

Development Management Sub-Committee of the Planning Committee

10.00am, Wednesday 9 August 2023

Present:

Councillors Osler (Convener) (Items 1.1 – 4.4, 4.6 – 6.4), Booth, Beal, Cameron (Items 1.1 – 6.2), Dalgleish, Gardiner (Items 4.4 – 6.4), Jones, Mattos-Coelho, McNeese-Mechan, Mowat, Pogson (substituting for Councillor Cameron for Items 6.3 and 6.4), and Staniforth.

1. Minutes

Decision

- 1) To approve the minute of the Development Management Sub-Committee of the 24 May 2023 as a correct record.
- 2) To approve the minute of the Development Management Sub-Committee of the 7 June 2023 as a correct record.

2. General Applications and Miscellaneous Business

The Sub-Committee considered reports on planning applications listed in sections 4, 5 and 6 of the agenda for this meeting.

Requests for a Presentation

Councillors Beal, Booth and Staniforth requested a presentation in respect of Item 4.5 – 74 Eyre Place & 49 - 51 Eyre Place (Land 20 Meters North-east Of), Edinburgh EH3 5EY- application no. 23/01201/FUL

Declaration of interests

Councillor Mattos-Coelho made a transparency statement in relation to Item 6.4 – 22 Inglis Green Road, Edinburgh - as she was a member of Spokes.

Councillor Osler made a non-financial declaration of interest in relation to Item 4.5 – Land 20 Meters North-east of 74 Eyre Place & 49-51 Eyre Place, Edinburgh – as she had had conversations with individuals involved with the development.

Decision

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

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

3. Granton Harbour, West Harbour Road, Edinburgh

The Chief Planning Officer had identified the application at Granton Harbour, West Harbour Road, Edinburgh to be dealt with by means of a hearing. The application requested an amendment of conditions 1a and 1b of approval of PPA-230-2253 (18/01428/PPP) under section 42 of the Planning Act to extend the duration of the permission for three years to 20th June 2026 – application no. 23/00756/FUL.

(a) Report by the Chief Planning Officer

The application sought to amend conditions 1a and 1b of approval PPA-230-2253, to amend the duration of the permission in principle for a further three years to 20th June 2026.

The proposal would not have a detrimental impact on the character or special historic interest of the listed buildings, and was acceptable in terms of Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

The application was however contrary to the Development Plan due to the insufficient environmental information provided in support of the application. The proposal was contrary to NPF4 Policy 1 (Tackling the Climate and Nature Crises), Policy 2 (Climate Mitigation and Adaptation), Policy 3 (Biodiversity), Policy 4 (Natural Places), Policy 10 (Coastal Development), Policy 22 (Flood Risk and Water Management) and the development principles of EW 2(c) as set out in the City of Edinburgh Local Development Plan.

The applicant also failed to provide an appropriate Flood Risk Assessment which covered the whole application site. The Habitats Regulation Assessment referred to by the applicant was also insufficient as it did not cover the whole site or make reference to the recently designated Outer Firth of Forth and St Andrews Bay Complex SPA.

The presentation can be viewed in full via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/798839

(b) Applicants and Applicant's Agent

Charles Price, John Paton and Maurice O'Carroll were in attendance in support of the application.

Marice O'Carroll, the Advocate for the application, spoke on behalf of the applicant. Mr O'Carroll argued that the application was required due to external factors which were out with the applicants control, and that the expiry of the permission could jeopardise future progression with the development of the approved masterplan. He argued that a significant amount of the development had been completed or was underway. Mr O'Carroll stated that the New Masterplan application had caused a significant delay of 46 months, and argued that under NPF4 the Edinburgh Waterfront was allocated as a National Development which the Committee should consider when determining the application. He argued it was not a new application and it would be incorrect to treat it as

such, there was not a risk of flooding, and NatureScot did not object to the application initially. In conclusion, he argued that approval of the application would ensure the successful delivery of the masterplan as part of the Edinburgh Waterfront and the regeneration of Granton Harbour.

