

Full Planning Application 08/00701/FUL

at

5 Casselbank Street

Edinburgh

EH6 5HA

Development Management Sub-Committee of the Planning Committee

1 Purpose of report

To consider application 08/00701/FUL, submitted by 1975 Limited (R Brunson). The application is for: **Change of use from (LHMO) to 5 one bedroom apartments to include 2 rooflights to rear**

It is recommended that this application be **GRANTED** subject to the conditions below.

2 The Site and the Proposal

Site description

The application site is the upper two floors and attic of a three storey, mid terraced, stone built dwelling with classical detail. The building has two dormer windows to the front and one to the rear elevations. It stands on the north side of Casselbank Street located off Leith Walk in an area of mixed uses including several churches, office and commercial uses as well as residential properties.

The property is presently occupied as a house in multiple occupations for a total of five residents.

The property is a category C(S) listed building, circa 1815 and is one of a mirrored pair including No 4 Casselbank Street (Ref No 27126).

The detailed listing provided by Historic Scotland does not identify No 5 as being a listed building. It identifies the pair of buildings as Nos 4 and 4A Casselbank Street. However, No 4A does not exist; No 5 does form a mirrored image of the fascia of No 4 (as described in the listing) and there is reference to No 5 within the description of the rear elevation.

This property is located within the Leith Conservation Area.

Site History

There is no relevant planning history for this site.

Description of the Proposal

The application is for the change of use of the existing house in multiple occupation to provide five, self contained; single bedroom flats over three floors.

Alterations to the building include the taking down of internal partitions and erecting new partitions to form the new layout. A new roof light on the rear elevation is proposed. Otherwise there are minor works within the roof to provide two new soil vent pipes.

The site provides no off street car parking provision.

3 Officer's Assessment and Recommendations

Determining Issues

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against 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 not, there is a presumption against the granting of permission. For the purposes of this issue, "preserve", in relation to the 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 these determining issues, the Committee needs to consider whether:

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- (a) The principle of the new use is acceptable
- (b) The alterations affect the character and appearance of the conservation area or the setting of the listed building
- (c) There is any adverse impact on residential amenity
- (d) There is any adverse impact on road safety

(a) The property is currently in HMO use and the principle of converting it to residential use is acceptable in terms of land use zoning subject to compliance with other aspects of the development plan.

(b) The internal alterations to the property will be assessed under the application for listed building consent and are not a material planning consideration. Externally, the main change is the insertion of a double rooflight on the rear roof pitch. This is not highly visible from public view and does not dominate the roofscape. Rooflights are traditional features in the area. There will be no adverse impact on the character and appearance of the conservation area and the setting of the listed building will be unaffected.

(c) The use is similar to the existing use and is no more onerous in terms of impact on neighbours. The rooflights will not cause any privacy problems and there will be no adverse impact on neighbouring residents. In terms of the amenity of the occupants of the development, the size of the units is small and four out of the five flats are single aspect. However, this is a quiet street and those facing the public street will not be unduly affected. Those facing the rear, which are north facing, are served by generous windows and will have

sufficient daylight. These units will meet a market demand for smaller units within the established urban area.

(d) The development does not provide off-street parking but is in a location well served by public transport and will be further enhanced by the impending tram network. A contribution is required to the Tram and City Car Club and this shall be sought by legal agreement.

In conclusion, the proposals largely comply with statutory and non-statutory policies, have no adverse impact on the character and appearance of the conservation area and listed building and do not have an adverse impact on residential amenity or road safety. An exception to the non-statutory guideline in respect of single aspect flats is justified as the units will have sufficient amenity.

It is recommended that the Committee approves the application subject to a legal agreement for Tram and City Car Club.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	John Maciver on 0131 529 3918
Ward affected	A13 - Leith (NEW)
Local Plan	North Edinburgh Local Plan
Statutory Development Plan Provision	Mixed Activities
Date registered	25 February 2008
Drawing numbers/ Scheme	01-09 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, 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 gavin.king@edinburgh.gov.uk or carol.richardson@edinburgh.gov.uk

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Application Address: 5 Casselbank Street
Edinburgh
EH6 5HA

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Consultations, Representations and Planning Policy

Consultations

Services for Communities (Environmental Assessment)

Has no objection.

Transport

Has no objection subject to a suitable legal agreement being completed regarding:

*A sum of £17,000 towards the tram; and
A sum of £6,500 towards the City Car Club.*

Current standards require the provision of 5 parking spaces for residents with a further 1 to 2 spaces for visitors. As off-street space is not available at this site and on-street parking is available, specific off-street parking provision will not be sought in this case.

Representations

The application was advertised as development within a conservation area on 7 March 2008.

No representations have been received.

