

**Full Planning Application**  
**at**  
**25 Falcon Gardens**  
**Edinburgh**  
**EH10 4AP**

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

**Proposal:** Alter existing dwelling house, alter rear elevation + roof, new boundary wall and associated landscaping  
**Applicant:** T Wright.  
**Reference No:** 03/04202/FUL

**1 Purpose of report**

To recommend that the application be **GRANTED** subject to;

**Conditions**

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. 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.
3. 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.

4. The trees on the site shall be protected during the construction period by the erection of chespaie fencing, or similar fencing as approved in writing by the Head of Planning & Strategy, at the limit of the canopy spread of the trees; no materials, equipment or buildings shall be stored or located within the protected area, nor shall there be any access through it. The fencing shall be maintained in a secure and upright condition to the satisfaction of the Head of Planning & Strategy.
5. Details of the profile of the new random rubble wall on the south boundary, shall be submitted to and approved in writing by the Head of Planning and Strategy, prior to the wall being erected
6. The proposed new French doors on the ground floor west elevation, shall be single glazed

### **Reasons**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
  2. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
  3. In order to ensure that the approved landscaping works are properly established on site.
  4. In order to safeguard protected trees.
  5. In order to safeguard the character of the conservation area.
  6. In order to safeguard the character of the conservation area.
  7. NB This consent is for planning permission only. Work must not begin until other necessary consents, e.g. listed building consent, have been obtained.
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## **2 Main report**

### **Site description**

The site is a Victorian villa set at the end of Eden Lane, formerly part of St. Peters School campus, with a joint vehicular access off Falcon Gardens.

The building is category C (S) listed, circa 1875. It is a 2-storey and attic 3-bay villa with decorative bargeboards.

The site is in the Grange Conservation Area.

## **Site history**

April 2003 - Planning permission granted for replacement of Primary School with associated access, parking, landscaping, sports facilities and open space (as amended), on land adjacent to the south of the villa and school house (02/00749/FUL).

The villa was originally accessed from Eden Lane, and did not become part of Falcon Gardens until a new vehicular access was made through the Falcon Estate boundary wall to serve the St Peters School house when this was built.

## **Development**

The application, as revised, is to refurbish the villa for use as a single dwellinghouse and alter the roof with a low lead clad fillet to create further roof accommodation. The existing prefabricated garages have been demolished and the existing vehicular access off the adopted Eden Lane; unused for 30 years is to be re-instated. Two parking spaces will replace the garages. It is intended to enclose the side lawn, projecting towards Falcon Gardens and containing two major trees, with a new hedge. A single slapping through the Falcon estate wall is proposed to give access to the side lawn. The southern boundary has been re-aligned 12.8m from the south elevation and will be finished with a 1.8m high rubble stone wall.

### Scheme 1:

The original scheme showed Eden Lane incorrectly at 6.2 metres wide, instead of the correct 3 metres. A curved new curtilage wall was proposed in render and 3 large slappings were proposed in the original Falcon Estate wall. Two remote parking spaces were proposed along the driveway from Falcon Gardens. The parking spaces for the villa were shown in the south east corner of the garden. A set of French doors was proposed in the rear elevation (north) and the roof fillet was bigger with a long, glazed cupola and timber clad haffit.

## **Consultations**

### **Transport Planning**

No objections to the application. Eden Lane is adopted.

## **Representations**

The application was advertised on 2 January 2004. 18 letters of representation have been received in respect of Scheme 1 including those from The Grange Association and Morningside Community Council (6 objections and 10 of comment). Two letters of comment have been received in respect of Scheme 2.

### Scheme 1:

The Grange Association objects to narrow vehicular access from Eden Lane being impractical and the unsatisfactory wall treatment/materials.

The Morningside Community Council is concerned about the boundary wall slappings; new wall construction; erosion of garden space; and parking levels.

Other objections:

- Privacy
- Conservation of fabric
- Traffic congestion in narrow Lane
- Context of site with adjacent development
- Loss of trees
- Exhaust fumes

Comments:

- Affect on character of area
- Drawing of lane misleading (too wide) and above points re-iterated.

