

**Stopping Up Order
at
7A + 7B Craigmillar Castle Avenue
Edinburgh
EH16 4DH**

Development Quality Sub-Committee

2 November 2005

Purpose of report

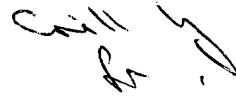
- 1 To request that the Sub-Committee confirm the City of Edinburgh (Craigmillar Castle Avenue, Edinburgh)(Stopping Up) Order 2005.

Main report

2. To facilitate implementation of a grant of planning permission for the erection of 86 dwellings, new roads, services and amenity spaces at Craigmillar Castle Avenue (Application ref 03/02967/FUL) the Development Quality Sub-Committee at its meeting of 20 July 2005 authorised promotion of a Stopping Up Order in respect of a 25 metre long section of Craigmillar Castle Avenue, Edinburgh together with a cul-de-sac of some 32 metres in length.
3. It was thereafter established that stopping up of the 25 metre long section of this road is not required and that the appropriate solution in respect of that particular area of road is to promote a separate traffic regulation order prohibiting motor vehicles. Authorisation for the promotion of the necessary traffic regulation order has been obtained from the Director of City Development through the delegated powers procedure.
4. The Stopping Up order in respect of the cul-de-sac section of Craigmillar Castle Avenue was made on 29 August 2005 and advertised on 30 August 2005. No objections were received and the order can now be confirmed. A copy of the order is attached

Recommendations

- 5. That the Sub-Committee confirm the City of Edinburgh (Craigmillar Castle Avenue, Edinburgh)(Stopping Up) Order 2005.



Jim Inch

Director of Corporate Services

Appendices	1. The City of Edinburgh (Craigmillar Castle Avenue, Edinburgh)(Stopping Up) Order 2005
Contact/tel	Craig Adamson Senior Solicitor 0131 529 3502
Wards affected	57 –Craigmillar
Background Papers	Report to Development Quality Sub-Committee 20 July 2005

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

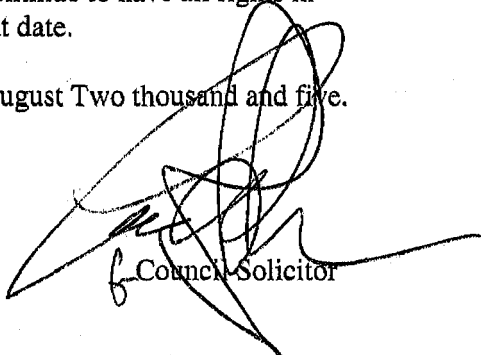
THE CITY OF EDINBURGH COUNCIL (CRAIGMILLAR CASTLE AVENUE,
EDINBURGH) (STOPPING UP) ORDER 2005 - PO/05/7

The City of Edinburgh Council, in exercise of the powers conferred on them by section 207 of the Town and Country Planning (Scotland) Act 1997, ("the 1997 Act") and of all other powers enabling them in that behalf, and being satisfied that it has become necessary to authorise the Stopping Up of the length of road specified in the Schedule to this Order to enable development to be carried out in accordance with planning permission granted under Part III of the 1997 Act, and having complied with the provisions of Section 209 of and Schedule 16 to the 1997 Act, hereby make the following Order:-

1. This Order may be cited as "The City of Edinburgh Council (Craigmillar Castle Avenue, Edinburgh) (Stopping Up) Order 2005".
2. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
3. The stopping up of the length of road in the City of Edinburgh local government area specified in the Schedule to this Order is hereby ordered.
4. Where there is immediately before the date on which the said length of road is stopped up under this Order, any apparatus belonging to any statutory undertakers under, in, on, over, along or across the length of road for the purpose of carrying on their undertaking, the said statutory undertakers shall after commencement of this Order continue to have all rights in respect of the said apparatus as they had immediately before that date.

Executed by The City of Edinburgh Council this Twenty ninth day of August Two thousand and five.

Marian L. Livingston (witness)


