

Full Planning Application
at
75 Dundas Street
Edinburgh
EH3 6RS

Development Quality Sub-Committee
of the Planning Committee

Proposal: Formation of vehicular access and car parking space in rear garden
Applicant: Heritors Ltd.
Reference No: 04/02893/FUL

1 Purpose of report

To recommend that the application be **GRANTED** subject to;

Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. Sample/s of the proposed stone slab type for the surfacing of the car parking space shall be submitted to and approved in writing by the Head of Planning & Strategy before work commences on site.

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.

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

2 Main report

Site description

The site is to the rear of a former town house, converted to flats, on the east side of the street backing onto South East Cumberland Street Lane. The rear garden belongs to the main door flat.

The building is category 'A' listed and lies within the New Town Conservation Area and the Edinburgh World Heritage Site.

Site history

September 2002 - Planning permission granted to erect a garden shed, summerhouse, screening arches and railings in the rear garden (02/2453/FUL). Not implemented.

A current listed building consent application for the openings in the wall has been approved under delegated powers and is awaiting the agreement of Historic Scotland (04/2893/LBC).

Development

The application is for the formation of a single vehicular access and car parking space in the south east corner of the rear garden. The space will measure 2.5m x 5m. The gap in the wall created will be screened with a set of traditional timber, ledged and braced, gates to match the height of the garden wall.

Consultations

Historic Scotland

The HBI does not wish to raise a formal objection to the granting of planning permission in this case (given the precedent of numerous openings in the boundary walls nearby). I would comment that it is unfortunate that further erosion of the gardens behind Dundas Street is proposed to accommodate parking.

Representations

The application was advertised on 13 August 2004. Two letters of objection have been received from neighbours on the following grounds:-

Loss of character and amenity in the New Town Conservation Area and World Heritage Site.

Detrimental effect on flora and wildlife.
Noise, pollution and congestion.
Loss of visual amenity and intact rear garden.
Alternative residential parking available in the area.

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

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 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.

3 Conclusions 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?

ASSESSMENT

To address the determining issues, the Committee needs to consider:

- a) whether the proposals have an adverse impact on the character or appearance of the conservation area.
- b) whether the proposals have an adverse impact on the building, or its setting.
- c) whether the design and materials are satisfactory given the setting of the site.
- d) whether there will be an adverse impact on the of trees or wildlife on the site.
- e) whether the proposals are residential detrimental to amenity or road safety.

a) The character of the New Town Conservation Area is described in the Central Edinburgh 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."

The proposal will cause a breach in the wall to the lane. However, the wall has been previously breached on a larger scale nearby and the applicant proposes to maintain the sense of enclosure for the garden and to the lane by erecting a traditional set of timber gates to the same height as the wall. In these circumstances, it is considered that the character and appearance of the conservation area will be safeguarded.

b) The proposals will have no adverse effect on the building, or its setting, since the sense of enclosure created by the walled garden will be maintained, albeit with a timber gate infill.

c) The parking space will be surfaced with stone slabs and traditional timber ledged and braced gates will be employed.

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

d) The proposal will have minimal impact on the flora and fauna of this rear garden as only a small percentage of its green area will be taken up with the hard standing. No trees are to be removed. All the other shrubs, bushes and grass will remain as a wildlife haven.

The proposal will have no significant impact on trees or wildlife on the site.

e) The use of the car parking space and access will create an increase in noise and pollution, but this will be small in comparison with the existing busy use of the lane serving other properties including the Howard Hotel. On balance, the increase is not so significant as to recommend refusal on this ground alone. There are no highway objections.

