

Item 3.1 - Minutes

Development Management Sub-Committee of the Planning Committee

10.00 am Wednesday 22 November 2017

Present:

Councillors Child (Convener), Booth, Ian Campbell, Child, Dixon, Gordon (substituting for Councillor Ritchie), Graczyk, Griffiths, Mitchell, Mowat, Osler and Staniforth.

1. Appointment of Convener

Decision

To appoint Councillor Child as Convener.

2. Minutes

Decision

To approve the minutes of the meeting of the Development Management Sub-Committees of 8 November 2017 as correct records.

3. General Applications and Miscellaneous Business

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

4. 17 Fishwives Causeway, 8-9, 10, 11, 12, 25 Baileyfield Crescent, Edinburgh

The Chief Planning Officer had identified a planning Application for mixed use development of 435 new homes and commercial building including infrastructure, drainage and landscaping (SCHEME 4) at 17 Fishwives Causeway, 8 – 9,10,11,12,25 Baileyfield Crescent, Edinburgh, to be dealt with by means of a hearing (application no 16/05898/FUL).

(a) Report by the Chief Planning Officer

The development proposed residential development with a commercial building and associated infrastructure.

The proposal would deliver 435 residential units, of which 25% would be affordable and this would contribute towards meeting Edinburgh's housing needs. The commercial building was intended to provide Class 2 and/or Class 4 uses, which could include a doctor surgery, dentist, office or other use within these use classes as the local need arose.

The principle of housing on this site was supported in the Edinburgh Local Development Plan (LDP) and North West Portobello Development Brief (NWPDB). However, the application attracted a large number of representations. The issues raised related to a wide range of matters, including technical issues such as air quality, noise and traffic; and design issues such as the height, density and massing of the proposals. These were addressed in the report.

In terms of the impact on the character of the area, it was acknowledged that there would be an impact on amenity and that the character of this area would change from being industrial to residential. However, residential use on the site was compatible with the adjoining land uses, and although the heights of the flats exceeded 4 storeys (as set out in the NWPBD), this was a minor infringement which was accepted in this instance. There would also be benefits to the local community in terms of improvements to footpaths and cycle links into the area, as well as a new area of open space within the site.

Therefore, on balance, the development was supported. There would be initial impacts but over the life of the development, it would be a sustainable development and contribute towards Portobello.

There were no overriding material considerations which outweighed this conclusion.

The presentation can be viewed via the link below:

https://edinburgh.public-i.tv/core/portal/webcast_interactive/293963

(b) Portobello Community Council

Sean Watters gave a presentation on behalf of Portobello Community Council.

Mr Watters indicated that following the submission of a planning application that sought permission to build 483 homes and create commercial space at the former Standard Life site on Baileyfield Crescent, the community council conducted a community-wide consultation. This aimed to raise awareness of the proposals, encourage engagement with the details of the proposals and gather responses and feed those back to the Planning Department.

A combination of online and offline methods were used to raise awareness in the community. This included the community council website, Facebook, Twitter feed and email newsletter, a printed leaflet and a public meeting / drop-in session at Portobello Library. Details were provided of the extent of community engagement and extensive responses received from the community.

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https://edinburgh.public-i.tv/core/portal/webcast_interactive/293963

(c) Brighton and Rosefield Resident's Association

Diana Cairns gave a presentation on behalf of Brighton and Rosefield Resident's Association and on behalf of Adelphi residents.

She indicated that the Association supported the use of this site for housing but it had to be appropriately scaled so as not to put pressure on the existing community. There had been over 700 objections but many of their concerns remained. The Association were grateful for the support from their elected members.

Details were provided of the impact of the development which would include excessive density and heights, traffic congestion, lack of sufficient parking, increased air pollution, lack of sufficient green space provision and pressure on local services.

In conclusion, she stated that the Planning Division admitted that there would be negative "impacts" for this development. However, if the density of the development was significantly reduced, this would mitigate many of them. There was much room for improvement and the development should be the best it could be both for existing and future residents. The Association therefore asked that this application be refused and that the site was included in the forthcoming Place Making exercise planned for North West Portobello.

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(d) Portobello Amenity Society

John Stewart gave a presentation on behalf of Portobello Amenity Society.

He indicated that the society objected to this application on several grounds. While they believed that housing should be built on this site, they objected to many aspects of this proposal. They had major concerns about density, height, traffic impact and lack of open space. There were also concerns regarding the impact on the Conservation Area, design and urban structure, pressure on local services and lack of community space provision.

