

Full Planning Application 07/01631/FUL
at
Land At
Broughton Street Lane
Edinburgh

Development Management Sub-Committee
of the Planning Committee

1 Purpose of report

To consider application 07/01631/FUL, submitted by Prosper Holdings Ltd..
The application is for: **New build development of 11 No residential units as terraced mews houses without car-parking (as amended)**

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

2 The Site and the Proposal

Site description

The application site is located on the north side of Broughton Street Lane, accessed via a pend from Union Street to the east and Broughton Street to the west. The site is a gap site in a lane which originally functioned as a mews lane, lying within a traditional tenemental block. The site measures 45m x 15m and is currently in use as a private car park accommodating 31 car parking spaces leased to local businesses. The application site formerly accommodated a four storey warehouse building demolished prior to 1980.

A wire mesh fence 2m in height with gated access bounds the site to the south along the lane. Broughton Street Lane accommodates a mix of uses including the Outhouse bar, several offices, a Hertz car rental garage, a gym and a limited number of residential properties. The service entrances of Ego nightclub, the Holiday Inn and a Restaurant are also accessed from the lane.

Immediately west of the site lies Playfair House, a modern four storey office block with basement parking. The service entrance and modern rear extension to the Holiday Inn fronting Picardy Place is located directly opposite the site to the south. Adjacent is the Outhouse Public House. To the north and east of the site are three and four storey B listed classical terraced tenements fronting Forth Street and Union Street respectively (Ref 29864, 45949, 45948, 45947, listed 16.06.1966). These tenements are predominantly in use as residential flats. The classical tenements fronting Picardy Place and Union Place to the south are also B listed (Ref 29488, listed 16.06.1966) and predominantly accommodate commercial uses.

A planting belt consisting of mature hedges and a number of deciduous trees bound the site to the north, separating it from the gardens and rear elevation of the Forth Street tenements. The topography rises from Forth Street to Broughton Street Lane and basement properties of the Forth Street tenements are located below the level of the planting belt. The planting belt lies within the application site.

Immediately east of the site lies a small car parking area bounded by a stone wall delineating the rear garden of the Union Street tenements to the east.

This property is located within the New Town Conservation Area.

Site History

9.03.2006 Permission refused for the erection of 12 flats in three storey development (03/01779/FUL). This application was considered at the Development Quality Sub-Committee on the 8 February 2006. A decision was taken to refuse planning permission for reasons relating to noise from existing businesses, overdevelopment of the site, overshadowing and privacy and non compliance with the Non Statutory Guidelines relating to Mews Development.

23.08.2006 - Appeal dismissed for 'Erection of 12 flats in three storey development (as amended)' (06/00023/REF) Reasons for dismissal related to impact on the setting of the surrounding listed buildings by virtue of the height and proximity of the proposal to the listed tenements, impact on the character of the conservation area by virtue of the alien and incongruous design and inappropriate materials proposed. The reporter also highlighted the impact on neighbouring properties in respect of privacy, daylight and sunlight.

Description of the Proposal

It is proposed to erect 11 three-bedroom mews houses. The proposal will form a two storey terrace with a pitched roof fronting Broughton Street Lane and will adjoin Playfair House to the west. The proposal will be set forward of the building line of Playfair House by 2m and will line through with the building line of the mews buildings to the west of Playfair House. The proposal will be 8m in depth and the ridge line will be 8.7m in height. The proposal steps up to the west responding to the subtle change in topography along the lane.

Each dwelling will be arranged over four floors including the basement and attic space. The bedrooms are located to the rear of each property with the bathrooms and kitchen located to the front on Broughton Street Lane. The living / dining area is located on the first floor level and will be a double volume space. The master bedrooms of each unit are located in the basement and open onto a sunken courtyard to the rear measuring 12 square metres in area.

A service lane located at basement level runs the length of the rear boundary and provides service access and a secondary means of escape. A waste store is located adjacent to the eastern gable and will be enclosed by a stone boundary wall.

The proposed facing materials include natural sandstone for all external elevations, natural slate roof tiles, galvanised steel rainwater goods, window surrounds and gates, dark grey aluminium framed windows and brown aluminium louvres.

The proposal does not incorporate any car parking provision.

