

Full Planning Application
at
84 - 86 East Claremont Street
Edinburgh
EH7 4JZ

Development Quality Sub-Committee
of the Planning Committee

12 May 2004

Proposal: 03/02061/(84-86 East Claremont Street) Flatted residential development
Applicant: Gregor Properties Ltd.
Reference No: 02/04230/FUL

1 Purpose of report

To recommend that the application be **GRANTED** subject to;

Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. No development shall commence on site, prior to the completion of a satisfactory Agreement, in terms of Section 75 of the Town and Country Planning (Scotland) Act 1977. The Agreement shall be in respect of the following matters: -
 - a) The financing of 1 City Car Club vehicle.
 - b) Financing the promotion of a road traffic Order, in order to allow for the City Car Club vehicle to be parked in a designated space on the street.
 - c) The financing of City Car Club membership for every membership for every resident for a two year period.
 - d) Before any part of the development is occupied, the roadwork's approved in plan reference 31440, shall be implemented at no cost to

the Council and to the satisfaction of the Director of City Development.

3. Before any part of the development is occupied, the roadwork's approved in plan reference 31440, shall be implemented at no cost to the Council and to the satisfaction of the Director of City Development.
4. Before any part of the development is occupied, the cycle facilities shall be provided, in accordance with the approved plans.
5. Notwithstanding the approved plans, natural stonework shall be used in place of reconstituted stonework, on the front and side elevations of this building, in accordance with the approved plans.
6. Notwithstanding the approved plans, all windows on the front and side elevations of this building, shall be timber framed, in accordance with the applicant's letter dated 6th April 2004.
7. Notwithstanding the terms of condition numbers '5' and '6' above, a detailed specification, including trade names where appropriate, of all proposed external materials, shall be submitted to and approved by the Head of Planning and Strategy, before any work commences on site; Note samples of materials may be required.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to reduce the requirement for private vehicular parking arising from this development, in the interests of road safety.
3. In order to safeguard the interests of road safety.
4. In order to safeguard the interests of road safety.
5. In order to safeguard the character and appearance of the existing building and the neighbouring conservation area.
6. In order to safeguard the character and appearance of the existing building and the neighbouring conservation area.
7. In order to safeguard visual amenity.

2 Main report

Site description

The application site lies at the corner of East Claremont Street and West Annandale Street and is currently occupied by a pair of semi-detached dwellings.

A four-storey tenement block adjoins the application site to the north. A shop unit with a flat above lies to the east. The site faces onto the private open space in front of the category A listed Georgian period-terraced townhouses on Claremont Crescent.

The site lies just outwith the New Town Conservation Area.

Site history

A planning application for a flatted residential development at this site was withdrawn on 19th June 2002 (reference: 01/02940/FUL).

Development

The application relates to the erection of a block of flats at this infill site, on the corner of East Claremont Street and West Annandale Street.

SCHEME 1

The original plans submitted under this application comprised a six storey building, containing a total of 11 flats.

SCHEME 2

This amended scheme comprised a five and a half storey building, containing a total of 10 flats, with two at the ground floor level.

SCHEME 3

In the finalised plans, a total of nine flats are located within this 'L' shaped block. One, three bedroomed flat is situated at ground floor level, with a main door entrance. Two, two bedroomed flats are situated at first, second and third floor level. One, two bedroomed and one, three bedroomed duplex are located at fourth and fifth floor level.

Some amenity space is provided in the front garden area and within the shared courtyard to the rear. A bicycle store and bin store are located to the rear of the site, close to the boundary with West Annandale Street.

The proposals also include the redesign of the street layout with the formation of 62 on-street public parking spaces, for both existing and future residents. One of these spaces is to be dedicated to the City Car Club.

The developer has further agreed to enter into a section 75 Agreement, regarding the funding of a city car club space for 2 years and providing membership of the car club, for all residents of the proposed development.

Consultations

Transport Planning (Development Control)

No objections to the application subject to the following conditions being applied.

- a) road safety audit recommendations are implemented;
- b) the number of flats are reduced to 9, as previously agreed with transportation;
- c) 9 secure cycle parking spaces are provided.

Further comments received 24/3/04

No objections subject to the following conditions:

1. All road works to be done to the approval of City Development Department and at no cost to the Department.
2. A section 75 Agreement or other legal agreement, for the developer to pay for the promotion of a Traffic Regulation Order, to provide a City Car Club space on street and a CCC vehicle for two years. The agreement will provide for membership of the City Car Club for all residents.

SEPA

1. It is anticipated that sewage and surface water associated with the proposed house will be connected to public sewers vested in the control of Scottish Water (SW). SW will therefore be able to offer detailed comment on spare capacity and required specifications.
2. If existing buildings require to be demolished, the removal and disposal of demolition waste off-site must be in accordance with the waste management licensing regulations.
3. On the basis of the details forwarded with the consultation, SEPA holds no information that would facilitate comment on any other issue relevant to the proposals.

