

# Development Management Sub Committee

report returning to Committee - Wednesday 17 February 2021

**Application for Planning Permission 20/00813/FUL  
at 38-40 Shandwick Place, Edinburgh, EH2 4RT.  
Proposed change of use from retail, office and storage to 50  
bedroom hotel and ancillary spaces for plant and storage.  
Alterations to building to form hotel.**

**Item number**

**Report number**

**Wards**

B11 - City Centre

## Recommendations

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

## Background information

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This application was determined by officers on 19 May 2020, under delegated powers, to grant it subject to the conclusion of a legal agreement within six months of this date to secure the necessary delivery of a tram contribution.

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 expires on 17 February 2021 and, therefore, the matter requires to go to Committee for a decision on extending the period further.

## Main report

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There are no new material planning considerations which affect the original delegated decision on 19 May 2020 to grant this application subject to a legal agreement first being concluded to secure a tram contribution.

Conclusion of the legal agreement stalled as the applicant is not the owner of the property and despite attempts to move it forward, no fee undertaking was agreed. The owner of the property now wishes to pay the tram contributions instead to achieve the planning permission and is willing to give a fee undertaking. As such, meaningful progress has been achieved in moving this forward. It is envisaged a further three month extension would allow the agreement to be concluded.

It is recommended that the Committee agrees 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

LDPP, LDES12, LDES13, LEN01, LEN06, LEMP10, LRET09, LHOU07, LTRA02, LTRA03, LTRA04, NSG, NSGD02, NSBUS, OTH, CRPNEW,

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

<https://citydev-portal.edinburgh.gov.uk/idxpa-web/applicationDetails.do?activeTab=documents&keyVal=Q5XW7KEWJ8P00>

Or Council Papers online

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