

Committee Minutes

Development Quality Sub-Committee of the Planning Committee

Edinburgh, 23 July 2003

Present:- Councillors Davies (Convener), Child, Gilmore, The Hon David Guest, Harrold, Hunter, Laing, Longstaff, Lowrie, Marshall, Munro, Murray, Ponton, Tritton and Wigglesworth.

Also Present:- Councillors Burns, Dixon and Walker.

1 **Dean Bank Lane, Saxe Coburg Street, Saxe Coburg Place (on pavement) – Communal Domestic Refuse Containers**

A proposal (03/00472/CEC) had been submitted for the installation of seven 3200 litre non-wheeled refuse containers and the temporary installation of three 3200 litre non-wheeled containers at Dean Bank Lane, Saxe Coburg Street and Saxe Coburg Place.

70 letters had been received commenting on the proposed development.

Councillor Dixon was heard as local ward member.

Motion

- 1) To approve the submission of a Notice of Intention to Develop to the Scottish Ministers for the proposals with the exception of the site adjacent to 10 Saxe Coburg Street (site 5).
- 2) To ask the officials to investigate the possible relocation of site 5 to the opposite side of Saxe Coburg Street.

- moved by Councillor Davies, seconded by Councillor Child.

Amendment

Not to approve the submission of a Notice of Intention to Develop as the proposal was contrary to the Central Edinburgh Local Plan policies CD2, CD5 and CD22 and the Council's non-statutory Guidelines on Listed Buildings and draft non-statutory Guidelines on Containerisation – siting of trade and domestic waste containers, as it would be detrimental to the character and appearance of the conservation area, the setting of the listed buildings and the design and quality of the street scene and would have an adverse effect on the designated historic garden.

- moved by Councillor The Hon David Guest, seconded by Councillor Laing.

Voting

The motion was carried by 10 votes to 5.

Decision

- 1) To approve the submission of a Notice of Intention to Develop to the Scottish Ministers for the proposals with the exception of the site adjacent to 10 Saxe Coburg Street (site 5).
- 2) To ask the officials to investigate the possible relocation of site 5 to the opposite side of Saxe Coburg Street.

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

2 8 Bridge Place, 1, 7 and 15 St Bernard's Row (on pavement) – Communal Domestic Refuse Containers

A proposal (03/00928/CEC) had been submitted for the permanent installation of two 3,200 litre, two 1,800 litre non-wheeled refuse containers and one 900 litre wheeled container on the pavements near 8 Bridge Place, 1, 7 and 15 St Bernard's Row.

9 letters had been received commenting on the proposed development.

Councillor Dixon was heard as local ward member.

Motion

To approve the submission of a Notice of Intention to Develop to the Scottish Ministers.

- moved by Councillor Davies, seconded by Councillor Child.

Amendment

Not to approve the submission of a Notice of Intention to Develop as the proposal was contrary to the Central Edinburgh Local Plan policies CD2, CD5 and CD22 as it would be detrimental to the character and appearance of the conservation area, the setting of the listed buildings and the design and quality of the street scene.

- moved by Councillor The Hon David Guest, seconded by Councillor Laing.

Voting

The motion was carried by 10 votes to 4.

Decision

To approve the submission for a Notice of Intention to develop to the Scottish Ministers.

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

3 11-17 Henderson Row and 122-142 Dundas Street (pavement to the front) – Communal Domestic Refuse Containers

A proposal (03/01343/CEC) had been submitted for the permanent installation of three 3,200 litre non-wheeled refuse containers at Henderson Place and outside numbers 140 and 128 Dundas Street. The application had been amended to relocate site 1 from its original position in Henderson Row to Henderson Place.

4 letters had been received commenting on the proposed development.

Councillor Dixon was heard as local ward member.

Motion

To approve the submission of a Notice of Intention to Develop to the Scottish Ministers.

- moved by Councillor Davies, seconded by Councillor Child.

Amendment

Not to approve the submission of a Notice of Intention to Develop as the proposal was contrary to the Central Edinburgh Local Plan policies CD5 and CD22 as it would be detrimental to the character and appearance of the conservation area and the design and quality of the street scene.

Voting

The motion was carried by 10 votes to 4.

Decision

To approve the submission of a Notice of Intention to Develop to the Scottish Ministers.