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

North East Edinburgh Local Plan - The site is within the Leith Conservation Area, where the protection and enhancement of the special character and appearance of the designated conservation areas will be protected. The site is also within an area allocated as a Mixed Activity Zone, where there is an emphasis on promoting an appropriate mix of activities, which contribute to the area's character and vitality, including offices, housing, shopping, general and light industry including appropriate leisure uses.

Finalised Edinburgh City Local Plan - Conservation Area.

Relevant Policies:

Relevant policies of the North East Edinburgh Local Plan.

Policy E19 (LISTED BUILDINGS - USES): establishes a qualified presumption in favour of retaining a listed building in, or its restoration to, its original use.

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 H2 (HOUSING DEVELOPMENT - MIXED ACTIVITIES ZONE) encourages, and sets out criteria for assessing, proposals for housing development within the Mixed Activities Zone.

Policy T10 (PRIVATE CAR PARKING) requires all new development to comply with approved car parking standards as set out in the Development Control Handbook

Relevant policies of the Finalised Edinburgh City Local Plan.

Policy Des 11 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

Policy Env 3 (Listed Buildings – Alterations & Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

Policy Env 5 (Conservation Areas – Development) sets out criteria for assessing development in conservation areas.

Policy Tra 2 (Planning Conditions and Agreements) requires, where appropriate, transport related conditions and/or planning agreements for major development likely to give rise to additional journeys.

Policy Tra 3 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in supplementary planning guidance, and sets criteria for assessing lower provision.

Relevant Non-Statutory Guidelines

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

Other Relevant policy guidance

The Leith Conservation Area Character Appraisal emphasises the areas unique and complex architectural character, the concentration of buildings of significant historic and architectural quality, the unifying effect of traditional materials, the multiplicity of land use activities, and the importance of the Water of Leith and Leith Links for their natural heritage, open space and recreational value

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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.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

INFORMATIVES

It should be noted that:

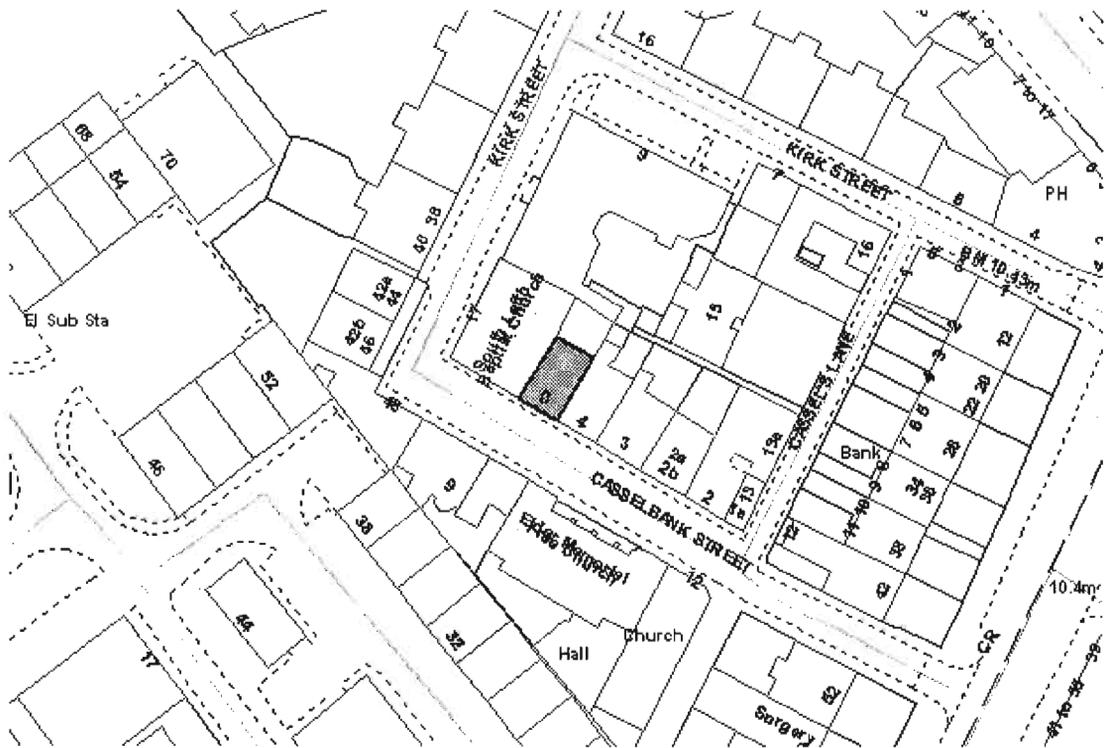
1. This consent is for planning permission only. Work must not begin until other necessary consents, e.g. listed building consent, have been obtained.
2. Consent shall not be issued until a suitable legal agreement has been concluded in relation to tram contributions and the City Car Club.

End

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Location Plan

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