

Conservation Area Consent 06/03283/CON

at

111-113 Constitution Street/15-17 John's Lane

Edinburgh

EH6 7AE

Development Management Sub-Committee of the Planning Committee

19 December 2007

1 Purpose of report

To consider application 06/03283/CON, submitted by Mark Emlick. The application is for: **Demolish two storey stone built structure with slate pitched roof at front of site and single storey steel framed industrial sheds at rear of site.**

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

2 The Site and the Proposal

Site description

The site contains a vehicle maintenance and storage yard (class 5) and lies between Constitution Street and Johns Lane.

It is surrounded on most sides by listed buildings: to the south the imposing category B listed St James Church (now in industrial use); to the north-west a three storey brick building with rendered front, a former stained glass workshop (listed category C(S)); to the direct north an imposing 19th century warehouse converted to housing, listed category B; and to the north-east a two storey industrial building consented for residential conversion listed category C(S).

To the east further listed buildings stand on the edge of Leith Links.

The site lies on the line of the principal eastern bastion of the former town wall surrounding Leith, giving it considerable archaeological significance.

The site currently contains a small gable fronted rubble stone shed on Constitution Street and a larger mid-20th century shed to the rear of the site on the southern boundary. At the extreme east end of the site further large 20th century sheds occupy the whole width of the site, these are only visible from John's Lane. The site is fronted on Constitution Street by a splayed rendered brick wall and iron mesh gates.

This property is located within the Leith Conservation Area.

Site History

There is no relevant history for the western yard but the eastern buildings on John's Lane have the following history;

4.4.2003 - demolition of buildings and erection of 4 terraced units over ground floor parking approved 02/04106/FUL + 02/04293/CON

A parallel application for residential redevelopment of the site is pending consideration ref. 06/03283/FUL

Description of the Proposal

The application proposes clearance of all buildings from the site to permit redevelopment as detailed in the parallel application for planning permission 06/03283/FUL.

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 the proposed demolition and redevelopment preserve or enhance the character of the conservation area.

The existing buildings do not contribute in any positive respect to the character or appearance of the conservation area and their replacement with the proposed flatted scheme is acceptable. The merits of the replacement scheme are dealt with in full detail in the parallel application for planning permission.

The site is of archaeological interest. This is dealt with in the parallel application for planning permission. Full investigation clearly requires removal of the existing structures. A condition is added to ensure demolition will not impose on any remains below ground level until such time as a dig is organised. A condition is also added to ensure retention of the stone walls to north and south of the site.

Although it would be usual to have a condition requiring a contract to be let before demolition begins, this is not used in this instance. On aesthetic grounds, even if the site were simply cleared this would be an improvement on the current status quo. Secondly, only demolition allows full access for the necessary archaeological dig. Since demolition works below ground level could disturb archaeological remains a condition is added limiting works below ground level.

It is recommended that the Committee approves the application subject to the conditions stated above and subject to the views of the Scottish Ministers.


Alan Henderson
Head of Planning and Strategy

Contact/tel	Stephen Dickson on 0131 529 3529
Ward affected	A13 - Leith (NEW)
Local Plan	North East Edinburgh Local Plan
Statutory Development Plan Provision	Housing and Compatible Uses
Date registered	24 August 2006
Drawing numbers/ Scheme	1b,3a Scheme 2

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, Graham Dixon on 0131 529 3519. Email: graham.dixon@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 Conservation Area Consent
Application Address: 111-113 Constitution Street/15-17 John's Lane
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Consultations, Representations and Planning Policy

Consultations

No consultations undertaken.

Representations

The application was advertised on 8th September 2006.

No representations were received to this application.

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 application property is identified within the North East Edinburgh Local Plan as being within the Leith Conservation Area and also within an area mixed activities. Constitution Street is also safeguarded for transport passenger services.

The site is also identified within the Finalised Edinburgh City Local as being within the Leith Conservation Area and Constitution Street is safeguarded for planned tram route and tram stops.

