

# Development Management Sub Committee

Wednesday 29 July 2015

## Application for Conservation Area Consent 15/01786/CON At 1 Canonmills Bridge, Edinburgh, EH3 5LF Complete Demolition in a Conservation Area.

Item number	8.1
Report number	
Wards	A12 - Leith Walk

### Summary

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The loss of the unlisted building is acceptable and the redevelopment proposals have been approved by Development Management Sub Committee. The loss of the building will not have an adverse impact on the character or appearance of the conservation area. There are no material considerations to outweigh this conclusion.

### Links

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[Policies and guidance for this application](#)    LPC, CITE5, NSG, NSLBCA, OTH, CRPINV,

# Report

## Application for Conservation Area Consent 15/01786/CON At 1 Canonmills Bridge, Edinburgh, EH3 5LF Complete Demolition in a Conservation Area.

### Recommendations

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1.1 It is recommended that this application be Granted subject to the details below.

### Background

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#### 2.1 Site description

The application site is a triangular piece of land currently occupied by a two storey building with a pitched roof. At ground floor level this is used for restaurant purposes and at lower level used for storage and ancillary space for the commercial unit. There is a change in site level of approximately two metres as ground falls from Brandon terrace along Warriston Road. This results in only one storey being visible from the front elevation. To the rear of the building the area is used for car parking and services.

#### 2.2 Site History

6 May 2015 - planning permission was granted for a non-material variation to 09/00830/FUL. The amendments were changes to the window pattern on the north and south elevations and changes to the position of the internal staircase and room layout on the upper floors (planning application number 09/00830/VARY).

4 February 2015 - planning permission was refused for a change of use from class 3 to retail, erection 6 flats and 3 town houses and minor alterations to elevations (planning application number 14/02786/FUL) as the proposed development by reason of its scale, form and design is detrimental to the character and appearance of the Inverleith Conservation Area.

11 November 2010 Committee granted planning permission for a mixed use development of 2 restaurants, 6 flats and 3 townhouses. Planning permission was issued on 5 May 2013 following the completion of a legal agreement relating to transport requirements (planning application number 09/00830/FUL).

### Main report

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#### 3.1 Description Of The Proposal

It is proposed to demolish the existing two storey building at this site.

## Supporting Information

A supporting statement has been submitted giving the background to the proposal.

This can be viewed on the Planning and Building Standards on-line services.

### 3.2 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 consent.

### 3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- a) the loss of the building will adversely affect the character or appearance of the conservation area;
- b) the proposed replacement development is of sufficient quality;
- c) the proposal will have any detrimental impact on equalities and human rights; and
- d) comments raised have been addressed.

#### a) Conservation Area

The site lies within the Inverleith Conservation Area. The Inverleith Conservation Area Character Appraisal emphasises *the predominance of Georgian, Victorian and Edwardian villas and terraces which form boundaries to extensive blocks of public and private open space. The villa streets are complemented by a profusion of mature trees, extensive garden settings, stone boundary walls and spacious roads. The villas are in a considerable variety of architectural styles, unified by the use of local building materials.*

The demolition of an unlisted building within a conservation area, in accordance with policy Env 5: Conservation Areas - Demolition of Buildings, will only be allowed in exceptional circumstances. The proposal must be considered against the tests set out in policy Env 2: Listed Buildings - Demolition, in conjunction with Env 5, essentially meaning that it is assessed in the same manner as the demolition of a listed building. The Scottish Historic Environment Policy (2011) sets out that such applications for demolition will be assessed against:

- a) the importance of the building;
- b) the condition of the building;
- c) the economic viability of reusing the building; and
- d) the wider public benefits.

To obtain consent for demolition the proposal will need to meet at least one of the above tests.

The building occupying the site appears between the publishing of the first (1853) and second (1875) editions of the Ordnance Survey Maps and was originally associated with a marble works and is considered to be of local significance. It has a central hipped roof finished in slate with two areas of flat roof on either side. To the rear it is painted roughcast and the windows are of varying quality and design which does not add to the character of the area. Despite being two storey overall in height, when viewed from Canonmills Bridge it is single storey and has a low level quaint appearance which is an anomaly within the conservation area. The building is therefore not of sufficient importance that it should necessarily be retained. Provided the proposed new building preserves or enhances the conservation area, demolition of the existing building is justified.

The loss of the building will not adversely affect the character or appearance of the conservation area.

