

# Development Management Sub Committee

report returning to Committee - Wednesday 22 January 2020

## **Application for Planning Permission in Principle 16/04122/PPP**

**at Land 445 Metres North Of 103, Newcraighall Road,  
Edinburgh**

**Proposed residential development (including class 8 residential institutions, class 9 houses and sui generis flats) primary school (class 10 non-residential institutions) local centre (including class 1 retail, class 2 financial services, class 3 food and drink, class 10 non residential institutions and class 11 assembly and leisure), green network, access and transport links, infrastructure and associated ancillary works (as amended.)**

**Item number**

**Report number**

**Wards**

A17 - Portobello/Craigmillar (Pre May 2017)

## **Recommendations**

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

## Background information

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The Development Management Sub-Committee determined that it was minded to approve this application on 19 April 2017 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

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There are no new material planning considerations which affect the Development Management Sub-Committee original decision on 18 April 2017 that it was minded to approve this application subject to a legal agreement first being concluded to secure necessary infrastructure requirements. Financial contributions have been indexed to the most recent LDP Action Plan.

In addition to the requirements to deliver affordable housing, the Section 75 legal agreement sought financial contributions towards educational infrastructure, healthcare provision and transport mitigation measures.

The development principles on education for South East Edinburgh include a new school proposal SCH 9. The masterplan includes a 2 Ha site for the proposed primary school. This site falls within Sub-Area C-3 of the 'Castlebrae Education Contribution Zone'. The application is for planning permission in principle. The required contributions are based on the established '£20,322 per house' and '£4,207 per flat' contribution figures. Transport mitigation measures include £23,000 towards the upgrade of Old Craighall Junction, other improvement in the area directly related to the application, the upgrade of the existing bridge over the East Coast Main Line (ECML) and a new pedestrian/cycle bridge over the ECML is sought.

Conclusion of the legal agreement process has been delayed due to the applicant (EDI) being dissolved and uncertainties over the delivery of the land for the school in terms of Communities and Families statutory consultation requirements for new schools and due diligence in terms of land stability and potential contamination. 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 granted, 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 18 April 2017.

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

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### **Policies and guidance for this application**

LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES09, LEN03, LEN07, LEN08, LEN09, LEN12, LEN15, LEN16, LEN20, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LHOU10, LTRA02, LTRA03, LTRA04, LTRA08, LTRA09, LTRA10, LRS06, NSDCAH, NSGD02, LTS1, NP01, NSMDV,

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=OCGMEREW0GY00>

Or Council Papers online

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Catriona Reece-Heal, Senior Planning Officer

E-mail: [catriona.reece-heal@edinburgh.gov.uk](mailto:catriona.reece-heal@edinburgh.gov.uk) Tel: 0131 529 6123