

# Minutes

## Development Management Sub-Committee of the Planning Committee

10.00 am, Wednesday 30 March 2022

### Present:

Councillors Gardiner (Convener), Child (Vice-Convener), Booth, Cameron, Dixon, Gordon, Mitchell, Mowat, Osler (items 4.1, 4.3 – 4.16, 5.1 and 7.1), Rose and Staniforth.

### 1. Minutes

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#### Decision

To approve the minute of the Development Management Sub-Committee of 16 March 2022 as a correct record.

### 2. General Applications and Miscellaneous Business

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The Sub-Committee considered reports on planning applications listed in Sections 4, 5 and 7 of the agenda for this meeting.

#### Requests for Presentations:

Councillor Rose requested a presentation in respect of item 4.2 – 6 Bangholm Terrace, Edinburgh - application no. 21/05811/FUL, and Item 4.3 – 35 Barnshot Road, Edinburgh - Confirmation of Tree Preservation Order No.198.

Councillor Gordon requested a presentation in respect of item 4.5 - 11 Boswall Green, Edinburgh - application no. 21/06503/FUL.

Councillors Rose and Booth requested a presentation in respect of item 4.6 – 4B East Newington Place, Edinburgh - application no. 21/06470/FUL.

Councillor Rose requested a presentation in respect of item 4.7 – 4B East Newington Place, Edinburgh - application no. 21/06471/CON.

Councillor Dixon requested a presentation in respect of item 4.8 – 1 Grassmarket, Edinburgh – application no. 21/06295/FUL.

Councillor Booth requested a presentation in respect of item 4.9 – 11A James' Court, Edinburgh – application no. 21/04237/FUL.

Councillor Rose requested a presentation in respect of item 4.11 – Middle Kinleith Farm, Balerno - application no. 21/05193/FUL.

### **Declaration of Interest**

Councillor Osler declared a non-financial interest in item 4.2 (6 Bangholm Terrace, Edinburgh), as she knew the applicant.

### **Decision**

To determine the applications as detailed in the Appendix to this minute.

(Reference – reports by the Chief Planning Officer, submitted.)

## **3. 11 Boswell Green, Edinburgh**

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Details were provided of proposals for application for planning permission for internal alterations, extension to side and rear of property. Conversion of attic complete with dormers to front and rear (as amended) at 11 Boswell Green, Edinburgh - application no. 21/06503/FUL.

The Chief Planning Officer gave details of the proposals and the planning considerations involved and recommended that the application be granted.

### **Motion**

To **GRANT** planning permission subject to the informatives set out in section 3 of the report by the Chief Planning Officer.

- moved by Councillor Mowat, seconded by Councillor Child.

### **Amendment**

To issue a **MIXED DECISION**:

- 1) To **GRANT** planning permission for the internal alterations and extension to side and rear of property, subject to informatives set out in section 3 of the report by the Chief Planning Officer.
- 2) To **REFUSE** planning permission for the dormer element of the application for the reason that the proposal was contrary to Edinburgh Local Development Plan Policy Des 12, part C.

- moved by Councillor Gordon, seconded by Councillor Gardiner.

### **Voting**

For the motion: - 7 votes

For the amendment: - 4 votes

(For the motion: Councillors Booth, Child, Mitchell, Mowat, Osler, Rose and Staniforth.)

(For the amendment: Councillors Cameron, Dixon, Gardiner and Gordon.)

### **Decision**

To **GRANT** planning permission subject to the informatives set out in section 3 of the report by the Chief Planning Officer.

(Reference – report by the Chief Planning Officer, submitted.)

#### 4. Middle Kinleith Farm, Harlaw Road, Balerno

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Details were provided of an application for planning permission for the creation of 3 dwelling houses (as amended) at Middle Kinleith Farm, Harlaw Road, Balerno - application no. 21/05193/FUL.

The Chief Planning Officer gave details of the proposals and the planning considerations involved and recommended that the application be refused.

