

Full Planning Application 04/01951/FUL
at
Craighall Gardens
Edinburgh
EH6 4RJ

Development Quality Sub-Committee
of the Planning Committee

11 May 2005

1 Purpose of report

To consider application 04/01951/FUL, submitted by Everley Homes Ltd.. The application is for: **Residential flats in a single block, 4 storeys with part attic accommodation, associated car parking (as amended to modify design/form)**

It is recommended that this application be **GRANTED**

2 The Site and the Proposal

Site description

The site extends to 1940sqm and is devoid of buildings. It contains a tarmac tennis court adjoining the Bangholm Recreation ground and is enclosed by a metal paling fence. It stands at the end of a quiet cul-de-sac. A group of semi-mature trees lie on the northern edge, planted to act as a windbreak to the tennis court.

The surrounding area is predominantly a low density Victorian area of linked villas and large semi-detached houses. To the north across a former railway cutting, is a modern flatted development, four storeys in height. To the west are the changing rooms and storage sheds for the school playing fields, accessed from the adjacent road end.

The street as a whole is well landscaped.

Site history

There is no relevant planning history for this site.

Description of the Proposal

The application proposes a block of 17 flats together with associated parking.

Scheme 3

The proposal has undergone a radical overhaul of the form and design to create a far more modern solution.

The overall footprint and internal content remain similar to previous submissions. The form of the building is generally three storey to eaves but with a flat-roofed four storey projection southwards in front of the building line with a 5 storey glazed corner feature on the SE. This projection is visible as an end stop along Craighall Gardens. The section to the east follows the building line of adjacent buildings. This section has a central "pediment style" feature, rising to four storeys.

Proposed materials are architectural masonry block and a mix of slate and metal roofs.

The internal layout provides 5 two-bedroom flats and 12 three bedroom flats.

Parking is provided partly tucked under the rear of the building, partly as open spaces to the rear. Visitor spaces are end-on to the street.

The overall mix of units is 5 two-bedroom flats, 10 standard three-bedroom flats and 2 larger three bedroom penthouse flats.

Scheme 2

The scheme was amended to delete the fourth storey element, bringing total height down to three storeys plus attic. Unit numbers were unchanged, but upper units were reduced in scale.

Form and composition was altered to allow the block to read as two linked blocks reflecting the rhythm of the street. Architectural treatment was still a Victorian pastiche.

The tower feature was moved to the westmost corner of the front section, to improve visual balance.

Scheme 1

The application originally proposed a block of 17 flats in cruciform layout, rising to four storeys plus attic, with a tower feature on the frontmost eastern corner (facing eastwards to Craighall Avenue). This adopted a style derivative of the adjacent Victorian houses.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are:

- Do the proposals preserve or enhance the character and appearance of the conservation area? (If they do not, there is a strong presumption against the granting of planning permission.)
- Do the proposals comply with the local plan?
- If the proposals do not comply with the local plan, are there any compelling reasons for not approving them?
- If the proposals do comply with the local plan, are there any compelling reasons for approving them?

ASSESSMENT

In order to address these determining issues, the Committee must consider whether

- a) The principle of residential development;
 - b) The loss of open space;
 - c) The effect of the scale form and design of the proposed development on the character or appearance of the conservation area;
 - d) The effect on the amenity of the occupiers of any neighbouring property;
 - e) The proposed development will have a detrimental impact on road safety;
and
 - f) Open space and amenity issues.
- a) Residential use accords with the local plan as long as other policy requirements are met.

The proposal falls below the limit at which Affordable Housing would be required.

b) The existing site is open space owned by the Council and was laid out as tennis courts. The site still has potential for recreational use, although the district as a whole is reasonably served for tennis facilities and other recreational facilities.

In terms of visual amenity, the current area is wholly covered in tarmac which has no value in terms of landscape. However, it has a tree group along the northern boundary which provides screening.

