

Full Planning Application
at
2 Forrest Road
Edinburgh
EH1 2QN

Development Quality Sub-Committee
of the Planning Committee

Proposal: Erection of five storey building, alterations and extensions (with retention of principal stone element) to provide 11 flats with associated residents' car park at rear (11 spaces), retail unit (class 1 or 2) and public house/restaurant

Applicant: Esk Properties (Edinburgh) Ltd.

Reference No: 02/04588/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 take place within the application site until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Head of Planning & Strategy, having first been agreed by the City Archaeologist.
3. The courtyard proposed to the rear of the bar and restaurant hereby approved shall be closed to customers of this establishment at all times.

4. The design and installation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.
5. The sound insulation properties or sound transmission characteristics of the structures and finishes shall be such that no impact or airborne noise from the normal operations within the application premises is audible in any neighbouring living apartment.
6. No live music, amplified or otherwise, shall be played on the premises.
7. The kitchen shall be ventilated by a system capable of achieving 30 air changes per hour, and the cooking effluvia shall be ducted to a suitable exhaust point to ensure that no cooking odours escape or are exhausted into any neighbouring premises, all to the satisfaction of the Head of Planning & Strategy.
8. Full details of the method of ventilation shall be submitted to and approved in writing by the Head of Planning & Strategy prior to the use hereby approved being taken up.
9. The noise mitigation measures detailed in the report dated 10th May 2003 by Charlie Fleming Associates, as amended by the letter of 21st July 2003 and report no. 2, dated 29th June 2003, shall be implemented fully, prior to the occupation of the buildings hereby approved.
10. Sample/s of the proposed materials; shall be submitted to and approved in writing by the Head of Planning & Strategy before work commences on site.
11. All stone repairs shall be carried out in natural stone to match existing.
12. Prior to the occupation of the former poorhouse building, the slatework on the roof shall be made good and any repairs carried out in natural slate, to match the existing, following the removal of the chimney and dormers hereby approved.
13. Details of the design, materials and means of opening of the windows to be incorporated within the five storey building hereby approved, shall be submitted to and approved in writing by the Head of Planning, prior to the commencement of development.
14. The cycle racks shall be provided in accordance with the approved plans, prior to the occupation of the buildings hereby approved.
15. The car park and associated means of vehicular access, shall be completed and brought into use, prior to the occupation of the flats at the five storey building hereby approved.
16. Notwithstanding the approved plans, the surface of the vehicular access, in front of the pend, shall be level with that of the existing footway, and shall incorporate a dropped kerb at the edge of the public road.

17. Details of a bollard to be located on the public footway, at each side of the vehicular access hereby approved, shall be submitted to and approved by the Director of City Development, and shall be installed prior to the commencement of development.
18. The specifications for the glazing on the extension at the front of the former poorhouse building, shall be in accordance with the details provided by Charles Henshaw and Sons Ltd; as submitted with the applicant's letter dated 21/3/03 and as amended by the applicant's letter dated 21/7/03.
19. Deliveries to the premises shall be made between the hours of 7a.m. and 8p.m., on Monday to Saturday and 9a.m. to 6p.m. on Sundays.
20. The ventilation system shall be designed so that there is no requirement for the erection of an external flue or duct.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to safeguard the interests of archaeological heritage.
3. In order to safeguard the amenity of neighbouring residents and other occupiers.
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8. In order to safeguard the amenity of neighbouring residents and other occupiers.
9. In order to safeguard the amenity of neighbouring residents and other occupiers.
10. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
11. In order to safeguard the character of the conservation area.
12. In order to safeguard the character of the conservation area.

13. In order to safeguard the character of the conservation area.
14. In order to ensure that the level of off-street parking is adequate.
15. In order to ensure that the level of off-street parking is adequate.
16. In order to safeguard the interests of road safety.
17. In order to safeguard the interests of road safety.
18. In order to safeguard the character and appearance of the existing building and the conservation area and to protect the amenity of neighbouring occupiers.
19. In order to safeguard the amenity of neighbouring residents and other occupiers.
20. In order to safeguard the character of the conservation area.

