

**Application by City of Edinburgh Council
04/04447/CEC**

at

Inch Park

Old Dalkeith Road

Edinburgh

EH16 4TD

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

1 Purpose of report

To consider application 04/04447/CEC, submitted by City Development Department. The application is for: **Flood defence walls and embankments, new bridges, flood storage reservoirs**

It is recommended that this application be **APPROVED**.

2 The Site and the Proposal

Site description

The Braid Burn rises on the north-west side of the Pentland Hills and passes through the City of Edinburgh before finally discharging into the sea at Portobello. The Braid Burn catchment drains an area of 30.5 sq.km. The catchment is relatively long and narrow flowing from the south-west to north-east from its headwaters in the Pentland Hills.

The specific site for this amendment is a public park which contains the grounds of Inch House, with stone boundary walls to Old Dalkeith Road and Sharpdale Loan. The Burn crosses the northern corner. Cameron Toll

Shopping Centre is immediately to the west, and to the south are the playing fields, sports pavilion and Inch House. Opposite, on Old Dalkeith Road are residential properties in Cameron Toll Gardens, and a Royal Mail sorting office, between which the burn flows after exiting the park. Between Inch Park and Peffermill the burn is in a straight man made channel. Inch House is a category A listed building.

Site history

April 2004 - consent granted to demolish approximately 450 metres of boundary wall and rebuild to similar height with sheet piled core (04/00426/LBC).

31 March 2004 Application by City of Edinburgh Council for flood prevention scheme incorporating flood defence walls and embankment, new bridges, flood storage reservoirs along the Braid Burn, approved (03/03979/CEC)

04/04586/LBC - existing boundary wall and rebuild to similar height with sheet piled core at adjacent location, granted 09.03.2005 following referral to the First Minister.

Description of the Proposal

The proposal is for the realignment of the north west boundary wall of Inch Park, adjacent to Old Dalkeith Road, to allow for the proposed tram line which follows this route. The new position of the wall will be 8 metres inside the park relative to the existing wall for the straight section along Old Dalkeith Road. Then at the corner the wall will take a more direct curved route towards Sharpdale Loan at up to 27 metres inside the existing wall. It is still the intention to reuse the stone from the existing wall to clad the proposed floodwall. As a result of this change, the culvert beneath Old Dalkeith Road, to Cameron Toll Gardens, will be 8 metres longer (25m in total). The outlet structure and debris screen is little changed apart from the access across it which has been widened from a pedestrian access to a vehicular one. The access from Sharpdale Loan, which was previously only pedestrian access, has been amended to vehicular access over a small embankment. The existing pavilion will be relocated as part of a separate application.

The applicant has submitted an Environmental Statement Addendum relating to the Inch Park site alterations.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are;

- Do the proposals preserve the listed building or its setting or any features of special or historic interest? 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 the determining issues, the Committee needs to take account of the following specific considerations:

- a) Whether the proposals have any adverse effect on the setting of Inch House, and the character of Inch Park;
- b) Whether the proposals have any adverse effect on the amenity of neighbouring residents;
- c) Whether the proposals have any adverse effect on the viability of the public park for sports activities;
- d) Whether the proposals have any adverse effect the surrounding transport network.

a. The actual park boundary wall is not statutory listed. Inch House (category A) and the walls to the garden (category B) east of Inch House are listed. The part of the boundary wall that is due to be relocated is sufficiently distant from Inch house that the proposed works will have no effect on the setting of Inch House. The character of the park will be affected slightly due to the realignment, however the wall will be clad in reclaimed and new stone to match, such that there should be little difference in appearance. As it is the whole elevation along Old Dalkeith Road that is affected, the wall will still appear to follow its natural line, and it will have a more natural curve at the northern corner compared to the three stepped turn that it presently makes. There is a stone plaque within the wall which is to be preserved and reinstated in the new wall as part of the listed building consent application.

There will be no effect on the setting of any of the listed buildings within the park, and the character of the park will be retained.

b. There will be no long term effect on residential amenity as the wall will be moving away from the nearest residential property. The construction works may however be more substantial than previously proposed, but this should not be significant. The operation and management of site works will be in accordance with an approved Environmental Action Plan as per the original consent.

c. It is acknowledged that the park will be reduced in size, and that this will adversely affect the viability of one of the pitches. This pitch will not be completely lost, but its range of activities will be reduced. This will be offset by the funding of a new sports pavilion within the park, which, as stated by SportScotland, would enhance the value of the park for sport.

