

Development Management Sub-Committee Report

Report returning to Committee - Wednesday 26 October 2022

**Application for Planning Permission
49 Mitchell Street, Edinburgh, EH6 7BD**

Proposal: Extension to hotel.

**Item – Committee Decision
Application Number – 21/00880/FUL
Ward – B13 - Leith**

Report Returning to Committee

The application was previously considered by the Development Management Committee on 4 August 2021. The application proposes the extension to an existing hotel. At the committee it was resolved to grant planning permission subject to the conclusion of a legal agreement to secure a Tram contribution.

Recommendations

It is recommended that this application be Refused for the reasons below.

SECTION A – Assessment

LDP Policy DEL 1 requires that proposals will be required to contribute to infrastructure development to mitigate against any negative additional impacts. In particular, it is identified that the tram is a strategic infrastructure network and contributions zones will be applied to address cumulative impacts.

In the assessment of the application, it was identified that the applicant would be required to:

Contribute the sum of £55,643 to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment.

A legal agreement has been sought from the applicant to secure the infrastructure requirements. However, the applicant has disputed the requirements for the legal agreement and no progress has been made in securing the necessary legal agreement. As no legal agreement has been concluded in respect of securing these contributions It is recommended that the application be refused on the basis that the appropriate infrastructure to mitigate the development has not been provided contrary to policy DEL 1 of the Edinburgh Local Development Plan.

Reason for Decision

The applicant has failed to secure an appropriate legal agreement within the specified period. It is recommended that the application be refused on the basis that the appropriate infrastructure to mitigate the development has not been provided, contrary to LDP Policy Del 1 of the Edinburgh Local Development Plan. No material considerations outweigh this conclusion.

A copy of the original Committee report can be found in the list of documents on the [Planning and Building Standards Portal](#)

or [Council Papers online](#)

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