

Full Planning Application 05/01671/FUL
at
6A,7+ 8 Inverleith Terrace
Edinburgh
EH3 5NS

Development Quality Sub-Committee
of the Planning Committee

1 Purpose of report

To consider application 05/01671/FUL, submitted by Viewpoint Housing Association. The application is for: **Conversion and change of use to form 12 sheltered flats, alterations to doors and windows, alterations to roof and provision of parking in existing garden (as amended)**

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 is a former nursing home comprising three former town houses, nos.7 and 8 being a pair with no.6 forming a slightly set back part of the remainder of the terrace. Nos. 7 and 8 are in the form of a 2-storey basement and modern attic double house block and no.6 is circa 1870, forming one half of a pair of 2-storey attic and basement double houses stepped in slope. There is a large communal landscaped garden to the rear, with no.8 having an outhouse and conservatory attached. The rear wall of the garden forms the boundary to Inverleith Terrace Lane with a personnel gate in the centre. There are mature trees along this boundary including a Sycamore, Horse Chesnut and several large fir trees.

The buildings are category C(S) listed, circa 1870/80. The buildings were listed on 29 April 1977 Ref:29185.

The site is in the Inverleith Conservation Area.

Site history

No recent history recorded. The property is now vacant but has been a nursing home for many years.

Description of the Proposal

The revised proposal is to convert the building to use as 12 sheltered flats with a revised parking scheme in the rear garden for 4 cars accessed off the lane to the rear, with a 3 metre wide gated entrance, but with the parking and access road running north-south up the garden. The bin store building has been deleted in favour of a bin store area to the east of the access. The chestnut tree and the fir trees along the southern boundary to the east of the access will be removed. The Sycamore and other trees to the south west corner will remain as will the fir trees along the east boundary.

New dormers features will be added to the box roof at the front with two new replacement doors and window/door changes are proposed to the rear elevation. The water tower on the rear roof slope is to be removed.

Original scheme

Proposed 12 flats, but with 15 car parking spaces in the rear garden and a 3 metre wide gated access off the rear lane with a 4.8 metre wide access road, plus bin store to the east. Only the trees in the south west corner and south east corner of the rear garden were to be removed - mainly suppressed fir trees, with the larger Sycamore and Chestnut trees to remain.

Scheme 2

The car parking area was modified to have only 4 spaces with a turning head, 3 metre gated access and tapered access road. The bin store was relocated to the west of the access. This proposal intended removal of most of the trees along the southern boundary, leaving only the Chesnut on the southern boundary and the fir trees along the east boundary.

3 Officer's Assessment 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 change of use is acceptable in principle.
- b) Whether the proposals have an adverse impact on the character or appearance of the conservation area.
- c) Whether the proposals have an adverse impact on the building, or its setting.
- d) Whether the design and materials are satisfactory given the setting of the site.
- e) Whether there will be an adverse impact on the trees or wildlife within the site.
- f) Whether the proposals are detrimental to amenity or road safety.
 - a) The proposal complies with the local plan allocation for the area. The reuse of these buildings as residential units for the elderly with a degree of care supervision (emergency pull cords) means that the use is not dissimilar to the former nursing home in terms of its impact on the residential area. The parking has been kept to the minimum and the garden area retained in the majority. The use is acceptable in principle.
 - b) The character of the Inverleith Conservation Area is described in the Central Edinburgh Local Plan as follows:

"Inverleith developed as a Georgian suburb of villas and terraces to the north of the New Town. It lies on a south facing slope between Ferry Road and the Water of Leith and includes a number of important Victorian institutions set in extensive grounds. Extensive blocks of public and private open space bounded by areas of Georgian and Victorian villas form the essential elements of character, with key views southwards towards the city skyline providing a distinctive setting. Part of the conservation area lies within the area covered by the North East and North West Edinburgh Local Plans."

The cosmetic alterations to the roofscape/dormer fillet will be a conservation gain. The rear access will be screened by a traditional set of timber gates painted black, ensuring the sense of enclosure is maintained.

