

# Development Management Sub-Committee

**10.00 am, Wednesday, 15 August 2018**

## **Stopping Up Order – Baileyfield Crescent, Edinburgh PO/18/03**

<b>Item number</b>	4.2
<b>Report number</b>	
<b>Executive/routine</b>	
<b>Ward</b>	17 Portobello / Craigmillar

### **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 (Baileyfield Crescent, Edinburgh) (Stopping Up) Order 2018 was advertised to the public.
2. That the stopping up order is passed to the Scottish Ministers to hold a Public Inquiry.

### **Links**

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

## Stopping Up Order – Baileyfield Crescent, Edinburgh PO/18/03

### Recommendations

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- 1.1 That the Sub-Committee note the objections made when the City of Edinburgh Council (Baileyfield Crescent, Edinburgh) (Stopping Up) Order 2018 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 16/05898/FUL) for the housing development at the former Baileyfield Industrial Estate, Portobello, a stopping up order is required.
- 2.2 Baileyfield Crescent links Baileyfield Road to Sir Harry Lauder Road and serves as an access road to the former industrial estate. It is proposed that the road be stopped up and a new road be the provided, as on the attached in the appendix to this report.
- 2.3 The stopping up of roads was progressed under the terms of the Town and Country Planning (Scotland) Act 1997, Section 207. The order was advertised to the public from 13 April 2018 to 11 May 2018. One objection has been received and for the stopping up order to proceed the representations require to be passed to the Scottish Ministers for determination.
- 2.4 The objection to the stopping up order are on the grounds that;
  1. The Council should not be stopping up a public road until RCC has been issued, and the developer is physically capable of laying the new road.
  2. The new junction arrangements for Sir Harry Lauder Road are not known nor audited as being safe.
  3. Closing Baileyfield Crescent will result in more vehicles using Portobello High Street and Sir Harry Lauder Road. They consider that controlled junction in the area are already at capacity.
  4. Nearby residents who currently park in Baileyfield Crescent when space is not available in the Portobello High Street area, will be displaced. No alternative parking is being provided.

2.5 The responses to the issues raised are as follows;

1. When a road is required to be stopped up, for the construction of a new development, there is no requirement to have a new road in place before the former road is closed. In many cases the developer may, should it be considered necessary on safety grounds, apply for a Temporary Traffic Regulation Order to prohibit traffic on the existing road. This would have the effect of removing traffic from the road before any work started.
2. The Council are satisfied with the proposals and intend to take forward the necessary Road Construction Consent for the new road. A copy of the stage 2, road safety audit has been passed to the objector.
3. The Council considered the traffic impact of the development during planning application stages and at the Development Management Sub-Committee hearing and does not regard the diversion unsuitable.
4. The nearby, Portobello Court, has a car park to the rear and unrestricted end-on parking along the Portobello High Street frontage. Within Portobello, loading and/or waiting is only prohibited and/or restricted in the town centre area. The roads adjacent to Portobello High Street are mainly unrestricted, other than at points where parking would cause a danger to pedestrians or vehicular traffic. It is considered that there are ample parking opportunities in the nearby roads for any residents who may currently park in Baileyfield Crescent, should they not be able to park adjacent to their homes.

## **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 22 November 2017 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 22 November 2017 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 22 November 2017

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## Links

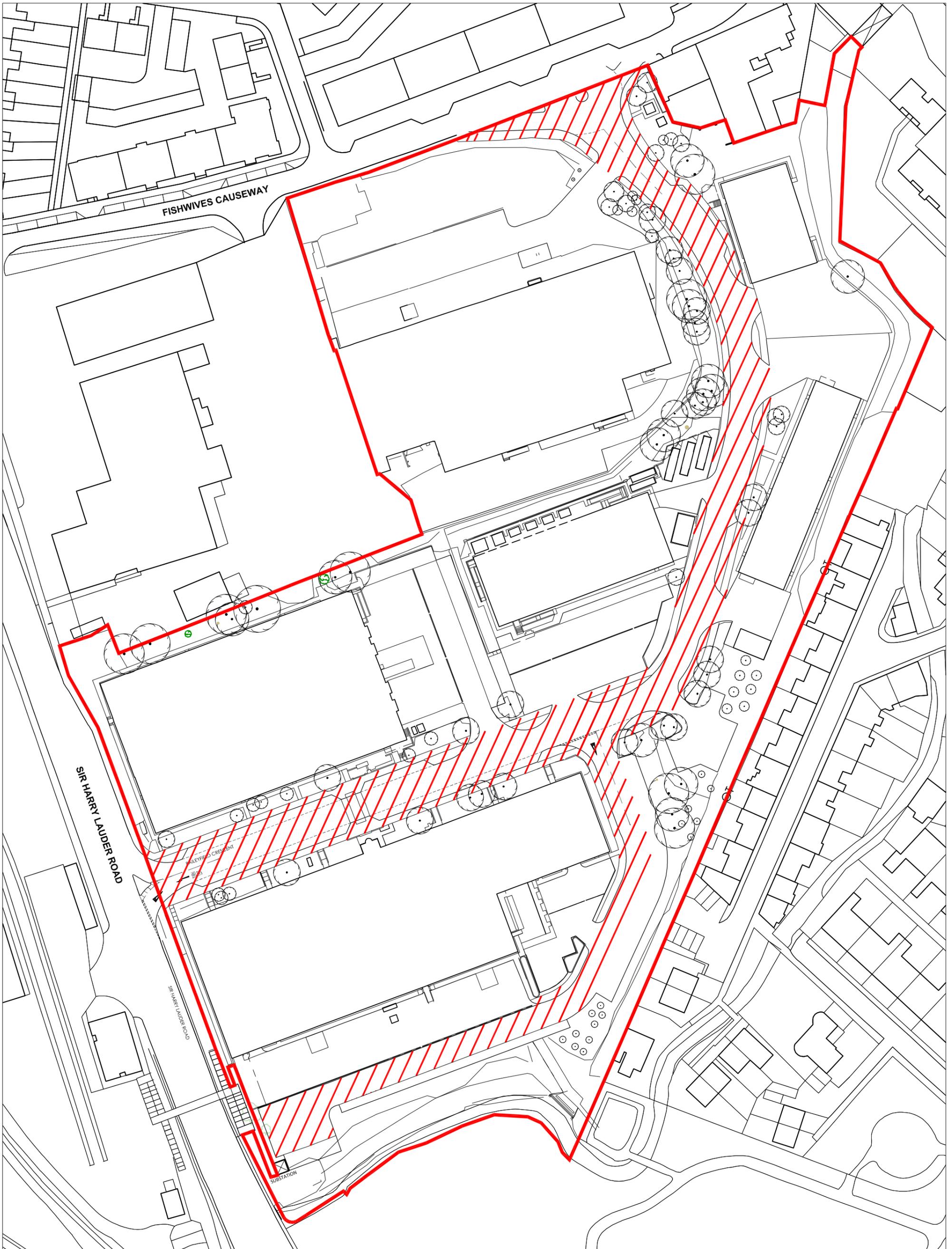
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### Coalition pledges

