

Committee Minutes

Development Management Sub-Committee of the Planning Committee

Edinburgh, 10 September 2008

Present:- Councillors Lowrie (Convener), Burgess, Child, Dundas, Keir, McIvor, Morris, Mowat, Munn, Paisley, Peacock, Rose and Thomas.

Also Present:- Councillors Gordon Mackenzie, Kate MacKenzie and Work.

1 Councillor Maginnis

Councillor Lowrie (Convener) paid tribute to Councillor Elizabeth Maginnis who died suddenly on 7 September 2008 and made reference to her considerable service to the Council. The Sub-Committee then observed a minutes silence as a mark of respect.

2 Applications

The Sub-Committee considered the applications on the agenda.

Councillor G Mackenzie was heard as local ward member in respect of item 3 (41-43 Craigmillar Park).

Councillors K Mackenzie and Work were heard as local ward members in respect of item 5 (15 Main Street, Kirkliston).

Decision

To agree as detailed in Appendix 1 attached to this minute.

(References – reports by the Director of City Development, submitted.)

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3 23 (1F3) Balfour Street – Breach of Control

Details were given of an unauthorised satellite dish at 23 (1F3) Balfour Street.

The Director of City Development considered that the dish did not preserve or enhance the special character or appearance of the conservation area.

Decision

To authorise the enforcement action to be taken to secure the removal of unauthorised satellite dish.

(Reference – report by the Director of City Development, submitted)

4 9 Brunstane Road North – Breach of Control

Details were given of unauthorised installation of 6 double glazed uPVC windows and one door unit at 9 Brunstane Road North, a category B listed building.

The Director of City Development considered that the replacement windows and door did not preserve or enhance the special character or appearance of the conservation area and were not in keeping with other parts of the historic building.

Decision

To authorise the enforcement action to ensure the removal of the uPVC windows and door and the installation of one timber panel door and six single glazed timber, sash and case units to match the originals in terms of proportion and astragal pattern.

(Reference – report by the Director of City Development, submitted)

5 11 Brunstane Road North – Breach of Control

Details were given of unauthorised installation of eight double glazed uPVC windows, two uPVC glass panel doors and two uPVC glass patio doors to 11 Brunstane Road North a category B listed building.

The Director of City Development considered that the replacement windows and doors did not preserve or enhance the special character or appearance of the conservation area and were not in keeping with other parts of the historic building.

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Decision

To authorise the enforcement action to ensure the removal of the uPVC windows and doors and the installation of four timber panel doors and eight single glazed timber, sash and case units to match the originals in terms of proportion and astragal pattern.

(Reference – report by the Director of City Development, submitted)

6 13 Brunstane Road North – Breach of Control

Details were given of unauthorised installation of thirteen double glazed uPVC windows, one uPVC glass panel door and two uPVC glass patio doors to 13 Brunstane Road North a category B listed building.

The Director of City Development considered that the replacement windows and doors did not preserve or enhance the special character or appearance of the conservation area and were not in keeping with other parts of the historic building.

Decision

To authorise the enforcement action to ensure the removal of the uPVC windows and doors and the installation of two timber panel doors and thirteen single glazed timber, sash and case units to match the originals in terms of proportion and astragal pattern.

(Reference – report by the Director of City Development, submitted)

7 21 (Flat 1) Calder Grove – Breach of Control

Details were given of the erection of a 6ft solid panelled fence without planning permission around the communal garden area at 21 Calder Grove.

The Director of City Development considered that the fence was not of appropriate style and scale for the location and had a detrimental impact on the visual amenity of the area

Decision

To authorise the enforcement action to ensure the removal of the fence.

(Reference – report by the Director of City Development, submitted)

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8 66 Ferry Road – Breach of Control

Details were given of an unauthorised satellite dish at 66 Ferry Road.

The Director of City Development considered that the dish had a detrimental effect on the character and setting of this listed building and contravened Policy ENV 2 of the Edinburgh City Local Plan.

