

Full Planning Application 05/03514/FUL
at
4 Smith's Place
Edinburgh
EH6 8NT

Development Quality Sub-Committee
of the Planning Committee

1 Purpose of report

To consider application 05/03514/FUL, submitted by Penumbra. The application is for: **Refurbishment + instalment of DDA lift and building access**

It is recommended that the Sub-Committee issue a **MIXED DECISION** to part-approve and part-refuse this application subject to the conditions and reasons detailed in Appendix B.

2 The Site and the Proposal

Site description

The site is a terraced villa on the south side of the square, situated behind the shops and tenements fronting Leith Walk. The building is one room deep with a corridor and turnpike stair to the rear. The rear is rubble built with only one small square window to light each level of the rear corridor.

The building is category 'B' listed, dated 1824. It is a three storey and basement classically styled villa with rusticated ground floor.

The site is in the Leith Conservation Area.

Site history

No formal planning history recorded. However, the premises was the subject of internal alterations at or around 1979 - these works were carried out for the benefit of Edinburgh Woman's Aid, who were resident at that time.

Penumbra first occupied the premises in the mid-1980s - at this time the facilities were being registered with City of Edinburgh Council Registration and Inspection Service as a Care Home. The situation remains in place today albeit with Registration to Scottish Care Commission rather than Edinburgh Council, but on the basis of a Care Centre with capacity to accommodate those seeking care on a short term basis only, up to a maximum of 7 days.

Description of the Proposal

The proposal is to refurbish the building which is used as a mental health care drop-in centre, provide a wheel chair hoist in the front garden from ground floor to basement and provide an external lift up the back of the building to serve each floor. The rear lift would be enclosed within a narrow glass and steel tower. A small ramp from the rear patio to garden level is also proposed.

Applicants Supporting Statement:

The applicants have submitted a letter which indicates the reasons for requiring disabled persons access to all floors and hence the need for the chair lift and the external lift tower/internal lift. This document is available in the Party Group Rooms.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are:

- Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against the granting of permission;
- Do the proposals preserve the building or its setting or any features of special architectural or historic interest which it possesses? If they do not, there is a presumption against the granting of permission. For the purposes of this issue, "preserve", in relation to a building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character
- 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 the determining issues, the Committee needs to consider:

- a) Whether the proposals have an adverse impact on the character or appearance of the conservation area.
 - b) Whether the proposals have an adverse impact on the building, or its setting.
 - c) Whether the design and materials are satisfactory given the setting of the site.
 - d) Whether the proposals are detrimental to residential amenity.
- a) The character of the Leith Conservation Area is described in the North East Edinburgh Local Plan as follows:-

"The Leith Conservation Area covers the extent of the historic town, including the Madeira area (Leith's 'First New Town'), and also Leith Walk - the town's main link with Edinburgh city centre. The character of the Conservation Area derives from Leith's history both as a port and an independent burgh. Several fine Georgian and Victorian warehouses survive, some now converted for residential or office use; in many cases these were initially built to hold wine and dry goods, although many were converted in the late 19th Century to serve the whisky industry. A rich mixture of civic buildings and mercantile architecture survives particularly at Bernard Street and The Shore. Significant earlier buildings include Lamb's House and St Ninian's Manse (both early 17th Century); although many more recent buildings have been built, the present street pattern of The Shore area closely follows that of the historic town.

The Inner Harbour of the Water of Leith provides a vibrant focus for the Conservation Area, with buildings along The Shore forming an impressive waterfront townscape. The conservation Area also covers the older parts of Leith docks, containing many early features including listed dock buildings and the Victoria Bridge, a scheduled Ancient Monument.

The Madeira area retains a largely Georgian domestic character, with stone buildings and slate roofs predominating; some of the Georgian buildings retain astragaled windows and doors with fanlights. Many of the roads are setted, the main exception being Prince Regent Street; stone garden walls are a feature of the area. North Leith Parish church provides a visual focus to this

mainly residential area, which also includes major public buildings such as Leith Library and Town Hall.

