

**Full Planning Application 04/03812/FUL  
at  
84-86 East Claremont Street  
Edinburgh  
EH7 4JZ**

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

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**1 Purpose of report**

To consider application 04/03812/FUL, submitted by McEwan Frazer. The application is for:  
**Residential flat development**

It is recommended that this application be **GRANTED** subject to the conditions in Appendix B.

**2 The Site and the Proposal**

**Site description**

The application site lies at the corner of East Claremont Street and West Annandale Street and is currently occupied by a pair of semi-detached dwellings.

A four storey tenement block adjoins the application site to the north. A shop unit with a flat above, lies to the east. The site faces onto the private open space in front of the category A listed Georgian period terraced townhouses on Claremont Crescent.

The site lies just outwith the New Town Conservation Area.

**Site History**

Planning Application Reference 01/02940/FUL - Proposed Flatted Development withdrawn 19 June 2002.

Planning application ref; 02/04230/FUL - Proposed flatted development comprising of nine residential units located within 5 storey building refused 2 June 2004, contrary to recommendation.

Reasons for refusal were:

1. The proposal is contrary to Central Edinburgh Local Plan Policy CD10 in relation to new development (objective) as it is of insufficient architectural and urban quality.
2. The proposal is contrary to Central Edinburgh Local Plan Policy CD11 in regard to new development (general) as it does not respect the constraints of the site by way of its design, height, massing and lack of amenity space to the detriment of the character of its surroundings and the adjoining conservation area.
3. The proposal is contrary to Central Edinburgh Local Plan Policy CD15 in relation to infill development, as it does not relate to the established character of the surrounding area and, in particular to that of West Annandale Street.

## **Description of the Proposal**

The application relates to the erection of a block of ten flats.

### **Scheme 2**

The amended scheme comprises of a five and a half storey building containing a total of eight flats and two duplex apartments. Two, 2-bedroom flats are located at ground to third floor level. Two, 3-bedroom, duplex apartments are located at the top two floor levels, with access to roof top terraces.

Some amenity space is provided in the front garden area and within the shared garden area to the rear. A bicycle store and bin store are located to the rear of the site, close to the boundary with West Annandale Street.

The proposals also include the redesign of the street layout with the formation of 62 on-street public parking spaces, for both existing and future residents. The developer has further agreed to enter into a section 75 Agreement, to contribute £11,500 to the Edinburgh City Car Club and £5,000 to the Edinburgh Tram Scheme.

The proposed external materials are natural stone on all elevations, with smooth rendered panels around bay windows. The bay windows and glazing on the drum stair well are galvanised steel framed. All other windows are timber framed. The facing material on the top floor of the duplex apartments is Eternit cladding and the balcony handrail is constructed of galvanised steel. The boundary treatment on East Claremont Street and West Annandale Street is a stone wall, with metal railings above.

### **Scheme 1**

The original submission comprised a building of the same height and size, with the same number of residential units. The main differences relate to the elevational treatment, including the alignment of the windows, the form of balcony treatment and the entranceway design. There are also slight differences in the layout of the car and cycle parking areas, which have been revised to take account of the advice from Transport.

### 3 Officer's Assessment and Recommendations

#### Determining Issues

Do the proposals preserve or enhance the character and appearance of the adjacent 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, 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 at this location.
- b) The scale, form and design of the proposed development is appropriate for this location and respects the character and appearance of the neighbouring area, which includes the New Town Conservation Area.
- c) The proposed development would result in a loss of residential amenity.
- d) There is adequate amenity provision for future residents.
- e) There are any road safety implications.

a) The proposed residential development complies with site's designation in the local plan, which is within an area of Housing and Compatible Uses.

b) The character of the New Town Conservation Area is summarised in the local plan as follows: *A planned urban concept of European significance, the New Town has an overriding character of Georgian formality. The First New Town, built to James Craig's 1767 plan, has experienced significant redevelopment, while the Second, Third and Fourth New Towns, which were laid out on estates to the north, east and west retain most of their original buildings. Stone built terrace houses and tenements, built to the highest standards, overlook communal private gardens; to the rear are lanes with mews buildings, many of which are now in housing use. The importance of the area therefore lies in the formal plan layout of buildings, streets, mews and gardens and in the quality of the buildings themselves. Many of the New Town's buildings are listed category 'A' of national importance and the area contains some of the city's finest interiors.*

The proposed building follows the building line of the existing tenement building on West Annandale Street. The eaves level is also in line with that of the adjoining building, thereby improving the continuity on this frontage. The proposed building line on West Annandale Street projects by approximately 5 metres in front of the existing building line on this street. Several other corner sites within this area are, however, occupied by buildings with side elevations, which come close to the edge of the pavement. The proposed change to the building line on West Annandale Street will not therefore, appear out of keeping with the surrounding townscape. The rear building line has been substantially pulled back from that proposed under the previous application. It is now a minimum of 6 metres back from the gable end of the nearest property on West Annandale Street, as opposed to the 2.5 metres

proposed under the previous application. This arrangement creates a sufficient break between the respective frontages, thus reflecting the spatial character in the surrounding area.

