

Full Planning Application
at
12 Leith Walk
Edinburgh
EH6 5AA

Development Quality Sub-Committee
of the Planning Committee

Proposal: Change of use and conversion to form 3 flats and 1 basement flat.
Applicant: Fordevelopments Ltd.
Reference No: 04/00920/FUL

1 Purpose of report

To recommend that the application be **GRANTED** subject to;

Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. That the developer enters into a suitable legal agreement to contribute the sum of £8,000 towards a City Car Club parking space and associated costs.
3. That 4 secure cycle spaces are provided preferably in the store which is accessible from Cassels Lane.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to comply with the Councils parking standards.

3. In order to comply with the Councils parking standards.

4. NB This consent is for planning permission only. Work must not begin until other necessary consents, eg listed building consent, have been obtained.

2 Main report

Site description

The application property refers to the basement, ground and first floor of a three storey townhouse with basement and attic, dating from circa 1800 with a later 19th century tenement to the rear. The building is category B listed and situated within the Leith Conservation Area.

Site history

03.07.1985 - consent granted for stonecleaning, repair and landscaping for 12-42 Leith Walk.

The related application for listed building consent was approved under delegated powers on 2 July 2004 and is currently with Historic Scotland.

Development

The application is for the change of use from offices to form four flats by subdividing the basement, ground and first floor flats. It would include re-opening former window openings on the Kirk Street elevation at basement level as well as forming two new windows at ground and first floor levels

The original scheme proposed lowering the ground level at the basement level to the front of the building and creating a new access to the basement under the platt.

Consultations

Transportation

No objections to the application subject to compliance of a condition of a contribution to the City Car Club and the provision of cycle spaces.

Education

No objections.

Environmental And Consumer Services

No objections.

Representations

The proposals were advertised on 16 April 2004.

No representations have been received.

Policy

The property is covered by the North East Edinburgh Local Plan in a Mixed Activities Zone and on a route to be safeguarded for possible Light Rail Transport System.

Relevant Policies:

Policy E18 (LISTED BUILDINGS) sets out criteria for assessing proposals affecting a listed building and its setting, including alterations, extensions and changes of use.

Policy E19 (LISTED BUILDINGS - USES): establishes a qualified presumption in favour of retaining a listed building in, or its restoration to, its original use.

Policy E21 (CONSERVATION AREAS - GENERAL): requires proposed development within a conservation area to retain all features which contribute to the character and appearance of the area.

Policy E22 (CONSERVATION AREAS - REDEVELOPMENT): sets out criteria against which new development in conservation areas will be assessed.

Policy E28 (WINDOW ALTERATIONS): sets out criteria for assessing window alteration and replacement proposals to listed and non-listed buildings in defined areas (with examples).

Non-statutory guidelines 'ALTERATIONS TO LISTED BUILDINGS' provide general guidance for assessing proposals for both internal and external alterations.

Non-statutory guidelines on 'WINDOW ALTERATIONS' supplement local plan conservation and design policies, providing additional guidance on window alterations.

Non-statutory guidelines on 'SUB-DIVISION OF LISTED BUILDINGS' supplement local plan conservation and design policies, providing guidance on sub-division with the aim of protecting the character and appearance of listed buildings.

3 Conclusions and Recommendations

DETERMINING ISSUES

The determining issues are:

- do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against the granting of permission;

- do the proposals preserve the building or its setting or any features of special architectural or historic interest which it possesses? If they do not, there is a presumption against the granting of permission. For the purposes of this issue, "preserve", in relation to a building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character;

- do the proposals comply with the development plan?

- if the proposals do comply with the development plan, are there any compelling reasons for not approving them?

- if the proposals do not comply with the development plan, are there any compelling reasons for approving them?