The presentation can be viewed in full via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/798839

Decision

To **REFUSE** planning permission in principle for the reasons set out in section C of the report by the Chief Planning Officer.

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

4. 22 Inglis Green Road, Edinburgh

The Chief Planning Officer had identified the application at 22 Inglis Green Road, Edinburgh to be dealt with by means of a hearing. The application was for planning permission for a mixed-use residential and commercial development with associated landscape, parking and infrastructure (as amended) – application no. 22/02233/FUL.

(a) Report by the Chief Planning Officer

The application proposed the redevelopment of the site to provide a mixed-use development. 120 residential flatted units with a mixture of 1, 2 and 3 – bedroom dwellings. Within the plan proposed was the development of 211 sqm of commercial property made up of class 1 (shops), 2 (Financial, Professional and other services) and 1A and 4 (Business).

The development was in accordance with the development plan, and delivered a sustainable and well-designed urban residential scheme that responded harmoniously with the surrounding mixed-use area of the site, to create a strong sense of place. The proposal was also consistent with the six qualities of successful places as set out in NPF4. The design and layout drew upon the distinctive nature of the site. The development encouraged well-designed, compact urban growth that was sustainable and allowed for 20-minute neighborhood principles to be delivered. The proposal was acceptable and complied with NPF4 and the aims of the 2016 Edinburgh Local Development Plan, as well as the Edinburgh Design Guidance.

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https://edinburgh.public-i.tv/core/portal/webcast_interactive/798839

(b) Spokes – David French

David French from Spokes circulated a statement as he could not attend the meeting. Mr French explained that without a bridge, the site could not access the Water of Leith. It could access the Union Canal, but only by taking an extensive alternative route. Mr French argued that the connections were not helpful for cyclists, and the Canal path towards the city immediately encountered the Water of Leith Aqueduct, which was heavily cobbled, and therefore was a significant barrier to cyclists. He argued that

cyclists accessing the site had no other options other than to take Inglis Green Road or Longstone Road which were very busy main roads.

Mr French argued that the application failed to deal with a number of important issues, and had made false claims about the suitability of the proposals mainly regarding Active Travel Routes. He also argued that the applicant had failed to show how a bridge was to be achieved, and that the proposed cycle parking appeared to fall short of the required 20% provision for non-standard cyclists.

The presentation can be viewed in full via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/798839

(c) Longstone Community Council – Alan Gordon and John Allan

Alan Gordon and John Allan addressed the Development Management Sub-Committee on behalf of Longstone Community Council.

Mr Allan stated that the development would be beneficial to the local community, but there was no real network from the town to the site as there was no bridge in place. He argued that the community relied on good connectivity and permeability to access Local Centres, schools and GP's and due to Longstone not being identified as a candidate for being a 20 minute neighbourhood, it was vital to look to connect areas so the communities needs could be met.

Mr Gordon stated that the parking strategy indicated the development would provide 32 parking spaces for residents, but wanted to highlight a deficiency in the design that would permit drivers to park along the northern edge of the road in the development. This would in turn create a 'service strip' bringing over 50 cars to the development which would be detrimental to the community.

Mr Allan and Mr Gordon both agreed that if a bridge could be implemented into the application, then they were both in agreement of the proposal being granted.

The presentation can be viewed in full via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/798839

(d) Water of Leith Conservation Trust – Helen Brown

Helen Brown addressed the Development Management Sub-Committee on behalf of the Water of Leith Conservation Trust.

Ms Brown advised that a bridge would provide an accessible route for wheelchair and disabled users. She also wanted to highlight the West Island Avenue development which she explained was a good example of a development where a bridge was included in the proposals. Ms Brown highlighted it would cost £40,000 for a wooden bridge to be built, and had no other objections to the application other than the lack of bridge in the proposals.

