

Outline Planning Application
at
5-15 Portobello High Street
Edinburgh
EH15 1DW

Development Quality Sub-Committee
of the Planning Committee

18 August 2004

Proposal: Formation of car parking, bus stop and landscaping,
ancillary to proposed superstore.
Applicant: Duddingston House Portobello Ltd.
Reference No: 04/00188/OUT

1 Purpose of report

To recommend that **MINDED TO REFUSE**

1. The proposed development is part of a larger proposal which will not make a positive contribution to the overall quality of the local environment and will not integrate with the character of Portobello town centre. In particular, it fails to:

- a) provide a key street frontage
- b) provide an appropriate landmark building at the entrance to Portobello
- c) complement the urban structure of Portobello
- d) enhance pedestrian accessibility and provide sufficient connectivity with the town centre
- e) provide a variety of uses on the site.

Consequently, the proposed development is contrary to;

- Government policy on 'Designing Places' and 'Town Centres and Retailing'
- North East Edinburgh Local Plan policies E25 (Design of New Development), E26 (Quality of New Development), and S1 (New Shopping Development)

- The Council's 'The Edinburgh Standards for Urban Design'
 - The Council's approved 'Statement of Urban Design Principles for the Site'
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2 Main report

Site description

The site has a frontage to Portobello High Street and is currently occupied by a petrol filling station with 10 parking spaces.

For a description of the wider context, reference should be made to the related agenda item on a proposed superstore which will incorporate this site. (application 03/03021/OUT).

Site history

29 August 1966 - Outline planning permission was granted for the erection of a petrol station, a bus lay-by and a British Legion Hall on the site of former tenement block at 3-19 Portobello High Street. The tenements (Mitchell's Buildings) had been demolished in about 1963.

30 November 1966 - Outline planning permission was granted for the erection of a petrol station on the northern half of the cleared tenement site. Detailed consent was granted on 12 April 1967.

16 January 1991 - Permission was granted for the remodelling and refurbishment of the petrol filling station.

18 May 2004 - Notification of appeal against non-determination.

Development

It is proposed to demolish the existing petrol filling station on the site and create approximately 40 parking spaces, together with a relocated bus stop and landscaping. The proposal is specifically linked to the proposed retail development of adjoining land to the west; application 03/03021/OUT the revised overall layout will provide a total of 485 parking spaces for the proposed 7,896 sq m (85,000 sq ft) supermarket. (Outline Application)

The proposal has been amended to reduce the parking level to 383 parking spaces, including this site.

Consultations

No consultations have been carried out in respect of this specific car park proposal. However, reference should be made to the consultation responses in the associated agenda item for the proposed adjoining superstore development which incorporates this site. (application 03/03021/OUT).

Representations

Neighbours (4 non-residential) were notified on 21 January 2004. The proposal was also advertised (development plan departure) on 12 March 2004.

A total of about 130 individual objections, plus 90 standard objections, have been received together with a petition containing 20 signatures. Portobello Community Council, PCATS, Portobello Amenity Society, Brighton Residents Association, Baileyfield Residents Group, Spokes and Councillor Marshall have also objected to the proposal.

The objections essentially repeat the arguments made in respect of the overall supermarket development and reference should be made to the related item on this agenda (03/03021/OUT). Additional comments, directly relevant to this specific proposal, are that the proposed increase in car parking provision exceeds adopted standards and is indicative of the car-dominated strategy of the development. The proposed re-siting of a bus stop is ill considered and will increase road congestion and there is no provision for cycles. Open parking on this site is contrary to the aims of the approved design brief.

Policy

For broader policies related to this site and to the proposed retail use, see the Policy section in the associated Committee report on this agenda in respect of the outline planning application for the erection of a superstore on the adjoining Scottish Power site (Council ref 03/03021/OUT).

North East Edinburgh Local Plan (1998)

The site is within a designated Industry/Business area to be retained primarily in industrial, office and warehouse use.

Relevant Policies:

Policy ED4 (BUSINESS DEVELOPMENT WITHIN DEFINED AREAS) lists acceptable uses (with qualifications) within defined 'Industry/Business' areas, and states that development proposals incompatible with their primary industry/business use will not be allowed.

Policy E1 (SUSTAINABLE DEVELOPMENT) states that planning permission will not be granted for development proposals that breach stated principles of sustainable development.

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 T9 (PUBLIC CAR PARKING) supports the provision of publicly available, short-stay off-street car parking in new development, particularly where it would contribute to the viability of a district shopping centre or serve a local need.