2 Main report

Site description

The site lies within a triangular piece of land bounded by Forrest Road, Teviot Place and Bristo Place within the Old Town Conservation Area and The World Heritage Site. The site is broadly rectangular, measuring approximately 40m x 30m with the main frontage, and vehicular access, being to Bristo Place and secondary pedestrian access to Forrest Road. Immediately to the north of the site lies the category B listed Bedlam Theatre (former North Free Church). To the south of the site lie category C(S) listed tenement buildings. The majority of properties on the north side of Bristo Place are category B listed, including Jericho House on the corner with Lothian Street. To the rear the site abuts Oddfellows Hall, which is category B listed.

The buildings within the site can be divided into north and south sections.

The rear of the northern section comprises a substantial two and a half storey stone building with slated roof. To the front there is a single storey building and a two-storey building with pend access, leading to a courtyard. Both of these buildings are constructed in stone, with slated roofs, and are attached to the larger building to the rear.

To the rear of the southern section the building comprises a two-storey flat roofed prefabricated structure. To the front there is a single storey structure. This building is painted grey, with grey infill panels and abuts the building to the rear and the tenement to the south.

Site history

13.3.1967 Temporary consent (10 years) for prefabricated laboratory extension at first floor level.

26.5.1977 Renewal of temporary consent (10 years) for prefabricated laboratory extension at first floor level.

25.11.1987 Renewal of temporary consent (5 years) for prefabricated laboratory extension at first floor level.

20/3/02 - Planning application withdrawn for redevelopment of site to provide new building comprising 65 bedroom hotel (class 7), food and drink (class 3) and public house (ref; 01/04691/FUL)

20/3/02 Application withdrawn for Conservation Area Consent to demolish buildings on site (reference 01/04691/CON).

Application for Conservation Area Consent for demolition of former research building (in association with current redevelopment proposals), currently under consideration (ref;02/04588/CON).

Development

The proposals are for a mixed use development, comprising the following:

1) The erection of 5 storey building on the site of vacant laboratory building, to provide class 1 or 2 retail or service use unit at ground floor, with 11 flats on the upper 4 stories. This element of the proposals will necessitate the demolition of the existing, 2 storey high flat roofed buildings, which currently occupy this site.

Access to the rear courtyard parking area, which serves the proposed flats, is via a pend entrance on Bristo Place.

Propose bin stores are provided at ground floor level, with access via the main pedestrian entrance vestibule on Bristo Place.

2) Retention of the principle part of original poorhouse building and erection of a 2 storey glass box style extension on its frontage, to provide a licensed restaurant and public house. This element of the proposed development will necessitate the demolition of the 1 and 2 storey extensions (built mid 1800s), on the Bristo Place frontage of the former poorhouse. It also involves the demolition of the 2 side porches on this building (these structures are not visible from the street frontage).

A small (10metre by 4 metre), single storey glazed extension is proposed to the rear of building, on its south facing elevation. This extension links the main building with the toilet block, proposed to serve the restaurant and bar. The proposed toilet block is provided within a 8 metre by 4 metre extension, on the rear boundary of this site, which replaces existing outbuildings in this area.

3) The existing pedestrian access, which lies directly to the south of the Bedlam theatre and runs between Bristo Place and Forrest Road, is to be resurfaced, with cycle racks and refuse stores provided, in association with the proposed restaurant and public house premises.

These proposals represent a revised scheme (scheme 2). The only differences between the original and the revised proposals, however, relate to design details and there is no change in the overall description of development.

SUPPORTING STATEMENT

The applicant has submitted a statement in support of the application. This is available for viewing in the party group rooms and includes information on archaeological assessment and the history of the site.

Consultations

Environmental and Consumer Services

11/3/03:

This Department has serious concerns about this proposed development. The proposal involves constructing a two storey bar/restaurant and a five storey residential/commercial block. The bar/restaurant front facade will be constructed of glass.

The glass structure will provide poor sound attenuation and noise is also likely to enter the adjoining flats through the party wall. It is this Departments view that the amenity of the residential flats will be very poor as a result of noise from the bar/restaurant. The proposal as it stands is a juxtaposition of incompatible uses.

Therefore it is recommended that the proposed development is refused.

