

# Development Management Sub Committee

Wednesday 7 March 2018

**Application for Planning Permission 17/04787/FUL  
At Former St Margaret's School, 4 East Suffolk Road,  
Edinburgh  
Conversion of pre-school nursery to 6 dwellings with new  
vehicle access, car parking and bin store.**

<b>Item number</b>	4.1
<b>Report number</b>	
<b>Wards</b>	B15 - Southside/Newington

## Summary

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The application fails to comply with Local Development Plan policies Env 6, Env 12, Hou 3, Hou 4, Hou 5, and Tra 4. The proposals would result in a sub-standard environment for future occupiers, and would adversely affect the character and appearance of the Craigmillar Park Conservation Area. There are no material considerations which outweigh this conclusion.

## Links

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<a href="#"><u>Policies and guidance for this application</u></a>	LDPP, LHOU05, LDES03, LDES05, LEN06, LEN12, LHOU01, LHOU02, LHOU03, LHOU04, LTRA04, LEMP09, NSG, NSGD02, NSLBCA, CRPCMP, LTRA02, LTRA03,
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# Report

## **Application for Planning Permission 17/04787/FUL At Former St Margaret's School, 4 East Suffolk Road, Edinburgh Conversion of pre-school nursery to 6 dwellings with new vehicle access, car parking and bin store.**

### **Recommendations**

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1.1 It is recommended that this application be Refused for the reasons below.

### **Background**

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#### **2.1 Site description**

The site is a two-storey, sandstone building located on the south side of East Suffolk Road at its junction with East Suffolk Park.

This application site is located within the Craigmillar Park Conservation Area.

#### **2.2 Site History**

1 September 2011 - Application granted for a pre-school nursery with part change of use and sub-division of part of the first floor to form two flats with a separate entrance. Flat one to be used by the owners of the Nursery, with car parking and ancillary buildings. Erect solar panels on the existing flat roof (application number 11/01819/FUL).

15 December 2014 - Planning permission was granted to erect 4 residential units, car parking and associated landscaping. (application number 14/04188/FUL).

16 February 2015 - Conservation Area Consent was granted to demolish two existing single-storey classroom buildings (application number 14/04189/CON).

10 December 2015 - Planning permission was granted for the conversion of attic space to one self contained flat with external works and landscaping (application number 15/03246/FUL).

21 September 2016 - Planning permission was granted for part conversion of existing pre-school nursery to ground floor flat (application number 16/01295/FUL).

29 September 2017 - Planning permission was refused for conversion of pre-school nursery to 6 dwellings with car parking, bin store and landscaping (application number 17/03472/FUL). This application was refused on the grounds of failure to comply with policies Hou 3, Hou 4, Hou 5 and Tra 3 of the LDP. No appeal was submitted.

## **Main report**

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### **3.1 Description Of The Proposal**

The application proposes the conversion of an existing nursery school (Class 10) to form six flatted dwellings (Sui Generis), and associated alterations, including the formation of vehicular access, parking spaces and bin stores.

### **3.2 Determining Issues**

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against 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?

### **3.3 Assessment**

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

- a) The proposed use is appropriate in the location;
- b) The proposals would have an acceptable impact on the character and appearance of the Craigmillar Park Conservation Area;
- c) The design and density is acceptable;
- d) An adequate environment would be provided for future occupiers;
- e) Any adverse impact on neighbouring amenity would be resultant from the proposals;
- f) Road safety has been addressed;
- g) Any developer contributions are required;
- h) There are any flooding issues on site; and
- i) Any matters raised in representations have been addressed.

a) Principle

Local Development Plan (LDP) policy Hou 5 states that "Planning permission will be granted for the change of use of existing buildings in non-residential use to housing, provided:

- a) a satisfactory residential environment can be achieved;
- b) housing would be compatible with nearby uses;
- c) appropriate open space, amenity and car and cycle parking standards are met; and
- d) the change of use is acceptable having regard to other policies in this plan including those that seek to safeguard or provide for important or vulnerable uses."

The surrounding area is predominantly residential, with partially constructed new build housing within the site and other parts of the building being converted to residential uses. The site is appropriate for housing in principle, subject to the provision of a satisfactory residential environment and compliance with other policies in the plan.