##### **Motion**

To **REFUSE** planning permission:

- 1) For the reasons set out in section 3 of the report by the Chief Planning Officer.
  - 2) For an additional reason that according to Scottish Planning policy the proposal was not located in a sustainable location as it would be reliant on car usage and the scale and layout of the development was not characteristic of the rural environment.
- moved by Councillor Gardiner, seconded by Councillor Child.

##### **Amendment**

To **GRANT** Planning Permission.

- moved by Councillor Rose, seconded by Councillor Mowat.

##### **Voting**

For the motion: - 9 votes

For the amendment: - 2 votes

(For the motion: Councillors Booth, Child, Cameron, Dixon, Gardiner, Gordon, Mitchell, Osler and Staniforth.)

(For the amendment: Councillors Mowat and Rose.)

##### **Decision**

To **REFUSE** planning permission:

- 1) For the reasons set out in section 3 of the report by the Chief Planning Officer.
- 2) For an additional reason that according to Scottish Planning policy the proposal was not located in a sustainable location as it would be reliant on car usage and the scale and layout of the development was not characteristic of the rural environment.

(Reference – report by the Chief Planning Officer, submitted.)

## Appendix

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>Note: Detailed conditions/reasons for the following decisions are contained in the statutory planning register.</p>		
<p><b>4.1 – <a href="#">Report for forthcoming application by EH14 Limited for of Application Notice at 4 East Mains of Ingliston, Newbridge</a></b></p>	<p>Erection of hotel development (Class 7) with ancillary restaurant / bar (Class 3 / Sui Generis) and fitness suite (Class 11), associated facilities, together with access, landscaping, parking and infrastructure - application no. 22/00812/PAN</p>	<p>1) To note the key issues at this stage.</p> <p>2) To request that the applicant take into consideration:</p> <ul style="list-style-type: none"> <li>• Implementing active travel and connectivity.</li> <li>• Creating pavements and more structure, as this was an area of considerable development.</li> </ul>
<p><b>4.2 – <a href="#">6 Bangholm Terrace, Edinburgh</a></b></p>	<p>Construction of a new dwelling in a gap site between two tenement gables - application no. 21/05811/FUL</p>	<p>To <b>REFUSE</b> planning permission for the reasons set out in section 3 of the report by the Chief Planning Officer.</p>
<p><b>4.3 – <a href="#">35 Barnshot Road, Edinburgh</a></b></p>	<p>Confirmation of Tree Preservation Order No.198.</p>	<p>To <b>CONFIRM</b> Tree Preservation Order No. 198.</p>
<p><b>4.4 – <a href="#">10A Blenheim Place, Edinburgh</a></b></p>	<p>Change of use of residential apartment to short-term let visitor accommodation - application no. 21/06615/FUL</p>	<p>To <b>GRANT</b> planning permission subject to the informatives set out in section 3 of the report by the Chief Planning Officer.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p><b>4.5 – <a href="#">11 Boswell Green, Edinburgh</a></b></p>	<p>Internal alterations, extension to side and rear of property. Conversion of attic complete with dormers to front and rear (as amended) - application no. 21/06503/FUL</p>	<p>To <b>GRANT</b> planning permission subject to informatives set out in section 3 of the report by the Chief Planning Officer.  (On a division.)</p>
<p><b>4.6 – <a href="#">4B East Newington Place, Edinburgh</a></b></p>	<p>Demolish existing building and erection of purpose-built student accommodation, ancillary uses and associated infrastructure - application no. 21/06470/FUL</p>	<p>To <b>REFUSE</b> planning permission as the proposals were contrary to Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, as they would be harmful to the listed building and detrimental to the character of the Conservation Area and contrary to Edinburgh LDP Policies Env 3, Env 6, Des 4. The proposals would result in an unbalanced community contrary to Hou 8.</p>