The proposed window levels do not line through with those on the adjoining building, owing to the lower ceiling heights within the modern interior. However, a masonry panel, which extends the full height of the proposed building, is to be incorporated between the new and existing buildings. This panel serves as a visual break, between the traditional style of the existing, traditional tenement building and the more contemporary form of the proposed building. The new building does, nevertheless, incorporate much of the vertical emphasis present in the neighbouring older buildings, both in terms of its fenestration and other architectural features. The refused proposal took a more traditional design approach and appeared of greater mass as a consequence.

The top floor of the proposed building is level with the eaves line on the adjoining building, whilst the roof top is approximately 0.5 metres below the level of the adjoining ridgeline. The frontage of this top storey is, however, recessed by between one and two and a half metres, from that of the main building and is set behind the front wall of the chimney stack on the adjoining building. The accommodation at this level has a flat roof and the elevations are faced with a combination of full length glazing and light weight cladding. Although this element of the proposed building is strongly contemporary in its form, its light weight appearance, together with its recessed position, ensures that it appears subservient in relation to the main building facade and does not conflict with the traditional form of neighbouring buildings. The previously refused proposal had a heavy mansard roof form. The side and rear elevations of the main building have a similarly modern style to that of the front elevation. The strong vertical emphasis of the design on these elevations again reflects the character of the neighbouring, tenement buildings and gives the proposed building a more consistent and unified appearance than that proposed under the previous application.

The use of natural stone on all elevations reflects the traditional appearance of neighbouring buildings and is in keeping with the character and appearance of properties in the neighbouring conservation area. The proposed timber framed windows on all windows, other than the bays and stairwell also serves to reflect the traditional character of neighbouring buildings.

The proposed low boundary wall and railings, on the boundary between the front garden area and the street, reflects the character of the surrounding streetscape and creates continuity on the street frontage.

In conclusion, it is considered that the form and alignment of the proposed development respects the existing building pattern within this area. The incorporation of strong vertical elements in the design of the building and the use of natural materials has ensured that the appearance of the building is sympathetic to the traditional character of the surrounding area. At the same time, the more contemporary features incorporated in the building's design, contrast in an attractive manner with the architecture of neighbouring buildings. The proposed infill development thus addresses the reasons for refusal of the previous application and makes a positive contribution to the surrounding area, including the adjacent New Town Conservation Area.

c) An assessment of the effects of the proposed development on windows within the neighbouring tenement and the flats on West Annandale Street was submitted in connection with the previously refused application for this site. The results of this analysis demonstrated that daylight levels within the previous scheme exceeded the minimum requirements, as included within the Council's adopted guidelines. The results further demonstrated that the proposed development would have resulted in no reduction in sunlight levels to the affected windows. The building proposed under the current proposals is in a similar position but is slightly lower and occupies less floor area, than the building proposed under the previous application. The building now proposed, will not, therefore result in any significant loss of daylight or sunlight to neighbouring properties, in accordance with the relevant planning guidelines.

The proposed development would not result in the overlooking of neighbouring properties. The frontage of the proposed development is separated from the nearest residences on the opposite side of East Claremont Street by a crescent of private open space. The rear elevation of the proposed building comes within 5 metres of the gable end of the two storey shops and flat on West Annandale Street. There is, however, one window on the side elevation of this neighbouring property. As this window serves the landing area, the proposal will not result in the overlooking of habitable rooms at this property. The eastern most windows of bedrooms on the rear elevation of the building will however, overlook the gardens of the two storey flats on West Annandale Street. The plans have been amended to incorporate high level windows to all bedrooms, above ground floor level on the column of windows, to avoid loss of privacy to these properties.

The provision of ten flats at this infill site, close to the city centre, would be in keeping with the relatively densely populated character of the area and would not result in any significant loss of privacy or daylight to neighbouring properties, or cause a significant increase in the amount of noise or traffic in the neighbourhood. It is thus considered that the proposal is not detrimental to existing residential amenity.

d) In terms of amenity standards within the proposed development, the proposed flats all have dual aspect and have a generous floor space provision. Daylight is in accordance with relevant guidelines.

