

**Full Planning Application 05/00585/FUL  
at  
49 Spylaw Street  
Edinburgh  
EH13 0JT**

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

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**1 Purpose of report**

To consider application 05/00585/FUL, submitted by Westpoint Homes Ltd...  
The application is for: **Proposed temporary sales cabin, Spylaw Street,  
Edinburgh**

It is recommended that this application be **GRANTED** subject to the  
conditions in Appendix B.

**2 The Site and the Proposal**

**Site description**

The application site is a triangular piece of ground lying at the north eastern  
end of Spylaw Street just before the bridge crossing the water of Leith. The  
land was formerly used as garden ground and is currently being used  
temporarily for the siting of a sales cabin associated with the residential  
development to the rear of the properties 37-45 Spylaw Street.

**Site history**

There is no relevant planning history for this site though a housing  
development has been approved on land to the west

## **Description of the Proposal**

The applicant seeks planning permission for the siting of temporary cabin for use as a sales suite and the formation of five associated car parking bays in connection with the housing development.

The sales unit is approximately 7.6 metres in length by 3 metres in height and is finished in a pre-fabricated white coloured sheeting.

## **3 Officer's Assessment and Recommendations**

Determining issues

The determining Issues are:

- Do the proposals harm the character and appearance of the conservation area? If they do, 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?

Assessment

To address the determining issues, the Committee needs to consider whether:-

- a) whether the proposed development will have an adverse effect upon the character and appearance of the conservation area, the Water of Leith or the setting of the Green Belt.
  - b) whether neighbouring residential amenities are safeguarded.
  - c) whether the development is detrimental to road safety
- a) Given the temporary purpose and nature of the proposed sales cabin its functional design is acceptable and there would be no long term impact on the character or appearance of the conservation area, or the setting of adjacent Green Belt or the Water of Leith.
- b) The location and use of the cabin is likely to result in vehicle and pedestrian movement to the front of properties at 37-45 Spylaw Street. Both vehicle and pedestrian movement is evident in association with the neighbouring residential development and the proposed sales cabin will not generate an

additional level of activity which would result in any significant loss of residential amenity currently enjoyed by neighbouring properties.

c) Transport have raised no objection to the proposed development and road safety is safeguarded.

It is recommended that the committee approves this application, for a period of one year.

*Alan Henderson*

**Alan Henderson**  
Head of Planning and Strategy

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| <b>Contact/tel</b>                          | Steven Black on 0131 529 3904 (FAX 529 3716) |
| <b>Ward affected</b>                        | 43 - Colinton                                |
| <b>Local Plan</b>                           | South West Edinburgh                         |
| <b>Statutory Development Plan Provision</b> | Mainly Residential                           |
| <b>Date registered</b>                      | 1 March 2005                                 |
| <b>Drawing numbers/<br/>Scheme</b>          | 01-03  |

### **Advice to Committee Members and Ward Councillors**

The full details of the application are available for viewing on the Planning and Building Control Portal: [www.edinburgh.gov.uk/planning](http://www.edinburgh.gov.uk/planning).

If you require further information about this application you should contact the following Principal Planner, Helen Martin on 0131 529 3517. Email: [helen.martin@edinburgh.gov.uk](mailto:helen.martin@edinburgh.gov.uk).

If this application is not identified on the agenda for presentation, and you wish to request a presentation of this application at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting on extension 4229/4239. Alternatively, you may e-mail [blair.ritchie@edinburgh.gov.uk](mailto:blair.ritchie@edinburgh.gov.uk) or [sarah.bogunovic@edinburgh.gov.uk](mailto:sarah.bogunovic@edinburgh.gov.uk)

**Application Type** Full Planning Application

**Application Address:** 49 Spylaw Street

Edinburgh

EH13 0JT

**Proposal:** Proposed temporary sales cabin , Spylaw Street, Edinburgh

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## **Consultations, Representations and Planning Policy**

### **Consultations**

Transport

No objections

### **Representations**

Two letters of representation have been received including one letter form Colinton Amenity Association. Comments and objections can be summarised as follows:-

Prominent site

Out of scale

Detracts from public amenity

Overspill parking

Traffic congestion

Inappropriate use of the site

Detrimental to visual amenity of the site.

***Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.***

## **Planning Policy**

The application site is allocated as mainly residential in the adopted South West Edinburgh Local Plan area and in the urban area of the draft West Edinburgh Local Plan area. The site is within Colinton Conservation Area and adjoins part of the Green Belt which follows the Water of Leith corridor.

### Relevant Policies:

Policy E3 establishes that within all Conservation Areas, the Council will exercise careful control over all development in order to preserve and enhance the special character of the areas. Demolition of buildings and structures will not be permitted if likely to affect adversely the character of the area.

Policy E5 requires all new buildings to make a positive contribution to the overall quality of the environment throughout South West Edinburgh in terms of materials, landscaping, setting and other matters.

Policy DQ17 states that development or redevelopment proposals within a conservation area will only be permitted where the proposal is of a high design standard and would preserve or enhance the character or appearance of the area.

Policy GE6 New development and redevelopment abutting or clearly visible from the Green Belt should pay special regard to the Green Belt setting and provide a high standard of landscaping.

Policy GE12 Development proposals will generally be considered for their impact upon wildlife, habitats and geological features.

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

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## Conditions/Reasons associated with the Recommendation

### Recommendation

It is recommended that this application be **GRANTED** subject to the conditions below.

### Conditions

1. Permission is granted for a limited period of one year from the date of this consent.
2. Within one month of the date of expiry of the limited period of consent, the site shall be restored to its condition prior to the temporary works hereby approved being carried out, to the satisfaction of the Head of Planning & Strategy.

### Reasons

1. In order to give due recognition to the temporary nature of the proposed development.
2. To ensure that the land is returned to its former condition.

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End

Application number: 05/00585/ADV

WARD

43- Collinton

Proposal

Sales board for residential development. (Retrospective)

Address

49 Spylaw Street, Edinburgh, EH13 0JT

# PLANNING APPLICATION

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