

Minutes

Development Management Sub-Committee of the Planning Committee

10.00am, Wednesday 15 May 2024

Present:

Councillors Osler (Convener), Bennett (substituting for Councillor Thornley), Booth, Cameron, Dalgleish, Gardiner, Jones, Mattos-Coelho, McNeese-Mechan, Mowat and Staniforth.

1. General Applications and Miscellaneous Business

The Sub-Committee considered reports on planning applications listed in sections 4, 6 and 7 of the agenda for this meeting.

Note: The following confidential information was circulated to members:

Item 4.2 - 2 (1F) Warden's Close, Edinburgh - application no. 23/04499/FULSTL

Item 4.3 - 2 (2F) Warden's Close, Edinburgh - application no. 23/04500/FULSTL

Item 4.4 - 2 (3F) Warden's Close, Edinburgh - application no. 23/04501/FULSTL

Due to Appendix 2 containing commercially sensitive information and Appendix 3 containing personal testimonies under the General Data Protection Regulations, these background papers of items 4.2, 4.3 and 4.4 have not been published on the Planning Portal and are circulated confidentially for members information only.

Decision

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

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

3. 94 Ocean Drive (Land 58 Metres South Of), Edinburgh

The Chief Planning Officer had identified an application to be dealt with by means of a hearing for the erection of mixed-use development comprising residential and purpose-built student accommodation, along with commercial uses / coworking and amenity space, landscaping, and infrastructure. (As Amended) at 94 Ocean Drive (Land 58 Metres South Of), Edinburgh - application no. 23/04069/FUL.

(a) Report by the Chief Planning Officer

The proposal was for a mixed-use development comprising build to rent residential accommodation, purpose-built student accommodation, and co-working space on the ground floor, with associated landscaping and infrastructure.

Two large blocks were proposed within the site. These were orientated in a north/south manner separated by areas of landscaping.

Block 1 was a Build to Rent (BTR) residential building located on the western part of the site adjacent to the existing Ocean Point office building. It contained a total of 112 units split into 24 x studio units, 25 x one-bedroom units, 36 x two-bedroom units and 27 x three-bedroom units. Twenty-five percent of the units were to be affordable.

The proposed building was 15 storeys in height and rises up to 50.05 metres AOD (plus an additional area of plant) at its highest point and stepped down to 46.66 m AOD at the section nearest to the office building.

It was proposed to be clad with a red/bronze rainscreen cladding which was applied to the vertical fins, horizontal bands, perforated panels, and windows. The upper floors of the building were lighter in colour.

The ground floor contained the reception area and what was labelled a commercial workspace area alongside management suites, plant room and bin stores. Cycle parking was proposed in a basement level and a mezzanine level. This was identified as containing a total of 227 spaces for the BTR block split into 113 x two tier spaces, 68 standard Sheffield spaces and 46 non-standard Sheffield spaces.

Block 2 was a purpose-built student block located at the eastern side of the site adjacent to the Skyliner/Dockside development. This block contained a total of 404 student bedspaces. This was split into 168 studios, 26 x six bed cluster flats and 16 x five bed cluster flats. This included 28 accessible rooms (7%), of which 14 were located within the cluster flats and 14 were studios.

This proposed building was 16 storeys in height rises up to a 51.315 metres AOD at its highest point (plus an additional area of plant).

It was proposed to be clad in a brown/bronze metal rainscreen cladding, the upper floors of the building were lighter in colour. The ground floor contained amenity space, bike and bin storeys, laundry management areas and a gym. A further amenity space was proposed at the mezzanine level.

The cycle parking had been provided at the ground floor and mezzanine area. This provided 404 spaces split into 322 x two tier spaces, 74 standard Sheffield spaces and eight non-standard Sheffield spaces.

The two blocks were separated by a central landscaped area that was predominately used for the residential block. There were further landscaped areas around the blocks with various planting and functions. Pedestrian access through the site was limited to the western section.

