

Full Planning Application 05/03331/FUL
at
Stance 1-8
Grassmarket
Edinburgh

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

1 Purpose of report

To consider application 05/03331/FUL, submitted by Edinburgh City Centre Management Company Ltd. The application is for: **Craft market to be held every weekend**

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 the north half of the Grassmarket, situated between the central tree-lined pavement and the tenements to the north. This is a one way stretch of road with public and resident's parking spaces. The ground floor of the majority of the adjacent buildings is occupied by retail and licensed premises (bars and restaurants). There are residential properties on the upper floors of most buildings along the north side of the street. There is a sheltered housing development in the middle of this frontage at Thomson's Court (58 Grassmarket).

The site is within the Old Town Conservation Area and the Edinburgh World Heritage Site.

Site history

03/03050/FUL - Edinburgh farmers' market at Grassmarket - Granted - 20.11.2003 - given temporary consent for one year but was not implemented.

Description of the Proposal

The proposal is for a regular craft market and occasional touring markets operating over weekends to be held at the Grassmarket. Hours of operation are to be from 10am to 8pm.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are:

- Do the proposals preserve or enhance the character or appearance of the conservation area? there being a strong presumption against the granting of planning permission if this is not the case;
- 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 take account of the following specific considerations:

- a. Whether this is a suitable location for an outdoor market
 - b. The effect on the character and appearance of the conservation area
 - c. The effect on residential amenity
 - d. The effect on parking and road safety.
- a) The Grassmarket is within an area allocated for Mixed Activities, and categorised as a Speciality Shopping Street. It is also located within an Area of Sensitivity (Policy L3 of the local plan). The Grassmarket has a market history as its name suggests, hence the great width between the north and

south sides, and is an appropriate location for a market. This, in conjunction with its local plan designation, make it a suitable location for an open air market, subject to compliance with other policies of the local plan.

b) The conservation area's character is summarised in the local plan as follows; *'Centred on the Royal Mile, the city's main historic thoroughfare, the Old Town evolved from two separate burghs. Although few medieval buildings remain, the original plot widths and the 'fishbone' street pattern of narrow closes and wynds remain extensively visible, although overlain by major Victorian rebuilding and street improvements. The administrative, ceremonial, legal and religious functions of the modern city remain focused within the Old Town. The key elements of the area's character are therefore its density of building and mixture of uses with high tenements and important historic buildings arranged on a historic street pattern'*.

The proposal will only have a temporary effect on the appearance of the conservation area, and it is considered appropriate as this was the original function of the area, historically. The character of the area is of mixed uses, it is a lively area with retail and licensed premises, and the market will contribute to this.

The proposals will preserve the appearance and enhance the character of the conservation area.

c) The Grassmarket has a high residential population as well as being a commercial centre, and it is classed as an Area of Sensitivity for this reason. It is likely that the proposed market will create a lot of activity and associated noise, although this will be during the day, and it will be at a time when the area is already busy. The attachment of a condition limiting hours of operation to between 8.00am and 8.00pm will ensure that the amenity of surrounding residents will be protected. Environmental and Consumer Services have no objections as any concerns will be controlled by the licensing process.

d) The proposal will result in the loss of on street parking within the Grassmarket. The residents parking element of this will be temporarily relocated to the south side, but the public parking element will be lost for the duration of the road closure. People using the market will have to use the public parking on nearby streets, or utilise the Castle Terrace car park and pick up items using the customer collection service that will be available for larger items. Transport have also raised no objections.

In conclusion the operation of a weekend market at this location is in keeping with the historical character of the area and will not adversely affect the character and appearance of the Conservation Area. There have been mixed comments regarding this application, but predominantly these have been negative. The principle of having a regular market in the Grassmarket area should be strongly encouraged, but the details of it must be well formulated to ensure that the event complements existing retail and commercial uses, and does not harm residential amenity or road safety. If the event integrates well with the existing Grassmarket functions, then the success of the Market can

grow and help improve the retail function of the Grassmarket, which has tended to be eroded in favour of commercial leisure uses.
 In order to fully assess the impact of the market the event should only be permitted for a temporary period of one year initially.

It is recommended that the Committee approves this application for one year subject to a condition covering the restriction on operating hours.


Alan Henderson
 Head of Planning and Strategy

Contact/tel	David Jeffery on 0131 529 3464
Ward affected	32 - Tollcross
Local Plan	Central Edinburgh Local Plan
Statutory Development Plan Provision	Mixed Activities Zone
Date registered	24 October 2005
Drawing numbers/ Scheme	01 Scheme 1

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: Stance 1-8
Grassmarket
Edinburgh

Proposal: Craft market to be held every weekend

Reference No: 05/03331/FUL

Consultations, Representations and Planning Policy

Consultations

Transport - No objections

Environmental and Consumer Services - No objections. Any concerns this department might have will be controlled more effectively by the licensing process.

Historic Scotland - No objections

Representations

19 letters of representation have been received in relation to the application. This included 16 letters of objection 2 letters of comment on the proposals and 1 in support. The objections raised relate to:-

1. Noise and disturbance
2. Parking
3. Access
4. Opening hours

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 by the CENTRAL EDINBURGH LOCAL PLAN as being within the Mixed Activities Zone. It is also within a Speciality Shopping Area and is identified as an Area of Sensitivity in respect of Commercial Leisure uses.