17/6/03:

This department is in receipt of a noise report from Charlie Fleming Associates concerning mitigation measures for controlling music noise from bar/restaurant and residential properties adjacent. The Department is still assessing the report and requires clarification on some issues with regard to noise breakout from the glass atrium as it affects the bedrooms facing Bristo Place. I am also requiring clarification about noise from the rear bar and the rear bedrooms however the suggestion by Will Hawkins of having the Kitchen adjacent to the rear bar instead of the bedroom is most likely to result in a satisfactory level. However the noise breakout from the rear windows and the effect on open windows to bedrooms to the back has not been addressed. Until such time as all issues are addressed and that this Department is satisfied that the venue can operate at the levels described in the report we are unable to make a decision. If it can be demonstrated that music noise can be controlled using the levels outlined then we would support the application provided appropriate conditions were attached to control noise from music, plant and machinery and cooking odours and deliveries.

29/7/03:

This Department has no objections to this proposed development subject to the following conditions:-

The design and installation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.

The sound insulation properties or sound transmission characteristics of the structures and finishes shall be such that no impact or airborne noise from the normal operations within the application premises is audible in any neighbouring living apartment.

All music and vocals, amplified or otherwise, shall be so controlled as to be inaudible within any neighbouring premises.

The kitchen shall be ventilated by a system capable of achieving 30 air changes per hour, and the cooking effluvia shall be ducted to chimney head level to ensure that no cooking odours escape or are exhausted into any neighbouring premises, all to the satisfaction of the head of planning.

That the noise mitigation measures detailed in the report dated 10th of May 2003 by Charlie Fleming Associates as amended by letter of 21st of July 2003 and report number 2 dated 29th of June 2003 are completed in order to protect the residential part of the development from amplified music.

Deliveries are made between the hours of 7am and 8pm Monday to Saturday and 9am to 6pm on Sundays.

Transport

No objections subject to the following conditions:

- The footway to be continuous level across the access with a drop kerb, to allow vehicles to cross.
- A bollard to be located at each side of the access to prevent vehicles from mounting the footway on either side of this access.
- A cycle track to be provided at front door and inside the commercial premises.

Culture and Leisure - Archaeology Services

The current application addresses the concerns in respect of the former application for the redevelopment of this site (ref 01/04691/CON) in that the Men's Ward Building is to be retained in the proposed scheme.

Any future development of the site will require the undertaking of a suitable programme of archaeological work. This will require both below ground archaeological excavation and historic building recording.

It would not be appropriate to refuse consent for this development scheme on archaeological grounds, provided that a comprehensive programme of archaeological works is undertaken as discussed above.

It is therefore recommended that this programme of archaeological works (excavation and historic building recording) be secured using a condition based upon the model condition stated in PAN 42 Planning and Archaeology (para 34), as follows;

'No development shall take place on this site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work must be carried out by a professional archaeological organisation, the working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works (historic building recording and excavation) and for the archiving and appropriate level of publication of the results lies with the applicant.

Representations

The application was advertised on 24 January 2003.

Six letters of objection were received in relation to the plans as originally submitted. The letters were received from the World heritage Trust, the South Side Community Council, Edinburgh Old Town Association, the Edinburgh University Theatre Company, the Cockburn Association and a local resident.

The grounds of objection are summarised as follows:-

- The single storey section of the former poorhouse building should be retained.
- The design of the glass box style extension is considered inappropriate.
- The design of the flats does not harmonise with the architecture of existing historic buildings.
- The pattern of fenestration on the front elevation of flats on Bristo Place is out of keeping.
- The roof of the flats obstructs the original chimney stack on the adjoining building.
- noise from the proposed public house and restaurant would cause a disturbance.
- the proposed parking area to the rear would cause noise disturbance.
- taxi drop off will obstruct the flow of traffic and cause a hazard to road safety.
- The proposed pend could lead to security problems.
- noise would disrupt performances at the adjoining theatre.

Policy

The site is located within a Mixed Activities Zone, as designated in the Central Edinburgh Local Plan.

Relevant Policies:

Policy CD4 (CONSERVATION AREAS) requires that developments in a conservation area retain all features which contribute to the area's character and appearance.

Policy CD2 (LISTED BUILDINGS) sets out criteria for assessing proposals affecting listed buildings and seeks to safeguard their character and setting.

Policy CD5 (CONSERVATION AREAS - REDEVELOPMENT) sets out the criteria against which new development in conservation areas will be assessed, and seeks to preserve or enhance their character and appearance.

