

**Application by City of Edinburgh Council
04/03741/CEC**

at

**Inverleith Park
Arboretum Place
Edinburgh
EH3 5NY**

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

1 Purpose of report

To consider application 04/03741/CEC, submitted by The City Of Edinburgh Council. The application is for: **Demolition of pavilion and proposed new concrete surfaced wheeled sports facility**

It is recommend that this application be **APPROVED**.

2 The Site and the Proposal

Site description

The site is an area of open grass within Inverleith Park, in the north of the city. Inverleith Park is a public park with pedestrian through routes lined by mature trees. The site is on land including a timber pavilion containing changing facilities. It is in the eastern part of the park, beside its eastern boundary with Arboretum Place beyond.

The land slopes slightly upwards from south to north. To the west and north is open grass. Further to the north is a tree line with Inverleith Place beyond. To the east is a mature treeline and, across Arboretum Place, the Royal Botanic Gardens.

The nearest residential properties to the site are to the north, approximately 75 metres away on Arboretum Place.

The site is within the Inverleith conservation area.

Site history

There is no relevant planning history for the site.

History of the Skatepark Project

The following is a summary only. Please refer to the full history, available in the Group Rooms, for details.

A public meeting attended by 130 young people and adults was held in the University buildings at Bristo Square in November 2001. It was organised by officers from Education and Culture and Leisure to discuss skate facilities.

The Edinburgh Skatepark Project (ESP) working group was formed and on 8 October 2002 the Council Executive approved a report by the Director of Culture and Leisure which put forward proposals to address the growing demand for skateboarding/rollerblading based facilities and proposed The Meadows or Inverleith Park as the preferred sites.

In a report to the City council on 26 June 2003, it was indicated that a legal impediment to a proposal in The Meadows had been identified. Subsequently, a short life working group was set up as part of the ESP to identify other suitable sites in the city. Twenty sites were surveyed, of these St. Mark's Park and Inverleith Park were identified as most appropriate. Ground surveys revealed ground contamination at St. Mark's Park and Inverleith Park was therefore the preferred location.

Consultations with various bodies were undertaken and the former pitch and putt site was chosen. A report to the Council's Executive on 1 June 2004 was submitted to seek approval to provide the skatepark facilities within Inverleith Park. This was granted.

On 29 July 2004, a vote was held on the proposals for members of the Friends of Inverleith. Eighty from a hundred voted in favour of facilities within The Park but only two supported the former pitch and putt site.

It was subsequently decided that a second planning application would be submitted for an alternative site. Thus this current proposal.

Description of the Proposal

This application is for the same facility as application 04/02910/FUL, but on an alternative location within Inverleith Park.

It is proposed to form a wheeled sports facility at this site. This would be a recreational facility designed to provide artificial terrain specifically for wheel based sports such as skateboarding, bmx bicycles and in-line skates/roller blades.

It is the physical elements of the facility that require planning permission, but there is no material change in the use of the land.

GENERAL DESCRIPTION

The terrain would include 'bowl' and 'half-pipe' shaped features as well as replicated street features such as ramps, steps and rails.

There would be two un-gated entrances. Spectator benches would be positioned along the boundary of the facility outwith the perimeter fence.

The facility would be constructed by removing earth from the existing land and replacing it around the facility. This would result in a partially submerged arena. The highest element would be the 'tower'.

It would cover an area of approximately 37 metres by 69 metres. It would have a steel perimeter fence 1.1 metres high.

Materials used would be traditional street materials including paving slabs, engineering brick, steel, tiles and pre-cast concrete units. 'Grindable' surfaces would be protected with steel copes.

CCTV AND LIGHTING

It is proposed to install two 'public space' CCTV cameras which would be linked to the Council's Central Monitoring Facility which is manned 24 hours a day.

The cameras would be pole mounted at a height of 8 metres.

Lighting of the facility would be achieved by 6 columns, 10 metres in height, each having 2 lights attached. The columns would be galvanised steel.

NON-SKATING FEATURES/ELEMENTS

A descriptive summary of these elements is set out below.

Access paths would be black bitumen macadam with flush pin kerb edge.

Seating would be timber benches consistent with existing benches within the park and would be concreted into the ground.

Four large capacity, vandal resistant ground mounted bins would be at the entrances, within the facility. Four smaller bins would be placed along the spectators paths.

Cycle parking would be provided by providing plain galvanised 'hooped' type cycle stands less than 1 metre in height.