Education

There is spare capacity at the catchment primary school for this development. The effect of this development would be negligible on the rolls of the catchment secondary school and the catchment denominational primary school and secondary schools. The Education Department would have no objection to this application.

Environmental and Consumer Services

No objections

Representations

Neighbour notification was originally carried out in November 2002. Objectors to the original proposals were renotified of the revised proposals, in September 2003 and February 2004.

SCHEME 1

A total of 43 letters of objection were received in relation to the application as originally submitted. Letters were received from Mark Lazarowicz, the Bellevue and Claremont Residents Association and from the New Town and Pilrig Residents Association. The remaining 40 representations were from neighbouring residents.

The main grounds of objection are as follows:

- 1) Out of keeping with the scale and character of existing buildings and townscape.
- 2) The proposals for on street parking, which include the narrowing of the existing carriageway, would be hazardous to road safety.
- 3) Insufficient parking facilities.
- 4) Inappropriate use of facing materials.
- 5) Overshadowing of neighbouring properties
- 6) Inadequate landscaping and open space.
- 7) Lack of family accommodation.

SCHEME 2

Seventy-one letters of objection were received in relation to the application amended in September 2003. These objections included letters from Mark Lazarowicz MP, the Bellevue and Claremont Residents Association and the New Town and Pilrig Community Council.

Comments remain as scheme 1.

SCHEME 3

Twenty three letters were received in relation to the finalised proposals, including those from Mark Lazarowicz MP, the Belmont and Claremont Residents' Association and Newtown and Pilrig community Council.

The Ward Councillor has also submitted a letter requesting the provision of traffic calming within the proposed scheme.

Comments remain as scheme 1.

Policy

Housing and Compatible Uses - Central Edinburgh Local Plan.

Relevant Policies:

Policy CD10 (NEW DEVELOPMENT - OBJECTIVE) encourages new development of the highest possible architectural and urban quality.

Policy CD11 (NEW DEVELOPMENT - GENERAL) sets out general design requirements for new development, and requires particular attention to be paid to main approach roads to the city centre.

Policy CD15 (INFILL DEVELOPMENT) sets out design requirements for new infill development.

Policy CD17 (MATERIALS) sets out requirements for materials in new developments and seeks a greater use of stone, roofing slate and other traditional materials in appropriate cases.

Policy H1 (HOUSING DEVELOPMENT) encourages the provision of new residential accommodation, in conjunction with other land uses if necessary to maintain the mixed use character, its locality, and sets out criteria for assessing development proposals in predominantly residential areas.

Policy H7 (HOUSING DIVERSITY) sets out policy objectives for achieving a mix of house types and sizes in new developments.

Policy H11 (HOUSING AMENITY) establishes a presumption against new development and changes of use likely to introduce increased levels of traffic or activity to the detriment of residential amenity or to the reasonable prospects of further residential development where this is an objective of the Local Plan.

Policy T15 (PRIVATE CAR PARKING) requires all new development to comply with car parking standards set out in the Development Control Handbook, including provision for people with disabilities, and requires car parking to be designed to minimise visual intrusion.

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

Non-statutory guidelines on 'PARKING STANDARDS' set the requirements for parking provision in developments.

3 Conclusions and Recommendations

DETERMINING ISSUES

The determining issues are:

- do the proposals preserve or enhance the character and appearance of the adjacent conservation area; there being a strong presumption against the granting of planning permission if this is not the case;
- 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 proposed use is acceptable at this location.
- b) The scale, form and design of the proposed development is appropriate for this location and respects the character and appearance of the neighbouring area, which includes the New Town Conservation Area.
- c) The proposed development would result in a loss of residential amenity.
- d) There is adequate amenity provision for future residents.
- e) There are any road safety implications.

a) The proposed residential development complies with site's designation in the local plan, which is within an area of Housing and Compatible Uses.

b) The character of the New Town Conservation Area is summarised in the local plan as follows; - *A planned urban concept of European significance, the New Town has an overriding character of Georgian formality. The First New Town, built to James Craig's 1767 plan, has experienced significant redevelopment, while the Second, Third and Fourth New Towns, which were laid out on estates to the north, east and west retain most of their original buildings. Stone built terrace houses and tenements, built to the highest standards, overlook communal private gardens; to the rear are lanes with mews buildings, many of which are now in housing use. The importance of the area therefore lies in the formal plan layout of buildings, streets, mews and gardens and in the quality of the buildings themselves. Many of the New Town's buildings are listed category 'A' of national importance and the area contains some of the city's finest interiors.*

The existing 2 storey building at the site forms a break in the generally 4 to 5 storey frontage of tenements on this street. The proposed building follows the existing building and roofline of neighbouring buildings, on West Annandale Street and improves the continuity on this frontage. The level of the windows follows through on ground, fourth and the attic floor level. The window levels of the first to third floor flats are, however, at a different level to those at the adjoining building, as an additional floor level has been incorporated, owing to the reduced floor levels within the modern interior. The proposed timber framed windows are traditional in appearance and have been grouped to reflect the strong vertical emphasis on the existing street frontage. It is considered that the design of this front elevation is sympathetic to the appearance of the adjoining buildings and the character and appearance of the neighbouring conservation area.

