

# Development Management Sub Committee

Wednesday 6 June 2018

## Application for Planning Permission 17/05638/FUL

At 16 Kirkgate, Currie, EH14 6AN

**Extension to premises including access stair to new upper level to rear comprising accommodation and classroom space for individuals involved in the use of the premises as a place of public worship, religious instruction or the social or recreational activities of a religious body (as amended).**

Item number	4.4
Report number	
Wards	B02 - Pentland Hills

## Summary

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The proposal forms an intensification of an existing use within the green belt, will not have an adverse impact on the Water of Leith Special Landscape Area and will not damage the character and appearance of the surrounding area. The proposal will not have an adverse impact on the amenity of neighbouring residents, does not raise any issues in respect of road safety and parking or equalities and human rights; and complies with policies Env 10, Env 11, Des 1, Des 5 and Tra 4 of the adopted Edinburgh Local Development Plan and the Edinburgh Design Guidance.

## Links

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<a href="#">Policies and guidance for this application</a>	LDPP, LEN10, LEN11, LDES01, LDES05, LTRA02, NSG, NSGD02,
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# Report

## **Application for Planning Permission 17/05638/FUL**

**At 16 Kirkgate, Currie, EH14 6AN**

**Extension to premises including access stair to new upper level to rear comprising accommodation and classroom space for individuals involved in the use of the premises as a place of public worship, religious instruction or the social or recreational activities of a religious body (as amended).**

### **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 site comprises one of two modern church hall buildings situated on the western side of Kirkgate. The buildings are currently in use by Currie Baptist Church. The surrounding area has as a mixed residential/rural character. Historical stone built residential dwellings are situated to the north and south east, with Currie Kirk located to the east. To the north and west is situated dense mature woodland and to the south, open countryside and farmland.

The site is located within the Green Belt.

The eastern boundary of the site borders the Currie Conservation Area. This application site is located within the Currie Conservation Area.

#### **2.2 Site History**

26 June 2003 - Planning permission granted to alter toilet to provide disabled facilities and form external ramp for disabled access (application reference: 03/01363/FUL).

29 May 2013 - Planning permission granted for the formation of new link extension between two separate buildings, alteration to buildings to insert windows and to form new disability access ramp (application reference: 13/01122/FUL).

## **Main report**

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### **3.1 Description of the Proposal**

The proposal seeks planning permission for a pitched roof upper floor extension and staircase access to the western hall building in order to create a new accommodation and classroom teaching space. The accommodation and classroom spaces is intended for individuals residing at the premises in connection with its use as place of religious instruction and the social or recreational activities of a religious body.

The extension will raise the eaves height of the hall from 3.4 metres to 5.6 metres and the roof ridge height from 4.5 metres to 7 metres. The exterior will consist of timber cladding with UPVC double glazed windows and doors. Timber framed balconies and a timber balustrade will be sited on the southern elevation of the upper level. The roof will be anthracite grey PVC coated metal sheeting. Alterations will also be made to the ground floor northern elevation, reducing the current number of windows.

The proposal does not include provision for any new motor vehicle or cycle parking.

#### Scheme One

The original proposal was amended to change the proposed external materials. The main exterior material was originally anthracite grey cedar boards, with metal balconies and steel balustrades.

### **3.2 Determining Issues**

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

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?

### **3.3 Assessment**

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

- a) The proposal is acceptable in principle;
- b) The proposal will have a significant adverse impact on the Water of Leith Special Landscape Area and the character and appearance of the surrounding area;
- c) The proposal will have an adverse impact on the amenity of neighbouring residents;

- d) The proposal raises any issues in respect of road safety and parking;
- e) Any issues raised in objections have been addressed, and;
- f) The proposal raises any issues in respect of equalities and human rights.

a) Principle of the Proposal

The site is designated as Green Belt in the adopted Edinburgh Local Development Plan (LDP). Policy Env 10 of the LDP states that within the green belt and countryside shown on the proposals map, development will only be permitted where it meets one of four specific criteria and would not detract from the landscape quality and/or rural character of the area. Criteria c) of policy Env 10 is identified as being applicable in respect of this application and states that the following development will be supported:

- development relating to an existing use or buildings such as an extension to a site or building, ancillary development or intensification of the use, provided the proposal is appropriate in terms of the existing use, application in type in terms of the existing use, of an appropriate scale, of quality design and acceptable in terms of traffic impact.

