

## Committee Minutes

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# Development Management Sub-Committee of the Planning Committee

Edinburgh, 8 December 2010

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

**Also in attendance:-** Councillors Day, Jackson and Wilson.

### 1 189 Morrison Street – Mixed Development

The Sub-Committee considered a planning application (10/02373/FUL) by Tiger Haymarket Partnership Ltd for demolition of existing buildings and structures, re-grading of existing car park and comprehensive redevelopment comprising hotel, offices, retail, commercial, leisure, public houses, restaurants, car parking and associated landscaping/public realm and utilities infrastructure development at 189 Morrison Street, Edinburgh. The Sub-Committee agreed to consider the application by means of a hearing. The Sub-Committee had previously visited the site.

A pre-application report on the proposals to identify key issues had been considered by the Sub-Committee on 9 June 2010.

The Head of Planning gave details of the application and the planning considerations involved.

The Head of Planning considered that the proposals complied with the development plan and non-statutory guidelines, the scale and design was of high quality and respected the historic environment, the proposals raised no implications for residential amenity and had no material considerations that outweighed his conclusion.

In conclusion he recommended that the application be approved, subject to the conclusion of a suitable legal agreement for contributions towards the Trams, City Car Club, Traffic Regulation Order and other transport infrastructure and the provision and implementation of a green travel plan. He further recommended that planning conditions also be imposed in respect of

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archaeology, noise, materials, waste management, landscaping, parking arrangements and ground contamination.

The Sub-Committee heard representations on behalf of:

- a) Tiger Haymarket Partnership Ltd
- b) West End Community Council
- c) Gorgie Dalry Community Council
- d) Dalry Colonies Residents' Association
- e) Cockburn Association

### **West End Community Council**

Isabel Thom stated that while the proposed mixed use of the site was acceptable in principle. Concerns had been raised by local residents in relation to the scale and density of the buildings, the landscaping materials proposed, the public realm, the effect on the city's skyline, the impact of the development on the World heritage Site and the neighbouring residential amenity, pedestrian and road safety and achievement of the standards for sustainable building.

She asked that, should the Sub-Committee be minded to approve the application, a condition be attached to ensure that the levelled ground awaiting development be landscaped and that further conditions be applied to address the concerns outlined.

### **Gorgie Dalry Community Council**

Maria Kelly summarised the concerns of the Community Council and expressed particular concern that the sightlines from the Gorgie Dalry area to Haymarket would be compromised by the proposed hotel block on the site. She also highlighted the proposed location of bus stops in Dalry Road, the accessibility of the proposed public toilets and the proposed early morning delivery times for the retail units as concerns.

### **Dalry Colonies Residents' Association**

Barbara Lyon expressed the Association's particular concern at the proposed building materials, in particular the ceramic tile on the frontage of the hotel building which, they felt, was not in keeping with the surrounding area. She also indicated that there was a need for the developers to communicate more effectively with local residents and businesses.

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### **The Cockburn Association**

John Groundsell outlined the concerns of the Association, he indicated that in their view there was too much open space and there needed to be a reduction in the overall height by one storey across the development, this could be achieved by using part of the public space to extend the proposed buildings which would provide the same amount of accommodation and leave sufficient public open space for users.

The local representatives responded to questions from members in relation to points raised in their presentation.

Councillor Wilson was heard as local ward member.

### **Representation by the Applicant**

The applicants were represented by Simon Fox and Richard Murphy. They stated that the application now incorporated a three-star hotel in place of the original request to create a five-star hotel. This reflected the change in the economic climate. A hotel chain, car park operator and food store had committed to occupancy of the units on the site. In addition, it was intended that the corner building would be used as the headquarters of a major company.

The representatives responded to questions from members on various aspects of their proposal.

Thereafter the Sub-Committee considered the application.

### **Decision**

- 1) To grant planning permission subject to conditions, informative and legal agreements as detailed in the report by the Head of Planning and subject also to additional conditions that:-
  - (i) Deliveries to the retail units be amended to Monday to Saturday 8.00 am to 8.00 pm and Sunday 10.00 am to 5.00 pm.
  - (ii) Should the access from Dalry Road be found to be unsatisfactory the decision be reserved for the Planning Authority.
  - (iii) Prior to construction work commencing on the site, details shall be submitted to and approved in writing the Planning Authority of public toilet provision at street levels, including means of operation and the programme of implementation.

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- iv) A stakeholder group be set up to include all interested parties, the Council, residents, local businesses and the contractors, this group to meet regularly and create open lines of communication across all the stakeholders so that issues relating to the building of the developments in the ongoing maintenance of the site be discussed and agreed by all the relevant parties.

(Reference – report by the Head of Planning 17 August 2010 and Protocol and Procedure for Consideration of Application, submitted.)

### **Declaration of Interest**

Councillor Dundas declared a non-financial interest in the above item as a relative was a resident in the Dalry Colonies.

## **2 9 Newhaven Road – Report on Forthcoming Application for Housing**

The Head of Planning presented a pre-application report relative to an anticipated application for a residential and commercial development at 9 Newhaven Road. He reported on the matter in terms of the Sub-Committees procedure for being informed in advance of major applications.

The Head of Planning reported on the key considerations against which any application would require to be considered and asked for any views from members on matters that would need to be taken into account.

### **Decision**

- 1) To note the key consideration, as detailed in the report by the Head of Planning.
- 2) To note the points raised by members particularly in relation to active frontages and affordable housing.

(Reference – report by the Head of Planning, submitted.)

## **3 2B Craigmillar Park (Royal Blind School)**

The Head of Planning gave details of an application for planning permission (no 09/03075/FUL) for the demolition of a single storey primary school and adjacent link building to main school, erection of new 3/4 storey residential block to west of main school and associated landscaping, erection of new external lift tower

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on gable end of main school building of the Royal Blind School, 2B Craigmillar Park.

**Motion**

To approve the recommendations of the Head of Planning to grant planning permission subject to the conditions as contained in his report.

- moved by Councillor McIvor, seconded by Councillor Thomas.

**Amendment**

To continue consideration of the application for a site visit.

- moved by Councillor Lowrie, seconded by Councillor Rose.

**Voting**

For the motion - 3 votes  
For the amendment - 7 votes

**Decision**

To continue consideration of the application for a site visit.

(Reference – report by the Head of Planning, submitted.)

**4 54A George Street**

Planning and Listed Building applications (10/01991/FUL) and (10/01997/LBC) had been submitted for:

- a) Refurbishment and upgrading of the Assembly Rooms. Partial change of use to retail and restaurant/café at ground floor level. New shop front windows and doors, replacement windows to rear, external lighting, signage, extension and lightbox to replace existing modern toilet (as amended).
- b) Refurbishment and upgrading of the Assembly Rooms. Internally – upgrading of principal rooms, new lifts and support facilities. Externally – new shop front windows and doors, replacement windows to rear, external lighting, signage, extension and lightbox to replace existing modern toilet (as amended).

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**Motion**

To approve the recommendations of the Head of Planning to grant conditional planning permission and Listed Building consent.

- moved by Councillor Lowrie, seconded by Councillor McIvor.

**Amendment**

To continue consideration to the meeting of the Sub-Committee on 22 December 2010 for the Head of Planning to present the applications.

- moved by Councillor Milligan, seconded by Councillor Burgess.

**Voting**

For the motion - 7 votes

For the amendment - 5 votes

**Decision**

To approve the motion by Councillor Lowrie.

(Reference – report (2) by the Head of Planning, submitted.)

**5 Other Applications**

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

Councillors Day and Jackson were heard as local ward members in respect of agenda item 6 (88 Dudley Avenue).

**Decision**

To determine the applications as detailed in Appendix 1 to this minute.

(Reference – reports by the Head of Planning 8 December 2010, submitted.)

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## APPLICATIONS

### Appendix

(As referred to in item 5 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	189 Morrison Street (10/02373/FUL)	Demolition of existing buildings and structures, re-grading of existing car park and comprehensive redevelopment comprising hotel, offices, retail, commercial, leisure, public houses, restaurants, car parking and associated landscaping/public realm and utilities infrastructure.	1) To grant planning permission subject to conditions, informatives and legal agreements.  2) Subject also to the delivery hours being amended to Mon-Sat 8am-8pm, Sun 10am-5pm.  3) A condition that should the access from Dalry Road be found to be unsatisfactory the decision be reserved for the planning authority.  4) A condition that prior to construction work commencing on site, details shall be submitted to and approved in writing by the planning authority of public toilet provision at street level, including means of operation and programme of implementation.

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Agenda Item No.	Address/ Reference No	Details of Proposals	Decision
			<p>5) A condition requiring a stakeholder group be set up to include all interested parties, the Council, residents, local businesses and the contractors. This group would meet regularly and create open lines of communication across all the stakeholders so that issues relating to the building of the development and the ongoing maintenance of the site can be discussed and agreed by all the relevant parties.</p> <p><b>Note:</b> Councillor Dundas declared a non-financial interest in this item as a relative was a resident in the Dalry Colonies.</p>
4		Report of the forthcoming application by Barratt East Scotland, Residential and Commercial Development at Land at 9 Newhaven Road, Edinburgh.	<p>1) To note the report.</p> <p>2) To include active frontages and affordable housing in the key considerations for assessment.</p>

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<b>Agenda Item No.</b>	<b>Address/ Reference No</b>	<b>Details of Proposals</b>	<b>Decision</b>
5	Royal Blind School (09/03075/FUL)	Phase one works – Demolition of single storey primary school and adjacent link building to main school, erection of new 3/4 storey residential block to west of main school and associated landscaping, erection of new external lift town on gable end of main school building.	To continue consideration of the matter for a site visit.  (On a division).
6	88 Dudley Avenue (10/02573/FUL)	Remove existing outhouse and replace with a new enlarged extension incorporative existing kitchen to form a new kitchen.	To indicate the Sub-Committee was minded to refuse the application on the grounds that:  1) the size/height/design and use of materials were inappropriate and would have an adverse effect on the setting of the listed building and the character of the conservation area;  2) the positioning of the development on the boundary would result in a loss of privacy to the detriment of residential amenity; and  3) the Head of Planning to report back on the detailed wording of the reasons.

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<b>Agenda Item No.</b>	<b>Address/ Reference No</b>	<b>Details of Proposals</b>	<b>Decision</b>
7	74 Telford Road (10/02273/ADV)	2no. roof mounted text signs, 2no. roof mounted Golden Arch symbols, 2no. roof mounted Golden Arch symbol on canopy, 11no. free standing signs (1no. Drive Totem 2 Sign, 1no. Gateway Sign, 2no. Totem 3 Signs, 1no. Hero Board, 1no. Customer Order Display Units and Canopies, 1no. Totem 4 Three Bay Triple Sign, 2no. Welcome/Goodbye Directional Signs, 2no. Post Mounted Banner Units).	To issue a mixed decision as detailed in the report by the Head of Planning.
8	Cables Wynd House (10/03110/FUL)	Provision of new boiler house facility in undercroft of housing block and associated full height to gable.	To grant conditional planning permission.
9	Eastfield Road (Land Adjacent To) (10/03024/PA)	Prior approval to construct a section of road across Edinburgh tramway including earthworks and erection of OLE poles.	To grant planning permission subject to informative.



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Agenda Item No.	Address/ Reference No	Details of Proposals	Decision
12	37 Marine Drive (10/03041/FUL)	Installation of 4 new all weather pitches. (Not an increase in pitch numbers).	Grant planning permission.
13	Niddrie Mains Road (former St Francis RC School Site) (10/02425/FUL)	New town square public realm, including realignment of Harewood Drive and 'shared-space' principles as previously set out in the Craigmillar town centre application of June 2008.	<p>1) To grant planning permission subject to conditions, informative and a legal agreement.</p> <p>2) An additional informative:</p> <p>Transport:-</p> <p>(i) contribute the sum of up to £100,000 towards the future conversion, if required, of uncontrolled crossings in the town centre. The exact sum to be agreed based on the detailed construction design for phase 2 and shall be provided prior to the opening of the food store development proposed in the Town Centre Master Plan; and</p> <p>(ii) cover the cost of advertising and progressing necessary traffic orders to redetermine, stop up and control the parking and loading on Niddrie Mains Road and New Harewood Road, including footways.</p>

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<b>Agenda Item No.</b>	<b>Address/ Reference No</b>	<b>Details of Proposals</b>	<b>Decision</b>
			<p>3) An additional condition:</p> <p>i) Prior to the commencement of construction works on site:</p> <p>a) a site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning, 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 required remedial and/or protective measures, including their programming, must be submitted to an approved in writing by the Head of Planning.</p>

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Agenda Item No.	Address/ Reference No	Details of Proposals	Decision
			ii) 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.
14	33 South Gyle Gardens (09/02644/FUL)	Change of use from amenity ground to private garden with erection of timber fence (in retrospect).	To issue a mixed decision:  1) to grant planning permission for the change of use from public to private open space; and  2) to refuse planning permission for the timber fencing for the reason detailed in the Head of Planning's report.
15	21 Wilson's Park (Land 67 Metres West Of) (10/03191/FUL)	Formation of new public road and footway extending Wilson's Park to Figgate Street/Beach Lane including the stopping up of Maryfield (as approved).	Grant planning permission subject to the following conditions:  No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, reporting and analysis) and in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.