The presentation can be viewed in full via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/798839

(e) Ward Councillors McKenzie and Heap

Councillor McKenzie addressed the Committee on issues he had with the development.

He explained that the closest café to meet residents in the area was a twenty minute walk away beside a busy road, which is dangerous for those walking, wheeling or cycling. Councillor McKenzie did not feel the application complied with local development policies and NPF4 policies, and felt that the application should be rejected unless an active travel link could be implemented before occupation of the site.

Councillor Heap addressed the Committee on issues he had with the development. He supported the view of local community groups, that a bridge should be conditioned in order for better connectivity of the site. He felt the area was very car dependent and felt a bridge would allow the development to comply with planning frameworks.

The presentation can be viewed in full via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/798839

(f) Applicants and Applicant's Agent

Duncan Tait, Jonathan Harris, Callum Fraser and David Smart attended Committee in support of their application.

Duncan Tait, the contractor for the development, addressed the Committee. He stated that the proposed site would be a sustainable place to live and would benefit residents by providing affordable housing. He addressed concerns that the application complied with the relevant planning policies.

Jonathan Harris, the architect for the development, discussed how the development was a part of an active travel route, and stated that the design had been checked by Officers in Transport. He advised that integrated parking would be available on site.

Callum Fraser, Planning Consultant, addressed the Committee and stated that the development proposals addressed concerns around climate change and flood risk, and the development was compliant with NPF4 and 20 minute neighbourhoods.

David Smart, a contractor for the development, addressed the Committee. He stated that they were not asked for a bridge to be added, and requested a discussion with Officers prior to Committees decision so that they could agree on how best to move forward with building a bridge.

Motion for Adjournment

Councillor Booth moved in terms of Standing Order 21.1 that the meeting be adjourned to allow further discussions to take place.

- moved by Councillor Booth, seconded by Councillor Osler

Amendment

To not adjourn the meeting.

- moved by Councillor Mowat, seconded by Councillor Jones

Vote

For an adjournment:	- 7 votes
Against an adjournment:	- 3 votes
Abstentions:	- 1 vote

(For the adjournment: Councillors Booth, Dalgleish, Gardiner, Mattos-Coelho, McNeese-Mechan, Pogson and Osler.

For the amendment: Councillors Beal, Jones and Mowat.

Abstention: Staniforth.)

Adjournment

At this point in proceedings the Development Management Sub-Committee agreed to adjourn the meeting to allow further discussions on the proposals to take place.

Resumption

At this point in proceedings the meeting resumed.

Decision

To **CONTINUE** consideration of the application to enable further discussions between the applicant and planning Officers on the construction of a bridge and active travel routes.

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

5. Appointment of a Chair

The Convener had declared an interest in the following item, left the room and took no part in the consideration of the item.

Motion

To appoint Councillor Dalgleish as Chair

- moved by Councillor Cameron, seconded by Councillor Mowat

Amendment

To appoint Councillor Gardiner as Chair

- moved by Councillor McNeese-Mechan, seconded by Councillor Booth

Voting

The voting was as follows:

For the motion (to appoint Councillor Dalgleish) - 5 votes

For the amendment (to appoint Councillor Gardiner) - 5 votes

(For the motion (to appoint Councillor Dalgleish): Councillors Beal, Cameron, Dalgleish, Jones and Mowat.

For the amendment (to appoint Councillor Gardiner): Councillors Booth, Gardiner, Mattos-Coelho, McNeese-Mechan and Staniforth.)

In terms of Standing Order 24.5, there was no casting vote as the vote related to the appointment of members. In this case, there being an equal number of votes cast for both the motion and the amendment, the decision required to be made by lot.

Decision

To appoint Councillor Gardiner as Chair for this item.