On balance the viability of the park for sports and recreational activities will be preserved.

d. The proposed works will have no adverse effect on road, cycle or pedestrian networks. The works are in fact required to allow for future public transport development in the form of the tram line running from the New Royal Infirmary into the City Centre. Improved access is being made to the north corner of the park with vehicular access now being proposed. Consent should be granted on the condition that works do not commence until Tram Line 3 is formally approved.

The proposed works will not adversely affect the character or setting of Inch House, nor will there be any significant loss of amenity to the park. The reduction in size of the playing fields will be compensated for by future funding of a sports pavilion. The proposed works are in the best interests of flood prevention and the enhancement of Edinburgh's public transport system.

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

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Kingsley Drinkwater on 0131 529 3648 (FAX 529 3717)
Ward affected	55 - Moredun
Local Plan	South East
Statutory Development Plan Provision	Open Space
Date registered	9 December 2004
Drawing numbers/ Scheme	01-10 Scheme 1

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, Ian Dryden on 0131 529 3464. Email: ian.dryden@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.boqunovic@edinburgh.gov.uk

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Proposal: Flood defence walls and embankments, new bridges, flood storage reservoirs

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Consultations, Representations and Planning Policy

Consultations

Environmental and Consumer Services

With reference to the above application, this Department would offer no objection.

Scottish Environment Protection Agency

Sport Scotland

Sport Scotland has previously commented on the impact of the Braid Burn Flood Prevention Scheme 2003 on the sports pitches at Inch Park. It has also had discussions with Lismore Rugby Club about its proposals for improving sports facilities at the park.

The amended proposals for the floodwall along Old Dalkeith Road would reduce one of the pitches from 95 x 52 metres to 85 x 52 metres. The existing pitch is too small for adult rugby but it is used for training. The reduction in pitch size would reduce its value for training and also its potential use for junior games.

It is understood the existing changing block in the park is to be demolished. The intention was originally to replace this with a new block in the north corner. This will not be possible due to the proposed wall realignment. It is understood that the funding for the flood prevention scheme will make provision for the development of a replacement changing block. This will enhance the value of the park for sport. Provided that a suitable site can be found within the park for the changing block Sport Scotland would have no objections to the application.

Representations

The application was advertised on 18/01/05. One letter of representation has been received from the Cockburn Association. The issues raised are;

- Loss of trees;
- Demolition of wall is premature given transport project has not been determined;
- Random rubble character of wall must be maintained and stone reused.

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 identified by the **South East Edinburgh Local Plan** as being within a significant area of public open space.

Relevant Policies:

Policy E5 sets out objectives for open space provision and access to the countryside and specifies five areas for the provision of public open space.

Policy E6 establishes a presumption against the development of public and private open space defined on the Proposals Map and other areas of public and private open space of recreational or amenity value.

Policy E3 sets out criteria for dealing with proposals for the alteration or development of listed buildings and establishes a presumption against development likely to adversely affect their character.

Policy E4 sets quality objectives for new development.

Policy T3 supports the possible development of a light rail transport system

Policy T4 supports the establishment of a network of off-highway cyclepaths and footpaths, through development control.

Non-statutory guidelines on 'TREE PROTECTION' supplement local plan green environment policies, and support the retention of healthy trees of landscape or amenity significance, encourage new tree planting wherever appropriate within new development and promote a substantial renewal of the city's woodland resource.

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.

Non-statutory guidelines 'ACCESS TO THE BUILT ENVIRONMENT' seek to ensure that development proposals and streetscape works take account of the needs of disabled people.

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Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that this application be **APPROVED**.

Conditions

1. The application shall be referred to the Scottish Ministers prior to determination.
2. Before the development commences, a finalised Environmental Action Plan (EAP), based on the table of actions already submitted with the original planning application (03/03979/CEC), shall be prepared in consultation with the Head of Planning and Strategy and shall be adhered to throughout the construction and mitigation stages of the development.
3. As part of the Environmental Action Plan (EAP) for the works, the contractor will provide a method statement for carrying out specific activities, including; in-river construction, stream diversion, removal of soil and materials from sites, importing of materials into the sites, hours of operation, road closures, road and footpath diversions/closures. This method statement, along with the EAP, will set out in detail the measures proposed to protect the environment during implementation of the works. In addition a Site Emergency Action Plan will be produced, agreed in writing by the Head of Planning and Strategy and disseminated to all site staff, before the development commences.
4. The new wall shall be faced with stone reclaimed from the existing wall, to both sides, and any new stone shall be carefully chosen to match.
5. No development shall take place 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.

