

Reporter refuses application for student flats on Eyre Place

The Scottish Government has refused planning permission for student flats on the former Jewson's Yard at 72-74 Eyre Place in a decision published on Friday.

This is a long-running planning story which was (in a slightly revised version) already decided by the Reporter, and this community has fought and won a hard fight. The Reporter noted that there were 506 representations made in relation to the application, 460 of which were objections, and only 45 supportive. In summary the decision states that the proposed development does not "accord overall with the relevant provisions of the development plan and that there are no material considerations which would justify granting planning permission".

The Reporter, Gordon Reid, also decided that the council was not correct to apply Section 64 of the Planning legislation to this application as this site is not part of a conservation area. The decision made specific reference to the requirements, albeit non-statutory, to provide cluster flats in student developments rather than single studio flats, but had accepted this would not alone justify refusal due to the amount of communal space provided.

Mr Reid said in the decision: "In addition, the proposed saw tooth roof of the four storey section introduces what I find

to be a rather incongruous visual feature that does not particularly reflect the character of the immediate area...For these reasons, I am of the view that the elevation onto Eyre Place Lane would introduce a dominant and overbearing feature which would adversely affect its existing character and more intimate sense of place."

Daylighting had been raised by the residents as a major objection but the reporter found that any loss of daylighting by neighbouring properties was within acceptable limits, but Mr Reid did find that the new block would significantly overshadow the communal garden and affect "the amenity of the residents".

Local councillor Vicky Nicolson has supported the residents throughout the last two years. She said: "I am absolutely ecstatic for this wonderful community."

OVER THE MOON [#EyrePlace](#) [#StudentHousing](#) refused planning permission by the Scottish Government Reporter [@DeidreBrock](#) [@EdinReporter](#) [@donturvLDR](#) [pic.twitter.com/HZw9NwhtSm](#)

– Cllr Vicky Nicolson (@VicNicSNP) [March 8, 2024](#)

Cllr Max Mitchell said: "“This is another splendid and well-earned victory for the community. It is especially positive for those who were to be most-impacted by this behemoth of a proposal. I hope the developer will now reconsider how it engages with and works with residents in order to produce something more suitable for Canonmills. Bringing a community with you is not only wiser also more respectful.”

The developer CA Ventures which is a specialist student flat operator had applied (for the second time) in August 2023 for permission to erect student flats with amenity space, cycle parking and landscaping. That has now been refused.

In a separate decision the appeal in respect of the

application for seven townhouses on part of the same site has been allowed by the Reporter, and we have asked the agents for the developers if they will proceed with that part alone.

Hannah Edwards, spokesperson for Rodney Street Residents Association said: "This is a big relief. We have seen other applications going to appeal a second time with little changes and then they go through. So mentally we were just preparing ourselves, but The Reporter has come back and rejected it for very similar reasons. So, it feels like if they do come back again, they are going to have to make genuine changes, which is all we ever asked for."

This group of objectors is realistic and has always said they had no objection to a development but it has to fit the surroundings better. Hannah continued: "We just want something more sympathetic to the lane. The Reporter said themselves that it's very overbearing even with the reduced height, and the effect that the east wing would have on our garden due to overshadowing. It is clearly just too built up. The bones of contention have always been the size of the block, the overshadowing and the two huge roof terraces which were clearly intended as social spaces and would have been used both day and night. It was obvious to us this would have a negative impact.

"I think that lots of communities feel beaten down by large corporates and you do feel up against it when you don't have the same knowledge that they do. But we're delighted."



Plans for Eyre Place Lane Image: CA Developments