

## Committee Minutes

---

# Development Management Sub-Committee of the Planning Committee

Edinburgh, 5 March 2008

**Present:-** Councillors McIvor (in the Chair), Burgess, Hart, Hinds, Keir, Milligan, Mowat, Munn, Paisley, Peacock, Rose and Thomas.

### 1 Chair

In the absence of the Convener (Councillor Lowrie) the Vice-Convener, Councillor McIvor took the Chair.

### 2 New Street/221-223 Canongate (Land Adjacent To – PA4A)

The Sub-Committee had previously continued consideration of a planning application (07/04400/FUL) to erect a residential, business/community facility and food and drink development at New Street/221-223 Canongate and to ask the developer to examine:-

- i) retention of the tenement on the Canongate;
- ii) redesigning the pend (including location) and amending the pend materials.
- iii) locating affordable housing units on the Canongate.
- iv) the height of the residential blocks, and in particular their relationship to the residential development at Old Tolbooth Wynd.
- v) the design of the dormers and the fenestration (to incorporate astragals) to the Canongate.
- vi) the design of the shopfront to the Canongate.

82 letters of representation had been received commenting on the proposals.

Development Management Sub-Committee  
of the Planning Committee  
5 March 2008

The Director of City Development reported further on revised proposals and additional information submitted.

**Motion**

- 1) To indicate intention to grant conditional planning permission subject to the inclusion of conditions recommended by the Director of Services for Communities in relation to the residential, community facilities, retail and Class 3 food and drink elements; subject to legal agreements and the views of the Scottish Ministers.
- 2) To authorise the making of a Stopping Up Order in respect of areas of land on New Street.

- moved by Councillor Paisley, seconded by Councillor Mowat.

**Amendment**

To indicate that the Sub-Committee would be minded to approve the alterations to the building facing the Canongate but to continue consideration of the application to ask the applicant to reduce the height of the residential block at the southern end of the proposed development, particularly in relation to the residential building at Old Tolbooth Wynd.

- moved by Councillor Burgess, seconded by Councillor Keir.

**Voting**

For the motion – 10 votes  
For the amendment – 2 votes

**Decision**

- 1) To indicate intention to grant conditional planning permission subject to the inclusion of conditions recommended by the Director of Services for Communities in relation to the residential, community facilities, retail and Class 3 food and drink elements; subject to legal agreements and the views of the Scottish Ministers.
- 2) To authorise the making of a Stopping Up Order in respect of areas of land on New Street.

(References – Development Management Sub-Committee, 6 February 2008 (item 1(b)); report by the Director of City Development, submitted.)

Development Management Sub-Committee  
of the Planning Committee  
5 March 2008

### **3 Applications**

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

#### **Decision**

To agree as detailed in Appendix 1 to this minute.

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

### **4 61 Comiston Road – Breach of Control**

Details were given of the unauthorised painting of the exterior stonework of the premises at 61 Comiston Road in a brilliant white colour.

The Director of City Development considered that the works had an adverse impact on the character and appearance of the Morningside Conservation Area.

#### **Decision**

To authorise enforcement action to ensure that the stone frontage is repainted in a tone to match with the adjoining stonework.

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

### **5 Appeal Decisions by the Scottish Ministers**

Decisions on appeals had been made by the Scottish Ministers as detailed in Appendix 2 to this minute.

#### **Decision**

To note the report.

(Reference – report no DM/019/07-08/CS by the Director of Corporate Services, submitted.)

Development Management Sub-Committee  
of the Planning Committee  
5 March 2008

## APPENDIX 1

### Applications (As referred to in item 3 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	New Street/ 221-223 Canongate (land adjacent to – PA4A) (07/04400/FUL)	(a) Erect buildings for residential and business (Class 4) and/ or community facility, retail (Class 1) and/or food and drink (Class 3) purposes. Podium structure (including ground source heating and cooling system), car parking, access, open space and landscaping including public square and ped/ arcade route off Canongate, works to south end of New Street, and associated works.	1. To indicate intention to grant conditional planning permission subject to the inclusion of conditions recommended by the Director of Services for Communities in relation to the residential, community facilities, retail and Class 3 food and drink elements; subject to legal agreements and the views of the Scottish Ministers.  2. To authorise the making of a stopping up order in respect of areas of land on New Street.  (Agreed on a division – see item 2 of the foregoing minute.)
	221-225 Canongate (07/01299/CON)	(b) Demolish buildings with part retained façade (as amended).	To note that the partial demolition of this unlisted building does not require conservation area consent.

Development Management Sub-Committee  
of the Planning Committee  
5 March 2008

<b>Agenda Item No.</b>	<b>Address/ Reference No</b>	<b>Details of Proposals</b>	<b>Decision</b>
4	3-5 John's Lane (07/04786/FUL)	Demolish warehouse and erect mixed use development.	To grant conditional planning permission subject to a legal agreement.
5	5-7 Drum Brae Avenue (07/05037/FUL)	Part change of use from shop to computer training suite.	To grant planning permission.
6	177B, 179, 181 Great Junction Street (07/04902/FUL)	Change of use and alterations to form two new flats at ground and lower ground floor and a new class 2 office at ground floor.	To grant conditional planning permission.

Development Management Sub-Committee  
of the Planning Committee  
5 March 2008

**APPENDIX 2**

(As referred to in item 5 of the foregoing minute)

**Appeal Decisions by Scottish Ministers**

Development/Appellant	Decision and Date	Decision by the Scottish Ministers
<p><b>69 Cumberland Street</b></p> <p>Remove window and replace with door and steps to rear</p> <p>(07/00404/FUL &amp; LBC)</p> <p>Mr Saville.</p>	<p>Planning permission and listed building consent refused under delegated authority on 21 March and 3 April 2007.</p>	<p>Appeals <b><u>dismissed</u></b>.</p>
<p><b>12 Fillyside Terrace</b></p> <p>Extend attic (in retrospect)</p> <p>(07/03143/FUL)</p> <p>Mr Dundas.</p>	<p>Planning permission refused and enforcement action authorised by the Sub-Committee on 29 September 2007.</p>	<p>Appeal <b><u>dismissed</u></b>.</p>
<p><b>405 Queensferry Road</b></p> <p>Form enlarged parking area and erect dormer</p> <p>(07/01871/FUL)</p> <p>Mr and Mrs Stacey.</p>	<p>Planning permission granted for the enlarged parking area and refused for the dormer under delegated authority on 10 July 2007.</p>	<p>Appeal <b><u>allowed</u></b> and planning permission granted as detailed in the letter from the Scottish Government</p>
<p><b>32 Saughtonhall Terrace</b></p> <p>Erect 2 storey side extension with single storey projection to front</p> <p>(07/00758/FUL)</p> <p>Mr and Mrs Hamilton.</p>	<p>Planning permission refused under delegated authority on 27 April 2007.</p>	<p>Appeal <b><u>dismissed</u></b>.</p>