

**Full Planning Application 04/02645/FUL
at
Falcon Gardens
(St Peter's RC School)
Edinburgh
EH10 4AP**

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

1 Purpose of report

To consider application 04/02645/FUL, submitted by NSPG Ltd. The application is for: **Conversion of existing school building to form 4 flats and erection of 6 new build flats (as amended).**

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

2 The Site and the Proposal

Site description

This application relates to a two storey rectangular plan former school building built in 1909 and situated within the grounds of 25 Falcon Gardens. The building is rendered and has a tiled roof. The building is located within a residential district. To the west of the site are 4/5 storey tenements. The east and north boundaries of the site are shared by large Victorian villas. The south boundary looks towards a new school building. The building is listed category C(S) and is mostly within the Grange Conservation Area; the access to the site is outwith the conservation area.

The building is currently vacant.

Site history

11/6/97 - consent granted to form a new WC (97/00025/CEC)

31/3/99 - consent granted to erect a playground shelter (99/00499/FUL)

24/4/03 - consent granted for replacement primary school on adjacent site (02/00749/FUL)

19/3/03 - consent granted to demolish school outbuildings (02/00749/CON)

Description of the Proposal

This is an amended application to convert the existing building to provide four flats and erect a rear extension to provide a further six flats over three floors. The proposed properties are a mix of 2/3 bedroom flats and duplex apartments of varying sizes.

The existing building is being remodelled internally to provide two ground floor flats and two upper floor duplex apartments. The existing gallery space remains and access to the first floor is retained in its existing form. Incorporation of a new second floor into the existing building divides a high level space to provide additional accommodation.

The new build element consists of six apartments arranged over three floors with double aspect floor plans. A duplex apartment is arranged over the top floor of the south gable and the building height increases in this area by one storey. The materials proposed for the extension are smooth render, timber boarding, glass and exposed steel sections.

The entire area of existing hard surfacing to the rear of the site will be landscaped and parking will be provided mostly adjacent to the entrance driveway. Only one tree within the site will be removed, it being the yew tree to the front of the main building.

Alterations to the front of the building are restricted to new doors within existing openings and new entrance doors in place of an existing window.

It was originally intended to provide 13 flats with parking arranged to the south of the site. A considerably higher extension with a larger footplate was originally proposed.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are:

- do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against the granting of permission;
- do the proposals preserve the building or its setting or any features of special architectural or historic interest which it possesses? If they do not, there is a presumption against the granting of permission. 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 the determining issues, the Committee needs to consider:

- a) whether the proposed use is acceptable in this location;
- b) whether the proposals have an adverse impact on the building or its setting;
- c) whether the proposals preserve or enhance the character or appearance of the conservation area;
- d) whether the design is satisfactory given the setting of the site;
- e) whether the proposals are detrimental to residential amenity or road safety.

a) The application site is bounded by housing on three sides and, to the south, by a new primary school building and is within an area of Housing and Compatible Uses. Residential use of this building is therefore appropriate in this area and would also comply with local plan policies H1 and H3.

Policy H4 supports the sub-division of property to form residential use provided there is no unacceptable loss of architectural or historic character, satisfactory standards of accommodation are achieved and on-street parking difficulties are not worsened. Whilst there is no question the last two requirements are met, the issue of loss of character is one that has been raised in objections. There are no substantial alterations to the front of the building and there will be no loss of character to this part of the building. The rear elevation of the building is of significantly less quality than the front of the

building, having a largely blank central gabled projection and an unsightly single storey modern extension. The overgrown nature of the surroundings and blocked up windows further detract from the appearance of this elevation which is not visible from any public view. The complete remodelling of this rear elevation and the construction of an extension in a contemporary style, using modern materials, is considered acceptable given the poor quality of the facade.

In summary, there would not be an unacceptable loss in character and the proposed use of the building as residential is acceptable.

b) The alterations to the front of the building are of a minimal nature and there are no alterations proposed to the gable elevations of the building. The most radical changes are at the rear where it is proposed to construct a three/four storey extension across part of the facade and replace the remainder with materials to match the proposed extension. These alterations will result in the complete remodelling of the rear elevation and no detailing below eaves level will remain. However, as stated above, the existing rear facade of the building is very plain, partly because a planned extension to the building was never constructed.

Taking into account the poor quality of the rear facade and the fact the building was constructed with a future extension in mind, it is considered that the principle of an extension is acceptable. The architect was encouraged to extend the building out from the central gable but chose to extend to one side to make the best use of the existing gallery space. This has been successful and provides a pleasant communal space linking through to the landscaped gardens. The proposed extension is not substantially larger than the originally planned extension and, although the footprint is greater than the existing single storey extension, it is considered that the proposed contemporary extension and treatment to the facade is an improvement on the existing situation and will complement the existing architecture.