Relevant Policies:

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 L3 (LEISURE USES - RESTRAINT) requires particular care to be taken to prevent an excessive concentration of commercial leisure uses in the following areas of mixed but essentially residential character: Tollcross, Grassmarket and Nicolson Street/Clerk Street and environs.

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.

Policy S8 (PROTECTION OF SPECIALITY SHOPPING STREETS) sets out criteria for assessing proposals involving the loss of a shop unit within defined speciality shopping streets.

Policy T10 (PEDESTRIAN ENVIRONMENT) sets out the Council's objectives for improving the pedestrian environment of the city centre and other main areas of pedestrian congregation

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.

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Conditions/Reasons associated with the Recommendation

Recommendation

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

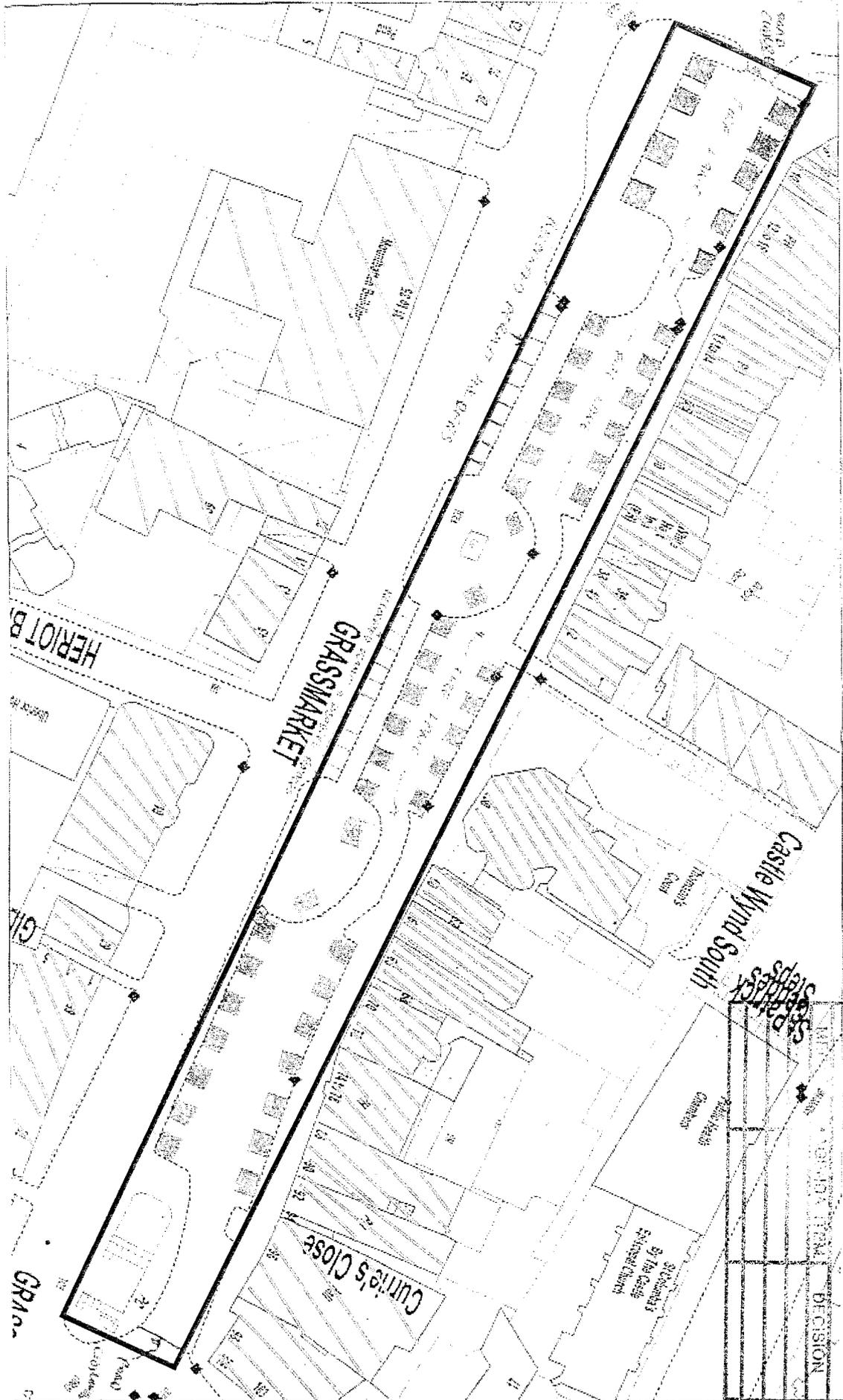
Conditions

1. Permission is granted for a limited period of one year from the date of granting consent.
2. The hours of operation shall be restricted to from 0800 to 2000 on weekends only.

Reasons

1. In order to give due recognition to the temporary nature of the proposed development.
2. In order to safeguard the amenity of neighbouring residents and other occupiers.

End



PLANNING & STRATEGY
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