One large Chestnut tree and some fir trees nos.10-17, will have to be felled to make way for the access at the rear. However, the Chestnut tree is in poor condition and is leaning out towards the lane. A tall Sycamore no.9 will remain, together with the other trees in the south west corner. The fir trees nos.18-25 along the east boundary will remain thereby maintaining the majority of the screening of the back garden.

Although the rear garden will be significantly altered by the introduction of the access and parking, sufficient garden area is retained to ensure the green character is maintained.

The proposals will not adversely impact on the character or appearance of the conservation area.

c) The sense of enclosure of the back garden will be maintained by the retention of the boundary wall and traditional gates. Apart from the loss of one large tree and some of the lesser fir trees, the setting of the building onto the rear lane will be maintained. The cosmetic changes to the façades of the building will enhance the building.

The proposals will have a neutral impact on the building and its setting.

d) The design of the rear car parking area has been considerably reduced to allow the minimum vehicle parking (4 spaces) required by the standards to serve sheltered flats and to reduce the impact on the amenity of the green back garden. 15 spaces were previously proposed in the initial scheme for 12 open market flats. The improvement in fenestration both front and back, the painting of the existing conservatory a green colour and the granite sett material and black gates for the car parking mean that the design and materials will be appropriate to the site.

The design and materials are acceptable given the setting of the site.

e) One large Chestnut tree no.12 is in poor condition. Its loss along with the suppressed fir trees nos.10-17 will not be significant given the retention of the other large Sycamore tree no.9 and the group of trees nos.6-8 around it. A condition controlling the location of the bin store is incorporated in the

landscape management condition so that the planting area close to the southern boundary can be maximised. The loss of wildlife is difficult to quantify, but is not considered to be significant.

The proposals will have a limited impact on the trees and wildlife of the site.

f) The representations received largely refer to the loss of the back garden and traffic issues. The applicant has reviewed the original proposal, dropping the concept of 12 free market flats and 15 parking spaces. The proposed use as sheltered units plus the reduced car parking area retains most of the green garden area and therefore the amenity of the back garden. The limited parking area and bin store area proposed will not be dissimilar to a large, domestic single driveway in terms of hard surfacing. This is acceptable given that if the property reverted to three separate dwelling feus, these could potentially have a separate driveway (and garage) built per feu, which would be more disruptive to the boundary, the trees and the garden.

The access on to the lane will be limited to a standard 3m wide entry on to the lane and is acceptable given the limited use intended.

The proposals will not be detrimental to residential amenity or road safety.

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

There are no other material planning considerations which outweigh this conclusion.

It is recommended that the Committee approves this application, subject to conditions regarding tree protection, landscape management, roof slate, single glazing, bin store location and car park surfacing material. An additional condition is recommended to ensure the use stays as sheltered housing and is not sold as open market housing.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

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| Contact/tel | Duncan Robertson on 0131 529 3560 |
| Ward affected | 17 - Stockbridge |
| Local Plan | Central Edinburgh Local Plan |
| Statutory Development Plan Provision | Housing and Compatible Uses |
| Date registered | 1 June 2005 |
| Drawing numbers/ Scheme | 01, 03, 07 - 08; 10 Scheme 3 |

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, Nancy Jamieson on 0131 529 3916. Email: nancy.jamison@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 gavin.king@edinburgh.gov.uk or sarah.bozunovic@edinburgh.gov.uk

Application Type Full Planning Application
Application Address: 6A,7+ 8 Inverleith Terrace
Edinburgh
EH3 5NS
Proposal: Conversion and change of use to form 12 sheltered flats,
alterations to doors and windows, alterations to roof and
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Consultations, Representations and Planning Policy

Consultations

Transport Planning

It is advised that the application be refused.

