

# Minutes

## Development Management Sub-Committee of the Planning Committee

**10.00am, Wednesday 10 January 2024**

### **Present:**

Councillors Osler (Convener), Beal, Booth, Dalgleish, Gardiner, Graham (substituting for Councillor Cameron), Jones, Mattos-Coelho, McNeese-Mechan, Mowat and Staniforth (items 1-4).

### **1. Minutes**

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#### **Decision**

To approve the minute of the Development Management Sub-Committee of 8 November 2023 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 and 6 of the agenda for this meeting.

Item 4.4 - 3 Redford Place, Colinton Primary School, Edinburgh -application no. 23/02772/FUL was withdrawn at the request of the Chief Planning Officer.

#### **Requests for a Presentation**

Councillor Booth requested a presentation on Item 4.3 - 191 Colinton Road, Edinburgh, EH14 1BJ, Edinburgh – application no. 23/02665/FUL.

#### **Decision**

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

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

### **3. 98 Ocean Drive, Ocean Terminal, Edinburgh**

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The Chief Planning Officer had identified an application to be dealt with by means of a hearing for proposed erection of mixed-use development comprising residential and commercial uses, comprising Class 1, 2 and 3 uses, installation of padel court (Class 11), and creation of new public realm, with associated landscaping, infrastructure, and access arrangements at Ocean Terminal, 98 Ocean Drive, Edinburgh - application no. 22/05599/FUL.

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

## **(a) Report by the Chief Planning Officer**

Approval was sought for the proposed erection of mixed-use development at 98 Ocean Drive, Ocean Terminal in Edinburgh.

Residential led mixed-use development was proposed at this location and the planning permission had already been granted for the demolition of the northern part of Ocean Terminal.

The proposed site, covering 5.39 hectares, was located at the northern point of Ocean Terminal; a large shopping centre in the north of the city. The site would front both the Port of Leith basin and the Royal Yacht Britannia at Leith Docks as well as Ocean Drive. To the north-east was the entrance to the Albert Dock basin, to the south east is Ocean Drive, the office building known as Ocean Point 1, and the residential area known as Waterfront Plaza, with Victoria Dock beyond. To the south-west was Melrose Drive with a mix of hotel and residential uses nearby and mixed uses including commercial uses in the vicinity. To the north-west was the Port of Leith basin and the Royal Yacht Britannia. The new Port of Leith Distillery was located to the immediate north-east of the application site, but not within it.

The site consisted of existing buildings including:

- Ocean Terminal Shopping Centre and entrance area
- Ocean Terminal's Red and Blue Car Parks and surface level car park
- The Discovery Garden
- Ocean Terminal bus stop and public realm fronting onto Ocean Drive

The proposed uses complied with the NPF4 designation. The proposal was for a mixed-use development that in summary consists of:

- 531 residential units including 135 affordable units and 396 build to rent units;
- Nine commercial units providing a total of 1,236 sqm of floor space split between Class 1A and Class 3 uses;
- 52 car parking spaces including four disabled spaces and 10 EV ready spaces;
- 1130 cycle spaces are provided, 26 for the commercial uses and 1104 for the 531 residential units. A further 33 external stands are provided;
- Highest elements at 55.95m AOD (17 storeys in height);
- Landscape deck and terraces providing residential amenity space; and
- New public realm space of approximately 6000 sqm, including padel tennis court, playground, access arrangements and ancillary infrastructure.

A new pedestrian street would be created linking Ocean Drive directly with the Royal Yacht Britannia and opening out to a public space fronting the ship. The Royal Yacht Britannia Dock compound remained in its current location.

Based on the information submitted the height would have an acceptable impact on the views considered in the submitted Townscape and Visual Impact Assessment (TVIA).

The proposed materials and detailing references the various surrounding areas and the design approaches were acceptable as it provided a smart contemporary development. The proposed layout provided a mix of uses that allow for activity and surveillance.

It was highlighted that the fence associated with the Royal Yacht Britannia yard would require upgrading to enhance the public realm experience. The proposed housing mix was acceptable, and the level of affordable housing proposed complied with policy.