The proposed building on West Annandale Street, however, projects by 4.4 metres, in front of the existing building line on this street. It is noted, however, that several corner sites within the area, are occupied by buildings, which extend close to the edge of the pavement. The proposed change to the building line will not therefore in itself, appear out of keeping with the surrounding townscape. The proposed return to the building on West Annandale Street, partially screens the rear elevation of the development from view at street level. The turret style detail, at the street corner, provides a townscape feature at this prominent, elevated location. It also serves to link the relatively traditional facade of the Claremont Street frontage, with the more contemporary facade on the side and rear elevations. The design of the rear elevation represents a significant contrast with that of the remaining building, although a strong vertical emphasis has been retained. This contrast in appearance is considered acceptable on the rear aspect, which is not visible from the neighbouring conservation area.

The applicant has agreed by letter to the use of natural stonework, in place of the originally proposed reconstituted stone, on the front and side elevations. This is considered an appropriate material for use at this highly visible site, close to the conservation area. The roof is to be slate clad and the rear walls are to be rendered. The applicant has further agreed by letter, to use timber-framed windows on the front and side elevations. The rear windows are to remain aluminium framed, as originally proposed. The proposed materials are considered suitable for use at this highly visible site, close to the conservation area.

The front garden ground on the front and side elevations of the proposed building reflects the spatial character of the surrounding streetscape. The use of a low boundary wall with metal railings above, provides further continuity on these frontages.

It is thus considered that the scale, form and design of the proposed development is appropriate for this location and respects the character and appearance of the surrounding area. The proposal is not considered to detract from the character and appearance of the neighbouring conservation area.

C) The applicant has submitted an assessment on the effects of the proposed development on windows within the neighbouring tenement and the flats on West Annandale Street. The results of this analysis demonstrate that daylight levels within these windows exceed the minimum requirements, as included within the Council's adopted guidelines. The results further demonstrate that the proposed development would result in no reduction in sunlight levels to the affected windows.

The proposed development would not result in the overlooking of neighbouring properties. The frontage of the proposed development is separated from the nearest residences on the opposite side of East Claremont Street by a crescent of private open space. The rear elevation of the proposed building comes within 5 metres of the gable end of the two storey shops and flat on West Annandale Street. There is, however, one window on the side elevation of this neighbouring property. As this window serves the landing area, the proposal will not result in the overlooking of habitable rooms at this property. The proposed development therefore complies with the Council's guidelines on Daylight, Sunlight and Privacy.

It is considered that the provision of 9 flats at this infill site, close to the city centre, would be in keeping with the relatively densely populated character of the area and would not cause any significant increase in the amount of noise or activity in the neighbourhood. It is thus considered that the proposal is not detrimental to existing residential amenity.

D) In terms of amenity standards within the proposed development, the proposed flats all have dual aspect and have a generous floor space provision. Daylight provision is considered satisfactory and in keeping with relevant guidelines.

A shared amenity area is located to the rear of the development site and an enclosed front garden area is provided for the use of the ground floor, 3 bedroom flat. A roof top terrace area is also provided, for the use of the occupants of the two bedroomed flat at this level. The standard of amenity for future residents is thus considered satisfactory.

E) Parking provision for this development is at the rate of 100%, in keeping with the Council's approved standards. The proposed parking spaces are for non restricted use and an allowance has been made for existing residents on West Annandale Street, as well as those at the application site. The proposed 'end on' style, on street parking layout, represents a more efficient use of the existing road layout for parking provision. The proposed traffic calming measures and designated pedestrian points, associated with this development, would improve pedestrian safety in the area.

In conclusion, it is considered that the proposed development is acceptable in terms of its design and appearance and impact on amenity of neighbouring residents, as well as road safety. It is further considered that the development would provide future occupiers with an adequate standard of residential amenity.

