

Committee Minutes

Development Quality Sub-Committee of the Planning Committee

Edinburgh, 27 April 2005

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

Also Present:- Councillors Gilchrist and Kate MacKenzie.

1 Chair

Councillor Davies vacated the Chair for items 5, 24, 25 and 26 and in the absence of the Vice-Convener, Councillor Child was appointed to the Chair for these items.

2 Applications

The Sub-Committee considered the applications contained in the agenda.

Councillor Gilchrist was heard as local ward member in respect of agenda item 17 (71 Ravelston Dykes).

Councillor Kate MacKenzie was heard as local ward member in respect of agenda item 22 (124 Whitehouse Road).

Decision

To agree as detailed in Appendix 1 to this minute.

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

Development Quality Sub-Committee
of the Planning Committee
27 April 2005

Declarations of Interest

Councillor Davies declared a non-financial interest in agenda item 5 (130 McDonald Road) as he had held discussions with his constituents on the loss of gable windows, he was heard as local ward member and took no part in the decision on this item.

Councillor Gilmore declared a non-financial interest in agenda item 16 (Old Dalkeith Road, opposite Fernieside Drive) as she had objected to the application, she was heard as local ward Councillor and took no part in the decision on this item.

Councillor The Hon David Guest declared a non-financial interest in agenda item 3 (Castle Street) as he was a member of the Board of the City Centre Management Company.

Dissent

Councillor Child asked that her dissent be recorded in relation to the decision taken on agenda item 9 (Land at Spring Gardens) to grant the application.

3 24 Richmond Terrace – Breach of Control

Details were provided on the unauthorised installation of UPVC windows and UPVC front door and unauthorised painting of the façade at 24 Richmond Terrace.

This had an adverse effect on the character of the listed building contrary to Central Edinburgh Local Plan Policies CD2, CD19 and CD20 and Development Quality Handbook Guidelines on "Development affecting the setting of Listed Buildings."

Decision

To authorise that enforcement action be taken to ensure the removal of UPVC windows and the door and their replacement with timber framed sash and case single glazed windows, a traditional wooden panelled front door and the removal of the white paint from the façade.

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

Development Quality Sub-Committee
of the Planning Committee
27 April 2005

4 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/022/04-05/CS by the Director of Corporate Services, submitted).

5 Mansfield Road, Balerno – Tree Preservation Order

The Convener ruled that this item, notice of which had been given at the start of the meeting, be considered as a matter of urgency in order that it be dealt with timeously to ensure continued protection of the trees.

The Sub-Committee was asked to confirm Tree Preservation Order No 2.2004 (200, 200B Mansfield Road, Balerno) which was provisionally served on 11 November 2004.

Decision

To confirm Tree Preservation Order No 2.2004 (200, 200B Mansfield Road, Balerno).

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

Development Quality Sub-Committee
of the Planning Committee
27 April 2005

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	Castle Street (04/00759/FUL)	Installation of street furniture-benches, bollards, signings, litter bins – relocation of telephone boxes and navigator sign.	Approve submission of intention to develop to the Scottish Ministers.
Declaration of Interests - Councillor The Hon David Guest declared a non-financial interest in item 3 above as a member of the Board of the City Centre Management Company Ltd.			
4	Falcon Gardens (St Peter's RC School) (04/02645/FUL) (04/02645/LBC)	a) Conversion of existing school building to form 4 flats and erection of 6 new build flats (as amended). b) Conversion of existing school building to form 4 no houses and erection of 6 no build houses (as amended).	Grant conditional planning permission subject to a legal agreement. Granted conditional listed building consent.
5	130 McDonald Road (05/00021/FUL)	New build mixed residential development with commercial units at ground floor.	Continued for information on: 1. Legal and technical issues relating to building against adjoining gable elevation and the site boundary.

Development Quality Sub-Committee
of the Planning Committee
27 April 2005

Agenda Item No.	Address/ Reference No.	Details of Proposals	Decision
			2. Means of achieving compensation for owners of properties with windows on the gable.
Declaration of Interests - Councillor Davies declared a non-financial interest in item 5 above as he had held discussions with his constituents on the loss of gable windows. He was heard as local ward member but took no part in the decision.			
6	47-49 Nicolson Street/31-32 Nicolson Square (04/03399/FUL)	Mixed commercial and residential development comprising (Class 3) restaurant, class 2 business unit and 12 flats for student accommodation (as amended).	Grant conditional planning permission subject to: 1. A legal agreement. 2. The additional condition that: "Before any part of the development is brought into use, cycle parking shall be provided within the site to meet the standard required by City of Edinburgh Council policy; the type and siting of such parking shall be approved in writing by the Head of Planning and Strategy before work commences on site, and no alteration to the approved cycle

Development Quality Sub-Committee
of the Planning Committee
27 April 2005

Agenda Item No.	Address/ Reference No.	Details of Proposals	Decision
			parking provision shall be made without the further written approval of the Head of Planning and Strategy."
<p>Note – The Sub-Committee had previously indicated intention to refuse the application at item 6 above with restaurant/bar use. The Convener ruled that the removal of the bar element of the proposal was a material change in circumstances to allow reconsideration of the application.</p>			
7	North Meggetland (95/02329/FUL)	Legal agreement for off-site works relating to the planning permission for improvements to sports facilities and erection of housing.	Amend legal agreement.
8	Old Dalkeith Road (Inch Park) (04/04447/CEC)	Flood defence walls and embankments, new bridges, flood storage reservoirs.	Approve Notice of Intention to develop to the Scottish Ministers.
9	Spring Gardens (Land At) (04/03492/FUL)	Mixed use residential development, 6 town houses, 7 flats and 2 duplex apartments.	<ol style="list-style-type: none"> 1. Grant conditional planning permission subject to a legal agreement. 2. To express the disappointment of the Sub-Committee in the Reporter's decision which effectively removed the Council's discretion in determining the application.

Development Quality Sub-Committee
of the Planning Committee
27 April 2005

Agenda Item No.	Address/ Reference No.	Details of Proposals	Decision
			<p>3. To instruct the Head of Planning and Strategy to safeguard both public and private allotment ground in the new Edinburgh City Local Plan.</p> <p>4. To request the Executive of the Council to consider amending the Allotment Strategy to include private allotment land.</p> <p>5. To instruct the Head of Planning and Strategy to include new allotment land where appropriate in major new development areas.</p>
10	<p>7 (flat 1) Ainslie Place (05/00050/FUL)</p> <p>(05/00050/LBC)</p>	<p>a) Extension of garden room at basement level (to the rear of the existing property) to connect the house and garden.</p> <p>b) Extension of garden room at basement level (to the rear of the existing property) to connect the house and garden.</p>	<p>Refuse planning permission.</p> <p>Refuse listed building consent.</p>

Development Quality Sub-Committee
of the Planning Committee
27 April 2005

Agenda Item No.	Address/ Reference No.	Details of Proposals	Decision
11	30 Brunswick Road (05/00599/FUL)	Change of use from flat to gym at stair 8.	Grant conditional planning permission subject to an additional condition that: "The sound insulation properties or sound transmission characteristics of the structures and finishes shall be such that no impact or airborne noise from the normal operations within the application premises is audible in any neighbouring living apartment."
12	24 Carfrae Park (04/04596/FUL)	Extension and alterations to dwelling house (as amended).	Grant planning permission.
13	67 Coillesdene Avenue (04/04233/FUL)	Alter and extend existing house, by attic conversion, to form 3 additional bedrooms and a bathroom.	Grant planning permission.
14	Drum Street (Gilmerton Community Centre) (04/03496/FUL)	8 market stall pitches to front (east) car park – car boot sale pitches to rear (west) car park – circulation opening once a week – Saturdays 10.00 – 16.00 hrs (as amended to use of front car park only, and operating hours of 9am to 12pm).	Grant conditional planning permission.
15	108 Northfield Drive (04/04011/FUL)	2 bedrooms (convert exist garage and extension) utility room and bathroom.	Grant planning permission.

Development Quality Sub-Committee
of the Planning Committee
27 April 2005

Agenda Item No.	Address/ Reference No.	Details of Proposals	Decision
16	Old Dalkeith Road (Opposite Fernieside Drive) (04/04104/FUL)	Proposed installation of 12 metre high slimline monopole plus three 2G antennas within GRP shroud, one 2G equipment cabin and associated ancillary development (as amended).	<ol style="list-style-type: none"> 1. Grant conditional planning permission. 2. To pursue with the Head of Planning and Strategy a cross-party approach to Ministers on issues relating to telecommunications equipment.
Declaration of Interests - Councillor Gilmore declared a non-financial interest in item 16 above as she had objected to the application. She was heard as local ward councillors but took no part in the decision.			
17	71 Ravelston Dykes (04/04378/FUL)	Extension to rear to form family and dining room, master bedroom and ensuite, additional dormer window to main bedroom.	Continue for a site visit.
18	23 Ravelston Terrace (04/04401/FUL)	Refurbishment and extension of existing office building to form residential units with associated car parking.	<p>Grant conditional planning permission subject to:</p> <ol style="list-style-type: none"> 1. A legal agreement. 2. An additional condition <p>"Prior to the commencement of works on site, details of access to and space for waste management facilities, including recycling, shall be submitted to and approved in</p>

