

**Full Planning Application 04/03831/FUL
at
17 High Street
South Queensferry
EH30 9PP**

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

1 Purpose of report

To consider application 04/03831/FUL, submitted by Mr Wilson. The application is for: **Extend lower ground floor deck, form new section of level footpath in old post office lane, re-form concrete slab on foreshore, form new window openings to rear (as amended to delete footpath alterations).**

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 is part of an existing hotel, fronting the high Street, but backing onto the foreshore of the Forth. There is a narrow passageway which dog legs down the east side of the building to the beach. This passageway (an asserted right of way) known as Old Post Office Lane, serves the Old Boat House Restaurant and the Queensferry Boat Club premises, as well as the Hotel.

The building is category 'B' listed. The steeply pitched roof is characteristic of late 17th century architecture. The large crowstepped dormers are later

additions; small windows, like those of the ground floor, were used during the late 17th and early eighteenth centuries. The large windows belong to guest bedrooms thus were probably added later when the building became a hotel.

The site is in the Queensferry Conservation Area.

Site history

May 1993 - Planning permission granted for a disabled persons access door (93/489/FUL).

April 2003 - Planning permission and listed building consent granted to alter existing frontage to form new access door from window, remove doorway to form window, erect timber decks to rear elevation at lower ground floor levels, install sliding windows to rear i.e. at ground floor level (as amended) (03/72/FUL+LBC).

August 2003 - Planning permission and listed building consent refused for the installation of glazed canopy on galvanised mild steel support system, powder coated grey, advertisement logo to top of structure and internally illuminated (03/1821FUL+LBC).

Description of the Proposal

The application is for the linear extension of a previously approved timber deck with steel support erected to the rear of the hotel and overhanging the beach. The application also includes a further three large windows to the rear at lower ground level, ground level and a revised upper floor balcony structure. A new concrete landing is proposed at the foot of the escape stair/lane.

The revised scheme includes all the ventilation ducts, flues and a gas pipe run on the east passageway elevation of the building and a ventilation duct on the west elevation gable which have already been installed and which do not yet benefit from any planning consent.

Scheme 1

The original application included the regrading of two thirds of the passageway plus 3 new steps and a new door entrance in the east gable for disabled persons access. The door opening has already been cut in the external wall. There was a proposal to erect a 6-bay refuse bin enclosure in the passageway but this has been deleted.

3 Officer's Assessment 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?
- 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:

- 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 the proposals are detrimental to residential amenity.

a) The essential character of the Queensferry Conservation Area is described in the Queensferry Conservation Area Appraisal as follows:-

"Strong medieval core forming a linear pattern alongside the Forth with definitive lang-rigg patterns, particularly to the south of the High Street. Strong Scots vernacular character with the use of pantiles and features such as crow steps and harled margins around window openings. Interesting roofscape varied by materials and form. Traditional gabled frontages to harbourside. Narrow winding medieval high Street with closes and wynds branching off.

Continuous sea frontage with harbour and pier, giving extensive views in and out of the settlement."

The application represents a second phase of the refurbishment and development of this boutique style hotel employing a modern architectural treatment to the rear. It includes all those items such as flues, ducts and gas pipes which have not previously been consented and which have been implemented, a lengthened lower floor deck and further window alterations. The alterations to the rear are a minor revision to the previously approved plate glass windows and timber decks. The impact on the appearance of the rear of this building is therefore negligible in this case as the modern format of the alterations has already been consented and implemented. The new rear elevation provides a vibrant and riverside appearance to this building which was previously bland and uninteresting. A number of buildings facing the beach have had large picture window modifications in rear elevations in order to make full use of the views across the Forth. As a result, this application does not necessarily form a precedent for such changes.

The proposals enhance the building and do not have an adverse impact on the character of the conservation area.

b) The front of the building has been mainly left intact and retains its medieval appearance in the streetscene. The rear elevation had a mix of Victorian, Edwardian and modern windows with two main canted bay features. This elevation was at odds with the more vernacular frontage and this has been remodelled without significant impact on the character of the listed building. The deck addition and window alterations do not, therefore, affect the newlook rear format. The flues and vents have created visually prominent features on the building, but are on mainly blank elevations. These are required in these positions in order to meet the building regulations, and are acceptable subject to them being painted to match their background.

The proposals, subject to colour control, do not adversely impact on the building or its setting.

c) The prominent flues are not ideal, but the recommendation to have them painted, by condition of consent, will ameliorate their impact. The design of the additions to the rear elevation is consistent with the modern approach to the design of this refurbished hotel. Iroko timber decks, mild steel and plate glass have been employed. These are good quality modern materials and are acceptable in this waterside location.

The design and materials are satisfactory given the setting of the site.

d) The proposals do not directly affect any residential premises. However, reference has been made to the flues exhausting out into, or over, the lane. The control of these is a building warrant matter and is only a planning matter with reference to their appearance in relation to general amenity. In this case, the flues on the east gable are not visible apart from down the narrow lane. The west gable flue is visible from quite some distance, although it is on a

rendered flank wall which once formed part of the demolished distillery next door. Painting them will ameliorate their impact.

The proposals will have no significant effect on residential amenity.

The revised scheme ensures that the lane is not being regraded and the unauthorised door in the gable is to be blocked up. A condition is recommended. The lane has recently been recorded as an Asserted Right of Way, so cannot be blocked. The bin stores have been deleted so that this issue does not now arise. The applicant has obtained air rights from the Crown to overhang the beach, so comments about obstructing public use of the beach are misguided. The neighbouring commercial use objected to loss of amenity caused by the projection of the decks at the rear causing loss of amenity and possibly noise from patrons of the hotel. Consent has already been given and implemented for these balconies/decks and this application represents the increase in length of the lowest deck in a location farthest from this objector's premises. There is therefore no significant amenity issue. As considered above, the materials and window style employed are consistent with the previously approved modern approach to the hotel conversion/refurbishment at the rear and is acceptable and not detrimental to the appearance of the conservation area. The flues and other unauthorised development has been included in this application in retrospect and can therefore become authorised. The lane cannot be seen from the wider conservation area.

The proposals comply with the development plan, and non-statutory guidelines 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.

There are no other material planning considerations which outweigh this conclusion.

It is recommended that the Committee approves this application, subject to conditions ensuring that the flues are painted/coated and the door in the east gable is blocked up within two months of consent.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Duncan Robertson on 0131 529 3560 (FAX 529 3717)
Ward affected	04 - Queensferry
Local Plan	Queensferry Local Plan/Rural West
Statutory Development Plan Provision	Housing/Protected Retail Frontage
Date registered	29 October 2004
Drawing numbers/ Scheme	01;03; 07; 09; 10;12 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.

If you require further information about this application you should contact the following Principal Planner, Martin Easson on 0131 529 3989. Email: martin.easson@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

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Consultations, Representations and Planning Policy

Consultations

Culture and Leisure (Archaeology Service)

There are no known archaeological constraints upon this particular planning application.

Network Services

The lane is on private land according to the GIS. Traders have a legal duty of care to store and dispose of their waste lawfully. Passageways should not be obstructed and bins need to be kept clean (washed regularly) and have close fitting lids. There have been problems in the past where bins were not kept clean and overflowed regularly, causing health hazards especially during the summer.

If the bins overflow at the moment, the owner should investigate either increasing the amount of bins or increasing the frequency of which the bins are picked up.

Representations

The application was advertised on 19 November 2004. Eight letters have been received, including those from ScotWays, Queensferry History Group, local businesses and clubs, objecting on the following grounds:-

- Bin store will impede emergency egress from boat club and restaurant.
- Lane is Public Right of Way outwith ownership title of applicant.

- Raised level in Lane plus steps will prejudice future disabled access from restaurant.
- Lower deck obstructs the public beach.
- Loss of amenity (rear decks).
- Materials alien to the area.
- Windows out of keeping.
- Ventilation flues not consented.
- Flouting of planning regulations.

Representators were renotified of the revised drawings on 22 December 2004. Three further letters have been received re-iterating previous objections and pointing out that the current bins and dumped refuse are causing an amenity problem to neighbours of the lane.

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 allocated as Housing in the Queensferry Local Plan and as Protected Retail Frontage and Guest House Area, in the Finalised Rural West Edinburgh Local Plan.

Relevant Policies:

Queensferry Local Plan

Policy QU262 seeks to ensure that the alteration or extension of a building within a conservation area must be carried out in a manner sympathetic to the character of the existing building and its setting. New development is required to conform to high standards of design and respect the scale and character of its surroundings.

Policy QU263 seeks to control and influence the design of development, including alterations and extensions to existing buildings to ensure that the appearance of existing buildings is not impaired and the amenity of their surroundings is not adversely affected.

Finalised Rural West Edinburgh Local Plan

Policy E36 seeks to protect the special character and interest of Conservation Areas by ensuring high quality and sensitive development, alterations and re development. The demolition of an existing building, if approved, shall not take place before an application for a replacement building has been approved and the contract let.

Policy E37 states that the Council will review and monitor all the conservation areas in the Local Plan area.

Policy E44 states that in the relevant areas, development proposals will not be permitted where it would lead to the loss of character and amenity. Furthermore, development proposals should fully meet the requirements of the villa guideline as set out in the Development Quality Handbook.

Non-statutory guidelines 'ALTERATIONS TO LISTED BUILDINGS' provide general guidance for assessing proposals for both internal and external alterations.

Non-statutory guidelines on 'REPLACEMENT WINDOWS AND DOORS' supplement local plan conservation and design policies, providing additional guidance on window and door alterations.

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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. All the main box flues on the west and east gables shall be painted or coated to match the background colour of the walls on which they are erected.
3. The flues shall be painted or coated within 2 months of the date of this consent.
4. The entrance door cut into the west gable, off the lane, shall be blocked up in matching rubble stonework, to the satisfaction of the Head of Planning and Strategy within two months of the date of this consent.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. To ameliorate their presence and in the interests of the character and appearance of the conservation area

3. In the interests of visual amenity and compliance with the painting/coating condition
4. In the interests of the appearance of the building and the conservation area.
5. NB This consent is for planning permission only. Work must not begin until other necessary consents, eg listed building consent, have been obtained.

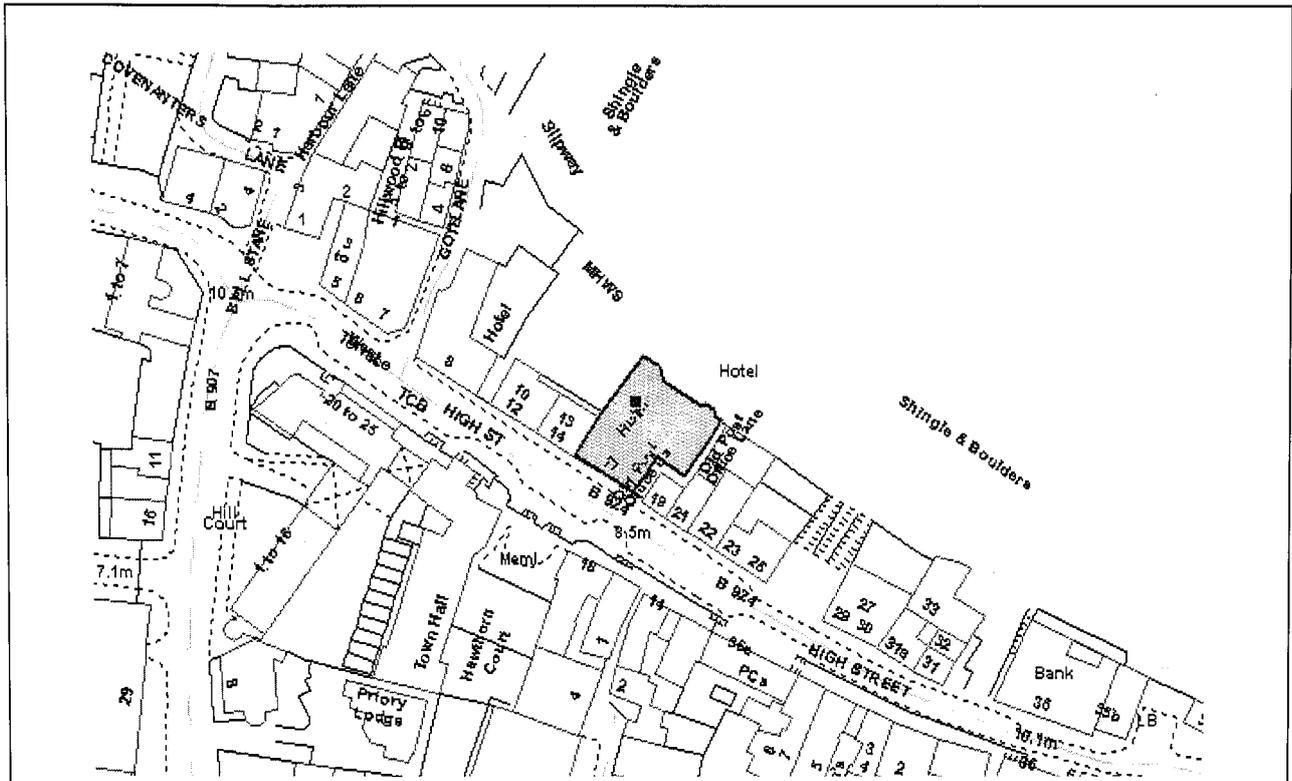
End

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Location Plan



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