### Scheme 2:

Comments:

- Access via narrow lane very difficult
- Wall finish

### **Policy**

The site is allocated as Housing and Compatible Uses in the Central Edinburgh Local Plan.

### Relevant Policies:

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 CD19 (BUILDING ALTERATIONS) sets out requirements for the design, form, materials and positioning of alterations and extensions.

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

Non-statutory guidelines on the 'SETTING OF LISTED BUILDINGS' supplement local plan conservation and design policies, providing guidance for the protection and enhancement of the setting of listed buildings.

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 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 or road safety.

a) The character of the Conservation Area is described in the Local Plan as follows: -

*"A suburban area of villas characterised by extensive gardens and high stone walls, laid out to a plan by David Cousins between 1851 and 1870. Considerable variety exists in building styles including Italianate, Scots Baronial and Gothic - with some notable additions in the inter-war years. The main threat to the area is the over development of villa grounds and erosion of garden space and boundary walls through the sub-division of property."*

The villa and its original gated access is to be refurbished and later garages removed from the site. This is a conservation gain. The proposed roof fillet has been reduced in size and height and is unlikely to be seen except from a distance to the north as it will be screened by the existing roof gables. The proposals, in their revised form, will re-establish an appropriate boundary for the curtilage of the villa, previously lost when St. Peters school was built, by the introduction of a hedge and rubble wall on the south west and south sides respectively. Whilst arbitrary, the line of this boundary will reintroduce the sense of enclosure for the villa which is a characteristic of the locality and the conservation area.

The proposals will not adversely impact on the character of the conservation area and will enhance its appearance.

b) The impact on the building is limited to the proposed, modest lead roof fillet and the single glazed French doors on the west side and the creation of a new greener and appropriately screened curtilage will enhance its setting.

The proposals will not adversely impact on the building or its setting.

c) On the whole, the building and its features are to be refurbished or re-instated. The design and materials of the external alterations, the new hedge, garden wall, new garden layout and parking are appropriate to its context.

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

d) Considerable comment has been made by residents of the use of Eden Lane as the primary access to the villa, given its restricted dimensions and manoeuvring space. It is clear that the villa was built with this access originally. Despite limited use in the last 30 years when it was part of St. Peters School, the developer has the right to use it for vehicular access, as do other residents in the Lane. The Lane is adopted and there is no objection to its continued use to serve the villa which has established use rights as a dwellinghouse. The Falcon Road access will be retained for the sole use of St. Peters Schoolhouse with provision for a parking space for the former priest of the school.

Potential loss of amenity to residents would result from the renewed use of Eden Lane. However, the access will serve a single dwelling and not a flatted development so that traffic levels will be of a domestic scale. As has been indicated above, the developer has the legal right to use the Lane and therefore any objections regarding noise, fumes or congestion are not materially significant in this case, given that there is no change of use.

In terms of general amenity, privacy and visual amenity will be safeguarded by the lack of any new overlooking windows, by the introduction of appropriate boundary screening and the removal of the existing tarmac courtyard to the villa and replacement by green landscaping.

The proposals will not be detrimental to residential amenity or highway safety.

The proposals comply with the development plan, and comply with non-statutory policies; 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 or road safety.

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

It is recommended that the Committee approves this application, subject to the conditions stated.

Alan Henderson

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**Alan Henderson**  
Head of Planning and Strategy