The loss of the existing business premises complies with LDP policy Emp 9 as conversion to residential would not prejudice the activities of any nearby employment uses.

b) Impact on the conservation area

*The Craigmillar Park Conservation Area Character Appraisal emphasises the predominance of high quality stone-built Victorian architecture of limited height which provides homogeneity through building lines, heights, massing and the use of traditional materials, and the predominant residential use. The architectural character is generally uniform, with buildings of two and three storey. The front gardens are enclosed with low walls, railings and hedges.*

The alterations which would alter the character of the property in the conservation area to the greatest extent are the provision of a new vehicular access, parking spaces and the erection of bin stores. There are limited alterations proposed to the external appearance of the existing building.

The application proposes alterations to form a new access and parking area on the main entrance to the building facing East Suffolk Road where there is an existing pedestrian access. The proposed access would be 5.8 metres wide, with engineering works required to lower the existing garden ground level. The area would be hard surfaced, although no details of proposed materials have been submitted.

This aspect of the proposals would result in the loss of 3.7 metres of original low stone boundary wall, which is a traditional characteristic feature of properties in the area. The proposed parking area would also result in the loss of two trees. No consideration has been given to the value of these trees in the supporting information submitted by the applicant. These trees have a significant impact on the character of the site in the conservation area, especially as a number of mature trees have been removed from the site in recent years.

The proposed alterations in the curtilage of the building, particularly the loss of the part of the front boundary wall, fail to comply with LDP policy Env 6 and would fail to preserve or enhance the character and appearance of the Craigmillar Park Conservation Area. The loss of the existing protected trees in the front garden fails to comply with LDP policy Env 12.

#### c) Design and density

The proposed alterations to form six new flats on this site would bring the total number of units, within the red line boundary, to fourteen. This would bring the total density of the site to 70 dwellings/hectare.

LDP policy Hou 4 states that "The Council will seek an appropriate density of development on each site. Higher densities will be appropriate within the City Centre and other areas where a good level of public transport accessibility exists or is to be provided. In established residential areas, proposals will not be permitted which would result in unacceptable damage to local character, environmental quality or residential amenity."

The proposals would result in a density of development significantly higher than other residential properties in the street. This level of density has not been adequately justified in the application. It is acknowledged that the site is located in a highly accessible area, and is close to main public transport corridors. However, the proposed density is not characteristic of residential properties and the street, and this density of development would fail to provide an adequate level of amenity for future occupiers as assessed in section 3.3d. On this basis the application fails to meet LDP policy Hou 4 and would introduce an inappropriate density of development to the site.

#### d) Amenity provision for future occupiers

LDP policy Hou 3 states that "Planning permission will be granted for development which makes adequate provision for green space to meet the needs of future residents." The submitted plans show proposed areas of private garden ground for ground floor flats and for an area of shared garden space to the front. On the basis of the drawings submitted, the application meets the requirements of Hou 3 in providing 10 square metres of open space per flat.

However, Committee should note that should they be minded to approve the application, the layout of the proposals would have implications on other previous permissions on the site which have been taken up, or are under construction. The area of proposed private garden ground for flat GF4 to the rear of the building has previously been shown as garden space for flats approved under previous applications, and currently under construction, notably 14/04188/FUL. As such, the only space for use by the flats proposed in the current application is the existing nursery playground to the front of the property. This area is north facing, and receives little direct sunlight. The area is currently astroturfed, which constitutes a hard surface, and the plans show no intention to introduce soft landscaping to this area. Given that this space is at the front of the property, the open space is not properly screened from traffic and has a low amenity value. On this basis, the proposals fail to meet LDP policy Hou 3 in terms of the provision of private open space for future occupiers.

In terms of the provision of daylight to the proposed units, the front elevation of the property benefits from large windows and would clearly meet minimum standards. Proposed unit GF4 shows a window to bedroom 3 on the submitted floor plan, which is not shown on the proposed elevations. The existing small window at this location would provide inadequate daylight to this room. In addition, proposed unit Flat 6 shows a new windows opening at bedroom 1 on the proposed elevation, but this is not shown on the plan form. This unit also appears to have discrepancies in the proposed floor plan, as existing window levels do not match the proposed single level floor plan of the unit. A new floor level which is visible externally across the existing large stairwell window would adversely impact on the appearance of the property.

For the above reasons, the proposal fails to comply with LDP policies Hou 3 and Hou 5 and the Edinburgh Design Guidance, and is of an inappropriate design which would not provide a suitable environment for future occupiers.

#### e) Impact on neighbouring amenity

The proposals will not have a significant adverse impact on neighbouring residential amenity, through loss of privacy, daylight or sunlight.