In conclusion the Amenity Society was in favour of this site being developed for housing but the heights of several of the buildings and the proposed density of the development were far too high. The society understood that the council was organising a place making exercise for North West Portobello. As this site fell within this area, the society asked that consideration of this application should be suspended until the results of this consultation were known. If this was not possible, the society asked that this application should be refused.

The presentation can be viewed via the link below:

(e) Voestalpine VAE UK Ltd

Euan Pearson gave a presentation on behalf of Voestalpine VAE UK Ltd and indicated that he would focus on noise related issues. Mr Pearson advised that VAE operated the former British Rail Works on the west side of Sir Harry Lauder Road directly opposite the application site. VAE manufactured the rails that the trains travelled on and were made on demand. The nature of the work meant that business operated 24 hours a day and were entitled to do so as there were no legislative constraints to operating times. VAE's activities were very noisy. Due to the tipping of steel outdoors, noise levels reached 130 decibels and exposure to this level of noise could cause pain and damage to hearing.

The planning advice note from 2011 suggested that this type of activity that generated this level of noise would mean that VAE could not be considered to be "good neighbours". Scottish Government advice was that unless the level of noise was mitigated and 'peaceful enjoyment' (meaning satisfactory levels of noise both outside in the communal gardens and inside the building with the windows open) could be experienced by residents, then planning permission should not be granted. It was quite obvious from the layout of buildings 1 and 2 in the current proposals that this could not be achieved.

This development had been previously recommended for refusal by the Environmental Health Officer. During the second consultation response the Environmental Health Officer acknowledged the level of noise that would be generated by VAE's operations and that some of this noise would occur at night, but claimed that the provision of glazing and "trickle vents" would provide a good standard of amenity and had suggested that glazing with a 33% decibel reduction be fitted. Even with this, it would be difficult to achieve a reduction in noise due to noise levels from VAE reaching 130 decibels. Residents in buildings 1 and 2 would be disturbed by noise both day and night and this would result in complaints and the Council might be liable for compensation under statutory rules.

In conclusion, planning permission should not be granted unless the residents could have peaceful enjoyment of their homes both inside and out.

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(f) Councillor Mary Campbell, Ward Member

Councillor Mary Campbell indicated that she represented the concerns of residents and that she had been involved in this development as a community council member, where previous concerns had still not been met. The design quality was very standard and architecturally unimaginative. This was already a raised area and the proposed height of the development was extreme. Although there were existing high buildings, these were old and unimaginative. The brief for the area specified that there should be intricate lines and streets, but this was not achieved with this development. At the foot of Portobello

Road, there were levels of concern. There were extra houses from recent developments and from East Lothian, which generated additional traffic that travelled through Portobello. Councillor Campbell was not convinced that the side profile of Adelphi Place would not to be raised. Existing trees might be removed. Additionally, the noise from VAE was already audible by residents. She was concerned about traffic on Sir Harry Lauder Road and more families would move in to the area. There were safety issues regarding residents crossing a busy road and with the potential new additional crossing, this might exacerbate traffic problems.

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(g) Councillor Callum Laidlaw, Ward Member

Councillor Laidlaw indicated that the city was facing a major housing crisis and as the proposed development was on a brownfield site, he was not against it in principle, however, he had concerns about the details. The height of the development was a major concern and the representation of the scale was not realistic. There were concerns regarding the effect of removing the trees in relation to drainage and flooding. Some houses would be impacted from a light perspective and there were concerns regarding the design. The houses were not in keeping with the character of Portobello, which had very few brick houses, highrises or blocks of flats. There were many viewpoints across the area where this would be visible. Also, he thought that the traffic assessment was questionable. The community recreation provision needed to take into account the new development and some of the space could be used for community benefit. There were concerns about school provision and about access to school across a busy road. To conclude there were concerns about design, the impact on services and the high level of density.

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(h) Applicant and Applicant's Agent – Barratt Homes

Ewan McIntyre (EMA Architecture), Lyndsay McIntyre (KSG Acoustics) and, Mansoor Ali (Barratt Homes) spoke in favour of the development.

Ewan McIntyre indicated that he was familiar with Portobello and he was delighted that he had been approached to create a family focused development in this area. There had been a lengthy design process and engagement with the community. They had summarised what had been done and did not think that it was necessary to provide details. For scheme 4 there had been 18 months of work and the scheme had been materially changed.

