

Committee Minutes

Development Quality Sub-Committee of the Planning Committee

Edinburgh, 2 November 2005

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

Also Present: Councillors Mackintosh and Paisley.

1 51 High Street – Change of Use to Office (from Retail)

The Sub-Committee had previously continued consideration of a planning application (05/02307/FUL) for a change of use from retail to office at 51 High Street for a site visit.

The site was visited on 27 October 2005.

The Director of City Development reported further on the application.

Four letters of representation had been received commenting on the proposal.

Motion

To grant planning permission subject to the conditions contained in the report by the Director of City Development.

- moved by Councillor Davies, seconded by Councillor Child.

Amendment

- 1) To indicate intention to refuse planning permission for the reasons that:
 - (a) The proposal was contrary to Central Edinburgh Local Plan Policy S8 (in relation to the Protection of Speciality Shopping Streets) and the Council's Non-Statutory Guidelines on Speciality Shopping Streets as the loss of the retail unit would be detrimental to the vitality of the speciality shopping street.

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- (b) The proposal was contrary to Central Edinburgh Local Plan Policy CD4 as the loss of the retail unit would have a detrimental impact on the character and appearance of the conservation area.
 - (c) The proposal was contrary to Central Edinburgh Local Plan Policy CD5 as the loss of the retail unit would neither preserve or enhance the character or appearance of the conservation area.
- 2) To ask the officials to report further on the proposed reasons for refusal.
- moved by Councillor Wigglesworth, seconded by Councillor Marshall.

Voting

The amendment was carried by 8 votes to 2.

Decision

- 1) To indicate intention to refuse planning permission for the reasons that:
- (a) The proposal was contrary to Central Edinburgh Local Plan Policy S8 (in relation to the Protection of Speciality Shopping Streets) and the Council's Non-Statutory Guidelines on Speciality Shopping Streets as the loss of the retail unit would be detrimental to the vitality of the speciality shopping street.
 - (b) The proposal was contrary to Central Edinburgh Local Plan Policy CD4 as the loss of the retail unit would have a detrimental impact on the character and appearance of the conservation area.
 - (c) The proposal was contrary to Central Edinburgh Local Plan Policy CD5 as the loss of the retail unit would neither preserve or enhance the character or appearance of the conservation area.
- 2) To ask the officials to report further on the proposed reasons for refusal.

(References – Development Quality Sub-Committee 28 September 2005 (Appendix 1, item 16); report by the Director of City Development, submitted).

2 Lanark Road West (Telecomms Mast Adjacent To), Currie – Installation of Access Ladder and Small Landing Platforms

The Sub-Committee had previously continued consideration of a planning application (05/02782/FUL) for the installation of an access ladder, and small

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landing platforms on the existing chimney at Lanark Road West, Currie to determine if the chimney could be uncapped to allow internal access.

The Director of City Development reported further on the application.

Councillor Paisley was heard as local ward member.

Three letters of representation had been received commenting on the proposal.

Motion

- 1) To indicate intention to refuse planning permission for the reasons that the proposal was contrary to Policies E41 and E43 of the Finalised Rural West Edinburgh Local Plan and Policy 2.67 of the Currie, Balerno Local Plan as the access ladder and landing platforms were obtrusive and would detract from the visual amenity of the area.
- 2) To ask the officials to report further on the proposed reasons for refusal.
- 3) To advise the applicant that internalising the access arrangements would have constituted permitted development.

- moved by Councillor Longstaff, seconded by Councillor Laing.

Amendment

To grant planning permission subject to the conditions contained in the report by the Director of City Development and the following additional condition "That the access ladder and landing platforms be removed in the event that the equipment becomes obsolete or redundant, and the site re-instated to the satisfaction of the Head of Planning and Strategy within three months from that date".

- moved by Councillor Munro, seconded by Councillor Wigglesworth.

Voting

The motion was carried by 6 votes to 3.

Decision

- 1) To indicate intention to refuse planning permission for the reasons that the proposal was contrary to Policies E41 and E43 of the Finalised Rural West Edinburgh Local Plan and Policy 2.67 of the Currie, Balerno Local Plan as the access ladder and landing platforms were obtrusive and would detract from the visual amenity of the area.

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- 2) To ask officials to report further on the proposed reasons for refusal.
- 3) To advise the applicant that internalising the access arrangements would have constituted permitted development.

(References – Development Quality Sub-Committee 12 October 2005
(Appendix 1, item 19); report by the Director of City Development, submitted).

3 Waverley Steps – Interchange and Access Improvements

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 to allow the applications to be dealt with timeously.

The Sub-Committee had previously continued consideration of a planning application (05/01411/FUL) and a listed building consent application (05/01411/LBC) for interchange and access improvements to the Waverley Steps, including provision of lifts and escalators and roof canopy and alteration to the footbridge/steps within the station at platform 19 (as amended), for a site visit.

