

# Development Management Sub Committee

report returning to Committee - Wednesday 5 October 2022

## **Application for Planning Permission in Principle 21/02559/PPP at 7-7 A Newcraighall Road, Edinburgh, EH15 3HH. Residential development (as amended)**

**Item number**

**Report number**

**Wards**

B17 - Portobello/Craigmillar

### **Recommendations**

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

### **Background information**

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Planning Permission in Principle (PPP) was recommended for Grant on 10 November 2021 subject to the conclusion of a legal agreement for a developer contribution for Niddrie Health Care Contribution Zone of £5670.

The application proposes residential development on the site. Indicative drawings submitted show that six residential units are proposed. The existing buildings will be demolished.

### **Main report**

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LDP Policy Del 1 (Developer Contributions) requires contributions to the provision of infrastructure to mitigate the impact of development. The Action Programme and Developer Contributions and Infrastructure Delivery Supplementary Guidance sets out contributions required towards the provision of infrastructure.

The application site is situated in the Niddrie Healthcare Contribution Zone and a developer contribution of £945 per house is required. A legal agreement is necessary to secure the developer contribution of £5,670. The developer is required to pay these monies in advance of the planning permission being issued and before commencement of development.

Discussions have been ongoing between the applicant's solicitor and the Council solicitor and an initial extension to the time period was granted under delegated powers. However, the applicant has passed away and the executry is unable to agree the legal agreement monies. In these exceptional circumstances an extension to the period of time to conclude the legal agreement is acceptable. It is recommended that an extension of six months is given due to the site now being under the executry.

#### Reason for Decision

The circumstances of the bereavement and subsequent involvement of the executry has prevented the legal agreement being concluded. The principle of residential development on the site remains acceptable. It is recommended that the period for concluding the legal agreement be extended by six months.

## Links

### Policies and guidance for this application

LDPP, LHOU01, LDES01, LDES04, LHOU04, LDES07, LDES05, LHOU03, LTRA02, LTRA03, LTRA04, LTRA07, LEN21, LEN08, LEN09, NSG, 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=QSVQCTEWL5S00>

or Council Papers online

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