The design objectives were outlined, which included creating a sustainable community, a new neighbourhood that had a sensitive and appropriate relationship to its edges and its existing neighbours, that was fully integrated with its surroundings and that reflected the

established character of Portobello. Additionally, there would be a new community park at the heart of the new neighbourhood. The special nature of Portobello was highlighted and outlined the proposed levels of density, amount of open space, types of building and amount of parking and the views from the new development.

Lyndsay McIntyre addressed the noise issues that has been raised, and advised that KSG Acoustics had agreed the scope of acoustic assessment with the Council prior to commencing with data collection. The works on the Sir Harry Lauder Road aspect involved a 3 hour road traffic noise measurement, KSG were given a tour of the site, gathering information about typical operations at all hours to establish sources of noise and KSG installed a sound level meter. VAE confirmed that typical operations had occurred throughout the survey period, including a back and night shift with staff numbers as indicated.

In response to VAE's acoustic report, KSG provided SoundPLAN 3D electronic noise modelling that illustrated operational sound levels in the context of the road traffic noise profile from Sir Harry Lauder Road. This demonstrated that overall road traffic noise was the dominant source on this stretch of the road and that noise levels from VAE were not contributing significantly.

Although not required to meet Council standards to address noise levels, all bedrooms in Blocks 1 and 2, and bedrooms and living rooms on the apartment blocks closest to VAE had been repositioned. This showed that there was no detrimental impact of developing this proposal subject to the mitigation measures proposed.

Mansoor Ali outlined some of the key benefits of the proposals. This included 435 much needed homes, including 108 affordable homes and new commercial space of 10,000 square feet. There would also be 665 direct and 2000 indirect jobs, including full time apprenticeships. job creation, a rolling apprentice scheme, a construction spend with a further wider economic spend, increased council tax revenue and a planning gain.

To conclude, the applicant saw themselves as a key partner in the delivery of the council's strategic housing programme. They were currently involved in 12 sites in Edinburgh, were planning another 3 sites and should the Sub-Committee approve the application, they would be planning for an immediate site start in spring 2018.

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The Convener ruled that in in terms of Standing Order 22.3 that a vote be taken for or against the following motion:

Motion

To continue consideration of the matter to await the outcome of the place making exercise for North West Portobello.

- moved by Councillor Child, seconded by Councillor Gordon.

Voting

For the motion:

Councillor Child, Gordon, Graczyk and Griffiths - 4 votes.

Against the motion:

Councillor Booth, Ian Campbell, Dixon, Mitchell, Mowat, Osler and Staniforth - 7 votes.

Decision

To agree to determine the application at the present meeting of the Sub-Committee.

Motion

To grant planning permission subject to:

1. Conditions, reasons, informatives and a legal agreement as detailed in section 3 of the report by the Chief Planning Officer.
2. Additional informatives:
 - (a) That some areas of pavement be set aside for locking motorbikes.
 - (b) That native species of trees be planted in the proposed development
 - moved by Councillor Mowat, seconded by Councillor Ian Campbell.

Amendment

To refuse planning permission as the proposals were contrary to Edinburgh Local Development Planning Policies DES 1, DES 4, DES 5 a, ENV 6, a, b and c, ENV 12 and TRA1 b and c, and the North West Portobello Development Brief.

- moved by Councillor Booth, seconded by Councillor Osler.

Voting

For the motion:

Councillors Ian Campbell, Child, Gordon, Graczyk, Griffiths, Mitchell and Mowat – 7 votes.

For the amendment:

Councillor Booth, Dixon, Osler and Staniforth - 4 votes.

Decision

To grant planning permission subject to:

1. Conditions, reasons, informatives and a legal agreement as detailed in section 3 of the report by the Chief Planning Officer.
2. Additional informatives:
 - (a) That some areas of pavement be set aside for locking motorbikes.
 - (b) That native species of trees be planted in the proposed development

(Reference – report by the Chief Planning Officer, submitted)

