

**Full Planning Application 07/04626/FUL  
at  
13 Edinburgh Road  
South Queensferry  
EH30 9HR**

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

16 April 2008

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**Supplementary Report**

This application was previously considered by Committee on **19 March 2008**.

An addendum is included at the end of Section 3 of this report.

**1 Purpose of report**

To consider application 07/04626/FUL, submitted by Mr O'Neil. The application is for: **Residential single dwelling (as amended to a traditional form)**

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

**2 The Site and the Proposal**

**Site description**

The site lies at the east end of South Queensferry High Street, between the High Street and the shoreline.

The site is currently occupied by a derelict stone structure, largely single storey in height, with evidence of a steeply pitched roof which is now totally lost. Windows and doors are largely blocked, but there remains limited pedestrian access to the site and the north section has a flat corrugated iron roof.

At its south end the site wall (retained as part of the new house) abuts a category B listed building on the High Street.

It sits directly on the bed-rock leading down to the water's edge. The private access lane to the side has tyre grip areas chiselled into the stone. The area is underused and now heavily grassed over, but appears to have historically given access as a slipway. There is a traditional right of way from here to the shoreline.

To the north, the site has an open panorama of the Forth Bridges. To the south lies Queensferry High Street, here composed of three storey listed blocks.

This property is located within the Queensferry Conservation Area.

### **Site History**

There is no planning history for the site.

The existing structure appears to date from the early 19th century. It is believed to have been roofed up until after the Second World War. The historic interest in the site and structure is reflected in the City Archaeologist's interest.

### **Description of the Proposal**

The application proposes the creation of a three-bedroom house from an existing derelict structure. The existing stone shell will be retained and restored. Restoration includes re-opening of blocked windows and doors, consolidation of the stone walls, bringing them to an even level, and adding a cope. A modern upstand roof section is added, rising 2m above the top of the stone wall. This creates first floor accommodation, containing the livingroom of the proposed house. This section is in glass and zinc, with a low-pitch zinc "butterfly roof" whose central valley gutter leads to a feature water spout facing the sea.

There is no parking within the site.

## **Scheme 1**

The original scheme had a more dominant roof form, more steeply pitched and the additional accommodation level included large render sections.

### **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) Residential use accords with the local plan
- b) The scale, form and design preserve or enhance the character and appearance of the conservation area
- c) The setting of adjacent listing buildings is adversely affected
- d) Any parking or road safety issues arise from the development
- e) There is any detrimental impact on residential amenity.
- f) The waterside context is appropriate in terms of possible changes in water level etc.
- g) Neighbouring development rights are prejudiced

a) Local plan policies support residential redevelopment in this area. Although the property has no garden ground, the setting provides excellent amenity for a house.

b) The proposal retains and consolidates the historic single storey stone structure on site and re-opens blocked windows and doors on the north and east sides. This is of considerable conservation merit.

The new-build structure added above is an overtly modern addition of lightweight construction, contrasting with the solid masonry of the ground floor. The combination of the modern element with the ancient element below adds visual interest.

The applicant has submitted photo-montages of the views from the east, where the building will appear in wider views of the Forth Road Bridge. The existing stone base is already visible in this view. The rooftop addition does impact on this view, but the use of a flat roof specifically allows an uninterrupted view of the Road Bridge in panoramic views from the east, and the bridge remains the dominant feature

Government guidance set out in PAN 71 on Conservation Area and Management States:

"Physical change in conservation areas does not necessarily need to replicate its surroundings. The challenge is to ensure that all new development respects, enhances and has a positive impact on the area. Physical and land use change in conservation areas should always be founded on a detailed understanding of the historic and urban design context"

In addition, the Government's publication on The Development of a Policy on Architecture for Scotland states:

"The architecture and buildings of our towns, cities and rural settlements are a repository of our common culture and heritage; they provide continuity and a unique sense of history and tradition. The challenge for our architecture today is to fuse what is still vital in local tradition with the best in our increasingly global civilisation, to marry them in new ways that meet our modern needs and aspirations."