The above scheme (Scheme 3) is a revised scheme. The main alterations from the previous scheme (Scheme 2) are:

- detailing of rear elevation amended to reduce high levels of glazing incorporated on this elevation
- facing material for rear elevation altered from render to stone
- alignment of windows on rear elevation amended to address direct overlooking to Forth Street tenement windows

The main alterations from the Scheme 1 are:

- elevational treatment significantly altered from one with a significant vertical emphasis and modern zinc and copper coloured panels to a more traditional openings, proportions and materials
- recessed and inset windows and doors introduced to emphasise traditional mews proportions

- length of the elevation broken up into 5 elevational sections as opposed to 3
- banks of rooflights reduced in number and scale

The applicant has submitted the following documents in support of the application:

- Design Statement
- Acoustic Survey and Report
- Shadow Studies Analysis
- Daylighting calculations
- Photomontage and Sketch up electronic fly through

These documents are available to view on the Planning and Building Control Portal.

3 Officer's Assessment and Recommendations

Determining Issues

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

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 whether:

- a) the principal of residential use is acceptable in this location
- b) the scale and design of the proposed development is appropriate and safeguards the character and appearance of the New Town Conservation Area, the World Heritage Site and the setting of the surrounding listed buildings
- c) the proposals safeguard the amenity of neighbouring residents
- d) the proposed accommodation provides an acceptable standard of amenity for future occupiers of the development
- e) the proposed car free arrangement is acceptable and whether access and servicing arrangements are satisfactory

a) The site itself lies within an area of Housing and Compatible Uses as identified in the Central Edinburgh Local Plan and within the Urban area as designated by the Finalised Edinburgh City Local Plan. Residential uses are encouraged by policy H1 and finalised policy Hou1 and are acceptable in principle.

Broughton Street Lane forms the boundary between the Urban Area and the Central Area designation in which a mix of uses are accommodated to the south. Environmental Assessment has objected to the proposal on the basis that the proposed residential use would be incompatible with the existing pub and club uses opposite the site. Environmental Assessment are also concerned that the sound insulation measures proposed as part of the application would not provide suitable protection (inaudibility) from neighbouring licensed premises. Policy does not however preclude residential development due to conflict with an existing leisure use nearby.

Given that there are existing residential units in the vicinity and the proposal falls within the city centre in a designation which promotes residential development, the principle of the development is acceptable. The mews buildings proposed will provide a level of accommodation which will contribute to the diversity of house types in this city centre location.

b) The character of the conservation area is summarised in the local plan as follows;- *A planned urban concept of European significance, the New Town has an overriding character of Georgian formality. The First New Town, built to James Craig's 1767 plan, has experienced significant redevelopment, while the Second, Third and Fourth New Towns, which were laid out on estates to the north, east and west retain most of their original buildings. Stone built terrace houses and tenements, built to the highest standards, overlook communal private gardens; to the rear are lanes with mews buildings, many of which are now in housing use. The importance of the area therefore lies in the formal plan layout of buildings, streets, mews and gardens and in the quality of the buildings themselves. Many of the New Town's buildings are listed category 'A' of national importance and the area contains some of the city's finest interiors*

A previous application for 12 residential units was refused by Committee and subsequently dismissed at appeal in August 2006 (Reference 03/01779/FUL). The reasons for dismissal of the previous application are therefore material in the consideration of this proposal.

The proposal has been significantly altered in design terms when compared to the previously refused scheme and now adopts a simple traditional approach incorporating a pitched roof form and materials. The proposal presents a continuous elevation along the lane and no longer accommodates spaces between blocks. Front and rear elevations are articulated with fenestration of traditional proportions with a modern twist, incorporating splayed reveals and projecting dark grey steel frames. The overall ridge height of the proposal has been reduced by 0.6m and the overall eaves height, reduced by 2m. The depth of the footprint has also been reduced when compared to the previously refused scheme to 8m, set back by a further 2m from the Forth Street tenements. The alteration to the roof form and reduction in height and depth of the proposal have resulted in a scheme which relates well in terms of its scale and massing to the surrounding listed tenements. The proposal will reflect the established urban form of the New Town with mews properties lining rear lanes and will allow a degree of intervisibility at the upper storey level from the rear of the primary buildings on Forth Street and Picardy Place.

The proposal with its unassuming traditional design will not appear at odds in the street scene and will reinstate a strong urban edge to Broughton Street Lane, replacing a gap site which is out of keeping with the urban spatial character of the New Town. The proposal will adhere to the traditional urban spatial pattern, lining through with the established building line to the west of Playfair House. Roofs are pitched and reflect the traditional roofscape characteristic of the area.

