

Full Planning Application 03/01587/FUL
at
33 - 35 Rossie Place
EDINBURGH
EH7 5RX

Development Quality Sub-Committee
of the Planning Committee

1 Purpose of report

To consider application 03/01587/FUL, submitted by Holland House Electrical Ltd. The application is for: **Residential flatted accommodation (as amended)**

It is recommended that this application be **GRANTED** subject to the conditions in Appendix B.

2 The Site and the Proposal

Site description

The site lies to the north of Rossie Place, at its termination point with the adjacent disused railway line, with a site area of 0.18ha.

The site currently comprises a large single storey industrial unit, which is orientated east west on the site. At the east this unit returns with a single storey brick office associated with the works. The industrial unit is hard on the north boundary, allowing for a significant set back from Rossie Place. The area to the front of the site is hardstanding and used for parking. A high chain link fence and barbed wire define the edge of the site to the south, onto Rossie Place.

To the west of the site is an existing electrical sub-station, fronting onto Rossie Place. The site extends behind this and the boundary then becomes

the adjacent tenement buildings. These tenements are hard onto the footpath and are four storeys high, finished in stone and slate. To the north of the site (rear) are further industrial units that are accessed off the nearby Norton Park. The land to the rear of the application site is considerably lower and the buildings are built right onto the boundary of the site. The land to the east is bounded by a traditional 1.5m high stone wall, beyond which is scrubland and bushes, which are growing on the railway embankment. The railway to the east of the site is disused and to be safeguarded as a future pedestrian and cycle route. To the south of the site are the Abbeyhill Colonies. These colonies are two and a half storeys high, stone built terraces, that are orientated north south. The land rises steeply from the site up towards London Road, giving elevated views of the site.

The site is neither listed nor in a conservation area.

Site history

There is no relevant planning history for this site.

Description of the Proposal

The application is for the demolition of the current buildings on site and the erection of a flatted development.

Scheme 4 - submitted on 6 September 2004. The proposal is for sixteen flats of 5 Storeys in height. The area of land to the rear of the sub-station and a strip 5.8m wide to the side of the sub-station are to remain undeveloped. This is to allow the proposed block to be extended should the sub-station be removed.

The block is essentially in two halves with two entrance stairs giving access to two flats on each level. At third floor level the flats become duplex units, being over the upper two floors. The schedule of units is 3 one bed flats, 10 two bed flats and 3 three bed flats. All the flats above ground floor level have private balconies to the front.

The ground floor base course will be finished in reconstituted stone in buff to match the adjacent tenements. Above this the walls are sto-render, but no colour is specified. The upper set back is to be finished in fibre cement panels with a metal profile. Due to the topography of the land to the rear of the site the roof form of the development is a monopitched roof, with a cut back to the rear. The roof will be finished in aluminium.

The proposed block is set two metres back from the heel of the pavement to allow private gardens to the front of the ground floor units. To the east of the site is the car park for 16 vehicles, and to the rear of the flats is a large area of amenity open space. Bin stores are located to the far south east of the site.

A strip of land to the south east of the site is set aside as a future pedestrian and cycle link to the disused railway.

The site is bounded to the front by a dwarf reconstituted stone wall and railings, to the east by the existing stone boundary wall, to the north by the existing rendered blockwork wall and to the west by the existing stone wall and railings of the adjacent tenement. Soft landscaping includes a grassed area to the rear, with Laurel hedging, shrubs and trees.

In addition to the plans a technical report was carried out by Robin Mackenzie Partnership noise consultants, with regards to emissions from the sub-station. This concludes that the noise emissions from the sub-station will be less than normal background noise in this area and will not be detrimental to residential amenity.

Scheme 1 - submitted on 2 May 2003. This proposed a 6 storey block of 21 two bed flats. The block was built hard onto the footpath and extended from the sub-station to the west to the end of Rossie Place to the east. A car park for 21 vehicles was located to the rear of the site and this was to be accessed via a pend through the building. Amenity space was provided to the west of the site, behind the sub-station, and to the east adjacent to the railway line. A footpath giving future access to the railway line was proposed. The materials were facing brick at base course, render above, aluminium windows and an aluminium standing seam roof.

