

**Full Planning Application 04/02982/FUL**  
**at**  
**83 Main Street**  
**Davidsons Mains**  
**Edinburgh**  
**EH4 5AD**

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

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**1 Purpose of report**

To consider application 04/02982/FUL, submitted by Cockburn Building Company. The application is for: **Alter and Extend Ex Retail Unit to form 3 flats and 2 Maisonettes (as amended to remove all existing buildings and erect new shop/office unit with 4 flats above and 2 townhouses).**

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, which extends to 670 sq.m contains a disused retail and office unit with associated flats, garages and driveway. The existing property is 2 storey with harled walls, and tiled and slated roofs. The site is partially enclosed by stone walls, and measures 46m by 14m. It is located between the 'Iceland' store and a solicitor's office to the west, St Margaret's church hall to the east, and a grassed area of public open space to the rear (north). The property fronts southwards onto the Main Street in Davidsons Mains, a local centre of mixed uses. Construction of a flatted scheme at 89 Main Street has recently been completed.

## Site history

There is no relevant planning history for this site.

## Description of the Proposal

Scheme 4 of this application proposes the development of this site by the demolition of the existing buildings and the construction of two independent buildings, one fronting onto Main Street and one to the rear.

The southerly building, being the larger building, faces onto Main Street and utilises the complete width of the site above the pend. The three storey building will accommodate an office/shop on the ground floor with four flats above: two with 2 bedrooms and two single bed roomed flats. The upper storey is set into the roof slope, giving a dormer effect, appearing as a 2.5 storey building from the street.

The northerly building, to the rear, will be accessed from Main Street via a pend and will provide two semi-detached town-houses with private garden ground to both front and rear. The accommodation will be on three floors with the upper floor in the roof space giving the outward appearance of a two storey block. The internal lay-out has been amended from that in Scheme 3.

The proposed materials include a wet dash render finish to walls with slate roofing, lead sheeted dormers and timber framed windows. Concrete facing block will be used for fronting the shop/office groundfloor unit. Car parking ( 6 spaces) and communal open space has been reconfigured from Scheme 3 and will be located between the two buildings, with cycle storage in the communal stairwell of the flats, and bin stores within the pend area.

The proposals differ from the previous schemes in design, materials and open space provision.

Scheme 1 - (2 September 2004) to form a 3 storey office/shop unit with two maisonettes above and 3 storey flats to the rear. The existing buildings were to be partially reused, the roofs were monopitched and finished in metal, the proposals were to be finished in render with cedarwood boarding and balconies front and rear with spiral staircases. The existing garages to the rear were to be replaced by flats, open space provision was minimal and overdevelopment of the site a significant concern.

Scheme 2 (15 February 2005) - The accommodation was reconfigured to form 3 flats and two maisonettes above an office/shop unit. The existing buildings were to be altered and extended with flats to the rear. The roofs were altered to pitched roofs with dormer windows and would be finished in natural slate to form a 2.5 storey building on the street frontage. The scale of the north block was reduced to 2 storeys to become subservient within the development. Minimal amenity space was provided on the site creating overdevelopment

concerns, overlooking from side windows was an issue which threatened to compromise future neighbouring developments.

Scheme 3 (July 2005) - To demolish existing buildings and to replace with 2 semi-detached town houses to the rear and accessed from Main Street via a pend with the front block extending across the full width of the site. The building facing directly onto Main Street will accommodate a ground floor office/shop unit with flats above. The layout of car parking, communal open space, positioning of cycle and bin storage were considered to be unsatisfactory.

### **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**

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

- a) The development is acceptable in principle;
- b) The scale and design of the development is in keeping with its surroundings;
- c) The parking and road safety issues have been addressed;
- d) The provision of open space and landscape is adequate;
- e) Neighbouring amenity will be adversely affected.

a) The application site currently contains a vacant property which lies within an area of mixed uses centrally placed within the 'village area' of Davidsons Mains. The property was previously operating as an electrical contractors, with both a retail and an office element, with a two bedroomed flat above. In policy terms, a Class 1 use would be appropriate and achieve the 60% threshold for retail usage. However, since the retail unit has been vacant for an extended period and efforts to market it have been unsuccessful, a

relaxation in policy to also allow for a class 2 use is acceptable in this instance. The housing element is consistent with local plan allocation.

b) The materials selected and the design of the amended proposal utilising slate roofs and dormer windows, is appropriate to this location and will integrate with both the traditional properties and the adjacent new build in townscape terms. The rear building is subservient in scale and position to the building fronting Main Street. The mixture of styles within the Main Street with variation in plot size and density will result in the form of each section of the building harmonising with the surrounding area. Development towards the rear of the deep sites on this side of Main Street is common.

c) The proposal will create a pend over the existing access, allowing for the 2 storey building above to be continued to the site boundary. Car parking spaces in groupings of two and a cycle store will be provided. This represents 100% car parking within the scheme, there is also on-street parking available nearby. The proposal complies with policy with respect of siting new development adjacent to public transport routes. There are no road safety issues resulting from this proposal.