#### f) Transport issues

The application proposes the formation of three new off street car parking spaces to the new parking area accessed from East Suffolk Road, and two new car parking spaces from East Suffolk Park. The proposed parking spaces are shown as 4.9 metres deep x 2.2 metres wide. This size of bay would be of insufficient size to accommodate any larger family cars and would not provide adequate usability of the parking areas. Minimum dimensions of parking bays are found in other non-statutory guidance.

In addition, although provision is made for private cycle parking within the development, this is of a design which would inhibit usability. Proposed flat GF3 is accessed via the northern side of the building. However, the proposed cycle storage area associated with this property can only be accessed on the eastern side of the building through two sets of doors. The distance between the proposed cycle store and the entrance of the flat is not considered to be an acceptable design solution.

On this basis, the proposal fails to comply with LDP policy Tra 4 and is of an inappropriate design.

Again, the proposals, if recommended for approval, this would have the effect of nullifying previous consents on the site which would create issues for the land owner. The new parking spaces on the East Suffolk Park elevation (east) are proposed to be located within an area which houses the proposed bin store and raised planter associated with planning application 14/04188/FUL. In addition, the new bin store associated with the proposals would be located on an existing parking space as associated with an existing residential property in the attic of the building.

Given that planning permissions are mutually exclusive, and run with the land, not the ownership of the site, the proposals should not interfere with existing schemes as granted and under implementation as this would prejudice the ability to complete these schemes in accordance with the approved plans.

#### g) Developer contributions

As the current application is for only six dwellings, no developer contributions are applicable as this does not meet this minimum threshold. The site will not provide any affordable housing provision.

#### h) Flooding

The applicant has submitted flooding details including a surface water management plan. It was found that the proposals would not significantly increase flood risk in the local area.

#### i) Representations

Seventeen letters of support, and 5 objections were received relating to the proposals.

### **Material issues of Support**

- Proposed conversion is sympathetic to the building (addressed in section 3.3b);
- Proposed residential use in keeping with character of the area (addressed in section 3.3a);
- Reduction in traffic in the area (addressed in section 3.3f);
- Plenty of garden space for new residents (addressed in section 3.3d);
- Complies with policies Hou2, Hou3, Hou4 and Hou5 of Edinburgh local development plan (addressed in section 3.3d); and
- Cycle parking provided which satisfies policy Tra 3 (addressed in section 3.3f).

### **Material issues of Objection**

- Loss of existing employment provider (addressed in section 3.3a);
- The area to the rear of the building shown as garden ground is too narrow and overshadowed to provide any useable amenity space (addressed in section 3.3d);
- Density will be significantly higher than surrounding properties (addressed in section 3.3c);

- Existing windows on the west elevation of the building do not align with the proposed floor plans (addressed in section 3.3d); and
- Site is already overdeveloped (addressed in section 3.3c).

### **Non-material issues of Support**

- Appropriate re-use of an old building;
- Street is already busy;
- Lack of housing supply in the area; and
- Existing shortage of affordable housing.

### **Non-material issues of Objection**

- Loss of existing off street parking spaces; and
- Lack of nursery places in the area.

### **Grange/Prestonfield Community Council**

The community council have objected to the application on the following grounds:

- This application is substantially the same as 17/03472/FUL which was refused planning consent on 17th September 2017.
- No objection in principle to the conversion to housing of that part of the site and building currently used for the pre-school nursery, subject to compliance with policies in the LDP and CEC Guidance and respect for the character of the Craigmillar Park Conservation Area.
- The proposals would be in conflict with the Local Development Plan, specifically Policies Des 1, Hou 3, Hou 4, and Env 6, as well as the CEC Design Guidance and that for Conservation Areas.
- Externally there is to be no overall increase in shared garden space areas.
- Inappropriate positioning of bin store.
- Excess provision of off street parking in a highly accessible area.
- Loss of protected birch tree.
- No details of surface water runoff.
- No landscaping details for shared space to the north of the flats.
- Density will be significantly higher than the character of the surrounding area.

### **Conclusion**

The proposal is one of a succession of recent applications for the site, which have resulted in a piecemeal approach to the development of housing. The application shows a misleading approach to land allocations on the site, and attempts to amend the layouts of existing planning consents without linking these into any prior applications. The proposed change of use to form six additional units would result in an adverse impact on the character and appearance of the Craigmillar Park Conservation Area, would result in an inappropriate density of development on the site, with a sub-standard environment for future occupiers and would have inappropriately designed cycle and car parking. The proposed alterations fail to comply with policies Env 6, Env 12, Hou 3, Hou 4, Hou 5, and Tra 4 of the Local Development Plan. There are no material considerations which would justify approval of this application.