The application also included proposals to provide an area of promenade which will link the west of the site through to the Dockside development at the east. This would be lined by trees.

Vehicular access was taken from the northern side of the site linking in with the existing access that currently served that adjacent Ocean Point office development. This led to three car parking spaces (including one EV charging and one accessible space) and a drop off area looping around a substation before linking back into the adjacent site.

Previous scheme:

The heights of the blocks had been lowered from the original uppermost height of 56.900 m AOD. The residential units had been dropped from 120 to 112 and the area given over for residential open space had been altered.

Supporting Information

- Affordable Housing Statement.
- Air Quality Impact Assessment (Addendum and Revised).
- Daylight and Sunlight Report (Revised).
- Design and Access Statement (and addendum).
- Economic Benefits Statement.
- Energy Statement.
- Flood Risk Assessment.
- Flooding, Drainage and Surface Water Strategy (Updated).
- Microclimate Assessment (Addendum).
- Noise Impact Assessment (Revised).
- Overheating Report.
- Pre-Application Consultation Report.
- Planning Statement.
- Preliminary Ecological Appraisal Report.
- Statement of Community Benefit.
- Sustainability Statement and S1 Form.
- Transport Statement.
- Phase 1 Desk Study (Site Investigation); and
- Townscape Visual Impact Assessment (Revised)

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

[Development Management Sub-Committee - Wednesday 15 May 2024, 10:00am - City of Edinburgh Council Webcasts \(public-i.tv\)](#)

(b) It was confirmed by the Clerk there were no representatives, consultees, or Ward Councillors in attendance at this meeting.

(c) Applicants and Applicant's Agent

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Colin Smith from Turley, David Hannah and Katrina Gray from CDA Group Architects (Edinburgh), Liane Bauer (Rankinfraser Landscape Architecture) and Chris Hale of S Harrison Developments Ltd were in attendance in support of the application.

Colin Smith welcomed the positive recommendation of the Head of Planning and the opportunity to address the Committee. He wanted to note the positive nature of the planning process and input from all concerned, including the case officers. It had been a detailed and robust process which had culminated in the current proposal.

David Hannah stated that this was a tremendous opportunity to redevelop a brownfield site in Leith and they welcomed becoming involved with their clients Harrison Developments around two years ago.

He thought the opportunities were huge, as the area was one of the most exciting parts of Edinburgh and it was emerging tremendously well with all these proposals. There was the potential redevelopment of Ocean Terminal or part of it and the Dock Side on the other side, which had also another tremendously exciting opportunity. Specifically, the tram had made a massive difference and they had seen that emerging and had actually been delivered during their design period. The links through to the boardwalk were something else that they offered with this project and connected up those two areas which would enable much more connectivity along the water's edge.

In terms of the brief from their clients, it was very clear they wanted a mixed-use site with residential build to rent and student accommodation, so Turley had to start looking to develop that brief into actual buildings. Turley looked at options for one building that did not really work particularly well, the site was not particularly large and it was also a slightly awkward shape, so fairly early on they developed that option into two buildings and then they had to respond to the context. This was the Ocean Point One building on the left-hand side and the west side which was a particularly sculpted form from around 20 years ago and the emerging buildings of dockside on the right-hand side, which was four towers effectively. Details were then provided of the following aspects of the development:

- The design of the project, how this site would integrate with the surroundings and how the public realm would work.
- The existing consent, how the context for that peninsula had changed since that was consented under was now far more fragmented.
- The height of the development.
- The need to build to rent and the size of the apartments.
- The need to design the correct type of student buildings, ensuring amenity.
- A slight reduction in the height of the building during the application process.
- That this was a fantastic opportunity to redevelop this brownfield site.