Scheme 2 - submitted on 14 July 2003. This reduced the height of the building to 5 storeys and the number of flats to 16. The building was moved away from the sub-station to allow this site to be re-developed should the sub-station be removed. The block was also set back from the street frontage. The car park was now located to the east of the site, providing 16 spaces. Amenity open space was located to the rear of the site. The block was to be constructed from reconstituted stone at base course with render above. All of the flats had balconies to the front.

Scheme 3 - submitted on 23 February 2004. The site layout and height of the building remained the same as scheme 2, but the design was altered.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are:

- 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) This is an acceptable location for a residential development,
 - b) It is of appropriate scale, form and design and will contribute positively to the character and appearance of the wider area, and
 - c) It will be detrimental to residential amenity or road safety.
- a) Given that the area is identified in the Central Edinburgh Local Plan for housing and compatible uses and the surrounding residential nature of the area, a residential development is acceptable, in principle, in this location in compliance with policy H1.

The existing buildings on site are of no architectural merit and their loss is acceptable.

Environmental Services is satisfied with the content of the technical report regarding the sub-station and has raised no objections to the proposals.

Education has no objections to the proposals, but is seeking a financial contribution.

b) The existing building form surrounding the application site is a mix of tenemental properties and traditional colonies. The design and form of the proposed flats takes its reference from the adjacent tenemental flats and reflect their form by continuing the similar eaves height and depth, with a communal garden to the rear. The proposed building stands at five storeys, which is in keeping, in modern storey heights, with the adjacent building.

A gap site has been left to the west to ensure that, if the sub-station becomes unnecessary, an infill block could be constructed to continue the streetscape.

The proposed flats are set back from the street frontage by two metres to allow a degree of privacy into the ground floor units. It will also help to retain a sense of openness at this end of the road, where previously the industrial unit was set well back from the pavement.

The proposed materials are appropriate for use in this location, in compliance with policy CD17. Full details of the materials for the hard landscaping are conditioned.

Policies GE12 and GE13 refer to landscaping within new development, and the requirement for high quality usable space. A large area of amenity open space is provided to the rear of the development, consistent with the tenemental form.

The scale, form and design of the development will enhance the character of the area.

c) In terms of amenity, the height of the development and its positioning on the site ensure that there will be no overshadowing to the site to the rear. Any overshadowing to the west will be gable to gable and therefore acceptable in terms of the guidelines. Any overshadowing to the east will be onto the car park of the development.

All windows are in excess of 9m to the boundary, in compliance with the guidelines. The balconies are located to the front of the building and look onto Rossie Pace. This is acceptable.

Policy H11 seeks to protect residential amenity from detrimental increases in traffic and activity. At present the site is in industrial use. The proposal is for 16 residential units and is unlikely to increase traffic and activity to the detriment of existing residential amenity.

Transport has raised no objections to the proposals subject to conditions regarding dropped kerbs at the entrance to the site and the sub-station. The plans have been amended to comply with these comments. Plans have also been amended to show an area of land that is to be safeguarded as a future link to the disused railway to the east of the development site, in compliance with policy GE6.

Transport has requested a financial contribution to fund cycle and pedestrian improvements in the vicinity of the development. The applicant considers the request unrelated to the proposed development in nature, scale and kind and is not prepared to pay the contribution. Circular 12/1996 'Planning Agreements' clearly sets out general principles for the use of planning agreements. In short, it states that the use of a condition or planning agreement should arise only where it would not be appropriate to grant permission without some restriction or limitation, and in particular reference to contributions towards transport or community facilities, it states that contributions may be acceptable 'provided the requirements are directly related to the development proposal and the need for them arises from its implementation.' (paragraph 13).

Although a contribution towards cycle and pedestrian improvements is desirable, it is not required to make the proposal acceptable. It would not be appropriate to withhold planning permission due to failure to provide this contribution, and in these circumstances, taking into consideration the amendment to the development to provide a link to the disused railway, the development is acceptable without further funding cycle and pedestrian improvements.

In conclusion, residential is an appropriate use for the site, the siting, scale, design, form and materials of the proposed flats are acceptable, and the proposals will not have an adverse impact on residential amenity or road safety.

