

Development Management Sub-Committee

10.00 am, Wednesday 24 June 2015

Stopping Up Order – PO/15/7 – St James Centre Area, Edinburgh

Item number	8.1
Report number	
Executive/routine	
Ward	A11 – City Centre

Executive summary

1. The purpose of this report is to request that the Sub-Committee notes the objections made when the City of Edinburgh Council (St James Centre Area, 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

Coalition pledges	
Council outcomes	CO25 – The Council has efficient and effective services that deliver on objectives.
Single Outcome Agreement	

Stopping Up Order – PO/15/7 – St James Centre Area, Edinburgh

Recommendations

- 1.1 That the Sub-Committee notes the objections made when the City of Edinburgh Council (St James Centre Area, 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

- 2.1 To facilitate implementation of a grant of approval of outline planning permission (reference 08/03361/OUT) for the redevelopment of St James Centre a stopping up order is required.
- 2.2 The outline planning permission is for the redevelopment and refurbishment including demolition works and new buildings to provide mixed use development comprising retail (Class 1), leisure and culture (Class 10 and Class 11), hotel (Class 7), offices (Class 4), food and drink (Class 3), residential, and other related ancillary uses (including Financial, Professional and other Services - Class 2), car parking, servicing, access arrangements, provision of new public realm and refurbishment of existing department store, detailed approval of siting and maximum height of building blocks, points of vehicular access and egress and location of pedestrian routes at the St James Centre, Edinburgh. The stopping up of the various sections of the road was considered necessary by the Sub-Committee to permit the new building to be constructed. Henderson Global Investors, the developer of the area, has supplied plans showing the sections of road to be stopped up and these are attached in the appendix to this report.
- 2.3 The stopping up of the various section of the road was progressed under the terms of the Town and Country Planning (Scotland) Act 1997, Sections 207 and 208. The order was advertised to the public from 15 May 2015 to 12 June 2015. Five objections have been received and for the stopping up order to proceed the representations require to be passed to the Scottish Ministers for confirmation.

- 2.4 The objections are on the grounds that there will be a loss of access for residents of St James Square, businesses on Multrees Walk and pedestrians on James Craig Walk. It was questioned whether the Council should be undertaking the stopping up order until the Compulsory Purchase Order and planning permission for the areas have been completed.
- 2.5 The new roads (carriageway, footway or footpath) connecting the existing road network to the new development will be built under Road Construction Consent terms. Where a road is built under the above consent, the public will have access over it whether publicly or privately maintained. The stopping up order will only extinguish the right of passage; any right of servitude will still exist unless or until extinguished by the Compulsory Purchase Order. With regard to the planning permission, this is in place; however, a stopping up order may be run in parallel with planning applications. It is therefore not premature to advertise the stopping up order at this date.

Measures of success

- 3.1 The planning permission will be implemented.

Financial impact

- 4.1 Associated costs will be met by the applicants.

Risk, policy, compliance and governance impact

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

Equalities impact

- 6.1 The equalities impacts of the development are being considered under the AMC applications which have been submitted in relation to the 08/03361/OUT outline planning permission.

Sustainability impact

- 7.1 This was assessed in the report to the Development Management Sub-Committee on 29 April 2009 and it was considered that these met the sustainability requirements of the Edinburgh Standards for Sustainable Building.

Consultation and engagement

- 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

Report to the Development Management Sub-Committee on 29 April 2009 for application reference 08/03361/OUT.

Application for Approval of Matters Specified in Conds 14/02070/AMC and 14/05263/AMC at St James Centre.