Policy CD8 (ARCHAEOLOGICAL EVALUATION) sets out procedural requirements for applications for development or redevelopment of sites of known or suspected archaeological significance.

Policy CD9 (PROTECTION OF ARCHAEOLOGICAL REMAINS) requires where possible the "in situ" protection of important archaeological remains and sets out procedural requirements if this cannot be achieved.

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 CD12 (HEIGHT CONTROL) protects the city's historic skyline and views from adverse high development.

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 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 L2 (COMMERCIAL LEISURE USES) sets out criteria for assessing commercial leisure uses within the Retail and Office Cores, Mixed Activities Zone and other areas where commercial uses are present.

Policy L5 (LICENSED PREMISES) states that the change of use of premises under or in the midst of housing to a public house (or similar) will not be allowed

Policy H2 (HOUSING DEVELOPMENT) encourages, and sets out criteria for assessing, proposals for housing development within the Mixed Activities Zone.

Policy S4 (SHOPPING DEVELOPMENT - OFFICE CORE AND MIXED ACTIVITIES ZONE) encourages, and sets out criteria for assessing, new shopping development in the defined Office Core and Mixed Activities Zone.

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.

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

Non-statutory guidelines 'RESTAURANTS, CAFES AND HOT FOOD SHOPS' provide guidance on the location of such uses and set out conditions to control their impact.

Non-statutory guidelines on 'HIGH BUILDINGS AND ROOFSCAPE' supplement local plan policies on building height and roof design, and provide policy guidance on these matters.

Non-statutory guidelines on 'LOCATION OF LICENSED PREMISES' support local plan policies on proposals for licensed premises in locations where the protection of residential amenity may also be an issue.

Non-statutory guidelines on the 'SETTING OF LISTED BUILDINGS' supplement local plan conservation and design policies, providing guidance for the protection and enhancement of the setting of listed buildings.

3 Conclusions and Recommendations

DETERMINING ISSUES

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 of this is not the case;
- do the proposals preserve the setting of the adjacent listed building or any features of special architectural or historic interest? If they do not, there is a presumption against the granting of permission.
- 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?

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

- a) The uses proposed are acceptable at this location.
- b) The demolition proposals would preserve or enhance the character and appearance of the conservation area.
- c) The new development is acceptable in scale and design terms, respects the setting of the adjacent listed buildings and preserves or enhances the character and appearance of the conservation area and any archaeological interests.
- d) There would be any detrimental impact on residential amenity.
- e) There are any implications for highway safety.

a) Public houses are supported under policy L2 of the local plan, in the Mixed Activities Zone, providing there is no detrimental impact on residential amenity and no conflict with other policies. The site is not located in an Area of Sensitivity. There are a number of existing commercial and leisure uses within the vicinity, including the cafes and bars to the rear of the site, on the ground floor level of this tenemental property and at the Bedlam theatre immediately to the north. The proposed licensed element of the application is thus considered acceptable in land use policy terms.

Shopping development is generally encouraged within the Mixed Activities Zone, in areas where it will improve local shopping provision without resulting in a loss of amenity to neighbouring residents. The scale of the retail unit proposed would be suitable for local convenience shopping or services. It is too small in scale to present a threat to the main shopping area of the city centre and is thus considered acceptable in land use policy terms.

The residential element of this application is encouraged in conjunction with other appropriate land uses, within the Mixed Activities Zone. The provision of such accommodation complies with the objectives of the local plan to maintain and strengthen the residential base of the Old Town.

The land uses proposed are thus considered acceptable in policy terms and their combination is considered a suitable balance for this mixed use location.

(b) The local plan defines the character of the Old Town Conservation Area as:

"Centred on the Royal Mile, the city's main historic thoroughfare, the Old Town evolved from two separate burghs. Although few medieval buildings remain, the original plot widths and the 'fishbone' street pattern of narrow closes and wynds remain extensively visible, although overlain by major Victorian rebuilding and street improvements. The administrative, ceremonial, legal and religious functions of the modern city remain focused within the Old Town. The key elements of the area's character are therefore its density of building and mixture of uses with high tenements and important historic buildings arranged on a historic street pattern."