6. Land 20 Metres North-East of 74 Eyre Place and 49-51 Eyre Place, Edinburgh

Details were provided of an application for the demolition of existing buildings and erection of 11x flats and maisonettes, a new garden ground and associated infrastructure at Land 20 Metres North-East of 74 Eyre Place and 49-51 Eyre Place, Edinburgh – application no. 23.01201/FUL.

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

Motion

To **GRANT** planning permission subject to:

- (a) The conditions, reasons and informatives as set out in section C of the report by the Chief Planning Officer.
- (b) Amending condition 6 to read, “Prior to the commencement of works on site, a revised landscape scheme shall be submitted to the planning authority. Once approved, the landscape shall be implemented and maintained, and for the avoidance of doubt, the landscape shall include an amount of diverse low level planting and shrubs to allow for increased flora and fauna and biodiversity on site”.

- moved by Councillor Gardiner, seconded by Councillor Cameron

Amendment

To **REFUSE** planning permission as the proposals were contrary to LDP Policies ENV 12, ENV 18, HOU 3 and NPF4 Policy 6.

- moved by Councillor Booth, seconded by Councillor Staniforth

Voting

The voting was as follows:

For the motion: - 8 votes

For the amendment: - 2 votes

(For the motion: Councillors Beal, Cameron, Dalgleish, Gardiner, Jones, Mattos-Coelho, McNeese-Mechan and Mowat.

For the amendment: Councillors Booth and Staniforth)

Decision

To **GRANT** planning permission subject to:

- (a) The conditions, reasons and informatives as set out in section C of the report by the Chief Planning Officer.
- (b) Amending condition 6 to read, “Prior to the commencement of works on site, a revised landscape scheme shall be submitted to the planning authority. Once approved, the landscape shall be implemented and maintained, and for the avoidance of doubt, the

landscape shall include an amount of diverse low level planting and shrubs to allow for increased flora and fauna and biodiversity on site”.

(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>4.1 – Proposal of Application Notice at 79 Myreside Road, Edinburgh, EH10 5DB</p>	<p>Installation of 3 artificial grass sports pitches, associated warm up area, floodlighting, fencing, areas of hardstanding and infrastructure. Formation of pick up /drop off area, associated parking provision and access arrangements at 79 Myreside Road – application no. – 23/02083/PAN</p>	<p>To note the key issues at this stage.</p>
<p>4.2 – 6 Circus Lane, Edinburgh, EH3 6SU</p>	<p>Change of use to short term let for the month of August at 6 Circus Lane – application no. 23/02339/FULSTL</p>	<p>To GRANT planning permission subject to the conditions and reasons as set out in section C of the report by the Chief Planning Officer.</p>
<p>4.3 – 27 Dunedin Street, Edinburgh, EH7 4JG</p>	<p>Change of use of existing building from van and car hire depot (Sui Generis) to gym (Class 11) at 27 Dunedin Street- application no. 23/01088/FUL</p>	<p>To GRANT planning permission subject to the conditions, reasons and informatives as set out in section C of the report by the Chief Planning Officer.</p>
<p>4.4 – Drummond Tennis Club, 1 East Scotland Street Lane, Edinburgh</p>	<p>Erection of six masts 8m high to provide floodlighting, to the playing surface only, of the tennis courts at Drummond Tennis Club – application no. 23/00838/FUL</p>	<p>To REFUSE planning permission for the reasons set out in section C of the report by the Chief Planning Officer.</p>
<p>4.5 - Land 20 Meters North-east Of 74 Eyre Place &, 49 - 51 Eyre Place, Edinburgh</p>	<p>Clearance and demolition to erect 11x flats and maisonettes, new garden ground and associated infrastructure (As Amended) - application no. 23/01201/FUL</p>	<p>To GRANT planning permission subject to:</p> <ol style="list-style-type: none"> 1) The conditions, reasons and informatives as set out in section C of the report by the Chief Planning Officer. 2) Amending condition 6 to read, “Prior to the commencement of works on