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

4 1 Lauriston Place (Royal Infirmary) – Mixed Use Development

Consideration of a planning application (02/01662/FUL) for a mixed use development of hotel, residential flats, retail, food and drink, office, public house, leisure, hard and soft landscaping, boundary enclosures, vehicular, pedestrian, service access roads and removal of appropriate trees (as amended) at 1 Lauriston Place had been continued:

- 1) To ask the applicant to reduce the general scale and height of the development with a view to reducing the overall quantity of office development on the site and, in particular, the “Gateway” office blocks to respect the amenity and daylighting of the existing residential properties in the Lister Housing Co-operative site on Lauriston Place.
- 2) To ask the applicant to examine a reduction in the height and impact of the infill residential blocks facing the Meadows to lessen their effect on the Edinburgh skyline.
- 3) To ask the applicant to examine an alternative alignment of the new residential blocks facing the Meadows to respect the existing building line.
- 4) To ask the applicant to address the issue of affordable housing including quantity and mix.
- 5) To ask the applicant to examine the provision of public toilet facilities.
- 6) To ask the applicant to identify specific children’s play space within the development.

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- 7) To ask the applicant to provide further information on issues relating to sustainability including energy use and emissions.
- 8) To allow reconsideration of the application in conjunction with the associated applications for listed building and conservation area consent and the previous brief for the site.

The Director of City Development reported further on the application.

115 letters of representation had been received commenting on Scheme 1 and 82 letters on Scheme 2 of the proposals.

The site was visited on 3 July 2003.

Motion

To indicate intention to grant conditional planning permission subject to condition 7A(ii) being amended to required details of the waste disposal strategy to be submitted for approval by the Sub-Committee and condition 18(iii) being amended to require the integration, design, construction details and external materials in respect of New Central 4 and 5 to be reserved for the further approval of the Sub-Committee and subject to a legal agreement and to the views of the Scottish Ministers.

- moved by Councillor Davies, seconded by Councillor Lowrie.

Amendment

In similar terms to the motion but that condition 20(ii) be amended to require the level of affordable housing to be set at 20%.

- moved by Councillor Gilmore, seconded by Councillor Harrold.

Decision

To indicate intention to grant conditional planning permission subject to condition 7A(ii) being amended to required details of the waste disposal strategy to be submitted for approval by the Sub-Committee and condition 18(iii) being amended to require the integration, design, construction details and external materials in respect of New Central 4 and 5 to be reserved for the further approval of the Sub-Committee and subject to a legal agreement and to the views of the Scottish Ministers.

(References – Development Quality Sub-Committee 9 April 2003 (item 1); report by the Director of City Development, submitted.)

Adjournment

The Convener adjourned the meeting for 20 minutes at this point.

5 Applications

The Sub-Committee considered the remaining applications contained on the agenda.

Councillor Burns was heard as local ward member in respect of agenda item 27 (419 Gorgie Road).

Councillor Walker was heard as local ward member in respect of agenda item 32 (34 Mansionhouse Road).

Decision

To agree as detailed in Appendix 1 to this minute.

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

Declaration of Interests

Councillor Gilmore declared a non-financial interest in agenda item 8 (Old Dalkeith Road, Edmonstone Campus) as she had been appointed to the Board of EDI Limited and took no further part in the deliberation of this item.

6 32/1 Buckingham Terrace – Breach of Control

Unauthorised building works had been carried out in the garden of the basement flat at 32/1 Buckingham Terrace contrary to Local Plan Policies in relation to listed buildings, conservation areas and non-statutory guidance on alterations to listed buildings.

Decision

That a listed building enforcement notice be served requiring the removal of the unauthorised works and the reinstatement of the rear garden to its original condition (prior to the unauthorised works being carried out).

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

7 Appeal Decisions by the Scottish Ministers

Decisions on appeals had been made by the Scottish Ministers as detailed in Appendix 2 to this minute.

Decision

To note the report.

(Reference – report no DQ/010/03-04/CS by the Director of Corporate Services, submitted).

W2/PL/DQS230703/CE

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APPENDIX 1

APPLICATIONS

(As referred to in item 5 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	37-39 Cowgate (01/01314/FUL)	Convert existing building into an apart-hotel incorporating 30 units and 34m ² of offices.	Grant conditional planning permission subject to an additional condition requiring secondary glazing to be approved and installed to all living apartment windows with a view of the Cowgate to the satisfaction of the Head of Planning and Strategy.
4	59 Craigs Road (02/02410/FUL)	Erection of residential development comprising of 64 no. units (as amended) with associated parking, servicing and access.	1) To welcome the submission of an application to realign the pitches next to the school. 2) To reiterate that the Sub-Committee accepts the principle of building houses on the surplus land. 3) To continue consideration of the application to allow the application for the relocation of the pitches to be determined.