With regard to the Non-Statutory Guidelines on Mews development, the proposal adheres to the majority of the design principles set out in this guideline with the exception of the overall ridge height proposed which exceeds that recommended in the guidelines by 0.7m. In addition the proposal does not strictly adhere to the materials recommended by the guidelines opting for dark grey aluminium framed windows as opposed to timber framed sash and case windows and does not incorporate cast iron downpipes. The guidelines do however make allowances for development which is of a demonstrably high quality and in this instance the intermittent use of modern materials is considered to enhance the quality of the scheme and is acceptable. The minor breach in the guidelines in respect of ridge height is also acceptable and is not considered to materially impact the quality of the street scene given that it will adjoin Playfair House, a development with a much greater footprint and height.

The proposals will make a positive contribution towards Broughton Street Lane. They preserve the spatial character of the conservation area and World Heritage Site, and safeguard the setting of adjacent listed buildings.

c) The rear elevation of the proposal will be set 7.2m away from the northern boundary and would fail to meet the minimum standard required by the non- statutory guidelines in respect of privacy distance. The non-statutory guidelines only offers protection to those buildings which themselves are good neighbours, standing a reasonable distance from the boundary. In this instance the Forth Street tenements are only located 6.7m from the boundary and fail the meet the minimum standard for privacy.

Notwithstanding the above, a number of mitigating measures have been adopted to minimise the impact of overlooking from the proposal. A mature planting belt lines the boundary between the proposal and the Forth Street tenements and falls entirely within the application site boundary. This planting belt provides good screening at the basement and ground floor levels and a degree of screening at the first floor level. A condition requiring the enhancement of the existing landscaping is recommended to ensure the screening properties of the planting belt are enhanced and maintained.

The applicant has also revised the rear elevation of the proposal to further address issues of privacy. A reduced level of glazing on the first floor level has been incorporated and the positioning of living room windows has been amended to ensure they are offset so as to not look directly into the Forth Street tenement bedroom windows. The relationship between property windows is illustrated on plan 10B. Whilst altering window positions and providing enhanced landscaping will not overcome issues of privacy, it will assist in reducing the impacts of direct overlooking.

The proposal would represent a breach in the Mews and Daylight, Sunlight and Privacy Guidelines in respect of privacy and separation distances however the proposal is set within the historic townscape where the tenements on Forth Street are themselves bad neighbours. On balance a breach in the guidelines is considered acceptable as the proposal would be entirely in keeping with the prevailing historic grain of the New Town and overlooking has been mitigated as far as practicable.

With regard to overshadowing, a portion of the existing site and the rear elevation of the Forth Street tenements are already overshadowed to a degree by the tenements on Picardy Place and the modern rear extension of the Holiday Inn which is six storeys in height. This is particularly evident in the winter months. The applicant has submitted a detailed set of comparative overshadowing diagrams which demonstrate that the impacts of overshadowing will be marginally worse for the basement flats in Forth Street at 10.00am on the 20 March (equinox). This impact is significantly reduced by 12.00pm however and no impact is evident from 14.00pm on the equinox or through the summer months. The marginal level of additional overshadowing is acceptable.

The applicant has submitted supporting information in respect of the impact on daylight for the flats which are likely to be worst affected by the proposal at the basement level of 27b and 21b Forth Street. The proposal would result in

a reduced vertical sky component for both flats. The BRE standards indicate that for a reduction in the amount of skylight to be noticeable, the vertical sky component with the new development in place would have to be both less than 27% and less than 0.8 times its former value. The daylighting calculations submitted demonstrate that the existing levels of daylighting would not be reduced by more than 20% and as such the differential levels of daylighting would be acceptable. In addition the resultant daylighting levels would be above the minimum standard required for bedrooms (1%).

The proposal does not raise any issues of overshadowing, privacy or loss of daylighting to the tenements on Union Street given that the gable does not incorporate any windows and the separation distance is great enough to ensure no overshadowing or loss of daylight.

Services for Communities - Environmental Assessment has received a number of complaints from existing residential properties in respect of noise from licensed premises on Broughton Street Lane. The proposed development will form an additional barrier between the licensed uses on Broughton Street Lane and the Forth Street and Union Street tenements, improving their amenity in terms of noise from these uses.

