

Development Management Sub-Committee of the Planning Committee

10.00 am Wednesday 26 August 2015

Present:

Councillors Perry (Convener), Dixon (Vice-Convener), Bagshaw, Blacklock, Cairns, Child, Heslop, Howat, McVey, Milligan, Mowat, Robson and Ross (SNP substitute).

1. Minutes

Decision

To approve the minutes of the Development Management Sub Committee of 12 August 2015 as a correct record.

2. General Applications and Miscellaneous Business

The Sub-Committee considered the reports on planning applications and pre-applications, listed in Sections 4, 6, 7, 8 and 9 of the agenda for the meeting.

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)

Declaration of Interests

Councillor Ross declared a non-financial interest in the above agenda item 7.2 – 199 Fountainbridge, Edinburgh as a Director of EDI, he left the room and took no part in the consideration of this item.

Councillor Dixon declared a non-financial interest in agenda item 9.2 – Saltire Street, Edinburgh (Land 80 metres west and east of) – Application No. 15/03528/PAN - as an owner of a nearby property, he left the room and took no part in the consideration of this item

3. 1 Canonmills Bridge, Edinburgh

The Sub-Committee had agreed to hold a hearing for consideration of the following application at 1 Canonmills, Edinburgh – Complete demolition in a conservation area - application no. 15/01786/CON.

(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 the demolition of the unlisted building was acceptable as the loss of the building would not have an adverse impact on the character or appearance of the conservation area. There were no material considerations to outweigh this conclusion.

The Acting Head of Planning and Building Standards recommended that the Sub-Committee grant the application.

The presentation can be viewed via the link below:

http://www.edinburgh.public-i.tv/core/portal/webcast_interactive/169930

(b) The New Town and Broughton Community Council and Stockbridge and Inverleith Community Council

Jan Anderson of SAVE – 1 – 6 Cannonmills Bridge outlined the concerns to the local community to the proposals. The campaign to prevent the demolition was about the local community and there had been a massive response from them, in opposition to the proposals. Additionally, there had been no notification of the application. Canonmills was a busy road junction, a neighborhood and it was a special area with a unique and varied townscape, the low height of the buildings on the bridge produced an open skyline. When the 2010 consent had been granted the buildings were run down and unoccupied, however they were now thriving businesses and economically viable. The Sub-Committee should listen to the views of the community, conserve Canonmills Bridge and not construct a “bland new block”.

The presentation can be viewed via the link below:

http://www.edinburgh.public-i.tv/core/portal/webcast_interactive/169930

Richard Price presented the concerns of the New Town and Broughton Community Council. He outlined the community responses in 2009 and 2014 to proposals for development of the site. It was necessary to preserve the conservation area. The traditional building formed a sympathetic link between the edge of the New Town and the Inverleith Conservation Area. The present application did not preserve or enhance the character of the conservation area. At present, the area formed a pleasing contrast of architectural styles with the buildings on the bridge linking in well. The SHEP test had not been adequately met as it referred to the significance of the setting of a building in the wider vista. The Sub-Committee should recognise the value and significance of the building to the local environment and that the proposed demolition was detrimental to the

conservation area and was contrary to statutory and non-statutory guidelines.

The presentation can be viewed via the link below:

http://www.edinburgh.public-i.tv/core/portal/webcast_interactive/169930

Pam Barnes outlined the concerns of the Stockbridge and Inverleith Community Council to the proposals. The current proposals were concerned with the demolition of a building in a conservation area and she briefly outlined the history of the building. This building complied with legislation as it contributed to the conservation area, its removal would erode this and the building had a viable use. Additionally, the planning permission which had been granted did not justify the demolition of this Victorian building. Contrary to the planning report, the building was not an anomaly, its low build was beneficial and it was part of the area. Another similar application was refused by the Sub-Committee in 2014. In conclusion, the demolition should be refused as it would have a negative impact and erode the character of the conservation area, it was contrary to planning policy and the SHEP test with regard to economic well-being of the area which depended upon the retention of attractive architectural features.