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

### Single Outcome Agreement

**Appendices** Appendix 1  
Plan road to be stopped up.  
Plan new road to be provided.



Baileyfield South, Edinburgh

Barratt Homes

Extent of Roads to be Stopped Up

Drawing Number:  
TP498 Figure 3

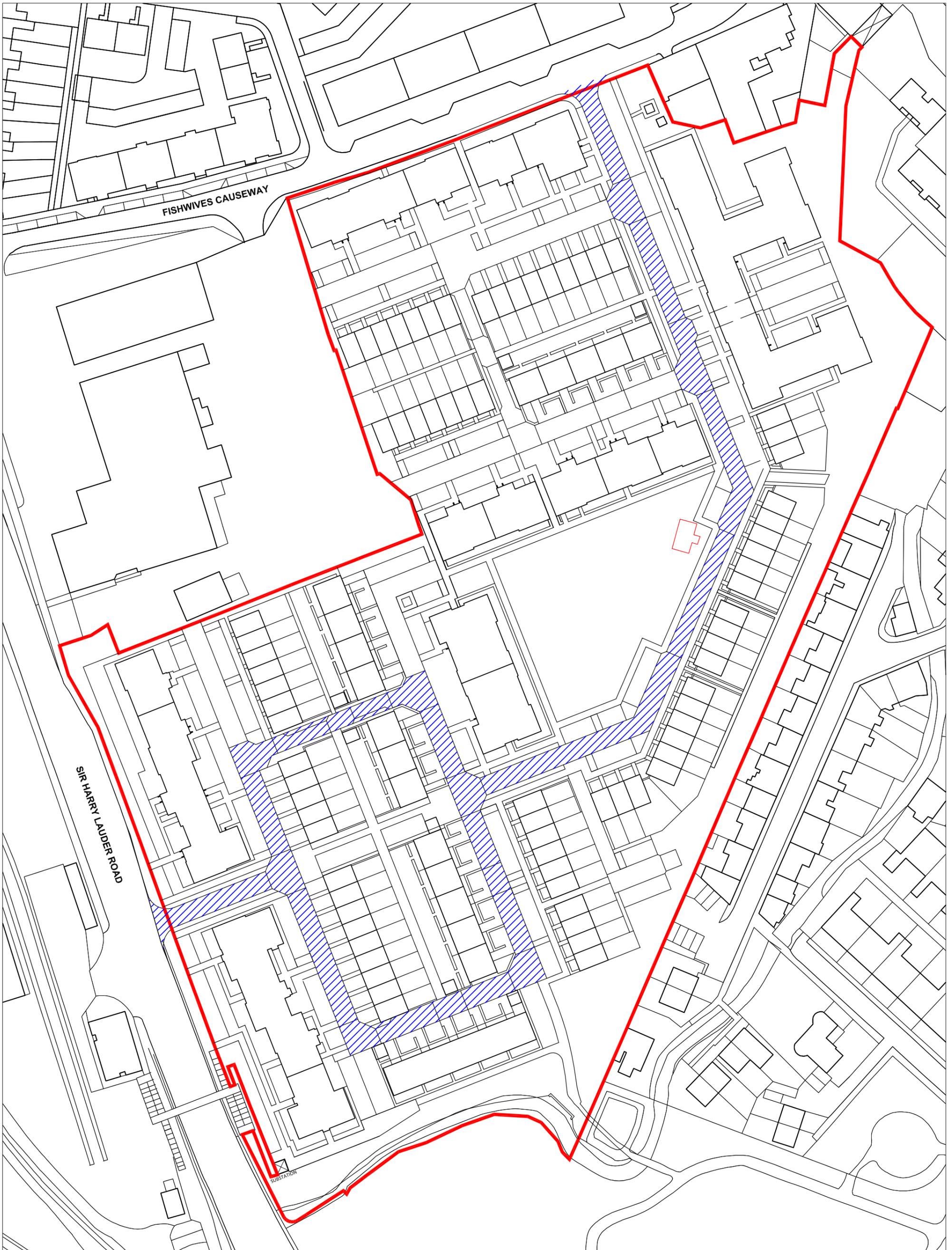
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Baileyfield South, Edinburgh

Barratt Homes

Extent of Proposed New Roads

Drawing Number:  
TP498 Figure 4

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Drawn by:  
NW

Date:  
Mar 2018

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