The proposal will not unduly impact on the amenity of neighbours and would improve the relationship between the neighbouring properties and licensed uses on the lane.

d) The flats proposed are all dual aspect and offer a good standard of internal accommodation at 68.5 square metres per unit. Each unit will benefit from access to a private amenity space to the rear. The applicant has provided a daylight factor assessment for the midterraced unit which will be worst affected in terms of daylighting and overshadowing by the existing rear extension to the Holiday Inn. The submitted calculations demonstrate that all rooms within the dwelling will exceed minimum average daylighting standards.

The accommodation has been arranged so that the living room and bedroom accommodation is positioned to the rear of the property, furthest away from the licensed uses on the lane, with the non-sensitive kitchens and bathrooms fronting Broughton Street Lane. Services for Communities have raised an objection to the proposal on the basis of the incompatibility of surrounding uses. The applicant has submitted an Acoustic Survey and Report which demonstrates that if the recommended sound insulation fittings to doors, windows and the roof structure are installed as part of the development, the proposal will achieve the World Health Organisation Criteria in respect of sound insulation for residential properties. The Acoustic Report indicates that the only way to achieve the inaudibility levels required by Services for Communities - Environmental Assessment would be to improve the sound insulation characteristics of the licensed premises, thereby controlling the noise at source. Whilst it is recognised that the residential properties will be affected by noise from the existing licensed premises, this will not be so great so as to exceed the criteria set by the World Health Organisation. Given that the proposal is located in the context of the city centre, it is considered that

the amenity of future occupiers would be acceptable provided the properties are insulated as per the recommendations in the Acoustic Report.

e) The proposal is located in a city centre location and is well located in terms of public transport infrastructure. A financial contribution of £28,000 is required towards the construction of tramline 1. The adopted parking standards recommend a maximum of 1 car parking space per unit with no minimum standard. Given the accessibility of the site by public transport, a car free scheme is supported in this location. No cycle parking is shown on the plans however there is sufficient space for internal cycle storage within each dwelling.

The development incorporates inset doorways which provide some defensible space from the immediate roadway. Transport have recommended that the footprint of the proposal be set back by 1.2m in order to incorporate a footpath of 1.2m in front of the scheme. Broughton Street Lane has not historically incorporated any footway and Playfair House is the only development on the lane to provide a footpath along its frontage. Setting back the proposal by an additional 1.2m to the north would have implications for the amenity of neighbours in the Forth Street tenements having an impact on both privacy and daylighting. Setting back the footprint would also result in a development which would be out of keeping with the established historic spatial character and defined building line of development along the lanes. On balance, retention of the historic spatial character in the context of the World Heritage Site, conservation area and listed buildings is considered to outweigh the requirement for a footpath for the length of the frontage of the proposal.

A financial contribution of £2,500 is required towards the promotion of a Traffic Regulation Order to amend loading and waiting restrictions on Broughton Street Lane which will ensure no parking is permitted on the roadway immediately adjacent to the development. In addition the removal of the existing private car park from the site is likely to assist in reducing overall traffic flows on the lane.

Waste stores and recycling facilities are provided adjacent to the eastern gable of the development and will be secured and enclosed by a boundary wall and gate.

In conclusion, the proposals comply with the development plan and there are compelling reasons which justify the departure from the non statutory guidelines on Mews development and Daylight, Sunlight and Privacy. The proposal will preserve the character and appearance of the conservation area and the setting of the surrounding listed buildings, would not unduly prejudice residential amenity or road safety provides a good standard of amenity for occupiers

It is recommended that the Committee approves this application, subject to conditions relating to materials, landscaping, contamination, sound insulation and an appropriate legal agreement.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Carolyn Lee on 529 4279
Ward affected	A11 - City Centre (NEW)
Local Plan	Central Edinburgh LP
Statutory Development Plan Provision	Housing and Compatible Uses
Date registered	3 May 2007
Drawing numbers/ Scheme	01B-15B 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, Caroline Lee on 0131 529 4279 (Direct dial)
Email caroline.lee@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 carol.richardson@edinburgh.gov.uk

Application Type Full Planning Application
Application Address: Land At
Broughton Street Lane
Edinburgh

Proposal: New build development of 11 No residential units as terraced mews houses without car-parking (as amended)

Reference No: 07/01631/FUL

Consultations, Representations and Planning Policy

Consultations

Children and Families

I refer to your memo dated 9th May, 2007 requesting comments on educational provision for the above noted planning application.