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http://www.edinburgh.public-i.tv/core/portal/webcast_interactive/169930

Ross McEwan on behalf of the local community campaign stated that the planning report indicated that the building was an anomaly. However, the anomaly was an integral part of the place. If the building was destroyed, it would destroy the memory of the place and it was the collection of the buildings that created memories. This was significant because pedestrians saw the town in terms of vistas, therefore, "opening up places" should be retained. Unfortunately the planning system was governed by systems, which militated against place making. Additionally, there would be no guarantee of economic benefits as a result of the proposals. The local shops benefited from the nature of the place in its present form, but the proposals would adversely affect this. To conclude, it was important to create places for people and refuse the application

The presentation can be viewed via the link below:

http://www.edinburgh.public-i.tv/core/portal/webcast_interactive/169930

(c) The Cockburn Association and Inverleith Society

Ian Hooper outlined the concerns of the Inverleith Society to the proposals. The Society wanted to preserve the character of Inverleith and many people, who were not part of the Society supported their views. Canonmills was once again a thriving hub and was a real local asset. This area had always been an important junction and meeting place, and the building had a relationship with Inverleith, the New Town and Broughton. Contrary to the planning report, the building was not an anomaly. It was modest, but did not detract from the character of the conservation area. By contrast, the proposed

replacement building had no precedent in terms of scale and was not compatible with the character of the conservation area. Planning guidance emphasised the importance of place-making, therefore, as this area was a place, it should not be put at risk by these proposals. He hoped that the Sub-Committee would recognise the strong opposition of the local community to the proposals and refuse the application.

The presentation can be viewed via the link below:

http://www.edinburgh.public-i.tv/core/portal/webcast_interactive/169930

Marion Williams outlined the concerns of the Cockburn Association to the proposals. She then indicated that the Association had responded to all applications on this site since 2008 and had been consistent in their approach. Although this was not listed, it was a very important building as it was an entrance to the World Heritage Site and if Edinburgh had buffer zones like other World Heritage Cities, this would be one. The proposed demolition would mean losing the greenery of Leith and would have a negative impact on good urban design and loss of place. This was an exceptional building and was worthy of retaining. Human rights were increasingly relevant to planning as it was stated that local communities should have input into the decision making process. For this reason, the Sub-Committee should take account of their views and refuse this application.

The presentation can be viewed via the link below:

http://www.edinburgh.public-i.tv/core/portal/webcast_interactive/169930

(d) Applicants

Anthony Aitken of Colliers International outlined the case on behalf of the applicants (Glovart Holdings Ltd).

He indicated that he intended to build on the comments of the planning officers in support of the proposals. The application was not a planning application, but one for conservation area consent, and as such the arguments pertaining to the proposed new development should be disregarded. In 2010, it was stated that the proposed building in the consent granted in 2010 was acceptable as it would preserve and enhance the conservation area. The legal agreement required in the planning consent for transport infrastructure was signed in April 2013 and the planning permission was granted in May 2013. He had heard the passionate speeches from the objectors, but it was important for people to be engaged at the right time. However planning permission had been granted and that application could not be reconsidered at this meeting. He was asking that there was consistency in decision the making process and that the application be granted.

The presentation can be viewed via the link below:

http://www.edinburgh.public-i.tv/core/portal/webcast_interactive/169930

(e) Local Ward Councillor

Councillor Gardner indicated that this application was concerned with Canonmills Bridge at the present time. He referred to policy in respect of the demolition of unlisted buildings in conservation areas and the SHEP test and there were no exceptional circumstances or issues of national or regional significance, on this site, to allow this development. The wider public benefits and the community view of retaining the bridge were clear. This area in its form presented an economically viable alternative to the proposals. This was a gateway to the world heritage site to the botanical gardens and it was part of the history of the area for 150 years. This was a modest building and added to the character of the conservation area. The Sub-Committee should listen to the views of the local community, apply SHEP test., and retain the bridge.

The presentation can be viewed via the link below:

http://www.edinburgh.public-i.tv/core/portal/webcast_interactive/169930

(f) Local Ward Councillor

Councillor Barrie indicated that the local community had represented themselves well in their opposition to the proposals. He referred to the report by the Acting, of Planning and Building Standards, indicating that there were four tests to be applied and that this building had to be measured as if this was listed building. In the planning report officers did not regard this as a particularly important building, however, the local community associations, the local councillors and many other people took the opposite view. According to the planning regulations, the building should be retained. There was nothing wrong with the building, people used it every day and it was economically viable. The building should be conserved because people appreciated the area in its present form. Therefore the Sub-Committee should oppose the application.

