

**Full Planning Application 05/00543/FUL
at
Castle Terrace
Edinburgh
EH1 2EW**

**Development Quality Sub-Committee
of the Planning Committee**

1 Purpose of report

To consider application 05/00543/FUL, submitted by Edinburgh City Centre Management Company Ltd. The application is for: **Farmers' market to be held every Saturday of each month between 9am and 2pm**

It is recommended that this application be **GRANTED** subject to the conditions in Appendix B.

2 The Site and the Proposal

Site description

The site of the proposed Farmers' Market is on the North side of Castle Terrace. The proposed site is a stretch of pavement that runs above the Castle Terrace NCP carpark. This section of pavement is approximately 9m wide. Trees line the outside of the pavement. There are concrete planters on either side of the pavement and wooden park benches set at intervals along the pavements length. To the rear of the pavement is the carpark and opposite is Saltire Court, an office suite.

Site history

June 2000 Temporary consent granted for a limited period of one year only for Farmers' market to operate on first Saturday of every month.

May 2001 Application granted for Farmers' market to be held on the first and third Saturday of each month 0900 - 1400 hours.

Description of the Proposal

It is proposed to hold the Farmers' market every Saturday instead of on the first and third Saturdays of every month, operating between the hours of 9am and 2pm.

The proposed market will comprise of a maximum of 50 stalls each market day, increased from 46, each approximately 2.5m by 2.5m in footprint and 2.5m in height.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are:

- Do the proposals preserve or enhance the character and appearance of the conservation area? There being a strong presumption against the granting of planning permission if this is not the case;
- 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 these determining issues, the Committee needs to consider:

- a) Whether the proposed location is suitable for a Farmers Market;
 - b) Whether the proposal will preserve or enhance the character or appearance of the Conservation Area;
 - c) Whether the proposal will have a detrimental effect upon residential amenity or road safety.
- a) This application is to increase the number of days and number of stalls of the existing authorised farmers' market. The use is therefore established.

Policy S4 encourages new shopping development within the Mixed Activities Zone, in locations where it can complement speciality shopping areas, visitor activities and entertainment areas. In addition Policy S4 supports new shopping development where this will improve local convenience shopping provision without the loss of residential amenity.

Although the proposed location is not directly linked to existing visitor activities, it is close to existing entertainment areas and visitor attractions. The proposal will also improve the local convenience shopping provision. The proposal therefore complies with Policy S4, subject to the protection of residential amenity.

b) West End Conservation Area -

The character of the conservation area is summarised in the local plan as follows: *Georgian and Victorian tenements characterise the eastern side of the conservation area while to the west and south are the domestic Georgian buildings of Grove Street and Gardner's Crescent, the mid 19th Century artisan housing of Rosebank Cottages and the brick built quadrangle of Rosemount Buildings. Further west more Victorian and Georgian tenements lead to Haymarket, defining an inner city urban scale. The area contains much of the city centre's new commercial development including the completed Saltire Court and site of the Conference Centre.*

The success of the farmers market over the last year has shown that the proposal is able to operate at this location without detriment to the amenity of the area or to the character of the conservation area. It is unlikely that an increase in the extent of the operations to once a week will impact adversely on the area. The stalls are temporary structures which are constructed and taken down on the day of the market. There is therefore no lasting impact on the character or the appearance of the area.

c) Policy H11 seeks to prevent development which is likely to introduce increased levels of traffic or activity to the detriment of residential amenity.

The aim of this Farmers Market is to provide farm products and produce for sale direct to the public. The Market is intended to provide an opportunity for the public to purchase fresh food products from the farmers who produce them. The intended custom is therefore likely to be local, Edinburgh based custom. The nearest residents to the proposal are opposite part of the site on Castle Terrace, although most of the site is opposite Saltire Court.

Castle Terrace is already a busy road with vehicles driving along the road or to and from the car park throughout the day. The vehicles and traffic associated with the market arrive before busy hours and remain stationary until the market is closed and then leave the area. Consequently, there is very little extra traffic movement during the market hours.