Liane Bauer indicated that she would refer to landscape because it had been such an integral part of the entire development and how they approached the development of that specific scheme. She appreciated the question on landscape because so much work went into grading a very green environment. It was a high density environment, but

they managed to not only meet, but to exceed the requirements for the site, and 32% of the overall site was soft landscape, so it was green landscape and 51% was a usable open green space. Details were then provided of the following:

- Green spaces and tree planting.
- Usable open space.
- The provision of an intensive green network, to ensure the inclusion of a range of habitat diversity and biodiversity.
- This provision of private and separate spaces for all residents.
- How the process for this development was worked through including the microclimate assessment.
- That working with planning had been a really productive process.

Colin Smith stated that he fully supported the overall assessment, the proposed development and recommendations presented to the Sub-Committee. The developed proposals would complete the reshaping of the Waterside Development along Ocean Drive in conjunction with development adjacent at dockside. Ocean Terminal, from being a car dominated commercial place with little green space, public realm, poor permeability and extensive car parking would become an NPF4 compliant place, forming part of a new dense mixed use community at Ocean Drive Western Harbour. It would replace the current permission, deliver a radically improved overall development in the context of wider changes along Ocean Drive in compliance with NPF4 drivers on sustainability and climate change.

Compared to the current approved development and the compliance to development policy, it would deliver a maximised or optimised use of brownfield land to buildings which sat comfortably in the emerging context, more homes, more green space and radically reduced car parking. Specifically, there would be 112 new homes, 100% compliant with space standards, 61% residential dual aspect, 104 new student bedrooms with approximately a 60/40 cluster studio mix. There would be excellent, direct access to City Centre University of Edinburgh Campus and other campuses by direct bus routes. The only campus not accessible by a direct bus route was King's Buildings. Details were then provided of the following aspects of the development:

- Active frontage and both buildings provided by internal communal amenity space as well as adequate sunlight provision.
- The delivery of substantial areas of public realm.
- Substantial gain in cycle parking, with significantly reduced car parking.
- There would be a sustainable development which would address climate change and would provide much needed new homes of a wide range of types of tenure.
- The development was compliant with NPF4 Policy 9 as it directed development to the most accessible locations and maximised the use of existing assets so as to minimise additional landtake.

- Edinburgh City's Mobility Plan identified the creation of dense mixed-use developments as the most sustainable way to plan for the future and combat climate change. This proposal was such a development.

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

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Motion

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) A revised condition that notwithstanding what was shown on the approved plans, the cycle parking for Block 2 (Student Block) was not approved. Details of cycle parking to provide compliance in terms of quality of cycle parking provision in relation to development plan policy, non-statutory planning guidance and the Council's Cycling Factsheet should be submitted to and approved by the Council, as planning authority. The approved cycle parking shall be installed prior to occupation of Block 2(student block).
- 3) An addition to informative that Planning obligation needed to cover £60,600 contribution towards healthcare provision (for student housing) in accordance with the Finalised Non-Statutory Developer Contribution Guidance 2018.

- moved by Councillor Osler, seconded by Councillor Dalgliesh.

Amendment

To refuse planning permission as the proposals were contrary to Local Development Plan Policy Des 5, Hou 8 (paragraph A) and guidance on student housing.

- moved by Councillor Booth, seconded by Councillor Staniforth.

Voting

For the motion: - 6 votes

For the amendment: - 5 votes

(For the motion: Councillors Bennett, Cameron, Dalgleish, McNeese-Mechan, Mowat and Osler.

For the amendment: Councillors Booth, Gardiner, Jones, Mattos-Coelho and Staniforth.

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) A revised condition that notwithstanding what was shown on the approved plans, the cycle parking for Block 2 (Student Block) was not approved. Details of cycle parking to provide compliance in terms of quality of cycle parking provision in relation to development plan policy, non-statutory planning guidance and the Council's Cycling

Factsheet should be submitted to and approved by the Council, as planning authority. The approved cycle parking should be installed prior to occupation of Block 2(student block).

- 3) An addition to informative that Planning obligation needed to cover £60,600 contribution towards healthcare provision (for student housing) in accordance with the Finalised Non-Statutory Developer Contribution Guidance 2018.