#### b) Replacement Development

Planning permission was granted for a mixed use development on 10th November 2010 and the consent was issued on 8th May 2013 (planning application number 09/00830/FUL). The development included an L-shaped 4 storey building facing onto Canonmills Bridge with retail and commercial uses on the ground floor and residential flats on the floors above. Three townhouses were granted to the rear facing onto Warriston Road.

This is an extant permission and details have been submitted to satisfy conditions. The assessment on whether this proposal addresses the issues of the development's impact upon the character or appearance of the conservation area, the setting of the listed buildings, and its scale and design has already been undertaken in the previous decision. To summarise, the redevelopment is of a modern contemporary design which will not adversely impact on the character or appearance of the conservation area, or on the setting of the listed buildings.

The proposed replacement development is of sufficient quality.

#### c) Equalities and Human Rights Impacts.

This application was assessed in terms of equalities and human rights. No impact was identified. An Equality and Rights Impact Assessment Summary is available to view on Planning and Building Standards online services.

The proposal will not have any detrimental impact on equalities and human rights.

#### d) Public Comments

The application was advertised on 08 May 2015. A total of 117 representations were received, from the Cockburn Association, Inverleith Society, JUMP (Joined Up Master Planning) Councillor Lesley Hinds, Councillor Nick Gardiner, local businesses and residents. Thirty six of these objections were received outwith the statutory time period.

## **Material representations**

- retention of existing building should be considered - addressed in section 3.3a);
- proposed replacement development in planning application 09/00830/FUL inappropriate in terms of its scale (too deep, too high), design, massing, and impact on amenity and cityscape - addressed in section 3.3b).

## **Conclusion**

The proposal is in accordance with the Edinburgh City Local Plan. The loss of the unlisted building is acceptable and the redevelopment proposals have been approved by Development Management Sub-Committee. The loss of the building will not have an adverse impact on the character or appearance of the conservation area. There are no material considerations to outweigh this conclusion.

It is recommended that this application be Granted subject to the details below.

## **3.4 Conditions/reasons/informatives**

### **Conditions:-**

1. The application shall be referred to the Scottish Ministers prior to determination.
2. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.

### **Reasons:-**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to safeguard the interests of archaeological heritage.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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**5.1** Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

The application has been assessed and has no impact in terms of equalities or human rights.

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **8.2 Publicity summary of representations and Community Council comments**

The application was advertised on 8 May 2015 and attracted 117 letters of objection. Of these objections 36 were received outwith the statutory period. These were from Cockburn Association, Inverleith Society, JUMP (Joined Up Master Planning) Councillor Lesley Hinds, Councillor Nick Gardiner, local businesses and residents.

### **Material representations**

- design, scale and form of redevelopment proposals; and
- loss of existing business.

### **Non-material representations**

None

### **Community Council**

No comments were received

A full assessment of the representations can be found in the main report in the Assessment Section.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Edinburgh City Local Plan and Rural West Edinburgh Local Plan](#)
- [Planning guidelines](#)

- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)
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### Statutory Development

#### Plan Provision

The site lies within the urban area of the Edinburgh City Local Plan where it is designated as within Inverleith Conservation Area.

#### Date registered

15 April 2015

#### Drawing numbers/Scheme

2,

Scheme 1

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## Links - Policies

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### Relevant Policies:

#### Relevant policies of the Edinburgh City Local Plan.

Policy Env 5 (Conservation Areas – Demolition of Buildings) sets out criteria for assessing proposals involving demolition of buildings in conservation areas.

#### Relevant Non-Statutory Guidelines

**Non-statutory guidelines** 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

#### Other Relevant policy guidance

**The Inverleith Conservation Area Character Appraisal** emphasises the predominance of Georgian, Victorian and Edwardian villas and terraces which form boundaries to extensive blocks of public and private open space. The villa streets are complemented by a profusion of mature trees, extensive garden settings, stone boundary walls and spacious roads. The villas are in a considerable variety of architectural styles, unified by the use of local building materials.

# Appendix 1

## Application for Conservation Area Consent 15/01786/CON At 1 Canonmills Bridge, Edinburgh, EH3 5LF Complete Demolition in a Conservation Area.