The proposed upper floor extension is intended for use as accommodation and classroom space for individuals staying at the church in connection with its use as a place of public worship. It is not intended to form commercial hostel or residential accommodation and does not therefore amount to a material change of use. The use of the accommodation/classroom space as a commercial hostel for individuals not connected to the church would require a separate application for planning permission. The extension is an appropriate intensification of the current use.

The design of the extension is appropriate, with the use of natural timber reflecting a continuation of the existing external material which will blend in suitably with the natural woodland situated directly to the north. . The visual impact of the extension is assessed in greater detail in section b).

The proposal is acceptable in principle and complies with LDP policy Env 10.

b) Impact on Water of Leith Special Landscape Area and the Character and Appearance of the Surrounding Area

LDP policy Env 11 states that planning permission will not be granted for development which would have a significant adverse impact on the special character or qualities of the Special Landscape Areas shown on the Proposals Map. In addition, LDP policy Des 1 states that planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it.

The site is located within the boundary of the Water of Leith Special Landscape Area (SLA). The Pentland Hills SLA is located directly the south of the site.

The Water of Leith SLA draws much of its character from the steep side slopes of the river corridor, and the tranquil, secluded natural environment which the river provides.

The application site is located 100 metres away from the main river and is separated by an extensive section of mature woodland to its north which slopes down sharply towards the north bank of the river. The site is sufficiently distant from the main river to ensure that it will not impact on its secluded character or introduce an incongruous development into its natural environment. In addition, the use of natural timber for the external elevations will enable the building to suitably blend in with its immediate surroundings.

Mature trees situated directly to the north of the site will serve to partially obscure the development from view when approaching from the north along Kirkgate. Extensive mature woodland further to the north of the site will screen the development from wider views along the Water of Leith and Lanark Road West.

The southern elevation of the extension will be more visible when approaching along Kirkgate from the south. However, mature trees and hedging situated along the western boundary of the road will contribute to partially screening the extension from wider view. In addition, the appearance of the southern elevation of the extension is broken up by the inclusion of the balcony doors, creating a suitable aesthetic balance to the elevation's appearance.

The proposal will not have a significant adverse impact on the special character or qualities of the Water of Leith SLA and will not have a damaging impact on the character and appearance of the surrounding area. The proposal complies with LDP policies Env 11 and Des 1.

#### c) Amenity of Neighbouring Residents

LDP Des 5 states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected.

The proposal has been assessed against the vertical sky component (VSC) test outlined within the Edinburgh Design Guidance (EDG) in respect of any loss of daylight. The extension complies with the VSC test with respect to the surrounding properties and will not result in any loss of daylight for any neighbouring residential property.

The proximity of the access staircase and the northern elevation of the extension to the boundary with the neighbouring property to the north may result in an area of 25 square metres being overshadowed to a potentially adverse degree. However, the premises to the north has an overall curtilage area of 0.37 hectares and the area which will be directly affected therefore represents a negligible amount of the overall curtilage.

In respect of privacy, the balconies on the upper floor are sited 65 metres away from the nearest residential property to the south. The distance is sufficient to ensure that there will be no adverse overlooking. The windows located on the upper floor of the northern elevation area high level glazing and will not permit any overlooking to the north.

The proposal complies with LDP policy Des 5 and will not have a detrimental impact on the amenity of neighbouring residents.

#### d) Road Safety and Parking

LDP Policy Tra 2 states that Planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in council guidance.

No parking provision is currently provided within the curtilage of the premises. However, the proposed intensification has been assessed and is unlikely to result in an adverse increase in traffic. The Roads Authority were consulted on the proposal and raised no objection.

The proposal does not raise any concerns in respect of road safety and complies with LDP Tra 2.

#### e) Issues raised by objectors

##### **Objection Comments**

##### **Material Considerations**

- Proposal involves development in the green belt - addressed in section 3.3 (a).
- Proposal will result in a material change of use to a hostel - addressed in section 3.3 (a).
- Proposed materials are not appropriate - addressed in sections 3.3 (a) and (b).
- Proposal will have an adverse impact on the character and appearance of the surrounding area - addressed in section (b).
- Proposal will result in increase in traffic and parking - addressed in section 3.3 (d).

