

Development Management Sub-Committee of the Planning Committee

10.00 am Wednesday 3 June 2015

Present:

Councillors Perry (Convener), Dixon (Vice-Convener), Bagshaw, Blacklock, Heslop, McVey, Mowat and Robson.

1. General Applications and Miscellaneous Business

The Sub-Committee considered the reports on planning applications and pre-applications, listed in Sections 5, 6, 7, 8 and 9 of the agenda for the meeting.

The Acting Head of Planning and Building Standards gave a presentation on agenda item 5.3 (8 Ettrick Road, Edinburgh) as requested by Councillors Bagshaw and Mowat..

Decision

To determine the applications as detailed in the Appendix to this minute.

(Reference – reports by the Acting Head of Planning and Building Standards, submitted)

2. Minutes

Decision

To approve the minute of the Development Management Sub Committee of 20 May 2015 as a correct record.

3. 40 Stanley Place, Edinburgh

The Sub-Committee had agreed to hold a hearing for consideration of the following application at 40 Stanley Place, Edinburgh – Demolition of existing buildings and construction of 93 no units of student accommodation with ancillary services – Application no 14/05075/FUL.

(a) Report by the Acting Head of Planning and Building Standards

The Acting Head of Planning and Building Standards gave details of the proposals and advised that this complied with the development plan, the Council's Guidance for Student Housing and Edinburgh Design Guidance. The scale, form and design were satisfactory. There was no acceptable loss of residential amenity and the proposal provided a satisfactory level of amenity for the new occupiers. There were no road safety or parking issues. No impact on equalities or human rights was identified. There were no other material considerations which outweighed this conclusion.

The Acting Head of Planning and Building Standards recommended that the Sub-Committee grant planning permission for the development.

The presentation can be viewed via the link below:

http://www.edinburgh.public-i.tv/core/portal/webcast_interactive/148998

(b) Craigentiny and Meadowbank Community Council

Alex Jones on behalf of Craigentiny and Meadowbank Community Council outlined the concerns of the Community Council, in relation to the proposals. These included the proximity of the development to the railway track, the effect on residents of noise and vibration and the scale and massing of the development, which was out of character with the area. There would be a loss of amenity for residents together with issues of overshadowing and loss of privacy. Additionally, there would be an increase in the number of residents, which would require more parking provision.

The presentation can be viewed via the link below:

http://www.edinburgh.public-i.tv/core/portal/webcast_interactive/148998

(c) Organisers of Petition Opposed to the Development

Dr Bernadette McKell outlined the concerns of the organizers of the petition, who were opposed to the development. She indicated that if the proposals went ahead, there would be an increase in the level of noise and residential amenity would be adversely affected. The real concerns of the local residents had not been addressed.

The presentation can be viewed via the link below:

http://www.edinburgh.public-i.tv/core/portal/webcast_interactive/148998

(d) Royal Park Terrace and Spring Gardens Residents Association

Lorna Ewing outlined the concerns of the residents of Royal Park Terrace and Spring Gardens, in relation to the proposals. She focused on the likely increase in the level of noise from trains which would be unacceptable, the increase in levels of pollution and the exposure of the proposed residents of the development to locomotives “idling”, which would have an adverse effect on their health and wellbeing. Overall, the proposed development of the site was not fit for residential use.

The presentation can be viewed via the link below:

http://www.edinburgh.public-i.tv/core/portal/webcast_interactive/148998

(e) Fortis Developments Ltd

Fiona Clandillon of Ryden and Trevor Olvar of SLR outlined the case on behalf of Fortis Developments Ltd. Fiona Clandillon outlined the planning history of the site, and indicated that the current application was for student accommodation, not for residential development. In relation to concerns about amenity and design, steps had been taken to mitigate sound.

Trevor Olvar explained that the increase in levels of noise were acceptable. This included vibration levels, reflected noise and the supposed canyon effect. There would be no adverse effect on daylighting, no overshadowing and no impact on privacy. The advantages of the development of this site were in the form of job creation and increased trade for local businesses.

They asked the Sub-Committee to determine the application according to the officer’s recommendations and grant planning consent.

