 - 42 Saughtonhall Avenue (Land 14 Metres Northeast of), Edinburgh	Demolition of garaging and erection of a two storey dwellinghouse - application no. 22/06009/FUL	To REFUSE planning permission as the proposals were contrary to LDP Policy Env 21 and NPF4 Policy 22.
4.6 - 3 Tron Square, Edinburgh, EH1 1RR	Retrospective change of use from residential (Sui Generis) to short-term let (Sui Generis) for three months per annum (June-August) - application no. 23/04425/FULSTL	This item had been WITHDRAWN from the agenda at the request of the Chief Planning Officer.
4.7 – 12 West Savile Road, Edinburgh, EH16 5NQ	Change of use from Class 8 residential institution to Class 10 children's nursery (as amended) - application no. 23/03388/FUL	<ol style="list-style-type: none"> 1) To REFUSE the request for a hearing. (On a division.) 2) To GRANT planning permission subject to: <ol style="list-style-type: none"> (a) The conditions, reasons and informatives as set out in section C of the report by the Chief Planning Officer. (b) An amendment to condition 2 that hours of operation be restricted to 0800 hours until 1800 hours Monday to Friday. (c) An additional condition that prior to the use being taken up, details of the screen/ acoustic fence to be erected in the rear garden. (d) An additional informative that there should be compliance with NR25 for plant and machinery.

Agenda Item No. /	Details of Proposal/Reference No	Decision
<p>5.1 - 181 St John's Road, Edinburgh</p>	<p>Application for the Modification of Planning Agreement (Section 75) associated with planning permission 18/02831/FUL. Remove clauses to provide on-site affordable housing and replace these with clauses seeking to make an off-site financial contribution as the construction costs of delivering the existing consent are non-viable for affordable housing developers- application no. 22/04607/OBL</p>	<p>To REFUSE that the application for the modification of planning agreement (Section 75) be accepted and the agreement be modified as the proposals were contrary to LDP Policy Hou 6 and NPF4 Policy 16 (e).</p> <p>The section 75 legal agreement as existing sought the delivery of 25% affordable housing on site in accordance with Policy Hou6 and NPF 4 Policy 16 (e)with the Edinburgh Local Development Plan. The case for the modification to provide a commuted sum was supported by a Statement of Viability. The terms of this viability case were not accepted. There had been no substantive change in policy or other material considerations to change this position, therefore, the section 75 in its existing form was still considered to be necessary and should not be modified.</p> <p>(On a division.)</p>
<p>6.1 - 72 - 74 Eyre Place, Edinburgh, EH3 5EL - applications no's 23/04046/FUL and 23/04048/FUL</p>	<p>Protocol Note by the Service Director – Legal and Assurance</p>	<p>Noted.</p>
<p>6.2 - 72 - 74 Eyre Place, Edinburgh, EH3 5EL</p>	<p>Erect 7x townhouses with associated amenity space, access, cycle parking, car parking and landscaping - application no. 23/04046/FUL</p>	<p>To REFUSE planning permission as the proposals were contrary to LDP Policies Des 2, Hou 3 and NPF4 Policy 14.</p>

Agenda Item No. /	Details of Proposal/Reference No	Decision
<p>6.3 - 72 - 74 Eyre Place, Edinburgh, EH3 5EL</p>	<p>Erection of student accommodation with associated amenity space, access, cycle parking, disabled car parking and landscaping - application no. 23/04048/FUL</p>	<p>To REFUSE planning permission as the proposals were contrary to LDP Policies Des 1, 4 and 5, NPF4 Policy 14 and Non-Statutory Student Guidance (part d).</p>
<p>6.4 - Saltire Street (Land 80 Metres West and East of), Edinburgh - Proposed Phase 4 residential development at Waterfront Avenue with associated infrastructure and landscape (scheme 3) - application no. 22/06290/FUL</p>	<p>Protocol Note by the Service Director - Legal and Assurance</p>	<p>Noted.</p>
<p>6.5 - Saltire Street (Land 80 Metres West and East of), Edinburgh</p>	<p>Proposed Phase 4 residential development at Waterfront Avenue with associated infrastructure and landscape (scheme 3) - application no. 22/06290/FUL</p>	<p>To GRANT planning permission subject to the conditions, reasons, informatives and a legal agreement as set out in section C of the report by the Chief Planning Officer.</p>
<p>7.1 - Confirmation of Tree Preservation Order No. 206 (Western Harbour)</p>	<p>Confirmation of Tree Preservation Order No. 206</p>	<p>It is recommended that the order is CONFIRMED. (On a division.)</p>