Decision

To authorise the enforcement action to be taken to secure the removal of the unauthorised satellite dish.

(Reference – report by the Director of City Development, submitted)

9 34 Fox Covert Avenue – Breach of Control

Details were given of unauthorised installation of decking and erection of a fence at 34 Fox Covert Avenue.

The Director of City Development considered that the fence and decking were unsympathetic to the surrounding area and had a detrimental affect on the amenity of the area.

Decision

To authorise the enforcement action to be taken to ensure the removal of the fence and decking.

(Reference – report by the Director of City Development, submitted)

10 46 High Street – Breach of Control

Details were given of the unauthorised alteration of a statutorily listed shop front at 46 High Street, including the re-painting of the shop front in a matt grey colour scheme and the installation of an applied timber fascia sign with individual letters to the front of the building.

The Director of City Development considered that the repainting of the shop front in matt grey paint complied with listed building and conservation area policy and no further action was required in that regard.

The installation of the timber fascia was deemed inappropriate on a historic building and as such had an adverse effect on the character and appearance of the listed building and the surrounding area within a World Heritage site.

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Decision

To authorise the enforcement action to be taken to ensure the removal of the rectangular timber fascia board and reinstate the original shallow fascia and cornice details.

(Reference – report by the Director of City Development, submitted)

11 26 Lammermoor Terrace – Breach of Control

Details were given of the unauthorised erection of a 1.8 metre solid panelled fence at 26 Lammermoor Terrace.

The Director of City Development considered that fence contravened Policy DQ19 (alterations and Extensions) and appeared incongruous within its surroundings, adversely affecting the street scene and the character of the area.

Decision

To authorise the enforcement action to be taken to ensure the removal of the fence.

(Reference – report by the Director of City Development, submitted)

12 30 Meadow Place Road – Breach of Control

Details were given of the unauthorised erection of a large tent-like structure to The north side of Tesco supermarket at 30 Meadow Place Road.

The Director of City Development considered that the tent like structure had a temporary appearance and did not fit in with the architectural style or detail of the building and contravened Policy E5 of the North West Edinburgh Local Plan and Policy Des 3 and Des 11 of the Edinburgh City Local Plan.

Decision

To authorise the enforcement action to be taken to ensure the removal of the structure.

(Reference – report by the Director of City Development, submitted)

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13 11 (Flat 4) Newhaven Place – Breach of Control

Details were given of the unauthorised installation of a satellite dish at 11 Newhaven Place.

The Director of City Development considered that the installation of the dish did not preserve or enhance the special character of this conservation area and contravened Policy E22 of the North East Edinburgh Local Plan and ENV5 of the Edinburgh City Local Plan.

Decision

To authorise the enforcement action to be taken to ensure the removal of the satellite dish.

(Reference – report by the Director of City Development, submitted)

14 52-54 Rodney Street – Breach of Control

Details were given of a breach of condition 2 attached to planning permission 04/00760/FUL. The condition required that the installation of any plant, machinery or equipment complied with NR25 relating to noise levels and vibration which may affect any nearby living apartment.

The Director of City Development considered that on the basis of the data collated by Services for Communities and the evidence witnessed by an officer from the City Development Department that noise and vibration generated by this take away unit had a severe effect on the amenity of one neighbouring resident in particular. Initial efforts by the proprietor to resolve this had been unsuccessful and the proprietor did not appear to be inclined to co-operate further with the Department of City Development or Services for Communities.

Decision

To authorise the enforcement action to be taken to ensure compliance with condition 2 of planning permission 04/00760/FUL.

(Reference – report by the Director of City Development, submitted)

15 43-45 Salisbury Road – Breach of Control

Details were given of unauthorised erection of signage within the forecourt of a hotel and attached to the railings of a street boundary wall together with the painting of the front boundary wall and gate piers of the property at 43-45 Salisbury Road, a listed building within the Blacket Conservation Area.

