

# Development Management Sub Committee

report returning to Committee - Wednesday 7 October 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**

---

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

## **Background information**

---

The Committee was minded to grant planning permission on 19 April 2017, subject to the conclusion of a legal agreement within six months of this date to ensure the delivery of financial contributions towards education infrastructure, healthcare, affordable housing, allotment provision and transport interventions.

Negotiations have been completed and the agreement is ready for signing.

Under the normal 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. The nine-month period was exceeded and therefore the matter was returned to Committee for a decision.

Following that initial return to Committee, and due to the Coronavirus emergency, the Council's Leadership Advisory Panel has agreed changes to the schemes of delegation in respect of planning applications. This gave the Chief Planning Officer extended delegated powers to make decisions on applications which would require a committee decision under the current schemes of delegation. The second report has been agreed under the extended scheme of delegation. This allowed the period for concluding the legal agreement to be extended until 8th September 2020. This period has now been exceeded and therefore the matter is now returned to Committee for a decision.

Due to the difficulties getting the actual agreement signed, this third report requires a return to Committee to request to extend the period for concluding the legal agreement by three months.

## Main report

---

There are no new material planning considerations which affect the Development Management Sub-Committee original decision on 19 April 2017 that it was minded to grant this application subject to a legal agreement first being concluded to ensure the delivery of financial contributions towards education infrastructure, healthcare, affordable housing, allotment provision and transport interventions.

Meaningful progress has been achieved in negotiating the terms of the legal agreement and it is now ready for signing. The difficulties in actual signing of the document are due to the logistics involved in all parties signing the document under the current COVID restrictions on workplaces. It is considered that a further three month extension to 7th January 2021 to conclude the legal agreement will enable the planning permission to be released for this application.

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

## Links

---

### Policies and guidance for this application

LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES09, LEN03, LEN12, LEN07, LEN08, LEN09, 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 and previous returning Committee reports 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)