Appendix

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>Note: Detailed conditions/reasons for the following decisions are contained in the statutory planning register.</p>		
<p><u>Item 4.1 – 30 Ashburnham Road, South Queensferry</u></p>	<p>Construction of an artificial grass rugby and football field, surrounded by sports fencing and floodlight, to be built over the site of an existing rugby pitch (as amended) - application no 17/03110/FUL</p>	<p>To GRANT planning permission subject to conditions, reasons and informatives as detailed in section 3 of the report by the Chief Planning Officer.</p>
<p><u>Item 4.2 – Granton Harbour, West Harbour Road, Edinburgh</u></p>	<p>Erection of buildings containing 104 retirement flats and ancillary accommodation; formation of road access, underground parking, internal private open space, and a public square (as amended) – application no 17/01219/AMC</p>	<p>To APPROVE the application subject to conditions, reasons and informatives as detailed in section 3 of the report by the Chief Planning Officer.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<u>Item 4.3(a) – Porthaven, 14 Wellington Place, Edinburgh</u>	Demolition of care home and construction of 31 affordable housing units and class 4 office accommodation (as amended) - application no 17/00482/FUL	To GRANT planning permission subject to conditions, reasons, informatives and a legal agreement as detailed in section 3 of the report by the Chief Planning Officer.
<u>Item 4.3(b) – Porthaven, 14 Wellington Place, Edinburgh</u>	Demolition of the existing care home (as amended) – application no 17/00481/CON	To GRANT conservation area consent subject to conditions, reasons and informative as detailed in section 3 of the report by the Chief Planning Officer.
<u>Item 6.1 – 17 Fishwives Causeway, 8-9, 10,11,12,25 Baileyfield Crescent, Edinburgh</u>	Protocol note for Hearing – application no. 16/05898/FUL	Noted.
<u>Item 6.2 – 17 Fishwives Causeway, 8-9,10,11,12,25 Baileyfield Crescent, Edinburgh</u>	Planning Application for mixed use development of 435 new homes and commercial building including infrastructure, drainage and landscaping (SCHEME 4) – application no 16/05898/FUL	<p>To AGREE to determine the application at the present meeting of the Sub-Committee.</p> <p>(On a division.)</p> <p>To GRANT planning permission subject to:</p> <ul style="list-style-type: none"> 3. Conditions, reasons, informatives and a legal agreement as detailed in section 3 of the report by the Chief Planning Officer. 4. Additional informatives: <ul style="list-style-type: none"> (a) That some areas of pavement be set aside for locking motorbikes. (b) That native species of trees be planted in the proposed development. <p>(On a division.)</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<u>Item 7.1 – 328 Lasswade Road, Edinburgh (At Land 350 Metres North Of)</u>	Approval of Matters Specified in condition 1 of planning permission 14/05145/PPP for the erection of 260 dwellings, formation of access, landscaping, and associated infrastructure (as amended) – application no 17/02494/AMC	To APPROVE the application subject to conditions, reasons, informatives and a legal agreement as detailed in section 3 of the report by the Chief Planning Officer.
<u>Item 7.2 – Pentland House, 47 Robb’s Loan, Edinburgh</u>	Change of use of existing office building and redevelopment to form student residences with associated landscaping, parking, ancillary facilities and construction of new build element to incorporate plant, cycle and bin stores (as amended) – application no 17/03675/FUL	To GRANT planning permission subject to: <ol style="list-style-type: none"> 1. Conditions, reasons and informatives and a legal agreement as detailed in section 3 of the report by the Chief Planning Officer. 2. An additional condition that there should be provision for 100% cycle parking.
<u>Item 9.1 – 1 and 4 Gilmerton Station, Edinburgh</u>	Forthcoming application by Bernard Hunter Limited for Mixed Use Development Comprising: Class 1 Retail, Class 2 Professional Services, Class 3 (inc Sui Generis) Food and Drink, Class 4-6 Business/Light Industrial, Class 7 Hotel, Class 11 Assembly and Leisure, access, car parking, servicing, bridge, demolition of building and associated works - application no 17/04330/PAN	<ol style="list-style-type: none"> 1. To note the key issues at this stage. 2. That consideration be given for active travel access.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p><u>Item 9.2 – 4A Oxgangs Green, Edinburgh (At Site 72 Metres South Of)</u></p>	<p>Forthcoming application by Hopefield Partnerships Ltd for Development of affordable housing (between 70 and 90 units) with associated roads, parking infrastructure and landscaping – application no 17/04444/PAN</p>	<ol style="list-style-type: none"> 1. To note the key issues at this stage. 2. That there should be a robust public transport policy. 3. That there should be a meaningful sense of Place. 4. That consideration be given to active travel access. 5. That there should be adequate public green space.
<p><u>Item 9.3 – 35-36 St Andrew Square, Edinburgh</u></p>	<p>Forthcoming application by Impact Scotland for Demolition of rear office block and associated works and erection of music and performance arts venue (Class 11) and associated uses – application no 17/04757/PAN</p>	<ol style="list-style-type: none"> 1. To note the key issues at this stage. 2. That there should be good cycle provision and pedestrian access and conflict between cyclists and pedestrians should be minimised. 3. That consideration be given to car usage and accessibility for deliveries etc. 4. That there should be provision for disabled access. 5. That a site visit should take place.