

**Full Planning Application 05/02712/FUL**  
**at**  
**26 Quality Street**  
**Edinburgh**  
**EH4 5BS**

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

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**1 Purpose of report**

To consider application 05/02712/FUL, submitted by Kirkton Developments. The application is for: **Proposed residential development to form 3 townhouses and 8 flats**

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

**2 The Site and the Proposal**

**Site description**

The site, which extends to 0.17 hectares, previously held a modern petrol filling station (now largely demolished) locally known as "Barntongate" Filling Station.

The site lies in a generally residential area, the rear of the site being flanked by modern two storey housing, which also lies on the land to the south. The property to the NE is a much older substantial red sandstone villa, split into flats. The site faces over Quality Street to further traditional stone built housing. Davidsons Mains High Street lies around 100m to the north, and is a local centre for shops and facilities.

Abutting the rear of the site is a line of large trees edging a large parkland area, belonging to the Royal High School.

Three further large trees stand to the north in the garden of the neighbouring property (one of the modern houses mentioned above).

There is an existing access road (adopted) on the immediate south side of the site and the applicant seeks access via this road.

### **Site history**

22.11.1961 - consent granted to erect petrol filling station

21.5.1969 - car wash application refused

9.7.1969 - consent granted to alter fascia

16.8.1972 - consent granted to erect canopy over pumps

30.8.1978 - consent granted for new frontage to PFS

11.8.1982 - consent granted to redevelop PFS (not undertaken)

11.5.1983 - consent granted to redevelop PFS as more modern facility (including canopy and sales centre)

15.8.2001 - consent granted for new jet-wash

25.9.2001 - consent granted for new signage

### **Description of the Proposal**

The application proposes redevelopment of a former petrol filling station site as housing.

Development is split into two sections: a small terrace of 3 townhouses to the rear of the site and 8 flats to the front. Each section has a three storey structure, with the top storey recessed to create a visual eaves level at second floor.

The townhouses are each 5 apartment/3 bedroom family homes with both private gardens, front and rear, and integral garage. Two also have a run-in sufficient to accommodate a further two vehicles. The third (northern) house can accommodate only one car in the driveway.

The flats provide 4 ground floor two bedroom units with garden access, suitable for elderly or disabled users. The upper units are each duplex in form, each 3 bedroom with large balconies front and rear. The flats have direct pedestrian access from the main street. The flats are provided with a private car park to the rear, accommodating 8 vehicles.

Bin stores and cycle stores are accommodated within the central courtyard.

Materials proposed are rendered with precast stone string courses and copes, with timber cladding grouping with window sections and with a virtually flat metal roof (it adopts a slight curve to discharge water).

### **Scheme 1**

The original proposal did not include pedestrian access from the flats direct to the front and had wholly blank gables.

The rear block contained projecting balconies.

Car park layout meant there was less open space to the rear of the flats.

## **3 Officer's Assessment and Recommendations**

### **DETERMINING ISSUES**

The determining issues are:

- 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**

In order to determine this application the Committee should consider

- a) The principle of developing housing on this site
- b) The effect of the scale form and design on the character of the area
- c) Parking and road safety
- d) The effect on neighbouring amenity
- e) The effect on trees
- f) The amenity of the proposed units
- g) Other issues

a) The local plan supports the principle of residential development subject to other policy requirements being met.

There is no objection to the loss of the previous function as a petrol filling station.

The proposal lies below Affordable Housing parameters, and the overall mix of units directly addresses policy H9 of the West Edinburgh Local Plan.

Infrastructure costs do arise from the proposal, relating to Transport improvements.

b) The proposal splits into two built forms, each of which relates to the flanking buildings at their part of the site.

The front block is in a modern idiom but relates closely to the adjacent buildings in terms of building line, with the balcony rail reflecting their eaves heights and the net height remaining less than the flanking buildings. The gable elevation is broken by a central feature of narrow windows set into a panel.

The top floor of all blocks, both houses and flats, is recessed to reduce bulk, and create a visual eaves level at second floor.

There is no consistency of design with the area. The proposed design, although different from the adjacent buildings is considered an acceptable modern idiom.

c) Two of the houses have capacity for 3 cars and one for two cars. The flats have 100% parking. This is acceptable subject to the parking for the flats being communal. The existing access road to the south is already fully adopted. The bin store is located close to the existing adopted road, adjacent to an existing garage. A turning hammerhead already exists here for service vehicles.