Whilst it is acknowledged that noise is generated as a result of the market, it is nevertheless restricted to the hours of operation. These hours are 9am - 2pm, on Saturdays only.

The proposed location of the Market is an extensive pavement 9m wide and 140m in length. As the proposed stalls are approximately 3.25m square, the proposal will leave adequate circulation space. In addition, the introduction of the Market will provide a more attractive environment for pedestrians. The proposal therefore complies with Policy T10.

The increase in numbers of stalls from 46 to 50 is a minor increase of the existing operation and unlikely to have an adverse effect on the character of the conservation area or on residential amenity.

In conclusion, the initial assessment period and subsequent continued operation has shown that the market has been able to operate at the location without detriment to local amenity, the character or appearance of the conservation area or road safety. The proposal is considered to be suitable for this area.

The Council has an interest in the proposal. However, there has not been a substantial level of objection, and the proposals are not contrary to the development plan. Referral to the First Minister is not therefore required.

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

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	David Shepherd on 0131 529 3956 (FAX 529 3717)
Ward affected	32 - Tollcross
Local Plan	Central Edinburgh
Statutory Development Plan Provision	Mixed Activities Zone
Date registered	21 February 2005
Drawing numbers/ Scheme	1.

Advice to Committee Members and Ward Councillors

The full details of the application are available for viewing on the Planning and Building Control Portal: www.edinburgh.gov.uk/planning.

If you require further information about this application you should contact the following Principal Planner, Ian Dryden on 0131 529 3464. Email: ian.dryden@edinburgh.gov.uk.

If this application is not identified on the agenda for presentation, and you wish to request a presentation of this application at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting on extension 4229/4239. Alternatively, you may e-mail blair.ritchie@edinburgh.gov.uk or sarah.bogunovic@edinburgh.gov.uk

Application Type Full Planning Application
Application Address: Castle Terrace
Edinburgh
EH1 2EW
Proposal: Farmers' market to be held every Saturday of each month
between 9am and 2pm
Reference No: 05/00543/FUL

Consultations, Representations and Planning Policy

Consultations

Environmental and Consumer Services

The Environmental impact of this application would normally warrant consideration by Environmental and Consumer Services. Unfortunately, at this time, due to significant increase in this workload, we are unable to provide you with a response.

Environmental and Consumer Services did not have any objections to the last application for 46 stalls every second Saturday.

Representations

The application was advertised on 4 March 2005. One letter of representation has been received from a residential neighbour. The following comments were made:

On procedural grounds:

1. Neighbour notification late and address omitted from neighbour notification certificate,
2. Advert in Evening News incorrect,
3. The area on which the market is situated is not a public walkway as stated in the application. It is a Local Amenity Area and as such is being mismanaged.

On planning grounds:

1. Parking.

Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.

Planning Policy

The site is within an area allocated for Mixed Activities in the Central Edinburgh Local Plan.

Relevant Policies:

Policy S4 (SHOPPING DEVELOPMENT - OFFICE CORE AND MIXED ACTIVITIES ZONE) encourages, and sets out criteria for assessing, new shopping development in the defined Office Core and Mixed Activities Zone.

Policy H11 (HOUSING AMENITY) establishes a presumption against new development and changes of use likely to introduce increased levels of traffic or activity to the detriment of residential amenity or to the reasonable prospects of further residential development where this is an objective of the Local Plan.

Policy T10 (PEDESTRIAN ENVIRONMENT) sets out the Council's objectives for improving the pedestrian environment of the city centre and other main areas of pedestrian congregation

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Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that this application be **GRANTED** subject to the conditions below.