The proposal resulted in some potential minor infringements with regards to daylighting within the new properties. In addition, Environmental Protection had raised concerns with regards to some amenity aspects of the development, mostly in relation to port noise. In this regard, a number of conditions had been recommended.

Other matters such as transport implications, flooding, biodiversity and sustainability were considered as acceptable.

Subject to recommended conditions and a legal agreement, the proposal broadly complied with National Planning Framework 4 and the aims of the 2016 Edinburgh Local Development Plan (LDP), as well as the Council's non-statutory Edinburgh Design Guidance. There were no material considerations presented to outweigh this conclusion.

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

[Development Management Sub-Committee - Wednesday 10 January 2024, 10:00am City of Edinburgh Council Webcasts \(public-i.tv\)](#)

## **(b) Applicants and Applicant's Agent**

Colin Smith (Director and Head of Planning in Charie and Scotland Turley) was in attendance along with representatives from Ambassador Group/Ocean Terminal Ltd, Keppie Design, LDA Design, and Sustainability Unlimited.

Chris Richardson, Managing Director of Ambassador Group/Ocean Terminal Ltd., introduced the proposal as the outcome of three years collaborative work with representatives, planning officers, community councils and residents. He said that this proposal was a new vision of Ocean Terminal which considered different community needs in this area. The proposal would deliver a much-needed multi-housing tenure stop, business infrastructure and interesting landscape. This would also create new jobs and would drive prosperity for the Leith area.

Neil Whatley from Keppie Design spoke about aspects of this scheme which would reconnect Ocean Terminal to provide multi-tenure development. The proposal would be in line with 20 minutes neighborhood guidance and located close to sustainable transport infrastructure. Affordable housing would be delivered. The proposed development would be modern and would fit into design of an existing architecture.

Rory Wilson of LDA Design spoke about new design and landscape, there would be a circular route around the development opening access to the public to the Waterfront which was previously excluded. Mr Wilson also described a space around the development and accessible routes and provided more details about the residential development stating that roof and terraces would be open to everyone.

Colin Smith highlighted the reshaping of Ocean Terminal. The proposal complied with NPF5 and 6 principles of policy NPF4. In regards of the design and policy guidance, the proposed development would provide 541 homes which partially would be delivered as an affordable housing with parking spaces for tenants and bike spaces included.

## **Decision**

To **GRANT** planning permission subject to:

- 1) the conditions, reasons and informatives, and a legal agreement, as set out in section C of the report by the Chief Planning Officer
- 2) an adjustment to Condition 7 to refer to condition 6 (not condition 5)
- 3) additional wording in Condition 10 to include the words 'heat pumps' in the brackets
- 4) an additional informative to read:

"Prior to commencement of development, the developer shall investigate a scheme for the extension of the promenade along the northwestern boundary of the site. This should come forward in the form of a separate application for full planning permission".

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

## **4. 191 Colinton Road, Edinburgh**

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Details were provided of an application for the proposed demolition of an existing bungalow and erection of a four-storey residential development comprising 6 No. 2 bed and 1 No. 3 bed flats with associated access and landscaping, including change of use at 191 Colinton Road, Edinburgh - application no. 23/02665/FUL.

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

## **Decision**

To **GRANT** planning permission subject to:

- 1) the conditions, reasons and informatives, and a legal agreement, as set out in section C of the report by the Chief Planning Officer.
- 2) an additional informative to read:

"Prior to the occupation of the development, the developer shall explore potential additional mitigation measures to be implemented (in conjunction with Edinburgh Leisure) in relation to light spillage from the flood lights from the adjacent tennis courts".

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

## **Declaration of Interests**

Councillor Staniforth declared a non-financial interest in this item as a board member of Edinburgh Leisure.