Policy S1 (NEW SHOPPING DEVELOPMENT - DISTRICT AND LOCAL CENTRES) sets out criteria for assessing new shopping development within and adjacent to defined District and Local Centres.

Non-statutory guidelines on 'MOVEMENT AND DEVELOPMENT' establish design criteria for road and parking layouts.

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 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 proposed retail use is acceptable and b) whether the proposal will enhance the character and appearance of the area.

a) Although the proposal is for car parking, it is expressly linked to the proposed retail development of the adjoining site (application ref. 03/03021/OUT) and is ancillary to the retail use.

The merits of the retail proposal, including parking provision, are fully discussed in the report on the related development and members are referred to the associated item on this agenda where it is recommended that permission be refused.

The extension of proposed car parking spaces onto the site of the previous petrol filling station exacerbates the poor urban design connectivity between the town centre and uses on the Baileyfield sites.

b) The design merits of the overall development are also discussed in the associated agenda item which concludes that the proposal is unacceptable on urban design grounds.

One of the objectors includes a member of the Planning & Strategy section and the two reports have been reviewed by the monitoring officer.

It is recommended that the Committee also opposes this application for the reason stated.

FURTHER REPORT

The Development Quality Sub-Committee continued this item on 28 July in order to make a site visit (29 July) and to obtain officer comments on suggested additional reasons for refusal, further to that contained in the original recommendation. The Committee was minded to refuse on the additional grounds that the development a) would have adverse effects, due to increased traffic generation, on the environmental quality and amenity of the area and b) would have a detrimental economic impact on the Portobello town centre and, in particular, on the variety of its retail units which contribute to its character, vitality and viability.

a) The applicant's Transportation Assessment indicates that the development would initially create about 110 vehicle trips per hour (weekday peak) in each direction along the main shopping section of Portobello High Street and about 145 trips per hour (Saturday peak). This is broadly equivalent to an increase of about 20-25% over existing traffic levels.

The number of generated trips also exceeds the number of parking spaces which will be available (estimated requirement of about 450 spaces per peak hour midweek, to 600 spaces per Saturday peak hour, compared to the 383 spaces available) so there will be a degree of peak spreading. This will have the effect of causing peak hour congestion, with the accompanying queuing, possibly lasting over several hours. Unfortunately this has not been quantified, but during this time the queue will extend beyond the bus stop outside number 71 Portobello High Street, which could cause trouble for the buses waiting to get to the stop.

It is possible to create a dedicated left turn lane on Portobello High Street at the junction with Fishwives Causeway through the removal of parking bays on the east side of the junction.

Although the traffic signals will control the throughput efficiently, especially with the removal of parked cars, the environmental effects of constantly queuing traffic, together with the increased throughput along the High Street, may be considered detrimental, particularly during the weekend when there will be more local people moving around the streets by foot and cycle.

Local Plan policy S7 (Improvement of the Shopping Environment) aims to improve and enhance the shopping environment, mainly through positive measures. The additional High Street traffic generated by the development can be regarded as conflicting with the aims of this policy.

b) National planning policy (NPPG8), the Edinburgh & the Lothians Structure Plan (policy RET 1) and Local Plan policy S1 are supportive of large supermarket developments, as are several decisions of the Council in recent years. The proposal also complies with a key component of these policies, namely the sequential test - the site is the closest to Portobello town centre that can probably be achieved.

Nevertheless, an initial policy objective in NPPG8 (Town Centres and Retailing) is to sustain and enhance the vitality, viability and design quality of town centres and it is a material consideration for the Committee to take into account the impact of the development on Portobello shopping centre. It is also appropriate for the Committee to reflect legitimate public concern on relevant planning matters (Government guidelines SPP1 - The Planning System) and to attach different weight to this. From the high level of objections received, there is clearly a strong perception among local residents that the development will detract from both the economic and social character of the shopping centre and its vitality.

The Council's Economic Development officer has also expressed the opinion that the development would undermine the Council's work of applying the principles of the Urban Village Charter for Portobello.

The negative impact of the development on Portobello High Street may therefore be regarded as outweighing the benefits of extending consumer choice through efficient, competitive and innovative retail development (the second objective in NPPG8).

It is advised that the Committee's additional reasons for refusal/objection should be worded, as follows:

Reason 2

The proposal, as part of a larger development, would have adverse effects, due to increased traffic generation, on the environmental quality and amenity of the area, and would be contrary to the aims of Policy S7 in the North East Edinburgh Local Plan.