School Capacities

This site is located within the catchment areas of;

- *Broughton Primary School,*
- *St Mary's RC Primary School,*
- *Drummond High School and*
- *St Thomas of Aquin's RC High School.*

Apart from St Mary's RC, the three other schools have capacity to accommodate the proposed development.

St Mary's RC School is operating above capacity at present and is forecast to remain in this position for the foreseeable future. In line with the Council's developer contributions policy and based on a development of 12 terraced mews houses, a contribution of £2,800 would be required for St Mary's. Contributions would be sought towards alleviating accommodation issues at this school.

The forecasts are based on 2006 Start of Session School Rolls and housing completions identified in the Housing Land Audit 2006. Revised child to house ratios have been applied.

Summary

St Mary's RC Primary School is operating above capacity and this is forecast to continue. A developer contribution of £2,800 is sought to towards alleviating accommodation issues at this school.

Environmental Services

The proposed development site is a vacant plot of land, currently being used as a car park for nearby commercial premises. Along Broughton Street Lane there are a variety of uses, most notably an office block to the west of the application site and a bar with beer garden to the south west of the application site. To the north and west, the application site is bound by the rear elevation of residential tenement properties on Forth Street and Union Street. To the south of the application lies the rear elevation and rear access to a hotel and a nightclub on Picardy Place.

An application was submitted in 2003 for the erection of a residential development, with consent refused in March 2006. Among the reasons given for refusal were the concerns of this Department in relation to noise from nearby licensed premises.

This Department continues to receive complaints from nearby properties, including the hotel, regarding noise from patrons of the bar on Broughton Street Lane and noise from the nightclub on Picardy Place. Complaints are generally received during summer months when residential windows are open for ventilation and patrons of these licensed entertainment venues are using beer gardens and other external areas.

In addition, the commencement of the smoking ban in March 2006 has resulted in a new noise source being introduced to the area (since the original application); namely smokers from the licensed premises congregating to smoke and converse.

The close proximity of the proposed development to these noise sources raises significant concerns.

An acoustic report was commissioned by the applicant, carried out by Sandy Brown Associates LLP, and submitted alongside the present application. The report confirms the concerns of this department in relation to noise from the licensed premises and patrons smoking outside.

Section 5.0 of the acoustic report (Assessment and Recommendations) sets out various mitigating measures that might be employed to reduce the impact of the noise on the proposed development. However, the report confirms it is unlikely that the measures proposed would be able to mitigate against the low frequency noise commonly associated with noise from the nightclub. In addition, the author recommends closed windows with an internal ventilation system for the proposed development. This Department could not support this particular measure.

Section 6.0 of the acoustic report (Summary) confirms that the CEC policy of inaudibility of entertainment noise from licensed premises within nearby residential premises is unlikely to be achieved. This is particularly likely with regard to low

frequency noise commonly associated with music from the nightclub. Further comment from the author suggests that improvement "can only be achieved by reducing the noise at source". This would be a matter for the parties concerned and the planning authority to agree on should this measure be considered.

Considering the issues outlined, Environmental Health recommends that this application be refused.

Historic Scotland

Historic Scotland has no comment

Transport

Consent should not be issued until the developer enters into a suitable legal agreement to contribute a sum of £28 600 towards the construction of Tramline 1, and a sum of £2500 towards the promotion of a Traffic Regulation Order to amend the loading and waiting restrictions on Broughton Street Lane, as detailed below.

I have no objections to the application, subject to the following condition:

Condition:

1.The building footprint should be set back to allow the provision of a 1.2m wide footway, for the reasons outlined below.

Notes:

Broughton Street Lane operates as a two way road, and is approximately 6.3m in width with no footway apart from a section in front of the office building at no.6 (which is not adopted by the Council). It is transport's recommendation that a footway be provided along the frontage of the proposed flats, and to maintain 2-way traffic flows, this should be within the boundary of the development site.

Representations

Scheme 1 was advertised on 11 May 2007 and attracted twenty-five letters of representation. Twenty-Four letters, from MP Mark Lazarowicz, the public house opposite the site, 8 members of the public and 14 neighbours are objections. There is one letter of comment from the New Town, Broughton Community Council.