It is recommended that the Committee approves this application, subject to conditions requiring details of materials and landscaping, contamination and waste management and a legal agreement with regard to education contribution.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Jenny Bruce on 0131 529 3905
Ward affected	35 - Meadowbank
Local Plan	Central Edinburgh
Statutory Development Plan Provision	Housing and Compatible Uses
Date registered	2 May 2003
Drawing numbers/ Scheme	9, 16, 21-26 Scheme 4

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, Ian Dryden on 0131 529 3464. Email: ian.dryden@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 Full Planning Application
Application Address: 33 - 35 Rossie Place
EDINBURGH
EH7 5RX
Proposal: Residential flatted accommodation (as amended)
Reference No: 03/01587/FUL

Consultations, Representations and Planning Policy

Consultations

Education

Abbeyhill Primary School is operating at capacity, accordingly, a developer contribution of £8,694 would be required to alleviate accommodation pressures at this school.

Environmental and Consumer Services

Scheme 1

This Department has concerns about this proposed development. The development overlooks an electricity substation. There is existing residential properties in close proximity, however, the vents face the development site. Low frequency noise associated with substations can be difficult to control. Before this department can be in a position to comment on the application the applicant would need to demonstrate that all living apartments with windows open do not experience noise from the substation above NR20.

This Department if it were in a position to support the application would also recommend the following condition.

1 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, 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 remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning.

2. 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.

Further Comments - 28.06.04

This Department has checked the noise report produced by Robin McKenzie partnership and agrees with the findings of the report which concludes that the noise from the substation will be below NR20 with windows open.

Transport

No objections to the application subject to the following conditions:

- 1. The access to the car park area shall be formed of dropped kerbs with bollards either side.*
- 2. The existing access at the electricity sub-station shall be removed if no longer required. The existing footway to be extended over the redundant access to a width of 2m.*
- 3. Should the access at the electricity sub-station still be required, it shall be constructed to consist of dropped kerbs with bollards either side.*
- 4. The Developer to enter into a suitable legal agreement to contribute the sum of £8000 to fund cycle and pedestrian improvements in the vicinity of the development.*

Representations

Neighbour notification was carried out on 1 May 2003. Three letters of objection and one petition with four signatures have been received. Comments are as follows: -

1. Loss of natural daylight.
2. Reduction in privacy.
3. Do not object to principle of housing.
4. Parking and road safety.
5. Footpath to railway line will encourage undesirables.
6. Too high.

7. Insufficient space for emergency services.
8. Already densely populated area.
9. Inappropriate materials.
10. No provision for disabled parking or cycle parking.
11. Insufficient landscaping to the front of the house.

Neighbours were re-notified of the revised scheme on 2 March 2004. Five letters of objection have been received. Comments are as follows: -

1. Loss of natural daylight.
2. Reduction in privacy.
3. Overlooking from balconies. They would be better placed at the rear.
4. Parking.
5. Footpath to railway line will encourage undesirables.
6. Loss of natural wildlife habitat and buffer zone.
7. Increase in pollution.
8. Already densely populated area.

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 identified in the Central Edinburgh Local Plan as an area of Housing and Compatible Uses. The disused railway line immediately to the east of the site is identified as a future pedestrian and cycle path.

Relevant Policies:

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.

Policy GE6 (WALKWAYS) sets out objectives for protecting and improving rights of way and promotes a network of linked walkways throughout the Plan area.

Policy GE13 (OPEN SPACE IN NEW HOUSING) sets out requirements for open space provision for major housing developments.

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 H7 (HOUSING DIVERSITY) sets out policy objectives for achieving a mix of house types and sizes in new developments.

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 T8 (CYCLE PARKING) requires new development to provide cycle parking facilities in accordance with agreed standards and on suitable sites to contribute to the network of safe routes.

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 'PARKING STANDARDS' set the requirements for parking provision in developments.

Non-statutory guidelines on 'OPEN SPACE REQUIREMENTS IN NEW DEVELOPMENT' set the required standards for open space provision.

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

Application Type Full Planning Application
Application Address: 33 - 35 Rossie Place
EDINBURGH
EH7 5RX
Proposal: Residential flatted accommodation (as amended)
Reference No: 03/01587/FUL

Conditions/Reasons associated with the Recommendation

Recommendation

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

Conditions

1. Prior to work commencing on site, the applicant shall enter into a suitable legal agreement with the Council with regard to the provision of a contribution towards education facilities at Abbeyhill Primary School.
2. The development hereby permitted shall be commenced no later than five years from the date of this consent.
3. 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.
4. 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.
5. 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.
6. 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.