**Contact/Tel** Duncan Robertson on 0131 529 3560 (FAX 529 3717)

**Ward affected** 46 -North Morningside/Grange

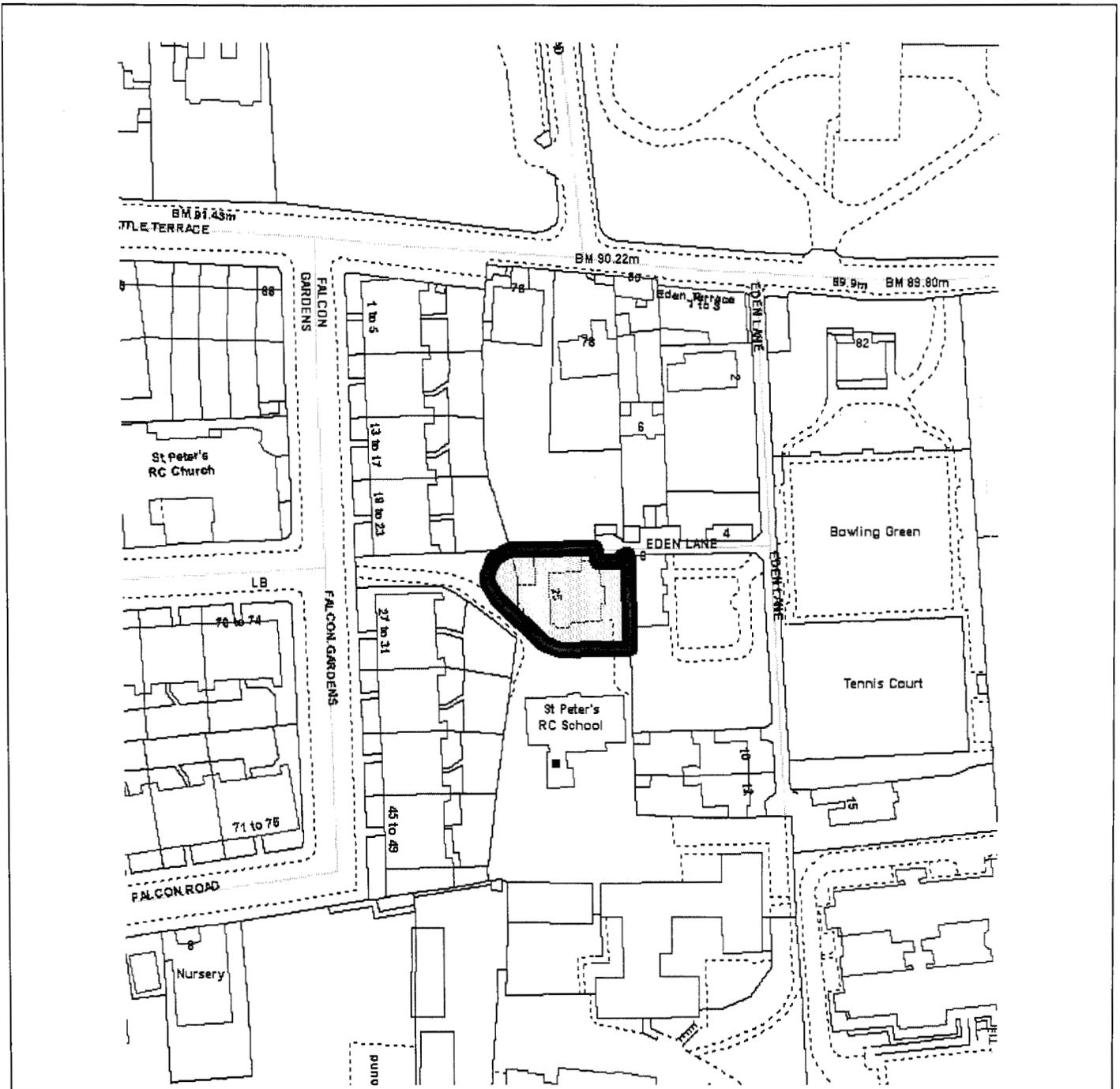
**Local Plan** Central Edinburgh

**Statutory Development  
Plan Provision** Housing and Compatible Uses

**File**

**Date registered** 11 December 2003

**Drawing numbers/  
Scheme** 01;03;05;07;12-13; 17-22  
Scheme 2



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# **PLANNING APPLICATION**

<b>Address</b>	<b>25 Falcon Gardens, Edinburgh, EH10 4AP</b>		
<b>Proposal</b>	<b>Alter existing dwelling house, alter rear elevation + roof, new boundary wall and associated landscaping</b>		
<b>Application number:</b>	<b>03/04202/FUL</b>	<b>WARD</b>	<b>46- North</b>
<b>THE CITY OF EDINBURGH COUNCIL</b>			
<b>THE CITY DEVELOPMENT DEPARTMENT- PLANNING &amp; STRATEGY</b>			