The proposals fuse the old and the new and contrast the surrounding development in terms of its contemporary design; the massing, height, footprint and width of frontage will be in keeping with the surrounding development. The use of a partially contemporary form and design is considered acceptable. The new elements are lightweight and minimal and the historic structures will remain dominant. The scale and design of the proposal is appropriate and will enhance the character and appearance of the conservation area and will preserve the setting of the listed buildings.

Objections refer to the site's "landscape setting". The site is a brownfield, urban site with a townscape setting. The pattern of development along the waterfront in South Queensferry varies, with many buildings taking advantage of, and adding to, the waterfront edge. A variety of building styles and types exist on the water's edge.

The alteration, considered as a whole, and in relation to the existing derelict building, enhances the conservation area.

c) The proposal lies to the rear of the listed buildings which it adjoins on the High Street, and is only visible in relation to those properties either obliquely down the side lane on which it stands, or from the sea. Only the latter view has any impact in relation to these listed buildings. In the context of these buildings being seen in this view with a current foreground of derelict structures, the setting is improved.

The relationship of the proposed built form to the listed building at 9-11 is less onerous than its historic relationship, where a gabled roof would abut the building, obscuring its lower half.

The structure is at its most visible as seen from the east. Here it will be seen as a backdrop to the listed Seals Craig hotel. Its scale is such that it will remain wholly subservient to that building in that view.

d) The house stands adjacent to a private accessway which is capable of holding at least two cars. The area is informally used for ad hoc parking purposes at present. The existing property has a vehicular right of way across the lane.

The lane is slightly precarious at present. Transport recommend the rebuilding of the enclosing wall on the east side and addition of a bollard, to prevent cars dropping onto the rocks.

Parking standards require one space within the site. This is not achieved but the existence of the off-site parking nearby means it would be difficult to justify refusal on transport grounds.

e) The proposal stands between a first floor window on the High Street block and its open view to the Forth Bridges. This window stands within the clear silhouette of the roof structure belonging to the former house on the site, and has been added historically on the mutual gable. There is no right to a private view from windows.

The proposal is sufficiently distant and of sufficiently low profile as to comply with guidelines in respect of preserve daylight levels.

No windows face south to the existing windows. Westwards, towards neighbouring land, only small high level windows are used (these are above internal eye-level). No privacy issues arise.

It is concluded that, although the occupant of the neighbouring first floor flat will suffer loss of a private view, the proposal accords with planning policies and is acceptable in these regards.

f) The location of the site means that flooding is not a risk, but surge and storm tides must be considered.

The applicants have considered this aspect since the initiation of the concept. The building stands some 5m above high tide level, on the same level as the house which originally stood here. Other buildings to the west are on considerably lower ground. The building's location in relation to storm tides is considered satisfactory. It is appropriate however to impose a condition to ensure a further assessment of these risks, and any possible protection measures which may be required.

The property will be very exposed to wind and spray in this location, but this is not a planning consideration.

g) The neighbour to the west states that their development rights for their garden will be prejudiced. In determining this, it must be considered that a pitched roof structure historically sat along the entire mutual boundary.

The proposal is less onerous in its effect than the historic structure would have been. The existing stone wall already overshadows the neighbouring garden, rising to over 4m at its northern edge. The addition of 2m as new build over part of the wall length does have some effect on daylight to the neighbouring garden, but this effect all lies within the zone already overshadowed by the existing structure.

There is not considered to be any prejudice to neighbouring development rights.

In summary, the retention and re-use of the existing structure is welcomed. The design of the upper structure is considered to add character and interest to the conservation area.

It is recommended that the Committee approves the application, subject to conditions on archaeological investigation and material specification.

