

Full Planning Application
at
172 Leith Walk
Edinburgh
EH6 5EA

Development Quality Sub-Committee
of the Planning Committee

Proposal: Erect 4 no flatted dwellings (as amended to 3)
Applicant: Abercastle Property Group.
Reference No: 03/04522/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. 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.
3. The design and installation of the substation shall be such that any associated noise complies with NR20 when measured within any nearby living apartment.
4. Prior to the issue of consent the developer shall enter into a suitably worded legal agreement to ensure a contribution of £1500 towards the Council's Safe Routes to Schools programme.
5. The development shall not commence until a scheme for protecting the residential development hereby approved from noise from the electrical substation 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.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
 2. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
 3. In order to safeguard the amenity of neighbouring residents and other occupiers.
 4. In the interests of child safety.
 5. In order to protect the amenity of the occupiers of the development.
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2 Main report

Site description

The site stands on a newly extended section of Springfield Street and is not accessible from Leith Walk. The site contains a new electricity substation on its north boundary and a large outbuilding of similar scale to the south (built as a substation but superseded by the newer substation). The latter is now used as a store but is to be removed to allow development of the site.

Other than this, the site is a small largely undeveloped area, within a much wider area which has recently undergone residential redevelopment, largely tenemental in form, with heights rising towards Pilrig Park. Within the last few years several hundred units have been built in this area, between Leith Walk and Pilrig Park. The character of the area is therefore predominantly modern.

The site backs onto older properties on Leith Walk. These lie within the Leith Conservation Area (the application site itself does not).

The older properties include a small listed Victorian office (category C (S)) and a vernacular 18th century house to the north on Steads Place (listed category B). The latter stands between a heavily altered 19th century tenement and a rendered shed operating as a repair garage/workshop.

Site history

04.12.02 - consent granted to erect a two storey office with pitched roof (matching surrounding estate) plus relocation of an existing new substation into a corner of the site.

The substation element of this is built, activating the consent.

Development

Scheme 1

The application proposed the erection of a two and a half storey flatted block containing 4 units. The proposal links to a substation at the rear corner of the site, which is already approved and rebuilt in this location.

Parking is only available to the front. This originally took the form of tandem parking for four cars.

Garden area is restricted to a narrow area to the rear.

Materials match the remainder of the wider housing scheme (tile, render and blockwork).

Scheme 2

The single storey section (which joined the form to the substation) was deleted, and numbers consequently dropped to three units.

Car parking was rearranged and three independent spaces were created to the front.

As a result of the reduction in built footprint, and changes to parking layout, open space increased to 130sqm, lying mainly to the north and east of the proposal.

Scheme 3

Open space was increased to the rear, reducing the size of the adjacent office parking area.

Consultations

Environmental and Consumer Services

This department has 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 on 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 on 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.

The development shall not be occupied until a scheme of protecting the residential development hereby approved from noise from the electrical substation has been submitted to and approved in writing by the head of Planning; all works which form a part of the approved scheme shall be completed to the satisfaction of the head of planning before any part of the development is occupied.

Transport

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

For the developer to enter into a suitable legal agreement to contribute the sum of £1,500 to the departments Safer Routes to School programme.

Representations

Two representations were received objecting to the proposal. Reasons for objection were:

1. Inadequate off-street parking/ road safety concerns
2. Steads Place is a conservation area
3. Loss of daylight
4. Loss of privacy
5. Gradual enclosure of 7 Steads Place by surrounding buildings/ too close to boundary
6. Materials do not match 7 Steads Place
7. Gradual worsening of views

Policy

The site lies in an area shown as Business/Industry in the NEELP.

Relevant Policies:

Policy E25 (DESIGN OF NEW DEVELOPMENT - OBJECTIVE): encourages new development of the highest possible standard.

Policy E26 (QUALITY OF NEW DEVELOPMENT): sets out general design requirements for new development, and requires particular attention to be paid to main approach roads to the city centre and seafront and waterfront locations.

Policy T7 (CYCLE PARKING) requires new development to provide secure cycle parking in conformity with approved standards and in appropriate public locations where it contributes to greater cycle use.

Policy T10 (PRIVATE CAR PARKING) requires all new development to comply with approved car parking standards as set out in the Development Control Handbook

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

Policy E7 (OPEN SPACE PROVISION): specifies minimum standards of open space provision in new housing developments to meet both recreational and amenity needs.

3 Conclusions and Recommendations

DETERMINING ISSUES

The determining issues are:

- Do the proposals comply with the development plan?
- If they do, are there any compelling reasons for not approving them?
- If they do not, are there any compelling reasons for approving them?

ASSESSMENT

In order for the Committee to consider this application the following issues should be considered a) the principle of residential use on this site b) the effect of the scale, form and design on the character of the area c) the effect on neighbouring amenity d) parking and road safety concerns e) the amenity of the proposed units in terms of open space.

a) Although the site is identified Business/Industry in the local plan this has been superseded by events. All the previous industrial uses have now been replaced by residential uses. The sole remaining business use is a small garage to the north-east. The entire surrounding area other than this is now in housing use.

Because the substation continues to be illustrated as part of the site a condition pertaining to this element is reiterated (despite this section already being built).

b) The overall form and design were approved in the previous consent for offices, which were conceptually similar.

The effect on the character of the area is no different than that already approved.

The proposal lies outwith the Leith Conservation Area and is not visible from any public area within it (other than a long-distance, narrow glimpse view through a pend on Leith Walk).

The position and form of the substation remain as previously consented.

c) The apartment windows created to the front face down a long access road leading westwards, and to the rear face only into a small office car park (with no residential uses beyond).

The only window facing existing residential areas is a non-apartment window at the stair head, which serves to break up an otherwise blank gable facing north.

All daylight effects of the new flats fall on the applicant's own ground.

No privacy or daylight issues arise in policy terms.

d) As amended 100% car parking is available (without resorting to tandem parking as originally suggested).

It is also noted than the site is only 70m from Leith Walk, a major bus route and proposed tram route.

No issues of road safety arise, and access is as previously approved for the office.

e) As amended, open space in the proposal accounts for 60% of the site area.

The open space to the rear is now 8m deep. However, there is no residential use beyond, and privacy issues do not arise. The garden area is considered adequate for the amenity needs of the development.

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

Alan Henderson

Alan Henderson
Head of Planning and Strategy

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Ward affected 22 -Lorne

Local Plan North east Edinburgh

**Statutory Development
Plan Provision** Business/Industry

File AF

Date registered 23 December 2003

**Drawing numbers/
Scheme** 4,5
Scheme 3

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| Address | 172 Leith Walk, Edinburgh, EH6 5EA, | | |
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PLANNING APPLICATION

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