

# Development Management Sub-Committee

**10.00 am, Wednesday, 29 April 2015**

## **Stopping Up Order – Lovers’ Lane, Right of Way, Cycle Track and Core Path, South Queensferry, Edinburgh**

<b>Item number</b>	5.6
<b>Report number</b>	
<b>Executive/routine</b>	
<b>Ward</b>	A01 - Almond

### **Executive summary**

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1. The purpose of this report is to request that the Sub-Committee note the objections made when the City of Edinburgh Council (Lovers’ Lane, Right of Way, Cycle Track and Core Path, South Queensferry, Edinburgh) (Stopping Up) Order 2015 was advertised to the public.
2. It is recommended that the stopping up order is passed to the Scottish Ministers to hold a Public Inquiry.

### **Links**

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#### **Coalition pledges**

#### **Council outcomes**

CO25 – The Council has efficient and effective services that deliver on objectives.

#### **Single Outcome Agreement**

## Stopping Up Order – Lovers’ Lane, Right of Way, Cycle Track and Core Path, South Queensferry, Edinburgh

### Recommendations

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- 1.1 That the Sub-Committee note the objections made when the City of Edinburgh Council (Lovers’ Lane, Right of Way, Cycle Track and Core Path, South Queensferry Edinburgh) (Stopping Up) Order 2015 was advertised to the public.
- 1.2 That the stopping up order is passed to the Scottish Ministers to hold a Public Inquiry.

### Main report

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- 2.1 To facilitate implementation of a grant of approval of full planning permission (reference 11/00995/PPP and 13/03310/AMC) for the mixed use development of 450 houses and flats and commercial building, at the former Agilent Technologies, Scotstoun Avenue, South Queensferry a stopping up order is required.
- 2.2 The stopping up of the right of way, cycle track and core path, known as Lovers’ Lane and the construction of a new route were considered in a report to the Development Management Sub-Committee on 4 December 2013. Cala Homes, the developer of the area, has supplied plans showing the section of Lovers’ Lane to be stopped up and the new route to the east. These plans are attached in the appendix to this report.
- 2.3 The stopping up of Lovers’ Lane was progressed under the terms of the Town and Country Planning (Scotland) Act 1997, Section 208. The order was advertised to the public from 10 March 2015 to 10 April 2015. Two objections have been received and for the stopping up order to proceed the representations require to be passed to the Scottish Ministers for determination.
- 2.4 Both objections are on the grounds that Lovers’ Lane is a safe path with no motor vehicle access. The objectors are concerned that the new route through the housing development will have to be shared with other vehicles.

They also consider that area to be of environmental interest and it should be kept to involve children from the local schools in the teaching of wildlife corridors and biodiversity.

- 2.5 The present route requires persons to cross Scotstoun Avenue, the main access road into the development, to travel from Lovers' Lane to the north section of the route. The new route will be on a dedicated surface with only a minor road to cross and it is considered that this will be safer than maintaining the present route. With regard to the other uses of Lovers' Lane, planning permission has already been given to build in the surrounding fields. Maintaining the existing route would place it between two house estates and inevitably change the environmental landscape.

### **Measures of success**

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- 3.1 The planning permission will be implemented in full.

### **Financial impact**

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- 4.1 Associated costs will be met by the applicants.

### **Risk, policy, compliance and governance impact**

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- 5.1 All statutory procedures for the making of the Order will be correctly followed.

### **Equalities impact**

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- 6.1 This was assessed in the report to the Development Management Sub-Committee on 4 December 2013 and is contained within the Assessment section of that report.

### **Sustainability impact**

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- 7.1 This was assessed in the report to the Development Management Sub-Committee on 4 December 2013 and it was considered that these met the sustainability requirements of the Edinburgh Design Guidance.

## Consultation and engagement

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- 8.1 The consultation required by the legislation was carried out and if the Stopping Up Order is passed to the Scottish Ministers all further required consultations will be undertaken.

## Background reading / external references

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Report to the Development Management Sub-Committee on 4 December 2013

Application for Approval of Matters Specified in Conds 13/03310/AMC At Agilent Technologies, Scotstoun Avenue, South Queensferry. Application for Approval of matters specified in conditions of application 11/00995/PPP for mixed use development of 450 houses and flats and commercial building.

### David R. Leslie

Acting Head of Planning and Building Standards

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## Links

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### Coalition pledges



**Council outcomes** CO25 – The Council has efficient and effective services that deliver on objectives.

### Single Outcome Agreement

**Appendices** Appendix 1 Plans of the area to be stopped up and the alternative route





-  (1) Area to be stopped up.
-  (2) Alternative Route

THE CITY OF EDINBURGH COUNCIL (LOVERS' LANE, RIGHT OF WAY, CYCLE TRACK AND CORE PATH, SOUTH QUEENSFERRY, EDINBURGH) (STOPPING UP) ORDER 2015 - PO/15/2

Plan showing the lengths of cycle track/core path stopped up in terms of the above Order. Executed by the City of Edinburgh Council on the Third day of March Two thousand and fifteen.

*Swire*  
(witness)

Acting Head of Planning and Building Standards

*DL Leslie*

APPENDIX 1 - PLAN 2



Calvia House, Callender Business Park  
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www.calia.co.uk

Proposed Residential Development,  
Agilent, South Queensferry.

LOVERS' LOAN, RIGHT OF WAY,  
CYCLE TRACK AND CORE PATH,  
SOUTH QUEENSFERRY, EDINBURGH  
STOPPING UP AND ALTERNATIVE ROUTE

SCALE: 1:1000	SHEET SIZE: A	DATE:
DESIGN BY:	PREPARED BY:	FINAL:
CHECKED BY:	CENTRAL:	DEVELOPER:
WASTED:	WASTED:	
STG: WCC	STG: NS	REV: P.01
WCC/NS	STG/01	

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