## Addendum

The application was considered at the Development Management Sub Committee on 19th March 2008. The committee continued the application for a site visit. The application was reconsidered by the Development Management Sub Committee on 16th April 2008. The Committee had continued the application for the applicant to investigate a more traditional form.

The applicant has amended the proposal to a traditional form on the north section of the site (rebuilding the south section would block a window on the neighbouring building). This replicates the building which stood on the site previously, other than in its unseen north gable treatment, which incorporates more glazing.

As the proposal recreates the historic fabric it enhances the character and appearance of the conservation area.

The application was renotified to both neighbours and objectors. Three objections were received. One introduced the claim of "backland development". One stated that the building was only 2.8m above high tide level, and that development would preclude development of land to the west. The Community Council also added further comments (see Consultations section).

This solution has slightly more effect on neighbouring daylight levels, but all still fall within acceptable parameters.

The new issue of "backland" development raised by objectors is not valid as this is not a "backland" site under the Council's definitions, since it stands on a lane (and since it previously held a house of the same form). Issues relating to tidal levels have been considered from the outset by the applicant. Development of land to the west of the site is not pertinent. The site is incapable of independent development, being landlocked, and development of a house extension on existing garden ground would be unaltered.

It is recommended that the Committee approves the application, subject to the conditions already outlined above.



**Alan Henderson**  
Head of Planning and Strategy

Contact/tel	Stephen Dickson on 0131 529 3529
<b>Ward affected</b>	A01 - Almond (NEW)
<b>Local Plan</b>	Rural West Edinburgh Local Plan
<b>Statutory Development Plan Provision</b>	Mainly Residential
<b>Date registered</b>	29 October 2007
<b>Drawing numbers/ Scheme</b>	1,2b 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](http://www.edinburgh.gov.uk/planning).

If you require further information about this application you should contact the following Principal Planner, Anna Grant on 529 3521. Email: [anna.grant@edinburgh.gov.uk](mailto:anna.grant@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](mailto:gavin.king@edinburgh.gov.uk) or [carol.richardson@edinburgh.gov.uk](mailto:carol.richardson@edinburgh.gov.uk)

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## Consultations, Representations and Planning Policy

### Consultations

#### **Queensferry and District Community Council**

*We lodge an objection to the above planning proposal for the following reasons.*

*1. The Community Council forms the opinion that this plan does not satisfy Policy E36 of the Rural West Edinburgh Plan as the development should take into account the area's special interest and how its character and appearance may be preserved or enhanced. This proposed development does not meet any of the criteria stated.*

*2. The development cannot be described as good architectural quality as it is an inappropriate design and use of materials at this location. The Conservation area requires appropriate traditional materials to be used being slate and stone.*

*The Queensferry Conservation Area Appraisal notes the underlying coherence of the historic properties, given by the restricted pallet of materials, rubble and dressed stone, with render finishes and slate roofs. The roofscape is very important and the development's roof design and structure does not conform.*

*3. The window style should be in keeping with the existing properties and we cannot support the extensive use of glass on the second floor.*

*4. The essential character noted in the Queensferry Conservation Area Appraisal of this important location on the Craigs Peninsula will be lost. This development will be detrimental to this location as it is most prominent when viewed from the Forth Bridge 1 and from the harbour 2 and will ruin the continuous base line of historic buildings 3 and spoil the views. The Sealscraig forms an essential component to the setting of Queensferry as approached from the east, an urban edge which has been carefully preserved and largely unchanged in three hundred years.*

*5. 9 Edinburgh Road is a category B listed building and the development should complement this property and not be at "odds" with it.*

6. *The windows on the west elevation over look the gardens of 9 Edinburgh Road so we have concerns about the loss of privacy to the owners and occupants.*

7. *There is potential loss of light to the owners and occupants of 9 Edinburgh Road and this matter should be addressed.*