Reason: The development sets an undesirable precedent as it proposes a large car park to the rear and should the adjacent properties follow suit, it would lead to Inverleith Terrace Lane becoming heavily trafficked. The lane would be unsuitable for this amount of traffic for the following reasons:-

- 1. The lane is substandard for two-way traffic (the normal minimum width of a new road serving up to twenty dwellings is 4.8 metres plus footway).*
- 2. The lane is a well used pedestrian route and the footpath is not continuous for the whole of the lane.*

REVISED COMMENTS

At a meeting on 22/7/05 between Council representatives and the agents, the following was agreed:-

*An amended application or a new application would be submitted for three town houses with an access off Inverleith Terrace Lane of a minimum 3m width and 4 car parking spaces to be provided, or
Twelve flats specifically for elderly residents with an access off Inverleith Terrace Lane of a minimum 3m width and 4 car spaces to be provided.*

Environmental and Consumer Services

No objections

Landscape

It appears that most of the trees indicated in the submitted drawing are cypress trees, which would not normally be considered of great value. However, there are two large trees, a sycamore and a horse chestnut adjacent to the lane, both of which would be destroyed by the proposals due to construction of the proposed access and bin store within one metre or so from the trunks.

Significant excavation is required to gain access to the site from the lane as the levels within the site are about 1 metre higher. It does appear that it would not be possible to accommodate the access and parking proposed without major reduction in levels over almost the entire rear garden area. Details of existing and proposed levels would be required to allow full assessment of the impact.

A tree survey should be provided by the applicant in accordance with our DQ Handbook 'Quality of Landscaping in Developments' to enable the department to assess the viability of existing trees along with an indication of landscaping proposals.

Notwithstanding the lack of tree survey information, it does appear that the proposal would result in the loss of all trees in the grounds, which would be unacceptable.

REVISED COMMENTS (SCHEME 2)

The revised tree report on the Sycamore states that it is OK in terms of structure and health. It does not recommend retention due to poor form, species and the presence of similar species within neighbouring properties.

If approval is to be given for a vehicular access, then at least one of the two mature trees, Sycamore or Chesnut, must be lost and the issue would be which one should go.

The Chesnut is the more attractive tree by far, but there is decay present in a number of open wounds in the stem. The trunk has a significant lean towards the lane and the tree is undoubtedly causing distress in the high boundary wall. The long term potential of the tree is therefore limited significantly.

Under these circumstances, the retention of the Sycamore would be the better choice and it would be recommended that, if approval is to be given, or likely to be given, the proposals are amended to move the access eastwards, incorporation of the existing retaining wall to the west side of the pedestrian access into the west retaining wall of the proposed combined vehicle and pedestrian access, with the width of the access being kept to a minimum. It is also recommended that the area of access, parking and turning generally should be kept to the minimum required to satisfy road standards, and kept as far back from the East and West boundaries as possible.

The above recommendation would require trees 10 to 17 to be felled. Details of all felling and replacement planting/landscaping should usually be submitted with the application, but as it is unclear which trees should also be removed for management

and to facilitate new planting. It is suggested that other than for the above trees, the issue of tree removal around the boundary of the site and replanting/planting should be the subject of suspensive conditions. A condition could perhaps require the construction of the new access and retaining walls and the submission and approval of details of landscaping/replacement tree planting prior to certain other work commencing. This would allow us to see the site after the initial tree removal and take stock at that point.

It is essential that a condition is imposed to require a tree protection scheme to be submitted, agreed and implemented prior to works commencing.

Scottish Water

I refer to the above planning applications and would comment as follows:

a) It is the responsibility of the applicant to check Scottish Water's record plans regarding the position of its water and/or waste water assets prior to any work commencing on site. Plans available on written request from our Property Searches Department, Bullion House, Dundee, DD2 5BB.

b) If a water main or sewer is affected, then no building shall be erected over or in such a way as to interfere with Scottish Water's right of access. The applicant must contact Scottish Water Operations. Technical Support team to ascertain what measures should be taken to safeguard this apparatus.

c) Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head in the public ain. Any property which cannot be adequately serviced using this pressure may require to have private pumping arrangements installed subject to compliance with the current water bylaws.

d) The applicant must ensure that any new internal or external drain is connected to the correct drain or sewer.

e) The performance of Scottish Water's assets are not affected by this application at this time, however I do advise that a connection to Scottish Water's assets is dependant on the spare capacity at the time of application for a permit to connect.

f) Waste water and surface water sewerage must be totally separate, where appropriate.

g) The development may be required to be drained on a totally separate system with the surface water discharging to a suitable outlet. Scottish Water supports the principal of sustainable urban drainage system (SUDS). It is important to note that Scottish Water will not adopt surface water drainage systems that require flows to be pumped. Waste water drainage may be discharged to the adjacent public waste water system.

h) The applicant must make separate application to Scottish Water Planning and Development Services section for permission to connect to the public waste water

and water networks at the appropriate time. It is important to note that the granting of planning consent does not guarantee a connection to Scottish Water assets.

i) If the development involves the provision of water mains and/or sewers that may become vested in Scottish Water then the layout and specification of these water mains/sewers must be agreed, in writing, by Scottish Water Planning and Development section prior to their construction.

Representations

The application was advertised on 10 June 2005. Six letters of objection have been received, including that from The Architectural Heritage Society of Scotland, on the following grounds:-

Conversion of garden to paved parking area.
Noise and air pollution.
Loss of trees and amenity space.
Effect on conservation area.
Greatly increase traffic along Inverleith Terrace Lane.
Junction at Inverleith Row already difficult.
Most properties have only one or two car spaces per house.

Scheme 2

Representators were renotified on 1 September. One further letter of representation was received on the grounds that whilst the parking area has been reduced, it will still have an unreasonable effect on the amenity of this pleasant green space and lead to a loss of trees, which will not be in keeping with the character and heritage of the Inverleith area.

Scheme 3 - Representators were not renotified.

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 allocated as Housing and Compatible Uses in the Central Edinburgh Local Plan.

Relevant Policies:

Policy CD2 (LISTED BUILDINGS) sets out criteria for assessing proposals affecting listed buildings and seeks to safeguard their character and setting.

Policy CD4 (CONSERVATION AREAS) requires that developments in a conservation area retain all features which contribute to the area's character and appearance.

Policy CD5 (CONSERVATION AREAS - REDEVELOPMENT) sets out the criteria against which new development in conservation areas will be assessed, and seeks to preserve or enhance their character and appearance.

Policy CD19 (BUILDING ALTERATIONS) sets out requirements for the design, form, materials and positioning of alterations and extensions.

Policy CD20 (WINDOW ALTERATIONS) sets out different levels of control for window alterations for listed buildings, non listed buildings in conservation areas and non listed buildings in defined areas of window control.

Policy CD3 (LISTED BUILDINGS - USES) establishes a presumption (with stated qualifications) in favour of retaining a listed building in (or restoring it to) its original use.

Policy H4 (HOUSING - SUBDIVISION OF PROPERTY) supports, and sets out criteria for assessing, proposals for the subdivision of property to form residential accommodation.

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 T15 (PRIVATE CAR PARKING) requires all new development to comply with car parking standards set out in the Development Control Handbook, including provision for people with disabilities, and requires car parking to be designed to minimise visual intrusion.

Non-statutory guidelines 'DAYLIGHTING, PRIVACY AND SUNLIGHT' set criteria for assessing proposals in relation to these issues.

Non-statutory guidelines on the 'SETTING OF LISTED BUILDINGS' supplement local plan conservation and design policies, providing guidance for the protection and enhancement of the setting of listed buildings.

Non-statutory guidelines on 'PARKING STANDARDS' set the requirements for parking provision in developments.

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.

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

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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.
2. The trees on the site shall be protected during the construction period by the erection of fencing, in accordance with clause 2 of BS5837: 2005 " Trees in relation to construction", or similar as approved in writing by the Head of Planning & Strategy, at the limit of the canopy spread of the trees; no materials, equipment or buildings shall be stored or located within the protected area, nor shall there be any access through it. The fencing shall be maintained in a secure and upright condition to the satisfaction of the Head of Planning & Strategy.
3. The Chesnut tree and fir trees nos.10 -17 can be removed as per the approved drawings to permit the implementation of the approved development. Thereafter, no further tree felling, uprooting or pruning shall be undertaken without the written consent of the Head of Planning and Strategy.
4. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Head of Planning & Strategy before work is commenced on site.
5. The approved landscaping scheme shall be fully implemented within six months of the completion of the development, and thereafter shall be maintained by the applicants and/or their successors to the entire satisfaction of the planning authority; maintenance shall include the replacement of plant