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Agenda Item No	Address/ Reference No	Details of Proposals	Decision
			4) To ask the Head of Planning and Strategy to progress the application for the relocation of the pitches as quickly as possible.
5	Gogarburn Hospital (03/00639/REM)	Reserved matters application for erection of conference centre.	Approve reserved matters subject to conditions.
6	Gogarburn Hospital (03/00616/REM)	Reserved matters application to erect leisure, staff and creche/nursery facilities.	Approve reserved matters subject to conditions.
7	1 Lauriston Place (Royal Infirmary) (02/01662/FUL)	a) Mixed use development of hotel, residential flats, retail, food and drink, office, public house, leisure, hard and soft landscaping, boundary enclosures, vehicular, pedestrian, service access roads and removal of appropriate trees (as amended).	Indicate intention to grant conditional planning permission subject to condition 7A(ii) being amended to required details of the waste disposal strategy to be submitted for approval by the Sub-Committee and condition 18(iii) being amended to require the integration, design, construction details and external materials for New Central 4 and 5 to be reserved for the further approval of the Sub-Committee and subject to a legal agreement and to the views of the Scottish Ministers. (On a division – see item 4 of foregoing minute).

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Agenda Item No	Address/ Reference No	Details of Proposals	Decision
	(02/01663/CON)	b) Complete demolition of non-listed buildings and boundary walls and railings, and the removal of certain trees within masterplan boundary.	Indicate intention to grant conditional conservation area consent subject to the views of the Scottish Ministers.
	(02/01664/LBC)	c) Part demolition, alteration and extension to the Surgical Hospital and Lodge.	Indicate intention to grant conditional listed building consent subject to the views of the Scottish Ministers.
	(02/01665/LBC)	d) Demolition of the George Watsons Hospital and Chapel.	Indicate intention to grant conditional listed building consent subject to the views of the Scottish Ministers.
	(02/03813/LBC)	e) Alterations to the Red Home.	Indicate intention to grant conditional listed building consent subject to the views of the Scottish Ministers.
	(02/01667/LBC)	f) Part demolition, alteration and extension to the Ear, Nose and Throat and Ophthalmological Pavilions.	Indicate intention to grant conditional listed building consent subject to the views of the Scottish Ministers.
	(02/01668/LBC)	g) Demolition of Florence Nightingale Nurses Home.	Indicate intention to grant conditional listed building consent subject to the views of the Scottish Ministers.

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	(02/01669/LBC)	h) Part demolition, alteration and extension to the Medical Hospital and Jubilee Pavilion.	Indicate intention to grant conditional listed building consent subject to the views of the Scottish Ministers.
	(02/01670/LBC)	i) Demolition of Simpsons Memorial Maternity Pavilion.	Indicate intention to grant conditional listed building consent subject to the views of the Scottish Ministers.
	(02/01671/LBC)	j) Demolition of Former Queen Mary Nursing Home, 29-33 Chalmers Street.	Indicate intention to grant conditional listed building consent subject to the views of the Scottish Ministers.
	(02/01672/LBC)	k) Part demolition and alterations to the gate piers, boundary walls and railings.	Indicate intention to grant conditional listed building consent subject to the views of the Scottish Ministers.

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Agenda Item No	Address/ Reference No	Details of Proposals	Decision
8	Old Dalkeith Road – Edmonstone Campus (02/04372/OUT)	Outline planning permission for centre for bio-medical research including educational, health and support facilities.	<p>1) Indicate intention to grant conditional outline planning permission subject to condition 15 being amended to require the land safeguarded for the tram route to be provided at no cost to the Council; the reference to “GTP” in condition 17 being amended to “Travel Plan”; paragraph b) of condition 17 relating to local transport requirements being amended to include “tram 3”; paragraph (d) of condition 17 in relation to the Travel Plan being amended to refer to condition 15, subject to the views of the Scottish Ministers.</p> <p>2) To ask the Head of Planning and Strategy to report to the Sub-Committee on the agreed items of the legal agreement in regard to the Travel Plan and, in particular, the measures related to addressing trunk</p>