Transport seeks contributions towards local infrastructure costs.

The proposal contains adequate cycle storage.

d) The buildings each lie in a largely gable to gable relationship with neighbouring property, thereby avoiding issues of privacy or overshadowing.

The front block is separated from flanking buildings on each side by access roads to the rear, such that all effects (over and above being "gable to gable") fall onto these accesses.

The small gable windows facing the existing properties to the south serve only bathrooms, and are added primarily for aesthetic reasons. These do not give rise to privacy issues.

No privacy issues arise either with existing properties or between the blocks.

e) Three trees outwith the site to the north side may be prejudiced, in terms of their survival, due to the development.

These trees are not afforded any statutory protection, and do not require consent for removal. They are of a size and proximity to existing housing such that they already constitute a potential hazard, both to existing building foundations and the potential to damage structure should they fall.

Since they lie outwith the application boundary and outwith the applicant's control the application itself does not propose removal of the trees. The effect on the trees will largely affect overhanging branches. Any potential effect on roots is largely necessitated through the required site decontamination and removal of existing underground tanks etc. rather than the new building itself. These existing underground features are presumed to already have protective measures which would have deflected the tree roots and prevented them splitting the petrol tanks on site. Damage at root level is therefore likely to be minimal.

All likely works to the trees is considered acceptable.

f) The townhouses each are provided with an adequate front and rear garden and provide sufficient amenity to form good family homes.

The flats have amenity space to both front and rear, and again are considered to have adequate amenity.

Due to potential traffic noise, a condition is required to appropriately specify acoustic glazing to the frontage.

g) It is noted that a culverted stream may cut through the site. This is not a planning consideration. It is presumed that, should this prove true, measures will be taken to either avoid or divert the line, or structural measures could be considered to safely span it. These are primarily Building Warrant considerations.

In summary the application is acceptable subject to a legal agreement on infrastructure costs plus conditions on site decontamination, material samples and protection of the flats from traffic noise.

It is recommended that the Committee approves this application, subject to the conditions stated.

*Alan Henderson*

**Alan Henderson**  
Head of Planning and Strategy

<b>Contact/tel</b>	Stephen Dickson on 0131 529 3901 (FAX 529 3706)
<b>Ward affected</b>	06 - Davidsons Mains
<b>Local Plan</b>	North West Edinburgh
<b>Statutory Development Plan Provision</b>	Mainly Residential
<b>Date registered</b>	22 August 2005
<b>Drawing numbers/ Scheme</b>	1,5,7-10 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, Graham Dixon on 0131 529 3519. Email: [graham.dixon@edinburgh.gov.uk](mailto:graham.dixon@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 [blair.ritchie@edinburgh.gov.uk](mailto:blair.ritchie@edinburgh.gov.uk) or [sarah.bogunovic@edinburgh.gov.uk](mailto:sarah.bogunovic@edinburgh.gov.uk)

**Application Type** Full Planning Application  
**Application Address:** 26 Quality Street  
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EH4 5BS

**Proposal:** Proposed residential development to form 3 townhouses and 8 flats

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## Consultations, Representations and Planning Policy

### Consultations

#### Environmental Health

*No objections to this proposed development subject to the following conditions:*

*1. Prior to the commencement of construction works on site:*

*a) A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and*

*b) Where necessary, a detailed schedule of any remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning.*

*Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning.*

*2. The development shall not commence until a scheme for protecting the residential development hereby approved from traffic noise from Quality Street has been submitted to and approved in writing by the Head of Planning; all works which form part of the approved scheme shall be completed to the satisfaction of the Head of Planning before any part of the development is occupied.*

## **Children and Families**

*It is unlikely that this development would generate additional children for the catchment schools. Accordingly, I have no objection to this development.*

## **Corporate Property**

*In noting that the previous/existing use of the site involves the operation of a garage, I would recommend that a contamination report be requested as a condition of consent and that the applicant be required to remediate the site to the extent considered appropriate for the proposed end use.*

## **Transport**

*No objection to the application subject to the following conditions being applied.*

*All access must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent.*

*Planning permission should not be issued until a suitable legal agreement is concluded to make provision for the applicant to make a £15,000 contribution for pedestrian improvements in the vicinity of the development site. Contribution payable on commencement of building operations.*