Prior to 1837 the site formed part of the poorhouse with the main building being located to the south of Greyfriars Church, on land which now lies to the west of Forrest Road. At this time the roads at Teviot Row and Bristo Place had been formed and made up the south and east site boundaries. Between 1837 and 1852 Forrest Road was formed and the triangle of land between Teviot Row, Forrest Road and Bristo Place was developed as the East Division of the poorhouse.

In 1870 the new poorhouse was opened in Greenbank and the original poorhouse closed. Extensive demolitions and redevelopment have taken place with the West division being almost entirely demolished and a significant portion of the East Division being demolished. The only parts of the East Division, which remain, are the men's ward and the extension to the street line.

Since ceasing use as a poorhouse the buildings have been used as the City Parish Chambers and the Royal College of Physicians laboratory and as part of the College of Art.

The remaining poorhouse buildings are an invaluable historical reference to this part of Edinburgh's planning and social development. These are the only substantial remnants of the original poorhouse, which once dominated this part of Edinburgh's townscape. While the buildings have been altered and the context has changed dramatically, these structures are clearly legible as part of the original poorhouse. These buildings contribute to the mixture of historical developments, which creates the unique character within this conservation area. The structures make an important contribution to the character and appearance of this area.

The only whole building proposed for demolition, as part of the current development proposals, is the former research building to the south of the site. This building, which is mainly two storeys in height with a flat roof, is of prefabricated construction and is currently in a poor state of repair. The building is not considered to make a positive contribution to the character or appearance of the conservation area.

The early extension to the poorhouse building on the Bristo Place frontage is, however, also included as part of this application. This part of the building lies at a prominent location in front of the original poorhouse facade. It is stone built, with a slate roof and comprises both a single storey and two storey element. The extension contributes to the historic character of the street scene, in terms of its age, materials and architectural features. It does, however, largely obstruct the view of the original poorhouse frontage, with only the upper floor and roof levels being visible from the street frontage. The juxtaposition between these smaller scale buildings to the front and more robust proportions of the original facade behind, creates a somewhat disjointed image on this street frontage. The demolition of this extension is not therefore considered detrimental in itself to the character and appearance of the conservation area, providing that such works are linked to a suitable redevelopment scheme. The current proposals present an opportunity to reinstate the facade of the original building, albeit behind a glass box, and provide a more cohesive image on the street frontage.

The demolitions proposed are considered acceptable.

c)The height and general massing of the proposed buildings relates well to the that of surrounding buildings on this street frontage. The proposed five storey building to the south of the site, is identical in height to the adjoining tenemental block. The two storey extension, in front of the former poorhouse building, is below that of the existing building, allowing the original roofline and eaves level to retain a presence on the street frontage.

The width of the frontage of the five storey building is similar to that of surrounding buildings. Vertical emphasis has been provided in the shape and position of the majority of the proposed windows and in the design of the shop front. The more contemporary style of the large windows on the northern part of this frontage and at the uppermost level, provides a balanced contrast of solid to void. The balcony at fifth floor level and the associated setback of the frontage at this level, is of a non traditional appearance. The contemporary style of this feature again creates an interesting contrast, which enlivens the street scene. Whilst these aspects of the design are not entirely in keeping with the traditional character of the conservation area, they are considered acceptable in terms of their visual impact. The rear of the five storey building incorporates some vertical emphasis, in terms of its proportions. Although it is plainer in design, its appearance is considered acceptable at this less conspicuous location.

The reinstated facade of the original building should therefore be largely visible through these glazed walls, thereby contributing to the historic streetscape.

The proposed glass box style extension, at the front of the original poorhouse building, encases both levels of windows on the original facade. It is however, to appear largely transparent, as the high specification glazing is to be frameless. Construction details submitted for the proposed floor, at first storey level, illustrate how the impact of this structure will be minimised through its design. The design of the proposed north facing, side elevation of this extension and the exposed part of the north facing elevation on the adjoining, new building, has been amended. The revised details have improved the view of these buildings on their approach from the north. The amended design also improves the visual relationship between these buildings and others on this street frontage, most notably the listed Bedlam Theatre. The impact of the proposed development scheme on the character and appearance of the neighbouring listed buildings and the conservation area is thus considered acceptable.

