

## Committee Minutes

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# Development Management Sub-Committee of the Planning Committee

Edinburgh, 19 December 2007

**Present:-** Councillors Lowrie (Convener), Burgess, Dundas, Hinds, Keir, McIvor, Milligan, Morris, Mowat, Paisley, Peacock, Rose and Thomas.

**Also Present:-** Councillors Kate MacKenzie and McInnes.

### 1 9 and 19 Lady Nairne Place – Change of Use to Private Garden Ground

Two planning applications (07/02876/FUL) and (07/02877/FUL) had been received for a change of use of land from a public open space to private residential garden ground and the closing of a footpath at 9 and 19 Lady Nairne Place.

1 letter of representation commenting on the proposals had been received.

#### **Motion**

- 1) To grant conditional planning permission subject to a legal agreement in respect of application (07/02876/FUL).
- 2) To grant conditional planning permission in respect of application (07/02877/FUL).

- moved by Councillor Lowrie, seconded by Councillor Rose.

#### **Amendment**

To continue consideration of both applications for consultation with the local community on the public use of the land.

- moved by Councillor Peacock, seconded by Councillor Burgess.

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**Voting**

For the motion - 8 votes  
For the amendment - 4 votes

**Decision**

- 1) To grant conditional planning permission subject to a legal agreement in respect of application (07/02876/FUL).
- 2) To grant conditional planning permission in respect of application (07/02877/FUL).

(Reference – report by the Director of City Development, submitted).

**2 Applications**

The Sub-Committee considered the remaining applications contained on the agenda.

Councillor McInnes was heard as a local ward member for agenda items 9a and 9b (12 Bruntsfield Crescent).

Councillor Kate MacKenzie was heard as a local ward member for agenda item 13 (4, 6, 8, 10 Cramond Place).

**Decision**

To agree as detailed in the Appendix to this minute.

(Reference – reports by the Director of City Development, submitted).

**Dissent**

Councillor Keir requested that his dissent be recorded in relation to the decision taken on item 13 (4, 6, 8, 10 Cramond Place).

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## APPENDIX

### Applications (as referred to in item 2 of the foregoing minute)

**Note:** Detailed conditions/reasons for the following decisions are contained in the statutory planning register.

| Agenda Item No. | Address/ Reference No  | Details of Proposals                                 | Decision   |
|-----------------|--|--|--|
| 3               | 123 Boswell Parkway (Royston Primary School)<br>(07/01005/CEC) | Erect a new early years centre and community centre. | Grant conditional planning permission subject to the following additional condition:<br><br>No work shall commence on site until a sustainability assessment has been submitted to and approved by the Planning Authority.   |
| 4               | Canongate<br>(07/00552/FUL)                                    | Place recycling facilities.                          | To approve the siting of containers at Panmure Close and the submission of a Notice of Intention to Develop to the Scottish Ministers.   |
| 5               | 6 John's Place<br>(07/02832/FUL)                               | Change of use from offices to guest house.           | Refuse planning permission for the following reasons:<br><br>1) The proposal is contrary to the North East Edinburgh Local Plan Policy ED1, in respect of Mixed Activities Zones, as it would result in an unacceptable intensification of guest house activity within this part of the Leith Links area to the detriment of the area's character and residential amenity. |

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|-----------------|---|---|---|
|                 |   |   | <p>2) The proposal is contrary to Edinburgh City Local Plan Policy Hou 8, in respect of Inappropriate Uses in Residential Areas, as it would result in an intensification of guest house activity in this terrace to the detriment of the present levels of residential amenity presently enjoyed by the occupants of the neighbouring properties.</p> <p>3) The proposal is contrary to the approved Leith Conservation Area Management Plan which provides guidance to assist in the preservation and enhancement of the Leith Conservation Area, as it would have a detrimental impact on the character of the area.</p> |
| 6               | 94 Ocean Drive (land adjacent to) (07/03312/REM)          | Erect 222 residential apartments with associated access, 115 car parking spaces, infrastructure and landscaping (as amended). | To note that the application had been withdrawn at the request of the applicants.   |
| 7               | Western Harbour (Plot R2) (Newhaven Place) (06/05247/REM) | Develop 102 flats with associated parking.  | Grant conditional approval of reserved matters subject to the following additional condition -:   |

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|-----------------|--|--|---|
|                 |  |  | No work shall commence on site until a sustainability assessment has been submitted to and approved by the Planning Authority.  |
| 8               | 14 Biggar Road<br>(07/04066/FUL)                                 | Alter and change of use of garage to dog grooming salon.   | Grant conditional planning permission.  |
| 9               | 12 Bruntsfield Crescent<br>(07/03921/FUL)<br><br>(07/03921/LBC)  | a) Change of use from office accommodation to four residential units.<br><br>b) Change of use from office accommodation to four residential units. | Continued for further written assurance from Historic Scotland that they are satisfied with the proposals to sub-divide this property.<br><br>Continued for further written assurance from Historic Scotland that they are satisfied with the proposals to sub-divide this property.  |
| 10              | 7 Clerk Street<br>(07/04375/FUL)                                 | Renew planning consent 02/03976/FUL.   | To continue the application in the absence of a report.   |
| 11              | 111-113 Constitution Street/15-17 John's Lane<br>(06/003283/FUL) | a) Residential redevelopment.  | Grant conditional planning permission subject to:<br><br>1) legal agreements; and<br><br>2) the following additional conditions:<br><br>i) Prior to the commencement of construction works on site:<br><br>a) a site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the |