The parking space will be domestic and the proposal will not significantly impact on 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 the conditions stated.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel Duncan Robertson on 0131 529 3560 (FAX 529 3717)

Ward affected 18 -New Town

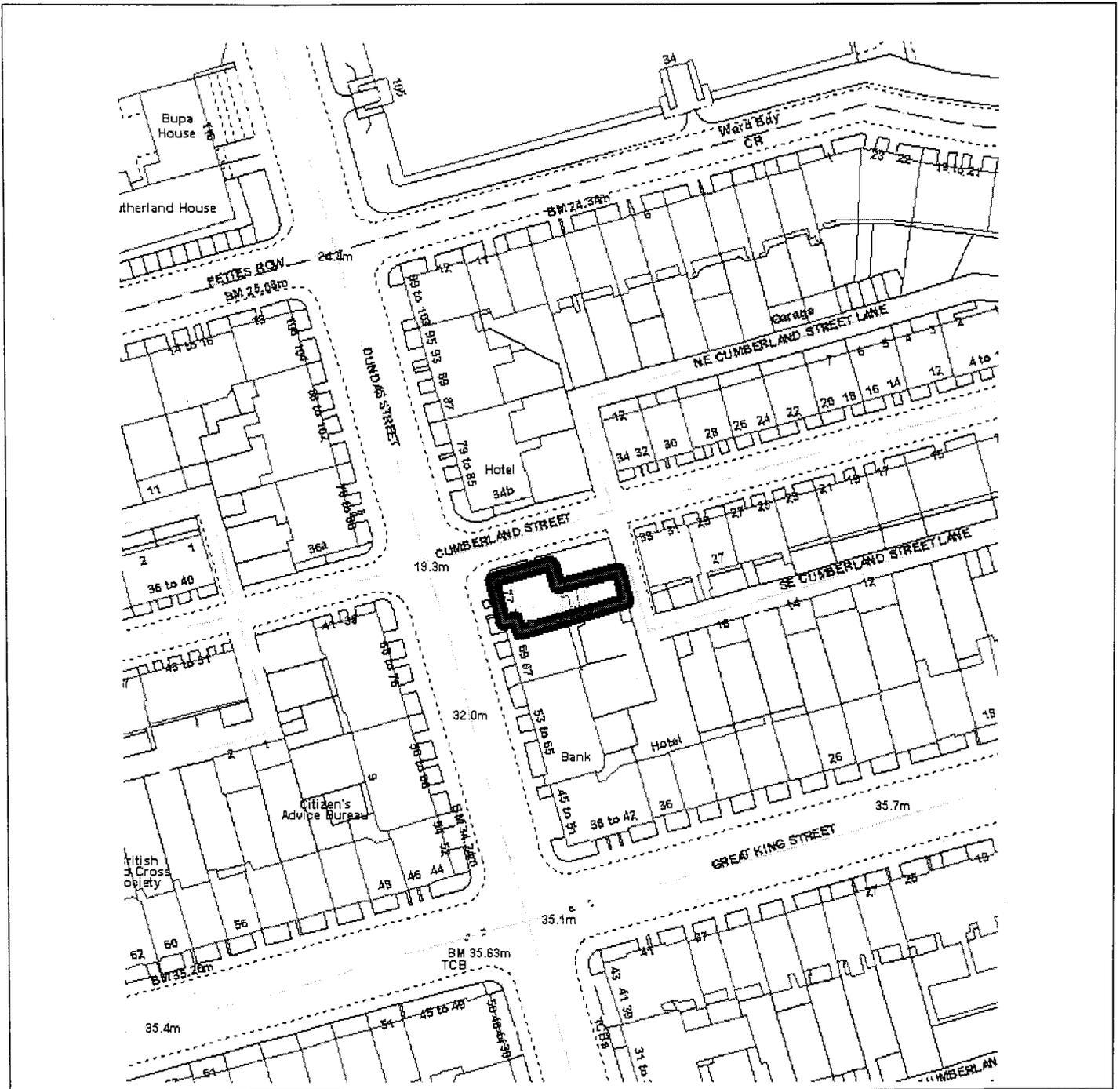
Local Plan Central Edinburgh

**Statutory Development
Plan Provision** Housing and Compatible Uses

File A/F

Date registered 29 July 2004

**Drawing numbers/
Scheme** 01 - 02
Scheme 1



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PLANNING APPLICATION

Address	75 Dundas Street, Edinburgh, EH3 6RS		
Proposal	Formation of vehicular access and car parking space in rear garden		
Application number:	04/02893/FUL	WARD	18- New Town

**THE CITY OF EDINBURGH COUNCIL
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY**