

**Full Planning Application  
at  
9C Doune Terrace  
Edinburgh  
EH3 6DY**

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

**Proposal:** Increase in no of children under 2 attending from 0 to 8,  
increase in no of children over 2 attending from 28 to 30

**Applicant:** Mrs Crandles

**Reference No:** 04/02034/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. Permission for the increase to number of children hereby approved is granted for a limited period of one year.
3. The number of children accommodated in the garden shall not exceed ten at any one time.
4. The number of children accommodated at the nursery shall not exceed 38 at any one time.
5. The hours of operation shall be restricted to 0800 to 1800 from Monday to Friday inclusive.

## **Reasons**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
  2. In order to assess the impact of the development over a trial period.
  3. In order to safeguard the amenity of neighbouring residents and other occupiers.
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## **2 Main report**

### **Site description**

The property is a lower basement flat located within a 5-storey townhouse, to the rear of 15 Moray Place, near the junction with Doune Terrace. Pedestrian access to the property is via Doune Terrace. The premises includes a garden which faces on to Doune Terrace.

Surrounding properties are all Georgian townhouses which are generally in residential use on the upper floors, with mixed residential and commercial use on the ground and basement floors. Other properties at this end of Moray Place have walled gardens fronting on to Doune Terrace.

The property is part of an A listed building in the New Town Conservation Area and the World Heritage Site.

### **Site history**

December 1971 - consent granted for change of use of first floor office at 15 Moray Place to residential use (ref; 1659/71).

April 1972 - consent granted for change of use to residential use (ref; 322/72).

August 1997 - consent granted for change of use from office at sub-basement level at 15 Moray Place to day nursery (ref; A01415/97). Conditions limited consent to 12 months, required noise insulation, limiting hours to 8.30 to 4.30 Monday to Friday only, limiting total number of children to 25 with only 10 being allowed in the garden at any one time.

September 1997 - Planning permission and listed building consent granted for change of use from offices at ground and first floor level to residential use (ref; A02184/97).

21/10/98 - Planning permission granted for permanent use of sub basement level flat as day nursery (ref; A 02118 98). Conditions as above.

03/01166/FUL - Planning permission granted 6/6/03 for increase in hours from 8.30 - 4p.m. to 8a.m. - 6p.m.and increase in number of children by 3 to a maximum of 28.

03/02413/FUL/ LBC Planning permission and Listed Building Consent granted for alterations including new covered corridor and porch 17/9/03.

04/0545/FUL - Planning application for erection of outdoor play structures under consideration.

### **Development**

This application relates to the proposed increase in the number of children attending this existing nursery from 28 to 30, in the over two's age group and from 0 to 8 in the under two's age group.

### **Consultations**

#### **Transport**

No objections

### **Environmental and Consumer Services**

This department has no objections to this proposal provided that conditions attached to the consent 03/01166/Ful are attached to this application. It is noted that the restriction at present, is ten in the garden at any one time and this should remain the same. It is this departments view that the proposed increase in numbers will not affect the present level of amenity afforded by the existing restrictions, as the property above is not in residential use and the number allowed in the garden is not allowed to increase. Therefore the only area where an increase in activity will take place, is in relation to the dropping off and collection of children. However it is considered that this number of vehicle movements taking place between 0800hours and 1800hours is acceptable and will not result in an unacceptable loss of amenity.

### **Representations**

Neighbour notification was carried out on 1/6/04 and 6 letters of objection were received from neighbouring occupiers (five from residents and one from a business proprietor).

The grounds of objection are as follows:

- a) The proposal would result in an increase in noise disturbance to neighbouring residents, particularly when children are playing out of doors and at picking up and dropping off times.
- b) The proposal would result in an increase in on-street parking and further obstruct the flow of traffic on Doune Terrace, during picking up and dropping off times.

## **Policy**

The application site is located within an Area of Housing and Compatible Uses, as designated in the Central Edinburgh Local Plan.

### Relevant Policies:

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.

Non-statutory guidelines on 'PRIVATE DAY NURSERIES' supplement local plan policies on community services and provide policy guidance in areas where local plans do not contain appropriate policies; they provide guidance on when planning permission is required and set criteria for assessing proposals.

Policy CS3 (COMMUNITY SERVICES - GENERAL) supports, and sets out criteria for assessing, development for a non-residential medical or educational purpose, including the provision of childcare facilities to satisfy wider commercial demand.

## **3 Conclusions and Recommendations**

The determining issues are:

- Do the proposals preserve or enhance the character and appearance of the conservation area? There being a strong presumption against the granting of planning permission if this is not the case;
- Do the proposals preserve the listed building or its setting or any features of special architectural or historic interest which it possesses? There being a strong presumption against granting permission if they do not; 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 these determining issues, the Committee needs to consider whether:

- a) The proposed increase in the number of children attending, would be detrimental to the amenity of neighbouring occupiers.
- b) The proposal would be hazardous to road safety.
- c) The proposal would detract from the character or appearance of this listed building or the conservation area.

A) The increase in numbers proposed will not in itself result in any significant reduction in the level of residential amenity within this area. The property above the nursery is in office use and there is an existing restriction on the number of children allowed in the garden at any one time. It is noted that no noise complaints have been received by Environmental and Consumer Services since the previous application was approved for the increase in numbers to 28 and the extension to the hours of operation to 6pm. It is, however, recommended that the consent should be granted for a temporary period of one year, to enable the planning authority to monitor the impact of this increase on the amenity of neighbouring residents.

