

**Full Planning Application  
at  
9 Brighton Place  
Edinburgh  
EH15 1LH**

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

**Proposal:** Retail and a 24 hour taxi booking office by telephone  
**Applicant:** Raymond Mathieson  
**Reference No:** 03/01342/FUL

**1 Purpose of report**

To recommend that the application be **REFUSED AND ENFORCED** for the following reasons;

**Reasons**

1. The proposal is contrary to North East Edinburgh Local Plan Policy H7, in respect of Housing Amenity, as the proposed development will lead to a loss of residential amenity through an increase in noise and disturbance, especially at a late hour. The proposed development will have a detrimental impact on the residential character of the area as the proposed operation is on a 24 hour basis.

## **2 Main report**

### **Site description**

The application site was formerly used as an estate agent. The unit is within a single storey projection to the ground level of a three storey stone built tenement building; the upper levels are in residential use. The site is on the edge of the main Portobello shopping area and is generally residential in character. The area outside the unit has no car parking.

### **Site history**

The application was generated as the result of an Enforcement enquiry.

There is no other relevant planning history on file for this application.

### **Development**

The application is for the retrospective, partial change of use of the unit from a travel agent to form a retail unit and 24 hour taxi booking office. The retail aspect of the change of use would be Permitted Development.

### **Consultations**

#### **Transport Planning**

Recommend that the application be refused as no provision is available at the development for parking facilities for the hire vehicles associated with the booking office. Parking of hire vehicles on and around Brighton Place will create parking and access problems for local residents.

#### **Environmental and Consumer Services**

This department would have serious concerns about this application as it would result in noise and disturbance from taxis and clients in the vicinity of the premises. This Department therefore recommends that this application is refused.

#### **Representations**

Two letters of objection have been received from neighbouring occupiers. The Portobello Amenity Society has also objected to the proposal.

Grounds for objection are: Lack of parking in vicinity, noise and disturbance, impact on character of area.

## **Policy**

### North East Edinburgh Local Plan

The site is within an area of housing and compatible uses, where the residential character and amenities will be safeguarded.

The site is within the Portobello Conservation Area.

#### Relevant Policies:

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

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 H7 (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 the reasonable prospects of further residential development where this is an objective of the Local Plan.

Non-statutory guidelines on 'PARKING STANDARDS' set the requirements for parking provision in developments.

## **3 Conclusions and Recommendations**

### **DETERMINING ISSUES**

The determining issues are:

-do the proposals preserve or enhance the character and appearance of the Conservation Area? (there being a strong presumption against the granting Planning Permission if this is not the case).

- do the proposals comply with the local plan?

- if the proposals do comply with the local plan, are there any compelling reasons for not approving them?

- if the proposals do not 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 proposed development will have a detrimental impact on the character and appearance of the area

b) the proposed development will have a detrimental impact on the residential amenity of the occupiers of any neighbouring property

c) the proposed development will have a detrimental impact on road safety in the vicinity of the application site

a) The application site is within a group of ground floor shop units on the east side of Brighton Place. Brighton Place is a residential street, adjoining Portobello High Street. The development will not alter the appearance of the building. The proposed change of use will not have a detrimental impact on the character or appearance of the Conservation Area.

b) The application site is within a mainly residential street. Although there is late night activity in the vicinity of the application site the proposed 24 hour use is likely to lead to an unacceptable loss of residential amenity to the occupiers of neighbouring property through an increase in noise and disturbance at a late hour.

c) There is no provision for parking at the proposed taxi booking office. Although it is the intention of the applicant that vehicles will not be visiting the site, this is not controllable under planning legislation. As such it is likely that the parking of hire vehicles in the vicinity would lead to parking and access problems for local residents in the vicinity of the application site.

In conclusion the proposed 24 hour taxi office is likely to lead to an unacceptable loss of residential amenity to local residents and will have a detrimental impact on the residential character of the area at a late hour. The parking of hire vehicles in the vicinity is likely to result in parking and access problems in the immediate area.

It is recommended that the Committee refuses this application for the reason stated. It is further recommended that the Committee authorises the initiation of enforcement action.