The site was visited on 27 October 2005.

The Director of City Development reported further on the applications.

Four letters of representation commenting on the proposals had been received.

Motion

- 1) To grant planning permission subject to:
 - (a) The conditions contained in the report by the Director of City Development.
 - (b) Condition 4 being amended to read as follows:

“Details of all proposed signage, lighting, security barriers and public space around the Princes Street entrance shall be submitted to and approved in writing by the Development Quality Sub-Committee before work is commenced on site.”
- 2) To indicate intention to grant conditional listed building consent subject to the views of the Scottish Ministers.

- moved by Councillor Davies, seconded by Councillor Longstaff.

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Amendment

- 1) To indicate intention to refuse planning permission and listed building consent for the reasons that:
 - a) The proposal was contrary to Central Edinburgh Local Plan Policy CD2 as it would adversely effect the setting of the adjacent listed building.
 - b) The proposal was contrary to Central Edinburgh Local Plan Policy CD4 as it would have a detrimental impact on the character and appearance of the conservation area.
 - c) The proposal was contrary to Central Edinburgh Local Plan Policy CD5 as it failed to take account of the area's special character and neither preserved or enhanced the character or appearance of the conservation area.
 - d) The proposal was contrary to Central Edinburgh Local Plan Policy CD10 as it was of insufficient architectural and urban quality.
 - e) The proposal was contrary to the Council's Non-Statutory Guidelines on the Setting of Listed Buildings and the Edinburgh Standards for Urban Design.
 - f) The proposal failed to preserve the historic fabric and special character of Edinburgh's World Heritage Site, contrary to the Council's Non-Statutory World Heritage Site Conservation Manifesto.
- 2) To ask the officials to report further on the proposed reasons for refusal.
- moved by Councillor The Hon David Guest, seconded by Councillor Laing.

Voting

The motion was carried by 8 votes to 2.

Decision

- 1) To grant planning permission subject to:
 - (a) The conditions contained in the report by the Director of City Development.

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(b) Condition 4 being amended to read as follows:

“Details of all proposed signage, lighting, security barriers and public space around the Princes Street entrance shall be submitted to and approved in writing by the Development Quality Sub-Committee before work is commenced on site.”

2) To indicate intention to grant conditional listed building consent subject to the views of the Scottish Ministers.

(References – Development Quality Sub-Committee 26 October 2005 (Appendix 1, item 10); reports by the Director of City Development, submitted).

Declarations of Interests

The Convener (Councillor Davies) declared a non-financial interest in the above items, as a Board member of the Edinburgh World Heritage Trust and the Edinburgh City Centre Management Company.

4 Applications

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

Councillor Mackintosh was heard as local ward member in respect of agenda item 4 (Charterhall Road).

Decision

To agree as detailed in Appendix 1 to this minute.

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

Declarations of Interests

The Convener (Councillor Davies) declared a non-financial interest in agenda item 5 (8 Craigleith Hill Loan) as the applicant was known to him.

Councillors Child and Gilmore declared a non-financial interest in agenda item 15 (Hay Road – Wauchope Square) as Board members of PARC and took no part in the determination of the application.

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Dissent

Councillor The Hon David Guest asked that his dissent be recorded in relation to the decision taken on agenda item 3 (85 Cammo Road).

5 7a and 7b Craigmillar Castle Avenue – Stopping Up Order

The Sub-Committee had previously authorised the promotion of a Stopping Up Order in respect of 7a and 7b Craigmillar Castle Avenue to facilitate the implementation of a previously approved development.

The Sub-Committee was now asked to confirm the Stopping Up Order.

Decision

To confirm the City of Edinburgh (Craigmillar Castle Avenue, Edinburgh) (Stopping Up) Order 2005.

(References – Development Quality Sub-Committee 10 November 2004 (Appendix 1, item 4); Development Quality Sub-Committee 20 July 2005 (item 5); report by the Director of City Development, submitted).

6 Appeal Decisions by the Scottish Ministers

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/017/05-06/CS by the Director of Corporate Services, submitted).