Two lockable fold down bollards will be placed at the entrances to stop unauthorised vehicular access.

There would also be signage at both entrances covering rules, regulations, important information and contact numbers. They would be mounted on two steel posts and would measure approximately 1 metre by 750mm.

OTHER INFORMATION SUBMITTED

A list of further background information was requested by Planning and Strategy and subsequently submitted. Information on the following is available in the Group Rooms:

Parking; Litter; Toilets; Biodiversity; Trees; Landscaping; Site Selection; History of Skate Park Working Group; Social Aspect; Existing and Proposed Uses of Inverleith park; Refreshment Facilities.

It should be noted that this information relates to both this application and application reference 04/02910/CEC. All the information has been available on the portal and at the front counter for public inspection for both applications.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are:

- Do the proposals enhance or preserve the character and 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 consider whether:

- a) the principle of the use is acceptable in the proposed location,
- b) the scale and design of the proposal would enhance or preserve the character and appearance of the conservation area.

a) Recreation as a use within Inverleith Park is to be encouraged and maintained. The proposed use would broaden the range of activities for park users. There are numerous existing recreational uses within the park including bowls, football, cricket, rugby, petanque and a children's' playpark. Chapter 3 of the Local Plan: Open Space and Recreation states: 'open space should be available for all, including the elderly and young children, for active recreation and passive enjoyment, not too far from where people live'.

There would be no loss of open space albeit hard landscaping rather than soft landscaping. It is not a covered building. The proposal affects a small area of the park.

The principle of the use is acceptable within Inverleith Park.

- b) The character of the Inverleith Conservation Area is summarised in the Local Plan as follows:

Inverleith developed as a Georgian suburb of villas and terraces to the north of the New Town. It lies on a south facing slope between Ferry Road and the Water of Leith and includes a number of important Victorian institutions set in extensive grounds. Extensive blocks of public and private open space bounded by areas of Georgian and Victorian villas form the essential elements of character, with key views southwards towards the city skyline providing a distinctive setting.

Inverleith Park, designated a Millennium Park, is one of the public open spaces within the conservation area, if not the main, central, public open space. It provides a hub for local residents and wider city dwellers alike. It is a popular park for its outstanding character, defined by mature tree lines, open expanses of grass and the above stated city skyline views. The park is roughly laid out in quadrants lined by the trees.

The position of the proposed skatepark, in the corner of the north east quadrant, would be such that it would have the least impact on the open

expanse of grass. It is to the edge of the park and therefore minimises the disruption to the pattern of open spaces and tree lines.

The eastern side of the park is historically more activities based than any other part of the park with the football pavilion, former tennis courts, children's playpark, bowling club and park wardens workshops and buildings all currently there. Positioning the skatepark at the eastern side is appropriate and would add to this area of activity.

The construction of the skatepark involves the removal of earth, partially the formation of the hard surfacing, and replacing the earth around it. When viewed from a distance, the visual impact would be minimal. The visible elements would be the perimeter fence, spectator seating, litter bins and signage which are all low level and, if painted green, would not be overly intrusive. There is existing seating and litter bins within the park. The central tower feature would also be visible. At a higher level, visible elements would be the pole mounted CCTV cameras and lighting posts. These elements would be the most visible but are not unacceptable in a conservation area. Again, painting the elements green would lessen the visual impact and help them blend in with the surroundings. There are existing artificial vertical elements within the park including lamp-posts, telegraph poles and Victorian posts that are currently used for flood lighting the rugby pitches.

In order to minimise the visual impact of the skating surfaces and also minimise the opportunity for ad-hoc graffiti, it is suggested that appropriately commissioned work is carried out to colour the surfaces. This would improve the visuals, add interest and create something of a sculpture. Formal details can be dealt with by condition.

A condition is recommended to ensure that the mature trees close to the proposal are protected before, during and after construction. The trees are an important part of the character of the park and it is important that they are retained and protected. In addition, the retention of trees close to the skatepark would help to visually screen it.

A condition is recommended to provide, implement and maintain a landscaping plan around the perimeter of the skatepark to minimise its visual impact.

The proposed skatepark in this position, subject to the suggested conditions, would not be detrimental to the character or appearance of the conservation area.

It is recommended that the Committee approves this application, subject to conditions regarding landscaping and colours of furniture and surfaces.