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

Appendix

Agenda Item No. /	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 – 18 Keith Crescent (Blackhall Childrens Nursery), Edinburgh</p>	<p>(Application for Planning Permission in Principle) - Rebuild of Ravelston Park Pavilion - application no. 23/06856/PPP</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>4.2 – 2 (1F) Warden's Close, Edinburgh, EH1 2HJ</p>	<p>Change of use (retrospective) from residential to short term let accommodation (Sui Generis) - application no. 23/04499/FULSTL</p>	<p>To REFUSE planning permission for the reasons set out in section C of the report by the Chief Planning Officer.</p>
<p>4.3 - 2 (2F) Warden's Close, Edinburgh, EH1 2HJ</p>	<p>Change of use from residential to short term let accommodation (Sui Generis) - application no. 23/04500/FULSTL</p>	<p>To REFUSE planning permission for the reasons set out in section C of the report by the Chief Planning Officer.</p>
<p>4.4 – 2 (3F) Warden's Close, Edinburgh, EH1 2HJ</p>	<p>Change of use (retrospective) from residential to short-term let accommodation (Sui Generis) - application no. 23/04501/FULSTL</p>	<p>To REFUSE planning permission for the reasons set out in section C of the report by the Chief Planning Officer.</p>

Agenda Item No. /	Details of Proposal/Reference No	Decision
<p><u>6.1 - 94 Ocean Drive (Land 58 Metres South Of), Edinburgh - Erection of mixed-use development comprising residential and purposebuilt student accommodation, along with commercial uses / coworking and amenity space, landscaping, and infrastructure. (As Amended) - application no. 23/04069/FUL</u></p>	<p>Protocol Note by the Service Director – Legal and Assurance</p>	<p>Noted.</p>

**6.2 - 94 Ocean Drive
(Land 58 Metres
South Of),
Edinburgh**

Erection of mixed-use development comprising residential and purposebuilt student accommodation, along with commercial uses / coworking and amenity space, landscaping, and infrastructure. (As Amended) - application no. 23/04069/FUL

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) A revised condition that notwithstanding what is shown on the approved plans, the cycle parking for Block 2 (Student Block) is not approved. Details of cycle parking to provide compliance in terms of quality of cycle parking provision in relation to development plan policy, non-statutory planning guidance and the Council's Cycling Factsheet shall be submitted to and approved by the Council, as planning authority. The approved cycle parking shall be installed prior to occupation of Block 2 (student block).
- 3) An addition to informative that Planning obligation needs to cover £60,600 contribution towards healthcare provision (for student housing) in accordance with the Finalised Non-Statutory Developer Contribution Guidance 2018.

(On a division)

Agenda Item No. /	Details of Proposal/Reference No	Decision
<p>7.1 - 120 - 124 Portobello High Street, Edinburgh, EH15 1AH</p>	<p>Proposed demolition of existing shop units and redevelopment of the site to form new ground floor retail / commercial unit with 11 residential apartments above, creation of a new footpath along Beach Lane, and ancillary elements - application no. 23/06757/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) An additional condition that notwithstanding what is shown on the approved plans, the cycle parking is not approved. Details of revised cycle parking to provide 5 non standards cycle parking spaces to be submitted and approved by the Council as planning authority. Cycle parking to be installed prior to the occupation of the development hereby approved. 3) An additional Informative that the applicant engages with the Council's Active Travel Team/Safer Routes to Schools Team to ensure any disruption in terms of temporary road closures is minimised during the construction period (Towerbank) and investigates whether improved access is provided in relation to equalities requirements (footway width).

Agenda Item No. /	Details of Proposal/Reference No	Decision
<p>7.2 - 120 - 124 Portobello High Street, Edinburgh, EH15 1AH</p>	<p>Complete demolition in a conservation area - application no. 23/06756/CON</p>	<p>To GRANT conservation area consent subject to the conditions, reasons and informatives as set out in section C of the report by the Chief Planning Officer.</p>