

Development Management Sub Committee

Report Returning to Committee – Wednesday 23 September 2020

Application for Planning Permission in Principle 14/01177/PPP

At 7, 11, 13 Eyre Terrace, Edinburgh, EH3 5ER

Planning permission in principle for mixed use development. Retail (class 1); financial, professional + other services (class 2); food + drink (class 3); business (class 4); hotels (class 7); residential (class 8, 9 + sui generis), car parking, access + other works, approval of siting + maximum height of principal building block, points of vehicular/pedestrian access + egress.

Item number

Report number

Wards

A05 - Inverleith (Pre May 2017)

Recommendations

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

Background information

The application was granted by Development Management Sub-Committee on 25 February 2015 subject to a legal agreement requiring a financial contribution for educational infrastructure, affordable housing, transport infrastructure and Tree Management. This legal agreement was not concluded, and so planning permission has not been issued.

Since 2015 there have been new material planning considerations which meant that the application needed to be re-assessed. The duty to consider all material considerations continues until the time a grant or refusal is made, whether or not the resolution to grant is subject to a legal agreement.

On 19 June 2019 the Development Management Sub-Committee considered the application in the context of the new material planning considerations. The application was continued in order to provide more information in relation to changes in Local Development Plan Policy, mainly healthcare contributions, since the application's consideration of the proposal by Development Management Sub-Committee in 2015.

The application was then continued until 14 August 2019, where healthcare contributions were clarified as not being required. The Development Management Sub-Committee was satisfied and so the application was minded to grant.

All issues have now been resolved. However, due to timescale delays, the application is required to be presented to the Development Management Sub-Committee as it is outwith the timescale allowed under the scheme of delegation for completion of the legal agreement.

Main report

Legal Agreement:

There are no new material planning considerations which affect the Development Management Sub-Committee decision on 14 August 2019, where it was minded to grant this application subject to a legal agreement first being concluded to secure the necessary contributions towards education, transport and affordable housing.

Progress has been made in negotiating the terms of the legal agreement. Due to the complexities of the site, this has been time consuming and requires bespoke drafting over and above that found within the model S75 agreement.

Discussions have reached a point where it is considered that a further three month extension to the period will allow the legal agreement to be concluded.

Links

Policies and guidance for this application

LDPP, LEN02, LEN05, LEN06, LDEL01, LDES01, LDES03, LEN01, LEN09, LEN21, LEN18, LHOU01, LHOU06, LEMP01, LRET06, LDES05, LDES04, LTRA02, LTRA03, LTRA04, NSG, NSLBCA, NSGD02,

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=N31UVXEW0GY00>

Or [Council Papers online](#)

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PLACE

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