d) The amenity space for the site is 35.5% of the total area. Since some of this land will be in private ownership the site should be assessed in two parts. The town houses to the rear and north have independent gardens of 9.0m in depth and back onto the larger village green which lies adjacent to the site. To the south, and outwith the private area, two communal amenity areas have been allocated to the other properties representing 11% of the total site area and almost 20% of the southern part of the site. Screening by way of a pergola divides the private area to the rear from the car parking and communal amenity area.

e) The site is located between the 'Iceland' retail unit and St Margarets Church Hall. There are no windows located on the side elevations which are on the site boundaries. Within the scheme, the proposal complies with the privacy policy with a minimum distance of 18.0m between opposing windows. Neighbouring amenity will not be detrimentally affected by this proposal. The proposal does not adversely prejudice redevelopment of any neighbouring site.

In summary the proposed uses are consistent with local plan allocation. The development respects the character of the area and will not prejudice residential amenity and road safety.

There are no material considerations which outweigh this conclusion.

It is recommended that the Committee approves this application, subject to the conditions relating to Transport and Environmental Services.

*Alan Henderson*

**Alan Henderson**  
Head of Planning and Strategy

<b>Contact/tel</b>	Jeanette Arnott - Tuesday, Wednesday And Alternate Thursdays on 0131 529 3594 (FAX 529 3706)
<b>Ward affected</b>	06 - Davidsons Mains
<b>Local Plan</b>	North West Edinburgh Local Plan
<b>Statutory Development Plan Provision</b>	Retail and Mainly Residential
<b>Date registered</b>	2 September 2004
<b>Drawing numbers/ Scheme</b>	5, 13,14,15,16 Scheme 4

#### **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:** 83 Main Street  
Davidsons Mains  
Edinburgh  
EH4 5AD

**Proposal:** Alter and Extend Ex Retail Unit to form 3 flats and 2 Maisonettes  
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## **Consultations, Representations and Planning Policy**

### **Consultations**

#### **Transportation**

*No objections subject to the building of the access road to an adoptable standard, the use of textured paving, dropped kerbs and a raised table and the provision of a cycle store for a minimum of five cycles. Issues relating to the re-arrangement of car parking spaces and the provision of cycle parking have been addressed.*

#### **Environmental Services**

*No objections subject to the implementation of a noise protection scheme, sound insulation of the retail/business premises, a restriction on the hours for delivery and collection, agreement over the hours of operation of the business and a site survey for potential contamination.*

### **Representations**

Two representations were received for Scheme 1 with concerns relating to design and materials. The objectors were notified of the revised Scheme 2 on 16.2.05 and Scheme 4 on 23.8.04 and no further objections have been made. All certified neighbours were notified of the original scheme and renotified of the current scheme, referred to as Scheme 4, on 1.8.2005 and no further representations were received. The Scheme 4 proposal was publicised on the weekly list on 3.10.2005.

***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 property identified in this application is identified in the North West Edinburgh Local Plan as being located within a Principal Shopping Centre to be retained in shopping uses, and the preferred location for new shopping development. Main Street represents an Area of Interest where local amenity or character is to be safeguarded in any development. These designations are within a wider 'Mainly Residential' allocation.

The property is located within a Local Centre in the Finalised replacement West Edinburgh Local Plan.

### Relevant Policies:

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

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 S3 sets criteria for protecting the retail function in existing shopping centres.

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

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

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 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.

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 R10 sets out additional criteria for assessing proposals for the change of use of ground floor shop units in the defined local centres.

Non-statutory guidelines on 'SHOPS - CONVERSION TO RESIDENTIAL USE' provide guidance for assessing such proposals.

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

Non-statutory guidelines on 'COLOUR OF BUILDINGS' provide guidance on this matter, in support of local plan conservation and design policies.

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. Before any part of the development is occupied, the roadworks access road, footway crossing, dropped kerb and raised table shall be implemented at no cost to the Council and to the satisfaction of the Director of City Development.
4. The development shall not commence until a scheme for protecting the residential development hereby approved from noise from Main Street 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. An acoustic barrier shall be erected between the application premises and 75 Main Street, Davidsons Mains. Details of the acoustic barrier shall be submitted and approved by the Head of Planning. The approved barrier shall be erected prior to the application residential premises being occupied.

6. SI03C.        i) Prior to the commencement of construction works on site:
  - a) A site survey (including an initial desk study as a minimum) 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.
7. The sound insulation properties or sound transmission characteristics of the structures and finishes shall be such that no impact or airborne noise from the normal operations within the application premises is audible in any neighbouring living apartment.
8. Within the non residential element of this application, the design and installation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.
9. Within the non residential element of this application, deliveries and collections, including waste collections, are to be restricted to 07 00 - 20 00 hours Monday to Saturday.
10. Within the non-residential element of this application, all music and vocals, amplified or otherwise, shall be controlled as to be inaudible within any neighbouring premises.
11. The waste management facilities, as shown on the approved plans, shall be implemented prior to the occupation of the development to the satisfaction of the Head of Planning and Strategy.

