

**Planning Permission 10/03191/FUL
at
Land 67 Metres West Of
21 Wilson's Park
Edinburgh**

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

1 Purpose of report

To consider application 10/03191/FUL, submitted by David Blair. The application is for: **Formation of new public road and footway extending Wilson's Park to Figgate Street/Beach Lane including the stopping up of Maryfield (as approved).**

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

2 The Site and the Proposal

Site description

The application site comprises parts of the existing adopted public road network and part of the playground forming a part of the Towerbank Primary School site located at Beach Lane, Figgate Bank, Wilson's Park and Maryfield in Portobello.

The area is predominantly residential in character with the primary school and commercial properties at the Tower to the north of the site, where Beach Lane meets with the Promenade.

The four roads form a one-way circuit around and through the school site effectively dividing the site into two separate sections. The north eastern portion contains all of the school buildings, asphalt playground, bicycle sheds

and car parking area and the south western portion is predominantly laid out with a blaes pitch with an asphalt play area to the south end. The south western portion is bounded to the west by a high brick built wall forming the rear boundary with the communal greens to properties at Mentone Avenue.

Both parts are bounded, to the public roads, typically by means of low stone walls with metal railings above, to the school portion, and by chain link fencing, to the blaes pitch portion.

Maryfield passes through the school site and there are various pedestrian access points onto this road to provide connectivity between the school and the playground area.

This property is located within the Portobello Conservation Area.

Site History

There is no relevant planning history for this site.

Pre-Application Process

The proposal was the subject of a formal pre-application consultation including a report to Planning Committee on 4 October 2007 (Ref PC/031/07-08/CD) identifying the intention to serve a Compulsory Purchase Order in respect of the solum to Maryfield. That report also indicated an intention to extend and refurbish the school so as to allow the school to operate from a single site, having been operated over split sites. An application has yet to be made for the alterations to the school buildings.

Description of the Proposal

The application is for the formation of a new public road and an associated footway, along the northern side of the carriageway. This is to be constructed between the southern end of Wilson's Park, a small section of which projects beyond the junction with Mayfield, heading first south and then west, along the site boundary with the rear of the properties at Mentone Avenue, before joining with the existing road junction between Beach Lane and Figgate Street, to the west of the site.

Associated with this proposed new road would be the stopping up of Maryfield. A stopping up order has been obtained by the Council under the provisions of the Roads (Scotland) Act 1984.

3. Officer's Assessment and Recommendation

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 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:

- (a) the scale and design of the proposals are appropriate to preserve or enhance the character and appearance of the conservation area;
- (b) there are any implications for road safety; and
- (c) there will be any loss of amenity as a result of the proposals.

a) Portobello Conservation Area Character Statement

Portobello Conservation Area states that the predominantly Georgian residential area situated to the north side of the High Street is laid out predominantly to a grid pattern with narrow streets at right angles to the Promenade.

The proposed road will provide a means of traffic circulation in the area that will benefit both the operation of the school and the neighbouring residential properties. It predominantly follows the historical grid pattern, taking account of relevant land ownership, and as such will maintain the existing character and appearance of this part of the Portobello Conservation Area.

It will coordinate with the overall ambition of the Council for the provision of the school to form a single site by unifying the two areas of land presently separated by Maryfield. This will improve the usefulness of the site as a single entity to the benefit of the operation of the school and therefore the wider community.

The proposed line of the replacement road will provide an improvement to existing levels of access and movement both to and from the school and by non school traffic around the site.

The proposal complies with the relevant design policy criteria identified in the development plan.

b) Transport has raised no objections in road safety terms to this Council designed scheme which takes into account the necessary provision of road safety in terms of access and its northern and southern junctions.

The stopping up order for Maryfield has been secured through the Roads (Scotland) Act 1984 and the provisions within the Planning Act are not required in this instance.

c) Whilst the proposal will result in a loss of part of the existing school playground, allocated as open space within the local plan, it will result, with the stopping up of Maryfield, with an equal additional area of land resulting in a unified playground area of greater use and benefit to the school and the wider community.


The provision of the alternative road within the road network, for this part of Portobello, will have no additional detrimental impact upon the existing levels of residential amenity enjoyed by the occupants of the neighbouring and surrounding properties.

In conclusion, the proposals comply with the development plan and the relevant non-statutory guidelines, preserve the character and appearance of the conservation area and the setting of the listed building and would not prejudice, residential amenity or road safety. There are no material considerations which outweigh this conclusion.

It is recommended that the Committee approves this application.

REASON FOR DECISION

The proposals comply with the development plan and non-statutory guidelines and maintain the character of the conservation area and have no adverse effect upon road safety or neighbouring amenity.



John Bury
Head of Planning

Contact/tel	John Maciver on 0131 529 3918
Ward affected	A17 - Portobello/Craigmillar
Local Plan	Edinburgh City Local Plan
Statutory Development Plan Provision	Urban Area
Date registered	9 November 2010
Drawing numbers/ Scheme	01-04 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,
Paul Devaney on 0131 529 3519. Email: paul.devaney@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 Gillian.ferrier@edinburgh.gov.uk or jack.dunn@edinburgh.gov.uk

Appendix A



Application Type Planning Permission
Application Address: Land 67 Metres West Of
 21 Wilson's Park
 Edinburgh

Proposal: Formation of new public road and footway extending Wilson's Park to Figgate Street/Beach Lane including the stopping up of Maryfield (as approved).

Reference No: 10/03191/FUL

Consultations, Representations and Planning Policy

Consultations

Transport

Has no objection to the proposed application.