The Council's Archaeology Services advises that there are no reasons to refuse consent for these works on Archaeological grounds, providing that comprehensive programme of archaeological works is undertaken. Such works may be secured under the terms of an appropriate planning condition.

d) The application site is adjoined by residential properties to the south of the site, on Bristo Place and to the west by the rear of existing tenemental properties on Forrest Road. The proposed development also includes the provision of flats on the upper four storeys of the proposed five storey block, adjoining the proposed restaurant and public house. It is the juxtaposition between these elements of the proposed redevelopment scheme, which is of greatest concern to Environmental and Consumer Services. The applicant has submitted two noise assessment reports, relating to anticipated music noise levels at the development, in response to the Department's concerns. The reports identify a number of sound attenuation measures to control the level of noise emissions from the proposed premises. The applicant has also revised the layout of the proposed flats and has upgraded the specifications for the glazing, at the proposed glass box style extension on Bristo Place, to take account of the concerns of the Department. The applicant has further confirmed that the courtyard to the rear of the proposed premises, is not to be open to future customers. The imposition of a suitable planning condition would also serve to ensure that restrictions to this area are maintained. Environmental and Consumer Services is now satisfied with the combination of measures proposed to reduce noise outbreak and has no objections to the revised layout, providing that the sound attenuation scheme is implemented in accordance with the recommendations of the noise report.

The position of the windows proposed in both the proposed public house and restaurant premises, and the block of flats, will not result in the overlooking of any neighbouring properties.

The proposed five storey block would, however, lead to a loss of daylight to the existing residential properties immediately to the south. The gable end of the proposed 5 storey block directly abuts the gable end of the adjoining tenemental properties. The kitchen windows at each level of this building would be completely lost, as a result of the proposed development. The side windows of the living rooms would also be heavily overshadowed, being separated by just a small recessed area, from the gable end of the proposed new building. The main living room windows on Bristo Place would, however, continue to provide adequate daylight to the living rooms of these flats. The complete loss of the kitchen

windows as a result of this development is unfortunate. However, as these windows are situated on the gable end elevation, they are exempt from protection under policy guidance relating to daylight and sunlight requirements. In any case, the provision of a sufficient gap between the existing and proposed buildings, in order to maintain reasonable daylight provision to the kitchens of these properties, would result in a considerable break in the street frontage. Such a break would not be in keeping with the traditional, street layout which characterises the Old Town, and would be likely to detract from the character of the conservation area. The proposed development would not lead to a loss of daylight or sunlight to any other neighbouring properties.

Environmental and Consumer Services have no objections to the proposed cooking operations at the premises, from the point of view of odour emissions, subject to compliance with the relevant planning conditions.

Although there is little open space provision for future residents of these flats, such provision is not generally characteristic within the dense layout of the Old Town.

The impact of the proposed public house and restaurant on residential amenity and the amenity of other users, within this mixed use area, is thus considered acceptable.

e) Eleven parking spaces are to be provided to serve the same number of residential units, within a private parking area, to the rear of the proposed block of flats. This 100% level of provision complies with council guidelines for parking provision in this area. The proposed parking area is to be accessed via a pend entrance on Bristo Place. The design and position of the proposed entrance are considered satisfactory, in road safety terms. The proposed cycle storage facilities also comply with the council's guidelines on parking standards.

The application site is located close to the city centre, where there is good access to public transport facilities. The site is also in close proximity to a large number of city centre, flatted properties and it is anticipated that a considerable proportion of potential clients would travel to the premises on foot. It is thus considered unlikely that the proposed premises would result in any significant increase in traffic generation, on-street parking, or associated traffic congestion, on the surrounding streets. The proposals are thus considered satisfactory in road safety terms.

In conclusion, it is considered that the proposals for the reoccupation of the former poorhouse building and the redevelopment of the adjacent site would contribute to the character and appearance of the Conservation Area and would not detract from the neighbouring listed buildings. The proposed uses will not detract from residential amenity or road safety and are considered suitable at this mixed use location.