ASSESSMENT

To address the determining issues, the Committee needs to consider:

a) whether the proposed use is acceptable in this location;

b) whether the proposals have an adverse impact on the character or appearance of the conservation area;

c) whether the proposals adversely affect the listed building or its setting;

d) whether the proposals are detrimental to residential amenity or road safety.

a) The three floors of this building are currently being used as offices. The upper floors are accessed from a separate stair to the rear of the building and do not form part of this application. The proposal is to create one flat on the first floor, two flats on the ground floor and one flat in the basement. The use is acceptable as it returning the listed building to its original use. The subdivision of the building is acceptable given that it is unlikely that it could be marketed as one unit in this part of Leith and the layout of the building necessitates that two units be created on the ground floor.

b) The character of the Leith Conservation Area is described in the North East Edinburgh Local Plan as follows:

"The character of the Conservation Area derives from Leith's history both as a port and an independent burgh. Several fine Georgian and Victorian warehouses survive, some now converted for residential or office use; in many cases these were initially built to hold wine and dry goods, although many were converted in the late 19th century to serve the whisky industry. A rich mixture of civic buildings and mercantile architecture survives particularly at Bernard Street and The Shore.

Significant earlier buildings include Lamb's House and St Ninian's Manse (both early 17th century); although many more recent buildings have been built, the present street pattern of The Shore area closely follows that of the historic town.

The Inner Harbour of the Water of Leith provides a vibrant focus for the Conservation Area, with buildings along The Shore forming an impressive waterfront townscape. The Conservation Area also covers the older parts of Leith Docks, containing many early features including listed dock buildings and the Victoria Bridge, a scheduled Ancient Monument.

The Madeira area retains a largely Georgian domestic character, with stone buildings and slate roofs predominating; some of the Georgian buildings retain astragaled windows and doors with fanlights. Many of the roads are setted, the main exception being Prince Regent Street; stone garden walls are a feature of the area. North Leith Parish Church provides a visual focus to this mainly residential area, which also includes major public buildings such as Leith Library and Town Hall.

Leith Walk remains the main artery linking the centre of Edinburgh to the old burgh of Leith. It is characterised mainly by Victorian tenements with shops and pubs at the ground floor level. There are a number of Georgian survivals, most notably Smith's Place dating from 1814. Between Smith's Place and Albert Street lies a series of tenemental streets, mainly designed by John Chesser.

Building types within the Conservation Area vary but are traditionally of stone, with slate roofs; however, more recently building has generally used block or render and traditional brick where previously found. Pockets of public housing development of the 1960s and 1970s, of a contemporary character, fall within the expanded Conservation Area. Open space is concentrated at Leith Links, which provides a spacious contrast to the relatively dense settlement of the remainder of the Conservation Area."

The proposals to re-open former windows in the basement as well as form two new windows at ground and first floor of the Kirk Street elevation are acceptable. This is a non-principal elevation and the new windows will not be intrusive or adversely alter the character or appearance of the conservation area.

c) The proposals to re-open windows at basement level on Kirk Street and form two new openings will not alter the character of this non-principal elevation of the listed building. The setting of the listed building will not be affected. The proposals will not adversely affect the listed building or its setting;

d) There will be no adverse impact on residential amenity or road safety.

The proposals comply with the development plan and non-statutory policies, have no adverse effect on the character or appearance of the conservation area or the setting of the listed building, and have no detrimental impact on residential amenity or road safety.

There are no material planning considerations which outweigh this conclusion.

It is recommended that the Committee approves this application, subject to the conditions stated.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

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Ward affected 21 -Harbour

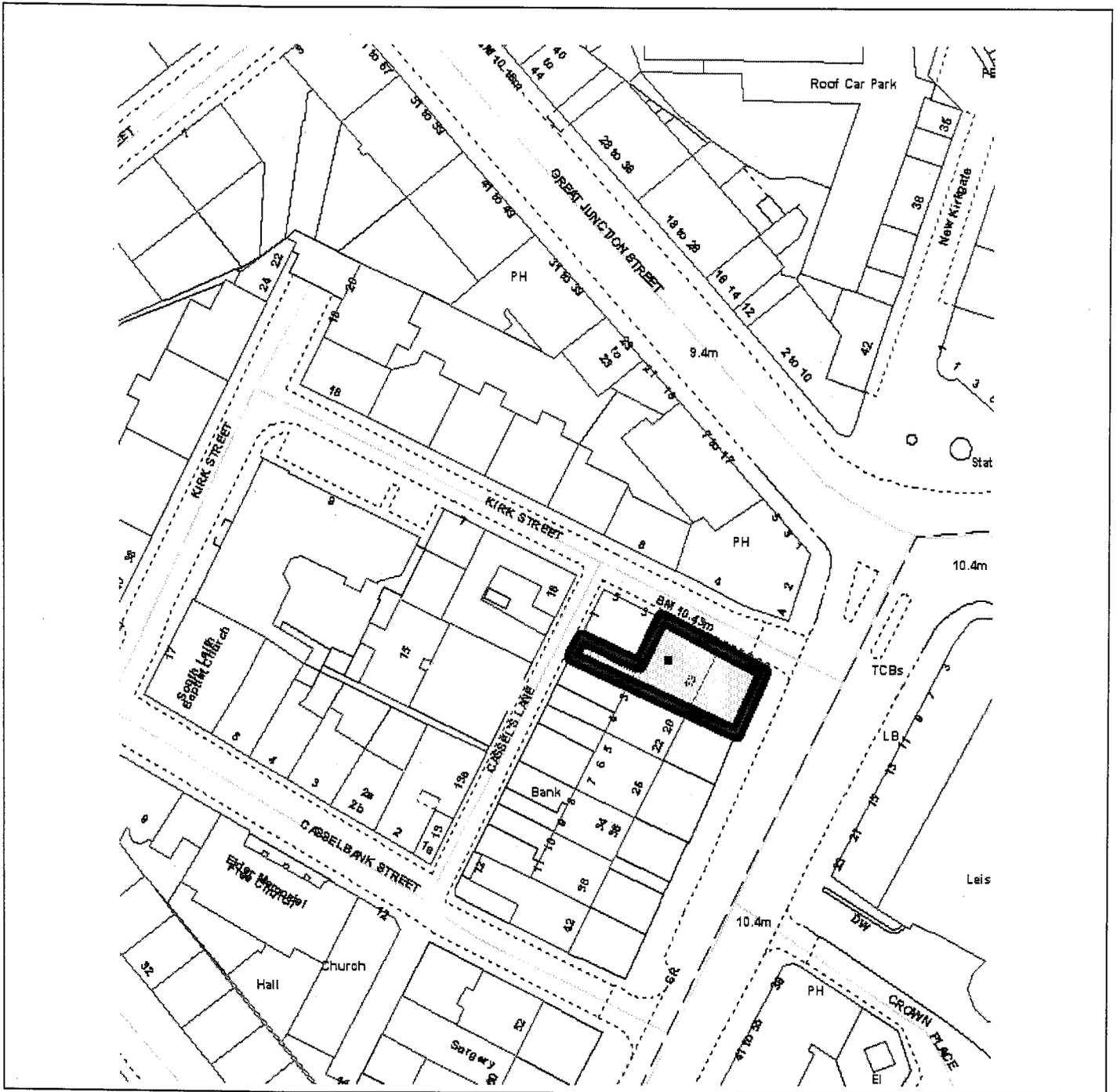
Local Plan NEELP

**Statutory Development
Plan Provision** Mixed Activities Zone

File

Date registered 1 April 2004

**Drawing numbers/
Scheme** 2, 4
Scheme 2



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PLANNING APPLICATION

Address	12 Leith Walk, Edinburgh, EH6 5AA,		
Proposal	Change of use and conversion to form 3 no flats and 1 basement flat.		
Application number:	04/00920/FUL	WARD	21- Harbour
THE CITY OF EDINBURGH COUNCIL			
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			