It is recommended that this application be Refused for the reasons below.

### **3.4 Conditions/reasons/informatives**

#### **Reasons:-**

1. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development and Env 12 in respect of trees, as the formation of the proposed parking areas would result in the loss of traditional boundary features, and loss of protected trees, which would adversely impact on the character and appearance of the property in the Craigmillar Park Conservation Area.
2. The application fails to comply with Local Development Plan policies Hou 3, Hou 4 and Hou 5 in respect of the provision of green space, density and conversion to housing as the proposals would not result in a satisfactory environment for future occupiers and would not provide appropriate open space and amenity space.
3. The proposal fails to comply with Local Development Plan policy Tra 4 in respect of the design of off street car and cycle parking as the proposals would not provide an appropriate design solution for the provision of car and cycle parking which would limit the usability of these areas for future occupiers.

### **Financial impact**

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#### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

### **Risk, Policy, compliance and governance impact**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

### **Equalities impact**

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#### **6.1 The equalities impact has been assessed as follows:**

The application has been assessed and has no impact in terms of equalities or human rights.

### **Sustainability impact**

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#### **7.1 The sustainability impact has been assessed as follows:**

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **8.2 Publicity summary of representations and Community Council comments**

Seventeen letters of support, and 5 objections were received relating to the proposals. These included comments from the Grange and Prestonfield Community Council.

A full assessment of the representations can be found in the main report in the Assessment section.

### **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development  
Plan Provision**

LDP - Craigmillar Park Conservation Area.

**Date registered**

16 October 2017

**Drawing numbers/Scheme**

01-11,

Scheme 1

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

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**Links - Policies**

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**Relevant Policies:**

**Relevant policies of the Local Development Plan.**

LDP Policy Hou 5 (Conversion to Housing) sets out the criteria for change of use of existing buildings to housing.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

LDP Policy Env 12 (Trees) sets out tree protection requirements for new development.

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

LDP Policy Hou 2 (Housing Mix) requires provision of a mix of house types and sizes in new housing developments to meet a range of housing needs.

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

LDP Policy Hou 4 (Housing Density) sets out the factors to be taken into account in assessing density levels in new development.

LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

LDP Policy Emp 9 (Employment Sites and Premises) sets out criteria for development proposals affecting business and industrial sites and premises.

### **Relevant Non-Statutory Guidelines**

**Non-Statutory guidelines** Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

**Non-statutory guidelines** 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

The Craigmillar Park Conservation Area Character Appraisal emphasises the predominance of high quality stone-built Victorian architecture of limited height which provides homogeneity through building lines, heights, massing and the use of traditional materials, and the predominant residential use.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

# Appendix 1

**Application for Planning Permission 17/04787/FUL  
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## Consultations

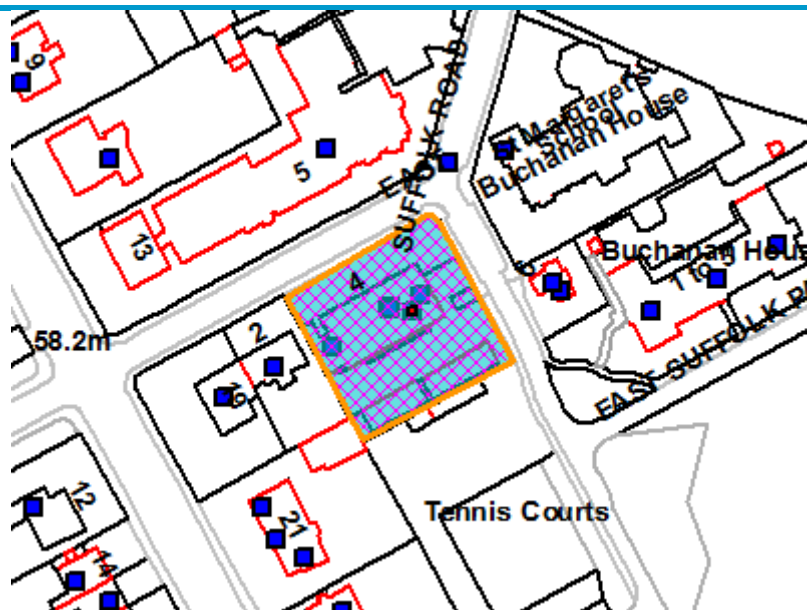
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### Flood Planning

No flooding issues identified.

### Location Plan

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