### Consultations

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#### Archaeology

*Further to your consultation request I would like to make the following comments and recommendations concerning this application for complete demolition in a conservation area.*

*The building occupying the site appears between the publishing of the first (1853) and second (1875) editions of the Ordnance Survey Maps and was originally associated with a marble works and is considered to be of local significance. Accordingly this site has been identified as occurring within an area of potential national archaeological significance. This application must be considered therefore under terms the Scottish Government Historic Environment Policy (SHEP), Scottish Planning Policy (SPP), PAN 02/2011 and also Edinburgh City Local Plan (2010) policy ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.*

*As stated in my response to the earlier application 14/02786, the loss of this historic building and potential impact upon buried remains are considered as having an overall moderate archaeological impact. Accordingly it was recommended a programme of archaeological works (excavation, historic building survey, analysis & reporting, publication) be undertaken prior to and during development/demolition. The historic building element has been undertaken and reported upon by AOC Archaeology Group earlier this (2015) year.*

*Accordingly I'm happy for the structure to be demolished to ground level only as ground investigation of the site has yet to be undertaken. It is envisaged that the first phase will be an archaeological evaluation, the results of which will help determine the scope of any subsequent phases including preservation in situ.*

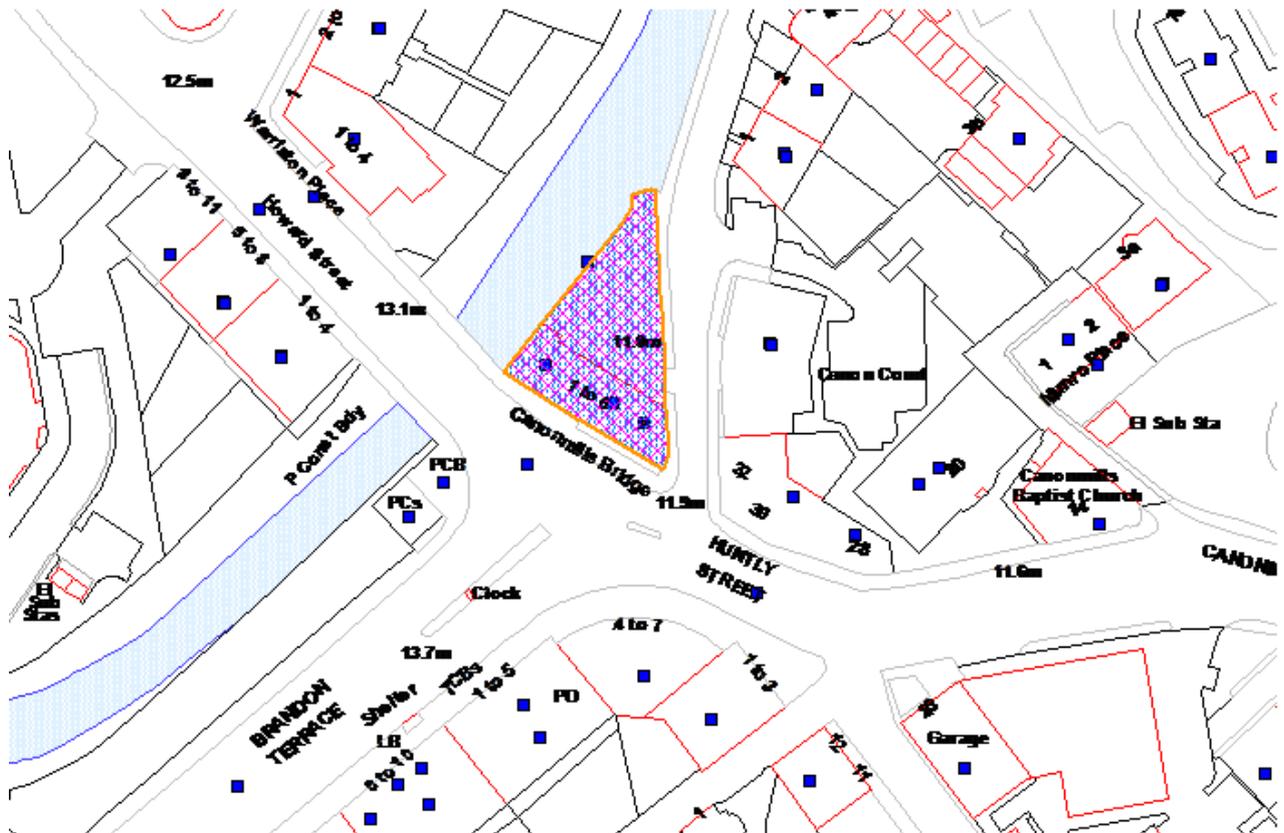
*Given this continuing archaeological issues relating to the site, it is recommended that the following condition be attached consent.*

*'No demolition shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'*

*The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site.*

*Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.*

# Location Plan



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