The presentation can be viewed via the link below:

http://www.edinburgh.public-i.tv/core/portal/webcast_interactive/148998

(f) Local Ward Councillor

Councillor Griffiths, Ward Councillor for Craigentiny/Duddingston advised that the views of the residents had not been taken into account. The site had a planning history. The concerns which had been expressed by local residents regarding noise and air pollution were compelling, and these people had a right not to be affected by this. In addition the development would have significant detrimental effect on residential amenity by way of reflected noise from the building and loss of privacy and parking.

The presentation can be viewed via the link below:

(g) Local Ward Councillor

Councillor Tymkewycz, Ward Councillor for Craigentiny/Duddingston advised that the residential tenements referred to by the applicant had been condemned in the 1950's as not fit for habitation, the current proposals would mean that there would be a substantial number of students in the area and the reflective noise would adversely affect the residents. The development was based purely on using the land for the greatest profit, and did not take into account the loss of amenity to the existing residents.

The presentation can be viewed via the link below:

http://www.edinburgh.public-i.tv/core/portal/webcast_interactive/148998

Decision

- 1) To **REFUSE** planning permission as the proposal was contrary to policies ENV18, HOU 8 (including detrimental to the amenity of potential future occupiers), DES 3 (a) and (c) and PAN 1 in respect that it would increase the numbers of people exposed to noise.
- 2) To require the Acting Head of Planning and Building Standards to report back with the detailed reason for refusal for noting by the Sub-Committee.
- 3) The Acting Head of Planning and Building Standards to review the suitability of the site for housing

(Reference – Development Management Sub-Committee 22 April 2015 (item 1); report by the Acting Head of Planning and Building Standards, submitted).

4. 181-183 Canongate, Edinburgh

The Sub-Committee had on 20 May 2015 had continued consideration of the application to this meeting .

The Acting Head of Planning and Building Standards reported on an application for planning permission for alterations including installation of twin 150mm diameter flue ducts to rear elevation and change of use of existing shop premises (Class 1 Shops) to form restaurant (Class 3 Food and Drink) at 181-183 Canongate, Edinburgh (application no. 14/02185/FUL).

The Acting Head of Planning and Building Standards gave details of the proposal and the planning considerations involved, and recommended that permission be granted.

Motion

To grant planning permission subject to the conditions, reasons and informatives as detailed in Section 3 of the report by the Acting Head of Planning and Building Standards.

- moved by Councillor Perry, seconded by Councillor Dixon.

Amendment

1. To refuse planning permission for the reason that the proposals were contrary to policy RET 11 on Alternative Use of Shop Units in Other Locations.
 2. To require the Acting Head of Planning and Building Standards to report back with the detailed reason for refusal for noting by the Sub-Committee.
- moved by Councillor Mowat, seconded by Councillor Bagshaw.

Voting

- For the motion - 2 votes
- For the amendment - 4 votes

Decision

1. To refuse planning permission for the reason that the proposals were contrary to policy RET 11 on Alternative Use of Shop Units in Other Locations.
2. To require the Acting Head of Planning and Building Standards to report back with the detailed reason for refusal for noting by the Sub-Committee.

(References – Development Management Sub-Committee 20 May 2015 (item 1); report by the Acting Head of Planning and Building Standards, submitted)

Appendix

Agenda Item No/Address	Details of Proposal/Reference No	Decision
<p>Note: Detailed conditions/reasons for the following decision are contained in the statutory planning register.</p>		
<u>5.1 - Belgrave Road, Edinburgh</u>	Tree Preservation Order No 175	To CONFIRM Tree Preservation Order No 175
<u>5.2 - 7 Boswall Green, Edinburgh</u>	Proposed demolition of single storey dwelling and erection of 2 storey flatted property (containing two flats in total) (as amended) - application no. 15/01344/FUL	To NOTE the report had been withdrawn from the agenda
<u>5.3 - 8 Ettrick Road, Edinburgh</u>	Extend garage and raise wall head with pitched roof over incorporating bedroom/shower room - application no. 15/01354/FUL	To CONTINUE consideration of the matter for a site visit.
<u>5.4 - 39 High Street, South Queensferry</u>	To continue to allow the use of a public parking area as a community market with the erection of gazebos on selected days in July, September and December 2015 and monthly on the last Sunday of the month from April to September 2015. - application no. 15/00923/FUL	To GRANT planning permission subject to informatives as detailed in section 3 of the report by the Acting Head of Planning and Building Standards.
<u>5.5 - Princes Street, Edinburgh</u>	Double-sided advertising panels integral to bus shelters comprising full motion digital screens on outer faces and static LED backlit paper adverts on inner faces. - application no. 15/01869/ADV	To GRANT advertisement consent subject to conditions, reasons and informatives as detailed in section 3 of the report by the Acting Head of Planning and Building Standards.