As this is a Council application and there has been substantial objection, it must be referred to the First Minister as a Notice of Intention to Develop.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	David Shepherd on 0131 529 3956 (FAX 529 3717)
Ward affected	17 - Stockbridge
Local Plan	Central Edinburgh
Statutory Development Plan Provision	Open Space
Date registered	13 October 2004
Drawing numbers/ 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, Barbara Cummins on 0131 529 3996. Email: barbara.cummins@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 by City of Edinburgh Council
Application Address: Inverleith Park
Arboretum Place
Edinburgh
EH3 5NY
Proposal: Demolition of pavilion and proposed new concrete surfaced
wheeled sports facility
Reference No: 04/03741/CEC

Consultations, Representations and Planning Policy

Consultations

Transport

No objections to the application. A Temporary Traffic Regulation Order (TTRO) for traffic management may be required for events that are held at the park. The applicant will be liable for the costs of the TTRO.

Environmental and Consumer Services

The environmental impact of this application would normally warrant consideration by Environmental and Consumer Services. Unfortunately, at this time, due to significant increase in this workload, we are unable to provide you with a response.

Police

No comments.

Culture and Leisure

No comments.

Historic Scotland

No comments.

Scottish Natural Heritage

No objections. Comments were made suggesting ways of minimising the impact of the development.

Representations

The application was advertised on 29th October 2004. Eight hundred representations have been recorded. The breakdown is as follows:

Objections were received from The Cockburn Association, Stockbridge Community Council, Friends of Inverleith Park, The Inverleith Society and the Howard Place Association.

One petition objecting to the proposal was received and contained 37 signatures.

One petition supporting the proposal was received and contained 302 signatures.

Four letters of comment were received from members of the public and one from the Royal Botanic Gardens.

Four hundred and ninety nine letters of support were received from members of the public.

Two hundred and eighty nine letters of objection from members of the public and other organisations using the park.

It should be noted that some representations were made under false names and/or addresses. Where these have been identified they have been removed from consideration during the application process and have not been taken into account.

The following material objections were raised:

1. Parking, Traffic and Transport,
2. Litter,
3. Provision of toilets,
4. Biodiversity,
5. Protection of mature trees,
6. Impact on Inverleith Park and conservation area,
7. Loss of Open Space,
8. Noise and Anti-Social Behaviour,
9. Inappropriate siting,
10. Inappropriate public involvement/consultation,
11. Safety.

The following comments in support were made:

1. Much needed facility,
2. Good location.

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 within the Central Edinburgh Local Plan area under an Open Space (of outstanding landscape quality and townscape significance - no development to be allowed) land use designation.

NPPG 11 seeks to protect and enhance the land resources required for the nation's sport and physical recreation. All supports and recreation make some call upon Scotland's land resource, and many require special buildings or facilities. They may also be in competition for land with other uses such as housing or open space.

Relevant Policies:

Policy GE1 (OPEN SPACE PROTECTION) requires that the protection of the landscape quality and townscape quality of open spaces defined on the Proposals Map is an overriding consideration when development is proposed in Central Edinburgh.

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 CD10 (NEW DEVELOPMENT - OBJECTIVE) encourages new development of the highest possible architectural and urban quality.

Policy CD18 (SAFETY, SUSTAINABILITY AND ACCESSIBILITY) requires the design and layout of development proposals to meet safety, sustainability and accessibility objectives.

Policy GE2 (OPEN SPACE PROTECTION) resists development proposals which would result in the loss of any open space which contributes to environmental character and amenity is of recreational or other social value.

Policy GE8 (NATURE CONSERVATION - DEVELOPMENT IMPACT) requires that all development proposals be considered for their impact upon wildlife and its habitat and sets out criteria to mitigate the effects of acceptable developments.

Policy GE11 (Tree Protection) sets out tree protection requirements for new development.

Policy GE12 (LANDSCAPING) requires development proposals to include provision for landscaping of high quality and new open spaces where appropriate. Sets objectives for habitat creation and enhancement, lists protected species and how developments can make provision for these, and lists the sites of national and local nature conservation interest.

Non-statutory guidelines on 'LIGHT INTRUSION' provide guidance for minimising the effects of sky glow, light trespass and glare in lighting proposals.

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.

Non-statutory guidelines on 'COMMUNITY SAFETY' provides guidance on the community safety aspects of new development proposals in support of statutory development plan policies.

Non-Statutory guidelines on 'QUALITY OF LANDSCAPES IN DEVELOPMENT' sets detailed design principles for hard and soft landscaping, including the retention of existing features, and relates these principles to different types of development.