Reason 3

The proposal, as part of a larger development, would have a detrimental economic impact on the Portobello town centre and, in particular, on the variety of its retail units which contribute to its character, vitality and viability and would, on balance, not complement the centre in its existing role, contrary to Policy S1 in the North East Edinburgh Local Plan.

Alan Henderson

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Ward affected 39 -Portobello

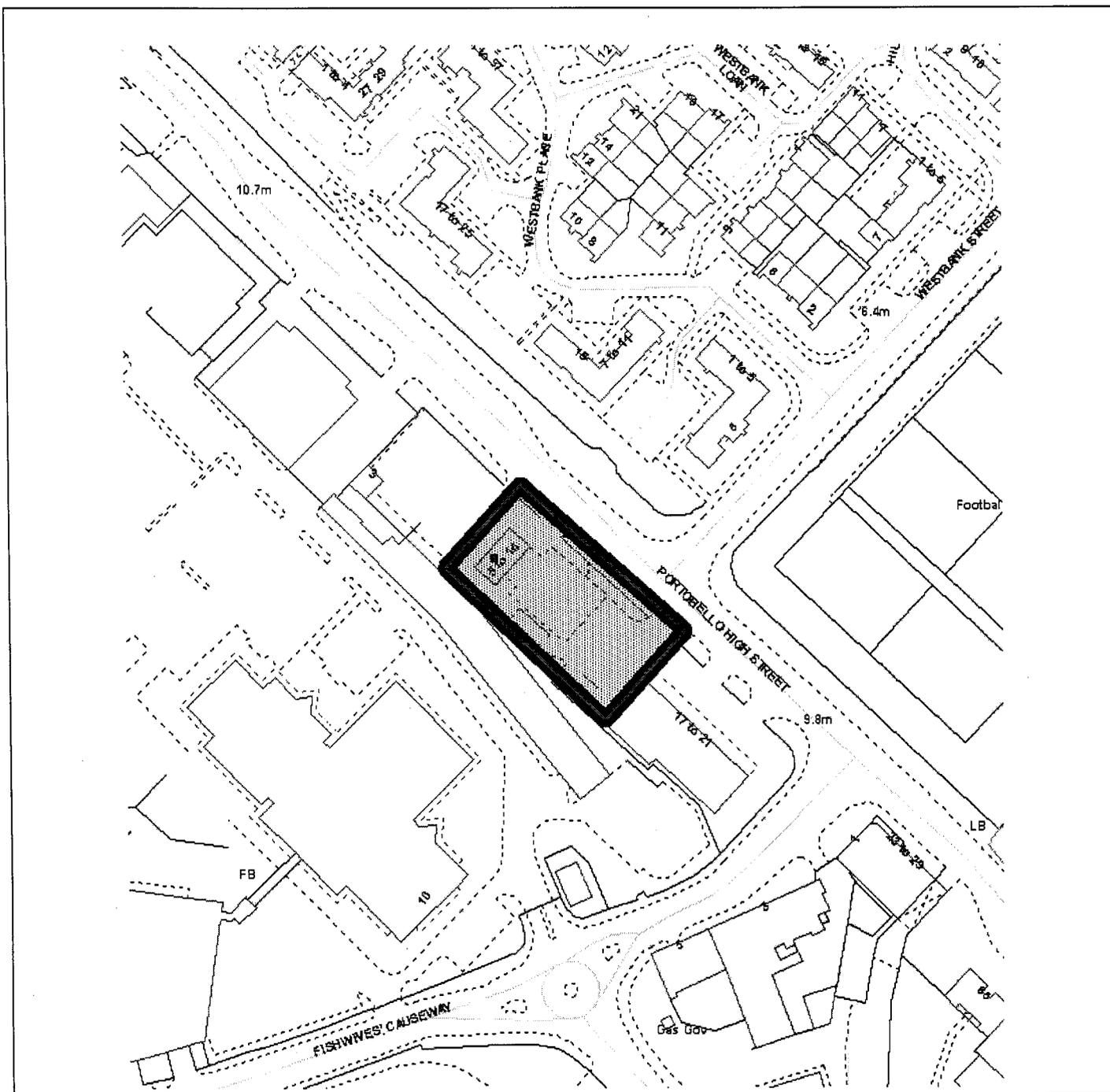
Local Plan

**Statutory Development
Plan Provision**

File

Date registered 22 January 2004

**Drawing numbers/
Scheme** 01-03
Scheme 1



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PLANNING APPLICATION

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