

Committee Minutes

Development Quality Sub-Committee of the Planning Committee

Edinburgh, 10 September 2003

Present:- Councillors Davies (Convener), Child, Gilmore, The Hon David Guest, Hunter, Laing, Longstaff, Lowrie, Marshall, Munro, Murray, Tritton and Wigglesworth.

Also Present:- Councillor Paisley.

1 92-98 Fountainbridge – Office Development with Restaurant/Public House at Ground Floor and Basement

A planning application (02/03754/FUL) had been received for a proposed office development with restaurant/public house at the ground floor and basement level incorporating the category B listed building at 92-98 Fountainbridge.

Eighteen letters had been received commenting on the proposed development.

Motion

To continue consideration of the application for a site visit.

- moved by Councillor The Hon David Guest, seconded by Councillor Longstaff.

Amendment

To grant planning permission subject to the conditions contained in the report by the Director of City Development with an amendment to condition 15 to require a scheme of obscured glazing to be approved and implemented.

- moved by Councillor Tritton, seconded by Councillor Murray.

Development Quality Sub-Committee
of the Planning Committee
10 September 2003

Further amendment

To grant planning permission in similar terms to the amendment but subject to an additional condition restricting the use of the commercial leisure unit ground and basement levels to restaurant use only.

- moved by Councillor Wigglesworth, seconded by Councillor Child.

Voting

The Convener directed that a first vote to be taken for or against the motion by Councillor The Hon David Guest and, if that was defeated, a further vote be taken between the amendments.

On a first vote the motion by Councillor The Hon David Guest was defeated by 9 votes to 2.

On a second vote the further amendment was carried by 8 votes to 4.

Decision

To grant conditional planning permission subject to the conditions in the report and a legal agreement and also subject to:

- 1) The amendment of condition 15 to read "A scheme of obscured glazing to the North Elevation of the West Block shall be agreed in writing and implemented prior to the first occupation of the building and maintained thereafter, to the satisfaction of the Head of Planning and Strategy."
- 2) An additional condition requiring that the area indicated as commercial leisure on the ground and basement levels be restricted to restaurant use only.

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

Declaration of Interest

Councillor Laing declared a financial interest in this item as he may be employed by the applicant as a consultant and took no part in consideration of the application.

2 1 Kinleith Mill, Currie – Residential Development and Nursery and Office Conversion

Consideration of a planning application (01/04622/FUL) for a proposed residential development of houses and flats, and nursery and office conversion of existing pumphouse at 1 Kinleith Mill, Currie, had been continued for a site visit, to allow the applicant to comment further on the possibility of a two lane access bridge and also for confirmation of whether the application would require referral to the Scottish Ministers, due to the Council's interest in the walkway.

The site was visited on 28 August 2003.

The Director of City Development reported further on the development.

Twenty-four letters had been received commenting on the last amended proposals.

Councillor Paisley was heard as the local ward member.

Motion

To indicate the intention to grant conditional planning permission subject to the conditions contained in the report by the Director of City Development and subject also to:

- 1) additional conditions requiring the provision of recycling and waste management facilities, car parking for City Car Club vehicles and approval of further details of the lighting of the walkways relating to the scheme.
- 2) a legal agreement and to the views of the Scottish Ministers.

- moved by Councillor Davies, seconded by Councillor Marshall.

Amendment

To refuse planning permission for the reasons that:

- 1) The proposals do not provide adequate details to allow assessment of the transport implications for traffic generation, public transport, cycling and walking contrary to Policy TRA4 of the finalised Rural West Local Plan.

Development Quality Sub-Committee
of the Planning Committee
10 September 2003

- 2) The proposals would not provide traffic management measures, which would create a safe and attractive environment for pedestrians, cyclists and people with mobility difficulties, contrary to Policy TRA5 of the finalised Rural West Local Plan.

- moved by Councillor The Hon David Guest, seconded by Councillor Laing.

Vote

The motion was carried by 7 votes to 6.