Council Solicitor

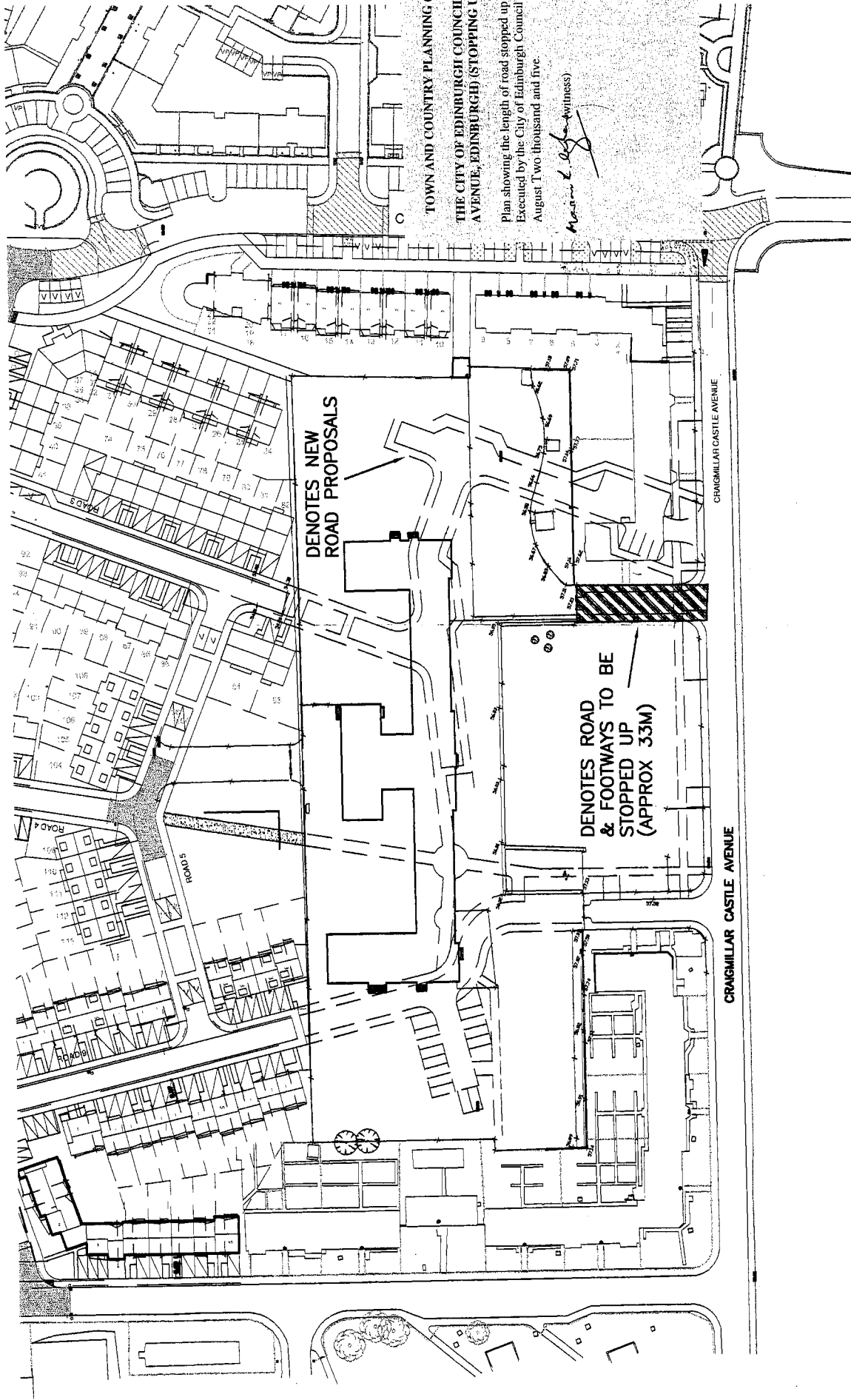
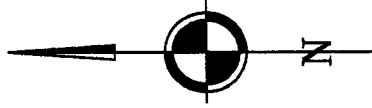
SCHEDULE

LENGTH OF ROAD IN EDINBURGH TO BE STOPPED UP

Craigmillar Castle Avenue (eastern access road to former Peffermill Primary School)

From the extended north kerbline for Craigmillar Castle Avenue northwards for a distance of 33 m or thereby and which has a width throughout of 9 m or thereby, an area of 297 m².

All as the said lengths of road are shown hatched on the attached plan and executed as relative to this Order.



TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
 THE CITY OF EDINBURGH COUNCIL (CRAIGMILLAR CASTLE AVENUE, EDINBURGH) (STOPPING UP) ORDER 2005 - PO/057
 Plan showing the length of road stopped up in terms of the above Order.
 Executed by the City of Edinburgh Council on the Twenty-ninth day of August Two thousand and five.
M. J. ...
 Council Solicitor

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 EDINBURGH EH3 7RF
 TEL 0131-225 5904
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project title
**EDINBURGH SCHOOLS PROJECT
 HOUSING DEVELOPMENT:
 PEFFERMILL**

sheet title
**PLAN SHOWING EXTENT OF
 ROADS TO BE STOPPED UP
 (SHEET 2 OF 2)**

engineer
D. McDOUGALL
 scale
1:1000

technician
P. RICHARDSON
 date
JUNE 2005

drawing number
01/98E-15