

**Planning Obligation 12/00353/OBL
at
189 Morrison Street
Edinburgh
EH3 8DN**

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

1 Purpose of report

To consider application 12/00353/OBL, submitted by Tiger Haymarket No 1 Limited. The application is for: **Application to discharge the existing Section 75 agreement.**

It is recommended that this application be **Granted** by Committee.

2 The Site and the Proposal

Site description

The site is the former Haymarket goods yard, located in the city's West End, opposite Haymarket Railway Station at the junction of Morrison Street and Dalry Road. The site occupies an area of 1.67 hectares and is currently used as a public car park.

Site History

11 August 2004 - An application was recommended for approval at the DQ Sub-Committee for a comprehensive redevelopment comprising: retail, office, leisure, licensed premises, car parking and replacement public conveniences, proposals incorporate re-grading of the site to adjacent street levels. The application was referred to the Scottish Ministers and was subject to a Public Inquiry (04/00681/FUL).

31 July 2006 - Scottish Ministers granted planning permission following a Public Inquiry for the above development.

Pre-Application Process

Pre-application advice was given in relation to procedural aspects.

Description Of The Proposal

The application seeks to discharge the legal agreement relating to the proposed development under planning application 04/00681/FUL.

Discharge is being sought as the planning permission granted for the development has now expired.

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 Section 75 agreement should be discharged.

(a) A general condition imposed on the planning permission for the development limited its validity to a period of five years from the date of it being granted. The development did not commence within this period, and the permission has now expired.

A clause written into the associated legal agreement provides that: In the event of the planning permission being revoked or in any way falling, the Council shall grant a discharge of the agreement.

The permission has now fallen, and accordingly the applicants have requested that the agreement be discharged.

It is recommended that Committee approves the application to discharge the legal agreement.

REASON FOR DECISION

No development has taken place on the site and the planning permission for the proposal has now expired.

John Bury
Head of Planning & Building Standards

Contact/tel	Alexander Gudgeon on 0131 529 6126
Ward affected	A11 - City Centre
Local Plan	Edinburgh City Local Plan
Statutory Development Plan Provision	Urban Area
Date registered	10 January 2012
Drawing numbers/ Scheme	

Advice to Committee Members and Ward Councillors

The full details of the application are available for viewing on the Planning and Building Standards Portal: www.edinburgh.gov.uk/planning.

If you require further information about this application you should contact the following Principal Planner, Alan Moonie, 0131 529 3909, alan.moonie@edinburgh.gov.uk

If this application is not identified on the agenda for presentation and you wish to request one at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting. Contact details can be found in the Committee agenda papers.

Appendix A



Application Type Planning Obligation
Application Address: 189 Morrison Street
Edinburgh
EH3 8DN

Proposal: Application to discharge the existing Section 75 agreement
Reference No: 12/00353/OBL

Consultations, Representations and Planning Policy

Consultations

Representations

No representations have been 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 relevant policies.

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 by Committee, subject to the conditions, reasons and informatives stated below.

Conditions:-

End

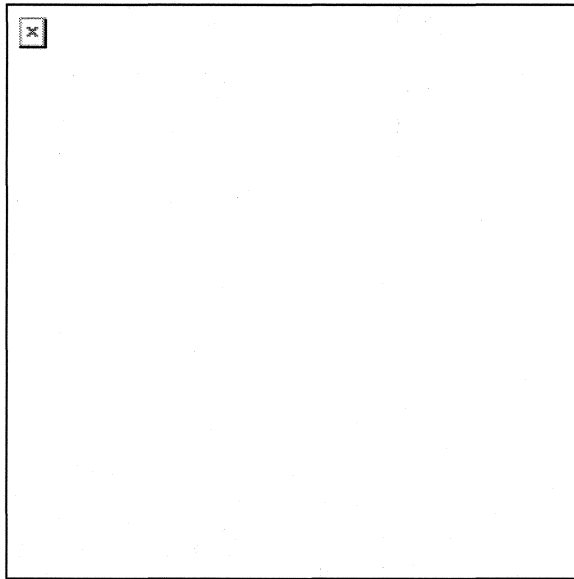
Appendix C



Application Type Planning Obligation

Proposal: Application to discharge the existing Section 75 agreement

Reference No: 12/00353/OBL



Location Plan

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