##### **Non-Material Considerations**

- Proposal will have a detrimental impact on the character and appearance of the Currie Conservation Area - the eastern boundary of site lies adjacent to the Currie Conservation Area, but the site is not situated within the conservation area.
- Issues relating to the proposed structural integrity of the building - matters relating to the structural integrity of a building are out with the remit of the planning system and are addressed through the building warrant process.
- Balconies would permit views into the eastern hall and raise issues regarding child safety - Views within existing sites are not safeguarded through the planning system. It is the responsibility of the premises' owners to ensure that all relevant legal standards in relation to child safety and welfare are adhered to.

- Matters relating to ownership of land within the submitted location plan - Issues relating to the ownership of the land on which the development will be constructed are a civil matter and must be addressed through the courts.

#### f) Equalities and Human Rights

The proposal has been assessed and raises no issues in respect of equalities and human rights.

#### Conclusion

In conclusion, the proposal forms an intensification of an existing use within the green belt, will not have an adverse impact on the Water of Leith Special Landscape Area and will not damage the character and appearance of the surrounding area. The proposal will not have an adverse impact on the amenity of neighbouring residents, does not raise any issues in respect of road safety and parking or equalities and human rights; and complies with policies Env 10, Env 11, Des 1, Des 5 and Tra 4 of the adopted Edinburgh Local Development Plan and the Edinburgh Design Guidance.

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

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

#### **Informatives**

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

### **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 meets the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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

There is no pre-application process history.

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

The application was advertised on December 12 2017 and attracted eight letters of objection. A full summary of the considerations raised by the objectors can be found in section 3.3 (e) of the main report.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development****Plan Provision**

The site is located in the Green Belt in the adopted Edinburgh Local Development Plan (LDP).

**Date registered**

8 December 2017

**Drawing numbers/Scheme**

01 - 02, 03A,

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

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**Links - Policies**

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**Relevant Policies:****Relevant policies of the Local Development Plan.**

LDP Policy Env 10 (Development in the Green Belt and Countryside) identifies the types of development that will be permitted in the Green Belt and Countryside.

LDP Policy Env 11 (Special Landscape Areas) establishes a presumption against development that would adversely affect Special Landscape Areas.

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

## **Relevant Non-Statutory Guidelines**

**Non-Statutory guidelines** Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

# Appendix 1

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### **Consultations**

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#### Roads Authority

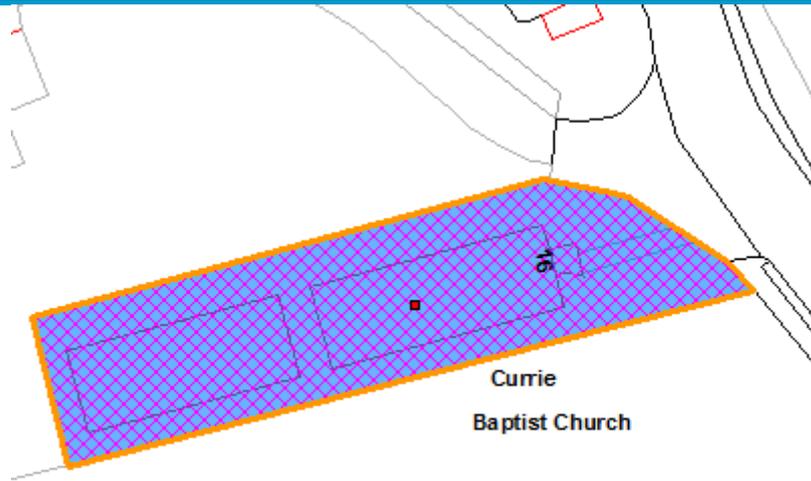
*No objections to the application.*

#### *Note:*

- 1. No formal parking is provided at the current Baptist Church premises.*
- 2. The proposals comprise an upper floor extension to the rear building at the property, providing a classroom space and accommodation for individuals involved in the use of the premises as a place of public worship. It is not accommodation available for private rent and thus this will not generate additional vehicular traffic.*
- 3. It is noted that there are existing problems in regarding to vehicular parking on the roads in the vicinity of these premises and the Currie Parish Church opposite associated with times of worship. However, it is not expected that this will be exacerbated by the purpose of the proposals.*

## Location Plan

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