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

Alan Henderson

Alan Henderson
Head of Planning and Strategy

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

Ward affected 32 -Tollcross

Local Plan Central Edinburgh Local Plan

**Statutory Development
Plan Provision** Mixed Activities Zone

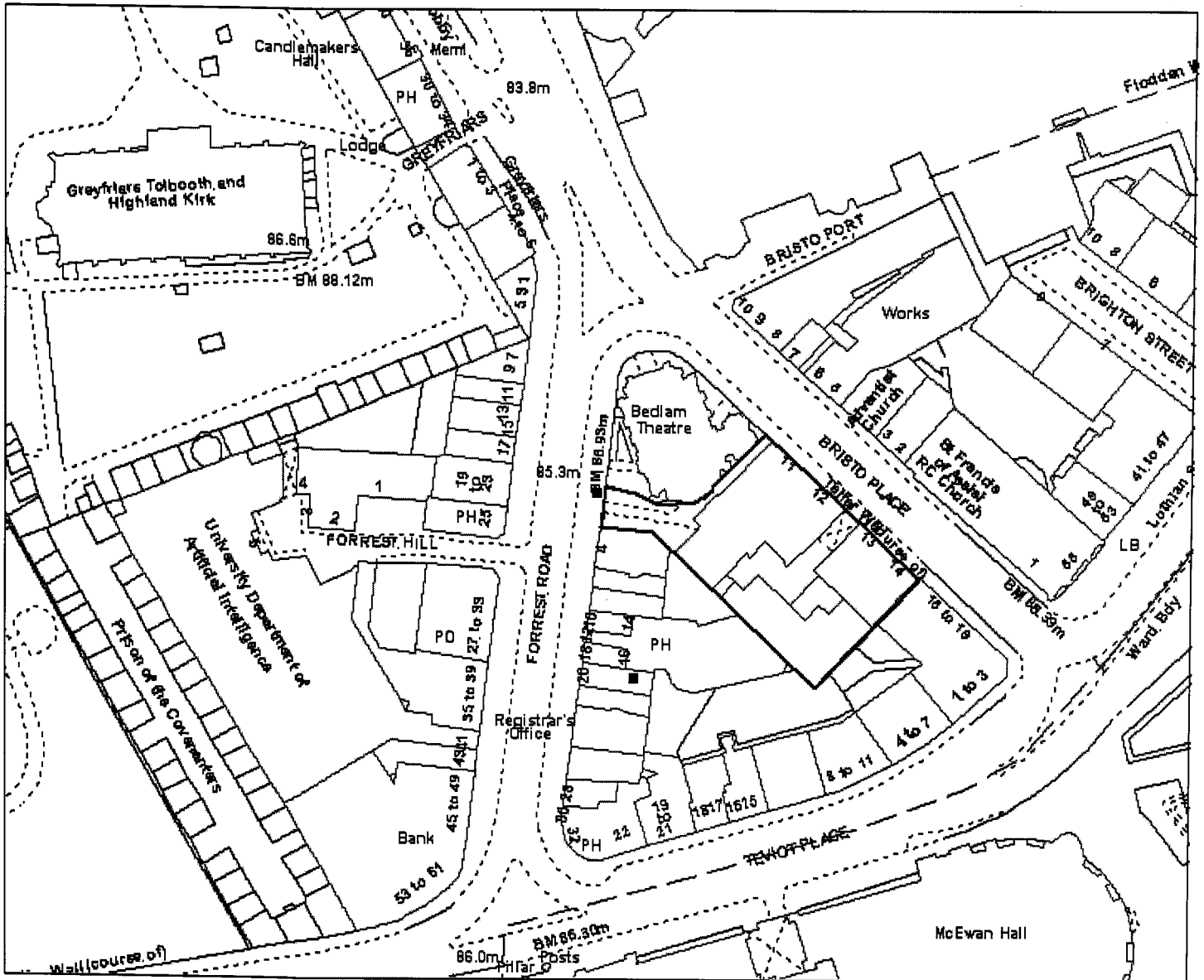
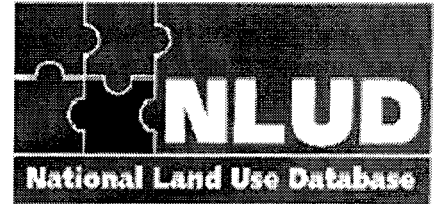
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Date registered 14 January 2003

**Drawing numbers/
Scheme** 7904 - 07, 14465 - 69, 30965 - 67, 30969, 31390, 29326.
Scheme 2

02/04588/ful

2 FORREST ROAD



Legend

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Organisation	CITY OF EDINBURGH COUNCIL
Department	CD - PLANNING & STRATEGY
Comments	Not Set
Date	08 August 2003
SLA Number	