Alan Henderson

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**Alan Henderson**  
Head of Planning and Strategy

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**Contact/tel** Peter Jones on 0131 529 3770 (FAX 529 3706)

**Ward affected** 39 -Portobello

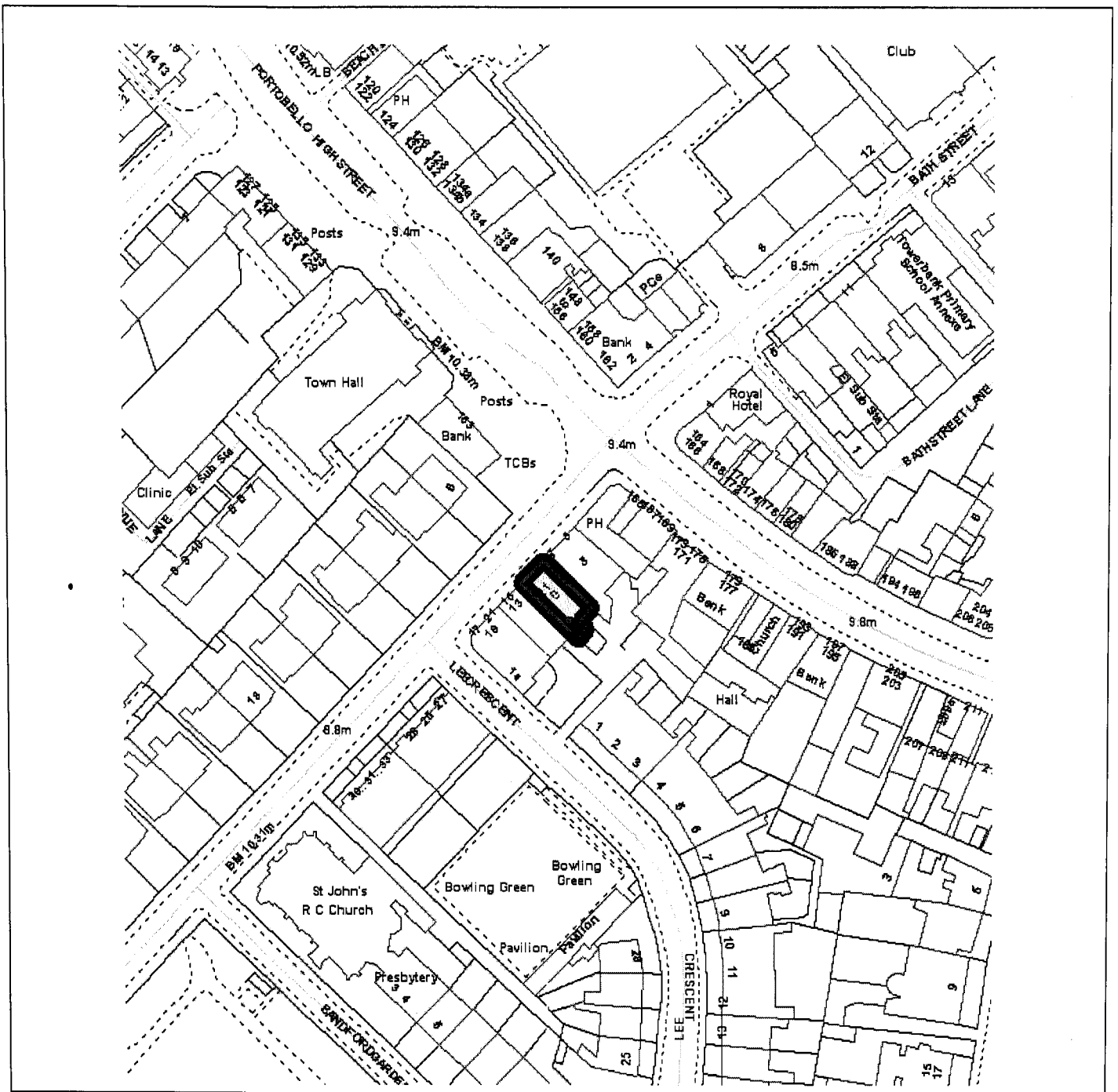
**Local Plan**

**Statutory Development  
Plan Provision**

**File**

**Date registered** 23 July 2003

**Drawing numbers/  
Scheme** 1  
Scheme 1



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# **PLANNING APPLICATION**

<b>Address</b>	<b>9 Brighton Place, Edinburgh, EH15 1LH</b>		
<b>Proposal</b>	<b>Retail and a 24 hour taxi booking office by telephone</b>		
<b>Application number:</b>	<b>03/01342/FUL</b>	<b>WARD</b>	<b>39- Portobello</b>
<b>THE CITY OF EDINBURGH COUNCIL</b>			
<b>THE CITY DEVELOPMENT DEPARTMENT- PLANNING &amp; STRATEGY</b>			