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			<p>road issues, prior to the issue of consent.</p> <p>(Notes:</p> <p>1) The Sub-Committee noted that the bus link across the site to Greendykes was not fully funded and that a contribution by the developers would be required as part of the legal agreement.</p> <p>2) The Sub-Committee took into consideration the Environmental Statement as required by Regulation 3 of the Environmental Impact Assessment (Scotland) Regulations 1999).</p>
9	<p>17 Abercromby Place (03/01348/FUL)</p> <p>(03/01348/LBC)</p>	<p>a) Sub-divide house, form new windows and lightwells with alterations to steps.</p> <p>b) Sub-divide house, form new windows and lightwells, alter steps and carry out internal alterations.</p>	<p>Grant conditional planning permission.</p> <p>Indicate intention to grant conditional listed building consent subject to the views of the Scottish Ministers.</p>
10	15 Baberton Mains Place (03/00437/FUL)	Conversion of existing garage into bedroom and shower room and extension to front.	Grant planning permission.
11	1B Barnton Grove (03/00207/FUL)	Extension to existing boundary by 1.5 metres to provide new private access directly off Barnton Grove with new 6 ft high wall (as amended).	Grant conditional planning permission.

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Agenda Item No	Address/ Reference No	Details of Proposals	Decision
12	10D Bath Street (03/00762/FUL)	Erection of external ductwork.	Grant conditional planning permission.
13	8 Bridge Place, 1, 7 and 15 St Bernard's Row (on pavement) (03/00928/CEC)	Place communal domestic refuse containers.	Approve submission of notice of intention to develop to the Scottish Ministers. (On a division – see item 2 of foregoing minute).
14	79 Buckstone Loan East, Buckstone Primary School (03/01414/CEC)	New nursery and outdoor play space within the school grounds.	Planning permission deemed to be granted by the Scottish Ministers.
15	45 Caiystane Terrace (03/01540/FUL)	Proposed side extension.	Grant planning permission.
16	34 Cambridge Gardens (03/01412/FUL)	Demolition of existing brick kitchen extension and erection of new timber-clad kitchen extension (as amended).	Refuse planning permission.
17	17 Campbell Park Drive (03/01320/FUL)	Extension above garage to make 1 bedroom, dormer in existing bed and extend kitchen.	Grant planning permission.
18	12 Cleikiminfield (02/04248/FUL)	Extension to dwelling house.	Grant conditional planning permission.
19	97 Comely Bank Road (03/01327/FUL)	Conservatory extension.	Grant planning permission.
20	123 Crewe Road South (03/02251/FUL)	Erect single garage and rebuild and alter front wall.	Grant conditional planning permission.
21	6 Davie Street (03/01019/LBC)	Sub-divide and alter former theatre arts centre to form 11 residential flats.	Indicate intention to grant conditional listed building consent subject to the views of the Scottish Ministers.

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Agenda Item No	Address/ Reference No	Details of Proposals	Decision
22	Dean Bank Lane, Saxe Coburg Street, Saxe Coburg Place (on pavement) (03/00472/CEC)	Place communal domestic refuse containers.	Approve submission of notice of intention to develop to the Scottish Ministers, with the exception of site 5 and to ask the officials to investigate the possible relocation of site 5 to the opposite side of Saxe Coburg Street. (On a division – see item 1 of foregoing minute).
23	12 East London Street (03/01554/FUL)	Proposed installation of 2no antennas and 1no transmission dishes behind a glass reinforced plastic screen with a further antenna located to the rear of the rooftop and associated ancillary development.	Grant conditional planning permission.
24	48 George IV Bridge (03/01035/FUL)	Change of use from tobacconist to hot food takeaway and new extractor flue to be fitted.	Grant conditional planning permission.
25	2 Glasgow Road (03/00902/FUL)	Amendment of condition 7 to permit hot food take away facility.	Refuse planning permission.
26	37 Gogarloch Road (03/00423/FUL)	House extension.	Grant planning permission.
27	419 Gorgie Road (02/02062/FUL)	Demolition of existing food processing factory and existing residential units and erection of 42 new flatted residential units for special needs housing with associated car parking, service areas, open space and landscaping.	1) Continue for a site visit. 2) To ask the Director of City Development to seek further information on the economics and viability of reducing the number of units on the site.