The material points of objection/concern are:

1 Conservation and Design issues, taken account of in assessment b.:

- overdevelopment, height, scale, massing
- out of character / incongruous with the conservation area
- poor quality of design and materials
- exceeds Mews design guidelines

2 Neighbouring residential amenity issues, taken account of in assessment c.:

- overshadowing
- loss of privacy
- loss of daylight

3 Amenity issues for the future occupiers, taken account of in assessment a and d:

- noise and disturbance from surrounding incompatible uses
- inadequate amenity for occupiers

4 Transport and local infrastructure issues, taken account of in assessment e:

- lack of parking provision will exacerbate existing parking problems
- increase in traffic movements
- loss of existing car park
- highway safety issues due to lack of foot path
- inadequate access for fire services
- inadequate waste store provision

Other points raised are not material.

Scheme 2 was advertised on 23 November 2007 and the representators were re-notified. Eighteen further letters were received including 7 from members of the public, 9 from residential neighbours and 2 from commercial neighbours, reiterating the above objections.

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 the Central Edinburgh Local Plan area under Housing and Compatible Uses land use designation and on the boundary of the designated office core. It is also within the Urban Area and the boundary of the Central Area as identified in the Finalised Edinburgh City Local Plan.

Relevant Policies:

Relevant policies of the Central Edinburgh Local Plan.

Policy H1 (HOUSING DEVELOPMENT) encourages the provision of new residential accommodation, in conjunction with other land uses if necessary to maintain the mixed use character, its locality, and sets out criteria for assessing development proposals in predominantly residential areas.

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 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 CD10 (NEW DEVELOPMENT - OBJECTIVE) encourages new development of the highest possible architectural and urban quality.

Policy CD11 (NEW DEVELOPMENT - GENERAL) sets out general design requirements for new development, and requires particular attention to be paid to main approach roads to the city centre.

Policy CD15 (INFILL DEVELOPMENT) sets out design requirements for new infill development.

Policy CD17 (MATERIALS) sets out requirements for materials in new developments and seeks a greater use of stone, roofing slate and other traditional materials in appropriate cases.

Policy CD18 (SAFETY, SUSTAINABILITY AND ACCESSIBILITY) requires the design and layout of development proposals to meet safety, sustainability and accessibility objectives.

Relevant policies of the Finalised Edinburgh City Local Plan.

Policy Env 2 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

Policy Env 5 (Conservation Areas – Development) sets out criteria for assessing development in conservation areas.

Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

Policy Des 3 (Development Design) sets criteria for assessing development design.

Policy Hou 1 (Housing Development) supports housing on appropriate sites in the urban area, and on specific sites identified in the Plan.

Policy Hou 3 (Private Open Space) sets out the requirements for the provision of private open space in housing development.

Policy Hou 4 (Density) sets out the factors to be taken into account in assessing density levels in new development.

Policy Tra 2 (Planning Conditions and Agreements) requires, where appropriate, transport related conditions and/or planning agreements for major development likely to give rise to additional journeys.

Policy Tra 4 (Private Cycle Parking) requires cycle parking provision in accordance with levels set out in supplementary guidance.

Relevant Non-Statutory Guidelines

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

Non-statutory guidelines 'MEWS' provide guidance for car parking and new development in rear mews lanes.

Non-statutory guidelines 'WORLD HERITAGE SITE CONSERVATION MANIFESTO' supplement Central Edinburgh Local Plan policies relating to conservation and design and seeks to assist in preserving the historic fabric of Edinburgh's World Heritage Site and to ensure that changes complement and enhance its special character.

Non-statutory guidelines on Edinburgh Standards for Urban Design sets criteria for the quality of design in new development to maintain and improve the visual image and identity of Edinburgh.

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Reference No: 07/01631/FUL

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. i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning and Strategy, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any required remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning and Strategy.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning and Strategy.

3. Prior to the occupation of the development, the 11 residential units hereby approved shall be fitted with sound insulation fittings as per the recommendations in respect of window and door finishes and roof construction in section 5.0 of Sandy Brown Associates Acoustical Survey and Report of 22 May 2006 submitted as part of the application.
4. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Head of Planning & Strategy before work is commenced on site; Note: samples of the materials may be required.
5. 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.
6. 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.
7. Only the tree/s shown for removal on the approved drawing/s shall be removed, and no work shall be carried out on the remaining trees at any time without the prior written consent of the Head of Planning & Strategy.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
3. In order to protect the amenity of the occupiers of the development.
4. In order to enable the planning authority to consider this/these matter/s in detail.
5. In order to protect the privacy of adjoining neighbours.