B) There have been no objections received from Transport in relation to the proposal. It is considered that the proposed increase in numbers would not be hazardous to road safety at this location. The granting of a temporary consent would however, allow an opportunity to monitor the impact of the increased numbers on road safety, during picking up and dropping off times.

C) There are no external alterations proposed as part of this application and the proposal will therefore have no impact on the character or appearance of this listed building or the conservation area. It is noted that a separate application has been submitted, in relation to the play equipment which has been installed within the garden area.

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

*Alan Henderson*

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**Alan Henderson**  
Head of Planning and Strategy

**Contact/Tel** Carla Parkes on 0131 529 3925 (FAX 529 3717)

**Ward affected** 18 -New Town

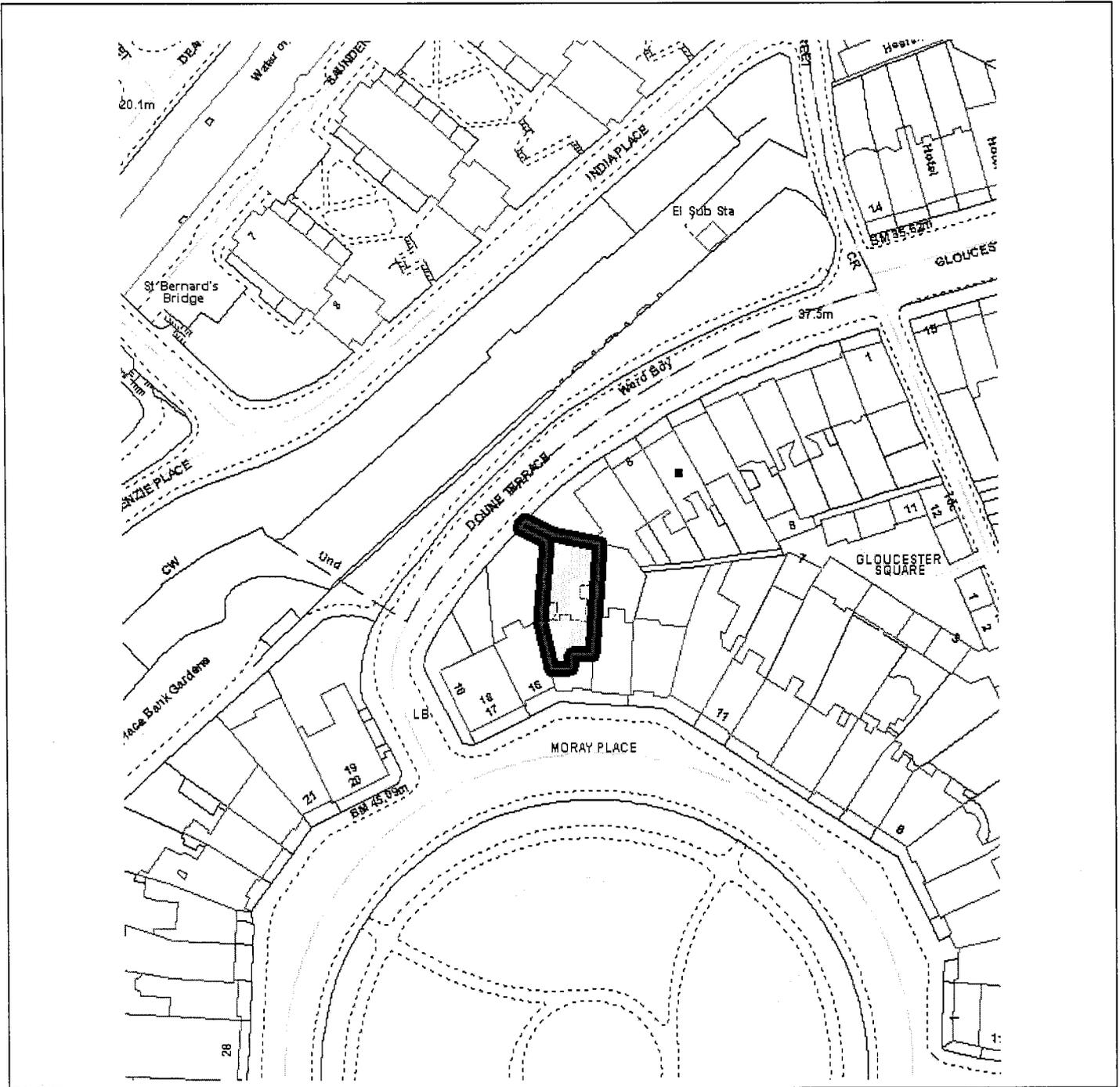
**Local Plan** Central Edinburgh Local Plan

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

**File** af

**Date registered** 25 June 2004

**Drawing numbers/  
Scheme** 3, 4



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# **PLANNING APPLICATION**

<b>Address</b>	<b>9C Doune Terrace, Edinburgh, EH3 6DY</b>		
<b>Proposal</b>	<b>Increase in no of children under 2 attending from 0 to 8, increase in no of children over 2 attending from 28 to 30</b>		
<b>Application number:</b>	<b>04/02034/FUL</b>	<b>WARD</b>	<b>18- New Town</b>

**THE CITY OF EDINBURGH COUNCIL  
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY**