

**Full Planning Application 04/03496/FUL  
at  
Gilmerton Community Centre  
4 Drum Street  
Edinburgh  
EH17 8QG**

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

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**1 Purpose of report**

To consider application 04/03496/FUL, submitted by Gilmerton Community Education Centre Management Committee. The application is for: **8 market stall pitches to front (east) car park - car boot sale pitches to rear (west) car park - circulation opening once a week - Saturdays 10.00 - 16.00 hrs (as amended to use of front car park only, and operating hours of 9am to 12pm).**

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 comprises the grounds of Gilmerton Community Centre, located at the junction of Drum Street and Newtoft Street. There are two vehicular access points, on Drum Street and Newtoft Street. The surrounding area is residential in nature, and includes a small shopping centre.

## **Site history**

There is no relevant planning history for this site.

## **Description of the Proposal**

### **Scheme 1**

The application was originally for an open air market and car boot sale to be located within the grounds of Gilmerton Community Centre, with 8 market stall spaces in the front car park and 30 car boot spaces in the rear car park, operating on Saturdays only from 10am to 4pm.

### **Scheme 2**

The application has been amended to the use of the front car park only, and the operating hours have been amended to 9am to 12pm.

## **3 Officer's Assessment 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 if this is not the case);
- 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 these determining issues, the Committee needs to consider whether:

- (a) the proposal will adversely affect the character or appearance of the Conservation Area
- (b) there will be any adverse impact on residential amenity
- (c) there are any implications for the vitality or viability of surrounding shopping centres.

(a) GILMERTON CONSERVATION AREA CHARACTER STATEMENT

*The character of the Conservation Area derives from its long history as a rural village and a centre of coal mining and limestone quarrying. A number of old buildings survive, only one of which is listed, and are the basis of the Conservation Area. With its shopping activity, it is a focal point of identification for the surrounding modern housing schemes. It has a distinctive hilltop location on the edge of the urban area with open countryside still abutting to the south. It thus gives the Green Belt a suitable edge. Derelict and underused buildings provide an opportunity for restorative developments in keeping with traditional scale and character.*

The proposal is for a change of use to an outdoor market on Saturday mornings. No permanent structures are involved. The character and appearance of the Conservation Area are preserved by the proposal.

(b) The proposed market will operate only on Saturday mornings between 9am and noon. A trial period of one year is recommended to ensure that the impact of the proposal on surrounding amenity and traffic can be properly assessed. Transport has no objections to the proposal on this basis.

The proposed use of the rear car park on an occasional overflow basis is not material to the determination of the application and is unlikely to raise any additional amenity issues.

The other matters highlighted by Education (litter and Health and Safety) are not planning issues, and would be addressed through the management of the operation.

There is unlikely to be any significant impact on surrounding residential amenity.

(c) The proposal accords with the locational criteria contained within Policy S1 of the South East Edinburgh Local Plan, and R2 of the replacement plan. The limited nature of the proposal is unlikely to have any negative impact on existing shopping centres.

The proposals comply with the relevant Local Plan Policies.

There are no material considerations which outweigh this conclusion.

It is recommended that the Committee approves this application, subject to conditions relating to operating times and a temporary consent.

The Council has an interest in the land to which the application relates. As however there has been no substantial body of objection, referral to Scottish Ministers is not required.

Alan Henderson

**Alan Henderson**  
Head of Planning and Strategy

<b>Contact/tel</b>	Michael Paton -Mon, Tues, Thurs, Friday (not Wednesday) on 0131 529 3902 (FAX 529 3706)
<b>Ward affected</b>	56 - Gilmerton
<b>Local Plan</b>	South East
<b>Statutory Development Plan Provision</b>	Urban Area
<b>Date registered</b>	5 October 2004
<b>Drawing numbers/ Scheme</b>	01 Scheme 2

#### **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, Graham Dixon on 0131 529 3519. Email: [graham.dixon@edinburgh.gov.uk](mailto:graham.dixon@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)

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## Consultations, Representations and Planning Policy

### Consultations

#### *Environmental Services*

*No objections.*

#### *Transport*

*No objections, subject to consent being granted for a limited period of 12 months.*

*(Reason: To assess the level of traffic generated by the proposed development and any traffic problems arising in the vicinity during this period.)*

#### **Education - comments dated 5 October 2004**

*As Head of Establishment of Gilmerton Community Centre, I wish to object to the application to erect 8 market stalls for weekly markets (Saturdays 10-4pm)*

*My objections are as follows:*

- 1. The applicant is Gilmerton Community Council. No such organisation exists. This has been verified by Ms Eileen Hewitt, Community Council co-ordinator, The City of Edinburgh Council.*
- 2. As Head of Establishment, I have responsibility for Health and Safety. Traffic management within the Centre grounds has been subject to a Risk Assessment.*

*As a result of that process, various measures have been put in place. These include restricting access and by cementing in bollards.*

*These sanctions have been approved by Mr Robin Beith, Health and Safety Officer, Education Department, City of Edinburgh Council (see attached info). It would therefore not be appropriate to allow vehicles over this area.*

*3. A garden area has been upgraded and made safe for pedestrian and wheel chair access. Additional vehicles would negate the safety (see attached info).*

*4. The area has just been resurfaced as a cost of #40,000. The new surface is not of a car park specification, it is a Playground specification. The Councils' investment needs to be safeguarded to prevent it returning to its previous condition.*

*The application requests permission from 10am-4pm. Gilmerton Community Centre closes 12 noon. There would be no access to toilet facilities from 12 noon and 4pm and no access to telephone or first aid supplies in emergency situations*

### **Education - comments dated 31 March 2005**

*As I outlined to you in our phone call on 31 March 2005, agreement has been reached with all parties involved in the operation of our Outdoor Market at the centre.*

*We will support the current Planning Application provided the following conditions are incorporated:*

*1. The market will take place between 9.00 am-12.00pm. Traders will be required to have removed their cars by 1.00pm*

*2. Only the front car park will be used with an overflow capacity of eight cars only (along the back of the building) to be utilised only if required.*

*3. Litter removal will be the responsibility of the Head of Establishment.*

*4. All Health and Safety matters will be the responsibility of the Head of Establishment.*

*Subject to these changes the Education Department, as landlords, are happy for the original application to progress.*

### **Representations**

It has been certified that neighbours were notified, and the application was advertised on 15 October 2004.

Scheme 1:

Three objections were received. The grounds were effect on the character of the area, residential amenity and traffic and road safety.

Support for the proposal by the local MSP, Councillor and Council Leader has been alleged by the applicant, but this has not been confirmed by the individuals concerned, and Nigel Griffiths MP has specifically stated he has no knowledge of the proposal.

Scheme 2:

No notification was undertaken regarding the revised scheme.

***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**

### **Finalised South East Edinburgh Local Plan - Urban Area**

#### Relevant Policies:

H6 - seeks to protect residential amenity

R1 - sets general principles for retail development

R2 - supports retail developments in or adjacent to existing defined retail centres

T2 - general transport impact

T9 - private parking

**South East Edinburgh Local Plan** - The area is allocated as Mainly Residential, where existing residential character and amenities are to be safeguarded.

#### Relevant Policies:

Policy H5 presumes against the establishment or extension of a non-residential use likely to lead to an unacceptable loss of amenity through increased traffic, unsightliness or noise.

Policy T5 requires adequate car parking provision in all new development in conformity with Council adopted standards.

Policy S1 specifies the locations in which new shopping development will be permitted and discouraged.

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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 consent.
2. The hours of operation shall be restricted to 9am to 12pm, Saturdays only.

### Reasons

1. In order to assess the impact of the development over a trial period.
2. In order to safeguard the amenity of neighbouring residents and other occupiers.

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End





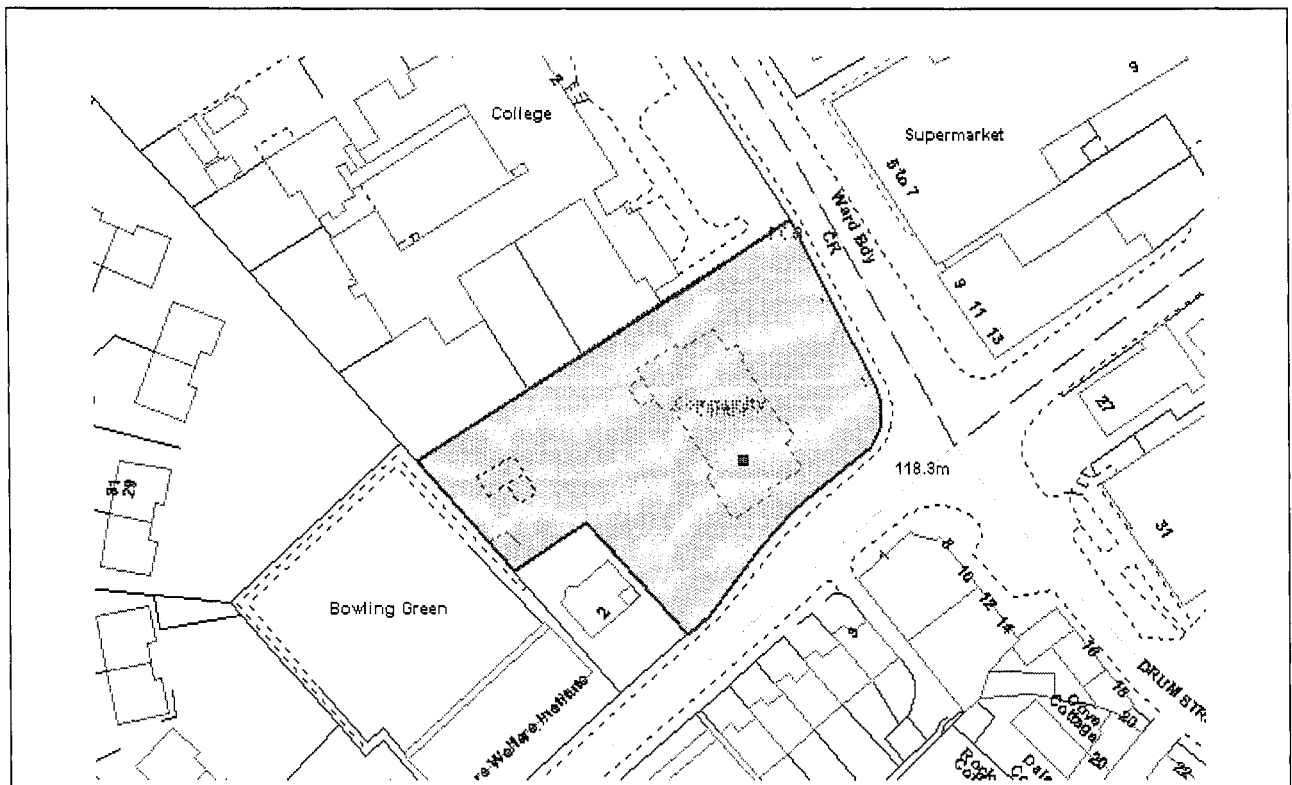
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### Location Plan



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