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

Further Assessment

The Committee continued this application on 12 May 2004, for reasons for refusal to be drafted. These are suggested as follows:

1. 1 The proposal is contrary to policy CD10 of the Central Edinburgh Local Plan, in relation to new development, as it is of insufficient architectural and urban quality.
2. The proposal is contrary to Central Edinburgh Local Plan Policy CD11, with regard to new development, as it does not respect the constraints of the site, by way of its design, height, massing and lack of amenity space, to the detriment of the character of its surroundings and the adjoining conservation area.
3. The proposal is contrary to Central Edinburgh Local Plan CD15, in respect of infill development, as it does not relate to the established character of the surrounding area and, in particular to that of West Annandale Street.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

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Ward affected 19 -Broughton

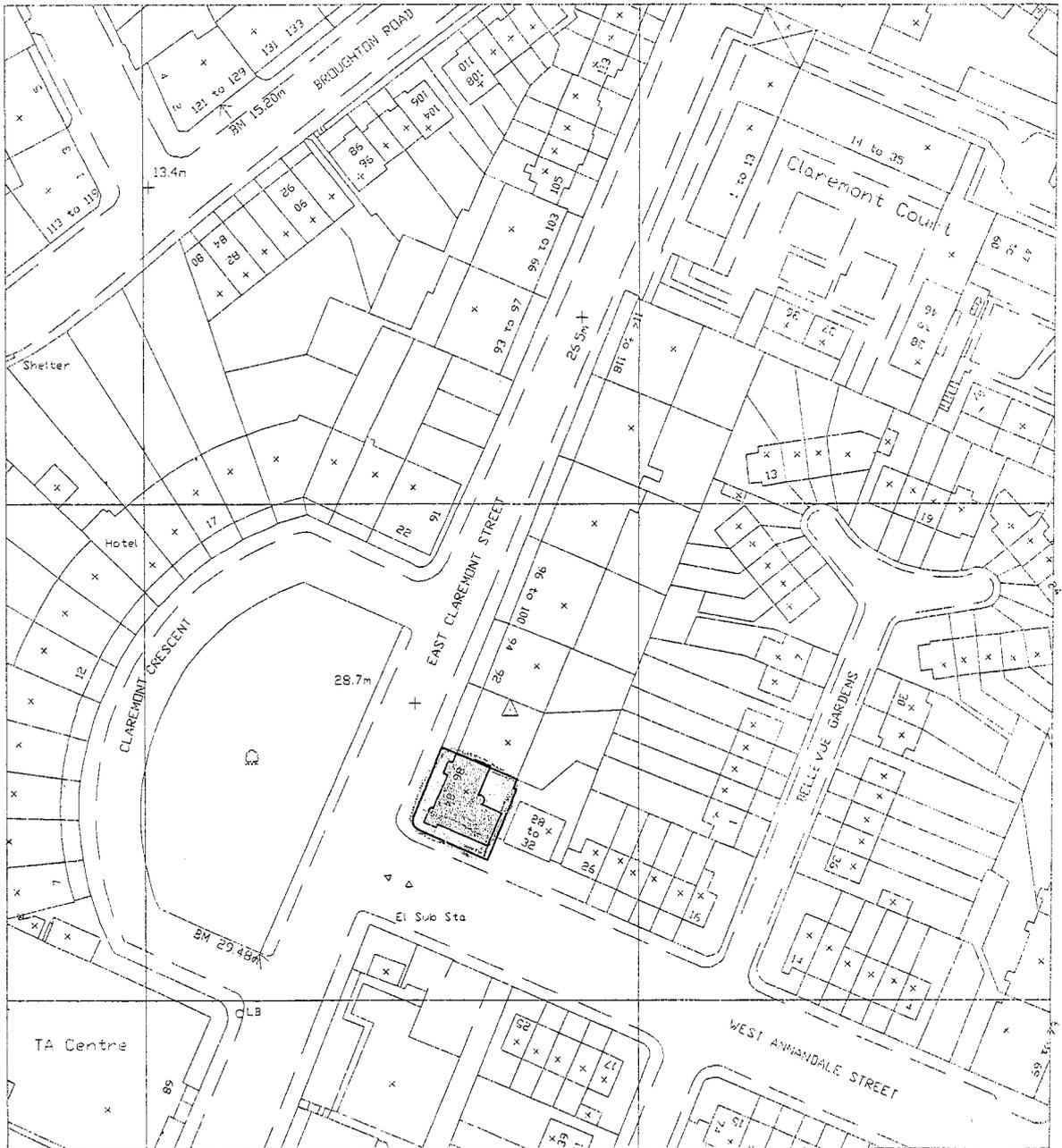
Local Plan Central Edinburgh Local Plan

**Statutory Development
Plan Provision** Housing and Compatible Uses

File af

Date registered 21 November 2002

**Drawing numbers/
Scheme** 8062, 8076, 8077, 31440, 31446
Scheme 3



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<p>DATE</p> <p>08/11/02</p>	<p>DRAWN</p> <p>ME</p>	<p>SCALE</p> <p>1:1250</p>	<p>DRAW NUMBER</p> <p>01037-P019</p>	<p>REVISION</p> <p>-</p>	