*The 100% parking for the flats to be on a communal basis.*

## **Representations**

6 representations were received. Reasons for objection were

1. Design and form out of character with the area
2. Access not agreed with owners to south/ legal issues over access
3. Loss of daylight and privacy to houses opposite
4. No provision for visitor parking
5. No indication of the culverted burn running across the site/potential damage to this.
6. Site lies in an Area of Interest but design does not reflect this.
7. Additional traffic will affect already busy street
8. Loss of views
9. Bin store may cause environmental problems to neighbours

***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 site lies in a Mainly Residential Area as shown in the NWELP. The revised WELP shows it simply as Urban Area. The buildings opposite lie on the outer edge of the Area of Interest covering Davidsons Mains but the site lies outwith this area.

### Relevant Policies:

#### **North West Edinburgh Local Plan**

Policy H1 supports the development of identified housing sites (HSG 1 - HSG 13) in the local plan, provided proposals are in accordance with other local plan considerations, including the need to protect amenity and safeguard land of recreational and landscape significance.

Policy H3 requires all new housing development to make provision for landscaping and open space in conformity with the Council's standards.

Policy H4 requires new development to be sympathetic in scale and density with its surroundings. In conservation areas and defined "areas of interest" in particular, special care is required to protect local character and amenity.

Policy E5 states that new buildings, in terms of design, materials and landscaping, should make a positive contribution to the overall quality of the environment and regard should be had to their setting and neighbouring development.

Policy T4 states that adequate provision for car parking must be made by developers in all new development in conformity with the Council's adopted standards.

#### **Finalised West Edinburgh Local Plan**

Policy H1 General housing Policy seeks to encourage residential development, providing a satisfactory level of residential amenity can be achieved.

Policy H7 Housing Development Quality seeks to make best use of land without affecting the character of the area whilst make provision for amenities.

Policy H08 (Open Space provision) sets out the requirements for open space in new housing developments.

Policy H09 (Housing diversity) promotes a variety and balanced mix of house types and sizes, and seeks to avoid barriers to mobility.

Policy DQ6 states that new development should be designed to make a positive contribution to the quality, accessibility and safety of the environment, having regard to the character, opportunities and constraints of the site and its surroundings and the basic character of the city.

Policy DQ7 states that the new development should include proposals for new tree planting and robust landscaping to achieve a suitable visual setting for new buildings and enhance open spaces and boundaries. It should be designed to minimise its impact on any trees subject to a Tree Preservation Order and other healthy trees worthy of retention.

Policy T8 requires that private car parking provision conforms with the Council's adopted parking standards and should be sited and designed to minimise its visual impact and effect on neighbouring properties and to take account of community safety.

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

Non-statutory guidelines on 'OPEN SPACE REQUIREMENTS IN NEW DEVELOPMENT' set the required standards for open space provision.

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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. 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.
3. i) Prior to the commencement of construction works on site:
  - a) A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning and Strategy, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
  - b) Where necessary, a detailed schedule of any required remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning and Strategy.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning and Strategy.

4. The development shall not commence until a scheme for protecting the residential development hereby approved from noise from traffic noise has been submitted to and approved in writing by the Head of Planning & Strategy; all works which form part of the approved scheme shall be completed to the satisfaction of the Head of Planning & Strategy before any part of the development is occupied.
5. The car parking relating to the flats shall be on a communal, non-allocated basis.
6. 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.

### **Reasons**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
3. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
4. In order to protect the amenity of the occupiers of the development.
5. In order to ensure that the level of off-street parking is adequate.
6. In the interests of sustainability

### **INFORMATIVES**

It should be noted that:

1. Prior to the issue of consent, the applicant shall enter into a suitably worded legal agreement with the Council to ensure a contribution of £15000 towards transport infrastructure costs.

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**End**



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# **PLANNING APPLICATION**

<b>Address</b>	<b>26 Quality Street, Edinburgh, EH4 5BS,</b>		
<b>Proposal</b>	<b>Proposed residential development to form 3 townhouses and 8 flats</b>		
<b>Application number:</b>	<b>05/02712/FUL</b>	<b>WARD</b>	<b>06- Davidsons Mains</b>
<b>THE CITY OF EDINBURGH COUNCIL</b> <b>THE CITY DEVELOPMENT DEPARTMENT- PLANNING &amp; STRATEGY</b>			