A shared amenity area is located to the rear of the development site and an enclosed front garden area is provided for the use of the future residents. A roof top terrace area is also provided, for the use of the occupants of the two bed roomed flat at this level. The standard of amenity for future residents is satisfactory and, as well as an improvement on the previously refused proposal, is in keeping with the spatial character of the surrounding area.

e) The proposed on-street parking spaces are for non restricted use and an allowance has been made for existing residents on West Annandale Street, as well as those at the application site. The proposed 'end on' style, on street parking layout, represents a more efficient use of the existing road layout for parking provision and would result in an additional 25 spaces being available. The proposed traffic calming measures and designated pedestrian points, associated with this development, would improve pedestrian safety in the area and are compatible with the Council's proposed traffic management scheme for this area.

In conclusion, the proposed development is acceptable in terms of land use, its scale and design, its impact on the adjacent conservation area neighbouring residential amenity, and road safety, and would provide future occupiers with a satisfactory standard of residential amenity.

The introduction of good quality modern design, the improved visual relationship with adjoining properties and the other changes made constitute an appropriate response to the Committees reasons for the previous refusal.

It is recommended that the committee approves this application, subject to conditions relating to the provision of car parking facilities and associated street works, the implementation of a landscaping scheme, the implementation of the proposed bin storage and cycle parking facilities and details of the proposed facing materials and subject to the signing of a suitable legal agreement relating to the provision of financial contributions, towards the city Car Club and Edinburgh Tram Scheme.

Alan Henderson

**Alan Henderson**  
Head of Planning and Strategy

Contact/tel	Carla Parkes- Monday, Tuesday And Alternate Wednesdays Only on 0131 529 3925
<b>Ward affected</b>	19 - Broughton
<b>Local Plan</b>	Central Edinburgh Local Plan
<b>Statutory Development Plan Provision</b>	Housing and Compatible Uses
<b>Date registered</b>	14 October 2004
<b>Drawing numbers/</b>	11,21, 34, 35,38, 39, 41 - 50
<b>Scheme</b>	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](http://www.edinburgh.gov.uk/planning).

If you require further information about this application you should contact the following Principal Planner, Ian Dryden on 0131 529 3464. Email: [ian.dryden@edinburgh.gov.uk](mailto:ian.dryden@edinburgh.gov.uk). Alan Henderson on 0131 529 3494. Email: [alan.henderson@edinburgh.gov.uk](mailto:alan.henderson@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](mailto:gavin.king@edinburgh.gov.uk) or [sarah.bogunovic@edinburgh.gov.uk](mailto:sarah.bogunovic@edinburgh.gov.uk)

**Application Type** Full Planning Application  
**Application Address:** 84-86 East Claremont Street  
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**Proposal:** Residential flat development  
**Reference No:** 04/03812/FUL

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## Consultations, Representations and Planning Policy

### Consultations

#### Education

##### *School Capacities*

*This site is located within the catchment areas of Broughton Primary School, Drummond High School, St Mary's Education Roman Catholic Primary School and St Thomas of Aquin's Roman Catholic High School.*

*Broughton Primary School, Drummond High School, St Mary's Edinburgh Roman Catholic Primary School and St Thomas of Aquin's Roman Catholic High School are operating below capacity and are expected to remain in this position for the forecast period. These schools would have adequate capacity to accommodate this development.*

*The forecasts are based on 2003 Start of Session School Rolls and housing completions identified in the Housing Land Audit 2003. Revised child to house ratios have been applied.*

##### *Summary*

*There is spare capacity in the catchment primary, secondary non-denominational schools and the primary and secondary denominational schools to accommodate this development. The Education Department would have no objection to this development.*

*The Department of Environmental and Consumer Services has no objection to the above proposed development, subject to the following conditions*

#### Transport

##### *Comments received 16 March 2005*

*Consent should not be issued until the Developer enters into a legal agreement to contribute £5,000 to the Edinburgh Tram Scheme.*

*Consent should not be issued until the Developer enters into a legal agreement to contribute £11,500 to the Edinburgh City Car Club.*

*I have no objections to the application subject to the following conditions being applied.*

- 1. 10 secure and undercover cycle spaces to be provided.*

*Note that West Annandale Street has been proposed as part of the extended controlled parking zone area. This is currently running through the approval process and a result is expected in September. Therefore any scheme is liable to statutory change by the Council.*

*The scheme proposes to change the parking within West Annandale Street. This is acceptable to this department but please note the following conditions:*