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APPENDIX 1

Applications

(As referred to in item 4 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	85 Cammo Road (05/02566/FUL)	Change of use to form dwelling from existing cattle court.	<ol style="list-style-type: none"> 1. To indicate that the Sub-Committee was minded to grant planning permission on the grounds that the development would maintain the form of the original steading, was not a threat to the Council's Green Belt objectives and was consistent with emerging national policy on Rural Development. 2. To continue consideration of the application for the Head of Planning and Strategy to report on appropriate conditions to be applied to the consent and to comment on the reasons for the justification of a departure from the Development Plan.
<p>Dissent – Councillor The Hon David Guest asked that his dissent be recorded in relation to the above decision.</p>			

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Agenda Item No.	Address/ Reference No	Details of Proposals	Decision
4	Charterhall Road (05/02561/FUL)	Street works column and antenna for the purposes of telecommunications.	<p>Continue consideration of the application for the Head of Planning and Strategy:-</p> <ol style="list-style-type: none"> 1. To ask the applicant to provide further supporting information as to why this location had been selected taking into account other existing/proposed installations. 2. To clarify whether accurate coverage maps had been provided.
5	8 Craigleith Hill Loan (05/01137/FUL)	Extension to form ground floor living/ dining/kitchen and attic floor bedroom/ en-suite and toilet, various internal alterations, demolish existing extension and rear attic dormer.	<p>Grant planning permission.</p> <p>(Note: The Sub-Committee were of the view that a departure from the Development Plan and Non-Statutory Guidelines was justified in this particular case on the grounds that the site specific nature of this development would not be visually prominent from the street, would not affect neighbouring amenity and would replace existing unsightly extensions.)</p>
<p>Declaration of Interest – The Convener (Councillor Davies) declared a non-financial interest in item 5 above as the applicant was known to him.</p>			

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Agenda Item No.	Address/ Reference No	Details of Proposals	Decision
6	51 High Street (05/02307/FUL)	Change of use to office (from retail).	<p>1. To indicate intention to refuse planning permission for the reasons that:</p> <p>a) The proposal was contrary to Central Edinburgh Local Plan Policy S8 (in relation to the Protection of Speciality Shopping Streets) and the Council's Non-Statutory Guidelines on Speciality Shopping Streets as the loss of the retail unit would be detrimental to the vitality of the speciality shopping street.</p> <p>b) The proposal was contrary to Central Edinburgh Local Plan Policy CD4 as the loss of the retail unit would have a detrimental impact on the character and appearance of the conservation area.</p>

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Agenda Item No.	Address/ Reference No	Details of Proposals	Decision
			<p>c) The proposal was contrary to Central Edinburgh Local Plan Policy CD5 as the loss of the retail unit would neither preserve or enhance the character or appearance of the conservation area.</p> <p>2. To ask the officials to report further on the proposed reasons for refusal.</p> <p>(On a division, see item 1 of foregoing minute.)</p>
7	Lanark Road West, Currie (05/02782/FUL)	Access ladder, small landing platforms at 9.7 metres and 23 metres (AGL) to be located on the existing chimney.	<p>1. To indicate intention to refuse planning permission for the reasons that the proposal was contrary to Policies E41 and E43 of the Finalised Rural West Edinburgh Local Plan and Policy 2.67 of the Currie, Balerno Local Plan as the access ladder and landing platforms were obtrusive and would detract from the visual amenity of the area.</p> <p>2. To ask officials to report on the proposed reasons for refusal.</p>

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Agenda Item No.	Address/ Reference No	Details of Proposals	Decision
			<p>3. To advise the applicant that internalising the access arrangements would have constituted permitted development.</p> <p>(On a division, see item 2 of the foregoing minute.)</p>
8	41 Morningside Drive (05/01435/FUL)	Change of use from artists studio to dwelling house, including single-storey extension to north west corner of building.	Grant conditional planning permission.
9	79 Broomhall Avenue (05/03097/FUL)	Install new monoblock driveway to front of dwelling and install new timber decking to rear of dwelling (in retrospect).	Grant planning permission.
10	25 Broomhall Road (05/02645/FUL)	Erect decking area and timber fence (in retrospect).	Refuse planning permission and authorise that enforcement action be taken.
11	119 Coillesdene Avenue (05/02408/FUL)	Attic extension with dormers and rooflights (as amended).	Grant planning permission.
12	5 Elliot Road (05/02151/FUL)	Form single garage and single storey family room and convert attic with dormers to front and rear.	Grant planning permission.

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Agenda Item No.	Address/ Reference No	Details of Proposals	Decision
13	12 Essex Road (05/02444/FUL)	Erect house with integral garage and erect new double garage along with other associated works (as amended).	Grant conditional planning permission.
14	Greendykes Avenue (04/04425/OUT)	Mixed residential development with associated garages and parking (in outline).	Grant conditional outline planning permission subject to a legal agreement, which should include a requirement for an educational contribution.
15	Hay Road (Wauchope Square) (05/00185/OUT)	Demolish existing housing and provide new mixed residential development with associated gardens and parking (in outline).	Grant conditional outline planning permission subject to: (1) a legal agreement and (2) the deletion of Condition 6 regarding the safeguarding of land for Tramline 3 as the land required is all outwith the application site.
Declarations of Interests – Councillor Child and Councillor Gilmore declared a non-financial interest in item 15 above as Board Members of PARC and took no part in the determination of the application.			
16	2 Hermitage Terrace (05/02502/FUL)	Change of opening times.	Grant conditional planning permission.
17	90 Inverleith Place (05/02455/FUL)	Demolish existing garage and erect new two bedroom house.	Refuse planning permission.
18	Kirkgate (Site At), Currie (05/02983/FUL)	Erect new house.	Grant conditional planning permission subject to the following additional condition: “(i) prior to the commencement of construction works on site:

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Agenda Item No.	Address/ Reference No	Details of Proposals	Decision
			<p>(a) a site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning and Strategy, 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 and approved in writing by the Head of Planning and Strategy.</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 and Strategy.
19	30A Montgomery Street (05/03031/LBC)	Installation of non-structural partitions, suspended ceiling, kitchen and other minor alterations (in retrospect).	Indicate intention to grant listed building consent subject to the views of the Scottish Ministers.
20	25 Mortonhall Park Drive (05/01794/FUL)	Alterations to form additional accommodation above existing garage.	Grant planning permission.
21	6 Muirend Avenue, Juniper Green (05/03125/FUL)	Erect a conservatory.	Grant conditional planning permission subject to an additional requirement for screening on the eastern boundary of the site.
22	82 Priestfield Crescent (05/02544/FUL)	Proposed erection of 2 storey extension to existing private dwelling.	Grant conditional planning permission.
23	Roseburn Street (05/03006/ADV)	Erect 1 x 96 sheet "wave" hoarding.	Grant conditional advertisement consent.
24	10 Royston Terrace (05/02916/FUL)	Proposed window alterations to form French Doors (in retrospect).	Refuse planning permission and authorise that enforcement action be taken.
25	8c Salisbury Road (05/02623/FUL)	Widen entrance gate/alter stone pier.	Grant conditional planning permission.

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Agenda Item No.	Address/ Reference No	Details of Proposals	Decision
26	42 Saughton Crescent (05/00715/FUL)	Five terraced houses (as amended).	Grant conditional planning permission subject to a legal agreement.
27	14 South St Andrew Street (05/03029/ADV)	Global/UK brand adverts printed on mesh panels within a 1:1 computer rendered representation of the building.	Grant conditional advertisement consent.
28	13 West Harbour Road (05/02555/ADV)	Waterfront Edinburgh Ltd general advertisement (billboard).	Grant conditional advertisement consent.
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 to allow the applications to be dealt with timeously.			
31	Waverley Steps (05/01411/FUL)	(a) Interchange and access improvements to the steps, including provision of lifts and escalators and roof canopy (as amended).	Grant conditional planning permission subject to: Condition 4 being amended to read as follows: "Details of all proposed signage, lighting, security barriers and public space around the Princes Street entrance shall be submitted to and approved in writing by the Development Quality Sub-Committee before work is commenced on site." (On a division, see item 3 of the foregoing minute.)

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Agenda Item No.	Address/ Reference No	Details of Proposals	Decision
	Waverley Steps (05/01411/LBC)	(b) Interchange and access improvements to the steps, including provision of lifts and escalators and roof canopy, alteration to footbridge/steps within station at Platform 19 (as amended).	Indicate intention to grant conditional listed building consent subject to the views of the Scottish Ministers. (On a division, see item 3 of the foregoing minute.)
Declarations of Interests – Councillor Davies declared a non-financial interest in items 31(a) and 31(b) above as a Board Member of the Edinburgh World Heritage Trust and the Edinburgh City Centre Management Company.			

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APPENDIX 2

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

Development/Appellant	Decision and Date	Decision by the Scottish Ministers
<p>12 Cramond Road North</p> <p>Erect two storey extension to gable end of house</p> <p>(05/00555/FUL)</p> <p>Mr Bogue.</p>	<p>Planning permission refused by the Sub-Committee on 18 May 2005.</p>	<p>Appeal <u>dismissed</u>.</p>
<p>48 (Flat 6) Drum Street</p> <p>Alter attic and form bedroom and bathroom</p> <p>(04/04645/FUL)</p> <p>Mr Kinnear.</p>	<p>Planning permission refused under delegated authority on 18 February 2005.</p>	<p>Appeal <u>dismissed</u>.</p>
<p>75 Redford Loan</p> <p>Alter and extend house in roofspace (including raising roof line)</p> <p>(04/04457/FUL)</p> <p>Mr and Mrs Tucker.</p>	<p>Planning permission refused under delegated authority on 11 February 2005.</p>	<p>Appeal <u>dismissed</u>.</p>
<p>171 Whitehouse Road</p> <p>Erect detached house adjacent to existing cottage</p> <p>(04/01372/FUL)</p> <p>Mr and Mrs McDonald</p>	<p>Planning permission refused by the Sub-Committee on 8 December 2004.</p>	<p>Appeal <u>dismissed</u>,</p>