8. *There is no provision for car parking and the location close to the restaurant (former Sealscraig Hotel now named Bella Vista) on Edinburgh Road is a very congested location. The Community Council is concerned about future development growth being approved on the basis that occupiers can park their cars at the Hawes Promenade to the detriment of all. Parking is a serious issue with few spaces available from spring to autumn.*

9. *We have been made aware that during high tides that there could be a risk from flooding maybe the developer wishes to take note of this concern.*

10. *The Community Council are very concerned about the potential damage to the "craigs rock" 4 surface which is a feature of this location. It should be protected during the development and the developer should not be allowed to alter it any way. They might wish to do so to gain vehicular access. We cannot emphasise this point enough as we have experience of damage to natural materials at Brewery Close development.*

11. *We are concerned that the application is a "delegated decision" and would ask for assurances that the Planning Official visits the site to ensure our points of objection are qualified during there visit.*

12. *We urge you to reject this planning proposal for reasons noted above.*

### **Further Comments following revised scheme- May 08**

1. *The Conservation area requires appropriate traditional materials to be used being slate and stone. The Queensferry Conservation Area Appraisal notes the underlying coherence of the historic properties, given by the restricted pallet of materials, rubble and dressed stone, with render finishes and slate roofs. Should this application be granted then it should be subject to a condition that the pallet of materials must first be approved by CEC Planning & Strategy such that as far as is possible that they match with the surrounding buildings and existing walls.*

2. *The potential risk from flooding remains and the applicant should be asked to carry out the topographical survey and show the ground floor levels before the application is minded to be granted as we believe that during high tides that there is a risk from flooding. We understand that the property should be 5m above high tide level to protect it from surge and storm tides and this is not the case. The properties to the west are protected by the sea wall where this property is not.*

3. *The Community Council remains concerned about the potential irreparable damage to the "Craigs rock" surface which is a feature of this location being a former historic landing point for Queensferry. It should be protected during the development and the developer should not be allowed to alter it any way. They might wish to do so to gain vehicular access. We cannot emphasise this point enough as we have experience of damage to natural materials at Brewery Close development. Should this application be granted then it should be subject to a condition that the applicant protects this historical rock base.*

4. *The lane should not be altered to accommodate parking as off street parking nearby can be used. Access to the lane is somewhat restricted you note in your report: slight precarious, well it constitutes a series of difficult manoeuvres and places pedestrians and other vehicles at risk. Whilst additional parking might be required for two cars it will put strain at times on the off street parking which is often found to be at a premium.*

5. *The west elevation of this proposal at upper floor level will now take the form a high wall some 8.6 metres high which will overshadow the neighbouring gardens of 9-11 Edinburgh Road and will be detrimental to the owners of these properties.*

6. *Access to the lane from Edinburgh Road and the High Street is very restricted and at the pinch point of the road and on the bend at the Bella Vista restaurant. The Community Council seeks to have a condition placed on the developer that no materials can be delivered or removed from site say between the hours of 07.30 – 9.30 and 16.00 – 18.00 hours. Similarly the workings hours should be constrained to 08.00 – 18.00 hours Monday to Friday and 08.00 – 13.00 on a Saturday with no Sunday working to minimise the inconvenience to the neighbours and surrounding businesses. The parking restrictions already in place should be observed otherwise there will be a significant affect on the residents, businesses in the immediate area and the functionality of the High Street as any parking to offload materials during peak times will close the High Street to vehicles travelling in both directions and frustrate peak time travellers. In fact the delivery of materials and the turning around and reversing manoeuvres are a concern from the risk involved and the inconvenience to the general public as well as the neighbouring properties. We would suggest that the developer should be asked to submit a method statement for approval by CEC Planning & Strategy before work can commence.*

### **Bridges and Flood Prevention**

*Our primary concern is tidal flooding; other sources are not thought to be applicable for this site.*

*From the information provided by the applicant it is not possible to comment on flood risk to the development.*

*For us to do so, we would ask for a topographical survey of the area covering the site and surrounding are to MAOD. The proposals must also show the finished*

ground and floor levels of the development. From this we can establish if further assessment of flood risk and possible protection measures are required.

