

**Planning Obligation 11/02686/OBL
at
Land West Of
2 Cultins Road
Edinburgh**

**Development Management Sub-Committee
of the Planning Committee**

1 Purpose of report

To consider application 11/02686/OBL, submitted by Dundas & Wilson. The application is for: **Application for discharge of S50 Agreement.**

It is recommended that this application be **GRANTED.**

2 The Site and the Proposal

Site description

The site is the office development immediately to the north of Calder Road and to the east of the City by-pass and to the south and west of the Union Canal.

Site History

March 1990 - a planning application for the erection of the existing offices development was granted (ref: A02727/88).

Pre-Application Process

The applicant's Solicitors were advised that a formal application to request a discharge of an agreement would have to be made and approved under the Town and Country Planning (Modification and Discharge of Planning Obligations) (Scotland) Regulations 2010, before any such discharge could be issued.

Description Of The Proposal

The application seeks to discharge the legal agreement relating to planning permission reference A02727/88, which requires the developer to undertake various road improvements works prior to the opening for operational use of the approved development.

The works are set out in the fourth schedule of the agreement and are as follows: (i) the improvement of part of Cultins Road and its junction with Calder Road including provision of footways; (ii) the widening of the A71 approach from the west to the city by-pass Calder Road roundabout to permit a two lane approach, with three lanes at the entry, with a wider circulating area on the western half of the roundabout, and relocation of the northern footway; (iii) the widening of the Bankhead Avenue approach to the roundabout at Calder Road by reducing the width of the central throat island; (iv) the realignment of the west arm of Calder Road on the approach to the roundabout at Bankhead Avenue; and (v) the replacement of all necessary road signs and markings.

Supporting Statement

The applicant's solicitor has submitted supporting information in the form of a letter, a land title plan, a roads adoption plan and a copy of the Land Certificate MID4114, which discloses the Section 50 Agreement (on page 14).

Justification

The access roads are operational and have been for some time and that the conditions in the agreement have been met.

The documents are available to view on the Planning and Building Standards Portal.

3. Officer's Assessment and Recommendation

Determining Issues

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

ASSESSMENT

To address these determining issues, the Committee needs to consider whether:

- (a) the works required under the fourth schedule of the agreement have been carried out and are acceptable.

- (a) Following a visit to the sites concerned, the schedule of works listed under the fourth schedule of the agreement have been found to have been carried out and are considered acceptable as they have been subsequently adopted. The access road into the development site, which is the subject of transport planning's consultation response, is not included within the schedule of works within the legal agreement and is not therefore relevant to this discharge application.

It is recommended that the Committee approves this application to discharge the legal agreement, as requested by the applicant.

REASON FOR DECISION

The schedule of works set out in the fourth schedule to the Section 50 agreement have been satisfactorily completed and have been subsequently adopted.

John Bury
Head of Planning

Contact/tel	Ian Williams on 0131 529 3752
Ward affected	A07 - Sighthill/Gorgie
Local Plan	Edinburgh City Local Plan
Statutory Development Plan Provision	Urban Area
Date registered	17 August 2011
Overall Expiry Date	
Drawing numbers/ Scheme	

Appendix A



Application Type Planning Obligation
Application Address: Land West Of
2 Cultins Road
Edinburgh

Proposal: Application for discharge of S50 Agreement.
Reference No: 11/02686/OBL

Consultations, Representations and Planning Policy

Consultations

Transport Planning (Development Control)

The access road (into the development site) constructed under RCC ED/ 98/ 0053 which is prospectively adoptable was recently inspected with the view to adopt. A structural fault was identified along with minor road repairs. The structural works are major and have been tendered. Therefore the obligation has not been met and this road is not adoptable at present.

Representations

No representations were received.

Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.

Planning Policy

There are no policies which need to be considered.

Appendix B



Application Type Planning Obligation
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Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that this application be **GRANTED**

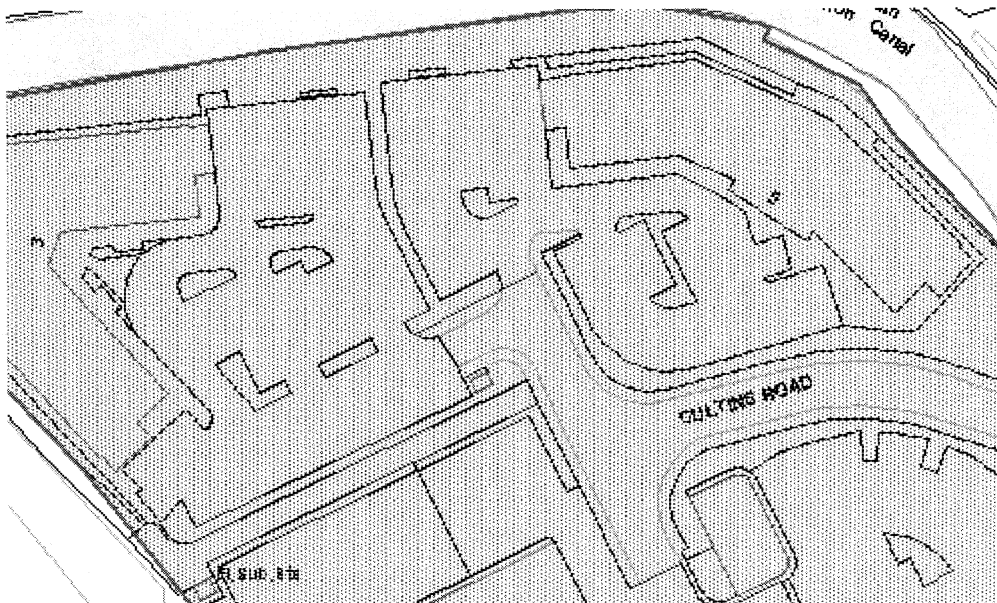
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Appendix C

Application Type Planning Obligation

Proposal: Application for discharge of S50 Agreement.

Reference No: 11/02686/OBL



Location Plan

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