

Development Management Sub Committee

report returning to Committee - Wednesday 22 January 2020

Application for Planning Permission in Principle 17/05742/PPP

at 14 Bonnington Road Lane, Edinburgh, EH6 5RB

Application for planning permission in principle for residential development (up to 220 units) together with commercial space and associated works (including demolition of building) at the former John Lewis Depot, Bonnington.

Item number

Report number

Wards

B12 - Leith Walk

Recommendations

It is recommended that this application be Approved subject to the details below.

Background information

The Development Management Sub-Committee determined that it was minded to approve this application on 26 September 2018 subject to a legal agreement being concluded within six months to secure delivery of affordable housing and financial contributions towards educational infrastructure, healthcare provision and transport mitigation measures.

Under the Scheme of Delegation, the Chief Planning Officer has delegated powers to extend the six month period for concluding a legal agreement to nine months, provided meaningful progress is being achieved. This delegated power was used to extend the period for concluding the legal agreement in this case. However, the nine month period has now been exceeded and therefore the matter requires to be returned to Committee for a decision.

Main report

There are no new material planning considerations which affect the Development Management Sub-Committee original decision on 26 September 2018 that it was minded to approve this application subject to a legal agreement first being concluded to secure necessary infrastructure requirements.

In addition to the requirements to deliver affordable housing, the Section 75 legal agreement sought financial contributions towards educational infrastructure.

This site falls within the 'Drummond Education Contribution Zone'. The application is for planning permission in principle. The required contributions are based on the established '£3,668 per house' and '£856 per flat' contribution figures.

Conclusion of the legal agreement process has been delayed due to the failure to appoint a solicitor timeously and for this to be compounded by the fact that the external solicitor appointed by the Council could not act for the Council due to a potential conflict of interest. The matter is now being dealt with in-house. Meaningful progress has been achieved in negotiating the terms of the legal agreement. It is considered that a further 3 month extension to the period to conclude the legal agreement will enable the planning permission to be released for this application.

If this application is approved, a second 'Minded to Grant' letter will be sent to the agents setting out the amended informative deadline for conclusion of the legal agreement and including all of the original conditions and remaining informatives stated in the original 'Minded to Grant' letter of 26 September 2018.

It is recommended this application be approved to extend the deadline for concluding the legal agreement to enable planning permission thereafter to be released.

Links

Policies and guidance for this application

LDPP, LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES09, LEN03, LEN08, LEN09, LEN12, LEN15, LEN16, LEN18, LEN20, LEN21, LEN22, LEMP09, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LHOU10, LTRA02, LTRA03, LTRA04, LTRA08, NSG, NSGD02, NSDCAH, NSOSS, OTH, DBBON,

A copy of the original Committee report can be found in the list of documents at

<https://citydev-portal.edinburgh.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=P0N7SBEWFOD00>

Or [Council Papers online](#)

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