- 1. Speed Bump to be at the junction of Bellevue St/West Annandale St. This is to keep the Speed Bump away from bays 16 and 42.*
- 2. A raised table to be provided at the southern end of West Annandale St in place of the Speed Bump.*

*Further Comments received 6 March 2006*

*Consent should not be issued until the Developer enters into a legal agreement to contribute £5,000 to the Edinburgh Tram Scheme.*

*Consent should not be issued until the Developer enters into a legal agreement to contribute £11,500 to the Edinburgh City Car Club.*

*There are no objections to the application subject to the following conditions being applied.*

- 1. Ten secure and undercover cycle spaces to be provided.*

*Note that West Annadale Street car parking is to be re-arranged as part of the extended controlled parking zone scheme. Work on this is due to begin in April 2006 and be completed by September 2006.*

*The scheme proposes to make a further change to the parking within West Annandale Street as a method of increasing the number of parking spaces. This involves changing the street layout to nose-in car parking. The revised drawing submitted showing this is acceptable to this department but please note: -*

- 1. A raised table pedestrian crossing with tactile paving is to be provided at the southern end of West Annandale St in place of the "Speed Table" N.B. the bollards shown may need to be removed as well.*
- 2. All works are to be done by the Developer, are subject to a TRO process and are to be to the approval of the Director of City Development.*

## **Environmental and Consumer Services**

*The Department of Environmental and Consumer Services has no objection to the above proposed development, subject to the following conditions:*

- 1. In relation to the Lifts*

*The design and installation of nay plant, machinery or equipment shall be such that any associated noise complies with NR20 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.*

- 2. Prior to the commencement of work on site:*

*a) A site survey (including borehole testing where necessary) shall be carried out to establish, to the satisfaction of the Head of Planning, with that the level of contamination of any land within the site is acceptable, of that remedial and/or protective measures could be undertaken to bring the contamination to an acceptable level in relation to the development, and*

*b) A detailed schedule of any required remedial and/or protective measures shall be implemented in accordance with the approved schedule to the satisfaction of the Head of Planning.*

## **Representations**

The application was advertised on 29 October 2004 and a total of 27 letters of objection were received, 24 of which were from neighbouring occupiers. The remaining two were from the Newtown and Pilrig Community Council and the Bellevue and Claremont Residents Association. The grounds of objection are as follows:-

- 1) The building is out of keeping with the character and appearance of neighbouring buildings and the neighbouring New Town Conservation Area.
- 2) The building protrudes beyond the established building line on West Annandale Street and fails to respect the existing townscape in this respect.
- 3) The building lacks architectural integrity as the front and rear elevations are widely contrasting in appearance.
- 4) On street parking provision is inadequate and constitutes a hazard to the safety of pedestrians and vehicle users.
- 5) Loss of daylight and sunlight to properties to the rear.
- 6) Lack of family sized housing units.

A resident at the adjoining tenement building has commented that they will require ventilation to their kitchen which has an existing vent on the gable adjoining the application site. This is a private matter to be settled between the affected parties and is not a relevant planning consideration.

Comments were also received from Spokes (the Lothian Cycle Campaign) which highlights the requirement for adequate, secure cycle parking facilities within the development site.

***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**

Housing and Compatible Uses - Central Edinburgh Local Plan.

### Relevant Policies:

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

Policy CD11 (NEW DEVELOPMENT - GENERAL) sets out general design requirements for new development, and requires particular attention to be paid to main approach roads to the city centre.

Policy CD15 (INFILL DEVELOPMENT) sets out design requirements for new infill development.

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 H1 (HOUSING DEVELOPMENT) encourages the provision of new residential accommodation, in conjunction with other land uses if necessary to maintain the mixed use character, its locality, and sets out criteria for assessing development proposals in predominantly residential areas.

Policy H7 (HOUSING DIVERSITY) sets out policy objectives for achieving a mix of house types and sizes in new developments.

Policy H11 (HOUSING AMENITY) establishes a presumption against new development and changes of use likely to introduce increased levels of traffic or activity to the detriment of residential amenity or to the reasonable prospects of further residential development where this is an objective of the Local Plan.

Policy T15 (PRIVATE CAR PARKING) requires all new development to comply with car parking standards set out in the Development Control Handbook, including provision for people with disabilities, and requires car parking to be designed to minimise visual intrusion.

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

Non-statutory guidelines on 'PARKING STANDARDS' set the requirements for parking provision in developments.