6. Prior to the demolition of the walls in and around Inch Park, the applicants shall construct a three metre trial section in an agreed position to demonstrate materials and finishing details to the satisfaction of the Head of Planning and Strategy.
7. No work shall commence on the wall, as hereby approved, until such time as
 1. The tram scheme has been fully approved, and
 2. The Head of Planning has agreed in writing that work may commence.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to ensure ecological impact are minimised and managed to protect against the impacts of the construction phase of the development.
3. To ensure adequate protection is given to the amenity of neighbours and to local wildlife and in the interests of road safety and traffic management.
4. In order to safeguard visual amenity.
5. In order to safeguard the interests of archaeological heritage.
6. In order to safeguard visual amenity.

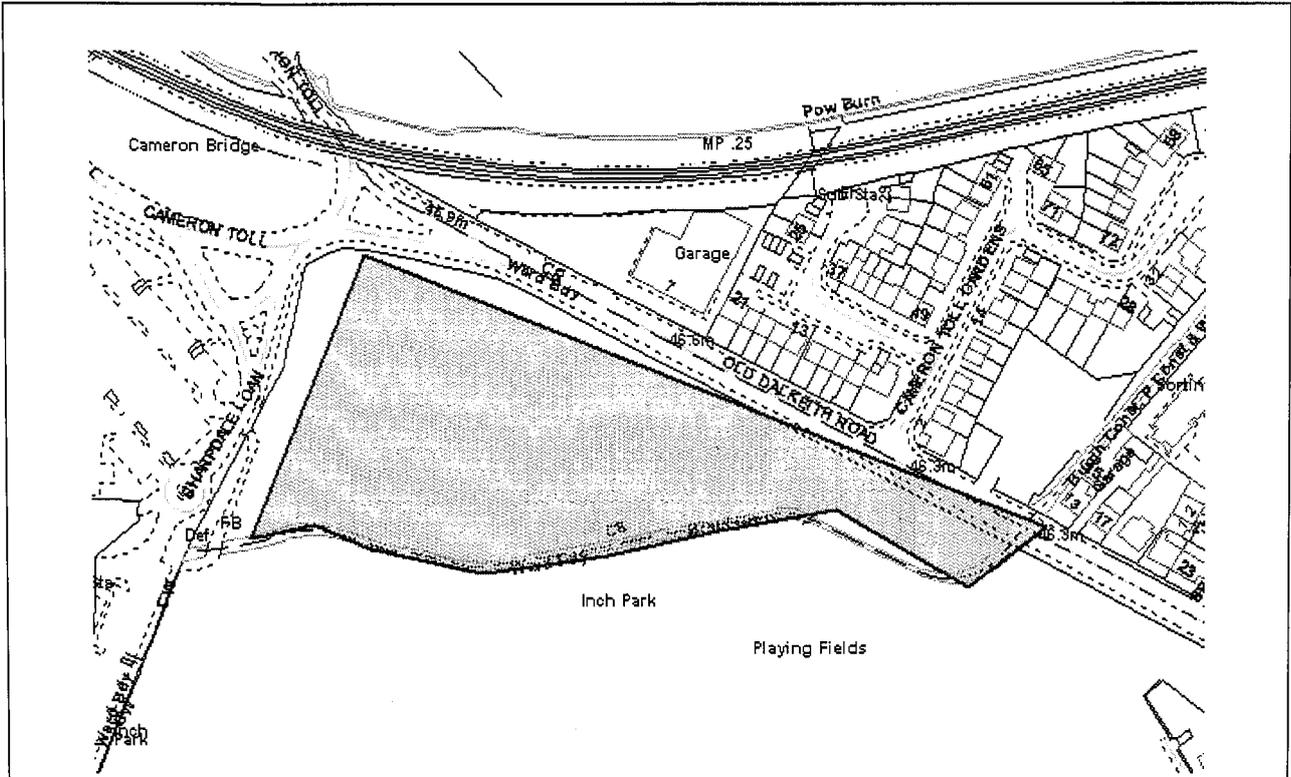
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Location Plan



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