Relevant Policies:

Relevant policies of the North East Edinburgh Local Plan

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.

Relevant policies of the Edinburgh City Local Plan

Policy Env 4 (Conservation Areas – Demolition of Buildings) sets out criteria for assessing proposals involving demolition of buildings in conservation areas.

Other Relevant policy guidance

The Leith Conservation Area Character Appraisal emphasises the area's unique and complex architectural character, the concentration of buildings of significant historic and architectural quality, the unifying effect of traditional materials, the multiplicity of land use activities, and the importance of the Water of Leith and Leith Links for their natural heritage, open space and recreational value

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Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that this application be **GRANTED**

Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. The application shall be referred to the Scottish Ministers prior to determination.
3. Demolition shall be limited to elements above ground level only, retaining foundations etc. until such time as the archaeological investigation required within the parallel application for planning permission has been assessed to the satisfaction of the City Archaeologist.
4. The northern and southern stone walls bounding onto adjacent sites shall be retained in their entirety.

Reasons

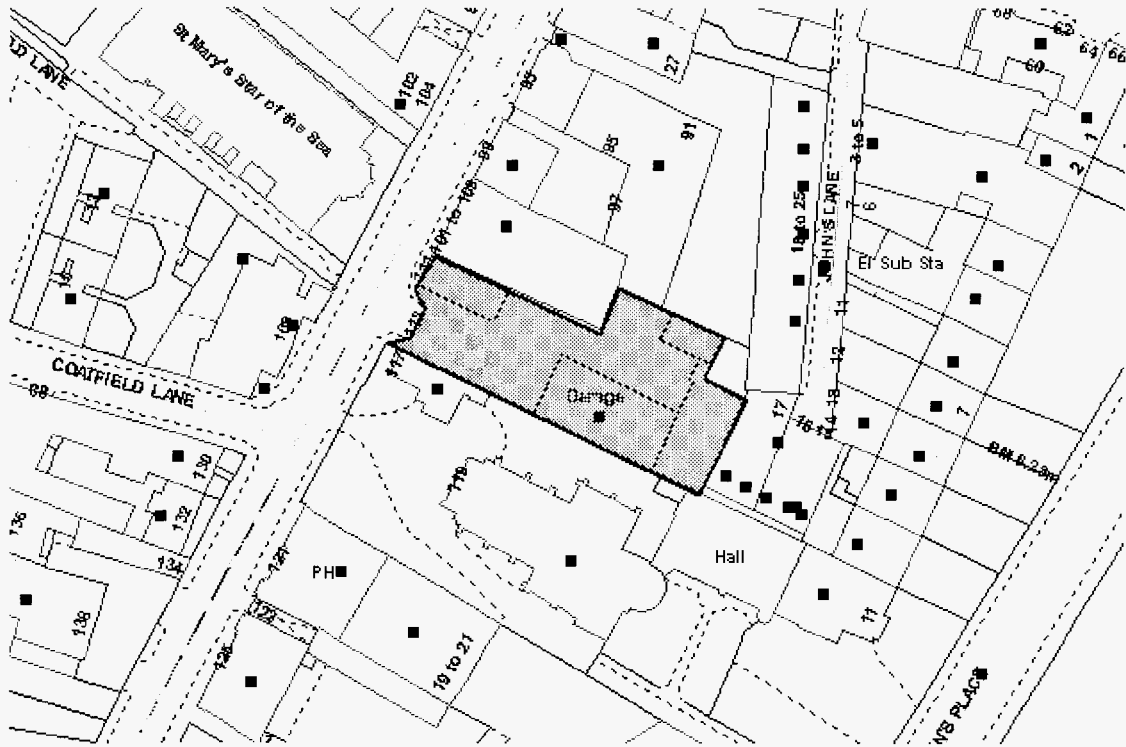
1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
3. In order to safeguard the interests of archaeological heritage.

4. In order to retain and/or protect important elements of the existing character and amenity of the site.

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Location Plan

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