Its loss as open space is therefore not opposed.

c) The North East Edinburgh Local Plan describes the Victoria Park Conservation area as:

"The Conservation Area is centred upon Victoria Park, a traditional urban park characterised by mature trees and areas of close mown grass, with recreational facilities including bowling greens and play equipment. The park is surrounded by a mixture of housing and institutional uses and is dominated by the buildings of Trinity Academy. Facing onto the park are a mixture of Georgian and Victorian villas, many of architectural interest, often set in large and well landscaped grounds. Housing in the Dudleys is characterised by the uniformity of design - two storey terraces decorated with stone urns and cast iron cresting, much of which has survived to the present day."

The site lies at the edge of the recently extended Conservation area. It is screened from the main road to the east by trees and planting in the front gardens of houses on Craighall Gardens, but is visible from a limited section of the west end of Craighall Gardens. The building therefore has limited impact on the conservation area due to its high level of screening, with little effect beyond the street itself.

Although the building form steps forward of the building line, this is intended to create closure at the end of the street.

The architectural idiom, in its amended form, is considered an acceptable modern interpretation of the local style, although the close proximity of stone buildings and the location within a Conservation Area will require the use of natural stone rather than concrete blockwork on main elevations.

The height of the block balances the height of the block at the extreme east end of the street, allowing the creation of a "book-end" relationship to terminate the row. This creates an overall balance to the street when viewed as a whole. This is considered an appropriate urban design mechanism in this context.

To the rear, the depth of existing buildings on this side of Craighall Gardens vary from 13 to 16m from the north boundary. This proposal is 10m from the

north boundary at its closest, but with the main wall facing the rear being 20m distant. The "north wing" does therefore lie beyond the existing line, and a large part of the rear area is covered with parking. This is not characteristic of the existing houses in the street.

c) The part of the building closest to existing development is in a gable to gable relationship with the neighbouring house to the east and hence does not give rise to overshadowing.

Privacy standards are fully met to existing neighbours. To the playing fields on the west distances are less and would prejudice any future development potential. However, this land is also in Council ownership, and there are no proposals for development. The minimal prejudicial effect on this side is therefore considered acceptable.

All overshadowing effects are restricted to the application site to both north and south, and there is no breach of policy to neighbours in either of these directions.

An area of around 20sqm of land is overshadowed to the west, but this is within a complex of outbuildings serving the Council's playing fields and is therefore considered acceptable.

d) The existing cul-de-sac is generously proportioned and has good visibility at its junction with Craighall Road. The number of additional traffic movements lies well within the limits of existing road geometry.

The narrowing of the road at its west end retains a standard adoptable width and footpaths. This section of road only serves the school playing fields and remains adequate as an access, although informal parking will be displaced.

Parking meets current Council standards, with 100% provision for residents and 24% provision for visitors.

Ample cycle storage is provided.

The site lies within easy walking distance of major public transport routes.

e) Two trees are wholly removed from site at the north west corner, but the remaining trees will be reshaped and brought back into manageable condition through thinning of branches and slimming of their form (one heavily leaning and mis-shaped tree will be particularly reshaped). New tree planting will take place on the north boundary to regularise the landscape form on that edge.

A large tree to the south-west, in the playing field site, will be unaffected, and no trees on neighbouring sites will be affected. As a safeguard a condition is added restricting storage of materials in the corners of the site during construction, to avoid tree root compaction.

Open space on site totals 825sqm, just over 40% of the site area. The site is also within ready walking distance of Victoria Park. Three of the flats have only one aspect (those on the SE corner of the block). However, since this aspect is wholly southward, their amenity remains good. Amenity of all the created units is considered acceptable.

In conclusion, the proposal is a competent modern design which, due to its siting, has little effect on the character of the conservation area. It has adequate parking and no effect upon road safety. It has sufficient open space for amenity needs and the effect on neighbouring amenity lies within acceptable parameters.

The application is recommended for approval. Conditions are suggested on material specification, decontamination of the site, plant noise, protection of trees during construction, a legal agreement relating to Safe Routes to Schools, formation of a designated disabled parking space, and traffic calming.

It is recommended that the Committee approves this application subject to conditions on materials, noise, landscape protection, decontamination, parking access and a contribution to Safer Routes to Schools. Due to the Council's financial interests in the site and the substantial level of objections, the application should be referred to the Scottish Ministers for approval prior to a decision being issued.

ADDENDUM

The application was considered by Committee on 20th April 2005, and continued for both a site visit and information on the following points:

- i) More information on traffic issues
- ii) Further explanation as to the choice of modern design
- iii) Better visual presentation material

In response to these issues

- i) The applicant has met with Transport and agreed to change the scheme such that no loss of road width occurs. The scheme continues to fully meet Transport requirements within the confines of its own site.
- ii) The applicant specifically changed the design of the scheme to a modern idiom at the request of Planning, in response to the stated Council aim of promoting good modern design. This is particularly relevant due to the Council's ownership of the site.
- iii) The applicant has provided further information to allow Committee to better interpret the proposal.

The Department continues to recommend approval of this application subject to the conditions as outlined above and referral to the Scottish Ministers.

FURTHER ADDENDUM

The Committee approved the application on 11th May 2005 subject to the conditions as outlined, plus a further request that the design of the upper floor be refined and resubmitted for their further approval.

The Scottish Ministers have recently returned the application, giving their consent to the application.

Legal agreements are still to be concluded.

In order to progress the application timeously, the applicant has submitted a revised plan illustrating a much-reduced volume at top storey.

This area is now reduced to a single room and small terrace area, connected to the flat below. This maintains the function of creating a corner feature, but reduces impact when seen from the main approach, from the east. Visually the bulk is reduced by one storey when seen from that side.

As seen in pure elevation from the south the profile is now square rather than triangular, but is recessed back by 3m (other than the projecting roof overhang). As seen from pavement level opposite its profile will be reduced due to this recess.

It is recommended that the Committee approves this revised detail and that the scheme as a whole be approved, as per the conditions already outlined (following conclusion of legal agreements).

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Stephen Dickson on 0131 529 3901 (FAX 529 3706)
Ward affected	11 - Trinity
Local Plan	North East Edinburgh
Statutory Development Plan Provision	Housing and Compatible Uses
Date registered	27 May 2004
Drawing numbers/ Scheme	100-107,108, 110-112 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, Graham Dixon on 0131 529 3519. Email: graham.dixon@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 Address:

Proposal:

Reference No: 04/01951/FUL

Consultations, Representations and Planning Policy

Consultations

Education

No objection to this development.

Environmental and Consumer Services

No objections to this proposed development subject to the following conditions being attached:

1. The design, installation and operations of the lift shall be such that any associated noise complies with NR20 when measured within any living apartment in the block of flats and no structure borne vibration is perceptible within any living apartment in the block of flats.

2. 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.

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.

Culture and Leisure

In view of the significance of some trees surrounding this site, we would ask that you consider, as a condition of the application, adequate protection for the trees affected by the proposals.

Transport Planning

Legal consent should not be issued until a legal agreement has been signed for the developer to contribute £8,500 to the Safer Routes to School programme.

I have no objections to the application subject to the following conditions being applied:-

- 1. Disabled space to be designated.*
- 2. Speed table to be constructed at the entrance to the access.*

Representations

The application was advertised on 15th June 2004.

18 representations were received (this includes one received via the Planning Portal which cannot be retrieved). Objectors included AHSS and the Cockburn Association. Reasons for objections were

1. Overdevelopment of site
2. Excessive height
3. Breach of building line
4. Use of road area to south
5. Traffic/road safety concerns
6. Insufficient parking
7. Effect on trees
8. Breach of local plan policies
9. Overshadowing

9 representations were received on the amended scheme. Reasons for objection were broadly unaltered.

The final scheme was renotified to both neighbours and objectors on 25th January 2005.

25 representations were received in relation to the final scheme.

These objected stating the same grounds as above plus additional reasons

1. Design too modern/ inappropriate
2. Form/ height less appropriate than previous scheme

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 lies in an area identified for Housing and Compatible Uses in the North East Edinburgh Local Plan.

Although not shown as such in the local plan the site was recently added to the Victoria Park Conservation Area, together with the remainder of the Craighall estate.

Relevant Policies:

Policy E6 (PROTECTION OF OPEN SPACE) presumes against the development on major areas of open space and others of recreational, amenity or nature conservation interest.

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

Policy E21 (CONSERVATION AREAS - GENERAL): requires proposed development within a conservation area to retain all features which contribute to the character and appearance of the area.

Policy E22 (CONSERVATION AREAS - REDEVELOPMENT): sets out criteria against which new development in conservation areas will be assessed.

Policy E25 (DESIGN OF NEW DEVELOPMENT - OBJECTIVE): encourages new development of the highest possible standard.

Policy E26 (QUALITY OF NEW DEVELOPMENT): sets out general design requirements for new development, and requires particular attention to be paid to main approach roads to the city centre and seafront and waterfront locations.

Policy E7 (OPEN SPACE PROVISION): specifies minimum standards of open space provision in new housing developments to meet both recreational and amenity needs.

Policy H1 (HOUSING DEVELOPMENT) encourages the provision of new housing development on identified sites.

Policy H4 (DESIGN OF NEW HOUSING DEVELOPMENT) sets out general design considerations for new housing development.

Policy T7 (CYCLE PARKING) requires new development to provide secure cycle parking in conformity with approved standards and in appropriate public locations where it contributes to greater cycle use.

Policy T10 (PRIVATE CAR PARKING) requires all new development to comply with approved car parking standards as set out in the Development Control Handbook Non-statutory guidelines 'DAYLIGHTING, PRIVACY AND SUNLIGHT' set criteria for assessing proposals in relation to these issues.

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.

Application Type

Application Address:

Proposal:

Reference No: 04/01951/FUL

Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that this application be **GRANTED**

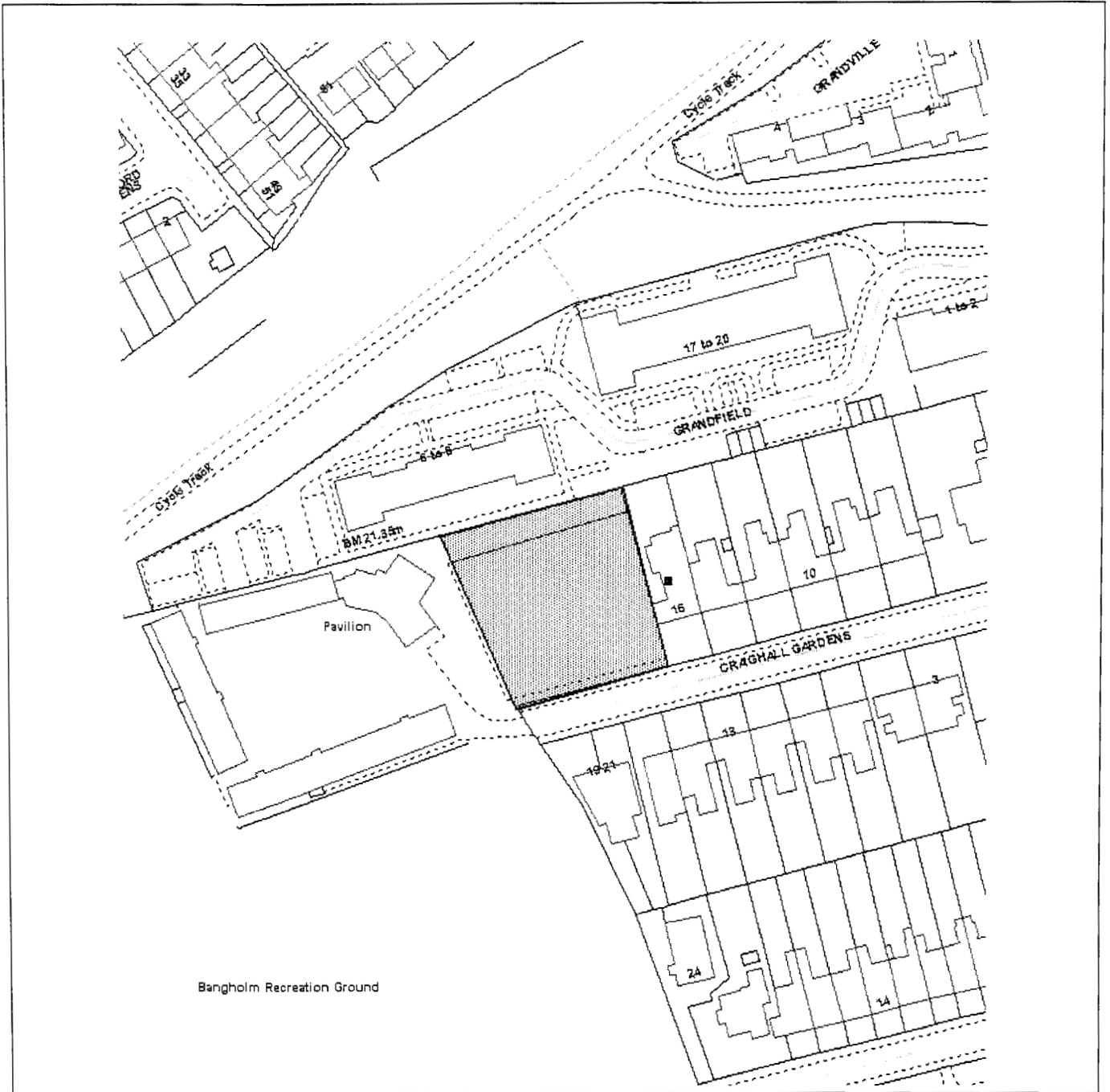
Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. Prior to the issue of consent the developer shall enter into a suitably worded legal agreement with the Council to make a contribution of £8500 towards the Safer Routes to School programme.
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. The design and operation of the lift shall be such that any associated noise complies with NR20 when measured within any living apartment in the building, and no structure borne vibration is perceptible within any living apartment.
5. The areas in the south-west and north-west of the site are to be fenced off to prevent storage of materials on these areas during construction. Details to be submitted for the approval of the Head of Planning and agreed fencing to be erected prior to works commencing.
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. One car parking space to be specifically designated for disabled use and dimensioned appropriately.
 8. A raised traffic calming table to be formed at the entrance to the development. Details to be submitted for the written approval of the Director of City Development and agreed works to be complete prior to occupation.
 9. Prior to the commencement of works on site, details of access to and space for waste management facilities, including recycling, shall be submitted to and approved in writing by the Head of Planning and Strategy. Thereafter, the requirements agreed shall be implemented to the satisfaction of the Head of Planning and Strategy, prior to the occupation of the development hereby approved.
 10. The application shall be referred to the Scottish Ministers prior to determination.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to ensure that no financial burden is placed upon local infrastructure
3. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
4. In order to protect the amenity of the occupiers of the development.
5. To avoid root compaction of adjacent trees.
6. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
7. In the interests of disabled drivers.
8. In order to safeguard the interests of road safety.
9. In the interests of sustainability.



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PLANNING APPLICATION

Address	Craighall Gardens, Edinburgh, EH6 4RJ		
Proposal	Residential flats in a single block, 4 storeys with part attic accommodation, associated car parking (as amended to		
Application number:	04/01951/FUL	WARD	11- Trinity
THE CITY OF EDINBURGH COUNCIL			
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			