Application Type Application by City of Edinburgh Council
Application Address: Inverleith Park
Arboretum Place
Edinburgh
EH3 5NY
Proposal: Demolition of pavilion and proposed new concrete surfaced
wheeled sports facility
Reference No: 04/03741/CEC

Conditions/Reasons associated with the Recommendation

Recommendation

To recommend that this application be **Approved**.

Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. The application shall be referred to the Scottish Ministers prior to determination.
3. 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.
4. 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.
5. The trees on the site shall be protected during the construction period by the erection of chespale 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.

6. Before any work on the site is commenced, full details of the following shall be submitted to and approved in writing by the Head of Planning and Strategy: all non-skating elements, including the perimeter fence, seating, litter-bins, lighting and CCTV poles and fixtures, and the concrete and paving slab skating surfaces.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
3. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
4. To ensure that the visual amenity of the area is protected.
5. In order to safeguard protected trees.
6. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.

End

Appendix C

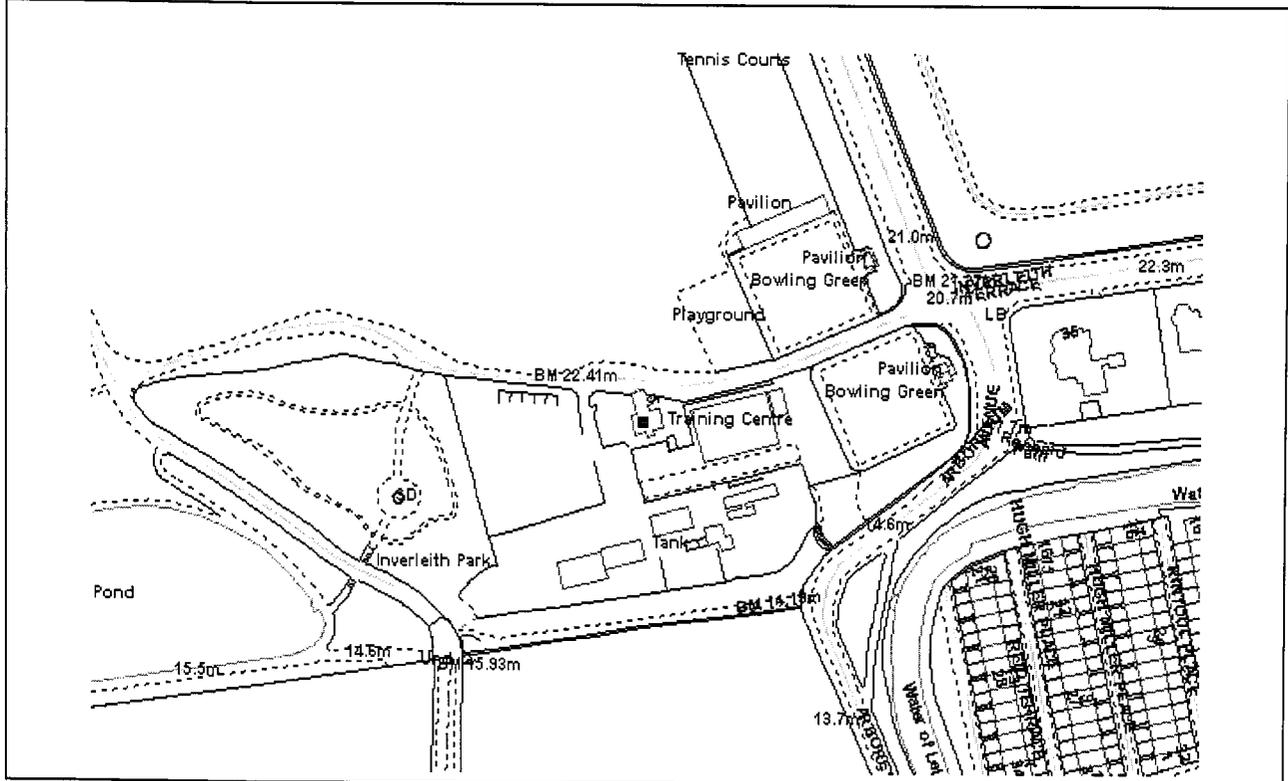


Application Type Application by City of Edinburgh Council

Proposal: Demolition of pavilion and proposed new concrete surfaced wheeled sports facility

Reference No: 04/03741/CEC

Location Plan



Reproduction from the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence Number 100023420 The City of Edinburgh Council 2004.