Decision

To indicate intention to grant conditional planning permission subject to a legal agreement and the views of the Scottish Ministers and additional conditions requiring :

- 1) Details of recycling and other waste management facilities, to be located at a suitable point within the proposed development, to be provided to the satisfaction of the Director of Environmental and Consumer Services and approved by the Head of Planning and Strategy, and implemented, as approved, prior to occupation.
- 2) Details of provision for the parking of City Car Club Vehicles within the proposed development, to be submitted to and approved by the Head of Planning and Strategy and implemented, as approved, prior to occupation.
- 3) Details of the lighting of walkways related to the development to be submitted and approved by the Head of Planning and Strategy and implemented, as approved, prior to occupation of the development.

(References – Development Quality Sub-Committee 6 August 2003 (item 4); report by the Director of City Development, submitted.)

Declaration of Interest

Councillor Hunter declared a non-financial interest in this item due to his appointment by the Council to the Water of Leith Conservation Trust.

3 Applications

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

Councillor Paisley was heard as local ward member in respect of agenda item 17 (34 Muirwood Drive Currie).

Decision

To agree, as detailed in Appendix 1 to this minute.

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

Declaration of Interests

Councillor Marshall declared a non-financial interest in agenda item 21 (18 Seafield Road East) as he had previously indicated a view on the proposal and took no part in the determination of the application.

Councillor Munro declared a non-financial interest in agenda item 31 (1 Chancelot Grove) as an objector to the proposal and took no part in the determination of the application.

4 47 Cockburn Street – Unauthorised Painting of Shopfront

The timber sections of the listed shop front at 47 Cockburn Street had been painted without approval.

The Director of City Development did not consider that the present scheme adversely affected the listed building or its setting.

Decision

To take no further action in relation to the unauthorised painting of the shopfront at 47 Cockburn Street.

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

5 24(GF) Hill Street – Unauthorised Signage and Display Cabinet

Three signage boards (2 of which were illuminated), and a covered and internally illuminated display cabinet, had been installed without listed building or advertisement consent at 24(GF) Hill Street.

Decision

To take enforcement action requiring the removal of the unauthorised signage and display cabinet.

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

6 Appeal Decisions

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 DQ/015/03-04/CS by the Director of Corporate Services, submitted.)

W6/PL/DEVQ100903/EK

Development Quality Sub-Committee
of the Planning Committee
10 September 2003

APPENDIX 1

APPLICATIONS

(as referred to in item 3 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	92-98 Fountainbridge (02/03754/FUL)	a) Proposed office development incorporating the category B listed building with restaurant/ public house at ground floor and basement.	Grant conditional planning permission subject to a legal agreement and the amendment of condition 15 to read "A scheme of obscured glazing for the north elevation of the west block shall be agreed in writing and implemented prior to the first occupation of the building and maintained thereafter, to the satisfaction of the Head of Planning and Strategy." and an additional condition requiring that, notwithstanding the provisions of the Town and Country Planning (Use Classes) (Scotland) Order, the area indicated as commercial leisure on the ground and basement levels shall be restricted to restaurant use only. (Agreed on a division – see item 1 of foregoing minute)

Development Quality Sub-Committee
of the Planning Committee
10 September 2003

Agenda Item No	Address/ Reference No	Details of Proposals	Decision
	(02/03754/LBC)	b) Proposed office development incorporating the category B listed building with restaurant/public house at ground floor and basement.	Indicate intention to grant conditional listed building consent subject to the views of the Scottish Ministers.
4	Granton Harbour (Land Opposite 160 Lower Granton Road) (02/03635/FUL)	Residential-93 flats with associated car parking (as amended).	Continue to ask the Head of Planning and Strategy in consultation with the applicant to provide further information on the issues previously raised by the Sub-Committee (See Appendix 1 of minute of meeting of the Sub-Committee of 20 August 2003).
5	1 Kinleith Mill, Currie (01/04622/FUL)	Residential development of houses and flats, proposed nursery and office conversion of existing pumphouse.	Indicate intention to grant conditional planning permission subject to a legal agreement and the views of the Scottish Ministers and additional conditions requiring – 1) Details of recycling and other waste management facilities to the satisfaction of the Director of Environmental and Consumer Services, located at a suitable point within the proposed development, shall be submitted to and