## **Services for Communities**

*No objections.*

## **City Archaeologist**

*The proposed site lies within the historic core of South Queensferry. The town was established as a ferry-port by the 11th century along with its sister North Queensferry in Fife at the last narrow-crossing point across the Firth of Forth, between Fife with the Lothian's. By 1150 the settlement was being called "the queen's ferry" in reference to the improvements order by Queen Margaret of Scotland (AD 1063-93) to the ferry service. The site of the early medieval ferry, port and harbour has historically been placed to the north of the 14th-century Carmelite friary (now South Queensferry Priory Church) and to the west of the post-medieval harbour (located at the foot of Gote Lane) constructed around 1600.*

*The importance of this ferry-port grew, under the control of Dunfermline Abbey, throughout the medieval period with South Queensferry gaining burgh status by 1300 and Royal burgh status in 1636. The layout of the historic core of the modern town has change little since the medieval/post medieval period, with linear layout plots running of at right angles from the High Street. The present development site occupies the seaward end of one such plot at the eastward extent of the historic town.*

*The site occurs within an area of archaeological importance. Accordingly any application must be considered under following planning polices issued by the Secretary of State for Scotland; National Planning Policy Guidance 18 (NPPG 18) and National Planning Policy Guidance 5 (NPPG 5) and also Edinburgh West Local Plan (2003) E30, E32& E33. The aim should be to preserve both listed buildings and archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.*

*Having assessed the potential impact of this development on both the listed building and any potential buried archaeology, on current information it is considered that the impact of this development would not be considered sufficient to justify refusal of consent on archaeological grounds. However it is essential that prior to development commencing that a suitable programme of historic building recording be undertaken to record any historic fabric that may be affected by this proposal. In addition, given that potential for in particular medieval archaeological remains, it is essential that the site is investigated prior to development, in order to record and excavate any archaeological remains that may be disturbed where preservation in situ is not possible.*

*It is recommended that these programme of works be secured using a condition based upon the model condition stated in PAN 42 Planning and Archaeology (para 34), as follows;*

*'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording, excavation, reporting and analysis) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'*

*The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.*

## **Transport**

*No objections to the principle of the development but would need to consider safety improvements – rebuilding of side wall (to east) and perhaps a bollard.*

## Representations

The application was advertised on 9 November 2007.

Sixteen objections were received (including 7 on-line), including an e-mail from Cllr Grubb attaching a response from a constituent, supporting their view. Reasons for objection were.

- 1 Building out of context with its setting (considered in section b) of the assessment
2. Loss of privacy (considered in section e) of assessment)
3. Loss of daylight (considered in section e) of assessment
4. Adverse effect on the listed building at 9-11 Edinburgh Road (considered in section c) of assessment
5. Development would prejudice development of the neighbouring garden (considered in section g) of assessment).
6. Site unsuitable due to rising sea levels (considered in section f) of the assessment)
7. No parking/site access unsuitable (considered in section d) of the assessment)

Other issues raised were non-material in planning terms

The revised scheme as requested by Committee was re-notified to neighbours by the applicant and all objectors were notified of the revised scheme by the Council on 28th April 2008.

One representation was received raising the new issue of "backland development" this is addressed in the Further Assessment.

***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 property lies in a Mainly Residential Area, within the South Queensferry Conservation Area, as shown in the Rural West Edinburgh Local Plan.

### **Relevant Policies:**

Policy H1 says that new development will be supported on sites which already have planning consent and those which were previously identified in the 1999 Finalised Local Plan.

### **Relevant policies of the Rural West Edinburgh Local Plan.**

Policy E34 says that to protect the setting and character of development in the grounds of listed country houses, development in their grounds will only be permitted where the relationship of the original buildings to the policies is not compromised

Policy E32 seeks to ensure that proposals affecting a listed building will be considered for their effect on the character of the building. The restoration of architectural character will be an overriding consideration. Alterations will only be permitted where they respect the architectural integrity of the building.

