

**Full Planning Application  
at  
25 Burns Street  
Edinburgh  
EH6 8DS**

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

**Proposal:** Erection of 3no townhouses  
**Applicant:** Tiree House Ltd.  
**Reference No:** 04/03047/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. The roof shall be finished in natural slate and the upper walls and gables shall finished be in render.
3. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Head of Planning & Strategy before work is commenced on site; Note: samples of the materials may be required.
4. Details of a new footway, with dropped kerb detail to access the garages, to be constructed along the southern side of the site shall be submitted to and approved in writing by the Head of Planning and Strategy before the development is commenced. The approved details shall be implemented to the satisfaction of the Director of City Development prior to the occupation of any of the units.

5. i) Prior to the commencement of construction works on site:
- a) A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning and Strategy, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
  - b) Where necessary, a detailed schedule of any required remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning and Strategy.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning and Strategy.

## **Reasons**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to safeguard the character of the conservation area.
3. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
4. In order to safeguard the interests of road safety.
5. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.

## **2 Main report**

### **Site description**

The site, which extends to around 300sqm, is currently occupied by a single storey facing brick building with a low-pitched roof to the front and flat roof to the rear. It contains a vacant public house, which has been unused for some years. The site includes a narrow yard to the west side of the public house.

It lies on the southmost edge of the Leith Conservation Area, and buildings to the north are generally stone-built and traditional in character. Vanburgh Place in particular is a listed group (category B) facing onto Leith Links, with garden ground reaching towards the site. Vanburgh Place Lane separates the site from the gardens of these properties. On its north side this lane is indistinct, with original walls largely removed to create garages and outbuildings. The stone wall remains on the south side (forming the northern boundary of the site).

To the east is a car park serving a hotel property on Leith Links, beyond this Burns Street retains some of its original mews format, but these buildings are largely in poor condition.

To the west the grain is broken by an architect's office running north-south, facing the site across a small courtyard, and backing onto a small shop on Lochend Road.

To the south the traditional grain and pattern is wholly lost. This area is occupied by Council flats laid out in the 1960s, with large car parking areas to their north side, facing the site.

### **Site history**

20.8.2004 - previous applications for demolition and rebuilding as 6 flats withdrawn.

There is a related conservation area consent application for clearance of the site (04/03047/FUL).

### **Development**

The application proposes clearance of a modern single-storey public house and replacement with three terraced mews houses with integral garaging.

The proposed units are two storey plus attic in form and each has a private rear garden. Integral garaging is provided to each unit.

Materials at ground floor are horizontal sections of timber cladding, with doors "invisibly" contained in the overall format.

The roof, originally proposed as grey tile, is now to be in natural slate, and first floor is to be in render rather than vertical slate (confirmed by letter).

### **Consultations**

#### **Transport**

Transport have no objections to the application subject to the following condition being applied:

1. New footway to be constructed along the frontage of the development. Dropped kerb footway crossings will be included for vehicular access to the garages.

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

No objections to this proposed development subject to the following conditions:

1. Prior to the commencement of construction works on site:

- a) a site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or

that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and  
b) where necessary, a detailed schedule of any remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning.

Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning.

## **Representations**

The application was advertised on 20th August 2004. Two representations were made.

One objection was made on the grounds that the application failed to give assurances regarding the integrity of the stone wall on the north boundary of the site.

The second objection raised issues of ownership regarding boundaries with the commercial property to the west, and the quality of the submitted drawings. Issues relating to Building Warrant were also raised.

## **Policy**

The site lies in an area of Housing and Compatible Uses and in the Leith Conservation area, as shown in the North East Edinburgh Local Plan.

Relevant Policies:

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

Policy E26 (QUALITY OF NEW DEVELOPMENT): sets out general design requirements for new development, and requires particular attention to be paid to main approach roads to the city centre and seafront and waterfront locations.

Policy E7 (OPEN SPACE PROVISION): specifies minimum standards of open space provision in new housing developments to meet both recreational and amenity needs.

Policy H4 (DESIGN OF NEW HOUSING DEVELOPMENT) sets out general design considerations for new housing development.

Policy T7 (CYCLE PARKING) requires new development to provide secure cycle parking in conformity with approved standards and in appropriate public locations where it contributes to greater cycle use.

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

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

### 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 granting planning permission.

Do the proposals comply with the development plan?

If they do, are there any compelling reasons for not approving them?

If they do not, are there any compelling reasons for approving them?

#### ASSESSMENT

In order for the Committee to determine this application the following issues should be considered a) the acceptability of residential use on the site b) the effect of the scale, form and design on the character and appearance of the conservation area c) parking and road safety d) effect on neighbouring amenity e) the amenity of the created units.

a) Residential use accords with the local plan as long as other policy requirements are met.

#### Conservation Area Character Statement

*The Leith Conservation Area covers the extent of the historic town, including the Madeira Area (Leith's 'First New Town'), and also Leith Walk - the town's main link with Edinburgh City Centre. The character of the Conservation Area derives from Leith's history both as a port and as an independent burgh. Several fine Georgian and Victorian warehouses survive, some now converted for residential or office use; in many cases these were initially built to hold wine and dry goods, although many were converted in the late 19th Century to serve the whisky industry. A rich mixture of civic buildings and mercantile architecture survive, particularly at Bernard Street and The Shore. Significant earlier buildings include Lamb's House and St Ninian's Manse (both early 17th Century); although many more recent buildings have been built, the present street pattern of The Shore closely follows that of the historic town.*

*The Inner Harbour of the Water of Leith provides a vibrant focus for the Conservation Area, with buildings along The Shore forming an impressive waterfront townscape. The Conservation Area also covers the older parts of Leith Docks, containing many early features including listed dock buildings and the Victoria Bridge, a scheduled Ancient Monument.*

*The Madeira area retains a largely Georgian domestic character, with stone buildings and slate roofs predominating; some of the Georgian buildings retain astragaled windows and doors with fanlights. Many of the roads are setted, the main exception being Prince Regent Street; stone garden walls are a feature of this area. North Leith Parish Church provides a visual focus to this mainly residential area, which also includes major public buildings such as Leith Library and Town Hall.*

*Leith Walk remains the main artery linking the centre of Edinburgh to the old burgh of Leith. It is characterised mainly by Victorian tenements with shops and pubs at the ground floor level. There are a number of Georgian survivals, most notably Smith's Place dating from 1814. Between Smith's Place and Albert Street lies a series of tenemented streets, mainly designed by John Chesser.*

*Building types within the Conservation Area, vary but are traditionally of stone with slate roofs; however more recent building has generally used block or render and traditional brick where previously found. Pockets of public housing development of the 1960s and 1970s, of a contemporary character, fall within the expanded Conservation Area. Open space is concentrated at Leith Links, which provides a spacious contrast to the relatively dense settlement pattern of the remainder of the Conservation Area.*

The form adopted is fairly typical of a mews lane such as this, and helps to recreate the traditional form which would be expected in relation to the larger buildings to the north. Site coverage (building footprint) is reduced from 256sqm to 180sqm.

The form represents a major improvement over the existing single storey building.

The design is simple and well-balanced and is acceptable in this context.

The wall to the north is early 19th century in date but is not listed, forming the southern side of the former lane which ran to the north of the site, i.e. the southern boundary walls of Vanburgh Place properties previously lay to the north side of the lane. No alterations are proposed to this wall. Objections relating to "lack of assurances" on the future of the wall are not currently pertinent. Future alterations to the wall, if significant, would require further consent.

c) Each house has an integral garage, sufficient to hold one car (and one or two cycles). This is acceptable. On street parking is not problematic in this area.

Transport has no objection subject to a condition regarding the footway.

d) The proposal is 29m from rear windows on Vanburgh Place at its closest point. This complies with window to window privacy requirements. Although rear windows are only 6.5m from the northern boundary, concession of this distance is found acceptable both due to urban design desires in promoting the viable development of this site, and since most of the rear boundary adjoins an informal lane. The only

areas affected by this concession are areas of garden remote from the houses they serve. These are mostly occupied by garages and parking areas.

On the south side windows vary from 9m to 22m distant from the 1960s Council housing opposite. Again this relationship (sitting on the heel of the pavement) is found desirable due to urban design objectives.

The proposal is not sufficiently high to overshadow sites to north or south in daylight terms.

To the east and west the relationship is gable to gable, and therefore is not an issue in policy terms (it is noted that the flanking sites to east and west are commercial, further reducing requirements to protect daylight in those directions).

e) All units proposed are dual aspect, north and south. The central and eastern unit are unaffected by any overshadowing by neighbouring buildings. The west most unit is partially overshadowed by the Council housing to the south. However, this is at its most onerous at the ground floor, which is not occupied by apartments but by garaging. This effect is therefore irrelevant. On the first floor, daylight reaching the front wall is 70% of standard levels, but glazed area is increased to more than twice standard minimum requirements, therefore internally daylight will be adequate. All other apartments in this unit fully comply with daylight standards. The minor breach of policy on the first floor is addressed in the design and is acceptable in this context.

In conclusion, the use is appropriate and this development will enhance the character and appearance of the conservation and will have no undue impact on residential amenity on road safety.

