

City Development

Planning

MEMORANDUM

To: Head of Legal and Administrative Services
Level 3.1, Waverley Court

Your Ref:

From: John Bury

Our Ref: 09/00830/FUL

Date: 12 November 2010

**TOWN AND COUNTRY PLANNING SCOTLAND ACT 1997
1, 2, 3 - 6 CANONMILLS BRIDGE
EDINBURGH
EH3 5LF**

REQUEST FOR LEGAL AGREEMENT

I attach for your attention a report by the Director of City Development on an application for:

**Erect mixed use, development of 2 restaurants, 6 flats and 3 townhouses
(Scheme:)**

at

**1, 2, 3 - 6 Canonmills Bridge
Edinburgh
EH3 5LF**

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As you will note a legal agreement is to be concluded in respect of this development.

I would be grateful if you could take the necessary action and let me know when the agreement is finalised.

Please call myself on 0131 529 3684 or email isobel.kenmure@edinburgh.gov.uk. if you have any questions about this memo.



Isobel Kenmure
Support Manager

PLANNING REGISTER

Applicant

Glovar Holdings Ltd.
Canon House
20 Canonmills
Edinburgh
EH3 5HA

Reference Number

09/00830/FUL
(Planning Permission)

Agent

Fouin + Bell Architects.
1 John's Place
Edinburgh
EH6 7EL

Date Registered

15 April 2009

Site and Development

1, 2, 3 - 6 Canonmills Bridge
Edinburgh
EH3 5LF

Erect mixed use, development of 2 restaurants, 6 flats and 3 townhouses

Scheme:

Decision Date

12 November 2010

Decision

MINDED TO GRANT - LEGAL AGREEMENT

The Council is minded to issue the following decision, subject to the preparation of a Legal Agreement:

Minded to Grant

Conditions:-

1. No development shall take place until the structural details and calculations for the building wall which forms part of the Flood Defence shall be submitted and approved by the Council as Planning Authority. The details shall include the boundary wall and its tie in to the new flood wall on Warriston Road, to the satisfaction of the Head of Planning. These works are to be completed prior to the occupation of the first unit

within the development

Restaurant and commercial units

2. The design and installation 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.
3. 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.
4. All music and vocals, amplified or otherwise, shall be so controlled as to be inaudible within any neighbouring premises.
5. Deliveries and collections, including waste collections, to be restricted to 07.00-20.00 hours, Monday to Sunday.
6. The kitchen shall be ventilated by a system capable of achieving 30 air changes per hour, and the cooking effluvia shall be ducted to a suitable exhaust point to ensure that no cooking odours escape or are exhausted into any neighbouring premises, all to the satisfaction of the Head of Planning.
7. Unit B, as shown on the approved plans as a Commercial Unit will only be used for purposes falling within Classes 1, 2, 3, 4, of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended.
8. 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 Head of Planning, having first been agreed by the City Archaeologist.

Reasons:-

1. flood reason
2. In order to safeguard the amenity of neighbouring residents and other occupiers.
3. In order to safeguard the amenity of neighbouring residents and other occupiers.
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5. In order to safeguard the amenity of neighbouring residents and other occupiers.
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 safeguard the interests of archaeological heritage.

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. Consent shall not be issued until a suitable legal agreement has been concluded in relation to the Edinburgh City Car Club
5. Consent shall not be issued until a suitable legal agreement, including those requiring a financial contribution payable to the City of Edinburgh Council, has been concluded in relation to transport infrastructure.