- stock which fails to survive, for whatever reason, as often as is required to ensure the establishment of the approved landscaping scheme.
6. The proposed roof slates for the new front dormers and roof repairs shall match those existing to the satisfaction of the Head of Planning and Strategy
 7. All new and/or replacement windows shall be single glazed, timber sash and case.
 8. Details of the type and colour of the car park surfacing material shall be submitted and approved in writing by the Head of Planning and Strategy prior to the car park being formed.
 9. The location of the bin store area is reserved, to allow landscaping, including tree planting, adjacent to the southern boundary wall. Details of the amended location of the bin store area shall be submitted to and agreed in writing prior to the commencement of development on the site.
 10. This consent hereby approves the use as sheltered flats. These properties shall remain in this use only in perpetuity unless agreed in writing by the local planning authority.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to safeguard protected trees.
3. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
4. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
5. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
6. In order to safeguard the character of the conservation area.
7. In order to safeguard the character of the conservation area.
8. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
9. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
10. The car parking provision is for sheltered housing and not

INFORMATIVES

It should be noted that:

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

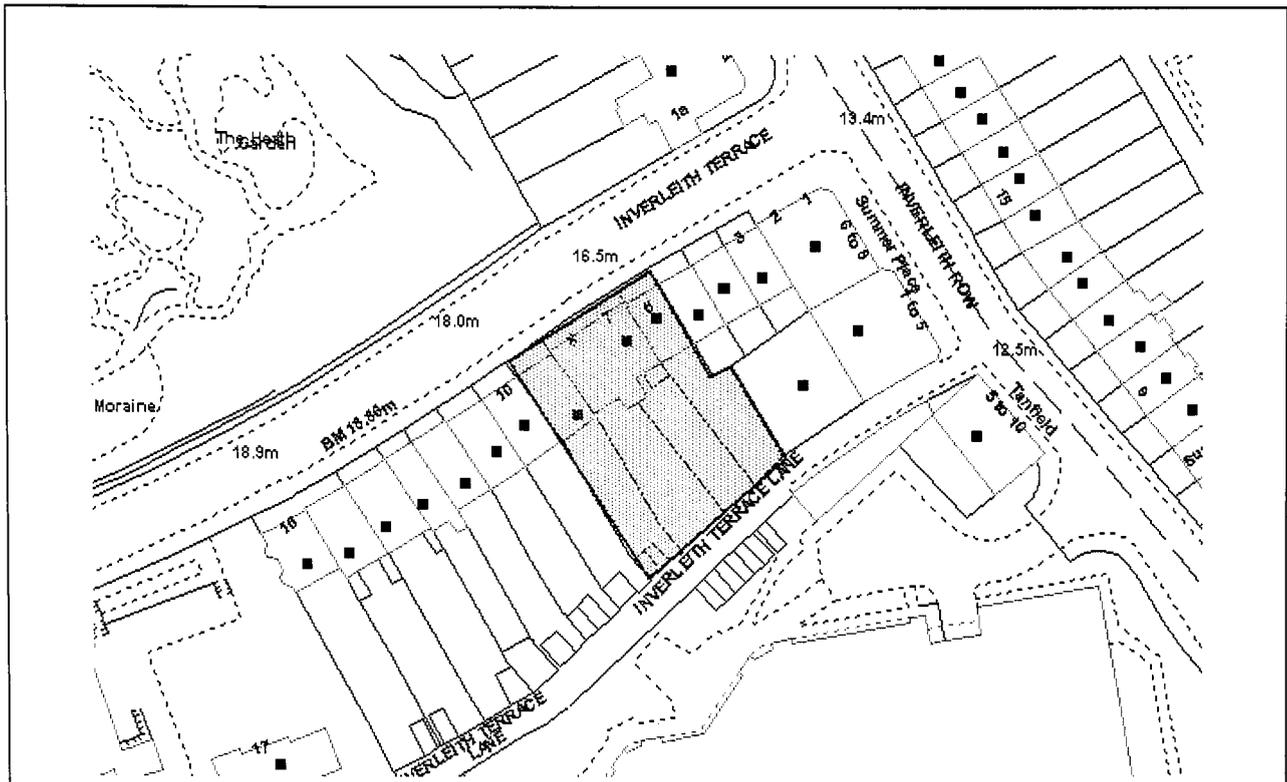
End

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Location Plan



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