### **Relevant Non-Statutory Guidelines**

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

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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. 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.
3. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Head of Planning & Strategy, having first been agreed by the City Archaeologist.
4. Prior to work commencing on site a flood risk assessment shall be carried out to determine any possible protection measures required against storm and surge tides. Details of the assessment shall be submitted to and approved in writing by the Head of Planning and Strategy. The measures identified shall be incorporated into the development prior to occupation of the dwelling.
5. The stone wall to be preserved and consolidated. Details of the cope stone and pointing to be provided for the further approval of the Head

of Planning and Strategy. All new work to the sides of re-opened windows and doors to be in natural stone to match existing.

6. Prior to occupation the applicant will improve safety on the lane to the satisfaction of the Director of City Development. Details to be supplied for further approval prior to works commencing.

### **Reasons**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
3. In order to safeguard the interests of archaeological heritage.
4. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
5. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
6. In order to safeguard the interests of road safety.

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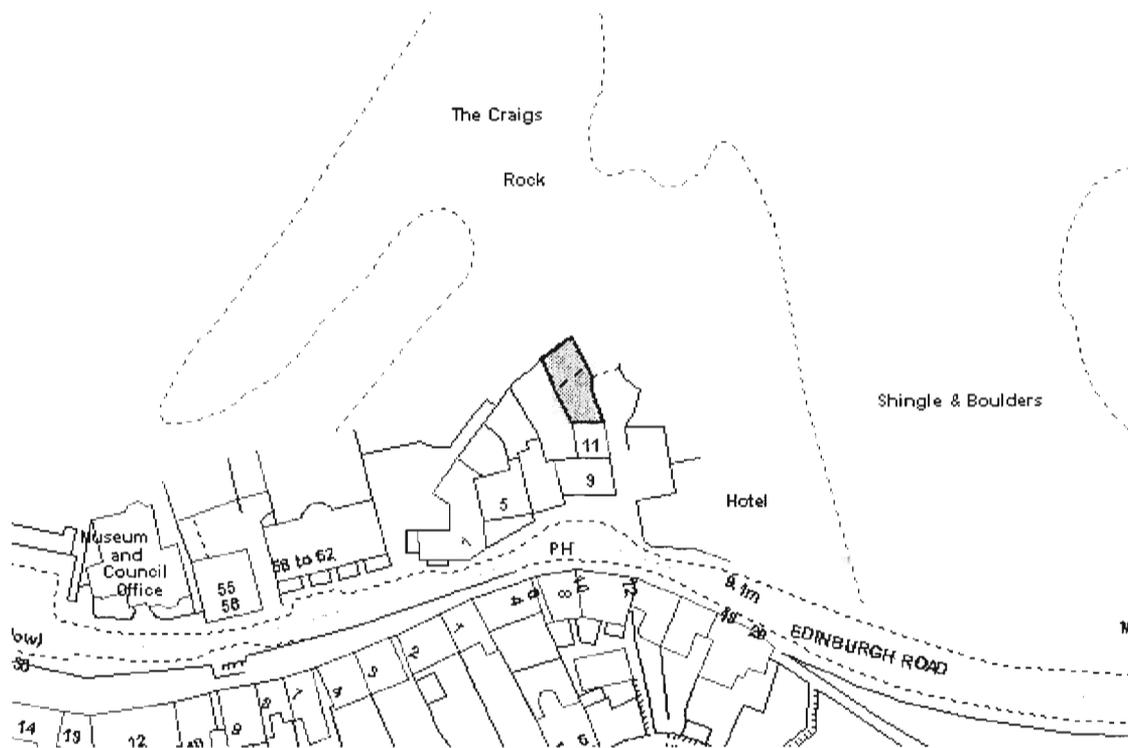
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## Location Plan

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