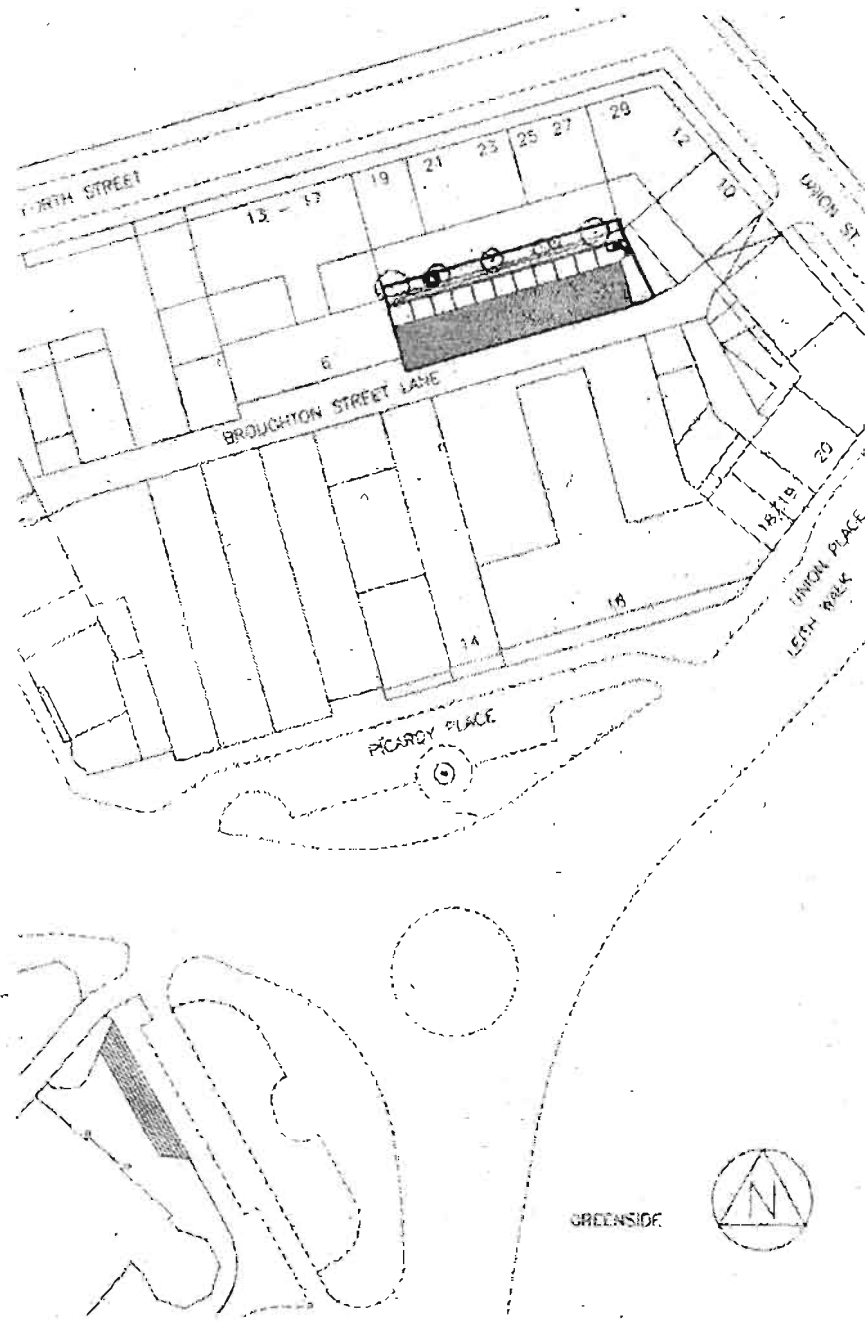
6. In order to ensure that the approved landscaping works are properly established on site.
7. In order to safeguard protected trees.

INFORMATIVES

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement has been concluded to make a financial contribution to Children and Families to alleviate accommodation pressures in the local catchment area.
2. Consent shall not be issued until a suitable legal agreement has been concluded in relation to tram contributions
3. 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.

End



planning

PLANNING & STRATEGY

project title

rev. a: 02.10.07: to suit planning consultation

description

proposed residential development of broughton street lane, edinburgh

REVISED PLAN

1:1000 site plan
job no. 07/003
drawing no. 1(pl)001

016
margaret mcdonnell
architectural ltd

7 belgrave mews edinburgh uk
tel: +44 (0)131 337 4200 fax: +44 (0)131 337 4300