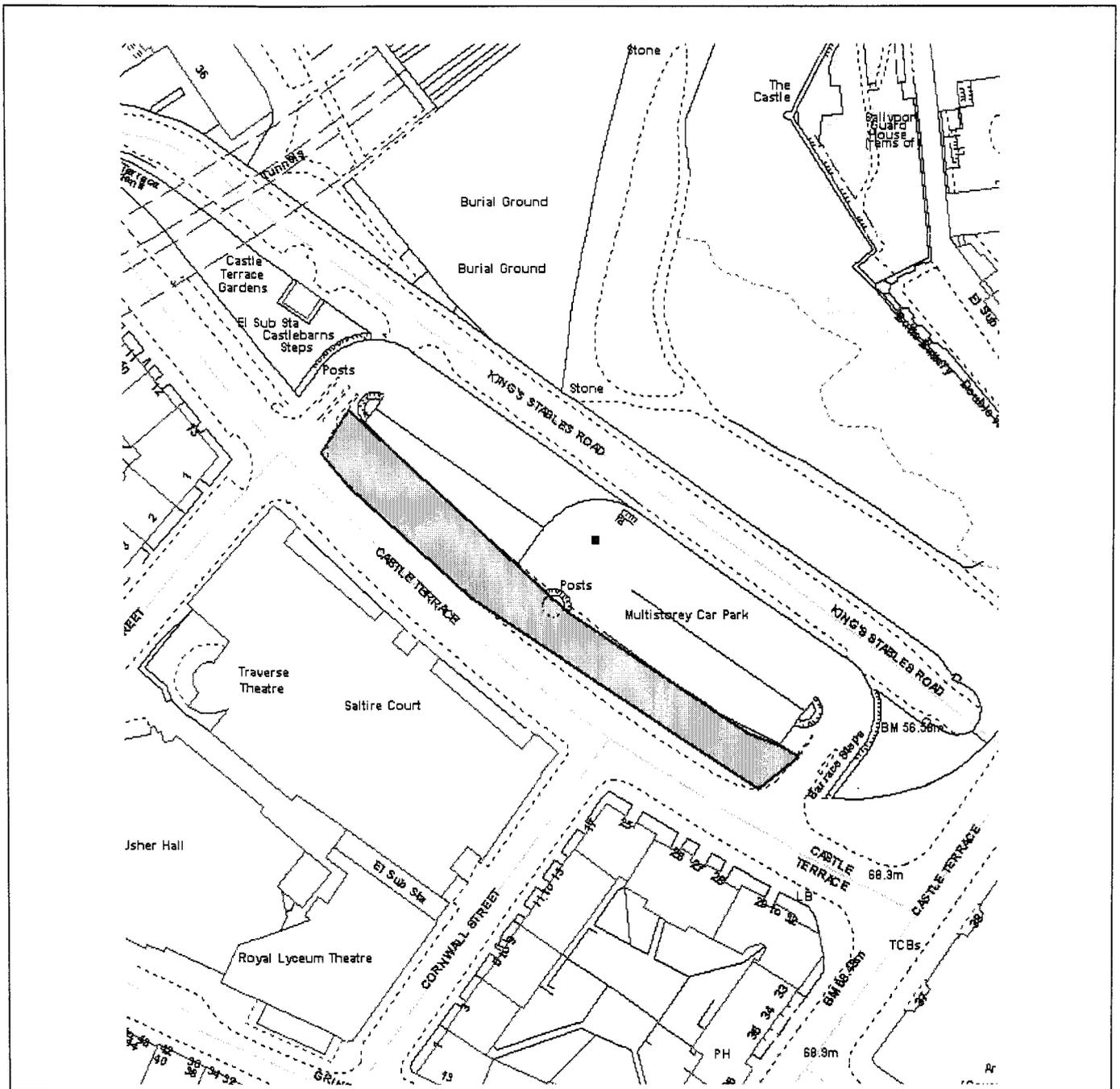
Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

End



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PLANNING APPLICATION

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Application number:	05/00543/FUL	WARD	32- Tollcross
THE CITY OF EDINBURGH COUNCIL THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			