

**Planning Permission 11/03032/FUL
at
Lismore Primary School
1 Bingham Avenue
Edinburgh
EH15 3HZ**

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

1 Purpose of report

To consider application 11/03032/FUL, submitted by City Of Edinburgh Council. The application is for: **Erection of a new single storey respite care centre on the site of the former Lismore Primary School. As amended.**

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 within the grounds of the former Lismore Primary School, located on the east side of Duddingston Row with its access taken from Bingham Avenue.

The application site is approximately 11,190 square metres, although the proposed development is located in the north-eastern portion of the site occupying approximately 2710 square metres.

The land has been cleared of debris following the demolition of Lismore Primary School, with trees along the south and west boundaries, which effectively provide some screening.

The day centre is located to the north east of the application site with car parking for the day centre currently located within the application site.

Site History

25 January 2011 – Pre application submission for erection of a respite centre and residential development, reference 11/00177/PREAPP.

Pre-Application Process

The application has undergone pre application discussions with Planning.

Description Of The Proposal

Scheme 2

It is proposed to erect a twelve bedroom respite care building with ancillary meeting rooms, social rooms, offices and landscape works.

The building is L-shaped, measuring 55m in a north-south direction with a width of 13m.

It is a single storey building with a predominantly flat roof and a series of mono pitched features.

It is proposed to use horizontal larch cladding with the predominant materials being red burnt brick and white render. Windows are proposed on all elevations and will be constructed of dark grey aluminium, with the exterior doors finished in vertical timber panels.

Zinc standing seams are proposed on the pitched roof elements with the remainder of the flat roof finished with single ply membrane.

A total of nine car parking spaces are proposed on the site, including two disabled parking spaces and a secure compound for minibus parking. These spaces are located to the front of the building close to its entrance, where 3 cycle racks will also be provided. The car parking spaces are communal to both the respite care centre and the existing community centre.

Most of the trees located within the application site are to remain in place with a further four to be planted on the western edge of the site.

Scheme 1

Proposed the same building, but was located approximately 7 metres to the north.

3. Officer's Assessment and Recommendation

Determining Issues

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 proposed use is acceptable in this location;
- b) the proposals provide a development of appropriate design quality, scale and height;
- c) the proposed landscaping details are acceptable;
- d) the proposals are detrimental to residential amenity or road safety; and
- e) the proposal meets the sustainability criteria.

a) The Edinburgh City Local Plan allocates the site as an Urban Area where a range of housing, environmental and commercial policies apply.

With respect to Policy Des 2 the applicant has provided details of a developable masterplan for Bingham Park, reference 11/00177/PREAPP.

This masterplan has undergone a series of consultation events with the Respite Centre, the subject of this application, forming part of the initial phases.

The remainder of the masterplan has yet to be finalised, with further development subject to separate planning applications. However we are satisfied that a comprehensive approach has been taken to ensure that future development of Bingham Park would not be compromised.

The proposal satisfies the requirements of Policy Des 2.

With regard to the proposal, part of the site, to the north, is identified as being designated open space and playing fields.

The proposal will cause a minor encroachment into this open space, occupying 24% of the original site area of the Lismore Primary School, albeit

the building has a significantly smaller footprint of the original primary school, approximately 839 square metres or 7% of the total site area.

Approximately 3% of the playing field will be developed.

The level of open space lost will be insignificant and will not have an impact on the quality of Bingham Park or the playing fields. The remainder of the site will be landscaped resulting in a net gain in the overall scale of green space within the park.

As such it is not considered that Local Plan Policies OS1 and OS2 apply.

In land use terms, the proposed development is in accordance with its allocation as an urban area providing it would not have a detrimental effect on the living conditions of nearby residents.

In principal, the provision of a community facility complies with the Development Plan.

b) The surrounding area is characterised by 2 storey terraced properties and single storey detached bungalows. The proposal responds to this by limiting itself to a single storey in height. The scale of the proposal is appropriate in its context.

It is proposed to construct the exterior walls of red burnt brick, white render and larch cladding. A standing seam zinc roof and dark grey, aluminium, windows and doors will complete the exterior appearance of the building.

These materials are high quality and are influenced by the existing palette of materials in the immediate area. They reflect the contemporary design of the proposal and are considered acceptable.

The design and scale of the proposal is appropriate, maintaining the existing character of the surrounding area.

c) The respite centre is located in the eastern section of the site; the development will be set within its own grounds.

The amenity space associated with the development will see the inclusion of a sensory garden, vegetable garden, soft play area and a lawn.

The proposal retains a significant number of trees on the site, including the planting of four new trees on the western edge of the site. There will be some loss of green space. This loss is outweighed by the benefits brought to the local community through the respite centre and the significant increase in green space around the perimeter of the development.

A 2.4 metre high, mesh, fence will provide security around the respite centre with a proposed landscaped bund screening much of the development from

Bingham Avenue and Duddingston Row. Although proposed, full details of the landscaping and bunding have yet to be provided.

