

**Application by City of Edinburgh Council
04/02910/CEC**

at

Inverleith Park

Edinburgh

EH4 1DN

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

16 March 2005

1 Purpose of report

To consider application 04/02910/CEC, submitted by The City Of Edinburgh Council. The application is for: **Recreational wheeled sports facility**

It is recommended that this application be **REFUSED** for the reasons in Appendix B.

2 The Site and the Proposal

Site description

The site is an area of open grass within Inverleith Park, to the north of the city centre. Inverleith Park is a public park with pedestrian through routes lined by mature trees. The site is on land formerly part of a pitch and putt course. It is in the western part of the park, approximately 150 metres from its western boundary with East Fettes Avenue beyond.

The land slopes gradually downwards from south to north. At the top of the slope is a footpath, beyond which is a steep embankment leading down to an artificial pond. From the footpath there are views across the city centre skyline. To the west and north is open grass. Further to the north are allotments. To the east is another tree-lined path.

The nearest residential properties to the site are to the south, 135 metres away on North Park Terrace.

The site is within the Inverleith conservation area.

Site history

There is no relevant planning history for this site.

History of the Skatepark Project

The following is a summary only. Please refer to the full history, available in the Group Rooms, for details.

A public meeting attended by 130 young people and adults was held in the University buildings at Bristo Square in November 2001. It was organised by officers from Education and Culture and Leisure to discuss skate facilities.

The Edinburgh Skatepark Project (ESP) working group was formed and on 8 October 2002 the Council Executive approved a report by the Director of Culture and Leisure which put forward proposals to address the growing demand for skateboarding/rollerblading based facilities and proposed The Meadows or Inverleith Park as the preferred sites.

In a report to the City council on 26 June 2003, it was indicated that a legal impediment to a proposal in The Meadows had been identified. Subsequently, a short life working group was set up as part of the ESP to identify other suitable sites in the city. Twenty sites were surveyed, of these St. Mark's Park and Inverleith Park were identified as most appropriate. Ground surveys revealed ground contamination at St. Mark's Park and Inverleith Park was therefore the preferred location.

Consultations with various bodies were undertaken and the former pitch and putt site was chosen. A report to the Council's Executive on 1 June 2004 was submitted to seek approval to provide the skatepark facilities within Inverleith Park. This was granted.

On 29 July 2004, a vote was held on the proposals for members of the Friends of Inverleith. Eighty from a hundred voted in favour of facilities within The Park but only two supported the former pitch and putt site.

It was subsequently decided that a second planning application would be submitted for an alternative site.

Description of the Proposal

It is proposed to form a wheeled sports facility at this site. This would be a recreational facility designed to provide artificial terrain specifically for wheel based sports such as skateboarding, bmx bicycles and in-line skates/roller blades.

It is the physical elements of the recreational facility that require planning permission. There is no material change of use of the land.

GENERAL DESCRIPTION

The terrain would include 'bowl' and 'half-pipe' shaped features as well as replicated street features such as ramps, steps and rails.

There would be two un-gated entrances at the south-east and south-west entrances. Spectator benches would be positioned along the southern boundary of the facility outwith the perimeter fence.

The facility would be constructed by removing earth from the existing slope and replacing it around the facility. This would result in a partially submerged arena. The highest element would be the 'tower'. Comparable to the highest point on the existing footpath, the tower would be 1.9 metres in height. It would be the only element of the facility that would be above this level.

It would cover an area of approximately 37 metres by 69 metres. It would have a steel perimeter fence 1.1 metres high.

Materials used would be traditional street materials including paving slabs, engineering brick, steel, tiles and pre-cast concrete units. 'Grindable' surfaces would be protected with steel copes.

CCTV AND LIGHTING

It is proposed to install two 'public space' CCTV cameras which would be linked to the Council's Central Monitoring Facility which is manned 24 hours a day.

The cameras would be pole mounted at a height of 8 metres.

Lighting of the facility would be achieved by 6 columns, 10 metres in height, each having 2 lights attached. The columns would be galvanised steel.

NON-SKATING FEATURES/ELEMENTS

A descriptive summary of these elements is set out below.

Access paths would be black bitumen macadam with flush pin kerb edge.

Seating would be timber benches consistent with existing benches within the park and would be concreted into the ground.

Four large capacity, vandal resistant ground mounted bins would be at the entrances, within the facility. Four smaller bins would be placed along the spectators paths.

Cycle parking would be provided by providing plain galvanised 'hooped' type cycle stands less than 1 metre in height.

Two lockable fold down bollards will be placed at the entrances to stop unauthorised vehicular access.

There would also be signage at both entrances covering rules, regulations, important information and contact numbers. They would be mounted on two steel posts and would measure approximately 1 metre by 750mm.

OTHER INFORMATION SUBMITTED

A list of further background information was requested by Planning and Strategy and subsequently submitted. Information on the following is available in the Group Rooms:

Parking; Litter; Toilets; Biodiversity; Trees; Landscaping; Site Selection; History of Skate Park Working Group; Social Aspect; Existing and Proposed Uses of Inverleith park; Refreshment Facilities.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are:

- Do the proposals enhance or preserve the character and appearance of the Conservation Area? there being a strong presumption against the granting of planning permission if this is not the case.
- 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 whether:

- a) The principle of the use is acceptable in the proposed location,
- b) The scale and design of the proposal would enhance or preserve the character and appearance of the conservation area.

a) Recreation as a use within Inverleith Park is to be encouraged and maintained. The proposed use would broaden the range of activities for park users. There are numerous existing recreational uses within the park including bowls, football, cricket, rugby, petanque and a children's' playpark. Chapter 3 of the Local Plan: Open Space and Recreation states: 'open space should be available for all, including the elderly and young children, for active recreation and passive enjoyment, not too far from where people live'.

There would be no loss of open space albeit hard landscaping rather than soft landscaping. It is not a covered building. The proposal affects a small area of the park.

The principle of the use is acceptable within Inverleith Park.

- b) The character of the Inverleith Conservation Area is summarised in the 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.

Inverleith Park, designated a Millennium Park, is one of the public open spaces within the conservation area, if not the main, central, public open space. It provides a hub for local residents and wider city dwellers alike. It is a popular park for its outstanding character, defined by mature tree lines, open expanses of grass and the above stated city skyline views. The park is roughly laid out in quadrants lined by the trees.

This quadrant is a less active area. The positioning of the skatepark here would be disruptive in terms of visual impact, and would detract from the appearance of this particular part of the park. It would not be to the edge of the park and therefore would be disruptive to the pattern of open spaces and tree lines.

The proposed perimeter fence, seating, litter-bins, signage and particularly the poles supporting the floodlights and the CCTV cameras would not relate well

to the surroundings in this part of the park. The proposed materials and vertical features of the skatepark would have a negative visual impact on the surrounding greenery.

The proposed skatepark in this location would be detrimental to the character and appearance of the conservation area.

It is recommended that Committee refuses this application, for the reasons stated.

ADDENDUM

The application was continued at Committee on February 16 2005 for additional information, a site visit and so the proposal could be discussed at a hearing.

The additional information included details of waste management and also a response from Environmental and Consumer Services relating to noise.

The agent has confirmed that at least eight litter bins will be installed around the facility with additional temporary bins for special events. A letter from Environmental and Consumer Services (Open Space Maintenance Task Force) was submitted as part of the supporting submissions and states that litter bins would be serviced daily by Council staff. In addition, the park is litter patrolled daily. Routine maintenance of the litter bins is also undertaken.

The response relating to noise from Environmental and Consumer Services could not be included in this report as a traffic diversion from Inverleith Row has meant that background noise readings are unrepresentative and further analysis has had to be carried out. It is expected that the information will be available for the hearing.

During the Committee site visit further information was requested relating to toilet provision, the possibility of operating the facility without lighting and whether or not there is a limit to how many can use the facility and how this would be controlled. A request for an accurate plan of the whole of Inverleith Park showing both facilities, including ancillary elements, was made. This has been provided by Culture and Leisure.

There are no public toilets in Inverleith Park. Culture and Leisure are investigating the possibility of having the toilets in the temporary changing units being available daily.

Lighting is being included for public safety reasons. It was part of the Police recommendation to Culture and Leisure. The facility would be used by people in the evenings and, especially during the winter, would require to be floodlit.

Culture and Leisure advise that experience of other skateparks in Britain shows that these facilities are self-regulating in terms of level of activity, which relates to the equipment available.

It is recommended that Committee refuses this application, for the reasons stated.


Alan Henderson
Head of Planning and Strategy

Contact/tel	David Shepherd on 0131 529 3956 (FAX 529 3717)
Ward affected	17 - Stockbridge
Local Plan	Central Edinburgh
Statutory Development Plan Provision	Open Space
Date registered	30 July 2004
Drawing numbers/ Scheme	1-5.

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, Barbara Cummins on 0131 529 3996. Email: barbara.cummins@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 blair.ritchie@edinburgh.gov.uk or sarah.bogunovic@edinburgh.gov.uk

Application Type Application by City of Edinburgh Council
Application Address: Inverleith Park
Edinburgh
EH4 1DN
Proposal: Recreational wheeled sports facility
Reference No: 04/02910/CEC

Consultations, Representations and Planning Policy

Consultations

Transport

No objections to the application. A Temporary Traffic Regulation Order (TTRO) for traffic management may be required for events that are held at the park. The applicant will be liable for the costs of the TTRO.

Environmental and Consumer Services

The environmental impact of this application would normally warrant consideration by Environmental and Consumer Services. Unfortunately, at this time, due to significant increase in this workload, we are unable to provide you with a response.

Police

No comments.

Culture and Leisure

No comments.

Historic Scotland

No comments.

Scottish Natural Heritage

No objections. Comments were made suggesting ways of minimising the impact of the development.

Representations

The application was advertised on 13 August 2004. Six hundred and eighty three representations have been recorded. The breakdown is as follows:

One objection from the local MP and three from local MSPs.

Objections received from The Cockburn Association, Stockbridge Community Council, Friends of Inverleith Park, The Inverleith Society, the Ann Street Society and the Howard Place Association.

Objection letters were received from other organisations using the park.

One petition objecting to the proposal was received and contained 15 signatures.

Three letters of comment were received from members of the public.

Fifteen letters of support were received from members of the public.

The remainder were letters of objection from members of the public, including those representing commercial premises, a local school and a local church.

The following material objections were raised:

1. Parking, Traffic and Transport,
2. Litter,
3. Provision of toilets,
4. Biodiversity,
5. Protection of mature trees,
6. Impact on Inverleith Park and conservation area,
7. Loss of Open Space,
8. Noise and Anti-Social Behaviour,
9. Inappropriate siting,
10. Inappropriate public involvement/consultation,
11. Safety.

Approximately half of the objection letters received were against the skatepark outright. The other half agreed with the principle but not the location.

The following comments in support were made:

1. Much needed facility,
2. Good location.

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 an Open Space (of outstanding landscape quality and townscape significance - no development to be allowed) land use designation.

NPPG 11 seeks to protect and enhance the land resources required for the nation's sport and physical recreation. All supports and recreation make some call upon Scotland's land resource, and many require special buildings or facilities. They may also be in competition for land with other uses such as housing or open space.

Relevant Policies:

Policy GE1 (OPEN SPACE PROTECTION) requires that the protection of the landscape quality and townscape quality of open spaces defined on the Proposals Map is an overriding consideration when development is proposed in Central Edinburgh.

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

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

Policy GE2 (OPEN SPACE PROTECTION) resists development proposals which would result in the loss of any open space which contributes to environmental character and amenity is of recreational or other social value.

Policy GE8 (NATURE CONSERVATION - DEVELOPMENT IMPACT) requires that all development proposals be considered for their impact upon wildlife and its habitat and sets out criteria to mitigate the effects of acceptable developments.

Policy GE11 (Tree Protection) sets out tree protection requirements for new development.

Policy GE12 (LANDSCAPING) requires development proposals to include provision for landscaping of high quality and new open spaces where appropriate.

Sets objectives for habitat creation and enhancement, lists protected species and how developments can make provision for these, and lists the sites of national and local nature conservation interest.

Non-statutory guidelines on 'LIGHT INTRUSION' provide guidance for minimising the effects of sky glow, light trespass and glare in lighting proposals.

Non-statutory guidelines on 'TREE PROTECTION' supplement local plan green environment policies, and support the retention of healthy trees of landscape or amenity significance, encourage new tree planting wherever appropriate within new development and promote a substantial renewal of the city's woodland resource.

Non-statutory guidelines on 'COMMUNITY SAFETY' provides guidance on the community safety aspects of new development proposals in support of statutory development plan policies.

Non-Statutory guidelines on 'QUALITY OF LANDSCAPES IN DEVELOPMENT' sets detailed design principles for hard and soft landscaping, including the retention of existing features, and relates these principles to different types of development.

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Conditions/Reasons associated with the Recommendation

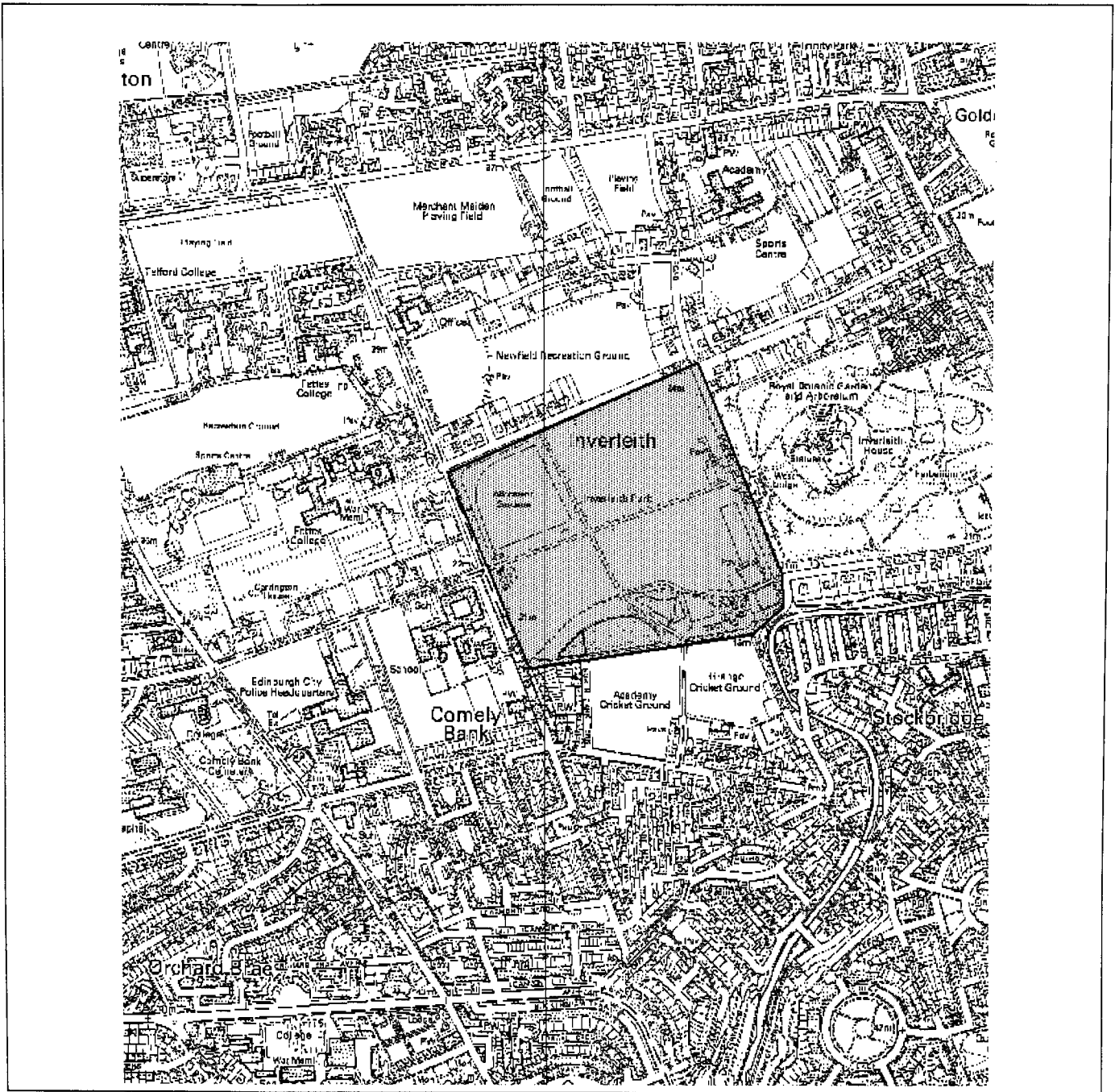
Recommendation

To recommend that this application be **Refused** for the following reasons

Reasons

1. The proposal is contrary to Central Edinburgh Local Plan Policy CD5, in respect of Conservation Areas - Redevelopment, as the location would be insensitive to the existing character and appearance of the park. The structure associated with the facility would be visually intrusive in this open location.

End



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PLANNING APPLICATION

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Application number:	04/02910/CEC	WARD	17- Stockbridge
THE CITY OF EDINBURGH COUNCIL			
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			