7. Details of the bin store shall be submitted to and approved in writing by the Head of Planning & Strategy before work is commenced on site.
8. The waste management facilities, as shown on the approved plans, shall be implemented prior to the occupation of the development to the satisfaction of the Head of Planning and Strategy.

Reasons

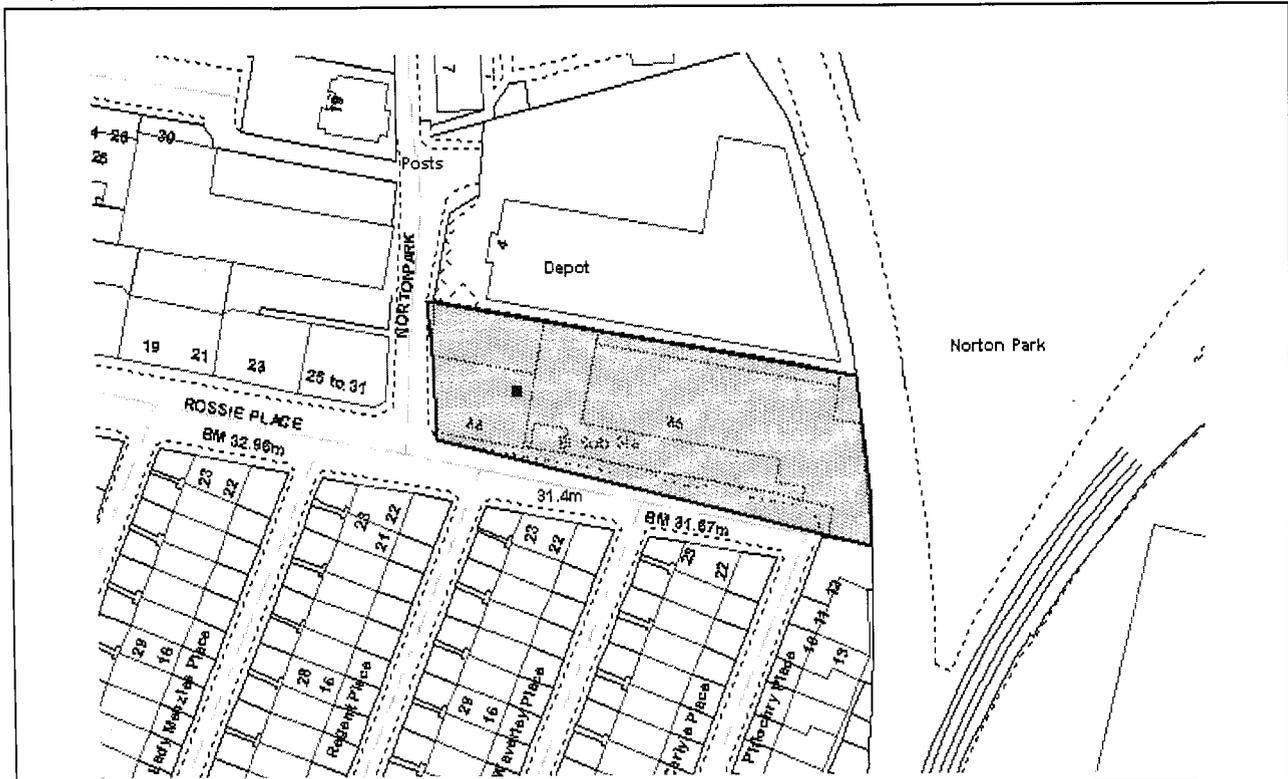
1. To ensure adequate educational facilities within the locality.
2. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
3. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
4. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
5. In order to ensure that the approved landscaping works are properly established on site.
6. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
7. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
8. To ensure the timeous provision of waste management facilities.

Application Type Full Planning Application

Proposal: Residential flatted accommodation (as amended)

Reference No: 03/01587/FUL

Location Plan



Reproduction from the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence Number 100023420 The City of Edinburgh Council 2004.