

Development Management Sub Committee

Report returning to Committee - Wednesday 12 September 2018

Application for Planning Permission 09/03284/FUL At 50 Pilrig Street, Edinburgh, EH6 5AL Erection of five storey building to form 8 residential apartments with associated parking and amenity space

Item number	5.1
Report number	
Wards	B12 - Leith Walk

Recommendations

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

Background information

At its meeting of 9 March 2011, Committee was minded to grant this application subject to a legal agreement relating to public transport infrastructure and a tram contribution. Despite reminders, the applicant has not taken steps to conclude the legal agreement and so planning permission has never been issued and the application is still 'live'. In the meantime, there have been new material planning considerations which means that the application needs to be re-assessed. The duty to consider all material considerations continues until the time a grant or refusal is made, whether or not the resolution to grant is subject to a legal agreement.

Main report

The new material considerations in this case are the Edinburgh Local Development Plan, the updated Edinburgh Design Guidance and the designation of Pilrig Conservation Area. The application has been re-assessed in relation to these new material considerations and requires a new decision by the Development Management Sub-Committee.

The principle of the development remains acceptable in terms of policy Hou1 provided it is compatible with other policies in the Plan.

The site is now located within Pilrig Conservation Area and lies adjacent to listed buildings. Policies Env 3 and Env 6 require new development to preserve or enhance the special character or appearance of the conservation area and to respect the setting of listed buildings. In addition, policies Des 1 and Des 4 are designed to ensure that new development creates a sense of place which draws on the positive characteristics of the surrounding area. New development must have a positive impact on its surroundings having regard to scale and proportions, height and form, position and materials and detailing. Edinburgh Design Guidance has been updated to inform these policies and achieve higher standards of design and is a material planning consideration.

The Pilrig Conservation Area Character Appraisal identifies the following essential characteristics:

- *The spatial structure of the area is characterised by its varied street pattern and terraced properties, contrasted with the green space of Pilrig Park and Rosebank Cemetery. The scale is set by two storey housing.*
- *The area is low density and although there are some streets which follow the traditional tenement scale of Leith Walk, other streets consist mainly of stone-built terraced housing.*
- *Extensive use of a restricted palette of natural stone, slate and cast iron detail.*
- *Similarity of proportions and terraced forms provide a unity of character in the area.*
- *The significant degree of uniformity resulting from the predominant use of traditional building materials.*
- *The variety of architectural styles that contribute to the overall character.*

The proposal is of modern design and continues the existing building line on Pilrig Street, but is closer to the road than the existing development on the south side of Dryden Street. The height of the building is lower than the adjacent buildings due to the flat roof. The proposed building will be in keeping with the existing heights. Although the new windows have a vertical emphasis in keeping with the traditional style of the neighbouring properties they do not line up with the adjacent building as the new building is three storeys up to eaves level whilst the listed building to the south is two storeys. This affects the uniformity of proportions which are part of the character of Pilrig Street. The Dryden Street elevation has large expanses of stone with some articulation on the corner but is otherwise featureless.

The use of plain sandstone on the elevation facing Pilrig Street connects well with the existing stone facades of the adjoining listed buildings. Ashlar faced sandstone details will be continued on the elevation facing onto Dryden Street in keeping with the traditional building on the opposite corner of Dryden Street. The rear elevation is partly ashlar stone and facing brick. The use of stone will preserve and enhance the character of the adjacent conservation area and will not be detrimental to the setting of the nearby listed buildings. However, brick is not a traditional material in the conservation area and is considered unacceptable.

The roof of the new building is basically a zinc clad box set back from the eaves. This is not a traditional roof form in the conservation area and is a discordant feature.

Whilst the scale and mass of the building are generally acceptable, the roof form and the proportions of the building are at odds with the character and appearance of the conservation area and adversely affect the adjacent listed building. The use of brick, even if only on the rear elevation introduces a non-traditional material. As such, the development is contrary to policies Env 3 and Env 6 and fails to comply with Des 1 and Des 4.

Other matters in relation to residential amenity and archaeology raise no new material planning issues. However, the required legal agreement to secure tram contributions has not been concluded despite reminders and so is contrary to policy Del 1. It is recommended that the Committee refuses this application in the absence of a legal agreement to suitably mitigate the impact of the development on the City's transport infrastructure.

Conclusion

In conclusion, new material planning considerations have been assessed and the proposals do not comply with the development plan.

Whilst the scale and mass of the building are generally acceptable, the roof form and the proportions of the building are at odds with the character and appearance of the conservation area and adversely affect the adjacent listed building. The use of brick, even if only on the rear elevation introduces a non-traditional material. As such, the development is contrary to policies Env 3 and Env 6 and fails to comply with Des 1 and Des 4. In addition, a legal agreement has not been concluded for the tram contribution contrary to Del 1. There are no material considerations which outweigh this conclusion.

It is recommended that the Committee refuses this application due to non-compliance with the Development Plan.

Links

Policies and guidance for this application CITD3, CITE6, CRPLEI, NSG, NSDOP,

A copy of the original Committee report can be found in the list of documents at

<https://citydev-portal.edinburgh.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=KV2173EW01U00>

Or Council Papers online

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