

Jones Lang LaSalle 7 Exchange Crescent Conference Square Edinburgh EH3 8LL	Watkin Jones Group. Llandygai Industrial Estate Bangor LL57 4YH
	Date:3 February 2014 Your ref:

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013**

Amendment to planning permission 08/01365/FUL to deliver a reconfigured residential mix; containing class 1 retail element on ground floor, replacing the 24, 3 bedroom units with 24, 1 & 2 bedroom flatted units on 3 upper floors and removal of top floor within Block A1.

At 26, 28A, 29, 32, 33 Beaverbank Place 11 Logie Green Road Edinburgh EH7 4ET

Application No: 13/03546/FUL

With reference to your application for Planning Permission registered on 3 September 2013, this has been decided by **Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Granted** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

1. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.
2. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
3. The drainage strategy at the site shall be implemented in accordance with the

proposals contained in the revised Drainage Strategy for the site (prepared by WSP Development and Transportation).

4. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, as well as details relating to the irrigation and drainage of the proposed planting scheme at the decked garden, shall be submitted to and approved in writing by the Head of Planning and Building Standards before work is commenced on site.

5. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.

6. The design, installation and operation of all lifts shall be such that any associated noise complies with NR20, when measured within any nearby living apartment and no structure borne vibration is perceptible within any nearby living apartment.

7. The development shall be built in accordance with the requirements and recommendations of the noise impact assessment ENVIRON UK Ltd, R62C1247, July 2007, Issue 2 and addendum April 2008, section 5.1-5.3.

8. The waste management facilities, as shown on the approved plans, shall be implemented prior to the occupation of the development and agreed by the head of Planning & Building Standards.

9. **Class 1 Use**

- 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.
- The design, installation and operation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.
- The hours of operation of the retail premises shall be restricted to between the hours of 08.00-22.00, Monday to Friday, 08.00-20.00 on Saturdays and 09.00-20.00 on Sundays.
- The hours of deliveries and collections, including waste collections shall be restricted to 07.00-19.00, Monday to Saturday and 09.00-19.00 on Sundays.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.
2. In order to enable the Head of Planning Authority to consider this/these matter/

s in detail.

3. In order to ensure that a sustainable drainage system is implemented on site, and to safeguard existing infrastructure.
4. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
5. In order to ensure that the approved landscaping works are properly established on site.
6. In order to safeguard the amenity of neighbouring residents and other occupiers.
7. In order to safeguard the amenity of neighbouring residents and other occupiers.
8. In order to ensure that satisfactory waste management facilities are provided on site.
9. In order to safeguard the amenity of neighbouring residents and other occupiers.

Informatives:-

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. This consent is for planning permission only. For the avoidance of doubt, a separate application for advertisement consent will be required for the shop signage including vinyls.
5. A legal agreement has been concluded in respect of this application and is available to view on the Council website

Please see the guidance notes on our [decision page](#) for further information, including

how to appeal or review your decision.

Drawings 01-3, 04a, 05-07, 08a, 09-10, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The principle of the proposed development accords with the development plan. The scale and design are appropriate and residential amenity will not be adversely affected. The impact on road safety and infrastructure has been assessed and is considered acceptable. There are no other material considerations that outweigh this conclusion.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Andrew Trigger directly on 0131 529 3931.

David R. Leslie
Acting Head of Planning and Building Standards

NOTES

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may appeal to the Scottish Ministers under section 47 of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The notice should be addressed to the Directorate of Planning and Environmental Appeals, 4 The Courtyard, Callendar Business Park, FALKIRK FK1 1XR.

2. If permission to develop land is refused or granted subject to conditions, whether by the planning authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.