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
		<p>site, a revised landscape scheme shall be submitted to the planning authority. Once approved, the landscape scheme shall be implemented and maintained, and for the avoidance of doubt, the landscape scheme shall include an amount of diverse low level planting and shrubs to allow for increased flora and fauna and biodiversity on site”.</p> <p>(On a division)</p>
<p>4.6 - Brunstane Primary School, 106 Magdalene Drive, Edinburgh</p>	<p>Two double-storey classroom blocks and a single-storey WC block to provide temporary facilities at Brunstane Primary school for up to 2 years. Buildings will be sited within the school grounds – application no. 23/02384/FUL</p>	<p>To GRANT planning permission subject to the conditions, reasons and informatives as set out in section C of the report by the Chief Planning Officer.</p>
<p>4.7 - Brunstane Primary School, 106 Magdalene Drive, Edinburgh</p>	<p>Fabric upgrades including new external render and cladding systems, and new windows. New heating and ventilation system including air source heat pump and mechanical ventilation with heat recovery. This includes external plant equipment. Proposals also include improvements to building accessibility and minor internal alterations and enhancements to internal user comfort. Brunstane Primary School is a pilot retrofit project to target near net zero operational carbon emissions by 2035 - application no. 23/02395/FUL</p>	<p>To GRANT planning permission subject to the conditions, reasons and informatives as set out in section C of the report by the Chief Planning Officer.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>4.8 - Roof Terrace, Waverley Mall, 3 Waverley Bridge</p>	<p>Pop-up Festival Village including erection of structures and provision of cafe, bars, food, and drink uses, toilets, seating and ancillary facilities and works - application no. 23/02154/FUL</p>	<p>To REFUSE planning permission for the reasons set out in section C of the report by the Chief Planning Officer.</p>
<p>5.1 - Land At, Saughton Mains Gardens, Saughton</p>	<p>Residential and commercial development on brownfield site including demolition of existing commercial units, resubmission relating to 20/01318/FUL - application no. 21/04598/FUL</p>	<p>To AGREE to a further three-month extension to the period to conclude the legal agreement which will enable planning permission to be released for this application.</p>
<p>5.2 - 1 Linksview House, 26 Tolbooth Wynd, Edinburgh</p>	<p>Demolition of single storey and three storey blocks of flats, 25 garage lock ups and plinth area with under croft parking. The construction of 35 new build residential units and amenity space, communal external space with associated roads, footpaths and landscaping which includes updated public space /landscaping in the surrounding area. Alterations to be made to the base of the Grade A listed Links View House (as amended) – application no. 18/08051/FUL</p>	<p>To GRANT planning permission subject to the conditions, reasons, informatives, a legal agreement and NPF4 considerations as set out in the report by the Chief Planning Officer and to AGREE to a further three-month extension to the period to conclude the legal agreement which will enable planning permission to be released for this application.</p>
<p>6.1 - Granton Harbour, West Harbour Road, Edinburgh</p>	<p>Protocol Note by the Service Director – Legal and Assurance</p>	<p>Noted.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>6.2 - Granton Harbour, West Harbour Road, Edinburgh</p>	<p>Application under section 42 of the Planning Act to amend conditions 1a and 1b of approval PPA-230-2253 (18/01428/PPP), to extend the duration of the permission for three years to 20th June 2026 – application no. 23/00756/FUL</p>	<p>To REFUSE planning permission for the reasons set out in section C of the report by the Chief Planning Officer.</p>
<p>6.3 - 22 Inglis Green Road, Edinburgh</p>	<p>Protocol Note by the Service Director – Legal and Assurance</p>	<p>Noted.</p>
<p>6.4 - Application for planning permission at 22 Inglis Green Road</p>	<p>Mixed-use residential and commercial development with associated landscape, parking, and infrastructure (as amended) - application no. 22/02233/FUL</p>	<p>To CONTINUE consideration of the application to enable further discussions between the applicant and planning officers on the construction of a bridge and active travel routes.</p>