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TABLED ITEM

ITEM No. 3

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The City of Edinburgh Council,
Planning Department,
1 Cockburn Street,
EDINBURGH,
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PM/LM/989

1 November 2005

For the attention of Mr Ken Scott

Dear Mr Scott,

Proposed new houses at Lennie Mains Steading, Cammo Road, Turnhouse, Edinburgh for Mr R Kinnell
Application for Full Planning Permission Ref 05/02566/FUL

We write on behalf of our client, further to our earlier submission, the Planning Committee's site visit on 27 October 2005, and site of the amended report from the Development Quality Sub-Committee.

We would wish to submit the following supportive comments, and would ask that you circulate list letter to the members of the Planning Committee and arrange for it's presentation at their meeting on Wednesday, 2 November 2005, when this application if to be re-considered.

1. We attach a copy of our earlier response to the first DQSC report.
2. The addendum section of the amended report addresses the question of listing.

This quotes the listing description that "the steading on the opposite side of the road...has been substantially altered to a dwelling", and infers from this that all subjects are subsequently included in this listing.

We must submit that this simple statement is contended, and raises the following questions:

- a) The B Category listing was implemented on 8 March 1994, and refers specifically to the address 84 Cammo Road. However the "barn" and "cattle court" were already in separate ownership from 1987, with the "barn" converted to a dwelling, with Full Planning Permission, by 1990 and recorded as 84 Cammo Road.

The property is therefore clearly defined, pre-dating the listing, which contains no reference to this new address for the subjects.

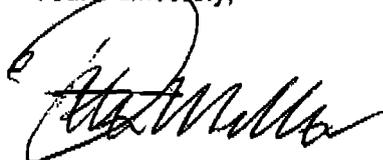
b)/...

- b) The three subsequent approved planning applications related to the property at 84 Cammo Road, listed within the DQSC report, never raised the question of any listing on this property, and indeed this is also the case with this current application, during the lengthy pre-application discussions with the Planning Department commenced in October 2004. A period of 12 months.
- c) We would submit that had any such listing been intimated then a concurrent application for Listed Building Consent would have been lodged, as care had been taken within the pre-application discussions to achieve a sympathetic solution, and we believe that the officer involved had consulted with all relevant colleagues within the department.
- d) Accordingly we must submit that the departments record of previous approvals on this property would substantiate that the quoted listing does not apply in this case.

All other matters within the DQSC report are addressed in our previous submission, however we are instructed by our client to advise you that we had always presented a willingness to achieve a satisfactory scope and design for this "re-Instatement", even to the extent of deletion of the attic conversion works, reducing the scope to a single storey cottage. Had this been requested during the pre-application discussions, then the proposals submitted now would have been so adjusted.

We trust that this information clarifies matters for the members of the Committee and would ask that the application is favourably considered, to provide a pragmatic and sensitive method of conserving this substantial building of character.

Yours sincerely,



Peter Miller
CAIRNS, FORD & YUILL

Encls.

APPLICATION FOR FULL PLANNING PERMISSION

REF 05/02566/FUL

**PROPOSED CHANGE OF USE TO FORM DWELLING FROM EXISTING CATTLE COURT
LENNIE MAINS STEADING, 85 CAMMO ROAD, EDINBURGH****REPRESENTATIONS RELATED TO REPORT FROM DEVELOPMENT QUALITY SUB-COMMITTEE**

1. *The proposal is contrary to Rural West Edinburgh Local Plan Policy E32 in respect of listed buildings, as the new build will affect the setting of, and mask, the existing listed building (Lennie Mains Steading)*

For clarity the listed building is Lennie Mains Steading, 84 Cammo Road, which is located on the opposite side of the road. (See attached drg No 985/L/1 Site Layout) The proposal is not a new build, but a re-instatement of original in massing, materials and building lines.

Much is made of the listing aspect within the report, and we would submit that if the remains of the cattle court are meritorious of listing, then they are worth conservation and re-instatement as proposed.

The original layout and buildings are illustrated on the attached aerial photograph (circa 1965). The proposals will not mask or affect the setting of the listed building at Lennie Mains.

The proposals are fully in line with the original building, and will have no more effect than if the previous owners had properly maintained the cattle court.

For the record the building still had its full structure, roof coverings and use until the mid "seventies".

2. *The proposal is contrary to RWELPP E5 in respect of Development in GB/Countryside restriction, as the building is not substantially intact and the dwelling is not required for agricultural or other rural purpose.*

The building was substantially intact until the mid-seventies and had regular use and maintenance been applied this would not be an issue for consideration in this application.

If worthy of "listing", then the building is worthy of conservation.

There is now no agricultural need for the building and accordingly, if it is to be preserved, then an alternative use must be found, otherwise continued detrimental decay is inevitable.

3. *The proposal is contrary to the RWELPP E8 in respect of AGLV, as the existing pattern of walls, hedges and paddock would be adversely affected to the detriment of the AGLV.*

The existing arrangement of walls, hedges and paddock are almost totally unaffected, and therefore the minor amendments cannot justify this bland statement.

4. *The proposal is contrary to RWELPP E6 in respect of the design, landscaping and amenity of development in the GB or Countryside as the amount of new build and formation of vehicular access will have a prominent impact on the landscape setting.*

This is not a new build, but re-instatement of the building to its original form.

The proposed vehicle access is minimal, and landscaping can be implemented as required. These aspects should be subject of conditions.

5. *The proposal is contrary to Ratho, Newbridge and Kirkliston Local Plan Policy 2.15 in respect of the AGLV, as the proposals will be prominent, in a visually low key site, to the detriment of the great landscape value.*

The proposals do not exceed the original heights, resulting in a ridge line approx 3m above the boundary walls and substantially lower than the other existing properties. Accordingly the content of the proposals do not support such a bland statement.

6. *The proposal is contrary to RNKLPP 2.2 in respect of development within the countryside, as the creation of a dwelling is not related to any agricultural use or purpose appropriate to the rural area.*

Pre-consultations with the Planning Department established that there was no such policy conflict.
There is now no agricultural need for the building and accordingly, if it is to be preserved, then an alternative use must be found, otherwise continued detrimental decay is inevitable.

7. *The proposal is contrary to RNKLPP 2.29 in respect of housing outwith built up areas, as the proposed site lies outwith any recognized settlement or built up area identified in the local plan.*

The local plan cannot identify every settlement or condition, and we would submit that Lennie Mains was and should be retained as a valuable settlement within the GB and AGLV. (See attached aerial photograph)
The proposals re-instate the original building as an enhancement of this settlement, as reflected by the expressed support of the local community..

8. *The proposal is contrary to the RNKLPP2.66 in respect of listed building, as the conservation of the remains of the listed building will in itself adversely affect its character.*

This specific building is not listed.
The buildings current "character" is due to decay, and lack of use. Had the building been regularly used and maintained, then its character would be entirely different and fully compatible with the current proposals for re-instatement.

9. *The proposal is contrary to RNKLPP 2.8 in respect of development within the GB, as the creation of a dwelling is not related to any agricultural use or purpose appropriate to the rural area.*

This is the third time that this reason is raised within the reasons for refusal, this despite the pre-applications establishing that there was no policy conflict in this regard.
See representations under headings 2 & 6 above.

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4 October 2005