Leith Walk remains the main artery linking the centre of Edinburgh to the old burgh of Leith. It is characterised mainly by Victorian tenements with shops and pubs at the ground floor level. There are a number of Georgian survivals, most notably Smith's Place dating from 1814. Between Smith's Place and Albert Street lies a series of tenemented streets, mainly designed by John Chesser.

Building types within the Conservation Area vary but are traditionally of stone, with slate roofs; however, more recent building has generally used block or render and traditional brick where previously found. Pockets of public housing development of the 1960's and 1970's, of a contemporary character, fall within the expanded Conservation Area. Open space is concentrated at Leith Links, which provides a spacious contrast to the relatively dense settlement pattern of the remainder of the Conservation Area."

The proposed chair lift in the front garden will be in a secluded position screened by the railings, shrubs and trees from direct view from the street. It will be positioned close to an existing set of steps and will not detract from the frontage. It will not be detrimental to the character or appearance of the conservation area.

The rear building line of this villa is stepped-in from the back of the adjacent villas on the south side of the street and is partly screened by the existing projecting turnpike stair tower on one side. Tenements fronting Leith Walk flank the building on its west side, so that the building is screened from public view. It is a very secluded site at the rear and a minimalist approach has been taken for the design of the lift tower with simple steel frame and glazing. However, the plain rubble rear wall, small windows and turnpike stair tower of this building are unusual and interesting and contribute to the character of the conservation area. Consequently, the proposal would diminish this elevation and set an undesirable precedent for such structures on the back of buildings in the conservation area. The proposals will have a detrimental impact on this important early building within the Leith Conservation Area.

The proposal would adversely impact on the character and appearance of the conservation area.

b) The proposed lift tower is slender and projects only 1.85 metres from the face of the building and only 1.85 metres wide. The turnpike stair projects 1.9 metres. Nonetheless, the tower would mask part of the rear of this building and require a door slapping at each floor in the plain rubble stonework. The uniform appearance of this rear wall would be adversely affected and, whilst the position of the tower at the rear is very secluded and not readily visible to the public, the unusual and interesting quality of the rear elevation of this building in relation to its courtyard would be adversely affected and its setting compromised.

The proposals will adversely impact on the building and its setting.

c) The basic design of the chair lift at the front has been made to be as inconspicuous as possible and will have glazed sides and is acceptable. A condition is recommended to see the detailed design and materials. The rear ramp is minimal and has no impact on the building or the garden.

The tall glazed steel and glass structure of the lift tower at the rear will contrast adversely with the fabric of this solid masonry building and will not be in keeping with the architecture.

The design and materials of the front chair lift and the rear ramp are acceptable, subject to details being submitted for further approval. The design and materials of the rear lift tower are not satisfactory given the setting of the site.

d) Due to the secluded nature of the site, both at the front and at the back, the proposed chair lift and lift tower will not readily be visible to the public and, subject to the recommended noise and materials conditions, would not be detrimental to residential amenity.

The chair lift proposal and rear ramp comply with the development plan and non-statutory policies. The proposed lift tower does not comply with the development plan or the non-statutory policies; will have an adverse impact on the character of the conservation area, the building and its setting.

There are no other material planning considerations which outweigh this conclusion.

It is recommended that the Committee approves the chair lift and rear ramp subject to conditions on design materials and noise. It is recommended that the Committee refuses the rear lift tower for reasons of the effect on the building, its setting and the character of the conservation area.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Duncan Robertson on 0131 529 3560 (FAX 529 3717)
Ward affected	22 - Lorne
Local Plan	North East Edinburgh Local Plan
Statutory Development Plan Provision	Housing and Compatible Uses
Date registered	28 October 2005
Drawing numbers/ Scheme	01 - 04 Scheme 1

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.