<p><b>4.7 – <a href="#">4B East Newington Place, Edinburgh</a></b></p>	<p>Demolish the existing building - application no. 21/06471/CON</p>	<p>To <b>REFUSE</b> conservation area consent for the reasons that the proposals would be contrary to Sections 64 and 66 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.</p> <p><b>Dissent</b></p> <p>Councillor Rose requested that his dissent be recorded in respect of the above decision.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p><b>4.8 –1 <a href="#">Grassmarket, Edinburgh</a></b></p>	<p>Change of use from Class 1 (Retail) and Class 3 (Food and Drink) to a mixed-use Class 11 (leisure) and Class 3 (Food and Drink) and associated flue - application no. 21/06295/FUL</p>	<p><b>WITHDRAWN</b> from the agenda at request of Chief Planning Officer to allow planning officers to consider matters raised with applicant. Once completed, Planning Officers would intend to return the application to Committee.</p>
<p><b>4.9 - <a href="#">11A James' Court, Edinburgh</a></b></p>	<p>Proposed refurbishment of and extension to the existing retail/store unit at 11A James Court including provision of ancillary coffee bar, external seating area and formation of a connection to the existing retail unit at 497 Lawnmarket - application no. 21/04237/FUL</p>	<p><b>WITHDRAWN</b> from the agenda at the request of the Chief Planning Officer as the required notification to Historic Environment Scotland had not been completed.</p>
<p><b>4.10 –<a href="#">11A James' Court, Edinburgh</a></b></p>	<p>Proposed refurbishment of and extension to the existing retail/store unit at 11A James Court including provision of ancillary coffee bar, external seating area and formation of a connection to the existing retail unit at 497 Lawnmarket - application no. 21/04238/LBC</p>	<p><b>WITHDRAWN</b> from the agenda at the request of the Chief Planning Officer as this was linked to item 4.9 – application no 21/04237/FUL.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
4.11 – <a href="#">Middle Kinleith Farm, Harlaw Road, Balerno</a>	Creation of 3 dwelling houses (as amended) - application no. 21/05193/FUL	To <b>REFUSE</b> planning permission: 1) For the reasons set out in section 3 of the report by the Chief Planning Officer.  2) An additional reason that according to Scottish Planning policy the proposal was not located in a sustainable location as it would be reliant on car usage and the scale and layout of the development was not characteristic of the rural environment.  (On a division.)
4.12 – <a href="#">103 Newcraighall Road, Edinburgh</a>	Material variation to planning permission 01/02628 for erection of ten dwellings to allow minor variation in finished floor levels and associated ridge levels - application no. 21/06755/FUL	To <b>GRANT</b> planning permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
4.13 - <a href="#">46 Patriothall, Edinburgh</a>	Retrospective change of use from residential to short-term let apartment (Sui Generis) - application no. 21/06792/FUL	To <b>GRANT</b> planning permission.
4.14 - <a href="#">134C Portobello High Street, Edinburgh</a>	Alterations to former bank premises including alterations to shopfront with change of use to Restaurant (Class 3) with ancillary hot food take away (Sui Generis) (as amended) - application no. 21/04343/FUL	To <b>GRANT</b> planning permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.
4.15 - <a href="#">3 Warrender Park Terrace, Edinburgh (55 metres north of)</a>	Proposed two MCC kiosks, installation of underground storm water storage tank with ventilation stack, removal of a one tree and associated groundworks (as amended) - application no. 21/04543/FUL	To <b>GRANT</b> planning permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p><b>4.16 - <a href="#">1 (PF1) West Park Place, Edinburgh</a></b></p>	<p>Change of use (retrospective) from residential to short-term let apartment (Sui Generis) - application no. 22/00362/FUL</p>	<p>To <b>GRANT</b> planning permission.</p>
<p><b>5.1 – <a href="#">189 Morrison Street, Edinburgh</a></b></p>	<p>Redevelopment of site comprising hotels, offices, retail, leisure, public houses, restaurants, car parking and associated works - application no. 19/02623/FUL</p>	<p>To <b>AGREE</b> to a Stopping Up Order to facilitate full planning permission for the redevelopment of the site, as set out in the report by the Chief Planning Officer.</p>
<p><b>7.1 – <a href="#">210 Craigs Road, (Land 369 metres Northeast of), Edinburgh</a></b></p>	<p>Active travel route along Cammo Walk corridor - application no. 21/02306/PPP</p>	<p>To <b>GRANT</b> planning permission subject to the conditions, reasons and informatives set out in section 3 of the report by the Chief Planning Officer.</p>