The scale of the landscaping is appropriate and provides a distinct separation between public and semi private space. Subject to condition it is considered that a quality of landscaping can be secured, ensuring that the proposed landscaping is acceptable.

d) The impact on neighbouring properties has been determined against the Council's Standards outlined in Non-Statutory Guidelines on 'Daylighting, Privacy and Sunlighting'.

Due to its scale and orientation, there will be no impact with respect to overshadowing or daylight within neighbouring residential properties.

Concern has been raised that the proposed location of the building will impact on the amenity of neighbours, specifically to the west of the site.

Although windows are proposed on the western elevation of the building, none will face directly into neighbouring residential gardens. In any case the building is located approximately 45 metres from the nearest residential property on Duddingston Row, no.73.

The proposals have been sensitively designed in order to negate any detrimental impact on residential amenity.

The inclusion of open space around the new site will provide a sufficient buffer between the residential property at no.73 and the respite centre, protecting both the amenity of existing residential units and those occupants of the new facility.

Environmental Assessment has not raised any objection to this proposal and do not consider that residential amenity will be unduly affected by the use of the site.

However they have requested planning conditions with respect to kitchen ventilation. The applicant has provided information the proposed method of ventilation, which will be predominantly internal, with the only external works being a grill. We are satisfied that the proposals are acceptable and given the closest residential property is 45 metres from the site, it is considered unreasonable to apply the conditions.

With respect to road safety, the applicant has provided evidence of expected traffic access and parking requirements.

Transport Assessment have considered this assessment and raised no objection to the proposals. Subject to the requirement for further upgrading to the access and road, should future development extend as part of the overall masterplan, it is not considered that there will be any detrimental impact on the safety of road users.

e) In terms of sustainability, Policy Des 6 of the Edinburgh City Local Plan emphasises sustainable design and construction and states that energy needs must be minimised through a combination of design for energy efficiency and the incorporation of low or zero carbon equipment.

The applicant has completed a sustainability statement form, providing information on the proposed low and zero carbon equipment that are to be implemented.

The applicant has also provided a low and zero carbon technology analysis which outlines a series of technologies and their benefits. This analysis has informed decisions to provide specific equipment. This equipment includes solar panels, an absorption heat pump and heat recovery units, to be installed to ventilate bathrooms and laundry.

The proposal will also provide bicycle parking and is within walking distance of public transport links on Bingham Avenue and Milton Road West.

The proposal accords with Planning Policy Des 6. It is considered that the development is sustainable and therefore acceptable.

In conclusion, the application is acceptable in principle, design, access, parking, amenity to occupiers and neighbouring properties, and in terms of sustainability.

The proposals comply with the Edinburgh City Local Plan and the Council's Non-Statutory Guidelines. There are no material planning considerations that outweigh this conclusion.

As land owner, the Council has an interest in this application and a Committee decision is required.

It is recommended that the Committee approve this application, subject to condition requiring the submission of a detailed landscape plan.

REASON FOR DECISION

The proposal is in accordance with the Edinburgh City Local Plan and the Council's Non-Statutory Guidelines. The proposal is acceptable in principle, in terms of design and form, positioning and choice of materials, and access and parking arrangements. The amenity of the neighbouring properties will be protected. The proposal also adequately addresses sustainability.

John Bury
Head of Planning

Contact/tel	Ross Middleton on 0131 529 6127
Ward affected	A17 - Portobello/Craigmillar
Local Plan	Edinburgh City Local Plan
Statutory Development Plan Provision	Urban Area
Date registered	16 September 2011
Drawing numbers/ Scheme	01A, 02, 03A, 04, 05A, 06A, 07A, 08A, 09A, 10, 11, 12, 13, 14, 15, 16, 17 Scheme 2

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 one at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting. Contact details can be found in the Committee agenda papers.

Appendix A



Application Type Planning Permission
Application Address: Lismore Primary School
1 Bingham Avenue
Edinburgh
EH15 3HZ

Proposal: Erection of a new single storey respite care centre on the site of the former Lismore Primary School. As amended.

Reference No: 11/03032/FUL

Consultations, Representations and Planning Policy

Consultations

Transport Assessment

I have no objection to the proposed application subject to the following being added as conditions or informatives as appropriate:

- 1. Further development requiring access from the existing road is likely to require the road to be brought up to an adoptable standard and be subject to separate application for Road Construction Consent;*
- 2. Swept Path Analysis to be carried out for all movements and turning manoeuvres and submitted to the Head of Transport;*
- 3. CEC Services for Communities, Environment, Waste Services should be consulted regarding the proposed layout;*
- 4. Emergency services should be consulted regarding the proposed layout;*
- 5. The existing guard rail and school keep clear markings on Bingham Avenue to be removed as unnecessary; and*
- 6. Details and maintenance schedule for SUDs to be submitted to the Head of Transport.*

Note:

The proposed pedestrian access width is 1.2m. If this route were to become a "road" under the meaning of the Act then this would require to be a minimum of 2m.