The proposed alterations will also improve the setting at the rear of the building. This former playground area is completely tarmaced, overgrown and currently severely detracts from the building's setting. The lack of a physical boundary to the south east and south of the site has a further negative impact on the setting. The introduction of soft landscaping, including a water feature, and the construction of stone boundary walls to complete the enclosure will significantly enhance the setting of the building. Similarly, the formalisation of the front area of the building, which is also currently tarmaced, will provide enhanced amenity and setting to the building.

In summary, the proposed extension and landscaping works to the rear area represent an improvement on the existing situation and will have a positive impact on the building and its setting.

c) The character of the Grange Conservation Area is described in the Central Edinburgh Local Plan as follows:

"A suburban area of villas characterised by extensive gardens and high stone walls, laid out to a plan by David Cousins between 1851 and 1870. Considerable variety exists in building styles including Italianate, Scots Baronial and Gothic - with some notable additions in the inter-war years. The main threat to the area is the over-development of villa grounds and erosion of garden space and boundary walls through the sub-division of property."

The proposed extension is sited to the rear, where there is already an extension. The spatial pattern of the area is, therefore, preserved.

As the most radical changes to the building are proposed to the rear facade of the building, which is not visible from any public viewpoint, the impact on the conservation area will not be significant. The materials that are proposed for the extension and facade remodelling are not typical of the area where stone is the predominant material. However, the existing building is rendered, unusual in this area, and the use of a modern pallett of materials, including render, is appropriate in this case. The presence of the new modern school building to the south of the application site will help to reduce the impact of the modern materials.

d) With regard to road safety, 11 parking spaces are being provided (one space is reserved for the priest of the nearby church) and a separate pedestrian footpath is being provided following the point raised by transportation. Road safety will, therefore, not be compromised by this proposal and on-street parking will not be worsened. Access to emergency vehicles will not be made any worse than the current situation.

A number of objectors have raised concerns about the possible overlooking of adjacent property as a result of this development. With regard to the windows in the side walls of the existing building, the presence of high stone boundary walls, existing natural screening and the introduction of obscure glazing into higher level windows will ensure there is no overlooking from these windows. With regard to the extension, nearly all the windows are at least nine metres from all the site boundaries. The only windows which fail to comply are the west facing windows of the three upper storeys at the south end of the extension. However, the distance to the site boundary from these windows is between eight and nine metres and this is to a communal back green area. The distance to the windows of the tenement on Falcon gardens is 20 metres. In this circumstance, this minor infringement will not result in any significant loss of residential amenity.

With regard to loss of trees, the yew tree in front of the main facade is the only one that is to be taken down that is within the conservation area (the trees to be removed at the access to the site are outwith the conservation area). The removal of this tree will open up the views of the main facade and is acceptable. All other trees within the site are being retained.

Although it is accepted that cars will be parked close to the gable of the tenement to the north of the site, there are only four windows in this gable, one at each level. It is not considered that this represents a significant fire risk

or would threaten the security of these tenement properties. Indeed, the introduction of a residential use into this long vacant site is more likely to improve the security situation in the area.

The proposals comply with the development plan and non-statutory guidelines, have no adverse effect on the character or appearance of the conservation area or the setting of the listed building and have no detrimental impact on residential amenity or road safety.

There are no material planning considerations which outweigh this conclusion.

It is recommended that the Committee approves this application, subject to a legal agreement as well as conditions on site contamination, samples of materials, landscape plan, window replacement and details on the stone boundary wall.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Martin Easson on 0131 529 3989 (FAX 529 3717)
Ward affected	46 - North Morningside/Grange
Local Plan	Central Edinburgh Local Plan
Statutory Development Plan Provision	Housing and Compatible Uses
Date registered	3 August 2004
Drawing numbers/ Scheme	01,12-16,19,22-29 Scheme 3

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.

If you require further information about this application you should contact the following Principal Planner, Martin Easson on 0131 529 3989. Email: martin.easson@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 or sarah.bogunovic@edinburgh.gov.uk

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Consultations, Representations and Planning Policy

Consultations

Education

Summary

Scheme 1

There is no spare capacity at James Gillespie High School. Accordingly, a total contribution of £20,800 should be sought towards alleviating the accommodation pressures at this school.

Transport Planning

Scheme 1

The application could be continued.

Scheme 2

Transportation submitted a copy of a Road User Safety Audit in which it was noted that no pedestrian facilities had been proposed.