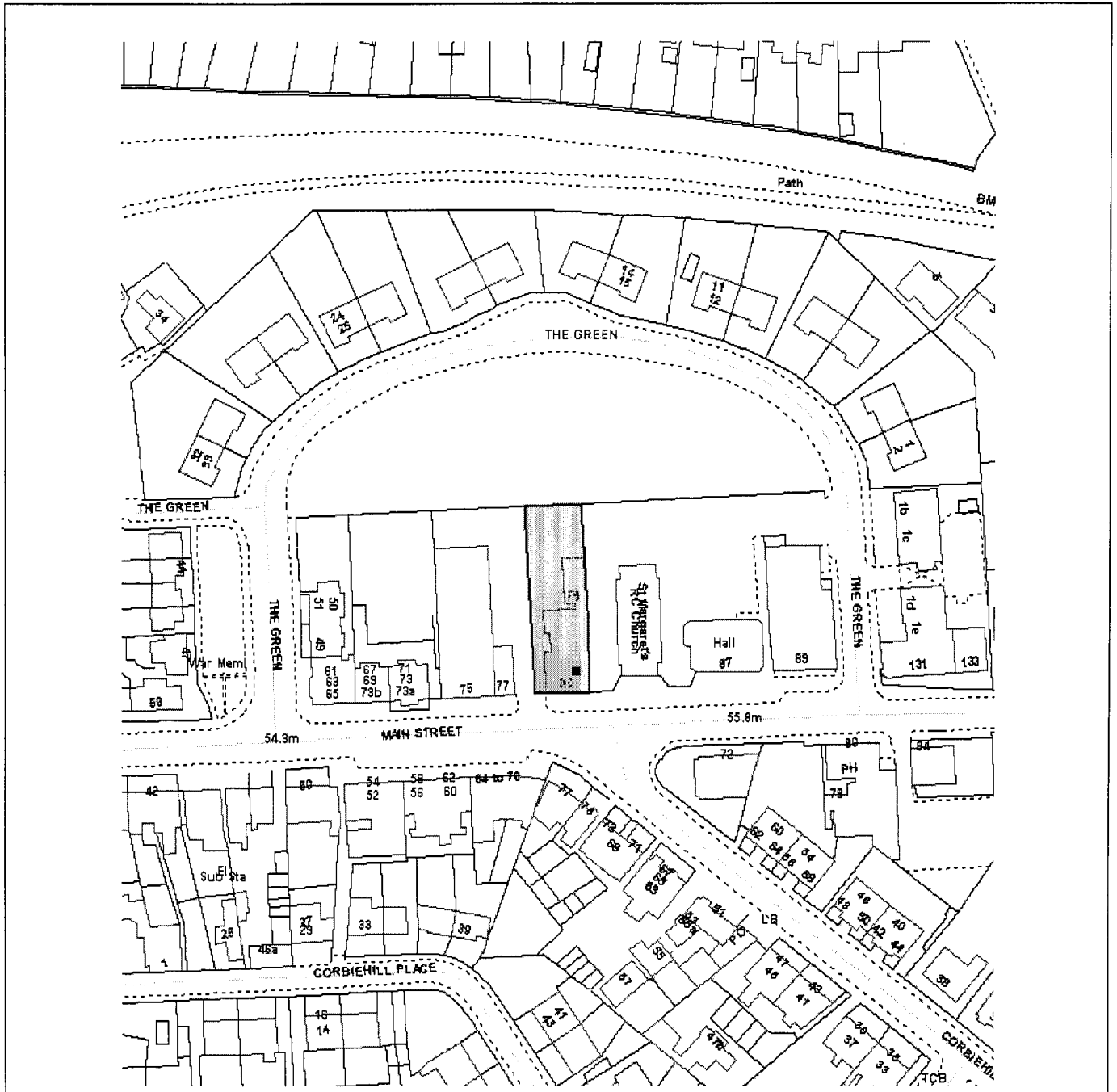
## **Reasons**

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 safeguard the interests of road safety.
4. In order to protect the amenity of the occupiers of the development.
5. In order to protect the amenity of the occupiers of the development.
6. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
7. In order to safeguard the amenity of neighbouring residents and other occupiers.
8. In order to safeguard the amenity of neighbouring residents and other occupiers.
9. In order to safeguard the amenity of neighbouring residents and other occupiers.
10. In order to safeguard the amenity of neighbouring residents and other occupiers.
11. In order to ensure that the approved waste management arrangements are properly established on site.

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End



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# **PLANNING APPLICATION**

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<b>Proposal</b>	<b>Alter and Extend Ex Retail Unit to form 3 flats and 2 Maisonettes ( as amended to remove all existing buildings</b>		
<b>Application number:</b>	<b>04/02982/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>			