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The Director of City Development considered that the painting and signage works required listed building consent and that the signage also required advertising consent to comply with CD2 (Listed Buildings), CD4 and CD5 (Conservation areas) from the Central Edinburgh Local Plan and ENV3 and ENV5 from the Edinburgh City Plan. The owner has been requested to submit the required applications but none had been received

Decision

To authorise the enforcement action to be taken to remove the signage and paintwork.

(Reference – report by the Director of City Development, submitted)

16 9 (2F1) Spottiswoode Street – Breach of Control

Details were given of unauthorised installation of six uPVC windows to the property at 29 (2F1) Spottiswoode Street within the Marchmont and Meadows Conservation Area.

The Director of City Development considered that the windows had an adverse affect on the character an appearance of the building and the conservation area as a whole and contravened Policy CD20 (Window Alterations) from the Central Edinburgh Local Plan.

Decision

To authorise the enforcement action to be taken to ensure the removal of the 6 uPVC window units and the installation of 6 single glazed timber, sash and case units to match the originals in terms of proportion and design.

(Reference – report by the Director of City Development, submitted)

17 Appeal Decisions by the Scottish Ministers

A decision on an appeal had been made by the Scottish Ministers as detailed in Appendix 2 to this minute.

Decision

To note the report.

(Reference report no DM/004/08-09/CS by the Director of corporate Services)

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APPENDIX 1

Applications

(As referred to in item 2 of the foregoing minute)

Note: Detailed conditions/reasons for the following decisions are contained in the statutory planning register.

Agenda Item No.	Address/ Reference No	Details of Proposals	Decision
3	41-43 Craigmillar Park (08/02358/FUL)	Change of use to form 115 bedroom hotel through partial demolition and conversion of linked villas at 41-43 Craigmillar Park (82 bedrooms), with new extension (33 bedrooms), together with associated engineering works and landscaping.	Grant conditional planning permission subject to a legal agreement.
4	Long Dalmahoy Road (Ravelrig Quarry) (08/00140/FUL)	Extension of quarry.	Indicate intention to grant conditional planning permission subject to a legal agreement and the views of the Scottish Ministers.
5	15 Main Street, Kirkliston (08/01425/FUL)	Demolition of public house and erection of mixed-use development comprising 1 retail unit and 12 flats.	Continued for a site visit.

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Agenda Item No.	Address/ Reference No	Details of Proposals	Decision
6	Ocean Drive and Marine Esplanade (Land Adjacent To) (07/03895/OUT)	Mixed use development including; residential (houses and flats); business (class 4); retail (class 1, 2 and 3); industrial (classes 5 and 6); hotels (class 7); public houses; class 8 (e.g. nursing home); non-residential uses (class 10) (e.g. education, worship); assembly and leisure (class 11); public open spaces; land reclamation; and associated infrastructure including coastal defences and quay walls (as amended to incorporate modifications to address potential impacts on the imperial Dock Lock, Leith Special Protection Area).	Indicate intention to grant conditional outline planning permission subject to a legal agreement and the views of the Scottish Ministers.
7	8 Kew Terrace (08/02165/FUL)	Change of use from vacant petrol filling station to car/van hire (in retrospect).	Refuse planning permission and authorise that enforcement action be taken.
8	45 McDonald Road (08/02227/FUL)	Subdivision to form two flats (a main door flat and a garden level flat) and excavation of front garden area to provide light and access to the garden level flat.	Grant planning permission.

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APPENDIX 2**Appeal Decision****(As referred to in item 17 of the foregoing minute)**

Development/Appellant	Decision and Date	Decision by the Scottish Ministers
5 Woodlands Grove Erect 1½ story dwelling house. (07/05335/FUL) Mr A Hay.	Planning permission refused by the Sub Committee on 13 February 2008	Appeal dismissed.