Five letters of objection

David R. Leslie

Acting Head of Planning and Building Standards

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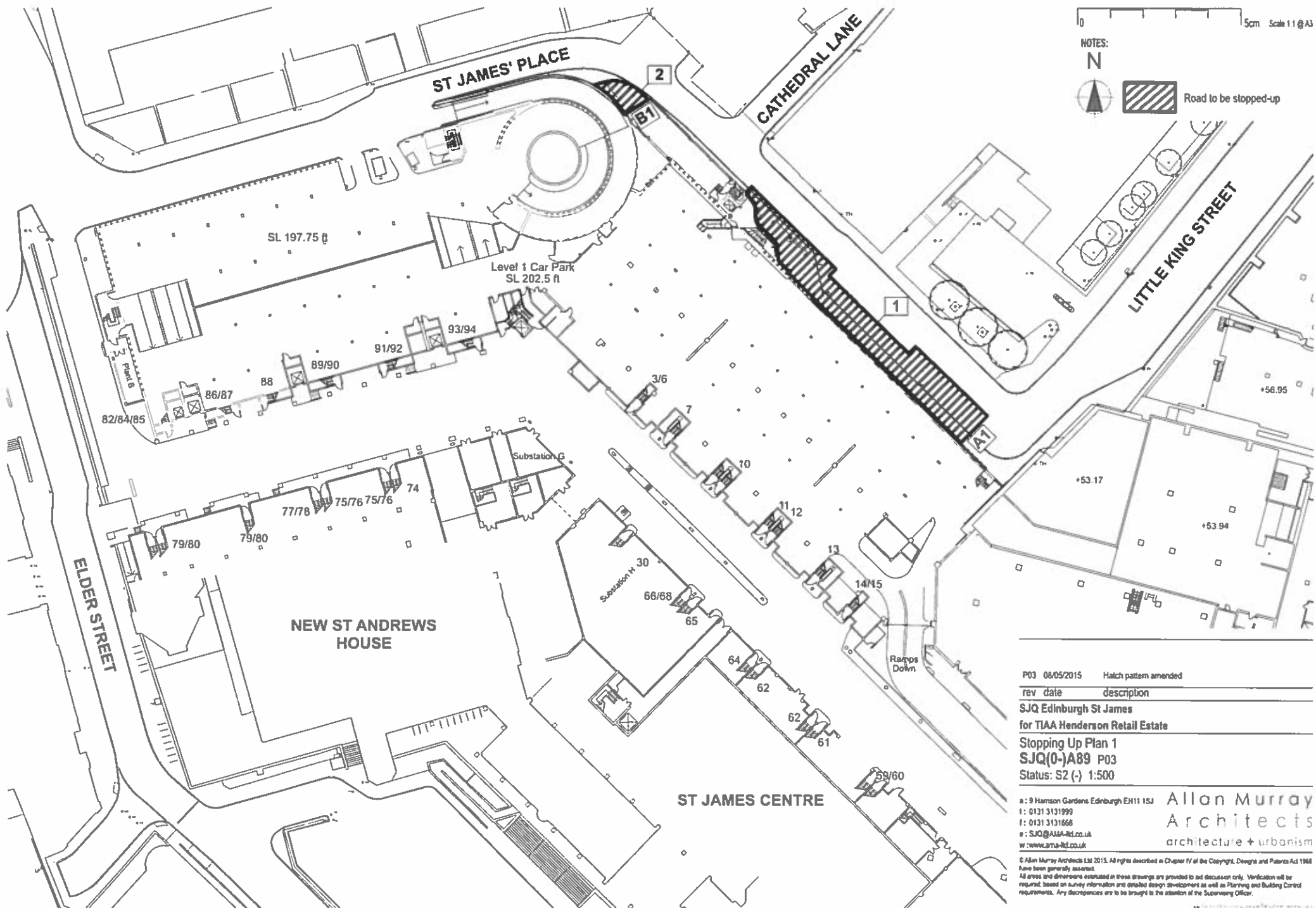
Links

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.



0 5cm Scale 1:1 @ A3

NOTES:

N

  Road to be stopped-up

SL 197.75 @

Level 1 Car Park
SL 202.5 ft

NEW ST ANDREWS
HOUSE

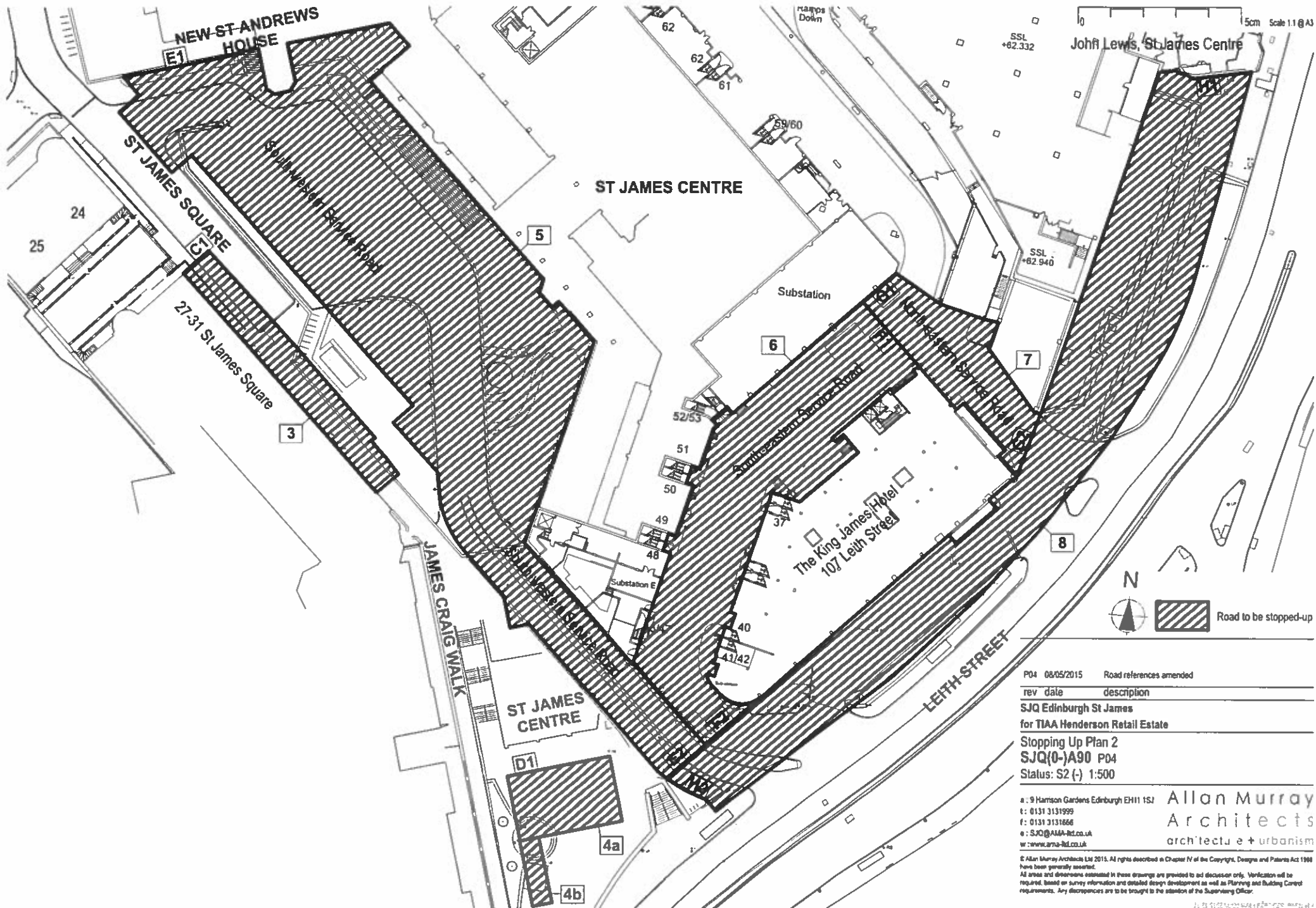
ST JAMES CENTRE

P03 08/05/2015	Hatch pattern amended
rev date	description
SJQ Edinburgh St James for TIAA Henderson Retail Estate	
Stopping Up Plan 1 SJQ(0)-A89 P03 Status: S2 (-) 1:500	

a : 9 Harrison Gardens Edinburgh EH11 1SJ
t : 0131 3131999
f : 0131 3131666
e : SJQ@AMA-Ed.co.uk
w : www.ama-Ed.co.uk

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P04	08/05/2015	Road references amended
rev	date	description
SJQ Edinburgh St James		
for TIAA Henderson Retail Estate		
Stopping Up Plan 2		
SJQ(0-)A90 P04		
Status: S2 (-) 1:500		

a : 9 Harrison Gardens Edinburgh EH11 1SJ
 t : 0131 3131999
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