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

Alan Henderson

**Contact/tel** Stephen Dickson on 0131 529 3901 (FAX 529 3706)

**Ward affected** 37 -Leith Links

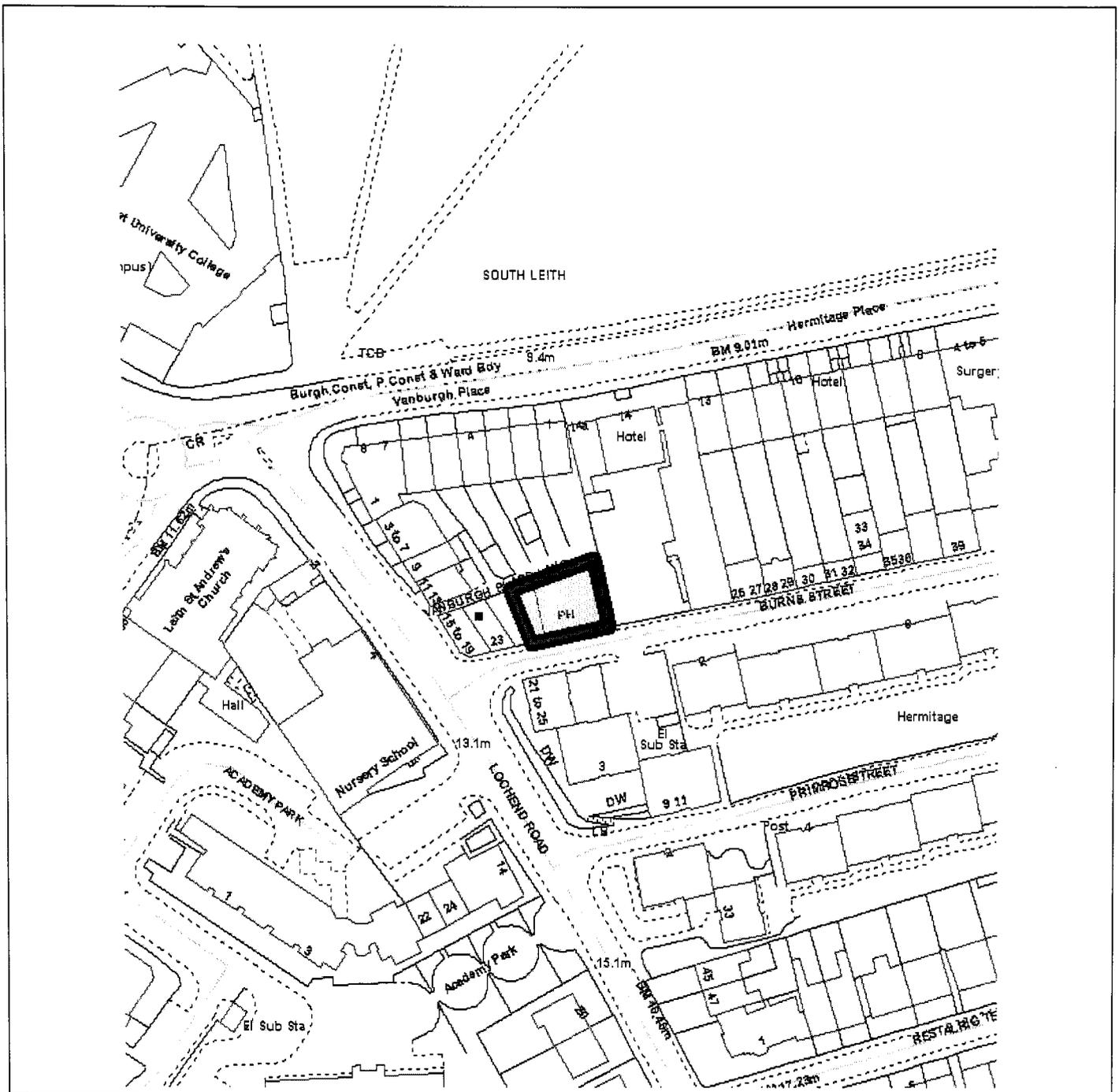
**Local Plan** North East Edinburgh

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

**File** AF

**Date registered** 30 August 2004

**Drawing numbers/  
Scheme** 1-9  
Scheme 1



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# PLANNING APPLICATION

<b>Address</b>	<b>25 Burns Street, Edinburgh, EH6 8DS</b>		
<b>Proposal</b>	<b>Erection of 3no townhouses</b>		
<b>Application number:</b>	<b>04/03047/FUL</b>	<b>WARD</b>	<b>37- Leith Links</b>
<b>THE CITY OF EDINBURGH COUNCIL</b>			
<b>THE CITY DEVELOPMENT DEPARTMENT- PLANNING &amp; STRATEGY</b>			