It was noted from the site investigation that driver visibility. When leaving the new development to access Falcon Gardens, is obscured by foliage and the existing gate construction. It is of concern to the audit team that vehicles leaving the new development may have their sight lines obscured, endangering pedestrians using the footway on Falcon Gardens. It is recommended that the sight lines at this access be investigated and action taken to increase the conspicuousness of the entrance for both pedestrians and drivers. Changes to the design of the scheme should be submitted to the audit team for comment prior to progression of the scheme.

It was noted from the designs submitted that no lighting details have been provided as part of the new development. It is recommended that consideration be given to the introduction of lighting along the access to the new development.

It is noted from the details provided that no pedestrian facilities have been proposed. It is of concern of the audit team that there is no separation for vehicles and pedestrians accessing/leaving the new development. It is recommended that a separate pedestrian facility from Falcon Gardens to the new development be considered as part of the works. Changes to the design of the scheme should be submitted to the audit team for comment prior to progression of the scheme.

Environmental and Consumer Services

Scheme 1

No objections subject to contamination conditions

Representations

The application was first advertised on 13 August 2004.

26 letters of objection were received including objections from the National Playing Fields Association, Councillor O'Malley, Greenhill and Church Hill Amenity Association, Morningside Community Council and the Grange Association.

Objections were raised on the following grounds:

- loss of playing fields unacceptable
- proposals contrary to local plan policies CD2, CD4, CD5, CD10, CD11, CD16, CD17, CD18, CD19, GE11, H3, H4, T15
- inappropriate placing of parking spaces
- additional noise and pollution
- loss of security to surrounding properties
- extension would be out of keeping with design of existing building or the surrounding buildings
- misleading plans
- no waste management proposals
- overdevelopment of the site
- loss of light to surrounding properties
- extension too large

- proposals would fail to preserve or enhance the conservation area
- insufficient garden space around building
- loss of trees
- inappropriate materials for rear extension
- loss of mural

Revised proposals were submitted on 3 January 2005. Further neighbour notification was carried in respect of the revised proposals on 19 January and 17 March 2005.

Eight further letters of objection have been received including one each from Morningside Community Council, Greenhill and Church Hill Amenity Association and the Grange Association.

Objections have been raised on the following grounds:

- scale of extension inappropriate
- restricted access for emergency vehicles
- overlooking of adjacent residential property
- overdevelopment of the site
- extra cars will add to traffic in the area
- insufficient parking provided
- parking too close to adjacent tenement
- inappropriate materials
- loss of trees
- proposals contrary to local plan policies CD2, CD4, CD5, CD10, CD11, CD15, CD17, CD18, CD19, H3, H4, H11, T15, ED5

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 site is within an area of Housing and Compatible Uses of 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 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 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 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 CD19 (BUILDING ALTERATIONS) sets out requirements for the design, form, materials and positioning of alterations and extensions.

Policy GE11 (Tree Protection) sets out tree protection requirements for new development.

Policy GE12 (LANDSCAPING) requires development proposals to include provision for landscaping of high quality and new open spaces where appropriate.

Policy GE13 (OPEN SPACE IN NEW HOUSING) sets out requirements for open space provision for major housing developments.

Policy H3 (HOUSING - CONVERSION OF NON-RESIDENTIAL BUILDINGS) encourages, and sets out criteria for assessing, the change of use of suitable non-residential buildings to housing.

Policy H4 (HOUSING - SUBDIVISION OF PROPERTY) supports, and sets out criteria for assessing, proposals for the subdivision of property to form residential accommodation.

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

Non-statutory guidelines on 'OPEN SPACE REQUIREMENTS IN NEW DEVELOPMENT' set the required standards for open space provision.

Non-statutory guidelines on 'SUB-DIVISION OF LISTED BUILDINGS' supplement local plan conservation and design policies, providing guidance on sub-division with the aim of protecting the character and appearance of listed buildings.

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

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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. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. Consent shall not be issued until the developer enters into a legal agreement to contribute £20,800 towards alleviating the accommodation pressures at James Gillespies High School
3. 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.
- a) 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.