Archaeology Officer

No comments have been received.

Representations

The application was advertised on 12 November 2010 and attracted no letters of representation.

Any representations received after the drafting of this report will be identified and addressed verbally to Committee.

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

Edinburgh City Local Plan - Urban Area and designated Conservation Area. The south western portion is identified as open space.

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

Policy Des 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effective development of adjacent land or the wider area.

Policy Des 3 (Development Design) sets criteria for assessing development design.

Policy Des 4 (Layout Design) sets criteria for assessing layout design.

Policy Env 6 (Conservation Areas – Development) sets out criteria for assessing development in conservation areas.

Policy Os 1 (Open Space Protection) sets criteria for assessing the loss of open space.

Policy OS2 (Playing Fields Protections) sets criteria for assessing the loss of playing fields.

Policy Tra 12 (New Roads) safeguards identified routes for new roads at Leith Docks and Newcraighall and identifies the circumstances in which new road space will be permitted elsewhere.

Other Relevant policy guidance

The Portobello Conservation Area Character Appraisal emphasises the village/small town character of the area, the importance of the long sea-front promenade, the high quality architecture, and the predominant use of traditional building materials

Appendix B



Application Type Planning Permission
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Reference No: 10/03191/FUL

Conditions/Reasons associated with the Recommendation

Recommendation

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

Conditions

Reasons

INFORMATIVES

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

End

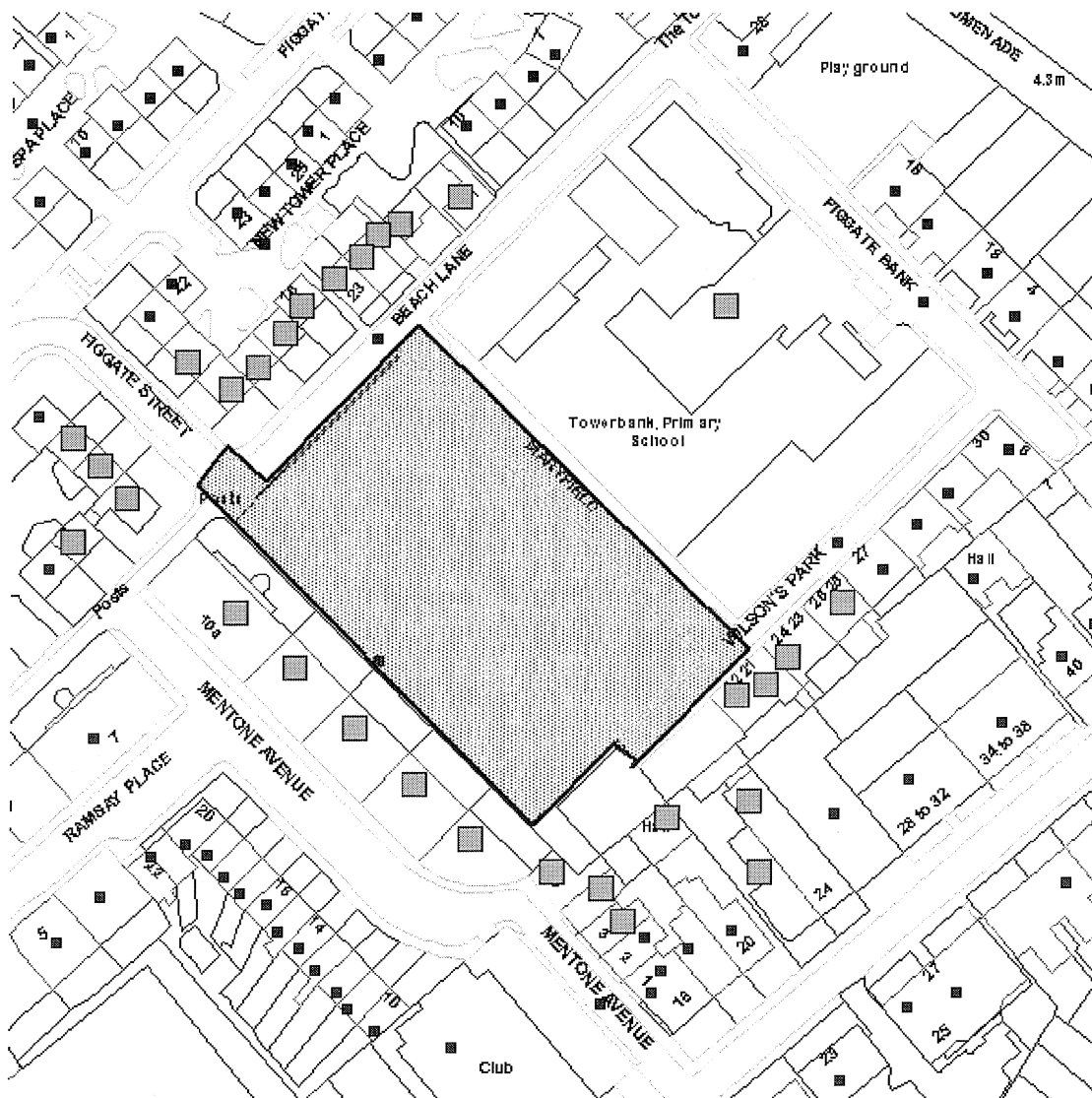
Appendix C



Application Type Planning Permission

Proposal: Formation of new public road and footway extending Wilson's Park to Figgate Street/Beach Lane including the stopping up of Maryfield (as approved).

Reference No: 10/03191/FUL



Location Plan

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