Agenda Item No/Address	Details of Proposal/Reference No	Decision
5.6 - Princes Street, Edinburgh	Double-sided advertising panels integral to bus shelters comprising full motion digital screens on outer faces and static LED backlit paper adverts on inner faces. - application no. 15/01870/ADV	To GRANT advertisement consent subject to conditions, reasons and informatives as detailed in section 3 of the report by the Acting Head of Planning and Building Standards.
5.7 - Redhall House Drive, Edinburgh (Redhall House)	Tree Preservation Order No 174	To CONFIRM Tree Preservation Order No 174
6.1 – 181 - 183 Canongate, Edinburgh	Alterations including installation of twin 150mm diameter flue ducts to rear elevation and change of use of existing shop premises (Class 1 Shops) to form restaurant (Class 3 Food and Drink) - application no. 14/02158/FUL	<ol style="list-style-type: none"> 1. To refuse planning permission for the reason that the proposals were contrary to policy RET 11 on Alternative Use of Shop Units in Other Locations. 2. To require the Acting Head of Planning and Building Standards to report back with the detailed reason for refusal for noting by the Sub-Committee. <p style="text-align: center;">(On a division)</p>
6.2 - 42 Gilmerton Dykes Road Edinburgh (Land 115 Metres Southeast Of)	Residential development of 61 units with associated accesses, roads and landscaping - application no 14/01446/FUL	To note the report

Agenda Item No/Address	Details of Proposal/Reference No	Decision
6.3 - 14, 16 - 18 Bothwell Street, Edinburgh	Demolish existing steel framed warehouse buildings and subsequent 240 bed student accommodation development with associated external landscaping - application no. 14/05255/FUL	To GRANT planning permission subject to: <ol style="list-style-type: none"> 1. Conditions, reasons, informatives and a legal agreement as detailed in section 3 of the report by the Acting Head of Planning and Building Standards. 2. An additional condition that the exact details of parking provision and location of parking spaces to be approved by the Acting Head of Planning Standards. To note that the cycle parking was expected to be up to 75% and be located on proposed car parking and not on the raised beds)
7.1 - 8 Bellevue Crescent, Edinburgh	Proposed change of use of domestic lock up garage to form studio office accommodation. – application no. 15/00700/FUL	To REFUSE planning permission for the reasons detailed in section 3 of the report by the Acting Head of Planning and Building Standards.
8.1(a) - 40 Stanley Place, Edinburgh	Protocol Note by the Head of Legal, Risk and Compliance	Noted.

Agenda Item No/Address	Details of Proposal/Reference No	Decision
8.1(b) - 40 Stanley Place, Edinburgh	Demolition of existing buildings and construction of 93 no units of student accommodation with ancillary services – application no. 14/05075/FUL	<ol style="list-style-type: none"> 1. To REFUSE planning permission because the proposal was contrary to policies ENV18, HOU 8 (including detrimental to the amenity of potential future occupiers), DES 3 (a) and (c) and PAN 1 in respect that it would increase the numbers of people exposed to noise. 2. To require the Acting Head of Planning and Building Standards to report back with the detailed reason for refusal for noting by the Sub-Committee. 3. The Acting Head of Planning and Building Standards to review the suitability of the site for housing
9.1(a) - 12 Merchiston Place, Edinburgh	Demolish existing stone building and erect two new blocks to form four dwellings in total and erection of an electricity sub-station to the north-east corner – application no 14/05155/FUL	To REFUSE planning permission for the reasons detailed in section 3 of the report by the Acting Head of Planning and Building Standards.
9.1(b) - 12 Merchiston Place, Edinburgh.	To demolish existing stone villa and existing garages and storage buildings - application no 14/05156/CON	To REFUSE listed building consent for the reasons detailed in section 3 of the report by the Acting Head of Planning and Building Standards.