4. Sample/s of the proposed render and timber shall be submitted to and approved in writing by the Head of Planning & Strategy before work commences on site.
5. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Head of Planning & Strategy before work is commenced on site.
6. The approved landscaping scheme shall be fully implemented within six months of the completion of the development, and thereafter shall be maintained by the applicants and/or their successors to the entire satisfaction of the planning authority; maintenance shall include the replacement of plant stock which fails to survive, for whatever reason, as often as is required to ensure the establishment of the approved landscaping scheme.
7. Only the tree/s shown for removal on the approved drawing/s shall be removed, and no work shall be carried out on the remaining trees at any time without the prior written consent of the Head of Planning & Strategy.
8. A new stone boundary wall shall be constructed along that part of the site boundary to the east that currently has no physical boundary and along the south boundary. The new wall shall be in natural stone to match the existing appearance and height of the existing wall along the east boundary. Details of the design of this wall shall be submitted to the Head of Planning and Strategy for approval prior to the commencement of works on site and the wall shall be erected in full prior to the occupation of the first residential unit.
9. The existing windows to the main building shall not be replaced without the prior written consent of the Head of Planning and Strategy
10. Details of new pedestrian gate and cycle shed shall be submitted to and approved in writing by the Head of Planning & Strategy before work is commenced on site.
11. Prior to the commencement of works on site, details of access to and space for waste management facilities, including recycling, shall be submitted to and approved in writing by the Head of Planning and Strategy. Thereafter, the requirements agreed shall be implemented to the satisfaction of the Head of Planning and Strategy, prior to the occupation of the development hereby approved.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. To alleviate accommodation pressures at James Gillespies High School
3. In order to ensure the most efficient and effective rehabilitation of the site.
4. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
5. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
6. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
7. In order to safeguard protected trees.
8. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
9. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
10. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
11. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
12. NB. This consent is for planning permission only. Work must not begin until other necessary consents, e.g. listed building consent, have been obtained.

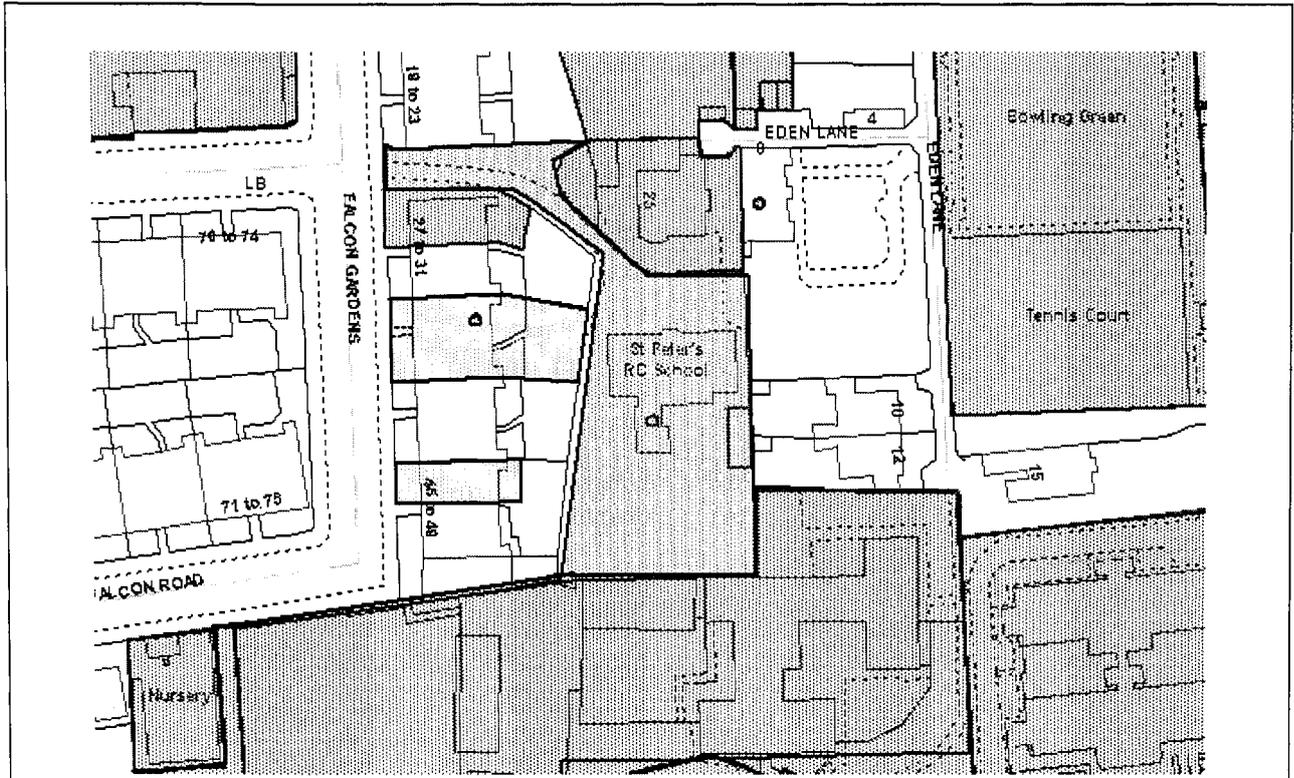
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Location Plan



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