Development Quality Sub-Committee
of the Planning Committee
27 April 2005

Agenda Item No.	Address/ Reference No.	Details of Proposals	Decision
			writing by the Head of Planning and Strategy. Thereafter, the requirements agreed shall be implemented to the satisfaction of the Head of Planning and Strategy, prior to the occupation of the development hereby approved."
19	13 St Catherine's Place (05/00501/FUL)	Remove existing external store and form extension to rear, widen vehicular access.	Grant conditional planning permission.
20	1 Swanston Row (05/00878/FUL)	Extend to side of house on two storeys.	Grant conditional planning permission.
21	13 West Crosscauseway (05/00269/FUL)	Change of use to hot food takeaway.	Grant conditional planning permission.
22	124 Whitehouse Road (05/00208/FUL)	Erect new detached dwelling.	Grant conditional planning permission subject to additional conditions: 1. No trees on the application site shall be lopped, topped or felled without the prior written approval of the Head of Planning and Strategy.

Development Quality Sub-Committee
of the Planning Committee
27 April 2005

Agenda Item No.	Address/ Reference No.	Details of Proposals	Decision
			2. The house shall be so constructed as to provide a minimum 20 dB attenuation averaged over the frequency range 100 to 3150 Hz, for protection against aircraft noise.
23	15-17 Windsor Street Lane and Rear 1-2 Hillside Crescent (04/04350/FUL)	Alter and change of use part leisure club to office and 2 garages and demolish part of leisure club and erect 2 storey dwelling houses (as amended).	Grant conditional planning permission subject to a legal agreement.

Development Quality Sub-Committee
of the Planning Committee
27 April 2005

Appendix 2

Appeal Decisions by Scottish Ministers (As referred to in item 4 of the foregoing minute)

Development/Appellant	Decision and Date	Decision by the Scottish Ministers
<p>Buteland Estate, Balerno Proposed erection of a new farm house and outbuildings and two farm cottages</p> <p>(03/02968/FUL)</p> <p>(03/02969/FUL)</p> <p>Mr and Mrs Teague</p>	<p>Planning permission refused by the Sub-Committee on 23 June 2004.</p>	<p>Appeal <u>allowed</u> and planning permission granted as detailed in the letter from the Scottish Ministers.</p> <p><u>No award of expenses.</u></p>
<p>177 Morningside Road Change of use from retail unit to café/hot food takeaway</p> <p>(04/00376/FUL)</p> <p>Caffe Nero</p>	<p>Planning permission refused under delegated authority on 11 March 2004 and enforcement action authorised by the Sub-Committee on 16 June 2004.</p>	<p>Appeal <u>allowed</u> and enforcement notice quashed and planning permission granted as detailed in the letter from the Scottish Ministers.</p>
<p>246 (3F1 and 3F2) Portobello High Street Attic conversion of adjoining top floor flats</p> <p>(04/01756/FUL)</p> <p>(04/01756/LBC)</p> <p>Mr and Mrs Grieve and Miss Bryden</p>	<p>Planning permission and listed building consent refused under delegated authority on 8 July 2004.</p>	<p>Appeal <u>dismissed</u> in respect of the four proposed rooflights.</p> <p>Appeal <u>allowed</u> and planning permission and listed building consent granted for the proposed alterations to the rear of the roof as detailed in the letter from the Scottish Ministers.</p>

Development Quality Sub-Committee
of the Planning Committee
27 April 2005

Development/Appellant	Decision and Date	Decision by the Scottish Ministers
<p>1 Ratho Byres, Freelands Road, Ratho</p> <p>Proposed telecommunications mast and ancillary equipment</p> <p>O2 (UK) Ltd</p>	<p>Planning permission refused under delegated authority on 13 September.</p>	<p>Appeal <u>allowed</u> and planning permission granted as detailed in the letter from the Scottish Ministers.</p>