Development Quality Sub-Committee
of the Planning Committee
10 September 2003

Agenda Item No	Address/ Reference No	Details of Proposals	Decision
			<p>approved by the Head of Planning and Strategy and the facilities implemented as approved all prior to the occupation of the development.</p> <p>2) Details of provision for the parking of City Car Club vehicles within the proposed development shall be submitted to and approved by the Head of Planning and Strategy and the parking facilities implemented as approved all prior to the occupation of the development.</p> <p>3) Details of the lighting of walkways related to the development shall be submitted to and approved by the Head of Planning and Strategy and the lighting implemented all prior to the occupation of the development.</p> <p>(Agreed on a division – see item 2 of foregoing minute).</p>
6	19 Blackford Road (03/02389/FUL)	House alterations and windows.	Grant conditional planning permission.
7	7 Broomhall Park (03/02324/FUL)	Proposed two-storey house extension.	Grant planning permission.

Development Quality Sub-Committee
of the Planning Committee
10 September 2003

Agenda Item No	Address/ Reference No	Details of Proposals	Decision
8	9 Brunstane Road South (03/01197/FUL)	Rear extension (as amended).	Grant planning permission.
9	2C Church Hill (03/02137/FUL)	Enlarged gates and new stone boundary wall.	Grant conditional planning permission.
10	23 Colinton Road (03/01075/FUL)	Create access from ground floor kitchen over basement kitchen roof, form walkway to garden and erect stone boundary wall.	Grant conditional planning permission.
11	7-10 Commercial Street (03/00844/FUL)	Change of use from office to café/bar and residential (as amended to include ventilation details).	Grant conditional planning permission subject to an additional condition requiring a scheme for the protection of the proposed residential property from noise, vibration and odours from the café/bar to be submitted to and approved by the Head of Planning and Strategy before work commences.
12	8 Daiches Braes (03/02665/FUL)	Erection of a conservatory and basement extension.	Grant planning permission.
13	190-192 Gorgie Road (03/02244/FUL) (03/02244/FUL)	a) Internal alterations and new wheelchair access ramps for disabled persons, formation of new leaf flat roofed corridor. b) Formation of wheelchair access ramps, flat roofed corridor and internal alterations.	Grant planning permission subject to a condition requiring the developer to meet the costs of implementing a stopping up order if required. Indicate intention to grant conditional listed building consent subject to the views of the Scottish Ministers.

Development Quality Sub-Committee
of the Planning Committee
10 September 2003

Agenda Item No	Address/ Reference No	Details of Proposals	Decision
14	27 Guardwell Crescent (03/02223/FUL)	Extension to dwelling house.	Grant planning permission.
15	52 Hillview Road (03/01439/FUL)	Alterations and extension to existing dwelling house.	Grant conditional planning permission.
16	8 Jessfield Terrace (03/01768/FUL)	New conservatory (as amended).	Grant planning permission.
17	34 Muir Wood Drive (03/02590/FUL)	Alter and extend dwelling house.	1) Grant Planning permission. 2) Ask the applicant to consider any measures that would improve neighbour's amenity in terms of views and daylighting.
18	40 Potterrow (03/02486/FUL)	Proposed change of use from manufacturing workshop to ground floor public house/café and first floor restaurant.	Refuse planning permission.
19	1 Redford Terrace (03/01407/FUL)	Extend and alter existing dwelling house.	Grant planning permission.
20	15 Riversdale Crescent (02/03651/FUL)	Erect dormer with balcony and extension to rear (as amended).	Grant conditional planning permission.
21	18 Seafield Road East (03/02542/FUL)	Replace existing boundary fence.	Refuse planning permission.
22	44 Sydney Terrace (03/02528/FUL)	Erection of single storey extension to rear of detached bungalow and erection of detached single garage.	Grant planning permission.
23	89 The Murrays Brae (03/02611/FUL)	Extension to house.	Grant planning permission.