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## Conditions/Reasons associated with the Recommendation

### Recommendation

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

### Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. Before any part of the development is occupied, the roadworks approved in plan reference 01037PO25F, shall be implemented at no cost to the Council and to the satisfaction of the Director of City Development.
3. Before any part of the development is occupied, the cycle facilities shall be provided, in accordance with the approved plans.
4. Prior to the commencement of works on site, details of access to and space for waste management facilities, including recycling, shall be submitted to and approved in writing by the Head of Planning and Strategy. Thereafter, the requirements agreed shall be implemented to the satisfaction of the Head of Planning and Strategy, prior to the occupation of the development hereby approved.
5. 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.
6. 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.
7. 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.
8. The design and installation of any plant, machinery or equipment shall be such that any associated noise complies with NR20 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.
9. Prior to the commencement of work on site:

a) A site survey (including borehole testing where necessary) shall be carried out to establish, to the satisfaction of the Head of Planning, with that the level of contamination of any land within the site is acceptable, of that remedial and/or protective measures could be undertaken to bring the contamination to an acceptable level in relation to the development, and

b) A detailed schedule of any required remedial and/or protective measures shall be implemented in accordance with the approved schedule to the satisfaction of the Head of Planning.

### **Reasons**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to reduce the requirement for private vehicular parking arising from this development, in the interests of road safety.
3. In order to safeguard the interests of road safety.
4. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
5. In order to enable the planning authority to consider this/these matter/s in detail.
6. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
7. In order to ensure that the approved landscaping works are properly established on site.
8. In order to safeguard the amenity of neighbouring residents and other occupiers.
9. In the interests of public safety.

### **INFORMATIVES**

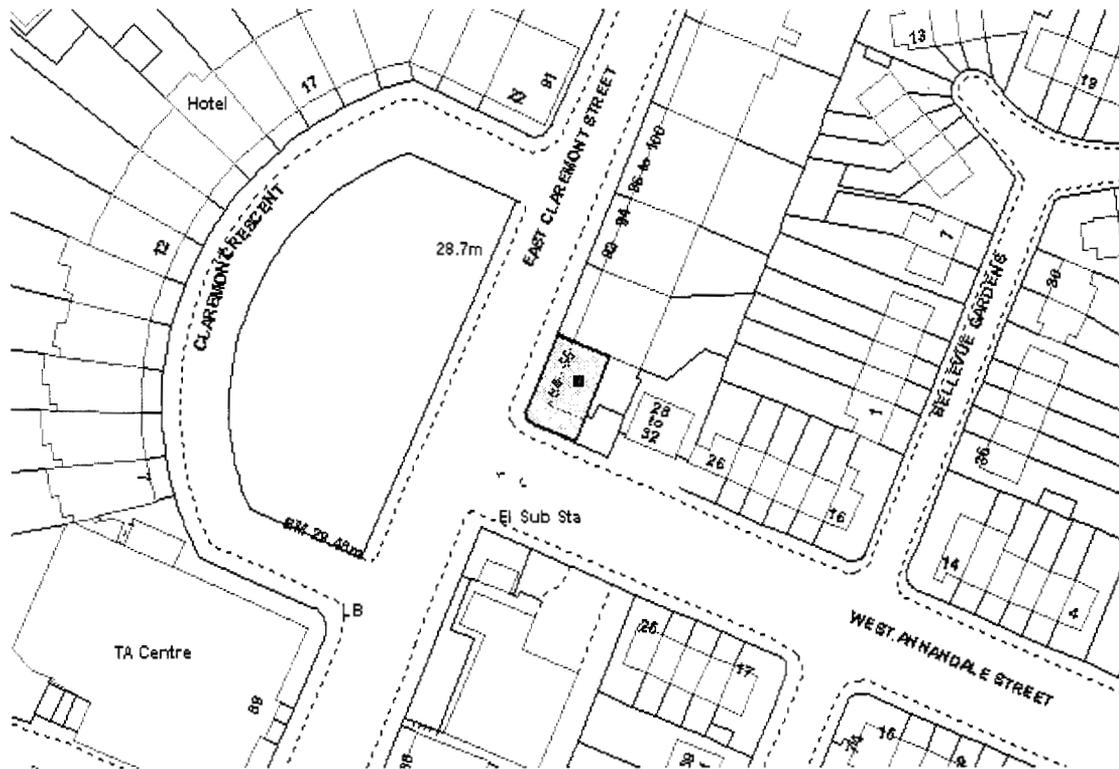
It should be noted that:

1. Consent shall not be issued until a suitable legal agreement has been concluded in relation to the Edinburgh City Car Club
2. Consent shall not be issued until a suitable legal agreement has been concluded in relation to tram contributions

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End

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## Location Plan

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