The presentation can be viewed via the link below:

http://www.edinburgh.public-i.tv/core/portal/webcast_interactive/169930

(f) Local Ward Councillor

Councillor Hinds indicated that this was an unusual application, in that it presented some confusion as to why conservation area consent had not been applied for at the same time as planning permission. She questioned if it was beneficial to have a demolition in a conservation area. The site was in the border of three wards. Councillors, MSP's and MP's opposed the application and there was strong opposition from the local community. There was a unique, thriving, local shopping area and the Council was trying to preserve these areas. The Sub-Committee should listen to the Councillors and the local community and refuse this application. .

The presentation can be viewed via the link below:

http://www.edinburgh.public-i.tv/core/portal/webcast_interactive/169930

Decision

To refuse conservation area consent for the reasons that:

- 1) The existing building made a positive contribution to the character and appearance of the Inverleith Conservation Area and its loss would be contrary to policy ENV 5 as read in conjunction with Policy ENV 2 of the Edinburgh City Local Plan and Policy ENV 5 as read in conjunction with Policy ENV 2 of the emerging Edinburgh Local Development Plan.
- 2) The proposed demolition would not meet any of the four Scottish Historic Environmental Policy tests on demolition and its loss was not outweighed by redevelopment proposals.

(References – Development Management Sub-Committee 29 July 2015 (item 1); report by the Acting Head of Planning and Building Standards, submitted).

4. 4 Ferrymuir, South Queensferry (Site 80 Metres South Of)

The Acting Head of Planning and Building Standards reported on an application for planning permission for proposed development of 143 houses and flats (including 25% affordable homes) and community facility - application no. 14/04172/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 Milligan.

Amendment

To continue consideration of the matter to allow discussions to take place between the community, the developer and the Council regarding the provision of a full educational contribution.

- Moved by Councillor Bagshaw, seconded by Councillor Mowat.

Voting

For the motion – 6 votes

For the amendment - 4 votes

Decision

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.

(References – report by the Acting Head of Planning and Building Standards, submitted).

5. 54 Newbattle Terrace, Edinburgh

The Sub-Committee had previously continued consideration of the matter for a site visit.

The Acting Head of Planning and Building Standards reported on an application for planning permission for the demolition of existing dwelling house and erection of new 7 unit apartment block - application no. 15/01904/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 Robson.

Amendment

To refuse planning permission for the reason that the cumulative impact of the proposed development on the considered schemes at 50 and 52 Newbattle Terrace would not have a positive impact on the setting from the scale and form of the development, contrary to policy DES 3 of the Edinburgh Local Plan and DES 4 (a and b) of the emerging Local Development Plan.

- Moved by Councillor Milligan, seconded by Councillor Blacklock.

Voting

For the motion – 5 votes

For the amendment - 5 votes

Casting Vote

The number of votes cast being equal, the Convener used his casting vote in favour of the motion?

Decision

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.

(References – Development Management Sub-Committee 29 July 2015 (item 1); report by the Acting Head of Planning and Building Standards, submitted).

6. 18 India Street, Edinburgh

The Convener ruled the following item, notice of which had been given at the beginning of the meeting, be considered as a matter of urgency in order that it be considered timeously.

The Sub-Committee had previously continued consideration of the application for a site visit.

The Acting Head of Planning and Building Standards reported on an application for planning permission for minor alterations to originally approved design of new roof to rear outshoot, installation of traditional style cast iron balcony to rear windows at first floor level, blocking up of non-original windows to rear (in retrospect), erection of new internal partitions at first floor level and widening of opening between rear outshoot and main building - application no. 15/01178/LBC.

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 Milligan.

Amendment

To refuse listed building consent for the reason that the proposals were detrimental to the character of the listed building, contrary to Edinburgh City Local Plan Policy ENV4.

- Moved by Councillor Mowat, seconded by Councillor Bagshaw.

Voting

For the motion – 3 votes

For the amendment - 7 votes

Decision

To refuse listed building consent for the reason that the proposals were detrimental to the character of the listed building, contrary to Edinburgh City Local Plan Policy ENV4.