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|                 |                       |                      | <p>Head of Planning and Strategy, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and</p> <p>b) Where necessary, a detailed schedule of any remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning and Strategy.</p> <p>c) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule, and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning and Strategy.</p> |

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|-----------------|--|--|--|
|                 | (06/003283/CON)                          | b) Demolish two storey stone built structure with slate pitched roof at front of site and single storey steel framed industrial sheds at rear of site. | <p>ii) The development shall not commence until a scheme for protecting the residential development hereby approved, from noise from the neighbouring joinery premises and traffic on Constitution Street, has been submitted to and approved in writing by the Head of Planning and Strategy; all works which form part of the approved scheme shall be completed to the satisfaction of the Head of Planning and Strategy before any part of the development is occupied.</p> <p>Indicate intention to grant conditional conservation area consent subject to the views of the Scottish Ministers.</p> |
| 12              | 4 Craighall Bank (07/04069/LBC)          | Satellite dish on chimney stack to rear of property (in retrospect).   | Refuse listed building consent and authorise that enforcement action be taken.   |
| 13              | 4, 6, 8, 10 Cramond Place (07/03978/FUL) | Demolish 4 semi-detached houses and garages and erect 11 town houses.  | <p>1) Grant conditional planning permission subject to:</p> <p>a) legal agreements;</p>  |

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|                 |                       |                      | <p>b) the following additional condition –</p> <p>Prior to the commencement of construction works on site:</p> <p>i) a site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning and Strategy, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and</p> <p>ii) Where necessary, a detailed schedule of any remedial and /or protective measures, including the programming, must be submitted to and approved in writing by the Head of Planning and Strategy.</p> |

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|---|---------------------------------------|---|---|
|   |                                       |   | <p>iii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule, and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning and Strategy.</p> <p>2) That the Head of Planning and Strategy prepare a Design Brief for guiding future development in the immediate area.</p> |
| <b>Dissent</b> – Councillor Keir requested that his dissent be recorded in relation to the decision taken on item 13 above. |                                       |   |   |
| 14  | 1 Cumin Place<br>(07/02915/FUL)       | Convert garage to two bedroom mews cottage – raise roof, add dormer, 2 single storey extensions and create off-street parking space.  | Grant conditional planning permission.  |
| 15  | 30A Dublin Street<br>(07/02426/FUL)   | Change of use from private dwelling to small backpackers hostel.  | To continue the application in the absence of a report.   |
| 16  | 26 Earl Grey Street<br>(07/04037/FUL) | Change of use from class 1 retail to class 2 use as a facility for assessing, developing and training disabled people for employment. | Grant conditional planning permission.  |

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| <b>Agenda Item No.</b> | <b>Address/ Reference No</b>                                | <b>Details of Proposals</b>  | <b>Decision</b>  |
|------------------------|---|--|--|
| 17                     | 17 Frederick Street<br>(07/03346/FUL)<br><br>(07/03346/LBC) | a) Erect retractable canopy, timber decking, hardwood counter and illuminated balustrade box between building and pavement (in retrospect).<br><br>b) Erect retractable canopy, timber decking, hardwood counter and illuminated balustrade box between building and pavement (in retrospect). | Refuse planning permission and authorise that enforcement action be taken.<br><br>Refuse listed building consent and authorise that enforcement action be taken.   |
| 18                     | 10A Greenhill Park<br>(07/04695/FUL)<br><br>(07/04695/LBC)  | a) Alter and extend house (as amended).<br><br>b) Alter and extend house (as amended)  | 1) To grant conditional planning permission for the extension, ancillary flat and garage and alterations to the existing building.<br><br>2) To refuse planning permission for the front entry railings and gate.<br><br>Indicate intention to grant listed building consent subject to the views of the Scottish Ministers. |

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| Agenda Item No. | Address/ Reference No   | Details of Proposals   | Decision  |
|-----------------|---|--|---|
| 19              | 43 Jeffrey Street<br>(07/03931/FUL)   | Amendment to previous planning permission (02/03306/FUL) to provide 126 bedroom extension to existing hotel in place of approved 66 bed extension, deletion of 34 flats and car parking, design detailing changes to elevational treatments of entire new build development. | Grant conditional planning permission subject to legal agreements.  |
| 20              | 11-15 Joppa Grove<br>(06/01601/FUL)   | New dwelling house (as amended).   | Grant planning permission.  |
| 21              | 9 Lady Nairne Place<br>(07/02876/FUL)<br><br>19 Lady Nairne Place<br>(07/02877/FUL) | a) Change of use to private garden, includes closing of footpath.<br><br>b) Change of use to private garden.   | Grant conditional planning permission subject to a legal agreement.<br><br>(On a division, see item 1 of the foregoing minute.)<br><br>Grant conditional planning permission.<br><br>(On a division, see item 1 of the foregoing minute.) |
| 22              | 70 Main Street<br>(07/03845/FUL)  | Change of use from class 1 (retail use) to class 2 (office use).   | Grant conditional planning permission.  |
| 23              | 27B Raeburn Place<br>(07/03343/FUL)   | Change of use from class 1 (retail use) to class 3 (café).   | Grant conditional planning permission.  |
| 24              | 1–3 Scotstoun Grove<br>(07/04320/FUL)   | Vary hours of operation to 9am – 2am (from 2pm – 11pm).  | Refuse planning permission.   |
| 25              | 4A, 4B, 4C West Mill Road<br>(07/03282/FUL)   | Alter site levels of existing consented scheme.  | Grant conditional planning permission.  |