If you require further information about this application you should contact the following Principal Planner, Martin Easson on 0131 529 3989. Email: martin.easson@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 or sarah.bogunovic@edinburgh.gov.uk

Application Type Full Planning Application
Application Address: 4 Smith's Place
Edinburgh
EH6 8NT
Proposal: Refurbishment + instalment of DDA lift and building access
Reference No: 05/03514/FUL

Consultations, Representations and Planning Policy

Consultations

Environmental Health

ECS has no objections to this proposed development subject to the following conditions:

- 1. The design, installation and operation of the external lift 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.*
- 2. The design, installation and operation of the internal lift 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.*

Please note that there is an application 05/03509/FUL which appears to be a duplicate of 05/03514/FUL.

Archaeological Services

No known archaeological constraints.

Historic Scotland

Historic Scotland offers the following informal comments: The plans to construct a rear elevator would result in the loss of a significant amount of external historic fabric.

4 Smith's Place forms part of a category B listed terrace dating from the early 19th century. From the street elevation these buildings appear similar, but the rear elevations clearly show number 4 to be of a differing plan. Considerably narrower

than those adjacent, this building is differentiated by its near blind rear elevation, with very small, irregularly placed windows and turnpike stair with semi-conical slated roof.

The building is to be used as a crisis centre. The interior of this building is one room deep and accessed off a rear corridor. The proposals would see little change to the interior, which retains elements of the original detailing, such as cornicing and timber doors. The major proposal would see the addition of a glass lift to the rear of the building. The lift would be sited within an enclosed rear courtyard, would not rise above the wallhead level of the building and would not significantly impact on the adjacent listed buildings or the wider conservation area.

Whilst the applicant has submitted justification for the need to construct this lift for the client group using the building, Historic Scotland would offer the following advice regarding its effect on the listed building. At present the rear elevation is blind with small windows. The construction of the lift would mean making four sizeable slappings to access each level of the building through the historic fabric, and this is of concern. It is of the opinion that internally, the principle rooms' dimensions should not be broken by the introduction of a lift, especially given the narrow depth of the building and realise why this may appear to be the most practical siting for such a facility. Its construction would result in the loss of historic fabric and may set a precedent for other buildings within Edinburgh, which do not have a specific client based need for such a feature.

Historic Scotland is content with the sensitive way in which the lift to the basement is to be added from the platt on the main entrance.

Representations

The application was advertised on 11 November 2005. Four letters of support for the application have been received, one from Edinburgh Carers Council, one from Leith Lorne Community Council and two from Councillor Philip Attridge, supporting the use of the building and the external rear lift.

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 is allocated as Housing and Compatible Uses in the North East Edinburgh Local Plan.

Relevant Policies:

Policy E18 (LISTED BUILDINGS) sets out criteria for assessing proposals affecting a listed building and its setting, including alterations, extensions and changes of use.

Policy E19 (LISTED BUILDINGS - USES): establishes a qualified presumption in favour of retaining a listed building in, or its restoration to, its original use.

Policy E20 (ARCHAEOLOGICAL EVALUATION): sets out procedural requirements for applications that propose development or redevelopment of sites of known or suspected archaeological significance.

Policy E21 (CONSERVATION AREAS - GENERAL): requires proposed development within a conservation area to retain all features which contribute to the character and appearance of the area.

Policy E22 (CONSERVATION AREAS - REDEVELOPMENT): sets out criteria against which new development in conservation areas will be assessed.

Non-statutory guidelines 'ACCESS TO THE BUILT ENVIRONMENT' seek to ensure that development proposals and streetscape works take account of the needs of disabled people.

Non-statutory guidelines on the 'SETTING OF LISTED BUILDINGS' supplement local plan conservation and design policies, providing guidance for the protection and enhancement of the setting of listed buildings.

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Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that the Sub-Committee issue a **MIXED DECISION**

1. The **consent** relates to the front chair lift and the rear ramp only, and is subject to the following conditions:-

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.

Reason: In order to accord with the statutory requirements of the town and country Planning (Scotland) Acts.

2. Details of the design and materials of the front chair lift and the rear courtyard ramp shall be submitted to and approved in writing by the Head of Planning and Strategy before work is commenced on site.

Reason: In order to enable the Head of Planning and Strategy to consider these matters in detail.

3. 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.

Reason: In order to safeguard the amenity of neighbouring residents and other occupiers.