(References – Development Management Sub-Committee 17 June 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>		
Item 4.1(a) - 19 Grant Avenue Edinburgh	Proposed replacement dwelling (as amended) - Application no. 15/02799/FUL	To GRANT planning permission subject to conditions, reasons and informatives as detailed in section 3 of the report by the Acting Head of Planning and Building Standards
Item 4.1(b) - 19 Grant Avenue Edinburgh	Complete demolition of dwelling in a conservation area - Application no. 15/02733/CON	To GRANT conservation area consent subject to a condition and notification to Scottish Ministers as detailed in section 3 of the report by the Acting Head of Planning and Building Standards.
Item 4.2 - 143 London Road Edinburgh	Two new illuminated digital hoarding advertisements - Application no. 15/01084/ADV	To GRANT advertisement consent subject to conditions and informatives as detailed in section 3 of the report by the Acting Head of Planning and Building Standards.
Item 6.1(a) - 1 Cannonmills Bridge Edinburgh	Protocol Note by the Head of Legal, Risk and Compliance	Noted.

Agenda Item No/Address	Details of Proposal/Reference No	Decision
Item 6.1(b) - 1 Canonmills Bridge Edinburgh	Complete demolition in a conservation area. - Application no. 15/01786/CON	<p>To REFUSE conservation area consent for the reasons that:</p> <ol style="list-style-type: none"> 1. The existing building made a positive contribution to the character and appearance of the Inveleith Conservation Area and its loss would be contrary to policy ENV 5 as read in conjunction with Policy ENV 2 of the Edinburgh City Local Plan and Policy ENV 5 as read in conjunction with Policy ENV 2 of the emerging Edinburgh Local Development Plan. 2. The proposed demolition would not meet any of the four Scottish Historic Environmental Policy tests on demolition and its loss is not outweighed by redevelopment proposals.
Item 7.1 - 4 Ferrymuir South Queensferry(Site 80 metres west of)	Proposed development of 143 houses and flats (including 25% affordable homes) and community facility. - Application no. 14/04172/FUL	<p>To GRANT planning permission subject to conditions, reasons, informatives and a legal agreement as detailed in section 3 of the report by the Acting Head of Planning and Building Standards.</p> <p>(On a division.)</p>

Agenda Item No/Address	Details of Proposal/Reference No	Decision
Item 7.2 - 199 Fountainbridge Edinburgh (Site 60 metres south of)	Proposed mixed use development comprising retail (Class 1), financial services (class 2), food and drink (class 3), office/light industrial (class 4), hotel (class 7), housing (class 9), community use (class 10), leisure (class 11), public house (non-classified use) and associated parking, open space, infrastructure and public realm works. - Application no. 14/02814/PPP	To GRANT planning permission subject to conditions, reasons, informatives and a legal agreement as detailed in section 3 of the report by the Acting Head of Planning and Building Standards.
Item 8.1 - 54 Newbattle Terrace Edinburgh	Demolition of existing dwelling house and erection of new 7 unit apartment block. - Application no. 15/01904/FUL	To GRANT planning permission subject to conditions, reasons, informatives and a legal agreement as detailed in section 3 of the report by the Acting Head of Planning and Building Standards. (On a division)
Item 8.2 - 18 India Street, Edinburgh TABLED ITEM	Minor alterations to originally approved design of new roof to rear outshoot, installation of traditional style cast iron balcony to rear windows to rear (in retrospect) - Application no. 15/01178/LBC	To REFUSE listed building consent for the reason that the proposals were detrimental to the character of the listed building, contrary to Edinburgh City Local Plan Policy ENV4. (On a division.)
Item 9.1 - 7a Loaning Road Edinburgh	Forthcoming application by Cullross Ltd, Hillcrest Housing Association and Capability Scotland to develop approximately 60 affordable apartments for Hillcrest Housing Association with associated parking, cycle storage, refuse storage and greenspace. - Application no. 15/03528/PAN	<ol style="list-style-type: none"> 1. To note the key issues at this stage. 2. Confirmation to be sought from the Children and Families Directorate on any developer contribution for Education required.

Agenda Item No/Address	Details of Proposal/Reference No	Decision
Item 9.2 - Saltire Street Edinburgh (Land 80 metres west and east of)	Forthcoming application by Places For People for proposed Housing application for phased development of around 300 new units – Application no. 15/03528/PAN	<ol style="list-style-type: none"> 1. To note the key issues at this stage. 2. Confirmation to be sought from the Children and Families Directorate on any developer contribution for Education required.