

Development Management Sub Committee

report returning to Committee - Wednesday 19 May 2021

**Application for Planning Permission 19/04036/FUL
at Newhouse Farmhouse, Long Dalmahoy Road, Kirknewton.
Alter an approved residential layout, extend site area, form
sewage treatment works and erect 8 (eight) houses
(amendment to 17/02707/FUL) (as amended).**

Item number

Report number

Wards

B02 - Pentland Hills

Recommendations

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

Background information

This application was determined by officers on 18 August 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 relevant transport and education contributions.

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 18 May 2021 and, therefore, the matter requires to go to Committee for a decision on extending the period further.

Main report

There are no new material planning considerations which affect the original delegated decision on 18 August 2020 to grant this application subject to a legal agreement first being concluded to secure transport and education contributions.

Conclusion of this legal agreement was delayed due to both the effects of the pandemic, and the applicant requesting clarification regarding the means used by the Council to calculate the financial requirements of the development in relation to transport and education infrastructure. Specific concerns were raised regarding a perceived discrepancy between the means of calculation used for this application when compared to previous similar applications for development on this site (references: 17/02707/FUL and 15/05455/FUL).

Having regards to the significant importance of ensuring that all financial contributions are calculated correctly and are of direct relevance to this planning permission; the Council proceeded to undertake a detailed check of the means of calculation. The applicant's legal representatives have now confirmed that they will accept the requirements which the Council has placed in the agreement. 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

Policies and guidance for this application

LDPP, LEN10, LEN09, LEN21, LEN22, LDES01, LDES05, LTRA02, LTRA03, LDEL01, NSG, NSGD02, NSGCGB,

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=PWU3EZEWI3U00>

Or Council Papers online

David Givan

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: James Allanson, Planning Officer

E-mail:james.allanson@edinburgh.gov.uk