1. The **refusal** relates to the erection of the rear lift tower. The refusal reasons are as follows:-

a). The proposal is contrary to North East Edinburgh Local Plan Policy E18, in respect of Listed Buildings, as the external lift tower would adversely affect the setting of the building and set an undesirable precedent for similar developments which the planning authority would find difficult to resist.

b). The proposal is contrary to North East Edinburgh Local Plan Policy E21, in respect of Conservation Areas, as the proposal would compromise a rubble wall feature which contributes to the character of the Leith Conservation Area.

c). The proposal is contrary to North East Edinburgh Local Plan Policy E22, in respect of Redevelopment in Conservation Areas, as the proposal will neither preserve nor enhance the character of the Leith Conservation Area.

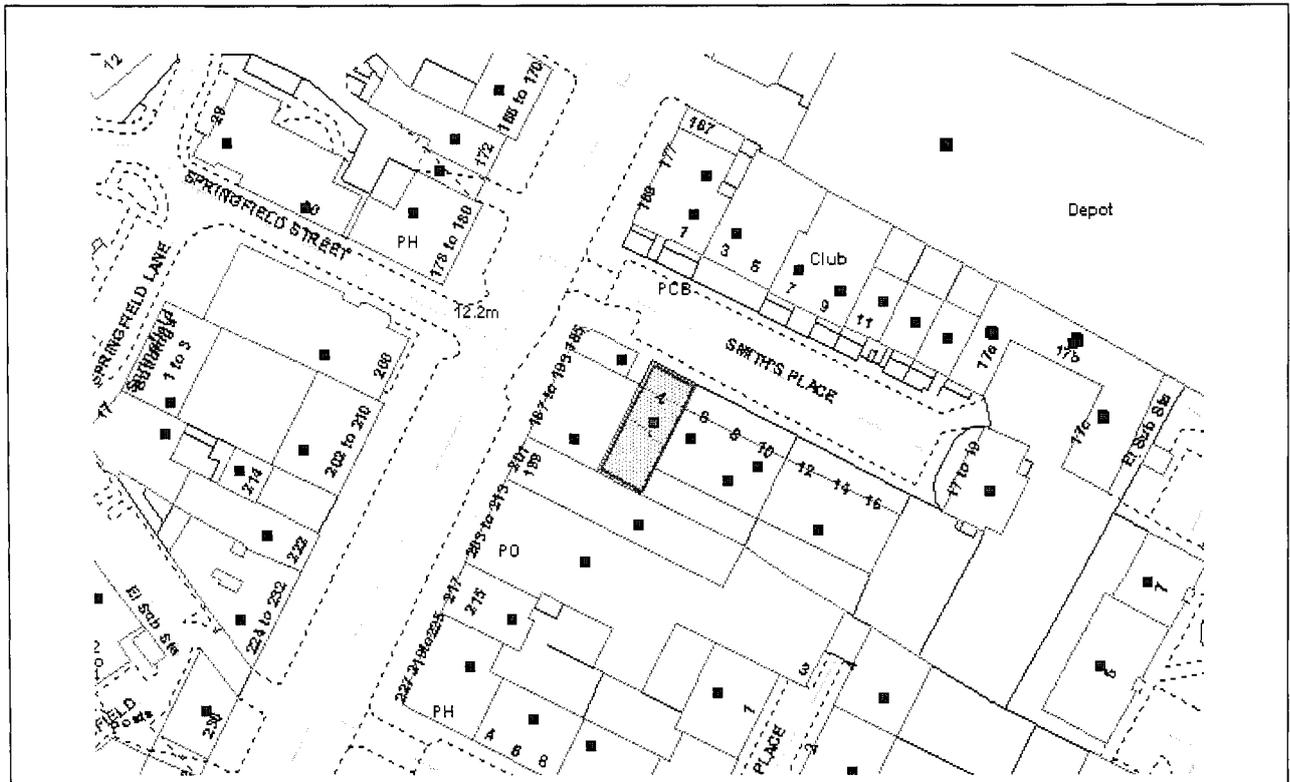
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Location Plan



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