Development Quality Sub-Committee
of the Planning Committee
10 September 2003

Agenda Item No	Address/ Reference No	Details of Proposals	Decision
24	West Granton Road (03/00733/FUL)	New build college of further and higher education.	Grant conditional planning permission subject to condition 11 being amended to read "Consent shall not be issued until the legal agreement to secure appropriate financial contribution towards the infrastructure improvements, as established through the section 75 agreement attached to the outline application (reference 00/01169/OUT) has been concluded."
25	20 (Flat 3) Wester Drylaw Park (03/01860/FUL)	Erection of single storey extension.	Grant conditional planning permission.
26	7 Whitehouse Terrace (03/01507/FUL) (03/01507/LBC)	a) Erect orangery/garden room extension and garage/studio flat to replace existing garage. b) Erect orangery/garden room extension and garage/studio flat to replace existing garage.	Grant conditional planning permission. Grant conditional listed building consent subject to the views of the Scottish Ministers.
27	49 Winton Terrace (02/00600/FUL)	Extension of dwelling house.	Refuse planning permission.
The Convener ruled that the following items, notice of which had been given at the start of the meeting, be considered as matters of urgency in order that they be dealt with timeously.			
31	1 Chancelot Grove (03/01713/OUT)	Erection of two dwelling houses and associated access arrangements.	Refuse planning permission.
32	1 Bankhead, Balerno (03/00933/FUL)	Alteration and extension to form 3 houses.	Grant conditional planning permission.

Development Quality Sub-Committee
of the Planning Committee
10 September 2003

Agenda Item No	Address/ Reference No	Details of Proposals	Decision
33	18 Muirhouse Bank (03/00909/REM)	New build residential flat (3-4 storey), townhouses (3 storey) and semi-detached houses (2 storey) (as amended), and amendment of condition 6 attached to outline consent 01/00899/OUT.	<p>Indicate intention to grant conditional planning permission subject to a legal agreement and additional conditions requiring –</p> <p>1) Details of recycling and other waste management facilities to the satisfaction of the Director of Environmental and Consumer Services, located at a suitable point within the proposed development, being submitted to and approved by the Head of Planning and Strategy and the facilities implemented as approved all prior to the occupation of the development.</p> <p>2) Details of provision for the parking of City Car Club vehicles within the proposed development being submitted to and approved by the Head of Planning and Strategy and the parking facilities implemented as approved all prior to the occupation of the development.</p>

Development Quality Sub-Committee
of the Planning Committee
10 September 2003

APPENDIX 2

**Appeal Decisions by the Scottish Ministers
(as referred to in item 6 of the foregoing minute)**

Development/Appellant	Decision and Date	Decision by the Scottish Ministers
<p>43 Craigmount Gardens</p> <p>Attic conversion with gables, dormers and roof windows and ground floor extension</p> <p>(02/02783/FUL)</p> <p>Mr and Mrs Marshall.</p>	<p>Planning permission refused by the Sub-Committee on 8 January 2003.</p>	<p>Appeal dismissed.</p>
<p>143 Ferry Road</p> <p>Breach of conditions relating to hot food takeaway</p> <p>Mr Lau.</p>	<p>Enforcement action authorised by the Sub-Committee on 19 March 2003.</p>	<p>Appeal dismissed and enforcement notice upheld subject to the period in which the use of the premises is to be suspended until the requirements of the notice are met being amended from 3 days to 10 days.</p>
<p>23A Merchiston Avenue</p> <p>Formation of driveway</p> <p>(02/03771/FUL)</p> <p>Mr and Mrs Young.</p>	<p>Planning permission refused on 12 December 2002 under delegated authority.</p>	<p>Appeal allowed and conditional planning permission granted as detailed in letter from the Scottish Executive.</p>