## 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="#">595 And 597 Calder Road, Sighthill, Edinburgh</a></b></p>	<p>Proposed partial demolition of the existing office pavilions (Heriot House and Currie House) and redevelopment of site as mixed-use development including purpose built student accommodation (PBSA) and office floorspace (Class 4) - application no. 23/06658/PAN</p>	<p>To note the key issues at this stage.</p>
<p><b>4.2 – <a href="#">1 Lochside Court (land 70 meters east of), Edinburgh</a></b></p>	<p>Proposed arena development Class 11 including Class 1A (retail), Class 3 (restaurants and cafes) and ancillary hot food/bar amenities with associated public realm, access, landscaping, parking and infrastructure. - application no. 23/06913/PAN</p>	<p>To note the key issues at this stage.</p>
<p><b>4.3 – <a href="#">191 Colinton Road, Edinburgh, EH14 1BJ</a></b></p>	<p>Demolish existing bungalow and erect four storey residential development comprising 6 No. 2 bed and 1 No. 3 bed flats with associated access and landscaping, including change of use. (as amended) - application no. 23/02665/FUL</p>	<p>To <b>GRANT</b> planning permission subject to:</p> <ol style="list-style-type: none"> <li>1) the conditions, reasons and informatives, and a legal agreement, as set out in section C of the report by the Chief Planning Officer.</li> <li>2) an additional informative to read:            “Prior to the occupation of the development, the developer shall explore potential additional mitigation measures to be implemented (in conjunction with Edinburgh Leisure) in relation to light spillage from the flood lights from the adjacent tennis courts”.</li> </ol>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p><b>4.4 – <a href="#">3 Redford Place, Colinton Primary School, Edinburgh</a></b></p>	<p>Proposal: Modular off site constructed single storey building will be craned into position on site in three parts. This will house a kitchen facility to support requirements of existing primary school. Building will house, commercial kitchen, toilet, stores, and office area. - application no. 23/02772/FUL</p>	<p>This item was <b>WITHDRAWN</b> from the agenda at the request of the Chief Planning Officer.</p>
<p><b>4.5 - <a href="#">Foxhall Gait. Confirmation of Tree Preservation Order No. 207</a></b></p>	<p>Tree Preservation Order No. 207 (Foxhall Gait) was made on 20 July 2023 to protect trees and woodlands in the interests of amenity. This Order expires after 6 months unless it is confirmed within this time. The Order must be confirmed before 20 January 2024 to ensure it provides permanent tree protection.</p>	<p>To <b>CONFIRM</b> Tree Preservation Order No. 207 (Foxhall Gait).</p>
<p><b>4.6 - <a href="#">221B St John's Road, Edinburgh, EH12 7UU</a></b></p>	<p>Proposal: The removal of existing slimline lattice tower, 9 No. existing antennas, 4 No. existing equipment cabinets within existing cabins and other ancillary apparatus and the installation of a new replacement 8.0m high stub tower, 12 No. antennas on proposed headframe /supports, 2 No. GPS modules, 2 No. equipment cabinets and 2 No. ERS racks within existing cabins, 1 No. cable tray, 1 No. stepover, 3 No. self-closing gates and all other associated ancillary apparatus thereto. - application no. 23/01771/FUL</p>	<p>To <b>GRANT</b> 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><b>6.1 - <a href="#">Ocean Terminal, 98 Ocean Drive, Edinburgh – Erection of mixed-use development comprising residential and commercial uses, comprising Class 1, 2 and 3 uses, installation of padel court (Class 11), and creation of new public realm, with associated landscaping, infrastructure, and access arrangements – application no.22/05599/FUL</a></b></p>	<p>Protocol Note by the Service Director – Legal and Assurance</p>	<p>Noted.</p>
<p><b>6.2 - <a href="#">Ocean Terminal, 98 Ocean Drive, Edinburgh.</a></b></p>	<p>Proposal: Erection of mixed-use development comprising residential and commercial uses, comprising Class 1, 2 and 3 uses, installation of padel court (Class 11), and creation of new public realm, with associated landscaping, infrastructure, and access arrangements - application no. – 22/05599/FUL</p>	<p>To <b>GRANT</b> planning permission subject to:</p> <ol style="list-style-type: none"> <li>1) the conditions, reasons and informatives, and a legal agreement, as set out in section C of the report by the Chief Planning Officer</li> <li>2) an adjustment to Condition 7 to refer to condition 6 (not condition 5)</li> <li>3) additional wording in Condition 10 to include the words ‘heat pumps’ in the brackets</li> <li>4) an additional informative to read:</li> </ol> <p>“Prior to commencement of development, the developer shall investigate a scheme for the extension of the promenade along the north western boundary</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
		of the site. This should come forward in the form of a separate application for full planning permission”.