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Agenda Item No	Address/ Reference No	Details of Proposals	Decision
28	61 Grassmarket (03/00238/FUL)	Removal of condition 7 on planning permission reference 00/03269/FUL restricting use to class 7 hotel only.	Grant conditional planning permission.
29	11-17 Henderson Row and 122 to 142 Dundas Street (pavement to the front) (03/01343/CEC)	Place communal domestic refuse containers.	Approve submission of notice of intention to develop to the Scottish Ministers. (On a division – see item 3 of foregoing minute.)
30	2 Lauriston Street (03/00270/ADV)	Internal window advertising (in retrospect).	Refuse advertisement consent and take enforcement action.
31	12-14 Leamington Terrace (03/01514/FUL)	Change of use and alterations to form four houses.	Grant planning permission.
32	34 Mansionhouse Road (03/01863/FUL)	Alteration and extension of garage, to form front room and breakfast area (see previous application ref no. 02/03217/FUL)	Grant planning permission.
33	6 Meadowbank Place (03/01643/FUL)	Change of use from shop to residential.	Grant planning permission.
34	40 Murrayfield Road (03/01904/FUL)	Proposed addition of dining room, enlargement of bedroom, addition of lock-up garage.	Grant conditional planning permission.
35	11 New Market Road (03/00809/FUL)	To apply for 2am opening permanently, (has been temporary for one year – ref no. 02/00804/FUL).	Grant planning permission.

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Agenda Item No	Address/ Reference No	Details of Proposals	Decision
36	193 Newhaven Road (03/01766/FUL)	To install a driveway for one car in the front garden, a side retaining wall will be built using the stonework removed from the front garden wall, tegula block will be used for the surface.	Grant planning permission.
37	232-234 Queensferry Road (03/01787/FUL)	Change of use from kitchen and bathroom showrooms to residential lettings business focussed on local area.	Refuse planning permission.
38	6 Redhall Avenue (02/03662/FUL)	Alteration and extension.	Grant conditional planning permission.
39	35 Royal Terrace (03/01210/FUL) (03/01210/LBC)	a) Alterations to existing external staircase and enclosure within a glass envelope in order to connect the ground and rear lower ground flats to form a single flat (as amended). b) Alterations to existing external staircase and enclosure within a glass envelope in order to connect the ground and rear lower ground flats to form a single flat (as amended).	Grant conditional planning permission. Indicate intention to grant conditional listed building consent subject to the views of the Scottish Ministers.
40	12 Stafford Street (03/01505/LBC)	Proposed alterations to change from office to medial centre/ consulting surgery.	Indicate intention to grant conditional listed building consent subject to the views of the Scottish Ministers.
41	23 Warriston Avenue (03/01840/FUL)	To form a car run-in (in retrospect).	Refuse planning permission and take enforcement action.

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APPENDIX 2

**Appeal Decisions by the Scottish Ministers
(As referred to in item 7 of the foregoing minute)**

Development/Appellant	Decision and Date	Decision by the Scottish Ministers
<p>Beaverhall Road (land at)</p> <p>Remove condition requiring provision of children's play area in residential development.</p> <p>(02/01360/FUL)</p> <p>Taylor Woodrow Development Ltd.</p>	<p>Planning permission refused by the Sub-Committee on 16 October 2002.</p>	<p>Appeal dismissed.</p>
<p>44 Carrick Knowe Drive</p> <p>Erect garden fences (in retrospect)</p> <p>(02/02160/FUL)</p> <p>Mr R Patterson.</p>	<p>Planning permission refused and enforcement action authorised by the Sub-Committee on 21 August 2002.</p>	<p>Appeal dismissed and enforcement notice upheld subject to the period for compliance being amended from one month to six weeks.</p>
<p>9/2 Etrick Road</p> <p>Erect conservatory and extension and alter garage.</p> <p>(02/03063/FUL)</p> <p>Ms B Mackay.</p>	<p>Planning permission refused on 4 October 2002 under delegated authority.</p>	<p>Appeal allowed and conditional planning permission granted as detailed in letter from the Scottish Executive.</p>

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Development/Appellant	Decision and Date	Decision by the Scottish Ministers
<p>42 Milton Street</p> <p>Alter flat and lock-up garage to form three-storey town house.</p> <p>(02/04592/FUL)</p> <p>Mr K Quinn.</p>	<p>Planning permission refused on 24 February 2003 under delegated authority.</p>	<p>Appeal dismissed.</p>
<p>188 Portobello High Street</p> <p>Alter to form dwelling house.</p> <p>(02/02765/FUL and LBC)</p> <p>Mr K Miller.</p>	<p>Planning permission and listed building consent refused on 27 September 2002 under delegated authority.</p>	<p>Appeals dismissed.</p>
<p>65 South Bridge</p> <p>Alter and change of use of shop to form extension to restaurant/public house.</p> <p>(03/00119/FUL)</p> <p>Albatross Leisure Ltd.</p>	<p>Planning permission refused on 11 March 2003 under delegated authority.</p>	<p>Appeal allowed and conditional planning permission granted as detailed in letter from the Scottish Executive.</p>

W2/PL/DQS230703/CE