Environmental Assessment

The application proposes the erection of a respite care centre on the site of an old school which includes the addition of 8 parking spaces. The site has residential properties located to the north, south, east and west.

The closest residential properties are situated approximately 45metres to the west and therefore are unlikely to be affected by kitchen odours. Additionally, the agent has confirmed the ventilation extract for the domestic kitchen will be vented on the north wall at a high level and will attain a minimum of 30 air changes per hour. Therefore, the ventilation complies with the requirements of this Department.

Environmental Assessment has no objections to this proposed development subject to the following conditions:

Site In General

This Department has assessed the following report in consideration of potential development constraints that may arise from land contamination:

Phase II Geo-Environmental Site Investigation: REC Consultants Ltd; June 2011: 12305p2ro

Following this assessment, this Department has no objections to the development in relation to the issue of potential land contamination and does not require further information. Nevertheless, should any further unreported evidence of land contamination be identified during the course of the development works, this Department should be notified. It should also be noted that the developer is responsible for the safe development of the site.

Kitchen Ventilation

1. The design, installation and operation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment.

2. (i)The kitchen shall be ventilated by a system capable of achieving 30 air changes per hour, and the cooking effluvia shall be ducted a suitable exhaust point as agreed with the Planning Authority to ensure that no cooking odours escape or are exhausted into any neighbouring premises.

(ii)The ventilation system shall be installed, tested and operational prior to the use hereby approved being taken up.

Representations

The application was originally advertised on 30th September 2011 and attracted one letter of representation. Following revisions to the proposal, neighbours were re-notified on 20th October 2011 to allow further consultation

on the relocation of the building. No further representations have been received.

The letter of objection was based on the grounds that the proposed location of the building would impact on residential amenity - This has been addressed in Section d).

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 application site is identified as being located within an Urban Area as defined by the Edinburgh City Local Plan.

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

Policy Des 6 (Sustainable Design & Construction) sets criteria for assessing the sustainable design and construction elements of development.

Policy Env 12 (Trees) sets out tree protection requirements for new development.

Policy Com1 (Community Facilities) sets requirements for the provision of community facilities associated with large scale residential development, and the protection of existing community facilities.

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 Hou 8 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

Relevant Non-Statutory Guidelines

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

Non-statutory guidelines on "Trees and Development" provides guidance on the information required to support planning applications in respect of tree protection, the retention of trees of landscape, biodiversity or amenity significance, and encourages new tree planting where appropriate.

Other Relevant policy guidance

The Open Space Strategy and the audit and action plans which support it are used to interpret local plan policies on the loss of open space and the provision or improvement of open space through new development.

Appendix B

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Conditions/Reasons associated with the Recommendation

Recommendation

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

Conditions

1. 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 before work is commenced on site.

Reasons

1. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

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

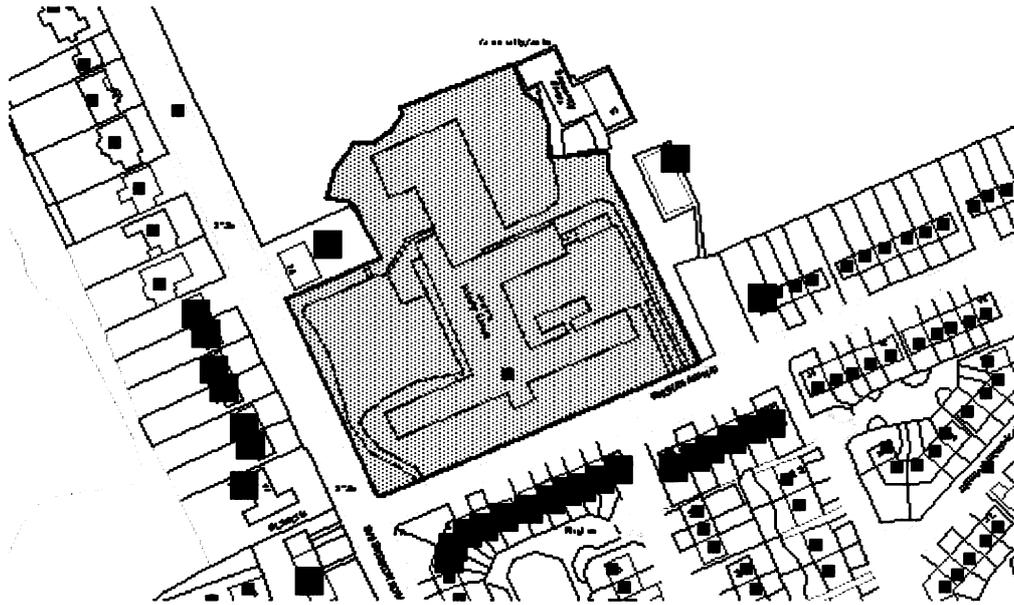
Appendix C



Application Type Planning Permission

Proposal: Erection of a new single storey respite care centre on the site of the former Lismore Primary School. As amended.

Reference No: 11/03032/FUL



Location Plan

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